

Appendix

Public Comments on the Draft Recommendations Report [73 pages]

Historic Preservation Best Practices Report for the City of Philadelphia [105 pages]

Preservation in Philadelphia [19 pages]

Public Comments on the Draft Recommendations Report

All public comments have been reproduced here in full; all emphasis is the author's own.

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AIA Philadelphia strongly supports the work of the Philadelphia Historic Preservation Task Force, which was convened by Mayor Kenney in 2016, and which issued a draft report of key recommendations in December 2018.

Architects are trained to facilitate discussions and to solve problems in order to meet the needs of a variety of stakeholders. This training, combined with their expertise in building design and materials, code and life safety requirements, adaptive reuse, sustainable building practices, and so many other relevant areas, make architects natural partners for the implementation of the Task Force recommendations. AIA Philadelphia and its members stand ready to work with the Mayor, city agencies, and all other parties engaged in the process of putting the appropriate Task Force recommendations into practice to strengthen our built environment **and incentivize Historic Preservation.**

Suzanna Barucco

Dear Philadelphia Historic Preservation Task Force Members/Staff,

Congratulations on the publication of the “Key Recommendations” draft report. As a member of the Philadelphia preservation community I look forward to future discussions of many of the recommendations proposed, hopefully during planning and implementation phases soon to come.

While it is not possible to comment on all aspects of the report in the time allowed, I submit the following comments.

I. Plan for Success

A. Create a Historic Preservation Policy Team...

- *The City should identify an existing staff member whose current duties best align with the preservation officer role...*

While recognizing the fiscal benefit of identifying existing staff to serve on the proposed Historic Preservation Policy Team, historic preservation policy would best be established by professionals with preservation expertise. Identifying existing staff should be a short-term goal; staffing the Policy Team with preservation professionals should be a recommended long-term goal. Adding this to the recommendation would lead to establishment of a stronger Policy Team, and one more likely to accomplish the goals of this recommendation.

III. Modify Historical Commission Processes

A. Create a review system for individual properties...

- *Implement refined designation procedures administratively through PHC with the adoption of formal regulations:
 - o *Qualify “significant,” “contributing,” and “non-contributing” evaluations of individual properties, whether stand-alone or within local historic districts...**

Perhaps this is a typo. How does one qualify an individual property as “significant,” “contributing,” or “non-contributing”? An individual property is either significant or it is not.

V. Clarify the Designation Process

A. Establish criteria by which PHC reviewed properties are designated based upon their level of significance

- *Identify criteria for the review of properties proposed for designation owing to their cultural rather than design (architectural or landscape) merit.*

To my reading, this recommendation lacks clarity. Properties that are culturally significant still relay their significance through physical appearance and integrity. This recommendation seems to suggest that they do not, which I believe is misleading.

D. Establish a process by which property owners are expeditiously notified of a PHC historic designation application.

- Property owners should be notified expeditiously of the Historical Commission's receipt of a designation nomination...*

If property owners will be notified as soon as a historic designation application is submitted, "regardless of the quality, completeness, or correctness of that nomination," to even the playing field, as it were, the rules/regulations should be revised to give the PHC jurisdiction over the nominated property at the time that an application is submitted. Otherwise, this will establish a potential loophole for demolition and/or inappropriate alteration of historic resources while the nomination is being reviewed by the PHC.

General comments on the draft report format:

- Consider including a section (at the end of the Introduction?) with acronyms used in the report (NCO, NCOD, DPD, etc.)
- Consider including an appendix with definitions for terminology such as "Conservation District," or a "For Additional Information" section.

Chris Bordelon

Dear Task Force Members:

I welcome the opportunity to offer comments on the Philadelphia Historic Preservation Task Force's draft of its final recommendations.

1. The draft report rightly identifies the limited public knowledge of historic preservation rules and procedures in Philadelphia and their application as a problem requiring a solution. Very few people know which buildings in their neighborhood are designated for preservation and which are not, how buildings become designated, what the controlling City agency is called and what its procedures entail, or the differences between what it does and what is done under state and Federal programs. To the extent that this can be corrected, historic preservation in Philadelphia stands a chance of becoming meaningful to more than just a handful of preservationists and developers. That is the situation now.

2. The draft report acknowledges that historic preservation designations of buildings and of districts are extremely uncommon in some neighborhoods. In fact, the Historical Commission's agendas not infrequently seem to list downtown properties only. This Center City-centric focus tacitly discourages the filing of applications for designations of neighborhood buildings, and it makes people who are interested in preservation in areas not well-served by this focus feel, rightly or wrongly, that the process is not for them.

In order to remedy this situation, the Historical Commission should be required to commit to considering a minimum percentage of designation applications from the neighborhoods. To the extent that this minimum percentage is not met by independent filers, the Historical Commission's staff should be assigned the tasks both of identifying designation opportunities in neighborhoods and of either filing applications for them or finding someone suitable to do so.

3. If the draft report's proposed one-time indexing of properties potentially warranting historic designation is conducted by City officials, the importance of such a designation to owners could result in the politicization of the process. Owners whose properties stand to be designated in the indexing process are likely to seek the support of elected officials, such as their Council members, to urge that their properties be excluded from the list. The high stakes of the process for property owners will incline those owners to seek political help, and the risk felt by owners will translate into an incentive to politicians to do something to assist owners. To prevent this, the indexing should be conducted by an independent third party that is not subject to political influence or control.

4. Too often, developers who suspect that their project will involve destroying a building with potential historic significance move quickly to complete the work before the issue of preservation is raised. The draft report should make clear that when an index of

potentially historic properties is completed, it will be publicly accessible on the Internet. Furthermore, a system should be established to ensure that when permits are sought to demolish or alter a building on the index that isn't already subjected to any form of protection for historic significance under the City Code, that information is relayed to organizations interested in preservation. Such organizations may include Registered Community Organizations (RCOs), local history clubs, and preservation nonprofits. The information must be available to these groups in sufficient time to allow for them to evaluate the property and, if appropriate, to seek a preservation order. Provision should be made for a procedure subjecting properties on the index to a pause in the permitting process if one of these groups makes a preliminary showing that a feature of the property that would be destroyed or altered is likely to warrant preservation.

5. The proposal to make so-called accessory dwelling units "permitted by-right for properties in all defined categories of historic districts" is not rationally related to historic preservation, and it has no place in a proposal to promote historic preservation. Money generated by renting accessory dwelling units is very unlikely to be used for historic preservation. Even if the City required that it be so used-- a requirement it may not possess legal authority to impose-- the requirement would prove impossible to enforce. Accessory dwelling units undermine zoning regimes upon which residents of the City's different neighborhoods rely for assurance that their neighborhood will not be transformed in unpredictable and undesirable ways.

The draft report notes that accessory dwelling units "are already included in the zoning code, but not mapped to any location." The report ought to add that accessory dwelling units have not been allowed anywhere because the members of City Council whose consent would be required to permit them found it politically inexpedient to advocate something that their constituents did not want.

The City administration, in its "Housing Action Plan" released in October 2018, stated that it had decided to add or preserve 100,000 units of affordable housing, and proposed that the City "allow for Accessory Dwelling Units." In that document, the justification for doing so was said to be to "generate passive income for low-income households or help finance needed repairs" rather than historic preservation. It seems not to matter to the current mayoral administration where the rental income from accessory dwelling units goes. A political decision has been made to support them, so all the mayor's appointees, whether on the Planning Commission or on an appointed task force, may be expected to toe the line. The Historic Preservation Task Force's work should not be bootstrapped into service to advance the achievement of political goals extraneous to its mission-- it should focus on historic preservation.

The accessory dwelling unit proposal, if implemented, is likely to dramatically change the character of neighborhoods where it is applied and to produce unpleasant surprises for nearby residents without yielding any meaningful benefit to preservation. Worse, requiring that accessory dwelling units be allowed in designated buildings and historic districts may

hinder historic preservation by making building designations and the creation of historic districts unpopular with nearby residents and businesses.

6. The draft report should clarify that the City will provide direct support to RCOs that seek to support historic preservation in their neighborhoods. These organizations often confront the question of preservation in their work on zoning appeals, as well as in response to members' concern or interest in the preservation of buildings considered local landmarks and popularly perceived to possess historic significance. This support should go beyond "education and outreach" to the general public, because organizations that function as RCOs are composed of civic-minded members who are likely to take an active interest in pursuing preservation. The Historical Commission and other City agencies with relevant expertise should provide staff support to RCO boards and members pursuing designations. They should provide RCOs with access, without cost, to the historic deeds database, and also provide training in the use of that essential tool for those trying to have a building designated. They should also channel the "education and outreach" suggested by the draft report through those groups, which meet regularly and often welcome speakers.

Kevin Brett

Thank you for taking the time to evaluate these issues closely and to offer final recommendations for further solidifying the historic legacy of our city.

As a fifth-generation Philadelphian, the topic of preservation is near and dear to my heart. As a current Point Breeze resident, I've witnessed the complex struggle between maintaining the existing character of Philadelphia's neighborhoods while simultaneously welcoming in new development.

I have read the Task Force's most recent draft for comment, and I applaud the comprehensive treatment of the issue of preservation. I do have one comment, which I hope is considered, pertaining to the recommendation for the real estate tax abatement in Section VI.J of the report.

Section IV.J - Real Estate Tax Abatement (Comment)

The Task Force's recommendation pertains to a basis adjustment for rehabilitated properties. I believe this is a step in the right direction in terms of leveling the playing field between rehabs and new construction.

However, I do believe that the **definition of an eligible property** under the ordinance for tax abatements on rehabilitated properties is far too restrictive.

Under Ordinance No. 961, an improved property eligible for a tax abatement must include the following characteristics:

1. Not more than 3-dwelling units
2. Owner-occupied (or implicitly, rehabbed and sold to an owner-occupant)
3. Located in an eligible neighborhood
4. Have an assessed building value of less than \$10,000 per dwelling unit

These characteristics are unnecessarily restrictive for the purpose of encouraging rehabilitation and historic preservation.

As an institutional body with the goal of encouraging historic preservation, I would like to see the Task Force recommend that these restrictions be lifted.

The caps on number of dwelling units and assessed building value are arbitrarily prohibitive. The restricted application to owner-occupants or to developers selling to owner-occupants is also limiting and discriminates against long-time owners who neither wish to sell nor occupy a given residence.

The effect of the owner-occupant restriction is one which ends up encouraging sales in the real estate market, but does not incentivize existing (non-occupant) owners to maintain, repair, or preserve their potentially significant properties.

The stated goal of Ordinance 961 (Tax Abatement for Improvements) as well as the goal of this Task Force is to create a better path to historic preservation. Implicitly, it appears that the effect of Ordinance 961 is to encourage sales in the real estate market, or to incentivize demolition once a property falls into disrepair, without providing an equally balanced incentive for repair during the interim period when a property (and corresponding historic value) can still be salvaged. The recommendation of the Task Force to implement zero-basis for significant renovations is no doubt well-intentioned and certainly a step in the right direction; however, I fear that failure to address the shortcomings of the definition of an "eligible property" in the applicable city ordinance pursuant to the tax abatement for rehabilitated properties could inhibit the desired result.

I hope that you will read this comment and consider addressing the restrictive definition of an eligible property under Ordinance 961.

Thank you for your time and all the work you've accomplished!

Philippa Campbell

Thank you for the opportunity for residents of Philadelphia to participate in the Task Force process over the past 18 months. Philadelphia has so many historic preservation professionals, advocates, and attorneys that historic preservation frequently becomes conceptualized by legal parameters and ramifications rather than by a more “common sense” perspective of the public good. The outcome of this very narrow perspective is that citizens (and their viewpoints) are minimized, perspectives are often eliminated in the jargoned interactions among the professionals, and historic preservation becomes represented as so complex that of course it would be impossible for the average person to understand.

Philadelphia is an old city that has suffered for decades with declining population, increasing poverty, and limited job opportunities – all of which contributed to not needing to focus on the City’s historic resources which were not being threatened other than by demolition by neglect. The recent upsurge in development has positive ramifications for the City and the view should be how do we do planned development while preserving our historic resources. While not addressing this challenge directly, the Task Force Report offers well thought out recommendations, many of which are easy to put in place and hopefully will be instituted by the City (and others) as quickly as possible. These recommendations have an equal potential of getting waylaid in years of discourse and debate.

As a resident of Philadelphia who is interested in historic preservation, I appreciate the time and effort of Task Force members and others in developing this report and its recommendations. While I support all of the recommendations, my personal comments include:

- Actions described in the report that equalize the incentives for developers and historic preservation (e.g., tax abatement changes) should be implemented as quickly as possible.
- The recommendations designed to reduce (or delay) demolition of historic properties either by the City Licenses and Inspections or via the PHC sanctioned demolition of historic properties should be quickly instituted before even more buildings are lost due to “legal technicalities” (e.g. Christian Street Baptist Church). The PHC should not “cave” as easily as they seemingly do to “legal threats” and should have the possibility of being more proactive in recommending adaptive reuse possibilities, etc.
- The recommendations around what designs will replace a demolished building or will be put on a previously undeveloped lot (e.g., a parking lot) should undergo HPC review and there should be explicit Design Guidelines (as recommended by the Task Force.)

- Recommendations around education and outreach should be implemented via structures that are discussed in the report and are already in place in Philadelphia such as the RCO's, the Citizen Planning Institute, and organizations such as the Preservation Alliance and the many local neighborhood-based Historical Associations (e.g., Frankford Historical Society, Chestnut Hill, etc.). A systematic plan for collaboration among these groups could result in robust and organized learning opportunities for neighborhood residents across the city to be able to learn about and potentially appreciate the value and contribution of historic preservation in their personal neighborhoods.
- Each of the recommendation themes are important and impact historic preservation efforts in different but very complimentary ways. Underlying all of these recommendations is a public appreciation of and desire for maintaining historic resources that I think will only occur through education and outreach – so while this seems, in part, like an “add on,” it actually underlies and supports all of the other recommendations via public support. The “public” cannot support what they do not know about, or do not understand, or have not even thought about or considered.

Thank you for the opportunity to offer comments on the report.

Center City Residents' Association

Attached please find Center City Residents' Association's comments on the Draft Report of the Historic Preservation Task Force. We appreciate the opportunity to comment and look forward to reading the final report. As detailed in our letter, we are interested in working together to address these important issues. Please do not hesitate to reach out as implementation proceeds.

Thank you for the opportunity to comment on this very comprehensive and detailed set of recommendations for Historic Preservation in Philadelphia. We support funding, legislative changes, and internal operating changes in City departments to fully support the implementation of recommendations in all of the 8 theme areas.

We particularly support the activities focusing on broadening the perspective of historic preservation so that it is not only represented by the historic preservation ordinance and the Philadelphia Historic Commission (PHC), including activities such as integrating historic preservation within the zoning practices (i.e., Plan for Success).

A portion of CCRA's footprint has been recognized as an historic district (Rittenhouse-Fitler). A CCRA committee has been undertaking remapping work for several years and has identified numerous examples where current zoning does not match the existing structure, many of which are historic, and potentially incentivizes either full demolition or partial demolition or significant alteration/addition (e.g., Brown Brothers Harriman on Walnut Street; Boyd Theater). Historic preservation is not just what can be defined or outlined legally but encompasses a broader values-driven perspective of what matters in a community.

We also suggest that the Registered Community Organizations (RCO's) might be incorporated more specifically throughout the recommendations. RCO's review zoning variances in communities and their expertise could be built upon and strengthened to allow for review of all historic projects, including those "by right." Many RCO's, as does CCRA, have Historic Preservation Committees which might be a city-wide vehicle for the outreach and other community-based activities recommended in the report. For example, our Historic Preservation Committee is presently working toward nominating a district that is contiguous to the present Rittenhouse-Fitler District using volunteers. Additionally, under the direction of one of CCRA's board members, a "stakeholder process" has been implemented with two development projects, 1901 Walnut Street and the Boyd Theater project. In the case of 1901 Walnut, two of three historic resources on Sansom Street (originally projected to be demolished) were incorporated into the design of the new development. We believe that this stakeholder process could be easily adopted by other RCO's and used as a way of involving neighborhood constituents in protecting historic resources. Further, linking the historic preservation components existing in current RCO's together into some sort of a city-wide group might allow those RCO's with historic preservation elements to link together in designing and providing community outreach

functions as well as to support RCO's that do not have historic preservation components to put them in place for their communities.

Our CCRA Historic Preservation Committee members participated in the Task Force related Penn Praxis project that developed the Neighborhood Preservation Toolkit. We would suggest that sufficient funding be provided to this project so that tool kits would be available city-wide and that "orientation-training" would be provided to representatives of community organizations, RCO's etc. to implement the tool kit activities across the city. Somebody (Penn Praxis staff, city staff) could be responsible for tracking the implementation (where, by whom, etc.) and the outcomes in order to attempt to get city-wide saturation. The development of the Toolkit included representatives from across the city, many of whom were recruited through the Citizen's Planning Institute (CPI). We would strongly support the Task Force recommendations for expanding CPI to incorporate a greater awareness of historic resources AND to develop a group of Citizen Planners who would be not just aware of historic preservation but trained with the fundamental skills so that they could be substantive resources to other people in their communities.

We thank that many Task Force members who spent many hours on developing this set of 8 recommendation themes which have resulted in a comprehensive and inclusive plan for actions at the City departmental and community levels.

David G. de Long

This is an ambitious template and a challenging beginning, strong on generalities but (at least from my perspective) weak on specifics (except Sections VI, VII, and VIII). I assume the final paper will be more fully detailed.

What level of public response is expected? Given the technical nature of the draft, its density and frequent use of abbreviations, it would seem aimed at those with some specialized knowledge of preservation rather than a more general public. I understand that a shorter summary, one geared to this general public, will be issued together with the longer (and more technical) final version. This will be of real help, but of course will not provide the same opportunity for public response as a draft in progress.

In Section III, "Modify Historical Commission Processes:" I think there is a need to notify neighboring property owners in advance of hearings for modifications to buildings in historic districts. At present, neighbors are not informed in writing of such hearings, limiting their opportunity to comment on proposed changes before they are approved (or rejected) by the Historical Commission. I hope improving the notification process is being given serious consideration, although this is not reflected in the Task Force draft.

Several revisions to the 1984 Ordinance seem proposed, which is timely. Could a further proposal be added to modify the requirement that the Executive Director of the Historical Commission have a PhD? A PhD is an academic, rather than a professional, degree; it can provide an enhancement, but should not, I feel, be a requirement. It seems more important to me that the director have a prior record of accomplishment in the field of preservation and, ideally, hold an advanced degree in historic preservation from a respected university program.

In Section IV, "Reduce Historic Building Demolition and Broaden Neighborhood Preservation," the recommendation to create four district types makes good sense, but can those types be better defined? As it stands, the distinctions do not always seem clear.

Further, can the importance of historic districts as an effective tool of preservation be more fully stated?

In Section VI, "Incentivize Historic Preservation," the Preservation Fund mentioned on page 32 seems insufficiently explained and oddly placed; does it pertain instead to the section that follows, "Funding To Building Owners?"

Somewhere in this document, could a stronger statement be made regarding the value of partnering with local preservation organizations, such as the Preservation Alliance and the Chestnut Hill Conservancy? Such organizations contribute in many ways in terms of working with the Historical Commission and performing public outreach.

I am encouraged by the directions the Task Force is taking and will look forward to learning how the recommendations for change will be received and, hopefully, implemented.

Design Advocacy Group

In response to the public comment period for the draft report of the Historic Preservation Task Force, attached please find two PDF documents: a cover letter and comments (4 pages) from the Design Advocacy Group (DAG).

Thank you for the opportunity to comment. We look forward to a continued partnership.

Comments + Recommendations on the Final Draft Report of the
Mayor's Task Force on Historic Preservation
Submitted by: Design Advocacy Group (DAG)
Submitted on: Monday, January 14, 2019

Before we offer our comments and recommendations, DAG would first like to offer our congratulations to Mayor Kenney and the members of the Historic Preservation Task Force.

We would like to thank you for addressing the challenge of historic preservation in Philadelphia head on and we are eager to use our role as advocates for good design to help advance this report from a number of strong recommendations to implementable, and ultimately, implemented policies.

We especially want to applaud the “carrot, not stick” philosophy and most of the incentive proposals contained within the report. These recommendations will go a long way towards taking the negative sting out of the word “preservation”.

In the weeks and months following the release of the final report, we want to encourage continued outreach to the broadest possible audience. We believe that it is by educating the public on this process and the value of historic preservation that we can all hope to receive the greatest buy-in, which in turn will yield the greatest support and adoption of these ideas. This is a fundamental role for the city (the Philadelphia Historical Commission in particular) and the preservation community.

The following commentary is broken into three sections, General Comments + Recommendations, Recommendations we support, and Questions + Items that need clarification + study:

General Comments + Recommendations

1. We support the creation of all the proposed incentives with the exception of those noted below. We are especially enthusiastic about by-right zoning for special purpose historic buildings (pg. 29, E), a remedy to the increasing loss of religious properties, and to the proposed changes to the city's real estate tax abatement program (pg. 31, J), an ingenious solution that avoids the legal and constitutional pitfalls that have been at issue.

2. While this is a pragmatic report, the goal remains to re-cast preservation in a more positive light. Finding a way to use uplifting language, with words such as “celebrate” in the table of contents would be a good start.
3. With implementation the next critical step towards enacting these recommendations, we suggest the creation of a rubric to help the reader understand the next steps in the process. For example, what needs Council approval? What involves amending the ordinance? What can be done by regulation or administrative action?
4. Provide a glossary of acronyms and terms, with definitions. For this document to be accessible to both average Philadelphians and others around the country who will hopefully see this as a guiding document, this is a necessary step.
5. At presentations by the task force, the existing preservation ordinance was often praised as being one of the best in the country, despite its poor implementation. We recommend providing a copy of the ordinance, or a link to it, as part of the document to provide direct access to the source material.
Given the budgetary and staffing implications of the PHC and other bodies to carry out many of the recommendations, public education and outreach will be essential to the success of this project. This will require public/private efforts, as appropriately led by partnerships among the city, PHC, advocacy, civic and cultural organizations.
7. As part of the education and outreach component of the project, do more to include CDCs as tools to disseminate information and gain buy-in. CDCs play a significant role in promoting both hard and “soft” preservation and can prove a valuable asset if brought more completely into the process.
8. Similarly, to boost both efficiency and efficacy, the city should work wherever possible in partnership with advocacy organizations and other institutions/organizations including the Preservation Alliance for Greater Philadelphia, Hidden City, the libraries, museums and schools, and of course, DAG.
9. We recommend stressing that advocacy is part of the PHC Mission, as stated in the Ordinance.

Recommendations we support

1. We agree that the index would act as a necessary, short-term device to address immediate preservation needs (pg. 20, A). We suggest crowdsourcing and open data treatment to both involve more of the public, promote preservation and help do this as quickly as possible. The duration of a demolition exemption on properties listed on the index requires careful consideration and should be determined in conjunction with a realistic timetable for achieving the citywide survey.

2. The survey is long overdue and much needed (pg. 10).
3. We support amending the appeals process to replace the L&I Review Board with a new appeals entity (pg. 18, D), which should be comprised of members with preservation expertise.
4. Similarly, we support appointment of preservation experts to all relevant regulatory boards and commissions (pg. 7, B).
5. We support posting of staff findings and other moves to make the PHC process and deliberations more transparent (pg. 17, B).
6. We support a renewed emphasis on archaeology (pg. 35) and the reinstatement of a city archaeologist position (pg. 36, B).
7. Along with assisting residents in securing clean title (pg. 33, A), we also propose supporting programs that teach and assist in estate planning to avoid tangled title before it occurs.

Questions + Items that need clarification + study

1. We have concerns about “expeditious” notification of property owners when the PHC receives a nomination (pgs. 35-36, D). While we support the concept in principle, the reality is under the law, a property is considered to be under PHC jurisdiction once the nomination is ‘complete.’ If notice is given too early, property owners can undermine PHC authority by immediately seeking a permit for alteration or demolition.
2. Similarly, a re-survey of all properties on the Philadelphia Register (pg. 24) is an immense task, given the PHC’s limited resources and the more pressing need to survey non-designated properties. This should be a secondary priority after the overall survey is completed and if it is to occur, should be handled by the Designation Committee.
3. We oppose charging the OPA with taking preservation restrictions into account in property assessment (pg. 28, A). OPA is already using comparable properties in determining its assessments, so this seems unnecessary. More significantly, it supports the unproven narrative that designation reduces property values and runs counter to the stated purpose of the report “to convey the value of historic preservation”. We can also note that in some instances, designation has been opposed out of fears that it will raise property values and result in gentrification.
4. Regulation of new construction within designated historic districts (pg. 17, C) has the opportunity to become counter-productive, with the unintended outcome of generating more opposition to historic district designation; DAG is very interested in this critical matter and would like to pursue a deeper discussion.

5. The financial hardship issue is complex (pg. 21, B-2). As originally intended, it was intended to relieve homeowners from onerous regulation (i.e. replacement of a historic door). Properly applied, it can be a boon to district designation. Rather than streamline this process, DAG suggests the PHC re-interpret this provision to return to the ordinance's original intent. For example, we suggest that on large sites that include historic buildings, that the hardship analysis be required to consider the economics of the complete parcel not just the limited footprint of the historic building. Limiting the analysis to the footprint of a small structure strongly biases in favor of hardship when in fact the historic structure may contribute significant visual and historical value to the entire project. It is important to capture an understanding of this value.

6. The proposed 'preservation light' districts are a promising idea and DAG applauds their flexibility (pg. 21, B-2). But again, there is great potential for unintended consequences. These new district forms should be carefully tested as hypotheticals and analyzed before any further action is taken, and even then, selecting and studying the first, pilot neighborhoods will be important. DAG also believes that all of these district levels (with the exception of the existing conservation district option) should regulate demolition.

7. The discussion of Existing Conservation District (CD) (pg. 21, B-4) is unclear as it relates to "simples, verbal guidelines". We recommend reconsidering and rewriting this clause.

8. We support accelerating permit speed as an historic preservation incentive (pg. 28, B), but urge that demolition permits be excluded here. Also, accelerated permits should be available only to locally-designated properties, not National Register properties. This would serve as a meaningful incentive for developers and property owners to seek local Designation.

9. Accessory dwellings should be permitted in individually-designated properties, as well as those in historic districts (pg. 29, D). But these must be carefully integrated with community input and zoning to prevent a back door way for the inappropriate conversion of single into multifamily dwellings.

10. The proposed incentive regarding Streets Department impact fees needs clarification (pg. 30, H). Does this propose to eliminate inspection fees or the requirements Themselves?

11. While we are in favor of zoning bonuses for historic preservation and transfer of development rights (TDR), they stand somewhat in opposition of each other. TDR, for example, could among other things aid in the preservation efforts of long-term owners such as institutions and churches who could sell these rights and use the funds for preservation activities.

Zoning bonuses for historic preservation would only apply when there was a historic property in the development site and, if too generous, would reduce the incentive to obtain

TDR bonus credits. Additionally in TDR, there is the question of where to apply the rights. TDR could be a) internal to a large parcel, b) within a specified distance such as a one block radius, or c) to a specified target zone or zones as was the case in the TDR provision in the old zoning ordinance.

These proposals, while both promising, require clarification, study and testing to land on a correct strategy for implementation where they can be successful without undermining each other.

12. Continue to explore innovative means of initiating preservation efforts. Crowdsourcing, for example, is now a widely utilized method of obtaining broad participation on a short time scale. As the effort to expand the Register commences, crowdsourcing could be an innovative and exciting method of obtaining initial recommendations and even specialized historic information on many buildings.

13. In the Table of Contents (pg. 6), we suggest a section titled “Demonstrate” for an action-oriented project to demonstrate successful procedures and implementation of good practices. The time is right, we think, to explore integrated public-private project preservation. Similar to initiatives that large institutions are using in their design and construction work for new buildings, a team approach is facilitated by an upfront agreement of all parties to seek an acceptable solution. The essence of this is removing confrontational tactics and emphasizing the search for acceptable solutions. This would empower preservationists from both the public and private sectors while also challenging them to reach workable solutions.

14. Education and outreach are foundational to historic preservation (pg. 37). Along with the incentives recommendations, we consider this to be one of the most important pieces of this document. We support the recommendations in this section and also urge involvement and partnerships with organizations/institutions/cultural organizations listed above.

Kathy Dowdell

To the Philadelphia Historic Preservation Task Force:

Thank you for the opportunity to comment on the draft report from the Philadelphia Historic Preservation Task Force. While there is much to absorb and discuss, the following comments reflect a few issues which are of primary importance.

Corrections:

III. Modify Historical Commission Processes, second bullet point (top of Page 15) – “Currently, PHC staff review and approve approximately 90% of submitted applications, having been given broad authority to do so in PHC’s Rules and Regulations. However, there is no formal process for reporting staff approvals to the public.”

This statement is not true. If one looks back at the meeting agendas for past Historical Commission agendas, there was almost always listed as an agenda item, “The Report on the Activities of the Historical Commission Staff”, to be presented by the executive director. This report was rarely given, but the structure existed, and still exists, at every public meeting for the work of the staff to be reported.

Comments:

II. Create a Historic Resource Inventory, Item E. Create a survey protocol that is useful for decision-making across the city; Table 1: (Page 13)

The criteria for Identification and Planning should be minimal enough to encourage the addition of many properties to this initial evaluation list. The criteria for Style, and for Historic Function, should not be required until the Evaluation phase. The style of a given building is often subject to discussion and interpretation even by professionals, and the historic use may not be readily evident, even to a trained person. At this first step, one should be casting a wide net for properties, and keeping the required information accurate and relevant, but minimal.

IV. Reduce Historic Building Demolition and Broaden Neighborhood Preservation, Item A. Create an index of potentially significant buildings: (Page 20)

The intent of this Index is to “...essentially regulate numerous unrelated properties throughout the City...” However, the language in the first paragraph is vague and open-ended, and then the last sentence states that “(i)f the designation does not occur, the property would be exempt from designation for a to-be-determined period of years.” Exemption, especially for a defined period of time, should not be an option if the only threshold is “if a designation does not occur”.

V. Clarify the Designation Process: (Page 24)

“Resurvey all properties listed on the Philadelphia Register to establish accurate data and evaluation on levels of significance, during which all those existing listed properties remain subject to the current PHC Rules and Regulations.”

This should be eliminated – re-evaluating buildings for the purpose of reducing the number of protected buildings is not in keeping with the spirit of this task force.

V. Clarify the Designation Process, Item D. Establish a process by which property owners are expeditiously notified of a PHC historic designation application. (Pages 25-26):

The notification of property owners should not occur without protection for the building being implemented at the same time. Notification of property owners without simultaneous and adequate protections against demolition or alteration will exacerbate our current demolition crisis, not ameliorate it.

As someone long involved in preservation issues in Philadelphia, through the Preservation Alliance and the Philadelphia AIA, I look forward to the upcoming discussions, and the implementation phase of these recommendations. The task force is to be congratulated on such a thorough outline; it's now time for the Mayor and City Council to lead us into a more secure and positive environment for Philadelphia's historic buildings and neighborhoods.

Doris Devine Fanelli

I've read the report with great interest. The people who worked on this report deserve recognition for their devotion to civic duty and unselfish sharing of their professional knowledge. I agree with the majority of their recommendations and have only the following to add:

1. Incorporate an appreciation for Philadelphia's material heritage into the public school curriculum. Encourage students to study the built environment of their communities so that a preservation ethos is part of their identities.
2. Reinforce this information within the community through handouts, talks, tours offered to residents through civic organizations, adult schools and social institutions. Instill civic pride in neighborhoods' material legacy.
3. Require that elected officials have training in historic preservation and its value to civic life. People on the Historical Commission should be selected for their experience in historic preservation. They should not have a conflict of interest between the commission's purpose and their own occupations. Hold elected officials accountable for preservation decisions in their districts. Reward elected officials who promote preservation.
4. Demonstrate commitment to preservation of the city's historic assets by providing adequate staffing for the Philadelphia Historical Commission.
5. Remove the ability of city council members to give or sell land in their districts to their constituents.
6. Any property or district currently listed on the National Register of Historic Places should automatically be listed in Philadelphia's Historic Register. It's a waste of resources to have to list and review federally-designated properties again for the local register.
7. Do not permit murals on historic properties or within historic districts. Murals are legalized vandalism and they detract from a property's value.
8. City government should view historic properties as assets and have a commitment to preserving its heritage. There already are laws promoting historic preservation on the City's books. The City only needs the will to enforce them.

Jay Farrell

I urge the Philadelphia City Council and Mayor Kenney to immediately take up implementation of the Task Force recommendations in their entirety. The task force has done a truly admirable job of compiling best practices from around the US and incorporating citizen feedback into their comprehensive findings. Their work must not be put on a shelf to gather dust. While all of the recommendations in their final draft report are essential to preserving our shared built heritage for future generations, I believe the elements of their findings that provide real incentives for preservation and restoration should be among the first priorities, such as those involving the property tax abatement and TDRs. I'm a fan of Baltimore's model where abatements are focused on historic preservation.

5th Square PAC

5th Square commends the Philadelphia Historic Preservation Task Force for completing their draft plan to re-envision historic preservation in the city. Evidently, the task force has done due diligence and looked at practices from all over the country to inform where Philadelphia falls short and where ideas can be imported.

First of all, we commend the task force for including a broad list of incentives that lower the cost of restoration, rehabilitation, and adaptive reuse of historic properties, including density bonuses, exempting parking minimums, and especially the legalization of accessory dwelling units. While these common-sense actions have been advocated by many to lower the extra burden of rehabilitation, they also rightfully signal that historic properties deserve to reflect the dense and fundamentally urban nature of Philadelphia's historic character, and that mandating anything stricter would be a betrayal of that character.

We also agree that short of a longer tax abatement for adaptive reuse projects, OPA should reconcile the disadvantage of adaptive reuse compared to new construction (recommendation VI(J)). But since the capital costs of adaptive reuse are almost always higher than a new building at same scale, this strategy is still insufficient. We urge the task force to make a stand for preservation in the pending City Council tax abatement discussions, and argue for the **retention of the full 10-year abatement** for adaptive reuse projects, should other projects' abatements be curtailed. If the city wants to show it values preservation over demolition, then it must do so with a financial stake reflecting the civic opinion.

However, there are also principles in the plan we find less worthy, mainly concerning the role of zoning and the role of historic districts in preservation. It is misleading at best to say "High-density zoning discourages historic preservation of undesignated historic properties", when the only party with power that frequently denies designation for this reason is the Historical Commission itself (see Row, Jeweler's). Instead, we must rethink how zoning intersects with development of any sort. With the Task Force's recommendation of transferable development rights, they argue correctly that a property zoned over its built envelope has unused value that can be sold as a powerful preservation strategy, and indeed this has been the case in New York for decades. To preemptively take away that "highest and best use" value by downzoning these properties is severely undercutting the potential of TDRs. If every other anti-demolition strategy in the plan is carried out, especially demolition delay review, then zoning has no place in also trying to deter demolition, and will only end up being counterproductive.

Most objectionable is the insistence on creating new classes of historic districts (PHC-1/CD-1) that require discretionary PHC review over new construction. This is, frankly, a **distraction and financial diversion** away from the priority to save endangered buildings, with the inequitable excuse of maintaining "historic character" in predominantly wealthy

neighborhoods, whose premise is proved false by Philadelphia's diverse architectural history. At maximum, we believe that projects subject to Civic Design Review could also include a PHC member when the historic district calls for it. It is also counterfactual to have an "accelerated permit speed" in an historic district that requires additional discretionary review from PHC/PCPC in the first place. Fundamentally, the top-down administration of historic districts may look good on paper, but it does very little to actually push the status quo of preservation on the ground, which we believe must originate from the **bottom-up, liberal, and flourishing nominations** of individual historic properties.

At 5th Square, we believe that any historic preservation plan must strive for a stable, long-term use as the endgoal for every designated property. Curating a citywide survey and vetting development proposals are a commendable task and highly necessary, but they are only a means to that end. While many of the regulatory aspects of the plan have a realistic shot of getting approved and implemented, the same cannot be said for financially burdensome historical surveys, for which no politician has yet called for funding. It should be the explicit goal, therefore, to enable as many interested parties as possible to participate in the civic activity of nominating historic properties deemed worth saving.

For civic and community groups, the answer is clear: we ask for the creation of a **specific toolkit** to help enable volunteers and nonprofits submit a complete and researched historic nomination, as part of "Create a Historic Resource Inventory". But we also believe that developers deserve to be included in this effort to the greatest extent possible. Because of the disused nature of endangered, unlisted historic properties, the greatest opportunity to actually save a building nearly always occurs when a developer has a proposal and capital at hand. In order to direct as much of that capital towards adaptive reuse as possible, the PHC should **streamline its nomination process** such that the developer can submit their nomination, and the PHC can award the full applicable incentives in one meeting. Constant three-way battles between preservation advocates, developers, and the Board are outdated notions of the past, and with incentives fully detailed beforehand, developers will be more than willing to work more constructively with the PHC.

Not all of the answers to issues of preservation can be addressed through this Plan alone, but 5th Square is certain it can start to get the ball moving, if dialogue is kept constant on the Task Force's end.

Kate Friend

I've read the Task Force's report and have the following comments in favor of the creation of the "lighter" Conservation District category for historical preservation:

- 1) The block of 7900 Oxford Avenue is part of the "Town Center" of Fox Chase as described in the Central Northeast Philadelphia 2035 Plan.
- 2) Unfortunately, the crown jewel of the strip, 7980 Oxford Ave., lost its historic designation some years back because of alterations that were made. This property currently could be demolished. The process to re-designate it would involve a financial and time commitment from the local community. There is also the potential for legal battles between the current owner and the RCO if the RCO were to initiate a nomination for historical designation. **However, if this block were to be designated as a Conservation District, the demolition of 7980 Oxford Avenue would be subject to a public review.**
- 3) Another property, 7909 Oxford Avenue, is a vacant single home that had been used as a doctor's office. It sits between a WaWa and McDonalds. It is currently protected and cannot be demolished. **However, if all properties were resurveyed that are currently on the Historic Register, this property would most certainly be eliminated from historic protection.**

Ruth Greenberg

As a Germantown resident proud of the historic character of much of our city, I write in support of the proposals in the Task Force report draft. I am particularly interested in all provisions that would make preservation more attractive to developers, and the proposal to allow more cost-effective windows and doors for historic properties. I write in appreciation of the efforts of the city and the task force.

Barry Grossbach

First, let me compliment all those involved in putting this impressive document together. It reflects considerable time and effort in analyzing the issues surrounding preservation of worthy properties and neighborhoods and offering possible solutions for consideration. A few points jump out at me that I would hope could be expanded upon or that I would strongly encourage be pursued and implemented.

Briefly:

Page 6--"Use zoning as a tool to support historic preservation activity." --I realize these are bullet points for further clarification, but some discussion/examples of how this might operate would be helpful. The other suggestions on how Philadelphia might integrate historic preservation into city boards and agencies so that it is an integral part of planning and not simply an after thought is especially helpful. This important point is further emphasized on page 7 where the suggestion is made about identifying staff members in city departments (Managing Director, Office of Transportation, etc.) whose duties best align with a preservation officer role to function as an advocate. All this speaks to the same objective--have Historic Preservation imbedded in the thinking of public officials in all city agencies and departments.

Page 9--"Use zoning as a tool to support historic preservation activity". In an ideal world this would be a no brainer. In the real world of the Philadelphia political landscape this will require some forceful "re-education" for city council members to make this work. The more Historic Preservation of neighborhoods and individual properties can be imbedded in the city's day to day operations, the less such efforts might be subject to political opposition and veto.

