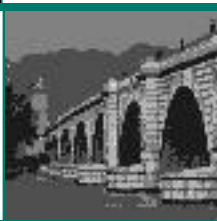




Technical assistance in historic preservation planning, related planning/land use topics, and preservation strategies for Federal agencies, Indian tribes, States, and local governments



Issues Paper:

CONSERVATION DISTRICTS

ALTHOUGH THE TERM HAS SEVERAL MEANINGS, *conservation areas* or *districts* suggest to many in preservation a method of achieving preservation ends at a neighborhood scale without some of the perceived burdens of the traditional historic district approach. The two articles included here broach a number of important issues, among them: definition of conservation districts, consequences of designation as a conservation district (especially with regard to the regulation of alterations and new construction), relationship to existing historic districts, and the administration of conservation districts by local governments.

The article by Robert E. Stipe entitled “Conservation Areas: A New Approach to An Old Problem” presents a somewhat idealized concept of the conservation area as a neighborhood, by virtue of its special qualities, slated to receive coordinated and enhanced attention and service from local government. Mr. Stipe makes the case against including regulatory controls in the conservation area designation by arguing that to do so would deprive preservation of an important “carrot” to be used when the “stick” of the traditional historic district may not be appropriate. Carole Zellie’s article, “A Consideration of Conservation Districts and Preservation Planning: Notes from St. Paul, Minnesota,” presents the results of her study of 20 conservation districts in place around the country. The analysis was conducted at the behest of the Minnesota State Historic Preservation Office and the St. Paul Heritage Preservation Commission. Ms. Zellie finds that the conservation district approach, as it is currently implemented, can be characterized in two ways: those having a neighborhood planning focus and those with architectural or historic preservation aims. The author concludes that, in certain circumstances, conservation districts can be a useful complement to traditional historic districts. However, she warns against dismissing the design review component entirely by making the case that

design review is critical in neighborhoods in which the housing stock has suffered from unsympathetic alteration.

The articles in this Issues Paper reflect the still evolving nature of the conservation district concept and its place in the preservation tool kit. This publication aims to assist preservationists in evaluating the usefulness of conservation districts by highlighting multiple perspectives on the issue.

CONSERVATION AREAS: A NEW APPROACH TO AN OLD PROBLEM

*by Robert E. Stipe, Emeritus
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Ever since the first Old and Historic District was established in Charleston, South Carolina in 1931, American communities have relied heavily on local historic district regulations for the protection of neighborhoods of distinguished architectural and historic character. Presently there are approximately 2,000 such districts in the United States, and their number has roughly doubled each decade since the 1930s.

That this approach has proved its worth time and time again is beyond dispute, notwithstanding occasional difficulties encountered in the processes of administration and enforcement. But times have changed. Good planning and modern preservation philosophy, as well as an increasingly conservative public mood that is increasingly anti-regulation, suggest that it is time to supplement this traditional regulatory stick with a pro-active carrot. For descriptive purposes, this might be called the "conservation area" technique.

Discussion of the overall con-

cept of conservation areas, which is the subject of this essay, is complicated somewhat by the fact that several dozen cities across the county have already designated areas called conservation areas or districts, each slightly different from the others. Whatever called, and for reasons discussed later, these are for the most part more closely related to the traditional historic district than to the concept of a conservation area as defined here.

The need for a supplemental approach springs partly from new thinking about the inherent value of neighborhoods and their associative values to both residents and the larger community, and partly from strategic necessity.

Preserving neighborhoods, historic and near-historic, takes on special significance in today's changed political climate. The designation of a local historic district, whether through zoning or some other source of authority, is a vexing issue for elected officials in many cities and towns. Historic district ordinances require all property owners within a proposed district to comply with a police power regulation that carries with it both criminal and civil penalties for violation. They are also seen as regulating "taste" through the review of proposed additions or new construction. Mistakenly or not, the process is

often perceived as government interference with individual rights of free speech and the unfettered use of private property. Thus, the local political sieve through which additional regulations must be filtered is an increasingly difficult one.

