

## §11.3. Historic Preservation Overlay District

### § 11.3.4 Establishment of Historic Districts

The Historic District (Overlay) is hereby established as an overlay district. Additionally:

~~A. A. Nominations~~ An application to consider nominating a property or properties for inclusion within a historic preservation district overlay shall be made by referrals submitted to the zoning administrator, to the Review Board, or, for properties owned or ground-leased by Arlington Public Schools (APS), to the County Board:

1. Applications may be submitted by the following individuals, groups, or organizations:

i. For a single property study request, (one building, site, structure, object, or property), the application form may be submitted by any Arlington County resident or property owner.

ii. For a multiple property request, the application may be submitted by the following groups:

1. A Civic Association; Homeowner's or Condominium Association Board, for properties within its boundaries; or;

2. A petition signed by 25% or more of property owners within the boundary of the proposed designation. Each property is allocated one vote for the petition;

2. The Review Board, County Board, and Arlington Public Schools (APS) may nominate properties for designation on its own motion.

B. The Review Board, or for properties owned or ground-leased by Arlington Public Schools (APS), to the County Board shall have reason to believe that at least two of the 11 qualifying criteria are present prior to initiating its study of the nomination. The County Board shall maintain exclusive authority over the designation process of historic districts for properties owned or ground-leased by Arlington Public Schools.

C. 1. The owner of any property being considered for inclusion in a historic district shall be informed of the nomination within 10 business days of the receipt of a request for consideration within 30 days of receipt of an application deemed complete via first class mail.

2 D. The Review Board, or for properties owned or ground-leased by APS, the County Board, shall base its decision upon studies, documentation and/or research, and shall prepare or cause to be prepared, a report on the historic significance of the proposed historic district.

E. 3. The Review Board, or for properties owned or ground-leased by APS, the County Board, shall hold a public hearing to consider the historic district status after due notice has been given to the owners of all properties to be included in such district(s), and the civic association which includes the proposed district within its boundaries.

4.F. The Review Board, or for properties owned or ground-leased by APS, the County Board, shall not recommend designation unless it finds that at least two of the criteria, below, have been met. The Review Board, or for properties owned or ground-leased by APS, the County Board, retains the authority to not recommend designation even if the property does meet at least two of the following criteria:

1. (a) The property is listed or is eligible for inclusion in the National Register of Historic Places;

2. — The property has character, interest, or value as part of the development, heritage, or cultural characteristics of the county, state, or nation;

1-3. (e) The property was the site of a significant local, state, or national event;

2-4. (d) The property is associated with a person or persons who significantly contributed to the development of the county, state, or nation;

3-5. (e) The property embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, or method of construction;

50 ~~4.6. (f)~~ The property is identified as the work of a master builder, architect, or landscape  
51 architect;

52 ~~5.7. (g)~~ The property embodies elements of design, detailing, materials, or craftsmanship that  
53 render it structurally or architecturally significant;

54 ~~6.8. (h)~~ The property has a distinctive location, or singular physical characteristics that make  
55 it an established or familiar visual feature;

56 ~~7.9. (i)~~ The property is a particularly fine or unique example of a utilitarian structure  
57 representing a period or style in the commercial, industrial, or agricultural development of the  
58 county, with a high level of historic integrity or architectural significance;

59 ~~8.10. (j)~~ The property has the potential to yield information important to the prehistory or  
60 history of the county, state, or nation; or

61 ~~9.11. (k)~~ The property is suitable for preservation or restoration.

62 **G. 5.** If the Review Board recommends designation, then written copies of the Review Board's  
63 recommendation, including determinations of historical significance, and recommendations  
64 concerning the area to be included in the proposed historic district, shall be transmitted for review to  
65 the County Board.

66 **H. 6.** If the Review Board recommends designation of a historic district, it will forward, with such  
67 recommendation, proposed historic district design guidelines for the district to be considered for  
68 adoption by the County Board. Provided, however, that the Review Board may recommend that the  
69 County Board consider designation of a historic district without proposed historic district design  
70 guidelines upon a finding that taking time to develop such guidelines would present a substantial risk  
71 that historic resources proposed to be preserved by the designation would be damaged or destroyed.  
72 Where historic district design guidelines are not proposed with a recommendation for designation, the  
73 Review Board shall recommend historic district design guidelines for approval by the County Board  
74 at the earliest practicable date after designation.

75 1. ~~(a)~~ In the event that the Review Board does not recommend designation, the County  
76 Board, upon its own motion, may initiate the designation review process.

77 **B.I.** In accordance with the normal zoning approval procedure as specified in the Code of Virginia, the  
78 County Board shall act on nominations regarding properties owned or ground-leased by APS, and act  
79 on recommendations from the Review Board as to nominations regarding all other properties. The  
80 designation of such a historic district shall be shown as an overlay on the map referred to in §2.1. C.  
81 Upon adoption of the ordinance, the owners and occupants of each designated historic district shall be  
82 given written notification of such designation by the County Board.