Creating Effective Local Preservation Programs

Heritage Ohio Annual Conference

Columbus· October 7, 2015

OHIO HISTORY CONNECTION

Agenda

- Where to Start
- Effective Ordinances
- Moving Beyond Design Review
- Financial Assistance for Preservation

OHIO HISTORY CONNECTION

Creating a Local Historic Preservation Program

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Where Do You Start?

- What support do you have?
  - Community
  - Nonprofit
  - Municipal
- What resources do you have?
  - Similar commissions
  - Local nonprofits
  - Historic properties

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Identify Problems

- What are the community's concerns?
  - Take away private property rights
  - Tell me what to do
  - "Colonialize" my house
- What are the municipality's concerns?
  - Private property rights
  - Political fall-out

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Gather Support

- Explain historic preservation process
  - Everyone is heard
  - All opinions are taken into account
  - This is a process, not an automatic declaration

- Have a rough draft of an ordinance
  - What will it do/*not* do?
  - Make it relate to current commission work

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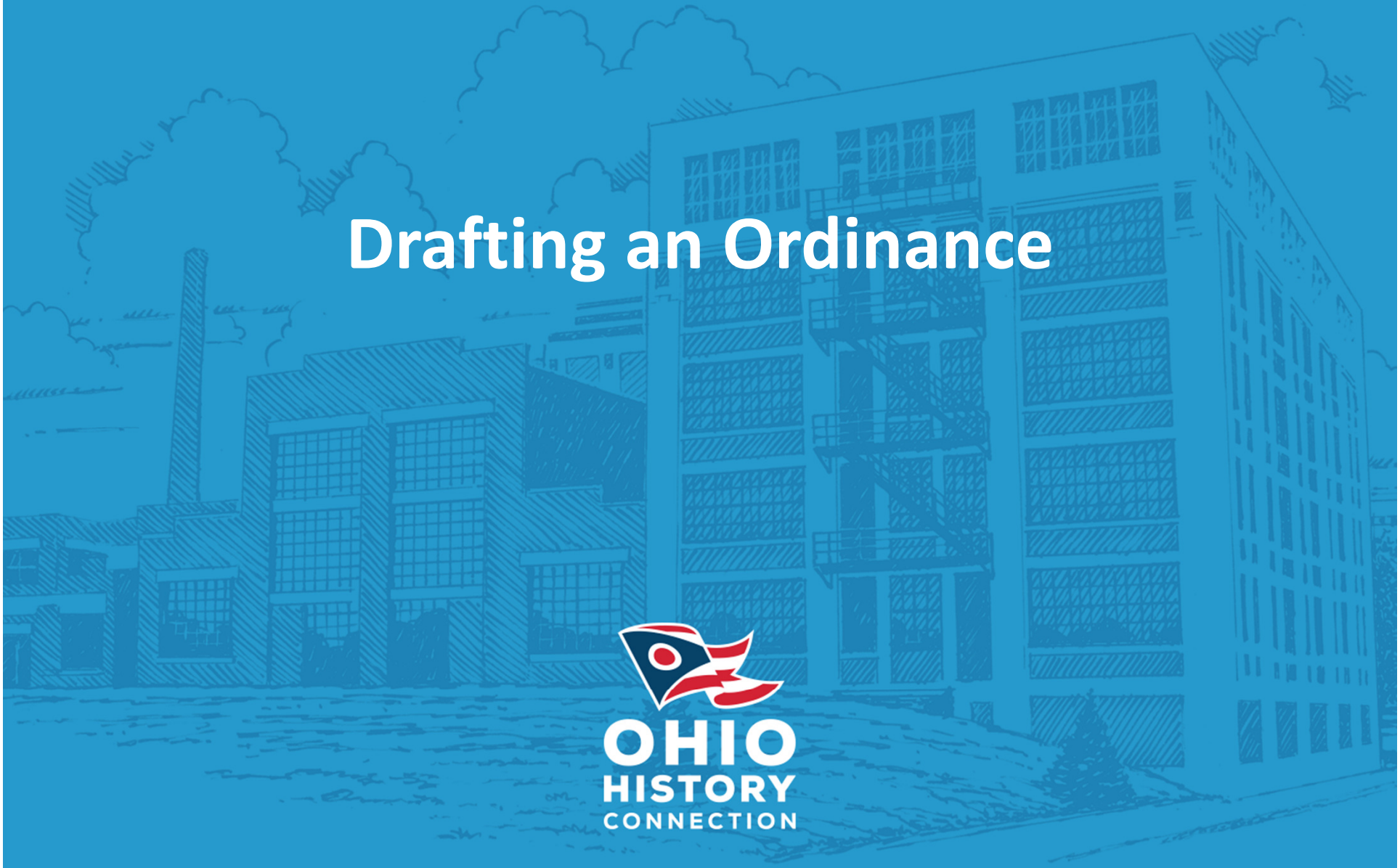
Drafting an Ordinance



