

Agenda Item Summary Sheet



Meeting Date: 7/14/2025	Agenda Item Number: 2
Submitted By: Tim Daniels	
Attachments: Historic Preservation Designation	

Topic: Central Business District Historic Preservation local designation

Requested/Recommended Action & Motion: Recommendation needed for a local historic preservation designation. Per the zoning map amendment ordinance, a recommendation shall be provided from the Board of Adjustment to the Tryon Town Council either in favor of an amendment or in opposition to an amendment in writing by simple majority vote of those present and voting. The Planning Board shall include in their recommendation a statement of consistency.

Summary Explanation & Background: The Tryon Historic Preservation Commission is requesting a local designation overlay to a section of the downtown Central Business district to match the National Registry. Attached is the application and documentation.

Per Article 6.1.2 of the Tryon Ordinances:

- A. The Historic Preservation Committee has prepared a report
- B. The North Carolina Department of Natural and Cultural Resources approved the report with suggestions.
- C. The Tryon Town Council approved of the report and agreed to proceed with the designation.
- D. The following Agenda Item is to be reviewed and commented upon by the Planning Board
- E. A 'for, for with conditions, or against' recommendation will be determined by the Planning Board for the Town Council so the map amendment application may proceed.



TOWN OF TRYON

301 North Trade Street • Tryon, NC 28782 • 828-859-6654 • Fax 828-859-6653

Land Development Application

Case #: 25-HIST-01

1. Application Type

Subdivision:	✓	Fee	Site Plans:	✓	Fee
<i>Major Subdivision</i>			Major Site Plan (Planning Board)	☐	_____
Sketch Plan	☐	_____	Minor Site Plan (Administrative)	☐	_____
Preliminary Plat	☐	_____			
Construction Plans	☐	_____			
Final Plat	☐	_____	Text Amendment:	☐	_____
<i>Minor Subdivision</i>					
Final Plat	☐	_____	Special Use Permit:	☐	_____
Rezoning (Map Amendment):			Other: <u>Local Historic District</u>	☐	
Standard Rezoning	☐	_____	<u>Designation/Map Amendment</u>		
Conditional Use District Rezoning	☐	_____	<u>(Historic Overlay)</u>		Fee Total <u>N/A</u>

2. Project Information

Date of Application 7/21/2025 Name of Project Historic District Downtown Tryon Local A Phase # _____
Location 55 S. Trade St - 98 N Trade St Property Size (acres) _____ # of Units (residential) _____
Current Zoning CB Proposed Zoning Historic Overlay
Current Land Use various Proposed Land Use Local Historic District
Tax Parcel Number(s) See attached

3. Contact Information

Tryon Historic Preservation Commission (THPC)
Developer
7034 Lyncourt Drive Tryon, NC 28782
Developer Address City, State Zip
410-812-2598
Telephone Fax
Ellen Reichenbach Ellen Reichenbach, chair THPC 7/21/2025
Signature Print Name Date

Ellen Reichenbach
Agent (Registered Engineer, Designer, Surveyor, etc.)
34 Lyncourt Drive
Address
Tryon, NC 28782
City, State Zip
410-812-2598
Telephone Fax
Ellen Reichenbach 7/21/2025
Signature Print Name Date
Ellen Reichenbach

see attached
Property Owner

Address

City, State Zip

Telephone Fax

Signature Print Name Date

4. Description of Project

a. Briefly explain the nature of this request.

Designation of the Downtown Tryon National Register Historic District as a Local Historic District is consistent with the purpose of the Tryon Historic Preservation Commission, authorized by Town Ordinance in 2010. Tryon's Unified Development Ordinance provides for historic overlay zoning.

b. For All Rezoning: Provide a statement regarding the consistency of this request with Town Plans and the surrounding land uses.

N/A

c. For Conditional Use District Rezoning: Provide a statement regarding the reasonableness of the rezoning request.

N/A

Staff Use Only:

Date Application Received: 7/21/25

Received By: TIM DANIELS

Fee Paid: \$ —

Case #: 25 - HIST - 01

Notes:

Parcels to be included in the Downtown Tryon Historic District local designation:

Property Owner	Address	City, State, Zip	Property Address	Parcel Number
Richard Dunn	66 HYDE AVENUE	Tryon NC 28782	98 Trade Street	T11-J8
Nowell Guffy & Richard Dunn	432 WARRIOR DRIVE	Tryon NC 28782	94 Trade Street	T11-J7
Tammy Nix	611 J R MATTHEWS DR	Hendersonville NC 28792	90 Trade Street	T11-J6
Victoria Grant & Larry Siler	PO Box 1183	Tryon NC 28782	86 Trade Street	T11-J5
Kim Cochran	2162 US 176 HWY	Tryon NC 28782	82 Trade Street	T11-J4
Tryon Painters & Sculptors	PO Box 384	Tryon NC 28782	78 Trade Street	T11-J3
Peter & Myrna Viehman	353 CAPPS RD	Tryon NC 28782	70 Trade Street	T11-J2
62 N. Trade LLC c/o Lane Tryon LLC	PO 31	Tryon NC 28782	62 N. Trade Street	T11-J1
Flamingo Royale LLC	PO Box 1598	Tryon NC 28782	38 N. Trade & Maple Street Lot	T8-B4
Ten Trade Street LLC	120 Hughes Road	Landrum SC 29356	Palmer Street Lot & 10 N. Trade	T8-B1
MSFG LLC	123 East Main Street	Forest City NC 28043	22 N Trade	T8-B3
Tryon Newsmedia LLC	16 N. Trade Street	Tryon NC 28782	16 N. Trade Street	T8-B2
Jacquelyn Larn Lane	2080 WAPPOO HALL ROAD	Charleston SC 29412	13 S. Trade Street	T8-F7-15A
Missildines LLC	PO Box 31	Tryon NC 28782	10 & 17 S. Trade Street	T8-F7, T8-F8-15B, T8-F8-17F
Kathryn Williams	PO Box 10693	Greenville SC 29603	15 S. Trade Street	T8-F8-15C
The Tryon Bottle LLC	15 S. Trade Street	Tryon NC 28782	15 S. Trade Street	T8-F8
Investing in Tryon LLC	80 Country Club Road	Tryon NC 28782	25 & 27 S. Trade Street	T8-F9
Clover Holistic Group LLC	383 Grady Avenue	Tryon NC 28782	31 S. Trade Street	T8-F11
Lisa & Jay Grobowsky	201 Vineyard Ln	Tryon NC 28782	35 S. Trade Street	T8-F12
William McFarland Jr.	39 S. Trade Street	Tryon NC 28782	39 S. Trade Street	T8-F13
Tryon Cinema LLC	PO Box 31	Tryon NC 28782	45 S. Trade Street	T8-F14
The Upstairs Gallery	PO Box 553	Tryon NC 28782	49 S. Trade Street	T8-F15
PJ Ward Inc, A Florida Corporation	63 Whitney Avenue	Tryon NC 28782	55 S. Trade Street	T8-F16

Ordinance

Section 6.1.2

ARTICLE 6

Overlay Districts

6.1 Historic Area Overlay District

6.1.1 Purpose and Intent

Historic Areas are some of the most valued and important assets of the Town of Tryon, having local and state importance. The establishment of Historic Preservation Districts is for the purpose of preserving that heritage; for the purpose of safeguarding the character and heritage of the districts by creating design standards for the purpose of preserving the districts as a whole and any property therein that embodies important elements of their social, economic, cultural, political, or architectural history; for the purpose of promoting the conservation of such districts for the education, pleasure and enrichment of residents of the districts, the Town, and others; for the purpose of fostering civic beauty; and for the purpose of stabilizing and enhancing property values throughout the districts as a whole, thus contributing to the improvement of the general health and welfare of the Town and the residents of the districts.

6.1.2 Historic Districts Established

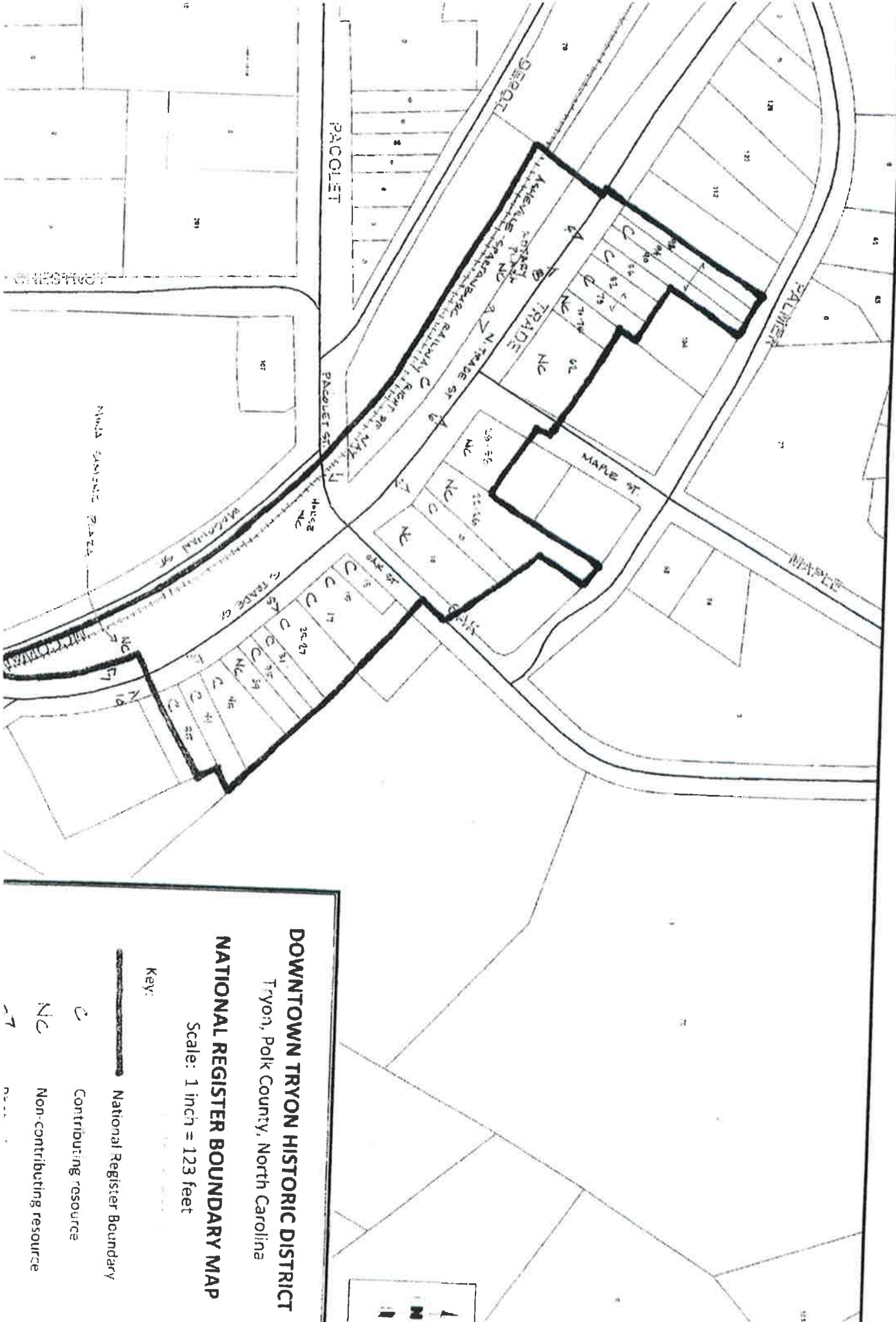
Historic districts, as provided for in this section, may from time-to-time be designated, amended, or repealed, provided; however, that no district shall be recommended for designation unless it is deemed to be of special significance in terms of its historical, pre-historical, architectural, or cultural importance. Such districts must also possess integrity of design, setting, workmanship, material, feeling, and/or association. No district shall be designated, amended, or repealed until the following has been carried out:

- A. An investigation and report initiated by the Historic Preservation Commission describing the significance of buildings, structures, features, sites, or surroundings included in any such proposed district, and a description of the boundaries of such district has been prepared;

- B. The Department of Cultural Resources, acting through the State Historical Preservation Officer or his or her designee, shall have made an analysis of and recommendations concerning such report and description of proposed boundaries. Failure of the Department to submit its written analysis and recommendations to the Town Board of Commissioners within 30 calendar days after a written request for such analysis has been received by the Department of Cultural Resources shall relieve the Town Board of Commissioners of any responsibility for awaiting such analysis, and the Town Board of Commissioners may at any time thereafter take any necessary action to adopt or amend this Zoning Ordinance with respect to Historic Districts;
- C. The Town Board of Commissioners shall also refer the report and the proposed boundaries to the Planning Board for its recommendations prior to taking action to amend the Zoning Ordinance;
- D. With respect to any changes in the boundaries of such district subsequent to its initial establishment, or the creation of additional districts within the jurisdiction, the investigative studies and reports required by this Section shall be prepared by the Historic Preservation Commission and shall be referred to the Planning Board for its review and comment according to the procedures set forth in the Zoning Ordinance. Changes in the boundaries of an initial district or proposal for additional districts shall be submitted to the Department of Cultural Resources in accordance with the provisions of this Section;
- E. Upon receipt of these reports and recommendations, the Town Board of Commissioners may proceed in the same manner as would otherwise be required for the adoption or amendment of any appropriate Zoning Ordinance provision.

6.1.3 Certificate of Appropriateness Required

- A. From and after the designation of a historic district and the adoption of Review Criteria and Design Guidelines by the Historic Preservation Commission, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps, or other appurtenant features), no above-ground utility structure, nor any type of outdoor advertising sign or business



DOWNTOWN TRYON HISTORIC DISTRICT Tryon, Polk County, North Carolina

NATIONAL REGISTER BOUNDARY MAP

Scale: 1 inch = 123 feet

Key:

 National Register Boundary

 Contributing resource

 Non-contributing resource



Downtown Tryon Historic District

Supplemental Information Submitted to the State Historic Preservation Office on 4/15/2025 for Local Designation as a Historic District, Tryon Historic Preservation Commission

Properties within Downtown Tryon Historic District, listed in 2015 on the National Register of Historic Places, with description of changes since 2022

Photos by Carri Bass, 3/18, 2025, submitted separately

Key:	NR	Individually listed, National Register of Historic Places
	C-B	Contributing Building
	C-S	Contributing Structure
	NC-B	Non-contributing Building
	NC-S	Non-contributing Site
	NC-O	Non-contributing Object

PL 0302 Asheville-Spartanburg Railroad Right of Way

C-S

No substantial changes



NORTH TRADE STREET

PL 0063

Ballenger Building

10 N. Trade

NC-B

ca. 1910, ca. 1955, ca. 2000

2025. No substantial changes observed.

2022 survey. No substantial changes observed.



PL 0045

Bank of Tryon Building

16 N. Trade

NR, C-B

1907-1908

2025. No substantial changes observed.

2022 survey. Stained glass windows are present in the transom windows above both entryway doors. No other changes observed.



PL 0064, North Trade Building, 22-26 N. Trade St

NC-B

ca. 1915, ca. 1973

2025. No substantial changes observed.

2022. No substantial changes observed.



PL 0065, PL 0076

NC-B

ca.. 1922, 1924, ca. 1970s

W.Y. Wilkins Building, 28-28 N. Trade St.



PL 0134

Filling Station, 62 N. Trade St.

NC-B

ca. 1955, 2013

2025. No substantial changes observed.

2022 survey. No substantial changes observed.



PL 0135

Commercial Building, 70-74 N. Trade St

NC-B

ca. 1925, 1985

2025 No substantial changes observed.

2022 Survey. The building underwent exterior renovations in 2016. Three new run-lite doors have replaced the three original doors. Metal display windows have been removed and replaced with a pair of fixed, nine-lite windows and a fixed twelve-lite window unit. The stucco and half-timbered finish has been replaced with a new storefront featuring wood trim and engaged pilasters. Metal cresting has been installed on the roof. A cloth awning has been installed on the front elevation, covering the entryways.



PL 0136

Commercial Building 78-82 N. Trade St.

C-B

Early 1920s

2025. A metal awning has been added above the storefront of 82 N. Trade St.

2022 Survey. The awning on #82 (the north storefront) has been removed. No other changes observed



PL 0138 Commercial Building, 86 N. Trade St.

C-B

Early 1920s

2025. No substantial changes observed.

2022 survey. The transom window above the replacement entryway door is no longer boarded and features intact glazing. No other substantial changes observed.



PL 0139 Gentry building, 90-98 N. Trade St.