Page 10--Survey discussion--the issue of staffing is critical not only for a survey, but for implementation of preservation efforts across the board. The City's commitment (or lack thereof) will be determined by the allocation of resources to get the job done.

Page 20--Demolition-- I totally understand the desire to accomplish "the possible" and that this recommendation for a list of vulnerable properties to be protected for a time from demolition reflects that. That said, I will continue to lament "a lost opportunity" to make a broader case against demolition PERIOD. I've been on this kick for some time, so anyone who has heard me knows it. I also realize that I'm spitting in the wind here. Nevertheless, once again let me express a frustration and outrage at a city policy that gives demolition permits over the counter to anyone who wants to tear down a building unless it is in a protected (historic) zone. This is an issue that cuts across every community in the city, and not just those with historic properties. Folks who live in less affluent or architecturally significant neighborhoods suffer just as much if a developer knocks down a property adjacent to theirs. They may not care much about historic preservation or know that a Historical Commission exists, but they do know if their quality of life is upended by

uncontrolled demolition. This city policy is a disgrace, and I just wish an attempt had been made at a broader reach here. I recognize that the Task Force objective has a set focus, and that something is better than nothing. In this case a broader argument could have enlisted a broader segment of the population in a common cause. I'm done!

Page 21/22--Variety of Historic Districts--This is highly desirable. The possibilities are outlined for "historic districts lite" that might be more feasible for some communities (Spruce Hill, for one). More details and additional discussion is highly desirable. I would say that such efforts must have an educational component for council members, along with an increased "spine and commitment" from those administering the programs. Communities should not be asked to go through a process that the city entity responsible for administering will not vigorously support.

Page 29--By right zoning for special purpose historic buildings--I understand the concept and the desire for permitting CMX zoning in such buildings, but I think this particular provision should have some extensive discussion and buy-in from zoning groups in likely communities. This is wide and open-ended. It conceivably would pave the way for any number of agencies that might be problematic for a community. This needs some discussion.

Pages 29-34--General Economic Incentives-- I think economic incentives to encourage Historic Preservation is a winner-- from zoning bonuses, to tax abatements, to storefront improvement districts. Economic incentives are attention grabbers, and even if people are not sold on historic preservation they are looking financial advantage. This might be the most significant area for enhancing the appeal of historic preservation among those who are really not all that interested!

Thanks for the opportunity to comment. Of course, feel free to ignore all comments as carping and ill informed. Let me be clear--I speak only for myself. Though I am zoning chair at Spruce Hill and a member of the Crosstown Coalition, I DO NOT speak for either group on this.

Dan Hoffman

Attached are substantive comments regarding your report. Additionally, as a stylistic suggestion you might include the affiliations of the members of the task force for identification purposes only, but so the public would understand the diverse opinions that comprised the task force

Comments Regarding the Report Issued by the Philadelphia Historic Preservation Task Force

Introduction

It has been said that city housing and community development policy is the sum of the special interests minus the inefficiency of it all. Unfortunately, this truism appears to be all too accurate regarding the work of the Philadelphia Historic Preservation Task Force.

From its beginning, as a collection of the usual suspect historic preservation protagonists--preservationists versus developers with various city agencies serving for better or worse as referees between the conflicting parties---this committee was designed to be dominated by special interests and not yield new ways of incorporating city resident stakeholders into historic preservation policymaking. It is therefore not surprising that this report focuses on; 1) better identifying properties that developers and preservationists can have future fights over; and, 2) enabling the city to be a more efficient referee of conflicts between developers and Preservations.

If historic preservation is simply about identifying buildings to be saved versus buildings to be demolished, most Philadelphians will not care what is preserved or isn't; and/or how efficient or inefficient the road to demolition is for developers. Beyond those Philadelphians with the wherewithal to care about neighborhood history and/or aesthetics, or making a real estate buck, this document and the policies proposed utterly fails to engage anyone who lives in, owns as a principal residence, or is part of what is, or could be, an historic community.

Moreover, this draft report fails to understand that successful historic preservation is more than just a way of defining and mediating conflict; it is a way that residents think about their neighborhoods. Successful, historic preservation policy must provide households and neighborhood with tools and other advantages so that historic preservation can be a way of preserving and revitalizing those communities, not just protecting or developing some random property.

This report is essentially a new attempt at détente between the usual suspects, when this task force could have been about how to engage communities in the work of historic preservation, so that preservation is an engine of, rather than impediment to, community

revitalization, especially in neighborhoods where the real estate market is not hot, but where there are historically valuable buildings and neighborhoods.

The report extensively discusses the minutiae of how many zoning ordinances can fit on the head of a city hall pin. Clearly evidence that city staff thinks it needs better guidance regarding historic preservation, but as with other city community development efforts, the report insists that municipal officials must hold all of the regulatory and decision making power rather than engaging, enabling and trusting neighborhoods to make wise choices.

That this committee's charge was apparently only to arbitrate new rules among warring parties

rather than engaging new constituencies and providing them with new tools can only be described as a lost opportunity. However, the committee did acknowledge that new historic preservation legal structures and financial incentives may be needed to advance preservation policy, though the committee did little to explain these new ideas. Building on this incomplete, but correct observation, below are some suggestions on how existing and new legal entities and financial incentives could mobilize communities wanting to participate in historic preservation.

New Tools for New Historic Preservation Constituencies

A. New Legal Structures

Two existing tools that could be used to promote the establishment of districts that don't have to fully comply with state and federal historic preservation documentation and requirements, but which have the power to create legally enforceable plans are Neighborhood Improvement District (NIDs) law and Tax Increment Finance law.

In recent years City Council has made it more difficult to organize and manage NIDs (which can be commercial, residential or mixed use areas). Some of these counterproductive "reforms" could be reversed and new reforms initiated to facilitate neighborhood involvement on preservation projects and strategies. NIDs could plan, identify buildings, compile local histories and pay for historic signs, decorative "historic" lighting and other amenities that would benefit neighborhood. A NID could be a transitional or substitute way of organizing historic districts that make neighborhoods special in ways that stabilize and improve real estate markets and preserve properties. A NID fund, matched by city or foundation support could be capitalized to help homeowners make exterior improvements that preserve the historicity of the neighborhoods.

Similarly, the city could also establish Tax Increment Finance (TIF) districts (with or separately from a NID) to further preservation. Like NIDs, TIFs are required to develop a legally enforceable plan. TIF financing is typically used to support new construction, but there is no reason that this tool couldn't be used to capture some of the tax revenue raised

from rising property values (neighborhoods that become “special” due to quality neighborhood organizations and historic preservation often see rising real estate values).

This might be particularly useful in some of the recently much discussed “middle-market” neighborhoods where substantial upside in the value of housing and other properties exists.

Both of these legal structures have the authority to plan, acquire and manage property and projects, have the ability to involve impacted property owners (commercial and non-commercial) and can potentially raise substantial funding.

Finally, especially for commercial properties, the city might consider designating new historic districts (especially in struggling commercial districts) and incentivizing the relocation of specific types of businesses to these areas. For example, if the Jewelry District is no longer sustainable where it is, perhaps with the right incentives a new district could be established elsewhere where a concentration of these businesses could help sustain a different historic commercial corridor.

Lots of other focused commercial districts are conceivable. Enterprise zone like incentives for businesses that reinforce the particular usage in a specific historic area might be useful in this case, as well as the aforementioned programs.

B. New Financial Tools

For properties in “non-hot” real estate markets and areas where owner-occupancy (especially residential) is the prevailing ownership pattern, state (and federal) preservation tax credits are typically useless. Conversely, while owner-occupants may be eligible for local tax abatements, the costs of preservation often does not appraise out (or raise a property’s taxable value) and so owners have may have difficulty recovering their investments, even upon resale.

To overcome this problem Philadelphia could seek state authorization for a marketable state historic tax credit for owner-occupied properties targeted to areas in need of revitalization, preservation and where a critical mass of properties of historic value exist. Lower income residents could sell the credit to lenders and others for home repair and restoration financing. This strategy would work wonders in places like Germantown and other neighborhoods recently referred to in the press as “middle-market neighborhoods.”

Another way to support preservation that may not make immediate economic sense would be to seek law permitting qualified historic improvements to be deducted from property or wage taxes over several years and have a re-capture provision on sale, or refinancing, if values rise. An historic tax credit for owner-occupied properties and a way of better way of amortizing the costs of historic preservation might find significant support older cities throughout the state.

Conclusion

Having a respectful policy for the city's historic structures is too important an issue simply to be a debate between developers and preservation advocates. Preservation policy should involve residents more broadly, particularly in ways that enable residents to better understand how their neighborhoods came to be as they are and in the providing of tools for leveraging community historicity so as to build stronger neighborhoods, economically and otherwise. Providing new preservation tools will not only broaden city-wide support for historic preservation, but will also enable historically valuable neighborhoods to use their histories in ways that create new opportunities for residents to re-invent their future histories.

Stephen Huntington, Esq.

I. THE ISSUE: WHO IS TO IMPLEMENT THE REPORT'S RECOMMENDATIONS?

No officer is assigned the task of implementing the myriad of recommendations presented. Page 7 calls for “a Historic Preservation Policy Team” of municipal employees to pursue policies ... beneficial to historic preservation” led “by a Senior Staff member from DPD”, But that officer is merely charged with “leading” the staffers from the disparate agencies/offices involved, staffers who will arrive with the priorities of their 9 to 5 jobs at L & I, Streets, Parks & Rec. etc. The participating staffers should understand that the Historic Preservation Policy Team AND its leader have one goal – the implementation of the Taskforce recommendations.

Moreover, the multiplicity and complexity of the recommendations suggest that the Report's implementation is, at the very least, a 24/7 assignment for any “Senior Staffer” designated. This is so especially because the three Venn diagrams represented by Planning, Development and Historic Preservation do not completely overlap so that an independent voice should be accorded to preservation concerns within DPD.

SUGGESTED SOLUTION: FULL TIME STAFFER ASSIGNED TO IMPLEMENTATION

The Director of Planning and Development be charged with:

1. Implementing the Report's recommendations by
2. Assigning a Senior Staffer full time to actualizing the report's proposals.

II. THE ISSUE: IS PROGRESS ON THE IMPLEMENTATION PROCESS TO BE ASSESSED?

The recommendations do not call for periodic reviews on progress made.

SUGGESTED SOLUTION: PERIODIC PROGRESS REPORTS ISSUED BY THE DPD

The Director of Planning and Development should be charged with issuing an annual report analyzing progress made in actualizing the report's proposals.

III. THE ISSUE: IN VIEW OF JEWELER'S ROW, WHAT SHOULD BE THE PRIORITY OF IDENTIFYING HISTORIC PROPERTIES WITH INCOMMENSURATE HIGH DENSITY ZONING PER PAGE 9? (I F)

A significant impetus for the creation of the Taskforce was Jeweler's Row project. There zoning/density issues were intermixed with Historic Preservation concerns. Given this background, how should priorities be assigned to page 9's suggestion calling for identity of “historic properties with high density zoning”, a proposal reiterated at page 14 in section F.

SUGGESTED SOLUTION: ADD SUCH PROPERTIES TO THE “ONE TIME INDEX” CALLED FOR ON PAGE 20.

Page 20 section A calls for a “catch up” designation list identifying buildings subject to demolition delay. A belt and suspenders approach would suggest that those assembling this list should err on the side of inclusion with reference to arguably design a table properties found within high density zoning districts.

IV. THE ISSUE: SHOULD CMX 3 USES BE OF RIGHT IN ZONING FOR SPECIAL PURPOSE HISTORIC BUILDINGS PER PG 29? (VI E)

Page 29 Section E addresses a cost issue – the expenses incident to obtaining variances where developers historically rehab institutional buildings which are not customarily zoned for residential or commercial uses. To sidestep this cost concern, the report recommends that any uses found within CMX 1 TO CMX 3 be permitted of right. However, CMX 3 uses include refueling station and vehicle repair and maintenance, operations which could, for example, be inappropriate where a rowhouse neighborhood parish church is being recycled for residential or commercial

SUGGESTED SOLUTION: ELIMINATE CMX 3 USAGES FROM BY RIGH TREATMENT

V. THE ISSUE: SHOULD PRESERVATION DENSITY BONUSES EARNED ON ONE PROPERTY BE TRANSFERABLE TO A SEPARATE PROPERTY PER PAGE 30 AND 31 (VI I and K)?

Zoning restrictions are parcel based. Density bonuses which overturn zoning restrictions on specific parcels reward developers for providing benefits to the community surrounding the affected parcel. The community receives a benefit (art, fresh food retail) offsetting the density concession. The proposals on pages 30 and 31 upset this quid pro quo by incentivizing historic preservation benefits in one neighborhood, the winner, by permitting density bonuses in a second neighborhood, the loser.

SUGGESTED SOLUTION: LIMIT HISTORIC PRESERVATION TO THE PROPERTIES WHERE THE BONUSES ARE EARNED

VI. THE ISSUE: CAN PUBLIC OUTREACH BE MAXIMIZED WITHOUT IN NEIGHBORHOOD PUBLIC POSTINGS? (VII)

Section VII commencing at page 37 calls for creating “a constituency for historic preservation’ and to “engage Philadelphians in historic preservation in their neighborhoods”. The orange zoning notices posted throughout the City alert neighbors to zoning issues. What better way to familiarize citizens with historic preservation than to post neighborhood properties with signs advising of upcoming Historic Commission hearings.

SUGGESTED SOLUTION: ADVERTISE HISTORIC COMMISSION HEARINGS VIA
PROPERTY POSTINGS A LA THE ORANGE ZONING NOTICES.

Matthew Jackson

During my experience participating in the process of obtaining historic designation for Trinity Church Oxford's Parish House, I observed an alarming trend in the Commission's proceedings.

I am concerned the preservation task force was tainted with some who had conflicts of interests.

I don't believe that one should be permitted to serve on any task force and likewise any commission associated with a government agency where one might benefit financially directly or indirectly from the historical commission granting or not granting historical designation to a property.

I therefore propose that if there are not any restrictions on who may or may not serve on the Historical Commission that there should be restrictions enacted.

Anyone who has a conflict of interest should not serve on the commission.

As an example: No one who is being compensated to present economic analysis against a historic designation should be serving on a task force or commission dedicated to preservation of the city's historic resources.

In the case of Trinity Church Oxford, there was an alarming scenario unfolding. Those who considered themselves preservationists were speaking out against preservation. There was this endeavor to sacrifice what some said to be the "less historic resource for the more sacred resource." From a historical standpoint, one might argue that the Parish House became just as important a historic resource as the ancient church. Despite its youth in comparison to the church and its surrounding churchyard cemetery, the Parish House became an important part of its neighborhood's culture. Not only is the Parish House historic (as confirmed by the commission's unanimous vote granting designation), but the land the parish house sits on is also historic.

Consider this article from the New York Times: [When Preservation Equals Demolition](#)

In this article, there is a quote that is really eye opening. "Often, unfortunately, in preservation to get something you have to give up something else," said Richard Longstreth, a professor of American studies and head of the historic preservation program at George Washington University. But he said it is important to ask "how much are you getting and how much are you losing?" The quote speaks truth to power in the case of Trinity Church Oxford. If we are going to preserve our historic resources, then we also have to put safeguards into the process of historic designation of properties. We cannot allow historic preservation to be piecemealed. Otherwise, we will lose a historic resource and the character of a neighborhood will face further change and likely further decline.

Thank you for your time in considering my comments.

I remain committed to doing my part as a citizen to ensure the city preserves its historic properties.

**Jasper Jones, Executive Director
United Block Captains Association [UBCA]**

Comments on Preservation Report Recommendations

The report did not include a recommendation of an automatic stay on historic building demolition when owners are seeking finance to restore structures to their historic usage purpose.

Barbara J. Kaplan
(Executive Director, Philadelphia City Planning Commission, 1983-2000)

I commend the Task Force for their comprehensive approach to the topics and issues confronting Historic Preservation in Philadelphia, but I believe that this report is not yet complete because it lacks an Implementation Plan. Without this final chapter, there is little hope that the recommendations will be translated into policy, practice, and legislation. To be meaningful, such an Implementation Plan should include a prioritized listing of recommendations, with specific timelines and schedules for their achievement, including interim benchmarks toward completion. Definitive responsibility and oversight for each of the tasks involved should be assigned to the appropriate City agencies and personnel. Cost estimates and staffing needs for each recommendation must be included. Recommendations that can proceed to implementation through administrative and legislative action without new funding should be given immediate attention. With the budgeting process for the next fiscal year soon to be underway, it is essential for recommendations to be translated into cost/staffing proposals so that initial phase of the work of the Task Force can be reflected in the Fiscal 2020 City Budget, with specific plans for continued and additional funding in successive years.

Comments on Specific Recommendations

While the concept of a Historic Preservation Policy Team as an interagency coordinating mechanism is a useful one, it requires more thought. For example, several of the agencies recommended to have a member on this Team are already represented (by law) on the Historical Commission. Shouldn't these same individuals represent their agencies on the Team? How will the Team members relate/coordinate with the Commission? It is stated that the Team will be lead by a Sr. Staff member from DPD. How will this person relate to the Commission and its staff? Also, it is recommended that there be a Historic Preservation Liaison to serve as a single point of contact for individuals, property owners, community groups, and developers - will this person be part of the staff of the Historical Commission? DPD? How will this individual relate to the Team?

In Section II there is a major recommendation to "establish an ongoing citywide survey program for historic and cultural resources as a core function of the PHC and the DPD." Since the City Charter ALREADY REQUIRES the PHC to "Prepare and maintain or cause to be prepared and maintained a comprehensive inventory of historic buildings, structures, sites, objects and districts", this recommendation should be given the highest priority, and a budget and staffing plan included in the City's operating budget for the coming fiscal year.

In Section IV there is a recommendation for a one-time catch-up effort to create an "index" of eligible historic buildings subject to "demolition delay". Preparation of this index will also require a survey. How will this survey be undertaken? What will be its relationship to the overall survey described in Section II? How will these processes dovetail? Moreover, the

term “demolition delay” is not defined - how long is the delay? Who will decide? What will be the public process? How can property owners appeal?

The report also understates the fact that this index/demolition delay process will require an ordinance of City Council/Mayor’s signature in order to go into effect. This will open up the whole process of historic designation/regulation of alterations and demolition to widespread public scrutiny at a City Council hearing. It might be a better and safer course of action to undertake the citywide survey as quickly and comprehensively as possible, and then to prioritize for designation the most valuable historic resources that the PHC staff considers to be at risk of alteration and/or demolition. This will require budget, staffing, and possible consultants, but will not involve a City Council hearing where preservation opponents will be given an opportunity to overturn or severely weaken the basic PHC ordinance.

In Section V there is another recommendation for a survey - this one to re-survey all properties to “establish accurate data”. It will be difficult enough to budget the resources necessary to undertake the citywide survey recommended in Section II without trying to find the time and money to do this type of re-survey. Better to live with the inaccuracies and correct them over time as part of the comprehensive citywide survey process.

The recommendations in Section IV to add a hierarchy of district types to the Preservation Ordinance is very complicated and confusing. If one of the goals of the Task Force is to make Historic Preservation more understandable and more appealing to the general public, this goes in the opposite direction. Furthermore, in view of the woeful inadequacy of data, resources, and staffing needed to fulfill the responsibilities of the current Preservation Ordinance, none of this makes sense, and the need to explain and justify it to City Council at a public hearing may result in weakening the existing powers of the PHC. If there is widespread public support, it may make sense to add an hierarchical typology to the Ordinance at some time in the future after all functions of the existing law are fully funded and staffed. Otherwise this proposal merely draws off resources from the most critical preservation issues, and may even jeopardize the powers of the current Ordinance.

The broad array of incentives proposed in Section VI is impressive, particularly since the City currently offers no programs that incentivize Preservation. However, in order for any or all of these proposals to be adopted, it is critical that they (like the rest of the recommendations!) have a detailed implementation plan - which recommendations can be implemented without new funding; which will require legislation; which will require an Executive Order or specific administrative directive; which are likely to have the greatest impact; which can move ahead within the current fiscal year, the next year, etc. Recommendations of all types must be put on a specific timetable with accompanying budget/staffing for implementation or they will not happen.

Once again, as was true of the Best Practices Report, there is no mention of the Pennsylvania tax credit program offered as an incentive for historic preservation. While

this program is admittedly small relative to need, its usefulness in combination with some of the proposed City incentives should be explored, and advocacy for its possible expansion should be recommended.

Timothy Kerner, AIA
TERRA STUDIO llc

Recommendation III.D (p.18): Create a new appeal body for alteration and demolition decisions

Comment: The Licenses and Inspection Review Board currently reviews all non-zoning related appeals to city decisions regarding property use. To create a separate Historic Preservation Review Board would isolate preservation issues from other property use issues. This result would run counter to the Task Force's stated objective of bringing historic preservation into the awareness of all city agencies.

Rather than create a new board, the city should require that the L&I Review Board membership include an architect with historic preservation experience, so there is appropriate expertise on the board to address preservation issues. This practice was implemented by the previous administration but was not formalized into city regulations and is not currently the case.

Recommendation V.C.1 (p.25): Implement designation procedures administratively through PHC with the adoption of formal regulations (this recommendation is repeated as recommendation V.D.1)

Comment: The implementation of administrative procedures for designation implies that designation would occur without a public meeting. It is necessary that both the public and the property owner have the opportunity to make statements regarding designation decisions and that such decisions are made at a public forum.

Recommendation V.D.2 (p. 26): Property owners should be notified expeditiously of the Historical Commission's receipt of a designation nomination from whatever the source – regardless of the quality, completeness, or correctness of that nomination...

Comment: This recommendation is problematic because (as stated in the report) months can pass between a first application submission and the final submission, which meets all requirements. If an owner is informed of the preliminary submission, and that owner has potential plans for the property that are contrary to historic preservation goals, there would be great incentive to apply for alteration or demolition permits prior to the final submission of the designation application. This comment assumes that a designation application "regardless of the quality, completeness, or correctness" would not prevent the filing of such permits or subsequent construction activity.

Recommendation VI.A (p.28): We propose that the OPA take the historic preservation restriction on the building into account when it assesses the market value of the building...

Comment: Historic preservation restrictions could be considered as having a negative impact on the value of a property because they reduce the range of changes that could be made to that property. On the other hand, historic preservation restrictions on adjacent properties could be considered as increasing the value of a particular property for the exact same reason. This proposition would be overly complex to implement with any degree of accuracy, highly speculative in nature and not necessarily helpful.

Recommendation VI.D.1 (p. 29): We propose that ADU (Accessory Dwelling Units) are permitted by-right for properties in all defined categories of historic districts.

Comment: This proposition would circumvent the intent of the zoning code in all single-family residential districts with historic structures, effectively changing the zoning to multi-family.

Recommendation VI.J (p.31): We propose that the OPA reassess the value of the improvements to \$0 while a project to rehabilitate an existing building is under construction. Once the project is complete, the OPA can reassess again to the market value appropriate to a completed project. The change means the abatement therefore would apply to the full improvement value, making the rehabilitation abatement benefit equivalent to the new construction abatement benefit...

Comment: This is an interesting recommendation but it needs to be accompanied by a minimum threshold of renovation, such as 66% of the building. It would not be appropriate to provide a ten-year tax abatement for the full value of a building after a minimal renovation project.

Rob Kettell

Comments on "Support Archeology"

The draft report's two recommendations (a predictive model and sensitivity zones) are a good start in incorporating archeology into the regular historic preservation process, however there is more that could be done.

1. In addition to a creating "predictive models of archeological sensitivity" the proposed new comprehensive inventory of historically significant materials should include above-ground (structures), on-ground (streets) and below-ground (artifacts).
2. In addition to the PHC designating archeologically "sensitivity zones" they should be allowed to designate Historic Districts based on resources that are above-ground, on-ground and below-ground.
3. While the PHC should do all that it can to determine whether a site contains historically significant materials, it should be made clear that it is still the owners responsibility research and preserve (or document) historically significant materials.
4. Whenever changes are being made at sites with potentially significant materials the PHC should **require** the builder to hire an archeologist.
5. As part of the city's obligation to "convey the value of historic preservation as well as the city's historic preservation laws and processes" every required archeologist's report should be published online and placed in public libraries.

Comments on "Activate Education and Outreach"

This section of the draft report offers many excellent ideas for promoting the public's interest and support for historic preservation. The specific recommendation to "hold discussion groups" with advocates and professionals could be expanded in two directions.

1 - The list of possible participants in the "discussion groups" could be expanded. "Advocates and professionals" probably already have an interest in historic preservation, so the discussions need to expanded beyond "the choir" and include all those who impact the process.

There are a variety of **government agencies** already playing a role (or not) in historic preservation that should be nurtured and made to feel that historic preservation is part of their mission. For example, transportation agencies are a major player in preserving or changing the city's historic resources, so we could work with PennDOT, Federal Highway Administration, Delaware Valley Regional Planning Commission, Delaware River Port

Authority, etc. Government agencies that play a role in development can be similarly important: Philadelphia Housing Authority, Philadelphia Redevelopment Authority, Philadelphia School District, Philadelphia Land Bank, Philadelphia Sheriff Office, etc. Other agencies that can effect historic preservation include Philadelphia Art Commission, Pennsylvania Historic Commission and the federal National Park Service, especially Independence National Historic Park.

There are a variety of **non-profits** that are not necessarily “advocates” for historic preservation, but could become allies if they felt they were part of the process or if their input was sought and appreciated: Philadelphia History Museum (AKM), Museum of the American Revolution, American Philosophical Society, Library Company, Penn Museum, Preservation Alliance, a variety of local historic organizations in Philadelphia’s neighborhoods, the city’s RCOs and BIDs, Horticultural Society, Archeological Society, Oliver Evans Chapter of the Society of Industrial Archeology, Hidden City, Plan Philly, Next City, etc.

2 - The concept of “discussion groups” is a good first step, but eventually the group and individual meetings must lead to more than discussions - they must lead to action. The participants need to feel that their expertise is needed; that they have a contribution to make; that they are recognized for their efforts; that action is taken on their recommendations; and that they feel part of the process.

The report recommends helpful new initiatives, but should also include leveraging (lobbying?) existing organizations.

Amy Lambert

Thank you for allowing public comments to the draft Key Recommendations, dated December 2018.

I. Plan for Success

Regarding the creation of a Historic Preservation Policy Team of municipal employees, please encourage and set up the notion of more holistic understanding of all policies and practices not just within that team, but within the City of Philadelphia's administration. Preservation – with or without the word historic preceding it – is related to education, economics, development, design standards, zoning, legal issues, the arts and cultural pursuits and education; the city should champion the underlying history and architectural expression that is integrated within every one of its municipal functions. The use of the Secretary of the Interior's Standards for the Treatment of Historic Properties should govern new policies and procedures.

The Land Bank is notably missing from the draft report. In a city with both extreme poverty and high levels of building vacancy, efforts should be made to divest the Land Bank from City Council control and instead make it an instrument to get affordable houses, buildings, and land into the hands of lower income Philadelphians. Look to the successful partnerships between land banks and local preservation advocacy groups (whether formal or informal) such as those in Macon, GA; Cuyahoga County, OH (Cleveland); and Hamilton County, OH (Cincinnati). The success of getting vacant properties back onto the tax rolls should be seen as a boon to city coffers, but it also satisfies sustainability objectives by reusing irreplaceable building inventory. Most importantly, it would shelter people in the classic Philadelphia housing type. A partnership (sponsorship?) with financial institutions (including mortgage lenders) should be encouraged as well as help from the Healthy Rowhouse Project.

II. Create a Historic Resource Inventory

Please make Atlas stronger and more relevant by incorporating complete historic property information into a property's database, including but not limited to links to historic property nominations on the PHC website; historic atlases & maps; and historic photographs including those from the city's Department of Records, but also outside sources such as The Library Company, the Historical Society of Pennsylvania, etc. III. Modify Historical Commission Processes

If the PHC is going to continue to be in the design review business, especially if it takes on design guidelines, at least one SOIS-qualified architect should be on staff. Perhaps that professional should also be given authority to assist applicant design professionals with restoration/rehab options. Currently, the entire PHC staff has historian credentials. More design-based staff members (with requisite history/preservation credentials) would make the PHC stronger.

IV. Reduce Neighborhood Building Demolition and Broaden Neighborhood Preservation

Please instigate a mandatory review of demolition permits for all properties over 50 years of age, or deemed significant and less than 50 years. Conservation Districts should be included, but Historic Districts prioritized.

V. Clarify the Designation Process

The current building/resource designation process is not consistent even with the same reviewer. In order to clarify the process and regulate it between reviewers (while still allowing for flexibility with the discussions around criteria for each nomination), provide a flow chart that delineates the entire process from submittal to a reviewer to its acceptance and appearance on the PHC website prior to CHD review. There are too many inconsistencies between nominations and so the process becomes tedious and cumbersome in addition to the amount of work required to produce a nomination in the first place.

I question the new (prior to and independent of the draft report) box for Condition on the PHC's nomination front end documents. First, this appeared outside of the draft report, so who initiated it and why? Perhaps that is a question for ED Farnham. Secondly, condition is not something the current staff is qualified to judge. If it is architectural integrity that is actually being documented, then change the word Condition to Integrity. There are no SOIS-qualified architects or engineers on the staff of the PHC or of L+I, for that matter. The concern regarding Condition is that is an innocent looking wedge that the developer community or other less preservation-minded people or groups could use to separate the PHC's mission to protect our architectural patrimony from the unqualified assessments of those who want to demolish buildings that could probably be reused and repurposed. I strongly object to the suggestion of expediting notification of designation to property owners. This is a blatant and flagrant disregard for the integrity of the designation process, which at its core speaks to the relevance of a site's historic importance based on ten criteria. A site's importance and the designation thereof needs to be divorced from an owner's wishes. Owners come and go, have differing opinions, and are influenced by non-preservation issues that have to do with current market and real estate trends, personal financial status, and other variables that are irrelevant to a building's significance. Again, this plays directly into the hands of people for whom preservation is not a priority or concern.

VI. Incentivize Historic Preservation

The most important aspect of this category is making sure that the City of Philadelphia values its architectural patrimony and the stories it tells by demanding a higher and better preservation outcome from itself and from developers, builders, designers, etc. Set the bar high and watch people reach it, especially if there are incentives. The reason LEED is a success is because they told contractors, architects, designers, and the entirety of the

materials vendors exactly how they expected things to be done with a carrot at the end of the project. The entire LEED designation/certification process proves that if you hold up a strong value system with mandates attached to it (sustainability/green design in this case) that inspires people to join the party, participating in solutions for responsible growth and addressing climate change, with nice rewards and publicity, then an entire building industry will quickly figure it out. They might have gone in screaming and kicking, but in no time, nearly every scale contractor knew how to account for construction waste, calculate 500 mile drive times, and the industry produced renewable and recycled materials for use. LEED is deserving of some criticism, but it ultimately proved that if you build it, set it up as a value system, others will flock to it. Let's do the same for the preservation of Philadelphia's historic resources.

VII. Support Archaeology

Please work with state and local officials to initiate and strengthen archaeological laws in the Commonwealth. Contractors and untrained personnel should never have to protect and account for bodies discovered during excavation. When that excavation happens with a project that has a budget and schedule that does not accommodate for unforeseen archaeological remains, a terrible dynamic erupts.

VIII. Activate Education and Outreach

Most people do not receive a design education, or one that addresses the importance of design and history in the built environment. Support education in K-12 schools. AIA Philadelphia has an Architecture in Education program that should be supplemented with history so that young minds not only have an opportunity to understand why and how their city or neighborhood looks a certain way, but to inspire them to keep urban, design, and heritage issues in their minds no matter what professions they enter or lives they live. This will make them better citizens and our city will be better for it.

Thank you for the hard work and focused attention to preservation matters in Philadelphia over the past 18 months.

Katie Low

Thanks to the Taskforce for completing this great undertaking.

Here are a few thoughts:

Right off the bat, the language that is used to describe what the Task Force has been charged with is off putting. This is called a Historic Preservation Task Force but the first thing we learn about it is that it is not purely about preservation, but finding some kind of balance between construction and preservation. This is more proof that our mayor is in the pocket of developers.

I'm a fan of I, B.

I also really like I, D. But I think in addition to an attitude change, there ought to be funding for a (or multiple) L&I inspector with expert knowledge of historic structures to examine any buildings that are in questionable condition. I'm thinking of the Chocolate Factory example- how it was suddenly deemed imminently dangerous by the developer's paid inspector and no other inspection by was allowed to be made to corroborate these claims.

I see VI, G as problematic. While I totally understand the safety thing, requiring sprinkler updates kind of de-centvises preservation. It's a costly effort that many won't be able to afford, or in order to afford it, building owners are going to have to raise rent in their rental units. That will surely adversely affect already struggling areas like Old City retail. I get it, but really, I think there should be a study on how necessary this is. Like how many buildings that may require sprinklers under the proposed law change actually burn down every year?

VI, J- Tax abatement. This paragraph is hard to read and I'd like to see the example/the math for the proposed change as well as the math for how it is now. Prove to me that this is going to work. Or just get rid of the abatement. Fund schools!

General Changes B goes right back to the sprinkler thing.

Steven J. Peitzman, MD
Drexel University College of Medicine

Plan for Success

Agree: we need more awareness of HP at all levels of Phila government but especially in agencies dealing with development. A HP “Liaison” would help.

L & I needs better enforcement tools to enforce existing laws about maintaining all buildings – this need not apply to only the tiny per cent that are designated. Emergency “encapsulation” fund would be a great aid.

Resource Inventory

There is consensus that this is needed. Many good suggestions in the draft. Community participation with training would be a plus. THIS EFFORT SHOULD BE LINKED WITH A PROCESS TO GET ALL PHC PROPERTY FILES DIGITIZED AND ON LINE. THIS COULD BEGIN WITH AT LEAST PROVIDING ACCESS ON THE WEBSITE TO RECENT NOMINATIONS FOR WHICH PDF FILES ALREADY EXIST.

Modify Historical Commission Processes

Agree that lack of PHC authority regarding new construction in Historic Districts is a real weakness. Oddly, such authority does exist for Conservation Districts.

An appeal body as suggested rather than L & I alone would be a great improvement.

Reduce Historic Building Demolition:

Some questions and worries in this section:

Would not creating a “catch-up” “Index” overlap with and/or duplicate work towards the much-needed “Resource Inventory”? And even if this “Index” is meant to be more limited and more easily achieved, waiting for its completion would give some property owners a window to move on with demolition or major alterations. What’s needed, at least as an *interim measure*, is a *broad demolition delay for structures more than 50 years old (meaning a substantial portion of them) until an Inventory (or if needed, a more limited “index”) has been established.*

Regarding the proposed four types of districts: Whereas the objectives of Historic Districts as now established, and Conservation Districts, overlap in many ways, they currently display many contrasts: Historic districts can be nominated by anyone, property owners’ permission is not needed, demolition is prohibited, new construction is not regulated; City Council does not need to approve. For Conservation Districts, neighbors (owners) propose, demolition is not prohibited, new construction is regulated, emphasis is also on parking and zoning matters, City Council must approve. It does seem to me desirable to somehow

rationalize and bring together these two types of districts, both aimed at maintaining the historic and attractive fabric of a (usually residential) community. *Can this be achieved with fewer than four levels, two under the jurisdiction of PHS, two under PCPC (still with need for City Council approval?). Aim for more simplicity.*

Adding a demolition “review process” for the existing conservation district would seem a reasonable advance.

Clarify Designation Process

This seems to me one of the weaker sections of the draft report.

Section A: It is not clear if this is meant to apply only to properties in districts or individually designated properties as well. What is meant by “cultural...merit”? Examples? What is meant by “clear about the significance of the site”? The current criteria for “significance” that nominators must support (at least one) in good part follow those of the National Register, and nominators are required to indicate which criteria are deemed as fulfilled.

Section B: Should the first bullet refer to “requirements for nomination” or “for designation”? Also, it is doubtful that nominators would be able to propose “allowable degrees of alteration.” It could be useful for some added information on the website to give examples of the sorts of information that support some of the criteria, such as who amounts to an associated important person, examples of an architectural or technological innovation, and some of the more abstract criteria when possible.

Section C: The first bullet is very unclear. Meetings of the Designation Committee should be monthly. *No doubt, to fulfill even a small percent of the recommendations in this report, including those relating to fast processing of nominations, a lot more PHC staff will be needed!*

Section D: Same first bullet, not clear what it means. The final bullet is a potentially bad idea. On the one hand, one can understand that a property owner might find it intrusive to learn that an agency of city government has been studying his or her property over several months. But notifying the owner at the time of submission would be an invitation for some owners to promptly demolish when that has been in their mind. This is exactly the opposite of what is needed, since we encounter instance after instance in which a demolition permit has beat out a supportable nomination! *This suggestion does not make clear whether the notification at this early phase of the process would carry with it the same level of jurisdiction (ie, no demolition) as exists now.* But how could such a serious outcome in terms of property rights arise from a nomination which would seem obviously inadequate when first looked at by a qualified professional?

Although “anyone can submit” a nomination, in fact the current expectations (or customs) for the documents really require a professional level of expertise, or very close to it. PHC

staff will help someone without such expertise fulfill the expectations. But I would not want to see the nomination requirements become any more demanding. In fact, some of the customary elements, such as quoting verbatim from old deeds, do not even seem required by the relatively small amount of

Incentivize

There are many seemingly good ideas here. I particularly like “By-Right Zoning,” prioritization for grants, ADU’s, and tax abatement. I would like to see tax abatement phased out as it now exists, and continued only for re-use of existing buildings, whether or not designated historic. I also favor “Contextually Designated Buildings Permitted.”

Activate Education and Outreach

As someone who has (as an enthusiast, not professional) created and led neighborhood walking tours and organized a “Preservation Primer” program, these for the East Falls Historical Society, I enthusiastically support participation by neighbors and more learning opportunities. The Preservation Alliance already does a great deal, but I would like to see an education specialist created within PHC staff (a new position) to do neighborhood outreach. Again, with more staff, the PHC website could become a much more vigorous source of information – including relatively easy things, like getting existing nomination PDFs on-line; links to the PAB, and philageohistory, etc. And indeed, where feasible, get more architecture and city history into our schools, and schoolkids out on the streets to learn about the “built environment.”

Nancy Pontone

Preservation Task Force:

Thank you for your work on this historic preservation project. I especially appreciate the following recommendations:

Page 8 - Preservation first to promote adaptive reuse through City agencies

Page 9 - Zoning as a tool for historic preservation

Page 15 - New Appeal Board for alterations and demolitions appeals independent of Licenses and Inspections (L&I)

Page 17 - Add back “preservation as a public good, rather than a mere nicety” in line with the prior Philadelphia Ordinance, the National Historic Preservation Act and Pennsylvania Constitution

Page 25 - Provide additional staff resources to review and author additional nominations

Page 29 – Prioritize RACP and other grant funding for projects that include restoration/reuse/rehabilitation

Page 39 – Produce digital and print booklets and brochures to promote historic preservation and inform property owners

My questions, comments and suggestions include:

Add a glossary of terms and organization names and acronyms, e.g. historic resources survey

Page 8 – L&I cites property owners for failure to comply with code and sends cases to Court but this takes so long “demolition by neglect” easily occurs.

Page 8 – City sustainability objectives – why not require recycling if demolition does occur? It could be a disincentive.

Page 15 – Establish PHC regulatory approval for all new construction within designated historic districts subject to guiding principles is a recommendation. What about new construction adjacent to historic districts that could be overshadowed by a high rise, etc. New construction on W. Penn St. next to Tudor East Falls Historic District was set back in line with existing homes but the developer increased the height at the back that is out of scale and clad in vinyl siding all very publicly visible from Midvale Ave.

