



Historic Preservation: Best Practices

July 23, 2014

Landmarks Ordinance Review Committee

Landmarks 101

1966 National Preservation Act

- Gave States the rights for Historic Preservation
 - ▣ Also gave enabling legislation power to local municipalities to preserve/regulate under local control
- But different States have different laws
 - ▣ Wisconsin doesn't allow municipalities to give local property tax relief as an incentive
 - ▣ Other States/Cities have this option (California and Texas as examples)

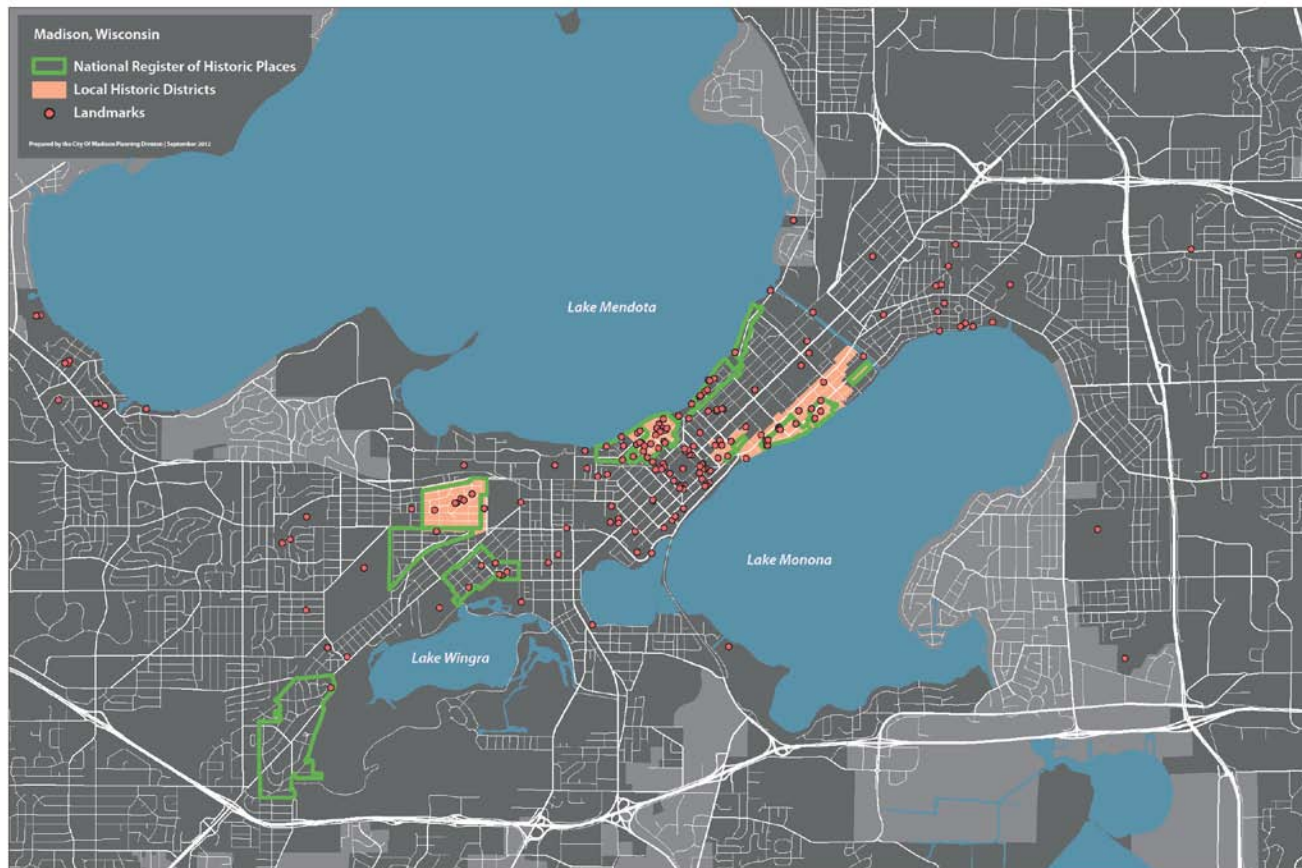


1966 National Preservation Act

- Some states only use the National Register Designation (Districts & Sites) as the basis for Preservation
- Madison only regulates its 5 Local Districts and 181 Landmark Sites
 - 14 National Register Districts and National Register Sites are only regulated if they are also designated as Local Historic Districts or Landmark Sites

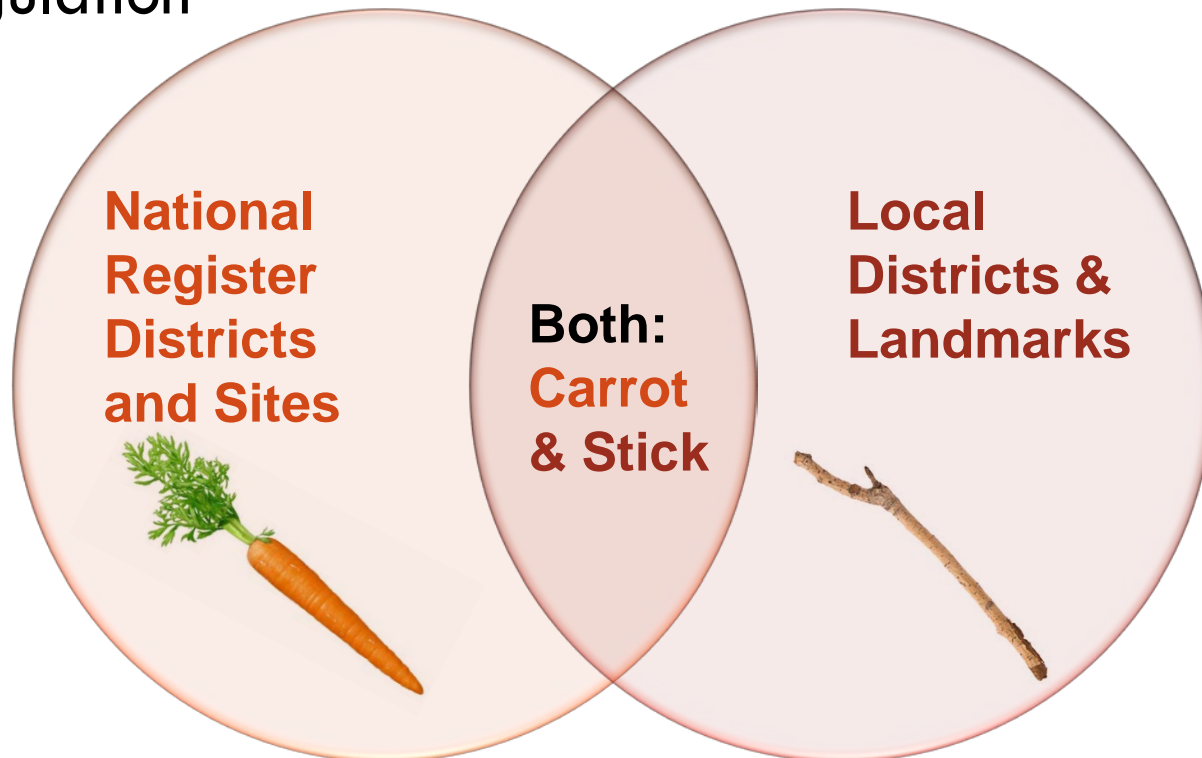
Madison Landmarks Commission 101

- Local Historic Districts (5) comprise 0.71% of City land area
- National Register Districts (14) comprise 1.41% of City land area



Preservation in Madison: Carrot vs. Stick?!

