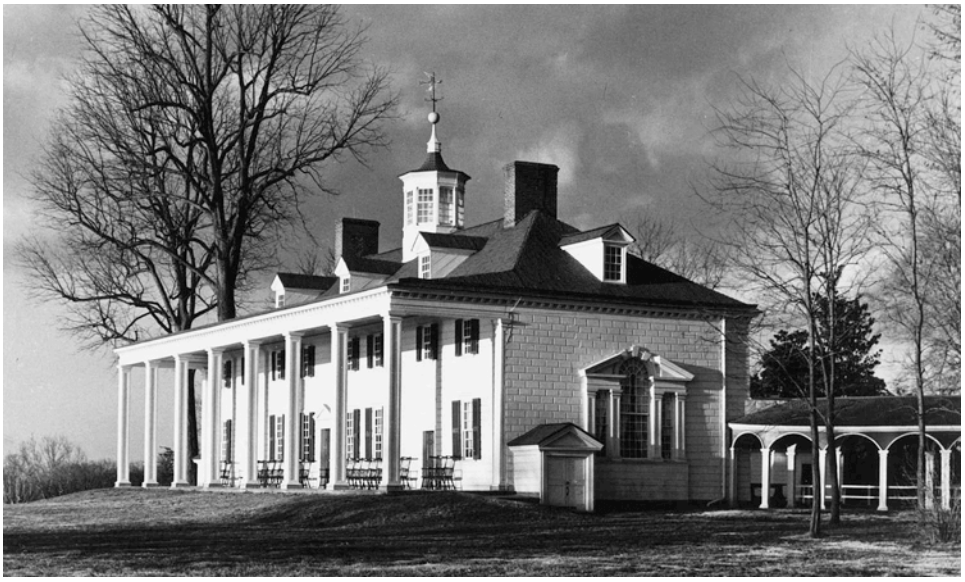
Chapter 8 Historic Preservation and Planning

A Brief History of the Preservation Movement

Historic preservation is now an integral component of community planning. However, in the United States interest in preserving historic resources was slow to evolve. One of the first preservation efforts in the country was to save Independence Hall in Philadelphia, where the Declaration of Independence, Articles of Confederation, and the Constitution of the United States were signed. Despite the site's historic significance, in 1816 a proposal was made to subdivide the site into parcels for sale. After a number of historical associations appealed, the city bought the structure and kept it from the hands of private developers.

Similarly, when local residents requested Congress to provide funding to preserve George Washington's deteriorating home, Mount Vernon, Congress refused to allocate any money; as a result, the Mount Vernon Ladies' Association was founded in 1853 to save the homestead [Fig 8.1] through private efforts. The Association was the first preservation organization in the country and served as a model for other organizations involved in saving threatened landmark structures.



8.1. Mount Vernon, Fairfax County, Virginia

By the early twentieth century, Americans had begun to take a concerted interest in protecting natural features. In 1916, the National Park Service (NPS) was created in the U.S. Department of the Interior to establish federal parklands and eventually was given responsibility to administer programs to protect historic structures. Today, the NPS is the sponsoring agency for most federal preservation programs.

The first historic district in the United States was established in 1931 in Charleston, South Carolina, followed in 1936 by the Vieux Carré (old French Quarter) of New Orleans [Figs 8.2 and 8.3]. Charleston and New Orleans became prototypes for other historic districts: in San Antonio, Texas (1939); Alexandria, Virginia (1946); Williamsburg, Virginia (1947); Winston-Salem, North Carolina (1948); and Washington, D.C. (1950). The regulatory powers

available to an agency administering a historic district during those decades were quite limited, however.