Page 17 B. – DPD staff overseeing districts other than local historic districts. Are the districts referred to conservation districts?

Page 17 – Remap historic districts to better align zoning requirements with the goals of specific historic districts is recommended. What about anticipating where zoning could ruin potential historic districts?

Page 19 – Creating an index of potentially significant buildings will take time and leave open the opportunity to demolish before listing. Why not review all properties greater than 50 years old for potential designation when demolition is requested? This will take less time and be easier to implement quickly.

Page 20. A. – Pressuring PHC to act within a designated period of time or properties can be exempt from designation is inappropriate without significantly more PHC staff.

Page 21 2) – In Tudor East Falls Historic District it already seems like there is a “lighter” standard or perhaps it’s just that owners are avoiding historic requirements and doing whatever they want. Enforcement is so minimal. It seems this would only get worse with a new typology PHC-2. I wouldn’t recommend this second historic district type that could also be more complicated and confusing. Keep it simple!

Page 21 3) & 4) – Existing Conservation Districts may want additional protections offered by the proposed CD-1 type. Why not enhance the existing Conservation Districts and only have one type of Conservation District? Again, keep it simple!

Page 23 – Make the following terms grammatically consistent:

- Likely to get approved
- Maybe approved
- Not likely to be approved

Page 31 – Rather than changing abatement tax assessment calculations for historic buildings why not entirely eliminate abatements except for construction related to historic properties. It could help promote historic preservation.

Page 32 – Should Targeted Home Buying Incentives apply to individually designated properties or just properties in historic districts as recommended?

Page 34 – What types of technical assistance are referred to? Maybe give examples.

Page 38 – B. – Hands-on experience should include training programs for historic preservation crafts that could give unemployed Philadelphians gainful employment.

RePoint Philadelphia

RePoint Philadelphia would like to thank Mayor Jim Kenney for forming the Philadelphia Historic Preservation Task Force. We commend the group's members for months of diligent work, for their efforts to engage the public, and for producing a coherent and actionable set of recommendations. Although we disagree with some of these recommendations and wish others had been included, the Task Force's Final report is in many respects a model document. The process that produced it was also laudable. We especially value the role played by the National Trust for Historic Preservation and hope the organization will continue to advise the City as the work of implementation begins.

Key Recommendations We Support

1. Demolition Review: We are pleased to see the issue of demolitions addressed in section four of the Report with the index of potentially significant buildings (IV.A) and creation of new historic district types (IV.B). The protections afforded to PHC-1 and proposed PHC-2 districts should also be extended in a significant and meaningful way to CD-1 districts. We believe that a workable form of demolition review beyond what is offered here is possible to implement, without creating uncertainty in the marketplace. The demolition review could apply to buildings whose value is known, as the index of potentially significant buildings suggestion shows, and it could be limited so as to be manageable. Please do not delay in creating the list of unprotected historic resources and creating an interim process for protection.

2. Tax Abatements: The recommendation to revise the ten-year tax abatement program to zero basis for improvement abatements (VI.J Regulatory section) is a step in the right direction to correct the problem of the abatement program effectively funding demolitions of historic properties, like Marian Anderson's first performance space (her childhood church) being replaced by tax-abated new construction.

The Task Force's final recommendation pertains specifically to the tax abatement for rehabilitated properties. We would like the definition of an "eligible property" pursuant to the applicable abatement ordinance to be carefully reevaluated during the implementation stage of this recommendation. As currently stated, the definition of an eligible property under this abatement ordinance is too narrowly construed with restrictive parameters, and should be broadened to allow for the rehabilitation and preservation of a broader subset of historic properties.

3. Financial Incentives: The variety of incentives outlined in section six of the report are a good start to help place preservation and reuse/rehabilitation on a level playing field with the City's current regulatory and financial incentives for new construction. The recommendations in the Funding to Building Owners section are a welcome change.

Problematic Recommendations

1. Recommendation V.D – Establish process for expeditiously notifying property owners of designation applications. While the objective of this recommendation is clear and understandable to everyone, the solution presented is unnecessary and potentially both confusing the property owner as well as harmful to preservation. If the recommendations in V.C. (Streamline the Philadelphia Historical Commission nomination review process) are implemented there will be little or effectively no real delay in the PHC staff review and nomination calendaring of new nominations. Notification will be sent to the property owner directly and a concrete and actionable plan action as outlined in the PHC Rules & Regulations open to them. Sending a notification letter out while the PHC staff is reviewing nominations can confuse the property owner into thinking they have an actionable option in regard to the nomination at this stage when they do not.

Sending out notification prior to PHC protection opens the possibility that the nominated historic building or site could effectively be demolished or severely altered without a review as to its historical significance. This recommendation is actually in clear opposition to the intent of the 1984 Ordinance which vested the PHC with the power to review permits for properties “being considered by the Commission for designation” (1986 Ordinance § 7.I). If the 1984 Ordinance did not consider alterations or demolitions to nominated buildings pending final review an issue that provision would not have been placed in the Ordinance. The current problem is the slow process. The solution is to speed up the process through the sound administrative changes outlined in section V.C.

2. Recommendations in section III.A – Create a review system for properties already subject to existing historic district review. The various suggested changes and creation of guidelines this section presents are helpful and can go a long way to help create a clear path of predictability for property owners as they plan improvements and changes to their historic properties. This system should not, however, be used as way to wholesale revisit or alter previously approved historic district or individually listed properties. Given the work the City has before it to protect more unknown buildings, it should not and cannot afford to use limited resources on going over the known older work to the disadvantage of new work.

3. Recommendation in section III.C – Establish new PHC regulatory oversight. Giving the PHC the ability to direct new construction in historic districts is a valuable and important tool that brings Philadelphia in line with many of its peer cities. The recommendation to give City Council the ability to “legislatively remap historic districts to better align zoning requirements” is a dangerous practice to establish. Historic districts have boundaries defined by the criteria by which they were added to the Philadelphia Register. The PHC has the expertise both in the staff, Commission and committees to review this. Opening the process to City Council can potentially subvert the clearly defined powers established by the 1986 Ordinance vested in the Administrative branch (Mayor)

4. Recommendation in section VI.Regulatory Changes.B – Accelerate permit approval for contributing or significant buildings in districts or individually listed ones, for all City and National Register listings. Though it is not explicitly stated, this recommendation should clearly not be applied demolition permits. If it is left in its current state, it could actually allow for the accelerated issuance of demolition permits in National Register districts which is not what the Task Force intended.

Future Areas That Should Be Addressed in Implementation and Beyond

1. Leadership During Implementation. We believe it is imperative that a new leader be appointed to the Managing Director's office, to guide the changes that will be needed to make progress in protecting our cultural resources. This person should appreciate the importance of the built environment, understand the technical aspects of his or her charge, and be able to coordinate efforts between the various city agencies that are mentioned in the Task Force Recommendations. This person should have the trust of the preservation community.

2. Make L&I Part of the Solution. Licenses & Inspections plays a role in the city's rising tide of demolitions but the agency is all but absent from the Task Force's recommendations. At one point, the agency retained a staff member familiar with historic and older buildings. It no longer does so. This means that when developers want a particular building declared "imminently dangerous," the agency generally accedes to the demand without consulting qualified third party experts who might offer an alternative professional opinion. More importantly, with Philadelphia possessing the second largest number of pre-War buildings in the United States, the City should and could benefit from an individual and staff specifically trained in older building systems, engineering and materials. Such specially trained staff could also be a valuable in-house resource to which the PHC could turn when reviewing historic structures or seeking viable preservation solutions to abate imminently dangerous violations.

3. Attending to the Core Issues. Upon its formation, the Task Force was charged with exploring workable solutions to Philadelphia's varied preservation challenges. However, while the City urged the body to focus on technical issues and review "best practices" in other locales, the larger political and administrative context in which Philadelphia preservation policy is conducted went unaddressed. Put in layman's terms, the Task Force was asked to focus on "the rules" at a time when many members of the preservation community believe that more fundamental problems lie with the current interpretation and application of those rules. This is not to overlook the value of certain new tools and adjustments to old ones. A reworked tax abatement, for instance, could indeed do much to slow the rate of demolition simply by changing the way valuations are made. However, the ordinance and rules under which the PHC operates are fundamentally sound. It is the

application of certain provisions, e.g. those pertaining to economic hardship and effective demolition by neglect, that has been especially problematic.

Solving these problems requires political will. Indeed, even the narrower and more technical suggestions the Task Force has advanced will go nowhere without the support of public officials and the public at large. While political considerations necessarily lie outside the Task Force's purview, the question of implementation does not. It is insufficient simply to declare that implementation now falls to the "advocacy community" as some Task Force spokespeople have recently publicly done. It seems clear that onus of implementation falls at least partly on the Mayor, his Planning & Development Director, as well as City Council. The appointment of or the assignment to an individual in the Managing Director's Office to work on the implementation of the recommendations along with preservation community will ensure the Final Report Task Force on Historic Preservation is one that is successful and makes Philadelphia a model for other cities to follow.

We would again like to thank all those who served on the Task Force, the various members of the PHC and DPD staff as well as the National Trust for Historic Preservation who worked hard to produce the report. We look forward to assisting with the implementation of the recommendations of the final report that will insure Philadelphia retains the unique character of its built environment that defines our neighborhoods and our citizens.

RePoint Philadelphia

Aaron V. Wunsch

Katie Dillon Low

J.M. Duffin

Kevin J. Brett

Charlette M. Caldwell

Janice Woodcock

Omar Rosa

Attached please find my review of the PHL's Preservation Task Force final report. I appreciate the opportunity to comment.

In general, the recommendations are good. In regards to the new types of designations, I would like to see our neighborhood, East Point Breeze, be used as an example for the new designation types and how it would affect development.

We have some beautiful buildings from Broad to 18th Street and Washington to Snyder Avenues that have zero protection. It appears like a race to the bottom when it comes to design of new rowhomes in this city and it would be great to see some design guidelines that developers can easily replicate. Even when developers try to fit in with existing buildings, they either exclude a design element or execute poorly.

I am all for modern design but we are not getting modern designs. We are getting poorly designed homes covered with stucco and illegal bay windows that are a detriment to the city. We are also getting classic Philadelphia row homes covered in stucco rather than being rehabbed. Stucco has become Philadelphia's formstone. We don't have to live in these homes but we do have to look at them.

One major aspect that is not touched upon and should be discussed is the jobs impact that may be created by historic preservation. There should be a push for educating local residents to aid in construction that fits in with historic buildings.

(Comments copied over from PDF attachment)

Introduction

- Put the National Register on the local immediately.
- Provide design standards to match existing design in historic neighborhoods.

Recommendation I.

- Policy should be reviewed as to how properties are determined to be “eminently dangerous.”
- Have the RCO’s help out with the survey of their neighborhoods.

Recommendation II.

- Is this really such a hard lift? Google street view has images of the entire city. Using that data, it can help determine what kind of buildings are currently constructed around the city.
- RCO’s should have a part in surveying and investigations.

Recommendation III.

- See Harrisburg and Baltimore for additional best practices.
- Incorporate review fees to help pay for these reviews.
- Many other cities have design standards. We should not rewrite the book on this.

Recommendation IV.

- Demolition delay is needed.
- RCO's can help with the index process.
- Imposing a demo review process in CD-1 is a great idea. We have noticed buildings being demoed for no apparent reason.

Recommendation VI.

- The 10-year tax abatement should be for historic rehabilitation and preservation only.

**Lori Salganicoff, Executive Director
Chestnut Hill Conservancy**

First and most importantly, thank you very much for undertaking this important work to preserve Philadelphia's built history before it is lost.

We support and would like to help with implementation of:

- **Incentivizing** historic preservation
- Activating **Education and Outreach**, and
- Reducing historic building demolition and **broadening neighborhood preservation**
- **Improving the tax abatement for renovation** is of particular interest - there must be financial reasons for the owners of historic properties to choose to renovate them. Given the enormous number of unprotected historic properties in Philadelphia, these incentives should be tied to protecting the buildings through designation.

We applaud the recommendation to **make PHC staff decisions public**, and to ensure that they adhere to the Rules and Regs.

We are also excited to see the recommendation to create an **Historic Building Inventory**, and that this effort should build in part from existing work. The Chestnut Hill Conservancy, formerly CH Historical Society, created the 2,700+ building inventory of Chestnut Hill when we had it listed on the National Register in 1987. Less than 100 of those buildings are protected with Philadelphia Register designation. Our inventory, based on primary research, should be taken advantage of - as should similar such robust inventories.

Finally, a concern. While we heartily agree that the designation process should proceed more quickly, we have great concerns about the recommendation language related to expediting owner notice. Owners are now notified after a nomination is accepted by Staff as complete and correct, and the nomination is added to a Designation Committee agenda for consideration. Once this notification letter is sent, the building is put under the jurisdiction of the Philadelphia Historical Commission, in part to avoid the danger of pre-emptive demolition. As written, this recommendation sounds like the owner should be notified as soon as PHC finds out there is a nomination. If this notification goes out before a building is protected, there would be great losses. **Please do not recommend that notification of possible designation be sent prior to protection.**

Again, thank you for this great work. We, and our fellow Upper Northwest community groups in Mt. Airy, Germantown, and Chestnut Hill, look forward to doing what we can to help the City with this great work.

Dan Sigmans

I am emailing to support all recommendations of the Historic Preservation Task Force that were published in the report. What is happening in this city in terms of demolition of historic buildings will be remembered as a tragedy in years ahead. Anything that can be done to stop or slow the process and incentivize or compel reuse would be a good step in making progress toward realizing the value in our existing built landscape. I would also happily volunteer to help create an historic resource inventory if volunteers are necessary for such a task. As a previous co-author of a historic designation application (First Mennonite Church of Philadelphia), I have some background in research and Philadelphia history that is necessary for this task.

Society Hill Civic Association

Society Hill Civic Association ("SHCA") commends the Task Force for the work done so far on the draft recommendations. In our comments we will focus on our enthusiastic support for particular recommendations; and our view that other particular recommendations would be inappropriate for the Society Hill neighborhood. We will also mention some additional ideas that we believe could be added to the final recommendations.

By way of background, the geographic area of Society Hill is generally defined as between the Delaware River and 8th Street, and between Walnut and Lombard Streets. Society Hill has a large number of properties individually designated as historic and we are also designated an historic district. The Society Hill Historic District, as properly defined by the Philadelphia Historical Commission, is slightly larger in certain parts, most specifically by including PA Hospital, by dipping below Lombard and by crossing over Walnut in the 700 Block.

The opening paragraph of our District designation from March, 1999, appropriately describes the district generally, as follows:

The densely developed blocks of Society Hill (and Pennsylvania Hospital of Washington Square West) Historic District reflect the evolution of domestic architecture in Philadelphia from the mid-eighteenth through the mid-twentieth century. The district's overall character rests on one of the nation's largest concentrated collections of eighteenth and early nineteenth century buildings. The area retains the harmony, scale, materials and rhythm of rowhouse construction and the original pattern of streets, altered only by the redevelopment plan of the 1950s-60s, which, itself, has historical significance.

At the outset, we mention that historic preservation has worked generally very well in Society Hill. We have not heard that properties owners need or desire financial incentives to comply with their responsibilities.

Historic context and character are important in Society Hill. We are generally a low-scale neighborhood with ample open space on each property, and we have distinctive additional open space by our greenways.

1. Zoning should not compete with Historic Preservation: In the draft report, the City's Task Force recognizes that some historic properties are zoned overly-generously in terms of height and massing, to a degree that the zoning is incommensurate with the public interest in preserving the historic structure. The Task Force recommends that such properties be identified and that their zoning classifications be adjusted downward, to remove at least that particular incentive for their owners to seek a demolition or substantial alteration to make way for new construction. The SHCA enthusiastically supports that recommendation. The limitations of the Zoning Code have

been liberalized too much over the years, including increases in height and FAR and the employment of various zoning bonuses, irrespective of the historic status of the particular building and particularly of the surrounding context. The Philadelphia Historical Commission (the “PHC”) has unfortunately seemingly abandoned its role to meaningfully regulate scale. More appropriate zoning would help this process.

2. Society Hill properties should not be eligible for so-called “incentives:” The Task Force’s draft recommendations state the districts with strong protections could be granted “the greatest access to incentives” (page 21) which would mean “of right” increases to density, elimination of parking requirements, possibly unwanted uses in the community and transfer of development rights. We are opposed to this in Society Hill. We are almost 100 percent built out so the only way for development to go is higher up and denser, which is not reflective of the character of the community. Nor are these incentives called for in Society Hill, where our historic resources are generally well-maintained. For the rare unmaintained structure, lack of financial resources is usually not the cause.

3. Tax Values: The Task Force suggests (page 28) that the historic designation of buildings should result in a lower tax assessment. However, there is substantial evidence, including a number of studies, demonstrating that property values tend to rise within historic districts when compared to a similar, non-designated neighborhoods. We are not opposed to the OPA taking into consideration all relevant factors concerning the value of a property, but this blanket recommendation to lower assessments on historic properties, would not reflect the actual wide variation in the market for historic properties depending on factors such as location, the condition of the property, and potential for adaptive re-use.

4. Reduction in Parking Requirements: The Task Force recommends that parking requirements could be reduced or eliminated to decrease the cost of redeveloping historic properties. We oppose this recommendation. This issue is more properly the subject of zoning. In Society Hill, many residents, including new residents, own cars. Developer should not be allowed to cut their own costs by adding more cars to increasingly scarce street parking.

5. Zoning Bonus for Historic Preservation: The Task Force recommends that developers of new projects, whether inside or outside of historic districts, could get a zoning bonus if the developer invests elsewhere in Philadelphia in an historic preservation project. We are opposed to any new zoning bonuses in Society Hill.

6. Accessory Dwelling Units: We are opposed to the Task Force recommendation for blanket incentives such as permitting accessory dwelling units in single family homes. This is a zoning issue not an historic preservation issue. Some historic buildings that are single family homes under the Zoning Code may be appropriate candidates for

accessory dwelling units, others may not be. A blanket incentive for all historic single-family homes would inappropriately and unnecessarily change the density and character of historic neighborhoods like Society Hill.

7. A more-generous tax abatement: The Task Force's draft recommendations would make the 10-year tax abatement more generous for renovation projects by zeroing out the tax basis for the part of the structure being retained. We are opposed to this because we believe the tax abatement is already too generous. If we want to provide an incentive biased towards renovating historic properties, we can keep the abatement for the renovation of historic properties (or even reduce it to 5-years) and eliminate the tax abatement on all other projects.

8. Transfer of Development Rights: The Task Force's draft recommendations would institute a program where a property owner could transfer unused FAR to another property. We are opposed to this in Society Hill. Scale and massing are important in our historic district. Even in New York City, the transfer of development rights program is only allowed in extremely tall high-rise areas. Allowing it in Philadelphia would be yet another assault on our City of pedestrian-scale neighborhoods. We do not need any more zoning bonuses. They are a windfall to the real estate lobby and are unpredictable and unfair to neighbors.

9. Contextually designed buildings permitted: The Task Force's draft recommendations propose that owners of "selected vacant lots" be allowed to ignore the zoning code and build new construction "to match the existing overall physical attributes found within their context." This is a very vague proposal and we are opposed to it, at least until we hear what this proposal means. It does not appear to be related to historic preservation.

10. Special Purpose Buildings: The "of right" re-use of special purpose buildings to "any use" except night clubs and pool halls should not be allowed in Society Hill. We are a dense residential area and allowing "any use" would be inappropriate. We have heard no complaints about zoning uses being too restrictive in Society Hill.

11. Changes to the Commission:

a. More Discretion: The Task Force's draft recommendations propose that the Commission be granted greater discretion in some categories. We oppose this recommendation. We believe the rules and regulations should be made more objective to provide consistency and fairness to decision-making over time.

b. Changes to the Board of L&I Review: The Task Force's draft recommendations propose that review of PHC decisions go to an administrative law judge designated by the Mayor or by the Director of the Department of Planning of Development, with the jurisdiction being constrained and their discretion limited. We are opposed to this recommendation. The Board of L&I Review is

one of the most independent and honorable of the boards and commissions in Philadelphia. It also has the ability to take new evidence, which is good. Any reform to the appeals process should be in favor of more due process and amore rigorous scope of review.

12. Additional changes: We make the following additional recommendations:
- a. Sequence between Zoning and historic preservation: Applicants typically seek and obtain PHC approval prior to applying for a zoning permit. This sequence should be made mandatory.
 - b. Notice to Public: Applicants seeking to alter an historic property should be required to post a notice on the property notifying the public that an application has been filed, and a URL to the PHC website for further information. This already occurs when an applicant seeks to demolish an historic property. An Architectural Committee meeting or a Commission meeting that is technically open to the public for attendance and public comment does not provide for meaningful public input because the public is not notified that the meeting will be taking place. Additional direct notice should be sent to all geographic RCOs whose territories contain the property, via the PCPC's RCO coordinator. We note that the role of the public (i.e., neighbors and community groups) is a topic only mentioned in the Report when it comes to research assistance in documenting and developing historic inventory. More public involvement in the actual decisions about proposed alterations and demolitions results in better outcomes.

University City Historical Society

On behalf of the Board of Governors of the University City Historical Society, I am pleased to provide our comments to the *Final Recommendations Draft* prepared by the Philadelphia Historic Preservation Task Force. The University City Historical Society (UCHS) is a volunteer preservation advocacy group that promotes awareness of the history and architectural character of near West Philadelphia. We strongly support all efforts to champion historic preservation within the City of Philadelphia and are grateful for the efforts of the Historic Preservation Task Force in seeking sustainable solutions to the preservation crises that continue to plague our city.

We provide the following comments:

Comment 1: The final report should identify those action items that can be implemented immediately to ensure that our historic resources are protected while the bulk of the recommendations are implemented over the next several years. Given the current preservation crisis and culture of demolition, our City is likely to see irreversible losses of our historic assets while we wait for the Mayor and City Council to take on legislative solutions.

Comment 2: UCHS supports efforts to identify thematic districts that include West Philadelphia properties including firehouses, churches, theatres, etc.

Comment 3: Page 10 identifies the need to create a citywide survey program for historic and cultural resources. While it is understandable that this is a significant undertaking, the City should properly fund this effort so that this survey can be undertaken consistently and in a timely manner. While Civic Associations and Non-Profits should undoubtedly be consulted when identifying and confirming historic and cultural resources of their neighborhoods, there may be many neighborhoods that are not set up to take on this task.

Comment 4: Table 1 on Page 13 lists recommended criteria for proposed survey protocol. This information should be overlaid with each site's zoning designation and lot size to determine if a property is vulnerable for demolition based on the underlying zoning classification or FAR.

Comment 5: The historical resource inventory should identify whether the loss or alteration of a property would be detrimental to the streetscape or integrity of the block or neighborhood that it is in. For instance, is the property one part of a larger development? Was it built as part of a contiguous row by the same developer and/or architect? This information is important in understanding whether the demolition of an individual structure would degrade the historic integrity of the adjacent structures.

Comment 6: The University City Historical Society believes the current requirements for designation are overly burdensome. UCHS has been the sponsor of dozens of nominations to the Philadelphia Register of Historic Places. The process for designation is beyond the capacity of most private citizens, and despite our technical expertise and knowledge, we still have to rely on the help of paid consultants to complete nominations. UCHS believes that countless of properties that deserve nominations are left without protections as a result of this difficult process.

Comment 7: UCHS supports higher funding and staff levels for the Philadelphia Historical Commission (PHC)

Comment 8: UCHS believes that the PHC has to a degree lost focus of its mission to preserve Philadelphia's architectural history and acts against preservation with a strange emphasis on structural integrity. Until there are SOI qualified architects and engineers on staff to properly evaluate structures, the PHC should advocate instead for buildings that retain a high degree of architectural integrity according to the NPS definitions.

Comment 9: UCHS believes that the Zoning Board of Adjustment should include at least one representative member from the historic preservation community.

Comment 10: Page 19 notes that "Demolition of existing buildings and incompatible new construction are altering neighborhoods throughout the city." This cannot be overstated. It should be noted that the Powelton Village Neighborhood Conservation Overlay exists precisely for this reason, but unfortunately NCO's are not set up to regulate demolition. UCHS believes that existing Neighborhood Conservation Overlays should be modified to include a demolition delay, not just those in the proposed CD-1.

Comment 11: Page 20 indicates "It is anticipated that the Index could include hundreds of unrelated properties throughout the City." UCHS believes this is grossly underrepresenting the number of unprotected but eligible properties. This quantity is more likely to be in the thousands or tens of thousands.

Comment 12: Regarding the index of potentially significant buildings (Page 20), there is no recommendation for how this index would be created. There should be the opportunity for public input so that potentially vulnerable properties are not mistakenly omitted by the PHC.

Comment 13: With tens of thousands of buildings at risk of demolition, we do not believe the demolition delay provision is strong enough. A demolition delay should be enacted immediately for all structures older than 50 years (or 75) so that their historic integrity and worthiness of designation can be assessed.

Comment 14: The Demolition delay should consider whether a block or grouping of buildings would be negatively impacted based on the demolition of an individual structure (i.e. an individual unit within an in-tact row).

Comment 15: UCHS supports the recommendations for new types of Historic Districts.

Comment 16: Regarding the new type of Neighborhood Conservation Overlay (CD-1) proposed on Page 21, it is worth exploring whether the existing Neighborhood Conservation Overlay should simply be amended to include the provisions of CD-1. A new type of Conservation Overlay may not be required.

Comment 17: Page 21 indicates that existing Neighborhood Conservation Overlays have the ability to regulate parking, but we do not believe this to be the case.

Comment 18: UCHS strongly supports incentives for historically designated properties.

Comment 19: The by-right zoning provisions suggested on Page 29 should be careful to exclude certain uses that are simply incompatible within certain zoning districts. For instance, there are plenty of churches located within residential neighborhoods, but that doesn't mean they should be allowed to become a night club without proper approvals.

Comment 20: UCHS encourages preservation to be included in the mission of several city agencies including but not limited to, the Land Bank, the Office of Sustainability, the Department of Licenses + Inspections, the Mayor's Fund.

Comment 21: UCHS supports efforts to identify thematic districts that include West Philadelphia properties including firehouses, churches, theatres, etc.

On behalf of the University City Historical Society, I would like to thank the Task Force for their efforts. The recommendations set forth by the Task Force show a deep understanding of the issues at hand and we sincerely hope that these recommendations will yield positive results for the state of preservation in the City of Philadelphia. Thank you for providing us the opportunity to comment.

Dane Wells

I would like to suggest that the approval for real estate tax abatement be tied to proper adherence to the directives of the historic commission (and also the design review board).

What this would mean, is that where a developer may legally be able to do something, if the Commission (or design board) do not fully approve, the developer may be denied tax abatement.

Such a measure would give serious teeth to the commission and board. Why should we dole out an incentive to someone who isn't playing by the book?



Historic Preservation Best Practices Report for the City of Philadelphia

Philadelphia Historic Preservation Task Force

with the
National Trust for Historic Preservation

September 2018

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FOREWORD FROM THE CHAIR

Philadelphians are justifiably proud of the role that Philadelphia has played across more than three centuries of American history. From our founding in 1681 to today, the development of the city and its neighborhoods read as a veritable history book chronicling the story of the American city.

As the principal city of one of the thirteen original colonies, and the site of landmark events, inventions, and discoveries from our earliest days up to the present – indeed, William Penn’s and Thomas Holmes’ 1682 plan for Philadelphia itself is a seminal planning document in the history of urban development – Philadelphia’s built environment is comprised of a surfeit of momentous buildings, sites, landscapes, and objects.

Over the past decade, as Philadelphia’s economic fortunes have improved following a nearly-50-year decline, we are, for the first time in more than a generation, confronted with the impact of significant new development on the historic building fabric of the city. An exciting influx of new Philadelphians bodes well for our future urban prospects, and yet, new construction in parts of the city is, at times, testing the relationship between the character of the new and the preservation of the old Philadelphia. This is to be expected in a city as old and as well-built as ours.

To help understand the dynamics of the relationship between historic preservation and new construction in Philadelphia today, Mayor Jim Kenney convened the Philadelphia Historic Preservation Task Force in July 2017. Our charge is to put forward actionable recommendations that the city can use to help balance preservation and new construction.

We are two-thirds of the way along in this process. In the spring, we released our first report which focused on the state of preservation in Philadelphia today. Our second report, issued herein, documents promising preservation practices from across the country that can help us as we develop our recommendations. Our final report will be delivered to the Mayor and City Council in late-2018.

Projects such as this are truly team efforts. Vice Chair Dominique Hawkins has provided steady and gracious leadership. Elizabeth Okeke-Von Batten brings both exceptional administrative support and preservation knowledge to the endeavor. The National Trust for Historic Preservation has offered us a national perspective and the gift of research. The William Penn Foundation has helped to underwrite these efforts. And, PennPraxis has facilitated a conversation about what Philadelphians think is important about preservation. But, it is the labor of the 33 task force members themselves who have given generously of their time, their talents, and their wisdom to whom we are most grateful. The work is enriched by all of these contributions.

Harris Steinberg, FAIA, *Chair*
Philadelphia Historic Preservation Task Force

HISTORIC PRESERVATION TASK FORCE VISION

Philadelphia in 2035 is an internationally recognized leader in historic preservation practices, celebrating the unique identity of the city's historic buildings, blocks, and neighborhoods through continued stewardship, innovative development, restoration, and reuse.

Philadelphians are active protectors of their neighborhood history and cultural identity. In a groundbreaking partnership, the city government, civic leaders, planners, and preservation professionals identify and protect historic resources so that they may best be leveraged as assets by businesses, developers, and residents, preserving both heritage and sense of place for current and future generations.

The city uses a comprehensive set of tools that include incentives, protections, education, and planning to preserve historic places in active use and contribute to the extraordinary layering of history that makes Philadelphia unique.

INTRODUCTION

Background

In May 2017, Mayor Jim Kenney invited 33 members of the public – preservationists, architects, developers, community advocates, educators, and City staff – to serve on the Philadelphia Historic Preservation Task Force. As the Task Force, our charge is to review the current policies that support historic preservation in Philadelphia and provide recommendations in the following four topical areas:

Survey and Inventory of Historic Resources

Create a process for identifying historic assets citywide

Incentives for Preservation

Identify incentives for individual property owners and developers to preserve historic resources

Regulations for Preservation Outcomes

Identify potential policy and legal reforms to strengthen the City's Historic Preservation Ordinance while welcoming new investment

Outreach and Education

Provide materials for residents, building industry professionals, City staff, and others to convey the value of historic preservation as well as Philadelphia's preservation laws and process

Objective

This report highlights best preservation practices from other major U.S. cities that we found relevant to the preservation challenges facing Philadelphia today. These best practices were identified by the National Trust for Historic Preservation (National Trust) through a rigorous research process and reveal an array of options for addressing Philadelphia's challenges.¹

Prior to this report, we published "Preservation in Philadelphia," a white paper that outlines existing conditions for preservation practice and activities in Philadelphia.² Following this second report, our third and final report will provide a set of actionable recommendations for how the City and community partners can better support and improve preservation practices, policies, and processes throughout Philadelphia. The final report is scheduled to be released, in draft form, to Mayor Kenney and the Philadelphia City Council this winter.

¹ The National Trust is a national nonprofit that protects significant places representing the U.S.'s diverse cultural experience by taking direct action and inspiring broad public support. Visit savingplaces.org for more information.

² "Preservation in Philadelphia" can be found at www.phlpreservation.org/reports

Methodology

The following guiding principles were drafted at the beginning of our 18-month process to inform our query, research, and conclusions:

- Historic preservation is an important public good, recognized in law, policy, and practice;
- Historic preservation must be understood as part of a larger system of city growth and development – one that is regulatory as well as flexible and allows for new real estate development to be added to Philadelphia’s legendary building stock;
- Many of Philadelphia’s neighborhoods have a strong sense of place. The City needs tools to encourage growth and historic preservation. Historic preservation must expand to engage the diversity of our city; and
- Philadelphia’s buildings contain a wealth of stories. These neighborhood histories need to be captured for future generations, allowing historic preservation to be understood to be as much about people and events as it is about buildings, sites, objects, and landscapes.

Each Task Force member was assigned to one of the following working subcommittees based on areas of expertise and interest:

Survey and Inventory: Responsible for designing an approach for identifying, recording, and evaluating historic assets citywide.

Regulatory: Responsible for identifying policy and legal reforms to strengthen the City’s Historic Preservation Ordinance and other City rules and regulations that protect historic properties.

Incentives: Responsible for identifying incentives for property owners and developers to encourage preservation of historic properties.

Outreach and Education: Responsible for providing ways for residents, building industry professionals, City staff, and others to convey the value of historic preservation as well as have a thorough understanding of the City’s historic preservation laws and processes.

The subcommittees have been working both independently and together to:

- Identify and prioritize issues and challenges that must be addressed in order to improve Philadelphia’s historic preservation process and policies;
- Submit research topics to the National Trust for further study;

- Analyze the tools that City agencies and community organizations currently use;
- Review the National Trust’s research results and their applicability to the City of Philadelphia³; and
- Develop recommendations for strategies and processes that can encourage, and in some cases enhance, the City’s and the community’s ability to support robust historic preservation activities throughout Philadelphia.

Divided into five parts, this report summarizes the national best practices in historic preservation policies and programs research that each working subcommittee conducted during the spring and summer of 2018. This research responds to and is paired with the current challenges to Philadelphia’s historic preservation activities and programs that we identified. As we begin to draft final recommendations, we are analyzing and, in some cases, applying these identified best practices for the successful implementation of historic preservation policies and programs in Philadelphia – a summary which will be provided in the Task Force’s final report at the end of 2018.

³ See Appendix p. 38.

PART I: ASSESSING AND PROTECTING PHILADELPHIA'S HISTORIC RESOURCES

Philadelphia lacks a comprehensive survey of its built environment, from which an inventory of the city's historic and potentially historic resources could be generated, analyzed, and used to inform preservation planning decisions. Without such a survey, Philadelphia's historic preservation program is primarily reactive. With such a survey, Philadelphia could plan for preservation holistically and allocate its scant resources more strategically and efficiently, thereby better protecting the city's historic sites.

After determining that a comprehensive citywide historic preservation survey and inventory is essential to a successful preservation planning program, we submitted the following questions to the National Trust:

- What do we know about the extent and quality of Philadelphia's current survey data and the systems and processes currently in place for managing that data?
- What are the merits of comprehensive, traditional, lot-by-lot survey research as opposed to newer survey techniques?
- How can the public, including neighborhood and community representatives, participate in the survey of historic resources and the analysis of resulting data?
- How should data on archaeological and other non-architectural resources be surveyed, stored, managed, and analyzed?

The National Trust explored best practices related to historic preservation surveys and inventories in other U.S. cities and provided us the research results. Based on these results, we identified the key challenges hindering the Philadelphia Historical Commission (PHC) from developing a comprehensive survey of Philadelphia's built environment and an inventory of its historic resources.

Challenge

There is a desire and fundamental need, but not a process, nor staffing capacity to complete a citywide survey and inventory, hence there is:

- **Limited, uneven, and incomplete survey data and historic inventory of Philadelphia's historic structures, buildings, sites, objects, interiors, and archaeological resources;**
- **No citywide inventory and no citywide agency sharing plan; and**
- **No current digital inventory management system to collect and track historic resource data.**

Explanation

In 2016, the National Trust released a report, *Atlas of ReUrbanism*, that compared the status of historic preservation efforts in 50 cities across the country.⁴ The National Trust found that Philadelphia has:

- 4.2 percent of all properties listed on the National Register, compared to the national average of 6.8 percent;
- 2.2 percent of all properties listed on the Philadelphia Register of Historic Places (Philadelphia Register) compared to the national average of 4.3 percent; and
- 9.4 percent of housing units vacant, ranking 21st among the 50 studied cities.⁵

Although the PHC was established in 1956, neither the City of Philadelphia nor its partners in nonprofit and academic communities have ever developed a comprehensive, citywide inventory of historic resources to determine the extent of resources that might be eligible for listing on the Philadelphia Register.⁶ Since there is not a centralized, standardized, and comprehensive inventory of Philadelphia's historic resources, we are exploring the process for developing a comprehensive, citywide survey and an inventory of historic resources that would draw from and expand upon the historic preservation memoranda prepared for Philadelphia's 2035 Citywide Plan.⁷

As part of our assessment, we are considering various survey methodologies, the types of data needed for subsequent analyses, potential criteria for determining historic value, ways of prioritizing resource types and geographical areas, and the needs of end users including public and private partners. We believe that this evaluative process will help the City develop and populate a digital survey system that can integrate with related systems in and out of City government and facilitate maintenance and sharing of the data. Additionally, we are examining whether these efforts should capture a broader range of data to assist other City agencies, partners, and the public involved in managing our cultural heritage.

The development of a digital inventory management system that captures legacy data, incorporates new survey data, and affords analyses of that data is essential to address Philadelphia's historic preservation challenges. To protect and manage its historic resources strategically, efficiently, and effectively, we determined that the City of Philadelphia must: (1) identify the extent and quality of existing survey data; (2) develop a system to collect, store, maintain, and analyze data the location and character of historic resources in the city; (3) populate the system with legacy and new data that comprehensively describes

⁴ <https://forum.savingplaces.org/act/research-policy-lab/atlas>

⁵ Information is based on a presentation by Jim Lindberg of the National Trust to the Historic Preservation Task Force on September 14, 2017.

⁶ The Register is the inventory of buildings, structures, sites, objects, interiors, and districts that the PHC has designated as historic. Visit <https://www.phila.gov/historical/register/> for more information.

⁷ For more information on Philadelphia2035, visit <https://www.phila2035.org/>

all historic resources in the city; and (4) continually maintain and expand that data as ideas around historical significance evolve.

Best Practices

Survey Methodology and Inventory Management System

The National Trust best practices report outlines basic criteria for setting-up an effective Survey and Inventory Management System that, when applied to historic preservation, can serve as a central repository of information on historic properties and cultural resources.⁸ Management systems store information on cultural resources, including, but not limited to: location, designation status, year built, date of last survey / inspection, and condition.

Examples of effective inventory management systems used in other cities include:

- **New York Landmarks Preservation Commission (NYLPC)** uses a combination of spatial database software to manage its cultural resource inventory of approximately 36,000+ buildings. Prior to developing this inventory, NYLPC had over 50 years of information available in a variety of formats. In 2014, NYLPC was awarded a \$50,000 grant from the New York Community Trust to digitize and compile this information into a master database. Over three years, this grant was used to hire four data fellows who, with the GIS Administrator, completed the task of digitizing over five decades of designation reports and internal research documents. This information was then merged with New York City's land use and assessor dataset (PLUTO) to create a robust, comprehensive inventory on both the City's designated historic resources and other surveyed structures. After a 2017 implementation, New York's full-time GIS Administrator focused on managing this inventory, and new information is added every year through the efforts of NYLPC research staff, who survey thousands of properties annually. These surveys and their results are not publicly available and serve as internal work products used by staff to identify potential landmark properties, monitor areas undergoing development, and to pre-emptively gather information on properties potentially undergoing regulatory review.⁹
- **Los Angeles' Office of Historic Resources (LAOHR)** uses Arches, an open-source, web-based heritage and inventory management system developed by the Getty Conservation Institute and World Monuments Fund.¹⁰ The City of Los Angeles' Arches deployment, called Historic Places LA, is the first adoption of this inventory management system by an American city. As part of its

⁸ An inventory management system refers to the systems used to store, maintain, and update this type of information, as well as the systems set in place for managing the inventory itself. See Appendix p. 39.

⁹ For more information on the New York City Landmarks Commission spatial database software, see Appendix p. 39.