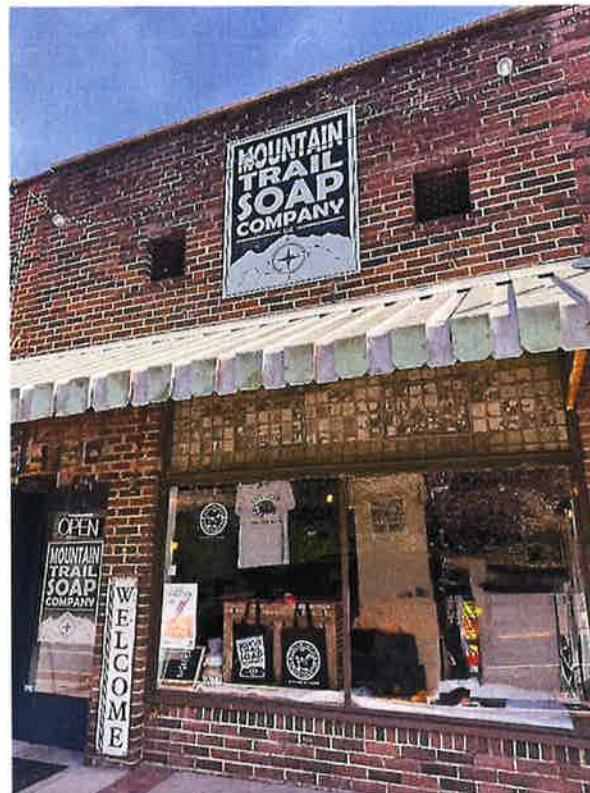
C-B

ca. 1920

2025 South bay of the building, noted as painted in 2014, has been repainted white and prior full-width fabric awning on south bay was removed with small, curved, metal awning added over the entry way during renovations in 2024. Main window of south storefront suffered crack to lower right side at end of 2024. The glass storefront window has been replaced, removing the leaded glass transom with a solid glass plate.

2022 survey. No substantial changes observed. Original leaded glass transom windows are present above the large single plate glass storefront windows.





PL 0303

Rotary Plaza and clock tower

N. Trade

NC-Site

2025. Stone steps recently repaired. Invasive planting removed and new planting installed to hillside north of clock tower.

2022 survey. No substantial changes observed.



SOUTH TRADE STREET

PL 0071

Missildine's Drug Store, 13 S. Trade St.

C-B

1913, 1960s, ca. 1974, 2014-2015

2025. No substantial change to façade, facing S. trade St. Northwest side elevation, facing Maple St.

2022 survey. The asphalt shingle awning has been removed. Replacement two-over-two vinyl windows and two-lite transom units have been installed. The replacement storefront more accurately represents the original storefront and features a recessed double-leaf full-lite wood entryway with transom windows and flush wood storefront windows. A new cloth awning has been installed. The single leaf doorway on the northwest elevation of the building has been reopened and now features a new door with a cloth awning. A metal railing has been installed. The upper levels of the northwest elevation have been painted red; the remaining exterior brick has retained white paint.



PL 0072

Tryon Federal Savings and Loan, 15 S. Trade St

C-B

ca. 1909, 1960s, 2014-2015

2025. No substantial changes observed.

2022 survey. Rehabilitation work from 2014-2015 has been completed and resulted in a replacement recessed storefront which feature two full-lite entryway doors, metal transoms (which emulate prism glass transoms) and wood storefront windows between the doors. There are three-over-one replacement windows on the upper floors. The exterior brick has been painted red.



PL 0073

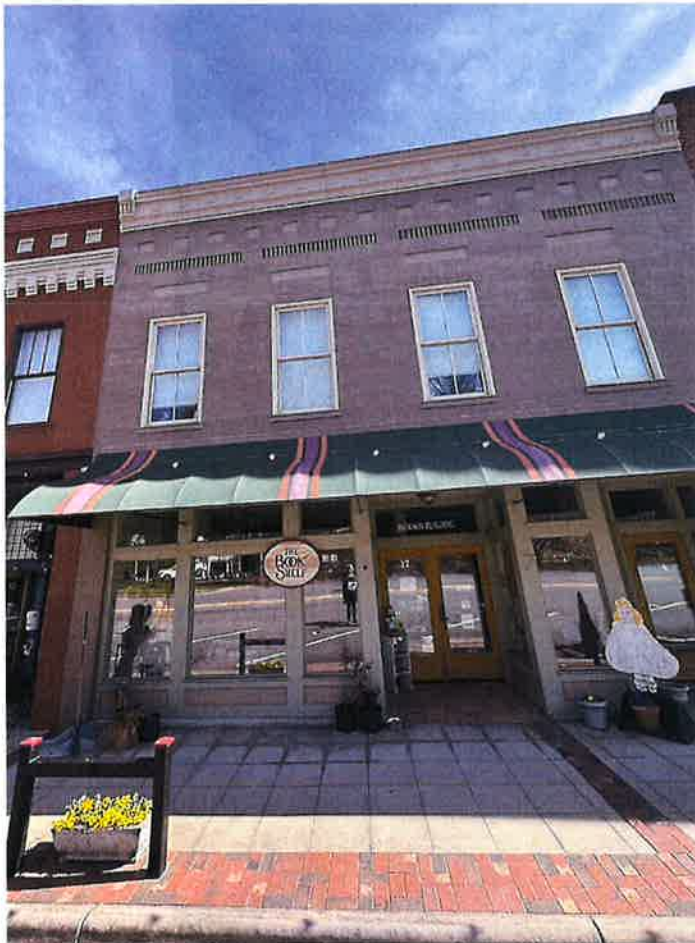
Jackson Building, 17 S. Trade St.

C-B

Ca. 1909, 1960s, 2014-2015

2025. No substantive changes observed.

2022 Survey. Replacement 2/2 double-hung windows have been installed on the second story. The exterior brick has been painted a dark tan. A new awning over the replacement storefront has been installed. The replacement storefront features two recessed entryways, one with a double leaf full-lite wood door with transom and one with a single leaf full-lite wood door with sidelights and transom, and flush wood storefront windows with transom windows.



PL 0074

South Trade Building, 25-27 S. Trade St.

C-B

Ca. 1915, 1980s

2025 No substantial changes to exterior of the building other than sign above central stairway for new business. The interior of #27 has been restored with acoustical tiles removed and wood floors revealed.

2022 Survey. The cloth awning above the central stairway has been removed. New cloth awnings have been installed above each storefront. No other change observed.



PL 0075

Commercial Building 31 S. Trade St.

C-B

Ca. 1925, 1950s

2025. New signage in transom and on storefront window.

2022 survey. The cloth awning has been removed. Replacement faux wood siding has been installed around the entryway and above the storefront windows. No other changes noted.



PL 0076

Williams Building, 35 S. Trade St.

C-B

Ca. 1925, 1968

2025. Restoration in progress. Some paint has been removed. Entire storefront has been renovated. The prismatic glass transom spanning the entryway and storefront windows has been restored with replacement glass. The entry door and sidelights are boarded. Stucco has been removed from low walls beneath the storefront windows and those have been incorporated into the framing and design of the storefront windows.

2022 survey. Cloth awning removed. The transom window frame remains, but the glazing has been removed and is boarded u. the configuration of the entryway remains.



PL 0077

Tryon Bank and Trust Company Building, 39 s. Trade St.

NC-B

ca. 1927, ca. 1940, ca. 1980s

2025. No substantial changes observed.

2022 survey. No substantial changes observed.



PL 0078

Tryon Theater, 45 S. Trade St.

C-B

ca. 1938, ca. 2000

2025. Note: mural on façade and central entry doors painted with a sunburst pattern (2018). Marquis replaced (2020). New mural on north elevation below roof line (2023).

2022. No substantial changes observed. The front elevation has been painted with Art Deco-esque details. Two louvered half circle vents are present at the top corners of the marquee.



PL 0079

Tryon Supply Company, 49 S. Trade St.

C-B

ca. 1910, ca. 2000

PL 0300



Nina Simone Plaza, 54 S. Trade St.

NC-Site

2010

2025. No substantial changes.

2022 survey. Kiosk had been previously added. No substantial changes observed.



PL 0080

Commercial Building

C-B

55 S. Trade St.

ca. 1910, ca. 1935

2025. Renovation completed. Stucco has been painted white.

2022 survey: The transom windows above the storeroom windows and entryway doors are no longer boarded. Three sconces are above the segmental arches. During fieldwork, the building was undergoing renovations and one of the storefront windows was being replaced and filled the entire window opening. No other substantial changes observed.



PL 0301

Morris, the Tryon Horse

NC-O

West side of S. Trade St.

2012

2025. Invasive plantings removed, 2024.



NC State and Local HPC Correspondence



TOWN OF TRYON

301 N. TRADE ST.

TRYON, NORTH CAROLINA 28782

(828) 859-6654 • FAX (828) 859-6653

Ellen Reichenbach
Chair, Tryon Historic Preservation Commission
ereichenbach00@gmail.com

April 7, 2025

By email to:
Kristi Brantley
CLG/Local Government Coordinator
NC State Historic Preservation Office (SHPO)
NC Dept of Natural and Cultural Resources
kristi.brantley@dncr.nc.gov

Proposed designation of Downtown National Register District as Tryon Local Historic District

Dear Ms. Brantley:

Attached in support of the Tryon Historic Preservation Commission's proposed local historic district designation are: a copy of the 2015 National Register nomination for the Tryon Downtown National Register District and recent photos of the Tryon Downtown district taken by local photographer, Carrie Bass.

The National Register district is of special significance in terms of its historical, architectural and cultural importance to the evolution of the Town of Tryon, for reasons previously stated in the 2015 National Register listing. Among the many significant features of the District are: a marker recognizing the area's history as Cherokee territory and subsequent settlement; the railroad track and restored station that brought vacationers to Tryon and then up the Saluda grade, the commercial buildings that grew up along with the railroad and development of the town (including the beautifully restored Tryon Theater), and a monument recognizing Eunice Waymon (aka Nina Simone), who was born in Tryon during a difficult period of racial segregation but whose musical talents were recognized and encouraged.

In the Commission's view, the changes to the building and general landscape that have occurred to the downtown area, from 98 North Trade St. to South Trade St., since it was listed on the National Register in 2015, highlight its special significance as the original commercial district within the Town, while creatively bringing increased vitality of the area through adaptive reuse. The downtown historic district continues to possess integrity of design, setting, workmanship, materials, feeling and association with the Town's development as a community in the foothills of the South Appalachians along the now abandoned railroad.

For the above reasons, and to encourage preservation of the district's special character, the Tryon Historic Commission voted at its April 3 meeting to recommend designation of the downtown National Register

Historic District as a local historic designation. The commission looks forward to SHPO's review and comments on the proposed designation packet, attached below.

Respectfully submitted,

Ellen Reichenbach



Wendi Coddington



Lynne Perlmutter



Sarah Sabiston



Lynne Splinter



Dean Trakas



Dave Walen

(absent due to illness)

Cc: Tim Daniels

2015 National Register Nomination

<https://files.nc.gov/ncdcr/nr/PL0058.pdf>

Current photos of Downtown Tryon Historic District

<https://caribassphoto.smugmug.com/Tryon-Historic>



**North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Josh Stein
Secretary Pamela Brewington Cashwell

Office of Archives and History
Deputy Secretary Darin J. Waters, Ph.D.

May 14, 2025

Tim Daniels
Tryon Historic Preservation Commission
301 North Trade St.
Tryon, NC 28782

Email: planning@Tryonnc.gov

RE: Proposed Designation for the Downtown Tryon Local Historic District, Tryon, Polk County.

Dear Mr. Daniels:

Thank you for the local historic district report submitted by Ellen Reichenbach for the Downtown Tryon Local Historic District, Tryon, Polk County. We have reviewed the information in the report and offer the following comments in accordance with North Carolina General Statute 160D-944.

We have shared minor suggestions to clarify the report. We also recommend including the 2015 National Register Nomination of the Downtown Tryon Historic District as part of the report. With these edits and additions, we feel the report will provide the preservation commission and local governing board with sufficient information to determine whether the Downtown Tryon Local Historic District possesses the requisite special local significance and integrity for local historic district designation.

Local designation means the community recognizes the district is worthy of preservation because of its special significance to the local community. Any substantial changes in design, materials, and appearance of the properties in the district would be subject to the design review procedures of the preservation commission.

Thank you for the opportunity to comment on this report. Please note, our comments are advisory only and therefore, non-binding. If a decision is made to designate the district, please email a copy of the ordinance to our office.

This letter serves as our comments on the proposed designation of the Downtown Tryon Local Historic District, Tryon, Polk County

Please contact me at or Kristi.brantley@dncr.nc.gov (preferred) or 919-814-6576 should you have any questions about our comments.

Sincerely,

A handwritten signature in black ink that reads "Kristi Brantley". The signature is written in a cursive style with a large, sweeping initial "K" and a long, horizontal flourish at the end.

Kristi Brantley
Local Preservation Commissions/CLG Coordinator

ECC:

Ellen Reichenbach, Tryon Historic Preservation Commission
Lourdes Gutierrez, Downtown Director

Ordinance/Amendment

**ORDINANCE DESIGNATING A LOCAL HISTORIC DISTRICT
DOWNTOWN TRYON HISTORIC DISTRICT**

WHEREAS, all of the prerequisites to the adoption of this ordinance as prescribed by North Carolina General Statute GS §160D-945 have been met; and

WHEREAS, The Tryon Planning Board voted 4-1 to recommend the Tryon Town Council adopt this local Historic Designation; and

WHEREAS, The Tryon Historic Preservation Commission has submitted a report described herein is of historical, architectural, and/or cultural significance, and the preservation of properties in the local historic district should be encouraged, and that the qualifying elements exist as the inaugural entry in the Town of Tryon Local Landmarks Report:

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Tryon as follows:

Section 1: The following described district is hereby designated a local historic district:

Downtown Tryon Historic District, designated as a National Register historic district in 2015, is a well-preserved collection of early-to-mid-twentieth-century commercial, civic, and religious buildings. The district's special character reflects its cultural and historic significance as the hub of commerce, government, and daily life in the Town of Tryon and the surrounding Polk County community.

The properties designated are:

13 S. Trade Street (T8-F7-15A)	49 S. Trade Street (T8-F15)
15 S. Trade Street (T8-F8-15C)	55 S. Trade Street (T8-F16)
15 S. Trade Street (T8-F8)	62 N. Trade Street (T11-J1)
16 N. Trade Street (T8-B2)	70 Trade Street (T11-J2)
22 N Trade (T8-B3)	78 Trade Street (T11-J3)
25 & 27 S. Trade Street (T8-F9)	82 Trade Street (T11-J4)
31 S. Trade Street (T8-F11)	86 Trade Street (T11-J5)
35 S. Trade Street (T8-F12)	90 Trade Street (T11-J6)
38 N. Trade & Maple Street Lot (T8-B4)	94 Trade Street (T11-J7)
39 S. Trade Street (T8-F13)	98 Trade Street (T11-J8),
45 S. Trade Street (T8-F14)	Palmer Street Lot & 10 N. Trade (T8-B1)
13 S. Trade Street (T8-F7-15A)	49 S. Trade Street (T8-F15)
10 & 17 S. Trade Street (T8-F7, T8-F8-15B, T8-F8-17F)	

Section 2: The review process provided by law, NCGS §160D-947 and section 6.1.4 (Certificate of Appropriateness Procedure) of the Town of Tryon Ordinances, shall be observed prior to demolition, alteration, rehabilitation, or removal of a designated property.

Section 3: This ordinance is reasonable and in the public interest via the ordinance establishing the Tryon Historic Preservation Commission in 2010. Overall public sentiment has historically been in favor of preserving Tryon's small-town aesthetic and charm. It is also consistent with Tryon's land use plan Goal 1 - to preserve community character.

Section 4: This ordinance shall be effective from and after its adoption.

Adopted this 19th day of August 2025.