OHIO HISTORY CONNECTION

Federal Preservation Laws

- Archaeological Protection Laws
  - Antiquities Act (1906)
- Federal Programs
  - National Park Service (1916)
  - Federal park designations
- First Preservation-Specific Laws
  - Historic Sites Act (1935)
  - National Trust Act (1944)

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Local Preservation Laws

- *Euclid v. Ambler Realty Co.*
  - Affirmed municipal right to zoning laws
- District-based historic preservation
  - Charleston, 1933
  - New Orleans, 1936
- Tool against urban renewal
  - German Village Commission, 1960

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Federal Preservation Comes of Age

- National Historic Preservation Act of 1966
  - Section 106 Process
  - SHPO structure
- Federal Review Acts
  - Department of Transportation Act
  - National Environmental Policy Act
- Federal tax incentives created

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Penn Central v. New York

- Affirmed legality of designation
- Affirmed legality of design review
- Established process
  - Due process
  - Avoiding takings

Legal Basics

- Enabling Ordinance
  - Creates Historic Preservation Commission
  - Establishes *process* for designation
  - Establishes *process* for design review
- Does NOT automatically designate properties
- Based on precedent and federal/state laws

The Historic Preservation Commission

- The Commission Members
  - 5-7 members with knowledge/involvement with preservation
  - Professionals needed on the commission

- The Commission Meetings
  - Open to the public
  - Held in accessible location at regular intervals
  - Ensures due process requirements are met

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Local Designation

- Designation
  - Criteria for designation
  - Establishes Period of Significance
  - Contributing vs. Non-Contributing

- Procedure for designation
  - Nomination by owner(s), board, or others
  - Ordinance with reason for designation
  - Recommendation to Council
  - Designation passed and landmark/district established

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Design Review

- Review of alterations to local landmarks and *all* properties within an historic district
- Based on design review criteria and guidelines
- Professional review of projects
  - Cite ordinance criteria and guidelines
  - Taking of private property is avoided

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Make Your Ordinance Effective

- Make clear definitions
  - E.g. is the site included in your review?
- Minimum Maintenance Clause
  - Protects against demolition by neglect
- Economic Hardship Clause
  - Provides framework for when cost becomes a burden

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Make Your HPC More Effective

- Develop a comprehensive set of design guidelines
  - Property owners understand the process
  - Visual representation of standards
- Ensure you have appropriate meetings
- Move beyond design review

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Design Guidelines

- Provide additional information for applying design review criteria
  - Based on local building types
  - Includes drawings and photographs

- Useful both to commission and public
  - Assists in decision making
  - Helps public know what to expect when submitting an application

OHIO HISTORY CONNECTION

CITY OF NEW ORLEANS
Historic District Landmarks Commission
Faubourg Marigny Historic District

Designated 1978

Jurisdiction: New Orleans Historic District Landmarks Commission

The Faubourg Marigny Historic District is bounded by Esplanade Avenue, St. Claude Avenue, Press Street and the Mississippi River.

