

ASSESSING YOUR LOCAL HISTORIC PRESERVATION PROGRAM

Design guidelines should not be developed in a vacuum. They should be one component in the overall preservation program of the community. They should match the political support that preservation enjoys locally. When assessing the current preservation environment, consider other preservation policies and tools that are in place, as well as the political climate. You should be able to answer the following two questions:

How will the guidelines fit into the broader picture of preservation in the community?

How will the guidelines relate to other policies and regulations in the community?

Identify broader, related community planning policies.

When first planning to develop design guidelines, note that most communities with historic districts employ design guidelines, as a tool to manage the character of change that may occur, both for preservation of the historic resources themselves and also for directing new development. These guidelines are most effective when they are a part of the comprehensive plan for the community, if such a document exists, or at least are a part of its informally held planning policies.

The guidelines are usually developed in the context of a historic preservation ordinance that provides for design review. Sometimes the design guidelines are included as part of the law. Sometimes the guidelines are adopted through an administrative process after the ordinance is passed. Ideally, this ordinance is based on policies defined in a preservation plan, which itself should be a component of the community's comprehensive plan. The following chart illustrates how guidelines are often integrated into such broader community planning.

Once you have reviewed the broader planning policies of the community, answer these questions:

A. Does a comprehensive plan exist that may establish a policy for historic preservation?

A comprehensive plan may include:

- Housing
- Economic development
- Environmental policies
- Historic preservation
- Transportation
- Education
- Health

How will preservation help accomplish objectives of the comprehensive plan? Specifically, how will design review relate to the other elements of the comprehensive plan? Note that a comprehensive plan is not a prerequisite, but it is helpful.

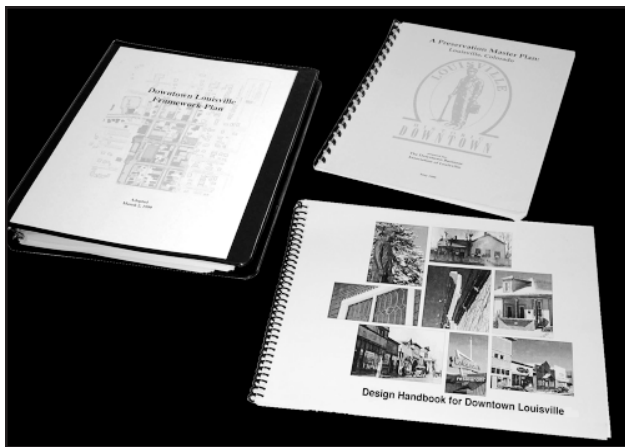
B. How will the guidelines fit with other development regulations and policies?

Also review related city regulations: zoning ordinances, building codes, subdivision regulations and design review regulations should be studied to determine how the guidelines would relate to these laws. These are especially important when the guidelines are used for mandatory review. It is very important that potential conflicts be identified early in the process so they can be resolved, and coordination with city staff will be necessary. Does a zoning ordinance exist that sets certain development constraints?

Zoning ordinances may regulate:

- Types of land use
- Lot assemblage
- Parcel size
- Density
- Set-backs
- Building height
- Building orientation

Sometimes these topics are also covered in the guidelines, since some guidelines include policies that conventionally have been called zoning regulations. If such policies are included in the guidelines, be careful to coordinate them with similar regulations in the zoning ordinance itself, to avoid conflicting standards.



As a part of their overall preservation program in Louisville, Colorado, the city developed a Framework Plan, Design Guidelines and a Preservation Plan for its historic downtown.

C. What is the political climate for developing guidelines for the larger preservation program?

Developing guidelines at the local level is a political process. Assess the political climate:

- What is level of awareness?
- Is there an area of special concern?
- What is the political support for design guidelines?
- Will elected officials support design review?
 - If yes, in what form?
- Is additional education needed to build support?
- Will property owners support design review?
 - If yes, in what form?
- Is additional education needed to build support?