ATTEST:

Alan J. Peoples, Mayor

Emily Dale, Town Clerk

Supplemental info:

- National Registry Listing
- UNC School of Government articles
- Session Law 2024-57 Senate Bill 382

SECTION 3K.1.(a)

- April 2024 BOPA minutes

NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE
Office of Archives and History
Department of Natural and Cultural Resources

NATIONAL REGISTER OF HISTORIC PLACES

Downtown Tryon Historic District

Tryon, Polk County, PL0058, Listed 12/15/2015

Nomination by Clay Griffith and Alex Cole

Photographs by Clay Griffith, July 2014



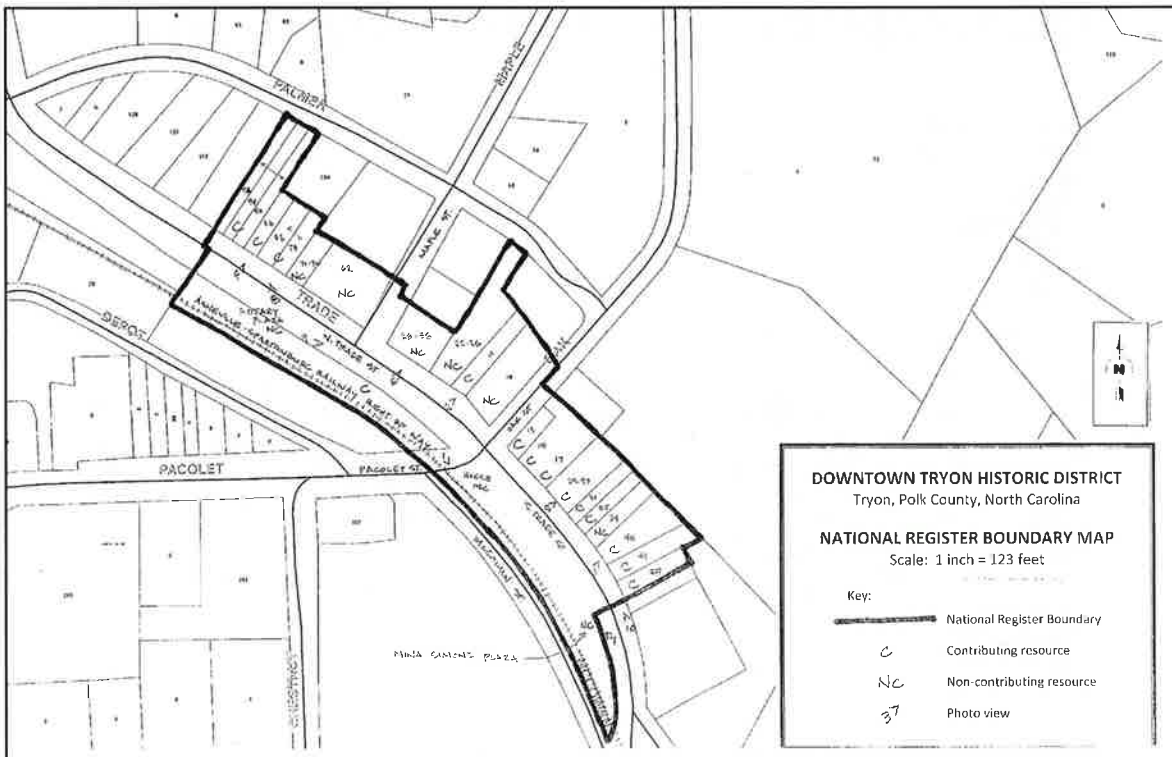
South End of Trade Street, looking northwest



Intersection of Trade and Oak streets, looking northeast



North End of Trade Street



Historic District Map

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions.

1. Name of Property

Historic name: Downtown Tryon Historic District

Other names/site number: N/A

Name of related multiple property listing: N/A

(Enter "N/A" if property is not part of a multiple property listing)

2. Location Both sides of North and South Trade Streets and the railroad

Street & number: right-of-way between 98 N. Trade Street and 55 S. Trade Street

City or town: Tryon State: North Carolina County: Polk

Not For Publication: N/A Vicinity: N/A

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended,

I hereby certify that this X nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property X meets does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

 national statewide X local

Applicable National Register Criteria:

X A B C D

Signature of certifying official/Title:

Date

North Carolina Department of Natural and Cultural Resources

State or Federal agency/bureau or Tribal Government

In my opinion, the property meets does not meet the National Register criteria.

Signature of commenting official:

Date

Title :

State or Federal agency/bureau
or Tribal Government

Downtown Tryon Historic District
Name of Property

Polk County, NC
County and State

4. National Park Service Certification

I hereby certify that this property is:

- ☐ entered in the National Register
☐ determined eligible for the National Register
☐ determined not eligible for the National Register
☐ removed from the National Register
☐ other (explain:) _____

Signature of the Keeper

Date of Action

5. Classification

Ownership of Property

(Check as many boxes as apply.)

Private:

☒

Public – Local

☒

Public – State

☐

Public – Federal

☐

Category of Property

(Check only **one** box.)

Building(s)

☐

District

☒

Site

☐

Structure

☐

Object

☐

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Number of Resources within Property

(Do not include previously listed resources in the count)

Contributing	Noncontributing	
<u>12</u>	<u>6</u>	buildings
<u>0</u>	<u>2</u>	sites
<u>1</u>	<u>0</u>	structures
<u>0</u>	<u>1</u>	objects
<u>13</u>	<u>9</u>	Total

Number of contributing resources previously listed in the National Register 1

6. Function or Use

Historic Functions

(Enter categories from instructions.)

COMMERCE/business
COMMERCE/professional
COMMERCE/financial institution
COMMERCE/specialty store
CULTURE/theater
TRANSPORTATION/rail-related

Current Functions

(Enter categories from instructions.)

COMMERCE/business
COMMERCE/professional
COMMERCE/specialty store
CULTURE/theater
CULTURE/work of art
WORK IN PROGRESS

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7. Description

Architectural Classification

(Enter categories from instructions.)

Romanesque Revival

Materials: (enter categories from instructions.)

Principal exterior materials of the property:

Brick

Stone

Stucco

Glass block

Narrative Description

(Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Indicate whether the property has historic integrity.)

Summary Paragraph

The small mountain town of Tryon, North Carolina, lies in the far southern section of Polk County, just north of the North Carolina/South Carolina state line. Tryon is located approximately four miles southwest of Columbus, the county seat, and Interstate 26. The town was laid out in a circle, roughly bisected by a prominent commercial street, Trade Street, which runs parallel to the railroad tracks from Howard Street at the north end of downtown to McCown Street at the south end. Given its proximity to the railroad tracks and first depot (which was located on the east side of the tracks roughly opposite the Tryon Theatre, 45 S. Trade Street), Trade Street (US Highway 176) became the center of business and industry, although the town grew slowly, but steadily, in the last decades of the nineteenth century. In 1889, Tryon consisted of twenty-four houses, three stores, and the depot.¹

The early commercial architecture of Tryon, specifically nineteenth-century resources built after the arrival of the railroad, has been lost in the intervening decades to both growth and

¹ D. William Bennett, ed., *Polk County, North Carolina, History* (Tryon, NC: Polk County Historical Association, Inc., 1983), 76.

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fire. As Trade Street developed into the primary business location, with its buildings standing along one side and overlooking the street and railroad tracks to the west and southwest, the ever-present threat of fire eventually led to the replacement of the early frame buildings with more permanent masonry structures through the first decades of the twentieth century.²

According to Sanborn maps of Tryon, the two main blocks of Trade Street (north and south of Oak Street) had reached their present level of development by 1929, and the block between Maple Street and Palmer Street was generally built up by the early 1940s. The majority of commercial buildings found on Trade Street are one- and two-story, rectangular-plan brick buildings with flat roofs behind stepped or shaped parapets, corbelled cornices, recessed panels, and large windows, often arranged in groups. The three-story Missildine's Drug Store was built in 1913 at the southeast corner of Trade and Oak streets to replace an earlier building that burned. It is one of the more elaborate structures within the commercial area and displays segmental-arched window openings, decorative window hoods, stone belt courses and accents, and a corbelled cornice. Only one building within the commercial district alludes to a particular architectural style—the 1908 Romanesque Revival-style Bank of Tryon Building (NR, 2008).

The district inventory is organized sequentially by street number, with North Trade Street appearing before South Trade Street. The district inventory consists of fourteen contributing resources and nine non-contributing resources. One resource, the Bank of Tryon Building, is individually listed in the National Register. The inventory entries provide a brief summary of the property's history, when known. Named properties are identified by their first, longest, or best-known occupant or function during the period of significance, 1908 to 1965, but the absence of city directories hindered the naming and dating of resources in the district. Construction dates have been determined as accurately as possible by correlating information from deed research, tax records, Sanborn maps, documentary photographs, physical assessment, and other published sources.

A contributing building, site, structure, or object adds to the historic associations, historic architectural qualities, or archaeological values for which the district is significant, were present during the period of significance, and possess historic integrity. Built in the early 1920s, the small, one-story, painted brick commercial building at 86 N. Trade Street retains many of its original design elements and materials. The storefront contains a recessed entrance, metal-frame display windows and transoms, and brick bulkheads, and the upper façade exhibits a recessed decorative panel with two, square vents and a corbelled cornice. In 1994, the single-leaf entrance door, sidelights, and transom were replaced. The new entrance, however, replicates the form and scale of the original entrance and, as a result, does not detract from the overall integrity of the building.

A non-contributing building, site, structure, or object does not add to the historic associations or historic architectural qualities, or archaeological values for which the district is significant; was not present during the period of significance; or no longer possesses historic integrity due to alterations, disturbances, or other changes. Alterations to a building's overall form, massing, and scale; changing or obscuring the majority of exterior materials; or the removal of character-

² Diane E. Lea and Claudia Roberts, *An Architectural and Historical Survey of Tryon, North Carolina* (Raleigh, NC: North Carolina Department of Cultural Resources, Division of Archives and History, 1979), 9 and 13-14; and Catherine W. Bishir, Michael T. Southern, and Jennifer F. Martin, *A Guide to the Historic Architecture of Western North Carolina* (Chapel Hill, NC: University of North Carolina Press, 1998), 188.

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defining stylistic elements make a resource non-contributing. Despite its construction in the 1910s, the North Trade Building at 22-26 N. Trade Street is a non-contributing resource due to later alterations to the façade. The building was remodeled around 1973, when the storefronts were removed and the lower façade replaced with modern brick veneer, an open, recessed entrance bay, replacement windows, and decorative gray stucco elements. The changes to the façade have obscured or replaced much of the exterior materials and substantially altered the design of the storefront.

Historic District Integrity Assessment

Although the center of the district includes several non-contributing resources, all of the buildings were constructed during the period of significance, they stand in their original locations, and they do not significantly diminish the district's overall integrity. Storefronts have been extensively altered on three buildings, 10, 22-26 and 28-38 North Trade Street however, their second stories have good integrity. There is very good potential for returning the storefronts to a compatible historic appearance and that would allow their reassessment as contributing. Although the filling station at 62 North Trade has been dramatically remodeled, historically the station was a free-standing building on an open corner lot, and the parcel still retains that spatial arrangement.

Classification key:	NR	Individually listed in National Register of Historic Places
	C-B	Contributing building
	C-S	Contributing structure
	C-O	Contributing object
	NC-B	Non-contributing building
	NC-S	Non-contributing structure
	NC-O	Non-contributing object
	NC-Site	Non-contributing site

INVENTORY LIST

Asheville-Spartanburg Railway Right-of-Way, ca. 1873

C-S

The single mainline track runs roughly northwest-southeast through downtown Tryon. A short siding that was originally part of a second, parallel track is located on the north side of the main track to the northwest of the depot. The right-of-way through downtown Tryon is relatively flat and grassy. The southern portion of the right-of-way within the district is typically at grade with South Trade Street from its intersection with Pacolet Street south to where the tracks cross South Trade Street near the intersection with McCown Street. North of Pacolet Street and alongside the depot, the right-of-way occupies a tall berm that elevates the tracks above North Trade Street.

The railroad tracks were originally laid out in 1873 and completed to Tryon in 1877 for the Asheville-Spartanburg Railway. By the late 1880s, six trains a day passed through Tryon,

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frequently stopping to cool brakes and wheel bearings or preparing for the long ascent at the base of the difficult Saluda Grade. Regular passenger service over the line between Tryon and Saluda was discontinued in December 1968, and the last train to use the line ran in 1989. The tracks were isolated in 2003.³

NORTH TRADE STREET

Ballenger Building, 10 N. Trade Street, ca. 1910, ca. 1955, ca. 2000

NC-B

Built around 1910 for the Ballenger Company, an established general store in town, the two-story brick building was set back from the sidewalk. By the mid-1950s, the lower façade was altered with the addition of two new metal-frame storefronts projecting from the building, bringing the front even with the façade of the adjacent Bank of Tryon Building (16 N. Trade Street). The storefronts have Roman brick bulkheads, recessed entrances, and cloth awnings. The south storefront was remodeled again to add a third, paneled frame entrance at the far south end of the façade. The façade bricks are painted. Around 2000, a metal-roof shed canopy was installed above the projecting storefronts to create a covered balcony with a wood railing. The canopy shelters the two groups of four windows under flat architraves. The upper façade features a brick soldier course with alternating recessed bricks, a dentil course, a recessed panel, and a corbelled cornice with a metal coping. The exposed southeast side and rear elevations feature segmental-arched window and door openings with corbelled brick hoods, but the windows throughout have been replaced.

Bank of Tryon Building, 16 N. Trade Street, 1907-1908

NR, C-B

Built in 1907-1908 for the Bank of Tryon, the two-story Romanesque Revival-style brick commercial building features distinctive stone quoins, belt courses, and window arches and a projecting parapet with decorative brickwork on the façade. The flat parapet has a metal coping. The first floor features two entryways, one at the northwest corner of the building, with a double-leaf, three-panel wooden door with transom above, and one at the center of the façade with a twelve-light door and transom above. A large thirty-light, arched picture window is also located on the first floor. The second story features two arched windows with decorative stone quoins and stone sills, both flanked by two one-over-one, double-hung windows.

Organized in 1905, the Bank of Tryon was the first bank organized in Polk County, and following a bank merger in 1927, James B. Hester, the bank's cashier, purchased the building and leased its offices to various businesses. Seth Vining Sr., founder and editor of the *Tryon Daily Bulletin*, moved the newspaper's offices into the building around 1935, where it has operated since. Vining acquired the building for the *Bulletin* offices in the 1950s, and today the newspaper occupies the entire building.⁴

³ *Tryon Daily Bulletin*, July 22, 1978.

⁴ Clay Griffith, "Bank of Tryon Building," National Register of Historic Places Nomination, Office of Archives and History, North Carolina Department of Cultural Resources, Raleigh, NC, 2008.

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North Trade Building, 22-26 N. Trade Street, ca. 1915, ca. 1973

NC-B

Built in the 1910s, the two-story brick building was remodeled around 1973 according to designs prepared by local architect Holland Brady. The lower façade was covered with a brick veneer and a recessed entrance; the second-story is accessed by an open exterior stair that fills the gap between this building and the adjacent Wilkins Building (28-38 N. Trade Street). A single cast-iron post (backed by a brick pier) remains in place supporting the span of the recessed entrance. The windows and doors are replacements with stylized lintels of smooth grey stucco. Similarly, a band of grey stucco divides the remodeled lower façade and the intact upper façade, which features flat-arch window openings, decorative brick bands, and a corbelled cornice. The second-story windows have been replaced with twenty-five-light fixed-sash windows topped by stylized lintels of stucco.

Although it does not appear to have been built by W. Y. Wilkins, the building was home to his business, and historic photographs and postcards show a painted sign on the upper façade that read "Wilkins & Co." On June 1, 1922, Wilkins sold the business and all its stock to Oliver and Ellison Andrews, who operated as Andrews Brothers. The purchase of the building included four pairs of Toledo scales and a Ford truck. The building later housed Slack's Pharmacy, which was owned and operated by Arlie Slack. Fred and Essie Owen acquired the pharmacy in 1939 and operated it as Owen's Pharmacy. After Owen's Pharmacy moved next door in the late 1960s, it became home to the Brady Insurance Agency.⁵

W. Y. Wilkins Building, 28-38 N. Trade Street, ca. 1922, 1924, ca. 1970s

NC-B

The Wilkins Building has been the long-time home to Owen's Pharmacy among other businesses. The two-story brick building appears to have been built in two sections, although at approximately the same time. The two sections are similar in height and mass, but the façade of the section to the southeast has pilasters formed by triple, stacked, stretcher courses; a soldier-course cornice; and soldier-course lintels around the single one-over-one double-hung sash windows. The northwest section has paired one-over-one double-hung sash windows on the second-story façade and side elevation. In the 1970s, the lower façade of the both sections was remodeled into a continuous storefront with brick infill, two recessed metal-frame entrances, and arched plate-glass windows resting on corbelled brick sills. A hip-roof awning covered with metal roofing shelters the lower façade. The northwest elevation of the building is relatively plain with second-story windows and two basement storefronts (10 and 16 Maple Street). The storefront for #10 consists of a single-leaf glazed entry door to the east of a large display window, which has later one-over-one window inserted to hold a portable air conditioner unit. A steel I-beam lintel spans the full width of the storefront. The storefront for #16 contains a double-leaf entry door flanked by display windows over brick bulkheads. The east window is covered with plywood sheathing.

