

**CITY OF NEW BERN  
BOARD OF ALDERMEN MEETING  
JUNE 08, 2021 – 6:00 P.M.  
WEST NEW BERN RECREATION CENTER  
1225 PINETREE DRIVE**

1. Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Mayor Outlaw. Pledge of Allegiance.
2. Roll Call.
3. Request and Petition of Citizens.

Consent Agenda

4. Consider Adopting a Resolution Approving Specific Street Closures for Daytime Outdoor Dining.
5. Approve Minutes.

\*\*\*\*\*

6. Conduct a Public Hearing and Consider Adopting an Amendment to Article XXI – New Bern Historic District of the City Code of Ordinances.
7. Conduct a Public Hearing and Consider Adopting an:
  - a) Ordinance Amending Section 15-24 of Part II – Planning and Zoning Board of the Land Use Ordinance;
  - b) Ordinance Amending Part IV – Appearance Commission of Article III of Appendix A of the Land Use Ordinance; and
  - c) Ordinance Amending Section 15-419 – Historic Preservation Commission of Article XXI of Appendix A of the Land Use Ordinance.
8. Presentation by NBAMPO on Bike Pedestrian Plan.
9. Consider Adopting a Resolution to Initiate the Upset Bid Process for 135 Hillmont Road.
10. Consider Adopting a Resolution Approving a Lease Agreement with the Area Day Reporting Program for Youth for 500 Fort Totten Drive.
11. Consider Adopting a Resolution Approving a Lease Agreement with State Employees Credit Union for the ATM in the Parking Lot at 302 Craven Street.
12. Consider Adopting a Resolution Approving a Lease Agreement with Promise Place for 408 Hancock Street.
13. Consider Adopting a Resolution Approving a Lease Agreement with Habitat for Humanity of Greater New Bern for 920 George Street.

14. Consider Adopting a Resolution Approving a Lease Agreement for 1602 and 1604 High Street.
15. Discussion of Options for Gaston Boulevard/Broad Street Properties.
16. Appointment(s).
17. Attorney's Report.
18. City Manager's Report.
19. New Business.
20. Closed Session.
21. Adjourn.

INDIVIDUALS WITH DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD CALL  
639-7501 NO LATER THAN 3 P.M. THE DATE OF THE MEETING

Aldermen

Sabrina Bengel  
Jameesha Harris  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129  
New Bern, NC 28563-1129  
(252) 636-4000

Dana E. Outlaw  
Mayor  
Foster Hughes  
Interim City Manager  
Brenda E. Blanco  
City Clerk  
Mary M. Hogan  
Director of Finance

**Memo to: Mayor and Board of Aldermen**

**From: Foster Hughes, Interim City Manager**

**Date: June 03, 2021**

**Re: June 08, 2021 Agenda Explanations**

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Mayor Outlaw. Pledge of Allegiance.**
- 2. Roll Call.**
- 3. Request and Petition of Citizens.**

This section of the Agenda is titled Requests and Petitions of Citizens. This is an opportunity for public comment, and we thank you for coming to the Board of Aldermen meeting tonight to share your views. We value all citizen input.

Speaker comments are limited to a maximum of 4 minutes during the public comment period. At the conclusion of 4 minutes, each speaker shall leave the podium. Comments will be directed to the full board, not to an individual board member or staff member. Although the board is interested in hearing your comments, speakers should not expect any comments, action, or deliberation from the board on any issue raised during the public comment period.

In the board's discretion, it may refer issues to the appropriate city officials or staff for further investigation. If an organized group is present to speak on a common issue, please designate one person to present the group's comment, which shall be limited to a maximum of 4 minutes.

## Consent Agenda

### **4. Consider Adopting a Resolution Approving Specific Street Closures for Daytime Outdoor Dining.**

(Ward 1) Swiss Bear has requested the closure of the 200-300 blocks of Middle Street, 300 block of Pollock Street, and the 200 block of Craven Street from Morgan's Tavern & Grill to Pollock Street from 10:00 p.m. on Friday, June 11, 2021, until 4:59 p.m. on Saturday, June 12, 2021, and from 4:59 p.m. on Friday, July 9, 2021, until 4:59 p.m. on Saturday, July 10, 2021. The closure is to provide for daytime outdoor dining. Additionally, the organization has requested the use of 304 and 308 South Front Street, which is known as the "Talbot's lot". The lot will be used as a location for staging food trucks. Both weekends are designated camp drop-off weekends, and the desire is to provide additional dining options.

### **5. Approve Minutes.**

Minutes from the May 25, 2021, regular meeting are provided for review and approval.

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### **6. Conduct a Public Hearing and Consider Adopting an Amendment to Article XXI – New Bern Historic District of the City Code of Ordinances.**

The Planning and Zoning Board unanimously approved changes to the Historic District Guidelines at their May 4, 2021, meeting. Two additional guidelines are proposed with respect to foundations. After conducting a public hearing, the Board is asked to consider an amendment to Article XXI of the Code of Ordinances to implement the changes. A memo from Matt Schelly, City Planner, detailing the modifications is attached.

### **7. Conduct a Public Hearing and Consider Adopting an:**

- a) Ordinance Amending Section 15-24 of Part II – Planning and Zoning Board of the Land Use Ordinance;**
- b) Ordinance Amending Part IV – Appearance Commission of Article III of Appendix A of the Land Use Ordinance; and**
- c) Ordinance Amending Section 15-419 – Historic Preservation Commission of Article XXI of Appendix A of the Land Use Ordinance.**

After conducting a public hearing, the Board is asked to consider adopting three separate ordinances that will: a) amend Section 15-24 of Part II of the Planning and Zoning code to conform with NC General Statute Chapter 160D, as well as eliminate two extraterritorial jurisdiction seats; b) discontinue the Appearance Commission; and c) clarify appointee's terms to the Historic Preservation Commission will expire on June 30<sup>th</sup>. A memo from Scott Davis, City Attorney, is provided.

**8. Presentation by NBAMPO on Bike Pedestrian Plan.**

The New Bern Area Metropolitan Planning Organization ("NBAMPO") has designated \$50,000 in funding to update the City's 2007 Bicycle and Pedestrian Plan. Alta Planning + Design developed such plans for River Bend and Bridgeton, and the MPO has reached out to them about updating the City's plan. No funding from the City will be required. Kim Maxey, MPO Administrator, will provide a brief presentation to further review the proposed plan update.

**9. Consider Adopting a Resolution to Initiate the Upset Bid Process for 135 Hillmont Road.**

(Ward 5) Sandra Rodgers has submitted an offer of \$6,750 to purchase the vacant .380-acre lot at 135 Hillmont Road. The tax value of the property is \$13,500, and the offer represents 50% of the value. The property was acquired by the City and County in May 2019 through tax foreclosure. The unpaid taxes at that time were \$6,182.47. If the property is sold for the initial bid, the City is projected to receive \$2,901.42 and the County is projected to receive \$3,848.58 from the proceeds. Ms. Rodgers indicated she has spoken with Development Services about her plans for the property. A memo from Brenda Blanco, City Clerk, is attached along with the tax card and pictures of the property.

**10. Consider Adopting a Resolution Approving a Lease Agreement with the Area Day Reporting Program for Youth for 500 Fort Totten Drive.**

(Ward 1) The Area Day Reporting Program for Youth has requested renewal of the lease agreement for the property located at 500 Fort Totten Drive. The lease is for a 12-month period beginning July 1, 2021, at a rate of \$1.00 a year. A memo from George Chiles, Interim Director of Public Works, is attached.

**11. Consider Adopting a Resolution Approving a Lease Agreement with State Employees Credit Union for the ATM Located in the Parking Lot at 302 Craven Street.**

(Ward 1) The State Employee's Credit Union has requested renewal of the lease agreement for the ATM currently located in the City's parking lot at 302 Craven Street. This ATM provides a needed service for those who live and work in the downtown area. The proposed lease term is for a period of 12 months beginning July 1, 2021, at a rate of \$225.00 a month. A memo from Mr. Chiles is attached.

**12. Consider Adopting a Resolution Approving a Lease Agreement with Promise Place for 408 Hancock Street.**

(Ward 1) Promise Place contacted the City in July 2020 regarding its need to temporarily store items that would be donated to citizens during the height of the COVID pandemic. A lease just shy of 12 months was approved by the Board on July 28, 2020, for the use of the City-owned property located at 408 Hancock Street at a rate of \$1.00 for the term of the lease. The property is the site of the old

fireman's museum. Promise Place has recently expressed interest in an additional one-year lease through June 30, 2022. A memo from Mr. Chiles is attached.

**13. Consider Adopting a Resolution Approving a Lease Agreement with Habitat for Humanity of Greater New Bern for 920 George Street.**

(Ward 1) Habitat for Humanity of Craven County NC has requested renewal of the lease agreement for a portion of the property located at 920 George Street. The proposed lease term is for a period of 12 months beginning on July 1, 2021, at a rate of \$1.00 a year. A memo from Mr. Chiles is attached.

**14. Consider Adopting a Resolution Approving a Lease Agreement for 1602 and 1604 High Street.**

(Ward 1) The two lots located at 1602 and 1604 High Street were acquired by the City in 2002 and 2003 through the FEMA buyout program. As a result, the lots are bound by FEMA restrictions that prohibit future development and require that the property be used for a recreational space. To reduce the cost and labor associated with maintaining city-owned lots, staff has negotiated a 10-year lease with the adjacent property owner, David Dawson of 1600 High Street, at a rate of \$1.00 per year. The lease restricts the property to recreation/open-space use and requires Mr. Dawson to maintain the property. A memo from Mr. Chiles is attached.

**15. Discussion of Options for Gaston Boulevard/Broad Street Properties.**

Scott Davis, City Attorney, will review the options for the structures located on the properties at 602 Gaston Boulevard, 1308 Broad Street, and 1312 Broad Street.

**16. Appointment(s).**

- a) On June 11, 2019, Mayor Outlaw appointed Martha "Molly" Ingram to the Appearance Commission. Ms. Ingram resigned from her seat, as she relocated to another state in November. Mayor Outlaw is asked to make a new appointment to serve the remainder of Ms. Ingram's term.
- b) Vernon Guion's term on the Community Development Advisory Committee will expire on June 30, 2021. Mr. Guion has expressed interest in continuing to serve in this capacity. Alderman Kinsey is asked to consider a reappointment or make a new appointment for the three-year term.
- c) Dell Simmons' term on the Community Development Advisory Committee will expire on June 30, 2021. Mr. Simmons is not interested in reappointment. Alderman Best is asked to make a new appointment to serve a three-year term.
- d) Aldermen Bengel, Harris, Aster, and Odham are requested to make appointments to the Police Civil Service Board. Kennail Humphrey, Eric Queen, Victor Taylor, and Robert West's terms will expire on June 30, 2021. Appointees serve for two-year terms and are not eligible to serve consecutive terms.

**17. Attorney's Report.**

**18. City Manager's Report.**

**19. New Business.**

**20. Closed Session.**

**21. Adjourn.**

## **AGENDA ITEM COVER SHEET**

### **Agenda Item Title:**

Consider request from Swiss Bear to close certain downtown streets for Camp Weekends

<b>Date of Meeting:</b> 6/8/2021	<b>Ward # if applicable:</b>
<b>Department:</b> Administration	<b>Person Submitting Item:</b> Foster Hughes
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b>

<b>Explanation of Item:</b>	Swiss Bear has made a request to close the 200-300 blocks of Middle Street, 300 block of Pollock Street, and the 200 block of Craven Street from Morgan's Tavern & Grill to Pollock Street for upcoming Camp weekends.
<b>Actions Needed by Board:</b>	Adopt the Resolution
<b>Backup Attached:</b>	Memo, Special Event Application, Map, Resolution

<b>Is item time sensitive?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Will there be advocates/opponents at the meeting?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

<b>Cost of Agenda Item:</b>
<b>If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

**Additional Notes:**

**Aldermen**

Sabrina Bengel  
Jameesha Harris  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Jeffrey T. Odham



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City Clerk  
Mary M. Hogan  
Director of Finance

**Memo To:** Mayor and Board of Aldermen

**From:** Foster Hughes, Interim City Manager

**Re:** Request to close certain streets to vehicle traffic for Swiss Bear Downtown Development Corporation.

**Background Information:**

Swiss Bear has made a request to close the 200-300 blocks of Middle Street, 300 block of Pollock Street, and the 200 block of Craven Street from Morgan's Tavern & Grill to Pollock Street to vehicle traffic from 10:00 p.m. on Friday, June 11, 2021, until 4:59 p.m. on Saturday, June 12, 2021, and from 10:00 p.m. on Friday, July 9, 2021, until 4:59 p.m. on Saturday, July 10, 2021. The closure has been requested to provide outdoor street dining at a time when large visitor counts are anticipated during camp drop-off weekends. Additionally, the use of the "Talbot's lot" at 304 and 308 South Front Street is requested for stationing of food trucks.

**Recommendation:**

Parks and Recreation staff recommends approval and request the Board adopt a Resolution approving the request.

## **RESOLUTION**

THAT WHEREAS, Swiss Bear Downtown Development Corporation has requested that the 200-300 blocks of Middle Street, 300 block of Pollock Street, and the 200 block of Craven Street from Morgan's Tavern & Grill to Pollock Street be closed to vehicular traffic from 10:00 p.m. on Friday, June 11, 2021, until 4:59 p.m. on Saturday, June 12, 2021, and 10:00 p.m. on Friday, July 9, 2021, until 4:59 p.m. on Saturday, July 10, 2021 for daytime street dining; and

WHEREAS, additionally Swiss Bear has requested use of 304 and 308 South Front Street, known as the Talbot's lot, on the same dates and at the same times to accommodate food trucks; and

WHEREAS, the Director of Parks and Recreation of the City of New Bern recommends approval of the requests.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:**

That the 200-300 blocks of Middle Street, 300 block of Pollock Street, and the 200 block of Craven Street from Morgan's Tavern & Grill to Pollock Street be closed to vehicular traffic from 10:00 p.m. on Friday, June 11, 2021, until 4:59 p.m. on Saturday, June 12, 2021, and 10:00 p.m. on Friday, July 9, 2021, until 4:59 p.m. on Saturday July 10, 2021 for daytime street dining; and

That use of the vacant lots located at 304 and 308 South Front Street, known as the Talbot's lot, is hereby granted on the aforesaid dates and times to accommodate food trucks.

ADOPTED THIS 8<sup>TH</sup> DAY OF JUNE 2021.

\_\_\_\_\_  
DANA E. OUTLAW, MAYOR

\_\_\_\_\_  
BRENDA E. BLANCO, CITY CLERK

## CITY OF NEW BERN

### APPLICATION FOR PUBLIC ASSEMBLY, PARADE & SPECIAL EVENTS IN CITY PARKS

This application is hereby made for a permit to hold a Public Assembly and/or Parade as described in the City of New Bern Code of Ordinances (Sec. 66-85; 66-86; and 66-87) – Public Assemblies and Parades. This application along with attachments must be presented at least 60 days prior to the event date.

**Festival** – A concert, fair, festival, exhibit, athletic event, promotion, community event, block party, or similar event.

**Parade** – A march, ceremony, pageant, procession or other similar activities consisting of persons, animals, vehicles or things, or any combination thereof, that disrupts the normal flow of traffic upon any public street.

**Public Assembly** – A festival or demonstration which is reasonably anticipated to obstruct the normal flow of traffic upon any public street and that is collected together in one place; or a festival in any city-controlled park.

Name of Event/Activity: Daytime Street Closures - Camp Weekends

Organization Name: SWISS Bear

Responsible Contact: Lynne Harakal

Address: 316 S. Front St

City: New Bern State: NC Zip code: 28560

Phone: 252-626-6280 Alternate Phone: 252-772-5036

Email: director@swissbear.org @businessspecialties@swissbear.org

Type of Event:

☐ Demonstration

☐ Festival

☐ Parade

Street dining

Date of Event: FRI 6/11 - SAT 6/12/21 AND Proposed Rain Date: \_\_\_\_\_

Event Set up time: FRI 7/9 - SAT 7/10/21

Event Tear Down Completed Time: \_\_\_\_\_

Event Start Time: 10pm

Event End Time: 4:59pm

What is the specific location and/or route of the proposed event? (Attach additional information if needed)

200 Block of Middle St, 300 Block of Middle St  
300 Block of Pollock St, 200 Block of Craven (from Morgans  
parking lot to Pollock St.)

Note: A detailed map of the proposed route as well as a specific list of streets is required. The specific location of the Public Assembly must include the aerial overview with location marked. **Festivals/Events require detailed aerial map with complete layout.**

What is the purpose of this event? Please be detailed in your description - (Attach additional information if needed)

To accomodate daytime street dining for visitors during camp  
dropoff weekends.

Estimated attendance: 700; Attendance not to exceed: 1000

\*Note: If more than 1,000 in attendance is expected 1) Proof of Crowd Manager Training Certification is required. Training is available at the following link: [http://www.newbernnc.gov/departments/fire\\_department/crowd\\_manager\\_training.php](http://www.newbernnc.gov/departments/fire_department/crowd_manager_training.php) 2) Public Safety Plan is required. Information must be submitted with application. For additional info, please contact the Fire Marshall at 252-639-2931.

Tents # \_\_\_\_\_ Sizes \_\_\_\_\_ Provide additional info as needed (Note: Tents 700 sq. ft. or bigger must be inspected by Fire Marshall.

How will you handle trash generated from the event?

We are requesting # 0 trash cans.

☐ We will provide our own bags & dispose of any trash generated ourselves.

☐ We request that City Staff dispose of all trash generated. We understand additional fees will be charged for this service, including the cost of labor, and materials (bags, etc.) used.

restaurants will take care of trash

Are you requesting any City of New Bern Street Closures?

☒ Yes\*

☐ No

\*Any street closures require approval of the Board of Aldermen. Street closures must be received **at least 60 days in advance** for consideration. Street closures require barricades. A fee of \$5.00 per barricade must be paid 48 business hours prior to the event.

\*What Street(s) are you requesting to close? Be specific: 200 Block of Middle, 300 Block of Middle, 300 Block of Pollock, 200 Block of Craven from Morgans parking lot to Pollock Street.

Are you requesting any State Road or Bridge closures?

☐ Yes\*

☒ No

\*If yes, a 90 day notice and application is required by the NCDOT in order to consider state roads or bridges. For additional information, please call NCDOT Office at 252-439-2816. The State Road/Bridge Closure permit must be attached to this application.

If this event includes the use of floats, vehicles, placards, loud speakers, or mechanical devices of any type, please provide a detailed explanation of their use, purpose and number.

Will Inflatables or other Play features be part of this event?

☐ Yes

☒ No (Additional insurance may be required)

Will Food Vendors or Commercial/Non-Profit vendors be part of this event?

☐ Yes

☒ No

(If you answered YES, Additional Fees apply. A detailed list of all vendors is required.)

The following items are required and must be attached at the time of Application:

☒ A detailed map – including the location, route with beginning and ending point and street names included.

☐ Petition of Signatures – of business/residents affected – If roads are closed.

The following items are required within **two (2) business days of the event or event shall be cancelled**:

☐ Certificate of Insurance – Listing the City of New Bern, PO Box 1129, New Bern, NC as "Additional Insured"

☐ List of all food/commercial/non-profit vendors.

☐ Payment in full of applicable fees and charges.

I attest that I am authorized on behalf of this group/organization to request the permit for the activities prescribed herein. I understand that this application must be submitted with full details and attachments. I understand that additional fees and charges may be incurred. Those charges include set-up tear down time for staff, rental of barricades, Public Safety, Trash collection, damages, etc. I further understand that failure to provide the requested information within the specified timelines shall result in application being denied. I agree to indemnify and hold harmless the City of New Bern, its departments, agents, employees, officials and volunteers for any injury, illness or damage to person or property during this activity.

The following items must be submitted with Application:

☐ Completed & Signed Application

☐ Detailed maps of parade route and/or festival layout

☐ Petition of signatures (if road closure is requested)

☐ Proof of Crowd Manager training & Public Safety Plan (if attendance is 1,000 or more)

Dynne Havalak

Authorized Signature

5/20/2021

Date

All documents have been provided and this application is recommended for approval

Administrative Support Supervisor

Date

This application has been approved.

Director of Parks & Recreation

Date

### Total Anticipated Charges

Barricades: # \_\_\_\_\_

\$ \_\_\_\_\_

Trash Collection: \_\_\_\_\_

\$ \_\_\_\_\_

City Staff: # \_\_\_\_\_

\$ \_\_\_\_\_

Vendor Fees # \_\_\_\_\_

\$ \_\_\_\_\_

Park/Facility Rental: \_\_\_\_\_

\$ \_\_\_\_\_

Total Due: \$ \_\_\_\_\_

• ☐ Have HOA's been notified? ☐ Yes ☐ No Spoke with: \_\_\_\_\_

• ☐ Approved by Department

Date: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

• ☐ Submitted for Board Approval

Date: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

• ☐ All Paperwork collected

Date: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

• ☐ All fees collected \$ \_\_\_\_\_

Date: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

### City Sponsored Event

☐ Yes ☐ No

(Updated 6-3-2019)

# STREET CLOSURES



## CITY OF NEW BERN

### APPLICATION FOR PUBLIC ASSEMBLY, PARADE & SPECIAL EVENTS IN CITY PARKS

This application is hereby made for a permit to hold a Public Assembly and/or Parade as described in the City of New Bern Code of Ordinances (Sec. 66-85; 66-86; and 66-87) – Public Assemblies and Parades. This application along with attachments must be presented at least **60 days prior** to the event date.

**Festival** – A concert, fair, festival, exhibit, athletic event, promotion, community event, block party, or similar event.

**Parade** – A march, ceremony, pageant, procession or other similar activities consisting of persons, animals, vehicles or things, or any combination thereof, that disrupts the normal flow of traffic upon any public street.

**Public Assembly** – A festival or demonstration which is reasonably anticipated to obstruct the normal flow of traffic upon any public street and that is collected together in one place; or a festival in any city-controlled park.

Name of Event/Activity: Food Trucks on Talbot lot - Camp Weekends  
Organization Name: Swiss Bear  
Responsible Contact: Lynne Harakal  
Address: 316 S. Front St.  
City: New Bern State: NC Zip code: 28560  
Phone: 252-626-6280 Alternate Phone: 252-772-5036  
Email: director@swissbear.org or businessspecialiste@swissbear.org

Type of Event: ☐ Demonstration ☐ Festival ☐ Parade ☒ food trucks

Date of Event: FRI 6/11<sup>SAT</sup> - 6/12/21 and Proposed Rain Date: \_\_\_\_\_  
FRI 7/9 - SAT 7/10/21

Event Set up time: \_\_\_\_\_ Event Tear Down Completed Time: \_\_\_\_\_

Event Start Time: 5pm Event End Time: 10pm

What is the specific location and/or route of the proposed event? (Attach additional information if needed)

Talbot lot (S. Front + Craven Streets)

Note: A detailed map of the proposed route as well as a specific list of streets is required. The specific location of the Public Assembly must include the aerial overview with location marked. **Festivals/Events require detailed aerial map with complete layout.**

What is the purpose of this event? Please be detailed in your description - (Attach additional information if needed)

to accomodate and provide additional food options  
for visitors during camp dropoff weekends.  
Recruiting 4-6 local/regional food trucks.

Estimated attendance: 400; Attendance not to exceed: 500.

\*Note: If more than 1,000 in attendance is expected 1) **Proof of Crowd Manager Training Certification is required.** Training is available at the following link: [http://www.newbernnc.gov/departments/fire\\_department/crowd\\_manager\\_training.php](http://www.newbernnc.gov/departments/fire_department/crowd_manager_training.php) 2) **Public Safety Plan is required. Information must be submitted with application.** For additional info, please contact the Fire Marshall at 252-639-2931.

Tents # \_\_\_\_\_ Sizes \_\_\_\_\_ Provide additional info as needed (Note: Tents 700 sq. ft. or bigger must be inspected by Fire Marshall.

How will you handle trash generated from the event?

We are requesting # 4 trash cans.

☐ We will provide our own bags & dispose of any trash generated ourselves.

☒ We request that City Staff dispose of all trash generated. We understand additional fees will be charged for this service, including the cost of labor, and materials (bags, etc.) used.

Are you requesting any City of New Bern Street Closures?

☐ Yes\*

☒ No

\*Any street closures require approval of the Board of Aldermen. Street closures must be received **at least 60 days in advance** for consideration. Street closures require barricades. A fee of \$5.00 per barricade must be paid 48 business hours prior to the event.

\*What Street(s) are you requesting to close? Be specific: \_\_\_\_\_

Are you requesting any State Road or Bridge closures?

☐ Yes\*

☒ No

\*If yes, a 90 day notice and application is required by the NCDOT for in order to consider state roads or bridges. For additional information, please call NCDOT Office at 252-439-2816. The State Road/Bridge Closure permit must be attached to this application.

If this event includes the use of floats, vehicles, placards, loud speakers, or mechanical devices of any type, please provide a detailed explanation of their use, purpose and number. \_\_\_\_\_

Will Inflatables or other Play features be part of this event?

☐ Yes

☒ No

(Additional insurance may be required)

Will Food Vendors or Commercial/Non-Profit vendors be part of this event?

☒ Yes

☐ No

(If you answered YES, Additional Fees apply. A detailed list of all vendors is required.)

The following items are required and must be attached **at the time of Application**:

☐ A detailed map – including the location, route with beginning and ending point and street names included.

☐ Petition of Signatures – of business/residents affected – If roads are closed.

The following items are required **within two (2) business days of the event or event shall be cancelled**:

☐ Certificate of Insurance – Listing the City of New Bern, PO Box 1129, New Bern, NC as “Additional Insured”.

☐ List of all food/commercial/non-profit vendors. *working on recruitment!*

☐ Payment in full of applicable fees and charges.

I attest that I am authorized on behalf of this group/organization to request the permit for the activities prescribed herein. I understand that this application must be submitted with full details and attachments. I understand that additional fees and charges may be incurred. Those charges include set-up tear down time for staff, rental of barricades, Public Safety, Trash collection, damages, etc. I further understand that failure to provide the requested information within the specified timelines shall result in application being denied. I agree to indemnify and hold harmless the City of New Bern, its departments, agents, employees, officials and volunteers for any injury, illness or damage to person or property during this activity.

The following items must be submitted with Application:

☐ Completed & Signed Application

☐ Detailed maps of parade route and/or festival layout

☐ Petition of signatures (if road closure is requested)

☐ Proof of Crowd Manager training & Public Safety Plan (if attendance is 1,000 or more)

*Dyane Hinkel*

Authorized Signature

*5/20/2024*

Date

All documents have been provided and this application is recommended for approval

Administrative Support Supervisor

Date

This application has been approved.

Director of Parks & Recreation

Date

### Total Anticipated Charges

Barricades: # \_\_\_\_\_

\$ \_\_\_\_\_

Trash Collection:

\$ \_\_\_\_\_

City Staff: # \_\_\_\_\_

\$ \_\_\_\_\_

Vendor Fees # \_\_\_\_\_

\$ \_\_\_\_\_

Park/Facility Rental:

\$ \_\_\_\_\_

Total Due: \$

\$

- ☐ Have HOA's been notified? ☐ Yes ☐ No Spoke with: \_\_\_\_\_
- ☐ Approved by Department Date: \_\_\_\_\_ Staff Initials: \_\_\_\_\_
- ☐ Submitted for Board Approval Date: \_\_\_\_\_ Staff Initials: \_\_\_\_\_
- ☐ All Paperwork collected Date: \_\_\_\_\_ Staff Initials: \_\_\_\_\_
- ☐ All fees collected \$ \_\_\_\_\_ Date: \_\_\_\_\_ Staff Initials: \_\_\_\_\_

### City Sponsored Event

☐ Yes ☐ No

Updated 6-3-2019

## **AGENDA ITEM COVER SHEET**

### **Agenda Item Title:**

Conduct a Public Hearing and Consider Adopting an Amendment to Article XXI – New Bern Historic District of the City Code of Ordinances.

<b>Date of Meeting:</b> 6/8/2021	<b>Ward # if applicable:</b> Ward 1
<b>Department:</b> Development Services	<b>Person Submitting Item:</b> Matt Schelly, City Planner
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Date of Public Hearing:</b> 6/8/2021

<b>Explanation of Item:</b>	The HPC has approved changes to the Historic District Guidelines. P&Z recommends approval. Final approval is required by the Board of Aldermen as a Zoning Text Amendment.
<b>Actions Needed by Board:</b>	Conduct Public Hearing, Adopt Resolution
<b>Backup Attached:</b>	Memo, Resolution, Redline of Historic District Guidelines

<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Will there be advocates/opponents at the meeting?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

<b>Cost of Agenda Item:</b> None
<b>If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

**Additional Notes:**



## **MEMORANDUM**

**TO:** Mayor Dana Outlaw, City of New Bern Board of Aldermen

**FROM:** Matt Schelly, City Planner

**DATE:** May 28, 2021

**SUBJECT:** Conduct a Public Hearing and Consider Adopting an Amendment to Article XXI – New Bern Historic District of the City Code of Ordinances.

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The following changes to the Historic District Guidelines were discussed by the HPC at its March 17, 2021, Regular Meeting. The Planning and Zoning Board reviewed and unanimously approved the following changes at their May 4<sup>th</sup> meeting.

New text is underlined>. Text to remain is in regular or bold as it currently is in the document. Text in italics will not be in the Guidelines.

*Currently, the Guidelines are as follows:*

### **Guidelines for Foundations**

4.1.1 Adhere to Guidelines for retention of historic fabric when altering foundation components.

4.1.2 When infilling between brick piers, recess brick curtain walls 1 to 2 inches to visually delineate piers.

4.1.3 Use traditional materials when constructing foundations. Concrete block should receive a veneer of stucco, brick or other appropriate masonry material.

4.1.4 Locate foundation features such as vents and access doors in areas that will not detract from the architectural character of the building. Coordinate with other architectural features when possible, such as aligning vents and access doors with windows above or centering them between piers.

*Add new Guidelines 4.1.5 and 4.1.6 as follows:*

4.1.5 When elevating a structure in flood zones, limit elevation to the minimum height required by ordinance. When elevating a structure that is not in a flood zone, limit elevation to 2 feet above the current height.

4.1.6 Minimize the visual impact of tall foundation walls by introducing a combination of landscaping, grading, and terraced retaining walls.

Please contact Matt Schelly at 639-7583 should you have questions or need additional information.

## **RESOLUTION TO ADOPT HISTORIC DISTRICT GUIDELINES**

THAT WHEREAS, pursuant to Section 15-420(b) of the Code of Ordinances of the City of New Bern, the New Bern Historic Preservation Commission has prepared and approved certain principles and guidelines not inconsistent with Part 4 of Article 9 of Chapter 160D of the North Carolina General Statutes for the construction, alterations, additions, moving, and demolition of structures located within the City's historic districts entitled "Historic District Guidelines," a copy of which is attached hereto; and

WHEREAS, the New Bern Historic Preservation Commission recommends that the Board of Aldermen approve and adopt the Historic District Guidelines as required by Section 15-420(b) of the Code of Ordinances of the City of New Bern; and

WHEREAS, the Board of Aldermen of the City of New Bern has determined that it is in the best interest of the City to approve and adopt the Historic District Guidelines attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the Historic Guidelines, a copy of which is attached hereto and incorporated herein by reference, be and the same is hereby approved and adopted.

Section 2. That an official copy of the Historic District Guideline shall be kept and maintained in the City's development services office, and available on the City's official website.

Section 3. That this resolution shall be effective from and after the date of its adoption.

ADOPTED THIS 8<sup>th</sup> DAY OF JUNE, 2021.

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DANA E. OUTLAW, MAYOR

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BRENDA E. BLANCO, CITY CLERK



# Historic District Guidelines



# City of New Bern Historic District Guidelines

**Mayor:** Dana E. Outlaw

**Board of Aldermen:** Ward 1: Sabrina Bengel  
Ward 2: Jameesha "Jamee" Harris  
Ward 3: Robert "Bobby" Aster  
Ward 4: Johnnie Ray Kinsey  
Ward 5: Barbara J. Best  
Ward 6: Jeffrey T. Odham

**City Attorney:** Michael Scott Davis

**Interim City Manager:** Foster Hughes

**Director of  
Development Services:** Jeffrey Ruggieri, AICP

**City Planner and  
HPC Administrators:** Matthew Schelly, AICP, CZO, Reg. Arch.

**New Bern Historic  
Preservation Commission:** Dr. Ruth Cox, Darden J. Eure, III, AIA, NCARB, James Bisbee,  
George Brake, Peggy Broadway, Christian Evans, Dr. Joseph  
Klotz, Ellen Sheridan, James O. Woods, Jr.

**Advisors:** Ramona Bartos, John Wood, Laurie Mitchell – State Historic  
Preservation Office

**Illustrations:** David Griffith

Guidelines Adopted by HPC: January 18, 2017

Guidelines Adopted by the Board of Alderman: March 28, 2017

Guidelines Revisions Adopted by the HPC: June 17, 2020

Guidelines Revisions Adopted by the Board of Aldermen: July 14, 2020

Guidelines Revisions Adopted by the HPC: September 23, 2020

Guidelines Revisions Adopted by the Board of Aldermen: November 10, 2020

Guidelines Revisions Adopted by the HPC: March 17, 2021

Guidelines Revisions Adopted by the Board of Aldermen: June 8, 2021

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# **1. Overview and Concepts**

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## **1.1 Purpose and Intent of Historic Guidelines**

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The purpose of the New Bern Historic District Guidelines is to help preserve the historic character and architectural fabric of New Bern. Historic landmarks and districts provide a link to New Bern's history, people, events and architecture that defines the character of New Bern and shapes its present identity. The intent is not to prevent physical change or impose particular architectural styles, but to moderate changes while protecting architectural gems and reducing dislocation caused by random change. The goal is to maintain our community's individual character and "sense of place."

This document serves as a guide to the New Bern Historic Preservation Commission and to property owners in the historic districts for maintenance, modifications, and additions to property. It summarizes procedures for review of proposed exterior changes and contains commentary and guidelines for a variety of activities that affect historic resources and the districts as a whole.

## **1.2 Your Responsibility as a Property Owner**

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Historic New Bern belongs to everyone. As an owner of a property within one of New Bern's local historic districts, you share a privilege as well as a responsibility. You benefit from protection of uncontrolled change, technical assistance for making changes that are sensitive to surrounding historic properties, and a pride of ownership of New Bern's historic fabric. However, you are not just a property owner; you are a steward to a part of New Bern's and North Carolina's history. As a steward of that heritage, you have a responsibility to preserve and maintain the distinctive characteristics of your property for the future. Any exterior change you make to a property, whether a structure or significant landscaping, requires you to contact Development Services to determine if a *Certificate of Appropriateness* is required. Failure to do so is a violation of New Bern's Land Use ordinance and is subject to fines.

## **1.3 New Bern's Historic Districts**

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German Palatine and Swiss colonists under Baron Christoph von Graffenried settled the City of New Bern in 1710 at the confluence of the Trent and Neuse Rivers. It possesses a rich historic and architectural heritage that is reflected in its historic districts.

The Downtown and Riverside historic districts contain a diversified collection of 18<sup>th</sup>, 19<sup>th</sup> and early 20<sup>th</sup> century residential and commercial buildings. Collectively these structures and their respective evolved landscapes stand as a testimony to New Bern's past and help to define the community's unique "sense of place."

## 1. Overview and Concepts

The New Bern Historic Preservation Commission (HPC) was established to aid property owners in preserving New Bern's historic and architectural resources. Created on April 22, 1980, this body has the primary mission to advise owners regarding preservation options. The HPC is vested with the mandate "to promote, enhance, and preserve the character of the districts and to encourage preservation activities throughout the city." This is accomplished by designating historic districts and landmarks, controlling demolition, and reviewing proposed exterior changes and infill construction.

### Downtown Historic District

The architecture of New Bern reflects the history of the town, and its sustained prosperity that historically has been subject and receptive to major architectural trends. Although Federal architecture was New Bern's special forte, a variety of other styles are represented. The minor streets are quiet, punctuated by buildings set on large well landscaped lots shaded by stately trees dotted with clumps of mistletoe. Adding serenity to the town are the Neuse and Trent Rivers, which provide a magnificent backdrop. This atmosphere prevailed throughout New Bern until the early 1950s when Broad Street became a major east-west artery, cleaving the city in two.

*See Appendix for a map of the Downtown historic district.*

The city was established in 1710, and at the request of Baron von Graffenried, John Lawson devised and laid out the plan, which, with some additions, remains intact. He explains:

Since in America they do not like to live crowded, in order to enjoy a purer air, I accordingly ordered the streets to be very broad and the houses well separated one from the other. I marked three acres of land for each family, for house, barn, garden, orchard, hemp field, poultry yard and other purposes. I divided the village like a cross and in the middle I intended a church. One of the principal streets extended from the bank of the River Neuse straight on into the forest [Broad or Pollock Street] and the other principal street crossed it, running from the Trent River clear to the Neuse River (Middle or Craven Street). After that we planted stakes to mark the houses and to make the principal streets along and on the banks of the two rivers [East Front Street and South Front Street].

Not only did the street scheme survive, but the idea of not liking to "live crowded" is still in evidence. With the exception of construction accomplished since the mid-20<sup>th</sup> century and four mid-19<sup>th</sup> century row houses, all residences are separate freestanding buildings each with a generous yard.

Historically New Bern has been dependent for its livelihood on its rivers and governmental sponsorship. The city's role as occasional host of the itinerant colonial assembly, the colony's first permanent capital, and the seat of Craven County helped foster her emergence as a port, and therefore as a mercantile center.

Because of New Bern's externally oriented economy, the city was exposed to national stylistic trends, which quite obviously had a great effect on architecture. The vast majority of structures express a high degree of academicism successfully rendered by skilled and sensitive craftsmen.

Nothing remains of the earliest buildings. A comparison of New Bern today with what C. J. Sauthier recorded on his 1769 map of the town finds only four buildings that tentatively are identified as surviving from that time.

Within the district, fourteen buildings with Georgian stylistic origins have been identified. The majority of them are simple, modest dwellings and most were updated during a later stylistic era. This is a scant number considering that more than thirty house carpenters and joiners are known to have been working in the county between 1748 and 1790. With the exception of a few houses attributed either to John Hawks or James Coor, the architect-builders of most buildings cannot be identified. It can be assumed that natural attrition combined with disasters like the hurricane of September 1769, and the fires in the fall of 1791 and 1794, and that of February 1798, which burned the Governor's Palace, eradicated much of the evidence of the early town.

Within the last two decades of the 18<sup>th</sup> century, the population of New Bern more than doubled, and the physical area of the town accordingly expanded north and west. Judging from remaining evidence, growth of the population and area continued in the first decades of the 19<sup>th</sup> century. Obviously, the town was enjoying a new high level of prosperity, a prosperity fueled by commercial and mercantile endeavors that enabled affluent merchants like John Harvey, Eli Smallwood and Isaac Taylor to build ambitious town houses. It was during this same era of prosperity that the town produced civic and cultural symbols of urbanity, most notably the New Bern Academy, the Masonic Temple and Theater, and the First Presbyterian Church.

The New Bern version of Federal architecture is Adamesque; it is restrained and elegant and, above all, sophisticated. A typical Federal domestic structure has the following elements: two and one half stories; a side hall plan, two rooms deep, three bays wide and four bays deep; a gable roof; gable dormers; exposed face interior end chimneys; a one-bay pedimented porch; an entrance composed of a six-panel door, with four flat above two flush panels, and geometrically ornamented transom above. Although interior treatments vary considerably, three-part mantels are universal.

While the side hall plan was certainly the most prevalent Federal form, center hall and asymmetrical versions were built as well. A concentration of those forms exists on Pollock Street in the area west of Tryon Palace, but others are scattered throughout the town. Usually they are two or two-and-one-half story frame structures, three of which are constructed of brick, and with gable roofs, although three have gambrel roofs, and Federal interior woodwork.

In the Federal era the authorship of several buildings can be attributed with varying degrees of certainty to Martin Stevenson, John Dewey, Robert Hay and Uriah Sandy, four of some forty architect-builders established in the county between 1790 and 1835. As in the Georgian era, this leaves the majority of structures unlinked to a specific designer.

The Federal style persisted in New Bern well into the 1840s, long after it had been superseded by the Greek Revival style in other towns. This was by no means a result of cultural lag; rather it would seem more likely to be a product of

## 1. Overview and Concepts

conservative mercantile interests, a proposition set forth by Talbot Hamlin in *Greek Revival Architecture in America*.

The importance of such mercantile interests in New Bern, combined with the habits of the craftsmen, provide a cogent explanation for the longevity of the Federal style in the city.

The town clung so tenaciously to Federal architecture, in fact, that it scarcely acknowledged the existence of other styles. Concessions to the Greek Revival style usually appear on the interiors of buildings and take the form of symmetrically molded architraves with corner blocks. In only a very few cases are classical Greek motifs employed externally.

By the time New Bern rejoined the mainstream of architectural trends, the Greek Revival style was waning, and mid-19<sup>th</sup> century eclecticism was flourishing. The town began to experiment with new styles in the 1840s. The incidence of buildings constructed in the pre-Civil War eclectic era is lower than that of earlier eras. This is probably due in part to the suspended growth of both the population and wealth of New Bern.

While participating in the national architectural mainstream, New Bern retained a degree of independence of design and materials as evidenced in the coquina wall and arched gateway of Cedar Grove Cemetery constructed by the town in 1854.

The post-Civil War era saw New Bern fully integrated into the prevailing national stylistic modes of Second Empire, late Italianate Revival, Romanesque Revival, Queen Anne, Stick Style, Eastlake, and Shingle. A substantial portion of the late 19<sup>th</sup> century domestic structures, especially the more massive ones, have met with destruction, but a few of them, plus a number of smaller, more manageable houses survive.

In the early 20<sup>th</sup> century, New Bern experienced a building boom, which in volume came close to rivaling the Federal boom. The economic revitalization of the town was largely a result of the lumber industry, which produced magnates desirous of living in and capable of paying for the most impressive houses their money could buy. Obliging these clients was local architect Herbert Woodley Simpson, who is credited with the design of every important structure built in New Bern in the first two decades of the 20<sup>th</sup> century. A versatile designer, Simpson excelled in the Queen Anne and Neo-Classic Revival styles, and often combined the two. While practicality and "progress" have taken their toll on many of his impressive Neo-Classic Revival structures, a few have survived. They testify to the prosperity and taste of early 20<sup>th</sup> century New Bernians.

### Riverside Historic District

The Riverside Historic District is composed of approximately 15 blocks of largely residential development along the banks of the Neuse River in northeast New Bern. Laid out in a grid pattern aligned with National Avenue, a preexisting street leading to the National Cemetery, subdivisions in 1894 and 1912 created New Bern's first suburb out of farmland. Within the Riverside District are modest, but representative one- and two-story examples of Classical Revival,

*See Appendix for a map of the Riverside historic district.*

Late Queen Anne, Craftsman and Colonial Revival styles in a variety of house forms, principally with the traditional New Bern side hall plan. Also within the district are the Italian Renaissance Revival style Riverside School and the Gothic Revival influenced Riverside Methodist Church, as well as several small industrial and commercial buildings. There are 178 contributing and 35 noncontributing buildings within district boundaries. While many of the buildings have received some alteration, individually and as a group, they retain their integrity of design, setting, materials, workmanship and feeling.

National Avenue is the main street running through the district from the southeast to the northwest. To the east and parallel with it are North Pasteur and North Craven streets, the other principal roads. North Craven's east side provides one boundary of the district. The adjacent river property was originally platted as house lots, but was developed as industrial property and has gone through a series of uses. Running along the western side of the district is the line of the Atlantic and North Carolina Railroad, which predates Riverside and precluded the development of north-south roads to the west of National Avenue. The western boundary of the district follows the line of pre 1935 development in the side streets west of National Avenue.

Perpendicular to the main avenues are evenly spaced side streets, beginning with Guion Street at the south and reaching to North Avenue, whose south side forms the northern end of the district and defines the furthest extent of pre-World War II development.

The former farmland on which Riverside was platted is flat. Large oaks line National Avenue on both sides, and the remainder of the district is characterized by the presence of a considerable number of mature trees of a variety of species located in no particular pattern.

The two subdivisions which made up Riverside each had a different system of laying out lots, neither of which was completely uniform. Lots were also recombined before building, creating further variety in lot size. In the 1894 plat, larger lots were laid out along the west side of National Avenue, but the largest and most pretentious houses in the district are found equally along both sides of National Avenue. The east side of National Avenue and the remainders of the blocks were laid out with long, narrow lots, some with only 41-foot frontages. The relative uniformity of appearance in Riverside owes much to New Bern traditions of building close to the street, thus creating consistent setbacks, and of placing houses close together.

There is no formal open space within the district. The largest open space is a half block on Dunn Street between North Pasteur and North Craven streets, formerly the site of a tobacco factory. Another set of undeveloped lots is located at the southeast corner of North Pasteur Street and Avenue D, adjacent to the Maola Company and individual undeveloped lots are scattered throughout the district. The interiors of the alley-less blocks contain trees, gardens, garages, and other outbuildings.

With only a handful of exceptions, buildings in the Riverside district are relatively modest, owner or contractor designed, with simple or no

## 1. Overview and Concepts

ornamentation. All are one or two stories and although there is a scattering of brick houses throughout the district, the greater number are frame, sheathed with clapboards or wood shingles. Standing seam metal roofs predominate.

Many of the residences in the district have garages, some contemporaneous with the house or constructed before the 1930s, and almost always located at the rear of the property. Most are relatively small, of frame construction, and with gable roofs. Exceptions include the hipped roofed, brick garage of the William Dunn House and the garage apartment of the Turnbull House.

Domestic building in the Riverside district is almost entirely in four styles: late Queen Anne, Classical Revival, Craftsman and Colonial Revival. These styles are applied to a variety of house forms. The most common house form in the district, and one that was popular in other areas of New Bern in the early 20<sup>th</sup> century, is the narrow and deep, two or three bay gable end two story house. These frame houses have side hall plans, often with rear ells, and generally either a small portico or a full width porch at the front. One variant of this house type has a gable roofed, two-story bay at one corner of the front elevation, like 1112 and 1114 National Avenue. Another variant of the form has a hipped instead of gable roof, with or without a front dormer. Both Guion and Dunn Streets have rows of these simple dwellings constructed as rental housing. More sophisticated versions of the same house have pedimented gables, classically detailed porches and wings or bays, like the William T. Hill House at 1202 National Avenue or the Smith-Hawkins House at 1214 North Pasteur.

Another well represented house type in the district is the foursquare; two or three bays wide, with a hipped roof and a full width porch across the front. Unlike foursquares elsewhere, however, these houses for the most part employ the side hall plan. A number of good frame examples of this form are located on both sides of the 1200 and 1300 blocks of National Avenue. Also located on National Avenue are several large, Classical Revival styled foursquares with L-shaped front porches, including the J. O. Baxter House and the O. A. Kafer House. A variety of bungalows may be found in the district, mostly in the Craftsman or Classical Revival styles, and predominantly of frame construction. Most typical are cross gable forms like the D. M. Parker House at 1408 National Avenue. Bungalows with jerkin headed front gables or hipped roofs are also common. At the northeast corner of the district are a row of three, one story frame bungalows whose gabled front porches have a distinctive exposed trusswork. Perhaps the most unusual bungalow in the district is the one at 1412 National Avenue, which has three oversized, hipped wall dormers protruding through its hipped roof.

The oldest house in the district, the mansard roofed William R. Guion House at 1203 National Avenue, is its only Second Empire influenced residence.

Two buildings in the district attributed to architect Herbert Woodley Simpson have noteworthy designs outside the vernacular tradition. The Prairie Style William Dunn House at 1404 National Avenue has a high, pressed brick first floor with a broad arch at the front that supports the shingled upper floor. Its complex slate roof with deep eaves has multiple hipped dormers. Behind the house is a hipped roofed, brick garage with tin shingled dormers on each elevation. Across the street from the Dunn House is the Robert Turnbull House,

a Colonial/Classical Revival style residence sheathed in wide cypress boards that presents an asymmetrically arranged broad front to the street, dominated by an off center, Tuscan-columned front porch.

Riverside Graded School and Riverside United Methodist Church, the two institutional buildings in the district, are distinctive in design. The Riverside Graded School of 1922 is a well composed, two story Italian Renaissance design in red brick with glazed terra cotta trim and barrel tiled cornices. Riverside Methodist Church, constructed 1919-1920, is an unusual adaptation of the Late Gothic Revival style to an essentially square church, with an octagonal central sanctuary that rises above the rest of the building.

### 1.4 Historic Preservation Commission

The New Bern Historic Preservation Commission (HPC) is a public board in the City of New Bern responsible for preserving the City's historic and cultural resources. Enabling North Carolina statutes and New Bern city ordinances related to preservation are provided in a separate document on the City of New Bern website. The HPC's guidelines, policies and procedures can also be found on the City of New Bern website or by contacting the HPC administrator in the Department of Development Services.

The HPC is composed of nine members appointed by the Board of Aldermen to serve a three-year term, and not more than two consecutive terms. Members must reside within the City's corporate limits or within its designated Extraterritorial Planning Jurisdiction, and have a demonstrated special interest, experience or education in architecture, history, historic preservation or related field.

#### **Meetings**

The HPC meets on the first and third Wednesday of each month. The first Wednesday of each month is the HPC's work session. Property owners may consult the HPC about a specific project, but there is no public comment on a proposal. The third Wednesday of the month is the HPC's regular business meeting where public hearings are held for *Certificate of Appropriateness* (COA) applications. The applicant, or representative of the applicant, must be present to approve a COA. The HPC also considers other matters at this meeting that require formal action. The location, meeting times and agendas are published on the City of New Bern website. Work sessions and regular business meetings are open to the public.

### 1.5 Key Concepts

The HPC's jurisdiction extends over exterior attributes of an entire property. Changes are evaluated in terms of impact on the property and the surrounding area. Key factors considered by the HPC in evaluating exterior changes or infill construction are described more fully.

## 1. Overview and Concepts

### Contributing and Noncontributing Structures

A *contributing structure* is at least 50 years old and is listed in the Department of Interior's historic district inventory of structures. The inventory is created as part of the process for designating the historic districts. As buildings reach 50 years in age, they may also be considered contributing structures.

A *noncontributing structure* is usually less than 50 years in age or is considered not to have significant historic, architectural or cultural value. Changes to noncontributing structures require a COA to ensure compatibility with the surrounding historic fabric of contributing structures.

### Determining if Change is Not Incongruous

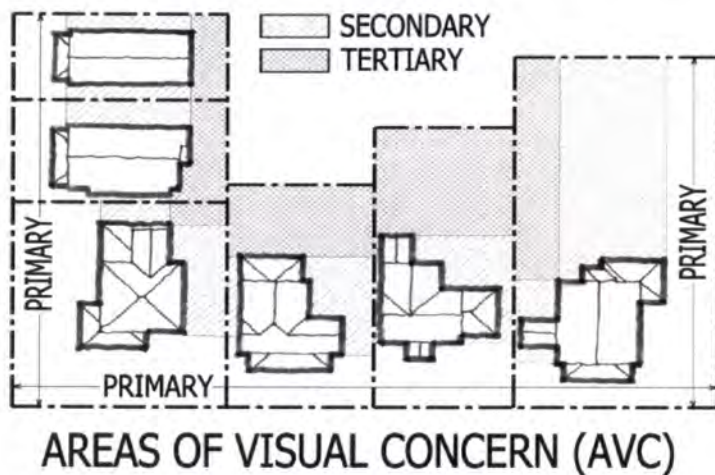
The HPC is tasked with using the historic guidelines to determine whether changes to a structure, both contributing and noncontributing, are *not incongruous*, or complimentary to the special character of the historic districts. A number of factors are considered including:

- relationship to other structures on adjacent properties, the street and the historic districts
- mass, proportion, scale, style, details and materials proposed for use

The applicant must prove that their proposed changes are not incongruous. The HPC can deny an application only if it determines that the proposed changes are incongruous.

### Areas of Visual Concern

Each portion of a property is divided into *Areas of Visual Concern (AVC)*.



The **Primary AVC** is the most important area because it is generally located directly adjacent to the street, and therefore, is the most visible. Inappropriate changes in Primary AVC severely alter the character of a building or site and compromise the integrity of the streetscape. Thus, great care is taken to ensure appropriate changes in this area.

The **Secondary AVC** includes areas that are not directly adjacent to the street but are visible from the street. A secondary area plays an important role in defining the character of the site because of the transitional space between the public street and private rear yard.

The **Tertiary AVC** includes areas generally not visible from the street. Areas concealed from street view afford the greatest flexibility to accommodate changes within the context of the guidelines.

### Scope of Changes

New Bern's historic guidelines cover only exterior changes to properties in the historic districts. Exterior changes are divided into four categories.

*Normal maintenance and repair* constitutes work that does not involve a change in material or design of a structure's exterior architectural features, or landscaping that does not significantly change a property's appearance from the street.

*Replacement-in-kind* means repairing an existing feature or replacing a feature **using the exact same material, size, scale, and detail**. Only replace architectural features that have deteriorated beyond a state where they can be repaired. Do not remove or replace original architectural features, such as doors or windows, out of convenience. ***Property owners shall contact the Department of Development Services before proceeding with replacement-in-kind work.***

*Minor work* constitutes alterations to a structure or site that do not significantly impact a property and are consistent with the New Bern Historic District Guidelines. A listing of minor works is found on the City of New Bern website. The HPC administrator may issue a COA for minor work items. The HPC administrator may at any time forward minor work items to the HPC for formal review. ***Property owners shall contact the Department of Development Services before proceeding with minor work.***

*Major work* constitutes alterations to a structure or site not classified as a minor work, including infill construction or demolition, and those changes located within in a Primary AVC. Major works must be approved by the HPC and receive a COA. A summary of the COA process is described in the guidelines and is detailed in the *HPC Policies and Procedures*. Refer to the New Bern Historic District Guidelines for allowable exterior changes, and contact the HPC administrator for technical assistance.

### Determining Contributing Structures

In-depth surveys of contributing structures within New Bern's historic districts are infrequently conducted, overlooking potentially important structures that

## 1. Overview and Concepts

have come of age and now meet the Department of Interior and the State Historic Preservation Office (SHPO) criteria for contributing structures. In certain cases, records from past surveys may be incomplete, conflicting or disputed by the owner.

When a COA application involves a structure not listed in the inventory, the first step is to determine whether it is a contributing structure.

- Any unlisted building 50 years of age or greater will be evaluated for contributing structure status. An unlisted building determined to be more than 50 years of age does not have to be treated as a contributing structure if the HPC determines that it has no architectural, cultural, or historical significance. Any structure less than 50 years of age will be considered noncontributing unless the HPC finds that it clearly possesses exceptional architectural, cultural, or historical merit.
- The age of a structure will be based on relevant information including tax assessor data, deeds, historical surveys, maps and pictures of verifiable sources and dates. The HPC will also consult with the SHPO and ask for a documented evaluation. In the event that the HPC and SHPO cannot make a reasonable determination of the age, the applicant shall have the privilege of stipulating the age.
- Findings and relevant information leading to contributing status will be documented.
- If the determination of a structure is based solely upon age, the property owner may request a detailed SHPO review to confirm its status. Following SHPO review, the HPC will consider the evaluation in making a final determination.

The HPC will update the inventory list to include newly designated contributing structures.