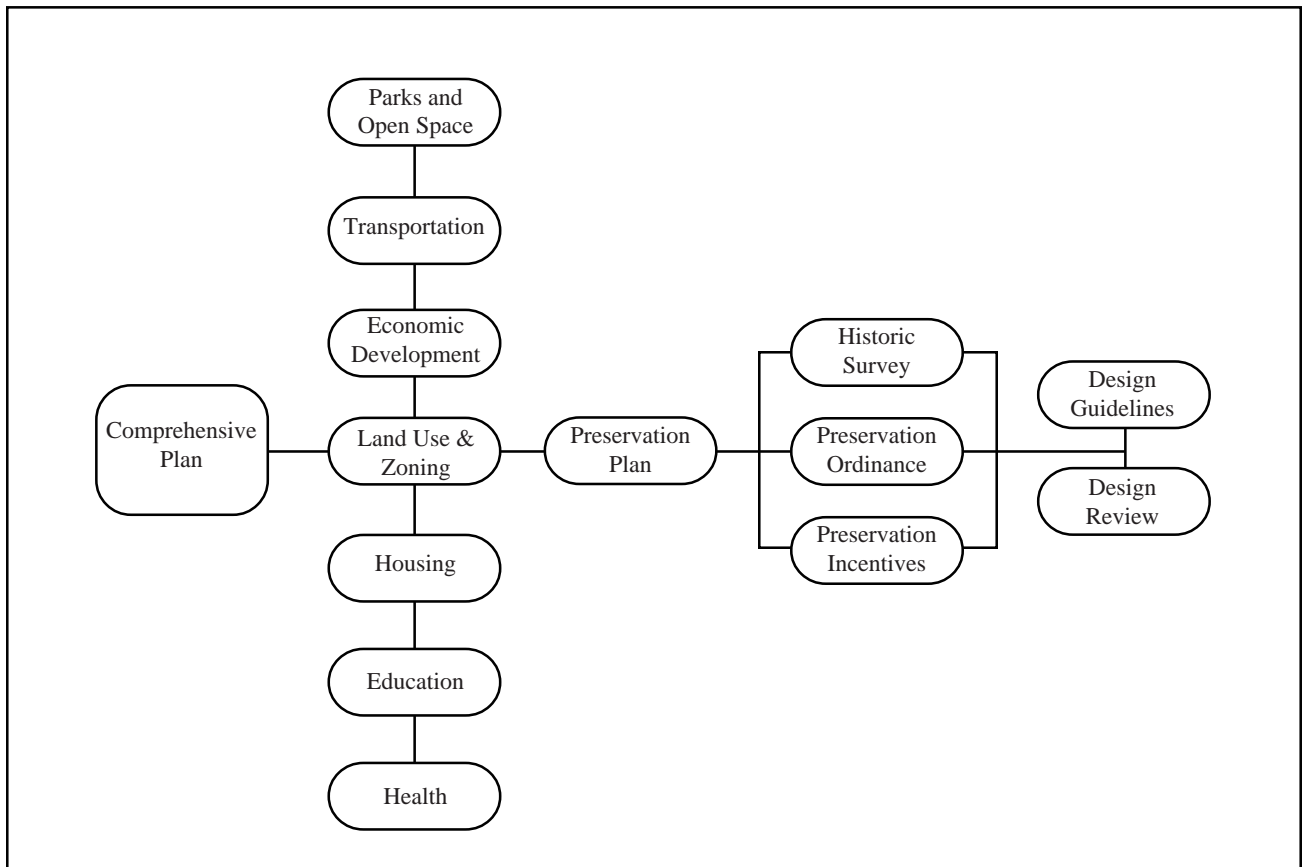
D. What are the appropriate tools to implement the guidelines? What support will there be for using them?

E. Who are the key players and stakeholders in the design guidelines process? Whose support is needed?

Evaluate community preservation programs.

Many communities organize their historic preservation programs as a series of interrelated tools, each of which contributes to the protection of cultural resources. Some of these elements are officially adopted regulations; others may be policies that are used informally. While it is not essential to have all of these components in place, it is good to think about them as a coordinated package of policies and tools.