Faubourg Marigny was the one of City's earliest suburbs, located immediately downriver from the Vieux Carré on land subdivided from the plantation of one of New Orleans most colorful historical figures. Antoine Xavier Bernard Phillipe de Marigny de Mandeville came into an enormous inheritance at a young age and is remembered for the fine style in which he squandered it, developing his faubourg and introducing the game of craps to the city in the meantime. He apparently took a close personal interest in the design of the new faubourg that would bear his name. He appeared especially to have taken great delight in naming its streets. While some street names have stayed the same—most notably Frenchmen Street and Elysian Fields Avenue (originally Champs Elysees)—Craps, Love, Victory, Bagatelle and Good Children Streets have, sadly, been renamed.

The Faubourg Marigny was largely populated by Creole families, free people of color and immigrants, including many Germans. Numerous early homes in the Marigny were built for free women of color. The Marigny is home to Creole cottages and many ornamented shotgun dwellings; with a number of corner stores, 2-story mixed use corner buildings, and fine Queen Anne or Eastlake style Victorian 2-story residences.

Unfortunately, the area entered a difficult period starting in the 1950s, as families who had lived in the area for many years began to move out of the city to the suburbs. Inappropriate development and blight started to negatively impact the area.

In the late 1960s and early 1970s, a rising interest in the neighborhood's history, culture and architecture led to a campaign to protect it. In 1971, it was given protection through a special historic preservation zoning ordinance, the first since the creation of the Vieux Carré Commission in the 1930s. Over the past 40 years, much of the area's historic architecture has been lovingly preserved and restored. Frenchmen Street's commercial buildings in the blocks closest to the French Quarter now house an eclectic mix of music clubs, restaurants, cafés and small businesses. The District also includes an industrial section of brick and metal buildings concentrated towards the Mississippi River.[1]

[1] Information taken from the Faubourg Marigny National Register of Historic Places Nomination.

New Orleans Public Library

The St. Roch Market was a local destination for food and produce

Lucien Dubroca City Archives

Washington Square Park is surrounded by a mid-19th century iron fence.

Frenchmen Street offers entertainment and dining to residents and tourists

Local Culture

- The St. Roch Market was constructed in 1875 and provided food and produce to neighborhood residents
- One area landmark, Holy Trinity Church on St. Ferdinand Street, was founded for German residents in 1853, and is easily recognizable for its twin bell towers
- Washington Square Park was designated as a green space during the neighborhood's formation and serves as a place for community events
- Elysian Fields Avenue was the first street in New Orleans to extend from the riverfront to Lake Pontchartrain
- The New Orleans Center for the Creative Arts, devoted to educating local students in the arts, is located in a riverfront complex of adapted industrial buildings abutting Press Street
- Many small local restaurants and bars are scattered through the District, while restaurants and music venues on Frenchmen Street tend to serve a wider audience

Creole cottages were built without front yards

This double shotgun has a small fenced front yard

This 2-story Creole style corner building has a wrap-around gallery

Urban Form

Setting/Landscape

- Most buildings are set directly on the street creating a dense urban fabric
- Some shotguns have small front yards edged with ornamental iron fences
- Rear yards of Creole cottages are often walled or enclosed and can include former service buildings

Massing/Form

- The majority of buildings are residential, 1- to 1½-stories, and raised above grade
- The majority of residential buildings are of wood or stuccoed masonry construction with gabled or hipped roofs

Styles/Types

- Common styles include Creole, Greek Revival, Italianate, Queen Anne, Eastlake and Arts and Crafts
- Shotgun cottages began appearing in the late 1840s, and continued to be built until the early 20th century
- Architectural character is dominated by 2 house types: 1½-story Creole cottage and 1-story shotguns in 2, 3 and 4-bay configurations, some with side halls or galleries
- The commercial corridor located along St. Claude Avenue includes a variety of building styles and types