The conservation area approach—and the term “area” is used here throughout to make clear that ideally it is not a special kind of zoning district—offers a number of distinct advantages. It fits well with contemporary thinking about what is worth preserving. It is more susceptible to local definition, more flexible in interpretation, and less threatening or restrictive to the average property owner. The conservation area approach melds easily with contemporary local planning processes and administrative structures; and, most important, admits to the evaluation process additional associative values, including human ones, without demeaning history or architecture.

What is a conservation area?

In the best use of the term, the ideal conservation area is one that is crisply, if broadly, defined and easily distinguished from the traditional historic district. A working definition which originated in North Carolina more than a

decade ago, defines a conservation area as one that “possesses form, character, and visual qualities derived from arrangements or combinations of topography, vegetation, space, scenic vistas, architecture, appurtenant features, or places of natural or cultural significance, that create an image of stability, comfort, local identity, and livable atmosphere.”

This definition goes considerably beyond the defining element of a traditional historic district. The customary associative values, which focus on history and architecture and which stress the stylistic and material integrity of the place and its component parts, have broadened considerably. While architecture and its appurtenant features remain as explicitly enumerated values, history as such is expanded to take in the generically broader concept of culture. The form, character, and visual quality of the streetscape and landscape, as the staging area for architectural elements, predominates. Natural areas and landscapes are added to emphasize a special concern for a broader range of environmental considerations. Vernacular elements, now widely fashionable among preservationists, are also implicitly recognized as respectable associative values, as are aesthetics and spatial structure. Age, as such, is not a major consideration. Because the definition

tends overall to place relatively greater importance on the preservation of a natural larger landscape, the word “conservation” seems a more apt descriptor than does “preservation.”

Most important, it is the presence of any one of these values or several of them in combination leading to “an image of stability, comfort, local identity and livable atmosphere” that takes center stage. Thus, integrity is replaced by imagery, and the values and perceptions of local citizens are weighted equally with the academic and scholarly credentials of experts.

It is also useful to define this ideal conservation area in terms of what it is not. Unlike zoning historic districts, exemplary conservation areas are not regulatory in nature. While there are criteria by which they might be defined, they do not establish or even attempt to establish additional regulations above and beyond those that already exist. And the burden imposed by conservation area designation lies most heavily on the local government itself—the mayor, manager, council, planning staff, and several line and staff agencies of the city government—rather than upon individual property owners. In other words, the ideal conservation area becomes a device by which a city or county imposes

upon itself a special responsibility to undertake ambitious, specifically defined planning and design tasks targeted to the maintenance and improvement of the area so designated. From the standpoint of the property owner, conservation area designation thus becomes a carrot, rather than a stick.

What kinds of areas might be designated?

In theory, there are three kinds of areas or neighborhoods to which the designation might appropriately be attached:

First, the designation would be appropriate for those areas surrounding or bordering on an existing local historic district. In this sense, conservation areas might be regarded in customary planning parlance as “buffers,” or transitional areas designed to protect the edges of an existing district.

Second, the conservation area approach would be highly appropriate as a tool to protect what might be called “pre-natal” historic districts that don’t yet meet the usual 50-year rule or which have not yet acquired the patina of age or character associated with the traditional district, but which skilled observers feel certain will qualify in perhaps 5 or 10 years. Conservation area designation would thus provide incentives to the private sector to

protect and maintain a maturing but not-yet-ripe historic district of the traditional kind.

Third, the designation would be appropriate for areas or neighborhoods that while they might never qualify for “historic” status, are important to preserve and maintain solely for their social and economic value, or for their utility as affordable housing. It is important to stress that regardless of motivation, the limits on the utility of the concept are local imagination and creativity.

How is a conservation area established?

Like a zoning historic district, the model conservation area is defined by precise boundaries shown on a map. Here the similarity to the traditional historic districts ends. Since the designation of conservation areas does not impose on property owners any regulatory burdens other than those already in effect, the mapping and designation of conservation areas would best be accomplished by a resolution of the governing board as a policy directive, rather than by an ordinance. Designation might, of course, be accomplished through an executive order of the mayor or city manager, but this would not normally carry the political clout of a mandate from an elected board.

What would be the consequences of designation?