After selling the Wilkins & Company business in 1922, it appears that William Y. Wilkins built the south portion of the building first and then added the north section a couple of years later. Drs. Allen J. Jervy and Marion Palmer opened a twelve-bed hospital in 1924 on the

⁵ Polk County Deed 70/454 and Deed of Trust 20/62. Register of Deeds Office, Bryant H. Womack Justice & Administration Building, Columbus, NC.

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second floor of the building, and Holland Brady Jr. and Dorothy Millikin, both born in 1925, were the first babies delivered in the small facility. The second story served as the local hospital until 1929, when St. Luke's Hospital opened in Tryon. The basement of the W. Y. Wilkins Building was home to the *Tryon Daily Bulletin* until 1935, when the paper moved to its current location at 16 N. Trade Street. At the time, the storefront of the Wilkins Building was occupied by an A & P Grocery, and later by Peeler's Jewelry Store and Buchanan's Five & Ten Store. It became home to Owen's Pharmacy in the late 1960s, who moved their store from the adjacent building at 22-26 N. Trade Street. Proprietors Fred and Essie Owen operated the store, which offered a pharmacy and soda fountain, and was a popular family gathering place on Saturday evenings. Prior to construction of Interstate 26, Owen's Pharmacy was a popular stop-over for travelers passing through Tryon on Highway 176. The store offered curb service for passing automobile traffic and often sold more than 2,000 Cokes on busy Sunday afternoons.⁶

Filling Station, 62 N. Trade Street, ca. 1940, ca. 1955, 2013

NC-B

Built around 1940, substantially enlarged in the 1950s, and thoroughly remodeled in 2013, this one-story masonry building was originally erected as a freestanding Sinclair filling station. Set back from the street and sidewalk, the brick building was completely remodeled with a tall hip roof, two front-gable bays on the façade, an attached shed-roof canopy on the south end bay, and multi-light metal-frame window and door units in the three garage bays. The projecting front-gable bays are supported by wide brick posts with cast-concrete caps. The south bay contains a single-leaf glazed-and-paneled wood door and two large windows topped by multi-light transoms. The metal-roof canopy is supported by triangular brackets. The remodeling uncovered the original tin ceilings, brick walls, and wood floors on the interior.

A two-story rear addition doubled the size of the original building when it was constructed around 1955. Covered with stucco, the addition was remodeled in 2013 with plate-glass windows and a metal-frame door and window entrance on the side elevation.

A concrete and brick patio extends from the façade of the building to the sidewalk as part of streetscape improvements made in 2013 by the Town of Tryon. A wooden arbor extends southeast from the side of the building with a fountain and curving stone wall projecting forward from the arbor to form the south end of the public space known as St. Luke's Plaza.⁷

Commercial Building, 70-74 N. Trade Street, ca. 1925, ca. 1985

NC-B

Built in the 1920s, the small, one-story, concrete-block commercial building contains three storefronts. The façade has been altered with the application of a stucco and half-timbered finish. Three original, single-leaf, glazed wood doors and two metal-frame display windows are sheltered by a cloth awning. The applied half-timbering partially obscures the original door and window frames. The two-story rear elevation has a stucco panel veneer, replacement twelve-light windows, and a single-leaf wood paneled door flanked by sidelights into the basement. An attached one-story shed-roof porch extends the full width of the rear elevation at the basement level and is accessed by wood steps. The metal-clad roof is supported by square wood posts.

⁶ Bennett, 271-272. Deeds 42/232 and 42/593.

⁷ Jason Spencer, "Downtown Tryon's Face-Lift," GoUpstate.com website (http://www.goupstate.com/article/20141102/ARTICLES/141039881; retrieved August 24, 2015).

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Commercial Building, 78-82 N. Trade Street, 1950s

C-B

Built in the 1950s, the one-story, brick commercial building is divided into two storefronts and rests on a full basement. The brick façade features recessed entrances under a soldier-course lintel, original storefront windows, decorative panels in the upper façade, and a flat parapet with a terra cotta coping. Each storefront is sheltered by a cloth awning and has a replacement entry door—one (#78) is a single-leaf glazed door surrounded by aluminum siding infill and the other (#82) is a single-leaf wood door with a fanlight and sidelights. The south half of the façade displays a buff-colored brick veneer, while the north half is painted. The exposed original two-story rear elevation of #82 contains metal-frame industrial sash windows, a metal exterior door, and an overhead garage door at the northeast corner. A large, two-story, brick addition was built at the rear of #78 in the 1980s and contains one-over-one windows and an enclosed loading bay with double-leaf replacement doors.

Commercial Building, 86 N. Trade Street, early 1920s

C-B

The small, one-story, painted brick commercial building was built in the early 1920s. The storefront contains a recessed entrance, original metal-frame display windows and transoms. The replacement entry, added in 1994, consists of a single-leaf wood door flanked by sidelights and a boarded transom. A cloth awning shelters the storefront. The upper façade features a decorative panel with two square louvered vents and a corbelled cornice. At the rear, two flat-arch window openings have been altered—one has been converted to a doorway and the other has been bricked. The interior retains its original pressed tin ceiling.

The building has housed many businesses, including the John Cowan's grocery, which opened here in 1933. In 1934, Pop Burnette opened Pop's Beer Garden in the building. Burnette's bar is reportedly the first establishment to legally sell beer following the repeal of the Eighteenth Amendment to the Constitution. A bar remained in this location for many years, despite numerous name changes, including Whitey's, Sam's Place, and Doc's. Following the death of Horace "Doc" Sain, the business was sold and moved next door (#82), keeping the name Doc's at first and later was renamed Preston's.

Gentry Building, 90-98 N. Trade Street, ca. 1920

C-B

Built sometime between 1919 and 1925, the one-story brick commercial building is divided into three storefronts separated by brick firewalls. The continuous brick façade is defined by a single decorative panel extending above the three individual storefronts. Two square vent openings, with decorative metal grilles, are set within the panel above each of the storefronts. The flat parapet is topped by a concrete coping. The original storefronts consist of a single-leaf glazed door and large display window on a brick bulkhead surmounted by leaded-glass transoms. Each of the storefronts is composed with the entrance to the north of the display window. Two storefronts (#90 and #94) are sheltered by cloth awnings and the north storefront (#98) has an attached metal awning. The south bay of the building is painted. The interiors display decorative

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Rotary Plaza, SW side N. Trade Street, 1980, 2002, 2005

NC-Site

Located on the southwest side of North Trade Street north of its intersection with Pacolet Street and opposite the building at 70-74 N. Trade Street, Rotary Plaza culminated with the construction of a small, paved plaza at the base of the railroad right-of-way. A set of wide stone steps with a central metal handrail was built in 1980 by the Polk County Community Foundation to allow access between N. Trade Street and the town-owned Southern Railway Depot. In 2002, the Rotary Club of Tryon donated a clock to the town, which was located at the base of the steps. The clock tower consists of a battered stone pillar supporting a square enclosure with clock faces on the north and south sides. The metal-frame structure has metal screen panels, decorative curved brackets, and a metal-clad pyramidal roof surmounted by a weathervane in the form of Morris, the Tryon Horse. In 2005, the Rotary Clubs of Tryon and Tryon-Thermal Belt donated the small plaza that encompasses the clock and steps. Designed by Brady/Trakas Architects and built by contractor Jim Peterman, the plaza features paving stones, a retaining wall with built-in bench against the berm of the railroad right-of-way, and metal railing surrounding the raised base.

SOUTH TRADE STREET

Missildine's Drug Store, 13 S. Trade Street, 1913, 1960s, ca. 1974, 2014-2015

C-B

Built in 1913 to replace an earlier building that burned, the prominent two-story, painted brick, corner building housed Missildine's Drug Store until the 1960s when the business merged with the Tryon Pharmacy, owned by Mr. and Mrs. Leslie Julian, and moved to a different location. The remodeled building was made taller and the several elements of the original design, including the metal cornice and window placement on the façade, were changed significantly. The exposed northwest elevation was substantially remodeled with new fenestration patterns on both the first and second stories and the addition of an exterior door on the second story. A side display window with an arched transom and hood was added on the northwest elevation.

Currently, the upper façade is enlivened by a rough ashlar parapet of rectangular stone blocks, a corbelled brick cornice, two pairs of louvered segmental-arched window openings with brick hoods, and an ashlar belt course. Two wide ashlar blocks are also set within recessed panels above slender, paired second-story segmental-arched window openings with brick hoods. The lower façade was severely remodeled when it was connected to the two adjacent buildings, which together operated as Tryon Federal Bank in the late twentieth century. A continuous hip-roof, asphalt-shingle awning sheltered the lower facades comprising largely brick-infilled storefronts. The rear and exposed northwest side elevations display similar pairs of segmental-arched window openings with brick hoods. A segmental-arched doorway on the second story of the northwest elevation contains a replacement double-leaf door and four-light transom. The basement wall and projecting water table have been stuccoed.

For many years Missildine's Drug Store was a popular community gathering place, with F. Scott Fitzgerald even penning a verse about it. A native of Lebanon, Missouri, E. E. Missildine moved to Tryon in 1895, and worked briefly as a teacher and tutor, before going on to become a pharmacist. Missildine served several terms as mayor of Tryon. Maj. William Strong, who

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worked on several prominent Tryon buildings, oversaw the rebuilding of the drug store following the 1913 fire. In addition to the drug store on the first story, the second story contained offices and a large hall, which accommodated meetings of the Masonic Lodge, Chamber of Commerce, USO, and other civic groups. Dr. Earle Grady, an early Tryon physician, had a second-story office in the building. The building was the first with steam heating in Tryon. Often called the "Big City Store," Missildine's offered coal, ice, paints, books, laundry service, and flowers for sale. The business was bought by Mr. and Mrs. Leslie Julian, also a pharmacist, in 1962. Operations remained in the building until 1967 when Julian merged the business with the Tryon Pharmacy and moved to a location further south on Trade Street. In 1967 the building was purchased by Mrs. F. P. Bacon to house the Blue Ridge Weavers, who remained in the building before relocating to Pacolet Street in the mid-1970s. At that time, the building became part of Tryon Federal Bank and was remodeled to function with the adjacent buildings.⁸

Rehabilitation work begun in 2014 has thus far involved removal of the asphalt-shingle awning, removal of replacement single-pane plate-glass windows, removal of the storefront infill, and interior demolition that has revealed original wood floors and a decorative pressed-tin ceiling on the first story. The majority of windows have been replaced with two-over-two double-hung sash, and work to reconstruct the storefront in a manner typical of the period of significance is ongoing.

Tryon Federal Savings & Loan, 15 S. Trade Street, ca. 1909, 1960s, 2014-2015

C-B

Two-story painted brick building with a decorated parapet featuring rows of corbelling, stepped brick bands, and a corbelled cornice across the width of the façade. The four second-story windows with molded sills and flat-arch brick lintels had been replaced with fixed plate-glass windows, but new three-over-one double-hung sash windows were installed in 2014. The lower façade, like the adjacent buildings, was remodeled in the 1960s as Tryon Federal Bank expanded. The original façade, which featured plate-glass windows, a recessed entryway, and a four-panel transom, was later replaced with a recessed storefront comprising floor-to-ceiling plate-glass doors and windows with metal surrounds, and an asphalt-shingle awning continuing across the two flanking buildings. Tryon Federal Bank purchased the building in 1935 and operated from this location until 2006, when it moved into a new facility on North Trade Street outside the district.

Rehabilitation work begun in 2014 has involved removal of the asphalt-shingle awning, replacement of the second-story windows, and interior demolition. Work to reconstruct the storefront in a manner typical of the period of significance is ongoing.

Jackson Building, 17 S. Trade Street, ca. 1909, 1960s, 2014-2015

C-B

Built around 1909, the two-story painted brick commercial building has a decorated parapet featuring a molded metal cornice with end brackets and rosettes, recessed squares across the width of the façade, four narrow panels with mousetooth brick, and recessed panels above the windows. The four second-story windows had been replaced with fixed plate-glass windows, but new two-over-two double-hung sash windows were installed in 2014. The lower façade, like

⁸ Jeffrey A. Byrd, ed., *A Sense of Heritage: A Pictorial History of the Thermal Belt Area* (Tryon, NC: Tryon Chamber of Commerce, 1991), 131.

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those of the adjacent buildings, was remodeled in the 1960s as Tryon Federal Bank expanded. The original storefront, which featured plate-glass windows, a recessed entry, and transom windows with a canvas awning, was replaced with a brick-infilled storefront with two, narrow, floor-to-ceiling plate-glass windows, and a single glass entry door at the south end of the building. Historic photographs and postcards show a painted sign on the upper façade that read "Jno. L. Jackson." An asphalt-shingle awning added in the 1960s continued from the Jackson Building across the two buildings to the north.

Rehabilitation work begun in 2014 has involved removal of the asphalt-shingle awning, replacement of the second-story windows, interior demolition, and removal of the replacement storefront. Work to reconstruct the storefront in a manner typical of the period of significance is ongoing.

South Trade Building, 25-27 S. Trade Street, ca. 1915, 1980s

C-B

Built around 1915 after a fire destroyed a number of frame buildings on South Trade Street, the two-story brick commercial building has a symmetrical nine-bay façade. The building contains two first-story commercial spaces, with a central stairway to the second-story offices. The north storefront appears to be original with recessed entrances, double-leaf single-pane wood doors, wood-frame display windows, and paneled bulkheads; the south storefront was rebuilt in the 1980s. Three cloth awnings shelter the two storefronts and the center stairway opening. The upper façade exhibits segmental-arched window openings, recessed panels, decorative brick bands, arched openings with louvered vents in the parapet, and a corbelled cornice. The second-story windows were replaced in the 1980s with single-pane fixed glass. The replacement windows diminish the integrity of the building, but the façade still retains the rhythm and scale of the second-story openings. One interior space (#25) retains its decorative pressed-tin ceiling, while the other space (#27) has been remodeled with dropped acoustical tiles and a carpeted floor.

The Tryon Post Office was located in the building for several years before a new post office building was constructed on Pacolet Street in 1948. The Blue Ridge Weavers occupied the building for a number of years in the mid-twentieth century.

Commercial Building, 31 S. Trade Street, ca. 1925, 1950s

C-B

The small, one-story, painted brick building was constructed around 1920 after a fire destroyed a number of frame buildings on South Trade Street. The façade features metal-frame storefront windows and a single-leaf entry with a transom, which were probably replaced in the 1950s or 1960s. The storefront was also remodeled, switching from the recessed central entrance that appears in early photographs to a single-leaf door positioned on the north side of the display window. A retractable cloth awning shelters the storefront. The upper façade has a single recessed panel, corbelled cornice, and a metal coping, and the interior retains its decorative pressed-tin ceiling. The building has housed a number of businesses, including Tryon Real Estate, Appalachian Weavers, and a bookstore, which has occupied the space for many years.

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Williams Building, 35 S. Trade Street, ca. 1925, ca. 1968

C-B

A small, one-story, painted brick building constructed around 1920 after a fire destroyed a number of frame buildings on South Trade Street. The storefront features a recessed entrance with a single-leaf entry door, sidelights, and a replacement metal-frame display window to the south. The low wall beneath the storefront window is covered with stucco. A cloth awning shelters the storefront, and the transom has been covered. The upper façade displays two openings with rowlock-course lintels and sills that contain louvered vents. The corbelled brick cornice has a metal coping. The interior has been remodeled with a dropped acoustical tile ceiling.

A. H. Williams erected this building in the mid-1920s to house his meat market. Williams shared the space with his brother Leroy, who operated a grocery in the front part of the building. The grocery business was later sold and operated under different owners, including Farthing and Swann in the 1940s and 1950s, while the Williams Meat Market remained active. The meat market and processing area at the rear of the building was separated from the grocery by screens. The business closed in the 1960s and the building was first rented to the First Church of Christ, Scientist, in 1968 for use as a reading room. The church later purchased the building in 1982 as a permanent home for the Christian Science Reading Room.⁹

**Tryon Bank and Trust Company Building, 39 S. Trade Street,
ca. 1927, ca. 1940, ca. 1980s**

NC-B

The two-story brick Tryon Bank and Trust Company Building has a heavily altered façade. Documentary photographs of the bank dating to the 1940s depict an Art Moderne-style façade with smooth stucco framing a large structural glass block wall, portions of which are still visible as display windows. The application of vertical brick veneer pilasters, cast concrete panels, a projecting metal box at the parapet, and a boxed metal entry canopy have obscured the simple modernism of the earlier design. The single-leaf entry door is a replacement. The rear elevation contains metal-frame casement windows and two smaller glass-block panels, which may serve to illuminate an interior stairwell.