8.2. Historic district, Charleston, South Carolina

8.3. Vieux Carré (old French Quarter), New Orleans

The National Trust for Historic Preservation, a nongovernmental organization established in 1949, represents all segments of the preservation movement, both public and private. Public interest in historic preservation began to grow in the 1960s. Membership in the National Trust grew from 10,700 members in 1966 to 270,000 in 2008. The destruction caused by urban renewal and the interstate highway system and other massive public works projects of the 1950s and 1960s gave rise to public concern and led to the National Historic

Preservation Act of 1966, undoubtedly the most important historic preservation legislation passed by Congress. Before it, preservation activities had focused on established landmarks and local historical organizations concentrated their efforts on museum-quality structures. Few neighborhoods had any kind of historic designation. The courts generally did not support local regulations that imposed aesthetic restraints on property owners, and local communities had almost no ties with preservation activities at the state and federal levels.

The 1966 Act changed the situation significantly with a number of key provisions. First, it established a National Register of Historic Places [Fig 8.4] to recognize properties of national historic interest (it includes over 80,000 properties). Next, it transferred most of the federal government's responsibilities for preservation activities from the National Park Service, and much of its funding to newly established State Historic Preservation Offices (SHPOs). Each SHPO is responsible for surveying communities across its state and keeping records of designated historic properties. It processes nominations of properties for listing on the National Register (these are forwarded to the National Park Service for final approval) and for its own state register as well. It reviews applications for tax credits to property owners who have rehabilitated privately owned historic structures. Most important, SHPOs advise local governments on how to establish and administer local historic districts and create historic district commissions, helping to minimize conflicts and problems resulting from poorly established local districts. Finally, the Section 106 provision to the 1966 Act stipulated that federal funding of a private or public project could be withheld if the project would have a negative impact on a property listed on the National Register.

8.4. Rondout Creek Lighthouse, Ulster County, New York, listed on the National Register of Historic Places

The listing of properties on federal and state registers does not give protection to historic properties. Designation places no restrictions on what property owners can or cannot do with their structure. Historic properties are protected only through establishment of a local historic district ordinance. This power is reserved for local governments on the grounds that each community should determine what it considers historically significant, what is of value to the community, and what steps should be taken to provide protection. A local historic district commission (HDC) reviews proposed changes and may give approval based on the appropriateness of the work and its respect for the integrity of a building. The power of local government to protect historic properties against inappropriate changes has been tested in the U.S. Supreme Court, most notably in the landmark Penn Central case in 1978, which decided that the New York City Landmarks Commission had the power to approve or deny a major addition to Grand Central Station, a designated historic structure.[1] Subsequent legal decisions firmly established the principle that local governments have the power to review and regulate changes proposed by owners of historic properties. For example, Miami Beach residents determined the art deco-style hotels and other buildings along Ocean Drive and nearby uniquely embodied their community's heritage [Fig 8.5]. In 1976, they established the Miami Beach Architectural Historic District to preserve this character.

8.5. Miami Beach Architectural Historic District

Studies have shown that designation of a historic district stabilizes or improves property values.[2] In older neighborhoods that have deteriorated, such designation protects against unnecessary demolition and inappropriate infill development and draws investment; when property values stabilize, owners feel it is safe to spend on necessary repairs or rehabilitation and banks are more willing to make loans. The market value of properties in historic districts appreciates at rates above the general local market; at worst, the value of historic properties tends to follow the trends of the overall local market. Being in a historic district helps ensure

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[1] *Penn Central Transportation Company v. City of New York*. 438 U.S. 104, 98 S. Ct. 2646 (1978).

[2] For examples of such studies, see Robin M. Keichenko, N. Edward Coulson, and David Listokin, "Historic Preservation and Residential Property Values: An Analysis of Texas Cities," *Urban Studies* 38, no. 11, (2001): 1973–1987; and Amy Facca, "An Introduction to Preservation Planning," http://www.plannersweb.com/wfiles/w191.html (accessed January 16, 2010).

that a property's location remains desirable. For example, while the overall population in Washington, D.C., fell during the 1990s, the population within its historic districts increased. Likewise, when the business management association of Seattle's Pioneer Square district asked business owners why they chose the area, they found the leading reason was that it was a recognized historic district.

Historic districts also promote the character and image of a community. Rehabilitated buildings encourage diversity in economic levels, race, occupations, and education levels by allowing for a range of building opportunities. Historic neighborhoods are usually walkable areas where interaction among businesses, visitors, and residents takes place, forging a stronger neighborhood identity and a more cohesive community structure.