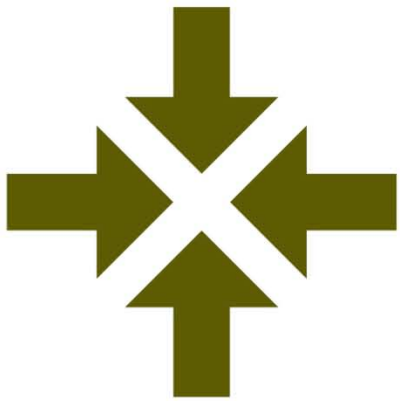
- National Register Districts & Sites are eligible for State Income Tax Credits, but are not regulated by the City
- Local Districts & Landmarks have no tax incentives, only regulation



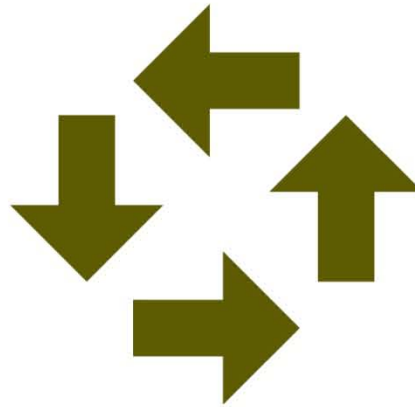
Preservation in Madison: Planning

- Historic Preservation is integral to our City's Planning and Development Review processes
 - 2006 Comprehensive Plan
 - Goal #1: Maintain and enhance Madison's identity as a center of historic and cultural assets and activities.
 - Goal # 2: Maintain and enhance Downtown's historic and cultural resources.
 - 2011 Madison Downtown Plan Recommendations:
 - Key 7: Build on Historic Resources

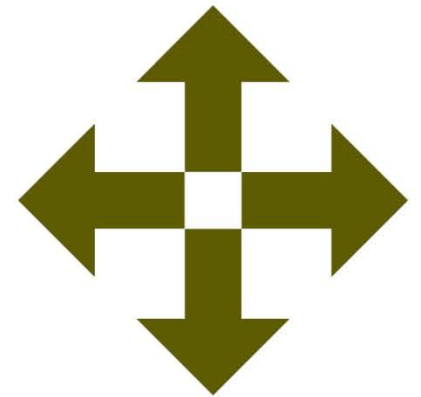
Principals and Theories of Preservation



PRESERVE



PROTECT

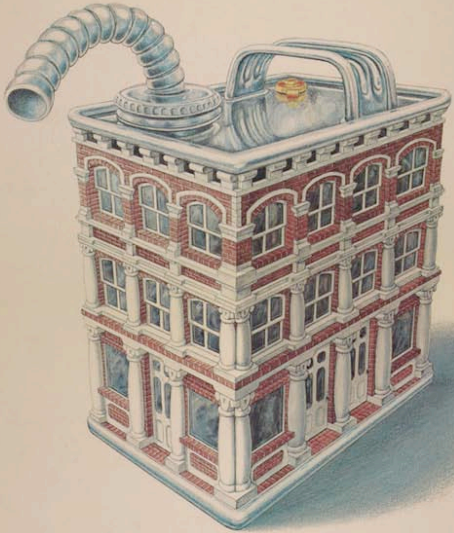


PROMOTE

Principals and Theories of Preservation

P R E S E R V A T I O N :

Reusing America's Energy
Preservation Week May 11-17, 1980

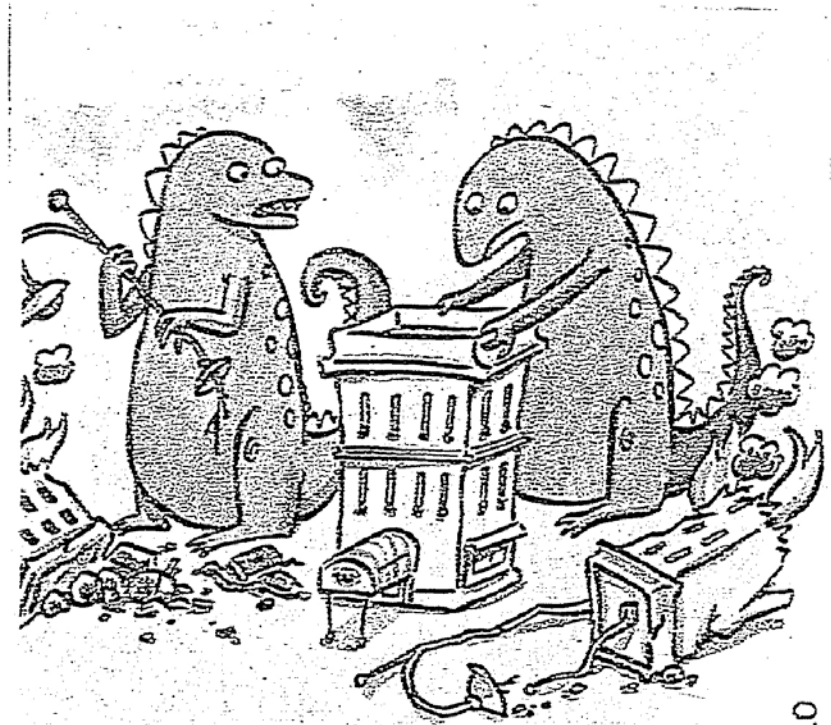


It takes energy to construct a new building.
It saves energy to preserve an old one.

It takes the energy equivalent of one gallon of gasoline to make, deliver and install eight bricks. Preserving eight old bricks instead of throwing them away and making new ones means that the energy of a gallon of gasoline can be used to meet other needs. Reusing old buildings saves the energy required to demolish and replace them with new buildings. And properly rehabilitated old buildings use no more energy, on the average, than brand new buildings for operation.

Save energy—save a building! Join the National Trust for Historic Preservation and the U.S. Department of Energy in observing Preservation Week 1980. For details, write to Preservation Week, National Trust, 135 Massachusetts Ave., N.W., Washington, D.C. 20005. Or contact your local preservation organization.

NATIONAL TRUST FOR HISTORIC PRESERVATION



**“Not that one—we’ll have the
Historical Society after us.”**

RIINA PICCOLO

Principals and Theories of Preservation



Principals and Theories of Preservation

□ Niagara Falls



Principals and Theories of Preservation

□ Lancaster County



Implementing Preservation

- Implementing preservation of cultural values vary from place to place based upon values and goals
 - ▣ Sense of Place matters
 - ▣ What's right for Williamsburg...

Isn't appropriate for San Francisco...



Implementing Preservation

- ▣ What's right for Philadelphia... may work for Baltimore
- ▣ But isn't appropriate for pop culture at the Jersey Shore...



Implementing Preservation

- Preservation Theory ranges across the United States
 - ▣ East Coast: Preservation practice based on architecture, aesthetics and design details, museum quality



Implementing Preservation

- Preservation Theory ranges across the United States
 - ▣ West Coast: Preservation Practice based on preservation of cultural resources and overall character



Implementing Preservation

- Preservation Theory ranges across the United States
 - ▣ Midwest: Preservation Practice based on elements found across the United States