Tryon Theatre, 45 S. Trade Street, ca. 1938, ca. 2000

C-B

At this location, an earlier silent movie theater was heavily damaged by fire in the 1930s. It was rebuilt as Tryon Theatre, with the current design, around 1938. The Moderne-influence façade features a stucco finish, decorative belt courses, and double-leaf entrance doors with half-circle windows. The recessed entrance with original ticket window on the south side is flanked by two single-leaf entrances, one of which leads to the balcony. The upper façade displays a corbelled belt course that was the cornice of the original, burned building, with a tall parapet added above to house the projection room of the theater. Three square, single-light windows resting on the belt course illuminate the projection room. Around 2000, a replacement marquee, which replicates the general outline of the original, was added to the façade, and the interior, which seats 285 people, was remodeled.

⁹ Byrd, 46; and Bennett, 106.

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Originally home to the Polk County Telephone and Telegraph Office, the first Tryon Theatre opened at 45 S. Trade Street in the mid-1920s. After the original building was severely damaged by fire in the 1930s, the theater was redesigned, rebuilt, and opened to the public in 1938. The new theater building featured balcony seating and an outside concession stand for black citizens. Upon its reopening, the theater received dozens of telegraphs from Hollywood, including a personal note from actor David Niven. After owner Marvin Ball was fatally shot in the 1950s, the theater was operated by the Scoggins and Fender families through the 1970s. The theater was later sold to Bill and Anne Foster Crowell in 1985, and became the first in North Carolina to receive a malt beverage license. Remarkably, the theater's original carbon arc projectors were still in use. Weighing more than four hundred pounds each, the projectors were located in a room directly above the building's marquee. The theater was sold to its current owner in 1991, and continues to be a gathering place for the community, with movies showing Wednesday through Sunday.¹⁰

Tryon Supply Company, 49 S. Trade Street, ca. 1910, ca. 2000

C-B

Built around 1910, the one-story brick commercial building is one of the oldest structures on this block of South Trade Street. A photograph taken after the 1913 fire that destroyed most of the frame buildings on the block shows the distinct peaked parapet façade of the Tryon Supply Company remaining intact. A corbelled brick and rough ashlar cornice of rectangular stone blocks cap the façade. At the center, corbelled brick pilasters support the peaked parapet, which is also topped by rectangular stone blocks of rough ashlar. The original storefront consisting of a large display windows and recessed entrance under a continuous multi-light transom was removed around 2000 and replaced with a modern recessed storefront of metal and glass. The steel I-beam lintel, which appears in documentary photographs above the original storefront, remains intact. A large, steel fire escape stair has been attached to the rear of the building.

Nina Simone Plaza, 54 S. Trade Street, 2010

NC-Site

The small, paved plaza is located on the southwest side of South Trade Street, adjacent to the railroad right-of-way. The paved area is bordered by a low, stone wall and surrounded by planting beds. A six-foot-tall stone obelisk stands just outside the paved area of the plaza to the southwest, and a small circular fountain is located to the southeast. An old mill stone forms the centerpiece of the fountain.

The focal point of the plaza is an eight-foot-tall, bronze sculpture of the famed jazz musician and singer Nina Simone (1933-2003), which was created in 2010 by internationally acclaimed sculptor Zenos Frudakis. The sculpture commemorates the musical legacy and civil rights activism of Tryon-born Eunice Waymon, who adopted the stage name Nina Simone in 1954. A portion of Simone's cremated remains, donated by her daughter, are encased within the sculpture in a secondary, heart-shaped bronze sculpture.

Commercial Building, 55 S. Trade Street, ca. 1910, ca. 1935

C-B

Built around 1910, the small, one-story brick commercial building is one of the oldest structures on this block of South Trade Street. The façade contains two storefronts, each with a

¹⁰ Byrd, 100.

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single-leaf door flanked by a display window and topped by transoms. The window and door openings have segmental-arch openings and the transoms have been boarded. The upper façade contains significant brick corbelling, but the façade is now covered with rough stucco that obscures the brickwork details. Based on historic photographs, the stucco appears to have been applied by the mid-1930s. A narrow alley accessed by concrete steps runs along the north side of the building, and small segmental-arched window openings are located on the exposed side elevations. A segmental-arch window and door opening on the north elevation at the basement level are accessed from the alley. Metal-frame casement windows at both levels are located on the rear elevation. The interior retains its original decorative pressed-tin ceiling.

Morris, the Tryon Horse, West side of Trade Street, 2012

NC-O

The sixth-generation Tryon Horse, standing twenty-two hands high, is located at the center of town at the southwest corner of the intersection of S. Trade and Pacolet streets, and in keeping with its original purpose, serves as a community message board. Meredith Lankford and Odell Peeler of the Tryon Toymakers and Woodcarvers built the original wooden horse in 1928, based on one of the group's most popular toys. Morris, as the horse is often called, was built for the Tryon Riding and Hunt Club to advertise the club's events. The original was consumed by fire in the 1930s, and the second damaged by vandalism in 1946. The third horse succumbed to weather-related deterioration in the 1960s. The fourth iteration was restored and rebuilt in 1983, when a local boat builder constructed a fiberglass body for the horse. The Tryon Horse was completely restored again in 2012.¹¹

¹¹ Elizabeth Doubleday Frost, *Tryon Memories* (Tryon, NC: The Polk County Historical Association and Tryon Publishing Company, Inc., 1995), 62-63.

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8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- ☒ A. Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ B. Property is associated with the lives of persons significant in our past.
- ☐ C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ D. Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

- ☐ A. Owned by a religious institution or used for religious purposes
- ☐ B. Removed from its original location
- ☐ C. A birthplace or grave
- ☐ D. A cemetery
- ☐ E. A reconstructed building, object, or structure
- ☐ F. A commemorative property
- ☐ G. Less than 50 years old or achieving significance within the past 50 years

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Areas of Significance

(Enter categories from instructions.)

Commerce

Period of Significance

1908 – 1965

Significant Dates

1913 (fire)

Significant Person

(Complete only if Criterion B is marked above.)

N/A

Cultural Affiliation

N/A

Architect/Builder

Brady, Holland – architect

Strong, Maj. William – builder

Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance, applicable criteria, justification for the period of significance, and any applicable criteria considerations.)

Summary

The Downtown Tryon Historic District is the historic commercial center along Trade Street, parallel to the Asheville-Spartanburg Railway right-of-way in Tryon, North Carolina. The arrival of the Asheville-Spartanburg Railroad in 1877 spurred the development of Tryon as a

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resort area and a market center for area farmers. Running parallel to the east and northeast of the railroad tracks, Trade Street became the town's primary commercial corridor with businesses supporting the residents of Tryon, farmers, and tourists arriving by train. After a fire largely destroyed the town's two main commercial blocks in 1904, the central blocks of Trade Street were slowly rebuilt and began taking their present-day shape during the first two decades of the twentieth century. The Downtown Tryon Historic District is locally significant under Criterion A in the area of commerce. The buildings facing the railroad tracks on Trade Street, along with the businesses and functions associated with them, served as Tryon's bustling downtown. Opened in 1896 and rebuilt in 1913, Missildine's Pharmacy at 13 S. Trade Street served as the central gathering place for residents, travelers, and commercial activities. Its significance within the community was supplemented by banks, professional offices, pharmacies, general and specialty stores, and a movie theatre. The period of significance for the district begins in 1908, with the construction of the Bank of Tryon Building, and ends in 1965, the fifty-year cut-off date for the National Register. The post-1965 period is not of exceptional significance, although commercial development continued through the 1980s, when interstate construction started to undermine local businesses by allowing easier access to larger shopping centers in Hendersonville, North Carolina, and Spartanburg, South Carolina.

Historical Background and Commercial Context

Located along the southeastern edge of the Blue Ridge, Tryon, North Carolina, is a small mountain town nestled in the southernmost section of Polk County, near the border with South Carolina. Due to its proximity to both the Blue Ridge and the Piedmont, Tryon and the surrounding area benefit from a climactic phenomenon, known as the Thermal Belt, which allows for moderate temperatures throughout the year and little to no frost. In addition to being a significant draw for tourists, the mild climate has also allowed for vineyards and fruit growing to thrive in the area, in addition to traditional agricultural production of livestock and staple crops.¹²

The much anticipated arrival of the Asheville-Spartanburg Railroad in Tryon in 1877 ushered in a new era of economic and social development. Completion of the new railroad line, which was built with the intention of connecting the coastal regions of South Carolina with western North Carolina, Tennessee, and the Ohio Valley, began a pattern of steady growth and introduced visitors to the region. Tryon's location at the base of the Saluda Grade, the steepest mainline railroad grade in the country, provided an ideal stopping place for northbound trains to prepare for their ascent into the higher mountains, while southbound trains stopped over to cool their wheels.¹³

In order to accommodate the influx of travelers, several boarding houses were erected in close proximity to the railroad depot, as well as Tryon's first hotel, the Tryon City Hotel. Built in 1882 by T. T. Ballenger and his father-in-law, William Garrison, the Tryon City Hotel was the town's most elaborate structure at the time, and featured Italianate- and Queen Anne-style ornamentation. Later known as Oak Hall, the Tryon City Hotel hosted a variety of famous

¹² Bennett, 75; and Bill Sharpe, *A New Geography of North Carolina*, Volume III (Raleigh, NC: Sharpe Publishing Company, 1961), 1536-1538.

¹³ "Bank of Tryon Building," National Register Nomination.

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visitors, such as noted New York actor William Gillette, and was a local landmark until its demolition in 1979.¹⁴ Along with erecting Tryon's first hotel, Ballenger was one of Tryon's most prominent citizens. He acted as the town's first mayor, was elected to three terms, and later served in the state Senate.¹⁵

Advertised for its temperate climate and mountain scenery, Tryon's tourism industry rapidly increased during the latter part of the nineteenth century and many of those who visited stayed on to build vacation homes or become permanent residents. Many visitors with respiratory ailments came to the area, seeking the reputed healing mountain air.

Following Tryon's incorporation in 1885, the town was formally laid out in a one-half-mile circle around the railroad depot, which was located at the time on the east side of the tracks near their crossing with South Trade Street.¹⁶ Trade Street quickly emerged as Tryon's primary commercial corridor running parallel to the railroad tracks along their east and northeast side. At the time of the town's incorporation, several businesses, including T. T. Ballenger's dry goods store and blacksmith shop, were located along Trade Street. By 1889, the town also boasted twenty-four residences, as well as multiple fruit farms and vineyards in the surrounding area. According to a sketch written by Tryon resident Susan Erskine Rogers in 1897, Trade Street was also home to Missildine's Drug Store, the post office, Livingston's Livery Stables, and a few residences.¹⁷

At the turn of the twentieth century, as Tryon's population surpassed three hundred people, commercial activity along Trade Street increased in order to meet the needs of the surrounding community. Commercial buildings were built along one side of the street, overlooking the railroad tracks to the west. According to the *North Carolina Year Book and Business Directory* for 1904, Tryon business services included two doctors, a pharmacist, an architect, one hotel and seven boarding houses, two livery stables, and a newspaper, the *Tryon Bee*.¹⁸ The population continued to grow and the town expanded its municipal services, including the construction of a new school on North Trade Street in 1906. The three-story brick structure was later used as a hotel and eventually came to house the town's municipal offices; today it is the Tryon Town Hall.

Despite devastating fires in 1904 and 1913 that destroyed many of Trade Street's earliest frame buildings, the two main commercial blocks began to take on their present-day form in the first two decades of the twentieth century, when the large majority of the street's existing one- and two-story buildings were constructed. Typical of commercial architecture of the era, the buildings were mostly built of masonry with corbeled brick work or stone and cast metal storefronts.¹⁹ In January 1904, fire broke out in the clothing section of Ballenger's store, located at the northeast corner of Trade and Oak streets, destroying several nearby buildings. The Ballenger Building (10 N. Trade Street) was soon rebuilt, however, and immediately became

¹⁴ Lea and Roberts, 1-5, 9-13.

¹⁵ Bennett, 75; and Lea and Roberts, 8.

¹⁶ Bennett, 75; and Clay Griffith, "Historic Architectural Resources Inventory Survey Report, Downtown Tryon Survey, Tryon, North Carolina," prepared for Town of Tryon and Tryon Downtown Development Association, Tryon, NC, April 2008 (hereinafter cited as "Downtown Tryon Survey Report").

¹⁷ Lea and Roberts, 5.

¹⁸ *The North Carolina Year Book and Business Directory* (Raleigh, NC: The News & Observer, 1904), 466.

¹⁹ Bishir, et al., 52-53.

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home to the newly formed Bank of Tryon. Organized in 1905, by James B. Hester, James Norwood, J. D. Freeman, and T. T. Ballenger, the Bank of Tryon was the first bank located in Polk County.²⁰ Hester relocated to Tryon from Pickens, South Carolina, in 1903, and was employed as the station agent for the Southern Railway. He also served as the first cashier for the new bank. In 1907, the Bank of Tryon announced plans to build a new building immediately adjacent to the Ballenger Building on Trade Street. Completed in late 1907 or early 1908, the Bank of Tryon Building (16 N. Trade Street) was constructed in the Romanesque Revival style and is one of the oldest structures remaining on Trade Street.²¹

The Bank of Tryon Building became home to the *Tryon Daily Bulletin*, “the world’s smallest daily newspaper,” in 1935. Founded in 1928 by Seth M. Vining, the *Tryon Daily Bulletin* was first located in the Wilkins Building (28-38 N. Trade Street) at the corner of Trade and Maple streets. The newspaper was printed on paper five-and-a-half inches by eight-and-a-half inches, and served the community by reporting on its “good news” and the people of Tryon. Seth Vining Jr. took over the paper in 1975, upon his father’s retirement, and it remained a family-owned business until 1989.²²

A second fire devastated Trade Street in August 1913, destroying the original two-story brick building that housed Missildine’s pharmacy. A native of Lebanon, Missouri, E. E. Missildine moved to Tryon in 1895, after graduating from Rollins College in Florida. He first taught school in the area, but recognized the community’s need for a pharmacy and immediately set to work to become a registered pharmacist. In 1896, he opened a drugstore with local doctor Earl Grady, which was known for some time as the Polk County Drug Store. After buying Dr. Grady’s shares in 1901, Missildine became sole proprietor of the business and the pharmacy was later renamed Missildine’s.²³ Following the 1913 fire, a new two-story brick commercial building was constructed on the same site. It was Tryon’s first steam-heated building and still occupies the prominent southeast corner of Trade and Oak streets. Over the years, Missildine’s Drug Store hosted many famous visitors, including David Niven, Mrs. Calvin Coolidge, Randolph Scott, Mrs. George Marshall, and F. Scott Fitzgerald.²⁴

The popularity of Tryon and the surrounding area as a resort destination continued to increase through the early to mid-twentieth century, which further boosted commerce. Tryon attracted many prominent citizens, particularly from the Midwest, who sought out the area for its scenic vistas, rolling country estate property, and healing mountain air. New residents built summer homes or established resorts for visitors. One such developer, Carter P. Brown, owner of the Castle Park Hotel in Michigan, came to Tryon in 1918 in search of resort property. After arriving in Tryon, Brown purchased a lodge and several buildings, built as a sanitarium in 1917, located just south of downtown. He converted them into the Pine Crest Inn (NR, 1980), which quickly became renowned for its rustic charm and attracted a variety of well-heeled visitors to Tryon.

Alongside Tryon’s bustling tourism industry, equestrian culture played an integral role in its social and economic development. After establishing his successful resort, Brown went on to

²⁰ “Bank of Tryon Building,” National Register Nomination.

²¹ Ibid.

²² Ibid.

²³ *Tryon Daily Bulletin*, July 27, 1962.

²⁴ *Tryon Daily Bulletin*, no date.