### 1.6 Obtaining a Certificate of Appropriateness

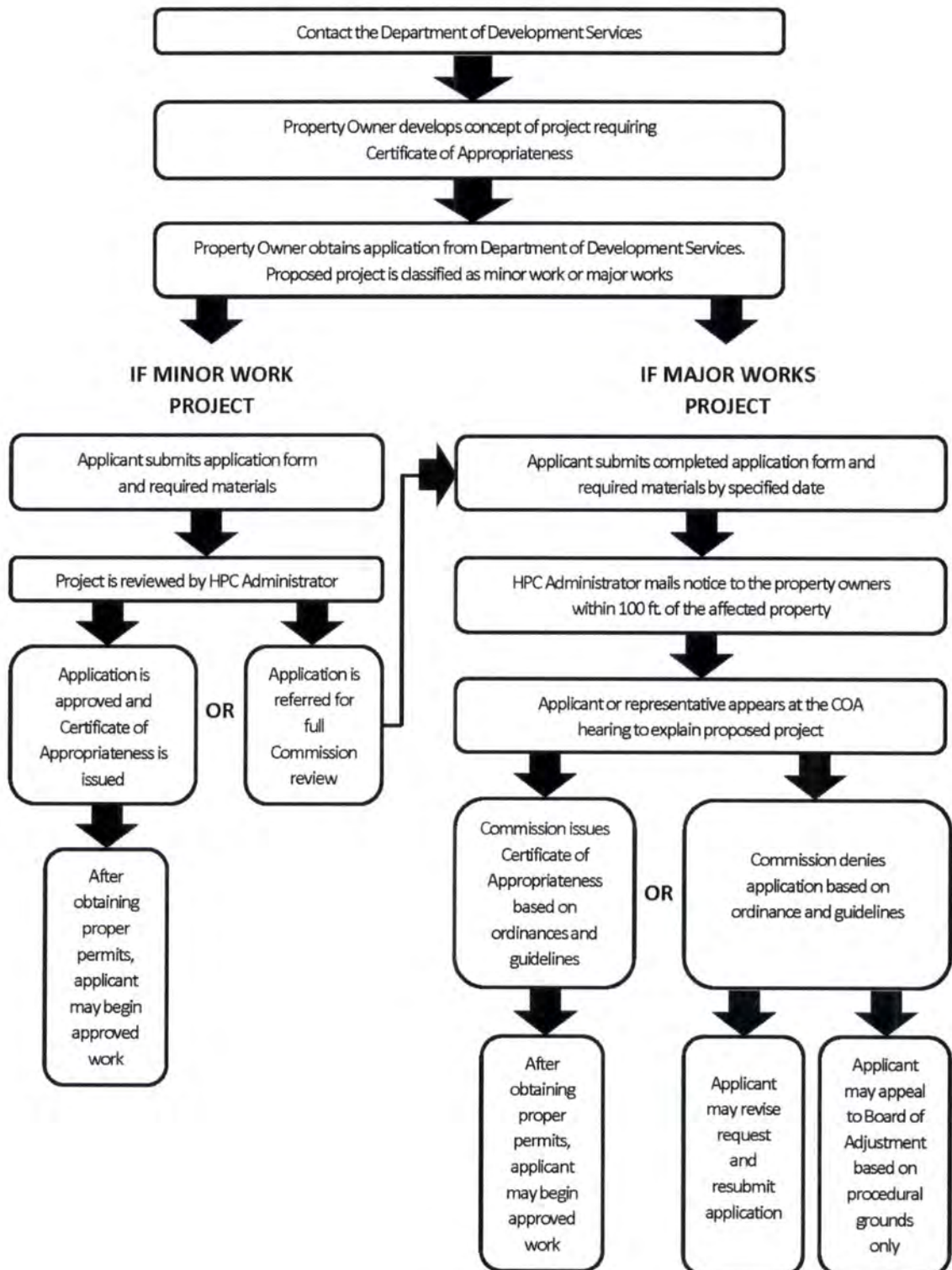
A **Certificate of Appropriateness (COA)** is required before making changes to the exterior of a property in the historic districts. Changes are categorized as *minor works*, which are alterations that do not significantly impact a property, and *major works*, which are significant alterations that affect the appearance or architectural fabric of a property.

A COA application must be submitted to the Department of Development Services, and may require a COA hearing and approval by the HPC. COA applications are obtained from the City of New Bern website or from the City of New Bern's Department of Development Services.

Property owners considering projects in the historic districts are encouraged to take advantage of free technical advice and design assistance offered by the HPC and Department of Development Services staff prior to submission of a COA application. Staff is available to answer questions and guide applicants through the COA process.

*Additional permits, such as building permits, may be required for a project. A COA does not supersede land use and zoning requirements and does not replace requirements for other permits.*

### Certificate of Appropriateness Process



## 1. Overview and Concepts

### Review Process for Minor Works

*Minor works* are changes that do not significantly impact a property and are consistent with the New Bern Historic District Guidelines. A COA for a minor work typically does not require a formal public hearing. The HPC administrator will advise the property owner to ensure compliance with historic guidelines. The HPC administrator may submit a minor work application to the HPC for formal approval depending on the nature of the proposed changes. The HPC administrator can issue a COA for minor work items after a completed application is reviewed with the applicant.

A list of minor works that can be approved by the HPC Administrator is maintained and updated by the HPC. The complete list is available on the City of New Bern website. The HPC, during a design review work session, can direct the HPC Administrator to process applications of limited scope as a minor work.

### Review Process for Major Works

*Major works* are significant exterior alterations to a structure or site, including additions, infill construction and demolition. Major works must be approved by the HPC and receive a COA.

#### Design Review

A **Design review** of a COA application can lead to faster approval and is strongly recommended for any **major works**.

The purpose of the design review is to:

- Familiarize an applicant with historic guidelines
- Familiarize the HPC with an application
- Provide project feedback
- Address application questions or issues

A design review can take place before formal submission of an application. Large, complex projects often require multiple design reviews.

The HPC administrator will help determine if a design review by the HPC is needed. Design reviews are typically held during the HPC's work sessions on the first Wednesday of the month.

#### Application Submission and Formal Review Process

A complete COA application **including supporting materials** must be submitted to the Department of Development Services at least fourteen calendar days prior to the HPC's next regular meeting in order for a COA hearing to be placed on the agenda. COA applications are available for public review in the Department of Development Services.

The HPC administrator is responsible for ensuring that a COA application is complete and complies with applicable city ordinances and codes. Application issues are communicated to the applicant. Ultimately, the HPC will determine the completeness of an application, and additional information may be required.

### Hearings

The HPC is required by state statutes and city ordinances to conduct a hearing on proposed major changes to a property in the local historic districts. A hearing is conducted as a quasi-judicial hearing, where a decision is based on the evidence and testimony presented by the applicant and those who have standing. Allowable testimony and evidence must directly relate to relevant guidelines. The applicant has the burden of proving that proposed changes are not incongruous with New Bern Historic District Guidelines. The HPC cannot deny changes unless they are determined to be incongruous.

A **COA hearing** is the typical type of hearing for an application. Property owners within 100 feet of the project are assumed to have standing to provide testimony at a COA hearing.

A **public hearing** may be called by the HPC for a large project that may materially affect property owners beyond 100 feet. The HPC may elevate a COA application to a **public hearing**. In such an event, property owners beyond 100 feet are assumed to have standing to provide testimony.

Hearings normally occur at the HPC's regular meetings on the third Wednesday of each month. The property owner or their designated representative must attend the public hearing, present the application, and address application questions and concerns.

The HPC may approve, approve with conditions, or deny a COA application. Action on an application must be taken within 180 days of submission. Action on most applications is decided at the hearing. Work may not proceed until the owner has an approved COA in hand.

### Preconstruction Conference

If a COA has been issued by the HPC, a preconstruction conference may be required prior to the issuance of building permits. This meeting is arranged by the applicant with the Department of Development Services to discuss the COA and to ensure that the project is executed as specified. Meeting attendees must include the following:

- Property owner or designated representative
- Contractor
- Chief building inspector
- HPC administrator

## 1.7 Archeology

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The historic districts of New Bern are more than a collection of buildings and their associated landscapes. Historic resources are very likely to include artifacts that are below ground and within the rivers. Archaeological artifacts can provide important clues regarding the location and configuration of long removed outbuildings, additions, porches, and landscape features such as walkways and plantings. Remnants such as foundations, wells, postholes, trash pits, shipwrecks and submerged pilings may also show the evolution of building development and human activities associated with a site. This knowledge conveys an understanding of our interactions with the environment throughout history.

## 1. Overview and Concepts

The geographic location of the City at the confluence of the Neuse and Trent Rivers has made this area an ideal settlement extending back to prehistoric times. Several archaeological sites have been located and studied within the historic districts; however, it is very likely that unknown archaeological resources will be identified through the natural course of ground disturbing activities. Given this probability, efforts must be made to protect valuable resources in their natural, undisturbed setting upon discovery.

### 1.8 Additional Support

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Public and private organizations involved in local preservation efforts can be found in Section 8. *Appendices*.

#### **State Historic Preservation Office**

The *State Historic Preservation Office (SHPO)* assists citizens, organizations, local governments and state and federal agencies in identifying and protecting places significant in North Carolina history. The SHPO frequently provides information and technical assistance related to COA applications to property owners and the HPC.

The main SHPO office is in Raleigh, with regional offices in Asheville and Greenville. SHPO prepares nominations submitted to the National Register; oversees the statewide architectural survey; administers the Certified Local Government program, Rehabilitation Tax Credit program and Environmental Review; and provides public awareness and training programs.

#### **Certified Local Government (CLG) Program**

The *Certified Local Government (CLG) Program* is a federal program administered by the SHPO that allows local governments to participate in the national historic preservation program. A benefit of CLG status is eligibility to compete for CLG historic preservation grant funds. In North Carolina, the following is required for local government certification:

- Have an active and legally adequate historic preservation commission, with a designated paid staff person, that enforces appropriate state and local legislation for the designation and protection of historic properties.
- Maintain a system for surveying and inventorying historic properties that is compatible with the statewide survey.
- Provide adequate public participation in the local historic preservation program, including the process of recommending properties for the National Register of Historic Places.
- Satisfactorily perform responsibilities delegated under the 1966 National Historic Preservation Act.

#### **National Park Service Technical Briefs**

The National Park Service provides *Preservation Briefs* for guidance on preserving, rehabilitating, and restoring historic buildings. These publications

recognize and resolve commonly encountered problems, and recommend methods and approaches for rehabilitating historic buildings. The HPC may use preservation briefs for guidance when evaluating a COA application. Refer to <http://www.nps.gov/tps/how-to-preserve/briefs.htm>.

## 1.9 Worksheet for COA Evaluation

A worksheet is available to aid in the navigation of the Historic District Guidelines and to help evaluate proposed changes in a COA application. (See the next page.) Rows in the worksheet correspond to the sections in the Guidelines. Columns correspond to types of changes. Boxes shaded in green under a column heading are most likely to apply to a type of change and should be considered first. Unshaded boxes may also apply to a COA application depending on the nature of proposed changes.

This worksheet can be downloaded from the HPC website or it can be obtained from the HPC administrator. The green shading identifies guideline sections that are likely applicable to the type of proposed changes.

<b>COA Evaluation Worksheet</b>				
<b>Type of Proposed Changes</b> →	<b>Modifications</b>	<b>Additions</b>	<b>Infill Construction</b>	<b>Replacement in Kind</b>
<b>Guideline Sections to Consider</b> ↓				
<b>Overview and Concepts (Part 1)</b> <ul style="list-style-type: none"> <li>Property Owner Responsibilities</li> <li>Minor vs Major Work</li> <li>Obtaining a COA</li> <li>Contributing vs Noncontributing</li> <li>Archeology</li> </ul>				
<b>Site and Setting (Part 2)</b> <ul style="list-style-type: none"> <li>Development Pattern</li> <li>Placement of Primary Structures</li> <li>Public and Open Spaces</li> <li>Utilities</li> <li>Landscaping</li> <li>Fences and Garden Walls</li> <li>Accessory Structures</li> <li>Parking</li> <li>Signage</li> <li>Waterfront Modifications</li> </ul>				
<b>Design Attributes (Part 3)</b> <ul style="list-style-type: none"> <li>Scale, Mass and Proportion</li> <li>Form and Rhythm</li> <li>Texture</li> <li>Details</li> </ul>				
<b>Design Components (Part 4)</b> <ul style="list-style-type: none"> <li>Foundations</li> <li>Walls, Trim and Ornamentation</li> <li>Windows, Doors, and Openings</li> <li>Entrances</li> <li>Roofs</li> <li>Decks and Patios</li> <li>Accessibility and Life Safety</li> </ul>				
<b>Materials (Part 5)</b> <ul style="list-style-type: none"> <li>Masonry</li> <li>Wood</li> <li>Metals</li> <li>Paint</li> <li>Contemporary Materials</li> </ul>				
<b>Preservation (Part 6)</b> <ul style="list-style-type: none"> <li>Maintenance of Materials</li> <li>Prevention of Demolition by Neglect</li> <li>Relocation</li> <li>Demolition</li> </ul>				

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## 1. Overview and Concepts

## 2. Site and Setting

### 2.1 Development Pattern

#### Project Planning Considerations

Development patterns have been in existence far longer than zoning, and existing buildings establish an understandable rhythm along the streetscape without historical regard for land use. The historic districts of New Bern have three types of development patterns, each of which is a record of a particular era in urban development and evolution.

##### **Dense Fabric**

A pattern of *dense fabric* features minimal yards, if any, most often reduced to small planting beds or planters. A dense fabric is created by structures that typically abut the front property line and share a common wall with neighboring structures. The streetscape is a defined facade, with periodic openings accommodating narrow walkways that generally lead to an alley or interior of the block. An example is the downtown commercial district.



Example of dense fabric development pattern.

Institutional uses, particularly churches, are often emphasized within a dense fabric pattern by slightly setting back from the right of way and side property lines and breaking the continuous building line to create a focal point within the development pattern.

##### **Tight Weave**

A *tight weave* pattern is the most common, representing a consistent rhythm of facade to landscape. Structures that create a tight weave pattern have a front yard, and generally sit forward on a lot and front the street. Side yards tend to be narrow, ranging in widths that only accommodate pedestrians to widths sufficient for vehicle passage. The rear yard tends to be larger and is buffered from the street by a primary structure, creating privacy and garden areas. An example is the typical residential street in Riverside or Downtown.



Example of tight weave development pattern.

Buildings within the *tight weave* development pattern have variable setbacks from the right of way but occur within a narrow range that parallels the streetscape. Although there are exceptions, the majority of structures front the street ten to twenty-five feet from the right of way. This placement creates a front yard transitional space where the structure bridges between the public streetscape and the private rear yard. The rhythm of structures is spaced closely enough to create a defined edge, but this edge is softened with penetrating side yards.

##### **Waterfront Development**

*Waterfront development* is a pattern that typically features an isolated structure on an oversized parcel. These properties front the Trent and Neuse Rivers and are surrounded by expanses of landscaping or parking. The footprint, scale and proportion of structures tend to be oversized as compared to more historic development. Wharves historically lined the waterfront of New Bern, driving its early economy and creating the financial resources that spawned the *dense fabric* and *tight weave* development patterns. Following transformation by urban

## 2. Site and Setting

renewal, property values and economies of scale have given birth to the modern *waterfront development* pattern.

Placement of structures within the *waterfront development* pattern is a response to a more modern, larger scale where building functions are influenced by the automobile. Building scale is significantly larger than nearby historic structures, and views of the river largely play into building organization and use. Waterfront development typically fronts the public walkway along the rivers, and placement tends to be toward the center of the land parcel leaving relatively large expanses within front and side setbacks, much of which is used to support parking or storm water management. Consistent placement and complimentary design elements unify the streetscape and visually buffer more than two hundred years of architecture from the rivers.



*Example of waterfront development pattern.*

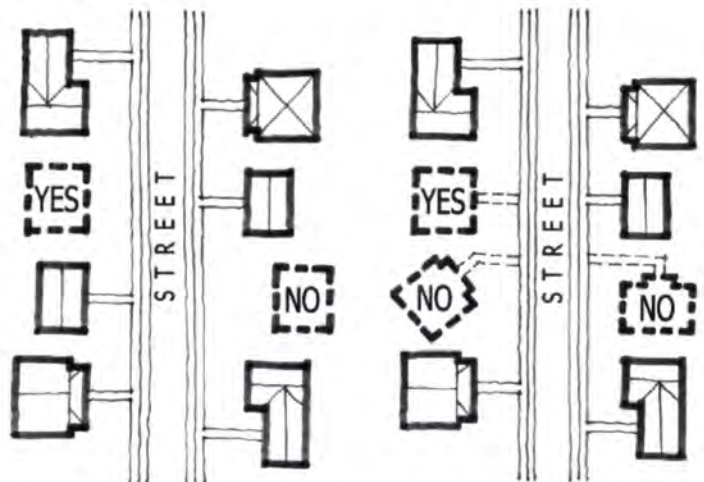
### **Narrow Stitch**

*Narrow stitch* is a historic development pattern unique to the City of New Bern. It was introduced to the Downtown Historic District in 2007 as a planned unit development influenced by Neo Traditional and New Urbanism planning philosophies. Lots are organized in long, narrow rows that front the street. The spacing between structures is minimal, creating public façades with porches and steps at the sidewalk and private rear façades. A service alley is located at the rear yard, removing utility distribution, garbage collection, curb cuts and driveways from the Primary AVC. Rear yards are minimal, if not completely absent when the rear façade fronts the alley.

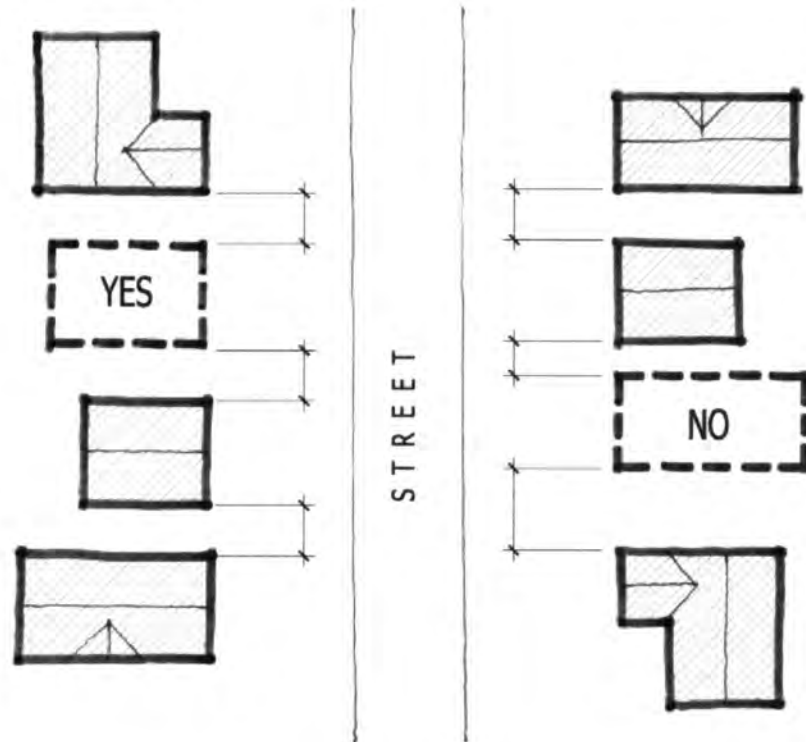
Buildings within the *narrow stitch* development pattern have a very tight rhythm that is often vertically emphasized by the presence of multiple stories. Building massing and roofs typically consist of simple forms, and side yard facades are largely void of fenestration except for the occasional balcony. These lot proportions, coupled with the absence of sizable yard space, often lead to double porch and rooftop decks that create private outdoor spaces and capture surrounding views.

### **Placement of Structures**

The relationship between open space, building mass and scale in the historic districts is essential to preserving the character of the streetscape and the historic districts as a whole. Separations between buildings provide areas for plantings and gardens. The repetition of these elements establishes a streetscape rhythm that enhances the pedestrian experience. Parcels are subdivided and lots are developed over time, creating variations in the ratio of open space to building mass from block to block. Preserve the established open space to building mass relationship created by historic structures on a given block.



**PLACEMENT OF STRUCTURES**



## SPACING OF STRUCTURES

One of the most important character defining features of the historic districts is the presence of view sheds, or view corridors, that highlight particular buildings or capture pockets of open space. Views to and from the Trent and Neuse Rivers, the patterns and rhythms established by buildings within the streetscape, and profiles of landmarks on the skyline communicate the totality of New Bern's historic districts.

### Guidelines for Development Pattern

- 2.1.1 Maintain the established development pattern for placement of infill construction. The relationship of a structure to the property boundaries should be similar to those up the street, down the street and in most cases, across the street.
- 2.1.2 There are areas within the historic districts where the development pattern may have been weakened by vacant lots and nonconforming structures. In such areas, preference shall be given to contributing structures when defining the development pattern for infill construction.
- 2.1.3 The footprint, scale and proportion of infill construction shall be in keeping with neighboring properties. In general, it is not appropriate to construct a three-story structure in an area that is dominated by one-story structures.

## 2. Site and Setting

### 2.2 Public and Open Spaces

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#### Project Planning Considerations

New Bern is fortunate to incorporate parks and public spaces within its historic districts. These open spaces contribute to New Bern's scenic beauty and quality of life. Small alley parks, large waterfront parks, neighborhood playgrounds and sculpture gardens promote a pedestrian friendly atmosphere. When planning parks and public spaces, it is important to consider their location, views, impact on adjacent properties and potential public uses. For example, space for a pavilion or bandstand can be created in a waterfront park by encircling a large lawn with a waterfront promenade. This creates an ideal location for gatherings and events.

#### Guidelines for Public and Open Spaces

- 2.2.1 Introduce public art, statuary, artifacts, memorials, and fountains as focal points in spaces that do not obscure historic buildings or their architectural features. Consider the scale and historic context of art features when determining the setting and location.
- 2.2.2 Incorporate streetscape furniture and pavement treatments recommended in the New Bern Urban Design Plan when improving sidewalks and streets within the right of way. Furniture, trash receptacles, mailboxes, newspaper racks and similar elements shall be of a scale that does not detract from historic properties.
- 2.2.3 Locate playgrounds and play equipment in Secondary and Tertiary AVCs. Do not obscure historic buildings or their architectural features.

*The Urban Design Plan can be found on the City of New Bern's website.*

### 2.3 Utilities

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#### Project Planning Considerations

Integrating utilities into historic district landscapes is one of the greatest challenges. Multiple installations of disorganized utilities often result in visual clutter. Locate utilities and equipment in a manner that preserves landscape features and historic building fabric. Frequently, utility equipment must be elevated above the floodplain. Locate equipment in Secondary and Tertiary AVCs, and screen items from public view with vegetation, fencing and similar site constructions. Install underground utilities when possible.

Work within the right of way requires a COA. Improvements proposed by private property owners and public utility providers, regardless of ownership or source of funding, are subject to evaluation for compatibility with historic district streetscapes.

Illumination of the streetscape within historic districts provides visibility and security, and is encouraged. Exterior lighting can be effectively used to highlight and reinforce a building's architectural character or to establish a landscape theme. Do not implement lighting that creates distraction by overemphasizing a structure or site. Lampings shall emit a warm spectrum, or white, light.



*Place satellite dishes in a Secondary AVC or in areas that are not visible from the public right of way.*

## Guidelines for Utilities



*Utilities shielded from view with hedges.*

- 2.3.1 Locate equipment in Secondary and Tertiary AVCs and screen items from public view with vegetation, fencing and similar site constructions. It is recommended that utilities be consolidated in common locations.
- 2.3.2 Paint equipment and exposed utilities to compliment mounting surfaces and reduce their visibility.
- 2.3.3 Install utilities underground when possible to minimize visual clutter. Use mechanical methods to bore beneath landscaping, sidewalks, drives and fences.
- 2.3.4 Evaluate utilities and equipment installed in the public right of way, such as utility poles, street lights, railroad crossing signals, signal boxes and similar items, for their visual impact on the streetscape. Install multiple utilities on common poles.
- 2.3.5 Consider a selection of tree species that will not interfere with overhead utility distribution. Where conflict occurs, replace canopy trees with smaller scale, understory trees and shrubs.
- 2.3.6 Install light fixtures in locations that complement the character of historic structures and sites. It is not appropriate to replace original light fixtures. Lamping shall emit a white light. Illumination shall provide visibility and security without overemphasizing a structure, parking area or site.
- 2.3.7 Incorporate street and pedestrian light fixtures referenced in the New Bern Urban Design Plan when improving sidewalks and streets within the right of way.

## 2.4 Landscaping

### Project Planning Considerations

Landscape elements play an important role in defining the “cultural environment” of New Bern’s historic districts. Mature trees, hedgerows, foundation plantings, gardens, grassy lawns, patios, fences, and walls contribute to the character of streetscapes and structures. Improvements within the right of way, such as curbing, sidewalks, planting strips and trees, also enhance the landscape. These landscape features are typical to a *tight weave development pattern* and enhance the pedestrian experience.



*This house in the Riverside Historic district has a traditional landscape of mature street trees, a hedgerow, mature shrubs, and seasonal plantings near the porch.*

Private lawn and garden areas also characterize the historic districts. Gardens are generally located in rear yards, or in the side yards of larger lots. These lush landscapes, both formal and informal in presentation, are characterized by a variety of plantings ranging from mature canopy trees to flowering shrubs to perennial bulbs. Preserve and propagate plant species that are indigenous to New Bern.

Many gardens are surrounded by fences, walls or hedgerows that delineate property lines and demarcate boundaries between private lots and public rights of way. Preserve historic fences, walls, and plant rows. Introduce new elements to the landscape that are compatible with the site and with the styles of fencing found throughout the districts.

## 2. Site and Setting

The *dense fabric development pattern* is landscaped within the public right of way. The New Bern Urban Design Plan recommends streetscape improvements that unify blocks of tightly abutting structures. Enrich the pedestrian experience by selectively placing sidewalk pavement, lighting, street trees, public art and street furniture between curbing and the building frontage.

### Guidelines for Landscaping

- 2.4.1 Maintain mature canopy trees. Mature tree removal and its replacement species must be recommended by a certified arborist. Replace removed trees with a similar canopy species at or near the location of the removed tree. Locate canopy trees to define the street edge at maturity.
- 2.4.2 Maintain a planting strip between the curb and sidewalk in the *tight weave development pattern*. The predominant plantings in this area shall be grass and trees. Walkways connecting the curb and sidewalk shall not exceed a width of six feet. Align walkways with building entrances.
- 2.4.3 Use plant materials that are indigenous to the historic districts. It is not appropriate to use contemporary edging materials such as landscaping timbers or plastic borders.
- 2.4.4 Incorporate trees, shrubbery, and other landscape features around the periphery of a lot and within parking areas.
- 2.4.5 Locate accessory structures and similar site improvements to avoid removing healthy, mature trees of desirable species.
- 2.4.6 Eliminate lichen, ivy, and other forms of vegetation from structures to prevent damage and to allow for adequate surface ventilation and drainage.
- 2.4.7 Create focal points that highlight public art, statuary, fountains, and structures such as pergolas and gazebos. Place these elements in areas that do not obscure historic buildings or their architectural features.
- 2.4.8 Use street trees and landscaping elements to reinforce right of way view corridors that extend to the rivers. Locate focal points at street terminations; however, the scale of landscaping elements shall not obstruct water views.



*The Mary Kistler Stoney Garden is a reconstruction representative of 19th century New Bern and is part of the Tryon Palace complex.*

## 2.5 Fences and Garden Walls

### Project Planning Considerations

Fences and garden walls have traditionally been used to delineate property lines and demarcate boundaries between private lots and the public right of way. A variety of fencing types and materials are found within New Bern's historic districts. Fence styles in wood, brick, masonry, marl, cast iron, wrought iron and natural plant materials have been popular for more than two hundred years. Fences and walls often architecturally relate to a principal structure. Repetition of fences and walls provides definition and continuity to the streetscape.

A variety of materials and patterns combined with brick piers are commonly found in the historic districts. The predominant fencing material is wood, although a number of fences are fabricated from iron or constructed of marl. Use



*Articulated brick walls and picket fences are used throughout the historic districts.*

low fences in a Primary AVC to enable clear views of the building and its entrance. Use tall fences in a Tertiary AVC to enclose yards for privacy. Planted hedges of boxwood and ligustrum are often used to define property lines and decorate yards.

### Guidelines for Fences and Garden Walls

- 2.5.1 Fences and walls based on historic designs are encouraged. Incorporate materials and configurations that relate to the architecture of the principal structure on the site. Use fences and walls to demarcate property lines and screen private areas.
- 2.5.2 In a Primary AVC, erect low fences and walls with a vertical dimension of four feet or less. Space rectangular wood planks about one inch apart. Space square wood and iron pickets about three inches apart. Orient pickets vertically.
- 2.5.3 In Secondary and Tertiary AVCs, erect tall fences and walls with a vertical dimension of six feet or less. Tall fences that abut a structure shall terminate at an architectural feature. Transition low fencing to taller fencing at an architectural feature.
- 2.5.4 It is not appropriate to use utilitarian fences in a Primary AVC. In addition, it is not appropriate to use chain link fencing in the historic districts.
- 2.5.5 Consider hedgerows as alternatives to fences and walls.
- 2.5.6 Screen existing chain link fences with vegetation such as ivy, climbing vines or evergreen shrubbery.

## 2.6 Accessory Structures

### Project Planning Considerations

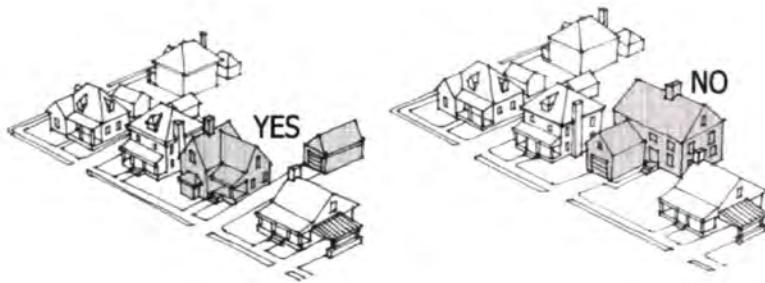
Outbuildings and accessory buildings have always been a part of New Bern's historic districts and its development history. Privies, barns, carriage houses, kitchens and sheds were once found on lots of all sizes. Today, few of these original accessory buildings survive. By the turn of the twentieth century and into the mid twentieth century, the need for new types of accessory buildings emerged. Today, outbuildings and accessory buildings include garages, storage sheds, greenhouses, and playhouses. Attached garages are not appropriate in the *tight weave* development pattern.



*Historic outbuildings and accessory structures like this garage add to the character and diversity of the historic districts.*

## 2. Site and Setting

Illustration of appropriate placement of garages:



## ACCESSORY STRUCTURES

### Guidelines for Accessory Structures

- 2.6.1 Locate accessory structures in Secondary or Tertiary AVCs, and behind primary structures when possible. Accessory structures are to be secondary to the primary structure in regard to mass, scale, form, and texture.
- 2.6.2 It is appropriate for outbuildings, and similar structures with substantial foundations, to have a similar form and detailing as the primary structure. Reduce these elements in scale to compliment the outbuilding massing, and incorporate less ornate and simpler elements than found on the primary structure.
- 2.6.3 Accessory structures such as sheds, gazebos, pergolas, arbors, trellises, and similar types of site improvements with minimal foundations are to serve as focal points within rear yard landscapes. These forms and detailing have little relationship to historic fabric and can be easily removed without creating permanent damage.

## 2.7 Parking

### Project Planning Considerations

The widespread reliance on the automobile, and the desirable character of the historic districts, results in pressure to accommodate increasingly more vehicles. The historic districts were largely developed prior to the introduction of automobiles, and many properties do not include driveways or off-street parking. Street parking is limited, and most driveways are narrow compared to today's standards. Driveways and parking frequently supplement the parking capacity available. Configure access to off street parking in a manner that avoids important landscape features and maintains the integrity of development patterns.



*A low brick wall, street trees and plantings effectively screen this large surface parking lot.*

## Guidelines for Parking

- 2.7.1 Confine driveways on narrow lots to the Secondary AVC.
- 2.7.2 Use driveways to access off street parking areas located in the Tertiary AVC. Areas for vehicular use shall not exceed more than 50% of the rear yard in the *tight weave development pattern*.
- 2.7.3 It is not appropriate to incorporate off street parking in the Primary AVC within the *dense fabric development pattern*. In addition, it is not appropriate to locate parking lots on corners within the historic districts.
- 2.7.4 Contain loose paving materials within masonry, concrete, steel, or similar types of fixed edging. It is not appropriate to use contemporary drive and parking edging materials such as landscape timbers or plastic borders.
- 2.7.5 Screen parking lots with fences, walls and hedgerows to create edges that separate vehicular space from pedestrian space. Parking screens should have a vertical dimension of four feet or less.

## 2.8 Signage

### Project Planning Considerations

Signs contribute to the unique character and visual quality of the historic districts, and when treated with sensitivity, benefit the community. Appropriately place signage on building facades and within rights of way to enhance the streetscape environment. Inappropriately placed signs obstruct architectural features, create visual clutter, and disrupt the harmony of the streetscape.

Conventional vehicle, directional and informational signs within the right of way often erode the integrity of the streetscape and disrupt the pedestrian experience. Transportation authorities have jurisdiction over their placement, quantity, and standardized format. Consolidate public signs whenever possible on uniform poles to reduce visual clutter.

Architectural signage identifies businesses, franchises and the goods and services offered. Successful signage relies on graphic simplicity that is designed to complement the texture and detail of the surrounding architectural facade. Consider scale, shape, location, materials, font, and illumination when evaluating signage contexts.

### Guidelines for Signage

- 2.8.1 Signage shall incorporate proportions and dimensional details of the surrounding architectural facade. Locate wall signs on lintels or within the sign frieze area. Where multiple storefronts are within a common architectural facade, provide unifying elements such as coordinated lighting, height, border, font, and material treatments.
- 2.8.2 Drive fasteners for signs in mortar joints to prevent damage to the masonry units.



*Customized business signs add character to the historic districts and should be preserved and maintained.*

## 2. Site and Setting

- 2.8.3 Locate freestanding signs in areas that do not obscure architectural elements or important features. Soften the presence of signposts with landscaping and edging.
- 2.8.4 Use back lighting and front lighting fixture types. Internally illuminated signs are not appropriate for structures built prior to 1920. Electric signs shall not flash, blink or have illuminated revolving content.

## 2.9 Waterfront Modifications

### Project Planning Considerations

The confluence of the Trent and Neuse Rivers has shaped the history of New Bern and provided a means for trade and economic development. Historically, the New Bern waterfront consisted of wharves, docks, lumber mills, and rail yards. Wharves and docks have been largely replaced by a waterfront park, hotels, condominiums, and similar types of modern development. It is desirable to maintain public access to the historic riverfront for citizens and tourists alike. Piers and bulkheads are part of every waterfront community. Carefully plan these to incorporate the waterfront promenade and the special character offered by the rivers.

Simultaneously consult with the Coastal Area Management Agency (CAMA), the City of New Bern and the HPC administrator prior to submitting an application for a COA for waterfront modifications. Coordinated input between regulatory bodies results in the most harmonious balance of regulatory and design requirements.

### Guidelines for Waterfront Modifications

- 2.9.1 Construct piers with wood decking or concrete panels. Piers shall have a narrow width that generally extends perpendicular and parallel to the shoreline.
- 2.9.2 It is not appropriate to incorporate pavilions, platforms, gazebos, screened rooms, roofed structures, boat sheds and similar constructions on piers.
- 2.9.3 Finish bulkheads with a wood or concrete cap. Reserve space for future waterfront promenade extensions between the bulkhead and other site constructions as described by the New Bern Urban Design Plan.
- 2.9.4 Provide unobtrusive, soft lighting that follows the flow of walkways. Use functional, utilitarian light fixtures, and avoid highly ornate ones.



*The piers and bulkheads at the waterfront park are consistent with the design guidelines. They are built of wood and concrete, and do not diminish scenic views.*

### 3. Design Attributes

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Aesthetics and design influence the character of the historic districts. Building use and form evolves as infill and adaptive reuse projects take place. Modifications, additions and infill construction shall compliment the scale, pattern, materials, proportion and mass of surrounding historic architectural resources. Well designed additions and infill structures enhance the quality of the historic districts by contributing context and style reflective of growth while also creating a record of the technological evolution of modern construction materials and methods.

#### 3.1 Design Principles

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The following design principles typically apply to additions and infill construction, but may also apply to site and setting, design components and modifications.

##### Scale, Mass and Proportion

The *scale* of a building is its relative size. *Human scale* refers to how we perceive the size of a structure and its components in relationship to the human body. The relationship, or scale, of an architectural detail becomes quite evident when one is standing very close. *Overall scale* compares building form to that of nearby buildings, structures and open spaces. Construction that ignores scale disrupts the harmony of the streetscape.

*Mass* describes the shape, size and visual weight of a structure. Scale is typically an analysis of attributes in predominantly two dimensions with a set proportion. Mass describes a volume, and evaluates a structure in three dimensions.

*Proportion* refers to the interrelationship of vertical to horizontal. This can be applied to the overall building mass, an opening for a window or door, or the characteristics of a column. Proportion has been used in architecture for thousands of years to create a sense of natural order. Buildings and spaces composed of harmonious proportions inherently relate to the human form, and create a pleasing environment.

Architectural details organize the perceived mass and scale of buildings. Façade features such as rooflines, pilasters, friezes, columns, piers and patterns subdivide building planes into smaller, articulated panels that create visual texture.

Buildings in any given development pattern are generally similar in scale and mass, and façade proportions have a strong vertical orientation. Infill construction should respect these characteristics. Façade articulation, windows and doors should also reinforce the vertical orientation of the composition.

*Rooftop expression* is a combination of architectural elements that occurs above the cornice line. New Bern's *dense fabric development* pattern is dominated by two story buildings with a range of scales and low sloped roofs. This mix of multi-storied buildings incorporates a variety of decorative and styled cornices,



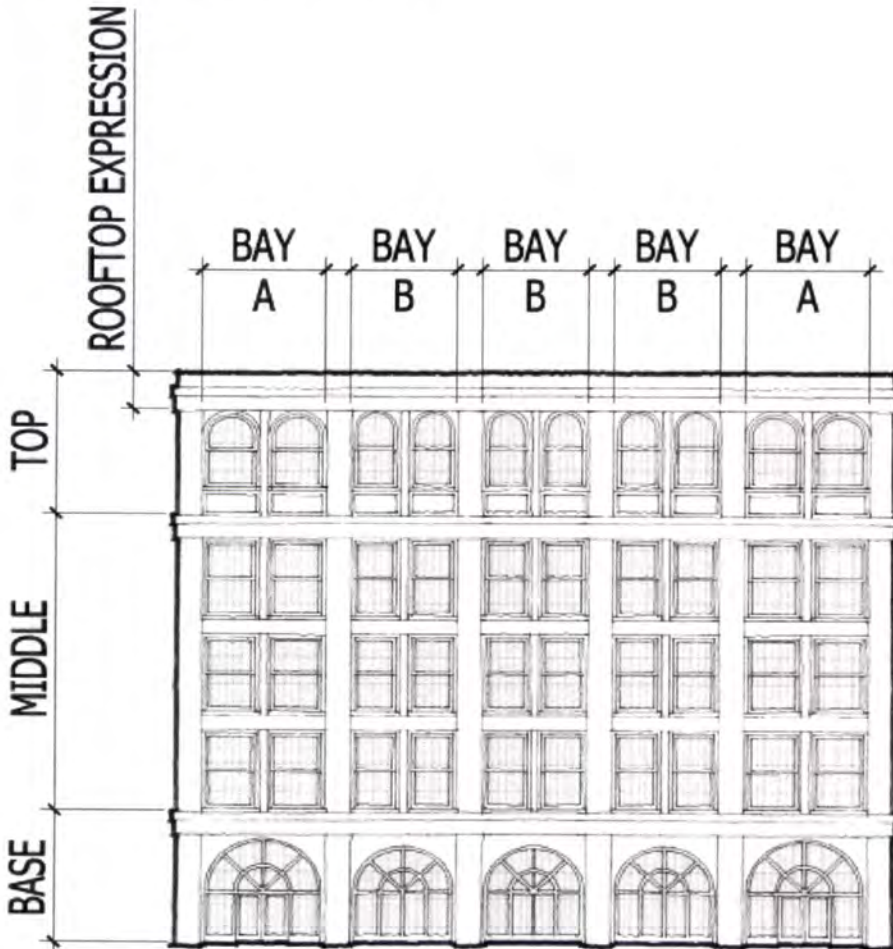
*The wide cornice, overhang, and brackets add character to this building.*



*This block of buildings shares the same scale.*

### 3. Design Attributes

parapets, towers, cupolas and other rooftop appurtenances that uniquely identifies each. Facades can typically be broken into three basic components: a base, middle and top. These elements relate to architecture as the feet, torso and head relate to the human body. The feet provide stability, the torso provides height and bulk, and the head provides identity.



## FORM & RHYTHM

Within the *tight weave development pattern*, buildings are traditionally two stories in height with sloped roofs. Facades are typically organized in a series of bays, deriving their character from articulated front porches, entry doors and window configurations.

### Form and Rhythm

*Form* and *rhythm* refer to the regular or harmonious recurrence of lines, shapes, forms and details in a building. All buildings contain design components that are repetitive. Roof form and pitch, the ratio of solids to voids in a wall plane, and the placement of windows, doors, cornices and parapets establish a pattern that



*These buildings illustrate variety in scale.*



*These buildings illustrate a variety of parapets, dimensions and forms.*



*Baxter's unique curved coping creates visual interest when compared to the parapets and cornice lines of surrounding buildings.*

characterizes a building, streetscape or district. Considered together, these elements create a visual rhythm and unify the facade of the structure.

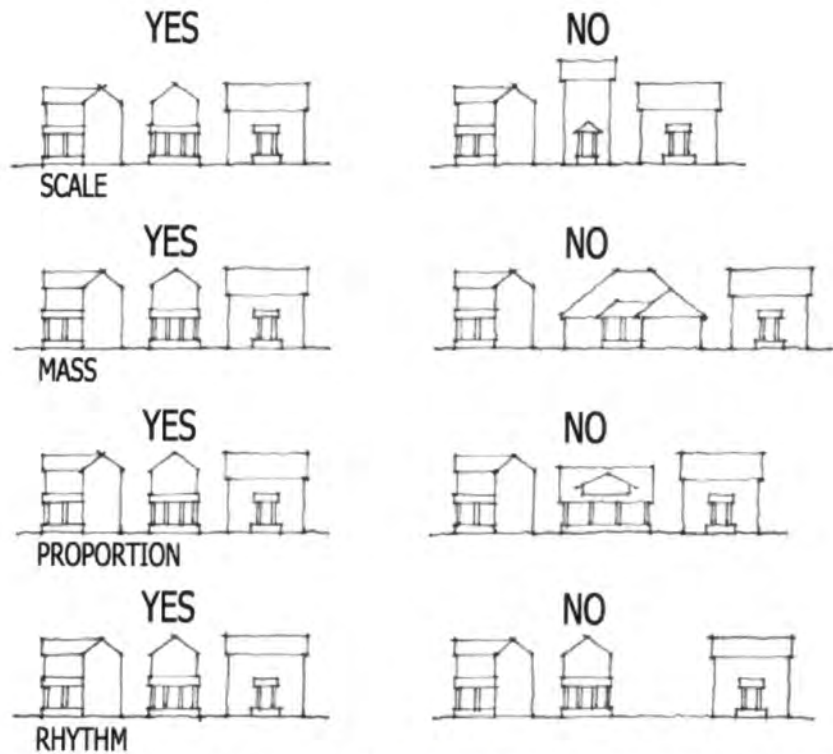
The *narrow stitch* development pattern creates a strong rhythm of repeated, narrow front facades that creates a hard edge at the streetscape. Steps from each structure extend to the sidewalk in series, beginning at an upper landing above design flood elevation and descending to meet the shape of the terrain below. Full width porches that compensate for the lack of yard space accentuate facades and animate otherwise planar building forms.



*These upper story windows represent an excellent example of rhythm across multiple facades.*



*A pediment parapet highlights the classical facade of this building.*



## SCALE, MASS, PROPORTION & RHYTHM

### Texture

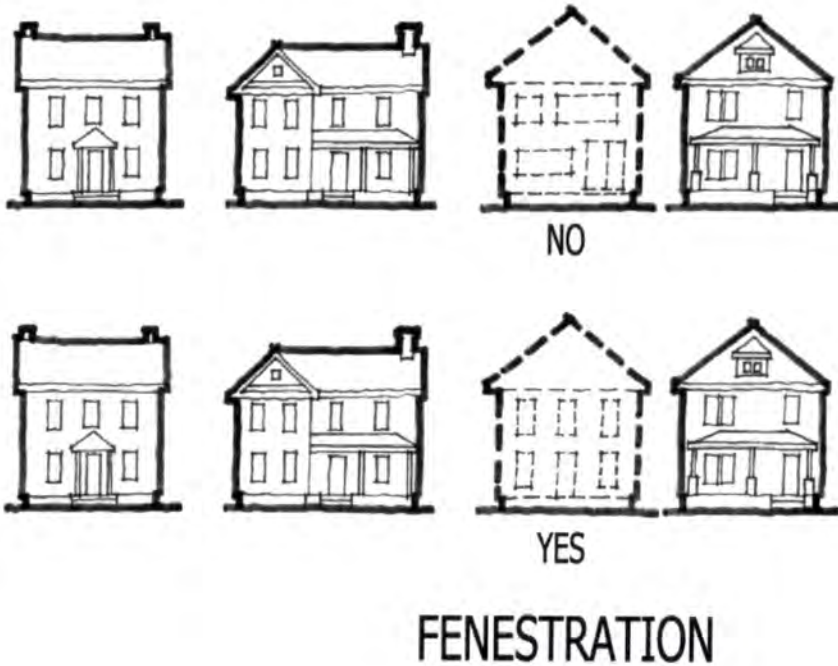
*Texture* refers to the use and interaction of a variety of materials and details in a building. Roofs, porches, bays, chimneys, decorative exterior trim, siding and windows articulate building facades and create visual interest. Articulate the top, middle and base of a building to create texture. Additions and infill construction should provide a degree of texture similar to surrounding buildings.

### Details

*Details* are the elements that describe architectural building styles, features and ornament. New Bern's three hundred year evolution has produced a rich and varied palette of details that creates a visually delightful setting for pedestrians, students and admirers of architecture. Additions and infill construction should allow architectural styles to evolve while incorporating established details that

### 3. Design Attributes

characterize New Bern's historic districts. Contemporary and compatible design is encouraged. However, it is recommended that additions and infill construction reflect and reinterpret traditional building detailing.



#### Guidelines for Design Principles

- 3.1.1 Consider the scale, mass and proportion inherent to the surrounding historic development pattern, and design modifications that incorporate these characteristics. Use basic shapes and forms that are common to the historic districts.
- 3.1.2 Windows, doors and openings shall be compatible in proportion, shape, location, size and quantity with those on surrounding historic structures. Avoid large expanses of blank walls. Establish bays, visually subdivide facades and delineate building elevations to create form and rhythm.
- 3.1.3 Discretely use rooftop appurtenances such as spires, cupolas and towers to articulate rooflines. Compliment the scale, form and proportion of the structure, and use rooftop appurtenances to identify a building entry or similar massing focal point.
- 3.1.4 Use details to articulate facades, and the openings within facades. Appropriately detail the base, body and edges of facades to create texture and visual interest.
- 3.1.5 Avoid creating a false sense of historical development. It is not appropriate to apply historic architectural styles to infill construction. Creative interpretation of traditional detailing and ornamentation is encouraged.

## 3.2 Modifications

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### Project Planning Considerations

*Modifications* encompass changes, replacements and potential improvements to historic design components and architectural features. The intent of New Bern Historic District Guidelines is to allow modifications to occur within a framework that preserves the character and fabric of the historic districts.

### Guidelines for Modifications

- 3.2.1 Select materials that are consistent with the structure. Limit the palette to those materials that were available at the time a building was originally constructed.
- 3.2.2 Modifications to a structure should not conceal, damage or remove significant design components or architectural features.
- 3.2.3 Replace historic design components only if they are damaged beyond repair. Replacement for convenience is not appropriate. Use materials and details that match the original.
- 3.2.4 Rebuild missing or insensitively altered design components based on documented evidence of the original configuration.
- 3.2.5 It is not appropriate to introduce features and details that will create a false sense of historic development.

## 3.3 Additions

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### Project Planning Considerations

*Additions* to historic buildings should never compromise the integrity of the structure or its site. Additions that are not incongruous respect the mass, scale and proportion of the primary structure, and do not obscure or destroy distinguishing, character defining architectural features, forms and materials.

Consider site features and view corridors when designing additions. Minimize disturbance to mature vegetation. Limit the footprint of additions to maintain private open spaces, particularly in Tertiary AVCs. Contemporary interpretation of historic style and details is encouraged to differentiate additions from the original building. However, replication of historic style and details is often appropriate for work confined to a limited area.

### Guidelines for Additions

- 3.3.1 Locate additions in a Secondary or Tertiary AVC to minimize the impact on primary, character defining elevations. Limit the footprint of additions to maintain private open spaces.
- 3.3.2 Use roof forms and pitches that are similar to those found on the primary structure. Delineate the addition from the plane of the primary structure by creating slight offsets and corners.

### 3. Design Attributes

- 3.3.3 Incorporate materials and details derived from the primary structure. Extend the architectural hierarchy of the primary structure to the addition. Architectural embellishments and detailing are often simplified on less visible Secondary and Tertiary AVC elevations.

## 3.4 Infill Construction

### Project Planning Considerations

*Infill construction* is the process of constructing a building on an empty parcel. Infill construction eliminates vacant lots and gaps in the urban fabric, and contributes to the architectural evolution of the streetscape.

An infill structure should reflect its time of design. The intent of New Bern Historic District Guidelines is not to impose particular architectural styles, but to guide change that protects and contributes to the character of the historic districts. Evaluate the context and sensitivity of the immediate area, and shape infill construction to positively impact the overall district.

Contemporary materials may be used on infill construction. They are to be appropriately proportioned, used in traditional ways and installed in a traditional manner. Contemporary materials not meeting these requirements should not be extensively used on infill construction.

### Guidelines for Infill Construction

- 3.4.1 Maintain the relationship between building mass and open space that exists on the block or streetscape.
- 3.4.2 The predominant material of an infill building shall visually emulate the palette of materials traditionally found in the historic districts.
- 3.4.3 Use of modern materials is acceptable as a means of continuing the evolution of architecture through time. However, the use of aluminum and vinyl siding, faux brick and stone, stamped concrete and similar imitation materials is not appropriate.
- 3.4.4 Contemporary materials shall be appropriately proportioned, used in traditional ways and installed in a traditional manner.



*Contemporary and traditional materials used on this new house maintain the character of the historic districts.*



*This building is located in the transitional edge between dense fabric and tight weave development patterns. The use of a modern blonde brick and patterned masonry is appropriate for this infill construction.*

## 4. Design Components

### 4.1 Foundations

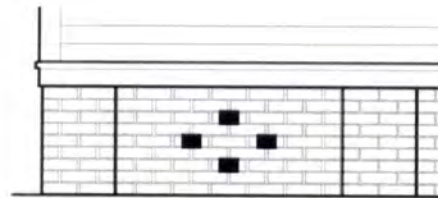
#### Project Planning Considerations

A foundation not only maintains the structural integrity of a building, but the materials, dimensions, features and details also contribute to its character. Foundations for some of New Bern's earliest buildings were constructed of marl or "shell rock," often in combination with brick. Framed buildings in New Bern were typically constructed on wood sills elevated by brick piers. Areas between piers were either left open or enclosed with wooden lattice. Brick panels were also commonly added between piers. These masonry infilled sections were generally recessed behind the face of the brick pier, visually delineating structural members from nonstructural members.

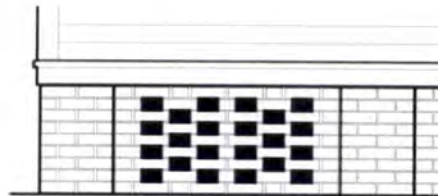
Decorative metal vents or pierced brick lattice were frequently built into foundation walls to provide crawl space ventilation. Masonry and stone foundation walls generally were not painted, although some received a pargeing of stucco that was painted.



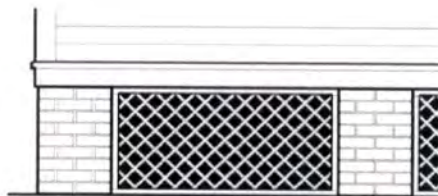
*An example of a marl and brick foundation.*



**SOLID MASONRY**  
(DECORATIVE VENT HOLES, OR MANUFACTURED VENT ACCEPTABLE)



**BRICK LATTICE**



**WOOD LATTICE**

#### INFILL BETWEEN FNDN. PIERS



*An example of brick lattice.*

## 4. Design Components

Brick foundations are often delineated with a rowlock water table course or contrasting brick bond. Various historic foundation treatments were constructed between piers, including solid masonry with vent holes, brick lattice or pierced brick, and brick pier with wood lattice infill.

### Guidelines for Foundations

- |       |  |
|-------|--|
| 4.1.1 | Adhere to Guidelines for retention of historic fabric when altering foundation components.   |
| 4.1.2 | When infilling between brick piers, recess brick curtain walls 1 to 2 inches to visually delineate piers.  |
| 4.1.3 | Use traditional materials when constructing foundations. Concrete block should receive a veneer of stucco, brick or other appropriate masonry material.  |
| 4.1.4 | Locate foundation features such as vents and access doors in areas that will not detract from the architectural character of the building. Coordinate with other architectural features when possible, such as aligning vents and access doors with windows above or centering them between piers. |
| 4.1.5 | When elevating a structure in flood zones, limit elevation to the minimum height required by ordinance. When elevating a structure that is not in a flood zone, limit elevation to 2 feet above the current height.  |
| 4.1.6 | Minimize the visual impact of tall foundation walls by introducing a combination of landscaping, grading, and terraced retaining walls.  |

## 4.2 Walls, Trim and Ornamentation

### Project Planning Considerations

Buildings in New Bern's historic districts exhibit a variety of exterior sheathing and masonry materials, trims and ornamentation that chronicle the evolution of architectural styles in the City. Most buildings in the historic districts are of wood frame construction. Masonry construction is more common in the dense fabric development pattern where noncombustible material is used to prevent the spread of fire to adjacent buildings.

Historic structures display a variety of decorative elements that contribute to the visual richness of the architecture. Columns, cornices, doors, windows, sawn work, shingles, balustrades, clapboards, floors and bracketing are elements that collectively define the architectural style.

Trims are the ornamental details that terminate the edges of roof overhangs, the edges of openings, and walls sheathed with wood. Typical trims are window and door casings, and skirt, frieze and corner boards. Trims can incorporate embellishments that convey an architectural style such as cornices with modillion blocks, dentil work, turned porch posts with sawn work brackets and classical columns with turned baluster railing.

In similar ways, masonry is often enhanced by carefully articulating and detailing brick walls. Inset panels with contrasting bond, corbelling, cornices, parapets, sill



*This house displays clapboard, decorative shingles and an abundance of decorative wooden elements that contribute to the character of its fenestration.*

and head articulation, and banding are a few of the many ways that masonry materials are placed in ornamental ways. It is not uncommon to combine wood trim cornices, pediments, columns and balustrades with masonry walls to replicate architectural features more commonly associated with wood siding constructions.