For the property owner, conservation area designation would have little impact insofar as restrictions or costly maintenance obligations are concerned. Although existing land use regulations would remain in effect, as would private deed restrictions of one kind and another, there would be no architectural review of additions or new construction, and there would be no restrictions on demolition. The impact of conservation area designation would fall primarily on public agencies and upon the city itself.

The designation resolution or order would simply state, as a finding of fact that the area was one of special interest deemed desirable and necessary to conserve for present and future owners, and to that end it would direct various local government agencies to undertake a number of activities:

- To prepare or update, as appropriate, land use, transportation, public utilities, public facilities, housing, open space, historic preservation, urban design, and other comprehensive plan elements for the area being designated.
- As part of such planning, to have special regard for and

to give special attention to the design, construction, and maintenance needs of public thoroughfares, pedestrian ways, open spaces, landscape elements (including street trees), recreation areas, and comparable amenities of the area, and to prepare detailed plans, designs, sketches, and models proposing public improvement of these facilities and areas;

- To prepare special and detailed recommendations with respect to improved housing, education, employment, health, protective, and other human resource requirements of the area designated;
- To establish appropriate means of communication between and among the public authorities involved, and provide for the active participation by residents of the area in the preparation of plan elements and program elements noted above;
- To designate a responsible local government official to coordinate these activities, both from an inter-governmental and an intra-governmental standpoint;
- To recommend to the manager and council, by a date certain, ways and means by

which the local government should step up its maintenance and operating programs within conservation areas;

- To recommend to the governing board specific changes or additions to both the annual operating and capital budget programs of the local government for implementing the plans and programs suggested for the conservation area; and
- To ensure that no local government program of any kind resulted in adverse impacts on a designated conservation area.

The activities listed above are not an exclusive list of activities that should be included in a conservation area program. Such a list would vary according to the special problems and needs of each such area. The council should, of course, provide the necessary financial resources for the additional planning, design, and other studies to be carried out in designated conservation areas. Target dates for the completion of individual tasks might be specified.

The main burden of implementing the council's mandate would fall upon the local planning, historic preservation, housing, and renewal agencies. Other

operating programs of the city, such as public works, parks and recreation, engineering, health and human services, etc., would also be involved. Depending on the organizational structure of the city, the city manager and/or mayor would be major players in the implementation process. In effect, designation as a conservation area would serve to force a variety of public officials and agencies, most of whom normally work in isolation from one another, to come together in a coordinated and energetic way, to focus their attention on the special character of designated areas.

Should there be some modest additional regulations in a conservation area?

Whether or not to impose regulatory restraints in a conservation area, such as one prohibiting the demolition of older structures that might in another setting be regarded as "contributing," or reviewing new construction, raises a policy issue that must be decided in each local situation. However, the basic concept of a conservation area strongly implies a presumption against such regulation. The reason, as noted earlier, is that the times call for a new approach—one that maintains a balanced carrot and stick philosophy, so to

speak. Unless the conservation area approach is perceived as one that is less burdensome or threatening to the average property owner, as well as one that is more positive and forward-looking, it will be perceived as more regulation in disguise.

Legal and administrative aspects of conservation areas

Since local historic district regulation is an exercise of the sovereign authority of the state, whether carried out through zoning or stand-alone enabling legislation, it may be done only in accordance with state legislation and within state and federal constitutional limits. On the other hand, conservation area designation, as described in this article, does not involve the exercise of any additional regulatory authority, and so the planning enabling legislation of every state, coupled with the council's discretionary authority to manage the affairs of the city or town, is probably already adequate in and of itself. Depending on the form of government, the same would be true of the executive authority of the mayor or city manager to carry out the council's mandate.

In other words, new legislative authority for a city or county to undertake concentrated conservation area planning programs is

probably not necessary, even though specific state enabling legislation would probably be useful for its educational or incentive value, or as a foil to the innate conservatism of most city attorneys.

What is required, however, is the political will to shower special attention on special areas of the city. Also required is the creativity and imagination to see the usefulness of the conservation area approach and to utilize it effectively. While it is a requirement in virtually all states that property taxes be collected on a uniform basis, there is no corresponding requirement that the public funds be spent equally on every neighborhood. Given the special qualifications that lead to designation of conservation areas in the first place, justification for the extra expenditure involved should not be politically difficult.