¹⁰ The Arches database is a collaboration between the Getty Conservation Institute and World Monuments Fund, and it is a project to develop an open source, web- and geospatially-based information system that is purpose-built to inventory and manage immovable cultural heritage. For more information, visit:

http://www.getty.edu/conservation/our_projects/field_projects/arches/

development and implementation as a citywide cultural resource survey, LAOHR was created in 2006 and launched a 10-year citywide survey effort called SurveyLA.

Prior to SurveyLA, only 15% of the city's 880,000 parcels had been surveyed, often for National Register nominations or by the Los Angeles Redevelopment Agency as part of revitalization initiatives. SurveyLA was conceptualized and implemented as a full-scale effort to develop a baseline of information on the city's historic resources by gathering up-to-date, comprehensive information on the entire city. It consisted of two phases: a four-year initiation phase, followed by a six-year implementation phase. Historic preservation experts and cultural resource management firms were contracted by the City to conduct the field survey. Once the field survey was complete, LAOHR used contractors to deploy their inventory management system on Arches. During the 10-year period, SurveyLA consisted of a small core team of two full-time staff at LAOHR, along with two full-time GIS staff from the City's GIS division who managed and compiled survey.

Today, Historic Places LA is managed by one GIS specialist from the City's GIS division and one full-time LAOHR staff member. The GIS specialist provides technical assistance to LAOHR and is responsible for managing the inventory platform. Together, these positions manage the Arches inventory management system for the city. (While the Historic Places LA website is open and publicly accessible, it is managed and maintained in isolation from Los Angeles' new open data portal, OpenDataLA, which is designed as a one-stop-shop for the public to access various datasets on the city.)¹¹

In both Los Angeles and New York, the inventory initiative is owned and managed by each cities' historic preservation agency. These inventory management systems serve as central repositories of information on historic resources and cultural heritage. In both cases, historic preservation agency staff members use the inventory management system to assist in their work, and a subset of information from the full dataset is also shared with other City agencies and the public.

Both City agencies report that developing these inventory systems has had a positive impact: information is centralized and easier to view, assess, and share internally, across government agencies and with the public. Also, both cities noted that critical staff time is no longer needed to respond to public inquiries about designated properties, since this information is now easily accessible online. Sharing data with other governmental entities, such as respective state historic preservation offices, is also made easier.

Addressing Cultural Significance

Together with our colleagues at the National Trust, we found that there is a desire and a fundamental need for the PHC and associated City agencies to develop a survey and inventory approach that

¹¹ For more information about the Los Angeles' Office of Historic Resources' Arches database and Survey LA, see Appendix p. 41.

recognizes places of historic, architectural, and cultural significance as well as archaeological resources, cultural landscapes, and intangible heritage. This multi-faceted approach would expand the scope and relevance of historic preservation in Philadelphia and, given how few examples are available nationally on cultural significance incorporation, this could be an area where Philadelphia could innovate and lead.

The National Trust identified the following examples regarding how best to incorporate cultural significance more readily in historic surveys:

- **Survey of Non-Parcel Resources and Community Outreach**

The City of Los Angeles' survey initiative documents places of cultural significance in two ways:

- Recognizing that cultural resources are not limited to buildings or structures located on parcels, SurveyLA includes the survey of non-parcel resources including infrastructure, such as public stairways, air raid sirens, pedestrian tunnels, bridges, and medians. Examples of surveyed, non-parcel resources are found on the public Historic Places LA web application as well as in the LAOHR's prepared print reports for each community area.
- Prior to conducting an area field survey, the LAOHR core survey team invests at least six months' lead-time in community outreach; identifying and consulting local experts and community leaders. While depending heavily on historic preservation experts to identify resources with architectural significance, LAOHR recognizes that it is important to receive direct community input on places of cultural significance.¹²

- **Cultural Mapping**

The practice of encouraging residents to indicate areas of importance, either by drawing their own maps or marking provided maps, is often used for community planning exercises, as well as environmental and natural resource management. Called Public Participation GIS (PPGIS) or Participatory GIS (PGIS), the practice attempts to empower and include otherwise marginalized communities in the decision-making process by providing increased access to information and input.

The Office of Historic Preservation (OHP) in San Antonio, TX engages the community in cultural mapping to "collect shared experiences that reflect the 'intangible heritage' such as traditions, arts, spirituality, and events through storytelling and map-making." It is unclear, however, how this information is being applied to historic preservation planning efforts in the city.¹³ Additionally, the City also has a cultural historian on staff who is responsible for developing, implementing and facilitating initiatives to solicit public input for the purpose of identifying historic sites of cultural significance in this multicultural city.

¹² For more information about how Los Angeles' Office of Historic Resources addressed cultural significance, see Appendix p. 54.

¹³ For more information about Cultural Mapping, see Appendix p. 49.

Staffing

We believe that historic preservation and related historic property survey and inventory work may gain more widespread support and interest if community volunteers are engaged in information collection and input. Volunteerism and partnership in surveying could yield several benefits, if well managed; it increases the amount of labor available to conduct work, and with greater economic efficiency (i.e., less expensively), and it doubles as a tool for community outreach and stakeholder involvement (though requiring rigorous quality control).

The National Trust identified the following examples from other cities that have supported staffing challenges through volunteerism:

- **The City of Alexandria, VA** sponsors a volunteer-led, City-supervised survey effort to update information of the late 18th and early 19th century properties. While other cities and organizations have also leveraged and encouraged volunteer participation in field survey efforts, Alexandria's approach is unique with regards to the level of detail collected; it is an intensive architectural survey, as opposed to a rapid assessment, and conducted by a volunteer force. The ongoing Historic Resource Survey of Old and Historic Alexandria districts provides the City with a way to slowly update its obsolete data with detailed information, despite limited funds and staff capacity, and increase public interest and support for its historic preservation-related efforts.¹⁴
- **The City of Los Angeles, CA** structured SurveyLA with a heavy emphasis on incorporating volunteer input in the overall survey design as well as information collection, but with clearly defined roles for volunteers, preservation experts, and preservation interns. During initial survey set-up, a Community Engagement Subcommittee was organized as part of the process to conceptualize SurveyLA's community outreach strategy. The Community Engagement Subcommittee's work significantly shaped how SurveyLA's workflow was structured by:
 - Defining the survey areas, using an existing boundary-type developed and actively used by the Planning Department;
 - Determining an order for surveying the community areas;
 - Conducting a minimum of six months of community outreach in the active community area by LAOHR;
 - Drafting community-area context statements; and
 - Hiring preservation consulting firms to conduct field survey work, using the context statements as a guide.

¹⁴ For more information on the City of Alexandria, VA case study, see Appendix p.51.

LAOHR staff stressed the importance of community outreach, and the initial outreach efforts focused on attending community meetings and identifying potential partner organizations and local neighborhood experts. This served as a way for SurveyLA to gain critical background information that would both inform the field survey and garner public support prior to the undertaking of the field survey in that community area.¹⁵

Expanding the types of participants involved in a survey and inventory process benefits both the City staff as well as the community. By providing volunteerism opportunities for the field survey and help with community education and advocacy, Alexandria and Los Angeles found that they could reduce costs for their survey activities and improve transparency and support for historic preservation practice.

¹⁵ For more information on the Survey LA volunteering, see Appendix p.53.

PART II: DESIGNATION OF PHILADELPHIA'S HISTORIC RESOURCES

The Philadelphia Historic Preservation Ordinance allows for the designation of historic buildings, structures, sites, objects, public interiors, and districts. A resource can be designated if it:

- Relates to an historical event, person, or development,
- Exemplifies architectural or archaeological significance,
- Is the work of an important designer,
- Exemplifies innovation,
- Forms a familiar visual feature, and / or
- Exemplifies Philadelphia or national heritage.

Philadelphia's Historic Preservation Ordinance is unusually broad in power and scope. For example, anyone may nominate an historic resource satisfying the criteria listed above for designation and listing on the Philadelphia Register.

Once a nomination has been prepared and submitted to the Historical Commission, the process is as follows:

- PHC staff reviews the nomination to determine if it is "complete and correct." If it is not, the staff returns it to the nominator and the process ends. If it is "complete and correct," the process continues.
- The PHC staff schedules reviews of the nomination before the Committee on Historic Designation and the Historical Commission, and then the staff issues written notice to the property owner announcing the consideration of the nomination. The Historical Commission's jurisdiction over a property begins on the date of written notice.
- The Committee on Historic Designation considers the nomination and makes a non-binding recommendation to the PHC at a public meeting.
- The PHC considers the nomination and its committee's recommendation at a public meeting and decides whether to designate.
- Anyone aggrieved by a designation may appeal it to the Court of Common Pleas.¹⁶
- Designated properties are added to the Philadelphia Register.

¹⁶ The Court of Common Pleas are Pennsylvania's courts of general trial jurisdiction, and they serve as the venue to hear historic designation appeals.

Once a property is placed under the Historical Commission's jurisdiction, the Historical Commission reviews proposals to alter the property to ensure that they satisfy historic preservation standards.

- The PHC reviews for approval all applications proposing to alter a historic building, its site, and / or permanent site accessories like fences and walls. The City's Department of Licenses & Inspections (L&I) will not issue a building permit for the proposed work until the PHC has approved it.
- Proposals for interior-only work are approved administratively and automatically, unless the interior itself is designated.
- The PHC's reviews are guided by *The Secretary of the Interior's Standards for the Treatment of Historic Properties*, a set of historic preservation standards and associated guidelines issued by the federal government.
- About 90% of all applications to undertake work at designated properties are approved by the PHC staff administratively, within five days of the receipt of a complete application. The remaining projects are reviewed by the PHC's Architectural Committee and the PHC at their monthly public meetings.
- Any party distressed by a PHC decision on a permit application may appeal the decision to the Board of Licenses and Inspection Review (BLIR).

Although Philadelphia's historic preservation processes are generally considered to be thorough and straightforward, we detected some frustration among constituents, especially property owners, with regard to the building permit application review process.

During our initial review of the designation process we submitted the following scoping questions to the National Trust for further investigation pertaining to best practices for designating Philadelphia's historic resources:

- Should specific documentation be required in the nomination to guide the following regulatory reviews?
- To what extent should the City modify and clarify the Ordinance and the PHC's Rules & Regulations to address current and future needs?
- Can the PHC improve the procedures related to property owner notification of the consideration of a nomination?

The challenges outlined in this section relate not only to the processing of nominations for historic designation to the Philadelphia Register, but also to the need for outreach and education about the benefits of historic designation.

Challenge

There is not a clear and universal understanding of how the nomination and historic designation of properties to the Philadelphia Register protects these historic resources and how historic designation impacts property owners.

Explanation

Although the PHC designation process has remained essentially unchanged since it went into effect in 1985, we observed a lack of understanding about the process on the part of the general public and owners of historic properties. In particular, constituents lack an understanding of the benefits and restriction of historic preservation. Also, property owners sometimes lack an understanding of the regulatory processes that result from historic designation.

We found that there is a lack of information available to Philadelphians about navigating the designation and subsequent permit review processes, as well as the benefits and restrictions associated with historic designation (as illustrated in the first challenge in this section). Although organizations like the Preservation Alliance for Greater Philadelphia, in partnership with the PHC, have produced step-by-step nomination and permit review guides for a public audience, these guides are outdated and are readily available digitally.

Also, we found that the statistical data demonstrating the benefits and challenges of designation of historic resources are absent from the City's website and print materials. This information is vital to potential nominators as they decide whether to pursue designation of properties to the Philadelphia Register and to property owners as they assess the impacts of the designation of their properties to the Philadelphia Register.

Best Practice

As we considered education and outreach methods that would help the general understanding of the benefits of nomination, and ultimate designation to the Philadelphia Register, we reviewed the following best practice:

- **In Washington D.C.**, the Historic Preservation Office and Planning staff participate in neighborhood meetings and events to meet residents and advocate and advise about maintaining the integrity of historic resources and districts. Goals include: creating partnerships to “increase public advocacy for historic preservation and cultural heritage programs;” and to “expand public information about preservation policies, the review process and properties that

may merit protection.”¹⁷ The importance of these local partnerships and participation in neighborhood meetings is highlighted in the City’s 2020 DC Historic Preservation Plan.¹⁸

When reviewing other U.S. cities’ informational guides to civic design processes, we found the following examples to have clear, step-by-step, and user-friendly text and graphics that translate seemingly complex processes into straightforward ones:

- Center for Urban Pedagogy Envisioning Development handbooks and online guides¹⁹
- The City of New Orleans Historic Districts Landmarks Commission Design Guidelines²⁰
- The City of Pittsburgh Historic Preservation Guidelines²¹
- The City of San Antonio Historic Design Guidelines²²

Challenge

A “one-size-fits-all” historic nomination and designation process is insufficient.

Explanation

Nominators of properties to the Philadelphia Register can be challenged by the substantial amount of research and documentation required to prepare a nomination. Since nominations are submitted by authors from various backgrounds, the quality of nominations varies greatly. Often, nominators need assistance from the PHC staff to complete nomination forms. Yet, for the PHC to justify hindering a property with regulation, thorough and well-researched information is necessary for a nomination. Moreover, good documentation helps the PHC create a more comprehensive inventory of the city’s historic resources.

We found that because the PHC is not required by its Ordinance to designate a resource, even if it satisfies all of the criteria for designation, the PHC’s nomination review process can be perceived as subjective, and, thus, the PHC’s decisions on approvals and or rejections of nominations have been viewed as inconsistent.

Best Practices

When considering alternative approaches to the nomination and designation process that might solve the challenge and associated explanation listed above, we reviewed the U.S. Department of the

¹⁷ See Appendix p. 93.

¹⁸ For more information about the DC 2020 Historic Preservation Plan, visit <https://planning.dc.gov/page/dc-historic-preservation-plan>.

¹⁹ For more information on the Center for Urban Pedagogy resources, visit www.welcometocup.org

²⁰ To access the City of New Orleans Historic District Landmark Commission guide, visit www.nola.gov/hdlc/design-guidelines/

²¹ To access the City of Pittsburgh Historic Preservation Design Guidelines, visit apps.pittsburghpa.gov/dcp/Pittsburgh_HP_Design_Guidelines.pdf

²² To access the City of San Antonio Historic Design Guidelines, visit www.sanantonio.gov/historic/Resources/HistoricDistrictGuidelines

Interior's determination of eligibility (DOE) review process. The DOE review process includes an abbreviated step before a full nomination is created to establish whether or not criteria for nomination can be met.²³ This step can help nominators and City staff in two ways: (1) before nominators submit a full nomination form, they submit a shorter form that asks for baseline information about the historic resource; and (2) City staff can readily evaluate whether the historic resource is eligible based on the criteria set forth in the Historic Preservation Ordinance. If the information proves that the historic resource is eligible, then the nominator proceeds with additional research and completes the full nomination form. At this point in the process, City staff would provide more strategic assistance earlier in the nomination process. With this earlier intervention in the nomination process and early evaluation against the designation criteria, the unpredictability of the review process could be mitigated.

²³ For more information on Determination of Eligibility review processes, visit <https://www.law.cornell.edu/cfr/text/36/63.2>. This process is activated via the Section 106 Review process when the City receives federal funding for housing-related projects.

PART III: REGULATORY PROTECTIONS FOR PHILADELPHIA'S HISTORIC RESOURCES

There are many laws, regulations, programs, and policies that influence historic preservation in Philadelphia, including the Building Code, Zoning Code, tax policies, and code violation system. The law that codifies Philadelphia's historic preservation processes is the Historic Preservation Ordinance (the Ordinance), which is part of the Philadelphia Zoning Code. The Ordinance invests the authority to designate and protect historic resources in the Philadelphia Historic Commission (PHC). While the PHC regulates local historic resources under the Ordinance, historic resources in Philadelphia listed on the National Register of Historic Places and National Historic Landmarks are also regulated by the state and federal governments under the National Historic Preservation Act.²⁴

During our review of the regulatory process, procedures, and protections related to Philadelphia's historic resources, we discovered incompatible support, or lack thereof, for historic property owners between: 1) the assessment of an historic property's significance based on its local designation criteria, 2) the regulations that govern alterations on that historic property, and 3) the incentives to aid the historic property owner in efficient and affordable ways for the support, care, and maintenance of that historic property. For this third point, other than additional regulatory review and technical assistance for any modifications to designated historic properties, we found that historic property owners experience few tangible benefits after their historic property is listed on the Philadelphia Register. (These benefits could include grants, tax credits, and exemptions from fees in situations where the historic property could receive an increased assessment, resulting in potential economic hardship).

During our initial review, we submitted the following scoping questions to the National Trust for further investigation regarding national best practices for regulatory processes, procedures, and protections:

- Is it possible to modify the current regulatory framework to ensure that historic preservation in Philadelphia's neighborhoods will not impose unrealistic and costly regulatory burdens on homeowners and neighborhood businesses?
- Are the *Secretary of the Interior's Standards for the Treatments of Historic Properties* the appropriate criteria with which to review all types of alterations for all properties?
- What revisions can be made to the Ordinance and the PHC procedures to ease regulatory and financial burdens on designated properties?
- Is there a better way to address appeals of the PHC's decisions?

²⁴ For more information regarding nationally significant historic places designated by the Secretary of the Interior visit <https://www.nps.gov/nhl/>

- Should the Ordinance be revised to require plenary review of proposals for undeveloped sites in historic districts, replacing the current review and comment jurisdiction?
- Is it feasible or practical to establish a demolition delay process?

After reviewing other U.S. cities' historic preservation ordinances, we concurred with the National Trust's assessment that Philadelphia has a strong historic preservation ordinance. However, though the Ordinance has strong protections for historic properties on the Philadelphia Register, the City does not have regulatory policies and programs in place to appropriately incentivize the reuse of historic properties. The challenges outlined in this section address the City's current regulatory framework and suggest additional or alternative measures, based on best practices, that could further refine the historic preservation rules and policies and provide additional assistance to property owners.

Challenge

The current regulatory framework for historic resources is perceived as rigid for both individually listed historic resources and districts, but has more flexibility than is currently exercised.

Explanation

Regulation of historic resources in Philadelphia is authorized by the Ordinance and carried out by the PHC. While the PHC staff may approve permit requests for modest modifications, the PHC and its Architectural Committee must review requests for major alterations and demolitions.

The PHC processes for historic designation and permit review, as outlined in the Ordinance and associated Rules & Regulations, is complex. As outlined in the Part II of this report, navigating these processes can be time- and labor-intensive, and potentially confusing for property owners. We found this to be especially true with regard to appealing the PHC's decisions on permit applications.

We observed that property owners participating in the permit review process find it rigid, particularly for properties located within historic districts. In order to allow for uniform treatment for a wide variety of historic resources in a standard design review process, there needs to be more flexibility in the process so that an owner's preservation and development goals can be accommodated. We are investigating several different approaches to evaluating properties during and after their designation process, some of which are reflected in the best practices that follow.

Best Practices

As described in the National Trust report, preservationists are exploring the use of new policies, programs, and tools for designating historic properties that allow for varying levels of subsequent

regulation, depending on a property's historical significance, integrity, and context.²⁵ While survey and regulatory tools designed for differentiated designations are atypical, a "one-size-fits-all" approach to designation and regulation of historic properties within a local district can be overly coarse and lacking in nuance to accurately assess a property within its context. Surveys designed to accommodate varying levels of designation can enable varying forms of corresponding protections, regulations, and incentives. We are considering varying levels of designation for individual properties as well as within districts. Currently, there is an informal understanding that "more significant" buildings receive a higher level of scrutiny than "less significant" buildings.

We agree that survey and regulatory tools designed for varied levels of designation could enable historic preservation to be integrated into a wider array of City policies and programs. Such a system would allow for a broader spectrum of regulations associated with older and historic properties, ranging from arts and culture, revitalization, and conservation districts to traditional historic designation and review. Through this revised process, new policies and tools could be more responsive to support diverse neighborhood contexts and cultures.

Several U.S. cities offer examples of regulatory processes that are clear to citizens as well as effective in specifying different levels of regulations for a diverse array of historic properties:

- **The City of Chicago, IL's** citywide survey process provides an example of a differentiated designation and regulation system. The process showcases how an exhaustive survey enabled local officials to apply a 90-day demolition review to buildings that have significance for the community in which they are located even though they are not listed at the highest level of designation.

By surveying and inventorying all properties constructed before 1940, the Chicago Historic Resources Survey included properties that lost much of their historic character as well as properties that were largely unaltered and carried visible historic significance. Properties were color-coded according to their "historic and architectural significance relative to age, degree of external physical integrity, and level of possible significance."

In 2003, eight years after the survey was completed, the Chicago City Council adopted a demolition delay ordinance that requires a hold of up to 90 days after a demolition permit has been issued for a non-designated orange- or red-rated building. This hold is enacted so that the Chicago's Department of Planning and Development can explore all available options to preserve properties, and the application of the hold is only possible because the City surveyed and inventoried all properties, not just those that were officially designated as "historic."

Although the Chicago Historic Resources Survey required a serious investment from the City and

²⁵ See Appendix p.56.

took 12 years to complete, it resulted in a differentiated designation system with multiple categories of significance beyond a simple “designated/non-designated” dichotomy.²⁶

- **The City of New Orleans, LA** has a complex system of different types of districts as well as different levels of designation within those districts. It also has clearly illustrated design guidelines that explain the review process for proposed alterations based upon the type of district and level of significance. This system determines clearly what can and cannot be approved by staff versus the Commission.²⁷
- **Washington, D.C.** has a separate administrative legal process to adjudicate appeals of decisions of the D.C. Historic Preservation Review Board that is outside the Office of Planning and the D.C. Historic Preservation Office. A magistrate from the D.C. Court system assigned to the Historic Preservation Review Board hears appeals. This magistrate has specialized knowledge of preservation and a distance from the DC Historic Preservation Review Board decision-making which promotes objectivity.

Challenge

Philadelphia does not have an inventory process for identifying or a regulatory process for protecting archaeological sites.

Explanation

Perhaps the largest portion of Philadelphia’s history is preserved beneath the current cityscape, in the form of archaeological resources and sites that document more than 9,000 years of history and cultural change. The Pennsylvania Archaeological Site Survey (PASS) of the Pennsylvania State Historic Preservation Office (SHPO) has recorded 240 archaeological sites in Philadelphia. However, only a fraction of the known sites within Philadelphia are recorded or registered with the State. Thematic categories of these archaeological sites include: cemeteries, farmsteads, shipwrecks, pre-contact / Native American sites, military, industrial, commercial, and domestic.

Currently, the Historic Preservation Ordinance authorizes the Philadelphia Historical Commission (PHC) to designate archaeological sites and to require archaeological investigations at designated sites. However, we found that the City has not established a systematic regulatory framework necessary for the PHC to carry-out its mission with respect to archaeological resources. In addition, archaeological resources are likely to exist throughout the City, but have not been evaluated and are therefore not designated or protected.

Moreover, since 1989, the City has not employed an archaeologist and, in the absence of a trained professional to monitor the increasing pace of development over this nearly 30-year period, the City has

²⁶ See Appendix p.46.

²⁷ See Appendix p.46.

scarce information about historic archaeological resources lost through development and in some cases, piracy. Also, there is no requirement in the Ordinance that the Commission membership include a professional archaeologist.

While local designation of archaeological sites is possible, very few resources have been listed on the Philadelphia Register. Thus, there is not a mechanism to review adverse impacts to these unique resources. Also, the Ordinance limits the PHC's jurisdiction over "undeveloped sites" in historic districts to advisory-only; what is called "review and comment," and such advisory reviews take place prior to the initiation of construction without any mandatory follow-up.

Best Practices

The cities of Alexandria, VA; New York, NY; Phoenix, AZ; and St. Augustine, FL provide examples of archaeological ordinances and review procedures that have been used to identify key archaeological sites and protect them from degradation and loss. To do so, some cities have developed sensitivity maps that identify likely areas of remains and varying levels of review.

The policies and procedures used in Alexandria, VA provide a strong, relevant guide for Philadelphia to follow.²⁸ After reviewing other cities' policies and procedures, we have identified commonalities among best practices that could be applicable to the City and the PHC. They relate to regulatory processes and procedures that can further protection of historic archaeological resources, as well as to inventory and designation processes and procedures:

- Archaeological sites and resources are treated separately from above-ground resources in preservation programs and are subject to a separate review process.
- Most cities surveyed have a separate ordinance that addresses archaeology as well as separate rules and regulations addressing the preservation of archaeological resources:
 - These archaeology ordinances address historic cemeteries and human remains as a separate topic and host a separate set of rules to follow.
 - The corresponding regulations define a clear process to be followed during project reviews and establish clear guidelines needed to conclude the review process.
- The review for archaeological resources has a separate trigger than that for above-ground resources:
 - Some cities review all projects requiring a city building or other permit.
 - In New York, NY, any construction project over a certain number of square feet in size automatically triggers review.

²⁸ For more information on the City of Alexandria's archaeological regulations, visit www.alexandriava.gov/historic/archaeology/default.aspx?id=39208

- Archaeological review is performed by a separate staff consisting of qualified and professional archaeologists.
 - Most cities surveyed maintain a separate Archaeology Office and archaeology staff to perform reviews.
- Archaeological review is initiated at the first submission of permit documents.
 - An initial assessment of archaeological resources is completed in advance of permit submission, with findings and recommendations determined by professional archaeological consultants as part of the initial permit submission.
- Review involves authority for archaeology staff to require archaeological investigations prior to the start of construction or in conjunction with construction.

Challenge

Demolition of historic properties damages the cohesion and compatibility of historic character.

Aspects of this include:

- **Within historic districts, undeveloped sites at the time of designation, are not subject to formal PHC review, only comment; and**
- **When demolition occurs on undesignated historic properties throughout the city, infill on these sites is not regulated.**

Explanation

Results from a recent study performed during PennPraxis’ Historic Preservation Citizen Engagement Project found that one of the most cited issues pertaining to Philadelphia’s current historic preservation process among residents in 19 distinct Philadelphia neighborhoods is the lack of review of demolition proposals for undesignated and visibly historic properties and the lack of design review for new construction projects on vacant lots in older neighborhoods.²⁹ Some residents explained that the lack of a review results in loss of historic resources and designs for new construction that are incompatible with their surroundings, significantly altering the character of older neighborhoods and adjacent historic properties.

As with all historic preservation ordinances in peer cities, the Ordinance can only prevent the demolition of a designated historic resource. Owing to basic principles of due process, a government cannot decide to regulate a property after a property owner has applied for a lawful demolition permit. For many reasons – lack of information, lack of political will, lack of sufficient funding – the Commission has not designated enough of our important historic resources. However, the legal tools to nominate and quickly designate properties are there. For example, once a property is nominated – by any person anywhere – and that nomination is deemed complete by the Commission’s staff, an “automatic stay” attaches to the

29 For more information on PennPraxis and the Historic Preservation Citizen Engagement Project, visit <https://www.design.upenn.edu/pennpraxis/post/historic-preservation-citizen-engagement-toolkit>

nominated property on any and all intervening building permit or demolition permit applications until the nomination is acted on by the Commission. This broad power to nominate and impose an “automatic stay” does not exist in many peer cities.

Although the Ordinance is fundamentally strong, we are investigating other tools found in other cities. For example, Chicago has a “demolition delay” ordinance that affects properties previously identified in a citywide survey that was specifically incorporated into that ordinance. However, we must point out that all regulatory regimes are not the same. For example, although Chicago has a demolition delay ordinance, they have a more difficult and arguably more political historic designation process (e.g. nominations can be vetoed by City Council), and its City Council also has the power to make decisions on demolition applications for historically designated properties.

We are exploring whether increased resources for nominations under our Ordinance may prove the most effective and the practical means for expanding regulatory protection. Here, the issue is not new regulation, but simply ensuring that the Commission has adequate financial resources in order to support an already strong Ordinance.

Best Practices

When reviewing various U.S. city models for how to handle demolition of historic buildings and reviewing the design of infill construction on vacant lots in historic areas, we studied the following examples:

- **The City of St. Augustine, FL** has a policy of reviewing all proposed demolition applications for properties more than 50 years old in order to determine whether they are eligible for individual designation. The reviews occur prior to issuing demolition approval. (We acknowledge that St. Augustine is not a peer city and that the myriad of challenges that face Philadelphia are of a different magnitude.)
- As referenced in Part II, **the City of Chicago** pre-emptively surveyed and classified its historic properties citywide in order to better determine eligibility for its local historic register. In doing so, the City identified properties that require additional review before demolition permits may be issued.

Challenge

High-density zoning discourages preservation of historic properties.

Explanation

When the zoning code allows for much higher density than currently exists in built form within historic districts, we recognize that developers see this provision for higher density zoning as an incentive. Subsequently developers may seek to demolish historic buildings to maximize their development’s

square footage, resulting in higher economic returns on their real estate investment. In designated historic districts, we recognize that there may be added pressure, particularly on undeveloped sites in districts, for new construction that may be incongruous in size and massing, but allowed “as-of-right.”

Through the Philadelphia2035 planning effort, the City has created district plans that reassess and propose to remap zoning to correct issues of incompatible zoning designations across the City and especially in areas where the preservation of existing architectural forms (size and scale of buildings) is desirable to communities. While City Council members are able to initiate a remapping process where these issues are able to be addressed, we recognize that there is further work to be done to modify zoning-related decisions to consider their effect on the character of historic areas.

PART IV: INCENTIVES TO PROMOTE HISTORIC PRESERVATION

Regulatory and financial incentives help to encourage adaptive reuse and preservation of historic properties by offsetting the additional costs property owners would incur if they maintained or restored their properties to higher architectural standards. Federal, state, and local programs are in place to incentivize historic preservation for designated buildings and other historic and cultural resources. However, these incentives are primarily for properties listed on the National Register, not locally-designated historic properties, and for larger adaptive reuse development projects.

During our initial review, we drafted the following scoping questions to the National Trust in order to identify best practices for supporting owners and developers of historic resources:

- What incentives, monetary and non-monetary, can be used to encourage preservation, and under what circumstances?
 - What incentives are currently available in Philadelphia?
 - How can these incentives be adapted to meet current historic preservation needs?
 - What incentives are available in other cities?
 - How can these tools be adapted for Philadelphia?
 - What are the impacts or outcomes of these incentives, and how are they measured?
- What are the costs and benefits of historic preservation, both for the property owners and the broader community, and how can incentives defray these costs and maximize these benefits?
- How does the City and the community determine who receives incentives?

In response, the National Trust provided best practice examples from other U.S. cities that we are assessing for their applicability to Philadelphia. The incentives that we recommend for our final report must not only encourage property owners to list their historic properties on the Philadelphia Register, but also help them maintain their properties.

Challenge

There is little to no City-sponsored financial assistance or tools to promote and support historic preservation activities such as restoration, rehabilitation, and adaptive reuse in Philadelphia.

Explanation

As stated, there are no financial, zoning, or streamlined-process incentives specifically encouraging property owners to nominate, maintain, and preserve their historic properties. Although the PHC provides free technical assistance to owners of historic properties when they apply for buildings permits and supports those who want to nominate historic resources to the Philadelphia Register, this is the extent of the assistance that owners receive from the City in support of their historic properties.

Upon examination of other U.S. cities' programs as well as Philadelphia's, we understand that regulatory incentives can help limit uncertainty and expedite and simplify approval processes to make adaptive

reuse more feasible and attractive. Review processes can be onerous, complicated, and time-consuming, often involving multiple governmental agencies and community organizations to secure approvals. These processes can increase uncertainty, time expended, and resources required, which can deter developers and property owners from pursuing rehabilitation of historic properties.

Best Practices

We reviewed the National Trust research and found that cities can encourage adaptive reuse and the return of historic properties to market by offering incentives that expedite approvals.³⁰ Other U.S cities have successfully used these diverse techniques, such as:

- **Expedited Review:** A process that lets priority projects “skip to the front of the line.”
- **Flexible Codes:** Provide for increased flexibility in building and zoning codes by waiving or reducing parking requirements, waiving or modifying standards for open space, setbacks, and lot size and / or allowing alternate building code and safety measures more suitable for historic properties.
- **Waiving Fees:** Waiving permitting, impact, system development, or other local fees.
- **Flexible Uses:** Increasing opportunities for as-of-right development by allowing flexible uses as-of-right or with expedited use-variance approvals for historic properties.
- **Expedited Approvals:** Shortening approvals processes by eliminating redundant procedures, establishing concurrent application procedures, allowing simultaneous filing, and coordinating with various regulatory bodies (as well as the public), and/ or consolidating the review process into a “one-stop shop.”
- **Zoning Alignment:** Ensuring that regulations and programs do not inadvertently incentivize demolition over reuse and that zoning and historic district regulations align to protect existing form and character in priority preservation areas; removing conflicting zoning and preservation measures.

The cities of Los Angeles, CA and Phoenix, AZ have deployed many of these techniques through their Adaptive Reuse Ordinances (ARO):

- **The Los Angeles Adaptive Reuse Ordinance (ARO)** provides comprehensive regulatory relief for underused commercial structures by streamlining permitting, offering flexible zoning, and relaxing building code restrictions; and
- **The City of Phoenix’s local ARO** categorizes buildings by tiers, focusing regulations and incentives on the square footage threshold of eligible buildings.³¹

³⁰ See Appendix p. 67.

³¹ See Appendix p. 68.

Additionally, the National Trust found that specific programmatic support for homeowners encouraging building reuse and historic homeownership are often developed through:

- **Vacant Home Acquisition & Rehabilitation**³²
 - Direct assistance for the purchase of formerly vacant homes, such as funding assistance for closing costs.
 - Interventions to encourage vacant buildings reuse in steady and transitioning neighborhoods (as opposed to focusing exclusively on neighborhoods of concentrated poverty), including streamlining disposition of vacant properties to create a steady pipeline of affordable projects with clean titles.
- **Occupied Home Rehabilitation**³³
 - Targeting homes of a certain era or style that have been identified as significant to the City's identity and cultural significance.
 - Providing revolving loan funds, deferred loans, grants, and technical assistance programs to individual occupants of historic homes, small-businesses, nonprofits, and government entities through public-private partnerships.

Some specific city-led initiatives include:

- **Baltimore's Vacants to Value (V2V) program** combines several strategies to eliminate blight, bring existing properties back to market, and help homeowners acquire rehabbed homes. The V2V program streamlines disposition of available properties as well as provides direct grants and technical assistance to homeowners aiming to attract private investment in markets otherwise incapable of supporting private investment.³⁴
- **Chicago's Historic Bungalow Initiative and Greystone & Vintage Home Program** are examples of public-private partnerships that combine City funding with nonprofit implementation to offer forgivable loans, grants, and technical assistance for eligible properties and homeowners to reduce the cost and complexity of rehabbing historic homes.³⁵

We are also evaluating the activation of a Transfer of Development Rights (TDR) program to incentivize preservation of historic properties.³⁶ A TDR program would encourage voluntary transfer of an owner's development rights to a developer in order for that developer to increase the density allowed for by zoning on the developer's site. During the 1990s, this program was tested for new development in Center City Philadelphia, when the real estate market was not as strong as it is in 2018. Further evaluation is needed to determine the benefits and challenges of this practice in a stronger real estate development climate.

³² See Appendix p. 72.

³³ See Appendix p. 73.

³⁴ See Appendix p. 73 for more information on the Baltimore V2V program.

³⁵ See Appendix p. 73 for more information on the Chicago Historic Bungalow Initiatives and the Greystone & Vintage Home Program.

³⁶ See Appendix p. 80.

PART V: COMMUNITY AND CITY GOVERNMENT SUPPORT OF HISTORIC PRESERVATION

In Philadelphia, there is multi-sector support for historic preservation activities that help to protect and manage change to historic properties. The Philadelphia Historical Commission, a City agency, implements the Historic Preservation Ordinance and protects resources listed on the Philadelphia Register. The Philadelphia City Planning Commission (PCPC) is mandated by the Philadelphia Home Rule Charter (Charter) to create and maintain a comprehensive plan for the city, and an entire section of the agency's Citywide Vision is dedicated to historic preservation planning.

Additionally, the School District of Philadelphia, and the Departments of Public Property, Parks and Recreation, Police, Fire, and Streets all occupy and are therefore stewards of historic properties, both designated and potentially eligible for designation. The City does not have any official guidelines for maintaining its City-owned historic properties. However, if the property is listed on the Philadelphia Register, the City's agency responsible for that property must apply to the PHC for review whenever work is proposed, as with any other historic property owner.

Although many of the City's agencies and departments listed above have prioritized historic preservation activities, we find that the PHC and its staff have been underfunded for years. Without adequate staffing, it is difficult for the PHC to be proactive in survey and inventory, designation, outreach and education efforts.

During our initial review, we submitted the following scoping questions to the National Trust for further investigation regarding best practices to promote and sustain City and community support for Philadelphia's Historic Resources:

- What programs have peer cities used to educate and promote preservation among elected officials, the building industry, and the public?
- What programs have proven effective in building constituencies for preservation efforts in peer cities?
- How can we create an outreach process that engages the public in a meaningful way with its limited resources, both during this 18-month Task Force process and beyond?
- How have other communities gained input on what is "historic" and what is "preservation"?
- How can we ensure that outreach efforts connect with Philadelphia's diverse constituencies?

We prioritized the following challenges when considering where community and City support could be bolstered for historic preservation activities.

Challenge

There is historic preservation activity that happens in other City offices and agencies, but currently these activities are not linked or leveraged, and historic preservation is not well represented on the many boards and committees inside City government and within other development organizations.

Explanation

We recognize that the City is not a consistent steward of its historic properties, especially for properties that are not officially designated to the Philadelphia Register and therefore in the purview of the PHC. Thus, our concern is that the City is not setting a good example by consistently supporting historic preservation activities at its historic properties. What message does that send historic property owners regarding their responsibilities to preserve and maintain their historic properties? Also, we find that there is not sufficient representation of development and preservation professionals on many built-environment-focused community boards and City commissions and boards other than the PHC.

Best Practices

In order to practice good stewardship of historic properties and ensure that representatives from different perspectives are represented on City and community boards, as well as on the staff of departments that are responsible for changes to Philadelphia's built environment, we recognize that promoting historic preservation professionals' and advocates' participation in agency and board leadership roles is imperative. Examples of such proactive approaches to board representation and staffing in other cities include:

- **The nonprofit Preservation Resource Center of New Orleans** has a full scale, staffed Education and Outreach program that follows a people-centered approach to promote preservation and revitalization of historic New Orleans architecture and neighborhoods to all through brick and mortar education and cultural heritage programming.³⁷
- **The Atlanta Urban Design Commission and the Washington, D.C. Historic Preservation Office** are City agencies that best exemplify a people-centered preservation approach to building a constituency. They each pursue a high degree of intra-governmental cooperation and intentionally engage residents as a part of their everyday operations.

Challenge

There are not enough resources dedicated to building a constituency for historic preservation. Philadelphia needs more tools (in-person and online) to engage citizens and to help them access information.

³⁷ See Appendix p. 97.

Explanation

We find that the PHC provides many constituency-building and technical advisory services, but they are usually limited to one-on-one conversations with historic property owners or interested citizens, with most meetings happening at the PHC office in Center City rather than in neighborhood locations. Also, while the Philadelphia City Planning Commission (PCPC) staff conducts outreach activities through the Community Planning Division and Citizens Planning Institute, historic preservation is often just a small part of the larger issues that are addressed through these programs. We believe that additional City-sponsored-and-led outreach programs can be created with sufficient and sustainable funding that will leverage and build upon existing resources that the PHC provides.

