

Jackson County Historic Preservation Commission

Local Landmark Program: Frequently Asked Questions (FAQ)



GENERAL INFORMATION

Where can I find the Local Landmark Application?

The Local Landmark Application is located on the Jackson County Planning Department Webpage, under the “Permits and Applications” drop down menu located at the top of the page. Once the menu has dropped down then you will see the “Local Landmark Designation” application.

What is the Local Landmark Designation Program?

The program designates properties with historical, architectural, archaeological, or cultural significance to ensure their preservation.

Who administers the program?

The Jackson County Planning Department in conjunction with Jackson County Historic Preservation Commission (HPC), as authorized by state law and local ordinance administers the program. Final designation is approved by the Jackson County Board of Commissioners or relevant municipal governing board.

What is a Historic District?

Is an area designated by an ordinance containing buildings, structures or places which have a special character and sense of place based on one or more of the following: historic value; notable architectural features or cultural and aesthetic heritage of the community.

What is the North Carolina Historic Preservation Office?

The North Carolina State Historic Preservation Office assists private citizens, private institutions, local governments, and state and federal agencies in the identification, evaluation, protection, and enhancement of properties significant in North Carolina history and archaeology.

Does it cost to register a property for a Local Landmark Designation, is there a recurring fee?

There is not a registration fee nor a recurring fee to register a property.

What is considered ordinary maintenance or repairs?

Is any work done on a building to prevent it from deterioration or to replace any part to correct any deterioration, decay, or damage to a building on any part to restore as practical to nearly the same condition prior to such deterioration, decay, or damage.

What is considered and alteration?

Is any change due to construction, repair, maintenance or otherwise to buildings located within an Historic District or a designated historic property.

LOCAL LANDMARK DESIGNATION

What is the qualifying criteria for a Local Landmark Designation?

Any building, structure, site, object or area with special historical, architectural or cultural significance that retains its design integrity. The property or object in question has to be 50 years or older to be considered historic.

What are the benefits of a Local Landmark Designation?

- Eligible to apply for an annual 50% property tax deferral as long as the property's significant historic features are maintained. (not exemption)
- Official recognition and a suitable sign or plaque
- Protection from inappropriate alterations or demolition
- Access to preservation guidance

What are the responsibilities that owners are required to follow for Local Landmark Designation?

There are responsibilities that owners are required to follow if they are a Local Landmark Designation. Property owners must obtain a Certificate of Appropriateness (COA) before making exterior changes to a designated landmark.

Who can nominate a property for a Local Landmark Designation?

Any property owner, the Historic Preservation Commission, or a municipality may nominate a property. Interior nomination requires property owner consent.

What is the procedure to apply for a Local Landmark Designation?

See "Jackson County Local Landmark Designation Process" Flowchart

1. Pre-Application meeting with Jackson County Planning Staff (in-person, phone call, zoom, etc.)
2. Completion of application and local landmark designation report by applicant
3. Submittal of application and landmark designation report to Jackson County Planning staff
4. Jackson County Planning staff sends Local Landmark designation report to State of Historic Preservation Office
5. 30-day designation report review period for the State Historic Preservation
6. Jackson County Historic Preservation Commission hears Local Landmark Designation report and comments from State Historic Preservation Office and recommends for approval or denial
7. Governing body (County or Municipal) holds a public hearing either to approve or deny the ordinance of designation
8. **Approval-** Written notice of designation is mailed to applicant, then the Tax Assessor Office shall be notified for property designation OR **Denial-** Copy of the minutes mailed to the applicant with explanation for denial.

What is a Local Landmark Designation Report?

*See “Checklist for Submitting a Local Landmark Report to The NC HPO” and “Landmark Designation Report” for more information. *

A report must describe the property’s significance and integrity with specific details. The report format shall contain General Information, Abstract, Historic Background/Context, Assessment, Supporting Documentation, and Bibliography/Source Citations.

CERTIFICATE OF APPROPRIATENESS (COA)

What is a Certificate of Appropriateness (COA), and what changes require one?