Public Spaces

- Washington Square Park is the heart of the District

Commercial/Industrial

- Commercial buildings are scattered throughout the District, residential in character, of 1- to 2-stories, located on a corner, with a corner entrance, a gallery or canopy over the sidewalk and display windows
- The institutional and warehouse buildings are typically of brick or metal construction, no taller than 3 stories, and scattered throughout the District with a concentration towards the Mississippi River

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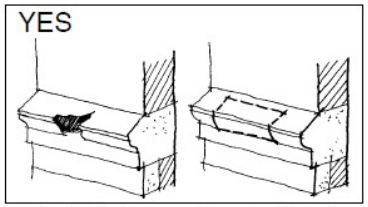
© Prepared by Dominique M. Hawkins, AIA, LEED AP of Preservation Design Partnership, LLC in Philadelphia, PA, and Catherine E. Barrier.

1.2 Avoid adding nonoriginal elements or details to the building.
- For example, decorative millwork or shingles should not be added to a building if they were not original to the structure.

1.3 Protect architectural details from moisture accumulation that may cause damage.
- Regularly check details that have surfaces which can hold moisture for long periods of time.



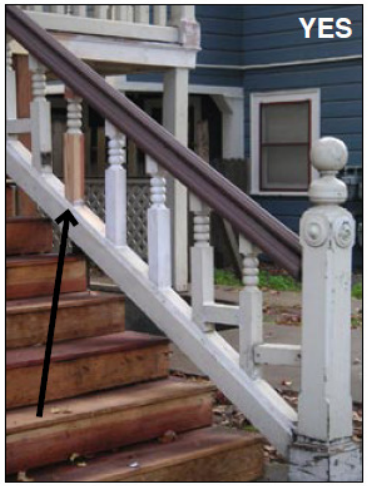
Guideline 1.4: Repair masonry or wood features by patching or piecing-in new elements that match the original.

Design Objective
Deteriorated architectural details should be repaired rather than replaced.

1.4 Repair only those features that are deteriorated.
- Patch, piece-in, splice, consolidate or otherwise upgrade existing materials, using recognized preservation methods.
- Isolated areas of damage may be stabilized or fixed using consolidants. Epoxies and resins may be considered for wood repair, for example.
- Removing damaged features that can be repaired is not appropriate.
- Protect features that are adjacent to the area being worked on.

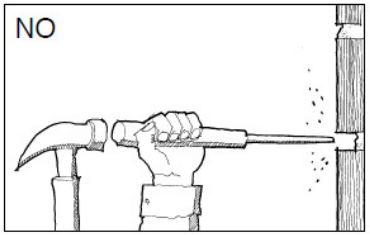
1.5 When disassembly of a historic element is necessary for its restoration, use methods that minimize damage to the original materials.
- When temporary removal of a historic feature is required during restoration, document its location so it may be repositioned accurately. Always devise methods of re-installing disassembled details in their original configuration.

1.6 Use technical procedures for cleaning, refinishing and repairing architectural details that will maintain the original finish.
- When choosing preservation treatments, use the gentlest means possible that will achieve the desired results.
- Employ treatments such as rust removal, caulking, limited paint removal and reapplication of paint or stain.

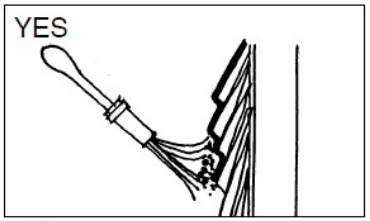


Guideline 1.4: It is appropriate to repair deteriorated building materials by patching, piecing-in, consolidating or otherwise reinforcing them. It is important to assess the cause of the damage and take steps to address the conditions that led to the deterioration.

Repointing Bricks
National Park Service Preservation Brief #2 provides guidance on repointing historic brick buildings. Reference Appendix page APP-2 for more information.



Guideline 2.6: Repoint only those mortar joints where there is evidence of moisture problems or when sufficient mortar is missing.



Guideline 2.7: Protect wood siding and other wood surfaces with a stain or paint.

Guideline 2.7: If the building was painted historically, it should remain painted, including all trim.