HISTORIC DISTRICT GUIDELINES IN THE CONTEXT OF OTHER COMMUNITY POLICIES



This chart illustrates a typical organization of community policies, which organizes historic preservation programs, including design review, as a part of a Preservation Plan that establishes goals for preservation and provides the theoretical basis for design review. This Preservation Plan is in turn a component of community-wide land use and zoning policies, which combine with broader planning topics, such as Transportation, Health and Education, to form a Comprehensive Plan. Although your community may not have all of these planning components, consider this as a model for formal and informal policies that may exist.

COMPONENTS OF A HISTORIC PRESERVATION PROGRAM AND HOW DESIGN GUIDELINES RELATE TO IT

Design guidelines function best when they are a part of a coordinated set of policies and administrative tools that promote preservation in the community. When creating design guidelines for your historic district, check to see that these elements will be in place, either formally or informally:

1. GOALS & OBJECTIVES

These should be stated goals for the long-range character of the district and should also relate to other planning issues associated with the area. (See the detailed discussions that follow for goals options.) These goals statements may also include more specific policies such as those that relate to styles for new construction, relocation of historic buildings, and regulation of color.

How will the design guidelines fit with your community's broader preservation activities? Will design guidelines help you accomplish other preservation objectives? (See Step 4 for procedures to establish design goals for the districts.)

2. SURVEY

A survey identifies each of the historic resources in the district. It should include a description of the general character of the district, as well as a listing of all of the properties surveyed, indicating their significance. When reviewing proposed alterations to properties in the district, use the survey to determine if a property is "contributing," in which case guidelines for rehabilitation of historic structures will apply. If the structure is "noncontributing," then guidelines for new construction usually apply. Some communities use a tiered survey that indicates varying levels of integrity for historic structures. Such a survey may also identify new buildings that are compatible with their context.

What is the character of the cultural resources? Is the district diverse architecturally? Or is it uniform?

3. LEGAL TOOLS

Legal tools define the limits and rights of review and establish the Historic Preservation Commission as the reviewing body. For example, state enabling legislation is needed to allow local governments to adopt powers of design review. At the community level, a city's historic preservation ordinance is usually established under the provisions of local zoning regulations. The ordinance may provide a process for designating historic properties as well as for the review of rehabilitation plans, and designs for new construction and demolition. Other legal tools may include preservation easements, covenants and sign codes.

Most state legislatures have passed legislation that authorizes towns, cities, and counties to enact historic district ordinances. Such ordinances serve two functions: They provide for the designation of significant historic districts and they also provide for the maintenance of a district's visual attributes by requiring that all development be reviewed by an appointed board.

The concept of design review ordinances has been upheld in numerous court decisions. Many of these decisions also hold that for an ordinance to be legally enforceable, reasonable standards must exist, on which the review board bases its decisions.

How will the design guidelines fit with other regulations and policies of the community? Do ordinances presently provide for regulated review? Will a new ordinance be needed?

4. ADMINISTRATIVE AND REVIEW PROCEDURES

The means by which reviews occur are established in a set of procedures that define a uniform due process for all applicants to be heard in a similar manner. A written definition of procedures will include the submittal requirements, outlining the types of documentation that will be required for review. Other procedures will define the process for scheduling a hearing with the commission. Finally, provisions should exist for how the commission will conduct the meeting itself.

What administrative process will be used for the guidelines?

5. DESIGN GUIDELINES

The heart of a design review document contains the individual guideline statements that address specific design issues. These should be published and made available in advance for applicants while developing their designs. Ideally, the document will also reiterate the design goals for the district.

Design guidelines, are best developed with people in the district and with the assistance of professionals. Once established, guidelines become the community standards by which the design review board evaluates the appropriateness of proposed changes in the district. The guidelines also inform developers in advance of the criteria on which their designs will be judged. Guidelines and the review process also play an educational role, increasing understanding and awareness of design issues in historic areas.

It should be understood that the intent of guidelines is to encourage compatible development. Guidelines typically do not limit compatible design options but rather discourage the introduction of incompatible alterations and building styles.