Best Practices

We are studying the following best practices offered by the National Trust from other city preservation agencies and affiliated nonprofits regarding how to address Philadelphia's constituency building challenges:

- **The nonprofit Preservation Resource Center of New Orleans** encourages investment in neighborhoods by providing tools, information, and resources to prospective homebuyers and renovators. Their key public message is “Historic preservation is economic development.”³⁸
- In other U.S. cities, preservation agencies engage with citizens before, during, and after designation to advocate and advise on the continued maintenance of historic properties. Examples include:
 - **New York City's Landmarks Preservation Commission** cooperates with sister agencies to engage the community before, during, and after a historic district is designated. Prior to designation, the agency meets with owners and neighbors to educate stakeholders about the designation process and the regulatory responsibilities. After designation, the agency will remind owners of their responsibilities and return to raise awareness about the historic district and strengthen regulatory compliance. Outreach is primarily conducted by three senior staff persons who spend considerable time in the field engaging constituents, although there is no dedicated outreach staff position.³⁹
 - **The City of New Orleans, LA** meets with neighborhood groups prior to designation; offers inspections to potential property owners to identify areas of non-compliance (i.e. vinyl windows) prior to purchase so they can negotiate repair as part of purchase price; and performs multiple inspections during the construction process to ensure compliance with approved plans.

³⁸ See Appendix p. 97.

³⁹ See Appendix p. 94.

- Other cities have found that it is best to conduct outreach to constituents on their terms and at their locations by creating dialogues between staff and community members.
 - **The City of Atlanta Department of Planning** runs the City Studio project, a pop-up physical space that moves around the city to engage residents in conversations about their neighborhood needs. City planners spend several months listening to residents voice their needs, desires, and concerns about urban design, historic preservation, and economic development. Staff then reconvenes residents to affirm consensus before implementing strategies.⁴⁰
 - The citywide nonprofit organization **Preservation Chicago** provides workshops scheduled in neighborhoods throughout the city to make training more accessible and advertises that the workshops are “At a neighborhood near you!”⁴¹
 - **The Boston Preservation Alliance**, a citywide nonprofit, provides technical assistance on the protection of historic resources to the public and general membership through neighborhood preservation workshops. Their work supports a people-centered approach with the following goals: to engage residents in learning about historic resources, to educate them on the tools available to care for their properties, and to support them as they take action to ensure preservation; to support integrating preservation into community development and planning; and to provide a forum for residents to voice their needs and priorities regarding historic resources and to foster connections between communities and agencies.⁴²
 - The **City of St. Louis, MO Cultural Resources Office** created the “Hotspot” to serve as a satellite office for constituents. Staff is available for onsite review and approval, to provide technical assistance to help projects comply with historical standards, and to allow for expedited review and approval.⁴³
- Neighborhood tours that have been used to help people experience and learn about a city’s history and architecture include:
 - The nonprofit **Baltimore Heritage, Inc.** offers an annual program of 70 walking tours to 35 places throughout the city. The goal of these tours is to build a constituency through face-to-face interaction, not through mass marketing.⁴⁴

⁴⁰ <https://www.atlantaga.gov/government/departments/city-planning/office-of-design/atlanta-city-studio>

⁴¹ See Appendix p. 95.

⁴² See Appendix p. 95.

⁴³ See Appendix p. 93.

⁴⁴ See Appendix p. 94.

- **The City of Chicago Landmarks Division** collaborates with nonprofit partner Chicago Architecture Foundation to conduct walking tours for the public.
- **The City of New Orleans Historic District Landmarks Commission** initiated informal neighborhood strolls to meet people and explain what the agency does and how.
- E-newsletters and social media are used in several cities to foster regular communication with agencies and constituents, including:
 - The nonprofit **Preservation Buffalo Niagara** regularly communicates with members and friends through a weekly e-newsletter, has an active social media presence, and manages a database of constituents that can be sorted by city council district.
- Other cities offer well-designed and user-friendly websites that include relevant information, such as design standards, guidance on permit applications, maps, survey information, reports, and strategic plans. Examples include:
 - **The City of New Orleans Historic District Landmarks Commission** website;⁴⁵
 - **Washington, D.C. Office of Planning** website, which makes available their 2020 Historic Preservation Plan;⁴⁶
 - The nonprofit **Landmarks Association of St. Louis**. Additionally, the Landmarks Association created a young friends group called Landmark Tech Urbanites, and the group then created an app that is used to survey historic resources and resulted in attracting a new audience to historic preservation;⁴⁷ and
 - The **City of Chicago Landmarks Division** website that makes available relevant and useful information on design standards, permit applications, maps of historic districts, survey information, and designation reports describing landmarks and historic districts.

Challenge

Historic preservation-related agencies and organizations struggle to recognize the city's diverse cultural heritage and provide outreach to and engage Philadelphians in neighborhood preservation efforts.

⁴⁵ <https://www.nola.gov/hdlc/>

⁴⁶ <https://planning.dc.gov/page/dc-historic-preservation-plan>

⁴⁷ See Appendix p. 97.

Explanation

Many residents and community-based organizations in the city are involved in historic preservation-related activities, but they do not readily identify as “historic preservation organizations” and their members do not readily identify as “historic preservationists.” As a result, we find that these Philadelphians may not be as involved in traditional historic preservation activities such as City boards or citywide preservation organization’s committees and boards. Thus, their stories are under-represented in traditional historic preservation literature and media.

Also, owing to insufficient resources, the PHC and PCPC staff have limited contact with immigrant groups, smaller historical societies, and other organizations that work with the diverse cultures and interests of Philadelphians, many of which may be involved in or sponsoring small-scale prospective preservation projects or advocacy efforts.

Best Practices

Through the National Trust’s research, we identified the following best practices that other U.S. cities have employed when striving to reach their diverse constituencies about historic preservation issues and practices.

- The **Atlanta City Design: Aspiring to the Beloved Community, 2017** study calls for partnerships with nonprofit and faith-based communities to foster engagement across geographic, generational, economic, cultural, and racial barriers and to promote dialogue about the changes happening in the City, so newcomers can understand the context and challenges of the existing residents.⁴⁸
- As identified in Part I, **San Antonio, TX** employs a cultural historian who performs outreach into the community, to more readily understand their needs and how best to engage community members in traditional historic preservation activities.
- Some citywide nonprofits hold discussion groups with preservation advocates and professionals as a means to foster mutual support including the nonprofit **D.C. Preservation League**. The League participates in the Historic District Coalition, an informal alliance of organizations and individuals representing D.C.’s historic districts. They conduct outreach and education activities to further preservation in D.C. This includes candidates’ forums, a historic preservation task force to address specific issues in historic districts, and symposiums on compatible architecture.⁴⁹

⁴⁸ See Appendix p. 93.

⁴⁹ See Appendix p. 95.

- **Preservation Buffalo Niagara** seeks to create a broad and diverse constituency by proactively identifying neighborhoods that merit preservation but have not been surveyed or designated.⁵⁰

In some cities, residents form “affinity groups” centering on preservation to provide forums to address concerns and build constituencies, such as:

- **Baltimore Heritage, Inc.** hosts an “unconference” which aims to strengthen relationships between state, local government, and individuals who have a passion for preservation and history. Local activists, history teachers, graduate students, museum professionals, and preservationists are invited to attend and share their knowledge about how preservation and public history can make Baltimore a more vital place.⁵¹

Schools, congregations, and after-school programs have been active partners in other cities to instill a sense of community for cultural and historic assets for younger residents. Efforts involving youth are likely to also involve parents and family members. For example:

- **Atlanta Preservation Center’s** outreach and education work takes many forms, including walking tours, coordinating with possible partners, community education programs, attending public hearings, informing the public, and K-12 school outreach programs.⁵²
- **The Preservation Resource Center of New Orleans** offers a variety of educational experiences through Heritage Education for school groups, the Cultural Heritage Preservation program, and the Jazz Plaque program.⁵³
- **The Landmarks Association of St. Louis** provides public school programming about historic architecture for grades 4 through 12.⁵⁴

⁵⁰ See Appendix p. 96.

⁵¹ See Appendix p. 96.

⁵² See Appendix p. 96.

⁵³ See Appendix p. 97.

⁵⁴ For more information on Landmarks Association of St. Louis, see Appendix p. 91.

NEXT STEPS

Our next steps are to evaluate the feasibility of the proposed best practices as they relate to Philadelphia and create final recommendations for how the City and community partners can better support preservation practices, policies, and processes throughout Philadelphia. Also, we will continue to consider opportunities to modify current City programs to solve the challenges outlined in this report.

We have become increasingly aware that a flexible, community-driven process must be created to ultimately protect historic resources in Philadelphia, and that the process should not be at the mercy of a single point of power at the neighborhood, district, or citywide levels. Overwhelmingly we agree that the current and existing historic preservation policies and procedures are an appropriate structure to maintain. However, we also agree that expansion of the current historic preservation framework to allow greater participation in preservation by a wider constituency will require that the existing historic preservation framework be supplemented with new processes and programs.

Our final report will provide recommendations and suggested implementation strategies to activate the recommendations. Relating to how the PHC functions versus how it is perceived to function, we will further explore and extrapolate what is currently possible through the Ordinance and its Rules and Regulations and what can be amended or enhanced within the current and existing staffing and the Historical Commission structure.

At the conclusion of this process, we will present our final recommendations to the City Council and the Mayor's Office for their review and feedback. Once members of City Council and Mayor Kenney and his staff review the document, the staff of the Department of Planning and Development will work with them to ratify the recommended roadmap and launch an action plan to correspond with the proposed strategies.

To follow this process and participate in public discussion, visit www.phlpreservation.org, and join us at our next public workshop on Thursday, September 20, 2018.

ACKNOWLEDGEMENTS

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APPENDIX: NATIONAL TRUST FOR HISTORIC PRESERVATION BEST PRACTICE REPORTS



**National Trust for
Historic Preservation**
Save the past. Enrich the future.

Cover Memo

DATE: MAY 17, 2018

TO: PHILADELPHIA HISTORIC PRESERVATION TASK FORCE

FROM: NATIONAL TRUST FOR HISTORIC PRESERVATION

RE: HISTORIC PRESERVATION & BUILDING REUSE: BEST PRACTICES RESEARCH

Dear Task Force Members:

As Technical Advisor to the Mayor Kenney's Historic Preservation Task Force, the National Trust for Historic Preservation is providing the attached revised summaries of a select group of Best Practices as requested by the Task Force Sub-Committees. This in-depth research builds upon 2-3 months of preliminary research performed in the fall of 2017, presented to the Task Force in mid-January, and available on the Task Force website <https://www.phlpreservation.org/>. The National Trust undertook an additional 8-week research project to better understand and evaluate a refined list of Best Practices in four core areas – Survey, Outreach + Education, Incentives, and Regulation. Focused primarily, but not exclusively, on the Peer Cities identified earlier in the Task Force proceedings (*Chicago, St. Louis, New York, Baltimore, Buffalo, and New Orleans*), the National Trust's Team conducted interviews with public agencies and local non-profits in each Peer City. Based on these interviews, extensive on-line research, and targeted outreach to preservation, public policy, and development professionals, as well as feedback from the Task Force subcommittees on initial drafts, the National Trust prepared the attached summaries of selected Best Practices. Included is an analysis identifying and articulating the benefits, challenges, applicability, funding, staffing requirements, and regulatory framework required for each of these Best Practices to succeed.

Based on two rounds and nearly five months of intensive research by a team of eight multi-disciplinary professionals, the National Trust found that there is no "silver bullet" for historic preservation. Instead, our research found that historic preservation success emerges from integrated, multi-faceted programs broadly supported by a diverse constituency and adequately funded over time. It is only through the incorporation and coordination of outreach efforts, survey information, and incentive programs enabled by a supportive regulatory environment that meaningful historic preservation success emerges.

Attached are models and examples worthy of careful consideration by the Task Force as it forms recommendations for the city of Philadelphia— from cities large and small and from efforts and programs both ambitious and modest. We look forward to working with the Task Force on developing recommendations for an improved preservation infrastructure in Philadelphia.

Seri Worden
Senior Field Officer
National Trust for Historic Preservation

**Survey Subcommittee – NTHP Best Practices Research
Philadelphia Historic Preservation Task Force**

Research Topic 1: Inventory Management Systems

What does the best practice do?

This refers to the practice of collecting and managing cultural resource information in an inventory management system. An inventory is a database, or an organized collection of data. Inventory management systems are digital software platforms that allow for the management and administration of the data, as well as the database itself. This includes the ability to query, filter, select, and export or share the housed data, as well as the ability to integrate other related datasets. The administration of the database itself often allows for the establishment of unique accounts and privacy settings for different levels of users.

When applied to historic preservation, inventories serve as central repositories of information on cultural resources. These inventories store information on the cultural resources themselves, including but not limited to:

- Location;
- Designation status;
- Year built;
- Date of last survey/inspection;
- Condition.

An inventory management system thus refers to the systems used to store, maintain, and update this type of information, as well as the workflows set in place for managing the inventory itself.

What challenges will it solve?

Philadelphia suffers from a lack of up-to-date and accurate information on its historic built environment. Much of the city's existing information on, for example, locally designated landmarks as well as previously surveyed areas, are not integrated into a comprehensive database. This creates challenges for historic commission staff, other city agencies, as well as interested members of the public, when looking for information on the city's historic properties.

Peer City Examples

New York, NY

Platform: The New York Landmarks Preservation Commission (NYLPC) uses a combination of proprietary GIS software from Esri, a leading GIS software provider, and a Microsoft Access database to manage its cultural resource inventory on approximately 36,000 buildings and counting across the city. This inventory is used internally to assist NYLPC staff in their work.

Development History: Prior to developing this inventory, NYLPC had over 50 years of information available in a variety of formats. In 2014, NYLPC was awarded a \$50,000 grant from the New York Community Trust to digitize and compile this information into a master database. Over the next three years, this grant was used to hire a total of four data fellows, who together with the GIS Administrator,



completed this task. Over five decades worth of designation reports and internal research documents were digitized. In an interview with NYLPC, staff stressed the importance of faithfully reproducing the information presented in these documents as organized columns of data. This information was then merged with the city's land use and assessor dataset (PLUTO) to create a robust, comprehensive inventory on both the city's designated historic resources and other surveyed structures.

The development of this inventory was completed in 2017. The GIS Administrator now focuses on managing this inventory. New information is added annually through the efforts of NYLPC research staff, who survey thousands of properties annually. These surveys and their results are not publicly available, and serve as internal work products used by staff to identify potential landmark properties, monitor areas undergoing development, and to pre-emptively gather information on properties potentially undergoing regulatory review.

Staffing: Unlike other preservation commissions the National Trust interviewed, NYLPC has a full-time GIS Administrator in its staff. NYLPC also maintains its own ArcGIS enterprise license, separate from the rest of the city. The GIS Administrator oversaw the development of this inventory, and today, oversees its maintenance, as well as a workflow where NYLPC research staff enter survey information into a Microsoft Access database, which then is pushed to GIS layers.

Data and Data Standards: Historic designation reports are legal documents that serve as a regulatory baseline for the work of NYLPC. These reports were used as the basis for developing attribute fields in the inventory management system. NYLPC's new inventory thus aligns with the city's existing criteria for historic resource designation. The attributes in the inventory include, but are not limited to:

- From designation reports
 - Designation status;
 - Architect;
 - Builder;
 - Building use;
 - Year built;
 - Building materials;
 - Building height;
- From PLUTO
 - Unique city identifier number;
 - Tax lot number;
 - Alterations;
 - Current owner;
 - Current zoning;
 - Elevation.

Information on surveyed areas that did not lead to designation are also included in the inventory as general boundary polygons. While NYLPC has expressed interest in eventually providing building-by-building level information on this, there are currently no plans to do so.

Information Sharing: NYLPC describes this project as a data accessibility project; this project focused on aggregating decades of consistent research on the city's historic resources into a digital, master database. This database is available internally to NYLPC staff. The dataset is also shared with other city agencies. The incorporation of PLUTO information, such as its unique city identifier number and tax lot



number, allows other city agencies to link their information easily, providing an opportunity to improve overall city planning efforts. For example, NYLPC is currently examining how their database can improve the PLUTO dataset's accuracy on year built dates.

A subset of information is pulled from this inventory and shared with the public through the [Discover New York City Landmarks](#) web application. This online map provides information on designated historic landmarks within the city's 141 historic districts. It does not include internal survey results on non-designated resources. More information about the NYLPC inventory can be found [here](#).

Los Angeles, CA

Platform: Los Angeles' Office of Historic Resources (LAOHR) uses Arches for its cultural resource inventory management system. Arches is an open-source, web-based heritage and inventory management system designed by the Getty Conservation Institute and the World Monuments Fund specifically for cultural resources. Los Angeles' Arches deployment, called Historic Places LA, is the first adoption of this inventory management system by an American city.¹

Development History: In 2000, the Getty Conservation Institute conducted a multi-year feasibility study on the development and implementation of a citywide cultural resource survey. This resulted in the creation of LAOHR in 2006, which in turn initiated the launch of a 10-year citywide survey effort called SurveyLA.

Whereas NYLPC began their inventory project with a rich amount of information on the city's building stock, Los Angeles' records on historic resources were limited and out of date. Prior to SurveyLA, only 15% of the city's 880,000 parcels had previously been surveyed, often for National Register nomination or by the Los Angeles Redevelopment Agency as part of a prior revitalization initiative. Most of these survey results were kept as paper records. A limited number were maintained in a spreadsheet by the Community Redevelopment Agency. SurveyLA was therefore conceptualized and implemented as a full-scale effort to develop a baseline of information on the city's historic resources by gathering up-to-date, comprehensive information on the entire city.

SurveyLA consisted of two phases: a four-year initiation phase, followed by a six-year implementation phase. LAOHR staff note that the initiation phase took longer than anticipated due to the fact that at the time, there were no off-the-shelf solutions for a similar endeavor. The initiation phase focused on preparation: a project advisory committee made up of leaders from the local historic preservation, development and business communities was established to inform the survey process. Additionally, when possible, the limited legacy information available was identified and digitized for reference purposes.

Historic preservation experts and cultural resource management firms were contracted by the city to conduct the field survey (see Research Topic 4 for more details on how the field survey was conducted). Once the field survey was complete, LAOHR utilized contractors to deploy their inventory management system on Arches.

Staffing: During the ten-year period, SurveyLA consisted of a small core team of two full-time staff at LAOHR, along with two full-time GIS staff from the city's GIS division who managed and compiled survey

¹ Starting with Arches v4.0, a mobile survey application was launched. As this mobile application was not ready at the time of SurveyLA, the field survey was conducted using a customized ArcGIS Desktop platform.

information. Today, Historic Places LA is managed by one GIS specialist from the city's GIS division and one full-time LAOHR staff member. The GIS specialist provides technical assistance to LAOHR and is responsible for managing the inventory platform. Tasks include upgrading the Arches software as new versions become available and managing security requirements. The LAOHR staff member serves as the data manager for Arches and is responsible for monitoring and managing the data itself. Together, these two positions manage the Arches inventory management system for the city of Los Angeles.

Data and Data Standards: SurveyLA was designed to adhere to both state standards and the Secretary of the Interior's standards for historic resources. SurveyLA also followed the National Park Service's Multiple Property Documentation approach, developing context statements for each area as well as ethnic groups. These context statements were then preloaded into the survey database, ensuring that the recording of context, themes and associated property types were part of the data collection process.

The information collected for each resource includes but is not limited to:

- Summary information
 - Names (primary and other);
 - Important Dates;
 - Images;
 - Resource Type (building, etc);
 - Architect;
 - Builder;
 - Owner;
- Location information
 - Primary addresses;
 - Alternative addresses;
 - Administrative areas (community plan area, council district, neighborhood council, neighborhood, etc)
- Resource Description
 - Classification;
 - Type (Institutional-Educational);
 - Use;
 - Architectural Style
 - Features
 - Narrative Description
 - Alterations
- Evaluation Details
 - Date Evaluated;
 - Context/Themes;
 - Eligibility Standards;
 - Periods of Significance;
 - Significance statement;
 - California Historic Resources Status Codes;
- Designation and Protection Status
 - Type of Designation;
 - Date of Designation;

- External Reference systems (linking to other city databases)
 - Property Identification Number

Information Sharing: In an interview with LAOHR, staff shared that a central goal of SurveyLA was to inform good city planning in general. To that end, LAOHR actively shares its information with external stakeholders and other city agencies, and encourages the use and application of their data in other city-related initiatives. For example, the [ReCodeLA](#) team, heading a comprehensive revision of the city's zoning code, has been actively using SurveyLA results to inform their work by analyzing development patterns across the city.

A subset of information from the inventory is available for the public to view and explore at www.historicplacesla.org. Publicly available information includes:

- Designated resources
- Resources identified through SurveyLA as eligible for designation (upload into platform ongoing)
- Other surveys/legacy data (upload into platform ongoing)

Reports of the survey, categorized by Community Area, are also available to download in PDF format from the LAOHR website.

The online platform also serves as workflow management system for LAOHR staff and partners. Internal staff and partners with named user accounts can access additional levels of information on historicplacesla.org to conduct their work. LAOHR is currently customizing their Arches deployment further to allow for the electronic submission of nominations, as well as new designations. In the future, users will be able to select the appropriate online form and submit nominations through the Historic Places LA interface; LAOHR staff will be able to assess these nominations and submit designations directly into the system. LAOHR is also actively working to incorporate ongoing surveys conducted by other city agencies and stakeholders, such as the Community Redevelopment Agency, into the inventory.

Interestingly, while the Historic Places LA website is open and publicly accessible, it is managed and maintained in isolation from Los Angeles' new open data portal, OpenDataLA, designed as a one-stop-shop for the public to access various datasets on the city. LAOHR plans to explore sharing their information on OpenDataLA at a later date.

Determining Cost

The two examples presented here show how the costs for setting up these inventory management systems can differ significantly, due in large part to the quality and condition of existing data prior to the development of an inventory. In the case of New York, where ongoing research had been consistently conducted for over five decades, the development of an inventory management system focused on the digitizing and aggregating of existing information. In the case of Los Angeles, where only 15% of the city's building stock had been previously surveyed and where ongoing survey had not been conducted, an intensive survey effort was needed to produce a baseline of information that can be maintained moving forward.

NYLPC's inventory management system costs include ongoing costs for the staffing of a GIS Administrator, a proprietary ArcGIS license, and server storage and hosting. A one-time \$50,000 grant

was used to fund Data Fellows, temporary positions that assisted the GIS Administrator in the creation of the inventory.

LAOHR's cost include the staffing of a data manager and a multimillion dollar investment in conducting a full citywide survey. The funding for the survey alone included:

- An initial \$5 million (\$2.5 million from the J. Paul Getty Trust matched by the city of Los Angeles) for survey field work and staff;
- \$750,000 from the Getty Conservation Institute for data management, technical assistance and the development of historic context statements;
- \$300,000 from the American Recovery Reassessment Act;
- \$350,000 in CLG grants;
- \$72,000 from the National Park Service to develop context statements specifically for Asian American communities.

In interviews with LAOHR, staff noted that the overall cost and time should decrease significantly for subsequent cities using Arches to do a similar survey, as the platform has been through several new updates, including the release of a mobile survey application, which was not available ten years ago.

Currently, the Getty Conservation Institute covers the server storage and hosting costs for Historic Places LA.

Summary

In both LA and NY, the inventory initiative is owned and managed by the city's respective historical commission. These inventory management systems serve as central repositories of information on its respective city's cultural heritage. In both cases, historic commission staff members use the inventory management system to assist in their work. A subset of information from the full dataset is also shared with other city agencies and the public.

Both cities report that developing these inventory systems has had a positive impact – for one, information is centralized and easier to view, assess and share internally, across government agencies, and with the public. Both cities noted that critical staff time is no longer needed to respond to public inquiries about designated properties, as this information is now easily accessible online. Sharing data with other governmental entities, such as their respective state historic preservation offices, is also made easier.

Housing cultural resource information electronically in a GIS-based system (a geodatabase) also allows for the data to be easily integrated with other spatial data, such as zoning codes boundaries, permit issuances, transportation data, etc. Both cities noted their excitement at imagining future applications of their cultural resource information – with the underlying data digitized and stored in an easily accessible format, the data can be deployed in a variety of ways by not only their own staff, but other city agencies to inform future city planning.

The two best practices presented here demonstrate the application of two different platforms and frameworks for the development of a cultural resource inventory. As the city of Philadelphia considers its options, it should make sure to address the following before considering what platform or underlying software to use:

- The state of existing cultural resource data;



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- Envisioned primary purpose/use of cultural resource data;
- Envisioned primary audience and end users;
- Existing resources and partnerships with other city agencies;
- Benefits of updated cultural resource data for partners and stakeholders;
- Existing reporting and regulatory review requirements that would benefit from better data.

Relevance

10 – the development of an inventory management system that aggregates existing legacy data and incorporates new survey data is highly relevant to solving Philadelphia’s challenges. To protect and manage its resources, Philadelphia must first know 1) what has been surveyed and to what extent, and 2) how many historic resources it has across the city. Survey is an ongoing process, and a critical component is the maintenance of information in a digital platform that can be used by Historical Commission staff, government agencies, other partners, and the public to inform city planning efforts.

Research Topic 2: Surveys Designed for Differentiated Designations

What does this best practice do?

In recent years, preservationists have begun to explore the use of new policies, programs, and tools for designating properties at varying levels of protection, depending on properties' historic significance, integrity, and context. While surveys designed for differentiated, tiered, or tailored designations² are highly atypical and rare, many preservationists see a one-size-fits-all approach to designation and regulation of historic resources as overly coarse and lacking nuance. Surveying designed explicitly with varying levels of designation would afford varying forms of corresponding protections, regulations, and incentives.

What challenges will it solve?

As is the case in most U.S. cities, designation on the local register confers to the local landmarks board or historic commission the authority to regulate the exterior appearance and built character of a property. While such designation and regulation is well-aligned with protection of architecturally or historically significant properties, such practices may be poorly aligned with the many other older, non-historic buildings that nevertheless play critical roles as community gathering places, affordable housing and commercial spaces, culturally significant locales, etc.

Surveys designed for varied levels of designation would allow preservation to be integrated into a wider array of city policies and programs. It would enable a broader spectrum of regulations associated with older and historic properties, ranging from arts and culture districts, revitalization districts, and conservation districts, to traditional historic designation, landmarking, and protection. Through this best practice, new policies and tools can arise that are responsive to diverse neighborhood contexts and better aligned with older and historic properties' specific community contribution.

Peer city examples

Chicago, IL

One of very few cities where a citywide survey has been completed, Chicago's exhaustive survey afforded city officials the opportunity to apply a 90-day demolition review to buildings that do not rise to the highest level of designation but nevertheless have community significance. By surveying and inventorying all properties constructed before 1940, the Chicago Historic Resources Survey included properties that had lost much of their historic character through alteration over time as well as properties that are largely unaltered and carry historic significance. Properties in the survey were color-coded according to their ["historic and architectural significance relative to age, degree of external physical integrity, and level of possible significance."](#) Color-coding ranges from "blue" to "red."

² No single term has been adopted consistently to refer to a system of varied levels of designation. Whereas "tiered" or "hierarchical" designation suggests levels of significance and higher levels of importance for some resources versus others, "tailored" or "differentiated" designation connotes different types of designation for different types of resources. This memo generally adopts use of the word "differentiated," though this is not intended as an implicit endorsement of one approach over another.



- Properties rated “blue” were constructed after 1940 and thus, were not surveyed as part of this effort.
- Properties rated “purple” or “green” have some alteration to their exterior appearance and condition.
- Properties rated “yellow-green” or “yellow” are largely unaltered (though “yellow-green” properties may be covered with artificial siding) and are located in a concentration of architecturally or historically significant properties.
- Properties rated “orange” possess some architectural or historical significance.
- Properties rated “red” possess significant architectural features or have local, state, or national historical significance.

In 2003, eight years after the survey was completed, the Chicago City Council adopted a demolition delay ordinance that requires a hold of up to 90 days following issuance of a demolition permit of a non-designated “orange-rated” or “red-rated” building, so that the city’s Department of Planning and Development can explore options for the preservation of the structure.

The creation and implementation of regulation of non-designated buildings could not occur without survey and inventory of non-designated properties. Though the Chicago Historic Resources Survey required serious investment of city resources--the survey took place over a 12-year period--that work resulted in differentiated designation beyond a simple “designated/non-designated” dichotomy.

Summary

Several U.S. cities apply different levels of flexibility or scrutiny to historic resources, depending on their level of significance, extent of non-historic alteration, etc. For instance, in New Orleans, Louisiana, buildings are professionally ranked according to their historic significance in three categories: significant, contributing, and non-contributing resources. Accordingly, regulation in New Orleans varies according to each building’s ranking. For instance, rooftop additions are prohibited on “significant” buildings but only discouraged on “contributing” buildings. Palm Springs, California, and Ontario, California, have similar schemes of categorization and corresponding regulation. But while some U.S. cities may designate and regulate properties according to their significance and integrity, Chicago appears to be unique in having explicitly conducted a widespread historic resources survey with differentiated designation established as a goal at the outset.

Thinking beyond the cost of survey work itself, the costs of surveying historic resources for the purposes of tiered, varied, or differentiated designation are difficult to capture or estimate. Costs above and beyond widespread historic resource survey work in general are likely to be fairly marginal.

Relevance

8 - Highly relevant. Philadelphia is undeniably one of the country’s most historically rich cities, but the city does not have a varied toolkit of regulations to appropriately protect, incentivize reuse, or selectively discourage major renovation. If Philadelphia aims to establish a continuum of historic significance and corresponding regulation, conducting a widespread survey with differentiated designation established as a goal at the outset would likely be important.

Research Topic 3: Surveys Designed to Document Cultural Significance

What does this best practice do?

This best practice broadens the scope of survey to document not only places with architectural integrity and character but also places of social, historical and cultural significance.

What challenges will it solve?

The criteria for National Register designation, which in turn inform state and local designation criteria, are:

- Criterion A, "Event," the property must make a contribution to the major pattern of American history;
- Criterion B, "Person," is associated with significant people of the American past;
- Criterion C, "Design/Construction," concerns the distinctive characteristics of the building by its architecture and construction, including having great artistic value or being the work of a master;
- Criterion D, "Information potential," is satisfied if the property has yielded or may be likely to yield information important to prehistory or history.

All the peer cities cited the need for surveys that would account for and document places of cultural significance in addition to structures of architectural significance. However, the majority noted their failure to adequately address this issue, and most agreed that existing survey prioritize criterion C. This limits the range of resources that could be designated and considered historic, and limits opportunities for the inclusion or consideration of places, areas, or structures that may have strong significance for a certain community, but would otherwise not 'pass muster' for architectural significance. This best practice would turn greater attention to and expand the scope of criteria A, B, and D.

Peer city examples

Los Angeles, CA

Los Angeles' survey initiative sought to document places of cultural significance two ways: First, recognizing that cultural resources are not limited to buildings or structures located on parcels, SurveyLA included the survey of non-parcel resources. The types of non-parcel resources surveyed include infrastructure such as public stairways, air raid sirens, pedestrian tunnels, bridges, and medians. Examples of surveyed, non-parcel resources can be found both on the public Historic Places LA web [application](#), as well as in the LAOHR's prepared [print reports](#) for each community area.

Second, prior to conducting a field survey in an area, the core survey team of LAOHR invested at least six months lead-time in community outreach. This included identifying and consulting local experts and community leaders. While depending heavily on historic preservation experts to identify resources with architectural significance, LAOHR recognized the importance of getting direct community input on places of cultural significance:



Historic resources surveys often focus on the architectural character of properties. SurveyLA is innovative, not only because of the new technology and methodology being developed and implemented, but because it will capture the social, historical, and cultural significance — the stories — associated with properties and places throughout the City.

Since professional surveyors will not necessarily know these stories, the success of SurveyLA is largely contingent upon community input. The sheer size and complexity of Los Angeles, a city of 466 square miles and 880,000 legal parcels, necessitates meaningful input from the people who live in every part of the city. ([source](#), page 9)

The information collected through community outreach efforts were used to develop context statements for each survey area, as well as ethnic cultural context statements. The context statements, which are available [online](#) and comply with guidelines set by the National Park Service and the California Office of Historic Preservation, provided SurveyLA efforts with a consistent framework for identifying and evaluating cultural resources.

Other Examples

Cultural Mapping

The practice of encouraging residents to indicate areas of importance, either by drawing their own maps or marking provided maps, is often used for community planning, as well as environmental and natural resource management. Called Public Participation GIS (PPGIS) or Participatory GIS (PGIS), the practice attempts to empower and include otherwise marginalized groups in the decision-making process by providing increased access to information.

There are some documented examples that can apply to cultural resource survey. In 2016, the Office of Historic Preservation (OHP) for the city of San Antonio engaged in a cultural mapping to engage the community and to “collect shared experiences that reflect the ‘intangible heritage’ – traditions, arts, spirituality and events – through story-telling and map-making” ([source](#)). It is unclear however, how this information is being applied to historic preservation planning efforts in the city.

In 2007, Google’s Google Earth Outreach team partnered with the Surui tribe of the Brazilian Amazon to produce an online map of Surui cultural heritage.³ Through a series of training workshops, Surui tribal members were taught how use Google Earth to create a map of highlighting places and points of importance, with links to photographs, audio and video recordings. Points of importance include the locations of Surui hunting grounds, as well as the locations of trees used in the tribe’s production of bows and arrows. The Surui also used Google Earth to develop a mobile application to monitor illegal logging and deforestation ([source](#)).

Today, firms like the [Firelight Group](#), a GIS consulting firm for Indigenous communities operating out of Canada, use PPGIS/PGIS practices to collect and convert points of interest in Indigenous communities into GIS layers that can then be used when determining, for example, the impact of potential development projects on cultural landscapes.

³ A video demonstrating the map can be found [here](#).



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Summary

While Historic Preservation offices identify the incorporation of places of cultural significance to historic resource survey as a critical need, few manage to do so. SurveyLA provides one example of how community input, as well as non-parcel resources, can be incorporated into the survey process alongside traditional architectural survey. Indigenous and Tribal GIS practices provide another example of how intangible heritage can be converted into GIS layers of points, lines and polygons that can then be integrated with other spatial data layers.

Relevance

8 – Developing an approach that accounts for places of historic, architectural, and cultural significance would expand the scope and relevance of historic preservation in Philadelphia. Given how few examples are available on cultural significance incorporation, this could be an area where Philadelphia can innovate and lead. Given that Philadelphia has completed so little survey in general, however, this type of survey may pose a substantial additional challenge.



Research Topic 4: Crowdsourcing and Volunteer Participation in Survey

What does this best practice do?

This practice concerns the active inclusion of external partners, stakeholders, and the public in the process of survey. There are two primary forms this best practice takes:

- The inclusion of volunteers directly in the data-gathering component, or field survey, as demonstrated recently in Alexandria, Detroit, and Muncie;
- The incorporation of community input into overall survey design, the development of context statements, and in the promotion of and support of a survey effort, as demonstrated recently in Los Angeles.

What challenges will it solve?

This practice addresses potential complaints concerning the lack of transparency in survey processes, as well as the of community or volunteer involvement. By boosting community and volunteer input, preservation in general and survey work specifically may gain more widespread popular support and interest.

Peer city examples

Alexandria, VA

Summary: In 2014, the city of Alexandria began a volunteer-led, city-supervised survey effort to update information on its collection of late 18th and early 19th century structures. While other cities and organizations have also leveraged and encouraged volunteer participation in field survey efforts, Alexandria's approach is unique with regards to the level of detail being collected; this is an intensive architectural survey, as opposed to a rapid assessment, being conducted by a volunteer force. The ongoing Historic Resource Survey of Old and Historic Alexandria District is providing the city with a way to slowly but surely update its obsolete data with detailed information, despite limited funds and staff capacity, all the while increasing public interest and support in its historic preservation-related efforts.

Alexandria's historic buildings are located within the locally-designated Old and Historic Alexandria district, within which lie the Alexandria National Historic Landmark District and the Alexandria National Register District. In total, approximately 4,000 buildings are located within these three district boundaries.

Most documentation on these buildings were completed when the districts were first designated – in 1946 for the Old and Historic Alexandria district, and the mid-1960's for its subsequent designations as a National Historic Landmark and National Register district. While staff continue to reference these paper survey records and designation reports, they recognized the need for updated information on their resources.

Development History: In 2014, the city of Alexandria's Historic Preservation Office (HPO) partnered with the National Park Service and contracted with GIS Inc., to develop CRSSurveyor, a mobile architectural survey application suitable for both intensive and reconnaissance-level field survey. CRSSurveyor is

informed by the standards, methodologies and tools created by the National Park Service's Cultural Resource GIS Facility (CRGIS) in response to emergency relief efforts following Hurricane Katrina. While Alexandria is still working to complete its survey, the CRSurveyor app template is available through the National Park Service for CLGs and other agencies to customize for use in their jurisdictions.

Alexandria is currently in Phase II of what is predicted to be a five-phase process. Each phase consists of the following steps:

- An open call for volunteers;
- Two training sessions consisting of 1) a presentation on the history of Alexandria and the architectural styles in the historic districts and 2) a technical demonstration of the CRSurveyor application and field session to familiarize volunteers with its usage;
- Deployment of volunteers, largely on their own time, to conduct the field survey;
- Fact-checking by staff of incoming survey data;
- Incorporation of fact-checked data into the HPO's database system.

Based on their knowledge of existing reports, HPO staff knew that buildings along the outskirts of Alexandria's Old and Historic district tended to be newer and less frequently surveyed than those in the heart of the historic district. HPO staff have therefore designed their survey to start from the outermost boundary of Alexandria's Old and Historic district, and will gradually, over the phases, move inwards into the heart of the district.

Phase I of the survey took place over the summer of 2014. In four weeks, over 400 buildings within Alexandria's Old and Historic district were documented using CRSurveyor. Phase II began in early 2017. Significant delays occurred between Phases I and II due to staffing changes at the HPO, significant software updates to the existing mobile application, and the subsequent need to transfer Phase I data over to a new database. By the end of 2017, approximately 1000 properties, out of 4000 had been surveyed.

Staffing: One full-time HPO staff member currently allocates approximately 20-25% of her time to serve as the survey coordinator. An additional five staff members, as part of their regular responsibilities, fact-check the data collected by volunteers.

Volunteers: Currently, there are approximately 30 active volunteers engaged in this effort. Past and current volunteers involved in the survey include students, preservation partners, and general members of the public. In interviews with HPO staff, staff noted that while some volunteers are familiar with historic preservation and architecture, many have limited or no prior background in either. HPO staff also noted that some of their most dedicated volunteers are those with no prior knowledge or background in architecture and historic preservation.

Volunteers self-organize and conduct the field survey on their own time. As the app shows which properties have not been surveyed yet, volunteers are able to go out into the field at their own pace to document the property and update the database. HPO staff note that many conduct the survey in the field on paper, and then stop by the HPO's office space to consult with staff and manually enter in the



information using a dedicated volunteer computer. The resulting data inputs for each building are then fact-checked by staff before being categorized as complete.

Budget: HPO staff describe this survey initiative as a long-term, financially “barebones” project. Approximately \$20,000 was raised through a combination of CLG and cost share grants to develop the initial mobile application platform from stakeholders such as the Virginia State Historic Preservation Office (SHPO), the Historic Alexandria Foundation, and Esri, a leading GIS software provider. Smaller amounts have since been raised to support Phase II. Due to their reliance on volunteer support, HPO staff do not have an estimate for how long Phase II or subsequent phases will take, and plan to set goals and timelines as they go.