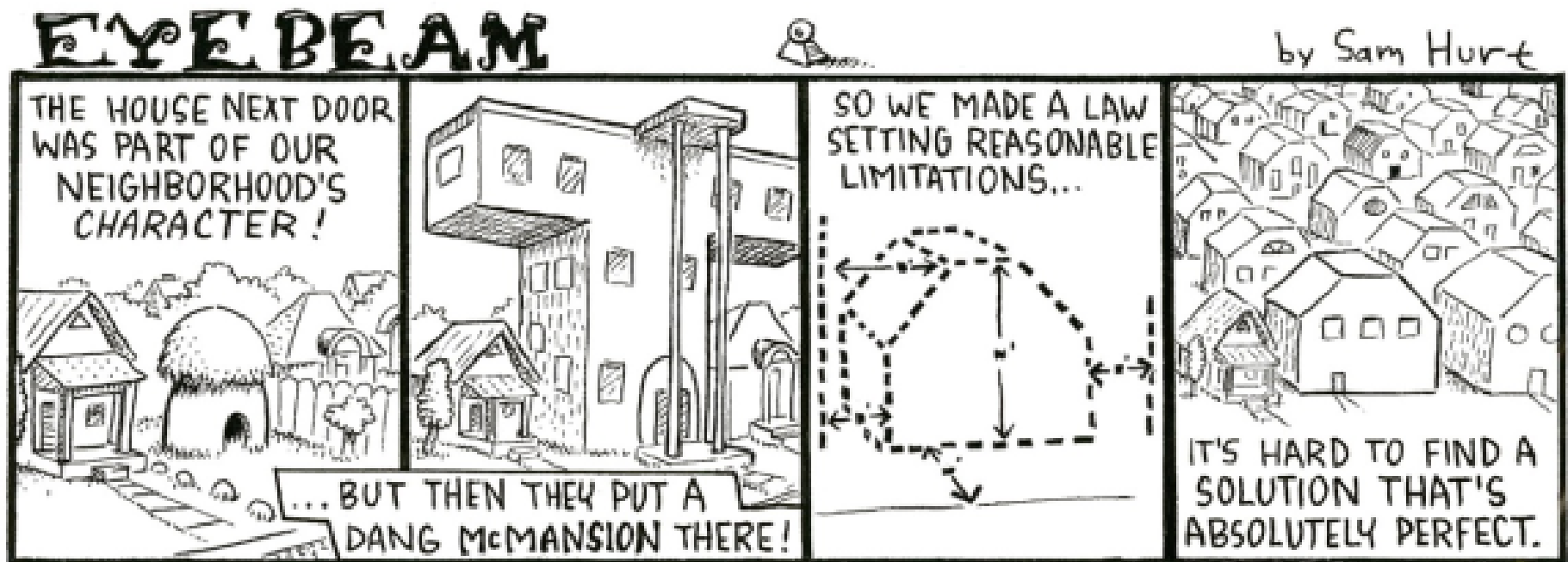
Implementing Preservation

- Preservation Theory ranges across the United States
 - Midwest: Preservation Practice based on elements found across the United States



Principals and Theories of Preservation

- Not a one size fits all approach



Looking for Best Practices

City Comparisons:

Looking for Best Practices

Williamsburg, VA Little Rock, AK Boston, MA
Columbus, OH Madison, WI Louisville, KY Savannah, GA
Milwaukee, WI Washington DC Los Angeles, CA Dayton, OH
Austin, TX Kansas City, MO Grand Rapids, MI Riverside, CA
Chicago, IL Durham, NC Cleveland, Ohio New York, NY
Ann Arbor, MI St. Louis, MO Seattle, WA Winston-Salem, NC
Des Moines, IA Portland, OR Richmond, VA
Nantucket, MA Annapolis, MD San Antonio, TX
Columbia, MO Minneapolis, MN Nashville, TN
Denver, CO Topeka, KS Buffalo, NY Philadelphia, PA
Gainesville, FL Indianapolis, IN Boulder, CO

Looking for Best Practices



Columbus, OH

Madison, WI

Washington DC

Riverside, CA

Austin, TX

Minneapolis, MN

Gainesville, FL

Madison as Model Ordinance?

- Model Ordinance Recommendations
 - Wisconsin State Historic Preservation Office:
 - They refer Madison's ordinance as a model for other cities
 - Outside of Wisconsin: Nashville, Little Rock, Gainesville and Richmond
 - National Trust for Historic Preservation
 - New York City, Washington DC, Los Angeles
- But still...One size doesn't fit all
 - Different cultures, types of resources, philosophies and available incentives

Looking for Best Practices:

Madison's Ordinance Structure



1. **Purpose and Intent**

2. Definitions (*can occur throughout when relevant*)

3. **Composition of the Landmarks Commission**

4. **Powers and Duties**

5. Powers and Duties of Preservation Planner

6. Public Hearing Notices

7-8. Designation / Rescission of Landmarks

9. Creation and Amendment of Historic Districts

10. Maintenance, Compliance, Penalties

11-12. Certificate of Appropriateness / Standards for approval

13. Appeal

14-18. Conditions Dangerous to Life, Health, property /Waivers/Harmonization/
Computation of Time /Separability



19-25. Local District Standards

Purpose and Intent Statements

City Comparisons

Purpose & Intent: Madison

- (1) Purpose and Intent. It is hereby declared a matter of public policy that the preservation, **protection, enhancement, perpetuation and use of improvements** of architectural, archeological, and anthropological significance; historical interest; special character; and cultural value is a **public necessity to foster the health, prosperity, safety and welfare of the people**. The purpose of this section is to:
 - (a) Effect and accomplish the **protection, enhancement and perpetuation** and use of such improvements and of districts which represent or reflect elements of the **City's cultural, social, economic, political, archeological, anthropological and architectural history**.
 - (b) **Safeguard** the City's historic and cultural, archaeological and anthropological heritage, as embodied and reflected in such landmarks and historic districts.
 - (c) **Stabilize and improve property values**.
 - (d) **Foster civic pride** in the beauty and noble accomplishments of the past.
 - (e) **Protect and enhance** the City's attractions to residents, tourists and visitors, and serve as **a support and stimulus to business and industry**, thereby **strengthening the economy** of the City.
 - (f) Promote the use of historic districts and landmarks for the **education, pleasure and welfare** of the people of the City.

Purpose & Intent: Milwaukee, WI

- Pursuant to s. 62.23(7)(em), Wis. Stats., it is declared a matter of public policy that the **protection, enhancement, perpetuation, and use of improvements** of special architectural character or special historical interest or value is a **public necessity** and is required in the **interest of health, prosperity, safety, and welfare of the people**. The purpose of this section is to:
 - a. Effect and accomplish the **protection, enhancement and perpetuation** of such improvements and of districts which represent or reflect elements of the **city's cultural, social, economic, political and architectural history**.
 - B. **Safeguard** the city's **historic and cultural heritage**, as embodied and reflected in landmarks and historic districts.
 - c. **Stabilize and improve property values**.
 - d. **Foster civic pride** in the beauty and noble accomplishments of the past.
 - e. **Protect and enhance the city attractions** to residents, tourists and visitors, and serve as a **support and stimulus to business and industry**.
 - f. **Relate municipal programs in preserving housing and revitalizing commercial areas to the objectives of historic and architectural preservation**.
 - g. **Educate the public regarding the desirability of landmark designation and historic preservation as an enhancement** of the quality of life.
 - h. Aid and assist individuals and public entities in the nomination of their properties to the national register of historic places.

Purpose & Intent: Columbia, MO

- (a) Purpose. The purpose of this section is to **promote the economic, cultural, educational and general welfare** of the city by:
 - (1) Conserving and improving the **value of property** within district HP
 - (2) Protecting and **enhancing the attractiveness** of the city to home buyers, home owners, residents, tourists, visitors, and shoppers, thereby supporting and **promoting business, commerce, industry**, and **providing economic benefit** to the city;
 - (3) Providing a mechanism to identify and **preserve the distinctive historic and architectural characteristics** of the city.
 - (4) **Fostering civic pride** in the aesthetics and cultural accomplishments of the past as represented in the city's landmarks and historic areas;
 - (5) Fostering and **encouraging preservation, restoration, and rehabilitation** of structures, areas and neighborhoods;
 - (6) Promoting the use of landmarks and historic areas for the **education, pleasure and welfare** of the people of the city.