Clearly, such studies, plans, designs, public consultation, and other tasks related to conservation areas will impose additional responsibilities on city employees, and this can be a significant stumbling block to initiating the process unless additional fiscal and personnel resources can be found. Because of the absolute necessity in conservation area planning for extensive public and resident participation and consul-

tation, the use of out-of-town consultants will usually be inappropriate.

As noted earlier, the limits to conservation area efforts are essentially the limits of local imagination and political and financial feasibility. For example, public conservation area planning efforts might in many cases be supplemented by such private sector initiatives as revolving loan funds. Or they might be supplemented by special education programs in local schools or the establishment of local city offices in affected neighborhoods. It remains crucial, however, that efforts targeted to improving the physical environment be balanced by programs that equally benefit the human aspects of the problem. It is clear that sound conservation area planning will require a more broadly based collection of special skills than those traditionally associated with historic preservation planning. The role of the local historic preservation community, lay, and professional, will be even greater.

What about existing "conservation districts"?

That something less restrictive than the traditional historic district is needed to round out the kit of local preservation tools is evidenced by the fact that several dozen cities around the country

established conservation districts during the 1980s. Various named (“conservation district,” “historic conservation district,” “neighborhood conservation overlay district,” “architectural conservation district,” etc.), these have tended strongly to be variations on the traditional historic district, notwithstanding the nominal difference.

Some are administered by a preservation commission; others by a planning or zoning commission. The nature of the activity regulated varies, the majority restricting demolition, and almost all controlling new construction to some degree, some less strictly than others. Who may nominate such districts also varies: in some cases designation is by property owners or a majority of them, and in others it is by a preservation commission or the governing board itself. Where there are specific design standards, application varies. In some there is control of architectural style, and in others only land use is regulated. The designated reviewing authority also varies: in some districts it is a preservation commission or architectural review board, and at others it is a planning or building official. Occasionally, design review is only advisory.

The existence of these districts raises the question, “What’s in a

name?” While called “conservation” districts, they rely heavily for their effectiveness on a regulatory approach and are in reality lenient versions of the traditional historic district. While this does not lessen or reduce their usefulness, the proliferation of names and the casual reference to “conservation” values engenders confusion and makes it more difficult for the conservation area planning effort described above to achieve their full potential.

Conclusion

While historic zoning districts and their milder cousins continue as useful implements in the preservation tool kit, such regulations are essentially sticks. Conservation areas represent more of a carrot approach, in that they emphasize the possibility of significant public contributions to the maintenance of environmental quality. Of special importance is the non-threatening character of conservation areas, with their promise of “no new regulations” and, by implication, additional public investment in operations and maintenance and, through capital improvements, in neighborhood infrastructure. While there is always a tendency to concentrate on design issues and on the improvement of the physical environment, conservation areas, as the planning descen-

dants of earlier approaches to urban renewal and community development, also offer an increasingly relevant and constructive means of dealing with human issues as well. In the long run, conservation area planning and designation, if and when it catches on in the somewhat idealized form presented here, may provide benefits that equal those of the traditional historic district with which we have been preoccupied for so many years.



A CONSIDERATION OF CONSERVATION DISTRICTS AND PRESERVATION PLANNING: Notes from St. Paul, Minnesota

by *Carole Zellie, Principal,
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At first examination, conservation areas or districts appear to offer appealing features to planners seeking an alternative to traditional historic districts with components such as binding design review for exterior alterations. As drafted in some cities, conservation districts offer a means to recognize the special historic and or/neighborhood character, and provide planning assistance and improvement without passing through the often arduous process of historic designation and design review. In 1991, the St. Paul Heritage Preservation Commission studied the conservation district concept to determine if other types of designation might be used to supplement the city's existing local historic districts. The study concluded that although a conservation district model might have some future utility, there were good reasons to continue with the city's program of historic district designa-

tion and design review.

Combined with broad design criteria, an aggressive public education program, and coordination with St. Paul's existing neighborhood planning effort, the sometimes controversial design review component can be supported as a critical tool for the maintenance and improvement of historic character.

