RALEIGH HISTORIC DEVELOPMENT COMMISSION

EVIDENTIARY HEARING PROCEDURE

Certificate of Appropriateness Committee

All persons addressing the committee regarding an application must be sworn or affirmed as required by North Carolina law.

a.   Any committee members having a conflict of interest make such conflict known, and are excused from hearing the application;

b.   The preservation staff presents the case and summarizes issues;

c.   The applicant presents evidence in support of the application;

d.   Other persons present evidence in support of the application;

e.   Persons opposed to granting the certificate present evidence against the application;

f.   Statements or evidence submitted by any official, commission or department of the City of Raleigh, any state agency, or any local historical, preservation or neighborhood association are presented;

g.   Questions from any person regarding the application are then received;

h.   The applicant is then given the opportunity to rebut any evidence against the application (only new information in rebuttal —initial arguments should not be re-stated);

i.   The committee chair then summarizes the new evidence that has been presented, giving all parties an opportunity to make objections or corrections;

j.   The chair calls for a vote to close the testimony portion of the hearing;

(Only committee members may talk during the following portions of the hearing. No further testimony is taken, unless the committee votes to reopen the hearing.)

k.   The committee members will discuss the proposal with respect to its "congruity" in light of the applicable guidelines;

l.   Following discussion, the committee members will develop and adopt "Findings of Fact" that the proposal is/is not incongruous, citing applicable sections of the guidelines;

m.   Based upon the Findings of Fact, the committee members may discuss the appropriateness of imposing conditions;

n.   The committee then votes to either approve, approve subject to conditions, defer for further information, or deny the application for a Certificate of Appropriateness.