*A bracketed cornice, paneled friezes, ornate window surrounds, and embellished porch are some of the wood elements evident on this house.*



EAVELESS



EAVES PROJECT:  
NO RAFTERS



EAVES PROJECT:  
RAFTERS



CORNICE FASCIA



CORNICE BOXED:  
DECORATED



CORNICE BOX W/  
BRACKETS



CORNICE BOXED:  
DECORATED

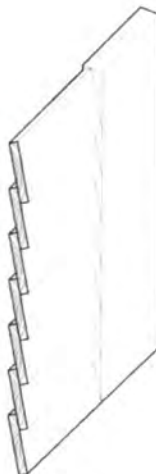


CORNICE BOXED:  
PLAIN

## CORNICE TYPES



*This house in the Riverside Historic District has a brick masonry veneer at the first floor and wood shingle siding at the second floor.*



CLAPBOARD  
(SQUARE EDGED)



CLAPBOARD  
(TAPERED OR BEVELED)



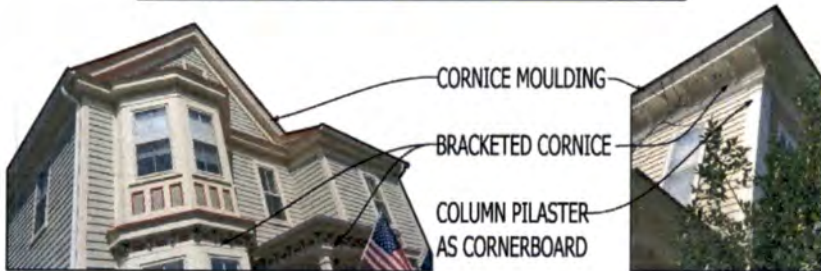
FLUSH  
(SHIPLAP JOINT)



FLUSH  
(GERMAN OR DROP SIDING)

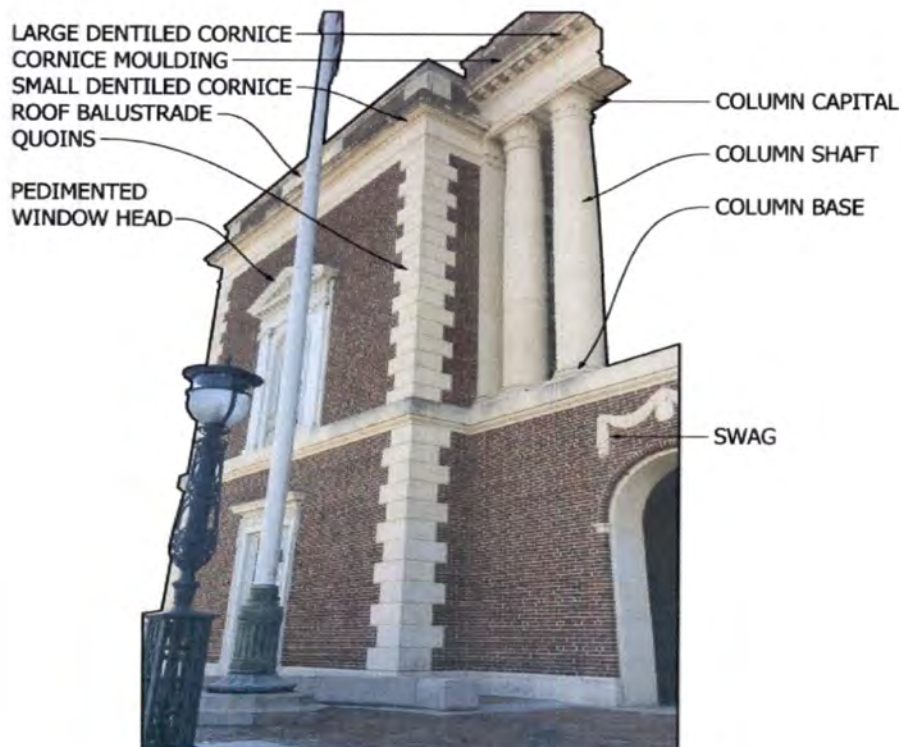
## TYPES OF WOOD SIDING

#### 4. Design Components



### TRIM & ORNAMENTATION

RESIDENTIAL



### TRIM & ORNAMENTATION

NEO-CLASSICAL / COMMERCIAL

The majority of New Bern's architectural resources were "modernized" in the late 19<sup>th</sup> century by updating walls, trim and ornamentation to conform to the prevailing architectural taste of the time.

### Guidelines for Walls, Trim and Ornamentation

- 4.2.1 Adhere to Guidelines for retention of historic fabric when altering wall components.
- 4.2.2 It is not appropriate to introduce trim or ornamentation to a contributing structure without documentary evidence that such elements historically existed.
- 4.2.3 It is not appropriate to cover wood siding, trim and ornamentation with a contemporary material on a contributing structure.
- 4.2.4 Incorporate wood trims and articulate masonry appropriately for the application.
- 4.2.5 Primary structures are generally more ornate and detailed. Accessory structures are generally subordinate to the primary structure and have minimal ornamentation, if any, and simplified details.

## 4.3 Windows, Doors and Openings

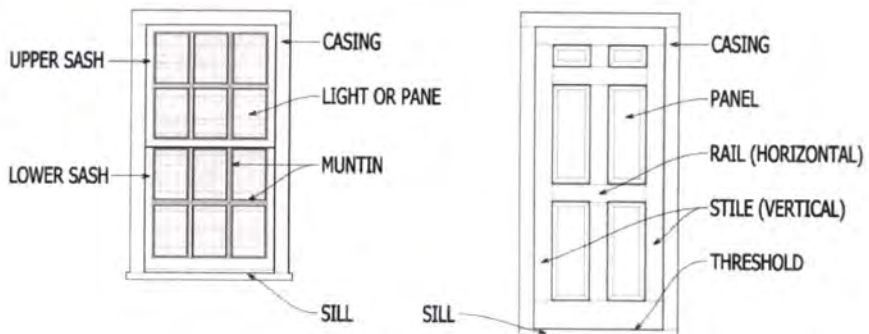
### Project Planning Considerations

Windows and doors influence architectural character through their location, pattern or fenestration, shape, size, proportion and style. They are also functional elements that provide natural light, ventilation and a visual connection between the building interior and the outside world.

Exterior doors in the historic districts exhibit a remarkable amount of diversity. Solid paneled doors and doors with fixed glass upper panels are typical. Detail variations reinforce each building's architectural character through applied ornamentation. For example, there are various raised and flat panel configurations, decorative false wood graining and varnish treatments, ornamental leaded, beveled, etched and opaque glass, any combination of which uniquely identifies a structure.



*An example of a historic wood door that has been appropriately repaired instead of replaced.*

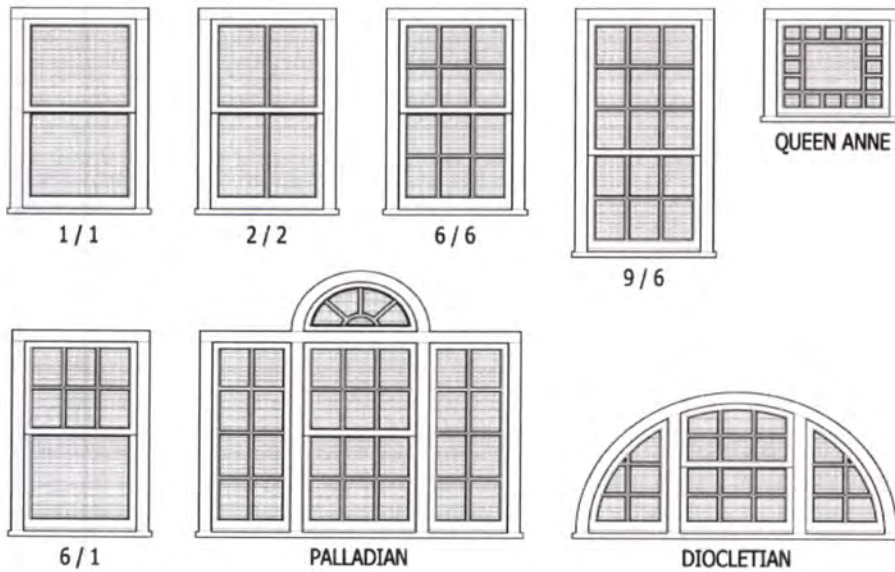


WINDOW TERMS

DOOR TERMS

## 4. Design Components

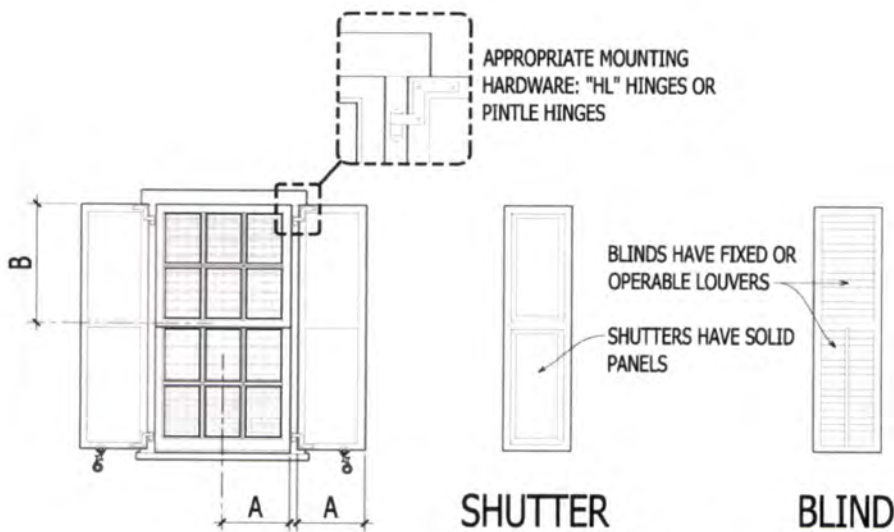
Window styles reflect changes in technology through time and are important indicators of a building's architectural style and age. Most windows in the historic districts are wood with double hung sash. In general, earlier windows are smaller and have more numerous panes of glass in the sash. They were made by hand and often constructed with pegs. By the late 19<sup>th</sup> century, windows were mass-produced and technological advances in glass production allowed larger glass panes to be manufactured. Ornamental leaded and stained-glass windows also became popular by the century's end.



### WINDOW TYPES



*An example of a historic wood window with appropriate functional blinds.*



### APPROPRIATE PROPORTIONS AND MOUNTING OF SHUTTERS / BLINDS

Retain original doors and windows to protect the integrity of historic resources. It is not appropriate to use false window muntins or snap in grills. Glazing should have true divided light muntins, or three-dimensional grilles affixed to both the interior and exterior of the glass. Provide shadow bars between insulated glass panes. It is not appropriate to add window and door openings to contributing structures in the Primary AVC. Openings in Secondary and Tertiary AVCs should not diminish the original design or damage the historic features. Window and door openings shall have a vertical orientation or be square. Shutters and blinds should relate proportionately to window openings. It is not appropriate to install shutters or blinds directly to the wall substrate. Whether operable or fixed, shutters or blinds shall have operable hinge and holdback hardware.

### Guidelines for Windows, Doors and Openings

- |       |   |
|-------|---|
| 4.3.1 | Adhere to Guidelines for retention of historic fabric when altering window, door and opening components.  |
| 4.3.2 | Add window and door openings in Secondary or Tertiary AVCs in locations that do not diminish the original design. In general, openings shall have a vertical orientation or be square.  |
| 4.3.3 | Glazing should have true divided light muntins, or three-dimensional grilles affixed to both the interior and exterior of the glass. Provide shadow bars between insulated glass panes.   |
| 4.3.4 | Relate shutters and blinds proportionately to window openings. Whether operable or fixed, shutters or blinds shall have operable hardware including hinge and holdback hardware.  |
| 4.3.5 | Tinted, opaque, and reflective glazing is not appropriate in historic windows.  |
| 4.3.6 | Install storm windows and storm doors that do not obscure architectural detailing and trim. Proportion storm window sashes to align with window sashes. Proportion storm door stiles and rails to align with door stiles and rails. |
| 4.3.7 | Install fabric awnings that do not conceal architectural features or damage historic building fabric. It is not appropriate to use metal awnings.   |

## 4.4 Entrances

### Project Planning Considerations

Exterior entrances and porches are defining features of historic character. Prominent entrances were typically embellished with rich architectural ornamentation and were often “updated” to reflect current architectural tastes. Doors, windows, trims, columns, turned posts, railings and balusters, cornices and steps were frequently detailed in a coordinated way to convey the “style” of a structure. Variations in form and detail create diversity among an otherwise identical grouping of entrances and porches.

Porches are found on most wood framed structures in New Bern’s historic districts, and consist of a roof cover, columns, and floor on a masonry foundation.



*The brick piers and tapered posts are characteristic of the Craftsman Bungalow style of architecture.*

## 4. Design Components

Usually located on the street façade, porches often wrap around two or more corners. Back porches, side porches and sleeping porches are typically found in the historic districts. More rare are balconies, which are constructed at upper floors, and do not have columns or a means of support extended to foundations. Most porches are one story in height, but two story variations can be found on structures constructed between the 1790s and the 1840s. Many of the city's early to mid-19<sup>th</sup> century wood framed buildings have small entrance porches or porticos embellished with classically inspired detailing. During the Victorian period, entrance porticos were often replaced with larger porches. Significant porch and entry changes chronicle the evolution of the structure over time.

Traditional porch framing carries wood floorboards that are butted together or milled with a tongue and groove joint. Floorboard ends are laid perpendicular to the house and projected approximately 1 to 2 inches beyond the skirt board. The projected ends are sometimes rounded or bull nosed to minimize water penetration into the open wood grain. Framing spans are supported by brick piers or a continuous brick foundation, and sloped for drainage.

A variety of column types supported roof structures. Square chamfered posts were used throughout the 18<sup>th</sup> and 19<sup>th</sup> centuries, spanning between the Georgian and Italianate styles. Classical columns and colonettes, most commonly of Doric and Tuscan design, were incorporated into entrance porticos and porches of the Federal, Greek Revival and Colonial Revival periods. Square posts, often with heavy caps and applied or inset panels and trims, were also favored during the Greek Revival and Colonial Revival periods. Turned posts gained widespread use during the Queen Anne period of the late 19<sup>th</sup> and early 20<sup>th</sup> centuries.

Ceilings of porches exhibited a variety of finishes. Many of New Bern's earliest examples had exposed framing without ceilings. Main structural supports were often beaded on the lower edges. Porch ceilings of the early to mid-19<sup>th</sup> century often were finished with plaster, particularly beneath the second floor of double-tiered porches where exposure to rain was limited. Otherwise, individual boards with beaded edges were typically butted together or evenly spaced to create a decorative effect. Later in the century, tongue and groove beaded board became popular and remained so throughout the early 20<sup>th</sup> century.

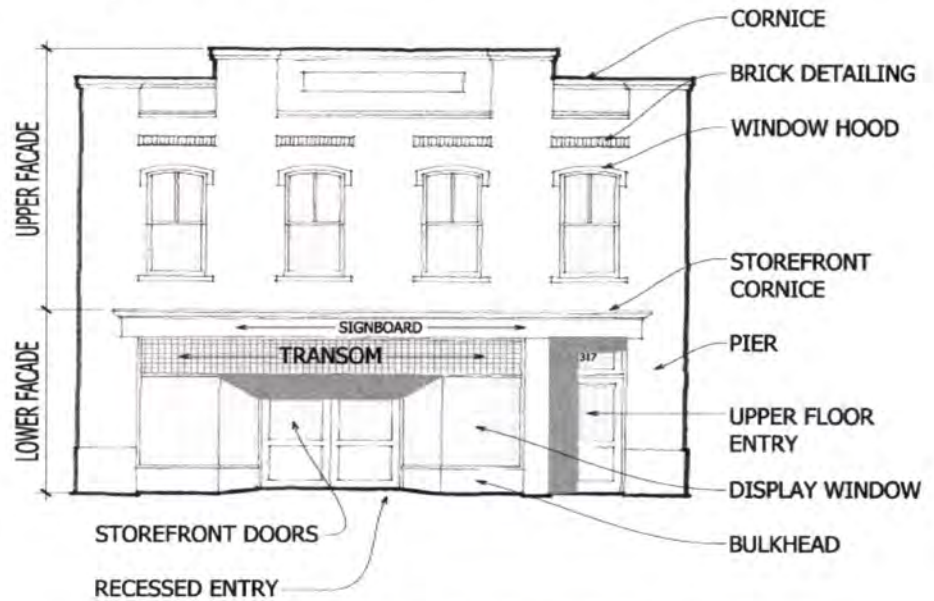
Use documentary evidence of original configurations to reconstruct entrances and porches that have been insensitively altered or removed. Add architectural ornamentation when there is historical evidence of such features. Where documentary evidence is not available, furnish appropriate design elements that are consistent with the character of the building or its style.

It is not appropriate to enclose or screen porches, entrances or balconies in Primary AVCs. Enclose and screen porches in Secondary and Tertiary AVCs in a manner that preserves historic features. It is inappropriate to use stock entrance doors, porch railings and other ornaments that do not proportionally relate to the building. Modern porch balusters convey a different visual appearance because they are generally taller and thinner. Center balusters between the rails, and space them about 3 inches apart to increase the visual weight. It is not appropriate to replace wooden stairs and flooring with concrete or brick. In addition, it is not appropriate to replace wooden porch supports and railing with



*The door, transom, molded surround, corner blocks, pilasters, columns, entablature, flat roof, and stair combine to compose this fine entrance.*

iron supports and railing.



## ELEMENTS OF A STOREFRONT FACADE

### Guidelines for Entrances

- 4.4.1 Adhere to Guidelines for retention of historic fabric when altering entrance components.
- 4.4.2 Reconstruct entrances and porches based on documentary evidence of the original configuration. Add architectural ornamentation when there is historical evidence of such features.
- 4.4.3 Recess entrances within the *dense fabric development pattern* where the facade aligns with the front property line. Incorporate traditional facade elements such as storefront cornices, transoms, display windows and bulkheads.
- 4.4.4 Provide porches, entrance doors, railings, and other ornaments that proportionally relate to the building. Appropriate balustrades often convey a heavier visual appearance. Center balusters between the top and bottom rails and space them about three inches apart.
- 4.4.5 Enclose and screen porches in Secondary and Tertiary AVCs in a manner that preserves historic features. Walls and screens should not obscure columns and balustrades.

## 4.5 Roofs

### Project Planning Considerations

New Bern's historic districts reflect a variety of roof forms and features that have evolved over the past three hundred years. Roof form plays a dominant role in defining building character. Massing, pattern, scale, texture, and material

## 4. Design Components

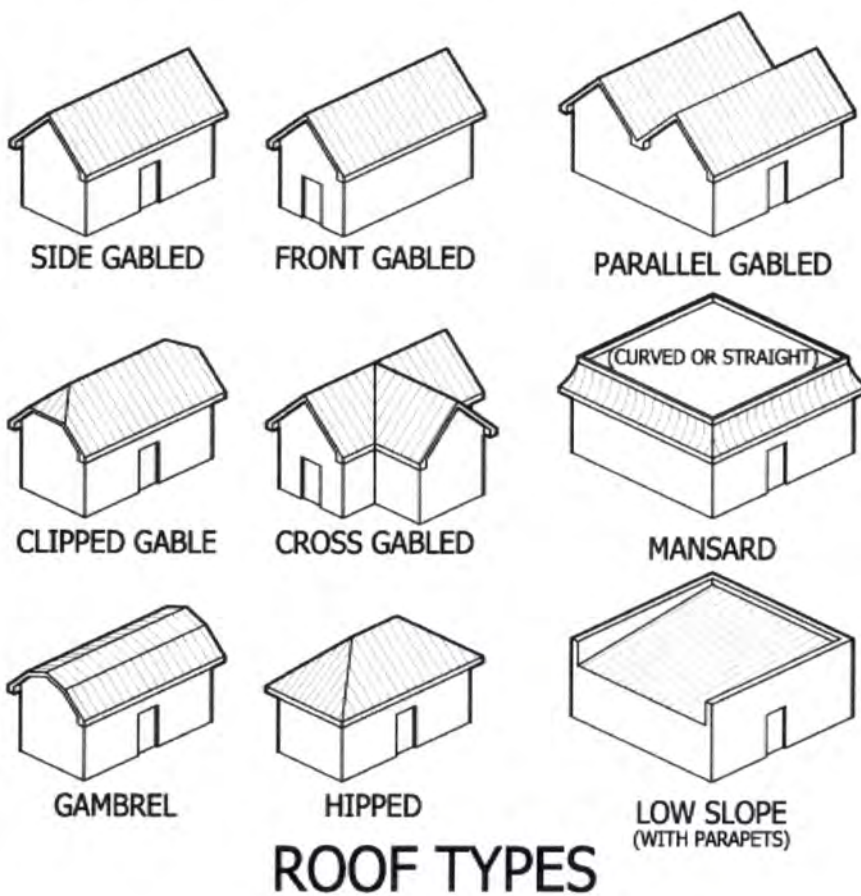
selections further enhance character. Changes in pitch, overhang, and roof line chronicle additions to historic buildings over time.

Wood shingles were the predominant roofing material in New Bern during the 18<sup>th</sup> and 19<sup>th</sup> centuries. In 1922, following the Great Fire in New Bern, standing seam metal became the principal roofing material. This post fire character survives largely intact today.

The gable roof is most common in New Bern's historic districts. Side and front gable examples are abundant, along with more complex cross and multi gable roof varieties. Hipped roofs also appear with frequency in the historic districts, and many are articulated by dormers and lower cross gables. Gambrel roofs, flat roofs, shed roofs, and to a lesser extent, mansard roofs further diversify the types found in New Bern's historic districts.



*Standing seam metal is a common roof material in the historic districts resulting from reduced insurance rates following the Great Fire of 1922.*



## Guidelines for Roofs

- 4.5.1 Adhere to Guidelines for retention of historic fabric when altering roof components.
- 4.5.2 Alterations to roof forms such as changes in roof pitch, the introduction of dormers, skylights or rooftop ornamentation shall not be undertaken in a Primary AVC.
- 4.5.3 Retain rooftop architectural features such as chimneys, dormers, towers, cupolas, cresting, finials, parapet walls and decorative roof patterns and colors.
- 4.5.4 Standing seam metal roofs shall have a pan width no greater than 24 inches. Pans shall be completely flat without corrugation. Provide double locked seams with flush ridge and hip flashings on contributing structures.
- 4.5.5 It is not appropriate to replace concealed, built in gutter systems with fascia-mounted gutters.
- 4.5.6 Locate rooftop appurtenances such as ventilators, antennae, satellite dishes, mechanical equipment and similar items in a manner that is not visible from the public right of way.
- 4.5.7 In the *narrow stitch* development pattern, provide pitched roofs free of observation platforms above the highest living floor of structures.

## 4.6 Decks and Patios

### Project Planning Considerations

Functioning as an outdoor living area in a similar fashion as the traditional porch, decks have become popular gathering areas for a variety of outdoor activities. As with other changes, careful attention must be given to placement in order to avoid compromising historic building integrity and character. Decks, patios, plazas, and pavers are generally constructed at grade, and should be structurally separated from the building to allow removal without damaging historic resources.

Locate decks in Secondary and Tertiary AVCs, and screen the underside with shrubbery, fencing, lattice, or masonry. Deck railings, skirt boards, posts, piers, and screen infill should architecturally relate to the house in a manner similar to a porch. Whenever possible, decks should be close to the ground with minimal presence. Lowering the profile eliminates requirements for handrails and extensive screening.

### Guidelines for Decks and Patios

- 4.6.1 Adhere to Guidelines for retention of historic fabric when altering deck components.
- 4.6.2 Locate decks in Secondary and Tertiary AVCs, and screen the underside with shrubbery, fencing, lattice, or masonry.
- 4.6.3 Structurally separate decks to allow removal without damaging the historic structure.
- 4.6.4 Construct low profile decks and patios that eliminate requirements for handrails and excessive screening.



*The deck on this house is located in a Secondary AVC screened by shrubbery, and it has a foundation similar to the main structure.*

## 4. Design Components

### 4.7 Accessibility and Life Safety

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#### Project Planning Considerations

Meeting contemporary accessibility and life safety standards is one of the greatest design challenges facing historic properties. Balance the preservation of significant features with providing appropriate levels of life safety and accessibility accommodation.

Adaptive reuse of a historic property often requires life safety and accessibility modifications. Building code officials recognize that it is difficult to translate conventional requirements to historic buildings, and apply alternative codes specifically intended for non-conforming buildings. These provisions make historic building adaptive reuse more practical and preserve architectural features.

Design accessibility and life safety solutions that have the least impact on historic resources and character. Locate ramps, lifts, fire stairs, fire doors and similar accommodations in visually unobtrusive areas. Construct modifications to allow removal without causing permanent damage to the historic resource.

#### Guidelines for Accessibility and Life Safety

- |       |  |
|-------|--|
| 4.7.1 | Adhere to Guidelines for retention of historic fabric when altering accessibility and life safety components.  |
| 4.7.2 | Locate ramps, lifts, fire stairs and fire doors in visually unobtrusive areas. Avoid accommodations within a Primary AVC when possible.  |
| 4.7.3 | Make accommodations compatible with the character of the building by replicating balustrade and door opening detailing. Use landscaping to soften the presence of accommodations in a Primary AVC. |



*The metal stair railing was added to this porch stair as a safety feature. The use of a simple metal design does not detract from the historic porch and identifies it as a later addition.*



*This wheelchair ramp is a good example of subtly incorporating accessibility at the front of a building when necessary.*

## 5. Materials

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### 5.1 Masonry

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#### Project Planning Considerations

Because of its extreme durability and beauty, some of New Bern's most important buildings are constructed of masonry.

There is a difference between modern bricks and historic bricks. Historic bricks are softer, and more likely to chip and crack when laid with modern mortar. Use softer, lime-based mortar with historic brick.

Masonry materials found in the historic districts include brick, stucco, stone, concrete masonry units, architectural concrete masonry units, slate and terracotta tile.

#### Guidelines for Masonry

- |       |   |
|-------|---|
| 5.1.1 | Adhere to Guidelines for retention of historic fabric when altering masonry materials.  |
| 5.1.2 | Match the masonry bond, or pattern, of masonry materials found in adjoining work. In general, new material should be the same size, color, and texture of that existing.  |
| 5.1.3 | The size, color, texture and bond, or pattern, of masonry and mortar creates the intended finished appearance. It is not appropriate to paint masonry that has not been previously painted.   |
| 5.1.4 | Select mortar with appropriate strength properties for masonry units involved. A commonly used mix for softer, historic masonry is one-part portland cement, two parts hydrated lime and nine parts sand.                             |
| 5.1.5 | Provide a veneer of brick, stucco, or other appropriate material over concrete masonry units. Architectural concrete masonry units such as rusticated, split face or similar types may be substituted for stone masonry construction. |
| 5.1.6 | It is not appropriate to use water repellants or sealers on masonry because these treatments often trap moisture and accelerate spalling.   |

### 5.2 Wood

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#### Project Planning Considerations

Craftsmen have preferred wood because it is easily shaped by carving, sawing, splitting, planing, and turning. Handcrafted architectural features are present on many of the City's earliest buildings. However, technological changes in the mid to late 19<sup>th</sup> century allowed most wooden building components to be mass produced.

## 5. Materials

Pressure treated wood has a tendency to warp and split during the drying process, particularly if not kiln dried. Slow kiln dried, pressure treated wood is less likely to warp and split, and should be used when possible. Slow kiln dried wood products are specially ordered.

Wood is often the medium selected to communicate architectural styles. Eaves, rakes, porches, entrances, siding, trim and ornamentation details are found in the historic districts.

### Guidelines for Wood

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|-------|--|
| 5.2.1 | Adhere to Preservation Guidelines for retention of historic fabric when altering wood materials.   |
| 5.2.2 | Construct wood assemblies similar to that found in adjoining work. In general, new material should be the same dimension and shape of that existing. |

## 5.3 Metals

### Project Planning Considerations

New Bern's historic districts contain a variety of elements that are fabricated from architectural metals. Fences, gates, roofs, rooftop appurtenances such as cresting and finials, gutters, downspouts, hardware, railings and cornices are but a few of the elements that are casted, wrought, pressed or rolled using iron, copper, tin, aluminum, steel or bronze. These traditional building materials add a visual and textural richness to the historic districts.

### Guidelines for Metals

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|-------|---|
| 5.3.1 | Adhere to Guidelines for retention of historic fabric when altering metal materials.  |
| 5.3.2 | Use metal fabrications found in adjoining work. In general, new material should be the same dimension, shape, and alloy of that existing. |
| 5.3.3 | Use full weld iron and steel fabrication techniques. Welds shall be properly dressed, or ground smooth.                                   |
| 5.3.4 | Provide aluminum fabrications with welded joints or blind, mechanical connections having concealed fasteners.                             |



*An ornamental iron gate and balustrade adds character to the streetscape while identifying the path to the building entrance.*



*The metal cornice and columns on this storefront are unique features that should be preserved.*

## 5.4 Paint

### Project Planning Considerations

Preservation of most historic wood and metal surfaces requires a sound paint film to protect against the elements. Water, wind, and ultraviolet light severely weaken wood fibers over time, and contribute to the corrosion of certain metals. In addition to its protective role, coordinated paint colors highlight architectural features and emphasize architectural style.

Employ paint analysis techniques, such as microscopic investigation, to determine historic paint schemes and finish techniques. Select harmonious paint colors that accentuate detailing and architectural style. Paint is applied to bare wood in multiple coats, and generally consists of a primer base coating followed by two coats of finish paint.



*The palette of exterior colors accentuates the architectural style of this Italianate house.*

### Guidelines for Paint

- 5.4.1 Adhere to Guidelines for retention of historic fabric when altering painted materials.
- 5.4.2 Select paint and sealant coatings that are harmonious with adjoining work. In general, new material shall be a compatible formulation with the substrate of application.
- 5.4.3 Apply primer coatings to front and back wood surfaces prior to cutting and fitting. Prime end cuts before installation. Apply finish paint coatings to exposed primed surfaces.
- 5.4.4 Consider using opaque stain in lieu of paint on flooring, fencing, and similar wood surfaces exposed to foot traffic or weather.
- 5.4.5 Waterfront wood constructions such as docks and piers may be allowed to naturally weather in lieu of receiving paint coatings.
- 5.4.6 It is not appropriate to apply paint, water repellent or sealant coatings to unpainted surfaces such as masonry, stone, copper, and bronze.
- 5.4.7 Masonry painting may be permitted where severe damage, patching and surface repair has diminished the aesthetic integrity. When warranted, latex paint is a durable and adherent masonry coating to be considered.
- 5.4.8 Remove paint from masonry with a chemical paint remover specifically formulated for this purpose. Test in an inconspicuous location and discontinue use if damage or discoloration occurs.
- 5.4.9 It is not appropriate to paint exterior doors that were historically false grained, stained or varnished. It is not appropriate to leave surfaces such as porch flooring, deck flooring or railings unpainted.

## 5.5 Contemporary Materials

### Project Planning Considerations

A careful balance of material consistency versus material variety helps define a sense of place in the historic districts. While variations in historic materials do exist, they ultimately fall within a palette available to New Bern builders during the previous two centuries. These limitations created a thread of continuity from one cycle of building styles to the next. Today, many materials are available from beyond our region, and manufacturing processes enable the creation of contemporary materials that threaten to break the thread of continuity that unifies the historic districts.

Contemporary materials shall be similar to their counterparts traditionally found on historic structures. Use of contemporary and nontraditional materials for infill

## 5. Materials

construction is an acceptable means of continuing the evolution of architecture through time, provided they convey appropriate historic characteristics.

### Guidelines for Contemporary Materials

- 5.5.1 In general, contemporary material shall match the dimension, shape and texture of their counterparts commonly found in the historic districts.
- 5.5.2 Use contemporary and nontraditional materials in traditional ways. Apply materials in a traditional manner that conveys the same visual appearance as historic materials.
- 5.5.3 Contemporary and nontraditional materials should convey appropriate historic material characteristics, and will be evaluated on a case-by-case basis for appearance, dimension, texture, color, sheen, visual weight and similar characteristics.
- 5.5.4 Aluminum siding, vinyl siding, masonite siding, artificial brick sheathing, thin set stone veneer, stamped concrete and similar types of contemporary materials that imitate historic materials are not appropriate in the historic districts.
- 5.5.5 Cement board with a smooth finish is acceptable as the predominant siding material for infill construction and non-historic accessory structures.
- 5.5.6 Contemporary materials such as synthetic slate and fiberglass asphalt shingles are acceptable for sloped roofing regardless of building age. Select fiberglass asphalt shingles from a darker color palette. Contemporary membrane and roll roofing are acceptable for low-sloped roofs with a 1 inch per foot pitch or less regardless of building age.
- 5.5.7 Contemporary signage materials such as foam and vinyl lettering are acceptable regardless of building age. Confine these materials within the signage border.

## 6. Preservation

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### 6.1 Maintenance of Materials

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Preserve and retain historic material. Retain chimneys, dormers, towers, cupolas, cresting, finials, stone parapet copings, decorative roofing patterns and similar rooftop appurtenances. Retain entrances, porches, balconies, decorative fenestration, ornamentation and similar design components. Retain lintels, sills, trim, shutters, decorative molding and similar design components. Retain doors, windows and balustrades, and maintain their locations in Primary AVCs. It is not appropriate to replicate or replace historic windows and doors for the sole purpose of improved thermal performance.

When maintenance and repair are warranted, preserve and retain character defining architectural elements and historic detailing. Preference shall be given to repairing historic material versus replacing historic material. Repair historic design components by using patching, consolidating, reinforcing and splicing methods that incorporate matching, salvaged historic materials when available.

Use surviving components and elements as templates for reconstructing and replicating missing design components and elements. Where no such elements exist, rely on research documentation for reconstruction of lost design components and elements. Custom fabricate replicas and reconstructions with the spacing, proportion, dimension, cross section and profile of the template, or in accordance with relevant documentation. Replace individual members in a design component, when required, with custom fabricated, replica members. Replicate design components that are too deteriorated to repair.

#### Guidelines for Masonry Maintenance

- 6.1.1 Retain and preserve the original form, pattern, color and texture of masonry. Maintain masonry features such as decorative vents, grilles, latticework, water tables and banding.
- 6.1.2 Clean masonry surfaces with low pressure water washing, and use a mild detergent if residue is stubborn.
- 6.1.3 Avoid using power tools such as saws and routers to remove deteriorated mortar joints. Machine removal often results in brick damage and joint enlargement.
- 6.1.4 Duplicate the profile and tooling of original mortar joints when repointing.

## 6. Preservation

### Guidelines for Wood Maintenance

- 6.1.5 Retain and preserve siding, fenestration, trim and ornamentation. Maintain wood features such as beaded and shaped edges, lathe turned profiles and decorative surfaces that have been milled, joined and routed.
- 6.1.6 Remove paint and other loose material with scrapers, sand paper and similar moderately abrasive hand tools. Remove mold and mildew with low pressure water washing and a mild detergent.
- 6.1.7 Use epoxy to reinforce and rebuild deteriorated wood. When original wood is too damaged to repair, only cut and replace damaged sections.

### Guidelines for Metal Maintenance

- 6.1.8 Retain and preserve metal fabrications, ornamentation and hardware. Maintain metal features such as wrought iron fencing, decorative medallions and hardware for doors, windows and shutters.
- 6.1.9 Clean metal surfaces with wire brushes, sand paper and similar moderately abrasive hand tools to remove rust, paint and other loosely adhered material. Use chemical solvent cleaners only if hand preparation methods prove ineffective.
- 6.1.10 Maintain paint, lacquer and other coatings that protect metals from corrosion and deterioration.

### Guidelines for Paint Maintenance

- 6.1.11 Maintain paint coatings that seal and weatherproof materials exposed to the elements. Routinely reapply paint coatings on steps, porch flooring, siding and roofs.
- 6.1.12 Prepare surfaces to receive coatings by using methods that do not damage or deteriorate the substrate.
- 6.1.13 Consider using flexible coating systems to prolong the life of metal roofing.

## 6.2 Prevention of Demolition by Neglect

Property owners are responsible for maintaining and repairing their property. Regular maintenance and repair protects the structural integrity of a building and keeps it in a safe and usable condition. Unabated deterioration over prolonged periods causes irreversible damage. Allowing a building to deteriorate and fall into disrepair through deferred maintenance is effectively causing demolition by neglect.

The historic districts embody a uniqueness that conveys identity and contributes to sense of place. Preserve buildings by undertaking a program of routine inspections, maintenance and repairs of masonry, metal, wood, paint and similar materials.

Focus routine inspections on the condition of materials. Maintain architectural features. Ensure that roofs are weathertight and free of water infiltration. Periodically examine foundations for firm, solid and stable support, without evidence of active insect infestations. Slope grades to convey water away from foundations. Accessible spaces beneath buildings are to be free of excessive moisture. Keep perimeter walls in good repair, with exterior surfaces serving as an effective barrier against moisture intrusion. Protect interiors from the elements by maintaining the structural integrity of windows, doors and openings.

### **Guidelines for Prevention of Demolition by Neglect**

- |       |  |
|-------|--|
| 6.2.1 | Perform routine inspections to evaluate the conditions of materials.   |
| 6.2.2 | Preserve historic design components and materials by implementing repairs appropriate for the substrates encountered.  |
| 6.2.3 | Repair historic design components by using patching, consolidating, reinforcing and splicing methods that incorporate matching, salvaged historic materials.   |
| 6.2.4 | Replicate missing and deteriorated design components with custom fabricated members that match the spacing, proportion, dimension, cross section and profile of material being replaced.   |
| 6.2.5 | Materials are to be replaced in kind when maintenance and repairs are warranted. Maintenance and repair of incongruent material is permitted; however, wholesale replacement of incongruent material with the same or another incongruent material is not appropriate.                         |
| 6.2.6 | Boarded windows and doors are not an acceptable maintenance and repair practice. Temporary approval may be given to board windows and doors temporarily until permanent repairs and replacements are implemented; however, boarding shall be painted or sheathed with prefinished sheet metal. |

## **6.3 Relocation**

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Moving a historic structure is considered the alternative of last resort for preventing demolition. It invariably results in a substantial loss of building context and original material. Relocation also distorts the architectural development pattern of the city. If warranted, every effort should be made to move the building intact as a single unit. If this is not possible, move by partial disassembly. If either of these methods is deemed infeasible, complete disassembly and reassembly may be an option. Undertake careful planning to properly support, transport and reassemble relocated buildings.

***Moving a contributing structure without prior approval from the State Historic Preservation Office and the National Park Service will result in automatic delisting of the structure from the National Register of Historic Places.***

## 6. Preservation

### Guidelines for Relocation

- 6.3.1 Preference shall be given to relocating a structure within a historic district.
- 6.3.2 Prepare drawings and photographically document the original site prior to relocating historic resources.
- 6.3.3 Minimize the loss of historic fabric in executing the relocation. Protect against damage caused by shifting load bearing points, vibration and lateral drifting.

## 6.4 Demolition

The success of preservation depends on adaptive reuse of historic resources to meet current needs. If adaptive reuse in a sensible manner is not feasible, owners should consider seeking an alternative property for their purposes. Demolition is an irreversible action resulting in a permanent loss of the integrity and character of historic resources. Preparation of a demolition COA application should include a detailed report on the history of the structure and property from the SHPO.

Demolition cannot be denied for a noncontributing structure. Demolition of a contributing structure requires a two-part COA where demolition is first considered, and if allowed, followed by consideration of the redevelopment plan. Demolition shall not proceed unless both parts of the COA are approved.

If demolition is denied, the property owner is required to maintain the property and its structures to prevent demolition by neglect.

The HPC may deny the demolition of a structure or site if it is currently listed in the National Register of Historic Places.

### Guidelines for Demolition

- 6.4.1 Demolition of a noncontributing structure shall not be denied by the HPC.
- 6.4.2 It is not appropriate to demolish a viable contributing structure in order to create an infill construction opportunity.
- 6.4.3 The HPC reserves the right to postpone demolition until development and building permits are approved for redevelopment plans.
- 6.4.4 Prepare drawings and photographically document the site prior to demolition. Include photographs of interiors, exteriors, architectural elements and context within the streetscape.
- 6.4.5 Notify preservation organizations, and allow for the salvage of design components, architectural features and building materials for reuse.

In rendering a decision on a demolition COA, the HPC should address the following considerations:

**Considerations for Evaluation**

**Consideration 1:** Address the historical, cultural and architectural significance of the structure.

- Is it a contributing structure?
- Is it significant because of its historic use, an event, a person, a builder or an architect?
- Is it the last or the oldest example of a certain building type?

**Consideration 2:** Address the integrity of the structure.

- What are the conditions of foundations, floors, walls, windows, doors and roofs?
- Is it a hazard to public health, safety and welfare?

**Consideration 3:** Address attempted preservation efforts.

- Have options for rehabilitation been explored with preservation organizations?
- Has the applicant been unsuccessful in seeking alternatives to demolition?
- Have alternatives for structure relocation and sale of the property been pursued?

## 7. Definitions and Architectural Terms

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Key definitions and architectural terms are provided to facilitate discussions between the HPC and applicants.

### 7.1 Definitions

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**Adaptive Reuse** – Converting a building from the use for which it was designed to another use. For example, changing a house to accommodate an office.

**Aggrieved Party** – Someone, or some entity, that 1) owns an interest in the property affected by the decision and 2) the property involved is specially affected by the decision to an extent different from other property owners in the community. Aggrieved parties may include the applicant for a COA, an owner of a neighboring property that is nearby the property for which the COA is sought, or the city through its staff. (Definition from the University of North Carolina Institute of Government)

**Applicant** – An individual who submits a COA application. This can be a property owner or their designated representative. For example, a contractor could represent the property owner.

**Area of Visual Concern (AVC)** – See Section 1.5.

**Articulation** – The manner or method of jointing parts such that each part is clear and distinct in relation to the others.

**Benchmark** – An established point from which all vertical dimensions are measured.

**Certificate of Appropriateness (COA)** - A document awarded by a preservation commission or architectural review board allowing an applicant to proceed with proposed alteration, demolition or construction in a designated historic area or site, following a determination of the proposal's suitability according to applicable criteria.

**COA Hearing** – See Section 1.6.

**Certified Historic Structure** – For the purpose of the federal preservation tax incentives, any structure subject to depreciation as defined by the Internal Revenue Service Code that is listed individually on the National Register of Historic Places or located in a registered historic district and certified by the Secretary of the Interior as being of historic significance to the district.

**Certified Rehabilitation** – Any rehabilitation of a certified historic structure that the Secretary of the Interior has determined is consistent with the historical character of the property or the district in which the property is located.

## 7. Definitions and Architectural Terms

**Certified Local Government Program** – In 1980, Congress amended the National Historic Preservation Act of 1966 to require each state to establish a procedure by which local governments may be certified to participate in the national framework of historic preservation programs. This requirement has become the "Certified Local Government (CLG) Program" in which many North Carolina counties and cities participate.

**Context** – Those elements of the man-made and natural landscape that collectively define the character of a building, site or district.

**Contributing Structure** – See Section 1.5.

**Cultural Resource** – A building, structure, district, site, object or document that is of significance in American history, architecture, archeology or culture.

**Demolition by Neglect** – The destruction of a building through abandonment or lack of maintenance.

**Design Guidelines** – Criteria developed by preservation commissions and architectural review boards to identify design concerns and to help property owners undertake rehabilitation and construction that respects the character of designated buildings or districts.

**Design Review** – The process of ascertaining whether modifications to historic and other structures, settings and districts meets standards of appropriateness established by a governing or advisory review board.

**Details** – See Section 3.1.

**Fabric** – The physical material of a building, structure or city connoting an interweaving of component parts.

**Form** – See Section 3.1.

**Infill** – See Section 3.4.

**Harmony** – Pleasing agreement of parts in color, size, scale, texture and material.

**Hearing** – See Section 1.6.

**Historic district** – A geographically definable area with a significant concentration of buildings, structures, sites, spaces or objects unified by past events, physical development, design, setting, materials, workmanship, sense of cohesiveness or related historic and aesthetic associations. The significance of a district may be recognized through listing on a local, state or national landmarks register and may be protected legally through enactment of a local historic district ordinance administered by a historic district board or commission.

**Historic Preservation Commission (HPC)** – See Section 1.4.

**Human Scale** – A combination of qualities in architecture or the landscape that

provides an appropriate relationship to human size, enhancing rather than diminishing the importance of people.

**Landmarks Register** – A listing of buildings, districts and objects designated for historical, architectural or other special significance that may carry protection for listed properties.

**Major Works** – See Section 1.6.

**Mass** – See Section 3.1.

**Minor Works** – See Section 1.6.

**Not incongruous** – See Section 1.5.

**Preservation** – Generally, the process of saving old and historic buildings, sites, structures and objects from destruction or deterioration, and providing for their continued use by means of restoration, rehabilitation or adaptive reuse and continued maintenance. The Secretary of Interior's Standards for Rehabilitation define it as "the act or process of applying measures to sustain the existing form, integrity and materials of a historic property. It may include stabilization work, where necessary, as well as ongoing maintenance of the historic building materials."

**Public Hearing** – See Section 1.6.

**Proportion** – See Section 3.1.

**Quasi-judicial Hearing** – See Section 1.6.

**Rehabilitation** – "The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural and cultural values" as defined by the Secretary of Interior's Standards for Rehabilitation.

**Renovation** – Modernization of an old or historic building that may produce inappropriate alteration or eliminate important features and details.

**Restoration** – "The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of removal of latter work or by the replacement of missing earlier work" as defined in the Secretary of the Interior's Standards for Rehabilitation.

**Rhythm** – See Section 3.1.

**Scale** – See Section 3.1.

**Section 106** – The provision of the National Historic Preservation Act of 1966 that requires the head of a federal agency financing or licensing a project to make a determination of the effect of the project or property on or eligible for the

## 7. Definitions and Architectural Terms

National Register of Historic Places. This is the only protection the National Register provides for listed properties.

**State Historic Preservation Office (SHPO)** – See Section 1.8.

**Stabilization** – “The act or process of applying measures designed to establish a weather resistant enclosure and the structural stability of unsafe or deteriorated property while maintaining the essential form as it exists at present,” according to the Secretary of Interior’s Standards for Rehabilitation.

**Standing** – Legal justification to participate in a hearing related to a COA application. This generally includes 1) the property owner or their representative for a COA, and 2) an owner of a neighboring property that may be materially affected by the COA. An association may have standing if 1) they have an existence not solely for the purpose of the COA, 2) their interests are germane to the association’s purpose, and 3) an individual with standing is a member of the association and has asked the association for assistance. Definition from the UNC Institute of Government.

**Tax Incentive** – A tax reduction designed to encourage private investment in historic preservation and rehabilitation projects.

**Texture** – See Section 3.1.

### 7.2 Architectural Terms

**Alkyd Resin Paint** – A common modern paint incorporating alkyd, which is one group of thermoplastic synthetic resins used as a vehicle for the pigment. Alkyd resin paint is often confused with oil paint.

**Aluminum Siding** – Sheets of exterior architectural covering, usually with a colored finish, fabricated of aluminum to approximate the appearance of wooden siding. Aluminum siding was developed in the early 1940s and became increasingly common in the 1950s and the 1960s.

**Amenity** – A building, object, area or landscape feature that makes an aesthetic contribution to the environment rather than one that is purely utilitarian.

**Arbor** – A small structure with vines or other plants trained over latticework on a frame that provides a shady place. A true arbor by definition also includes a bench sheltered underneath for seating. Another structure often referred to as an arbor is a trellis covered gateway, often built above a gate within a larger fence or garden wall.

**Arcade** – A series of arches supported on piers or columns attached to or detached from a wall.

**Arch** – A structure formed of wedge shaped stones, bricks or other objects laid to maintain one another firmly in position. A rounded arch generally represents classical or Romanesque influence whereas a pointed arch denotes Gothic

influences.

**Architrave** – The lowest part of an entablature, sometimes used by itself as a casing for a window or door.

**Art Deco** – A style of decorative arts and architecture popular in the 1920s and 1930s characterized by use of geometric, angular forms; also referred to as Moderne or Art Moderne.

**Asbestos Siding** – Dense, rigid board containing a high proportion of asbestos fibers bonded with portland cement; resistant to fire, flame, or weathering and having a low resistance to heat flow. It is usually applied as large overlapping shingles. Asbestos siding was readily available in the 1950s.

**Ashlar** – A style of stonework consisting of individual stones that are shaped and tooled to have even faces and square edges.

**Asphalt Shingle** – A shingle manufactured from saturated construction fiberglass felts coated with asphalt and finished with mineral granules on the side exposed to the weather.

**Asphalt Siding** – Siding manufactured from saturated construction felts coated with asphalt and finished with mineral granules on the side exposed to the weather. It sometimes displays designs seeking to imitate brick or stone. Asphalt siding was applied to many buildings in the 1950s.

**Attic Ventilator** – A screened or louvered opening, sometimes in decorative shapes, located in gables or soffits. Victorian styles sometimes feature sheet soffits or metal ventilators mounted on the roof ridge above the attic.

**Awning** – A roof like covering of canvas, often adjustable, over a window, a door, etcetera, to provide protection against the sun, rain and wind. Aluminum awnings were developed in the 1950s.

**Balustrade** – A low barrier formed of balusters, or uprights, supporting a railing.

**Band** or Band Course, Bandmold, Belt – Flat wall trim running horizontally that denotes a division in the wall plane or a change in level.

**Bargeboard** or Vergeboard – A wooden member, usually decorative, suspended from and following the slope of a gable roof. Bargeboards are used on buildings inspired by Gothic forms.

**Bay** – An opening or division along the face of a structure. For example, a wall with a door and two windows is three bays wide. A bay can also be a projection of a room or facade having windows.

**Beltcourse** – A projecting course of bricks or other material forming a narrow horizontal strip across the wall of a building, usually to delineate the line between stories, and also referred to as a string course.

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**Beveled Glass** – Glass panes whose edges are ground and polished at a slight angle so that patterns are created when panes are set adjacent to one another.

**Board and Batten** – A method of covering exterior walls using vertical boards, with narrow strips of wood or battens used to cover the joints between boards.

**Bond** – The pattern in which bricks are laid.

**Bracket** – A divide, either ornamental, structural, or both, set under a projecting element, such as the eaves of a house.

**Bulkhead** – The panels below the display windows on a commercial storefront.

**Bungalow Style** – An early 20th century architectural style that grew out of the Arts and Crafts movement of the 19th century. Its basic characteristics are long, low profiles; overhanging, bracketed eaves; wide engaged porches with square, squat brick piers supporting wood posts; and informal interior arrangements.

**Buttress** – A vertical mass of masonry projecting from or built against a wall to give additional strength at the point of maximum stress. Sometimes wooden buttresses are added to frame Gothic Revival style buildings as decorative, but not supporting features.

**Capital** – The topmost member, usually decorated or molded, of a column or pilaster.

**Cararra Glass** – Pigmented structural glass developed and popularized in the early 20th century for facing Art Deco and Art Modern-style commercial buildings.

**Casing** – The exposed trim molding, framing or lining around a door or a window. Casings may be either flat or molded.

**Cast Iron** – Iron that has been shaped by being melted and cast in a mold.

**Caulking** – A resilient mastic compound, often having a silicone, bituminous or rubber base; used to seal cracks, fill joints, prevent leakage and provide waterproofing.

**Cementitious Board** – A material composed of cement, sand and cellulose fiber. It was first introduced in the early twentieth century as a substitute for slate. Today cementitious board has a variety of uses including exterior siding and roofing.

**Center-Hall Plan** – A plan in which the hall or passage extends through the center of a house and is flanked by two or more rooms.

**Chalking** – The formation of a powder surface condition from the disintegration of a binder or an elastomer in a paint coating caused by weathering or an otherwise destructive environment.

**Chamfer** – A beveled edge or corner.

**Chamfered Post** – A square post with the edges of its corners cut away or beveled.

**Checking** – Small cracks in a film of paint or varnish that do not completely penetrate to the previous coat. Crack patterns are roughly similar to a checkerboard.

**Clapboard** or Weatherboard – Horizontal wooden boards that are tapered toward the upper edge and laid to cover a portion of a similar board underneath and to be covered by a similar one above. The exposed face of clapboard is usually less than 6 inches wide. This was common outer facing in the nineteenth and early twentieth century buildings.

**Classical** – Embodying or based on the principles and forms of Greek and Roman architecture.

**Clerestory** – Windows located relatively high in a wall that often form a continuous band. This was a feature of many Gothic cathedrals and was later adapted to many Revival styles.

**Clipped Gable** – The peak of a gable which is truncated for decorative effect; often the roof overhangs the missing peak.

**Colonial Revival Style** – Late 19th and early 20th century style that combines features of Classical and Colonial architecture.

**Colonnade** – A small-scale column, generally employed as a decorative element on mantels, overmantels and porticoes.

**Column** – A vertical shaft or pillar that supports or appears to support a load.

**Common Bond** – A method of laying brick where one course of headers is laid for every three, five or seven courses of stretchers.

**Composition Board** – A building board, usually intended to resemble clapboard, fabricated from wood or paper fabric under pressure and at an elevated temperature, usually with a binder.

**Composite Lumber** – A material composed of a mixture of wood fiber, plastic and a bonding agent. Ingredients are proportioned to form a material that is denser, stronger and heavier than wood lumber.

**Coping** – The cap or the top course of a masonry wall.

**Corbel** – A projection, or building out, from a masonry wall, sometimes to support a load and sometimes for decorative effect.

**Corner Block** – A square piece, either plain or decorated that forms a corner of a window or door surround.

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**Corner Boards** – Vertical boards nailed on the external corners of frame buildings to provide a method of finishing and joining the ends of the weatherboards.

**Cornice** – Any predominant molded and projecting horizontal member that crowns an architectural composition, such as a storefront or a parapet wall.

**Craftsman Style** – Prevalent in the first few decades of the 20<sup>th</sup> century, this style is usually characterized by a nonsymmetrical façade and front porch with porte cochere to one side. Architectural components typically include exposed roof beams, triangular knee braces at gables and low to moderately sloped roofs. Common exterior finish materials include wood shingles, clapboard and stucco.

**Crenulation** – Alternating indentations and raised sections of a parapet, creating a toothlike profile sometimes known as a battlement. Crenulation is a detail found most commonly in the Gothic Revival style.

**Cresting** – Ornamental ironwork, often highly decorative, used to embellish the ridge of a gable roof or the curb or upper cornice of a mansard roof.

**Crossette** – A lateral projection of the head of the molded architrave or surround of a door, window, mantel or paneled overmantel; also known as an “ear” or “dog-ear”.

**Crown Molding** – The upper molding of a cornice, often serving to cap or crown the vertical facing or fascia of a boxed cornice. Also, the term is frequently given to the molding used to decorate the joints between walls and a ceiling.

**Cupola** – A small structure, usually polygonal, built on top of a roof or tower, mostly for ornamental purposes.

**Deck** – An uncovered porch supported on posts, usually at the rear of a building; popular in modern residential design.

**Dentil** – Small, closely spaced blocks, often toothlike, used as an ornamental element of a classical cornice.

**Dogtrot Plan** – A plan in which two pens with their own chimneys separated by an open center passage.

**Dormer** – A structure containing a window, or windows that project through a pitched roof.

**Doric Order** – A classical order characterized by simple unadorned capitals supporting a frieze of vertically grooved tablets or triglyphs set at intervals.

**Dormer Window** – An upright window, set in a sloping roof, with vertical sides and front, usually with a gable, shed or hiproof.

**Double-Hung Window** – A window with two sashes that open and close by

sliding up and down in a cased frame.

**Double-Pile House** – A center-hall plan house that is two rooms deep on each side of the hall.

**Double-Shoulder Chimney** – An exterior chimney the sides of which angle inward to form shoulders twice as it ascends from the base to the cap.

**Downspout** – A vertical pipe, often of sheet metal, used to conduct water from a roof drain or gutter to the ground or cistern.

**Dressed** – Descriptive of stone, brick or lumber that has been prepared, shaped or finished by cutting, planing, rubbing or sanding one or more of its faces.

**Eave** – The part of a sloping roof that projects beyond the wall.

**Eclectic or Eclecticism** – A method of design in architecture in which elements from a variety of stylistic sources are selected and combined in new and original ways.

**Elevation** – A drawing showing the vertical elements of a building, either exterior or interior, as a direct projection to a vertical plane.

**Ell** – A secondary wing or extension of a building, often a rear addition, positioned at right angles to the principal mass.

**Eminent Domain** – The power of a government to acquire private property for public benefit after payment of just compensation to the owner.

**Enabling Legislation** – Federal or state laws that authorize governing bodies within their jurisdictions to enact particular measures or delegate powers such as enactment of local landmarks and historic district ordinances, zoning and taxation.

**Engaged Porch** – A porch, the roof of which is continuous structurally with that of the main building roof.

**English Bond** – A method of laying brick wherein one course is laid with stretchers and the next with headers, thus bonding the double thickness of brick together and forming a high strength bond of alternating courses of stretchers and headers.

**Entablature** – The horizontal part of a Classical order of architecture, usually positioned above columns or the frieze; the uppermost element is the cornice.