Purpose & Intent: Des Moines, IA

- 58-56. Purpose. It is declared as a matter of public policy that the **protection, enhancement, perpetuation and use** of improvements of **special character or special historical or aesthetic interest** or value is a public necessity and is required in the interest of **health, prosperity, safety and welfare** of the people. The purpose of this article is to:
 - (1) Effect and accomplish the **protection, enhancement and perpetuation** of such improvements which represent or reflect elements of the **city's cultural, social, economic, political and architectural history**;
 - (2) **Safeguard the city's historic, aesthetic and cultural heritage**, as embodied and reflected in such improvements;
 - (3) Stabilize and **improve property values**;
 - (4) **Foster Civic pride** in the beauty and accomplishments of the past;
 - (5) **Protect and enhance** the city's attractions to **residents, tourists, and visitors** and serve as a **support and stimulus to business and industry**;
 - (6) **Strengthen the economy of the city**.

Purpose & Intent: Riverside, CA

- Purpose. The purpose of this Title is to promote the **public health, safety and general welfare** by providing for the identification, **protection, enhancement, perpetuation and use** of improvements, buildings, structures, signs, objects, features, sites, places, areas, districts, neighborhoods, streets, works of art, natural features and significant permanent landscaping having **special historical, archaeological, cultural, architectural, community, aesthetic or artistic value** in the City for the following reasons:
 - A. To **safeguard the City's heritage** as embodied and reflected in such resources;
 - B. To encourage **public knowledge, understanding and appreciation** of the City's past;
 - C. To **foster civic** and neighborhood **pride** and a sense of identity based on the recognition and use of cultural resources;
 - D. To **promote the enjoyment** and use of cultural resources appropriate for the **education and recreation** of the people of the City;
 - E. To preserve diverse and harmonious architectural styles and design preferences reflecting phases of the City's history and to encourage complementary contemporary design and construction;
 - F. To **enhance property values** and to increase economic and financial benefits to the City and its inhabitants;
 - G. To protect and enhance the City's attraction to tourists and visitors, thereby **stimulating business and industry**;
 - H. To identify as early as possible and **resolve conflicts between the preservation of cultural resources and alternative land uses**;
 - I. To **integrate the preservation of cultural resources** and the extraction of relevant data from such resources **into public and private land management and development processes**;
 - J. To **conserve valuable material and energy resources** by ongoing use and maintenance of the existing built environment.

Purpose & Intent: Boulder, CO

- 9-11-1 Purpose and Legislative Intent.
- The purpose of this chapter is to **promote the public health, safety, and welfare** by **protecting, enhancing, and perpetuating** buildings, sites, and areas of the city reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past. It is also the purpose of this chapter to develop and maintain appropriate settings and environments for such buildings, sites, and areas to **enhance property values, stabilize neighborhoods**, promote tourist trade and interest, and **foster knowledge** of the city's living heritage.

Purpose & Intent: Buffalo, NY

- It is hereby declared as a matter of public policy that **preservation, protection, conservation, enhancement, perpetuation and utilization** of sites, buildings, improvements and districts of **special character, historical or aesthetic interest or value** are necessary and required in the interest of the **health, education, culture, prosperity, safety** and high quality of life of the people.
- B. The purpose of this Preservation Code is to:
 - (1) **Promote the intellectual, cultural and general welfare** as well as the **economic well-being** of the people of the City.
 - (2) **Safeguard** the City's history and **heritage** as embodied and reflected in its landmarks, landmark sites and historic districts.
 - (3) **Preserve, protect, perpetuate and utilize** landmarks, landmark sites, historic districts, neighborhoods, areas, places, buildings, structures and improvements which have a **distinctive character or are of historic, aesthetic, architectural, archeological or cultural interest or value** to this City, state or nation.
 - (4) **Stabilize and improve property values** in the City.
 - (5) **Avoid demolition of historically or architecturally important** properties.
 - (6) **Enhance** the visual and aesthetic **character, diversity and distinctiveness** of the City.
 - (7) Enhance the City's **attraction for residents, visitors, tourists** and prospective residents.
 - (8) Preserve the economic and architectural integrity of vacant or underutilized landmark properties by means of substantial rehabilitation and adaptive reuse.

Purpose & Intent: Gainesville, FL

- b) *Purpose*. In recognition of these findings, the purpose, of this chapter is to promote the **health, morals, economic, educational, aesthetic, cultural and general welfare** of the public through:
 - (1) The **identification, protection, enhancement, perpetuation and use** of districts, sites, buildings, structures, objects and areas that are reminders of past eras, events and persons important in local, state or national history, or which provide **significant examples of architectural styles of the past, or which are unique and irreplaceable assets** to the city and its neighborhoods, or which provide this and future generations examples of the physical surroundings in which past generations lived;
 - (2) The **enhancement of property values**, the **stabilization of neighborhoods** and business centers of the city, **the increase of economic and financial benefits** to the city and its inhabitants, and the promotion of local interests;
 - (3) The **preservation and enhancement** of varied architectural styles, reflecting the **city's cultural, social, economic, political and architectural history**; and
 - (4) **The enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs by fostering knowledge of the living heritage of the past.**

Purpose & Intent: Nashville, TN

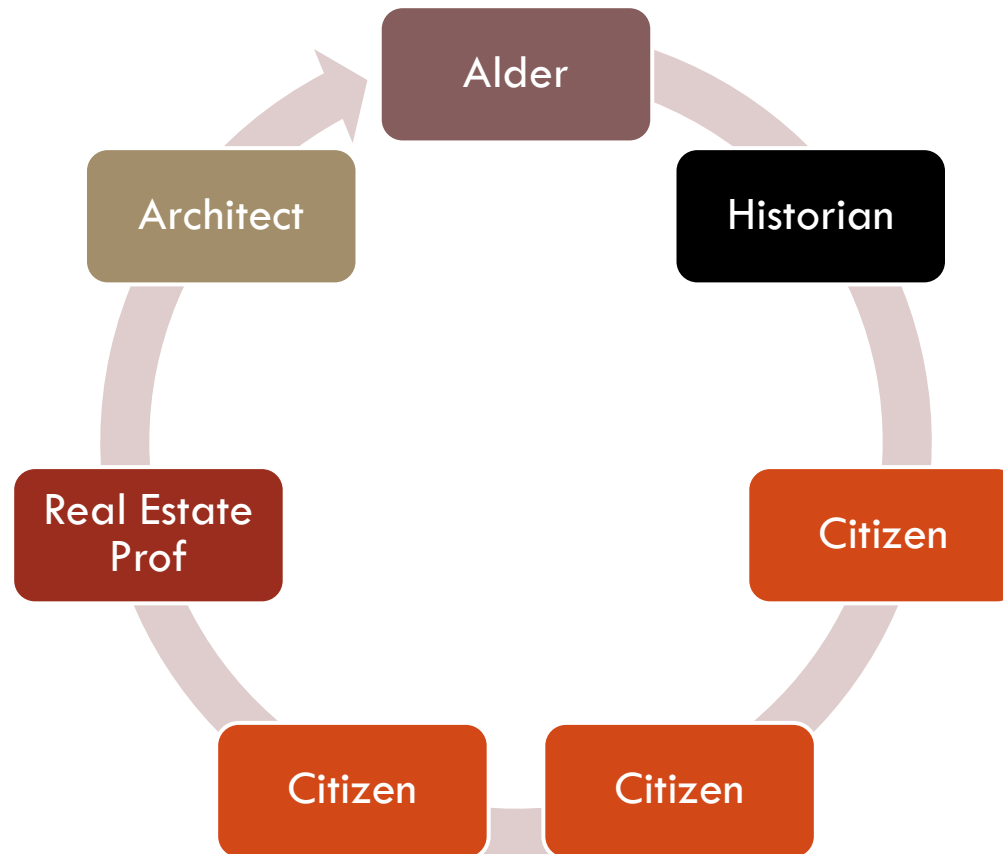
- Purpose and intent. The historic overlay district provisions are established by this title to **insure the ongoing preservation of structures of historic value** to Metropolitan Nashville and Davidson County pursuant to the authority contained in Section 13-7-401 of the Tennessee Code Annotated. The provisions of this title are intended:
 - A. To **preserve and protect the historical and/or architectural value** of buildings, structures or areas of significant importance;
 - B. To regulate exterior design, arrangement, texture and materials proposed to be used within the historic districts to insure compatibility;
 - C. To create an aesthetic appearance which complements the historic buildings or other structures;
 - D. To **stabilize and improve property values**;
 - E. To **foster civic beauty**;
 - F. To **strengthen the local economy**; and
 - G. To **promote the use of historic districts for the education, pleasure and welfare** of the **present and future citizens** of Nashville and Davidson County.