Results: While HPO staff could not provide an estimate on the number of volunteer hours invested, this project would not be possible to conduct without its active volunteer force. HPO staff emphasized that while slow, this approach to survey has been largely positive for the city. HPO staff time and resources can be allocated towards other responsibilities, and the survey initiative has resulted in increased community awareness and support for preservation efforts. For example, a second, concurrent grassroots effort to survey 200 alleys in the Alexandria Old and Historic District was initiated and conducted entirely by volunteers, in consultation with HPO staff. Led by a volunteer with professional experience in preservation, this four-year effort involves approximately 10-15 volunteers doing extensive background research and field documentation. While this survey does not utilize CRSSurveyor, HPO staff note that they are in regular communication with the volunteers on their methodology. The results of this survey are currently being integrated into the city’s GIS system.

Los Angeles, CA

Unlike Alexandria’s volunteer-led approach, Los Angeles’ SurveyLA was structured with a heavy emphasis on incorporating volunteer inputs into both the overall survey design as well as information collected, but with different roles defined clearly for volunteers, preservation experts, and preservation interns.

As mentioned in Research Topic 1, a Project Advisory committee was set up at the beginning of SurveyLA to help guide and inform the survey process. The Community Engagement Subcommittee was set up as part of this process to conceptualize SurveyLA’s community outreach. This led to the development of several guides and tools, including a [citizen participation guidebook](#) available online.

The work of the Community Engagement Subcommittee significantly shaped how SurveyLA’s workflow was structured:

- Breaking the city down into community areas using an existing boundary-type developed and actively used by the Planning department;
- Determining an order for surveying each community area;
- Conducting a minimum of six months of community outreach in the active community area by LAOHR;
- Drafting of community area context statement;
- Preservation consulting firms conducting field survey work, using context statement as a guide.



In interviews, LAOHR staff stressed the importance of the community outreach component. Initial community outreach efforts focused on attending community meetings and identifying potential partner organizations and local neighborhood experts. This served as a way for SurveyLA to gain critical background information that would both inform the field survey and garner public support prior to the undertaking of the field survey in that community area.

Historic Context Statements: As mentioned previously, SurveyLA engaged volunteer experts during this six-plus month outreach phase to help draft some of the historic context statements, particularly ethnic cultural context statements, that would inform and serve as the framework for SurveyLA. For example, SurveyLA's Asian American context statement was drafted through an advisory committee consisting of individuals from five Asian American communities and was funded through a National Park Service grant. Other context statements, which cover both community areas and ethnic groups, were drafted with input from volunteer individuals and/or organizations with ties to that particular area or group.

The overall objective [of community outreach and engagement] is to provide a format to allow neighborhoods and organizations to take ownership of and manage their own contributions to SurveyLA. The information provided will be used in the field by professional surveyors as they identify and evaluate resources citywide. ([source](#), page 9)

Speakers Bureau: The Speakers Bureau consisted of training sessions for interested members of the public to become advocates for SurveyLA. Prior to the implementation of the field survey in a community area, LAOHR staff would host workshops and trainings for residents in that area. Upon completion, residents were encouraged to, for example, give a presentation on SurveyLA at their local neighborhood council meeting. In interviews, LAOHR staff noted that the city did not have much budgeted for outreach efforts, and that the Speakers Bureau served as an effective way for the city to increase community buy-in and spread awareness around SurveyLA.

Partnerships with the Historic Preservation Community: Preservation consulting firms were contracted to conduct the actual field survey, under the supervision of SurveyLA staff. Survey teams on average consisted of two preservation experts completing the survey of one community area. LAOHR organized graduate students and interns to work under survey teams, aiding with photography and background research. In interviews, LAOHR staff noted that this system led to an unexpected bonus: working together for 10 years on this project led to a more collaborative culture among preservation consulting firms in the city. The survey process also served as a pipeline for historic preservation students, with many former interns and graduate students eventually joining these firms as staff members. This helped to grow local expertise in historic preservation. Finally, staff noted that the city overall had a stronger working relationship with both preservation firms and local colleges and universities.

Summary

Expanding who is involved in a survey process benefits both local commissions and the public. By opening either the field survey or education and advocacy around the survey to volunteers, both Alexandria and Los Angeles could reduce costs. Increasing the involvement of non-experts can thus provide city agencies with options when balancing a budget.



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Additionally, opening the survey process can improve transparency around the practice of historic preservation and serve as an educational opportunity for members of the community. Through this, opportunities are raised to increase support and stakeholders for not just a survey, but for the larger preservation practice. Incorporating volunteers in a meaningful way can thus strengthen the quality of the overall survey process, as well as the resulting survey data, and the level of community buy-in.

Relevance

10 -- Very relevant. Given that Philadelphia is considering a new widespread survey, engaging volunteers in survey efforts offers a path to boost popular support for preservation, capture culturally significant places, and reduce costs.



Memo

DATE: MAY 16, 2018
TO: REGULATORY SUBCOMMITTEE | HISTORIC PRESERVATION TASK FORCE
FROM: WILL COOK, ASSOCIATE GENERAL COUNSEL
RE: TAILORED DESIGNATION & REVIEW

“Tailoring” is a flexible preservation tool that allows communities to employ different types of protective systems according to historic resource type and amount of regulation. In some cases, tailored designations may be based on levels of historic significance that bear a direct relationship on the level of scrutiny applied to proposed demolitions or alterations. Tailoring may also correspond to different types of regulation applied by a historic preservation commission depending on the characteristics of a particular historic district, or refer to a community’s choice to combine traditional forms of historic preservation regulation with more flexible neighborhood conservation districts. In other words, tailoring is designed to promote flexibility in a preservation commission’s application of preservation regulations, while at the same time allowing for alternative forms of regulation.¹

Philadelphia already employs a form of tailoring that combines traditional historic preservation regulation—using categories of “significant,” “contributing,” and “non-contributing” properties that receive various levels of regulatory scrutiny—along with neighborhood conservation districts (Queen Village and Overbrook Farms), a special zoning overlay intended to protect a neighborhood’s unique physical characteristics through specific guidelines for new construction and alterations, and administered by the Philadelphia City Planning Commission. Representative examples of additional types of tailored approaches—including those that regulate cultural heritage—follow below. Most examples are focused on architecture because that is the predominant approach, with tailoring focused on “tiers” that correspond to levels of significance and regulation. Finally, if an example is “silent” about cultural heritage, as one commenter pointed out, the community does not regulate it.

Federal Tailoring

The first type of a tailored approach uses the significance of the historic resource to calibrate the level of regulation needed to protect it. For example, federal law employs levels of review based on significance to the extent that there is a heightened duty to avoid harm to National Historic Landmarks pursuant to Section 110(f) of the National Historic Preservation Act, as opposed to the more flexible standard applied to properties listed or eligible for listing in the National Register of Historic Places which is the avoid, minimize, or mitigate adverse effects.

¹ Conservation districts that do not correspond to traditional forms of historic preservation regulation exceed the scope of this memorandum. Please note, however, that conservation districts are sometimes used in tandem with traditional forms of historic preservation regulation, such as in Philadelphia, to address different types of resources and community preferences in regulation.

This difference is justified because National Historic Landmarks are considered to have special significance under federal law.

U.K. Tailoring

On the international level, England employs a National Heritage List, the official register of all nationally protected historic buildings and sites, scheduled monuments, protected wrecks, “heritage areas” such as registered parks and gardens, and battlefields. These resources are assigned “grades”—Grade I (“exceptional interest,” 2.5% of listings, few of which are homes), Grade II* (“particularly important interest,” approximately 5.8%), and Grade III (“special interest,” approximately 92%)—based on their level of historic significance. England, Northern Ireland, and Scotland also have locally listed buildings—Grade A, B, or C, which likewise correspond to a resource’s level of significance. In general, the higher the grade, the higher degree of scrutiny applied to proposed alterations by the U.K. equivalent of a local historic preservation commission in consultation with national authorities. Stated another way, changes to Grade I buildings (and World Heritage Sites) should be “wholly exceptional” versus changes to Grade II buildings, which must be “exceptional.” Administration of the program, however, is highly nuanced. For example, the distinction between grades comes with a strong proviso. Listed buildings are listed for various reasons, and significance lies in different areas of their fabric, design, and associations. Furthermore, any proposed alterations are considered in the context of justification for the change and any concurrent heritage benefits. Thus, this might mean that proposed changes are unacceptable for a Grade II building, but might be permitted for a Grade I building. For example, removal of good 1930s paneling in a 1930s Grade II house may be considered more harmful than the loss of 1930s paneling in an 18th-century Grade I-listed house. For this reason, it is difficult to make definitive statements about it being easier to alter buildings of a lower grade.

Local Government Tailoring

Los Angeles, CA

Los Angeles is known for having one of the most comprehensive preservation regulatory systems in the country in terms of its jurisdiction to regulate historic and cultural resources. It is probably the best model for understanding the treatment of proposed changes to cultural sites and how the preservation commission can apply a more flexible standard of review. Los Angeles has a tailored form of regulation in that it employs Historic Preservation Overlay Zones, commonly known as historic districts, in tandem with individually listed Historic-Cultural Monuments. HPOZ areas range in size from neighborhoods of approximately 50 parcels to more than 4,000 properties. While most districts are primarily residential, many have a mix of single-family and multi-family housing, and some include commercial and industrial properties. HPOZs are established and administered by the Los Angeles City Planning Department (in concert with the City Council). Individual buildings in an HPOZ need not be of landmark quality on their own: it is the collection of a cohesive, unique, and intact gathering of historic resources that qualifies a neighborhood for HPOZ status.

HPOZs include any area of the city which is designated as containing structures, landscaping, natural features or sites having historic, architectural, cultural or aesthetic significance. To receive such designation, areas must be adopted as an HPOZ by the City Planning Commission and the City Council through a zone change procedure that includes notification of all affected and nearby property owners and public hearings. Each HPOZ area has a five-member HPOZ Board to review and make recommendations on projects and promote

historic preservation within the designated area. Most types of exterior changes or improvements to properties in an HPOZ area require written approval from the Planning Department. Proposed changes are guided by an HPOZ's individual preservation plan, or in the absence of a plan, by the Secretary of the Interior's Standards for Rehabilitation, and considering thirteen factors, including the appropriateness of proposed changes relative to existing architectural, natural, landscaping, and street features.

By contrast, Historic-Cultural Monuments are overseen by a separate Cultural Heritage Commission, a five-member, mayoral-appointed commission that considers nominations of sites as City Historic-Cultural Monuments (designated City landmarks) and reviews proposed project work affecting more than 1,000 designated properties. Recommendations of the Cultural Heritage Commission are forwarded to the City Council for final action. The Cultural Heritage Ordinance also gives the Commission the authority to temporarily delay alteration or demolition of historically significant structures until a proper review can be completed.

A Historic-Cultural Monument (Monument) is any site (including significant trees or other plant life located on the site), building or structure of particular historic or cultural significance to the City of Los Angeles. A proposed Monument may be designated by the City Council upon the recommendation of the Commission if it meets at least one of the following criteria: (1) is identified with important events of national, state, or local history or exemplifies significant contributions to the broad cultural, economic or social history of the nation, state, city or community; (2) is associated with the lives of historic personages important to national, state, city, or local history; or (3) embodies the distinctive characteristics of a style, type, period, or method of construction; or represents a notable work of a master designer, builder, or architect whose individual genius influenced his or her age.

Once a property is listed as a Monument, no permit for the demolition, substantial alteration or relocation of any Monument shall be issued, and no Monument shall be demolished, substantially altered or relocated without first referring the matter to the Commission, except where the Superintendent of Building or the City Engineer determines that demolition, relocation or substantial alteration of any Monument is immediately necessary in the interest of the public health, safety or general welfare. In reviewing applications for proposed changes, the Commission's standard of review considers whether the substantial alteration, including additional buildings on a site containing multiple buildings with a unified use (1) complies with the Standards for Rehabilitation approved by the United States Secretary of the Interior; (2) whether the substantial alteration protects and preserves the historic and architectural qualities and the physical characteristics that make the site, building or structure a designated Monument; and (c) comply with the California Environmental Quality Act. Cultural Heritage Ordinance, Sec. 22-171.14.

Finally, in terms of whether the preservation commission applies a different level of scrutiny in deciding whether to allow proposed changes to Historic-Cultural Monuments, the answer depends on the nomination and whether cultural significance is tied to architectural features and if those features have been preserved. Moreover, flexibility is the practice, but this has not been codified in the commission's ordinance or rules and regulations. For example, in the case of the Black Cat Tavern, an LGBT cultural heritage site, significant alterations had occurred over the life of the building since its early days as a bar and LGBT gathering place, complete with police raids and protests that predated Stonewall in New York City by several years. In reviewing proposed changes, although the Secretary of the Interior Standards apply, the commission has focused more on the character-defining features tied to the

building's cultural heritage, such as signage, the interior bar configuration, original outdoor lighting, and overall building framework even though little original historic integrity remains.

Ontario, CA

Ontario's Historic Preservation Program applies to architectural, historic, and cultural resources, and has a tailored system that ranks historic resources based on significance. Review is limited to the exterior of historic buildings and alterations to public improvements, such as street trees, within historic neighborhoods. The system is divided into three levels. When a historic district meets the criteria for a certain tier, a contributing structure within that district may also be considered as part of that tier as determined by the Historic Preservation Commission. For example, upon satisfaction of various criteria related to architecture and history, Tier I consists of properties which should not be demolished or significantly altered under any circumstance. Tier I properties represent the highest level of significance for historic or cultural properties. Tier II properties consist of properties where demolition should be avoided. In addition to satisfying additional criteria related to architecture and history, these include properties listed or eligible for listing in the National Register of Historic Places or California Register of Historic Resources, as well as properties listed in the City's List of Eligible Historical Resources. Tier III properties include those properties recognized as Designated Historic Landmarks by the Historic Preservation Commission. Demolition of these properties should be avoided where possible, but may be appropriate under certain circumstances.

In determining whether to grant a certificate of appropriateness for proposed alterations, the Historic Preservation Commission evaluates whether the proposed alteration, restoration, relocation, or construction, in whole or in part, will detrimentally change, destroy, or adversely affect any significant architectural feature of the resource, that the proposed alterations is compatible with the exterior features of other improvements within the district, and that the proposal does not adversely affect or detract from the character of the district.

San Francisco, CA

San Francisco has one of the most innovative preservation programs in terms of tailoring. First, it employs a nuanced building ratings system focused on significance architectural integrity. Second, as explained below, it provides arguably the most "state of the art" approach to the protection of cultural resources, although not all approaches depend at this time on regulation.

In terms of its regulation of the historic built environment, San Francisco rates buildings according to five categories according to a Building Rating methodology determined by the "Preservation of the Past" section of the Downtown Plan, a component of the city's General Plan. These categories affect review of proposed alterations, demolition, and eligibility for the city's TDR program.

The five categories are as follows:

- (a) Significant Buildings - Category I. Buildings that:
 - (1) Are at least 40 years old; and
 - (2) Are judged to be Buildings of Individual Importance; and
 - (3) Are rated Excellent in Architectural Design or are rated Very Good in both Architectural Design and Relationship to the Environment.
- (b) Significant Buildings - Category II. Buildings

- (1) That meet the standards in Section (a) above; and
- (2) To which, because of their depth and relationship to other structures, it is feasible to add different and higher replacement structures or additions to height at the rear of the structure, even if visible when viewing the principal facades, without affecting their architectural quality or relationship to the environment and without affecting the appearance of the retained portions as separate structures when viewing the principal facades. The designation of Category II Buildings shall identify for each building the portion of the building beyond which such additions may be permitted.
- (c) Contributory Buildings - Category III. Buildings that:
 - (1) Are located outside a designated Conservation District; and
 - (2) Are at least 40 years old; and
 - (3) Are judged to be Buildings of Individual Importance; and
 - (4) Are rated either Very Good in Architectural Design or Excellent or Very Good in Relationship to the Environment.
- (d) Contributory Buildings - Category IV. Buildings that:
 - (1) Are located in a designated Conservation District; and
 - (2) Are at least 40 years old; and
 - (3) Are judged to be Buildings of Individual Importance, and are rated either Very Good in Architectural Design or Excellent or Very Good in Relationship to the Environment.
 - (4) Are judged to be Buildings of Contextual Importance and are rated Very Good in Architectural Design and/or Excellent or Very Good in Relationship to the Environment.
- (e) Unrated Buildings - Category V. Buildings that are not designated as Significant or Contributory.

By contrast, San Francisco has chosen to regulate cultural resources using a different set of tools outside the traditional preservation model and for this reason is considered a leader in trying to protect intangible heritage. For example, starting in 2014, the San Francisco Board of Supervisors has recognized several cultural heritage districts that are distinguished by unique social and historical associations and living traditions. While they have physical boundaries, the districts are primarily identified by the activities that occur within them, including commerce, services, arts, events, and social practices. While a cultural heritage district does not currently hold any regulatory controls, the recognition has spurred community efforts facilitated by the Planning Department and the Mayor's Office of Economic and Workforce Development to develop strategies for sustaining the living culture of these places. Moreover, each community associated with the cultural heritage districts has developed strategies tailored to the needs of their own district. In the future, this community-led work may evolve into a more formalized partnership with City agencies to implement economic, zoning, educational, marketing, and planning tools appropriate to the safeguarding of living heritage.

In addition, the Board of Supervisors established in 2015 a Legacy Business Registry—the first of its kind in the nation. The Legacy Business Registry works to save longstanding, community-serving businesses that so often serve as valuable cultural assets. In November 2015, voters approved Local Measure J, establishing the Legacy Business Preservation Fund. Measure J also expanded the definition of a Legacy Business to include those that have operated in San Francisco for more than 20 years, are at risk of displacement, and meet all other requirements of the Registry. To be eligible for preservation funding or incentives, the business must agree to maintain the physical features or traditions that define the business, including craft, culinary, or art forms.

Aspen, CO

Aspen tailors its approach to historic preservation in a different way. Like most cities with preservation programs, Aspen has the ability to create preservation districts, of which it has two. Unlike other cities, however, its ability to list individual local landmarks is limited to two categories known as Aspen Victorian or Aspen Modern. In addition, unless staff issues a “certificate of no negative effect,” Aspen’s local preservation commission reviews proposed changes to all of these resources according to two different sets of extensive illustrated guidelines, which guide the commission in determining whether proposed changes are appropriate. Another aspect of tailoring is that Aspen Modern is a voluntary historic designation program,² unlike Aspen Victorian, which resembles a traditional historic district model. Once a property is placed on the Aspen Modern map (1940s to 1970s), the regulations allow for a 120-day negotiation period between the city and the property owner about the potential benefits of seeking historic designation, including transferable development rights, but the owner can ask that his or her property be taken off the map for 10 years. Aspen Modern buildings do not require a certain age for listing, but may include a variety of criteria for inclusion on the inventory map, such as its design or connection to a specific person. No change is permitted during the negotiation period. Once a property is listed on either inventory, tailored standards and guidelines apply, depending on whether the building is listed as Aspen Victorian or Aspen Modern.

St. Augustine, FL

St. Augustine recognizes properties that are local landmarks and/or listed on the National Register of Historic Places (individual or contributing) with a higher level of scrutiny for demolition review. The city is currently working on a preservation master plan that makes a recommendation to consider properties with the following approach:

- Local: Historic district significant, historic district contributing, historic district non-contributing, landmark.
- NR: Historic district contributing, non-contributing, individually designated.

Architectural Guidelines for Historical Preservation of the City of St. Augustine assist the local preservation commission with application of its ordinance in determining whether proposed changes are appropriate. In general, proposed changes will be allowed so long as they do not “materially impair” the historic integrity of the designated structure. Moreover, if the building or structure is of exceptional significance, is a contributing property to a National Register of Historic Places District or has been individually listed on the National Register of Historic Places, the commission can deny the demolition if it finds the removal of such building or structure will be detrimental to the historic and architectural character of the city and the applicant has not proven the denial will cause an undue economic hardship. The destruction of colonial buildings listed on the Florida Master Site File, designated Local Landmarks, or buildings meeting the criteria for eligibility on the National Register of Historic Places must be approved by the city commission. In this way, therefore, a higher level of regulation is applied.

² In general, the National Trust does not recommend voluntary designation programs. However, this example is offered to show a different type of tailoring.

Columbia, SC

Columbia tailors its preservation program by having established three categories of resources, which are further tailored in terms of level of regulatory review: landmark, architectural conservation districts, and design protection areas. Columbia's Historic Preservation Division has responsibility for approving Certificates of Design Approvals for alterations to historic buildings or sites. A separate design review process for Columbia's historic and design districts is administered by the Design/Development Review Commission and the design review staff. Secretary of the Interior Standards apply to landmark reviews only. Columbia also employs a Buildings and Sites List that groups properties according to three groups. Group I listings include structures or sites that represent material visual history and are either rare, exemplary, or of national importance, and which require conservation and restoration on original sites. Group II listings include structures or sites which constitute a delineation of Columbia's visual history to a lesser degree than those of Group I, but are not necessarily unique or may have local importance only. Where at all possible, Group II resources "should be preserved on their original sites," possibly by "adaptive reuse." Group III consists of structures which "round out and extend" the material-visual history of Columbia when added to Groups I and II, and represent characteristics that are "interesting locally," "somewhat unusual," or "mediocre" but in danger of becoming extinct locally, or "too decrepit or destructively modified to constitute a prime historic document." If possible, Group III resources should be preserved by "adaptive reuse, although not necessarily on their original sites." In this way, Columbia offers a unique model for different standards of review.

Chicago, IL

Chicago's historic preservation program is based primarily on a traditional preservation regulatory system, although the ability of its historic preservation commission to designate landmarks is advisory only to the Chicago City Council. In addition, although Chicago's preservation commission may consider a place's cultural importance, landmark designation is limited to architecture, works of art, and objects.

In terms of tailoring to provide further support to the historic preservation ordinance, Chicago employs a color-coding system that corresponds to zoning and the city's demolition delay ordinance. Completed in 1995, the Chicago Historic Resources Survey (CHRS) was an over decade-long research effort to survey of all of Chicago's buildings, objects, structures, and sites constructed in the city prior to 1940. The survey identified approximately 9,900 properties that were considered to have some historic or architectural importance. A color-coded ranking system was used to identify historic and architectural significance relative to age, degree of external physical integrity, and level of possible significance. Buildings and structures coded "red" or "orange" (unless designated as a Chicago Landmark or located within a Chicago Landmark District) are subject to the City of Chicago's Demolition Delay Ordinance. "Red" buildings and structures possess some architectural feature or historical association that made them potentially significant in the broader context of the City of Chicago, the State of Illinois, or the United States of America. About 300 properties are categorized as "Red" in the CHRS. "Orange" properties possess some architectural feature or historical association that made them potentially significant in the context of the surrounding community. About 9,600 properties are categorized as "Orange" in the CHRS.

The Demolition-Delay Ordinance, adopted by City Council in 2003, establishes a hold of up to 90 days in the issuance of any demolition permit for certain historic buildings in order that

the Department of Planning and Development can explore options, as appropriate, to preserve the building, including but not limited to landmark designation. The ordinance applies to buildings rated “red” and “orange” in the Chicago Historic Resources Survey. These buildings are designated on the city's zoning map. The delay period starts at the time the permit application is presented to the department's Historic Preservation Division offices and can be extended beyond the original 90 days by mutual agreement with the applicant. The purpose of the ordinance is to ensure that no important historic resource can be demolished without consideration as to whether it should and can be preserved.

Preservation practitioners have reported that in the past, in response to significant losses of “orange” buildings, “orange” buildings today tend to be treated in the permit review process as if they were designated following reports in the local press approximately 10 years ago about the losses.

New Orleans, LA

New Orleans employs a complex “Building Ratings Guide” to enable another type of tailoring. Ratings correspond to the historical or architectural significance of properties and determine what will be permitted within local historic districts or at local landmarks. Categories include buildings of national importance, buildings of major architectural importance, buildings of architectural importance, important buildings that have been altered, buildings that contribute to the scene, and unrated buildings. Buildings are professionally ranked according to historic significance in three categories: (1) Significant (resources that are of national importance or major state, regional, or local significance and which retain the highest degree of architectural and historical merit), (2) Contributing (resources which are integral components of the city because they are historically or architecturally significant), or (3) Non-Contributing (resources which are not historically or architecturally significant).

Local historic districts protect the buildings and neighborhoods of New Orleans by providing regulations for changes to the exterior of all buildings within the local historic districts, reviewing new construction, demolition requests, and citing owners for demolition by neglect. The New Orleans Historic District Landmarks Commission has jurisdiction over ten residential local historic districts. In addition, a separate Central Business District Historic District Landmarks Commission has jurisdiction over four downtown local historic districts. Each commission has a separate Architectural Review Committee composed of volunteer licensed architects, experienced in the field of preservation, commission members and the Landmarks Commission staff.

Dallas & Ft. Worth, TX

The cities of Dallas and Fort Worth each have one or more areas designated as “demolition delay” areas, which apply to old structures that have not been formally designated as historic landmarks by the passage of an ordinance by the city council. Even though a single landmarks commission has jurisdiction, Dallas has passed a separate ordinance for each landmark and district, and these ordinances are custom-tailored to the landmark or district, which the commission then applies in determining whether proposed changes are appropriate. Some ordinances are lengthy and detailed. For example, the ordinance for the Swiss Avenue Historic District is much more demanding in terms of levels of scrutiny than the ordinance for the Tenth Street Historic District.



DRAFT Tailored Preservation Tools: A Conceptual Model Prepared by the National Trust for Historic Preservation (5.15.2018)

Tailored Regulation: In the course of its research, the National Trust has identified and analyzed numerous approaches to Historic Preservation. For purposes of our model, instead of a one-size-fits all approach, “tailoring” is a flexible preservation tool that allows communities to employ different types of protective systems according to historic resource type and desired level of regulatory flexibility. Nearly all of these approaches rely on distinctions of significance, often called “tiers,” “levels,” “grades,” or “categories” – some resources are more significant than others; some resource are nationally significant, while others have local significance. In virtually all of these cases, the distinctions among tiers relate to architectural style, integrity, and quality – i.e. “significance.” For Philadelphia, understanding the full range of opportunities and challenges facing the City, its residents, and businesses, the National Trust recommends for Task Force consideration a “tailored” approach, the outlines of which appear below. Rather than distinguishing between and among resources based upon significance alone, tailoring recognizes and embraces the inherent differences among historic resources. A “tailored” approach would embody a broad range of mechanisms to protect, revitalize, and encourage continued use, adaptive re-use, appropriate infill and compatible new development. It provides the opportunity to recognize and support the preservation of community resources and historic places that matter to existing residents, diverse communities, and the City’s distinctive cultural heritage. Note that all suggestions are based on the assumption that Philadelphia’s local preservation ordinance, rules, and regulations will be applied according to their letter and spirit.

REGULATION	“Landmark District”	“Conservation District”	“Revitalization or Preservation District” *
<i>Administration</i>	Historical Commission	Historical Commission	Planning Commission
<i>Designation</i>	Individual, thematic, district, overlay	Thematic, District, overlay	District, overlay
<i>Demolition</i>	Demolition denial	Demolition delay Replacement plan required for demo Deconstruction requirements	Replacement plan required for demo Deconstruction requirements
<i>Design Review</i>	Historical Commission	Staff, Historical Commission	Staff, Planning Commission
<i>Design Standards</i>	Sec of Interior Standards overall Custom design standards for specific districts	Design standards Height, mass, scale Street frontage Materials	Design guidelines Height, mass, scale Street frontage
<i>Projects types</i>	Building and demo permits Contributing, non-contributing New infill	Building and demo permits Rehab of existing New construction	Work visible from street Rehab of existing New construction

* Revitalization District category could also include other special districts (Arts District, Cultural Heritage District, Design District, Maker District).



DRAFT Tailored Preservation Tools: A Conceptual Model Prepared by the National Trust for Historic Preservation (5.15.2018)

Incentives: The National Trust for Historic Preservation has found that incentives are generally applicable to different levels of regulation and are not “tier” specific. The exception is that Federal and State Historic Tax Credits depend on National Register listing status (a form of tailoring) and San Francisco’s legacy business incentive is tied specifically to that type of cultural property. However, if a “tailoring” approach to historic resources is implemented, an analysis considering market conditions and regulation can be undertaken to determine the most appropriate and effective suite of incentives.

Types of Incentives include the following:

<i>Tax Credits</i>	State tax credit City Tax Credit Property tax abatement for rehab of historic properties
<i>Grants</i>	Basic home repair assistance Commercial rehab incentive grants Legacy business incentives
<i>Regulatory relief</i>	Modified parking requirements Additional uses allowed Permit fee waivers for rehab
<i>Market based</i>	TDR Sending District Incentive Zoning
<i>Technical Assist</i>	Property owner consultations Coordinated code and permit review
<i>Packaged incentives</i>	Adaptive Reuse Ordinance <ul style="list-style-type: none">• Development guidance• Expedited Review• Flexible codes• Permit Fee waivers• Expedited Entitlements• Zoning Alignment• Reduced parking Legacy Business Preservation Fund (San Francisco) <ul style="list-style-type: none">• Employee retention grants• Lease extension grants



DRAFT: Tailored Regulation and Incentives to Reuse Based on Market Conditions. Prepared by the National Trust for Historic Preservation (5.15.2018)

Market	Tailored Regulation		
	High (Restrictive)	Medium	Low (Flexible)
Strong	<ul style="list-style-type: none"> • Demolition risk: Low • Cost & standards for rehab: High • Homeowner income level: High • Reuse/Investment potential: High • Impact of entitlement risk/zoning restrictions on project feasibility: Significant <ul style="list-style-type: none"> ➤ TDRs, density bonus ➤ Regulatory relief incentives ➤ Deferred or low-interest loans ➤ Grants, technical Assistance 	<ul style="list-style-type: none"> • Demolition risk: Moderate • Cost & standards for rehab: Moderate • Homeowner income level: High • Reuse/investment potential: High • Impact of entitlement risk/zoning restrictions on project feasibility: Significant <ul style="list-style-type: none"> ➤ TDRs/ density bonus ➤ Regulatory relief incentives ➤ Deferred or low-interest loans ➤ Regulatory relief incentives 	<ul style="list-style-type: none"> • Demolition risk: High • Cost & standards for rehab: Flexible • Homeowner income level: High • Reuse/investment potential: High • Impact of entitlement risk/zoning restrictions on project feasibility: Significant <ul style="list-style-type: none"> ➤ TDRs/ density bonus ➤ Regulatory relief incentives
Middle	<ul style="list-style-type: none"> • Demolition risk: Low • Cost & standards for rehab: High • Homeowner income level: Mixed • Reuse/Investment potential: Varies • Impact of entitlement risk/zoning restrictions on project feasibility: High <ul style="list-style-type: none"> ➤ Regulatory relief incentives ➤ Deferred or low-interest loans ➤ Grants, technical assistance (sliding scale) ➤ Vacant home acquisition assistance 	<ul style="list-style-type: none"> • Demolition risk: Moderate • Cost & standards for rehab: Moderate • Homeowner income level: Mixed • Reuse/investment potential: Varies • Impact of entitlement risk/zoning restrictions on project feasibility: High <ul style="list-style-type: none"> ➤ Regulatory relief incentives ➤ Deferred or low-interest loans ➤ Grants, technical assistance (sliding scale) ➤ Vacant home acquisition assistance 	<ul style="list-style-type: none"> • Demolition risk: Moderate • Cost & standards for rehab: Flexible • Homeowner income level: Mixed • Reuse/investment potential: • Impact of entitlement risk/zoning restrictions on project feasibility: High <ul style="list-style-type: none"> ➤ Regulatory relief incentives ➤ Vacant home acquisition assistance
Stressed	<ul style="list-style-type: none"> • Demolition risk: Low • Cost & standards for rehab: High • Homeowner income level: Low • Reuse/investment potential: Low • Impact of entitlement risk/zoning restrictions on project feasibility: High <ul style="list-style-type: none"> ➤ Regulatory relief incentives ➤ Deferred or low-interest loans ➤ Grants, Technical Assistance ➤ Vacant home acquisition assistance 	<ul style="list-style-type: none"> • Demolition risk: Moderate • Cost & standards for rehab: High • Homeowner income level: Low • Reuse/investment potential: Low • Impact of entitlement risk/zoning restrictions on project feasibility: High <ul style="list-style-type: none"> ➤ Regulatory relief incentives ➤ Deferred or low-interest loans ➤ Grants, Technical Assistance ➤ Vacant home acquisition assistance 	<ul style="list-style-type: none"> • Demolition risk: High • Cost & standards for rehab: High • Homeowner income level: Low • Reuse/investment potential: Low • Impact of entitlement risk/zoning restrictions on project feasibility: High <ul style="list-style-type: none"> ➤ Regulatory relief incentives ➤ Deferred or low-interest loans ➤ Grants, Technical Assistance ➤ Vacant home acquisition assistance

Incentives Subcommittee – NTHP Best Practices Research Philadelphia Historic Preservation Task Force

The National Trust for Historic Preservation addresses the following research topics in this memo for the Incentive Subcommittee:

1. Regulatory Incentives
2. Homeowner Support Incentives

Research Topic 1: Regulatory Incentives

1. What does the best practice do?

By offering regulatory incentives that expedite entitlements, municipalities can encourage building reuse and bring historic properties back to market. Cities across the country have successfully used diverse techniques including:

- **Expedited Review:** Create an expedited review process to allow priority projects to “skip to the front of the line.”
- **Flexible Codes:** Provide increased flexibility in building and zoning codes by waiving or reducing parking requirements, waiving or modifying standards for open space, setbacks, and lot size and/or allow alternate building code and safety measures more suitable for historic properties.
- **Waiving Fees:** Waive permitting, impact, system development, or other local fees.
- **Flexible Uses:** Increase opportunities for as-of-right development, by allowing flexible uses as-of-right or with expedited approval for historic properties.
- **Expedited Entitlements:** Shorten approvals process by eliminating redundant procedures, establishing concurrent application procedures, allowing simultaneous filing, and coordination with various regulatory bodies (as well as the public), and/or consolidating the review process into a “one-stop shop”.
- **Zoning Alignment:** Ensure that regulations do not inadvertently incentivize demolition over reuse. Ensure that zoning and historic district regulations align to protect existing form and character in areas priority preservation. Remove conflicting zoning and preservation measures.

Cities such as Los Angeles and Phoenix have deployed many of these techniques through Adaptive Reuse Ordinances (ARO), while other cities have incorporated some of these regulatory incentives through a comprehensive revision of their municipal zoning code for example the Buffalo Green Code and Transform Baltimore.

2. What challenges will it solve?

Regulatory incentives can help limit uncertainty, expedite entitlements, and simplify approval processes to make property rehabilitation more feasible and attractive. Entitlement processes can be onerous, complicated, and time-consuming, often involving multiple jurisdictions and numerous governmental and community bodies to secure approvals. These processes can increase uncertainty, time expended, and resources required, which can deter developers and



property owners.¹ For historic properties, complex approvals can further deter developers from pursuing rehabilitation, as these projects often already face unique challenges associated with building reuse compared to new construction, particularly where existing building and zoning code requirements, or physical constraints can render 21st century uses infeasible despite otherwise promising conditions.

3. What types of properties are covered?

Regulatory incentives used by cities to expedite approvals and reduce costs target a range of properties from owner-occupied residences to commercial real estate. They can focus on historic properties as well as new construction to foster economic development, affordable housing, transit-oriented development, and brownfield redevelopment goals.

Cities also have targeted incentives that focus not only on designated landmarks, but buildings types identified as important to the City. The Los Angeles Adaptive Reuse Ordinance (ARO) is an excellent example of a targeted incentive that provides comprehensive regulatory relief for underused commercial structures by streamlined permitting and offering flexible zoning and relaxing building code restrictions. Incentive programs can also target properties by typology such as vacant buildings over a certain age, size and scale, programmatic use, style, etc. In Phoenix, their local ARO categorizes buildings by tiers, focusing on the square footage threshold of eligible buildings.

4. What cities are currently using this best practice?

Numerous cities across the country have revised local land use regulations to ensure that zoning, building code, and development practices encourage and foster public priorities. The following table highlights cities employing certain aspects of this best practice.²

Phoenix, AZ	Comprehensive Adaptive Reuse Ordinance: development guidance, reduced timeframe, and cost savings
Los Angeles, CA	Adaptive Reuse Ordinance, expedited approval process, digital tool, building and zoning code flexibility
Portland, OR	Fee reduction, parking reduction, density bonuses
New York City, NY	Expedited approval process, one-stop online permitting platform, incentive zoning
Baltimore, MD	Flexible uses, zoning that facilitates adaptive reuse, reduced parking, streamlined use conversion
Buffalo, NY	Uniform Development Ordinance, adaptive reuse permit, reduced parking
Long Beach, CA	Adaptive Reuse Incentive Program – alternative building standards, expands on the State’s Historic Building Code
New Orleans, LA	Revitalization districts, reduced parking
Orlando/El Paso County	Expedited housing development approval process, allows qualifying projects to skip to the front of the line
Chicago, IL	Expedited permitting, parking reduction, fee waiver

¹ National Association of Homebuilders. Development Process Efficiency: Cutting Through the Red Tape. 2015.

² New York Department of State – Division of Local Government Services. “Creating the Community You Want: Municipal Options for Land Use Control.” 2015.; National Association of Homebuilders. “Development Process Efficiency: Cutting Through the Red Tape. 2015.



Austin, TX	Expedited review, packaged fee waivers
San Diego, CA	Expedited permitting
Charlottesville, VA	Expedited permitting for affordable housing
Santa Fe, NM	Fee waivers
San Francisco, CA	One-stop online permitting platform, incentive zoning,

5. How is this best practice typically implemented? What are the barriers (if any) that other cities have experienced in implementing this best practice?

As project approvals typically involve numerous departments or multiple agencies, implementation varies depending on the program and local governance. In Los Angeles and Phoenix, the city councils initially approved their respective Adaptive Reuse Ordinances for specific districts and building types. Based on their initial success, both cities voted to expand the reach of the program. Our research identified the following implementation best practices for regulatory incentives:

- **Adaptive Reuse Ordinance:** Incentivize building reuse through an Adaptive Reuse Ordinance or other provisions that allow greater flexibility and maximize opportunities for as-of-right development.
- **Coordinated streamlining:** Agencies involved in approvals work together to holistically examine existing processes and identify opportunities to adapt, streamline, or transform approvals to provide regulatory relief for priority projects.
- **Designating an internal coordinator and team:** Appoint a lead point person solely responsible for coordinating the entities involved in the existing approvals process, and assemble a team of multidisciplinary planners, engineers, inspectors, building & safety workers, etc. to share regulatory relief policy.
- **Establishing a liaison:** Establish a key contact person to serve as a liaison between city agencies and private developers who can help manage projects eligible for expedited review or other forms of regulatory relief.
- **Transparency:** establish clear and transparent guidelines for projects eligible for expedited review or regulatory relief.
- **Leveraging technology:** Leverage technology platforms, accept online applications, or create one-stop digital permitting processes.
- **Monitoring and refinement:** Conduct routine oversight, and periodic evaluations, and enact refinements to ensure that programs function well over time
- **Funding:** Establish budget allocations to hire paid consultants, develop new platforms, and establish frameworks if in-house capacity is insufficient.

Barriers include, but are not limited to:

- Tension from developers whose projects were not expedited as a result of prioritizing other types of projects.
- Generating the political will and sustained commitment to revise existing approval systems, change planning culture, modify long-standing processes, and increase integration and coordination across departments and agencies.
- Difficulty empowering internal champions.



- Fee waivers or special exemptions in some cases required additional process and/or approvals that diminished or counteracted the benefit of the original incentive.

6. Must this best practice be authorized by law? If so, what is the relevant ordinance or regulation and what changes to law are needed? How does that ordinance or regulation compare to Philadelphia's legal framework?