**Escutcheon** – A protective plate, sometimes decorated, surrounding, the keyhole of a door, a light switch or similar device.

**Etched Glass** – Glass whose surface has been cut away with a strong acid or by abrasive action into a decorative pattern.

**Extended Use** – Any process that increases the useful life of an old building, e.g.

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adaptive use or continued use.

**Exterior End Chimney** – A chimney located outside the walls of a house, usually against the gable end of a building.

**Facade** – The face or front of a building.

**Fanlight** – A semicircular window, usually above a door or window, with radiating muntins suggesting a fan.

**Fascia** – A flat board with a vertical face that forms the trim along the edge of a flat roof, or along the horizontal, or eave side of a pitched roof. The rain gutter is often mounted on it.

**Fluting** – Shallow, concave grooves running vertically on the shaft of a column, pilaster or other surface.

**Federal Style** – The style of architecture popular in America from the Revolution through the early 19th century, and from about 1800-1840 in North Carolina. The style is characterized by the use of delicate Classical ornament.

**Fenestration** – The arrangement and design of windows on a building.

**Finial** – an ornament, usually turned on a lathe, placed on the apex of an architectural feature such as a gable, turret or pediment.

**Flashing** – A thin impervious material placed in construction to prevent water penetration, to provide water drainage, or both, especially between a roof and a wall.

**Flemish Bond** – A method of laying brick where headers and stretchers alternate in each course and, vertically, headers are placed over stretchers to form a bond and give a distinctive cross pattern.

**Flush Siding** – An exterior wall treatment consisting of closely fitted horizontal boards with joints that are carefully formed to be hidden and flush, giving a very uniform, flat siding appearance.

**Foundation** – The supporting portion of a structure below the first floor construction, or below grade, including footings.

**French Window** – A long window reaching to the floor level and opening in two leaves like a pair of doors.

**Fretwork** – A geometrically meandering strap pattern; a type of ornament consisting of narrow fillet or band that is folded, crossed and interlaced.

**Frieze** – The middle portion of a Classical entablature, located above the architrave and below the cornice. The term is usually used to describe the flat, horizontal board located above the weatherboards of most houses.

**Gable** – The triangular portion of a wall formed or defined by the two sides of a double sloping roof; often referred to as an “A” roof.

**Galvanize** – To coat steel or iron by immersing it in a bath of molten zinc.

**Gambrel Roof** – A gambrel or gambrel roof is a usually symmetrical two-sided roof with two slopes on each side. The upper slope is positioned at a shallow angle, while the lower slope is steep.

**Gazebo** – A small structure or garden pavilion usually sited to capture a particular view. Gazebos can be freestanding or attached to a garden wall, and they are characterized by a roof and partially open sides. The most popular shape is octagonal or round.

**Georgian Style** – The prevailing style of the eighteenth century in Great Britain and the North American Colonies, so named after George I, George II and George III. It is derived from Classical, Renaissance and Baroque forms.

**German Siding** – Wooden siding with a concave upper edge that fits into a corresponding rabbet in the siding above.

**Gingerbread** – Thin, curvilinear ornamentation produced with machine powered saws.

**Glazed Header** – A brick having a glossy, dark coating ranging in color from gray green to almost black, formed on the outer surface through direct exposure to flame and intense heat during the firing process. In Flemish bond brickwork, this glazed surface is often used for decorative effect by laying the brick so that the glazed ends or headers are exposed to form a pattern in the wall.

**Glue-Chip Glass** – A patterned glass with a surface resembling frost crystals common in turn of the century houses and bungalows.

**Gothic Arch** – A pointed arch commonly used in Gothic Revival architecture especially churches.

**Gothic Revival Style** – The nineteenth-century revival of the forms and ornament of medieval Gothic European architecture, characterized by the use of the pointed arch, buttresses, pinnacles and other Gothic details in a decorative fashion. The style was popular for church architecture in North Carolina well into the 20th Century.

**Greek Revival Style** – The mid-19th century revival of the forms and ornamentation of the architecture of ancient Greece.

**Gutter** – A shallow channel of metal or wood set immediately below or built in along the eaves of a building to catch and carry off rainwater.

**Hall Parlor Plan** – A traditional vernacular plan consisting of two principal rooms: a larger “hall,” often nearly square, and an adjoining smaller “parlor.” In most instances, the hall was entered directly from the outside and had a fireplace

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centered on the end wall; it was the room where most domestic activities took place. The smaller parlor tended to be used for sleeping.

**Header** – The end of a brick, sometimes glazed.

**Hipped Roof** – A roof that slopes back equally from each side of a building. A hip roof can have a pyramidal form or have a slight ridge.

**House Museum** – A museum whose structure itself is of historical or architectural significance and whose interpretation relates primarily to the building's architecture, furnishings and history.

**Interior End Chimney** – A chimney positioned on the interior side of the gable end of a house.

**Italianate Style** – A revival of elements of Italian Renaissance architecture popular during the mid and late 19th century, characterized by the presence of broad projecting or overhanging cornices supported by ornate sawn brackets. Other features include the use of arched windows and heavy hoodmolds.

**Jamb** – The vertical sides of an opening, usually for a door or a window.

**Jerkin Head Roof** – A roof whose end has been formed into a shape midway between a gable and a hip, resulting in a truncated or “clipped” appearance; sometimes called clipped gable.

**Joist** – One of a series of parallel timbers or beams, usually set on edge, that span a room from wall to wall to support a floor or ceiling; a beam to which floorboards, ceiling boards or plaster laths are nailed.

**Keystone** – The central wedge-shaped stone at the crown of an arch or in the center of a lintel.

**Landscape** – The totality of the built or human influenced habitat experienced at any one place. Dominant features are topography, plant cover, buildings or other structures and their patterns.

**Latex Paint** – A paint having a latex binder, which is an emulsion of finely dispersed particles of natural or synthetic rubber or plastic materials in water.

**Lattice** – A network, often diagonal, of interlocking lath or other thin strips used as screening, especially in the base of a porch.

**Light** – A pane of glass.

**Lintel** – A beam of wood or stone that spans an opening; in masonry construction it frequently supports the masonry above the opening.

**Lunette** – A semicircular opening.

**Mansard Roof** – A four sided double pitch roof characteristic of the Second

Empire Style.

**Mixed Use** – A variety of authorized activities in an area or a building as distinguished from the isolated uses and planned separatism prescribed by many zoning ordinances.

**Mildew** – A fungus that grows and feeds on paint, cotton and linen fabrics, etcetera, that are exposed to moisture; causes discoloration and decomposition of the surface.

**Modillion** – A horizontal bracket, often in the form of a plain block, ornamenting, or sometimes supporting, the underside of the cornice.

**Molding** – A decorative band having a constant profile or having a pattern in low relief, generally used in cornices or as trim around openings.

**Mortar** – A mixture of portland cement, lime, putty and sand in various proportions used for laying bricks or stones. Until the use of hard portland cement became prevalent, the softer lime clay or lime sand mortars and masonry cement were common.

**Mortise and Tenon** – A joint made by one member having its end cut as a projecting tongue, or tenon, that fits exactly into a groove or hole, or mortise, in the other member. Once joined in this fashion, the two pieces are often secured by a peg.

**Mullion** – A vertical member dividing a window area and forming part of the window frame.

**Muntin** – A molding forming part of the frame of a window sash and holding one edge of a pane.

**Newel Post** – The principal post used to terminate the railing or balustrade of a flight of stairs.

**Neoclassical Style** – A style of architecture popular during the first half of the twentieth century. Elements draw heavily from Greek Revival and early Classical revival.

**Ogee** – A double curve formed by the combination of a convex and concave line, similar to an s-shape.

**Oil Paint** – A paint in which a drying oil, usually linseed oil, is the vehicle for the pigment; rarely used as a house paint since the mid twentieth century when it was commonly replaced by alkyd resin paints.

**Ornamentation** – In architecture, applied embellishment in various styles that is a distinguishing characteristic of buildings, furniture, and household items. Ornamentation often occurs on entablatures, columns, and the tops of buildings and around entryways and windows, especially in the form of moldings.

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**Palladian Window** – A window design featuring a central arched opening flanked by lower square headed openings separated from them by columns, pilasters, piers or narrow vertical panels.

**Panel** – A portion of a flat surface set off by molding or some other decorative device.

**Parapet** – A low wall along a roof or terrace, used as decoration or protection.

**Patio** – An open, outdoor living space adjacent to a building, usually surfaced with stone, tile or concrete and at ground level.

**Pediment** – A crowning element of porticoes, pavilions, doorways and other architectural features, usually of low triangular form with a cornice extending across its base and carried up the raking sides; sometimes broken in the center as if to accommodate an ornament; sometimes of segmental, elliptical or serpentine form.

**Pen** – A one room structure, the term is typically used when referring to log buildings. Many dwellings erected by the first settlers of the North Carolina piedmont were single pen structures. Many of these dwellings were expanded into two pen houses following the double pen, saddlebag or dogtrot plans.

**Pergola** – A long and narrow, linear structure with pillars to support flat crossbeams and an open latticework that is often covered in vines to shade a walkway. Although sometimes called an arbor, a pergola is a trellis structure over a walkway and may extend from a building, connect buildings or protect an open terrace. Pergolas can also extend from a door to a garden feature, such as a pool.

**Pilaster** – A shallow pier or rectangular column projecting only slightly from or engaged to a wall. Pilasters are usually decorated like columns with a base, shaft and capital.

**Porte Cochere** – A projecting porch that provides protection for vehicles and people entering a building; a common feature of the early 20th century Colonial Revival and Bungalow styles.

**Portico** – A roofed space, open or partly enclosed, often with columns and a pediment that forms the entrance and centerpiece of the facade of a building.

**Portland Cement** – A very hard and strong hydraulic cement made by heating a slurry of clay and limestone in a kiln. Water is the catalyst that activates hardening.

**Primer** – A paint applied as a first coat that serves the function of sealing and filling on wood, plaster and masonry.

**Queen Anne Style** – A popular late 19th century revival of early 18th century English architecture, characterized by irregularity of plan and massing with a variety of textures.

**Quoin** – Ornamental blocks of wood, stone, brick or stucco placed at the corners of a building and projecting slightly from the front of the facade.

**Rafters** – Structural timbers rising from the plate at the top of a wall to the ridge of the roof and supporting the roof covering.

**Raised panels** – A portion of a flat surface, as in the panel of a door or wainscoting that is distinctly set off from the surrounding area by a molding or other device and is raised above the surrounding area.

**Rake** – Trim members that run parallel to a roof slope and form the finish between the wall and a gable roof extension.

**Repointing** – Raking out deteriorated mortar and filling with surface mortar to repair the joint.

**Returns** – Horizontal portions of a cornice that extend part of the way across the gable end of a structure at eave level.

**Roofing Tile** – A tile for roofing, usually of burnt clay; available in many configurations and types, such as plain tiles, single lap tiles and interlocking tiles.

**Rusticated Stone** – Masonry or wood in which each principal face is rough or highly patterned with a tooled margin.

**Saddlebag Plan** – A plan in which two single pen rooms are joined together, separated by a single interior chimney.

**Sandblasting** – An extremely abrasive method of cleaning brick, masonry or wood that involves directing high powered jets of sand against a surface.

**Sanding** – Flattening down, rubbing and smoothing a surface with abrasive paper cloth either by hand or by machine.

**Sash** – The frame, usually of wood, that holds the panes of glass in a window; may be movable or fixed; may slide in a vertical plane or may be pivotal.

**Sawnwork** – Ornamentation in cutout planking, formed with a bandsaw. Popular in the 1880s and the 1890s, this decorative detailing is flat.

**Second Empire Style** – An eclectic style derived from the grand architecture of the French Second Empire of Napoleon III from 1852-1870, popularly used in America from the 1860s to the 1880s, especially for public buildings, and characterized by heavy ornament and high mansard roofs with dormers.

**Segmental Arch** – An arch formed on a segment of a circle or an ellipse.

**Sense of Place** – The sum of the attributes of a locality, neighborhood or property that give it a unique and distinctive character.

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**Shed Room** – A one story appendage to a larger structure, covered by a simple shed or sloping roof that “leans” against the principal building mass.

**Sheet Metal** – A flat, rolled metal product, rectangular in cross section and form; when used as roofing material, usually terne or zinc-plated.

**Shingle** – A roofing unit of wood, asphalt, slate, tile or other material cut to stock lengths, widths and thicknesses; used as an exterior covering on roofs and applied in an overlapping fashion.

**Shoulder** – The sloping shelf or ledge created on the side of a masonry chimney where the width of the chimney changes.

**Shutters and blinds** – Small solid panels hinged on the exterior of windows, and sometimes doors, to be operable. Blinds are similar, but with wooden louvers.

**Sidelight** – A framed area of fixed glass of one or more panes positioned to either side of a door or window opening.

**Sill** – A heavy horizontal timber positioned at the bottom of a wood framed structure that rests on top of the foundation; also, the horizontal bottom member of a door or window frame.

**Soffit** – The exposed undersurface of any overhead component of a building, such as an arch, balcony, beam, cornice, lintel or vault.

**Spindle Frieze** – A row of lathe turned spindles included as the uppermost decorative feature of a gallery or porch below the cornice; also known as an openwork frieze.

**Street Furniture** – Municipal equipment placed along streets including light fixtures, fire hydrants, police and fire call boxes, signs, benches and kiosks.

**Streetscape** – The distinguishing character of a particular street is created by its width, degree of curvature, paving materials, street furniture, forms of surrounding buildings and the presence of vegetation, especially trees, along the curb or sidewalk.

**Stretcher** – The long face of a brick when laid horizontally.

**String Course** – A projecting course of bricks or other material forming a narrow horizontal strip across the wall of a building, usually to delineate the line between stories, also referred to as a belt course.

**Stucco** – An exterior finish, usually textured, composed of portland cement, lime and sand mixed with water. Older type stucco may be mixed from softer masonry cement rather than portland cement.

**Style** – A type of architecture distinguished by special characteristics of structure and ornament and often related in time; also, a general quality of distinctive character.

**Surround** – The border or casing of a window or door opening, sometimes molded.

**Terneplate** – Sheet metal coated with terne metal, which is an alloy of lead containing up to 20 percent tin.

**Terra Cotta** – A ceramic material, molded decoratively and often glazed, used for facing buildings or as inset ornament.

**Textured Siding** – Wood cut in various flat patterns, such as half rounds or scallops, and applied to portions of facades to create a picturesque or romantic look. This treatment was generally used in Queen Anne style buildings. Surface textures are often found in diamond, scallop, staggered butt or composite patterns.

**Tongue and Groove** – A joinery system in which boards are milled with a tongue on one side and a groove on the other so that they can be tightly joined with a flush surface alignment.

**Townscape** – The relationship of buildings, shapes, spaces and textures that give a town or area its distinctive visual character or image.

**Trabeated** – A method of construction employing posts and lintels; hence, a term used to describe a standard Greek Revival entrance door having a transom and sidelights.

**Tracery** – An ornamental division of an opening, especially a large window, usually made with wood. Tracery is found in buildings of Gothic influence.

**Transom** – A narrow horizontal window unit above a door.

**Turned** – Fashioned on a lathe, as in a baluster, newel or porch post.

**Turret** – A small tower, usually corbelled from a corner.

**Viewshed** – A geographical area that is visible from a location, including surrounding points that are in the line of sight with that location, and excluding points that are beyond the horizon or obstructed by terrain, buildings, trees and similar features.

**Vernacular** – In architecture, as in language, the nonacademic local expressions of a particular region. For example, a vernacular Greek Revival structure may exhibit forms and details that are derived from the principles of formal Classical architecture but are executed by local builders in an individual way that reflects both local or regional needs, tastes, climatic conditions, technology and craftsmanship.

**Victorian** – The general term used to describe the wide variety of eclectic revival styles that were introduced in British and American architecture during the reign of Queen Victoria from 1837-1901.

## 7. Definitions and Architectural Terms

**Vinyl Siding** – Sheets of thermal plastic compound made from chloride or vinyl acetates, as well as some plastics made from styrene and other chemicals, usually fabricated to resemble clapboard.

**Visual Pollution** – Anything that, because of its placement or intrinsic nature, is offensive to the sense of sight, e.g., garbage dumps.

**Vitrolite** – Pigmented structural glass developed and popularized in the early 20th century for facing Art Deco and Art Modern style commercial buildings.

**Water Blasting** – A cleaning method similar to sandblasting except that water is used as the abrasive. As in sandblasting, high-pressure water jets can damage wood and masonry surfaces.

**Water Table** – A belt course differentiating the foundation of a masonry building from its exterior walls.

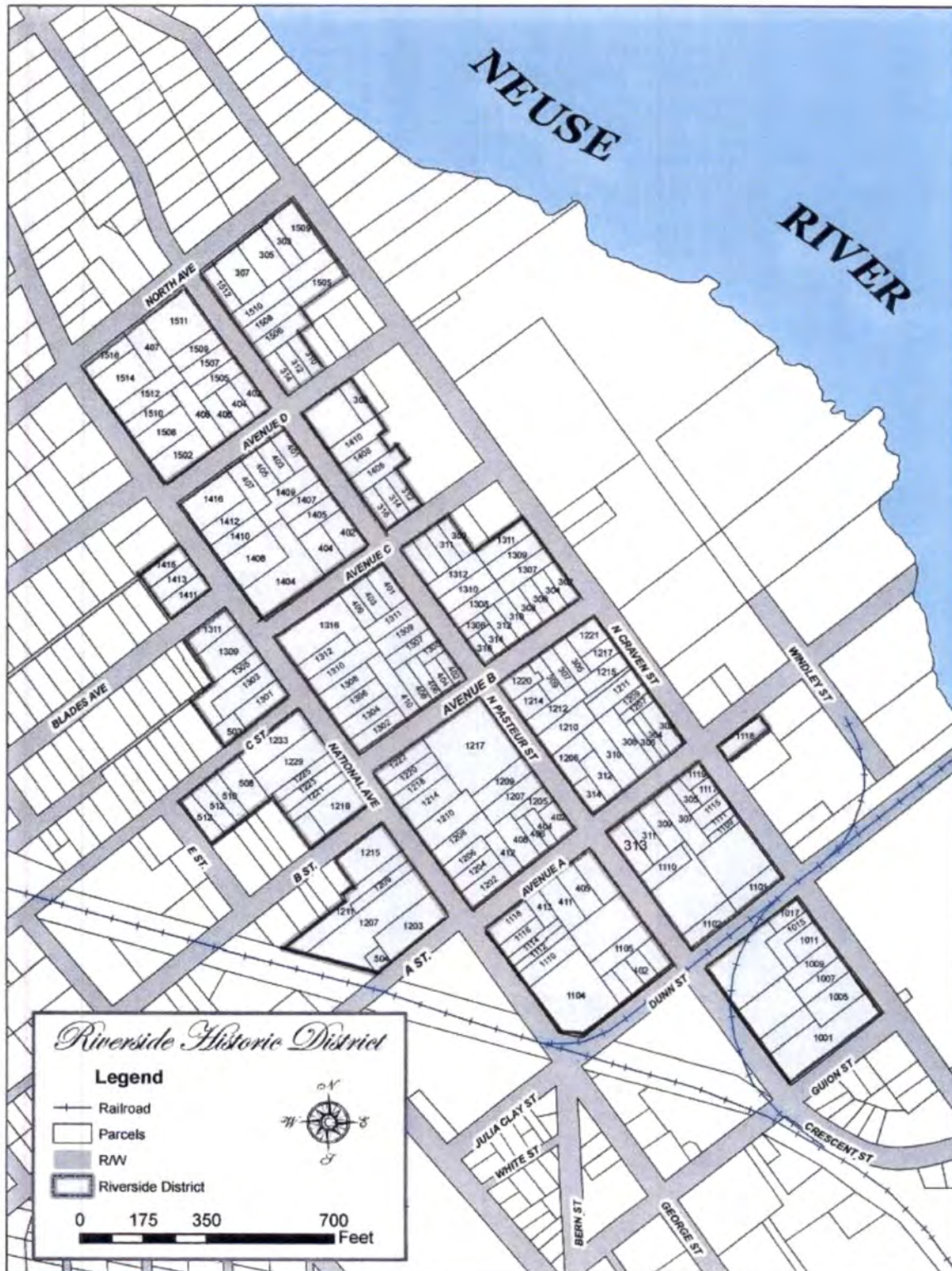
**Weatherboard** – Wood siding consisting of overlapping horizontal boards usually thicker at one edge than the other.

**Wrought Iron** – Iron that is rolled or hammered into shape, never melted. In general, wrought iron is not commercially available and ornamental iron is used in its place.

### 8.1 Downtown Historic District Map



## 8.2 Riverside Historic District Map



### **8.3 Department of Interior Standards for the Treatment of Historic Properties**

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These standards promote consistent and responsible historic preservation practices for the protection of the country's cultural resources. There are four treatment standards in hierarchical order: Preservation, Rehabilitation, Restoration, and Reconstruction. Contact SHPO or visit their website for additional information on the treatment standards.

#### **Standards for Preservation**

The Standards for Preservation place a high premium on the retention of historic fabric through conservation, maintenance and repair. It reflects a building's continuum over time, through successive occupancies, and the respectful changes and alterations that are made.

1. A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.
2. The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color, and texture.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

## 8. Appendices

### Standards for Rehabilitation

The Standards for Rehabilitation emphasize the retention and repair of historic materials, but more latitude is provided for replacement because it is assumed the property is more deteriorated prior to work. These standards form the foundation of the Commission's design review criteria and the basis for New Bern's historic district guidelines.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new features will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

### **Standards for Restoration**

The Standards for Restoration are focused on the retention of materials from a particular time in a property's history, while permitting the removal of materials from other periods.

1. A property will be used as it was historically or be given a new use which reflects the property's restoration period.
2. Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces, and spatial relationships that characterize the period will not be undertaken.
3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
4. Materials, features, spaces, and finishes that characterize other historical periods will be documented prior to their alteration or removal.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.
6. Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.
7. Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.
8. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
9. Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
10. Designs that were never executed historically will not be constructed.

## 8. Appendices

### **Standards for Reconstruction**

The Standards for Reconstruction establish limited opportunities to recreate a non-surviving site, landscape, building, structure, or object in all new materials.

1. Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture, and such reconstruction is essential to the public understanding of the property.
2. Reconstruction of a landscape, building, structure, or object in its historic location will be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts which are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures will be undertaken.
3. Reconstruction will include measures to preserve any remaining historic materials, features, and spatial relationships.
4. Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the non-surviving historic property in materials, design, color, and texture.
5. A reconstruction will be clearly identified as a contemporary re-creation.
6. Designs that were never executed historically will not be constructed.

## **8.4 Links to Other Resources**

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### **New Bern Land Use Ordinance**

[http://library.municode.com/HTML/11332/level2/PTIICOOR\\_APXALAU.html](http://library.municode.com/HTML/11332/level2/PTIICOOR_APXALAU.html)

### **New Bern Ordinance on Preservation**

[https://www.municode.com/library/nc/new\\_bern/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_APXALAU\\_ARTXXINEBEHIDI](https://www.municode.com/library/nc/new_bern/codes/code_of_ordinances?nodeId=PTIICOOR_APXALAU_ARTXXINEBEHIDI)

### **New Bern Ordinance on Waterfront Overlay Districts**

[https://library.municode.com/HTML/11332/level3/PTIICOOR\\_APXALAU\\_ARTXXIINEBEWAOVDI.html](https://library.municode.com/HTML/11332/level3/PTIICOOR_APXALAU_ARTXXIINEBEWAOVDI.html)

### **New Bern Ordinance on Neighborhood Conservation Overlay Districts**

[https://library.municode.com/HTML/11332/level3/PTIICOOR\\_APXALAU\\_ARTXXVNECOOVDI.html](https://library.municode.com/HTML/11332/level3/PTIICOOR_APXALAU_ARTXXVNECOOVDI.html)

### **New Bern Urban Design Plan**

<http://www.newbern-nc.org/departments/development/ed/plans-projects/>

### **New Bern Historic Preservation Commission Web Site**

<http://www.newbern-nc.org/departments/development/historic-preservation/historic-preservation-commission/>

### **New Bern Historic District Guidelines**

<http://www.newbern-nc.org/departments/development/historic-preservation/historic-preservation-guidlines/>

### **Historic Preservation Commission Policies and Procedures**

<http://www.newbern-nc.org/departments/development/historic-preservation/historic-preservation-procedure/>

### **New Bern Preservation Plan**

<http://www.newbern-nc.org/departments/development/ed/plans-projects/>

### **National Park Service Preservation Briefs**

<http://www.nps.gov/tps/how-to-preserve/briefs.htm>

## 8. Appendices



# Historic District Guidelines



# City of New Bern Historic District Guidelines

<b>Mayor:</b>	Dana E. Outlaw
<b>Board of Aldermen:</b>	Ward 1: Sabrina Bengel Ward 2: Jameesha "Jamee" Harris Ward 3: Robert "Bobby" Aster Ward 4: Johnnie Ray Kinsey Ward 5: Barbara J. Best Ward 6: Jeffrey T. Odham
<b>City Attorney:</b>	Michael Scott Davis
<b>Interim City Manager:</b>	Foster Hughes
<b>Director of Development Services:</b>	Jeffrey Ruggieri, AICP
<b>City Planner and HPC Administrators:</b>	Matthew Schelly, AICP, CZO, Reg. Arch.
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<b>Illustrations:</b>	David Griffith

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## New Bern Historic District Guidelines

# 1. Overview and Concepts

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## 1.1 Purpose and Intent of Historic Guidelines

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The purpose of the New Bern Historic District Guidelines is to help preserve the historic character and architectural fabric of New Bern. Historic landmarks and districts provide a link to New Bern's history, people, events and architecture that defines the character of New Bern and shapes its present identity. The intent is not to prevent physical change or impose particular architectural styles, but to moderate changes while protecting architectural gems and reducing dislocation caused by random change. The goal is to maintain our community's individual character and "sense of place."

This document serves as a guide to the New Bern Historic Preservation Commission and to property owners in the historic districts for maintenance, modifications, and additions to property. It summarizes procedures for review of proposed exterior changes and contains commentary and guidelines for a variety of activities that affect historic resources and the districts as a whole.

## 1.2 Your Responsibility as a Property Owner

---

Historic New Bern belongs to everyone. As an owner of a property within one of New Bern's local historic districts, you share a privilege as well as a responsibility. You benefit from protection of uncontrolled change, technical assistance for making changes that are sensitive to surrounding historic properties, and a pride of ownership of New Bern's historic fabric. However, you are not just a property owner; you are a steward to a part of New Bern's and North Carolina's history. As a steward of that heritage, you have a responsibility to preserve and maintain the distinctive characteristics of your property for the future. Any exterior change you make to a property, whether a structure or significant landscaping, requires you to contact Development Services to determine if a *Certificate of Appropriateness* is required. Failure to do so is a violation of New Bern's Land Use ordinance and is subject to fines.

## 1.3 New Bern's Historic Districts

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German Palatine and Swiss colonists under Baron Christoph von Graffenried settled the City of New Bern in 1710 at the confluence of the Trent and Neuse Rivers. It possesses a rich historic and architectural heritage that is reflected in its historic districts.

The Downtown and Riverside historic districts contain a diversified collection of 18<sup>th</sup>, 19<sup>th</sup> and early 20<sup>th</sup> century residential and commercial buildings. Collectively these structures and their respective evolved landscapes stand as a testimony to New Bern's past and help to define the community's unique "sense of place."



## 1. Overview and Concepts

The New Bern Historic Preservation Commission (HPC) was established to aid property owners in preserving New Bern's historic and architectural resources. Created on April 22, 1980, this body has the primary mission to advise owners regarding preservation options. The HPC is vested with the mandate "to promote, enhance, and preserve the character of the districts and to encourage preservation activities throughout the city." This is accomplished by designating historic districts and landmarks, controlling demolition, and reviewing proposed exterior changes and infill construction.

### Downtown Historic District

The architecture of New Bern reflects the history of the town, and its sustained prosperity that historically has been subject and receptive to major architectural trends. Although Federal architecture was New Bern's special forte, a variety of other styles are represented. The minor streets are quiet, punctuated by buildings set on large well landscaped lots shaded by stately trees dotted with clumps of mistletoe. Adding serenity to the town are the Neuse and Trent Rivers, which provide a magnificent backdrop. This atmosphere prevailed throughout New Bern until the early 1950s when Broad Street became a major east-west artery, cleaving the city in two.

*See Appendix for a map of the Downtown historic district.*

The city was established in 1710, and at the request of Baron von Graffenried, John Lawson devised and laid out the plan, which, with some additions, remains intact. He explains:

Since in America they do not like to live crowded, in order to enjoy a purer air, I accordingly ordered the streets to be very broad and the houses well separated one from the other. I marked three acres of land for each family, for house, barn, garden, orchard, hemp field, poultry yard and other purposes. I divided the village like a cross and in the middle I intended a church. One of the principal streets extended from the bank of the River Neuse straight on into the forest [Broad or Pollock Street] and the other principal street crossed it, running from the Trent River clear to the Neuse River (Middle or Craven Street). After that we planted stakes to mark the houses and to make the principal streets along and on the banks of the two rivers [East Front Street and South Front Street].

Not only did the street scheme survive, but the idea of not liking to "live crowded" is still in evidence. With the exception of construction accomplished since the mid-20<sup>th</sup> century and four mid-19<sup>th</sup> century row houses, all residences are separate freestanding buildings each with a generous yard.

Historically New Bern has been dependent for its livelihood on its rivers and governmental sponsorship. The city's role as occasional host of the itinerant colonial assembly, the colony's first permanent capital, and the seat of Craven County helped foster her emergence as a port, and therefore as a mercantile center.

Because of New Bern's externally oriented economy, the city was exposed to national stylistic trends, which quite obviously had a great effect on architecture. The vast majority of structures express a high degree of academicism successfully rendered by skilled and sensitive craftsmen.



## New Bern Historic District Guidelines

Nothing remains of the earliest buildings. A comparison of New Bern today with what C. J. Sauthier recorded on his 1769 map of the town finds only four buildings that tentatively are identified as surviving from that time.

Within the district, fourteen buildings with Georgian stylistic origins have been identified. The majority of them are simple, modest dwellings and most were updated during a later stylistic era. This is a scant number considering that more than thirty house carpenters and joiners are known to have been working in the county between 1748 and 1790. With the exception of a few houses attributed either to John Hawks or James Coor, the architect-builders of most buildings cannot be identified. It can be assumed that natural attrition combined with disasters like the hurricane of September 1769, and the fires in the fall of 1791 and 1794, and that of February 1798, which burned the Governor's Palace, eradicated much of the evidence of the early town.

Within the last two decades of the 18<sup>th</sup> century, the population of New Bern more than doubled, and the physical area of the town accordingly expanded north and west. Judging from remaining evidence, growth of the population and area continued in the first decades of the 19<sup>th</sup> century. Obviously, the town was enjoying a new high level of prosperity, a prosperity fueled by commercial and mercantile endeavors that enabled affluent merchants like John Harvey, Eli Smallwood and Isaac Taylor to build ambitious town houses. It was during this same era of prosperity that the town produced civic and cultural symbols of urbanity, most notably the New Bern Academy, the Masonic Temple and Theater, and the First Presbyterian Church.

The New Bern version of Federal architecture is Adamesque; it is restrained and elegant and, above all, sophisticated. A typical Federal domestic structure has the following elements: two and one half stories; a side hall plan, two rooms deep, three bays wide and four bays deep; a gable roof; gable dormers; exposed face interior end chimneys; a one-bay pedimented porch; an entrance composed of a six-panel door, with four flat above two flush panels, and geometrically ornamented transom above. Although interior treatments vary considerably, three-part mantels are universal.

While the side hall plan was certainly the most prevalent Federal form, center hall and asymmetrical versions were built as well. A concentration of those forms exists on Pollock Street in the area west of Tryon Palace, but others are scattered throughout the town. Usually they are two or two-and-one-half story frame structures, three of which are constructed of brick, and with gable roofs, although three have gambrel roofs, and Federal interior woodwork.

In the Federal era the authorship of several buildings can be attributed with varying degrees of certainty to Martin Stevenson, John Dewey, Robert Hay and Uriah Sandy, four of some forty architect-builders established in the county between 1790 and 1835. As in the Georgian era, this leaves the majority of structures unlinked to a specific designer.

The Federal style persisted in New Bern well into the 1840s, long after it had been superseded by the Greek Revival style in other towns. This was by no means a result of cultural lag; rather it would seem more likely to be a product of

## 1. Overview and Concepts

conservative mercantile interests, a proposition set forth by Talbot Hamlin in *Greek Revival Architecture in America*.

The importance of such mercantile interests in New Bern, combined with the habits of the craftsmen, provide a cogent explanation for the longevity of the Federal style in the city.

The town clung so tenaciously to Federal architecture, in fact, that it scarcely acknowledged the existence of other styles. Concessions to the Greek Revival style usually appear on the interiors of buildings and take the form of symmetrically molded architraves with corner blocks. In only a very few cases are classical Greek motifs employed externally.

By the time New Bern rejoined the mainstream of architectural trends, the Greek Revival style was waning, and mid-19<sup>th</sup> century eclecticism was flourishing. The town began to experiment with new styles in the 1840s. The incidence of buildings constructed in the pre-Civil War eclectic era is lower than that of earlier eras. This is probably due in part to the suspended growth of both the population and wealth of New Bern.

While participating in the national architectural mainstream, New Bern retained a degree of independence of design and materials as evidenced in the coquina wall and arched gateway of Cedar Grove Cemetery constructed by the town in 1854.

The post-Civil War era saw New Bern fully integrated into the prevailing national stylistic modes of Second Empire, late Italianate Revival, Romanesque Revival, Queen Anne, Stick Style, Eastlake, and Shingle. A substantial portion of the late 19<sup>th</sup> century domestic structures, especially the more massive ones, have met with destruction, but a few of them, plus a number of smaller, more manageable houses survive.

In the early 20<sup>th</sup> century, New Bern experienced a building boom, which in volume came close to rivaling the Federal boom. The economic revitalization of the town was largely a result of the lumber industry, which produced magnates desirous of living in and capable of paying for the most impressive houses their money could buy. Obliging these clients was local architect Herbert Woodley Simpson, who is credited with the design of every important structure built in New Bern in the first two decades of the 20<sup>th</sup> century. A versatile designer, Simpson excelled in the Queen Anne and Neo-Classic Revival styles, and often combined the two. While practicality and "progress" have taken their toll on many of his impressive Neo-Classic Revival structures, a few have survived. They testify to the prosperity and taste of early 20<sup>th</sup> century New Bernians.

### Riverside Historic District

The Riverside Historic District is composed of approximately 15 blocks of largely residential development along the banks of the Neuse River in northeast New Bern. Laid out in a grid pattern aligned with National Avenue, a preexisting street leading to the National Cemetery, subdivisions in 1894 and 1912 created New Bern's first suburb out of farmland. Within the Riverside District are modest, but representative one- and two-story examples of Classical Revival,

*See Appendix for a map of the Riverside historic district.*



## New Bern Historic District Guidelines

Late Queen Anne, Craftsman and Colonial Revival styles in a variety of house forms, principally with the traditional New Bern side hall plan. Also within the district are the Italian Renaissance Revival style Riverside School and the Gothic Revival influenced Riverside Methodist Church, as well as several small industrial and commercial buildings. There are 178 contributing and 35 noncontributing buildings within district boundaries. While many of the buildings have received some alteration, individually and as a group, they retain their integrity of design, setting, materials, workmanship and feeling.

National Avenue is the main street running through the district from the southeast to the northwest. To the east and parallel with it are North Pasteur and North Craven streets, the other principal roads. North Craven's east side provides one boundary of the district. The adjacent river property was originally platted as house lots, but was developed as industrial property and has gone through a series of uses. Running along the western side of the district is the line of the Atlantic and North Carolina Railroad, which predates Riverside and precluded the development of north-south roads to the west of National Avenue. The western boundary of the district follows the line of pre 1935 development in the side streets west of National Avenue.

Perpendicular to the main avenues are evenly spaced side streets, beginning with Guion Street at the south and reaching to North Avenue, whose south side forms the northern end of the district and defines the furthest extent of pre-World War II development.

The former farmland on which Riverside was platted is flat. Large oaks line National Avenue on both sides, and the remainder of the district is characterized by the presence of a considerable number of mature trees of a variety of species located in no particular pattern.

The two subdivisions which made up Riverside each had a different system of laying out lots, neither of which was completely uniform. Lots were also recombined before building, creating further variety in lot size. In the 1894 plat, larger lots were laid out along the west side of National Avenue, but the largest and most pretentious houses in the district are found equally along both sides of National Avenue. The east side of National Avenue and the remainders of the blocks were laid out with long, narrow lots, some with only 41-foot frontages. The relative uniformity of appearance in Riverside owes much to New Bern traditions of building close to the street, thus creating consistent setbacks, and of placing houses close together.

There is no formal open space within the district. The largest open space is a half block on Dunn Street between North Pasteur and North Craven streets, formerly the site of a tobacco factory. Another set of undeveloped lots is located at the southeast corner of North Pasteur Street and Avenue D, adjacent to the Maola Company and individual undeveloped lots are scattered throughout the district. The interiors of the alley-less blocks contain trees, gardens, garages, and other outbuildings.

With only a handful of exceptions, buildings in the Riverside district are relatively modest, owner or contractor designed, with simple or no



## 1. Overview and Concepts

ornamentation. All are one or two stories and although there is a scattering of brick houses throughout the district, the greater number are frame, sheathed with clapboards or wood shingles. Standing seam metal roofs predominate.

Many of the residences in the district have garages, some contemporaneous with the house or constructed before the 1930s, and almost always located at the rear of the property. Most are relatively small, of frame construction, and with gable roofs. Exceptions include the hipped roofed, brick garage of the William Dunn House and the garage apartment of the Turnbull House.

Domestic building in the Riverside district is almost entirely in four styles: late Queen Anne, Classical Revival, Craftsman and Colonial Revival. These styles are applied to a variety of house forms. The most common house form in the district, and one that was popular in other areas of New Bern in the early 20<sup>th</sup> century, is the narrow and deep, two or three bay gable end two story house. These frame houses have side hall plans, often with rear ells, and generally either a small portico or a full width porch at the front. One variant of this house type has a gable roofed, two-story bay at one corner of the front elevation, like 1112 and 1114 National Avenue. Another variant of the form has a hipped instead of gable roof, with or without a front dormer. Both Guion and Dunn Streets have rows of these simple dwellings constructed as rental housing. More sophisticated versions of the same house have pedimented gables, classically detailed porches and wings or bays, like the William T. Hill House at 1202 National Avenue or the Smith-Hawkins House at 1214 North Pasteur.

Another well represented house type in the district is the foursquare; two or three bays wide, with a hipped roof and a full width porch across the front. Unlike foursquares elsewhere, however, these houses for the most part employ the side hall plan. A number of good frame examples of this form are located on both sides of the 1200 and 1300 blocks of National Avenue. Also located on National Avenue are several large, Classical Revival styled foursquares with L-shaped front porches, including the J. O. Baxter House and the O. A. Kafer House. A variety of bungalows may be found in the district, mostly in the Craftsman or Classical Revival styles, and predominantly of frame construction. Most typical are cross gable forms like the D. M. Parker House at 1408 National Avenue. Bungalows with jerkin headed front gables or hipped roofs are also common. At the northeast corner of the district are a row of three, one story frame bungalows whose gabled front porches have a distinctive exposed trusswork. Perhaps the most unusual bungalow in the district is the one at 1412 National Avenue, which has three oversized, hipped wall dormers protruding through its hipped roof.

The oldest house in the district, the mansard roofed William R. Guion House at 1203 National Avenue, is its only Second Empire influenced residence.

Two buildings in the district attributed to architect Herbert Woodley Simpson have noteworthy designs outside the vernacular tradition. The Prairie Style William Dunn House at 1404 National Avenue has a high, pressed brick first floor with a broad arch at the front that supports the shingled upper floor. Its complex slate roof with deep eaves has multiple hipped dormers. Behind the house is a hipped roofed, brick garage with tin shingled dormers on each elevation. Across the street from the Dunn House is the Robert Turnbull House,



## New Bern Historic District Guidelines

a Colonial/Classical Revival style residence sheathed in wide cypress boards that presents an asymmetrically arranged broad front to the street, dominated by an off center, Tuscan-columned front porch.

Riverside Graded School and Riverside United Methodist Church, the two institutional buildings in the district, are distinctive in design. The Riverside Graded School of 1922 is a well composed, two story Italian Renaissance design in red brick with glazed terra cotta trim and barrel tiled cornices. Riverside Methodist Church, constructed 1919-1920, is an unusual adaptation of the Late Gothic Revival style to an essentially square church, with an octagonal central sanctuary that rises above the rest of the building.

### 1.4 Historic Preservation Commission

The New Bern Historic Preservation Commission (HPC) is a public board in the City of New Bern responsible for preserving the City's historic and cultural resources. Enabling North Carolina statutes and New Bern city ordinances related to preservation are provided in a separate document on the City of New Bern website. The HPC's guidelines, policies and procedures can also be found on the City of New Bern website or by contacting the HPC administrator in the Department of Development Services.

The HPC is composed of nine members appointed by the Board of Aldermen to serve a three-year term, and not more than two consecutive terms. Members must reside within the City's corporate limits or within its designated Extraterritorial Planning Jurisdiction, and have a demonstrated special interest, experience or education in architecture, history, historic preservation or related field.

#### **Meetings**

The HPC meets on the first and third Wednesday of each month. The first Wednesday of each month is the HPC's work session. Property owners may consult the HPC about a specific project, but there is no public comment on a proposal. The third Wednesday of the month is the HPC's regular business meeting where public hearings are held for *Certificate of Appropriateness* (COA) applications. The applicant, or representative of the applicant, must be present to approve a COA. The HPC also considers other matters at this meeting that require formal action. The location, meeting times and agendas are published on the City of New Bern website. Work sessions and regular business meetings are open to the public.

### 1.5 Key Concepts

The HPC's jurisdiction extends over exterior attributes of an entire property. Changes are evaluated in terms of impact on the property and the surrounding area. Key factors considered by the HPC in evaluating exterior changes or infill construction are described more fully.



## 1. Overview and Concepts

### Contributing and Noncontributing Structures

A *contributing structure* is at least 50 years old and is listed in the Department of Interior's historic district inventory of structures. The inventory is created as part of the process for designating the historic districts. As buildings reach 50 years in age, they may also be considered contributing structures.

A *noncontributing structure* is usually less than 50 years in age or is considered not to have significant historic, architectural or cultural value. Changes to noncontributing structures require a COA to ensure compatibility with the surrounding historic fabric of contributing structures.

### Determining if Change is Not Incongruous

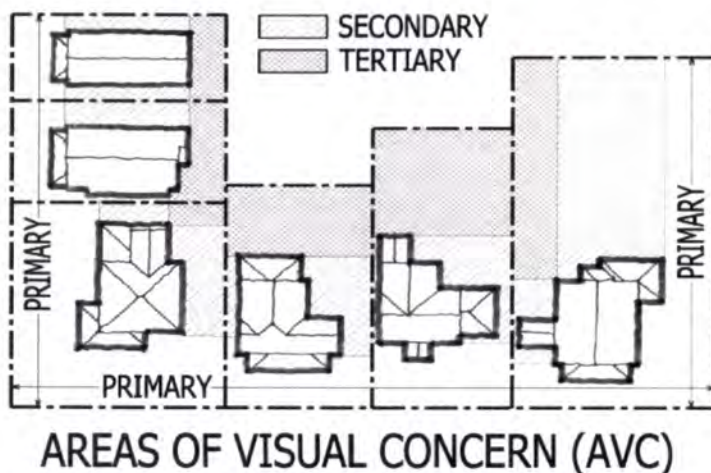
The HPC is tasked with using the historic guidelines to determine whether changes to a structure, both contributing and noncontributing, are *not incongruous*, or complimentary to the special character of the historic districts. A number of factors are considered including:

- relationship to other structures on adjacent properties, the street and the historic districts
- mass, proportion, scale, style, details and materials proposed for use

The applicant must prove that their proposed changes are not incongruous. The HPC can deny an application only if it determines that the proposed changes are incongruous.

### Areas of Visual Concern

Each portion of a property is divided into *Areas of Visual Concern (AVC)*.





## New Bern Historic District Guidelines

The **Primary AVC** is the most important area because it is generally located directly adjacent to the street, and therefore, is the most visible. Inappropriate changes in Primary AVC severely alter the character of a building or site and compromise the integrity of the streetscape. Thus, great care is taken to ensure appropriate changes in this area.

The **Secondary AVC** includes areas that are not directly adjacent to the street but are visible from the street. A secondary area plays an important role in defining the character of the site because of the transitional space between the public street and private rear yard.

The **Tertiary AVC** includes areas generally not visible from the street. Areas concealed from street view afford the greatest flexibility to accommodate changes within the context of the guidelines.

### Scope of Changes

New Bern's historic guidelines cover only exterior changes to properties in the historic districts. Exterior changes are divided into four categories.

*Normal maintenance and repair* constitutes work that does not involve a change in material or design of a structure's exterior architectural features, or landscaping that does not significantly change a property's appearance from the street.

*Replacement-in-kind* means repairing an existing feature or replacing a feature **using the exact same material, size, scale, and detail**. Only replace architectural features that have deteriorated beyond a state where they can be repaired. Do not remove or replace original architectural features, such as doors or windows, out of convenience. ***Property owners shall contact the Department of Development Services before proceeding with replacement-in-kind work.***

*Minor work* constitutes alterations to a structure or site that do not significantly impact a property and are consistent with the New Bern Historic District Guidelines. A listing of minor works is found on the City of New Bern website. The HPC administrator may issue a COA for minor work items. The HPC administrator may at any time forward minor work items to the HPC for formal review. ***Property owners shall contact the Department of Development Services before proceeding with minor work.***

*Major work* constitutes alterations to a structure or site not classified as a minor work, including infill construction or demolition, and those changes located within in a Primary AVC. Major works must be approved by the HPC and receive a COA. A summary of the COA process is described in the guidelines and is detailed in the *HPC Policies and Procedures*. Refer to the New Bern Historic District Guidelines for allowable exterior changes, and contact the HPC administrator for technical assistance.

### Determining Contributing Structures

In-depth surveys of contributing structures within New Bern's historic districts are infrequently conducted, overlooking potentially important structures that



## 1. Overview and Concepts

have come of age and now meet the Department of Interior and the State Historic Preservation Office (SHPO) criteria for contributing structures. In certain cases, records from past surveys may be incomplete, conflicting or disputed by the owner.

When a COA application involves a structure not listed in the inventory, the first step is to determine whether it is a contributing structure.

- Any unlisted building 50 years of age or greater will be evaluated for contributing structure status. An unlisted building determined to be more than 50 years of age does not have to be treated as a contributing structure if the HPC determines that it has no architectural, cultural, or historical significance. Any structure less than 50 years of age will be considered noncontributing unless the HPC finds that it clearly possesses exceptional architectural, cultural, or historical merit.
- The age of a structure will be based on relevant information including tax assessor data, deeds, historical surveys, maps and pictures of verifiable sources and dates. The HPC will also consult with the SHPO and ask for a documented evaluation. In the event that the HPC and SHPO cannot make a reasonable determination of the age, the applicant shall have the privilege of stipulating the age.
- Findings and relevant information leading to contributing status will be documented.
- If the determination of a structure is based solely upon age, the property owner may request a detailed SHPO review to confirm its status. Following SHPO review, the HPC will consider the evaluation in making a final determination.

The HPC will update the inventory list to include newly designated contributing structures.

### 1.6 Obtaining a Certificate of Appropriateness

A **Certificate of Appropriateness (COA)** is required before making changes to the exterior of a property in the historic districts. Changes are categorized as *minor works*, which are alterations that do not significantly impact a property, and *major works*, which are significant alterations that affect the appearance or architectural fabric of a property.

A COA application must be submitted to the Department of Development Services, and may require a COA hearing and approval by the HPC. COA applications are obtained from the City of New Bern website or from the City of New Bern's Department of Development Services.

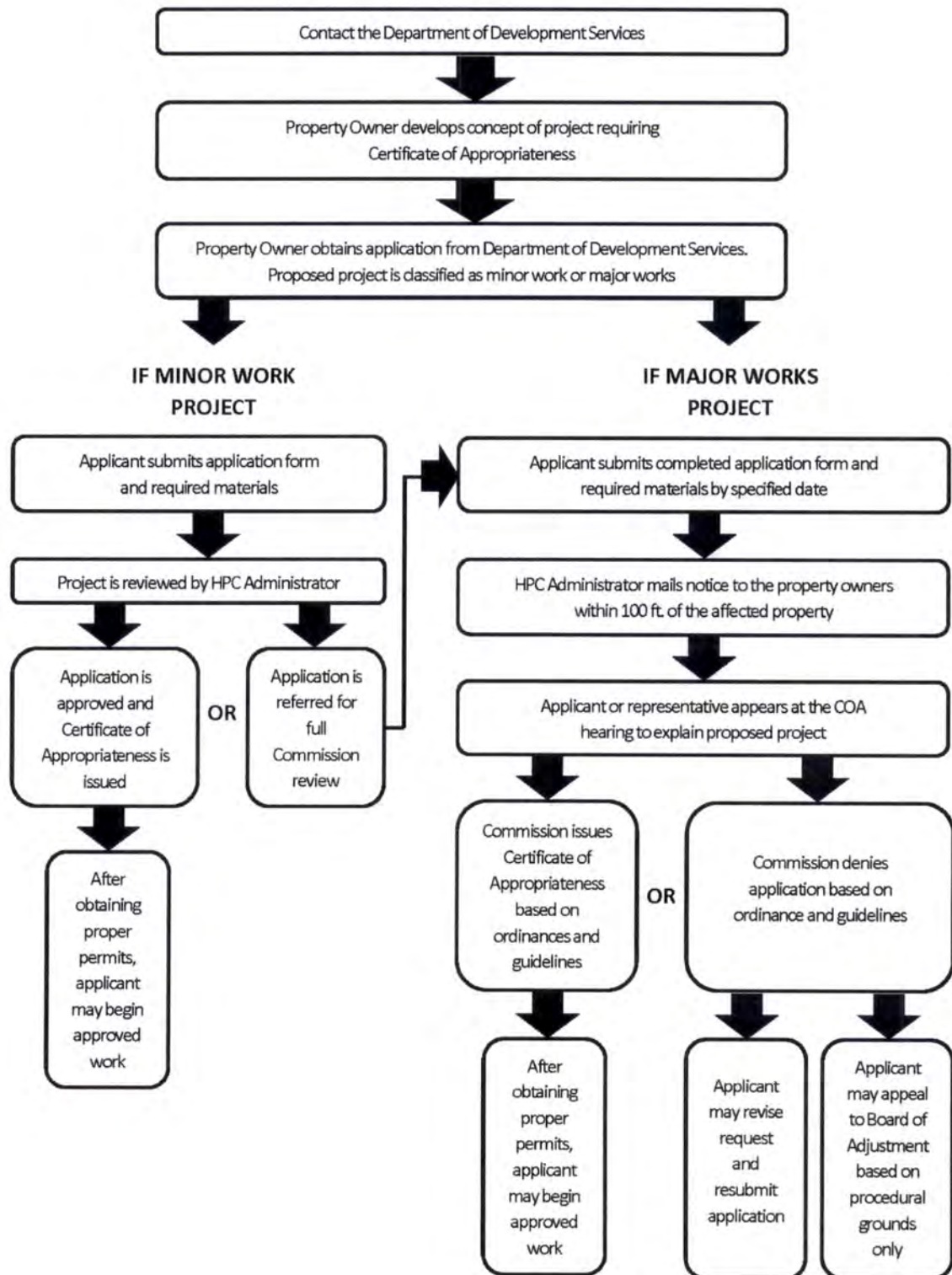
Property owners considering projects in the historic districts are encouraged to take advantage of free technical advice and design assistance offered by the HPC and Department of Development Services staff prior to submission of a COA application. Staff is available to answer questions and guide applicants through the COA process.

*Additional permits, such as building permits, may be required for a project. A COA does not supersede land use and zoning requirements and does not replace requirements for other permits.*



## New Bern Historic District Guidelines

## Certificate of Appropriateness Process





## 1. Overview and Concepts

### Review Process for Minor Works

*Minor works* are changes that do not significantly impact a property and are consistent with the New Bern Historic District Guidelines. A COA for a minor work typically does not require a formal public hearing. The HPC administrator will advise the property owner to ensure compliance with historic guidelines. The HPC administrator may submit a minor work application to the HPC for formal approval depending on the nature of the proposed changes. The HPC administrator can issue a COA for minor work items after a completed application is reviewed with the applicant.

A list of minor works that can be approved by the HPC Administrator is maintained and updated by the HPC. The complete list is available on the City of New Bern website. The HPC, during a design review work session, can direct the HPC Administrator to process applications of limited scope as a minor work.

### Review Process for Major Works

*Major works* are significant exterior alterations to a structure or site, including additions, infill construction and demolition. Major works must be approved by the HPC and receive a COA.

#### Design Review

A *Design review* of a COA application can lead to faster approval and is strongly recommended for any **major works**.

The purpose of the design review is to:

- Familiarize an applicant with historic guidelines
- Familiarize the HPC with an application
- Provide project feedback
- Address application questions or issues

A design review can take place before formal submission of an application. Large, complex projects often require multiple design reviews.

The HPC administrator will help determine if a design review by the HPC is needed. Design reviews are typically held during the HPC's work sessions on the first Wednesday of the month.

#### Application Submission and Formal Review Process

A complete COA application **including supporting materials** must be submitted to the Department of Development Services at least fourteen calendar days prior to the HPC's next regular meeting in order for a COA hearing to be placed on the agenda. COA applications are available for public review in the Department of Development Services.

The HPC administrator is responsible for ensuring that a COA application is complete and complies with applicable city ordinances and codes. Application issues are communicated to the applicant. Ultimately, the HPC will determine the completeness of an application, and additional information may be required.



## New Bern Historic District Guidelines

**Hearings**

The HPC is required by state statutes and city ordinances to conduct a hearing on proposed major changes to a property in the local historic districts. A hearing is conducted as a quasi-judicial hearing, where a decision is based on the evidence and testimony presented by the applicant and those who have standing. Allowable testimony and evidence must directly relate to relevant guidelines. The applicant has the burden of proving that proposed changes are not incongruous with New Bern Historic District Guidelines. The HPC cannot deny changes unless they are determined to be incongruous.

A **COA hearing** is the typical type of hearing for an application. Property owners within 100 feet of the project are assumed to have standing to provide testimony at a COA hearing.

A **public hearing** may be called by the HPC for a large project that may materially affect property owners beyond 100 feet. The HPC may elevate a COA application to a **public hearing**. In such an event, property owners beyond 100 feet are assumed to have standing to provide testimony.

Hearings normally occur at the HPC's regular meetings on the third Wednesday of each month. The property owner or their designated representative must attend the public hearing, present the application, and address application questions and concerns.

The HPC may approve, approve with conditions, or deny a COA application. Action on an application must be taken within 180 days of submission. Action on most applications is decided at the hearing. Work may not proceed until the owner has an approved COA in hand.

**Preconstruction Conference**

If a COA has been issued by the HPC, a preconstruction conference may be required prior to the issuance of building permits. This meeting is arranged by the applicant with the Department of Development Services to discuss the COA and to ensure that the project is executed as specified. Meeting attendees must include the following:

- Property owner or designated representative
- Contractor
- Chief building inspector
- HPC administrator

## 1.7 Archeology

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The historic districts of New Bern are more than a collection of buildings and their associated landscapes. Historic resources are very likely to include artifacts that are below ground and within the rivers. Archaeological artifacts can provide important clues regarding the location and configuration of long removed outbuildings, additions, porches, and landscape features such as walkways and plantings. Remnants such as foundations, wells, postholes, trash pits, shipwrecks and submerged pilings may also show the evolution of building development and human activities associated with a site. This knowledge conveys an understanding of our interactions with the environment throughout history.



