Integrating Historic Preservation Plans with Comprehensive Plans

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Historic preservation as a tool of community planning appeared on the national scene with the National Historic Preservation Act of 1966. This Act established important roles for federal and state governments, including provisions for a National Register of Historic Places, a federal Advisory Council on Historic Preservation, and State Historic Preservation Offices (SHPOs); but it reserved its most important role for local governments by instituting provisions for historic districts regulated by local historic district commissions (HDCs). Within twenty years of passage of the Act, historic districts and historic district ordinances had been delineated in hundreds of communities (Figure 1). The National Alliance of Preservation Commissions estimates there are now more than 2,400 regulated historic districts in the United States. Procedures for administering historic properties through such commissions have become well established. The power of local government to protect historic properties against inappropriate changes has been

Figure 1: Map of historic district, Norman, Oklahoma
tested in the courts, including the U.S. Supreme Court in its landmark *Penn Central*\(^1\) decision; plus other legal decisions firmly establishing the principle that local
governments have the power to review and regulate changes to historic structures.

In spite of its greatly enhanced profile, historic preservation has been viewed by
many city planners as ancillary to the process of master planning. In many instances,
planners do not view historic preservation as part of the regular planning process, but see
it as separate and apart. They often refer to historic districts as "overlay zones," since they
are officially designated and regulated areas, but are not integrated with either the zoning
or comprehensive planning documents. It could be argued that this disconnect between
planning/zoning and historic preservation is inappropriate, and that "historic preservation
planning" should become an integral part of a community's comprehensive plan.

A study conducted by the authors explores the relationship between master
planning and preservation planning. It examines both types of planning, reviews the
results of two national surveys, in 2002 and 2005 of SHPOs, and a state survey for
Michigan in 2000, presents this information, and makes recommendations pertaining to
the relationship of historic preservation plans and local comprehensive plans.

**The role of historic preservation in local government**

Preservation of our built environment, as exemplified by the Federal Hill historic
district in Baltimore (Figure 2), should be considered an important form of land use.

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Historic district commissioners are given the power of approval over exterior modifications, proposed additions, or demolition of designated historic structures. Some commissions also are granted the authority to review and approve proposals for new buildings in historic districts. To a significant degree, these decisions are based on aesthetic judgments by commissioners, something that is unique in local government. This precedent is based on the U.S. Supreme Court decision, *Berman v. Parker* (1954), which states aesthetics alone can be sufficient to justify certain specified government regulation. Justice William Douglas, in writing the opinion of the court, stated, "It is within the power of the legislature to determine that the community should be beautiful as well as healthy..." In contrast, other municipal agencies use more quantifiable criteria to evaluate a proposal. For example, the planning department reviews setbacks, heights, traffic impacts and similar concerns; the building department examines construction specifications; the transportation department evaluates traffic data; and police and fire assess safety codes. Each of these reviews is based on established objective criteria. HDC reviews use more subjective criteria to examine impacts of proposed changes on historic character.

Decisions of HDCs should not be seen as capricious. Most are guided by provisions established by the U.S. Secretary of the Interior in its *Standards for Rehabilitation* (1979). These ten standards, as interpreted and clarified over the years, give well-considered guidance to commissioners and provide a firm basis for determinations. If property owners disagree with a decision, an appeal can be made.

**The historic preservation "plan"**

Each community with one or more historic district ordinances should base its regulatory power on an established and approved historic preservation "plan." Such a plan can provide guidance for administering existing districts and creating new ones. An illustrative example of a preservation plan is one created for Cherry Hill, a small, historic hamlet at the fringe of the western suburbs of Detroit (Figure 3).

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Residents of Cherry Hill recognized the imminent threat of development overtaking their community's rural character and commissioned a study to show how the character of their hamlet and the surrounding farmland could be protected. The project proposal, developed by Quinn-Evans Architects in 1989, dealt with community concerns at three levels. First, it recommended that buildings in the hamlet be grouped in a historic district. This collection of structures represented a historic community type that was rapidly disappearing. At a second level, a farmland conservation area was established covering the area generally surrounding Cherry Hill and large enough to provide a visual barrier against future suburban development. The perimeter of this farmland area was screened with rows of trees at the edge of existing farms. Third, it proposed that the development areas beyond the farmland conservation district be subject to "cluster" development. This would permit development, but in a manner compatible with the community's historic character. This proposal blended planning and preservation in an innovative way that is seldom seen.