Many cities offer regulatory-based incentives by implementing new policies that do not require changes to existing laws or regulations. Others enact legislation through an alteration of municipal zoning and building code, or by ordinance. Chicago's Permit Fee Waiver program for Landmark buildings was enacted in 1997 by the City Council through legislation.³ Some cities, such as Loveland, CO, were able to adopt policies such as their permit fee waiver program, to implement local legislation that was already in place. Los Angeles's ARO was passed and expanded through city council, and evolved into a comprehensive program requiring the city to incorporate a new chapter into the Los Angeles Building Code. Similar changes in Philadelphia would likely require a change to the local zoning and/or preservation ordinance.

7. Who supervises/manages the use of the best practice?

Depending on the type of regulatory relief offered, different and multiple agencies are involved in oversight. The City of Phoenix's Planning & Development Department is the primary manager of the Phoenix ARO program, working closely with the Office for Customer Advocacy for streamlined permitting/communications, as well as other departments that support the policies of the ARO including the Department of Community and Economic Development. Los Angeles's program relies on an "Adaptive Reuse Team" consisting of people in the Fire Department, including fire protection engineers, inspectors, and captains, and Building and safety- plan checkers and case managers-as well as the Planning Department, CRA, DOT, and Public Works.⁴

In most instances providing a discrete form of regulatory relief, such as permit fee waivers, the department issuing the permit supervises/manages the incentive, through a coordinated process with other departments whose approval is required (e.g. City Historic Commission, Department of Buildings, Planning and Development). Oversight and management varied by local governance structure, but always benefited from in-depth collaboration and coordination.

8. What has its impact been (quantitative wherever possible)?

Los Angeles started one of the first Adaptive Reuse Ordinances in the country, delivering a comprehensive suite of regulatory based incentives to encourage building reuse. The LA ARO has been credited with adding more than 30,000 residents and 14,000 residential units in downtown, between 1999 and 2013 alone. The ARO assured developers that their projects would not get stymied in the entitlement process and was so effective in attracting new development downtown, that the City approved expanding the ordinance to promote building reuse in neighborhoods across the city.⁵

Similarly, the award-winning Phoenix ARO program focused on expediting review and approvals for adaptive reuse projects, and found that this had a quantifiably positive impact on project

³ City of Chicago. "Permit Fee Waiver Info Sheet." 2014

⁴ Central City Development Group. "LA.'s Champion of Adaptive Reuse, Depart City Hall."

⁵ City of Los Angeles. "Adaptive Reuse Program Handbook Second Edition." 2006.



performance. Program participants saved between two weeks and three months in processing time, and between \$2,000 and \$40,000 in costs in the development process.⁶

9. What is the estimated cost to implement this best practice? What new resources are needed?

The cost to implement regulatory incentives depends on the scale and scope of the initiative and local governance structure. Given that this best practice is focused on streamlining and improving the implementation of city process and regulations, costs are typically associated with leveraging and expanding City staff capacity and in some cases hiring outside contractors as needed. As noted above, this practice can range from a comprehensive overhaul of municipal zoning and building code policy, to the adoption of a new ordinance, to targeted or select regulatory interventions. In other cities, new resources needed included funding to:

- Create a dedicated team, task force, or staff lead focused on creating new regulatory processes to facilitate building reuse.
- Hire specialized staff or outside consultants to streamline, manage, and implement the new recommendations.
- Increase staff capacity for expedited review, determination of eligibility for qualifying projects, improved guidance and customer service.
- Deliver new tools to implement an expedited review process, such as an online one-stop platform, which required the cost of hiring outside contractors.

10. How do other cities fund this best practice?

Funding for a comprehensive evaluation and overhaul of municipal building regulation, establishing a new ordinance, or developing regulatory relief interventions typically comes from a mix of public sources, and is typically implemented in phases. While the exact source of funding varied according to availability and local governance practices, Peer Cities paid for these efforts through a combination of general funds, special revenue funds, various trust funds, and specific allocations through respective departments.

Regulatory-based incentives were consistently found to not require direct cash-outlays once they are operational, as many programs offered as-of-right development benefits, diversion of future revenue rather than existing revenue (fee waiver), and focused on delivering project-side savings in time and expense rather than direct financial payments. A few specific examples of how other cities funded efforts to establish regulatory based incentive programs:

- **Los Angeles:** A five-year reform effort to comprehensively overhaul the municipal zoning code. The first phase was valued at \$990,000 and increasing to \$5 million over the entire project. The City Planning department proposed a funding scheme that included an allocation from the local Construction Services Trust Fund and a 2% increase in the General Plan Maintenance Surcharge.⁷
- **Austin:** The Development Services Department and the Planning and Zoning Department developed a joint Action Plan to implement recommendations to resolve Austin's longstanding issues with permitting and development review. The report found

⁶ The Downtown Phoenix Journal. "Three New 'R's: Rezone, Reuse and Revitalize — The City of Phoenix's Adaptive Reuse Program." 2009.

⁷ Curbed Los Angeles. "LA Moving Ahead With Huge Overhaul of 1946 Zoning Code." 2009.; City of Los Angeles FY 17-18 Budget



that 55 out of the 462 recommendations required additional funding, calling for \$2.7 million to hire for 15 new positions for expedited and improved permitting process support. All but \$100,000 of this request was approved by City Council.⁸

11. How can this best practice be combined with other strategies? Which strategies? What are the advantages of combining it with other strategies?

Regulatory benefits can and should be paired with available financial tools and incentives including tax incentives, grants, and loans to support the multiple and complex components of building rehabilitation and reuse. The Phoenix ARO, for example, combines regulatory relief provisions with direct grants and financial support tools, including Adaptive Reuse Fee Incentives. Combining regulatory incentives with financial incentives provides additional advantages by reducing both the time and cost of bringing properties back to market, which help target distressed markets that would not be able to support redevelopment otherwise, by mitigating barriers and promoting development in the highest-need areas of the City.

12. How relevant is this strategy to addressing Philadelphia's historic preservation challenges? (Rank on scale of 1-10. 10 = highest impact.)

10 – highly relevant to addressing Philadelphia's historic preservation challenges

Research Topic #2: Homeowner Support

1. What does the best practice do?

To address challenges facing existing and prospective homeowners of older buildings, cities have adapted programs to increase the supply of decent housing and encourage rehabilitation of existing homes through programs targeting building reuse across diverse markets. These interventions focus on bringing vacant housing stock back to market and increase the housing supply through building reuse, facilitating acquisition of existing homes, and providing rehab assistance for occupied homes.

Philadelphia currently offers homeowners a broad range of incentives and programs from property tax abatements to rehabilitation assistance programs, including a newly ramped up housing preservation loan program to assist residents with the cost of home repairs associated with maintaining one of the oldest building inventories in the country.⁹ While many of these programs provide critical assistance to homeowners, few incentives seem to focus on building reuse and historic homeownership specifically. Other cities have strengthened and complemented their existing homeowner programs by supporting:

Vacant Home Acquisition & Rehabilitation

- Direct assistance for the purchase of formerly vacant homes such as funding assistance for closing costs.

⁸ City of Austin – Planning and Zoning Department/Development Services Department. “PRIDE Action Plan: Roadmap for Building a Better Austin.” 2015.; My Statesmen News. “Austin permitting, development officials release plan for improvement.” 2015.

⁹ Philadelphia City Council, “Homeowners Begin Receiving Free Home Repair & Modification Assistance Authorized By City Council,” 2017.; Curbed Philadelphia, “Philly's new Housing Preservation Loan Program: What to know,” 2018.



- Interventions to encourage reuse of vacant buildings in steady and transitioning neighborhoods (as opposed to focusing exclusively on neighborhoods of concentrated poverty), including streamlining disposition of vacant properties to create a steady pipeline of affordable projects with clean titles,

Occupied Home Rehabilitation

- Targeting homes of a certain vintage or style that have been identified as significant to the City's identity and cultural significance,
- Revolving loan funds, deferred loans, grants, and technical assistance programs to individual occupants of historic homes, small-businesses, non-profits, and government entities through public-private partnerships.

Baltimore's Vacants to Value (V2V) initiative is a notable program that combines several of these strategies to eliminate blight, bring existing properties back to market, help homeowners acquire rehabbed homes. The V2V program employs strategies ranging from streamlining disposition of available properties, to providing direct grants and technical assistance to homeowners aiming to attract private investment in markets otherwise capable of supporting private investment.¹⁰

Cities have also partnered with foundations and non-profits to provide incentives that support occupied home rehabilitation. Chicago's Historic Bungalow Initiative and Greystone & Vintage Home Program are examples of public-private partnerships that combine City funding with non-profit implementation, to offer forgivable loans, grants, and technical assistance for eligible properties and homeowners to reduce the cost and complexity of rehabbing historic homes. Diverse cities including Deadwood, Pittsburgh, Providence, and New York offer notable revolving loan programs through a mix of public-private sources to provide homeowners, small businesses, and other entities with flexible low-cost financing to support rehabilitation costs when traditional financing falls short.

2. What challenges will it solve?

Providing support for homeowners of older properties at the municipal level can be challenging for cities with limited capital resources. Cities that implement effective economic development policies that adopt building reuse as a preferred solution rather than demolition, can preserve neighborhood character and provide quality affordable housing in communities that need it. Baltimore's V2V program has been lauded as an effective strategy for cities with limited financial resources to address vacancy and promote rehabilitation in overlooked "middle markets." While this program has been effective in reducing vacancy, this initiative has also been criticized for not adequately addressing Baltimore's affordability crisis, thus suggesting that careful consideration of equity-focused initiatives is important.

Households with limited funds experience a disproportionate burden associated with the costs of maintaining historic property. Revolving loan programs, grants, and technical assistance are the most common ways in which cities and local organizations have provided direct support to homeowners and small businesses. Combining programs that offer gap funding for both acquisition and rehabilitation of historic properties also helps address the fundamental

¹⁰ Baltimore Housing, Vacants to Value Website Resource Center; Center for Community Progress, "Learning from Baltimore Part-I," 2017.



challenge of capital shortage. When used in complement to existing homeowner incentives, these programs can help facilitate neighborhood growth while promoting citywide economic development goals.

3. What types of properties are covered?

In the case of Baltimore's V2V program, the initiative targets thousands of properties within specific neighborhoods in markets capable of supporting redevelopment activity, designated as "middle markets" and "middle market stressed" based on The Reinvestment Fund's Market Value Analysis (MVA). The V2V program does not target properties located in "stressed markets" or low-income neighborhoods that lack demonstrated market potential. According to the Reinvestment Fund, 41% of Philadelphia's residents live in designated "middle markets," representing a significant portion of the City.¹¹ Incentivizing building reuse in these middle markets differs from Philadelphia's Land Bank initiative, as nearly 90% of the properties available for disposition through the Philadelphia Land Bank are in "stressed markets."¹²

Revolving loans, grants, and technical assistance programs such as the Providence Revolving Loan Fund, or Chicago's Greystone Initiative often serve historic owner-occupied residential properties. Some programs include an income-restriction component or focus on properties in low to moderate income neighborhoods. Some programs work in tandem with other programs targeting commercial structures and mixed-use buildings, by lending to small businesses or other entities, to further catalyze development activity in targeted neighborhoods. In addition to historic designation, eligible properties can also be determined by building typology as in the case of Chicago's Bungalow initiative and Vintage Home Repair program. Chicago's program applies to properties citywide if they meet program criteria including year built, size, material, layout, window, and entrance specifications.¹³

4. What cities are currently using this best practice?

Baltimore's V2V program has been cited as a model for other cities. Among the Peer Cities, Buffalo's Urban Homestead program similarly encourages vacant home rehabilitation as an alternative to demolition while providing homeowner support, by streamlining property acquisition and providing targeted financial resources for homeowners. Philadelphia already provides some support of homeownership through property tax relief policy and basic home repair programs. However, Baltimore's V2V program is notable as a strategy targeting middle neighborhoods, and has been recognized with a Workforce Housing award from ULI, and is featured as a best practice on numerous print and online publications including the Federal Reserve Board of Governors, Housing Policy Center's Foreclosure Response, NRDC, and Planetizen.

Chicago, Deadwood, New York, Pittsburgh, and Providence, among numerous other cities offer revolving loans, grants, and technical assistance programs.

5. How is this best practice typically implemented? What are the barriers (if any) that other cities have experienced in implementing this best practice?

¹¹ The Reinvestment Fund, "Philadelphia's Middle Neighborhoods: Demographic and Market Differences by Race, Ethnicity, and Nation of Origin," May 2017.

¹² Philadelphia Land Bank, "Strategic Plan & Performance Report," 2017.

¹³ Chicago Bungalow Association, "Defining Characteristics of The Chicago Bungalow," 2018.



Implementation:

Vacant Property Rehab: Comprehensive blight removal and home acquisition incentive programs are typically implemented through municipal housing departments, pulling in various agencies and departments as needed. In the case of Baltimore's V2V program, Baltimore Housing (Department of Housing & Community Development) works with internal and external departments to implement the program. Details are provided in "7. Who supervises this best practice?"

Streamlining disposition and code enforcement: The V2V program has been effective in motivating developers and property owners to acquire and rehabilitate vacant and underused properties. The City establishes a reliable pipeline of affordable properties with clean titles and makes them available to developers, via a three-step process:

- **Identify:** City identifies vacant/neglected buildings and issues a Vacant Building Notice, requiring the owner to secure the building until the building receives proper treatment.
- **Notify:** If the owner neglects these responsibilities and the property is in an area targeted by V2V, the housing department issues a citation and fine as a second prompt to rehabilitate.
- **Consolidate & auction:** If the owner still fails to act, the City files for receivership via Baltimore's receivership statute, which enables the court to appoint a receiver to sell the property to a developer who will rehab the property. The City typically waits until it has amassed 25-40 properties, before it auctions off the properties to eligible developers.

Homebuying incentives: Additionally, Baltimore currently offers six incentive programs, in partnership with major local employers, to encourage homeownership:

- **V2V Booster:** \$10,000 towards closing costs for eligible properties that have outstanding VBNs for one year or more
- **City Employee Program:** \$5,000 for city employees purchasing first-time homes citywide
- **Buying into Baltimore & City Living Starts Here:** Live Baltimore, a private non-profit organization, offers \$5,000 to use towards purchasing a home anywhere in Baltimore City.
- **Live Near Your Work:** Partnership between 80+ employers and the City where the City matches employer contributions up to \$2,500 towards purchasing a home near work.
- **CDBG Homebuyer Assistance:** Up to \$5,000 in down payment and closing cost assistance.

These incentives are offered on a first-come first serve basis, and prospective homeowners can layer multiple incentives on a single purchase, however, relatively few homebuyers have taken advantage of this. The incentive programs require homeowners to remain in their homes for at least five years after purchase, and the City enforces this by placing a lien on the property valued at the same amount of the incentive reward. The lien is reduced by 20% each year and forgiven after five years.

Occupied Home Rehab: Revolving loan funds, grants, and technical assistance programs are often implemented by or in partnership with non-profit preservation/housing organizations. Many of these organizations started with *revolving funds* (acquisition funds for the same entity to perform building rehab), before establishing *revolving loan funds* (a loan fund for other preservationists to undertake building rehab) to respond to evolving needs. For example, the Providence Preservation Society determined that banks were not providing financing in specific



neighborhoods, particularly historic neighborhoods, and they responded to fill a critical gap. While these programs vary by local circumstance, the central components of implementation typically include:

Establishment – Loan fund programs are typically established by a private non-profit or a state or municipality. Non-profit entities can establish a loan fund capitalized through philanthropic contributions, private endowment, or a combination of public-private sources. States and municipalities may need to pass an ordinance or voter referendum to approve the funds needed to capitalize the fund, and for these reasons tend to be less flexible than privately operated funds.

Structure – Cities and non-profits often structure their programs to target community needs by defining loan terms, interest rates, maximum/minimum loan amount, payback terms, eligibility requirements, and technical assistance provisions. The Providence fund for example targets historic neighborhoods in low- to moderate income communities that do not otherwise have access to financing, offering lending, technical assistance, and development services.

Oversight – Private revolving loan funds are typically incorporated as non-profit 501(c)3 entities. Cities often partner with non-profits and community organizations capable of administering the loan program (staff capacity, finance, risk assessment, etc.) who are familiar with the financial realities of the communities taking out loans. The Providence Revolving Fund for example oversees their loan program in house and has established neighborhood groups to review applications. By contrast, the City of Deadwood partners with a national organization called Neighborworks to help manage the technical loan process. Effective entities in charge of oversight work hard to ensure they have the capacity to review applications, vet potential projects, market the fund effectively, and provide technical assistance (financial counseling to understand loan risks) as needed. The NY Landmarks Conservancy for instance has staff and budget allocations allowing them to provide legal counsel, design team selection, design review, and construction project management support.

Barriers to implementation include:

- **Weak Market Dynamics:** Programs like V2V, rely on existing market dynamics to succeed. The recession has inhibited the V2V program, as lending institutions were reluctant to grant mortgages/loans to property owners interested in renovating homes. Lack of access to financing remains a barrier in the implementation of this program.
- **Budget Constraints:** The availability of some V2V homeowner incentives are linked directly to City budget allocations. Sudden budget cuts have resulted in an abrupt suspension of incentives, such as the V2V Booster in the past few years, which increases uncertainty to the detriment of local sales. Further, the City has lacked funding to provide complementary programs including low-interest financing, and technical support to help first time home-owners navigate the redevelopment process. Cities and non-profit organizations that offer occupied home rehabilitation assistance through low-interest loans, grants, and technical assistance also struggle with sustaining funding over time.
- **Integration Challenges:** Coordination of the numerous V2V strategies require frequent interaction between different agencies, divisions, and departments. While a more integrated approach would be beneficial, planning across different sectors of city government requires time and resources not always available.



- **Ineffective Communications:** Communication of the program, the program's mechanics, and results must clearly convey a complex program to a broad audience. Despite efforts to manage this communication, many public misconceptions remain, especially pertaining to the intent of the program to leverage private market forces to support building rehabilitation, and the strategy to focus on middle markets.

6. Must this best practice be authorized by law? If so, what is the relevant ordinance or regulation and what changes to law are needed? How does that ordinance or regulation compare to Philadelphia's legal framework?

Core elements of Baltimore's V2V program are enabled by the city's Receivership Statute. Other cities have adapted this program based on the tools and mechanisms they have in place, such as New Jersey's spot blight statute, Detroit's nuisance abatement process, or New York's court process. Philadelphia passed legislation establishing the Philadelphia Land Bank, which is enabled to acquire and facilitate property transfer, to encourage the rehabilitation of vacant and tax-delinquent properties, however, most land bank properties are vacant land as opposed to existing buildings that afford strong rehab opportunities.

Typically, municipalities establish or appropriate public monies for a revolving loan fund by passing an ordinance or voter referendum. However, the City of Philadelphia previously funded a Historic Properties Repair Fund through the Preservation Alliance, with support from the National Trust and other foundations. The City currently offers a suite of homeowner tax, grant, and technical assistance incentives, indicating that the existing legal framework is amenable to these types of programs.

7. Who supervises/manages the use of the best practice?

In the case of V2V, Baltimore Department of Housing & Community Development, also known as Baltimore Housing or HCD, provides primary oversight, with management responsibilities divided among the Division of Permits & Code Enforcement, the Division of Land Resources, and the Division of Green, Healthy, and Sustainable Homes. In 2007, Baltimore Housing created a unified division of Neighborhood Investment, to streamline and expedite neighborhood revitalization initiatives. This division provides direct oversight to the Office of Land Resources (disposition of City-owned sites), Office of CDBG, Office of Homeownership, and Office of Rehabilitation, which collectively serve as a one-stop resource center to centralize all available services for homeowners. Baltimore Housing also partners with other departments including Planning and Public Works, however, a recent evaluation identified challenges in forming cross-departmental partnerships, and noted that in-depth coordination has been lacking.

Local preservation organizations and housing non-profits typically administer revolving loan funds, grants, and assistance programs, sometimes in partnership with local agencies. The New York Landmarks Conservancy, Pittsburgh History and Landmarks Foundation, and the Providence Preservation Society are all private non-profit entities that oversee their respective loan programs. In many cases, they partner with banks, other lending institutions, or government agencies for technical review, risk assessment, and delivery. In the case of Chicago's typology based housing incentives, the Department of Housing and Economic Development (HED) created the Historic Chicago Bungalow Association to oversee the program,

8. What has its impact been (quantitative wherever possible)?



The V2V program has reduced the number of city-owned vacant properties and helped spur economic development in some neighborhoods. Specifically, 300 vacant houses have been rehabilitated each year since 2010, without the use of direct public subsidy. The V2V booster program assisted 600 homeowners with closing cost grants between 2010 and 2016, of whom 64% were previous Baltimore residents, while 36% moved in from outside of the City.¹⁴

While the total number of vacant and abandoned homes in the city has increased by nearly 500 since 2010, the number of City-owned sites that were vacant have decreased by over 600 sites, indicating that blight and disinvestment is a broader issue that housing and homeownership policy alone cannot solve, but the V2V program has been successful in creating a pipeline for vacant properties to be transferred and brought back to market.

Impacts from occupied home rehab programs are as follows:

- The Chicago Bungalow Initiative has aided over 4,000 homes in home repairs and renovation efforts.
- The Providence Revolving Loan Fund through its Neighborhood Loan Program has invested over \$7.4 million in low- and moderate-income neighborhoods for 460 building restorations since 1982, leveraging over \$23.75 million in additional financing.¹⁵
- Pittsburgh's Preservation Loan Fund has serviced 173 loans since 1985, and the fund has never been fully depleted.¹⁶
- NYLC's Historic Properties Fund was initially capitalized with \$7M, and has made over 220 loans since 1982.¹⁷

9. What is the estimated cost to implement this best practice? What new resources are needed?

Baltimore's FY2015 budget earmarked \$570,000 to provide homeownership incentives to 600 homebuyers, which increased to \$650,000 in 2016. In addition to direct homeownership incentives, the City also combined local, state, and federal funds to allocate \$4.8 million total towards all homeownership incentives.¹⁸

For occupied home rehabilitation support incentives, sufficient funds to capitalize a local revolving loan fund, and/or grant program is needed. As revolving loan funds are designed to be self-replenishing, the initial capitalization of a well-designed program and a strong partnership with or the establishment of an entity able to oversee the program and ensure its financial sustainability is critical. Typically, these programs require 1-5 staff members.

The New York Landmark Conservancy was initially capitalized with \$470,000, with additional contributions of over \$7M over the next two decades from the redevelopment of a former GSA property the Conservancy helped reuse.¹⁹

10. How do other cities fund this best practice?

¹⁴ Ibid.

¹⁵ Providence Revolving Fund Website. <http://www.revolvingfund.org/about.php>

¹⁶ Mitchell, Olivia, "An Evaluation of Historic Preservation Revolving Loan Funds, and Recommendations for the Establishment of Future Programs," Upenn Thesis 2011.

¹⁷ Ibid.

¹⁸ City Paper, "Vacants to Value program quietly cuts homeowner incentive." 2016.

¹⁹ The New York Landmarks Conservancy. Historic Properties Fund.

http://www.nylandmarks.org/programs_services/loans/historic_properties_fund/



In general, revolving loan funds, grants, and technical assistance programs are funded through a combination of public-private sources, such as the local, state, and federal governments and financial institutions, philanthropic organizations and "... options, lines of credit, program-related investments, block grant funds, fees for services, donations of property, bargain sales, and other sources of flexible funding."²⁰ The City of Philadelphia is funding its new \$100 million Housing Loan Program through a bond issuance serviced by a 0.1% increase in the local real estate transfer tax. The City is establishing a low-interest loan program in partnership with private financial institutions to encourage lenders to lend to low- moderate- and middle income households for home repair, by backstopping potential defaults through city funding.

Baltimore has an extremely limited budget for rehabilitating vacant and neglected housing, particularly housing without any income restrictions. The City allocates money through the General Fund each year to support the Baltimore Homeowner Incentive Program (B-HIP - the umbrella program for V2V and other homeownership incentive programs). In fiscal year 2018, the total \$5.3M allocated to B-HIP came from General Obligation Bonds, General Fund, and CDBG funds.

11. How can this best practice be combined with other strategies? Which strategies? What are the advantages of combining it with other strategies?

Baltimore's V2V program can and should be combined with other programs that offer direct and indirect assistance to homeowners. These in turn can be combined effectively with other regulatory and financial incentives, including:

- **Tax incentives:** City Historic Restoration & Rehabilitation Property Tax Credit (Baltimore), income tax credits (Maryland Sustainable Communities), Low Income Housing Tax Credits, Homestead Tax Credits, Green Tax Credits, among many others available in Baltimore.
- **Infrastructure upgrades:** Baltimore works with public/private partners to provide public realm and infrastructure upgrades, to attract investment and help prime neighborhoods for redevelopment.
- **Traditional and subsidized loans:** This program is also designed to be used in tandem with state and federal loan programs (Maryland Mortgage Program Loans, Healthy Neighborhoods Purchase & Rehabilitation Loan + others, HUD 203K Loan, etc.).
- **Inclusive and affordable housing policy:** To ensure more equitable outcomes, cities take measures such as pairing incentives with income-restrictions, and/or MWBE requirements to ensure that incentives reach the demographics they intend to serve. Cities, including Philadelphia, can increase the success of these programs by mandating educational support services such as financial counseling.

12. How relevant is this strategy to addressing Philadelphia's historic preservation challenges? (Rank on scale of 1-10. 10 = highest impact.)

10 – Highly relevant to Philadelphia's historic preservation challenges

²⁰ Forum News, "Preservation Revolving Funds: Then and Now," 2015.

**Incentives Subcommittee – NTHP Best Practices Research
Philadelphia Historic Preservation Task Force**

Research Topic #1: Market-based Incentives for Historic Preservation

Incentive Zoning and Transfer of Development Rights (TDR) Best Practices

Market-based incentives have long been an essential component of local historic preservation programs, enhancing the effectiveness of traditional land use regulation. Research shows that a balance of regulations and incentives is the most effective way to promote the protection of historic resources and encourage popular support for historic preservation. In addition, properly crafted market-based incentives can help cities to achieve their development and preservation goals without excessive reliance on taxes and fees.

What does the best practices do?

Incentive Zoning and *Transfer of Development Rights (TDR)* are two market-based land use regulatory techniques through which governments provide real estate developers property rights in exchange for public benefits.¹ Due to their voluntary nature, both incentive zoning and TDR programs must be structured in a way that entices property owners and developers to utilize them. Fundamental to the concept of market-based approaches is that the value of an incentive must exceed the cost of providing a desired community benefit; otherwise, developers are unlikely to take advantage of the incentive.

A. Incentive Zoning

Traditional zoning regulates property through prescriptive use, height, and bulk restrictions. Incentive zoning supplements traditional zoning by taking advantage of market forces, offering developers a range of regulatory incentives that either increase revenue or reduce costs, including flexible development regulations, parking reductions, fee waivers or reductions, and permitting priority. The most common right granted to developers is a “Density Bonus”—the right to build more space than otherwise permitted by traditional zoning. Other incentives that either reduce costs or increase revenue include the right to build more housing units, exemptions from parking requirements, and exemptions from height and setback requirements.

In recent years, incentive zoning has been most commonly used as a vehicle to encourage production of affordable housing, but a wide variety of public benefits or amenities can be incentivized, including public parks, plazas and roof gardens, day care centers, job training, and preservation of historic resources. The 2012 Philadelphia Zoning Code includes both floor area bonus and building height bonus provisions to encourage specific amenities in the public interest, including public art, public space, mixed, moderate, and low-income housing, transit improvements, underground parking and loading, and green building.

¹ Public Benefit Zoning (PBZ) is another market-based approach incentive zoning that captures increased land value resulting from government action such as upzoning. Also known as Land Value Recapture, PBZ assures that landowners still benefit from the increased property value, but the community shares some of the benefits.



B. Transfer of Development Rights (TDR)

A TDR program allows for the transfer of development rights from one property to another, with the goal of reducing or eliminating development potential in places that should be preserved (known as *sending sites*) and increasing development potential in places where growth is desired (known as *receiving sites*.) Owners of sending sites receive compensation for giving up their right to develop, while owners of receiving sites pay for the right to develop at greater densities or heights than would otherwise be allowed.

Like incentive zoning, TDR is entirely voluntary. If owners of eligible receiving properties chose not to participate, they are entitled to develop as permitted by current zoning. By allowing the owner of a historic property to sell the development rights, TDR programs create the opportunity for owners to realize economic gain without demolishing an historic landmark or other significant building for redevelopment.

When development rights are sold by the owner of a historic property, a preservation easement is used to ensure its permanent protection. In this regard, TDR programs can offer enhanced protection over traditional preservation protections, which offer no guarantee of permanence.

TDR programs can either operate through direct transfers of property rights between owners of sending and receiving sites, or through a TDR "bank," in which a government agency or nonprofit organization acts as an intermediary buying, holding, and selling rights. TDR banks enable property owners to sell development rights without having a buyer available who is ready to develop. If a bank is not created, a centralized registry or database of available TDR can help connect TDR buyers and sellers and enable a more dynamic market.

What challenges will they solve?

A. Incentive Zoning

Incentive zoning can be an effective way to provide a public benefit at little or no direct cost to local government, without resorting to increased taxes, fees, or regulation.

B. Transfer of Development Rights

TDR can support a city's historic preservation and planning goals in several ways:

- They can create a financial incentive for the owner of a historic property to preserve the property rather than selling it to a developer who might replace it with a larger structure, while providing additional financial resources to maintain or rehabilitate the building.
- Where traditional historic preservation regulations prohibit demolishing a landmark building, TDR programs create the opportunity for owners to recoup lost value by selling unused development rights attaching to the property for economic gain.
- TDR programs also address concerns that preservation regulations are anti-growth. TDR can protect individual landmarks or historic districts, but they do so by redirecting growth on a voluntary basis, not by restricting overall development.

What types of properties are covered?

Any property type can be the subject of Incentive Zoning or Transfer of Development Rights. Incentive Zoning can support preservation of an onsite historic resource of any type, a specific off-site property, or developers can pay into a historic preservation fund to be distributed through competitive grants.

Most TDR programs with a historic preservation focus were developed to protect smaller scale historic properties in downtowns whose FAR was significantly less than that permitted by zoning. Recently, programs have expanded beyond downtowns to include other neighborhoods under growth pressures. TDR can be used to preserve on-site historic properties through lot mergers, historic properties on nearby parcels, or parcels in another district.

What cities use these best practices, and how have they been implemented?

The adoption of market-driven land use incentives to supplement traditional land use regulation can be traced to New York City's pioneering 1961 Zoning Resolution, which introduced the concept of floor-area ratio (FAR) and allowed for bonus FAR to be utilized by office buildings in return for the creation of privately owned public plazas at the base of these buildings. In 1968, New York City adopted a transferable development rights mechanism that gave owners of historic properties the option of transferring their unused development rights in return for a payment.

Numerous cities across the country have embraced both Incentive Zoning and Transfer of Development Rights to augment their traditional regulatory efforts to promote the preservation and rehabilitation of historic buildings. Following are some examples of cities utilizing these techniques.

A. Incentive Zoning

i. Palo Alto, California: a focus on downtown rehabilitation

Palo Alto, California, offers a targeted rehabilitation density bonus via preservation-related FAR bonuses in its downtown commercial district. A *Historic Rehabilitation Bonus* is available for historic buildings that are listed in the city's inventory that are undergoing historic rehabilitation. For these properties, floor area can be increased by 2,500 square feet or 25% of the existing building, whichever is greater, without having this increase count toward the FAR. (If the building is also undergoing seismic rehabilitation, the bonus is increased to 5,000 square feet or 50% of the existing building.)

ii. Austin, Texas: a suite of community benefit options

Austin Texas established its current *Downtown Density Bonus Program* (DDBP) in 2014 with the goal of promoting a vibrant, dense, and pedestrian friendly downtown area while also encouraging the development of affordable housing and other community benefits. The program allows developments in the downtown area to achieve greater height and density, allowing developers to select from a wide range of community benefits, but mandates that at least 50 percent of the bonus be achieved by providing on-site affordable housing or by paying a development bonus fee into the Affordable Housing Trust Fund.



The program offers several historic preservation options:

- *on-site historic preservation bonus*: five square feet of bonus area are offered for each one square foot of a historic building preserved;
- *off-site historic preservation bonus* by paying a development bonus fee into the Historic Preservation Fund² at a per square foot rate based on the district in which the proposed development is located;
- *enhanced density bonuses for Rainey Street district*: an area of historic bungalow-style homes adjacent to downtown under intense development pressure. Projects there can receive 25,000 square feet of bonus area for each historically significant building restored and preserved.

In the four years since the program's inception, developers have consistently selected the affordable housing options over the other benefits. This may reflect the relative ease for developers to simply increase the 50% affordable housing requirement to 100%, suggesting that the preservation bonuses need to be richer if they are to effectively compete.

iii. Chicago, Illinois: downtown growth funds for neighborhood revitalization

In 2016, the City of Chicago's zoning code was reformed with the goal of ensuring that the growth of downtown drives equitable development throughout the City. The package of changes, coordinated as the *Neighborhood Opportunity Bonus*, leverages new downtown development to generate funds to catalyze investment along commercial corridors in underserved neighborhoods on Chicago's West, Southwest and South Sides.

The Neighborhood Opportunity Bonus accommodated ongoing downtown growth by expanding the downtown zoning district by 800 acres or roughly 20%. It also simplified and updated the downtown FAR bonus system. Previously, the zoning code provided FAR bonus in exchange for a variety of on-site amenities, such as building setbacks, winter gardens, green roofs and other design features. Under the Neighborhood Opportunity Bonus, FAR bonuses are available through a single voluntary payment into a Neighborhood Opportunity Fund. The payment made by developers is based on a formula that reflects the value of land within the surrounding area.

In its first two years, \$50 million in fees are on track to be paid into the Neighborhood Opportunity Fund. These funds are used to encourage commercial development in neighborhoods on the South and West sides lacking private investment, or to city landmarks citywide. Business and property owners in these districts may apply for grant funding to pay for the development or rehabilitation of real estate, and projects that support new or expanding businesses or cultural assets.

Funds are allocated as follows:

- 80% for commercial corridor development on the South and West sides
- 10% for a citywide "adopt-a-landmark" program

² While no funds have been deposited in the Historic Preservation Fund through the density bonus program, the city allocated nearly \$7 million to the HPF from the Hotel Occupancy Tax.



- 10% for public realm & transit improvements within 1-mile radius of the development paying the fee.

New construction projects seeking FAR bonuses are processed as Planned Developments, a zoning designation that provides additional public oversight, including public hearings before the Chicago Plan Commission and City Council Committee on Zoning prior to a vote by the full City Council.

iv. Arlington County, Virginia-Generous Bonus for Transit-Oriented Development

Arlington County includes a number of special planning districts, each with their own set of incentives. When an entire historic structure in the Clarendon Revitalization District (around the DC Metro Station) is preserved in accordance with adopted policies, the County Board may approve a density increase of up to 500 percent of the first 10,000 sq. ft. of gross floor area preserved and up to 300 percent of any sq. ft. of gross floor area preserved beyond 10,000 sq. ft.

B. Transfer of Development Rights

i. Seattle, Washington: The Role of TDR Banks

Seattle's TDR program was developed as part of a comprehensive downtown planning update in 1985, which sought to retain low income housing, preserve historic landmarks, encourage infill development, and create incentives for varying building scale in the downtown. Originally, the development rights transfer had to be simultaneous, but in 1988 Seattle authorized the creation of a TDR bank to enable the City to buy development rights and hold them in the bank, selling them at a later date to developers seeking additional density for new commercial projects.

For the first decade of its TDR program, the City was the sole purchaser of TDRs. To prime the pump, the City gave the TDR bank funds first to purchase housing TDR, and later contributed \$3.1 million for TDR from landmark performing arts theaters to assist with their preservation. The ordinance was also amended to allow proceeds from the sale of TDRs be deposited into the Low-Income Housing Fund rather than the general fund, thus creating a sort of TDR revolving fund.

The Seattle TDR program is based on districts, each with its own TDR mechanisms, guidelines and TDR calculation formulas according to the specific planning goals for the district. The city requires that at least 5% of FAR gained through TDR and bonus incentives must be gained through Landmark TDR. A 2006 provision in the Downtown Code exempts a portion of the floor area of a Landmark in the calculations of TDR, thus increasing the amount available to sell from landmark structures. In addition, TDR from landmarks structures converted to affordable housing is treated as housing TDR, which means that projects can use more landmark TDR overall. Seattle buttresses its incentives by prohibiting any projects that cause the destruction of any designated features of a Landmark structure from gaining additional FAR through the use of zoning incentives or TDR unless authorized by the Landmarks Preservation Board.



ii. San Francisco, California: a cornerstone to growth management

San Francisco's TDR program emerged from the 1985 Downtown Plan in response to unprecedented office growth, housing impacts, transportation impacts and the loss of historic buildings. The key goal of the Program is to maintain Downtown's development potential while protecting historic resources.

While the Program initially applied only to properties within San Francisco's Downtown, it was amended in the mid 2000's to allow for the transfer of TDR from City-owned landmarks near Downtown. The city is exploring the sale of TDRs from additional such City-owned properties to fund essential seismic safety improvements and rehabilitation projects for those properties.

Originally, the program required that TDR be transferred within a single Downtown Commercial (C-3) Zoning District to ensure that development wasn't concentrated in any one C-3 District. In 2013 legislation modified the program to permit the transfer of TDR to any development lot in a C-3 District, with the goal of equalizing the supply and demand ratio.

San Francisco's TDR program is one of the most successful in the country. As of 2013, 83 parcels with historic buildings had sold a total of 4.3 million square feet of development rights. Among the notable historic properties that have sold development rights are the Central YMCA, the Ritz-Carlton Hotel, the Pacific Exchange, the American Conservatory Theater, the Palace Hotel, the Curran Theatre, the Jessie Street Substation, Notre Dame des Victoires Church, the Hibernia Bank, the Old Mint, and the Metropolitan Club. The program's success can be traced to several factors:

- It was adopted as part of a comprehensive Downtown Plan in 1985, which simultaneously designated over 200 historic buildings, applied strict architectural controls, and made them eligible as sending parcels.
- Rights can be transferred from any sending parcel to any other lot in the zoning district.
- The Downtown Plan included significant downzoning, and TDR was the only mechanism through which developers could exceed the density restrictions set by the plan.

Philadelphia's Experience with TDR

Philadelphia had a TDR program from 1991 until 2012 when it was written out of its new zoning code. While the program does not appear to have been utilized, this does not mean that Philadelphia lacks the market fundamentals to support a TDR program in City Center. It does however suggest that a new program would have to be crafted in a way that is more attractive to both buyers and sellers of development rights.

Philadelphia's TDR program was introduced in response to the 1988 Plan for Center City, which included three recommendations for economic incentives for historic properties: enhance existing tax abatements



to include historic properties; capitalize a large revolving loan fund; and establishing zoning incentives, including a TDR program.

The TDR program that was implemented in 1991 allowed owners of more than 200 city-certified historic buildings scattered throughout the highest-density zoning districts of Center City to sell development rights to developers of thirty building sites of 30,000 square feet or more fronting Market Street, John F. Kennedy Boulevard, and North Broad Street.

The program included several constraints that may have factored against its use. Eight other community benefits amenities, including observation decks, through block connections, public museum, meeting or library space, and improvements to or construction of publicly owned facilities within 500 feet of the new building, competed with the TDR.

Furthermore, the proceeds of the sale of TDRs had to be placed into an escrow or trust account to be used exclusively for future maintenance or rehabilitation of the historic building, with review by the Philadelphia Historical Commission. Such a strict limit on use of proceeds likely caused potential TDR sellers to seek a higher price than would be the case in the absence of restrictions.