Preservation has been shown to be one of the most important factors in using tourism planning as a local economic development tool. A study in Virginia revealed that visitors coming to historic areas tend to stay longer, visit twice as many places, and, on a per trip basis, spend two and a half times more money than other types of tourists.[3] Preservation has continued to grow as a primary force in tourism development. Preservation contributes to local economies while producing few negative side effects. It preserves resources rather than using them, does not cause pollution, complements other parts of the local economy (e.g., retail), and provides local employment. Preservation also improves the image of an area, and therefore reinforces a community's quality of place.

In 2009, over 3,000 preservation organizations were actively engaged in public education, advocacy, and preservation and restoration projects of various types and sizes. The National Alliance of Preservation Commissions estimated there were more than 2,400 regulated historic districts in the United States and more than 35 university graduate professional and technical curriculums directly related to historic preservation.

Spotlight on Pike Place Market, Seattle

In 1907, the city council of Seattle, Washington, created a public market known as Pike Place Market [Fig 8.6] in the downtown area where farmers and fishermen could sell their goods. The market grew rapidly. It continued to prosper until World War II, when business declined. In 1941, the structures suffered from a fire, and, following Pearl Harbor, its many farmer-merchants of Japanese extraction were interned. After the war, the market could not regain its prewar popularity; people were no longer interested in buying produce from small farms, new industries were taking over local farmland, and supermarkets attracted shoppers.

[3] Donovan Rypkema, "Economics, Sustainability, and Historic Preservation," National Trust Conference, Portland, Oregon, October 1, 2005.

8.6. Pike Place Market, Seattle, Washington

In 1963, the city's planning department formulated a plan to demolish the market and create a modern complex to be called Pike Plaza. It called for office towers, apartments, parking, and a small up-to-date market. The plan elicited strong opposition and a group called Friends of the Market succeeded in getting the issue of preserving the original Pike Place Market on the ballot in 1971. Their proposal won with 60 percent of the vote.

A 7-acre local market historic district was placed on the National Register of Historic Places, and a market authority was given 10 years and $150 million of private and public funds to restore and revitalize the market. Since then, the restoration and use of the market has been strictly controlled. An ordinance protects not only the market structures, but their architectural character. If a structural material needs to be replaced it must be replaced with a material of the same quality as the original material. Products sold must either be made or grown by the vendor. These provisions have helped to create the vital and bustling Pike Place Market of today, one of the primary destinations in the city of Seattle.

Historic Preservation and the Comprehensive Plan

Comprehensive planning was formalized in the 1920s, as described in Chapter 4. This was decades before the Historic Preservation Act was passed in 1966. As a result, many planners do not view historic preservation as part of the regular planning process, but think of it as a separate function of local government. They consider historic districts to be overlay districts, since they are officially designated and regulated areas, but not integrated with either comprehensive planning or zoning documents. In a similar vein, local preservationists consider a preservation plan to consist simply of a survey and documentation of historic resources.[4] Planners should work to bridge this disconnect by making preservation planning an integral part of the comprehensive plan of any community with a historic area worthy of protection.

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[4] Robert M. Ward and Norman Tyler. "Integrating Historic Preservation Plans with Comprehensive Plans," *Planning* (October 2005): 24.

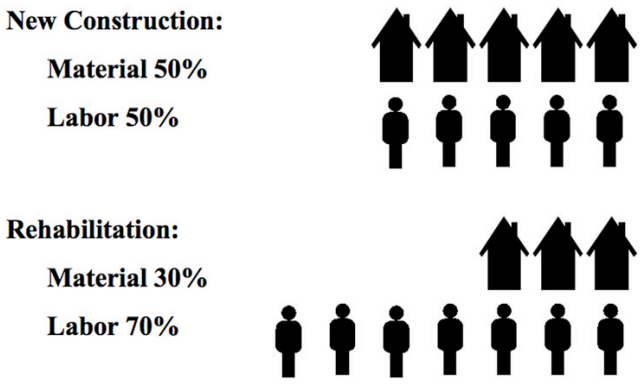
The American Planning Association's report, *Preparing a Historic Preservation Plan*, suggests 10 components that should be part of a historic preservation plan:[5]