2.3 If a non-historic material covers original siding, then its removal is encouraged.
- In an inconspicuous place, sample below the replacement siding to confirm the existence and possible condition of the historic material.
- In many cases, the original siding may exist and can be repaired.
- In some cases, the original siding may have been damaged to an extent that would render it non-feasible to repair, and replacement in-kind may be required.
- In other cases, the application of non-historic siding over the historic cladding may be causing moisture damage. Removal of the non-historic siding may be warranted for building maintenance.

2.4 Preserve masonry features that define the overall historic character of the building.
- Examples are walls, porch piers and foundations.
- Brick or stone which was not painted historically should not be painted.

2.5 Preserve the original mortar joint and masonry unit size, the tooling and bonding patterns, coatings and color, when feasible.
- Original mortar, in good condition, should be preserved in place.

2.6 Repoint those mortar joints where there is evidence of moisture problems or when sufficient mortar is missing.
- Duplicate the old mortar in strength, composition, color, texture and joint width and profile.

2.7 Maintain protective coatings to retard drying and ultraviolet damage.
- If the building was painted historically, it should remain painted, including all trim. If the building was stained historically, it should remain stained.

2.8 Plan repainting carefully.
- Good surface preparation is key.
- The complete removal of old paint, by the gentlest means possible, should be undertaken only if necessary to the success of the repainting.
- Prepare a good substrate (primer) and use compatible paints or stains. Some latex paints will not bond well to earlier oil-based paints without a primer coat.

Make Careful Decisions

- Ensure all decisions are rooted in ordinance
  - “I don’t like it”
  - “It’s just ugly”

- *Guide* design through the ordinance and guidelines
  - Do not design projects
  - Indicate where proposals are not compliant

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Making Defensible Decisions

- Cite ordinance in making a decision
  - Ordinance is primary source of power
  - Outlines process and authority
- Adhere to design guidelines
  - Passed through Council
  - Provide information for public
- Due process requirements are met

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Holding a Meeting

- Maintain professionalism
  - No side comments
  - Keep on task
  - Do not design projects for applicants
- Maintain ethical standards
  - Recuse yourself if there is a conflict of interest
  - “Sunshine Laws”

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Record Keeping

- Maintain complete, organized records to ensure compliance with due process requirements
  - Keep copies of announcement, agenda, letters to applicants, applications
  - Minutes
    - Reflect conversation held at meeting
    - Records votes and justification for votes
  - Accomplishments and problems
    - Information for showing benefits to city
    - Information for what needs to be fixed

Moving Beyond Design Review

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Survey & Inventory

- The baseline data for any local preservation program
  - What resources?
  - Where are they?
  - What is their condition?
  - What are the threats or concerns?

- Must be constantly updated for accuracy

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Local Preservation Planning

- Guides local policy decisions on historic preservation
  - Identifies local priorities for redevelopment
  - Provides framework of available resources

- Public engagement tool for community
  - What do residents value in their neighborhood
  - Connects municipality and community to historic resources

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Public Education

- Education for adults and children
  - Work with teachers for school programs
  - Develop walking tours and brochures for residents and tourists
- Commission Awards Programs
- Provide Assistance to Property Owners
  - Sponsor Building Doctor Clinic
  - Provide preliminary design review assistance

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Local Government Relations

- Preservation is *part* of local government
  - Departments are aware of historic preservation
  - Departments are aware of review process
    - COA needed prior to issuance of permits, etc.
- Hold meetings with Mayor and Council on regular basis

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Promote Use of Tax Credits

- Federal Rehabilitation Tax Credit
  - Non-competitive
  - 20% tax credit on qualified expenditures
- Ohio Historic Preservation Tax Credit Program
  - 25% tax credit on qualified expenditures
  - Competitive ($60million p/a, two rounds)
- Programs may be combined

OHIO HISTORY CONNECTION

Certified Local Government

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Certified Local Government Program

- 1980 Amendments to 1966 Preservation Act
- Recognized importance of local preservation efforts
- Certification ensured communities could review nominations
- Funding added to help with training and operations

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Who is Certified?

