

# Frequently Asked Questions about Local Historic Districts

April 7, 2010

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## ***What is the difference between a National Register District and a Local Historic District?***

The National Register of Historic Places is the nation's official list of buildings, sites or areas worthy of preservation. Listing does not restrict what the property owner may do with the property unless the owner is using federal assistance, like federal rehabilitation tax credits.

A local historic district is a district designated by a local ordinance, which generally falls under the jurisdiction of an appointed citizen-board called a historic preservation or landmarks commission. It provides communities with the means to make sure that growth, development, and change take place in ways that respect the important architectural, historical, and environmental characteristics within a district.

## ***How is a local historic district designated?***

A historic district is designated by local elected officials after recommendation from the Historic Landmark Commission (HLC) and sometimes a Planning Commission. Prior to making such a recommendation, the HLC will prepare a report outlining the significance of the district, accompanied by a map with the boundaries of the district, and a listing of each property address included.

Once the report has been prepared, the HLC will hold a public hearing and notify all property owners that will be included in the district.

After the public hearing is held by the HLC, their final recommendation is submitted to the Planning Commission who makes a recommendation to the City Council who may adopt, alter or reject the designation as proposed.

## ***Will inclusion in a Local Historic District restrict how I may use my property?***

No. A local historic district is generally "overlaid" on the existing zoning classifications in a community. A local landmark commission deals only with the appearance (massing, materials, style, etc.) of the district, not with the use of those properties.

## ***Will inclusion prevent me from making changes to my property?***

Designation does not prevent owners from making changes to their property, nor does it require them to restore or even fix-up their property (unless they are allowing it to deteriorate and collapse).

Designation ensures that alterations, additions and new construction are in keeping with the special character of the area. This happens through a process called design review, whereby Staff or the Historic Landmark Commission approves changes that are planned for the district and issues a Certificate of Appropriateness (COA).

Local designation encourages sensitive development in a district and discourages unsympathetic changes from occurring.

***What sorts of changes require a COA? Will I need to get approval for paint colors?***

Minor repairs and ordinary maintenance such as repainting and repair using the same material, as well as changes on the interior do not require a COA. Many COA's can be obtained administratively including at the permits counter, and do not have to be reviewed by the commission.

A COA is required for work that physically alters the exterior appearance of a property and affects character defining elements, such as windows, doors, historic materials, porches, and fences. This work must meet the *Salt Lake City Residential Design Guidelines which reflect the national Secretary of the Interior's Standards for Rehabilitation*. Major landscaping changes, such as removing large trees or adding a circular driveway, may be reviewed so it's best to check first with your local officials. Interior changes that do not affect the outside appearance are not reviewed.

***Are all buildings in Local Historic Districts necessarily historic?***

No. A major goal of local historic districts is maintaining the overall character of the area. When the boundaries are drawn for a local historic district, it may include non-historic properties and vacant lots. Reviewing proposed changes to non-historic properties as well as historic properties insures that more recent construction will not become more intrusive and hopefully will become less so.

If these properties are not included in the district, there is a greater chance that changes to these properties could have a negative impact on the area or on adjoining buildings. For instance, if a multi-story building with a parking lot in front were to be constructed on a vacant lot between two smaller historic homes, it would detract from the neighborhood and lower the value of those homes. The design review process ensures that a new building is compatible with its historic neighbors.

***If I am unhappy with a decision made by the Commission concerning my Certificate of Appropriateness application, may I appeal?***

Yes. In Salt Lake City, appeals are made to the Land Use Appeals Board, who will determine if the HLC abused its discretion – not following the standards in the ordinance or the design guidelines – in reaching their decision. In other cases, appeals are made directly to the elected officials and then to District Court

***Can a house be demolished in a local historic district?***

There is a yes and no answer to this question. All structures require a COA for demolition. However, non-contributing structures in the district don't carry as much weight as contributing structures, and therefore there is more latitude in decision-making as to whether a non-contributing structure could be demolished.

When the decision involves demolition of a contributing structure, the commission has the ability to deny that application. Denials of a COA application for demolition are sometimes pleaded through the economic hardship process to determine if the historic district has put an unfair burden on the property owner.

***Do I have any say as to whether my property is included in a Local Historic District?***

Yes. Before a Local Historic District is designated, all residents and owners of property within the proposed local district have the opportunity to express their views at public hearings with the Historic Landmark Commission, Planning Commission and the elected officials. But remember that the HLC and elected officials are evaluating a property or district designation based on objective criteria in the ordinance, not on personal preference. Elected officials are legally obligated to pass laws that treat similarly situated persons alike, and therefore treat similar historic properties uniformly.

***Will local historic district designation hurt my property values?***

No. A number of states across the country, including Texas, Georgia, Wisconsin, Virginia, and Michigan, have conducted studies comparing property values in designated local historic district to the property values in comparable non-designated districts. The results are consistent. Property values never decrease in designated districts. They sometimes remain the same but more typically they increase—sometimes significantly. Because Local Historic District properties are protected from insensitive development, owners may be more inclined to make improvements to their properties, and this may increase the value of all property in a given district. Local historic district designation is regarded as a protection on the investments made to properties in the district. Because reviewing work in the district stabilizes the neighborhood, historic districts become desirable locations and resale values also increase.

***Are there additional financial benefits to being in an historic district?***

Yes. As a property owner of a contributing structure in a National Register Historic District, you can take advantage of the state historic rehabilitation tax credit that is equal to 20% of the qualified investment you make into your historic house. Over a three year period, you must spend a minimum of \$10,000 and have your work pre-approved by the Utah Division of State History's Historic Preservation Office. More info is at <http://utah.history.gov>.

***How does preservation support green building initiatives, saving energy, and sustainability?***

Since the environmental movement started, historic preservation has been referred to as the ultimate recycling. Today, a common phrase to hear is “the greenest building is the one that’s already built.” That’s because high quality historic materials such as old growth wood in flooring, windows, walls, and trim are generally not reproduced from our forests anymore. Many older or original components were made to be repaired rather than fully replaced by sending the original unit to the landfill. The conservation ethic of historic preservation strongly links today’s sustainability movement with the logic of establishing local historic districts.

***Are there other benefits to creating Local Historic Districts?***

Yes! A historic district that is aesthetically cohesive and well-promoted can be a community's most important attraction. The retention of historic areas as a way to attract tourist dollars makes good economic sense. The protection of local historic districts can also enhance business recruitment potential. Beautiful historic neighborhoods are a key indicator. Companies continually re-locate to communities that offer their workers a higher quality of life, which is greatly enhanced by successful local preservation programs and stable historic districts.