1. A precise statement of the community's goals and policies
2. Definitions of its historic character
3. A summary of past preservation efforts
4. A survey of historic resources
5. An outline of the kind of survey that should be conducted
6. An explanation of the legal basis for protecting historic resources
7. A statement relating historic preservation to other local land-use and growth management tools
8. An assessment of the public sector's responsibilities toward historic resources
9. An outline of the incentives available to help preserve the community's historic resources
10. An explanation of how historic preservation relates to the educational system

Such an effort to better incorporate historic preservation into comprehensive plans should have the support of local preservationists, as explained in *Community Planning: An Introduction to the Comprehensive Plan*: "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."[6]

Financial Incentives for Historic Structures

Historic preservation helps local economic development in many ways. The cost of materials used for rehabilitation represents about a third of total project cost, while for new construction it represents more than 50 percent of the total cost [Fig 8.7]. Moreover, money spent on buying new materials, a large part of new construction costs, goes to where products are manufactured, while money spent on labor, a large portion of costs for rehabilitation projects, largely stays within the local community's economy. Work on a local historic building uses local resources and creates local jobs.



[5] Planning Advisory Service Report 450. "Preparing a Historic Preservation Plan," (American Planning Association, Chicago, Illinois, March 1994).

[6] Eric Damian Kelly and Barbara Becker, *Community Planning: An Introduction to the Comprehensive Plan* (Washington, D.C.: Island Press, 2000), 5.

8.7. Comparison of material and labor costs for new construction and rehabilitation

Local economies can use preservation to add value to products and resources. As an example, Starbucks coffee shops take full advantage of this strategy by offering not an ordinary cup of coffee, but a premium drink in a carefully designed relaxing environment. Similarly, historic buildings offer a unique experience not available anywhere else, and as a result value is added. A stay in an old art deco hotel in South Miami cannot be duplicated in any of the new high-rise structures that surround the district.

A significant financial incentive for owners of historic properties is the federal rehabilitation investment tax credit program, created by Congress in 1976 and supplemented by state tax credit programs. The federal program allows a tax credit to individuals based on 20 percent of the total cost of rehabilitation. In other words, if an owner spends $100,000 on the rehabilitation of a designated property, his or her personal federal income tax could be reduced by $20,000. As a result of this program, billions of private dollars have been invested in deteriorated properties. An example shows why. Consider two historic properties, one purchased for $400,000 and needing $100,000 of rehabilitation, the other bought for $100,000 and needing $400,000 of rehabilitation. Both projects will ultimately cost $500,000 and both will be worth the same when work is completed. But the owner of the first property earns a tax credit of $20,000 (20 percent of $100,000), while the second owner earns a credit of $80,000 (20 percent of $400,000). Whether or not an investor is interested in preservation, the advantage is clear. It is a wonderful case of a government program targeting the private sector to spend its money, not public funds, to improve communities through financial incentives.

Preservation easements provide another incentive to owners of historic properties, allowing private owners to take a tax deduction for designating some portion of their property to be protected from change in perpetuity—for instance, that the façade of their historic building can never be altered. Because this easement removes an ownership privilege for future owners, the value of the property may decrease; when the amount of the decrease in value is determined by a certified property appraiser, the owner can take a property tax deduction based on this amount.

Establishing a Historic District Ordinance

A historic district ordinance allows for regulatory review of demolition and exterior alterations of designated structures. Owners of designated properties must gain approval before making changes from the local historic district commission. Ordinances may also include review of additions, maintenance and repair, and updating of structures to satisfy requirements of the Americans with Disabilities Act (ADA) of 1990. Historic ordinances are approved by the municipal council.