The study was sponsored by the St. Paul Heritage Preservation Commission and the State Historic Preservation Office and conducted by Carole Zellie of Landscape Research. Prior to 1991, all of St. Paul's local historic districts, including high-styled residential areas such as Summit Hill and Irving Park, were also listed in the National Register. Their architectural and historical significance was without dispute. However, a "new crop" of potential districts, characterized by older, largely vernacular buildings and a great need for housing improvement provided some challenge to the past designation process. Although these areas meet the Heritage Preservation Commission's designation criteria—which recognize the significance of urban and social history as well as architectural history—as districts most of these new areas were not eligible for the National Register because of a low level of integrity. Planners and Commission mem-

bers were interested in examining if a conservation district could provide special recognition and treatment for the architectural and landscape character of these areas without the burdens of traditional designation and design review.

During the course of the study, an excellent test case was evolving in Dayton's Bluff, an historic neighborhood just east of downtown St. Paul. Dayton's Bluff is one of the earliest neighborhoods in the city with some fine examples of late nineteenth-century residential architecture. However, much of the current building stock includes unsympathetically altered houses as well as many simple vernacular houses of a type which is ubiquitous across the city. Many residents are of low to moderate income, and there are a good number of absentee landlords. Residents in the area have worked aggressively on strategies to improve the area and have employed several city-sponsored planning and rehabilitation programs. In 1991, Dayton's Bluff was under consideration for designation as a local historic district but did not meet National Register eligibility. Residents lobbied for designation as a local historic district, not as a conservation district, which they regarded as inferior in status and benefits. Design review was understood by many residents as

an important new tool to halt further deterioration of the streetscape.

Although the public's distaste for the interference of design controls is widely discussed, this is not always the case, even in areas where private rehabilitation funds are limited. In Dayton's Bluff, residents viewed the design review controls as a positive benefit, and had a vision of the "Dayton's Bluff Historic District" rather than the "Dayton's Bluff Conservation District" from the beginning.

The conservation district overview

The St. Paul study examined 20 ordinances in 18 states and Vancouver, British Columbia. Interviews with a selection of planners were intended to learn how well the districts worked from a practical as well as the theoretical perspective. The relationship between co-existing historic districts and conservation districts was of particular interest. Concurrently, existing neighborhood planning programs and the operation of the Heritage Preservation Commission in St. Paul were examined in detail.

These 20 ordinances represented nearly 20 separate variations of a theme related to the conservation of neighborhood character. At one extreme, con-

servation has been interpreted with rigorous standards for exterior alterations with guidelines based on the Secretary of the Interior's Standards. At the other extreme, only a review of new construction was provided. In general, the ordinances showed how communities differentiate issues of historic character from those of general neighborhood character. Most conservation districts have not been created primarily to meet historic preservation goals; "conservation district" is most often an umbrella term for "neighborhood planning district."

Definitions

In their introductory language nearly all conservation district ordinances addressed the need to promote the health, safety, economic, cultural, and general welfare of the public by encouraging the conservation and enhancement of the urban environment. The single term conservation (as opposed to conservation district) is seldom defined. Terms such as "built environment," "neighborhood character," and other elements vary in their usage. Language selected from three ordinances illustrates several approaches and conservation district definitions:

Boston, Massachusetts

Architectural Conservation

District: "Architectural Conservation District," any area designated by the commission in accordance with section four (designation by commission) as an area containing any physical features or improvements or both which are of historical, social, cultural, architectural, or aesthetic significance to the city and cause such area to constitute a distinctive section of the city.

Memphis, Tennessee

Historic Conservation

District: "A local historic district established by the city council requiring architectural design review guidelines for demolition, new construction, or additions to habitable areas of buildings, structures, sites and objects in the public right of way and within the boundaries of the historic conservation district."

Omaha, Nebraska

Neighborhood Conservation

Overlay District: "The NC Neighborhood Conservation Overlay District is intended to accommodate unique land use, urban design, and other distinctive characteristics of older established neighborhoods. The NC District, used in combination with a base district, allows variations in permitted uses and site development regulations

that are adapted to the needs of a specific neighborhood.”