Akron
Alliance
Athens
Aurora
Avon Lake
Barberton
Bellaire
Berea
Brookfield Twp
Burton
Canal Fulton
Canal Winchester
Canfield
Cincinnati
Cleveland
Columbus
Cuyahoga Falls
Dayton
Delaware
Dublin
Elyria
Euclid
Galion
Gallipolis
Gates Mills
Glendale
Green
Hamilton
Hudson
Jefferson
Kent
Lakewood
Lancaster
Lebanon
Lorain
Madison
Mansfield
Mantua
Mariemont
Marysville
Massillon
Medina
Millersburg
Montgomery
Mt. Pleasant
Newark
New Richmond
North Olmsted
Oberlin
Olmsted Falls
Oxford
Parma
Perrysburg
Portsmouth
Ravenna
Salem
Shaker Heights
Springboro
Steubenville
Tipp City
Toledo
Wauseon
Waynesville
Willoughby
Wooster
Zanesville
Zoar

What to Expect as a CLG

- Minor procedural changes
- Increased public outreach
- National Register nomination involvement
- Access to CLG Grant program

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CLG Program Benefits

- Eligibility for CLG Grants
- Eligibility for training and technical assistance
- Review authority for local National Register nominations
- Additional benefits from Ohio History Connection and the State Historic Preservation Office

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Discussion

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Certified Local Government Grant

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CLG Grants

- Created to support local preservation efforts, only available to CLGs and their preservation partners
- Funded through the Historic Preservation Fund based on 10% of Federal allocation to OH SHPO
- Awarded annually
  - ~$100,000 available each year
  - 7-12 awards at between $8,000 – $25,000 each

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Strengthen Local Preservation

camp®
commission assistance & mentoring program

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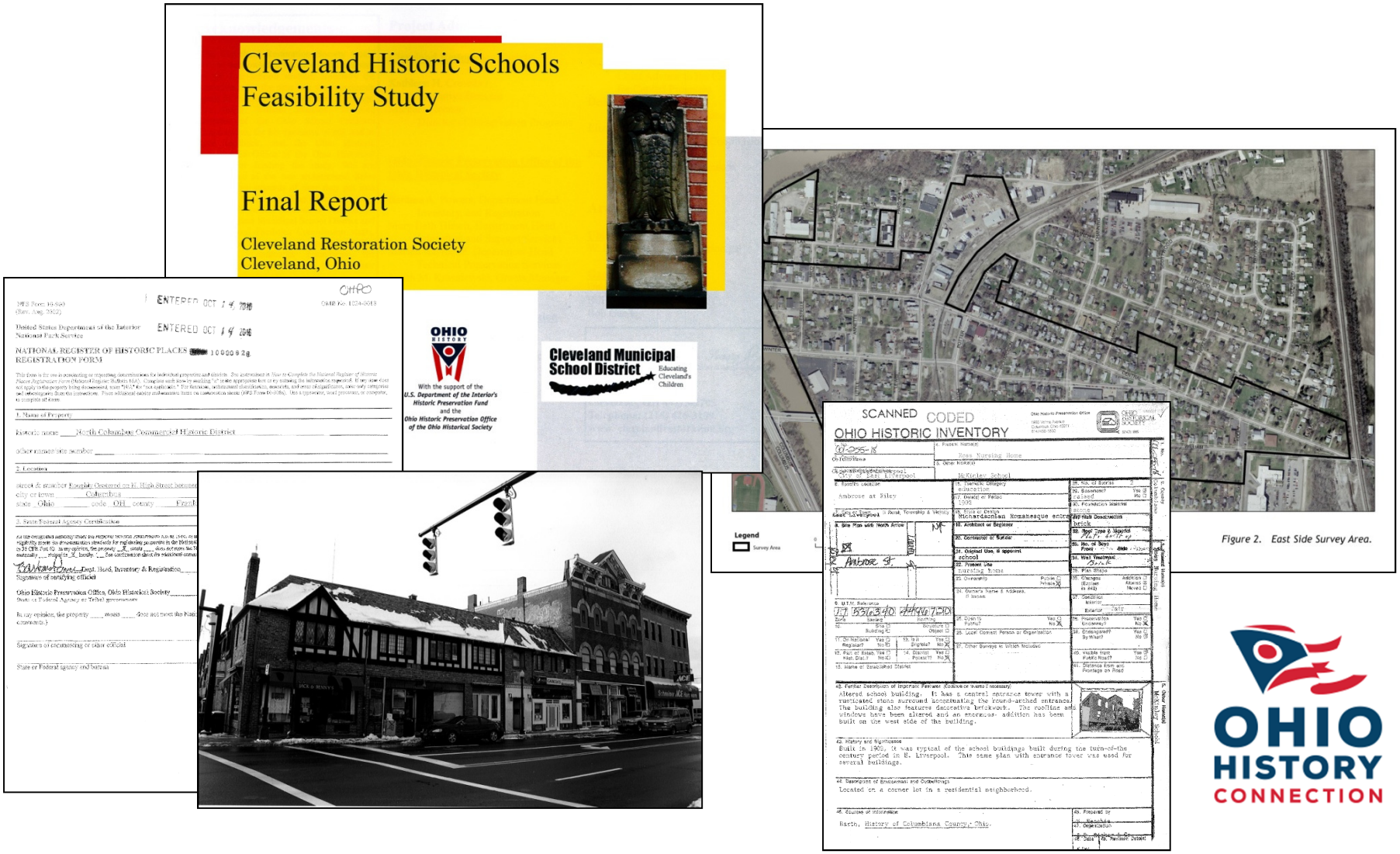
Protect and Preserve Cultural Resources