The relationship between a community's historic preservation plan, if it has one, and its historic district ordinance may be considered parallel to a community’s comprehensive plan and its zoning ordinance. The comprehensive plan not only establishes community policy for future growth, but supports the zoning ordinance by providing a rationale for land regulations. Similarly, a well-constructed historic
preservation plan provides a supporting document for a historic district ordinance as a regulated land use.

Preservationists, however, in developing preservation plans have followed a pattern familiar to urban and regional planners, i.e., writing a detailed ordinance before preparing the general plan. The history of city planning has many examples where zoning came before planning, and communities pay much more attention to their zoning ordinance than to their master plan. This is reflected in the timing of two significant pieces of legislation related to planning—the original Standard State Zoning Enabling Act of 1922 preceded the Standard City Planning Enabling Act of 1928. It has been a continuing problem of the cart leading the horse, and many appeals have been based on a zoning determination that had little relationship to an established comprehensive plan.

The disconnect in the relationship of a community's historic district ordinance and its historic preservation plan is even more apparent, since most communities with such an ordinance do not have a recognized historic preservation plan. When local preservationists are asked if they have a historic preservation plan, they typically reply in the affirmative, but their concept of a plan consists of a survey and documentation of historic resources. Although they may have conducted extensive fieldwork, the question should be asked, Is the identification and research of local historic structures a historic preservation plan? From the perspective of planners, the answer is "no," since this work is limited in scope and has little to do with a community's broadly based comprehensive plan.

The status of historic preservation planning leads to other questions. Is a plan necessary? What should be contained in the historic preservation plan? If a plan is needed, is it a document separate from the comprehensive plan or should it be integrated? One of the best responses to these questions is found in a 1994 publication by Sidney J. Brien, "A Blueprint for Historic Preservation," in which the author argues the need for historic preservation plans, presents the reasons why these plans have been absent in communities, and outlines a process for creating an effective plan. The American Planning Association's Planning Advisory Service Bulletin #450, Preparing a Historic Preservation Plan, provides an excellent outline for the contents of a historic preservation plan. Ten components to construct an effective plan are presented. They include:

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"1. Statement of the goals of preservation in the community, and the purpose of the preservation plan.
2. Definitions of the historic character of the state, region, community, or neighborhood.
3. Summary of past and current efforts to preserve the community’s or neighborhood’s character.
4. A survey of historic resources in the community or neighborhood, or a definition of the type of survey that should be conducted in communities that have not yet completed a survey.
5. Explanation of the legal basis for protection of historic resources in the state and community.
6. Statement of the relationship between historic preservation and other local land-use and growth management authority, such as the zoning ordinance.
7. Statement of the public sector’s responsibilities towards city-owned historic resources, such as public buildings, parks, streets, etc., and for ensuring that public actions do not adversely affect historic resources.
8. Statement of incentives that are, or should be, available to assist in the preservation of the community's historic resources.
9. Statement of the relationship between historic preservation and the community’s educational system and program.
10. A precise statement of goals and policies, including a specific agenda for future action to accomplish those goals."

**Historic preservation plans: A national perspective**

Two national surveys of State Historic Preservation Offices (SHPOs) were conducted during 2002 and 2005. In the more recent survey, e-mail correspondence sent to all fifty states contained a single question, "Does your state legislation mandate a historic preservation element in local comprehensive plans?" When appropriate, a follow-up question asked why historic preservation plans had not been mandated at the state level. Responses came from 28 public officials in various positions. Every major geographical region in the United States was represented.

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6 A few e-mails were "undelivered" and the balance did not reply. The surveys indicated some states do not have state planning legislation, and their responses were not recorded in the study database.
The 2005 survey indicated several states clearly mandated a historic preservation component in local comprehensive plans. For instance, Pennsylvania's Planning Code states the following:

"Section 301 (a) The municipal, multi-municipal or county comprehensive plan, consisting of maps, charts and textual matter, shall include, but not be limited to the following basic elements:

(6) A plan for the protection of natural and historic resources to the extent not preempted by federal or state law. ...