## 1. Overview and Concepts

The geographic location of the City at the confluence of the Neuse and Trent Rivers has made this area an ideal settlement extending back to prehistoric times. Several archaeological sites have been located and studied within the historic districts; however, it is very likely that unknown archaeological resources will be identified through the natural course of ground disturbing activities. Given this probability, efforts must be made to protect valuable resources in their natural, undisturbed setting upon discovery.

### 1.8 Additional Support

Public and private organizations involved in local preservation efforts can be found in Section 8. *Appendices*.

#### **State Historic Preservation Office**

The *State Historic Preservation Office (SHPO)* assists citizens, organizations, local governments and state and federal agencies in identifying and protecting places significant in North Carolina history. The SHPO frequently provides information and technical assistance related to COA applications to property owners and the HPC.

The main SHPO office is in Raleigh, with regional offices in Asheville and Greenville. SHPO prepares nominations submitted to the National Register; oversees the statewide architectural survey; administers the Certified Local Government program, Rehabilitation Tax Credit program and Environmental Review; and provides public awareness and training programs.

#### **Certified Local Government (CLG) Program**

The *Certified Local Government (CLG) Program* is a federal program administered by the SHPO that allows local governments to participate in the national historic preservation program. A benefit of CLG status is eligibility to compete for CLG historic preservation grant funds. In North Carolina, the following is required for local government certification:

- Have an active and legally adequate historic preservation commission, with a designated paid staff person, that enforces appropriate state and local legislation for the designation and protection of historic properties.
- Maintain a system for surveying and inventorying historic properties that is compatible with the statewide survey.
- Provide adequate public participation in the local historic preservation program, including the process of recommending properties for the National Register of Historic Places.
- Satisfactorily perform responsibilities delegated under the 1966 National Historic Preservation Act.

#### **National Park Service Technical Briefs**

The National Park Service provides *Preservation Briefs* for guidance on preserving, rehabilitating, and restoring historic buildings. These publications



## New Bern Historic District Guidelines

recognize and resolve commonly encountered problems, and recommend methods and approaches for rehabilitating historic buildings. The HPC may use preservation briefs for guidance when evaluating a COA application. Refer to <http://www.nps.gov/tps/how-to-preserve/briefs.htm>.

## 1.9 Worksheet for COA Evaluation

A worksheet is available to aid in the navigation of the Historic District Guidelines and to help evaluate proposed changes in a COA application. (See the next page.) Rows in the worksheet correspond to the sections in the Guidelines. Columns correspond to types of changes. Boxes shaded in green under a column heading are most likely to apply to a type of change and should be considered first. Unshaded boxes may also apply to a COA application depending on the nature of proposed changes.

This worksheet can be downloaded from the HPC website or it can be obtained from the HPC administrator. The green shading identifies guideline sections that are likely applicable to the type of proposed changes.

<b>COA Evaluation Worksheet</b>				
Type of Proposed Changes →	Modifications	Additions	Infill Construction	Replacement in Kind
Guideline Sections to Consider ↓				
<b>Overview and Concepts (Part 1)</b> <ul style="list-style-type: none"> <li>Property Owner Responsibilities</li> <li>Minor vs Major Work</li> <li>Obtaining a COA</li> <li>Contributing vs Noncontributing</li> <li>Archeology</li> </ul>				
<b>Site and Setting (Part 2)</b> <ul style="list-style-type: none"> <li>Development Pattern</li> <li>Placement of Primary Structures</li> <li>Public and Open Spaces</li> <li>Utilities</li> <li>Landscaping</li> <li>Fences and Garden Walls</li> <li>Accessory Structures</li> <li>Parking</li> <li>Signage</li> <li>Waterfront Modifications</li> </ul>				
<b>Design Attributes (Part 3)</b> <ul style="list-style-type: none"> <li>Scale, Mass and Proportion</li> <li>Form and Rhythm</li> <li>Texture</li> <li>Details</li> </ul>				
<b>Design Components (Part 4)</b> <ul style="list-style-type: none"> <li>Foundations</li> <li>Walls, Trim and Ornamentation</li> <li>Windows, Doors, and Openings</li> <li>Entrances</li> <li>Roofs</li> <li>Decks and Patios</li> <li>Accessibility and Life Safety</li> </ul>				
<b>Materials (Part 5)</b> <ul style="list-style-type: none"> <li>Masonry</li> <li>Wood</li> <li>Metals</li> <li>Paint</li> <li>Contemporary Materials</li> </ul>				
<b>Preservation (Part 6)</b> <ul style="list-style-type: none"> <li>Maintenance of Materials</li> <li>Prevention of Demolition by Neglect</li> <li>Relocation</li> <li>Demolition</li> </ul>				



## 1. Overview and Concepts



## 2. Site and Setting

### 2.1 Development Pattern

#### Project Planning Considerations

Development patterns have been in existence far longer than zoning, and existing buildings establish an understandable rhythm along the streetscape without historical regard for land use. The historic districts of New Bern have three types of development patterns, each of which is a record of a particular era in urban development and evolution.

##### **Dense Fabric**

A pattern of *dense fabric* features minimal yards, if any, most often reduced to small planting beds or planters. A dense fabric is created by structures that typically abut the front property line and share a common wall with neighboring structures. The streetscape is a defined facade, with periodic openings accommodating narrow walkways that generally lead to an alley or interior of the block. An example is the downtown commercial district.



*Example of dense fabric development pattern.*

Institutional uses, particularly churches, are often emphasized within a dense fabric pattern by slightly setting back from the right of way and side property lines and breaking the continuous building line to create a focal point within the development pattern.

##### **Tight Weave**

A *tight weave* pattern is the most common, representing a consistent rhythm of facade to landscape. Structures that create a tight weave pattern have a front yard, and generally sit forward on a lot and front the street. Side yards tend to be narrow, ranging in widths that only accommodate pedestrians to widths sufficient for vehicle passage. The rear yard tends to be larger and is buffered from the street by a primary structure, creating privacy and garden areas. An example is the typical residential street in Riverside or Downtown.



*Example of tight weave development pattern.*

Buildings within the *tight weave* development pattern have variable setbacks from the right of way but occur within a narrow range that parallels the streetscape. Although there are exceptions, the majority of structures front the street ten to twenty-five feet from the right of way. This placement creates a front yard transitional space where the structure bridges between the public streetscape and the private rear yard. The rhythm of structures is spaced closely enough to create a defined edge, but this edge is softened with penetrating side yards.

##### **Waterfront Development**

*Waterfront development* is a pattern that typically features an isolated structure on an oversized parcel. These properties front the Trent and Neuse Rivers and are surrounded by expanses of landscaping or parking. The footprint, scale and proportion of structures tend to be oversized as compared to more historic development. Wharves historically lined the waterfront of New Bern, driving its early economy and creating the financial resources that spawned the *dense fabric* and *tight weave* development patterns. Following transformation by urban

## 2. Site and Setting

renewal, property values and economies of scale have given birth to the modern *waterfront development* pattern.

Placement of structures within the *waterfront development* pattern is a response to a more modern, larger scale where building functions are influenced by the automobile. Building scale is significantly larger than nearby historic structures, and views of the river largely play into building organization and use. Waterfront development typically fronts the public walkway along the rivers, and placement tends to be toward the center of the land parcel leaving relatively large expanses within front and side setbacks, much of which is used to support parking or storm water management. Consistent placement and complimentary design elements unify the streetscape and visually buffer more than two hundred years of architecture from the rivers.



*Example of waterfront development pattern.*

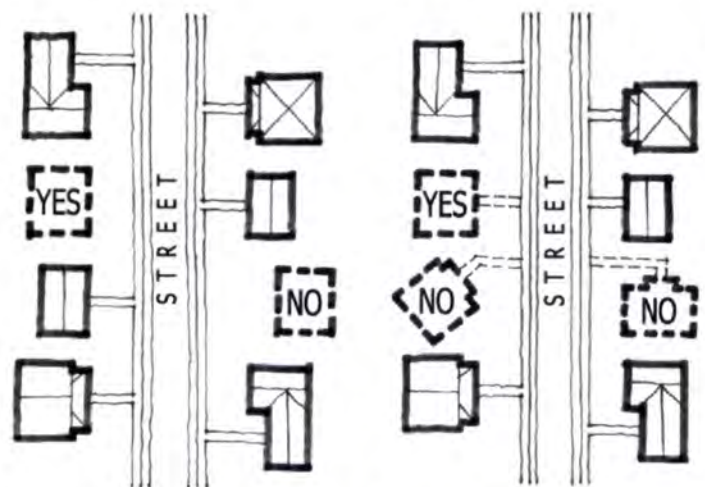
### **Narrow Stitch**

*Narrow stitch* is a historic development pattern unique to the City of New Bern. It was introduced to the Downtown Historic District in 2007 as a planned unit development influenced by Neo Traditional and New Urbanism planning philosophies. Lots are organized in long, narrow rows that front the street. The spacing between structures is minimal, creating public façades with porches and steps at the sidewalk and private rear façades. A service alley is located at the rear yard, removing utility distribution, garbage collection, curb cuts and driveways from the Primary AVC. Rear yards are minimal, if not completely absent when the rear façade fronts the alley.

Buildings within the *narrow stitch* development pattern have a very tight rhythm that is often vertically emphasized by the presence of multiple stories. Building massing and roofs typically consist of simple forms, and side yard facades are largely void of fenestration except for the occasional balcony. These lot proportions, coupled with the absence of sizable yard space, often lead to double porch and rooftop decks that create private outdoor spaces and capture surrounding views.

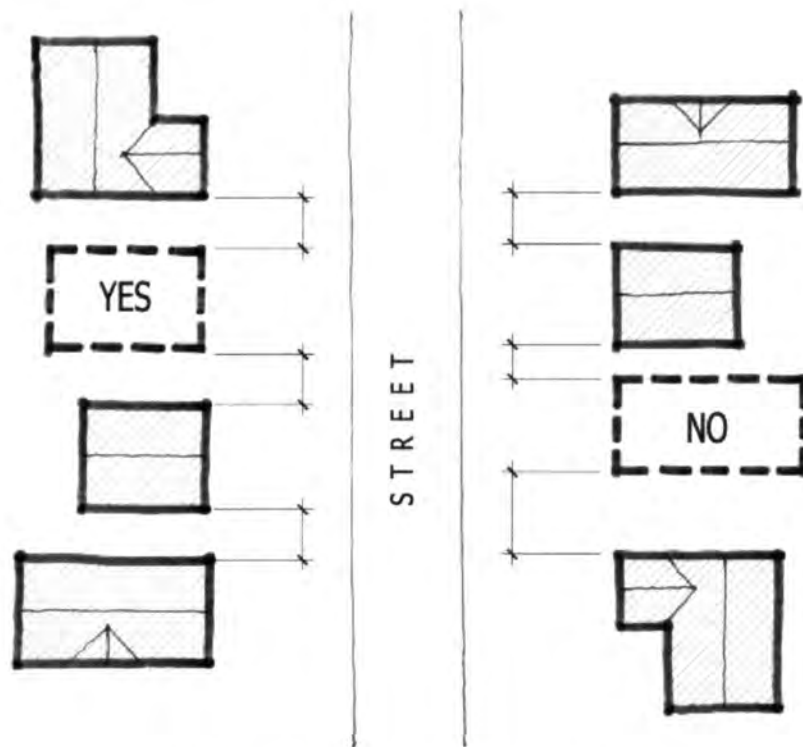
### **Placement of Structures**

The relationship between open space, building mass and scale in the historic districts is essential to preserving the character of the streetscape and the historic districts as a whole. Separations between buildings provide areas for plantings and gardens. The repetition of these elements establishes a streetscape rhythm that enhances the pedestrian experience. Parcels are subdivided and lots are developed over time, creating variations in the ratio of open space to building mass from block to block. Preserve the established open space to building mass relationship created by historic structures on a given block.



**PLACEMENT OF STRUCTURES**





## SPACING OF STRUCTURES

One of the most important character defining features of the historic districts is the presence of view sheds, or view corridors, that highlight particular buildings or capture pockets of open space. Views to and from the Trent and Neuse Rivers, the patterns and rhythms established by buildings within the streetscape, and profiles of landmarks on the skyline communicate the totality of New Bern's historic districts.

### Guidelines for Development Pattern

- 2.1.1 Maintain the established development pattern for placement of infill construction. The relationship of a structure to the property boundaries should be similar to those up the street, down the street and in most cases, across the street.
- 2.1.2 There are areas within the historic districts where the development pattern may have been weakened by vacant lots and nonconforming structures. In such areas, preference shall be given to contributing structures when defining the development pattern for infill construction.
- 2.1.3 The footprint, scale and proportion of infill construction shall be in keeping with neighboring properties. In general, it is not appropriate to construct a three-story structure in an area that is dominated by one-story structures.

## 2. Site and Setting

### 2.2 Public and Open Spaces

#### Project Planning Considerations

New Bern is fortunate to incorporate parks and public spaces within its historic districts. These open spaces contribute to New Bern's scenic beauty and quality of life. Small alley parks, large waterfront parks, neighborhood playgrounds and sculpture gardens promote a pedestrian friendly atmosphere. When planning parks and public spaces, it is important to consider their location, views, impact on adjacent properties and potential public uses. For example, space for a pavilion or bandstand can be created in a waterfront park by encircling a large lawn with a waterfront promenade. This creates an ideal location for gatherings and events.

#### Guidelines for Public and Open Spaces

- 2.2.1 Introduce public art, statuary, artifacts, memorials, and fountains as focal points in spaces that do not obscure historic buildings or their architectural features. Consider the scale and historic context of art features when determining the setting and location.
- 2.2.2 Incorporate streetscape furniture and pavement treatments recommended in the New Bern Urban Design Plan when improving sidewalks and streets within the right of way. Furniture, trash receptacles, mailboxes, newspaper racks and similar elements shall be of a scale that does not detract from historic properties.
- 2.2.3 Locate playgrounds and play equipment in Secondary and Tertiary AVCs. Do not obscure historic buildings or their architectural features.

*The Urban Design Plan can be found on the City of New Bern's website.*

### 2.3 Utilities

#### Project Planning Considerations

Integrating utilities into historic district landscapes is one of the greatest challenges. Multiple installations of disorganized utilities often result in visual clutter. Locate utilities and equipment in a manner that preserves landscape features and historic building fabric. Frequently, utility equipment must be elevated above the floodplain. Locate equipment in Secondary and Tertiary AVCs, and screen items from public view with vegetation, fencing and similar site constructions. Install underground utilities when possible.

Work within the right of way requires a COA. Improvements proposed by private property owners and public utility providers, regardless of ownership or source of funding, are subject to evaluation for compatibility with historic district streetscapes.

Illumination of the streetscape within historic districts provides visibility and security, and is encouraged. Exterior lighting can be effectively used to highlight and reinforce a building's architectural character or to establish a landscape theme. Do not implement lighting that creates distraction by overemphasizing a structure or site. Lamping shall emit a warm spectrum, or white, light.



*Place satellite dishes in a Secondary AVC or in areas that are not visible from the public right of way.*



## New Bern Historic District Guidelines

**Guidelines for Utilities**

- 2.3.1 Locate equipment in Secondary and Tertiary AVCs and screen items from public view with vegetation, fencing and similar site constructions. It is recommended that utilities be consolidated in common locations.
- 2.3.2 Paint equipment and exposed utilities to compliment mounting surfaces and reduce their visibility.
- 2.3.3 Install utilities underground when possible to minimize visual clutter. Use mechanical methods to bore beneath landscaping, sidewalks, drives and fences.
- 2.3.4 Evaluate utilities and equipment installed in the public right of way, such as utility poles, street lights, railroad crossing signals, signal boxes and similar items, for their visual impact on the streetscape. Install multiple utilities on common poles.
- 2.3.5 Consider a selection of tree species that will not interfere with overhead utility distribution. Where conflict occurs, replace canopy trees with smaller scale, understory trees and shrubs.
- 2.3.6 Install light fixtures in locations that complement the character of historic structures and sites. It is not appropriate to replace original light fixtures. Lamping shall emit a white light. Illumination shall provide visibility and security without overemphasizing a structure, parking area or site.
- 2.3.7 Incorporate street and pedestrian light fixtures referenced in the New Bern Urban Design Plan when improving sidewalks and streets within the right of way.



*Utilities shielded from view with hedges.*

## 2.4 Landscaping

### Project Planning Considerations

Landscape elements play an important role in defining the “cultural environment” of New Bern’s historic districts. Mature trees, hedgerows, foundation plantings, gardens, grassy lawns, patios, fences, and walls contribute to the character of streetscapes and structures. Improvements within the right of way, such as curbing, sidewalks, planting strips and trees, also enhance the landscape. These landscape features are typical to a *tight weave development pattern* and enhance the pedestrian experience.

Private lawn and garden areas also characterize the historic districts. Gardens are generally located in rear yards, or in the side yards of larger lots. These lush landscapes, both formal and informal in presentation, are characterized by a variety of plantings ranging from mature canopy trees to flowering shrubs to perennial bulbs. Preserve and propagate plant species that are indigenous to New Bern.

Many gardens are surrounded by fences, walls or hedgerows that delineate property lines and demarcate boundaries between private lots and public rights of way. Preserve historic fences, walls, and plant rows. Introduce new elements to the landscape that are compatible with the site and with the styles of fencing found throughout the districts.



*This house in the Riverside Historic district has a traditional landscape of mature street trees, a hedgerow, mature shrubs, and seasonal plantings near the porch.*



## 2. Site and Setting

The *dense fabric development pattern* is landscaped within the public right of way. The New Bern Urban Design Plan recommends streetscape improvements that unify blocks of tightly abutting structures. Enrich the pedestrian experience by selectively placing sidewalk pavement, lighting, street trees, public art and street furniture between curbing and the building frontage.

### Guidelines for Landscaping

- 2.4.1 Maintain mature canopy trees. Mature tree removal and its replacement species must be recommended by a certified arborist. Replace removed trees with a similar canopy species at or near the location of the removed tree. Locate canopy trees to define the street edge at maturity.
- 2.4.2 Maintain a planting strip between the curb and sidewalk in the *tight weave development pattern*. The predominant plantings in this area shall be grass and trees. Walkways connecting the curb and sidewalk shall not exceed a width of six feet. Align walkways with building entrances.
- 2.4.3 Use plant materials that are indigenous to the historic districts. It is not appropriate to use contemporary edging materials such as landscaping timbers or plastic borders.
- 2.4.4 Incorporate trees, shrubbery, and other landscape features around the periphery of a lot and within parking areas.
- 2.4.5 Locate accessory structures and similar site improvements to avoid removing healthy, mature trees of desirable species.
- 2.4.6 Eliminate lichen, ivy, and other forms of vegetation from structures to prevent damage and to allow for adequate surface ventilation and drainage.
- 2.4.7 Create focal points that highlight public art, statuary, fountains, and structures such as pergolas and gazebos. Place these elements in areas that do not obscure historic buildings or their architectural features.
- 2.4.8 Use street trees and landscaping elements to reinforce right of way view corridors that extend to the rivers. Locate focal points at street terminations; however, the scale of landscaping elements shall not obstruct water views.



*The Mary Kistler Stoney Garden is a reconstruction representative of 19th century New Bern and is part of the Tryon Palace complex.*

## 2.5 Fences and Garden Walls

### Project Planning Considerations

Fences and garden walls have traditionally been used to delineate property lines and demarcate boundaries between private lots and the public right of way. A variety of fencing types and materials are found within New Bern's historic districts. Fence styles in wood, brick, masonry, marl, cast iron, wrought iron and natural plant materials have been popular for more than two hundred years. Fences and walls often architecturally relate to a principal structure. Repetition of fences and walls provides definition and continuity to the streetscape.

A variety of materials and patterns combined with brick piers are commonly found in the historic districts. The predominant fencing material is wood, although a number of fences are fabricated from iron or constructed of marl. Use



*Articulated brick walls and picket fences are used throughout the historic districts.*

## New Bern Historic District Guidelines

low fences in a Primary AVC to enable clear views of the building and its entrance. Use tall fences in a Tertiary AVC to enclose yards for privacy. Planted hedges of boxwood and ligustrum are often used to define property lines and decorate yards.

### Guidelines for Fences and Garden Walls

- 2.5.1 Fences and walls based on historic designs are encouraged. Incorporate materials and configurations that relate to the architecture of the principal structure on the site. Use fences and walls to demarcate property lines and screen private areas.
- 2.5.2 In a Primary AVC, erect low fences and walls with a vertical dimension of four feet or less. Space rectangular wood planks about one inch apart. Space square wood and iron pickets about three inches apart. Orient pickets vertically.
- 2.5.3 In Secondary and Tertiary AVCs, erect tall fences and walls with a vertical dimension of six feet or less. Tall fences that abut a structure shall terminate at an architectural feature. Transition low fencing to taller fencing at an architectural feature.
- 2.5.4 It is not appropriate to use utilitarian fences in a Primary AVC. In addition, it is not appropriate to use chain link fencing in the historic districts.
- 2.5.5 Consider hedgerows as alternatives to fences and walls.
- 2.5.6 Screen existing chain link fences with vegetation such as ivy, climbing vines or evergreen shrubbery.

## 2.6 Accessory Structures

### Project Planning Considerations

Outbuildings and accessory buildings have always been a part of New Bern's historic districts and its development history. Privies, barns, carriage houses, kitchens and sheds were once found on lots of all sizes. Today, few of these original accessory buildings survive. By the turn of the twentieth century and into the mid twentieth century, the need for new types of accessory buildings emerged. Today, outbuildings and accessory buildings include garages, storage sheds, greenhouses, and playhouses. Attached garages are not appropriate in the *tight weave* development pattern.

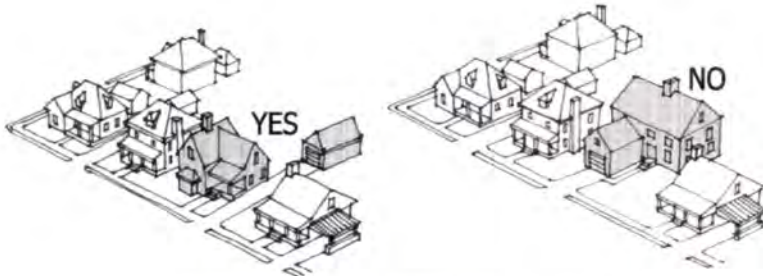


*Historic outbuildings and accessory structures like this garage add to the character and diversity of the historic districts.*



## 2. Site and Setting

Illustration of appropriate placement of garages:



## ACCESSORY STRUCTURES

### Guidelines for Accessory Structures

- 2.6.1 Locate accessory structures in Secondary or Tertiary AVCs, and behind primary structures when possible. Accessory structures are to be secondary to the primary structure in regard to mass, scale, form, and texture.
- 2.6.2 It is appropriate for outbuildings, and similar structures with substantial foundations, to have a similar form and detailing as the primary structure. Reduce these elements in scale to compliment the outbuilding massing, and incorporate less ornate and simpler elements than found on the primary structure.
- 2.6.3 Accessory structures such as sheds, gazebos, pergolas, arbors, trellises, and similar types of site improvements with minimal foundations are to serve as focal points within rear yard landscapes. These forms and detailing have little relationship to historic fabric and can be easily removed without creating permanent damage.

## 2.7 Parking

### Project Planning Considerations

The widespread reliance on the automobile, and the desirable character of the historic districts, results in pressure to accommodate increasingly more vehicles. The historic districts were largely developed prior to the introduction of automobiles, and many properties do not include driveways or off-street parking. Street parking is limited, and most driveways are narrow compared to today's standards. Driveways and parking frequently supplement the parking capacity available. Configure access to off street parking in a manner that avoids important landscape features and maintains the integrity of development patterns.



*A low brick wall, street trees and plantings effectively screen this large surface parking lot.*

## Guidelines for Parking

- 2.7.1 Confine driveways on narrow lots to the Secondary AVC.
- 2.7.2 Use driveways to access off street parking areas located in the Tertiary AVC. Areas for vehicular use shall not exceed more than 50% of the rear yard in the *tight weave development pattern*.
- 2.7.3 It is not appropriate to incorporate off street parking in the Primary AVC within the *dense fabric development pattern*. In addition, it is not appropriate to locate parking lots on corners within the historic districts.
- 2.7.4 Contain loose paving materials within masonry, concrete, steel, or similar types of fixed edging. It is not appropriate to use contemporary drive and parking edging materials such as landscape timbers or plastic borders.
- 2.7.5 Screen parking lots with fences, walls and hedgerows to create edges that separate vehicular space from pedestrian space. Parking screens should have a vertical dimension of four feet or less.

## 2.8 Signage

### Project Planning Considerations

Signs contribute to the unique character and visual quality of the historic districts, and when treated with sensitivity, benefit the community. Appropriately place signage on building facades and within rights of way to enhance the streetscape environment. Inappropriately placed signs obstruct architectural features, create visual clutter, and disrupt the harmony of the streetscape.

Conventional vehicle, directional and informational signs within the right of way often erode the integrity of the streetscape and disrupt the pedestrian experience. Transportation authorities have jurisdiction over their placement, quantity, and standardized format. Consolidate public signs whenever possible on uniform poles to reduce visual clutter.

Architectural signage identifies businesses, franchises and the goods and services offered. Successful signage relies on graphic simplicity that is designed to complement the texture and detail of the surrounding architectural facade. Consider scale, shape, location, materials, font, and illumination when evaluating signage contexts.

### Guidelines for Signage

- 2.8.1 Signage shall incorporate proportions and dimensional details of the surrounding architectural facade. Locate wall signs on lintels or within the sign frieze area. Where multiple storefronts are within a common architectural facade, provide unifying elements such as coordinated lighting, height, border, font, and material treatments.
- 2.8.2 Drive fasteners for signs in mortar joints to prevent damage to the masonry units.



*Customized business signs add character to the historic districts and should be preserved and maintained.*



## 2. Site and Setting

- 2.8.3 Locate freestanding signs in areas that do not obscure architectural elements or important features. Soften the presence of signposts with landscaping and edging.
- 2.8.4 Use back lighting and front lighting fixture types. Internally illuminated signs are not appropriate for structures built prior to 1920. Electric signs shall not flash, blink or have illuminated revolving content.

## 2.9 Waterfront Modifications

### Project Planning Considerations

The confluence of the Trent and Neuse Rivers has shaped the history of New Bern and provided a means for trade and economic development. Historically, the New Bern waterfront consisted of wharves, docks, lumber mills, and rail yards. Wharves and docks have been largely replaced by a waterfront park, hotels, condominiums, and similar types of modern development. It is desirable to maintain public access to the historic riverfront for citizens and tourists alike. Piers and bulkheads are part of every waterfront community. Carefully plan these to incorporate the waterfront promenade and the special character offered by the rivers.

Simultaneously consult with the Coastal Area Management Agency (CAMA), the City of New Bern and the HPC administrator prior to submitting an application for a COA for waterfront modifications. Coordinated input between regulatory bodies results in the most harmonious balance of regulatory and design requirements.

### Guidelines for Waterfront Modifications

- 2.9.1 Construct piers with wood decking or concrete panels. Piers shall have a narrow width that generally extends perpendicular and parallel to the shoreline.
- 2.9.2 It is not appropriate to incorporate pavilions, platforms, gazebos, screened rooms, roofed structures, boat sheds and similar constructions on piers.
- 2.9.3 Finish bulkheads with a wood or concrete cap. Reserve space for future waterfront promenade extensions between the bulkhead and other site constructions as described by the New Bern Urban Design Plan.
- 2.9.4 Provide unobtrusive, soft lighting that follows the flow of walkways. Use functional, utilitarian light fixtures, and avoid highly ornate ones.



*The piers and bulkheads at the waterfront park are consistent with the design guidelines. They are built of wood and concrete, and do not diminish scenic views.*



### 3. Design Attributes

Aesthetics and design influence the character of the historic districts. Building use and form evolves as infill and adaptive reuse projects take place. Modifications, additions and infill construction shall compliment the scale, pattern, materials, proportion and mass of surrounding historic architectural resources. Well designed additions and infill structures enhance the quality of the historic districts by contributing context and style reflective of growth while also creating a record of the technological evolution of modern construction materials and methods.

#### 3.1 Design Principles

The following design principles typically apply to additions and infill construction, but may also apply to site and setting, design components and modifications.

##### Scale, Mass and Proportion

The *scale* of a building is its relative size. *Human scale* refers to how we perceive the size of a structure and its components in relationship to the human body. The relationship, or scale, of an architectural detail becomes quite evident when one is standing very close. *Overall scale* compares building form to that of nearby buildings, structures and open spaces. Construction that ignores scale disrupts the harmony of the streetscape.

*Mass* describes the shape, size and visual weight of a structure. Scale is typically an analysis of attributes in predominantly two dimensions with a set proportion. Mass describes a volume, and evaluates a structure in three dimensions.

*Proportion* refers to the interrelationship of vertical to horizontal. This can be applied to the overall building mass, an opening for a window or door, or the characteristics of a column. Proportion has been used in architecture for thousands of years to create a sense of natural order. Buildings and spaces composed of harmonious proportions inherently relate to the human form, and create a pleasing environment.

Architectural details organize the perceived mass and scale of buildings. Façade features such as rooflines, pilasters, friezes, columns, piers and patterns subdivide building planes into smaller, articulated panels that create visual texture.

Buildings in any given development pattern are generally similar in scale and mass, and façade proportions have a strong vertical orientation. Infill construction should respect these characteristics. Façade articulation, windows and doors should also reinforce the vertical orientation of the composition.

*Rooftop expression* is a combination of architectural elements that occurs above the cornice line. New Bern's *dense fabric development* pattern is dominated by two story buildings with a range of scales and low sloped roofs. This mix of multi-storied buildings incorporates a variety of decorative and styled cornices,



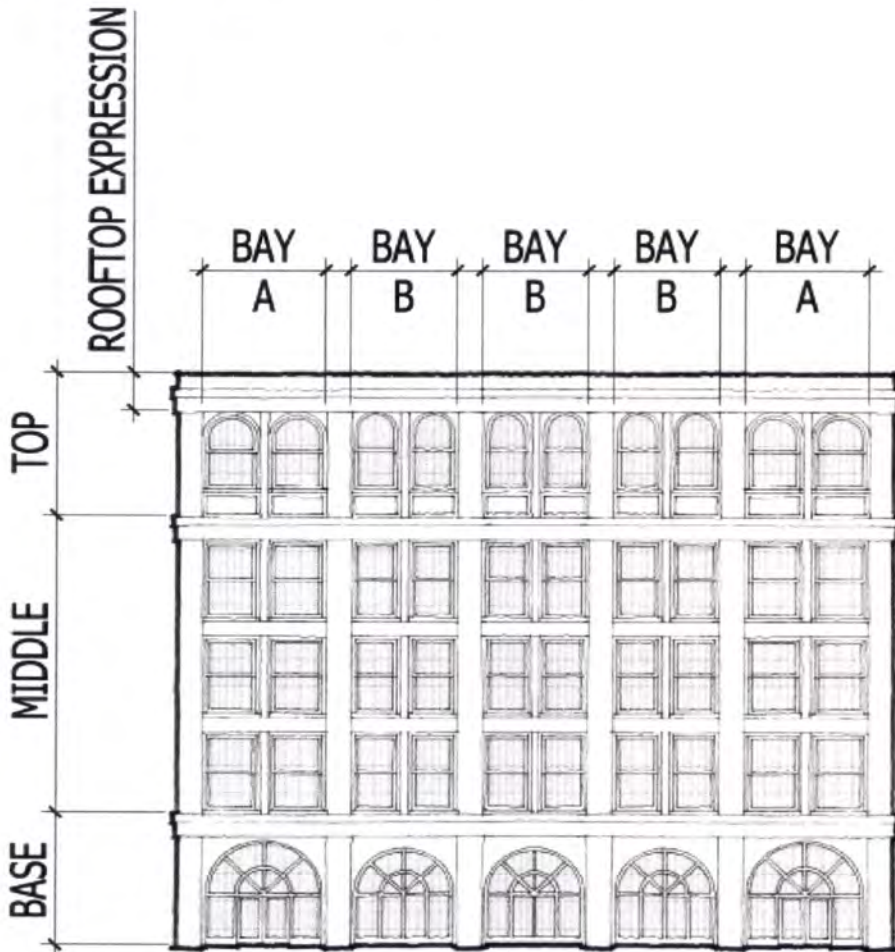
*The wide cornice, overhang, and brackets add character to this building.*



*This block of buildings shares the same scale.*

### 3. Design Attributes

parapets, towers, cupolas and other rooftop appurtenances that uniquely identifies each. Facades can typically be broken into three basic components: a base, middle and top. These elements relate to architecture as the feet, torso and head relate to the human body. The feet provide stability, the torso provides height and bulk, and the head provides identity.



## FORM & RHYTHM

Within the *tight weave development pattern*, buildings are traditionally two stories in height with sloped roofs. Facades are typically organized in a series of bays, deriving their character from articulated front porches, entry doors and window configurations.

### Form and Rhythm

*Form* and *rhythm* refer to the regular or harmonious recurrence of lines, shapes, forms and details in a building. All buildings contain design components that are repetitive. Roof form and pitch, the ratio of solids to voids in a wall plane, and the placement of windows, doors, cornices and parapets establish a pattern that



*These buildings illustrate variety in scale.*



*These buildings illustrate a variety of parapets, dimensions and forms.*



*Baxter's unique curved coping creates visual interest when compared to the parapets and cornice lines of surrounding buildings.*



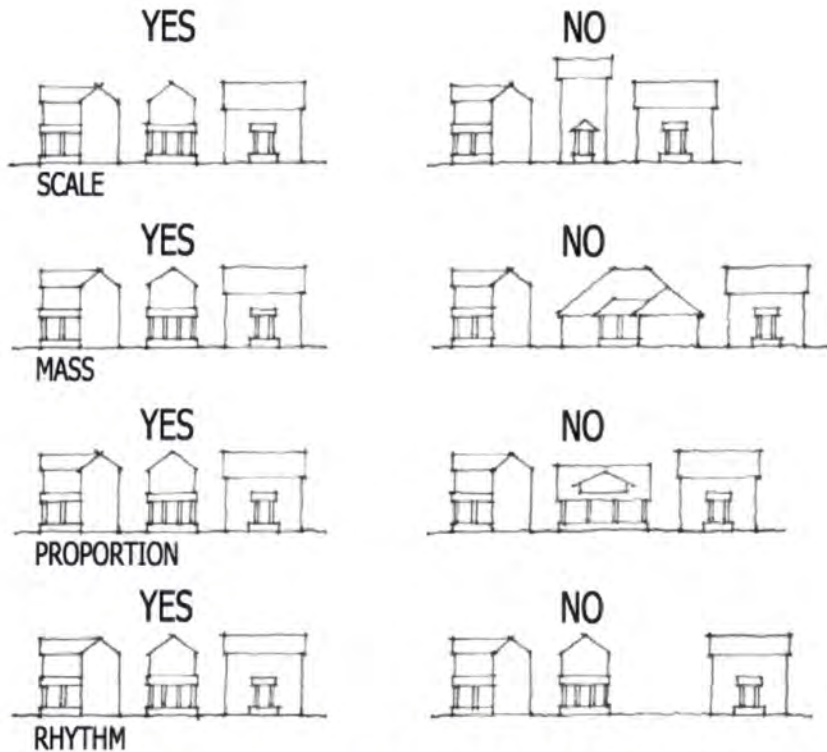
## New Bern Historic District Guidelines

characterizes a building, streetscape or district. Considered together, these elements create a visual rhythm and unify the facade of the structure.

The *narrow stitch* development pattern creates a strong rhythm of repeated, narrow front facades that creates a hard edge at the streetscape. Steps from each structure extend to the sidewalk in series, beginning at an upper landing above design flood elevation and descending to meet the shape of the terrain below. Full width porches that compensate for the lack of yard space accentuate facades and animate otherwise planar building forms.



These upper story windows represent an excellent example of rhythm across multiple facades.



## SCALE, MASS, PROPORTION & RHYTHM

### Texture

*Texture* refers to the use and interaction of a variety of materials and details in a building. Roofs, porches, bays, chimneys, decorative exterior trim, siding and windows articulate building facades and create visual interest. Articulate the top, middle and base of a building to create texture. Additions and infill construction should provide a degree of texture similar to surrounding buildings.

### Details

*Details* are the elements that describe architectural building styles, features and ornament. New Bern's three hundred year evolution has produced a rich and varied palette of details that creates a visually delightful setting for pedestrians, students and admirers of architecture. Additions and infill construction should allow architectural styles to evolve while incorporating established details that



A pediment parapet highlights the classical facade of this building.

### 3. Design Attributes

characterize New Bern's historic districts. Contemporary and compatible design is encouraged. However, it is recommended that additions and infill construction reflect and reinterpret traditional building detailing.



## FENESTRATION

### Guidelines for Design Principles

- 3.1.1 Consider the scale, mass and proportion inherent to the surrounding historic development pattern, and design modifications that incorporate these characteristics. Use basic shapes and forms that are common to the historic districts.
- 3.1.2 Windows, doors and openings shall be compatible in proportion, shape, location, size and quantity with those on surrounding historic structures. Avoid large expanses of blank walls. Establish bays, visually subdivide facades and delineate building elevations to create form and rhythm.
- 3.1.3 Discretely use rooftop appurtenances such as spires, cupolas and towers to articulate rooflines. Compliment the scale, form and proportion of the structure, and use rooftop appurtenances to identify a building entry or similar massing focal point.
- 3.1.4 Use details to articulate facades, and the openings within facades. Appropriately detail the base, body and edges of facades to create texture and visual interest.
- 3.1.5 Avoid creating a false sense of historical development. It is not appropriate to apply historic architectural styles to infill construction. Creative interpretation of traditional detailing and ornamentation is encouraged.

## 3.2 Modifications

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### Project Planning Considerations

*Modifications* encompass changes, replacements and potential improvements to historic design components and architectural features. The intent of New Bern Historic District Guidelines is to allow modifications to occur within a framework that preserves the character and fabric of the historic districts.

### Guidelines for Modifications

- 3.2.1 Select materials that are consistent with the structure. Limit the palette to those materials that were available at the time a building was originally constructed.
- 3.2.2 Modifications to a structure should not conceal, damage or remove significant design components or architectural features.
- 3.2.3 Replace historic design components only if they are damaged beyond repair. Replacement for convenience is not appropriate. Use materials and details that match the original.
- 3.2.4 Rebuild missing or insensitively altered design components based on documented evidence of the original configuration.
- 3.2.5 It is not appropriate to introduce features and details that will create a false sense of historic development.

## 3.3 Additions

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### Project Planning Considerations

*Additions* to historic buildings should never compromise the integrity of the structure or its site. Additions that are not incongruous respect the mass, scale and proportion of the primary structure, and do not obscure or destroy distinguishing, character defining architectural features, forms and materials.

Consider site features and view corridors when designing additions. Minimize disturbance to mature vegetation. Limit the footprint of additions to maintain private open spaces, particularly in Tertiary AVCs. Contemporary interpretation of historic style and details is encouraged to differentiate additions from the original building. However, replication of historic style and details is often appropriate for work confined to a limited area.

### Guidelines for Additions

- 3.3.1 Locate additions in a Secondary or Tertiary AVC to minimize the impact on primary, character defining elevations. Limit the footprint of additions to maintain private open spaces.
- 3.3.2 Use roof forms and pitches that are similar to those found on the primary structure. Delineate the addition from the plane of the primary structure by creating slight offsets and corners.

### 3. Design Attributes

- 3.3.3 Incorporate materials and details derived from the primary structure. Extend the architectural hierarchy of the primary structure to the addition. Architectural embellishments and detailing are often simplified on less visible Secondary and Tertiary AVC elevations.

## 3.4 Infill Construction

### Project Planning Considerations

*Infill construction* is the process of constructing a building on an empty parcel. Infill construction eliminates vacant lots and gaps in the urban fabric, and contributes to the architectural evolution of the streetscape.

An infill structure should reflect its time of design. The intent of New Bern Historic District Guidelines is not to impose particular architectural styles, but to guide change that protects and contributes to the character of the historic districts. Evaluate the context and sensitivity of the immediate area, and shape infill construction to positively impact the overall district.

Contemporary materials may be used on infill construction. They are to be appropriately proportioned, used in traditional ways and installed in a traditional manner. Contemporary materials not meeting these requirements should not be extensively used on infill construction.

### Guidelines for Infill Construction

- 3.4.1 Maintain the relationship between building mass and open space that exists on the block or streetscape.
- 3.4.2 The predominant material of an infill building shall visually emulate the palette of materials traditionally found in the historic districts.
- 3.4.3 Use of modern materials is acceptable as a means of continuing the evolution of architecture through time. However, the use of aluminum and vinyl siding, faux brick and stone, stamped concrete and similar imitation materials is not appropriate.
- 3.4.4 Contemporary materials shall be appropriately proportioned, used in traditional ways and installed in a traditional manner.



*Contemporary and traditional materials used on this new house maintain the character of the historic districts.*



*This building is located in the transitional edge between dense fabric and tight weave development patterns. The use of a modern blonde brick and patterned masonry is appropriate for this infill construction.*

## 4. Design Components

### 4.1 Foundations

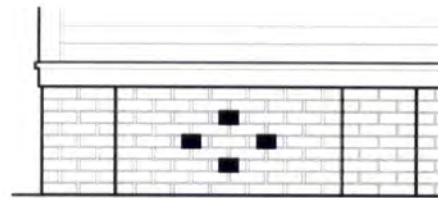
#### Project Planning Considerations

A foundation not only maintains the structural integrity of a building, but the materials, dimensions, features and details also contribute to its character. Foundations for some of New Bern's earliest buildings were constructed of marl or "shell rock," often in combination with brick. Framed buildings in New Bern were typically constructed on wood sills elevated by brick piers. Areas between piers were either left open or enclosed with wooden lattice. Brick panels were also commonly added between piers. These masonry infilled sections were generally recessed behind the face of the brick pier, visually delineating structural members from nonstructural members.

Decorative metal vents or pierced brick lattice were frequently built into foundation walls to provide crawl space ventilation. Masonry and stone foundation walls generally were not painted, although some received a pargeting of stucco that was painted.

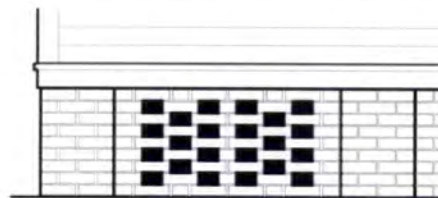


*An example of a marl and brick foundation.*

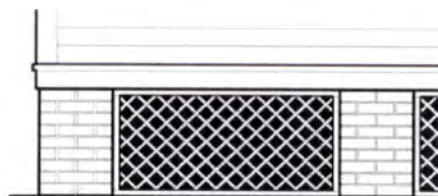


**SOLID MASONRY**

(DECORATIVE VENT HOLES, OR MANUFACTURED VENT ACCEPTABLE)



**BRICK LATTICE**



**WOOD LATTICE**

**INFILL BETWEEN FNDN. PIERS**



*An example of brick lattice.*

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## 4. Design Components

Brick foundations are often delineated with a rowlock water table course or contrasting brick bond. Various historic foundation treatments were constructed between piers, including solid masonry with vent holes, brick lattice or pierced brick, and brick pier with wood lattice infill.

### Guidelines for Foundations

- 4.1.1 Adhere to Guidelines for retention of historic fabric when altering foundation components.
- 4.1.2 When infilling between brick piers, recess brick curtain walls 1 to 2 inches to visually delineate piers.
- 4.1.3 Use traditional materials when constructing foundations. Concrete block should receive a veneer of stucco, brick or other appropriate masonry material.
- 4.1.4 Locate foundation features such as vents and access doors in areas that will not detract from the architectural character of the building. Coordinate with other architectural features when possible, such as aligning vents and access doors with windows above or centering them between piers.
- 4.1.5 When elevating a structure in flood zones, limit elevation to the minimum height required by ordinance. When elevating a structure that is not in a flood zone, limit elevation to 2 feet above the current height.
- 4.1.6 Minimize the visual impact of tall foundation walls by introducing a combination of landscaping, grading, and terraced retaining walls.

## 4.2 Walls, Trim and Ornamentation

### Project Planning Considerations

Buildings in New Bern's historic districts exhibit a variety of exterior sheathing and masonry materials, trims and ornamentation that chronicle the evolution of architectural styles in the City. Most buildings in the historic districts are of wood frame construction. Masonry construction is more common in the dense fabric development pattern where noncombustible material is used to prevent the spread of fire to adjacent buildings.

Historic structures display a variety of decorative elements that contribute to the visual richness of the architecture. Columns, cornices, doors, windows, sawn work, shingles, balustrades, clapboards, floors and bracketing are elements that collectively define the architectural style.

Trims are the ornamental details that terminate the edges of roof overhangs, the edges of openings, and walls sheathed with wood. Typical trims are window and door casings, and skirt, frieze and corner boards. Trims can incorporate embellishments that convey an architectural style such as cornices with modillion blocks, dentil work, turned porch posts with sawn work brackets and classical columns with turned baluster railing.

In similar ways, masonry is often enhanced by carefully articulating and detailing brick walls. Inset panels with contrasting bond, corbelling, cornices, parapets, sill



*This house displays clapboard, decorative shingles and an abundance of decorative wooden elements that contribute to the character of its fenestration.*

4-2

## New Bern Historic District Guidelines

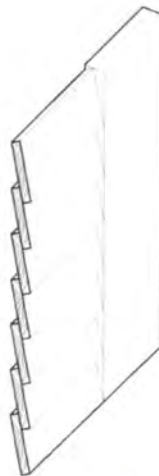
and head articulation, and banding are a few of the many ways that masonry materials are placed in ornamental ways. It is not uncommon to combine wood trim cornices, pediments, columns and balustrades with masonry walls to replicate architectural features more commonly associated with wood siding constructions.



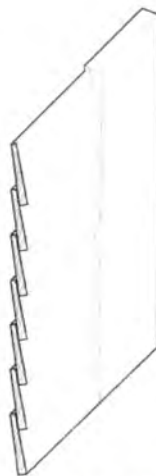
*A bracketed cornice, paneled friezes, ornate window surrounds, and embellished porch are some of the wood elements evident on this house.*



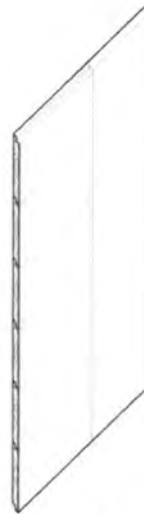
*This house in the Riverside Historic District has a brick masonry veneer at the first floor and wood shingle siding at the second floor.*



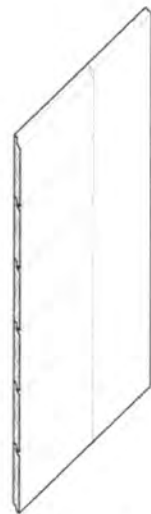
CLAPBOARD  
(SQUARE EDGED)



CLAPBOARD  
(TAPERED OR BEVELED)



FLUSH  
(SHIPLAP JOINT)

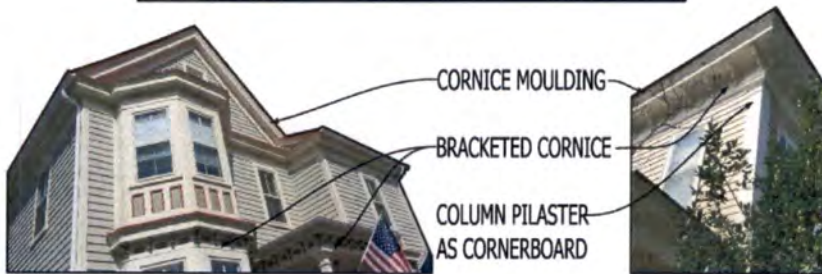


FLUSH  
(GERMAN OR DROP SIDING)

## TYPES OF WOOD SIDING

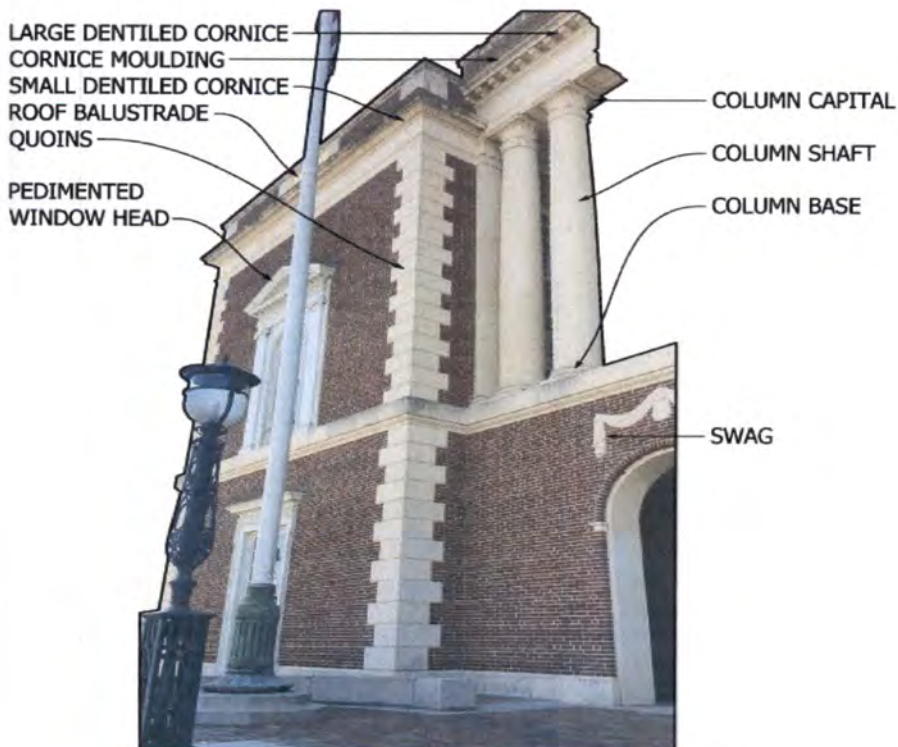
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#### 4. Design Components



### TRIM & ORNAMENTATION

RESIDENTIAL



### TRIM & ORNAMENTATION

NEO-CLASSICAL / COMMERCIAL



## New Bern Historic District Guidelines

The majority of New Bern's architectural resources were "modernized" in the late 19<sup>th</sup> century by updating walls, trim and ornamentation to conform to the prevailing architectural taste of the time.

### Guidelines for Walls, Trim and Ornamentation

- 4.2.1 Adhere to Guidelines for retention of historic fabric when altering wall components.
- 4.2.2 It is not appropriate to introduce trim or ornamentation to a contributing structure without documentary evidence that such elements historically existed.
- 4.2.3 It is not appropriate to cover wood siding, trim and ornamentation with a contemporary material on a contributing structure.
- 4.2.4 Incorporate wood trims and articulate masonry appropriately for the application.
- 4.2.5 Primary structures are generally more ornate and detailed. Accessory structures are generally subordinate to the primary structure and have minimal ornamentation, if any, and simplified details.

## 4.3 Windows, Doors and Openings

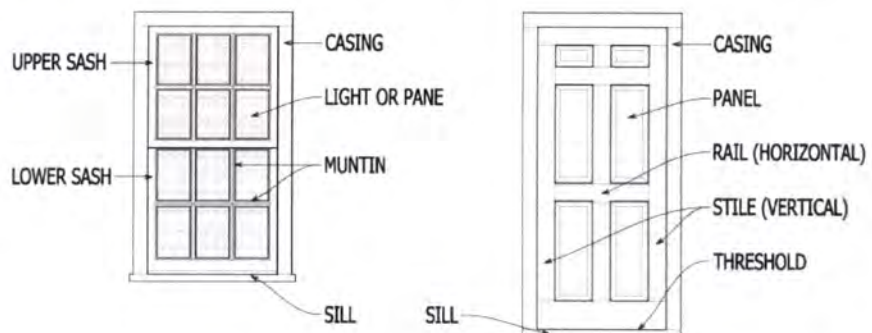
### Project Planning Considerations

Windows and doors influence architectural character through their location, pattern or fenestration, shape, size, proportion and style. They are also functional elements that provide natural light, ventilation and a visual connection between the building interior and the outside world.

Exterior doors in the historic districts exhibit a remarkable amount of diversity. Solid paneled doors and doors with fixed glass upper panels are typical. Detail variations reinforce each building's architectural character through applied ornamentation. For example, there are various raised and flat panel configurations, decorative false wood graining and varnish treatments, ornamental leaded, beveled, etched and opaque glass, any combination of which uniquely identifies a structure.



*An example of a historic wood door that has been appropriately repaired instead of replaced.*



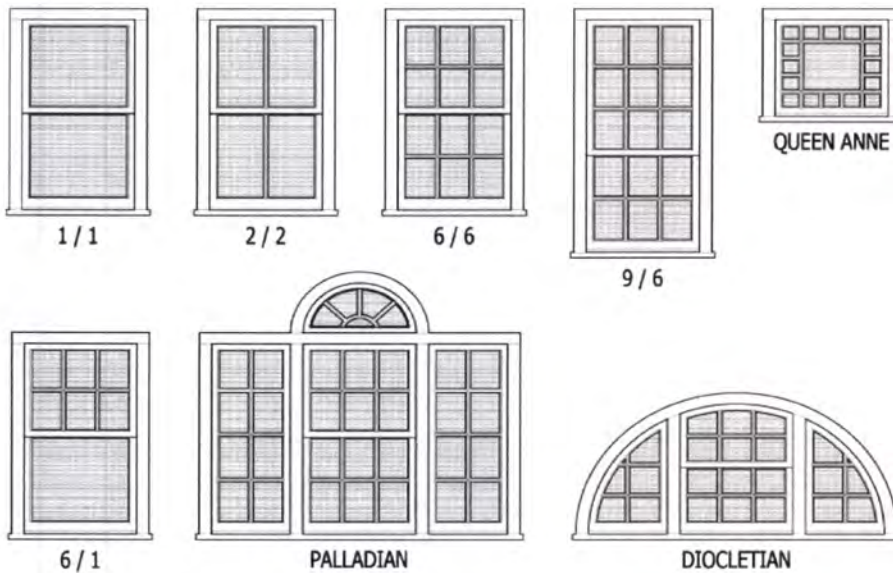
WINDOW TERMS

DOOR TERMS

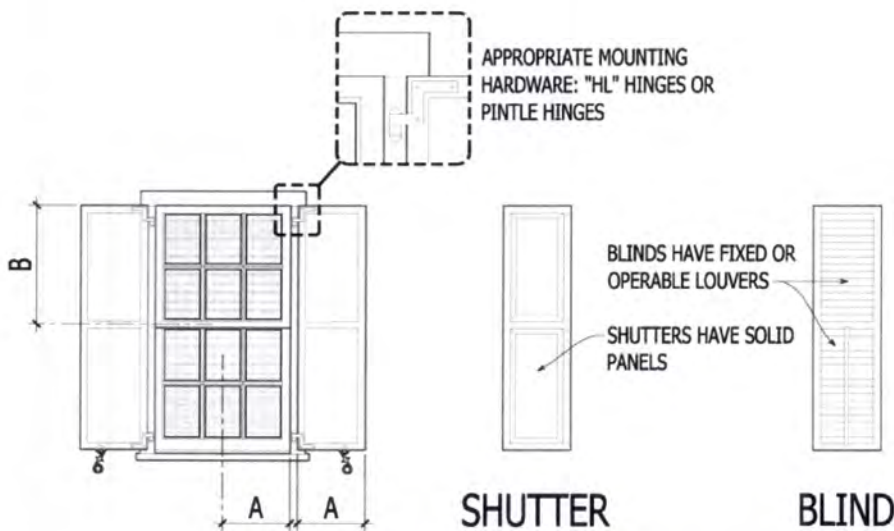
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5

## 4. Design Components

Window styles reflect changes in technology through time and are important indicators of a building's architectural style and age. Most windows in the historic districts are wood with double hung sash. In general, earlier windows are smaller and have more numerous panes of glass in the sash. They were made by hand and often constructed with pegs. By the late 19<sup>th</sup> century, windows were mass-produced and technological advances in glass production allowed larger glass panes to be manufactured. Ornamental leaded and stained-glass windows also became popular by the century's end.