Composition of Commissions

City Comparisons

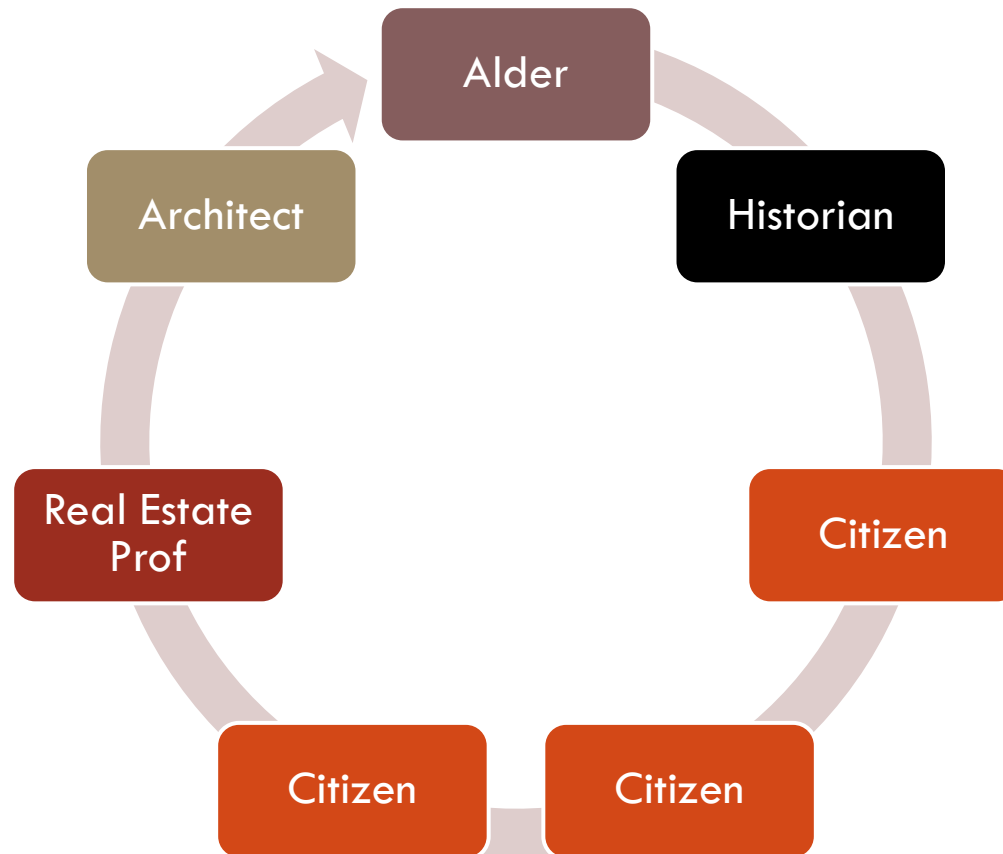
Composition of Commissions

□ Madison: 7 Members



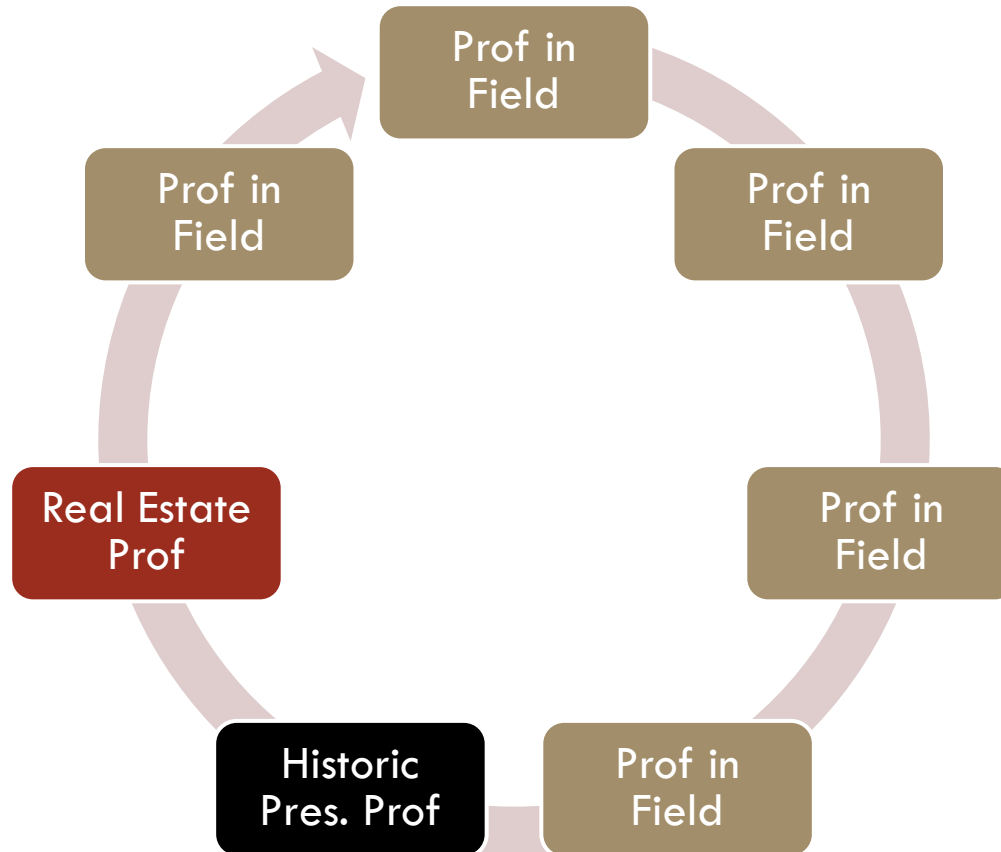
Composition of Commissions

- Milwaukee: 7 members similar to Madison



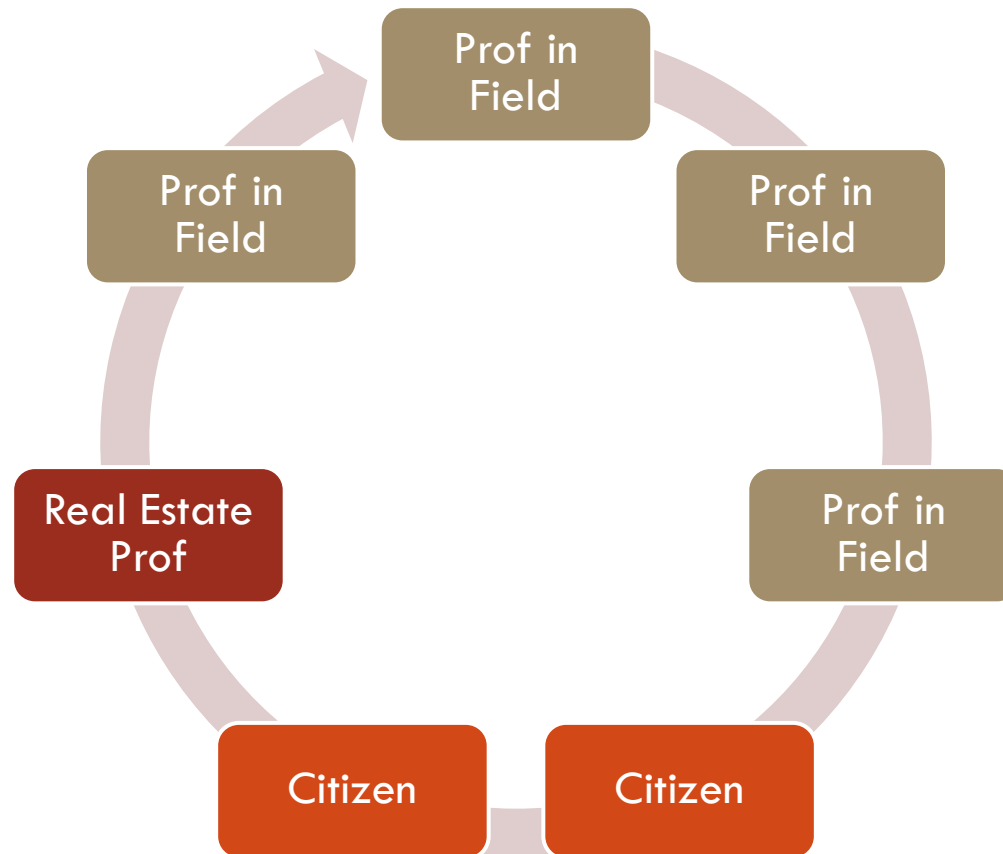
Composition of Commissions

- Columbia, MO: 7 members



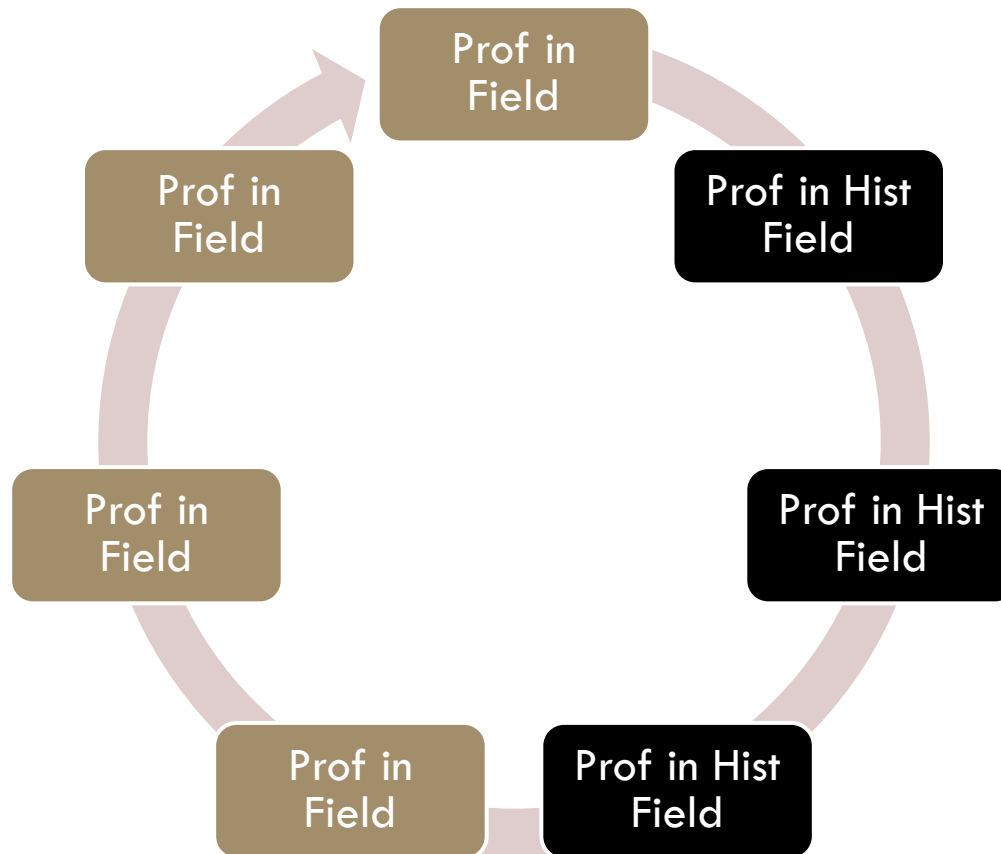
Composition of Commissions

- Austin, TX: 7 members



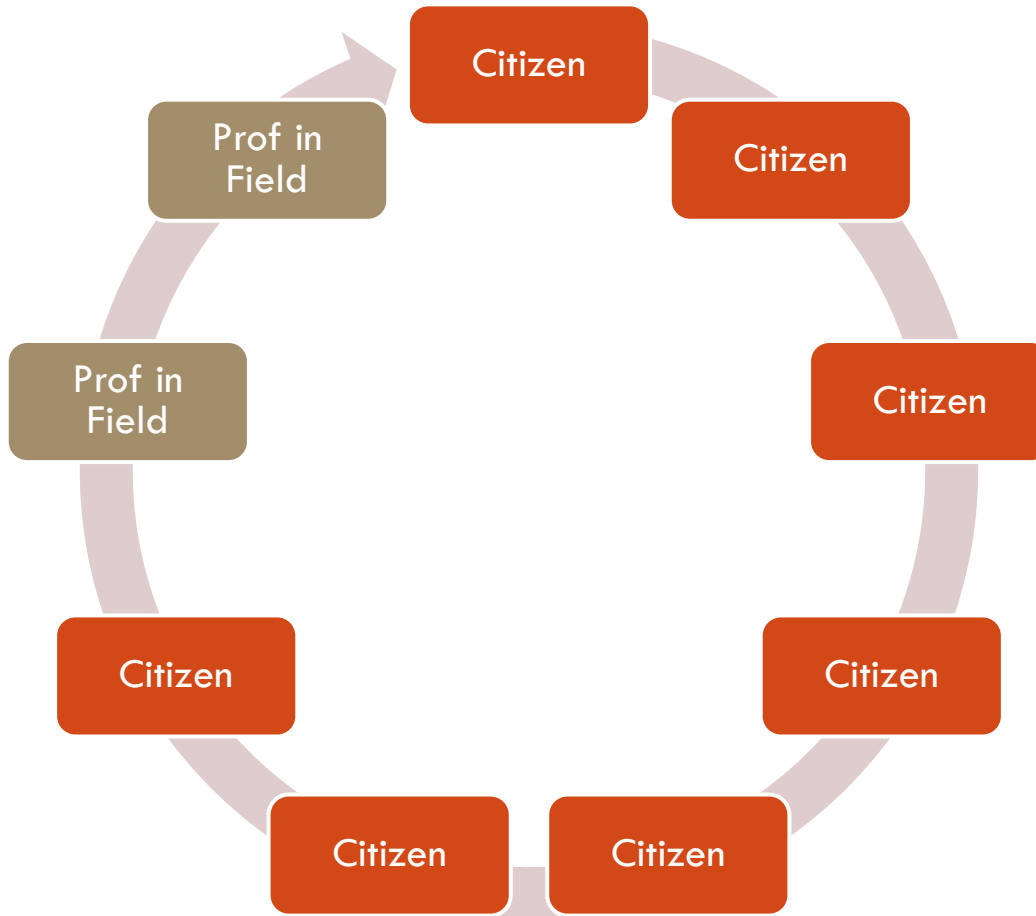
Composition of Commissions

- Annapolis, MD: 7 members



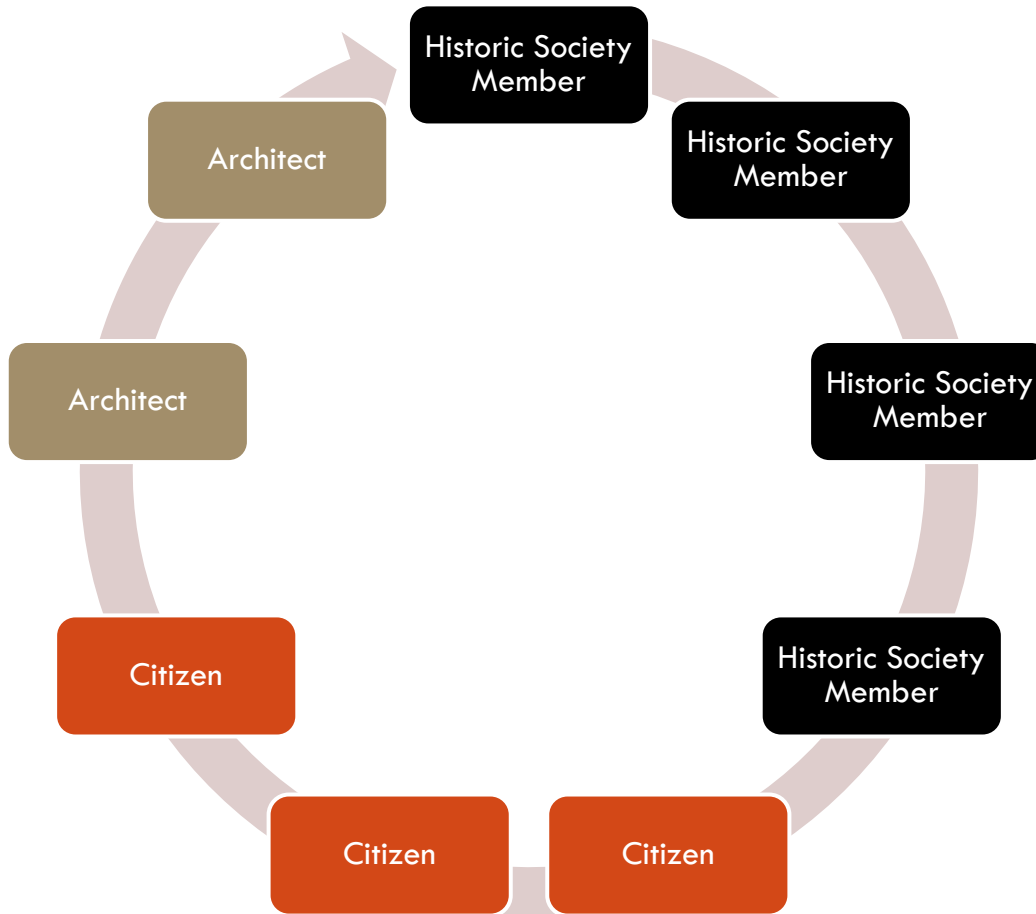
Composition of Commissions

□ Riverside, CA: 9 Members



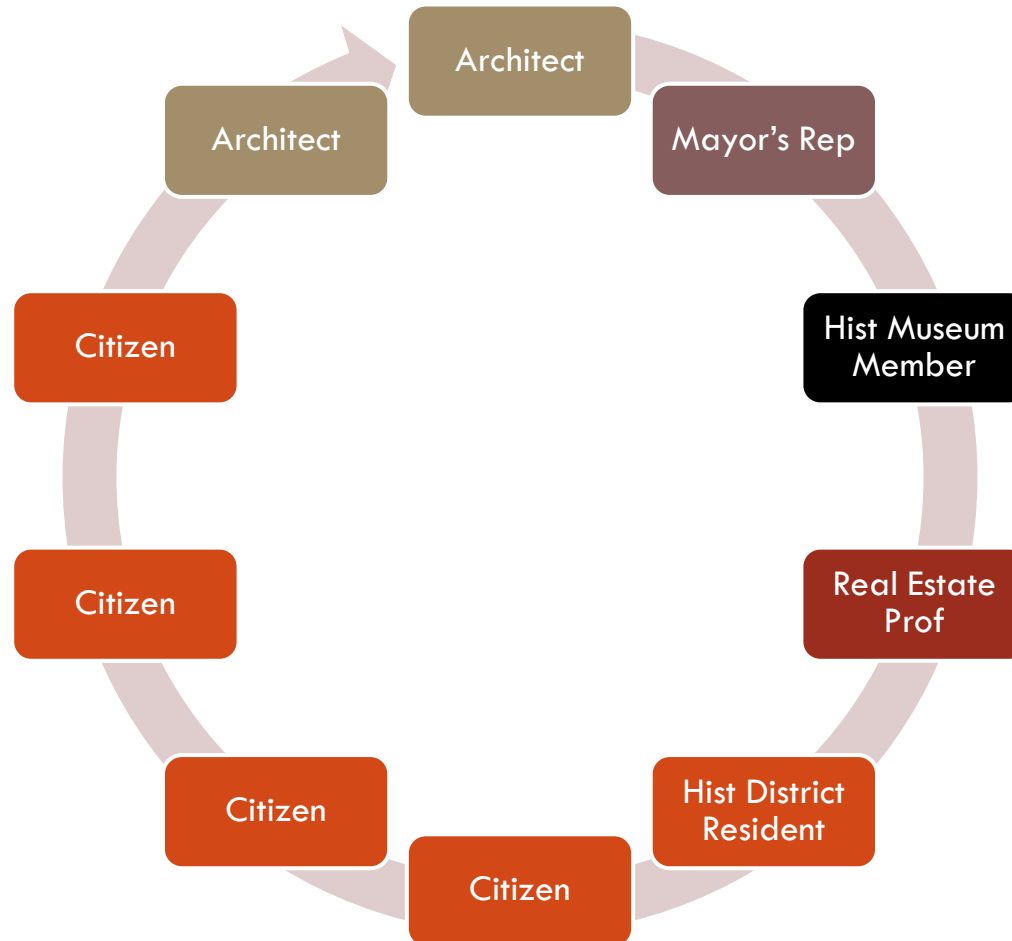
Composition of Commissions

□ Dayton, OH: 9 Members



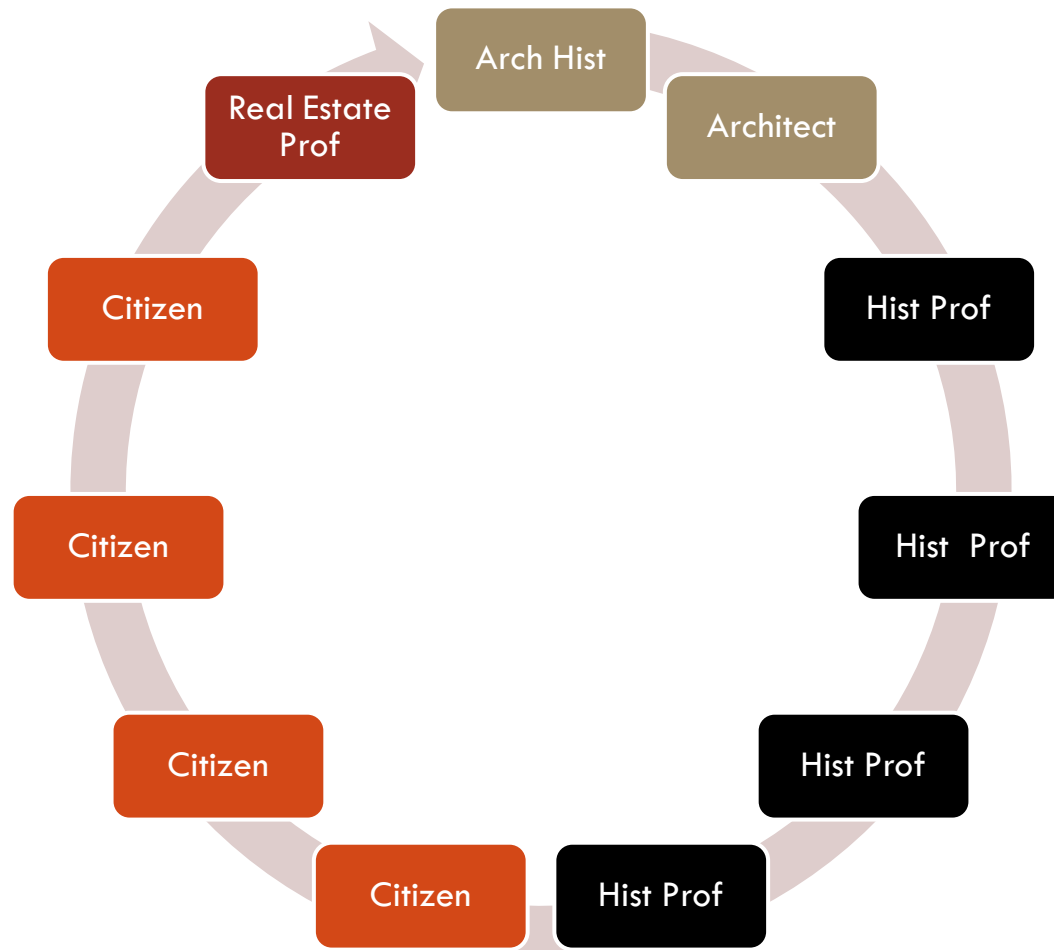
Composition of Commissions

- Minneapolis: 10 members



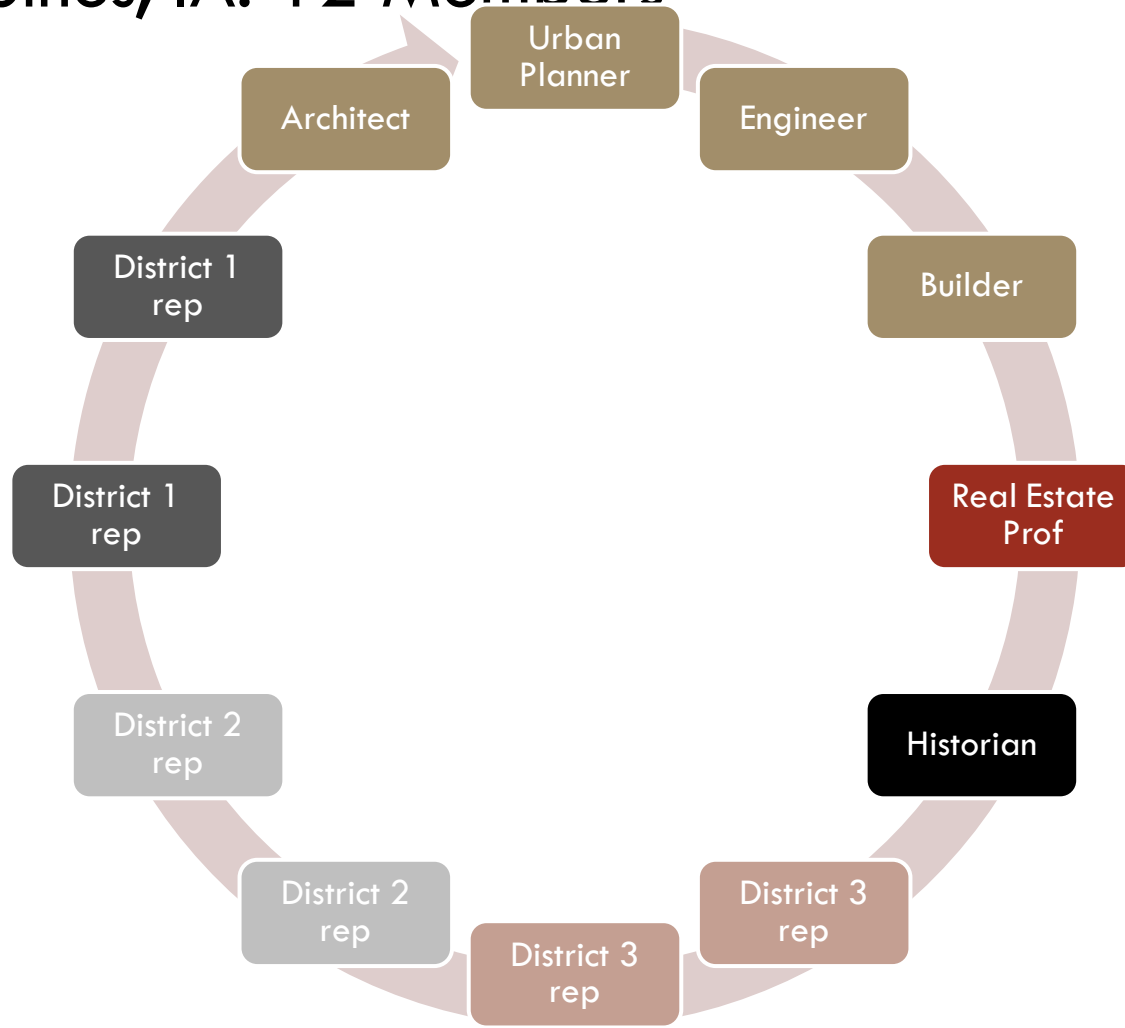
Composition of Commissions

- Buffalo, NY: 11 members