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Protect and Preserve Cultural Resources

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Promote Economic Development

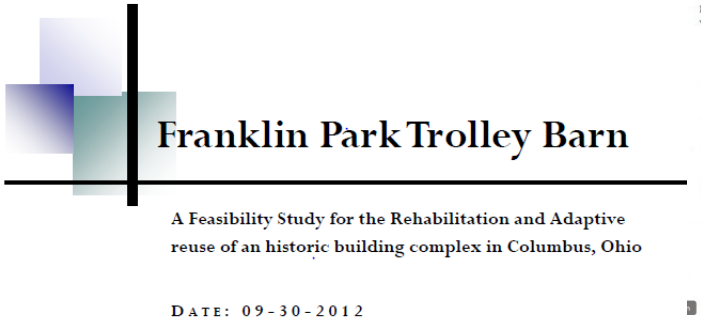
Mobile History

More Shaker Heights History? There's An App for That. The Cleveland Historical website and smart phone app feature information about dozens of landmark properties, events, and people significant to the history of Shaker Heights. The app puts Cleveland—and now Shaker Heights—history at your fingertips. Developed by the Center for Public History + Digital Humanities at Cleveland State University, Cleveland Historical includes information about the city's 45 individual landmarks, two local landmark districts and the Shaker Village National Register District. Download the app or visit the website in your browser.

ClevelandHistorical.org

Apple App Store

Google Play

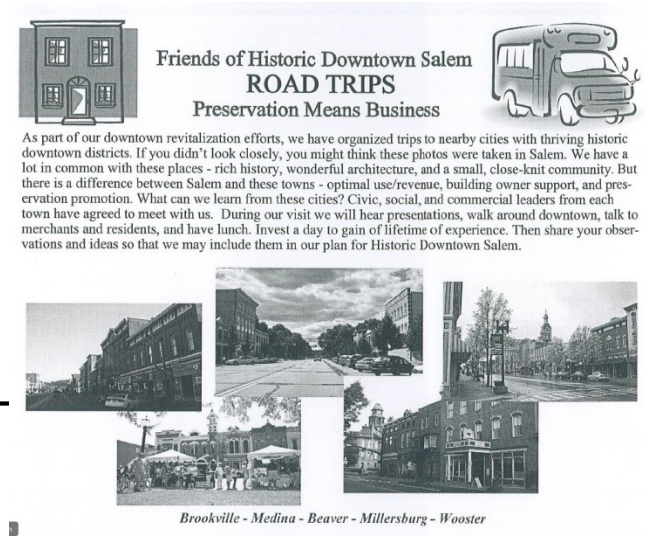

Franklin Park Trolley Barn

A Feasibility Study for the Rehabilitation and Adaptive reuse of an historic building complex in Columbus, Ohio