Purposes and characteristics

The need for a conservation district with a historic preservation focus was apparent in Dallas in 1976, when the City was awarded a HUD 701 Demonstration Study Grant entitled “Conservation Strategies.” Today there are eight conservation districts and 11 historic districts in Dallas; six of the historic districts and all of the conservation districts are residential. The conservation district ordinance authorizes the city to regulate and restrict the construction, alteration, reconstruction, or razing of buildings and other structures in “designated places and areas of historic, cultural, or architectural importance and significance.” The ordinance notes that “whereas the city has historic districts and areas, the conservation district is established to provide a means of conserving an area’s distinctive atmosphere or character by protecting or enhancing its significant architectural or cultural attributes. A separate ordinance is created for each conservation district with a plan which includes design guidelines. While the historic districts in Dallas generally use the Secretary of the Interior’s Standards for Rehab-

ilitation, the conservation districts write their own. Many of the conservation districts appear to be eligible as historic districts but have used the conservation district as an alternative.

In other cities, preservation-oriented conservation districts have been created to perform primarily as historic districts. This occurred most often where there exists inadequate state or local legislation or local political support to create or administer historic districts. Conservation districts have often been created primarily to organize neighborhood planning efforts and coordinate housing rehabilitation programs as well as focus land use and zoning controls at the neighborhood scale. In some cities, such as Raleigh and Phoenix, the creation of the ordinance established a structure for creating neighborhood plans.

From the ordinances, it was difficult to determine which conservation areas were not eligible for local historic district designation because of low integrity or other issues. The designation process for conservation districts operates with diverse designation criteria. Conservation districts which evolved from a neighborhood planning base tended to have very broad eligibility criteria. Most of those districts developed as a means to assist historic

preservation planning have designation criteria quite similar to those used for traditional historic districts, usually that based on the National Register of Historic Places criteria.

All of the conservation district ordinances reviewed were regulatory and over three-quarters were overlay zoning districts. The choice of form appears to relate primarily to local precedent and the provisions of state enabling legislation. The approval of a majority of residents is required for the creation of conservation districts in most cities and, in most cases, the application appears to have been initiated by neighborhood groups. Where required, application fees paid by neighborhood organizations partially covered the costs of a study, and fee waiver procedures are also provided. The level of citizen participation in the designation process and design review varied greatly.

Some conservation districts appear to serve areas that aren’t physically “quite ready” or “quite there” for traditional historic district designation (to quote planners), or where it is thought that the needs of low and moderate-income homeowners are not well served by the creation of a traditional historic district. Conservation districts can offer recognition and some level of

design review to these areas. However, several planners interviewed were careful to note that without design review for exterior alterations, they felt an important revitalization tool was lacking. Some planners endorsed the conservation district as a good interim measure for areas currently not eligible for historic district designation, with later redesignation as historic districts. However, no examples of this kind of transformation were identified.

Relationship to local historic districts

The relationship of local historic districts and conservation districts within each city varied greatly. In Nashville, the Neighborhood Conservation District, the Historic Preservation District, and Historic Preservation Landmarks are created by the same ordinance and serve the same general goals. Known locally as Historic Zoning and Conservation Zoning, they are promoted as a coordinated pair of strategies designed to conserve areas of historic and architectural significance. Both types of zoning require review of demolition proposals and the design of new construction by the city architectural review board, the Metropolitan Historic Zoning Commission (MHZC). Nashville's

Historic Zoning Districts, however, provide an additional level of review and protection, in the review of exterior changes such as alteration to porches, doors, windows, and roofs. Similarly, the Cambridge, Massachusetts Historical Commission coordinates both the city's historic and conservation districts. In a number of cities, however, there is little relationship between the staff or programs which administer the two types of districts.