Composition of Commissions

□ Des Moines, IA: 12 Members



Powers and Duties

City Comparisons

Powers and Duties: Inventory, Historic Designations & Preservation Planning

- Inventory eligible properties and create Preservation Plans

➔ □ Madison, Austin, Buffalo, Columbus, Milwaukee, Minneapolis


- Landmarks and/or Historic District Designation Recommendation

➔ □ Madison, Austin, Buffalo, Columbus, Milwaukee, Minneapolis

Powers and Duties: Education & Advocacy

- ➔
 - Public education to increase awareness of the value of historic preservation
 - ▣ Buffalo, Madison, Minneapolis
- ➔
 - Apply, accept and expend grants for goods and services from private and public sources
 - ▣ Buffalo, Milwaukee, Madison
- ➔
 - To advise owners of historic structures on physical and financial aspects of preservation, renovation, rehabilitation and adaptive reuse (seek and identify incentives)
 - ▣ Austin, Buffalo, Minneapolis, Madison
- ➔
 - To work with State and local preservation offices and/or advocacy groups, neighborhoods, business associations
 - ▣ Columbus, Milwaukee, Madison
 - Prepare or cause to be prepared necessary measured drawings, photographs and documentation for sites/structures that are endangered
 - ▣ Milwaukee

Powers and Duties: Regulation

- 
- Approve or disapprove certificates of appropriateness for erection, alteration, restoration, renovation, relocation, demolition, signage
 - ▣ Madison, Buffalo, Columbus, Milwaukee, Minneapolis
 - Approve or disapprove Certificates of no effect or certificates of special exception
 - ▣ Buffalo
 - Issue mothballing certificates to allow enforcement of the city's building maintenance and condemnation codes against historic structures to be stayed
 - ▣ Milwaukee

Powers and Duties: Advising



- Advise Mayor, Common Council, Other City Commissions, City Departments on all Historic Preservation Matters
 - Austin, Buffalo, Columbus
- To hear appeals from decisions of Planning Director, Director of inspection or other official
 - Minneapolis
- Hear and make recommendations to city council on proposed historic variances
 - Minneapolis
- Conservation District establishment and recommendations, and review
 - Minneapolis
- To hear and make recommendations to the city council on proposed transfer of development rights
 - Minneapolis



Powers and Duties: City Owned Land

- Recommend that City acquire a historic property if acquisition is the only means by which to preserve property
 - Austin, Minneapolis
- Advise Mayor etc on conservation, alteration and demolition of city-owned historic structures and sites
 - Columbus

Next Steps

Looking for Best Practices:

Madison's Ordinance Structure

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- 1. Purpose and Intent**
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