### WINDOW TYPES



### APPROPRIATE PROPORTIONS AND MOUNTING OF SHUTTERS / BLINDS

*An example of a historic wood window with appropriate functional blinds.*



## New Bern Historic District Guidelines

Retain original doors and windows to protect the integrity of historic resources. It is not appropriate to use false window muntins or snap in grills. Glazing should have true divided light muntins, or three-dimensional grilles affixed to both the interior and exterior of the glass. Provide shadow bars between insulated glass panes. It is not appropriate to add window and door openings to contributing structures in the Primary AVC. Openings in Secondary and Tertiary AVCs should not diminish the original design or damage the historic features. Window and door openings shall have a vertical orientation or be square. Shutters and blinds should relate proportionately to window openings. It is not appropriate to install shutters or blinds directly to the wall substrate. Whether operable or fixed, shutters or blinds shall have operable hinge and holdback hardware.

### Guidelines for Windows, Doors and Openings

- 4.3.1 Adhere to Guidelines for retention of historic fabric when altering window, door and opening components.
- 4.3.2 Add window and door openings in Secondary or Tertiary AVCs in locations that do not diminish the original design. In general, openings shall have a vertical orientation or be square.
- 4.3.3 Glazing should have true divided light muntins, or three-dimensional grilles affixed to both the interior and exterior of the glass. Provide shadow bars between insulated glass panes.
- 4.3.4 Relate shutters and blinds proportionately to window openings. Whether operable or fixed, shutters or blinds shall have operable hardware including hinge and holdback hardware.
- 4.3.5 Tinted, opaque, and reflective glazing is not appropriate in historic windows.
- 4.3.6 Install storm windows and storm doors that do not obscure architectural detailing and trim. Proportion storm window sashes to align with window sashes. Proportion storm door stiles and rails to align with door stiles and rails.
- 4.3.7 Install fabric awnings that do not conceal architectural features or damage historic building fabric. It is not appropriate to use metal awnings.

## 4.4 Entrances

### Project Planning Considerations

Exterior entrances and porches are defining features of historic character. Prominent entrances were typically embellished with rich architectural ornamentation and were often “updated” to reflect current architectural tastes. Doors, windows, trims, columns, turned posts, railings and balusters, cornices and steps were frequently detailed in a coordinated way to convey the “style” of a structure. Variations in form and detail create diversity among an otherwise identical grouping of entrances and porches.

Porches are found on most wood framed structures in New Bern’s historic districts, and consist of a roof cover, columns, and floor on a masonry foundation.



*The brick piers and tapered posts are characteristic of the Craftsman Bungalow style of architecture.*



## 4. Design Components

Usually located on the street façade, porches often wrap around two or more corners. Back porches, side porches and sleeping porches are typically found in the historic districts. More rare are balconies, which are constructed at upper floors, and do not have columns or a means of support extended to foundations. Most porches are one story in height, but two story variations can be found on structures constructed between the 1790s and the 1840s. Many of the city's early to mid-19<sup>th</sup> century wood framed buildings have small entrance porches or porticos embellished with classically inspired detailing. During the Victorian period, entrance porticos were often replaced with larger porches. Significant porch and entry changes chronicle the evolution of the structure over time.

Traditional porch framing carries wood floorboards that are butted together or milled with a tongue and groove joint. Floorboard ends are laid perpendicular to the house and projected approximately 1 to 2 inches beyond the skirt board. The projected ends are sometimes rounded or bull nosed to minimize water penetration into the open wood grain. Framing spans are supported by brick piers or a continuous brick foundation, and sloped for drainage.

A variety of column types supported roof structures. Square chamfered posts were used throughout the 18<sup>th</sup> and 19<sup>th</sup> centuries, spanning between the Georgian and Italianate styles. Classical columns and colonettes, most commonly of Doric and Tuscan design, were incorporated into entrance porticos and porches of the Federal, Greek Revival and Colonial Revival periods. Square posts, often with heavy caps and applied or inset panels and trims, were also favored during the Greek Revival and Colonial Revival periods. Turned posts gained widespread use during the Queen Anne period of the late 19<sup>th</sup> and early 20<sup>th</sup> centuries.

Ceilings of porches exhibited a variety of finishes. Many of New Bern's earliest examples had exposed framing without ceilings. Main structural supports were often beaded on the lower edges. Porch ceilings of the early to mid-19<sup>th</sup> century often were finished with plaster, particularly beneath the second floor of double-tiered porches where exposure to rain was limited. Otherwise, individual boards with beaded edges were typically butted together or evenly spaced to create a decorative effect. Later in the century, tongue and groove beaded board became popular and remained so throughout the early 20<sup>th</sup> century.

Use documentary evidence of original configurations to reconstruct entrances and porches that have been insensitively altered or removed. Add architectural ornamentation when there is historical evidence of such features. Where documentary evidence is not available, furnish appropriate design elements that are consistent with the character of the building or its style.

It is not appropriate to enclose or screen porches, entrances or balconies in Primary AVCs. Enclose and screen porches in Secondary and Tertiary AVCs in a manner that preserves historic features. It is inappropriate to use stock entrance doors, porch railings and other ornaments that do not proportionally relate to the building. Modern porch balusters convey a different visual appearance because they are generally taller and thinner. Center balusters between the rails, and space them about 3 inches apart to increase the visual weight. It is not appropriate to replace wooden stairs and flooring with concrete or brick. In addition, it is not appropriate to replace wooden porch supports and railing with

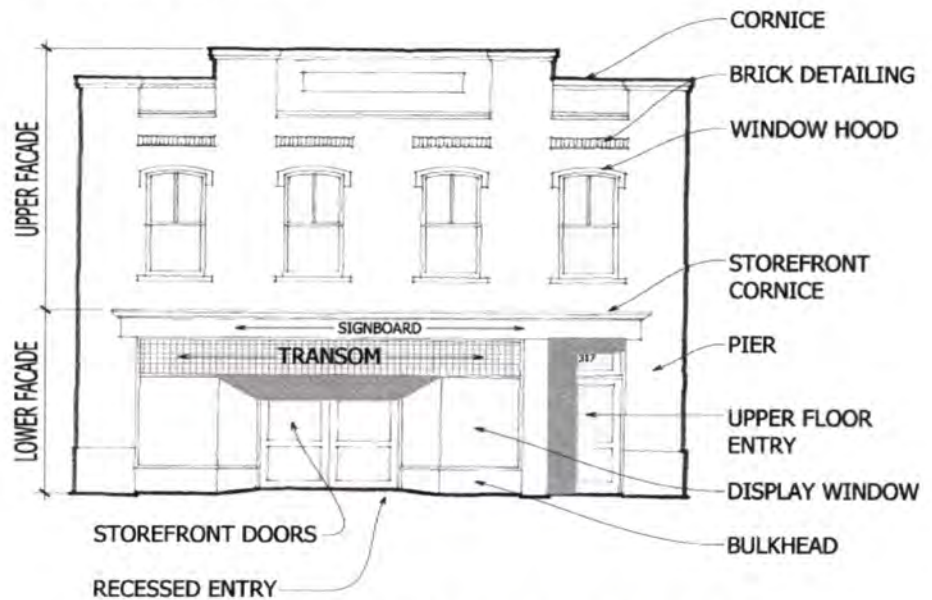


*The door, transom, molded surround, corner blocks, pilasters, columns, entablature, flat roof, and stair combine to compose this fine entrance.*

4-8

## New Bern Historic District Guidelines

iron supports and railing.



## ELEMENTS OF A STOREFRONT FACADE

### Guidelines for Entrances

- 4.4.1 Adhere to Guidelines for retention of historic fabric when altering entrance components.
- 4.4.2 Reconstruct entrances and porches based on documentary evidence of the original configuration. Add architectural ornamentation when there is historical evidence of such features.
- 4.4.3 Recess entrances within the *dense fabric development pattern* where the facade aligns with the front property line. Incorporate traditional facade elements such as storefront cornices, transoms, display windows and bulkheads.
- 4.4.4 Provide porches, entrance doors, railings, and other ornaments that proportionally relate to the building. Appropriate balustrades often convey a heavier visual appearance. Center balusters between the top and bottom rails and space them about three inches apart.
- 4.4.5 Enclose and screen porches in Secondary and Tertiary AVCs in a manner that preserves historic features. Walls and screens should not obscure columns and balustrades.

## 4.5 Roofs

### Project Planning Considerations

New Bern's historic districts reflect a variety of roof forms and features that have evolved over the past three hundred years. Roof form plays a dominant role in defining building character. Massing, pattern, scale, texture, and material

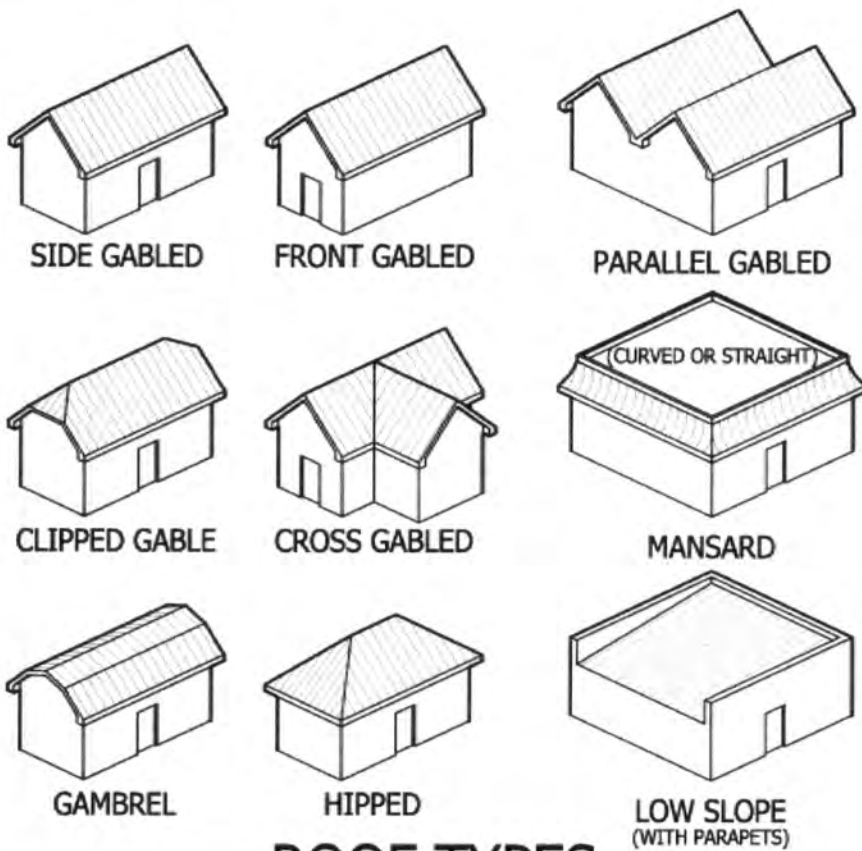


## 4. Design Components

selections further enhance character. Changes in pitch, overhang, and roof line chronicle additions to historic buildings over time.

Wood shingles were the predominant roofing material in New Bern during the 18<sup>th</sup> and 19<sup>th</sup> centuries. In 1922, following the Great Fire in New Bern, standing seam metal became the principal roofing material. This post fire character survives largely intact today.

The gable roof is most common in New Bern's historic districts. Side and front gable examples are abundant, along with more complex cross and multi gable roof varieties. Hipped roofs also appear with frequency in the historic districts, and many are articulated by dormers and lower cross gables. Gambrel roofs, flat roofs, shed roofs, and to a lesser extent, mansard roofs further diversify the types found in New Bern's historic districts.



## ROOF TYPES



FORMATION OF STANDING SEAM IN TRADITIONAL METAL ROOFING (DOUBLE LOCK SEAM)

*Standing seam metal is a common roof material in the historic districts resulting from reduced insurance rates following the Great Fire of 1922.*



## New Bern Historic District Guidelines

**Guidelines for Roofs**

- 4.5.1 Adhere to Guidelines for retention of historic fabric when altering roof components.
- 4.5.2 Alterations to roof forms such as changes in roof pitch, the introduction of dormers, skylights or rooftop ornamentation shall not be undertaken in a Primary AVC.
- 4.5.3 Retain rooftop architectural features such as chimneys, dormers, towers, cupolas, cresting, finials, parapet walls and decorative roof patterns and colors.
- 4.5.4 Standing seam metal roofs shall have a pan width no greater than 24 inches. Pans shall be completely flat without corrugation. Provide double locked seams with flush ridge and hip flashings on contributing structures.
- 4.5.5 It is not appropriate to replace concealed, built in gutter systems with fascia-mounted gutters.
- 4.5.6 Locate rooftop appurtenances such as ventilators, antennae, satellite dishes, mechanical equipment and similar items in a manner that is not visible from the public right of way.
- 4.5.7 In the *narrow stitch* development pattern, provide pitched roofs free of observation platforms above the highest living floor of structures.

**4.6 Decks and Patios****Project Planning Considerations**

Functioning as an outdoor living area in a similar fashion as the traditional porch, decks have become popular gathering areas for a variety of outdoor activities. As with other changes, careful attention must be given to placement in order to avoid compromising historic building integrity and character. Decks, patios, plazas, and pavers are generally constructed at grade, and should be structurally separated from the building to allow removal without damaging historic resources.

Locate decks in Secondary and Tertiary AVCs, and screen the underside with shrubbery, fencing, lattice, or masonry. Deck railings, skirt boards, posts, piers, and screen infill should architecturally relate to the house in a manner similar to a porch. Whenever possible, decks should be close to the ground with minimal presence. Lowering the profile eliminates requirements for handrails and extensive screening.

**Guidelines for Decks and Patios**

- 4.6.1 Adhere to Guidelines for retention of historic fabric when altering deck components.
- 4.6.2 Locate decks in Secondary and Tertiary AVCs, and screen the underside with shrubbery, fencing, lattice, or masonry.
- 4.6.3 Structurally separate decks to allow removal without damaging the historic structure.
- 4.6.4 Construct low profile decks and patios that eliminate requirements for handrails and excessive screening.



*The deck on this house is located in a Secondary AVC screened by shrubbery, and it has a foundation similar to the main structure.*



## 4. Design Components

### 4.7 Accessibility and Life Safety

#### Project Planning Considerations

Meeting contemporary accessibility and life safety standards is one of the greatest design challenges facing historic properties. Balance the preservation of significant features with providing appropriate levels of life safety and accessibility accommodation.

Adaptive reuse of a historic property often requires life safety and accessibility modifications. Building code officials recognize that it is difficult to translate conventional requirements to historic buildings, and apply alternative codes specifically intended for non-conforming buildings. These provisions make historic building adaptive reuse more practical and preserve architectural features.

Design accessibility and life safety solutions that have the least impact on historic resources and character. Locate ramps, lifts, fire stairs, fire doors and similar accommodations in visually unobtrusive areas. Construct modifications to allow removal without causing permanent damage to the historic resource.

#### Guidelines for Accessibility and Life Safety

- 4.7.1 Adhere to Guidelines for retention of historic fabric when altering accessibility and life safety components.
- 4.7.2 Locate ramps, lifts, fire stairs and fire doors in visually unobtrusive areas. Avoid accommodations within a Primary AVC when possible.
- 4.7.3 Make accommodations compatible with the character of the building by replicating balustrade and door opening detailing. Use landscaping to soften the presence of accommodations in a Primary AVC.



*The metal stair railing was added to this porch stair as a safety feature. The use of a simple metal design does not detract from the historic porch and identifies it as a later addition.*



*This wheelchair ramp is a good example of subtly incorporating accessibility at the front of a building when necessary.*



## 5. Materials

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### 5.1 Masonry

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#### Project Planning Considerations

Because of its extreme durability and beauty, some of New Bern's most important buildings are constructed of masonry.

There is a difference between modern bricks and historic bricks. Historic bricks are softer, and more likely to chip and crack when laid with modern mortar. Use softer, lime-based mortar with historic brick.

Masonry materials found in the historic districts include brick, stucco, stone, concrete masonry units, architectural concrete masonry units, slate and terracotta tile.

#### Guidelines for Masonry

- 5.1.1 Adhere to Guidelines for retention of historic fabric when altering masonry materials.
- 5.1.2 Match the masonry bond, or pattern, of masonry materials found in adjoining work. In general, new material should be the same size, color, and texture of that existing.
- 5.1.3 The size, color, texture and bond, or pattern, of masonry and mortar creates the intended finished appearance. It is not appropriate to paint masonry that has not been previously painted.
- 5.1.4 Select mortar with appropriate strength properties for masonry units involved. A commonly used mix for softer, historic masonry is one-part portland cement, two parts hydrated lime and nine parts sand.
- 5.1.5 Provide a veneer of brick, stucco, or other appropriate material over concrete masonry units. Architectural concrete masonry units such as rusticated, split face or similar types may be substituted for stone masonry construction.
- 5.1.6 It is not appropriate to use water repellants or sealers on masonry because these treatments often trap moisture and accelerate spalling.

### 5.2 Wood

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#### Project Planning Considerations

Craftsmen have preferred wood because it is easily shaped by carving, sawing, splitting, planing, and turning. Handcrafted architectural features are present on many of the City's earliest buildings. However, technological changes in the mid to late 19<sup>th</sup> century allowed most wooden building components to be mass produced.



## 5. Materials

Pressure treated wood has a tendency to warp and split during the drying process, particularly if not kiln dried. Slow kiln dried, pressure treated wood is less likely to warp and split, and should be used when possible. Slow kiln dried wood products are specially ordered.

Wood is often the medium selected to communicate architectural styles. Eaves, rakes, porches, entrances, siding, trim and ornamentation details are found in the historic districts.

### Guidelines for Wood

- 5.2.1 Adhere to Preservation Guidelines for retention of historic fabric when altering wood materials.
- 5.2.2 Construct wood assemblies similar to that found in adjoining work. In general, new material should be the same dimension and shape of that existing.

## 5.3 Metals

### Project Planning Considerations

New Bern's historic districts contain a variety of elements that are fabricated from architectural metals. Fences, gates, roofs, rooftop appurtenances such as cresting and finials, gutters, downspouts, hardware, railings and cornices are but a few of the elements that are casted, wrought, pressed or rolled using iron, copper, tin, aluminum, steel or bronze. These traditional building materials add a visual and textural richness to the historic districts.

### Guidelines for Metals

- 5.3.1 Adhere to Guidelines for retention of historic fabric when altering metal materials.
- 5.3.2 Use metal fabrications found in adjoining work. In general, new material should be the same dimension, shape, and alloy of that existing.
- 5.3.3 Use full weld iron and steel fabrication techniques. Welds shall be properly dressed, or ground smooth.
- 5.3.4 Provide aluminum fabrications with welded joints or blind, mechanical connections having concealed fasteners.

## 5.4 Paint

### Project Planning Considerations

Preservation of most historic wood and metal surfaces requires a sound paint film to protect against the elements. Water, wind, and ultraviolet light severely weaken wood fibers over time, and contribute to the corrosion of certain metals. In addition to its protective role, coordinated paint colors highlight architectural features and emphasize architectural style.



*An ornamental iron gate and balustrade adds character to the streetscape while identifying the path to the building entrance.*



*The metal cornice and columns on this storefront are unique features that should be preserved.*

5-2

## New Bern Historic District Guidelines

Employ paint analysis techniques, such as microscopic investigation, to determine historic paint schemes and finish techniques. Select harmonious paint colors that accentuate detailing and architectural style. Paint is applied to bare wood in multiple coats, and generally consists of a primer base coating followed by two coats of finish paint.



*The palette of exterior colors accentuates the architectural style of this Italianate house.*

### Guidelines for Paint

- 5.4.1 Adhere to Guidelines for retention of historic fabric when altering painted materials.
- 5.4.2 Select paint and sealant coatings that are harmonious with adjoining work. In general, new material shall be a compatible formulation with the substrate of application.
- 5.4.3 Apply primer coatings to front and back wood surfaces prior to cutting and fitting. Prime end cuts before installation. Apply finish paint coatings to exposed primed surfaces.
- 5.4.4 Consider using opaque stain in lieu of paint on flooring, fencing, and similar wood surfaces exposed to foot traffic or weather.
- 5.4.5 Waterfront wood constructions such as docks and piers may be allowed to naturally weather in lieu of receiving paint coatings.
- 5.4.6 It is not appropriate to apply paint, water repellent or sealant coatings to unpainted surfaces such as masonry, stone, copper, and bronze.
- 5.4.7 Masonry painting may be permitted where severe damage, patching and surface repair has diminished the aesthetic integrity. When warranted, latex paint is a durable and adherent masonry coating to be considered.
- 5.4.8 Remove paint from masonry with a chemical paint remover specifically formulated for this purpose. Test in an inconspicuous location and discontinue use if damage or discoloration occurs.
- 5.4.9 It is not appropriate to paint exterior doors that were historically false grained, stained or varnished. It is not appropriate to leave surfaces such as porch flooring, deck flooring or railings unpainted.

## 5.5 Contemporary Materials

### Project Planning Considerations

A careful balance of material consistency versus material variety helps define a sense of place in the historic districts. While variations in historic materials do exist, they ultimately fall within a palette available to New Bern builders during the previous two centuries. These limitations created a thread of continuity from one cycle of building styles to the next. Today, many materials are available from beyond our region, and manufacturing processes enable the creation of contemporary materials that threaten to break the thread of continuity that unifies the historic districts.

Contemporary materials shall be similar to their counterparts traditionally found on historic structures. Use of contemporary and nontraditional materials for infill



## 5. Materials

construction is an acceptable means of continuing the evolution of architecture through time, provided they convey appropriate historic characteristics.

### Guidelines for Contemporary Materials

- 5.5.1 In general, contemporary material shall match the dimension, shape and texture of their counterparts commonly found in the historic districts.
- 5.5.2 Use contemporary and nontraditional materials in traditional ways. Apply materials in a traditional manner that conveys the same visual appearance as historic materials.
- 5.5.3 Contemporary and nontraditional materials should convey appropriate historic material characteristics, and will be evaluated on a case-by-case basis for appearance, dimension, texture, color, sheen, visual weight and similar characteristics.
- 5.5.4 Aluminum siding, vinyl siding, masonite siding, artificial brick sheathing, thin set stone veneer, stamped concrete and similar types of contemporary materials that imitate historic materials are not appropriate in the historic districts.
- 5.5.5 Cement board with a smooth finish is acceptable as the predominant siding material for infill construction and non-historic accessory structures.
- 5.5.6 Contemporary materials such as synthetic slate and fiberglass asphalt shingles are acceptable for sloped roofing regardless of building age. Select fiberglass asphalt shingles from a darker color palette. Contemporary membrane and roll roofing are acceptable for low-sloped roofs with a 1 inch per foot pitch or less regardless of building age.
- 5.5.7 Contemporary signage materials such as foam and vinyl lettering are acceptable regardless of building age. Confine these materials within the signage border.



## 6. Preservation

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### 6.1 Maintenance of Materials

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Preserve and retain historic material. Retain chimneys, dormers, towers, cupolas, cresting, finials, stone parapet copings, decorative roofing patterns and similar rooftop appurtenances. Retain entrances, porches, balconies, decorative fenestration, ornamentation and similar design components. Retain lintels, sills, trim, shutters, decorative molding and similar design components. Retain doors, windows and balustrades, and maintain their locations in Primary AVCs. It is not appropriate to replicate or replace historic windows and doors for the sole purpose of improved thermal performance.

When maintenance and repair are warranted, preserve and retain character defining architectural elements and historic detailing. Preference shall be given to repairing historic material versus replacing historic material. Repair historic design components by using patching, consolidating, reinforcing and splicing methods that incorporate matching, salvaged historic materials when available.

Use surviving components and elements as templates for reconstructing and replicating missing design components and elements. Where no such elements exist, rely on research documentation for reconstruction of lost design components and elements. Custom fabricate replicas and reconstructions with the spacing, proportion, dimension, cross section and profile of the template, or in accordance with relevant documentation. Replace individual members in a design component, when required, with custom fabricated, replica members. Replicate design components that are too deteriorated to repair.

#### Guidelines for Masonry Maintenance

- |       |   |
|-------|---|
| 6.1.1 | Retain and preserve the original form, pattern, color and texture of masonry. Maintain masonry features such as decorative vents, grilles, latticework, water tables and banding. |
| 6.1.2 | Clean masonry surfaces with low pressure water washing, and use a mild detergent if residue is stubborn.  |
| 6.1.3 | Avoid using power tools such as saws and routers to remove deteriorated mortar joints. Machine removal often results in brick damage and joint enlargement.                       |
| 6.1.4 | Duplicate the profile and tooling of original mortar joints when repointing.  |

## 6. Preservation

### Guidelines for Wood Maintenance

- 6.1.5 Retain and preserve siding, fenestration, trim and ornamentation. Maintain wood features such as beaded and shaped edges, lathe turned profiles and decorative surfaces that have been milled, joined and routed.
- 6.1.6 Remove paint and other loose material with scrapers, sand paper and similar moderately abrasive hand tools. Remove mold and mildew with low pressure water washing and a mild detergent.
- 6.1.7 Use epoxy to reinforce and rebuild deteriorated wood. When original wood is too damaged to repair, only cut and replace damaged sections.

### Guidelines for Metal Maintenance

- 6.1.8 Retain and preserve metal fabrications, ornamentation and hardware. Maintain metal features such as wrought iron fencing, decorative medallions and hardware for doors, windows and shutters.
- 6.1.9 Clean metal surfaces with wire brushes, sand paper and similar moderately abrasive hand tools to remove rust, paint and other loosely adhered material. Use chemical solvent cleaners only if hand preparation methods prove ineffective.
- 6.1.10 Maintain paint, lacquer and other coatings that protect metals from corrosion and deterioration.

### Guidelines for Paint Maintenance

- 6.1.11 Maintain paint coatings that seal and weatherproof materials exposed to the elements. Routinely reapply paint coatings on steps, porch flooring, siding and roofs.
- 6.1.12 Prepare surfaces to receive coatings by using methods that do not damage or deteriorate the substrate.
- 6.1.13 Consider using flexible coating systems to prolong the life of metal roofing.

## 6.2 Prevention of Demolition by Neglect

Property owners are responsible for maintaining and repairing their property. Regular maintenance and repair protects the structural integrity of a building and keeps it in a safe and usable condition. Unabated deterioration over prolonged periods causes irreversible damage. Allowing a building to deteriorate and fall into disrepair through deferred maintenance is effectively causing demolition by neglect.

The historic districts embody a uniqueness that conveys identity and contributes to sense of place. Preserve buildings by undertaking a program of routine inspections, maintenance and repairs of masonry, metal, wood, paint and similar materials.

## New Bern Historic District Guidelines

Focus routine inspections on the condition of materials. Maintain architectural features. Ensure that roofs are weathertight and free of water infiltration. Periodically examine foundations for firm, solid and stable support, without evidence of active insect infestations. Slope grades to convey water away from foundations. Accessible spaces beneath buildings are to be free of excessive moisture. Keep perimeter walls in good repair, with exterior surfaces serving as an effective barrier against moisture intrusion. Protect interiors from the elements by maintaining the structural integrity of windows, doors and openings.

### Guidelines for Prevention of Demolition by Neglect

- 6.2.1 Perform routine inspections to evaluate the conditions of materials.
- 6.2.2 Preserve historic design components and materials by implementing repairs appropriate for the substrates encountered.
- 6.2.3 Repair historic design components by using patching, consolidating, reinforcing and splicing methods that incorporate matching, salvaged historic materials.
- 6.2.4 Replicate missing and deteriorated design components with custom fabricated members that match the spacing, proportion, dimension, cross section and profile of material being replaced.
- 6.2.5 Materials are to be replaced in kind when maintenance and repairs are warranted. Maintenance and repair of incongruent material is permitted; however, wholesale replacement of incongruent material with the same or another incongruent material is not appropriate.
- 6.2.6 Boarded windows and doors are not an acceptable maintenance and repair practice. Temporary approval may be given to board windows and doors temporarily until permanent repairs and replacements are implemented; however, boarding shall be painted or sheathed with prefinished sheet metal.

## 6.3 Relocation

Moving a historic structure is considered the alternative of last resort for preventing demolition. It invariably results in a substantial loss of building context and original material. Relocation also distorts the architectural development pattern of the city. If warranted, every effort should be made to move the building intact as a single unit. If this is not possible, move by partial disassembly. If either of these methods is deemed infeasible, complete disassembly and reassembly may be an option. Undertake careful planning to properly support, transport and reassemble relocated buildings.

***Moving a contributing structure without prior approval from the State Historic Preservation Office and the National Park Service will result in automatic delisting of the structure from the National Register of Historic Places.***

## 6. Preservation

### Guidelines for Relocation

- 6.3.1 Preference shall be given to relocating a structure within a historic district.
- 6.3.2 Prepare drawings and photographically document the original site prior to relocating historic resources.
- 6.3.3 Minimize the loss of historic fabric in executing the relocation. Protect against damage caused by shifting load bearing points, vibration and lateral drifting.

## 6.4 Demolition

The success of preservation depends on adaptive reuse of historic resources to meet current needs. If adaptive reuse in a sensible manner is not feasible, owners should consider seeking an alternative property for their purposes. Demolition is an irreversible action resulting in a permanent loss of the integrity and character of historic resources. Preparation of a demolition COA application should include a detailed report on the history of the structure and property from the SHPO.

Demolition cannot be denied for a noncontributing structure. Demolition of a contributing structure requires a two-part COA where demolition is first considered, and if allowed, followed by consideration of the redevelopment plan. Demolition shall not proceed unless both parts of the COA are approved.

If demolition is denied, the property owner is required to maintain the property and its structures to prevent demolition by neglect.

The HPC may deny the demolition of a structure or site if it is currently listed in the National Register of Historic Places.

### Guidelines for Demolition

- 6.4.1 Demolition of a noncontributing structure shall not be denied by the HPC.
- 6.4.2 It is not appropriate to demolish a viable contributing structure in order to create an infill construction opportunity.
- 6.4.3 The HPC reserves the right to postpone demolition until development and building permits are approved for redevelopment plans.
- 6.4.4 Prepare drawings and photographically document the site prior to demolition. Include photographs of interiors, exteriors, architectural elements and context within the streetscape.
- 6.4.5 Notify preservation organizations, and allow for the salvage of design components, architectural features and building materials for reuse.

## New Bern Historic District Guidelines

In rendering a decision on a demolition COA, the HPC should address the following considerations:

**Considerations for Evaluation**

**Consideration 1:** Address the historical, cultural and architectural significance of the structure.

- Is it a contributing structure?
- Is it significant because of its historic use, an event, a person, a builder or an architect?
- Is it the last or the oldest example of a certain building type?

**Consideration 2:** Address the integrity of the structure.

- What are the conditions of foundations, floors, walls, windows, doors and roofs?
- Is it a hazard to public health, safety and welfare?

**Consideration 3:** Address attempted preservation efforts.

- Have options for rehabilitation been explored with preservation organizations?
- Has the applicant been unsuccessful in seeking alternatives to demolition?
- Have alternatives for structure relocation and sale of the property been pursued?

## 6. Preservation

## 7. Definitions and Architectural Terms

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Key definitions and architectural terms are provided to facilitate discussions between the HPC and applicants.

### 7.1 Definitions

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**Adaptive Reuse** – Converting a building from the use for which it was designed to another use. For example, changing a house to accommodate an office.

**Aggrieved Party** – Someone, or some entity, that 1) owns an interest in the property affected by the decision and 2) the property involved is specially affected by the decision to an extent different from other property owners in the community. Aggrieved parties may include the applicant for a COA, an owner of a neighboring property that is nearby the property for which the COA is sought, or the city through its staff. (Definition from the University of North Carolina Institute of Government)

**Applicant** – An individual who submits a COA application. This can be a property owner or their designated representative. For example, a contractor could represent the property owner.

**Area of Visual Concern (AVC)** – See Section 1.5.

**Articulation** – The manner or method of jointing parts such that each part is clear and distinct in relation to the others.

**Benchmark** – An established point from which all vertical dimensions are measured.

**Certificate of Appropriateness (COA)** - A document awarded by a preservation commission or architectural review board allowing an applicant to proceed with proposed alteration, demolition or construction in a designated historic area or site, following a determination of the proposal's suitability according to applicable criteria.

**COA Hearing** – See Section 1.6.

**Certified Historic Structure** – For the purpose of the federal preservation tax incentives, any structure subject to depreciation as defined by the Internal Revenue Service Code that is listed individually on the National Register of Historic Places or located in a registered historic district and certified by the Secretary of the Interior as being of historic significance to the district.

**Certified Rehabilitation** – Any rehabilitation of a certified historic structure that the Secretary of the Interior has determined is consistent with the historical character of the property or the district in which the property is located.

## 7. Definitions and Architectural Terms

**Certified Local Government Program** – In 1980, Congress amended the National Historic Preservation Act of 1966 to require each state to establish a procedure by which local governments may be certified to participate in the national framework of historic preservation programs. This requirement has become the "Certified Local Government (CLG) Program" in which many North Carolina counties and cities participate.

**Context** – Those elements of the man-made and natural landscape that collectively define the character of a building, site or district.

**Contributing Structure** – See Section 1.5.

**Cultural Resource** – A building, structure, district, site, object or document that is of significance in American history, architecture, archeology or culture.

**Demolition by Neglect** – The destruction of a building through abandonment or lack of maintenance.

**Design Guidelines** – Criteria developed by preservation commissions and architectural review boards to identify design concerns and to help property owners undertake rehabilitation and construction that respects the character of designated buildings or districts.

**Design Review** – The process of ascertaining whether modifications to historic and other structures, settings and districts meets standards of appropriateness established by a governing or advisory review board.

**Details** – See Section 3.1.

**Fabric** – The physical material of a building, structure or city connoting an interweaving of component parts.

**Form** – See Section 3.1.

**Infill** – See Section 3.4.

**Harmony** – Pleasing agreement of parts in color, size, scale, texture and material.

**Hearing** – See Section 1.6.

**Historic district** – A geographically definable area with a significant concentration of buildings, structures, sites, spaces or objects unified by past events, physical development, design, setting, materials, workmanship, sense of cohesiveness or related historic and aesthetic associations. The significance of a district may be recognized through listing on a local, state or national landmarks register and may be protected legally through enactment of a local historic district ordinance administered by a historic district board or commission.

**Historic Preservation Commission (HPC)** – See Section 1.4.

**Human Scale** – A combination of qualities in architecture or the landscape that

## New Bern Historic District Guidelines

provides an appropriate relationship to human size, enhancing rather than diminishing the importance of people.

**Landmarks Register** – A listing of buildings, districts and objects designated for historical, architectural or other special significance that may carry protection for listed properties.

**Major Works** – See Section 1.6.

**Mass** – See Section 3.1.

**Minor Works** – See Section 1.6.

**Not incongruous** – See Section 1.5.

**Preservation** – Generally, the process of saving old and historic buildings, sites, structures and objects from destruction or deterioration, and providing for their continued use by means of restoration, rehabilitation or adaptive reuse and continued maintenance. The Secretary of Interior's Standards for Rehabilitation define it as "the act or process of applying measures to sustain the existing form, integrity and materials of a historic property. It may include stabilization work, where necessary, as well as ongoing maintenance of the historic building materials."

**Public Hearing** – See Section 1.6.

**Proportion** – See Section 3.1.

**Quasi-judicial Hearing** – See Section 1.6.

**Rehabilitation** – "The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural and cultural values" as defined by the Secretary of Interior's Standards for Rehabilitation.

**Renovation** – Modernization of an old or historic building that may produce inappropriate alteration or eliminate important features and details.

**Restoration** – "The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of removal of latter work or by the replacement of missing earlier work" as defined in the Secretary of the Interior's Standards for Rehabilitation.

**Rhythm** – See Section 3.1.

**Scale** – See Section 3.1.

**Section 106** – The provision of the National Historic Preservation Act of 1966 that requires the head of a federal agency financing or licensing a project to make a determination of the effect of the project or property on or eligible for the

## 7. Definitions and Architectural Terms

National Register of Historic Places. This is the only protection the National Register provides for listed properties.

**State Historic Preservation Office (SHPO)** – See Section 1.8.

**Stabilization** – “The act or process of applying measures designed to establish a weather resistant enclosure and the structural stability of unsafe or deteriorated property while maintaining the essential form as it exists at present,” according to the Secretary of Interior’s Standards for Rehabilitation.

**Standing** – Legal justification to participate in a hearing related to a COA application. This generally includes 1) the property owner or their representative for a COA, and 2) an owner of a neighboring property that may be materially affected by the COA. An association may have standing if 1) they have an existence not solely for the purpose of the COA, 2) their interests are germane to the association’s purpose, and 3) an individual with standing is a member of the association and has asked the association for assistance. Definition from the UNC Institute of Government.

**Tax Incentive** – A tax reduction designed to encourage private investment in historic preservation and rehabilitation projects.

**Texture** – See Section 3.1.

### 7.2 Architectural Terms

**Alkyd Resin Paint** – A common modern paint incorporating alkyd, which is one group of thermoplastic synthetic resins used as a vehicle for the pigment. Alkyd resin paint is often confused with oil paint.

**Aluminum Siding** – Sheets of exterior architectural covering, usually with a colored finish, fabricated of aluminum to approximate the appearance of wooden siding. Aluminum siding was developed in the early 1940s and became increasingly common in the 1950s and the 1960s.

**Amenity** – A building, object, area or landscape feature that makes an aesthetic contribution to the environment rather than one that is purely utilitarian.

**Arbor** – A small structure with vines or other plants trained over latticework on a frame that provides a shady place. A true arbor by definition also includes a bench sheltered underneath for seating. Another structure often referred to as an arbor is a trellis covered gateway, often built above a gate within a larger fence or garden wall.

**Arcade** – A series of arches supported on piers or columns attached to or detached from a wall.

**Arch** – A structure formed of wedge shaped stones, bricks or other objects laid to maintain one another firmly in position. A rounded arch generally represents classical or Romanesque influence whereas a pointed arch denotes Gothic

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influences.

**Architrave** – The lowest part of an entablature, sometimes used by itself as a casing for a window or door.

**Art Deco** – A style of decorative arts and architecture popular in the 1920s and 1930s characterized by use of geometric, angular forms; also referred to as Moderne or Art Moderne.

**Asbestos Siding** – Dense, rigid board containing a high proportion of asbestos fibers bonded with portland cement; resistant to fire, flame, or weathering and having a low resistance to heat flow. It is usually applied as large overlapping shingles. Asbestos siding was readily available in the 1950s.

**Ashlar** – A style of stonework consisting of individual stones that are shaped and tooled to have even faces and square edges.

**Asphalt Shingle** – A shingle manufactured from saturated construction fiberglass felts coated with asphalt and finished with mineral granules on the side exposed to the weather.

**Asphalt Siding** – Siding manufactured from saturated construction felts coated with asphalt and finished with mineral granules on the side exposed to the weather. It sometimes displays designs seeking to imitate brick or stone. Asphalt siding was applied to many buildings in the 1950s.

**Attic Ventilator** – A screened or louvered opening, sometimes in decorative shapes, located in gables or soffits. Victorian styles sometimes feature sheet soffits or metal ventilators mounted on the roof ridge above the attic.

**Awning** – A roof like covering of canvas, often adjustable, over a window, a door, etcetera, to provide protection against the sun, rain and wind. Aluminum awnings were developed in the 1950s.

**Balustrade** – A low barrier formed of balusters, or uprights, supporting a railing.

**Band** or Band Course, Bandmold, Belt – Flat wall trim running horizontally that denotes a division in the wall plane or a change in level.

**Bargeboard** or Vergeboard – A wooden member, usually decorative, suspended from and following the slope of a gable roof. Bargeboards are used on buildings inspired by Gothic forms.

**Bay** – An opening or division along the face of a structure. For example, a wall with a door and two windows is three bays wide. A bay can also be a projection of a room or facade having windows.

**Beltcourse** – A projecting course of bricks or other material forming a narrow horizontal strip across the wall of a building, usually to delineate the line between stories, and also referred to as a string course.

## 7. Definitions and Architectural Terms

**Beveled Glass** – Glass panes whose edges are ground and polished at a slight angle so that patterns are created when panes are set adjacent to one another.

**Board and Batten** – A method of covering exterior walls using vertical boards, with narrow strips of wood or battens used to cover the joints between boards.

**Bond** – The pattern in which bricks are laid.

**Bracket** – A divide, either ornamental, structural, or both, set under a projecting element, such as the eaves of a house.

**Bulkhead** – The panels below the display windows on a commercial storefront.

**Bungalow Style** – An early 20th century architectural style that grew out of the Arts and Crafts movement of the 19th century. Its basic characteristics are long, low profiles; overhanging, bracketed eaves; wide engaged porches with square, squat brick piers supporting wood posts; and informal interior arrangements.

**Buttress** – A vertical mass of masonry projecting from or built against a wall to give additional strength at the point of maximum stress. Sometimes wooden buttresses are added to frame Gothic Revival style buildings as decorative, but not supporting features.

**Capital** – The topmost member, usually decorated or molded, of a column or pilaster.

**Cararra Glass** – Pigmented structural glass developed and popularized in the early 20th century for facing Art Deco and Art Modern-style commercial buildings.

**Casing** – The exposed trim molding, framing or lining around a door or a window. Casings may be either flat or molded.

**Cast Iron** – Iron that has been shaped by being melted and cast in a mold.

**Caulking** – A resilient mastic compound, often having a silicone, bituminous or rubber base; used to seal cracks, fill joints, prevent leakage and provide waterproofing.

**Cementitious Board** – A material composed of cement, sand and cellulose fiber. It was first introduced in the early twentieth century as a substitute for slate. Today cementitious board has a variety of uses including exterior siding and roofing.

**Center-Hall Plan** – A plan in which the hall or passage extends through the center of a house and is flanked by two or more rooms.

**Chalking** – The formation of a powder surface condition from the disintegration of a binder or an elastomer in a paint coating caused by weathering or an otherwise destructive environment.

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**Chamfer** – A beveled edge or corner.

**Chamfered Post** – A square post with the edges of its corners cut away or beveled.

**Checking** – Small cracks in a film of paint or varnish that do not completely penetrate to the previous coat. Crack patterns are roughly similar to a checkerboard.

**Clapboard** or Weatherboard – Horizontal wooden boards that are tapered toward the upper edge and laid to cover a portion of a similar board underneath and to be covered by a similar one above. The exposed face of clapboard is usually less than 6 inches wide. This was common outer facing in the nineteenth and early twentieth century buildings.

**Classical** – Embodying or based on the principles and forms of Greek and Roman architecture.

**Clerestory** – Windows located relatively high in a wall that often form a continuous band. This was a feature of many Gothic cathedrals and was later adapted to many Revival styles.

**Clipped Gable** – The peak of a gable which is truncated for decorative effect; often the roof overhangs the missing peak.

**Colonial Revival Style** – Late 19th and early 20th century style that combines features of Classical and Colonial architecture.

**Colonnade** – A small-scale column, generally employed as a decorative element on mantels, overmantels and porticoes.

**Column** – A vertical shaft or pillar that supports or appears to support a load.

**Common Bond** – A method of laying brick where one course of headers is laid for every three, five or seven courses of stretchers.

**Composition Board** – A building board, usually intended to resemble clapboard, fabricated from wood or paper fabric under pressure and at an elevated temperature, usually with a binder.

**Composite Lumber** – A material composed of a mixture of wood fiber, plastic and a bonding agent. Ingredients are proportioned to form a material that is denser, stronger and heavier than wood lumber.

**Coping** – The cap or the top course of a masonry wall.

**Corbel** – A projection, or building out, from a masonry wall, sometimes to support a load and sometimes for decorative effect.

**Corner Block** – A square piece, either plain or decorated that forms a corner of a window or door surround.

## 7. Definitions and Architectural Terms

**Corner Boards** – Vertical boards nailed on the external corners of frame buildings to provide a method of finishing and joining the ends of the weatherboards.

**Cornice** – Any predominant molded and projecting horizontal member that crowns an architectural composition, such as a storefront or a parapet wall.

**Craftsman Style** – Prevalent in the first few decades of the 20<sup>th</sup> century, this style is usually characterized by a nonsymmetrical façade and front porch with porte cochere to one side. Architectural components typically include exposed roof beams, triangular knee braces at gables and low to moderately sloped roofs. Common exterior finish materials include wood shingles, clapboard and stucco.

**Crenulation** – Alternating indentations and raised sections of a parapet, creating a toothlike profile sometimes known as a battlement. Crenulation is a detail found most commonly in the Gothic Revival style.

**Cresting** – Ornamental ironwork, often highly decorative, used to embellish the ridge of a gable roof or the curb or upper cornice of a mansard roof.

**Crossette** – A lateral projection of the head of the molded architrave or surround of a door, window, mantel or paneled overmantel; also known as an “ear” or “dog-ear”.

**Crown Molding** – The upper molding of a cornice, often serving to cap or crown the vertical facing or fascia of a boxed cornice. Also, the term is frequently given to the molding used to decorate the joints between walls and a ceiling.

**Cupola** – A small structure, usually polygonal, built on top of a roof or tower, mostly for ornamental purposes.

**Deck** – An uncovered porch supported on posts, usually at the rear of a building; popular in modern residential design.

**Dentil** – Small, closely spaced blocks, often toothlike, used as an ornamental element of a classical cornice.

**Dogtrot Plan** – A plan in which two pens with their own chimneys separated by an open center passage.

**Dormer** – A structure containing a window, or windows that project through a pitched roof.

**Doric Order** – A classical order characterized by simple unadorned capitals supporting a frieze of vertically grooved tablets or triglyphs set at intervals.

**Dormer Window** – An upright window, set in a sloping roof, with vertical sides and front, usually with a gable, shed or hiproof.

**Double-Hung Window** – A window with two sashes that open and close by

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sliding up and down in a cased frame.

**Double-Pile House** – A center-hall plan house that is two rooms deep on each side of the hall.

**Double-Shoulder Chimney** – An exterior chimney the sides of which angle inward to form shoulders twice as it ascends from the base to the cap.

**Downspout** – A vertical pipe, often of sheet metal, used to conduct water from a roof drain or gutter to the ground or cistern.

**Dressed** – Descriptive of stone, brick or lumber that has been prepared, shaped or finished by cutting, planing, rubbing or sanding one or more of its faces.

**Eave** – The part of a sloping roof that projects beyond the wall.

**Eclectic or Eclecticism** – A method of design in architecture in which elements from a variety of stylistic sources are selected and combined in new and original ways.

**Elevation** – A drawing showing the vertical elements of a building, either exterior or interior, as a direct projection to a vertical plane.

**Ell** – A secondary wing or extension of a building, often a rear addition, positioned at right angles to the principal mass.

**Eminent Domain** – The power of a government to acquire private property for public benefit after payment of just compensation to the owner.

**Enabling Legislation** – Federal or state laws that authorize governing bodies within their jurisdictions to enact particular measures or delegate powers such as enactment of local landmarks and historic district ordinances, zoning and taxation.

**Engaged Porch** – A porch, the roof of which is continuous structurally with that of the main building roof.

**English Bond** – A method of laying brick wherein one course is laid with stretchers and the next with headers, thus bonding the double thickness of brick together and forming a high strength bond of alternating courses of stretchers and headers.

**Entablature** – The horizontal part of a Classical order of architecture, usually positioned above columns or the frieze; the uppermost element is the cornice.

**Escutcheon** – A protective plate, sometimes decorated, surrounding, the keyhole of a door, a light switch or similar device.

**Etched Glass** – Glass whose surface has been cut away with a strong acid or by abrasive action into a decorative pattern.

**Extended Use** – Any process that increases the useful life of an old building, e.g.

## 7. Definitions and Architectural Terms

adaptive use or continued use.

**Exterior End Chimney** – A chimney located outside the walls of a house, usually against the gable end of a building.

**Facade** – The face or front of a building.

**Fanlight** – A semicircular window, usually above a door or window, with radiating muntins suggesting a fan.

**Fascia** – A flat board with a vertical face that forms the trim along the edge of a flat roof, or along the horizontal, or eave side of a pitched roof. The rain gutter is often mounted on it.

**Fluting** – Shallow, concave grooves running vertically on the shaft of a column, pilaster or other surface.

**Federal Style** – The style of architecture popular in America from the Revolution through the early 19th century, and from about 1800-1840 in North Carolina. The style is characterized by the use of delicate Classical ornament.

**Fenestration** – The arrangement and design of windows on a building.

**Finial** – an ornament, usually turned on a lathe, placed on the apex of an architectural feature such as a gable, turret or pediment.

**Flashing** – A thin impervious material placed in construction to prevent water penetration, to provide water drainage, or both, especially between a roof and a wall.

**Flemish Bond** – A method of laying brick where headers and stretchers alternate in each course and, vertically, headers are placed over stretchers to form a bond and give a distinctive cross pattern.

**Flush Siding** – An exterior wall treatment consisting of closely fitted horizontal boards with joints that are carefully formed to be hidden and flush, giving a very uniform, flat siding appearance.

**Foundation** – The supporting portion of a structure below the first floor construction, or below grade, including footings.

**French Window** – A long window reaching to the floor level and opening in two leaves like a pair of doors.

**Fretwork** – A geometrically meandering strap pattern; a type of ornament consisting of narrow fillet or band that is folded, crossed and interlaced.

**Frieze** – The middle portion of a Classical entablature, located above the architrave and below the cornice. The term is usually used to describe the flat, horizontal board located above the weatherboards of most houses.

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**Gable** – The triangular portion of a wall formed or defined by the two sides of a double sloping roof; often referred to as an “A” roof.

**Galvanize** – To coat steel or iron by immersing it in a bath of molten zinc.

**Gambrel Roof** – A gambrel or gambrel roof is a usually symmetrical two-sided roof with two slopes on each side. The upper slope is positioned at a shallow angle, while the lower slope is steep.

**Gazebo** – A small structure or garden pavilion usually sited to capture a particular view. Gazebos can be freestanding or attached to a garden wall, and they are characterized by a roof and partially open sides. The most popular shape is octagonal or round.

**Georgian Style** – The prevailing style of the eighteenth century in Great Britain and the North American Colonies, so named after George I, George II and George III. It is derived from Classical, Renaissance and Baroque forms.

**German Siding** – Wooden siding with a concave upper edge that fits into a corresponding rabbet in the siding above.

**Gingerbread** – Thin, curvilinear ornamentation produced with machine powered saws.

**Glazed Header** – A brick having a glossy, dark coating ranging in color from gray green to almost black, formed on the outer surface through direct exposure to flame and intense heat during the firing process. In Flemish bond brickwork, this glazed surface is often used for decorative effect by laying the brick so that the glazed ends or headers are exposed to form a pattern in the wall.

**Glue-Chip Glass** – A patterned glass with a surface resembling frost crystals common in turn of the century houses and bungalows.

**Gothic Arch** – A pointed arch commonly used in Gothic Revival architecture especially churches.

**Gothic Revival Style** – The nineteenth-century revival of the forms and ornament of medieval Gothic European architecture, characterized by the use of the pointed arch, buttresses, pinnacles and other Gothic details in a decorative fashion. The style was popular for church architecture in North Carolina well into the 20th Century.

**Greek Revival Style** – The mid-19th century revival of the forms and ornamentation of the architecture of ancient Greece.

**Gutter** – A shallow channel of metal or wood set immediately below or built in along the eaves of a building to catch and carry off rainwater.

**Hall Parlor Plan** – A traditional vernacular plan consisting of two principal rooms: a larger “hall,” often nearly square, and an adjoining smaller “parlor.” In most instances, the hall was entered directly from the outside and had a fireplace

## 7. Definitions and Architectural Terms

centered on the end wall; it was the room where most domestic activities took place. The smaller parlor tended to be used for sleeping.

**Header** – The end of a brick, sometimes glazed.

**Hipped Roof** – A roof that slopes back equally from each side of a building. A hip roof can have a pyramidal form or have a slight ridge.

**House Museum** – A museum whose structure itself is of historical or architectural significance and whose interpretation relates primarily to the building's architecture, furnishings and history.

**Interior End Chimney** – A chimney positioned on the interior side of the gable end of a house.

**Italianate Style** – A revival of elements of Italian Renaissance architecture popular during the mid and late 19th century, characterized by the presence of broad projecting or overhanging cornices supported by ornate sawn brackets. Other features include the use of arched windows and heavy hoodmolds.

**Jamb** – The vertical sides of an opening, usually for a door or a window.

**Jerkin Head Roof** – A roof whose end has been formed into a shape midway between a gable and a hip, resulting in a truncated or “clipped” appearance; sometimes called clipped gable.

**Joist** – One of a series of parallel timbers or beams, usually set on edge, that span a room from wall to wall to support a floor or ceiling; a beam to which floorboards, ceiling boards or plaster laths are nailed.

**Keystone** – The central wedge-shaped stone at the crown of an arch or in the center of a lintel.

**Landscape** – The totality of the built or human influenced habitat experienced at any one place. Dominant features are topography, plant cover, buildings or other structures and their patterns.

**Latex Paint** – A paint having a latex binder, which is an emulsion of finely dispersed particles of natural or synthetic rubber or plastic materials in water.

**Lattice** – A network, often diagonal, of interlocking lath or other thin strips used as screening, especially in the base of a porch.

**Light** – A pane of glass.

**Lintel** – A beam of wood or stone that spans an opening; in masonry construction it frequently supports the masonry above the opening.

**Lunette** – A semicircular opening.

**Mansard Roof** – A four sided double pitch roof characteristic of the Second

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Empire Style.

**Mixed Use** – A variety of authorized activities in an area or a building as distinguished from the isolated uses and planned separatism prescribed by many zoning ordinances.

**Mildew** – A fungus that grows and feeds on paint, cotton and linen fabrics, etcetera, that are exposed to moisture; causes discoloration and decomposition of the surface.

**Modillion** – A horizontal bracket, often in the form of a plain block, ornamenting, or sometimes supporting, the underside of the cornice.

**Molding** – A decorative band having a constant profile or having a pattern in low relief, generally used in cornices or as trim around openings.

**Mortar** – A mixture of portland cement, lime, putty and sand in various proportions used for laying bricks or stones. Until the use of hard portland cement became prevalent, the softer lime clay or lime sand mortars and masonry cement were common.

**Mortise and Tenon** – A joint made by one member having its end cut as a projecting tongue, or tenon, that fits exactly into a groove or hole, or mortise, in the other member. Once joined in this fashion, the two pieces are often secured by a peg.

**Mullion** – A vertical member dividing a window area and forming part of the window frame.

**Muntin** – A molding forming part of the frame of a window sash and holding one edge of a pane.

**Newel Post** – The principal post used to terminate the railing or balustrade of a flight of stairs.

**Neoclassical Style** – A style of architecture popular during the first half of the twentieth century. Elements draw heavily from Greek Revival and early Classical revival.

**Ogee** – A double curve formed by the combination of a convex and concave line, similar to an s-shape.

**Oil Paint** – A paint in which a drying oil, usually linseed oil, is the vehicle for the pigment; rarely used as a house paint since the mid twentieth century when it was commonly replaced by alkyd resin paints.

**Ornamentation** – In architecture, applied embellishment in various styles that is a distinguishing characteristic of buildings, furniture, and household items. Ornamentation often occurs on entablatures, columns, and the tops of buildings and around entryways and windows, especially in the form of moldings.

## 7. Definitions and Architectural Terms

**Palladian Window** – A window design featuring a central arched opening flanked by lower square headed openings separated from them by columns, pilasters, piers or narrow vertical panels.

**Panel** – A portion of a flat surface set off by molding or some other decorative device.

**Parapet** – A low wall along a roof or terrace, used as decoration or protection.

**Patio** – An open, outdoor living space adjacent to a building, usually surfaced with stone, tile or concrete and at ground level.

**Pediment** – A crowning element of porticoes, pavilions, doorways and other architectural features, usually of low triangular form with a cornice extending across its base and carried up the raking sides; sometimes broken in the center as if to accommodate an ornament; sometimes of segmental, elliptical or serpentine form.