A Certificate of Appropriateness (COA) is an approval issued by the Historic Preservation Commission (HPC) for any proposed exterior changes to a property. This includes alterations, restorations, construction, reconstruction, relocation, or demolition of buildings, structures, or outdoor advertising signs. A COA is required for any exterior changes that affect architectural features, scale, materials, signage, or landscaping.

Does the Historic Preservation Commission (HPC) regulate interiors?

Jurisdiction of the Historic Preservation Commission over interior spaces is limited to specific significant features in publicly owned landmarks, except state-owned, and in privately owned landmarks whose owners have consented to interior review and filed it with the Register of Deeds. Such consent is binding future owners and or/successors in title.

What are the design standards used in reviewing applications for the issuance of a Certificate of Appropriateness (COA)?

The design standards used in reviewing application for the issuance of a COA is The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guideline for Preserving, Rehabilitating, Restricting & Reconstructing Historic Buildings shall be the standards used in reviewing applications for the issuance of a COA.

What are Minor vs. Major Works?

Minor Works: Exterior changes which do not involve substantial alterations, additions or removals that could impair the design integrity of the property and/or district as a whole are based on administrative approval.

Major Works: Substantial changes that have the potential to significantly impact the historic character, appearance, or design integrity of the structure of the surrounding district, a full review is required by the Historic Preservation Commission. *See 8.7 Major Works Application Process within the Historic Preservation Ordinance*

What is the typical processing time for a Certificate of Appropriateness (COA)?

Minor Works: Usually within 10 business days.

Major Works: Application is reviewed within 90 days of submission by the Historic Preservation Commission.

What is the enforcement of compliance and remedies for Certificate of Appropriateness (COA)?

If work is done without a COA, violations may result in fines, revocation of tax deferral, and or legal enforcement.

What is the appeal process for granting or denying a Certificate of Appropriateness (COA)?

Written notice of appeal must be filed within 30 days of the decision with the appropriate local government Board of Adjustment.

Is the state and other government entities exempt from being required to obtain a Certificate of Appropriateness (COA)

No. Public projects must also comply with COA requirements.

As someone who is interested in a Local Landmark Designation, where can I find the information and assistance I need to apply for a Local Landmark Designation?

Jackson County Planning Department
c/o Historic Preservation Commission
Attn: Ashley Clapsaddle
538 Scotts Creek Rd, Suite 217, Sylva NC 28779
(828) 631-2283
Email: ashleyclapsaddle@jacksonnc.org
Website: <https://www.planning.jacksonnc.org/>

MISCELLANEOUS QUESTIONS

Can I sell or transfer my property that is a Local Landmark Designation?

Yes, you can sell or transfer the property. The designation does not restrict changes in ownership; however, the preservation requirements associated with the designation will remain in effect and transfer to the new owner.

Would the property be listed on a website or registry?

Yes, the property would be listed on "The North Carolina State Historic Preservation Office GIS".

Would the Local Landmark Designation allow public access to the property?

The designation does not require public access to your property.

Is my landscape and out buildings apart of the historic consideration?

Yes, it could be considered if it is included in the application and the appropriate documentation is provided and has a historic relevance to the property.

Would my property be restricted as of usage?

If the property is located within a zoned jurisdiction, then is must comply with the permitted uses, while also preserving the historic design integrity.

What is Demolition through Neglect?

Failure of an owner to regularly maintain a designated landmark or any property located within a Historic District, without a valid COA is a violation of the Historic Preservation Ordinance. The HPC shall pursue action for enforcement through the Jackson County Planning Department to prevent, restrain, correct, or abate such demolition.

What is the process for the delay in demolition of Local Landmark Designations and buildings within Historic Districts?

COAs for demolition can be delayed up to 365 days from approval (1 year). For properties of Statewide Significance, demolition may be denied unless extreme hardship is shown.

Resources:

For forms, guidance documents, and application materials, contact the HPC staff or visit the Jackson County Planning website: <https://www.planning.jacksonnc.org/>

Additional Information located on the State Historic Preservation Office website:
<https://www.hpo.nc.gov/>