DATE: 09-30-2012

THIS STUDY WAS PREPARED BY:

BENJAMIN D. RICKEY & COMPANY
UNDER CONTRACT TO COLUMBUS COMPACT CORPORATION


Friends of Historic Downtown Salem
ROAD TRIPS
Preservation Means Business

As part of our downtown revitalization efforts, we have organized trips to nearby cities with thriving historic downtown districts. If you didn't look closely, you might think these photos were taken in Salem. We have a lot in common with these places - rich history, wonderful architecture, and a small, close-knit community. But there is a difference between Salem and these towns - optimal use/revenue, building owner support, and preservation promotion. What can we learn from these cities? Civic, social, and commercial leaders from each town have agreed to meet with us. During our visit we will hear presentations, walk around downtown, talk to merchants and residents, and have lunch. Invest a day to gain of lifetime of experience. Then share your observations and ideas so that we may include them in our plan for Historic Downtown Salem.

Brookville - Medina - Beaver - Millersburg - Wooster

OHIO HISTORY CONNECTION

The CLG Grant Process

- Information, application, and instructions available at www.ohiohistory.org

- Grant period opens in November, applications are due in February, awards are announced in March

- Grants are evaluated based on:
  - Need (20%)
  - Benefit (20%)
  - Methodology (40%)
  - Support (20%)
  - Bonus points are awarded to projects that meet that year's priorities.

- SHPO staff are available to review project ideas and draft applications

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CLG Grant Requirements

- Applicants must provide a match of 40% of total project costs. Federal funds (except CDBG) can be used as match.

- These are reimbursement grants. The grant payment is made after all project costs have been paid.

- All projects must meet the applicable Secretary of the Interior's Standards for Historic Preservation

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CLG Grants Cannot Fund

- Lobbying
- Section 106 or other mitigation projects
- Fundraising efforts
- Curation and museum interpretation

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Other Programs to Look Out For

History Fund Grant

- Ohio History Connection grant program
- Support local and state history projects, programs, and events
- Privately funded by donations; tax refund "check-off;" and gifts to the Ohio History Connection

Your tax refund can
MAKE
HISTORY

History Fund Grant

- Eligible Applicants
  - Ohio-based, nonprofits in good standing
  - Public entities in Ohio; government, public libraries, educational institutions

- Eligible Projects
  - Organizational Development
  - Programs & Collections
  - Bricks & Mortar
  - National Register Properties or used for collections

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Pipeline Program

- Ohio Development Services Agency program
- Technical assistance and small grants to plan and prepare historic properties for rehabilitation
- Primary goal of the initiative is to develop a pipeline of properties eligible for the OHPTC program

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Pipeline Program

- National Register Nomination for Individual Building
  - Grant up to $4,000 for third-party research and consulting to nominate a building
  - Must have support of property owner

- National Register Nomination for a Historic District
  - Grant up to $8,000 for third-party research and consulting to nominate OR amend a district
  - Must have support of majority of property owners and local jurisdiction

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Pipeline Program

- NR Integrity Investigation of an Individual Building
  - Grant up to $8,000 for brick and mortar activities to the exterior of a building to reveal intact historic materials (e.g. remove a non-historic façade)

- Multiple Property Planning for an Area
  - Grant up to $8,000 for third-party research and consulting to complete a National Register Multiple Property Documentation form
  - Form is intended to facilitate nomination of buildings or districts in a specified area or context
  - Must have recommendation from SHPO to pursue

OHIO HISTORY CONNECTION

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