To be effective and legally well founded, a historic district ordinance should satisfy three conditions: it should be well written, it should be needed, and it should be appropriate. It should not conflict with local zoning ordinances or building department regulations, which could result in owners acting on approval from one agency while being in conflict with another. Often, a historic district is established as an overlay (an additional zoning requirement that is placed on a geographic area) but does not change the underlying zoning based on the existing zoning ordinance. A historic district ordinance may take precedence over other city ordinances if all affected agencies agree so.

Local Historic District Commission Responsibilities

Local historic district commissions can be involved in many activities related to local history and preservation. Their powers are granted by local government and state law, although commissions often become involved in activities other than those specifically given through ordinance. The powers granted may include:

- Surveying and identifying historically and architecturally significant structures and areas
- Designating and protecting landmarks and their surroundings and landmark districts
- Reviewing applications for alteration, construction, or demolition of landmark buildings and all structures within a historic district
- Requiring affirmative maintenance of historic structures
- Making recommendations relating to zoning amendments and commenting on the local comprehensive plan
- Undertaking educational programs and activities
- Establishing standards and procedures for designation and development review
- Accepting funds from federal, state, and private sources
- Buying, selling, or accepting donations of property
- Exercising the power of eminent domain
- Accepting easements and other less-than-fee interests in property[7]

The Secretary of the Interior's Standards

Many historic district commissions make determinations on changes to designated buildings using rehabilitation standards established by the U.S. Department of the Interior. First published in 1979 and updated regularly, the Secretary of the Interior's Standards serve as guidelines on what constitute appropriate changes to designated historic structures and what changes are inappropriate. The 10 standards include criteria for evaluating building use, design, repair, maintenance, and even archeology. The purpose of the standards is to establish consistency in approving proposed changes in historic districts so that commissioners, planners, and property owners feel the system is fair to all parties. The standards for rehabilitation, as stated in the 1995 revisions, are:

"1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall

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[7] Christopher Duerksen, *A Handbook of Historic Preservation Law* (Naperville, IL: Conservation Foundation, 1983), 70.

match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."[8]

The Secretary of the Interior's Standards are supplemented with publications explaining the principles behind each standard, and case studies of projects approved and not approved. The standards are used by State Historic Preservation Offices and the National Park Service to determine if rehabilitation work qualifies for historic tax credits, so owners who adhere to the standards can benefit financially.

Spotlight on Union Station in St. Louis

When Union Station opened in 1894 in St. Louis, Missouri, the builders and designers little knew how important the building would become [Fig 8.8]. St. Louis architect Theodore C. Link won the building's competition with a three-part design: headhouse, midway, and a vast trainshed. At completion, it was the largest train complex in the world and the busiest station as well. It covered 11.5 acres and contained 31 tracks. Between 1941 and 1945, 100,000 people passed through Union Station every day.

By 1969, the number of trains using Union Station had sunk to an all-time low. Although the project was designated a National Historic Landmark in 1970, the last train departed from the station in October 1978. Shortly thereafter, the structures were purchased for $5.5 million by a developer who proposed to renovate the transportation center as a pedestrian-friendly, mixed-use environment.

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[8] *The Secretary of the Interior's Standards for Rehabilitation*, (Washington, D.C.: National Park Service Technical Preservation Services), 1990, http://www.nps.gov/history/hps/TPS/tax/rhb/stand.htm.

8.8. Union Station, St. Louis, Missouri, 1894, with headhouse (station) in the foreground and midway and trainshed to the rear

The project reopened in 1985 as the largest adaptive use project in the United States. The headhouse, originally housing ticket purchasing, waiting room, and a 70-room hotel, was renovated to house 67 shops and restaurants and the 538-room Hyatt Regency Hotel. The midway, which had been a covered passageway between the station and the trainshed, became two levels of shops. The renovated trainshed, in glass-covered elegance, holds two levels of shops and restaurants, an indoor lake, a plaza for entertainment, and another 469 hotel rooms.

