



Staff Report for Joint Work Session of Planning Commission & Historic District Review Board

Agenda Title:	Review of Draft Zoning Text Amendments to Chapter 32, Article VIII – HD Overlay – and new Appendix G to Design Guidelines
Agenda Date:	February 21, 2026
Prepared by:	Katie Nunez, Director of Planning & Zoning Administrator
Reviewed By:	Katie Nunez, Director of Planning & Zoning Administrator
Date:	February 10, 2026

Background:

- 1) Summer 2024, an appeal was filed with the Board of Zoning Appeals regarding a Zoning Administrator decision that found a property owner in violation of not completing an application and obtaining Zoning approval prior to conducting work on their property in compliance with the Historic District Overlay Ordinance and the Guidelines. On October 8, 2024, the Board of Zoning Appeals upheld the appeal and overturned the Zoning Administrator decision.
- 2) Fall 2024, this entire file of the BZA Appeals Case was reviewed by the Town's attorney and he noted that the ordinance did not clearly state that a zoning approval by the Town was required for all elements of repair/renovation or building additions within the Historic District.
- 3) November 7, 2024, the BZA decision and Attorney input was reviewed with Town Council by the Town Manager at Town Council Work Session. This discussion concluded that some amendments to the Zoning Ordinance should be proposed regarding process and approvals required and a more detailed listing of the types of renovation/repair work that require no review; review by Zoning Administrator; and review by the Historic District Review Board. Said zoning text amendments and guideline revisions should be considered to rectify this issue and clearly state the Town's intent of zoning review in the Historic District but that it would be useful to also improve the distinction between routine maintenance work on a property vs. minor work vs. major work and the levels of review required by either the Zoning Administrator or the Historic District Review Board leading to the issuance of a Certificate of Appropriateness of the approved work being sought by the property owner.
- 4) November 2024 thru June 2025, staff worked on developing draft language amendments to CCZO Section VIII – Historic District Overlay Ordinance and developed a new Appendix "G" to the Design Guidelines to give greater clarity as to the types of building work being conducted in the Historic District is classified under these proposed changes.
- 5) July 1, 2025 Planning Commission meeting - Staff requested an initial review by the Planning Commission at their July 1, 2025 meeting to see if there were errors,

omissions, or edits that should be made before providing a full presentation to Town Council to determine if this is the text amendment they were seeking to address this issue.

- 6) August 21, 2025- this item was then placed back before Town Council at their August 21, 2025 meeting where staff requested Council review of the proposed text amendments to Article VIII (Historic District Overlay) and the new Appendix G and a determination of whether the issues raised last year were addressed and whether this matter was ready to commence the public hearing process for zoning text amendments. At that meeting, Councilman Newman stated that he, Councilman Grossman, Claudette Lajoie, and Edward Wells of the Historic District Civic League met and reviewed the documents line by line. They had not concluded their review work and would like to be able to present their comments to Town Council on this matter before they decide to send it to public hearing. He indicated that part of what this work group of the Civic League would do is to develop a communication document/plan to let the citizens know of the requirements, possibly thru a letter welcoming new property owners to Town/Historic District and providing the information regarding the process and zoning office staff contacts for questions. HE indicated that this group has raised the issue of associated fees being charged for Historic District Review Board applications and would like to suggest revisions to that fee structure for Town Council consideration. Town Council agreed to send this document to this subcommittee of two members of the Historic District Civic League and two members of Town Council for continued review, editing and development. Once their review is concluded, then it would reviewed thru a Town Council work session.
- 7) November 6, 2025 – a work session was held with Town Council to review the work to date by the Civic League subcommittee and obtain feedback from the Town Council on several items. I have attached minutes from that Town Council work session to see the specific discussion items and consensus reached by Town Council. From this meeting, the Civic League subcommittee was tasked to complete their review and make the changes to the draft document as a result of this work session with Town Council.
- 8) In mid-December, the Civic League subcommittee submitted their final draft document back to the Town Manager and staff.. This work was moved into the queue of work for the Planning & Zoning department which is now advancing this item for a final draft review with both the Planning Commission & Historic District Review Board before scheduling a work session of Town Council to review these documents in depth. Please note that the Historic District Review Board has not been involved up to this point because they are not tasked with drafting policy. Since these documents seem to be close to getting finalized for eventual public hearing as a zoning text amendment, I wanted to receive input from the HDRB since they would be the body responsible for administering it, along with the staff of the Planning & Zoning Department. I felt that would best be achieved by combining their review efforts with the Planning Commission in a joint work session.

Narrative of Proposal:

I have provided a “tracked” changes document for both Section VIII (Historic District Overlay zoning ordinance) and the proposed new Appendix G to the Historic District Guidelines.

In the Historic District Overlay chapter, current zoning ordinance language is shown in black font, staff proposed changes in **red font and/ red strikethroughs** and Civic League edits are show in **green font and green strikethroughs**.

In the new draft Appendix G, since staff initially composed this document, all text in black font is the staff document. All proposed edits from the Civic League Subcommittee are shown in **green font and green strikethroughs**.

As you are aware, Tracy Outten, Planning & Zoning Assistant - Preservation & Zoning Administrator, is current on a leave of absence due to personal matters, but she had the opportunity to review this most recent document with the final changes from the Civic League subcommittee and I am including that document (in table format) as part of our review process at this Joint Work Session meeting. I felt it was critical to obtain Tracy's input since she is the primary staff working with all applicants in the Historic District and is highly familiar with the type of work and some of the issues that occur when renovation starts on a historic property.

It is my intention that we go through both documents in detail to discuss and reach a recommendation for Town Council. Depending upon the level of discussion required, it is possible that this proposed zoning text amendment draft documents would be provided to Town Council for regular March 19, 2026 meeting to pass a Resolution of Intent to advance this Zoning Text Amendment application to public hearing; said public hearing timeframes could be occurring in the May & June meeting cycle of the Planning Commission and Town Council.

Attachments:

- A) Chapter 32, Article VIII – Historic District Overlay – Proposed Zoning Text Amendment – Staff & Civic League Edits 2026-02-10
- B) Historic District Overlay Design Guidelines Appendix G Draft with Staff and Civic League Comments 2026-02-10
- C) Town Council Minutes of 2026-11-06 Work Session
- D) Staff Comments on Civic League Edits to Attachments 1 and 2