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found the Tryon Riding and Hunt Club. He also worked to revitalize the Block House, originally a trading outpost, for equestrian events, establish riding trails, and organizing horse shows. Brown helped to start the annual steeplechase, one of Tryon's most enduring social events. Tryon has long been called an "equestrian paradise," with its lush valleys, miles of riding trails, and annual fox hunts.²⁵

Morris, the famed Tryon Horse, still presides over Trade Street, as an ever-present reminder of local pride for the community's equestrian heritage. Originally built in 1928 by Meredith Lankford, an employee of the Tryon Toymakers and Woodcarvers, Morris quickly became an icon in the community, with his likeness being recreated on everything from t-shirts to postcards. Lankford also made miniatures for the Tryon Toymakers and Woodcarvers, which were an important addition to their business. The original wooden Morris burned in the 1930s, and has since seen several recreations. The present Tryon Horse, the sixth iteration, remains in the original location at the corner of Trade and Pacolet streets and is frequently used to advertise equestrian events in the area.²⁶

Several other industries thrived in the Tryon area during the first part of the twentieth century. The Tryon Electric Company, formed in 1910 by Ralph Erskine, represented a leap forward into the modern era for the community. The electric company initially derived power from Erskine's dam and boiler, but the company eventually contracted with the Melrose Power and Manufacturing Company to bring power to its subscribers. The Tryon Electric Company was later sold to Broadriver Power Company in 1926, which has since merged with Duke Energy. Erskine simultaneously began the Tryon Chair Factory on Screven Road. In its early years, the Tryon Chair Factory utilized native craftsmen and designed traditional mountain furniture. The company later expanded to become Danersk and manufactured fine period furniture.²⁷ After Erskine moved operations out of state, the factory building was sold to another local entrepreneur, F. P. Bacon. Along with Frank Wilcox Jr. and Edwin Wilcox, F. P. Bacon founded the Southern Mercerizing Company in 1910, which was one of Polk County's oldest continuously active industries for much of the twentieth century. Although none of these industries were located in downtown Tryon, they provided employment for local residents and contributed to the economic base that supported downtown commerce in the early and mid-twentieth century.

The area craft industry also blossomed, following the arrival of Eleanor Vance and Charlotte Yale from Asheville in 1915. After working at Biltmore Estate for some time and helping form the successful Biltmore Industries alongside Mrs. George W. Vanderbilt, the two women retired to Tryon and quickly set to work forming the Tryon Toymakers and Wood Carvers. With their new enterprise, Vance and Yale trained local craftspeople in traditional European craftwork, such as weaving, woodcarving, furniture design and construction, and toy making.²⁸ The Toy House, a picturesque house at 25 Grady Avenue outside the Downtown

²⁵ Claudia P. Roberts, "Pine Crest Inn," National Register of Historic Places Nomination, Office of Archives and History, North Carolina Department of Cultural Resources, Raleigh, NC, 1980; Lea and Roberts, 6-7; and Bennett, 5.

²⁶ *Tryon Daily Bulletin*, April 14, 2000.

²⁷ Lea and Roberts, 6.

²⁸ Ibid. Michael J. McCue, *The Tryon Toy Makers and Wood Carvers: A History 1915-1940* (Columbus, NC: Condar Press, 2004), 3.

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Tryon Historic District, was built in 1923 for business operations and as showroom for the Tryon Toymakers' work.

By the early 1920s, hitching posts for horses along Trade Street had disappeared, having been replaced with new parking spaces for automobiles.²⁹ In 1924, Drs. Allen Jervy and Marion Palmer opened a small twelve-bed hospital on the second story of the Wilkins Building at 28-38 N. Trade Street. The facility served as the local hospital until St. Luke's Hospital on Carolina Drive (outside the district) in 1929. New downtown businesses, including groceries, jewelers, real estate offices, and restaurants, continued to emerge, with the two main blocks of Trade Street taking their present day form by 1925, according to Tryon Sanborn maps. Additionally, the block of Trade Street between Maple and Palmer streets was partially built up by 1929.³⁰

The increased use of automobiles in the second quarter of the twentieth century led to expansion of residential areas located further from the town's commercial center. Tryon's first filling stations, however, were built along Trade Street in the late 1930s and 1940s. A Sinclair station opened around 1940 at 62 N. Trade Street, on the northeast corner of Trade and Maple streets. The Tryon Motor Supply and several auto repair garages were located along Trade Street to the north of the Downtown Tryon Historic District.³¹

Although the Great Depression brought significant financial hardship to many in Tryon, especially as land speculation in the area came to a halt, the community remained relatively unscathed, and "gaiety" remained the order of the decade. In lieu of cash, downtown store owners accepted more produce and farm products as payment for goods and services during the leanest years. With the economy recovering in the late 1930s, the Blue Ridge Weavers, one of the area's local craft enterprises opened a gift shop at 49 S. Trade Street. Fred and Essie Owen purchased Slack's Pharmacy from Arlie Slack in 1939, and continued the business as Owen's Pharmacy. In addition to the pharmacy, Owen's had a popular soda fountain. Owen's Pharmacy began in the North Trade Building at 22-26 N. Trade Street, where Slack's Pharmacy had been located, but moved next door to the Wilkins Building at 28-38 N. Street in the 1960s.³²

The building at 45 S. Trade Street, formerly occupied by the Polk County Telephone and Telegraph Office, was converted to a movie house and vaudeville theater for white people only in the mid-1920s, after the government mandated that telephone and telegraph services be freestanding. Fire significantly damaged the building in the late 1930s, but a newly remodeled building opened in 1938 as the Tryon Theater, with a balcony and outside concessions to accommodate black citizens. The smooth stucco façade of the remodeled theater was emulated by the neighboring Tryon Bank and Trust Company at 39 S. Trade Street. The bank façade was remodeled around 1940 in the Moderne style with smooth stucco framing a large storefront of structural glass block with fluted pilasters and marble-veneer bulkheads (the appearance of the building has since been significantly altered).³³

The significance of downtown was best summarized by Tryon native Betty Frost, who stated that "...for a long, long time, the hub of Tryon was just on Trade Street. That's where

²⁹ Bennett, 79.

³⁰ Lea and Roberts, 13-14.

³¹ "Downtown Tryon Survey Report."

³² Bennett, 80 and 271-272.

³³ Byrd, 100.

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everything was.”³⁴ Along with Trade Street, the life of Tryon centered on the railroad, which was operating five northbound and five southbound passenger trains a day in the 1940s. Frost recalled that a favorite activity was getting dressed up to meet the 5:00 train, especially when there were soldiers on the train. The crowd from the depot typically went across Trade Street to Missildine’s to have a Coke and wait while the mail was being sorted in the post office.³⁵

The 1950s and 1960s were a period of change in Tryon. Diesel trains replaced the steam engines that came through town. Following World War II, commercial development in downtown began to expand south and west of Trade Street, with a trend toward business development across the railroad tracks along Pacolet Street. Tryon’s post office, which had been located in different businesses on Trade Street since 1876, was the first to move its operations in 1948. Additionally, Tryon Bank and Trust Company (formerly located at 39 S. Trade Street), which had merged into the North Carolina National Bank, moved to the corner of Pacolet and Chestnut streets in 1967. While the commercial area on Pacolet Street continued to attract new businesses, Trade Street remained the primary commercial corridor of the town.³⁶

Several of Trade Street’s stalwart businesses, however, struggled in the 1960s, or changed hands. A. H. Williams’ meat market in the building he erected at 35 S. Trade Street in the mid-1920s closed in the 1960s. In 1968, the Blue Ridge Weavers moved from the South Trade Building at 25-27 S. Trade Street to the Missildine’s building, after the pharmacy closed. Around the same time, Owen’s Pharmacy moved from the North Trade Building to Wilkins Building. The final passenger train between Tryon and Saluda ran in December 1968.

The completion of Interstate 26 through Polk County in 1976 drew traffic off of old US Highway 176 (Trade Street) between Hendersonville, North Carolina, and Spartanburg, South Carolina. While easier access to shopping malls and larger retailers changed the commercial landscape to some degree, boutiques, specialty stores, and cottage industries emerged and began to thrive along Trade Street during the late twentieth century. Tryon’s downtown remains as an integral part of the community’s character and economic vitality.³⁷

³⁴ Frost, 32.

³⁵ Ibid.

³⁶ Bennett, 80-81; and Frost, 16.

³⁷ “Downtown Tryon Survey Report.”

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24, 2015.

Previous documentation on file (NPS):

☐ preliminary determination of individual listing (36 CFR 67) has been requested
☐ previously listed in the National Register
☐ previously determined eligible by the National Register
☐ designated a National Historic Landmark
☐ recorded by Historic American Buildings Survey # _____
☐ recorded by Historic American Engineering Record # _____
☐ recorded by Historic American Landscape Survey # _____

Primary location of additional data:

☒ State Historic Preservation Office
☐ Other State agency
☐ Federal agency
☐ Local government
☐ University
☒ Other

Name of repository: Polk County Historical Museum, Columbus, NC
Polk County Library, Columbus, NC

Historic Resources Survey Number (if assigned): PL0058

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10. Geographical Data

Acreeage of Property: approx. 6 acres

Use either the UTM system or latitude/longitude coordinates

UTM References

Datum (indicated on USGS map):

☐ NAD 1927 or ☒ NAD 1983

- | | | |
|-------------|-----------------|-------------------|
| 1. Zone: 17 | Easting: 387210 | Northing: 3896830 |
| 2. Zone: 17 | Easting: 387440 | Northing: 3896570 |
| 3. Zone: 17 | Easting: 387340 | Northing: 3896470 |
| 4. Zone: 17 | Easting: 387100 | Northing: 3896730 |

Verbal Boundary Description (Describe the boundaries of the property.)

The district boundary is shown by a heavy black line on the accompanying Polk County tax map at a scale of 1 inch = 123 feet.

Boundary Justification (Explain why the boundaries were selected.)

The boundaries of the Downtown Tryon Historic District are drawn to encompass the most intact and cohesive collection of commercial buildings in the downtown area constructed during the period of significance, 1908 to 1965, contributing to the district's historic character. The area outside the boundaries is characterized by later, or heavily altered, commercial development and residential construction. Substantially altered commercial buildings to the north of the district and later commercial development to the east help to define the significant core buildings within the boundary. Commercial development on South Trade Street to the south of the district is typically lower density and reflective of different development patterns. West of the railroad right-of-way and separated from the historic district by the railroad, a modern bank, and the altered depot, a small commercial area developed in the post-World War II period and abuts an older residential section on Melrose Avenue. Most of these commercial buildings have been significantly altered.

Downtown Tryon Historic District
Name of Property

Polk County, NC
County and State

11. Form Prepared By

name/title: Clay Griffith and Alex Cole
organization: Acme Preservation Services
street & number: 825C Merrimon Ave., #345
city or town: Asheville state: NC zip code: 28804
e-mail: cgriffith.acme@gmail.com
telephone: (828) 281-3852
date: August 26, 2015

Additional Documentation

Submit the following items with the completed form:

- **Maps:** A USGS map or equivalent (7.5 or 15 minute series) indicating the property's location.
- **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.
- **Additional items:** (Check with the SHPO, TPO, or FPO for any additional items.)

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C.460 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 100 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Office of Planning and Performance Management, U.S. Dept. of the Interior, 1849 C. Street, NW, Washington, DC.

Downtown Tryon Historic District
Name of Property

Polk County, NC
County and State

Photographs

Name of Property: Downtown Tryon Historic District

City or Vicinity: Tryon

County: Polk

State: North Carolina

Photographer: Clay Griffith and Alex Cole

Date Photographed: as noted

Description of Photograph(s) and number, include description of view indicating direction of camera:

Photo Log

1. Asheville-Spartanburg Railway railroad right-of-way, view to southeast from Pacolet Street, August 25, 2015
2. Bank of Tryon Building, 16 N. Trade Street, view to northeast, July 13, 2014
3. Tryon Theatre, 45 S. Trade Street, view to northeast, August 25, 2015
4. Commercial Building, 86 N. Trade Street, view to northeast, July 13, 2014
5. South Trade Building, 25-27 S. Trade Street, view to northeast, July 13, 2014
6. W. Y. Wilkins Building, 28-38 N. Trade Street, view to northeast, July 13, 2014 (non-contributing resource)
7. Nina Simone Plaza, 54 S. Trade Street, view to northwest, May 5, 2015 (non-contributing resource)
8. North Trade Street, streetscape view to north, August 25, 2015
9. North Trade Street, streetscape view to southeast, July 13, 2014
10. South Trade Street, streetscape view to north, July 13, 2014

Coates' Canons NC Local Government Law

Designating Local Historic Landmarks and Districts

Published: 05/21/25

Author: Adam Lovelady

North Carolina authorizes local governments “[t]o safeguard the heritage of the city or county by preserving any district or landmark therein that embodies important elements of its culture, history, architectural history, or prehistory” (G.S. 160D-940). State law sets forth minimum standards for what can qualify as a landmark or district, provides procedures for designating landmarks and districts, and establishes a high priority for design standards to guide development decisions related to landmarks and districts.

Distinguish National and Local Designation

Historic properties may be designated in a variety of ways. Two common and important designations are (1) listing in the National Register of Historic Places, and (2) local designation as a local historic landmark or district. These are two separate designations with important differences.

National Register of Historic Places

The National Register of Historic Places is the list, maintained by the National Park Service, of the Nation’s historic places worthy of preservation. Nominations for a property to be listed typically come from a community survey of historic properties, interested individuals, or historic property surveys conducted as part of an environmental review process. Nominations are submitted to the North Carolina State Historic Preservation Office (SHPO) in the Department of Natural and Cultural Resources. The SHPO evaluates nominations based on national criteria, coordinates with owners and affected parties, and, when appropriate, submits the formal nomination to the National Park Service.

Listing in the National Register *does not* restrict private property. A private owner may alter, improve, or demolish a building listed in the National Register without any approval from the

local, state, or federal government. Listing in the National Register does give access to federal grants and tax credits for qualifying properties and projects.. If an owner pursues those funds, they agree to adhere to the Secretary of the Interior's Standards for Rehabilitation.

Listing in the National Register *does* restrict federal and state actions. Various federal laws require federal agencies to consider and mitigate impacts from federal actions on properties listed in the National Register. Applicable laws include Section 106 of the National Historic Preservation Act of 1966; Section 4(f) of the U.S. Department of Transportation Act of 1966; Section 6(f) of the Land and Water Conservation Fund Act; and the National Environmental Policy Act. Additionally, G.S. 121-12(a) requires North Carolina state agencies to consider National Register properties in undertakings funded or licensed by the state.

Local Designation of Historic Landmarks and Districts

In contrast to National Register listing, local designation is based on local decision-making and typically does establish regulations on private property.

As explained more fully below, North Carolina state law establishes the basic standards and processes for designating historic landmarks and districts. From there, the law leaves local communities to determine what areas and properties are appropriate to preserve.

Notably, local designation typically *does* regulate private property. Once a local government has designated a property as a historic district or landmark, the property owner must seek a certificate of appropriateness (COA) from the local historic preservation commission. A COA is a permit and determination by the preservation commission that a proposed change to the property (construction, alteration, demolition, etc.) is congruous with the "special character" of the landmark or district. Locally adopted design standards help guide COA decisions, and the commission must follow quasi-judicial procedures when making COA decisions. Note, though, that regulations for local historic districts and landmarks may not prohibit an otherwise lawful use of property: "Nothing in [the Historic Preservation statutes] shall be construed to prevent a property owner from making any use of his or her property that is not prohibited by other law" (G.S. 160D-947).

While there are regulations, there are also potential benefits for locally designated landmarks. When a property is designated as a local landmark it may be eligible for property tax deferral (G.S. 105-278).

Now let's consider the standards and processes for designating local historic landmarks and districts.

Designating Landmarks

Qualifications for Designating Local Historic Landmarks

Property may only be recommended for landmark designation if it is "deemed and found by the preservation commission to be of special significance in terms of its historical, prehistorical, architectural, or cultural importance and to possess integrity of design, setting, workmanship, materials, feeling, and/or association" (G.S. 160D-945).

Process and Ordinances for Designating Local Historic Landmarks

G.S. 160D-946 sets forth the process for establishing a local historic landmark, as follows:

- The preservation commission must prepare and adopt rules of procedure and principles and standards for landmarks.
- The preservation commission must investigate the proposed landmark designation or acquisition and then prepare and forward to DNCR a report on the designation or acquisition proposed. Local governments have limited authority to regulate historic interiors; if interior features will be designated, they should be included in the investigation and report (G.S. 160D-947).
- DNCR has thirty days to provide written comments about the proposed landmark designation or acquisition. If DNCR fails to provide comments within this thirty-day period, the local government may move forward without having to consider any comments from DNCR.
- The preservation commission and governing board must hold legislative hearings, separately or jointly, on any proposed landmark designation or acquisition. Notice of any hearing is to be provided in accordance with G.S. 160D-601.
- The designation is adopted as an ordinance. The ordinance must "describe each property designated in the regulation, the name or names of the owner or owners of the property, those elements of the property that are integral to its historical, architectural, or prehistorical value, including the land area of the property so designated, and any other information the governing board deems necessary" (160D-945). If interior features will be designated, "[t]he landmark designation shall specify the interior features to be reviewed and the specific nature of the commission's jurisdiction over the interior" (G.S. 160D-947).
- The local government must provide written notice of the landmark designation or acquisition to the owners and occupants of the designated or acquired landmark within a reasonable time.
- A copy of the designation or acquisition must be filed with the register of deeds, the municipal clerk (if applicable), and the building inspector. Additionally, landmark designations shall be clearly indicated on local government-maintained tax maps.