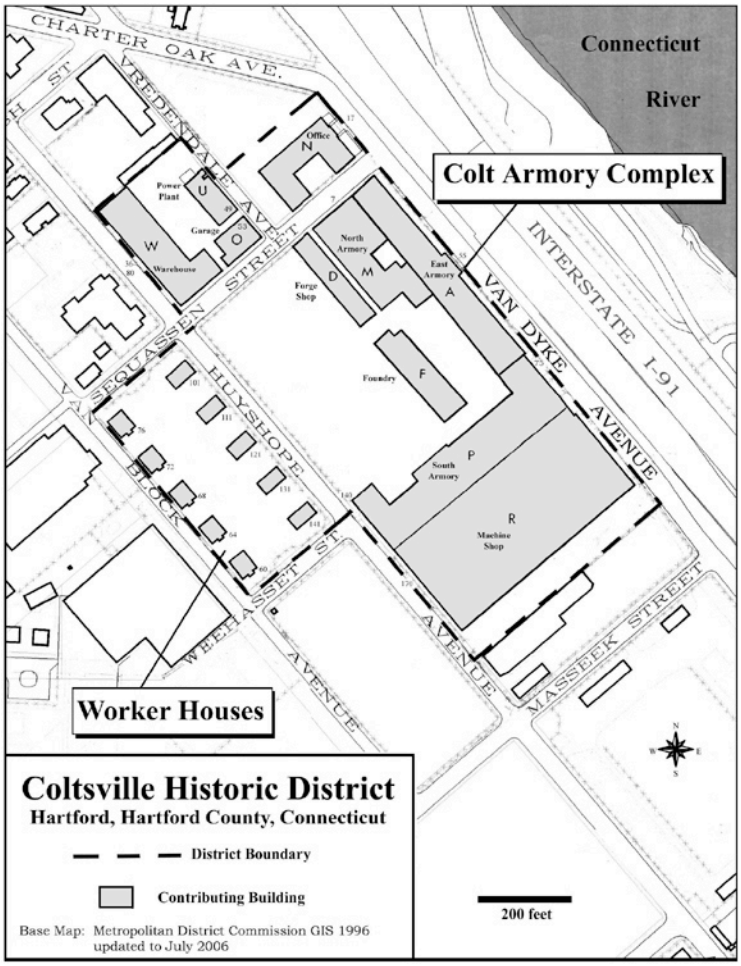
Union Station is a redevelopment success. The most visited location in St. Louis, it receives more visitors than the Gateway Arch and the Anheuser Busch Brewery. It is a National Historic Landmark and is listed as one of the National Trust for Historic Preservation's Historic Hotels of America.

Considerations When Establishing a District

Historic properties may be designated either individually or as part of a historic district. A district should be established when a group of structures has more importance and significance considered together than they have individually. The regulations for a historic district may apply only to designated historic structures or may also include review of changes to nonhistoric structures within the district; this is decided at the time of the approval of the ordinance. In some communities that do not fully support regulatory historic districts, so-called preservation-lite conservation districts can institute ordinances that do not have full regulatory control over individual changes to properties, but include more general guidelines.

Is the establishment of a historic district the best vehicle for protection? The formation of a district assumes that a common historic character permeates all parts of the area within its boundaries, including its buildings, its streetscape, even perhaps its natural features and open space. This may be appropriate when an assemblage of structures represents an architectural period or style—for example, a grouping of 1860s and 1870s Italianate

storefronts or 1920s bungalows. Or it may comprise structures with a common use, like the Coltsville Historic District in Hartford, Connecticut, the historic site of the Colt Armory [Fig 8.9]. The site was planned by Samuel Colt in 1855 for his firearm factory and served as a center for technological innovations in the industry well into the twentieth century. Mark Twain described it as "a great range of tall brick buildings, and on every floor is a dense wilderness of strange iron machines, a tangled forest of rods, bars, pulleys, wheels, and all the imaginable and unimaginable forms of mechanism."[9]



8.9. Coltsville Historic District, Hartford, Connecticut

Alternatively, a district may be based on an important era in a community's history: buildings representing a mining or textile industry, for example. Rural districts too may represent the community's historically significant heritage, with farmsteads, barns, outbuildings, fencerows, and agricultural land preserved.