Do current guideline concepts exist in other regulations that may affect the new guidelines?

6. PRESERVATION INCENTIVES

Many communities provide incentives to stimulate investment in historic properties, encourage property owners to follow appropriate rehabilitation procedures, and even assist those with limited budgets. Even though preservation procedures generally are less expensive than alternatives that would alter historic character, incentives enhance any good preservation program. Some communities offer financial assistance, in the form of loans or grants, to reduce rehabilitation costs to property owners. Others offer tax relief, either as income tax credits, sales tax waivers, or reduced property taxes. Others provide technical assistance, to facilitate appropriate rehabilitation techniques, while some communities provide streamlined review processes and offer special flexibility in building codes.

May the city offer incentives to encourage appropriate rehabilitation? What form may the incentives take? How may the design guidelines be linked with the incentives?

7. EDUCATION & AWARENESS INITIATIVES

Many property owners willingly comply with appropriate rehabilitation procedures and develop compatible designs for new construction when they are well-informed about preservation theory. Effective preservation programs, therefore, include special initiatives to educate property owners. Such programs include rehabilitation classes, publications and walking tours to heighten awareness and increase understanding of preservation procedures and policies. Well-written design guidelines that provide useful information, as well as literal standards, also serve an educational role.

How will education and awareness be organized to promote the design guidelines?

8. ENFORCEMENT MECHANISM

A weak link in many design review systems is enforcement of approved designs. At the initial stage, regulations should clearly state that all relevant building permit applications require approval of the historic preservation commission. Ordinances should also clearly define the responsibility for monitoring construction to assure that it complies with the approved submittals. Finally, penalties for non-compliance must be prescribed. When planning the enforcement component, be realistic about the time commitments that may be required to monitor construction and determine if this will be handled by staff or if commission members will fulfill this role.

How will compliance be promoted?

- Voluntary review and voluntary compliance
- Mandatory review and voluntary compliance
- Voluntary review and mandatory compliance
- Mandatory review and mandatory compliance

9. DESIGN REVIEW SYSTEM MAINTENANCE

Design review is a high-maintenance system. It requires continuing evaluation of the process and its results. Ideally, the commission will review its actions on an annual basis to determine if adjustments in the system are necessary. Guidelines may be amended to respond to new development trends, procedures may be re-written to simplify review times and ordinances may be adjusted to clarify the powers of the commission. In addition to regular system reviews, the commission should stage an annual training session to hone its design review skills and provide orientation to new members.

Will an annual review be scheduled to evaluate the review process?

10. PERSONNEL

A review ordinance usually allows the executive body of the municipality to create an administrative board, commonly called a Historic Preservation Commission. Other names may be a Board of Architectural Review, Design Review Board, or Landmarks Board. The ordinance should specify the number of board members, their term of office, and their form of selection.

The commission's primary task is to look at the design of proposed renovations, additions, and new construction and determine whether or not the proposed projects are compatible with the setting, according to the criteria established in the guidelines. Compatibility is the main issue as it is not the board's purpose to pass judgement, in a personal way, on a project's design.

Many communities designate a special board to conduct design reviews in designated historic districts. This may be the historic preservation commission, or a special sub-committee that reports to the commission. The structure and power of this body should be defined in the preservation ordinance.

Some communities delegate a portion of the design review tasks to staff. Their reviews typically include minor alterations and maintenance work that does not alter the appearance of historic features.

What are the human resources that are available to implement design review? Is staff available to administer them? Who will conduct the design reviews? A city-appointed historic preservation commission, a Main Street design committee, or some other body? Are volunteers available who can help?

This evaluation of existing preservation programs should help you determine the role you expect design review to play in managing the character of historic districts. Note that as a part of the evaluation, that you may also identify the need for other preservation strategies to complement design review. For example, a more aggressive education program may be needed to build broader support for preservation. Be certain to take a realistic assessment and place design review in context. Don't expect design review, and guidelines in particular, to accomplish all your preservation objectives on their own.