**Pen** – A one room structure, the term is typically used when referring to log buildings. Many dwellings erected by the first settlers of the North Carolina piedmont were single pen structures. Many of these dwellings were expanded into two pen houses following the double pen, saddlebag or dogtrot plans.

**Pergola** – A long and narrow, linear structure with pillars to support flat crossbeams and an open latticework that is often covered in vines to shade a walkway. Although sometimes called an arbor, a pergola is a trellis structure over a walkway and may extend from a building, connect buildings or protect an open terrace. Pergolas can also extend from a door to a garden feature, such as a pool.

**Pilaster** – A shallow pier or rectangular column projecting only slightly from or engaged to a wall. Pilasters are usually decorated like columns with a base, shaft and capital.

**Porte Cochere** – A projecting porch that provides protection for vehicles and people entering a building; a common feature of the early 20th century Colonial Revival and Bungalow styles.

**Portico** – A roofed space, open or partly enclosed, often with columns and a pediment that forms the entrance and centerpiece of the facade of a building.

**Portland Cement** – A very hard and strong hydraulic cement made by heating a slurry of clay and limestone in a kiln. Water is the catalyst that activates hardening.

**Primer** – A paint applied as a first coat that serves the function of sealing and filling on wood, plaster and masonry.

**Queen Anne Style** – A popular late 19th century revival of early 18th century English architecture, characterized by irregularity of plan and massing with a variety of textures.

## New Bern Historic District Guidelines

**Quoin** – Ornamental blocks of wood, stone, brick or stucco placed at the corners of a building and projecting slightly from the front of the facade.

**Rafters** – Structural timbers rising from the plate at the top of a wall to the ridge of the roof and supporting the roof covering.

**Raised panels** – A portion of a flat surface, as in the panel of a door or wainscoting that is distinctly set off from the surrounding area by a molding or other device and is raised above the surrounding area.

**Rake** – Trim members that run parallel to a roof slope and form the finish between the wall and a gable roof extension.

**Repointing** – Raking out deteriorated mortar and filling with surface mortar to repair the joint.

**Returns** – Horizontal portions of a cornice that extend part of the way across the gable end of a structure at eave level.

**Roofing Tile** – A tile for roofing, usually of burnt clay; available in many configurations and types, such as plain tiles, single lap tiles and interlocking tiles.

**Rusticated Stone** – Masonry or wood in which each principal face is rough or highly patterned with a tooled margin.

**Saddlebag Plan** – A plan in which two single pen rooms are joined together, separated by a single interior chimney.

**Sandblasting** – An extremely abrasive method of cleaning brick, masonry or wood that involves directing high powered jets of sand against a surface.

**Sanding** – Flattening down, rubbing and smoothing a surface with abrasive paper cloth either by hand or by machine.

**Sash** – The frame, usually of wood, that holds the panes of glass in a window; may be movable or fixed; may slide in a vertical plane or may be pivotal.

**Sawnwork** – Ornamentation in cutout planking, formed with a bandsaw. Popular in the 1880s and the 1890s, this decorative detailing is flat.

**Second Empire Style** – An eclectic style derived from the grand architecture of the French Second Empire of Napoleon III from 1852-1870, popularly used in America from the 1860s to the 1880s, especially for public buildings, and characterized by heavy ornament and high mansard roofs with dormers.

**Segmental Arch** – An arch formed on a segment of a circle or an ellipse.

**Sense of Place** – The sum of the attributes of a locality, neighborhood or property that give it a unique and distinctive character.

## 7. Definitions and Architectural Terms

**Shed Room** – A one story appendage to a larger structure, covered by a simple shed or sloping roof that “leans” against the principal building mass.

**Sheet Metal** – A flat, rolled metal product, rectangular in cross section and form; when used as roofing material, usually terne or zinc-plated.

**Shingle** – A roofing unit of wood, asphalt, slate, tile or other material cut to stock lengths, widths and thicknesses; used as an exterior covering on roofs and applied in a overlapping fashion.

**Shoulder** – The sloping shelf or ledge created on the side of a masonry chimney where the width of the chimney changes.

**Shutters and blinds** – Small solid panels hinged on the exterior of windows, and sometimes doors, to be operable. Blinds are similar, but with wooden louvers.

**Sidelight** – A framed area of fixed glass of one or more panes positioned to either side of a door or window opening.

**Sill** – A heavy horizontal timber positioned at the bottom of a wood framed structure that rests on top of the foundation; also, the horizontal bottom member of a door or window frame.

**Soffit** – The exposed undersurface of any overhead component of a building, such as an arch, balcony, beam, cornice, lintel or vault.

**Spindle Frieze** – A row of lathe turned spindles included as the uppermost decorative feature of a gallery or porch below the cornice; also known as an openwork frieze.

**Street Furniture** – Municipal equipment placed along streets including light fixtures, fire hydrants, police and fire call boxes, signs, benches and kiosks.

**Streetscape** – The distinguishing character of a particular street is created by its width, degree of curvature, paving materials, street furniture, forms of surrounding buildings and the presence of vegetation, especially trees, along the curb or sidewalk.

**Stretcher** – The long face of a brick when laid horizontally.

**String Course** – A projecting course of bricks or other material forming a narrow horizontal strip across the wall of a building, usually to delineate the line between stories, also referred to as a belt course.

**Stucco** – An exterior finish, usually textured, composed of portland cement, lime and sand mixed with water. Older type stucco may be mixed from softer masonry cement rather than portland cement.

**Style** – A type of architecture distinguished by special characteristics of structure and ornament and often related in time; also, a general quality of distinctive character.

## New Bern Historic District Guidelines

**Surround** – The border or casing of a window or door opening, sometimes molded.

**Terneplate** – Sheet metal coated with terne metal, which is an alloy of lead containing up to 20 percent tin.

**Terra Cotta** – A ceramic material, molded decoratively and often glazed, used for facing buildings or as inset ornament.

**Textured Siding** – Wood cut in various flat patterns, such as half rounds or scallops, and applied to portions of facades to create a picturesque or romantic look. This treatment was generally used in Queen Anne style buildings. Surface textures are often found in diamond, scallop, staggered butt or composite patterns.

**Tongue and Groove** – A joinery system in which boards are milled with a tongue on one side and a groove on the other so that they can be tightly joined with a flush surface alignment.

**Townscape** – The relationship of buildings, shapes, spaces and textures that give a town or area its distinctive visual character or image.

**Trabeated** – A method of construction employing posts and lintels; hence, a term used to describe a standard Greek Revival entrance door having a transom and sidelights.

**Tracery** – An ornamental division of an opening, especially a large window, usually made with wood. Tracery is found in buildings of Gothic influence.

**Transom** – A narrow horizontal window unit above a door.

**Turned** – Fashioned on a lathe, as in a baluster, newel or porch post.

**Turret** – A small tower, usually corbelled from a corner.

**Viewshed** – A geographical area that is visible from a location, including surrounding points that are in the line of sight with that location, and excluding points that are beyond the horizon or obstructed by terrain, buildings, trees and similar features.

**Vernacular** – In architecture, as in language, the nonacademic local expressions of a particular region. For example, a vernacular Greek Revival structure may exhibit forms and details that are derived from the principles of formal Classical architecture but are executed by local builders in an individual way that reflects both local or regional needs, tastes, climatic conditions, technology and craftsmanship.

**Victorian** – The general term used to describe the wide variety of eclectic revival styles that were introduced in British and American architecture during the reign of Queen Victoria from 1837-1901.

## 7. Definitions and Architectural Terms

**Vinyl Siding** – Sheets of thermal plastic compound made from chloride or vinyl acetates, as well as some plastics made from styrene and other chemicals, usually fabricated to resemble clapboard.

**Visual Pollution** – Anything that, because of its placement or intrinsic nature, is offensive to the sense of sight, e.g., garbage dumps.

**Vitrolite** – Pigmented structural glass developed and popularized in the early 20th century for facing Art Deco and Art Modern style commercial buildings.

**Water Blasting** – A cleaning method similar to sandblasting except that water is used as the abrasive. As in sandblasting, high-pressure water jets can damage wood and masonry surfaces.

**Water Table** – A belt course differentiating the foundation of a masonry building from its exterior walls.

**Weatherboard** – Wood siding consisting of overlapping horizontal boards usually thicker at one edge than the other.

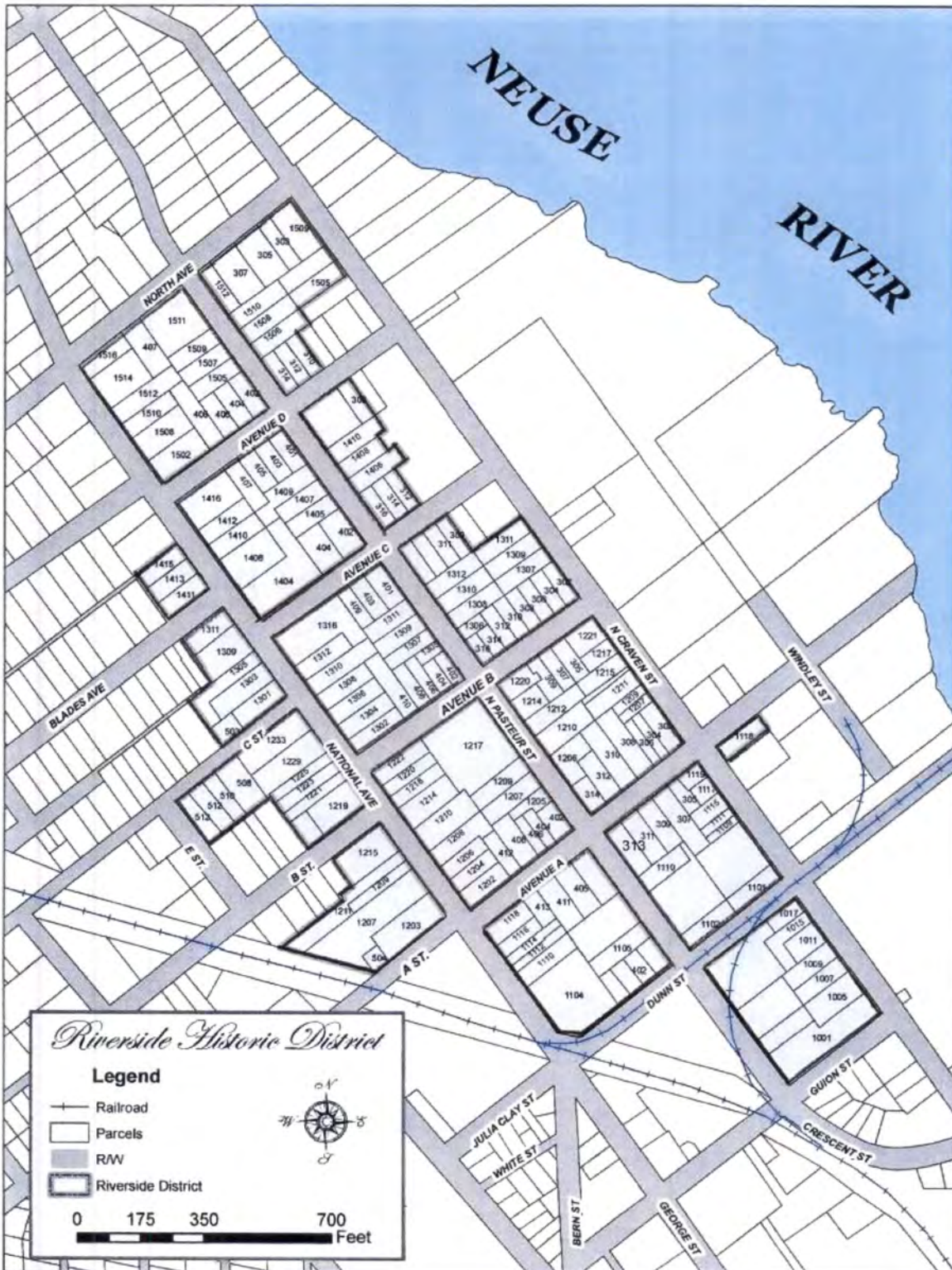
**Wrought Iron** – Iron that is rolled or hammered into shape, never melted. In general, wrought iron is not commercially available and ornamental iron is used in its place.

## 8. Appendices

### 8.1 Downtown Historic District Map



## 8. Appendices

8.2 Riverside Historic District Map

### **8.3 Department of Interior Standards for the Treatment of Historic Properties**

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These standards promote consistent and responsible historic preservation practices for the protection of the country's cultural resources. There are four treatment standards in hierarchical order: Preservation, Rehabilitation, Restoration, and Reconstruction. Contact SHPO or visit their website for additional information on the treatment standards.

#### **Standards for Preservation**

The Standards for Preservation place a high premium on the retention of historic fabric through conservation, maintenance and repair. It reflects a building's continuum over time, through successive occupancies, and the respectful changes and alterations that are made.

1. A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.
2. The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color, and texture.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

## 8. Appendices

### Standards for Rehabilitation

The Standards for Rehabilitation emphasize the retention and repair of historic materials, but more latitude is provided for replacement because it is assumed the property is more deteriorated prior to work. These standards form the foundation of the Commission's design review criteria and the basis for New Bern's historic district guidelines.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new features will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

## New Bern Historic District Guidelines

**Standards for Restoration**

The Standards for Restoration are focused on the retention of materials from a particular time in a property's history, while permitting the removal of materials from other periods.

1. A property will be used as it was historically or be given a new use which reflects the property's restoration period.
2. Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces, and spatial relationships that characterize the period will not be undertaken.
3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
4. Materials, features, spaces, and finishes that characterize other historical periods will be documented prior to their alteration or removal.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.
6. Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.
7. Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.
8. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
9. Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
10. Designs that were never executed historically will not be constructed.

## 8. Appendices

### Standards for Reconstruction

The Standards for Reconstruction establish limited opportunities to recreate a non-surviving site, landscape, building, structure, or object in all new materials.

1. Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture, and such reconstruction is essential to the public understanding of the property.
2. Reconstruction of a landscape, building, structure, or object in its historic location will be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts which are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures will be undertaken.
3. Reconstruction will include measures to preserve any remaining historic materials, features, and spatial relationships.
4. Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the non-surviving historic property in materials, design, color, and texture.
5. A reconstruction will be clearly identified as a contemporary re-creation.
6. Designs that were never executed historically will not be constructed.

## **8.4 Links to Other Resources**

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### **New Bern Land Use Ordinance**

[http://library.municode.com/HTML/11332/level2/PTIICOOR\\_APXALAU.html](http://library.municode.com/HTML/11332/level2/PTIICOOR_APXALAU.html)

### **New Bern Ordinance on Preservation**

[https://www.municode.com/library/nc/new\\_bern/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_APXALAU\\_ARTXXINEBEHIDI](https://www.municode.com/library/nc/new_bern/codes/code_of_ordinances?nodeId=PTIICOOR_APXALAU_ARTXXINEBEHIDI)

### **New Bern Ordinance on Waterfront Overlay Districts**

[https://library.municode.com/HTML/11332/level3/PTIICOOR\\_APXALAU\\_ARTXXIINEBEWAOVDI.html](https://library.municode.com/HTML/11332/level3/PTIICOOR_APXALAU_ARTXXIINEBEWAOVDI.html)

### **New Bern Ordinance on Neighborhood Conservation Overlay Districts**

[https://library.municode.com/HTML/11332/level3/PTIICOOR\\_APXALAU\\_ARTXXVNECOOVDI.html](https://library.municode.com/HTML/11332/level3/PTIICOOR_APXALAU_ARTXXVNECOOVDI.html)

### **New Bern Urban Design Plan**

<http://www.newbern-nc.org/departments/development/ed/plans-projects/>

### **New Bern Historic Preservation Commission Web Site**

<http://www.newbern-nc.org/departments/development/historic-preservation/historic-preservation-commission/>

### **New Bern Historic District Guidelines**

<http://www.newbern-nc.org/departments/development/historic-preservation/historic-preservation-guidelines/>

### **Historic Preservation Commission Policies and Procedures**

<http://www.newbern-nc.org/departments/development/historic-preservation/historic-preservation-procedure/>

### **New Bern Preservation Plan**

<http://www.newbern-nc.org/departments/development/ed/plans-projects/>

### **National Park Service Preservation Briefs**

<http://www.nps.gov/tps/how-to-preserve/briefs.htm>

## 8. Appendices



## DEVELOPMENT SERVICES

June 8, 2021

1

### **Guidelines for Foundations**

4.1.1 Adhere to Guidelines for retention of historic fabric when altering foundation components.

4.1.2 When infilling between brick piers, recess brick curtain walls 1 to 2 inches to visually delineate piers.

4.1.3 Use traditional materials when constructing foundations. Concrete block should receive a veneer of stucco, brick or other appropriate masonry material.

4.1.4 Locate foundation features such as vents and access doors in areas that will not detract from the architectural character of the building. Coordinate with other architectural features when possible, such as aligning vents and access doors with windows above or centering them between piers.

2

*Add new Guidelines 4.1.5 and 4.1.6 as follows:*

4.1.5 When elevating a structure in flood zones, limit elevation to the minimum height required by ordinance. When elevating a structure that is not in a flood zone, limit elevation to 2 feet above the current height.

4.1.6 Minimize the visual impact of tall foundation walls by introducing a combination of landscaping, grading, and terraced retaining walls.

## **AGENDA ITEM COVER SHEET**

### **Agenda Item Title:**

Conduct a Public Hearing and Consider Adopting an: a) Ordinance Amending Section 15-24 of Part II – Planning and Zoning Board of the Land Use Ordinance, b) Ordinance Amending Part IV – Appearance Commission of Article III of Appendix A of the Land Use Ordinance; and c) Ordinance Amending Section 15-419 – Historic Preservation Commission of Article XXI of Appendix A of the Land Use Ordinance.

<b>Date of Meeting:</b> 06/08/2021	<b>Ward # if applicable:</b> N/A
<b>Department:</b> Development Services	<b>Person Submitting Item:</b> Jeff Ruggieri, Director of Development Services
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Date of Public Hearing:</b> 6/8/2021

<b>Explanation of Item:</b>	Conduct a Public Hearing and Consider Adopting an Ordinance for the following Amendments to the Land Use Ordinance: an amendment the provisions of the Land Use Ordinance that govern the size and responsibilities of the Planning and Zoning board, to discontinue the Appearance Commission; and to clarify that Historic Preservation Commission member terms expire on June 30, and new terms commence on July 1.
<b>Actions Needed by Board:</b>	Conduct Public Hearing and Adopt Ordinance
<b>Backup Attached:</b>	Memo, Ordinance

<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Will there be advocates/opponents at the meeting?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

<b>Cost of Agenda Item:</b>
<b>If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

**Additional Notes:**

## MEMORANDUM

TO: Mayor and Board of Aldermen

FROM: Scott Davis, City Attorney

RE: Conduct a Public Hearing and Consider Adopting an:

- a) Ordinance Amending Section 15-24 of Part II – Planning and Zoning Board of the Land Use Ordinance;
- b) Ordinance Amending Part IV – Appearance Commission of Article III of Appendix A of the Land Use Ordinance; and
- c) Ordinance Amending Section 15-419 – Historic Preservation Commission of Article XXI of Appendix A of the Land Use Ordinance.

**I. Planning and Zoning Board**

The Planning and Zoning code sections are being updated consistent with North Carolina General Statute Chapter 160D, as well as eliminating two extraterritorial jurisdiction (EJT) seats, for a total membership of seven (7) seats rather than nine (9).

**II. Appearance Commission**

The purpose of the public hearing is to consider the relevance and continued necessity of the Appearance Commission.

**III. Historic Preservation Commission**

All terms for City boards and commissions expire on June 30 with the exception of the Historic Preservation Commission which expires on May 15. The proposed ordinance establishes a June 30 termination date for each term.

If you have any questions concerning this matter, please call.

**AN ORDINANCE TO AMEND PART II. "PLANNING AND ZONING BOARD" OF ARTICLE III. "ADMINISTRATIVE MECHANISMS" OF APPENDIX A "LAND USE" OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN**

THAT WHEREAS, the Planning and Zoning Board of the City of New Bern unanimously recommends that certain amendments be made to Appendix A "Land Use" of the Code of Ordinances of the City of New Bern, except the amendments to Section 15-24 as they unanimously recommend the number of members remain unchanged; and

WHEREAS, the City's development services staff further recommends approval of said proposed amendments; and

WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to effect said revisions to Part II. "Planning and Zoning Board" of Article III. "Administrative Mechanisms" of Appendix A "Land Use" of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Part II. "Planning and Zoning Board" of Article III. "Administrative Mechanisms" of Appendix A "Land Use" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Part II. "Planning and Zoning Board" in its entirety and inserting in its stead the following:

**"PART II. PLANNING AND ZONING BOARD**

**Section 15-24. Appointment and terms of planning and zoning board members.**

(a) There shall be a planning and zoning board consisting of eight members. Seven members, appointed by the board of aldermen, shall reside within the city. One member, appointed by the Craven County board of commissioners, shall reside within the city's extraterritorial planning area. If the Craven County board fails to make these appointments within 90 days after receiving a resolution from the board of aldermen requesting that they be made, the board of aldermen may make the appointment. Members may be removed by the board of aldermen at any time for failure to attend three consecutive meetings without excuse, or for failure to attend thirty percent (30%) or more of the meetings within any 12-month period or, after a hearing, for other good cause related to performance of duties. All members shall have demonstrated special interest, experience, or education in banking, economics, environmental and land use policy, housing, or industry.

(b) Planning and zoning board members shall be appointed for three-year staggered terms, but members may continue to serve until their successors have been appointed. Initially, Seats 2 and 3 shall serve a term that expires on June 30, 2021, Seats 5, 7 and 8 shall serve a term

that expires on June 30, 2022, and Seats 1, 4 and 6 shall serve a term that expires on June 30, 2022. Vacancies shall be filled for the unexpired terms only.

(c) Membership appointments shall be limited to two successive terms. Members appointed to fill a vacancy for an unexpired term that exceeds eighteen (18) months shall be considered as having served one full term.

(d) All members may participate in and vote on all issues before the board, regardless of whether the issue affects property within the city or within the extraterritorial planning area.

*State law reference = G.S. 160D-301 and G.S. 160D-307.*

#### **Section 15-35. Planning and zoning board officers.**

(a) The planning and zoning board shall elect one of its members to serve as chair who shall preside over the board's meetings and one member to serve as vice-chair. Both the chair and vice-chair shall be residents of the city. The persons so elected shall serve a term of one year or until their terms expire, whichever comes first. The chair may succeed himself or herself.

(b) The chair and vice-chair may take part in all deliberations and vote on all issues.

(c) The zoning administrator, or his or her designee, shall serve as the clerk to the planning and zoning board. The clerk shall not have voting privileges.

#### **Section 15-26. Meetings of the planning and zoning board.**

(a) The planning and zoning board shall establish a regular meeting schedule and shall meet frequently enough so that it can take action in conformity with section 15-65 (Applications to be processed expeditiously).

(b) Since the planning and zoning board has only advisory authority, it need not conduct its meetings strictly in accordance with the quasijudicial procedures set forth in articles IV, V, and VI. However, it shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.

(c) Minutes shall be kept of all planning and zoning board meetings.

(d) All planning and zoning board meetings shall be open to the public and the agenda for each board meeting shall be made available in advance of the meeting.

#### **Section 15-27. Quorum and voting.**

(a) A quorum for the planning and zoning board shall consist of five members who shall be residents of the city. A quorum is necessary for the planning and zoning board to take official action.

(b) All actions of the planning and zoning board shall be taken by majority vote, a quorum being present.

- (c) A roll call vote shall be taken upon the request of any member.

**Section 15-28. Powers and duties of planning and zoning board.**

- (a) The planning and zoning board shall have the following powers and duties:
  - (1) To prepare, review, maintain, monitor, and periodically update and recommend to the board of aldermen a comprehensive plan, and such other plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis.
  - (2) To facilitate and coordinate citizen engagement and participation in the planning process.
  - (3) To develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.
  - (4) To advise the board of aldermen concerning the implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D-604.
  - (5) To exercise any functions in the administration and enforcement of various means for carrying out plans that the governing board may direct.
  - (6) To perform any other related duties that the board of aldermen may direct.
- (b) The planning and zoning board may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this ordinance.
- (c) The planning and zoning board shall approve final plats according to the procedure set out in Section 15-79.

*State law reference – G.S. 160D-301*

**Section 15-29. Advisory committees.**

- (a) From time to time, the board of aldermen may appoint one or more individuals to assist the planning and zoning board in carrying out its responsibilities with respect to a particular subject area. By way of illustration, without limitation, the board of aldermen may appoint advisory committees to consider the thoroughfare plan, revitalization plans, housing plans, economic development plans.
- (b) Members of such advisory committees shall sit as nonvoting members of the planning and zoning board when such issues are being considered and shall lend their talents, energies, and expertise to the planning and zoning board. However, all formal recommendations to the board of aldermen shall be made by the planning and zoning board.

(c) Nothing in this section shall prevent the board of aldermen from establishing independent advisory groups, committees, or commissions to make recommendations on any issue directly to the board of aldermen.

**Sections 15-30. Reserved.”**

SECTION 2. This ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS 8<sup>th</sup> DAY OF JUNE, 2021.

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DANA E. OUTLAW, MAYOR

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BRENDA E. BLANCO, CITY CLERK

**AN ORDINANCE TO AMEND ARTICLE III. “ADMINISTRATIVE MECHANISMS” OF APPENDIX A “LAND USE” OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN**

THAT WHEREAS, the City’s Planning and Zoning Board unanimously recommends that certain amendments be made to Part IV. “Appearance Commission” of Article III. “Administrative Mechanisms” of Appendix A “Land Use” of the Code of Ordinances of the City of New Bern to discontinue the Appearance Commission effective as of July 1, 2021; and

WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to effect said revisions to Part IV. “Appearance Commission” of III. “Administrative Mechanisms” of Appendix A “Land Use” of the Code of Ordinances of the City of New Bern to discontinue the Appearance Commission effective as of July 1, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Part IV. “Appearance Commission” of Article III. “Administrative Mechanisms” of Appendix A “Land Use” of the Code of Ordinance of the City of New Bern be and the same is hereby by deleted.

SECTION 2. This ordinance shall be effective as of July 1, 2021.

ADOPTED THIS 8<sup>th</sup> DAY OF JUNE, 2021.

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DANA E. OUTLAW, MAYOR

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BRENDA E. BLANCO, CITY CLERK

**AN ORDINANCE TO AMEND ARTICLE XXI. "NEW BERN HISTORIC DISTRICT" OF APPENDIX A "LAND USE" OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN**

THAT WHEREAS, the Planning and Zoning Board of the City of New Bern unanimously recommends that certain amendments be made to Appendix A "Land Use" of the Code of Ordinances of the City of New Bern; and

WHEREAS, the City's development services staff further recommends approval of said proposed amendments; and

WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to effect said revisions to Section 15-419. "Historic preservation commission; creation; membership tenure; public body" of Article XXI. "New Bern Historic District" of Appendix A "Land Use" of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Section 15-419. "Historic preservation commission; creation; membership tenure; public body" of Article XXI. "New Bern Historic District" of Appendix A "Land Use" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting subsection (b) in its entirety and inserting in its stead the following:

"...

(b) Members of the commission shall serve staggered terms of three years. Initially, three members shall serve a term of three years, three members shall serve a term of two years, and three members shall serve a term of one year. A member may be reappointed for a second consecutive term, but after two consecutive terms a member shall be ineligible for reappointment until two calendar years have elapsed from the date of the termination of his or her second term. Terms shall expire on June 30, and new terms shall commence on July 1.

...."

SECTION 2. This ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS 8<sup>th</sup> DAY OF JUNE, 2021.

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DANA E. OUTLAW, MAYOR

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BRENDA E. BLANCO, CITY CLERK

**AN ORDINANCE TO AMEND PART II. “PLANNING AND ZONING BOARD” OF ARTICLE III. “ADMINISTRATIVE MECHANISMS” OF APPENDIX A “LAND USE” OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN**

THAT WHEREAS, the Planning and Zoning Board of the City of New Bern recommends that certain amendments be made to Appendix A “Land Use” of the Code of Ordinances of the City of New Bern; and

WHEREAS, the City’s development services staff further recommends approval of said proposed amendments; and

WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to effect said revisions to Part II. “Planning and Zoning Board” of Article III. “Administrative Mechanisms” of Appendix A “Land Use” of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Part II. “Planning and Zoning Board” of Article III. “Administrative Mechanisms” of Appendix A “Land Use” of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Part II. “Planning and Zoning Board” in its entirety and inserting in its stead the following:

**“PART II. PLANNING AND ZONING BOARD**

**Section 15-24. Appointment and terms of planning and zoning board members.**

(a) There shall be a planning and zoning board consisting of ~~ten~~ eight members. Seven members, appointed by the board of aldermen, shall reside within the city. ~~Three members~~ One member, appointed by the Craven County board of commissioners, shall reside within the city’s extraterritorial planning area. If the Craven County board fails to make these appointments within 90 days after receiving a resolution from the board of aldermen requesting that they be made, the board of aldermen may make ~~them~~ appointment. Members may be removed by the board of aldermen at any time for failure to attend three consecutive meetings without excuse, or for failure to attend thirty percent (30%) or more of the meetings within any 12-month period or, after a hearing, for other good cause related to performance of duties. All members shall have demonstrated special interest, experience, or education in banking, economics, environmental and land use policy, housing, or industry.

(b) Planning and zoning board members shall be appointed for three-year staggered terms, but members may continue to serve until their successors have been appointed. ~~Initially, two city residents and one extraterritorial area resident shall be appointed for three-year terms.~~

~~Two city residents and one extraterritorial planning area resident shall be appointed for two-year terms. Three city residents and one extraterritorial area resident shall be appointed for one-year terms. Initially, Seats 2 and 3 shall serve a term that expires on June 30, 2021, Seats 5, 7 and 8 shall serve a term that expires on June 30, 2022, and Seats 1, 4 and 6 shall serve a term that expires on June 30, 2022. Vacancies shall be filled for the unexpired terms only.~~

(c) Membership appointments shall be limited to two successive terms. Members appointed to fill a vacancy for an unexpired term that exceeds eighteen (18) months shall be considered as having served one full term.

(d) ~~All members may participate in and vote on all issues before the board, regardless of whether the issue affects property within the city or within the extraterritorial planning area. The member appointed by the Craven County board of commissioners shall only participate in and vote on matters within the city's extraterritorial planning area.~~

*State law reference – G.S. 160D-301 and G.S. 160D-307.*

#### **Section 15-35. Planning and zoning board officers.**

(a) The planning and zoning board shall elect one of its members to serve as chair who shall preside over the board's meetings and one member to serve as vice-chair. Both the chair and vice-chair shall be residents of the city. The persons so elected shall serve a term of one year or until their terms expire, whichever comes first. The chair may succeed himself or herself.

(b) The chair and vice-chair may take part in all deliberations and vote on all issues.

(c) The zoning administrator, or his or her designee, shall serve as the clerk to the planning and zoning board. The clerk shall not have voting privileges.

#### **Section 15-256. Meetings of the planning and zoning board.**

(a) The planning and zoning board shall establish a regular meeting schedule and shall meet frequently enough so that it can take action in conformity with section 15-65 (Applications to be processed expeditiously).

(b) Since the planning and zoning board has only advisory authority, it need not conduct its meetings strictly in accordance with the quasijudicial procedures set forth in articles IV, V, and VI. However, it shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.

(c) Minutes shall be kept of all planning and zoning board meetings.

(d) All planning and zoning board meetings shall be open to the public and the agenda for each board meeting shall be made available in advance of the meeting.

~~(e) Whenever the planning and zoning board is called upon to make recommendations concerning a special use permit request, amendments to previously approved subdivision plats, or a zoning amendment proposal, the planning staff shall post on or near the subject property one or~~

~~more notices that are sufficiently conspicuous in terms of size, color, location, and content to provide reasonably adequate notice to potentially interested persons of the matter that will appear on the planning and zoning board's agenda at a specified date, time, and place. Such notice(s) shall be posted at least seven calendar days prior to the meeting at which the matter is to be considered.~~

#### **Section 15-267. Quorum and voting.**

(a) A quorum for the planning and zoning board shall consist of ~~six~~ five members who shall be residents of the city. ~~if there are no vacant seats and five members if there are one or two vacant seats.~~ A quorum is necessary for the planning and zoning board to take official action.

(b) All actions of the planning and zoning board shall be taken by majority vote, a quorum being present.

(c) A roll call vote shall be taken upon the request of any member.

#### **Section 15-278. Powers and duties of planning and zoning board.**

(a) The planning and zoning board shall have the following powers and duties:

(1) ~~Make studies and recommend to the board of aldermen plans, goals and objectives relating to the growth, development and redevelopment of the city and the surrounding extraterritorial planning area. To prepare, review, maintain, monitor, and periodically update and recommend to the board of aldermen a comprehensive plan, and such other plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis.~~

(2) ~~Develop and recommend to the board of aldermen policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner. To facilitate and coordinate citizen engagement and participation in the planning process.~~

(3) ~~Make recommendations to the board of aldermen concerning proposed zoning map changes. To develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated an efficient manner.~~

(4) ~~Make recommendations to the board of adjustment concerning proposed special use permits upon request from the board of adjustment. To advise the board of aldermen concerning the implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D-604.~~

(5) ~~To exercise any functions in the administration and enforcement of various means for carrying out plans that the governing board may direct.~~

(6) ~~To perform any other related duties assigned by that~~ the board of aldermen may direct.

(b) The planning and zoning board may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this ordinance.

(c) The planning and zoning board shall approve final plats according to the procedure set out in Section 15-79.

*State law reference – G.S. 160D-301*

**Section 15-289. Advisory committees.**

(a) From time to time, the board of aldermen may appoint one or more individuals to assist the planning and zoning board in carrying out its responsibilities with respect to a particular subject area. By way of illustration, without limitation, the board of aldermen may appoint advisory committees to consider the thoroughfare plan, revitalization plans, housing plans, economic development plans.

(b) Members of such advisory committees shall sit as nonvoting members of the planning and zoning board when such issues are being considered and shall lend their talents, energies, and expertise to the planning and zoning board. However, all formal recommendations to the board of aldermen shall be made by the planning and zoning board.

(c) Nothing in this section shall prevent the board of aldermen from establishing independent advisory groups, committees, or commissions to make recommendations on any issue directly to the board of aldermen.

**Sections 15-30. Reserved.”**

SECTION 2. This ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS \_\_\_\_ DAY OF JUNE 2021.

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DANA E. OUTLAW, MAYOR

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BRENDA E. BLANCO, CITY CLERK

**AN ORDINANCE TO AMEND ARTICLE XXI. "NEW BERN HISTORIC DISTRICT" OF APPENDIX A "LAND USE" OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN**

THAT WHEREAS, the Planning and Zoning Board of the City of New Bern recommends that certain amendments be made to Appendix A "Land Use" of the Code of Ordinances of the City of New Bern; and

WHEREAS, the City's development services staff further recommends approval of said proposed amendments; and

WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to effect said revisions to Section 15-419. "Historic preservation commission; creation; membership tenure; public body" of Article XXI. "New Bern Historic District" of Appendix A "Land Use" of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Section 15-419. "Historic preservation commission; creation; membership tenure; public body" of Article XXI. "New Bern Historic District" of Appendix A "Land Use" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting subsection (b) in its entirety and inserting in its stead the following:

"...

(b) Members of the commission shall serve staggered terms of three years. Initially, three members shall serve a term of three years, three members shall serve a term of two years, and three members shall serve a term of one year. A member may be reappointed for a second consecutive term, but after two consecutive terms a member shall be ineligible for reappointment until two calendar years have elapsed from the date of the termination of his or her second term. Terms shall expire on June 30, and new terms shall commence on July 1.

...."

SECTION 2. This ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS 8<sup>th</sup> DAY OF JUNE, 2021.

---

DANA E. OUTLAW, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

## **AGENDA ITEM COVER SHEET**

### **Agenda Item Title:**

NBAMPO Presentation on Bike Pedestrian Plan

<b>Date of Meeting:</b> June 8, 2021	<b>Ward # if applicable:</b> N/A
<b>Department:</b> Development Services / MPO	<b>Person Submitting Item:</b> Kim Maxey
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b> N/A

<b>Explanation of Item:</b>	The New Bern Area MPO has obtained the services of Alta Planning + Design of Raleigh, to update the City of New Bern Bicycle and Pedestrian Plan. MPO staff would like to provide an overview of the services that will be provided, scope of work to be completed.
<b>Actions Needed by Board:</b>	None
<b>Backup Attached:</b>	Memo, Overview of Scope of Services

**Is item time sensitive?** ☐ Yes ☒ No

**Will there be advocates/opponents at the meeting?** ☐ Yes ☒ No

**Cost of Agenda Item:** None

**If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director?** ☐ Yes ☐ No

**Additional Notes:**



## Transportation Advisory Committee (TAC)

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**John Kirkland**  
Chairman

**Jeffrey Odham**  
Vice-Chairman

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### Memorandum

To: City of New Bern Board of Alderman

From: Kimberly Maxey, New Bern Area MPO Administrator

The New Bern Area Metropolitan Planning Organization has designated funds to update the City of New Bern Bicycle and Pedestrian Plan. The NBAMPO Policy Board unanimously approved the FY 2022 budget in January, allocating \$50,000 to update the previous plan, approved in 2007. Vice-Chair Odham, representing the City of New Bern, indicated the need for better connectivity across the community, identifying areas of infrastructure gaps, and establishing primary, secondary, and tertiary networks.

The NBAMPO has initiated discussions with Alta Planning + Design to provide the services for this update. Previous work with Alta Planning included Bicycle and Pedestrian plans for two other MPO member agencies; River Bend and Bridgeton. Both plans are available on our website, providing a glimpse of the quality of work Alta Planning provides.

There is no match required from the City of New Bern for this plan update. Additional information will be presented to the Board of Alderman as the draft plan is formulated.



## Transportation Advisory Committee (TAC)

**John Kirkland**  
Chairman

**Jeffrey Odham**  
Vice-Chairman

### **City of New Bern Bicycle and Pedestrian Plan Update**

The New Bern Area MPO has contracted with Alta Planning + Design, Durham, to update the City of New Bern Bicycle and Pedestrian Plan.

Goal is to establish primary network, secondary network, and tertiary network.

Total Cost: \$50,000

#### **Timeline:**

July 2021:	Kickoff Meeting
July – September 2021:	Data Collection / Assessment
September 2021 – January 2022:	Draft Comprehensive Plan
Winter 2021:	Public Involvement
January – March 2022:	Client Review / Finalize Plan
March 2022:	Expected completion

#### **Tasks to be Completed:**

1. Data Collection
  - a. Develop base maps (GIS format)
  - b. Existing Conditions
  - c. Infrastructure deficiencies (gaps)
  - d. Needs (connectivity)
  - e. Opportunities / planning efforts
  - f. Programs / policies / procedures for plan preparation
2. Data Assessment
  - a. Review existing plan
  - b. Assess demographics
  - c. Assess destinations
  - d. Review crash data
  - e. Identify gaps
  - f. Assess opportunities and challenges

3. Fieldwork
  - a. Analyze area's roadways, intersections, and land uses
  - b. Photo inventory, map updates, analysis of key corridors and crash locations
  - c. Complete GIS inventory map of bicycle and pedestrian facilities
  - d. Review policies and ordinances (specifically the fee-in-lieu policy)
4. Draft Comprehensive Plan, to include the following components
  - a. Introduction
    - i. Vision
    - ii. Background
    - iii. Goals
    - iv. Benefits
  - b. Existing conditions
    - i. Community overview
    - ii. Demographics
    - iii. Crash mapping
    - iv. Inventory maps
  - c. Recommendations for network
    - i. System plan for primary, secondary, and tertiary network
    - ii. List of projects
    - iii. Facility descriptions
    - iv. Methodology
  - d. Implementation
    - i. Priority projects
    - ii. Phasing plan
    - iii. Action steps
    - iv. Policy/program/funding recommendations
  - e. Policy recommendations
    - i. Fee-in-lieu zoning and implementation
5. Public Involvement
  - a. One public outreach event will be held
  - b. A comment form will be available
  - c. Project information boards will be available
  - d. Draft network maps will be available for markups
  - e. All public input will be summarized and included in final document
6. Client Review / Finalized Plan
  - a. Draft documents presented to City and MPO staff for review/comment
  - b. Comments gathered and incorporated from local stakeholders and public
  - c. Ensure project is consistent with scope of services/goal
  - d. Revisions as needed
  - e. Final document completed

Deliverables:

Digital version of plan

PowerPoint presentation for Board of Alderman

Any new GIS data.

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider Adopting a Resolution to Initiate the Upset Bid Process for 135 Hillmont Road

<b>Date of Meeting:</b> 4/13/2021	<b>Ward # if applicable:</b> 5
<b>Department:</b> City Clerk	<b>Person Submitting Item:</b> Brenda Blanco
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b> N/A

<b>Explanation of Item:</b>	An offer of \$6,750 has been received for the purchase of 135 Hillmont Road. This represents 50% of the tax value.
<b>Actions Needed by Board:</b>	Consider adopting resolution
<b>Backup Attached:</b>	Memo, resolution, offer to purchase, maps and pictures of the property, tax property card, and estimate of proceeds

<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Will there be advocates/opponents at the meeting?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>Cost of Agenda Item:</b>
<b>If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

**Additional Notes:**

**Aldermen**

Sabrina Bengel  
Jameesha Harris  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Jeffrey T. Odham



Dana E. Outlaw  
Mayor  
Foster Hughes  
Interim City Manager  
Brenda E. Blanco  
City Clerk  
Mary M. Hogan  
Director of Finance

**MEMO TO:** Mayor and Board of Aldermen

**FROM:** Brenda Blanco, City Clerk

**DATE:** May 28, 2021

**SUBJECT:** Offer to Purchase 135 Hillmont Road

Sandra Rodgers made an offer to purchase 135 Hillmont Road for \$6,750.00. The tax value of the vacant .380-acre lot is \$13,500, and the offer represents 50% of the value. The property was acquired jointly by the City and County in May 2019 through tax foreclosure. The unpaid taxes at that time were \$6,182.47. If the property is sold for the initial bid, the City is projected to receive \$2,901.42 and the County is projected to receive \$3,848.58 from the proceeds.

Ms. Rodgers has indicated that she has spoken with Development Services regarding the permissible uses of the property.

/beb

## **RESOLUTION**

THAT WHEREAS, the City of New Bern owns certain real property identified as 135 Hillmont Road, Craven County parcel identification number 8-219-008; and

WHEREAS, North Carolina General Statute § 160A-269 permits the City to sell property by upset bid after receipt of an offer for the property; and

WHEREAS, the City has received an offer to purchase the above-described property in the amount of \$6,750.00 submitted by Sandra A. Rodgers; and

WHEREAS, Sandra A. Rodgers has paid the required five percent (5%) deposit on the offer.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. The Board of Aldermen of the City of New Bern authorizes the sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

Section 2. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.

Section 3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within ten (10) days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

Section 4. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Aldermen.

Section 5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

Section 6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check or

certified check. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset bid if a qualifying higher bid is received. If the City accepts the final high bid, the deposit of the final high bidder will be applied to the purchase price at closing.

Section 7. The terms of the final sale are:

(a) The Board of Aldermen must approve the final high offer before the sale is closed, which it may do within thirty (30) days after the final upset bid period has passed; and

(b) The buyer must pay with cash at the time of closing.

Section 8. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted, and the right to reject all bids at any time, specifically including the initial offer.

Section 9. If no qualifying upset bid is received after the initial public notice, and if the offer set forth above has not been subsequently rejected, the offer set forth above is hereby accepted, and the appropriate city officials are authorized to execute the instruments necessary to convey the property to Derek and Natalie Jenette.

ADOPTED THIS 8<sup>TH</sup> DAY OF JUNE, 2021.

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DANA E. OUTLAW, MAYOR

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BRENDA E. BLANCO, CITY CLERK

NORTH CAROLINA

OFFER TO PURCHASE AND CONTRACT

CRAVEN COUNTY

Sandra A. Rodgers, as Buyer, hereby offers to purchase and **CRAVEN COUNTY and the CITY OF NEW BERN**, collectively as Seller, upon acceptance of said offer, agrees to sell and convey, all of that plot, piece or parcel of land described below (hereafter referred to as the "Property"), upon the following terms and conditions:

1. **REAL PROPERTY:** Located in or near the City of New Bern, Craven County, North Carolina, being known as and more particularly described as:

Street Address: 135 Hillmont Rd  
Subdivision Name: 5 John Gardner Sub  
Tax Parcel ID No.: 8-219-008  
Plat Reference: \_\_\_\_\_

Being all of that property more particularly described in Deed Book 3569, Page 0533 in the Craven County Registry.

2. **PURCHASE PRICE:** The purchase price is \$ 6,750. and shall be paid as follows:

(a) \$ 340.00, EARNEST MONEY DEPOSIT with this offer by ☒ cash ☐ bank check ☐ certified check to be held by Seller until the sale is closed, at which time it will be credited to Buyer, or until this contract is otherwise properly terminated. In the event this offer is not accepted, then all earnest monies shall be refunded to Buyer. In the event of breach of this contract by Seller, all earnest monies shall be refunded to Buyer upon Buyer's request. In the event of breach of this contract by Buyer, then all earnest monies shall be forfeited to Seller upon Seller's request, but such forfeiture shall not affect any other remedies available to Seller for such breach.

(b) \$ 6,410., BALANCE of the purchase price in cash or readily available funds at Closing.

3. **CONDITIONS:**

- (a) This contract is not subject to Buyer obtaining financing.
- (b) The Property must be in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tear excepted.
- (c) The Property is being sold subject to all liens and encumbrances of record, if any.
- (d) Other than as provided herein, the Property is being conveyed "as is".
- (e) This contract is subject to the provisions of G.S. §160A-269. Buyer acknowledges that this contract is subject to certain notice provisions and the rights in others to submit upset bids in accordance therewith.
- (f) Title shall be delivered at Closing by QUITCLAIM DEED

4. **SPECIAL ASSESSMENTS:** Seller makes no warranty or representation as to any pending or confirmed governmental special assessments for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, or pending or confirmed owners' association special assessments. Buyer shall take title subject to all pending assessments, if any.

5. **PAYMENT OF TAXES:** Any ad valorem taxes to which the Property is subject shall be paid in their entirety by Buyer.

6. **EXPENSES:** Buyer shall be responsible for all costs with respect to any title search, title insurance, recording of the deed, and its legal fees. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this agreement, and for any excise tax (revenue stamps) required by law.

7. **EVIDENCE OF TITLE:** Not Applicable.

8. **CLOSING:** Closing shall be defined as the date and time of recording of the deed. All parties agree to execute any and all documents and papers necessary in connection with Closing and transfer of title within thirty (30) days of the granting of final approval of the sale by Craven County's Board of Commissioners and the City of New Bern's Board of Aldermen pursuant to G.S. §160A-269. The deed is to be made to Sandra A. Rodgers.

9. **POSSESSION:** Unless otherwise provided herein, possession shall be delivered at Closing.

10. **PROPERTY INSPECTION, APPRAISAL, INVESTIGATION:**

(a) This contract is not subject to inspection, appraisal or investigation, as the Property is being bought "as is." Seller makes no representation as to water, sewer, conditions, title, access, or fitness for any intended use.

(b) **CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION.**

11. **RIGHT OF ENTRY, RESTORATION AND INDEMNITY:** Buyer and Buyer's agents and contractors shall not have the right to enter upon the Property for any purpose without advance written permission of the Seller. If such permission is given, Buyer will indemnify and hold Seller harmless from all loss, damage, claims, suits or costs, which shall arise out of any contract, agreement, or injury to any person or property as a result of any activities of Buyer and Buyer's agents and contractors relating to the Property. This indemnity shall survive this contract and any termination hereof.

12. **OTHER PROVISIONS AND CONDITIONS:** (ITEMIZE ALL ADDENDA TO THIS CONTRACT AND ATTACH HERETO.): None.

Buyer Initials SR Seller Initials \_\_\_\_\_

**13. RISK OF LOSS:** The risk of loss or damage by fire or other casualty prior to Closing shall be upon Seller.

**14. ASSIGNMENTS:** This contract may not be assigned without the written consent of all parties, but if assigned by agreement, then this contract shall be binding on the assignee and the assignee's heirs, successors or assigns (as the case may be).

**15. PARTIES:** This contract shall be binding upon and shall inure to the benefit of the parties, i.e., Buyer and Seller and their heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.

**16. SURVIVAL:** If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.

**17. ENTIRE AGREEMENT:** This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties.

**18. NOTICE AND EXECUTION:** Any notice or communication to be given to a party herein may be given to the party or to such party's agent. This offer shall become a binding contract (the "Effective Date") when signed by both Buyer and Seller and such signing is communicated to the offering party. This contract is executed under seal in signed multiple originals, all of which together constitute one and the same instrument, with a signed original being retained by each party, and the parties adopt the word "SEAL" beside their signatures below.

BUYER:

(If an individual)

Sandra Rodgers (SEAL)  
 Name: Sandra Rodgers  
 Date: 5/25/2021  
 Address: 15116 Neuse Blvd  
New Bern, NC 28500  
 Phone: 561-531-0834

SELLER

CRAVEN COUNTY

By: \_\_\_\_\_ (SEAL)  
 Its: \_\_\_\_\_  
 Date: \_\_\_\_\_

(If a business entity)

By: \_\_\_\_\_ (SEAL)  
 Its: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Phone: \_\_\_\_\_

CITY OF NEW BERN

By: \_\_\_\_\_ (SEAL)  
 Its: \_\_\_\_\_  
 Date: \_\_\_\_\_

Buyer Initials SR Seller Initials \_\_\_\_\_

## Craven County Geographic Information System

Craven County does NOT warrant the information shown on this page and should be used ONLY for tax assessment purposes.

This report was created by Craven County GIS reporting services on 5/26/2021 4:56:54 PM

**Parcel ID :** 8-219 -008  
**Owner :** CRAVEN COUNTY & NEW BERN-CITY OF  
**Mailing Address :** PO BOX 1128 NEW BERN NC 28563  
**Property Address :** 135 HILLMONT RD  
**Description :** 5 JOHN GARDNER SUB  
**Lot Description :**



**Subdivision :**

---

**Assessed Acreage :** 0.379      **Calculated Acreage :** 0.380  
**Deed Reference :** 3569-0533      **Recorded Date :** 5 3 2019  
**Recorded Survey :**  
**Estate Number :**  
**Land Value :** \$13,500      **Tax Exempt :** Yes  
**Improvement Value :** \$0      **# of Improvements :** 0  
**Total Value :** \$13,500  
**City Name :** NEW BERN      **Fire tax District :**  
**Drainage District :**      **Special District :**  
**Land use :** VACANT-RESIDENTIAL TRACT

### Recent Sales Information

SALE DATE	Sellers Name	Buyers Name	Sale Type	Sale Price
5/3/2019	GARDNER, JOHNNIE R & LAURA PADILLA	CRAVEN COUNTY & NEW BERN-CITY OF	MULTI-PARCEL-SALE*	\$19,500

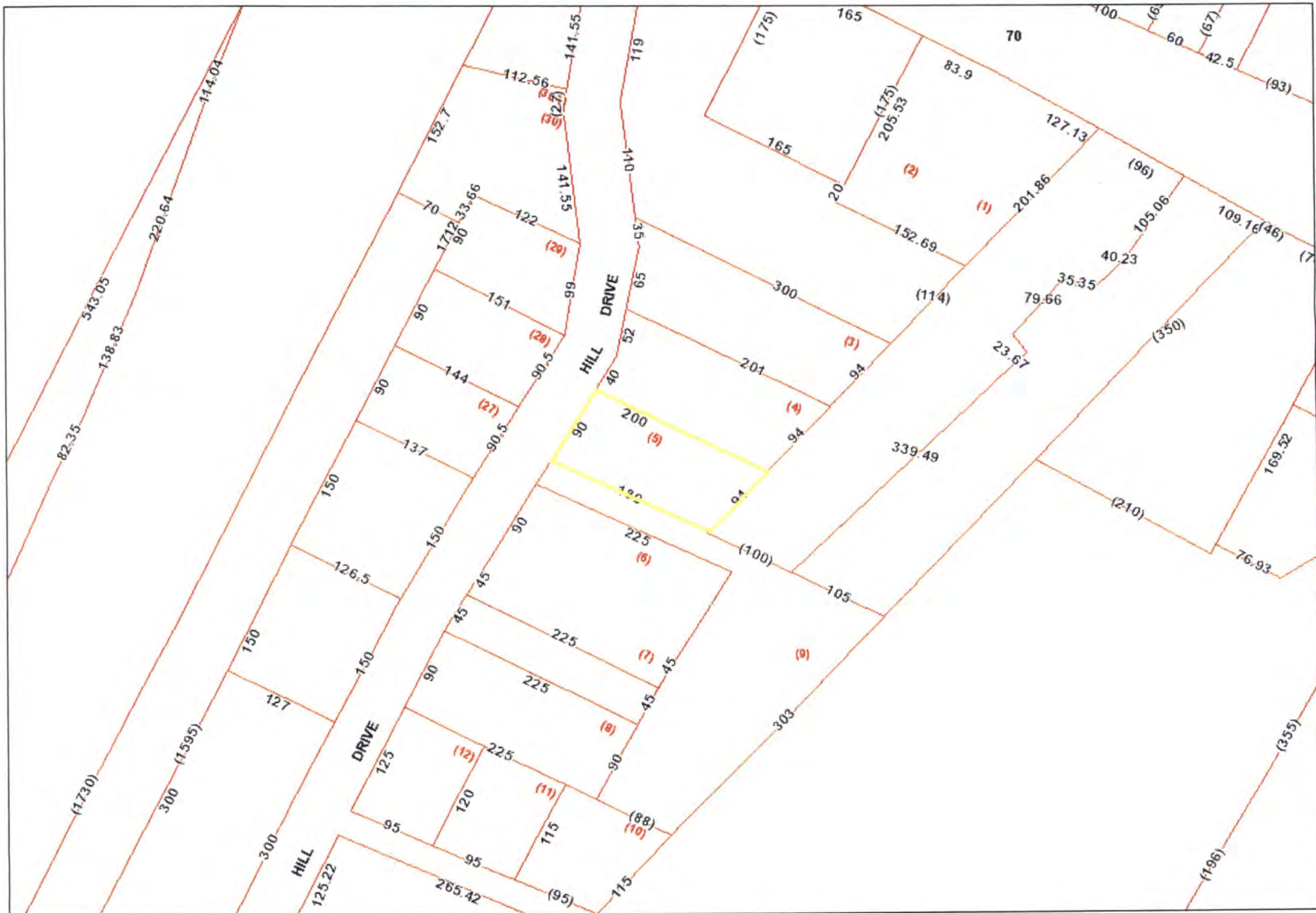
### List of Improvements to Site

No improvements listed for this parcel

# ESTIMATE OF DIVISION OF PROCEEDS

Property: 135 Hillmont Road

Offer Amount			\$	6,750.00
Less: Reimb to City for publication of notice of offer (approx)	\$	205.00		
Balance			\$	6,545.00
County cost reimbursement	\$	1,274.94		
City cost reimbursement	\$	553.42	\$	1,828.36
Remaining Balance			\$	4,716.64
County Taxes at Foreclosure	\$	2,387.81	54.565%	\$ 2,573.64
City Taxes/Priority Liens at Foreclosure	\$	1,988.27	45.435%	\$ 2,143.00
Total Taxes	\$	4,376.08		
County Total	\$	3,848.58		
City Total	\$	2,901.42		



# Craven County GIS PID 8-219-008 135 Hillmont

Craven County does NOT warrant the information shown on this map and should be used ONLY for tax assessment purposes. Printed on May 26, 2021 at 4:57:55 PM

1 inch = 131 feet





135 Hillmont Road

## **AGENDA ITEM COVER SHEET**

### **Agenda Item Title:**

Consider adopting resolution approving lease agreement with Area Day Reporting Program for Youth for the property located at 500 Fort Totten Drive and owned by the City of New Bern.