(7) In addition to any other requirements of this act, a county comprehensive plan shall...

(iv) identify a plan for historic preservation

Other states with mandated sections include, but are not limited to, Massachusetts, Rhode Island and South Carolina. A follow-up question asked if local planners comply with these legislative mandates. Most believe that local governmental units follow the mandate, but the level and detail of compliance varies significantly from one community to another. Other responses to this primary question often were not easily categorized in "yes" and "no" divisions. Although some respondents gave definitive answers, others placed their replies along a continuum, indicating their states having policies and goals that promote historic preservation plans, but with qualifying statements. A SHPO representative from Delaware describes her state’s historic preservation planning requirement being contingent on a minimum population before a historic preservation plan is necessary. Maine based a municipality’s eligibility to apply for certain grant programs on adoption of an approved comprehensive plan with ten goals, one of which is a historic preservation component.

Among states that do not mandate its inclusion, legislation sometimes encourages historic preservation as an element in comprehensive plans. While such a provision shows recognition of the importance of historic resources, it is less forceful and consequently has less impact. Seventy percent of the respondents in the 2002 survey indicate the use of encouraging legislative language yields only minimal compliance by local units of government. The conclusion drawn from these data underscores the essential nature of legislation using the word “shall” as opposed to “may” to increase the viability of historic preservation planning.

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Reasons for lack of mandatory state historic preservation plans

Survey inquiries were made to explain the lack of mandatory historic preservation planning legislation. Two primary reasons emerged from this analysis. The most widespread and common factor is simply a lack of political support. The SHPO respondent from Colorado, Mark Wolfe, responded, "There is no mandate in Colorado law. With the possible exception of Boulder and Denver, this is an extremely conservative state. Property rights are paramount, and preservation is basically accomplished through incentives rather than regulation." Property owners often view historic designation as an unwanted encumbrance, even though preservation can be seen as a logical extension of local governments' responsibilities for protecting the public welfare. The SHPO respondent from the State of Washington noted preservationists put a greater priority on other initiatives than the need to shepherd a bill requiring significant time and effort to mandate historic preservation planning. He also questioned whether local communities would comply with this law.

This merged with a second reason—the cost to produce a historic preservation plan. Done properly, plan preparation could be time consuming and require preservation specialists. Many local officials would view this as another unfunded state mandate, and the limited number of trained preservationists could lead to premium prices to perform the survey portion of the plan.

Michigan: A state without “mandates” or “encouragement”

Michigan is a state that neither mandates nor encourages preservation plans as part of comprehensive plans; consequently there is little integration of the two types of plans where they exist in the same community. During 2000, a survey was initiated to determine the status of Michigan’s local historic preservation plans. Letters were sent to a member of all sixty-five historic district commissions, including a brief questionnaire designed to determine which districts had historic preservation plans and who prepared them. Thirty-four individuals responded. Twenty-three stated their communities did not have a historic preservation plan, five confirmed they had a stand alone preservation plan, while the remaining six respondents declared their historic preservation plans were part of their community's comprehensive plan. Three of the questionnaires had been modified by respondents who changed a key word on the questionnaire from "plan" to "ordinance." Although it cannot be supported, it is probable that the 23 commissions that did not respond also did not have a historic preservation plan.

Among the twelve communities in Michigan that replied their communities had a plan, only one volunteered the outline of its plan. Rochester Hills, Michigan, adopted a
Historic Preservation Policy document that contains five divisions and includes goals and objectives. The five divisions are entitled: 1) existing and potential sites (inventory), 2) development and redevelopment, 3) zoning and land use for historic properties, 4) public awareness and 5) economic feasibility. This provided a strong core of information conforming to the model contained in Bulletin 450. More typical is the perspective of the City of Sault Ste. Marie, which uses its "Historic Structures Management Plan (1998)" as its historic preservation plan. Although a substantial report, its greatest emphasis is placed on management of four significant historic structures. This re-enforces the concern about what is a plan and what should be contained in a plan.

