

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 30, ARTICLE 30-2, SECTION 30-2.C.22; STANDARDS AND REQUIREMENTS FOR DEVELOPMENT APPLICATIONS OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA**

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. The Section 30-2.C, *Standards and Requirements for Development Applications*, is amended by adding the following subsection:

Section 30-2.C.22, *Local Landmark Designation*

a. Purpose

The purpose of this section is to provide a uniform means for designating individual structures, buildings, sites, and areas of historical, pre-historical, architectural, educational, or cultural significance as local landmarks

b. Authority

The City Council may adopt an ordinance designating a structure, building, site, and/or area of any historical, pre-historical, architectural, educational, or cultural significance as a local landmark upon compliance with the provisions of this section.

c. Initiation and Procedure

1. The Historic Resources Commission shall make or cause an investigation and report to be made describing the historic, pre-historic, architectural, educational, or cultural significance of structures, buildings, and/or sites proposed to be designated as a historic landmark and hold a legislative hearing to review the

findings. Notice of the public hearing shall be made as provided for by North Carolina General Statute (NCGS) §160D-601.

2. The City shall forward the investigative report to the State Historic Preservation Office of the North Carolina Department of Cultural Resources, which shall be given at least 30 days to review the report and submit written analysis and recommendations to the City Council.
- d. City Council Public Hearing and Review
1. Upon receiving a written analysis and recommendations on the report from the State Historic Preservation Office, or expiration of the 30-day review period set forth in section c.2 above, the City Council may hold a legislative hearing to consider an ordinance designating a local landmark as proposed, with any amendments it deems necessary, or reject the proposed ordinance. Notice of the public hearing shall be made as provided for by NCGS §160D-601. If an owner of real property, as defined by NCGS §105-164.2 (205), whose property is being considered for designation files a written objection to the proposed ordinance before the public hearing, the City Council shall not approve the ordinance and the proposed ordinance shall be denied or withdrawn.
  4. The ordinance shall include each property designated in the regulation, the name or names of the owner(s) of the property, those elements of the property that are integral to its historical, pre-historical, architectural, educational, or cultural significance, including the land area of the property so designated, and any other information the City Council deems necessary. For all structures and buildings

designated the ordinance must also require that the waiting period set forth in NCGS §160D-945 be observed prior to demolition.

5. Upon adoption of the ordinance, the owners and occupants of each designated landmark shall be given written notice of the designation and a copy of the ordinance. One copy of the ordinance shall be filed with the Cumberland County Register of Deeds. A second copy shall be kept on file by the City Clerk.

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina.

ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF FAYETTEVILLE

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MITCH COLVIN, Mayor

ATTEST:

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PAMELA J. MEGILL, City Clerk