Finally, a district may be composed of noncontiguous sites or structures if they have a common theme. Examples include a community's historic resources that are scattered across a city, such as San Diego's Asian Pacific Thematic Historic District, established in 1987 to recognize 18 sites of historic association with the city's early Chinese, Filipino, Hawaiian, and Japanese communities.

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[9] Quoted in *Coltsville Historic District*, James C. O'Connell, National Historic Landmark Nomination, United States Department of the Interior, National Park Service, Washington, D.C., July 25, 2006, 19.

Exercise: Delineate Historic District Boundaries in Rivertown

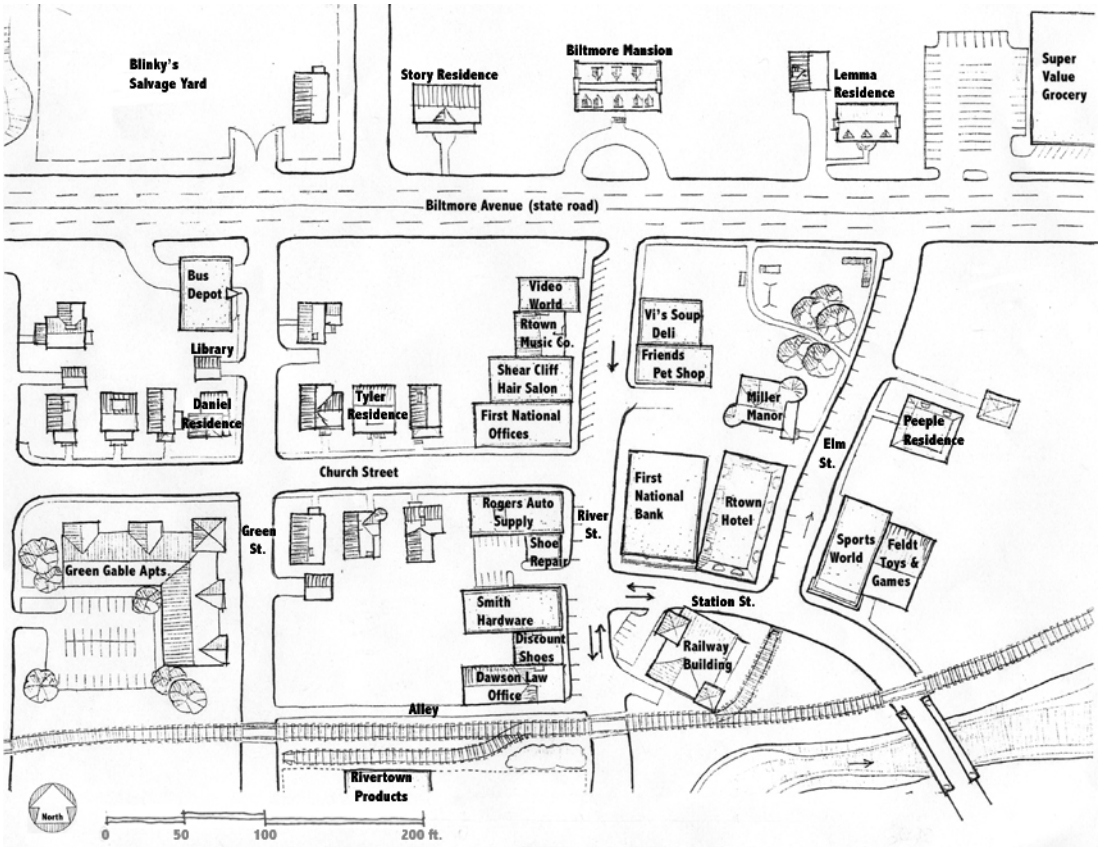
Rivertown's downtown area includes many older buildings, some of them important in the city's history. Local historian Clara Story has petitioned the City Council to have a historic district established to protect the area's historic character and the community's heritage. Owners of any buildings included in the district would be required to submit proposed exterior changes to their buildings to a historic district commission.