No local historic preservation plans in Michigan communities contained all ten headings identified in Bulletin 450, but specific points most frequently stated were:

1. Development of a comprehensive survey of historic resources.
2. Development of specific goals, as well as setting definite time-lines and action plans to achieve them.
4. Public education concerning historic preservation.

Items 1 and 2 can be seen as common planning activities, while items 3 and 4 are less so. Survey results suggest that urban and regional planners and historic preservationists remain disengaged from each other, but can and should increasingly work together as teammates in the planning process.

Should preservation plans be part of comprehensive planning?

An alternative to integrating historic preservation plans with comprehensive plans is a stand-alone preservation plan. Is a stand-alone plan the best document for guiding the future of local historic resources? It would appear the answer to this question is "no." It is questionable how effectively a community’s planning commission would consider historic preservation as part of its master plan unless mandated by law.

The policy to incorporate historic preservation plans into comprehensive plans has the support of at least one prominent spokesperson for historic preservationists. Robert E. Stipe clearly states in his article, "What Is a Local Preservation Plan?" that a preservation plan should be part of the comprehensive plan and be given the same official status as any other planning element. This opinion is elaborated upon by Kelly and Becker, who summarize historic preservation planning appropriately in their book, Community Planning: An Introduction to the Comprehensive Plan, "Where preservation
planning focuses on an individual building, it is far more narrow in scope than the topics discussed in this book. Where it focuses on preservation of a downtown, a neighborhood, or a context within which one or more historic buildings exist, it is much like comprehensive planning but still with a narrow focus. Most effective preservation plans exist in the context of a comprehensive plan, with the comprehensive plan providing the land-use and other contextual items for the preservation plan."

Summary and Recommendations

The surveys described above indicate mixed perceptions about the definition, contents and needs for historic preservation plans. There is evidence in some states that legislators and policy makers realize the desirability of incorporating historic preservation plans into both urban and rural comprehensive plans. In other states, historic preservation plans, if they exist, are not working in concert with comprehensive plans. In these instances, historic research may be confused with preservation planning, and this is not producing the best possible vision for the community.

It is important for all communities, urban and rural, to recognize the value of preserving their physical heritage through historic preservation, which can provide economic and social benefits and give residents a sense of place. These resources need to be included as integral components of a comprehensive plan. Ideally, these plans would expand beyond the "historic study/inventory" that accompanies the adoption of historic district ordinances and would utilize much more of the structure cited in Bulletin 450. It may be necessary to amend state planning enabling legislation to strongly promote the inclusion of a historic preservation component. The road to adoption of these revised public acts could be long and bumpy, but the rewards will be appreciated by generations to come.

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Resources:


Sidebar: Evolution of the Cherry Hill plan:

The hamlet of Cherry Hill is located on the western fringe of suburban development for the Detroit metro area. Subsequent to the 1989 Quinn Evans preservation plan, Canton Township officials updated their master plan in 1994 to include an overall historic preservation component. Four years later, with increasing pressures for residential development, Cherry Hill was specifically included. A sub-area plan listed goals and objectives for this one-mile square area and the framework for an overlay district. During the next year, Biltmore Homes, Inc., one of the largest housing developers in Michigan, presented to the township a proposal for "Cherry Hill Village," a New Urbanist based design. A revised zoning district, with detailed design guidelines based on the Biltmore proposal, was adopted in 2000 by the township. Stimulating prices for housing from $200,000 to $750,000 caused significant pressure on Cherry Hill for more intense development than envisioned in the original Quinn Evans preservation plan.

Figure 4: Historic Cherry Hill School in new Cherry Hill Village,
Canton Township, Michigan

As described by the township's Chamber of Commerce, "Cherry Hill Village will bring a new, unique concept to community life for the Canton Community. The village will be designed as a replica of community life back in the 1930's with small lot sizes for residential and commercial business in the Town Square."\textsuperscript{10} As Michigan's first Traditional Neighborhood Development (TND), Cherry Hill Village and Biltmore Homes were awarded the 2000 Outstanding Planning Award by the

\textsuperscript{10} http://www.cantonchamber.com/community.htm. 15 June 2005.
Michigan Society of Planning for incorporating existing historic structures with a New Urbanist site plan.
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