<b>Date of Meeting:</b> 6/8/2021	<b>Ward # if applicable:</b> 1
<b>Department:</b> Public Works	<b>Person Submitting Item:</b> George Chiles, Interim Director of Public Works
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b> N/A

<b>Explanation of Item:</b>	Consider adopting resolution approving lease agreement with Area Day Reporting Program for Youth for the property located at 500 Fort Totten Drive.
<b>Actions Needed by Board:</b>	Approve resolution.
<b>Backup Attached:</b>	Memo, Letter of Request and Map.

<b>Is item time sensitive?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Will there be advocates/opponents at the meeting?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>Cost of Agenda Item:</b>
<b>If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

**Additional Notes:** N/A



**Public Works Department**  
P.O. Box 1129, 1004 S. Glenburnie Road  
New Bern, N.C. 28563-1129  
Phone: (252) 639-7501  
Fax: (252) 636-1848

May 25, 2021

Memo to: Mayor and Board of Aldermen

From: George Chiles, Interim Director of Public Works

Re: **Consider adopting resolution approving lease agreement with Area Day Reporting Program for Youth for the property located at 500 Fort Totten Drive and owned by the City of New Bern.**

**Background Information:**

The Area Day Reporting Program for Youth has requested renewal of existing lease agreement between the City of New Bern and Area Day Reporting Program for Youth for the property located at 500 Fort Totten Drive. The proposed lease agreement would be effective July 1, 2021, for a period of 12 months (1 year) at a rate of \$1.00 per year.

**Recommendation:**

It is recommended that the Board of Aldermen consider approving the attached lease agreement. If you have any questions concerning this matter, please feel free to contact me directly.

Enclosures

cc: Scott Davis, City Attorney

## **RESOLUTION**

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the Lease Agreement dated June 8, 2021 by and between the City of New Bern and Area Day Reporting Program for Youth, a copy of which is attached hereto and incorporated herein by reference, be and the same is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute the same in duplicate for and on behalf of the City.

ADOPTED THIS 8<sup>TH</sup> DAY OF JUNE 2021.

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DANA E. OUTLAW, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into as of the 8<sup>th</sup> day of June, 2021, by and between the CITY OF NEW BERN ("Lessor"), a North Carolina municipal corporation, and AREA DAY REPORTING PROGRAM FOR YOUTH ("Lessee"), a North Carolina non-profit corporation, collectively referred to as the "Parties."

**WITNESSETH:**

THAT WHEREAS, the Lessor owns the facility located at 500 Fort Totten Drive in the City of New Bern (the "Premises"), said facility being located on real property acquired by the Lessor by deed appearing of record in the office of the Register of Deeds of Craven County in Book 478, at Page 357; and

WHEREAS, the Lessor has agreed that the Lessee may lease the Premises for the purpose of operating a youth program; and

WHEREAS, the Lessor's Board of Aldermen has determined that the Premises will not be needed by the Lessor for the term of the Lease; and

WHEREAS, the Parties have agreed upon the terms of a Lease and wish to reduce their agreement to writing.

NOW, THEREFORE, subject to the terms and conditions hereinafter set forth, said Lessor does hereby let and lease unto said Lessee, and said Lessee does hereby accept as tenant of said Lessor, the Premises.

TO HAVE AND TO HOLD said Premises, together with all privileges and appurtenances thereunto belonging to it, the said Lessee, its successors and assigns, for the term and upon the conditions hereinafter set forth:

1. This term of this Lease shall be for a period of twelve (12) months commencing at 12:01 a.m. on July 1, 2021, and terminating at midnight on June 30, 2022.
2. During the term of this Lease, the Lessee shall be responsible for maintaining and repairing both the interior and exterior of the Premises so that the Lessor will have no obligation whatsoever with respect to the maintenance or repair of the leased Premises during the term of this Lease.
3. The Lessor shall maintain hazard insurance on the improvements located on the Premises, including contents owned by Lessor, in such amount as Lessor may determine in its sole

discretion. Lessor shall also maintain general liability insurance in such amount as it deems necessary to protect the City of New Bern. The Lessee shall pay to the Lessor on or before October 1, 2022, the actual expenses incurred by the Lessor to provide said coverage, both hazard and liability, but no more than the sum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00). In lieu of payment of Lessor's expense in providing general liability insurance in connection with the use of the Subject Property, Lessee may, if it elects to do so, carry its own liability insurance in an amount no less than FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), so long as the City of New Bern is a named insured therein. In such event, the Lessee shall provide the Lessor with a Certificate of Insurance.

4. Should the Premises be damaged or destroyed by fire, the Lessor shall be under no obligation to repair or replace the improvements located on said Premises, and, should it elect not to repair or replace, this Lease shall thereupon terminate, (unless the Lessee shall advise the Lessor, in writing, within thirty (30) days of the date of damage or destruction, that it proposes, at its own expense, to repair or replace the improvements located on said Premises and proceeds to do so within ninety (90) days of the loss.

5. As rental for the said Premises, the Lessee agrees to maintain the Premises, as hereinabove set forth, and to pay the sum of ONE DOLLAR (\$1.00) per annum during the term of this Lease, with payment to be made contemporaneously with the execution of this Lease.

6. The Lessee agrees to utilize the subject facility to foster the purposes of operating a youth program in the City of New Bern.

7. The Lessee shall make no substantial modification of the improvements located on said Premises without the prior written consent of the Lessor.

8. It is expressly agreed that all alterations and additions that are made by Lessee to the Premises during the term of this Lease shall be and become a permanent part of the real estate and, as such, the property of the Lessor. It is agreed, however, that all personal property placed in and about the Premises by the Lessee shall be and remain the property of the Lessee and may be removed by it upon the termination of this Lease. All other improvements shall be considered a part of the real estate.

9. Lessee shall make timely payment of all utility bills presented to Lessee by the City of New Bern.

10. Lessee shall not assign this Lease nor sublet any part of the demised property

without written consent of the Lessor.

11. It is expressly agreed that, if the Lessee shall neglect to make any payment of rent when due or neglect to do and perform any matter or thing herein agreed to be done and performed by it and shall remain in default thereof for a period of thirty (30) days after written notice from the Lessor calling attention to such default, the Lessor may declare this Lease terminated and cancelled and take possession of said Premises without prejudice to any other legal remedy it may have on account of such default. Said notice may be given to the person at such time in charge of said Premises or sent by certified mail to the Lessee at the following address:

Area Day Reporting Program for Youth  
500 Fort Totten Drive  
New Bern, NC 28560

IN TESTIMONY WHEREOF, Lessor has caused this instrument to be executed in its corporate name by its Mayor and its corporate seal to be affixed and attested by its City Clerk, and Lessee has caused this instrument to be executed in its corporate name by its President, all as of the day and year first above written; this Agreement being executed in duplicate originals, one of which is retained by each of the parties.

CITY OF NEW BERN

By: \_\_\_\_\_  
DANA E. OUTLAW, MAYOR

ATTEST:

( S E A L )

\_\_\_\_\_  
BRENDA E. BLANCO, CITY CLERK

AREA DAY REPORTING PROGRAM FOR YOUTH [SEAL]  
*A North Carolina Nonprofit Corporation*

By: \_\_\_\_\_  
President

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, a notary public in and for said county and state, do hereby certify that on the \_\_\_\_\_ day of June, 2021, before me personally appeared DANA E. OUTLAW, with whom I am personally acquainted, who, being by me duly sworn, says that he is the Mayor and that BRENDA E. BLANCO is the City Clerk of the City of New Bern, the municipal corporation described in and which executed the foregoing instrument; that he knows the common seal of said municipal corporation; that the seal affixed to the foregoing instrument is said common seal; that the name of the municipal corporation was subscribed thereto by the said Mayor; that the said common seal was affixed, all by order of the Board of Aldermen of said municipal corporation; and that the said instrument is the act and deed of said municipal corporation.

WITNESS my hand and notarial seal, this \_\_\_\_\_ day of June, 2021.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public in and for said County and State, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that (s)he is President of AREA DAY REPORTING PROGRAM FOR YOUTH, a North Carolina nonprofit corporation, and that (s)he, as President, being duly authorized to do so, voluntarily executed the foregoing instrument on behalf of said corporation for the purposes stated therein.

WITNESS my hand and notarial seal, this \_\_\_\_ day of June 2021.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

## **AGENDA ITEM COVER SHEET**

### **Agenda Item Title:**

Consider adopting resolution approving lease agreement with State Employee's Credit Union for ATM in parking lot located at 302 Craven Street and owned by the City of New Bern.

<b>Date of Meeting:</b> 6/8/2021	<b>Ward # if applicable:</b> 1
<b>Department:</b> Public Works	<b>Person Submitting Item:</b> George Chiles, Interim Director of Public Works
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b> N/A

<b>Explanation of Item:</b>	Consider adopting resolution approving lease agreement with State Employee's Credit Union for ATM in parking lot located at 302 Craven Street (parcel# 8-002-A-220).
<b>Actions Needed by Board:</b>	Approve resolution.
<b>Backup Attached:</b>	Memo

**Is item time sensitive?** ☒Yes ☐No

**Will there be advocates/opponents at the meeting?** ☐Yes ☒No

**Cost of Agenda Item:**

**If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director?** ☐Yes ☐No

**Additional Notes:** N/A



Public Works Department  
P.O. Box 1129, 1004 S. Glenburnie Road  
New Bern, N.C. 28563-1129  
Phone: (252) 639-7501  
Fax: (252) 636-1848

May 25, 2021

Memo to: Mayor and Board of Aldermen

From: George Chiles, Interim Director of Public Works

Re: Consider adopting resolution approving lease agreement with State Employee's Credit Union for ATM in parking lot located at 302 Craven Street and owned by the City of New Bern.

**Background Information:**

The State Employee's Credit Union, a North Carolina non-profit corporation, has requested a renewal of lease agreement between the State Employee's Credit Union and City of New Bern for the ATM that is currently located in the city's parking lot at 302 Craven Street (parcel# 8-002-A-220). The proposed lease agreement would be renewed for a period of twelve (12) months (1 year) effective July 1, 2021, for a sum of \$225.00 per month.

**Recommendation:**

It is recommended that the Board of Aldermen consider approving the attached lease agreement.

Enclosures

## **RESOLUTION**

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the Lease Agreement dated June 8, 2021, by and between the City of New Bern and State Employees Credit Union, a copy of which is attached hereto and incorporated herein by reference, be and the same is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute the same in duplicate for and on behalf of the City.

ADOPTED THIS 8th DAY OF JUNE 2021.

---

DANA E. OUTLAW, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

**STATE OF NORTH CAROLINA**

**COUNTY OF CRAVEN**

**LEASE AGREEMENT**

THIS LEASE AGREEMENT is made and entered into this 8<sup>th</sup> day of June, 2021, by and between the CITY OF NEW BERN ("Lessor"), a North Carolina municipal corporation, and STATE EMPLOYEES' CREDIT UNION ("Lessee"), a North Carolina non-profit corporation.

**WITNESSETH:**

THAT WHEREAS, the Lessor owns the real property located at 302 Craven Street in City of New Bern, said parcel being identified by Craven County Tax Parcel Number 8-002-A-220 ("Subject Property"); and

WHEREAS, Lessee is a North Carolina non-profit corporation which was chartered for the express purpose of operating a credit union; and

WHEREAS, the Lessor has agreed that the Lessee may lease a portion of the Subject Property for the operation of an automated teller machine, subject to the terms and conditions established herein, said portion being more specifically described in Exhibit A (the "Premises"); and

WHEREAS, the Lessor's Board of Aldermen has determined that the Premises will not be needed by the Lessor for the term of the lease; and

WHEREAS, the parties have agreed upon the terms of a one (1) year lease, and wish to reduce their agreement to writing.

NOW, THEREFORE, subject to the terms and conditions hereinafter set forth, said Lessor does hereby let and lease unto said Lessee, and said Lessee does hereby accept as tenant of said Lessor, the Premises.

TO HAVE AND TO HOLD said Premises, together with all privileges and appurtenances thereunto belonging to it, the said Lessee, its successors and assigns, for the term and upon the conditions hereinafter set forth:

1. The term of this Lease shall be for a period of twelve (12) months commencing at 12:01 a.m. on July 1, 2021, and terminating at midnight on June 30, 2022.

2. During the term of this Lease, the Lessee shall be responsible for maintaining the Premises and all fixtures located thereon so that the Lessor will have no obligation whatsoever with respect to the maintenance or repair of the leased Premises during the term of this Lease. Prior to commencing any repairs to the exterior of the Premises, the Lessee shall receive the Lessor's written authorization to proceed with such repairs. All repairs initiated by the Lessee shall be completed to the Lessor's satisfaction. At the expiration of the term of this Lease

Agreement, Lessee shall be responsible for removing all fixtures from the Premises and restoring the Premises to a condition consistent with the parking lot located on the Subject Property.

3. During the term of this Lease Agreement, Lessee shall maintain comprehensive general liability insurance on an occurrence basis with maximum limits of liability in the amount of Three Hundred Thousand Dollars (\$300,000.00) for property damage, bodily injury, personal injury or death to anyone person; Lessee shall also maintain excess liability coverage with a per occurrence limit of One Million Dollars (\$1,000,000.00); and Lessee shall keep the kiosk structure on the Premises together with the equipment in said building insured against loss or damage by fire or other casualties.

4. If the Premises are wholly or partially destroyed by fire or other casualty, rental shall abate in proportion to the loss of use thereof, and Lessee shall, at its own expense, promptly restore the Premises to substantially the same condition as existed before damage or destruction, whereupon full rental shall resume.

5. As rental for the Premises, Lessee shall pay to Lessor, at the address noted below, and without notice or demand therefore, the sum of Two Hundred Twenty-five Dollars (\$225.00) per month during the term of the lease, payable monthly in advance on the first day of each calendar month. Rental payments shall be made to City of New Bern, P.O. Box 1129, New Bern, NC 28563.

6. The Lessee agrees to utilize the Premises exclusively for the operation of an automated teller machine, and in connection thereto, shall comply with all laws, ordinances, orders, or regulations of any lawful authority having jurisdiction over the premises and the use thereof.

7. The Lessee shall make no substantial modification to the exterior of the improvements located on said Premises without the prior written consent of the Lessor.

8. If the whole of the Premises, or such portion thereof as will make the Premises unsuitable for use contemplated hereby, shall be taken under the power of eminent domain (including any conveyance in lieu thereof), then the term hereof shall cease as of the date possession thereof is taken by the condemnor, and rental shall be accounted for as between Lessor and Lessee as of that date.

9. All applications in connection with necessary utility services on the demised premises shall be made in the name of Lessee only, and Lessee shall be solely liable for utility charges as they become due, including those for electricity, gas, water, sewer, and telephone services.

10. Lessee shall not assign this Lease nor sublet any part of the demised property without written consent of the Lessor.

11. It is expressly understood and agreed that if any monthly installment of rent as herein called for shall remain overdue and unpaid for ten (10) days, Lessor may, at its option, at any time during such default, declare this Lease Agreement terminated and canceled and take possession of said Premises, and require the Lessee to remove the structure from the Premises and restore the Premises to their former condition.

12. Lessee shall pay prior to delinquency all taxes and assessments of every kind and nature which may be imposed or assessed upon or with respect to the structure and equipment placed on the Premises by Lessee.

13. Lessee shall be in exclusive control and possession of the Premises, and Lessor shall not be liable for any injury or damages to any property or to any person on or about the Premises nor for any injury or damage to any property of Lessee. Lessee shall defend, indemnify and hold harmless the Lessor from and against any claims, damages, or expenses (including reasonable attorney's fees), whether due to damage to the Premises, claims for injuries to persons or property, or administrative or criminal action by governmental authority, where such claims, damages, or expenses result from the negligence, misconduct or breach of any provision of this Lease Agreement by Lessee, its agents, or employees.

14. If Lessee shall pay the rent and perform and observe all the other covenants and conditions to be performed and observed by it hereunder, Lessee shall at all times during the term hereof have the peaceable and quiet enjoyment of the Premises without interference from Lessor or any person lawfully claiming through Lessor.

15. All notices provided for in this Lease Agreement shall be in writing and shall be deemed to have been given when sent by registered or certified mail addressed to Lessor at:

City of New Bern  
Post Office Box 1129  
New Bern, NC 28563

and to Lessee at:

State Employees' Credit Union  
Post Office Box 26807  
Raleigh, NC 27611

16. This Lease Agreement shall be construed and enforced in accordance with the laws of the State of North Carolina.

17. This Lease Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

18. This Lease contains the complete agreement of the parties regarding the terms and conditions of the lease of the Premises, and there are no oral or written conditions, terms, warranties, understandings or other agreements pertaining thereto which have not been incorporated herein. This Lease Agreement may be modified only by written instrument duly executed by both parties or their respective successors in interest.

19. If any provision of this Lease shall be declared invalid or unenforceable, the remainder of the Lease shall continue in full force and effect.

IN TESTIMONY WHEREOF, the CITY OF NEW BERN has caused this instrument to be executed in its corporate name by its Mayor and its corporate seal to be affixed and attested by its City Clerk, all by authority duly given of its Board of Aldermen; and STATE EMPLOYEES' CREDIT UNION has caused this document to be executed by its Senior Vice President and attested by its Secretary, all by authority duly given by its Board of Directors, all as of the day and year first above written; this Agreement being executed in duplicate originals, one of which is retained by each of the parties.

CITY OF NEW BERN

[SEAL]

By: \_\_\_\_\_  
DANA E. OUTLAW, MAYOR

ATTEST:

\_\_\_\_\_  
BRENDA E. BLANCO, CITY CLERK

STATE EMPLOYEES' CREDIT UNION

[SEAL]

By: \_\_\_\_\_  
SENIOR VICE PRESIDENT

ATTEST:

\_\_\_\_\_  
SECRETARY

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, a notary public in and for said county and state, do hereby certify that on the \_\_\_\_\_ day of June, 2021, before me personally appeared DANA E. OUTLAW with whom I am personally acquainted, who, being by me duly sworn, says that he is the Mayor and that BRENDA E. BLANCO is the City Clerk of the City of New Bern, the municipal corporation described in and which executed the foregoing instrument; that he knows the common seal of said municipal corporation; that the seal affixed to the foregoing instrument is said common seal; that the name of the municipal corporation was subscribed thereto by the said Mayor; that the said common seal was affixed, all by order of the Board of Aldermen of said municipal corporation; and that the said instrument is the act and deed of said municipal corporation.

WITNESS my hand and notarial seal, this \_\_\_\_\_ day of June, 2021.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

This is to certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me personally appeared \_\_\_\_\_ with whom I am personally acquainted, who, being by me duly sworn, says that he/she is Senior Vice President and \_\_\_\_\_ is the Secretary of STATE EMPLOYEES CREDIT UNION, and that the seal affixed to the foregoing instrument is the corporate seal of the said corporation, and that said instrument was signed and sealed by him/her on behalf of the said corporation by its authority duly given, and that said instrument is the act and deed of said corporation.

WITNESS my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public

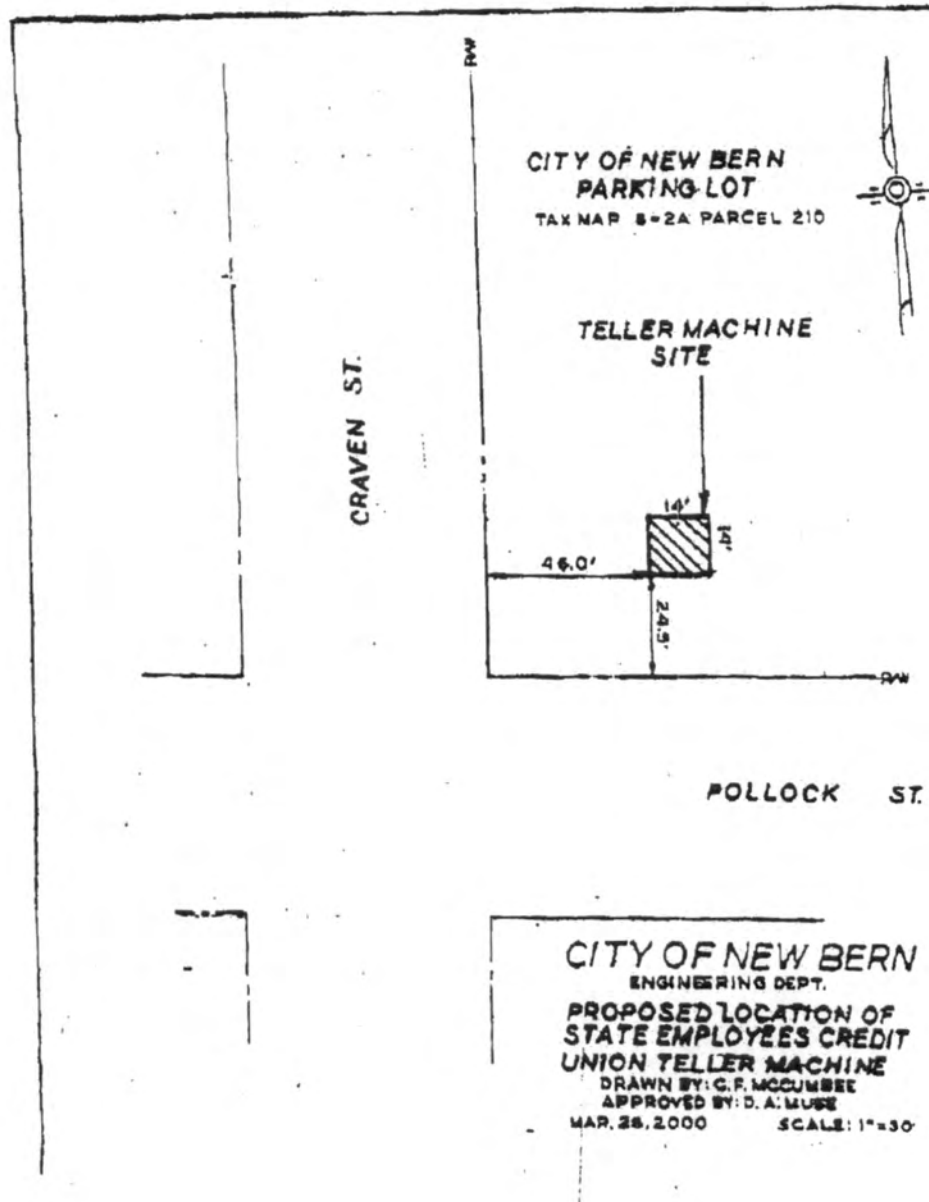
My commission expires:

\_\_\_\_\_

## EXHIBIT A

Commencing at the intersection of the eastern right-of-way line of Craven Street with the northern right-of-way line of Pollock Street; thence in a northerly direction along and with the eastern right-of-way line of Craven Street 24.5 feet; thence in an easterly direction parallel with the northern right-of-way line of Pollock Street 46.0 feet to the point of beginning; thence in a northerly direction parallel with the eastern right-of-way line of Craven Street 14.0 feet; thence in an easterly direction parallel with the northern right-of-way line of Pollock Street 14.0 feet; thence in a southerly direction parallel with the eastern right-of-way line of Craven Street 14.0 feet; thence in a westerly direction parallel with the northern right-of-way line of Pollock Street 14.0 feet to the point of beginning. (See Exhibit B attached hereto.)

EXHIBIT B



## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider adopting resolution approving lease agreement with Promise Place for property located at 408 Hancock Street and owned by the City of New Bern.

<b>Date of Meeting:</b> 6/8/2021	<b>Ward # if applicable:</b> 1
<b>Department:</b> Public Works	<b>Person Submitting Item:</b> George Chiles, Interim Director of Public Works
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b> N/A

<b>Explanation of Item:</b>	Consider adopting resolution approving lease agreement with Promise Place for property located at 408 Hancock Street and owned by the City of New Bern.
<b>Actions Needed by Board:</b>	Approve resolution.
<b>Backup Attached:</b>	Memo Letter of request

<b>Is item time sensitive?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Will there be advocates/opponents at the meeting?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>Cost of Agenda Item:</b>
<b>If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

**Additional Notes:** N/A



**Public Works Department**  
P.O. Box 1129, 1004 S. Glenburnie Road  
New Bern, N.C. 28563-1129  
Phone: (252) 639-7501  
Fax: (252) 636-1848

May 25, 2021

Memo to: Mayor and Board of Aldermen

From: George Chiles, Interim Director of Public Works

**Re: Consider adopting resolution approving lease agreement with  
Promise Place for the property located at 408 Hancock Street and  
owned by the City of New Bern.**

**Background Information:**

Promise Place, a North Carolina nonprofit corporation, which has their principal office and place of business in the City of New Bern, Craven County, has requested renewal of lease agreement between the City of New Bern and Promise Place for the property located at 408 Hancock Street.

The proposed lease agreement would be effective July 1, 2021, and shall exist and continue until midnight on June 30, 2022, at a rate of \$1.00 per annum during the term of the lease.

**Recommendation:**

It is recommended that the Board of Aldermen consider approving the attached lease agreement. If you have any questions concerning this matter, please feel free to contact me directly.

Enclosures

cc: Scott Davis, City Attorney

**RESOLUTION**

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the Lease Agreement dated June 8, 2021 by and between the City of New Bern and Promise Place, a copy of which is attached hereto and incorporated herein by reference, be and the same is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute the same in duplicate for and on behalf of the City.

ADOPTED THIS 8th DAY OF JUNE 2021.

\_\_\_\_\_  
DANA E. OUTLAW, MAYOR

\_\_\_\_\_  
BRENDA E. BLANCO, CITY CLERK

**NORTH CAROLINA  
CRAVEN COUNTY**

**LEASE AGREEMENT**

THIS LEASE AGREEMENT is made and entered into this 8<sup>th</sup> day of June 2021, by and between the CITY OF NEW BERN ("Lessor"), a North Carolina municipal corporation, and PROMISE PLACE ("Lessee"), a North Carolina nonprofit corporation which has its principal office and place of business in the City of New Bern, Craven County, North Carolina.

**WITNESSETH:**

THAT WHEREAS, the Lessor owns the former New Bern Firemen's Museum located at 408 Hancock Street ("Building"), and surrounding real property more particularly described in Exhibit A attached hereto and incorporated herein by reference (collectively, the "Property"); and

WHEREAS, the Lessor has agreed that the Lessee might use the Property for the purposes stated herein; and

WHEREAS, the Lessor's Board of Aldermen has determined that the Premises will not be needed by the Lessor for the term of the Lease; and

WHEREAS, the parties have agreed upon the terms of the Lease and wish to reduce their agreement to writing.

NOW, THEREFORE, subject to the terms and conditions hereinafter set forth, said Lessor does hereby let and lease unto said Lessee, and said Lessee does hereby accept as tenant of said Lessor, the Property.

TO HAVE AND TO HOLD said Property, together with all privileges and appurtenances thereunto belonging to it, the said Lessee, its successors and assigns, for the term and upon the conditions hereinafter set forth:

1. Description of Property. The term "Property" as used herein shall mean the former New Bern Firemen's Museum located at 408 Hancock Street ("Buildings"), and surrounding real property more particularly described in Exhibit A attached hereto and incorporated herein by reference. Additionally, the Lessor reserves the right to place utility facilities, traffic facilities, railroad facilities, and any other similar equipment upon the Property during the term of this Lease. Should the Lessor need to place, or caused to be placed, such facilities upon the Property, the Lessor shall notify Lessee of the Lessor's intent to do so.

2. Term. This Lease shall begin as of the 1<sup>st</sup> day of July, 2021, and shall exist and continue until midnight on the 30<sup>th</sup> day of June, 2022.

3. Use of Property. The Lessee agrees to utilize the Property for the storage of items to be distributed to the public.

4. Rent. As rental for the said Property, the Lessee agrees to maintain the Buildings and Property, as set forth herein, and to pay the sum of ONE DOLLAR (\$1.00) per annum during the term of this Lease, the first such payment to be made contemporaneously with the execution of this instrument, and each subsequent annual payment to be made on or before the anniversary date of this instrument.

5. Utilities. All applications and connections for utility services required by Lessee in conjunction with Lessee's use and occupancy of the Premises shall be made in the name of Lessee only, and Lessee shall be solely responsible for obtaining such services and for the payment of all charges for such services as they become due. Such utility services include, but are not limited to, sewer, water, gas, electricity, trash removal and telephone services ("Utility Services").

6. Repair and Maintenance. During the term of this Lease, the Lessee shall be responsible for maintaining and repairing both the interior and exterior of the Premises so that the Lessor will have no obligation whatsoever with respect to the maintenance or repair of the leased Premises during the term of this Lease.

7. Alterations and Improvements. Lessee may only make changes, alterations or improvements to the Buildings and Property with the prior written consent of Lessor. If approved by Lessor, such work shall be done in accordance with the requirements of local ordinances and public authorities having jurisdiction thereof. Lessee shall make no such change, alteration or improvement which substantially affects the structural integrity of the Buildings or substantially decreases the value of the Buildings. It is expressly agreed that all alterations and additions that are made by Lessee to the Buildings and Property during the term of this Lease shall be and become a permanent part of the real estate and, as such, the property of the Lessor. It is agreed, however, that all personal property placed in and about the Property by the Lessee shall be and remain the property of the Lessee and may be removed by it upon the termination of this Lease. All other improvements shall be considered a part of the real estate.

8. Insurance. The Lessor shall maintain hazard insurance on the improvements located on the Premises, including contents owned by Lessor, in such amount as Lessor may determine in its sole discretion. Lessor shall carry its own liability insurance in an amount no less than THREE

MILLION DOLLARS (\$3,000,000.00), which shall include the CITY OF NEW BERN as a named insured, and Lessee shall provide Lessor with a Certificate of Insurance.

9. Damage or Destruction of Buildings. Should the Buildings be damaged or destroyed by fire, the Lessor shall be under no obligation to repair or replace the improvements located on said Property, and, should it elect not to repair or replace, this Lease shall thereupon terminate, unless the Lessee shall advise the Lessor, in writing, within thirty (30) days of the date of damage or destruction, that it proposes, at its own expense, to repair or replace the improvements located on said Property and proceeds to do so within twelve (12) months of the loss.

10. Assignment or Subletting. Lessee may assign this Lease or sublet a portion of the Premises only with the prior written consent of Lessor. Any assignment or subletting approved by Lessor shall not operate to release or discharge Lessee from any of the duties or obligations hereunder, except to the extent such duties and obligations are actually performed, unless Lessor agrees otherwise in writing.

11. Quiet Possession. Landlord agrees that Tenant shall, upon paying the rent and performing the covenants of this Lease, quietly have, hold and enjoy the Premises during the term of this Lease.

12. Events of Default and Remedies. It is expressly agreed that, if the Lessee shall neglect to make any payment of rent when due or neglect to do and perform any matter or thing herein agreed to be done and performed by it and shall remain in default thereof for a period of ninety (90) days after written notice from the Lessor calling attention to such default, the Lessor may declare this Lease terminated and cancelled and take possession of said Property without prejudice to any other legal remedy it may have on account of such default

13. Notices. All notices required to be given with respect to any matter pertaining to this Lease shall be sent by certified mail, return receipt requested, and shall be deemed delivered or served when deposited in the United States mail, postage prepaid, addressed to Lessee at the address of the Property and to Lessor at the following address:

Landlord  
City of New Bern  
Attn: Director of Public Works  
P.O. Box 1129  
New Bern, NC 28563

Tenant  
Promise Place  
Attn: President  
1401 Park Avenue  
New Bern, NC 28560

Either Lessee or Lessor may change the address to which notices are to be sent to them by giving written notice of such change of address to the other party as herein provided.

14. Indemnification. Lessee shall indemnify Lessor against any liability or expense incurred by Lessor which arises from the use and occupancy of the Buildings and Property by Lessee; provided, however, no such indemnification shall be required with respect to liabilities or expenses incurred by Lessor which arises by reason of the affirmative negligence of Lessor.

15. Memorandum of Lease. This Lease shall not be recorded, but Lessee and Lessor, at either's request, shall execute a memorandum of lease for recording purposes which shall contain only the information required by Section 47-118 of the North Carolina General Statutes.

16. Entire Agreement. This Lease contains the entire agreement between Lessor and Lessee and cannot be changed or terminated except by written instrument subsequently executed by the parties hereto.

17. Binding Effect. All the terms and conditions of this Lease shall be binding upon and shall apply and inure to the benefit of the parties hereto, and their heirs, successors, legal representatives and assigns.

18. Governing Law. This Lease shall be construed and interpreted in accordance with the laws of the State of North Carolina.

IN TESTIMONY WHEREOF, the CITY OF NEW BERN has caused this instrument to be executed in its corporate name by its Mayor and its corporate seal to be affixed and attested by its City Clerk, all by authority duly given of its Board of Aldermen; and PROMISE PLACE has caused this document to be executed by its President and attested by its Secretary, all by authority duly given by its Board of Directors, all as of the day and year first above written; this Agreement being executed in duplicate originals, one of which is retained by each of the parties.

CITY OF NEW BERN

[SEAL]

By: \_\_\_\_\_  
Dana E. Outlaw, Mayor

ATTEST:

\_\_\_\_\_  
Brenda E. Blanco, City Clerk

PROMISE PLACE

[SEAL]

By: \_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

NORTH CAROLINA  
CRAVEN COUNTY

I, \_\_\_\_\_, a notary public in and for said county and state, do hereby certify that on the \_\_\_\_ day of June, 2021, before me personally appeared DANA E. OUTLAW, with whom I am personally acquainted, who, being by me duly sworn, says that he is the Mayor and that BRENDA E. BLANCO is the City Clerk of the City of New Bern, the municipal corporation described in and which executed the foregoing instrument; that he knows the common seal of said municipal corporation; that the seal affixed to the foregoing instrument is said common seal; that the name of the municipal corporation was subscribed thereto by the said Mayor; that the said common seal was affixed, all by order of the Board of Aldermen of said municipal corporation; and that the said instrument is the act and deed of said municipal corporation.

WITNESS my hand and notarial seal, this \_\_\_\_ day of June, 2021.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

NORTH CAROLINA  
CRAVEN COUNTY

This is to certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me personally appeared \_\_\_\_\_ with whom I am personally acquainted, who, being by me duly sworn, says that he/she is \_\_\_\_\_ President and \_\_\_\_\_ is the Secretary of PROMISE PLACE, the corporation described in and which executed the foregoing instrument; that he/she knows the common seal of said corporation; that the seal affixed to the foregoing instrument is said common seal, and the name of the corporation was subscribed thereto by the said President, attested by said Secretary, and said common seal was affixed, all by authority duly conferred, and that said instrument is the act and deed of said corporation.

WITNESS my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

### **Exhibit A**

That certain property located at 408 Hancock Street in the City of New Bern, bearing Craven County parcel number 8-002-D-084, and more particularly described as follows:

Situated in the City of New Bern, Craven County, North Carolina, and on the east side of Hancock Street, adjoining the property formerly belonging to James A. Bryan and others, and being the northern end of Lot Number Two Hundred Fifty-Five (255) in the plan of the City of New Bern, BEGINNING at the line of Hancock Street at the corner of Lots Numbers Two Hundred Fifty-Five (255) and Two Hundred Eighty-Three (283), and running thence South  $12^{\circ} 29'$  West 48 feet 5 inches parallel with Hancock Street to an iron corner; thence South  $77^{\circ} 33'$  East 107 feet 6 inches parallel with Broad Street to the line of Lot Number Two Hundred Fifty-Four (254); thence North  $12^{\circ} 29'$  East 48 feet 5 inches to the line of Lot Number Two Hundred Eighty-Three (283), it being the line of the former James A. Bryan property; thence North  $77^{\circ} 33'$  West 107 feet 6 inches between Lots Numbers Two Hundred Eighty-Three (283) and Two Hundred Fifty-Five (255) to the point of beginning.

## **AGENDA ITEM COVER SHEET**

### **Agenda Item Title:**

Consider adopting resolution approving lease agreement with Habitat for Humanity for a portion of the property located at 920 George Street and owned by the City of New Bern.

<b>Date of Meeting:</b> 6/8/2021	<b>Ward # if applicable:</b> 1
<b>Department:</b> Public Works	<b>Person Submitting Item:</b> George Chiles, Interim Director of Public Works
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b> N/A

<b>Explanation of Item:</b>	Consider adopting resolution approving lease agreement with Habitat for Humanity for a portion of the property located at 920 George Street.
<b>Actions Needed by Board:</b>	Approve resolution.
<b>Backup Attached:</b>	Memo Letter of request

**Is item time sensitive?** ☒Yes ☐No

**Will there be advocates/opponents at the meeting?** ☐Yes ☒No

**Cost of Agenda Item:**

**If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director?** ☐Yes ☐No

**Additional Notes:** N/A



**Public Works Department**  
P.O. Box 1129, 1004 S. Glenburnie Road  
New Bern, N.C. 28563-1129  
Phone: (252) 639-7501  
Fax: (252) 636-1848

May 25, 2021

Memo to: Mayor and Board of Aldermen

From: George Chiles, Interim Director of Public Works

**Re: Consider adopting resolution approving lease agreement with Habitat for Humanity for a portion of the property located at 920 George Street and owned by the City of New Bern.**

**Background Information:**

Habitat for Humanity has requested renewal of lease agreement between the City of New Bern and Habitat for Humanity for a portion of the property located at 920 George Street. The proposed lease agreement would be effective July 1, 2021, for a period of 12 months (1 year) at a rate of \$1.00 per year.

**Recommendation:**

It is recommended that the Board of Aldermen consider approving the attached lease agreement. If you have any questions concerning this matter, please feel free to contact me directly.

Enclosures

cc: Scott Davis, City Attorney

## **RESOLUTION**

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the Lease Agreement dated June 8, 2021, by and between the City of New Bern and Habitat for Humanity of Greater New Bern NC, a copy of which is attached hereto and incorporated herein by reference, be and the same is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute the same in duplicate for and on behalf of the City.

ADOPTED THIS 8th DAY OF JUNE 2021.

---

DANA E. OUTLAW, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into as of the 8<sup>th</sup> day of June, 2021, by and between the CITY OF NEW BERN ("Lessor"), a North Carolina municipal corporation, and HABITAT FOR HUMANITY OF CRAVEN COUNTY NC ("Lessee"), a North Carolina non-profit corporation, which has its principal office and place of business in the City of New Bern, North Carolina, collectively referred to as the "Parties."

**WITNESSETH:**

THAT WHEREAS, the Lessor owns the real property located at 920 George Street in the City of New Bern (the "Subject Property"), the same being identified by Craven County tax parcel identification number 8-004-004; and

WHEREAS, the Lessee was chartered for the purpose of creating a nonprofit housing organization to build simple, decent, affordable housing in partnership with people in need; and

WHEREAS, the Lessor has agreed that the Lessee might use a portion of the building located on the Subject Property for storage of construction equipment and materials, said portion being more particularly described herein as the "Premises"; and

WHEREAS, the Lessor's Board of Aldermen has determined that the Premises will not be needed by the Lessor for the term of the Lease; and

WHEREAS, the Parties have agreed upon the terms of a Lease and wish to reduce their agreement to writing.

NOW, THEREFORE, subject to the terms and conditions hereinafter set forth, said Lessor does hereby let and lease unto said Lessee, and said Lessee does hereby accept as tenant of said Lessor, the Premises located on the Subject Property, together with reasonable parking and access across the Subject Property to the Premises from public streets. The leased Premises specifically excludes the following: approximately 640 square feet of the northernmost portion of the building separated by a partition wall which is currently being used as a produce market, together with reasonable parking and access to said building from public streets for use by those who frequent the produce market.

TO HAVE AND TO HOLD said Premises, together with all privileges and appurtenances thereunto belonging to it, the said Lessee, its successors and assigns, for the term and upon the conditions hereinafter set forth.

1. This term of this Lease shall be for a period of twelve (12) months commencing at 12:01 a.m. on July 1, 2021, and terminating at midnight on June 30, 2022.

2. During the term of this Lease, the Lessee shall be responsible for maintaining and repairing both the interior and exterior of the Premises so that the Lessor will have no obligation whatsoever with respect to the maintenance or repair of the leased Premises during the term of this Lease.

3. The Lessor shall maintain hazard insurance on the improvements located on the Premises, including contents owned by Lessor, in such amount as Lessor may determine in its sole discretion. Lessor shall also maintain general liability insurance in such amount as it deems necessary to protect the City of New Bern. The Lessee shall pay to the Lessor on or before October 1, 2021, the actual expenses incurred by the Lessor to provide said coverage, both hazard and liability, but no more than the sum of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00). In lieu of payment of Lessor's expense in providing general liability insurance in connection with the use of the Subject Property, Lessee may, if it elects to do so, carry its own liability insurance in an amount no less than FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), so long as the City of New Bern is a named insured therein. In such event, the Lessee shall provide the Lessor with a Certificate of Insurance.

4. Should the Premises be damaged or destroyed by fire, the Lessor shall be under no obligation to repair or replace the improvements located on said Premises, and, should it elect not to repair or replace, this Lease shall thereupon terminate, (unless the Lessee shall advise the Lessor, in writing, within thirty (30) days of the date of damage or destruction, that it proposes, at its own expense, to repair or replace the improvements located on said Premises and proceeds to do so within ninety (90) days of the loss.

5. As rental for the said Premises, the Lessee agrees to maintain the Premises, as hereinabove set forth, and to pay the sum of ONE DOLLAR (\$1.00) per annum during the term of this Lease, with payment to be made contemporaneously with the execution of this Lease.

6. The Lessee agrees to utilize the Premises in connection with its mission of building simple, decent, affordable housing in partnership with people in need in the City of New Bern.

7. The Lessee shall make no substantial modification of the interior of the improvements located on said Premises without the prior written consent of the Lessor.

8. It is expressly agreed that all alterations and additions that are made by Lessee to the Premises during the term of this Lease shall be and become a permanent part of the real estate and, as such, the property of the Lessor. It is agreed, however, that all personal property placed in and about the Premises by the Lessee shall be and remain the property of the Lessee and may be removed by it upon the termination of this Lease. All other improvements shall be considered a part of the real estate.

9. Lessee shall make timely payment of all utility bills presented to Lessee by the City of New Bern.

10. Lessee shall not assign this Lease nor sublet any part of the demised property without written consent of the Lessor.

11. It is expressly agreed that, if the Lessee shall neglect to make any payment of rent when due or neglect to do and perform any matter or thing herein agreed to be done and performed by it and shall remain in default thereof for a period of thirty (30) days after written notice from the Lessor calling attention to such default, the Lessor may declare this Lease terminated and canceled and take possession of said Premises without prejudice to any other legal remedy it may have on account of such default. Said notice may be given to the person at such time in charge of said Premises or sent by certified mail to the Lessee at the following address:

Habitat for Humanity of Craven County NC  
Post Office Box 1231  
New Bern, NC 28563

IN TESTIMONY WHEREOF, Lessor has caused this instrument to be executed in its corporate name by its Mayor and its corporate seal to be affixed and attested by its City Clerk, and Lessee has caused this instrument to be executed in its corporate name by its President, all as of the day and year first above written; this Agreement being executed in duplicate originals, one of which is retained by each of the parties.

*[SIGNATURES ON FOLLOWING PAGE]*

CITY OF NEW BERN

[SEAL]

By: \_\_\_\_\_  
DANA E. OUTLAW, MAYOR

ATTEST:

\_\_\_\_\_  
BRENDA E. BLANCO, CITY CLERK

HABITAT FOR HUMANITY OF CRAVEN COUNTY NC [SEAL]  
*A North Carolina Nonprofit Corporation*

By: \_\_\_\_\_  
President

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, a notary public in and for said county and state, do hereby certify that on the \_\_\_\_ day of June, 2021, before me personally appeared DANA E. OUTLAW, with whom I am personally acquainted, who, being by me duly sworn, says that he is the Mayor and that BRENDA E. BLANCO is the City Clerk of the City of New Bern, the municipal corporation described in and which executed the foregoing instrument; that he knows the common seal of said municipal corporation; that the seal affixed to the foregoing instrument is said common seal; that the name of the municipal corporation was subscribed thereto by the said Mayor; that the said common seal was affixed, all by order of the Board of Aldermen of said municipal corporation; and that the said instrument is the act and deed of said municipal corporation.

WITNESS my hand and notarial seal, this \_\_\_\_ day of June, 2021.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, Notary Public in and for said County and State, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that (s)he is President of HABITAT FOR HUMANITY OF CRAVEN COUNTY NC, a North Carolina nonprofit corporation, and that (s)he, as President, being duly authorized to do so, voluntarily executed the foregoing instrument on behalf of said corporation for the purposes stated therein.

WITNESS my hand and notarial seal, this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

## AGENDA ITEM COVER SHEET

### Agenda Item Title:

Consider Adopting a Resolution Approving a Lease Agreement for 1602 and 1604 High Street

<b>Date of Meeting:</b> 6/8/2021	<b>Ward # if applicable:</b> 1
<b>Department:</b> Public Works	<b>Person Submitting Item:</b> George Chiles
<b>Call for Public Hearing:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Date of Public Hearing:</b>

<b>Explanation of Item:</b>	David Dawson desires to lease the city-owned property adjacent to his parcel. In an effort to reduce maintenance of city-owned lots, a 10-year lease is proposed and requires the lessor to maintain the property.
<b>Actions Needed by Board:</b>	Consider approving resolution and lease.
<b>Backup Attached:</b>	Memo, resolution and lease

<b>Is item time sensitive?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Will there be advocates/opponents at the meeting?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>Cost of Agenda Item:</b> \$0
<b>If this requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

**Additional Notes:**

**Aldermen**

Sabrina Bengel  
Jameesha Harris  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129  
New Bern, NC 28563-1129  
(252) 636-4000

Dana E. Outlaw  
Mayor  
Foster Hughes  
Interim City Manager  
Brenda E. Blanco  
City Clerk  
Mary M. Hogan  
Director of Finance

**TO:** Mayor Outlaw and Board of Aldermen

**FROM:** George Chiles, Interim Director of Public Works

**DATE:** May 28, 2021

**SUBJECT:** Lease of 1602 and 1604 High Street

David Dawson, owner of 1600 High Street, contacted the City Clerk about potentially placing a bid on 1602 and 1604 High Street, which are vacant lots adjacent to his property. Both properties were acquired by the City in 2002 and 2003, respectively, through the FEMA buyout program. As a result, the City is prohibited from conveying the property, except to another public entity and with the prior approval of NC Emergency Management and FEMA. The deed also requires that the property be used for open or recreational space and that no new structures or improvements may be erected.

In an effort to reduce city costs and staff time in maintaining the lots, a 10-year lease is proposed which would require the lessee to maintain the property. Mr. Dawson has expressed a desire to enter into such a lease and understands his obligations. This lease is similar to two previous leases the City approved for "FEMA" lots.

/beb

## **RESOLUTION**

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the Lease Agreement dated June 8, 2021, by and between the City of New Bern and David Dawson, a copy of which is attached hereto and incorporated herein by reference, be and the same is hereby approved, and the Mayor and City Clerk are hereby authorized and directed to execute the same in duplicate for and on behalf of the City.

ADOPTED THIS 8th DAY OF JUNE 2021.

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DANA E. OUTLAW, MAYOR

---

BRENDA E. BLANCO, CITY CLERK

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into as of the 8<sup>th</sup> day of June, 2021, by and between the CITY OF NEW BERN ("Lessor"), a North Carolina municipal corporation, and DAVID DAWSON ("Lessee"), collectively referred to as the "Parties."

WITNESSETH:

THAT WHEREAS, the Lessor owns the real properties located at 1602 and 1604 High Street in the City of New Bern, said parcels being identified by Craven County Tax Parcel Numbers 8-016-095 and 8-016-096, respectively; and

WHEREAS, the Lessor has agreed that the Lessee may lease the Premises for certain limited uses, subject to the following terms and conditions established herein; and

WHEREAS, the Lessor has determined that the Premises will not be needed by the Lessor for the term of the Lease, and if a need arises, the Lessor may terminate the Lease pursuant to the provisions contained herein; and

WHEREAS, the Parties have agreed upon the terms of a Lease and wish to reduce their agreement to writing.

NOW, THEREFORE, subject to the terms and conditions hereinafter set forth, said Lessor does hereby let and lease unto Lessee, and said Lessee does hereby accept as tenant of said Lessor, the Premises.

TO HAVE AND TO HOLD said Premises, together with all privileges and appurtenances thereunto belonging to it, the said Lessee, its successors and assigns, for the term and upon the conditions hereinafter set forth:

1. The term of this Lease shall be for a period of ten (10) years commencing at 12:01 a.m. on June 9, 2021, and terminating at midnight on June 8, 2031.
2. Either Party may terminate this Lease Agreement at any time upon ninety (90) days prior written notice to the other Party.
3. During the term of this Lease, the Lessee shall be responsible for maintaining the Premises so that the Lessor will have no obligation whatsoever with respect to the maintenance of the leased Premises during the term of the Lease. Maintenance shall include, at a minimum, cutting

grass and other vegetation, trimming trees, shrubs and plants as necessary, and ensuring that the Premises remain clean and free of trash and other debris.

4. The Lessee shall maintain general liability insurance with respect to the Premises in amount agreeable to Lessor, and shall name the Lessor as an additional insured in such policy. Lessee shall annually provide a copy of the Certificate of Insurance to Lessor.

5. As rental for the said Premises, the Lessee agrees to maintain the Premises, as hereinabove set forth, and to pay the sum of ONE DOLLAR (\$1.00) per annum during the term of this Lease, with payment in full (\$10.00) to be made contemporaneously with the execution of this Lease.

6. The Lessee's use of the Premises is specifically restricted to the following uses: open space, recreation, or wetland, including parks, outdoor recreational activities, nature reserves, cultivation and grazing. No new structures may be placed, constructed or located upon the Premises, and no commercial use may be made of the Premises.

7. No uses other than those specifically described herein are permitted on the Premises unless Lessor consents to such use in writing. Any use of the Premises shall also conform with all existing deed restrictions and covenants of record in the Craven County Registry.

8. Lessor specifically reserves the right to visit, examine and enter the Premises to ensure that Lessee remains in compliance with the terms and conditions of this Lease Agreement.

9. Lessee agrees that he will make no unlawful or offensive use of the Premises, nor allow others to do so.

10. Lessee shall make no substantial modification to the Premises without prior written consent of the Lessor.

11. The Lessor specifically reserves the right to install overhead or underground electric lines, and underground water and sewer mains on the demised premises, should this be required to serve the Premises, or other properties in the area. In the event such installation shall disturb the improvements or the landscaping on the Premises, the Lessor shall restore the same to as near its original condition as is reasonably possible.

12. Lessee shall not assign this Lease nor sublet any part of the Premises without written consent of the Lessor.

13. It is expressly agreed that, if the Lessee shall neglect to do and perform any matter or thing herein agreed to be done and performed by him and shall remain in default thereof for a

period of thirty (30) days after written notice from the Lessor calling attention to such default, the Lessor may declare this Lease terminated and cancelled and take possession of said Premises without prejudice to any other legal remedy it may have on account of such default. Said notice may be given to the person at such time in charge of said Premises or sent by certified mail to the Lessee at the following address:

David Dawson  
1600 High Street  
New Bern, NC 28560

IN TESTIMONY WHEREOF, Lessor has caused this instrument to be executed in its corporate name by its Mayor and its corporate seal to be affixed and attested by its City Clerk, and Lessee has executed this instrument, all as of the day and year first above written, this Agreement being executed in duplicate originals, one of which is retained by each of the Parties.

CITY OF NEW BERN

[SEAL]

By: \_\_\_\_\_  
DANA E. OUTLAW, MAYOR

ATTEST:

\_\_\_\_\_  
BRENDA E. BLANCO, CITY CLERK

\_\_\_\_\_  
DAVID DAWSON

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, \_\_\_\_\_, a notary public in and for said county and state, do hereby certify that on the \_\_\_\_ day of June, 2021, before me personally appeared DANA E. OUTLAW, with whom I am personally acquainted, who being by me duly sworn, says that he is the Mayor and that BRENDA E. BLANCO is the City Clerk of the City of New Bern, the municipal corporation described in and which executed the foregoing instrument; that he knows the common seal of said municipal corporation; that the seal affixed to the foregoing instrument is said common seal; that the name of the municipal corporation was subscribed thereto by the said Mayor; that the said common seal was affixed, all by order of the Board of Aldermen of said municipal corporation; and that the said instrument is the act and deed of said municipal corporation.

WITNESS my hand and notarial seal, this \_\_\_\_ day of June, 2021.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that DAVID DAWSON personally appeared before me this day and acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed.

WITNESS my hand and official seal this the \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

## 1602 and 1604 High Street







1 inch = 122 feet



**Aldermen**

Sabrina Bengel  
Jameesha Harris  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Jeffrey T. Odham



**NEW BERN**  
CITY OF NEW BERN  
300 Pollock Street, P.O. Box 1129  
New Bern, NC 28563-1129  
(252) 636-4000

Dana E. Outlaw  
Mayor  
Mark A. Stephens  
City Manager  
Brenda E. Blanco  
City Clerk  
Mary M. Hogan  
Director of Finance

**Memorandum**

TO: Mayor Dana Outlaw  
FROM: Brenda Blanco, City Clerk *BEB*  
DATE: October 22, 2020  
SUBJECT: Appointment to Appearance Commission

On June 11, 2019, you appointed Martha "Molly" Ingram to the Appearance Commission. Ms. Ingram recently resigned from her seat, as she will be relocating to another state in November. You are asked to make a new appointment to serve the remainder of Ms. Ingram's term.

When possible, appointees to this Commission should have special training or experience in a design field, such as architecture, landscape design, horticulture, city planning, or a closely-related field.

/beb

**Aldermen**

Sabrina Bengel  
Jameesha Harris  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Jeffrey T. Odham



**Dana E. Outlaw**  
Mayor  
Foster Hughes  
Interim City Manager  
**Brenda E. Blanco**  
City Clerk  
**Mary M. Hogan**  
Director of Finance

**Memorandum**

**TO:** Alderman Johnnie Ray Kinsey

**FROM:** Brenda Blanco, City Clerk

**DATE:** May 14, 2021

**SUBJECT:** Appointment to Community Development Advisory Committee

Vernon Guion's term on the Community Development Advisory Committee will expire on June 30, 2021. Mr. Guion has expressed interest in continuing to serve in this capacity. You are asked to consider a reappointment or make a new appointment for the three-year term. Appointments to this committee are made by each ward.

/beb

**Aldermen**

Sabrina Bengel  
Jameesha Harris  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Jeffrey T. Odham



**Dana E. Outlaw**  
Mayor  
Foster Hughes  
Interim City Manager  
**Brenda E. Blanco**  
City Clerk  
**Mary M. Hogan**  
Director of Finance

**Memorandum**

**TO:** Alderman Barbara Best

**FROM:** Brenda Blanco, City Clerk

**DATE:** May 14, 2021

**SUBJECT:** Appointment to Community Development Advisory Committee

Dell Simmons' term on the Community Development Advisory Committee will expire on June 30, 2021. Mr. Simmons is not interested in reappointment. You are asked to make a new appointment to serve in a three-year term. Appointments to this committee are made by each ward.

/beb

**Aldermen**

Sabrina Bengel  
Jameesha Harris  
Robert V. Aster  
Johnnie Ray Kinsey  
Barbara J. Best  
Jeffrey T. Odham



Dana E. Outlaw  
Mayor  
Foster Hughes  
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Mary M. Hogan  
Director of Finance

**Memorandum**

TO: Alderman Sabrina Bengel, Alderwoman Jameesha Harris, Alderman Bobby Aster, and Alderman Jeffrey Odham

FROM: Brenda Blanco, City Clerk *BEB*

DATE: May 28, 2021

SUBJECT: Appointments to Police Civil Service Board

Kennail Humphrey, Eric Queen, Victor Taylor, and Robert West's terms on the Police Civil Service Board will expire on June 30, 2021. None are eligible for reappointment. Appointments to this Board rotate among the aldermen, and it is your turn to make the next appointments.

Appointees must be a City resident and cannot be an elected official, a member or employee of the Police Department or City, or a person who has volunteered at the Police Department within the previous three years. Terms are for a two-year period.

/beb