The Council has asked you, as the city's assistant planner, to review the buildings located downtown [Fig 8.10] to recommend boundaries of a designated historic district. You must deliver:

1) a map of the downtown on which you've drawn proposed boundaries for a historic district, and
2) a memo that contains a rationale for the location of the proposed edges.

Be sure to consider these factors:

- A historic district should have integrity and be unified by common historical, thematic, or architectural characteristics,
- Residential and commercial areas typically require different ordinance provisions,
- Most of the structures within a district should contribute to its historic character,
- There may be future development of vacant land parcels,
- The district's boundary should not be overly complex in its delineation.



8.10. Buildings in and near downtown Rivertown

Resources:

Additional maps of Rivertown and a bird's-eye sketch of the downtown area appear in Appendix A. You can access information on the buildings shown in and near Rivertown's downtown at: http://www.emich.edu/public/geo/557book/downtownbuildings.html.

For information on architectural styles, Ms. Story suggested you go to: http://www.emich.edu/public/geo/335book/335ch5.html.

For further information regarding the establishment of historic districts, go to: http://www.emich.edu/public/geo/335book/335ch4a.html

Preservation and Sustainability

The United Nations has defined the term *sustainability* as "the ability to meet present needs without compromising the ability of future generations to meet their needs."[10] Sustainability in planning includes conservation of natural and built resources; historic preservation focuses on the preservation of the built environment.

Our communities' building stock is one of our greatest assets. However, currently the green building movement seems focused primarily on the construction of new energy-efficient buildings; it fails to account for each community's overwhelming number of existing buildings. It is important to recognize the inherent value in these existing resources. As architect Carl Elephante has written, "The greenest building is . . . one that is already built."[11]

It is both obvious and profoundly true that to extend the useful service life of a community's building stock is common sense, good business, and sound resource management. Existing structures incorporate embodied energy, that is, the amount of total energy costs embedded in the original construction of the buildings. This is an investment that is lost if such structures are demolished. Removal of existing buildings incurs additional energy costs, including trucking away materials and increasing landfill where materials are deposited. Add to this the cost for a new building to replace the older structure, the construction of roads and utilities to service it, and the costs embodied in the manufacture of the new materials, and it becomes obvious that preserving older structures can be a good economic decision. The merging of community planning with historic preservation is necessary to fully capture the value of the existing building stock.

Summary

Historic preservation has become increasingly important to American society in recent decades. It has grown from the work of a few dedicated individuals and historical organizations to an activity engaged in, at some level, by millions of citizens. Most communities now recognize the significance of the historic heritage represented in our built environment, and many have taken steps to ensure the protection of historic structures and other properties through designation and regulation.

The framework for preservation activities at the federal, state, and local levels was firmly established under the National Historic Preservation Act of 1966, which created a National

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[10] United Nations 96th General Assembly Plenary Meeting, *Report of the World Commission on Environment and Development* (42/187), December 11, 1987, 1.

[11] Carl Elephante, "The Greenest Building Is . . . One That Is Already Built," *Forum Journal* (May 25, 2007): 1.

Register of Historic Places and provided that each state establish a State Historic Preservation Officer that is responsible for coordinating the administration of preservation efforts between federal and local levels.

Under the 1966 Act, local governments are empowered to establish regulatory ordinances administered by local historic district commissions, which have the power to regulate changes to historic structures in designated historic districts. Inclusion in a regulatory historic district provides protection against inappropriate changes to properties, helps stabilize property values, and counters deterioration. It also makes owners eligible for financial incentives, especially through tax credits for rehabilitation costs.

Preserved historic character can boost a local economy, attracting tourists who tend to stay longer and spend more money. Most important, designation gives protection to a community's heritage and promotes a better image and pride for its residents.

In many communities there is little integration between preservation efforts and the comprehensive plan. Too often, historic preservation plans are prepared by preservationists, and comprehensive plans by local planners, each with little awareness of the activities of the other. Local planners need to better integrate the two activities.