Some type of design review is a component of all conservation districts. However, **what** is reviewed varies greatly and this is the critical distinction between historic and conservation districts. Most ordinances provide for the tailoring of guidelines for design review to a specific area, but binding review of exterior architectural alterations is usually not a component of conservation districts. More typical in conservation districts is review of "built environmental characteristics," to quote Raleigh's ordinance, usually focusing on new construction considerations such as building height, scale, placement and setback, and materials. Review of demolition permits and the treatment of vacant lots are also standard components. Written guidelines and criteria for design review were included in all ordinances, but few examples included illustrations in the ordinance

or in another document such as a handbook.

Public information directed at conservation area residents varied. Some programs, such as those in Cambridge and Nashville, appear to have carefully planned this component of the effort while other programs provided few if any special publications. Vancouver, British Columbia, is among the few cities where the ordinance and design guidelines were illustrated with many drawings and photographs.

Most planners gave mixed reviews of the success of the preservation-oriented conservation districts that they administer. Probably the most frequent critique of note for St. Paul was that some public as well as planner confusion seemed to prevail in cities with both heritage conservation and heritage preservation districts. Nearly all planners endorsed the positive public education role that conservation district designation played, but most wished for stronger design controls.

Nashville as a model for St. Paul

The conservation districts in this study did not sort into tidy models. This is due in part to the architectural and historical diversity of the cities for which they were written, the diverse plan-

ning objectives at which they are directed, and the political frameworks in which they are administered. However, a primary division between the ordinances can be characterized as the “neighborhood planning model” and the “architectural or historic preservation model.” In its final phase, the St. Paul study examined ordinances and conservation district programs in Phoenix, Dallas, Nashville, and Cambridge in additional detail and concluded that the second model, with a focus on historic resources in addition to new construction, land use, and other neighborhood planning issues promised to be most useful for St. Paul.

Nashville was of particular interest. As noted above, Historic and Conservation Districts were created here under one ordinance which gives the two classifications equal status and similar operation. The districts and landmarks were provided “to ensure preservation of structures of historic value to Metropolitan Nashville and Davidson County.” Among the specific purposes of the districts are to:

- Preserve and protect the historical and/or architectural value of buildings, other structures, and historically significant areas;
- Create an aesthetic appearance which complements

the historic buildings or other structures;

- Stabilize and improve property values;
- Foster civic beauty; and
- Strengthen the local economy.

There are currently two conservation and two historic districts. The largest conservation district includes 1,200 buildings. The general designation provisions of the ordinance incorporate National Register criteria for both types of districts.

Nashville’s planner, Shain Dennison, reported that the Conservation Districts “provide a choice.” The difference between the Historic Preservation and Neighborhood Conservation Districts is that in the former, no structure shall be “constructed, altered, repaired, relocated, or demolished” unless the action complies with the requirements of the ordinance. In the latter, only construction, relocation, demolition, and increase in habitable area are reviewed.

By the criteria, both conservation and historic districts would appear to be eligible for the National Register although planning staff applied the criteria quite flexibly in the conservation districts. It appears that Nashville’s historic districts contain the more high-styled build-

ings. Here, as in other cities attempting to supplement historic districts with conservation districts, the conservation districts were best suited to areas where there was already good maintenance, a pattern of relatively little exterior change, or where residents were strongly opposed to design review. The conservation district, although offering some control, did not offer much to low-maintenance areas where review of exterior alterations was regarded as critical.

The Nashville model provides a well explained process and rationale for its two-tier system. The recognition provided by the conservation district the Nashville planner noted, was regarded as a positive benefit and served to reassure new buyers that some type of control was in place. Well-designed public education materials included a handbook and several brochures.

Conclusions for St. Paul

St. Paul’s neighborhoods already benefit from 17 District Councils, each staffed with a community organizer and a District Planner, and there already exist specific long-range plans for each area. Each district has prepared a plan which inventories its physical, social, and economic components and makes

recommendations for treatment. However, the District Council plans do not follow a standard format with regard to components of historic and/or neighborhood character. A Heritage Conservation District might encourage recognition and protection of historic neighborhood character in areas where the Commission or area residents do not feel existing Heritage Preservation District controls are appropriate. In particular, a Heritage Conservation District with limited design review, perhaps only of new construction and demolition, might be created in stable “newer” areas of twentieth-century residences where existing historical research does not fully support designation as a Heritage Preservation District. Here, historic architecture might contribute to neighborhood character, but if houses are not poorly maintained or subject to unsympathetic alteration, design review might not be critical but recognition of the area’s special qualities would assist in focusing public interest and planning assistance. A Heritage Conservation District might also be created as a buffer around new or existing Heritage Preservation Districts. Review of demolition permits and new construction would be of great use in older areas undergoing selective building clearance and redevelopment.