- The preservation commission must provide notice to the county tax supervisor of any designation or acquisition or amendment to a designation or acquisition.

Note that design standards must be adopted as part of the designation process for landmarks. That is different from historic districts, where the design standards may be adopted after designation.

Designating Districts

Qualifications for Designating Local Historic Districts

“Historic districts . . . shall consist of areas that are deemed to be of special significance in terms of their history, prehistory, architecture, or culture and to possess integrity of design, setting, materials, feeling, and association” (G.S. 160D-944).

Process and Ordinance for Designating Local Historic Districts

In order to establish a historic district, the local government must take the following steps, outlined at G.S. 160D-944:

- Investigate and draft a report “describing the significance of the buildings, structures, features, sites, or surroundings included in the proposed district and a description of the boundaries of the district have been prepared.” For the initial district in a jurisdiction, the local government may prepare the report. For changes to existing boundaries or establishment of new districts after an initial district, the preservation commission is responsible for preparing the report.
- Submit the report and boundaries to the State Historic Preservation Office (for at least 30 days) for review and comment.
- Additionally, submit the report and boundaries to the local planning board. For the initial district in a jurisdiction, it is appropriate, though not required, to refer the report and boundaries to the preservation commission.
- After sharing the report and allowing for recommendation, the local government follows the standard process for adoption or amendment to a zoning ordinance, including referral to the planning board, public notice, legislative hearing, and vote on the ordinance.

A historic district may be an overlay zoning district or it may be a stand-alone use district of the zoning ordinance.

Design standards, discussed below, may be drafted and adopted as part of the designation process or subsequently. Either way, design standards must be in place prior to the preservation commission acting on a certificate of appropriateness. Crafting standards with the designation

would align efforts and gain some procedural efficiency. But, if for some reason a designation was unsuccessful, efforts on design standards would be wasted efforts.

Historic Design Standards

A North Carolina local government must adopt design standards to guide decisions about development affecting historic landmarks and districts. “Prior to any action to enforce a landmark or historic district regulation, the commission shall . . . prepare and adopt principles and standards . . . to guide the commission in determining congruity with the special character of the landmark or district for new construction, alterations, additions, moving, and demolition” (160D-947(c)). Moreover, “[i]n making decisions on certificates of appropriateness, the commission shall apply the rules and standards adopted pursuant to subsection (c) of this section” (G.S. 160D-947)(a).

Design standards document the special character of the landmark or district and guide decisions about what is (or is not) congruous with the special character. While state law does not specify required elements of design standards, there are common elements. Among other things, design standards typically include: architectural styles of the landmark or district; building details such as siding, roofing, windows and doors, and porches; site details such fences and walls; expectations for building additions; and expectations for new construction.

The Secretary of the Interior’s Standards for the Treatment of Historic Properties is a useful guide for preservation work. Some projects must adhere to those standards; property owners seeking federal tax credits must meet the Standards for Rehabilitation, for example. The Secretary of Interior’s Standards can be useful for local decision-making and some communities incorporate them into the local regulations. While the Secretary’s standards provide good guidance, locally adopted design standards that are specific to a particular district provide greater tailoring of appropriate design considerations.

For more on design standards and commission decisions, see the forthcoming blog on Certificates of Appropriateness and Quasi-Judicial Procedures. For more on the role of the local commission, see this blog on Preservation Commission Basics.

Resilience and Historic Preservation

A variety of natural hazards threaten historic resources in North Carolina. In many cases, the preservation of historic resources must include preservation from flooding. In general, historic

design standards have not taken into account the adaptations property owners may need in order to protect a property.

The Historic Resilience Project was a collaborative project to provide resources for local communities to align historic preservation and community resilience. The project included model Resilience Design Standards to address property alterations for resilience. The standards and other resources are available at <https://hrp.sog.unc.edu/resources/>.

Summary

Local historic landmarks and districts are distinct from landmarks and districts listed in the National Register of Historic Places. Listing on the National Register of Historic Places happens following nomination; does not regulate the property; restricts federal power over the property; and provides the property owner with opportunities to take advantage of certain grants and tax credits. Local historic landmark or district designation happens through local and state government coordination; does typically result in increased regulation over property; and may come with tax benefits for qualifying landmarks. Designation of a local landmark or district must follow a state-mandated procedure, including investigation and report, coordination with the State Historic Preservation Office, designation through an ordinance, and adoption of design standards.

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Coates' Canons NC Local Government Law

Limits on "Down-Zoning"

Published: 12/20/24

Author: Adam Lovelady

The North Carolina General Assembly amended state law to greatly restrict local government discretion to amend local zoning ordinances. The statutory provision, amended as part of the Disaster Recovery Act of 2024 – Part III, Session Law 2024-57 (S.B. 382), broadly defines “down-zoning” and provides that local governments cannot adopt a down-zoning without written consent from all impacted owners.

The precise interpretation and breadth of impact of this law are not perfectly clear. There are many questions. One thing is clear: the law dramatically alters the authority for local governments to amend local zoning ordinances.

This blog seeks to decipher the meaning and scope of the new limits on down-zoning. The blog outlines the amended statutory language; it investigates the meaning and scope of “down-zoning” as defined by state law; and it identifies some of the ways that local zoning administration may be impacted by the new limits.

Property Rights and Ordinance Changes

State and local law has long addressed this question of fairness that is central to land use regulations: To what extent should new regulations apply to existing development? Vested rights allow a property owner to develop land pursuant to an approved development permit even if the regulations are changed after the permit is issued. The permit choice rule ensures that if a property owner has already applied for a development approval (but not yet received approval) and then the regulations are changed, the property owner can choose for the permit to be reviewed under the old rules or reviewed under the new rules. As for existing development, local ordinance provisions about nonconforming situations generally allow existing land uses and development to continue, even if new regulations would not allow that existing development if it was proposed as new

development. All of these rules—vested rights, permit choice, and nonconformity provisions—provide protection for property owners against regulatory changes that might otherwise limit planned and existing development.

Additionally, North Carolina law has limited down-zonings by third parties. The prior version of G.S. 160D-601(d) prevented an individual from requesting to reduce the development rights on their neighbor's property without consent from the neighbor. The old law, though, maintained local government authority to make decisions about rezoning property and adjusting zoning standards. The local legislative body—the town council or county commission—had authority under prior law to make local legislation decisions to adjust rules according to local needs and priorities.

New legislation goes much further: It prohibits local government-initiated down-zoning and it broadens the definition of down-zoning. Session Law 2024-57 (S.B. 382), Section 3K.1.(a), amends G.S. 160D-601(d) to read as follows (strike-throughs show text that was cut and underlines show text added):

(d) Down-Zoning. – No amendment to zoning regulations or a zoning map that down-zones property shall be ~~initiated nor is it enforceable~~ initiated, enacted, or enforced without the written consent of all property owners whose property is the subject of the down-zoning ~~amendment, unless the down-zoning amendment is initiated by the local government.~~ amendment. For purposes of this section, “down-zoning” means a zoning ordinance that affects an area of land in one of the following ways:

1. By decreasing the development density of the land to be less dense than was allowed under its previous usage.
2. By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.
3. By creating any type of nonconformity on land not in a residential zoning district, including a nonconforming use, nonconforming lot, nonconforming structure, nonconforming improvement, or nonconforming site element.

It should be noted that there are media reports that the General Assembly may revisit this topic in a future legislative session. For now, though, it is law.

Applicability

Section 3K.1.(c) of the session law states that the limits on down-zoning are effective upon adoption and apply retroactively to any “down-zoning” adopted after June 14, 2024. Here’s the language:

“This section is effective when it becomes law [December 11, 2024] and applies to local government ordinances adopted on or after that date and any local government ordinance enacting down-zoning of property during the 180 days prior to the date this section becomes effective [i.e., zoning amendments adopted after June 14, 2024]. Ordinances adopted in violation of this section shall be void and unenforceable.”

This retroactive application means that some previous local government zoning actions—including actions that property owners and developers have relied upon—may be unenforceable without written consent from all affected property owners.

“Down-Zoning” Defined Broadly

In land use law generally, “down-zoning” refers to rezoning a property to a new zoning district that is less intense or less dense than the prior district. Rezoning property from an industrial zoning district to a residential zoning district, for example, is a down-zoning. North Carolina law, however, defines down-zoning much more broadly.

To be clear, two of the three provisions discussed below were already in state law. But, those provisions are much more impactful now that they apply to local government-initiated amendments, not just third-party requests.

Let’s consider each of the three ways in which the state law would consider a zoning amendment to be a down-zoning.

DENSITY

"By decreasing the development density of the land to be less dense than was allowed under its previous usage."

Under the new law, an amendment to the zoning text or map may not reduce the density of development unless the owner consents to it.

Zoning ordinances commonly regulate the density of residential units in each residential zoning district. Plainly a zoning ordinance amendment or rezoning that reduced the residential density would be prohibited under the new law unless the owner consented to the reduction. For example, a local government can no longer rezone a corridor or small area of properties from multifamily zoning to single family zoning without the consent of all the owners within the corridor or area. Beyond that, other regulatory provisions could be implicated. Setbacks, buffers, and open space requirements limit the amount of a lot that can be developed. Does increasing such requirements decrease the development density of the land? Potentially. If so, then changes to such development standards may be limited by the new law.

USES

"By reducing the permitted uses of the land that are specified in a zoning

ordinance or land development regulation to fewer uses than were allowed under its previous usage.”

Under the new law, an amendment to the zoning text or map may not reduce the permitted uses of the land unless the owner consents to it.

The phrasing of this provision suggests two different aspects of a zoning amendment that might trigger the down-zoning limits: *substantively* prohibiting a use that was previously allowed (“reducing the permitted uses”) and *numerically* reducing the number of uses allowed (“to fewer uses”). Moreover, this new law applies to text amendments *and* map amendments, so the two different aspects could come up through a text change to a use table or through a rezoning.

A common understanding of down-zoning would suggest that this provision should be interpreted to focus on the substantive uses allowed, but the language is not clear. Under the new law, is a zoning amendment a down-zoning when it prohibits a use that was previously allowed? Or is it a downzoning when the number of permitted uses is less than the number previously allowed (regardless of the substantive uses allowed)?

Here’s a simplified scenario to explore the potential implications. Consider a zoning ordinance use table that includes these districts and permitted uses.

R-1, Residential	NC, Neighborhood Commercial	HC, Highway Commercial
Single-family residential	Retail and restaurant	Gas station
Two-family residential	Multifamily residential	Truck stop
Bed and Breakfast	Religious assembly	Large format retail
Religious assembly	Gas station	
Short-term rental		
[Three-unit residential]		
[Four-unit residential]		

First, consider a text amendment. Suppose a local government is amending the zoning ordinance to

strike “short-term rental” from the permitted uses for R-1. Such an action would “reduc[e] the permitted uses,” so potentially that could not be “initiated, enacted, or enforced without the written consent of all property owners whose property is the subject of the down-zoning amendment.” (Such consent would be nearly impossible across an entire jurisdiction.) Alternatively, suppose the text amendment struck “Short-term rental,” but added “Three-unit residential” and “Four-unit residential” as permitted uses. In this case, the text amendment would result in more permitted uses, not less. Under the statutory language, arguably that is not a down-zoning.

Next, consider how this plays out for a rezoning action. Imagine that the town is seeking to encourage commercial development along a highway corridor, so the town seeks to amend the zoning map so properties along the corridor are rezoned from the Neighborhood Commercial zoning district to the Highway Commercial zoning district. Such action would allow for more intense uses (commonly thought of as “up-zoning”), but fewer uses. Additionally, some of the uses permitted under Neighborhood Commercial would no longer be permitted. Substantively and numerically that would be a down-zoning under the law.

The phrasing of this provision raises two more questions worth exploring: What is included in “permitted uses”? And, what is meant by “previous usage”?

The phrase “permitted uses” raises questions. Surely principal land uses listed on the use table as allowed are permitted uses. What about uses allowed with special development standards? What about uses allowed by a special use permit? If a use is moved from “permitted” to “permitted by special use permit” is that a down-zoning? What about temporary uses or accessory uses? Are they permitted uses? It is not clear.

With regard to “previous usage,” the statute refers to “fewer uses than were allowed under its *previous usage*.” Is *previous usage* referring to how the property was actually used (it’s usage)? Or is that referring to the *previous regulation* or *previous district*? It is not clear.

NONCONFORMITIES

“By creating any type of nonconformity on land not in a residential zoning district, including a nonconforming use, nonconforming lot,

nonconforming structure, nonconforming improvement, or nonconforming site element.”

Under the new law, an amendment to the zoning text or map may not create nonconforming situations in non-residential zoning districts unless the owner consents to it.

A bit of context may be helpful. Most zoning ordinances allow for nonconforming situations to continue. So, when an ordinance is revised in a way that makes a current building, activity, or lot out-of-compliance, the property owner is allowed to continue that situation as a lawful nonconformity. In other words, the ordinance would not allow that building, activity, or lot if the property owner proposed it new, but since the situation was already there before the ordinance changed, the owner is allowed to continue.

There is no general state law requirement for nonconforming provisions, but local zoning ordinances typically include them. Commonly an ordinance will require that a nonconforming use cannot be expanded or intensified, and that if the use is ceased for a period of time (12 months, for example) the owner loses status as a lawful nonconformity and must come into compliance with the new rules.

There are circumstances when a local government requires immediate compliance rather than allowing a situation to continue as a lawful nonconformity. These typically arise for public health and safety reasons. For example, consider if a town ordinance did not address camping and the owner of a vacant lot near downtown began hosting dozens of individuals sleeping in tents. The town might adopt requirements to address sanitation and crowding, and the ordinance might require property owner compliance right away. In other words, the use would not continue as a lawful nonconformity.

The new legislation against down-zoning clouds the rules for nonconforming provisions and situations. Outside of residential zoning districts, a zoning amendment cannot create any type of nonconformity. That plainly prohibits the common approach of allowing situations to continue as a lawful nonconformity. Interestingly, the law leaves open the possibility of requiring immediate compliance.

As discussed more below under Amending Development Standards, this provision on nonconformities will greatly impact local government updates to an array development standards like parking, setbacks, landscaping, signage, and more.

What about vacant land? In some cases new development standards might apply to vacant land without triggering a “down-zoning.” In order to create a nonconformity, there must be development that becomes nonconforming. For vacant land, though, new rules may not create a nonconformity so it might not amount to a down-zoning under the law.

What about old nonconformities? It appears that nonconformities existing prior to June 14, 2024, will continue unaffected by the new law. Local nonconforming provisions will still apply to those situations.

Implications for Local Zoning

So, what does this broad definition of down-zoning mean for local zoning ordinances? Here are some topics and considerations.

Rezoning Requested by Property Owners

A standard rezoning—where the property owner requests for property to change from one zoning district to another—will be unaffected, generally, by the new law because the property owner will be inclined to consent to the change. A local government will want to obtain written consent to the rezoning, especially if it falls within the broad definition of “down-zoning.” An application for rezoning might be implied consent to the change, but local governments would be wise to obtain clear, written consent to the down-zoning.

Conditional zoning already requires consent from the property owner. Given that the new legislation greatly limits authority for generalized amendments and updates to zoning, local governments may be inclined to shift rezonings toward conditional rezoning to ensure consent and to address standards for development.

Addressing New Uses

North Carolina is home to creative folks. They come up with all kinds of new, entrepreneurial uses for property. Additionally, industries are constantly evolving and seeking new ways to operate. Zoning ordinances cannot address any and all future land uses. They must be amended from time to time. Recent examples are food trucks, solar farms, backyard chicken coops, short-term rentals, crypto-mining operations, and vape shops. As new uses arise, local governments must determine if current ordinance provisions address the use sufficiently or if new regulations are needed.

The rule against down-zoning will complicate the process of addressing new uses. Ordinance amendments addressing new uses commonly restrict uses and add development standards. Such actions likely will be down-zonings.

Amending Development Standards

Zoning ordinances have a wide range of development standards: parking requirements, vegetative buffering, setbacks, height limits, and more. The limits on down-zoning will complicate the process of amending development standards. Amendments to these development standards may amount to a “down-zoning” under the new law if the new development standard limits development density on any property *or* creates a nonconformity on property in non-residential zoning districts.