The study recommended that a Heritage Conservation District for future study should be based on models where:

- The district was administered by the existing Heritage Preservation Commission and planning staff and was well coordinated with historic district planning.
- The district was perceived by residents as having equal status and recognition with other local historic districts.
- The objectives of the Heritage Conservation District were clear and the review process efficient.
- Public information and education were used to further the goals of the district and planning program.

It was also recommended that criteria for eligibility should be the existing Heritage Preservation Commission Guidelines. In their current form, these guidelines provide for broad interpretation of historical significance and would accommodate many types of areas. Activity regulated within the St. Paul Heritage Conservation District would include demolition, exterior design of new buildings, additions which increase habitable areas, and relocation. Activities not regulated within the Heritage Conservation District would include exterior design of alterations to existing

buildings and alterations to existing property (including fences, sidewalks, lighting, and signs).

The designation process should include an inventory of buildings and features, initiated by the Heritage Preservation Commission or the District Council; the development of preliminary boundaries and guidelines; and provisions for presentation for approval by residents through a public hearing and informal meetings.

Design guidelines which address the exterior design of new buildings and the design of additions should be developed for each Heritage Conservation District. Additionally, this information should be made available to property owners in the form of a brochure or handbook.

Finally, the permit review procedure should follow that specified in the current Heritage Preservation Ordinance. (It should be noted that unless the Heritage Conservation District met National Register eligibility criteria, Federal rehabilitation tax certification could not be extended to the area.)

Study follow-up

Heritage Preservation commission members, St. Paul Planning and Economic Development staff, and State Historic Preservation Office staff were among reviewers of drafts of this study. Although the useful applications of the model proposed for St. Paul were recognized, several reviewers commented on the possibility for confusion between Heritage Conservation and Heritage Preservation Districts. Although it has been emphasized that the districts would be presented as of equal status, as has been done in Nashville, a number of reviewers reiterated that the existing guidelines were already flexible enough to designate a broad range of areas as historic districts. This does not, however, provide for special intervention in the buffer zones which usually lie at the edges of districts.

The Heritage Preservation Commission follows the Secretary of the Interior's Standards for Preservation Planning in its evaluation and designation process. However, the Commission takes a broad view of the existing integrity of properties in evaluating their significance. Integrity is not specifically mentioned in the designation criteria. This contributes to the opinion that the existing Heritage Pres-

ervation District ordinance is sufficiently broad to protect many types of areas.

The study recommended new opportunities be created to work with the District Councils on strengthening the relationship between historic preservation and neighborhood planning. A good deal of effort has been put into creating legislation and administering historic districts for specific areas. However, while many people recognize the value of a designated historic building, appropriate conservation of older housing stock everywhere in the city is desirable. Much could be accomplished if public education programs encouraged homeowners to use care in planning exterior alterations, and if city-funded rehabilitation programs took a leading role in setting a high standard for affordable maintenance and rehabilitation work, particularly for siding and window replacement and porch repairs. The entire city, with the great bulk of its traditional housing built before 1930, might be regarded—if not designated—as a conservation area. Here, public education and housing improvement programs rather than design regulations could be leading tools in the effort to maintain building condition and integrity.

General conclusions

Evidence from around the country indicates that architectural and historic preservation-oriented conservation districts with limited design review can be a useful supplement to the traditional historic district. They function best in this role when they are applied to areas with a history of good maintenance and little exterior change and/or where residents are strongly opposed to full-fledged design review. In areas where there is a pattern of low maintenance and unsympathetic exterior alterations, conservation districts with limited design review are less effective at preserving neighborhood character.

Footnote: In August, 1992 the St. Paul City Council approved the Dayton's Bluff Historic District which contains over 500 properties. A design guidelines handbook has been prepared for distribution to all property owners in the area.



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