Going forward, local governments may consider re-characterizing how rules apply so that rules are not creating nonconformities in non-residential districts: in other words, making new ordinance rules only apply to development occurring after the effective date of the ordinance. So, for example, new parking rules do not apply to existing development, but do apply to applications for new development. Such action would not be “creating any type of nonconformity on land not in a residential zoning district.” Existing development conforms with the rules applicable at the time of that existing development. And new development must conform with the new rules.

While such an approach may avoid the terminology “nonconformity,” it is accomplishing similar ends to typical nonconforming provisions, so it may still run afoul of the new law. Additionally, it may prove difficult for local governments to keep track of which development standards apply to new developments and which apply to old development.

Changes in Jurisdiction

Jurisdictional boundaries change commonly: the general assembly might de-annex property from a town, a town might extend (or relinquish) extraterritorial jurisdiction, or a new survey might correct a county boundary. Regardless of the reason for the change, whenever property changes jurisdiction the local government receiving the property must take action to apply zoning rules to the property. My colleague, Jim Joyce, has written on this topic in the blog, [What Happens When Property Changes Jurisdiction?](#) Essentially, the local government must go through a rezoning process to amend the zoning map and apply the zoning regulations to the new property.

The limits on down-zoning will complicate the process of applying zoning after a change in jurisdiction. Without consent from the owner, an action to apply zoning to property that is newly

added to the jurisdiction cannot reduce density or reduce uses, and for nonresidential districts, the action cannot create nonconformities. In cases of voluntary annexation, this may be a nonissue (the owner is requesting the new jurisdiction and presumably will provide written consent to the down-zoning), but in many other cases of changed jurisdiction, the owner may oppose the jurisdictional change and/or oppose the new zoning.

New Ordinances and New Maps

Local governments commonly adopt updated or overhauled zoning ordinances and unified development ordinances. Along with that, they commonly adopt wholly new zoning maps to align the zoning map with the new ordinance and districts.

The limits on down-zoning will complicate the process. Given the broad definition of “down-zoning,” ordinance updates and adoption of new maps will surely be impacted. Consent from every owner is impractical and unlikely. A local government potentially could allow for parallel zoning regulations (whereby the old rules are still available, but an owner could opt into the new rules), but such a system is unwieldy.

Even short of a comprehensive re-write or map update, any general changes to a zoning ordinance or map will be challenging. Imagine a new highway corridor district or gateway district overlay. Even if only one property was more restricted by the change, the law would require “written consent of all property owners whose property is the subject of the down-zoning amendment.”

Incorporating Maps by Reference

G.S. 160D-105 authorizes local governments to “incorporate by reference flood insurance rate maps, watershed boundary maps, or other maps officially adopted or promulgated by State and federal agencies.” As part of that, a local ordinance may be “automatically amended to remain consistent with changes in the officially promulgated State or federal maps.” The limits on down-zoning likely will conflict with such automatic updates since maps with altered boundaries are likely to impose use and density limits as well as create nonconformities.

Compliance with Federal and State requirements

Local governments implement a range of state and federal requirements through zoning and related development regulations. The limit on down-zoning will complicate the process of implementing such requirements.

The National Flood Insurance Program requires that local governments must adopt minimum standards for flood damage prevention in order to participate in the program and for property owners to have access to federal flood insurance. The state Water Supply Watershed Program requires development regulations at the local level to protect drinking water supplies for North Carolina communities. When the standards are revised or the maps are updated, local governments must take action to update local ordinances accordingly. Such action could amount to a down-zoning, and the local government may be caught between the federal or state requirement and adhering to the limits on down-zoning.

What about related development ordinances? What about floodplain regulations?

The language of G.S. 160D-601(d) is focused on zoning (“No amendment to *zoning* regulations or a *zoning* map . . .”). The heading of the subsection (“Down-Zoning”) suggests this is about zoning. And “down-zoning” is defined to be “a zoning ordinance that affects an areas of land” Other provisions of Article 6 of Chapter 160D also distinguish between zoning and other development regulations. G.S. 160D-604 requires planning board review for *zoning amendments* and allows planning board review for amendments to other *development regulations*. With all of that, it seems that the limitation on “down-zoning” applies only to zoning ordinances, not other development regulations.

There is some statutory language and some practical implications that suggest that the limit may apply more broadly. Section 160D-601 itself is titled “Procedure for adopting, amending, or repealing *development regulations*.” Moreover, subsection (d)(2) refers to permitted land uses “that are specified in a zoning ordinance *or land development regulation*.” So perhaps the limit on down-zoning applies further than the zoning ordinance.

Floodplain regulations are a particularly tricky topic here. Floodplain regulations are authorized separately from zoning (G.S. 143-215.51 through -215.61 and G.S. 160D-923). Floodplain regulations, however, are zoning-like—maps identify different regulatory districts and land uses and development densities are regulated in those districts. Floodplain regulations commonly are incorporated into zoning regulations or are very closely related to the zoning ordinance. A floodplain ordinance that is adopted as part of a zoning ordinance would be subject to the limitations on down-zoning. For a floodplain ordinance that is adopted as stand-alone development

regulation, perhaps the down-zoning limitations of G.S. 160D-601(d) do not apply. Even then, the floodplain ordinance is establishing districts and regulating land uses, so it may be viewed as zoning anyway.

Presuming that the limits on down-zoning do apply to floodplain regulations, that could create significant problems for compliance with the National Flood Insurance Program (NFIP). As noted above, NFIP regulations require that local governments adopt certain minimum regulations for flood damage prevention and those regulations must align with the federal floodplain mapping. If a local government failed to maintain an adequate ordinance or adopt current maps, residents may lose access to federal flood insurance. For more on floodplain rules, check out these [FAQs](#).

Conclusion

G.S. 160D-601(d), as amended, sets a new, broader definition of “down-zoning” and greatly limits local government authority to amend zoning ordinances and maps without property owner consent. Many questions remain about the precise meaning of the law, the breadth of the implications, and whether the General Assembly may revisit the legislation.

In the meantime, here is a simple list of questions for evaluating “down-zonings.”

Is it a “down-zoning”?

- Is the change an amendment to the zoning text or map?
 - If yes, continue to next question. If no, evaluate if the amendment is effectively a zoning amendment (like in the case of floodplain ordinances).
- Does the text or map amendment reduce development density?
 - If yes, it’s a “down-zoning” (jump down to next section). If no, continue to next question.
- Does the text or map amendment limit a use that was previously permitted and/or reduce the number of uses allowed? (Reminder: There is ambiguity as to whether this is substantive, numeric, or both.)
 - If yes, it’s a “down-zoning” (jump down to next section). If no, continue to next question.
- Does the text or map amendment affect property in a nonresidential zoning district?

- If yes, continue to next question. If no, it likely is not a “down-zoning.”
- For text or map amendments affecting nonresidential zoning districts, does the text or map amendment create a nonconforming situation?
 - If yes, it’s a “down-zoning” (jump down to next section). If no, it likely is not a “down-zoning.”

If it is a “down-zoning”:

- Can the local government get written consent from all affected property owners?
 - If yes, then the amendment may proceed with proper written consent. If no, then the amendment cannot be initiated, enacted, or enforced.

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- d. Yield data that can be used with the Education Value-Added Assessment System (EVAAS).
- e. Comply with federal law.

SECTION 3J.23.(c) The State Education Assistance Authority shall designate as the nationally standardized assessments to be administered by nonpublic schools, in accordance with G.S. 115C-562.5(a)(4), the tests recommended by the Office of Learning Research at The University of North Carolina for use in third grade and eighth grade in accordance with subsection (b) of this section.

SECTION 3J.23.(d) Notwithstanding G.S. 115C-562.7(c), the State Education Assistance Authority shall submit the report required by G.S. 115C-562.7(c) by December 1, 2027, and annually thereafter, based on the data submitted by nonpublic schools in accordance with G.S. 115C-562.5(c)(1) beginning with the 2026-2027 school year.

SUBPART III-K. LOCAL GOVERNMENT

NO LOCAL GOVERNMENT INITIATED DOWN-ZONING WITHOUT CONSENT OF AFFECTED PROPERTY OWNER

SECTION 3K.1.(a) G.S. 160D-601(d) reads as rewritten:

"(d) Down-Zoning. – No amendment to zoning regulations or a zoning map that down-zones property shall be ~~initiated nor is it enforceable~~ initiated, enacted, or enforced without the written consent of all property owners whose property is the subject of the down-zoning ~~amendment, unless the down-zoning amendment is initiated by the local government.~~ amendment. For purposes of this section, "down-zoning" means a zoning ordinance that affects an area of land in one of the following ways:

- (1) By decreasing the development density of the land to be less dense than was allowed under its previous usage.
- (2) By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.
- (3) By creating any type of nonconformity on land not in a residential zoning district, including a nonconforming use, nonconforming lot, nonconforming structure, nonconforming improvement, or nonconforming site element."

SECTION 3K.1.(b) If any provision of this section is declared unconstitutional or invalid by the courts, it does not affect the validity of this section as a whole or any part other than the part so declared to be unconstitutional or invalid.

SECTION 3K.1.(c) This section is effective when it becomes law and applies to local government ordinances adopted on or after that date and any local government ordinance enacting down-zoning of property during the 180 days prior to the date this section becomes effective. Ordinances adopted in violation of this section shall be void and unenforceable.

PART IV. MISCELLANEOUS PROVISIONS

SECTION 4.1. Severability. – If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part declared to be unconstitutional or invalid.

Tryon Board of Planning and Adjustment
Minutes
April 11, 2024
3:00 P.M.

Daniel Gerst called the meeting to order at 3:00 pm at the Tryon Town Hall with four other members present.

MEMBERS PRESENT: Wanda May, Luis Ebratt, Allan Casavant, and Nigel Stroud

STAFF PRESENT: Tim Daniels and Jordan McKeown

Minutes

Luis Ebratt motioned to approve the minutes from the March 2024 meeting.

Allan Casavant second the motion.

All in favor.

Tryon Historic Preservation Commission

The chairwomen from the Historic Preservation Commission, Ellen Rechenbach, came to follow up and informed the board that the commission has voted and approved their rules and guidelines/standards. The new rules will allow property owners to come to the commission to propose designation. She stated that the emphasis of the commission will be on education and assistance to property owners. The commission would like to work on getting local designation for the Nina Simone childhood home. After a year of the commission being in existence the Town will be able to become a certified local government. That would mean the town and the commission could apply for certain grants. She has come to the board not because she needed approval from the board but because there may be times that the board and the commission's work could impact each other and she would like the boards blessing. Rechenbach clarified that the design guidelines that they have adopted are the same as the current federal guidelines. The commission plans to be at the next 4th Friday to spread awareness and they hope to have their own page on the Towns website with a link to the rules & guideline/standards. The commission meets the first Wednesday of every month at 4pm. She wanted to also point out that the guidelines and standards are pretty loose and that there is a benefit for owners that want to designate their properties as local landmarks, which is a property tax reduction. Wanda May made the suggestion that the commission host a friendly public meeting to also educate the community. Allan Casavant motioned to support the Tryon Historic

Preservation Commission. May Second the motion. All in favor.

Item T- Prohibited Signs

Tim Daniels stated to the board that it was agreed at the last meeting that he would draft a change to the ordinance about signs in front of Morris the horse. Currently the ordinance reads that sign placed within 10 feet of Morris the Horse (the corner of trade and Pacolet Street) are prohibited. He has changed that to extend to 25 feet, which should cover the entire curb. Ebratt motioned to recommend the change to council. May second the motion. All in favor.

Electronic Open Signs

Daniels stated that currently prohibit signs that display blinking flashing, intermittent lights animation moving parts or electronically displayed messages. The board would like to change the ordinance to allow open signs, by stating electronic non-neon signs displaying only the word open are permitted. Open signs shall not exceed a height of 22 inches. Casavant suggested adding one per business. Casavant motioned to recommend the change to council with the addition of 1 open sign per business. May second the motion. All in favor.

Regulating accessory furnishing in the public right of way

Daniels stated that the current ordinance states you can not obstruct the sidewalk, he thinks that means a complete obstruction not a certain amount of feet. The American Disabilities Act requires there is at least three feet of walking surface be cleared. At the last meeting it was discussed to keep the space clear three to four feet from the curbside. The new ordinance will read: 4.13 accessory furnishings in any town right of way will be all black and made of heavy material to withstand the elements and wind under its own weight. no logos or other designs shall be displayed on furnishings. Accessory furnishings include but are not limited to tables, chairs, umbrellas benches and flower boxes. 4.14 accessory furnishing shall not be placed within 4ft from the edge of the curb and shall not be permanently attached to the right of way. Citizen Christy Moller asked why all black for the accessory furnishings, the town colors are read, white, and black. Rechenbach adds that black absorbs heat. Casavant referenced other historic towns, like Alexandria Virginia, have all black and he thinks it looks good. May stated that she thinks all black may look boring. Gerst suggested changing it to the three predominate colors black, white, and red instead of limiting everyone to one color option. May thinks that furniture should be limited to black but not everything else, and quality

furniture matters. Citizen Gail Lamonde stated that the town has a new color pallet, there needs to be some clarification on what the new palate is if it is not black, white, and red. She feels like limiting to a specific color is a good idea, for example banners on the light posts will stand out more. when there are too many colors it gives a carnival feel. When there is less color it allows for seasonal enhancement, because it provides a solid pallet. She also asked if the ordinance specifies if the location of accessory furnishing on the right of way are only allowed there for traditional business hours, is there a special permission for events, where tents and other things will be needed. Daniels answered that this ordinance would just be for day-to-day workings any event would need approval. In reference to the color pallet Daniels stated that he believes the official color pallet is still black, white and red but he has seen some other images with a lot of different colors. Gerst asked if it would be possible to get everyone to buy the accessory furniture from the same place, May included could they buy them through the town. Daniels responded that is a question for legal. Citizen Cynthia Martain stated she thinks it is dangerous to have the right of way from the curb to in and thinks it should be on the inside and tables allowed at the curbside. if it is crowded and cars are parking over the curb, someone could get hurt. Casavant thinks if you put the tables out further the cars on going to hit them, he thinks it gives the business more room if they do it the is new way. Della Pullara worries that people that do illegal upturns in the parking spots could hit someone then there could be a lawsuit. Casavant stated it is a fire safety issue, you should be able to look down the sidewalk and have a clear view. Pullara stated that currently in front of her building there is 4 feet, there is plenty of room for people to walk. Citizen David Wallen stated he thinks the ordinance should state 4 feet from the curb because there wouldn't clearance left over for the three-foot right of way for the handicap. It needs to state that there needs to be a three-foot right of way maintained at all times. Citizen Elizabeth Bradley pointed out that in reference to the accessory furniture only being black, black absorbs the sun, people sitting at a table in the middle of summer are going to feel the heat more. If the furniture is white, it would reflect the sun. Casavant stated that he thinks either way is fine for the right of way but it needs to be consistent all the way down main street. May stated that red, white and black are not the official colors they are just a long-standing tradition. She suggested a variety of color choices from the new branding. Kristy Mooler asked if an issue negatively impacts a business do you talk to the business owner, for their input, prior to the decision, for example the creamery

and the bottle. Daniels responded that he did not talk to the creamery but he did talk to Pullera. Casavant suggested using a few paring spots, in front of business for tables, at the towns expense, and ensure it would still be ADA compliant. Ebratt brings up the issue of reconfiguring the parking spot, he thinks that would help with the current topic as well. Casavant suggested making oak a one-way street possibly use it for me seating. Daniels stated he spoke with the town manager about parking. Pullara brings up the issue of all the business owners and employees taking up all the parking spaces on main street, there would be plenty of parking. Pullar stated that if the ordinance is updated, she will have to get rid of her picnic table, even though she has plenty of room for people to walk. Daniels states ADA is already law, having anything in the ordinance is just a reminder. Daniels suggested changing it to read that accessory furnishing shall adhere to the ADA, allowing for three-foot clearance. Daniels also suggested to table the color pallet till the official colors are determined. May suggested to Daniels to go door to door to business to get their input. Daniels stated he would also discuss with the tourism board and with the TDDA to put together a public forum. Ebratt motions to table this topic. Casavant second the motion. All in Favor.

Citizen Comments

Daniels informed the board about the upcoming 4th Friday, he stated that it was themes community caretakers. There will be 6 tables set up for the foothills Greenhill commission, kudzu, historic preservation, habitat for humanity, TDDA, and conserving Carolina will be present. Daniels also informed the board that there is a new housing development on new market in process. There will be 8 or 9 cottages, 50% greenspace. The special use permit will be discussed at the next meeting.

Meeting Adjourned

Meeting was adjourned at 4:08 PM.

Prepared by:

Jordan McKeown
Billing Clerk

Approved by:

John Walters
Chairman