What barriers have other cities experienced in implementing these best practices?

Incentive Zoning and TDR targeting historic preservation are often included among a suite of community benefits a city seeks to incentivize. When offered a range of community benefit to choose from in exchange for greater density, developers will logically opt for those benefits that cost the least to provide and have the lowest risk. In the case of on-site public benefits, a developer may also consider how the amenity, might enhance (or possibly decrease) the value of the development.

It is essential that the relative values of different market incentives be carefully calibrated to reflect relative costs to the developer. Preservation options must be competitively incentivized, or developers will opt to provide other community benefits. Developers will not take advantage of even the most generous incentive-based program if there are other less costly ways to skirt zoning and development restrictions, such as through zoning variances. Appropriate pricing of incentives requires city officials to have considerable expertise regarding the costs of providing the full range of incentive options.

Research shows that to be effective, both Incentive Zoning and TDR programs must be designed so that public benefits (such as preservation of historic buildings) outweigh social costs (such as less sunlight and more congestion.) Issues of equity can also arise if there is a perception that costs and benefits are unfairly distributed. This is especially problematic when the public benefit being created is distant from the development project receiving the incentive. In such cases, it is important that the public understands and supports the public policy goal of the incentive as well as the broader goal of assuring that the benefits of development are shared equitably across a city.

As voluntary, incentive-based strategies, both Incentive Zoning and TDR require the informed support and participation of stakeholders to succeed. Elected officials, city staff, historic property owners, developers, and community leaders must understand and support how these incentives complement

traditional land use regulation. Incentive Zoning and TDR are flexible tools that if well-designed and calibrated can direct growth where it is needed while incentivizing the preservation of historic resources.

A. Incentive Zoning

Incentive zoning will only generate the desired incentives where there is sufficient market demand for additional development beyond what is allowable by right or through other more cost-effective strategies such as zoning variances. Our research suggests that market-based incentives for historic preservation are most successful when they do not compete with a wide range of other incentives. This is partly a function a loss of impact when the resulting benefits are spread too thin to make a meaningful impact. In addition, it is very difficult to create a suite of incentives that are equally attractive to developers. Typically, as is the case in Austin, the market will determine one or two incentives that offer the best return, and other incentive options will go unused.

These challenges can be overcome through a program like Chicago's Neighborhood Opportunity Fund. Chicago's shift from an amenity-based program to a fee-based program allows the City to distribute benefits according to publicly-vetted priorities, while also offering the opportunity for neighborhoods struggling from chronic disinvestment to reap some of the benefits of a thriving downtown. However, some have expressed concern about the amount of control the ordinance gives the Mayor and Planning and Development Commissioner over how and where the funds are spent; only grants over \$250,000 require city council approval.

B. TDR

A robust TDR market requires the active participation of local government. Development rights are complex instruments whose exchange local governments can assist by generating awareness, understanding, and trust in the program, identifying buyers and sellers and facilitating their negotiations, and often by engaging as a buyer and/or seller of TDR.

Like all market-based regulatory programs, TDR programs only flourish when there is a robust local real estate market; if there is no additional demand for development rights in receiving districts, those rights will have no value, and there will be no financial incentive for owners of historic properties to participate.

Successful TDR programs also work best when the regulatory regime is stable and predictable. If it is relatively easy to obtain needed floor area through other mechanisms, or if cities offer exceptions to developers and permit projects that circumvent TDR requirements, faith in the TDR program will suffer, and/or fail.

Crafting a successful TDR program requires careful calibration to create incentives for both sellers and buyers to participate. The value of TDRs is affected by both the allocation rate (or number of TDRs each sending site can potentially sell) and the exchange rate (the amount of FAR available to a developer who purchases a TDR). These rates do not need to be 1:1 based on

current zoning; for example, some cities allow extra TDR beyond what zoning allows (effectively, a density bonus) to provide a stronger incentive for historic property owners to sell their rights.

Must this best practice be authorized by law?

Yes. Most cities implement market-based incentives by ordinance and amendment to planning or zoning codes. Many cities with the most successful programs developed and implemented them as part of new or revised general plans, downtown plans, or neighborhood plans. The State of Pennsylvania already has enabling legislation for TDR, and successful programs currently operate in the Greater Philadelphia region.

Who supervises/manages the use of the best practices?

Incentive Zoning and TDR programs are managed by city planning staff. In addition to day-to-day management, the programs should be evaluated and updated over time. Both a lack of demand and excessive demand could be signs that the incentives are either too rich or too poor, and require recalibration.

Incentive zoning programs can be structured either by right or through negotiated agreements. By right programs do not generally create significant administrative challenges, but negotiated agreements require more staff time and expertise.

TDR programs are generally more complex, and require robust city planning staff involvement if they are to flourish. Staff need to facilitate transactions, record conservation easements, track of TDRs, and coordinate TDR transactions with zoning and permitting processes. In addition, staff may need to actively market the program to both owners of landmarks and developers.

What have the impacts been?

Since their introduction over half a century ago, both Incentive Zoning and TDR have become essential planning tools in communities across the country. Around one in five cities and towns currently use incentive zoning, and over 200 communities have adopted TDR programs. However, only a relatively small proportion of these programs are focused on historic preservation. While not a replacement for traditional land-use regulation, well-designed market-based incentives can deliver desired public benefits while reducing the need for strict regulation.

What are the costs of developing and implementing these best practices?

The cost of developing Incentive Zoning or a TDR program in Philadelphia depends upon many variables. While programs can be based on models from other cities, it is essential that they be carefully tailored to fit Philadelphia's planning goals, real estate market, and political, cultural, economic, and demographic context. Operating Incentive Zoning and TDR programs need not involve any direct outlays of funds, though some cities like Seattle have actively participated in TDR markets as buyers of TDRs.

How do other cities fund this best practice?

San Francisco has sold TDR on public buildings as a way of financing their rehabilitation, though this approach requires strong developer demand for TDR so as not to oversaturate the market and drive down price. Los Angeles charges a Public Benefit Transfer fee on publicly and privately transacted TDR,



while New York charges city and state real property transfer taxes on the sale price of TDR. When Philadelphia developed a TDR program in the 1990s, the effort received significant philanthropic support.

How relevant is this strategy to addressing Philadelphia's historic preservation challenges?

Neither Incentive Zoning nor TDR are entirely new concepts for Philadelphia. As noted above, current zoning code include both floor area bonus and building height bonus provisions to encourage a long menu of public amenities, but historic preservation is not on the list of eligible benefits. Likewise, Philadelphia had a TDR program on the books for two decades, but it was never utilized.

It seems an oversight that historic preservation was not included among the public benefits incentivized the bonuses in the 2012 zoning code, but the opportunity exists to add historic preservation-related bonuses, perhaps in tandem with a new TDR program.

Philadelphia's Green Roof Incentives

Introduced in 2015, the Green Roof Density Bonus allows for the development of additional residential units in areas where such development would normally be restricted. Also in 2015, the City doubled an existing 25 per cent Green Roof Tax Credit to 50 per cent, allowing applicants to receive up to \$100,000 off their Business Income and Receipts Tax liability for approved expenses related to the installation of a green roof.

In doubling the credit, Councilwoman Blondell Reynolds Brown noted that "although we have a Green Roof Tax Credit in place, we discovered that in the last four years, only seven people applied and of those applicants, four were approved. The numbers do not lie; they are telling us that we have significant work to do getting the word out and incentivizing the construction of these roofs."

The creation of a Green Roof Density Bonus and Tax Credit should be explored as a model for the introduction and expansion of historic reservation incentives. The experience highlights the frequent need to adjust incentives to generate market interest, as well as the importance of marketing incentives.

How relevant are these strategies to addressing Philadelphia's historic preservation challenges? (Rank on scale of 1-10. 10 = highest impact.)

7-8. In the past decade, Philadelphia has experienced sustained economic and demographic growth which has supported a robust real estate market, a prerequisite to successful market-based incentive programs. It appears that Philadelphia has sufficient market demand to support historic preservation incentive zoning and TDR. In principle, these are approaches that the City of Philadelphia should embrace as part of its efforts to create a historic preservation program for the 21st century.

As noted throughout this memo, however, to be truly impactful, both density bonus and TDR programs need to offer developers (and for TDR, historic property owners) something that they want that they cannot achieve more easily through other means, whether that be a more generous competing incentive or an alternative path such as a zoning variance.



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Save the past. Enrich the future.

Philadelphia's 2012 Zoning Code and subsequent zoning remapping should have resulted in a decline in variances, but the Philadelphia City Planning Commission's Draft Five Year Review of the Zoning Code, released in January 2018, notes that "the rate at which variances are approved in Philadelphia reflects a particular and significant disconnect between planning law, policies, and enforcement." The report concludes: "Especially with the still-recent adoption of an updated zoning code and a comprehensive rezoning effort underway in the city, it is time for the rate of approvals for zoning variances to fall, such that decisions are rooted in the finding of true legal hardship."

As long as the Zoning Board of Appeals continues to approve 90 percent of appeals, developers are likely to continue to use the zoning appeal process rather than voluntary incentive programs as the primary means of achieving desired development. The same factors would likewise chill demand for TDR if a new program were introduced.

Outreach and Education Committee – NTHP Best Practices Research Philadelphia Historic Preservation Task Force

Introduction:

The National Trust for Historic Preservation is researching best practices for public outreach and education to build a knowledgeable, engaged, and activated constituency for historic preservation.

Historic preservation is a public good. Done right, historic preservation is a public-interest strategy that effectively connects the rehabilitation and reuse of older and historic places with equity, livability, sustainability, culture, and heritage. The National Trust's research and its own outreach has shown that today's historic preservation movement aspires to be people-centered, focusing on community needs. In our view, it is essential to reach, engage, and activate broad and diverse communities to support preservation.

A people-centered preservation movement empowers people to tell their stories and to engage in saving the places that matter to them; plays an increasingly important role in creating sustainable, resilient, equitable, and livable communities; and works collaboratively with a wide range of other fields to fulfill fundamental human needs and achieve essential social goals. ... Preservation must put people first. -- *The Future of Preservation*, May 2017.

In a nutshell, a people-centered approach for outreach and education to build a constituency for historic preservation includes these best practices:

- Go to where the people already are.
- Listen to and learn from people in a true conversation. De-emphasize the one-way presentation of technical information.
- Integrate the peoples' input into plans and programs. Demonstrate respect for residents' knowledge of their neighborhood needs and desires.
- Establish and maintain relationships with people who haven't traditionally been part of the conventional preservation movement.
- A staff that is outgoing and passionate about serving their constituency leads to successful outreach and education strategies.

To achieve their preservation-related goals, Philadelphians would be wise to redouble their efforts to grow and sustain a knowledgeable, engaged, and activated constituency. A people-centered approach is essential to strengthen Philadelphia's historic preservation apparatus and, more specifically, to accomplish the specific objectives to be identified by the Task Force in the areas of survey, regulation, and incentives.

Philadelphia's public and private sectors should be intentional in their collaborative efforts to build a diverse and inclusive constituency of people who support historic preservation. As Philadelphians grow the local constituency for historic preservation, representatives of the preservation movement should introduce themselves to people who are principally focused on achieving social equity goals. In our view, Philadelphians who are working to reduce displacement of existing residents and Philadelphians who are encouraging equitable

development for all citizens can be natural allies for those of us who call ourselves “historic preservationists.” Many Philadelphians already are working in the public interest at this intersection of social justice and historic preservation.

The National Trust is addressing the following research topics for the Outreach and Education Committee:

1. Intra-agency cooperation between municipal Planning Departments and Historic Preservation Offices to accomplish outreach and education in order to build a preservation constituency.
2. Programming by non-profit Historic Preservation Organizations to accomplish outreach and education in order to build a preservation constituency.

In the public sector, we note that Philadelphia’s Historic Preservation Office is embedded in the Planning Division. This new structure presents an opportunity for intra-agency cooperation to benefit Philadelphians, especially through the Planning Division’s planning district-level public engagement. In the private sector, the Preservation Alliance for Greater Philadelphia, a citywide organization, has a tradition and recent experience in neighborhood-level education programming. The Preservation Alliance’s experience presents a continuing opportunity to build a preservation constituency, in collaboration with other non-profit organizations interested and active in building a constituency for historic preservation in Philadelphia.

Research Topic 1: Intra-agency cooperation between municipal Planning Departments and Historic Preservation Offices to accomplish outreach and education to build a preservation constituency.

In these seven peer cities, the historic preservation office is embedded in a city government department or division:

Atlanta, GA	Urban Design Commission, Office of Design; in Office of Planning
Baltimore, MD	Historical & Architectural Preservation Division - City Planning Office
Boston, MA	Landmarks Commission - Office of Planning
Buffalo, NY	Historic Preservation Board – Office of Strategic Planning - Regulatory Boards
Chicago, IL	Landmarks Division – Office of Planning and Development
St. Louis, MO	Cultural Resources Office – Office of Planning
Washington, DC	Historic Preservation Office - Office of Planning

The National Trust is learning about the ways that these municipal preservation offices cooperate with their “parent” planning departments to maximize outreach and community engagement by leveraging the internal resources of the agency.

We know that some planning departments regularly engage the public through established processes and networks while executing their core mission. In some cities, the historic preservation office also increases its effectiveness through cross-collaboration at public meetings and events to build a larger constituency through pre-existing public platforms. Typically, however, municipal historic preservation offices acknowledge that their

role is primarily regulatory, and that outreach to build a preservation constituency is not a primary role for the municipal preservation office.

Peer City Examples:

In Washington DC, staff to the Historic Preservation Office cooperate with Planning staff to proactively participate in neighborhood meetings and events to meet residents in order to advocate and advise about maintaining the integrity of historic districts. Among other goals, the agency's strategic plan calls for partnerships to "Increase public advocacy for historic preservation and cultural heritage programs" and to "Expand public information about preservation policies, the review process, and properties that may merit protection."

Government officials cannot fulfill the purposes of these [historic preservation] laws without the participation and support of the community at large. Government relies on the commitment and contributions of many partners working for the common good of the city. ... Preservation works best when it engages community support. Many local organizations actively pursue outreach programs aimed at raising public awareness and appreciation of Washington's cultural heritage. Public response to these activities has been strong, but more coordinated efforts could have a greater impact on a wider audience. -- *2020 DC Historic Preservation Plan*.

In Atlanta, the Department of Planning regularly engages the public through the City's formal network of Neighborhood Planning Units. In addition, the Department's Atlanta City Studio project is a pop-up physical space that moves to different locations to engage residents about their neighborhood needs. At the Studio, members of the public are invited into an open and welcoming space to share their needs, desires, and concerns on issues that revolve around urban design, historic preservation, and economic development. City planners spend several months listening to residents to determine priority projects, then reconvene residents to affirm consensus before proceeding with implementation.

Get Intentional: Partner with nonprofit community and faith-based organizations to foster engagements across geographic, economic, generational, cultural and racial barriers. Promote community dialogue about the changes happening in the city so that newcomers understand the context of change and its challenges for existing residents. ... Save Ourselves: Double down on preservation by making an economic case for civic investment in the preservation of essential properties, the defining of character in changing neighborhoods, the formation of new districts, and the creation of new tools [for historic preservation]. ... – *The Atlanta City Design: Aspiring to the Beloved Community, 2017*.

In St. Louis, the Cultural Resources Office created the "Hotspot," a special satellite office for easier access and assistance to constituents. It is located just down the hall from the Permits office, and staff is available for on-site review and approval. The Hotspot office offers technical assistance to constituents to help them bring their project into compliance with historic standards. It allows for expedited review and approval.

Last Updated 5/14/2018

In New York City, the staff of the New York City Landmarks Preservation Commission cooperates with sister agencies to regularly engage the community before, during, and after a historic district is designated. While the Commission doesn't have a dedicated outreach staff position, the agency's outreach and education is primarily conducted by three senior staff persons who spend considerable time out in the field to actively engage constituents.

Research Topic 2: Programming by non-profit Historic Preservation Organizations to accomplish outreach and education to build a preservation constituency.

The National Trust is learning about the ways that nonprofit historic preservation organizations currently engage in outreach and education to build a constituency. Traditionally, non-profit preservation groups seek to educate residents about historic preservation. Non-profits in nine peer cities provided responses to the following questions:

- Is outreach and education ("O & E") highlighted in the non-profit's strategic plan? In the non-profit's mission statement?
- Does the non-profit's budget allocate funding for outreach and education staff? How many staff members and what percentage of their time is devoted to outreach and education?
- Is a people-centered approach to outreach and education incorporated?

Peer City	O & E in Strategic Plan	O & E in Mission Statement	# of O & E Staff	People-Centered Approach
Atlanta	N/A	Yes - Mission	1	
Baltimore	N/A	No	2	Yes
Boston	N/A	Yes - Education	1	Yes
Buffalo	N/A	No	2	Not stated
Chicago	Yes	Yes – O & E	3	Yes
New Orleans	N/A	No – (program)	1	Yes
New York	N/A	No	1	Not stated
St. Louis	N/A	No	1	Not stated
Washington DC	N/A	Yes - Education	1	Yes

Peer City Examples of outreach and education projects that go into neighborhoods to engage residents:

In Baltimore, the non-profit Baltimore Heritage, Inc. offers a yearly program of 70 walking tours to 35 places throughout the city. Baltimore Heritage hosts the walking tours with the express purpose of building its constituency, in person and face-to-face – and not via mass marketing. The non-profit's programming is designed to resonate with, and matter to neighborhood residents. Constituency building is a top priority for

Baltimore Heritage, and the group's staff and volunteers make a conscious effort year-round to broaden and diversify the group's reach.

In Boston, the Boston Preservation Alliance provides technical assistance to the public and its general membership on the protection of historic resources through its neighborhood preservation workshops. The non-profit's strategic plan highlights the following goals and people-centered approach:

To engage residents in Boston's neighborhoods in learning about local historic buildings and places, to educate them about the array of tools available to help them care for these assets, and to support them as they take action to ensure their preservation.

To offer support in integrating historic preservation into community development and planning.

To provide a forum for residents to voice their needs and priorities regarding historic resources, and to foster connections between communities and the agencies and organizations that can work with them to achieve their goals.

In Washington DC, the non-profit DC Preservation League has an Education Committee whose role is to present educational activities to inform the public about important preservation issues in Washington. DCPL also actively participates in the Historic District Coalition, an informal alliance of organizations and individuals representing Washington, DC's historic district. Through the Coalition, they conduct outreach and education activities to further preservation in DC, including candidate's forums, historic preservation task force to address particular issues in historic districts, and sponsoring symposiums on compatible architecture.

"The mission of the DCPL is to preserve, protect and enhance the historic and built environment of Washington, DC through advocacy and education." – DC Preservation League Mission Statement

In New York City, the non-profit New York Landmarks Conservancy works to build a constituency for preservation through well-publicized projects and public events, and targeted outreach to the real estate development community. Of interest is the Conservancy's regular interaction with the city's grassroots network of Community Boards. The Conservancy responds to Community Board requests for presentations and assistance about individual real estate development projects as well as about general land-use issues.

In Chicago, providing neighborhood preservation workshops is part of Preservation Chicago's strategy to engage and educate constituents. The non-profit's workshops are purposefully scheduled in local neighborhoods throughout the City to make the trainings more accessible to residents. Part of the explicit marketing for the workshops is "At a neighborhood location near you!"



Preservation Chicago protects and revitalizes Chicago's irreplaceable architecture, neighborhoods and urban spaces. We influence stakeholders toward creative reuse and preservation through advocacy, outreach, education, and partnership. – *Preservation Chicago Mission Statement*

Also in Chicago, the non-profit statewide preservation organization Landmarks Illinois is guided, in its work at the local and state levels, by core values that reflect the group's "mission, culture and vision for an Illinois where people value places of the past as vital to the future."

Innovation: We are at the forefront of the historic preservation field with inventive ideas and solutions that better help people to save the places of the past that matter to them. *Education:* We seek and freely share knowledge that furthers our mission and vision. *Stewardship:* We seek to inspire others to believe, as we do, that preservation is progress and that by reusing places of the past we conserve irreplaceable cultural resources for people today and into the future. *Empowering People & Improving Lives:* We seek to be inclusive and equitable in our work to inspire people to save places for people, to help them succeed, to grow our movement and to improve the quality of life in the communities that we serve. – Landmarks Illinois Statement of Values, 2017

In Atlanta, the non-profit Atlanta Preservation Center's outreach and education work takes many forms; including walking tours, coordinating possible partners, community education programs, K-12 school outreach programs, attending public hearings and informing the public.

The mission of The Atlanta Preservation Center is to promote the preservation of Atlanta's architecturally, historically and culturally significant buildings, neighborhoods and landscapes through education and advocacy. – *The Atlanta Preservation Center Mission Statement*

In Buffalo, creating a broad and diverse constituency is part of Preservation Buffalo Niagara's strategic plan. Preservation Buffalo Niagara provides technical assistance to existing groups and community leaders who are already working for the benefit of their neighborhoods. Preservation Buffalo Niagara also proactively identifies neighborhoods that merit preservation but have not been surveyed or designated.

Examples of outreach and education to a broader, sometimes non-traditional audience for preservation:

Baltimore Heritage has hosted an "unconference," which was convened to strengthen relationships between state, local government and individuals who had a passion for history and preservation. Baltimore Heritage invited local activists, history teachers, graduate students, museum professionals and preservationists to share their knowledge about how preservation and public history could make Baltimore a better place to live, work and learn.

Boston Preservation Alliance builds relationships at the local, state and federal level with civic leaders, elected and appointed officials and their staff, as well as media. Using a people-centered approach, the Alliance actively promotes, critiques and helps formulate legislation that impacts Boston's historic resources.

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The Boston Preservation Alliance is a nonprofit organization that protects and improves the quality of Boston's distinct architectural heritage. Through advocacy and education, we bring people and organizations together to influence the future of Boston's historic buildings, landscapes and communities. – *Boston Preservation Alliance Mission Statement*

New York Landmarks Conservancy takes a broad view of constituency. The Conservancy intentionally reaches out to elected City leadership and their professional staff to ensure that preservation starts with local issues. The Conservancy actively reaches out to the development community, and views developers as part of its constituents.

The Preservation Resource Center of New Orleans (PRC) builds relationships with property owners, developers, and architects to influence the protection of historic properties, particularly post-Katrina. The PRC also cultivates relationships with owners of historic properties for which PRC holds a preservation easement. PRC sponsored a candidates' forum in advance of the November 2017 local election specifically focused on preservation topics. The PRC's activities reflect a people-centered approach:

The PRC operates a full scale, staffed Education and Outreach program. It furthers the mission of the PRC by promoting the preservation and revitalization of historic New Orleans architecture and neighborhoods to all ages and all communities through bricks & mortar education, as well as cultural heritage programming.

Investment in neighborhoods across the city is encouraged by providing tools, information, and resources to prospective homebuyers and renovators. These programs include Renovators' Happy Hours, First Time Renovator classes, First Time Homebuyers classes, and the annual Great Neighborhood "Sellabration" event.

An enriching educational experience is provided through Heritage Education for school groups, the Cultural Heritage Preservation program, and the Jazz Plaque program. Cultural enrichment tours encouraging appreciation of our architecture, and furthering the knowledge of our history are offered to the public annually, and for private groups upon request.

St. Louis Landmark Association created a young friends group called Landmark Tech Urbanites as a result of interacting in a co-working space. The young friends created a special app that is used to survey historic resources. This attracted a new audience to historic preservation and is helping to grow advocates in St. Louis.

Ongoing Analysis, Preliminary Findings, and Next Steps:

The National Trust's ongoing inquiry into current best practices in peer cities has identified examples of outreach and education activities that serve as effective tools to build constituency for historic preservation, both through intra-agency cooperation and through non-profit programming.

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Analysis:

1. Historic preservation offices typically see their primary role as oversight for regulatory processes and incentive programs. Therefore, preservation agencies typically place a lower priority on outreach, education, and constituency building.
2. Nonprofit historic preservation organizations typically do engage in outreach and education activities, which tend to be limited in scope due to small staff and budget. Efforts are largely focused on educational presentations. This tends to be mostly one-way communication.
3. Colleagues in the peer cities acknowledge the benefits of a people-centered approach to preservation and recognize the power of two-way communication with the public. However, a people-centered approach is virtually “invisible” to the public if they are looking for outreach and education through an agency’s established methods of public communication.

Few agencies or non-profits have posted their strategic plan or historic preservation plan to make the documents accessible on a public website. For the interested public, these priority-setting documents provide valuable insight into the level of investment being made in outreach, education, and constituency building. The documents have little public value if “kept in a desk drawer.” By contrast, the Washington DC Office of Planning has made its 2020 Historic Preservation Plan readily accessible to the public on the City’s website. We recognize that some city agencies’ historic preservation strategies may be encompassed in city documents such as a comprehensive or framework plan. As many non-profits engage in a strategic planning process, a best practice is to make the strategic plan publicly available on the organization’s website.

Accordingly, to ensure a broad and lasting impact, Philadelphia, like other peer cities studied, should ask the following questions:

1. Is Outreach & Education a strategic priority of the Historic Preservation Office and of the nonprofit Preservation Organizations?
2. Does our financial (budget) and human resources (staffing) reflect our strategic priority?
3. Is our approach to historic preservation centered in the needs of the people we serve?

Findings:

From our research, there are models available to explore. We recommend looking at the following City agencies that best exemplify a people-centered historic preservation approach to building constituency:

- Atlanta Urban Design Commission, Office of Design; located in Office of Planning

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- Washington, DC Historic Preservation Office; located in Office of Planning

In both instances, these historic preservation offices have a high degree of intra-governmental cooperation. These offices stood out in the peer city study as being intentional in engaging residents as part of their everyday operations. The results can be seen in:

1. Culture – The staff are “servant leaders” in the approach to serving their constituency. The staff are friendly, outgoing and exhibit a passion for engaging people to further historic preservation goals. We acknowledge that the degree to which the staff embraces public outreach will directly impact the quality and success of outreach and education activities.
2. Planning – Through a transparent and public planning process, historic preservation plans and neighborhood framework plans are readily available and accessible to the public. Constituents know what the agency’s plans and priorities are and can engage City staff accordingly.
3. Investment – These agencies have invested in both staff and resources through budgets that allow effective and deep commitment to a vigorous historic preservation office. Planning will result in appropriate increases in staffing and resources in subsequent years of the City budget to allow for growth and capacity of the historic preservation office.

Nonprofit organizations that had exceptional outreach and education activities, core to the mission were:

- Baltimore Heritage Inc.
- Preservation Resource Center of New Orleans

These two non-profits each view outreach and education as vital to building both a broad public constituency as well as its organizational membership.

1. Culture – These organizations have staff that are dedicated to outreach and education activities, it is their job to conduct these activities on behalf of the nonprofit.
2. Plan – The outreach and education activities support the organization’s efforts in advocacy, membership and resource development.
3. Investment – These non-profits allocate budget resources to outreach and education as a priority for long term sustainability.

Philadelphia has an opportunity through the work of the Historic Preservation Task Force to support a people-centered approach to outreach and education. From the examples of the City agencies and nonprofit organizations in the peer cities, the overall environment for preserving places that are important to the people is greatly enhanced when the people come first.

Philadelphia should incorporate the best practices best suited to help achieve the goals of equity, livability, sustainability and culture. Using a blueprint drawn from community engagement, our research suggests it is

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incumbent upon the Historic Preservation Office and the network of preservation nonprofit groups to ensure that outreach efforts are both diverse and inclusive, and reach audiences that reflect the population of the City.

Next Steps:

The National Trust believes that Philadelphia has an exceptional opportunity to benefit from direct dialogue with the four cities identified above. Both the City agency and interested non-profits can strengthen their approach to outreach and education. Accordingly, the National Trust will act as facilitator to bring the relevant peers together to gain in-depth peer city access. We propose to:

1. Explore Programs May – June 2018
 - Telephone Calls – Hold initial phone calls as an introductory step for Philadelphia to peer city counterparts.
 - In-depth Profiles – Begin organizational information exchange from the cities of Atlanta, Washington DC, Baltimore, and New Orleans. This information would include the details of strategic plans, work plans, budgets, training, and schedules for outreach and education programming.
2. Mentor Relationships July – November 2018
 - On-site Visits – We propose to facilitate scheduling visits with counterparts in the model peer cities to learn their systems and approaches. This collaboration will not only assist Philadelphia in improving its historic preservation apparatus, but will also inform the future vision of a people-centered preservation movement.
 - Convene at the National Trust for Historic Preservation’s 2018 PastForward Conference in San Francisco, CA. This will culminate in bringing all five city representatives of both agency and non-profits together for “lessons learned” and shared outcomes from the five-month mentoring relationship.

We recommend a grant application to help cover the costs of travel for the proposed on-site visits. The National Trust for Historic Preservation’s Peter H. Brink Leadership Fund helps to build the capacity of existing preservation organizations and helps to encourage collaboration among these organizations by providing grants for mentoring and peer-to-peer learning opportunities. By linking organizations with specific programs to those seeking to develop similar abilities, the Leadership Fund promotes the sharing of expertise. Grants from the Leadership Fund support travel costs with a maximum reimbursement of \$2,500.

Finally, to build a constituency for historic preservation, it takes a commitment of strategic priority, significant resources budgeted to implement activities and, above all, a people-centered approach.

Restoring people’s needs and desires to the center of preservation realigns our priorities; gives us renewed focus, flexibility, and energy going forward; and will help re-galvanize our movement in this

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**National Trust *for*
Historic Preservation**
Save the past. Enrich the future.

new era. ... [To achieve this goal, we must] collaborate with other fields, such as affordable housing, art, building trades, conservation, economic development, education, environmental justice, health and welfare, planning, social justice, sustainability, and urbanism, to understand and demonstrate the impact of preservation in those fields. -- *The Future of Preservation, 2017.*



Preservation in Philadelphia

A Report of the Philadelphia Historic Preservation
Task Force

DRAFT FOR PUBLIC COMMENT

March 14, 2018



Preservation in Philadelphia

Introduction

The City of Philadelphia's Historical Commission was established in 1955 and the current preservation ordinance became effective in 1985. While that ordinance has served the City well, the ordinance, its Rules and Regulations, and its impact on the inventory of historic structures merit review. Most recently citizens have raised concerns about:

- proposed demolitions of iconic Philadelphia buildings
- the slow pace of adding historic districts and properties to the Philadelphia Registry
- policies and practices that regulate historic properties and our archeological history
- capacity of residents and religious institutions to maintain buildings
- awareness of the value and cost of preservation and its impact on neighborhood identity and growth

Reevaluating policies, operations, and laws established more than thirty years ago is particularly important now when Philadelphia's sustained population and business growth is anticipated to continue to encourage new investment. Investment in a growing city can create competition between the demand for new structures and the desire to preserve the existing building stock and built environment.

Recognizing both the urgency to respond and opportunity to design for better function, Mayor Kenney invited 33 members to serve on a Historic Preservation Task Force. The Task Force is charged with making recommendations that balance adding new buildings to our built environment and preserving our rich inventory of historically and architecturally significant buildings. With technical assistance from the National Trust for Historic Preservation (National Trust) and a grant from the William Penn Foundation to document their work, the Task Force is working with staff at the Department of Planning and Development to review the current state of preservation.

The Task Force will produce two additional reports: the second will summarize the primary preservation concerns facing Philadelphia with associated best practices to address those concerns. The final report of recommendations will include required resources, anticipated outcomes and timeline for accomplishing the proposed strategies.

Historic Preservation Task Force

The Task Force members include preservationists, advocates, architects, developers, community members, educators, and city staff and officials. Under a mandate from Mayor Kenney, the Task Force is understanding the current problems, reviewing possible solutions based on best practices, and proposing recommendations to balance the goals of historic preservation. The Task Force will present its final recommendations to the Mayor and City Council in December 2018.

To achieve these goals, the Task Force formed subcommittees around four key areas:

- *Regulations*: identify policy and legal reforms to strengthen the city’s historic preservation ordinance and other city practices
- *Survey*: create a citywide process for identifying, evaluating, and designating and/or protecting historic assets
- *Incentives*: identify incentives for individual property owners and developers to preserve historic resources
- *Outreach and Education*: provide ways for residents, building industry professionals, city staff and others to convey the value of historic preservation as well as the City’s preservation laws and processes

The Task Force and the subcommittees convened and met during the summer and fall of 2017. The Task Force created a website (www.phlpreservation.org) to record the progress of the work, to educate the public about preservation, and highlight preservation projects in the City. The website notes the dates for the Task Force public meetings including the four working meetings scheduled in different sections of the city. On October 3, 2017, the Task Force hosted a public listening session at the Independence Visitors Center. At that meeting, over 180 people from across the city discussed how preservation is integral to the city’s future development agenda. At the “on the road” Task Force meetings, in the Northwest and West section of Philadelphia, members of the public met with Task Force members. Attendees shared their concerns, discussed the work of each subcommittee and offered suggestions on how to improve the City’s preservation policies.

Vision Statement

Task Force members developed a Vision Statement to guide its work and that of the subcommittees:

Philadelphia in 2035 is an internationally recognized leader in historic preservation practices, celebrating the unique identity of the city’s historic buildings, blocks and neighborhoods through continued stewardship, innovative development, restoration and reuse.

Philadelphians are active protectors of their neighborhood history and cultural identity. In a groundbreaking partnership, the city government, civic leaders, planners, and preservation professionals identify and protect historic resources so that they may best be leveraged as assets by businesses, developers and residents, preserving both heritage and sense of place for current and future generations.

The city uses a comprehensive set of tools that include incentives, protections, education and planning to preserve historic places in active use and contribute to the extraordinary layering of history that makes Philadelphia unique.

Current State of Historic Preservation in Philadelphia

Philadelphia is the largest city in the Commonwealth of Pennsylvania and the sixth largest city in the country with a population of 1.56 million people (2016) spread across 142 square miles. Founded in 1682, Philadelphia is home to a broad array of architectural, industrial, archeological, and cultural resources that tell the city’s and its residents’ diverse history. The preservation of the city’s rich heritage both contributes to Philadelphia’s strength and vitality and challenges our ability to maintain and adapt the building stock to meet current business and resident needs.

In recent years, Philadelphia has seen the first population increases since 1950 along with renewed investment in the city. The dramatic increase in real estate investment in some neighborhoods increases potential for the preservation, change, or even loss of historic resources. Real estate investment, however, is unevenly distributed across the city. Many neighborhoods are facing property deterioration due to prolonged vacancy and disinvestment, threatening the future of historic buildings and sites.

Historic preservation can be a useful tool to help manage neighborhood change, promote city growth, create jobs, and improve home values while balancing the rights of property owners. Furthermore, preservation offers the opportunity to promote equity throughout the city by celebrating and safeguarding the irreplaceable places that are critically important to multiple constituents. Recently, Philadelphia joined the Organization of World Heritage Cities and seeks to utilize this membership to promote the City's rich historic fabric. And in 2017, the National Trust for Historic Preservation (National Trust) declared the Historic Neighborhoods of Philadelphia a National Treasure in recognition of its their unique, important, and extensive historic legacies. With renewed attention on all aspects of the city's history, the city and partners are seeking to instill local pride and leverage preservation to increase tourism and investment across the city.

Preservation Regulations

There are many regulations and policies that influence the effectiveness of preservation as a tool in Philadelphia. Philadelphia Building Code, Zoning Code, city tax policies, and enforcement all contribute to preservation of the city's resources.

The regulations most directly addressing preservation are found in the city's Historic Preservation Ordinance (the Ordinance), which is a part of the Philadelphia Zoning Code, as administered by the PHC.

Federal, state, and local regulations pertaining to historic preservation guide the PHC's work. Some laws regulate alterations, demolitions, or other changes to historic properties while other laws that value historic resources seek to provide a process for balancing preservation concerns with other governmental objectives. Local historic preservation ordinances do not prohibit change or demolition altogether, but rather establish a mechanism for the PHC to manage changes to historic and cultural assets. Below is an overview of the roles of the regulatory agencies:

Federal Regulations

The National Register of Historic Places (National Register) and National Historic Landmark (NHL) program are managed by the National Park Service (NPS). The National Register recognizes resources that have local, state or national significance. While being listed in the National Register is an honor, it also enables owners of income-producing properties to apply for Historic Preservation Tax Credits, and can be the basis for listing at the state and local levels. In most cases, listing in the National Register does not prevent alterations or even demolition of the property. However, Section 106 of the National Historic Preservation Act requires the Federal government to consider effects on historic resources when federal dollars may impact historic resources.

Throughout the US, there are approximately 2,500 National Historic Landmarks. National Historic Landmarks represent a higher level of national significance and are also now listed in the National

Register. Locally, over 70 sites and buildings have been declared National Historic Landmarks, including the Academy of Music, Boathouse Row, Elfreth's Alley Historic District, and the Colonial Germantown Historic District.

State Regulations

The Pennsylvania Historical and Museum Commission (PHMC) serves as the Commonwealth of Pennsylvania's history agency authorized "to initiate, encourage, support, coordinate, and carry out historic preservation efforts in Pennsylvania" under the State History Code. The State Historic Preservation Office (SHPO), a branch of PHMC, administers the state's historic preservation program, facilitates nominations for National Register listings, performs the required federal reviews, manages the Certified Local Government (CLG) program (Philadelphia participates in the CLG program), and other federal preservation activities in Pennsylvania. In addition, the Commonwealth of Pennsylvania has a rehabilitation tax credit program. [See the Incentives section for additional details.]

Local Regulations

In 1955, the City Council created the PHC, requiring the PHC to keep a list of designated resources, known as the Philadelphia Register of Historic Places (Register). The PHC's mission includes: preparing and maintaining the Philadelphia Register; reviewing building permit applications for locally designated buildings and sites; increasing public awareness of the value of preservation; and promoting preservation to the mayor and City Council.

In 1984, City Council revised the PHC code and expanded the designation powers to include buildings, structures, sites, objects and districts. The new ordinance also gave the PHC the ability to deny demolitions of properties listed on the Register, rather than just delaying them. The code also required PHC to create Rules and Regulations, which may be updated periodically. City Council added the power to designate public interiors to the code in 2009.

The 1984 code defines the PHC composition. PHC has 13 members – six appointed by the mayor, who must have specific backgrounds and experience, such as an architectural historian, architect, developer and community representative, and seven ex-officio members from various city offices, such as the Department of Licenses and Inspections, Philadelphia City Planning Commission (PCPC) and the Department of Public Property. The PHC also has a full-time staff of professional planners with expertise in historic preservation.

Designation and Regulation Processes

The Historic Preservation Code outlines the criteria for designation to the Philadelphia Register. Below is an overview of the criteria, designation and regulatory processes once a property is on the Registry.

A property can be designated if it meets one of the criteria below:

- Related to a historical event, person, or development
- Examples of architectural or archaeological significance
- Works of an important designer
- Exemplifies innovation
- Forms a familiar visual feature
- Example of Philadelphia or national heritage

The process for designation includes the following steps:

- A nomination is submitted (PHC staff can assist)
- PHC staff reviews the application to determine if it is “complete and correct”
- PHC issues a notice of consideration of designation to property owners
- The Committee on Historic Designation holds a public meeting to consider the nomination and make a recommendation to the PHC
- PHC holds a public meeting to consider the nomination, including input from the nominator, property owner, and public testimony
- PHC votes on the nomination
- Designations may be appealed to Common Pleas Court
- Designated properties are added to the Philadelphia Register

Once designed, enforcement occurs through the building permit application process. Following the following process:

- Property owner applies for a building permit application to L&I (designated buildings require review of alterations that may not have otherwise required a permit)
- The L&I reviewer identifies if PHC review is required and refers the applicant to the PHC
- Interior-only work is approved by PHC staff over-the-counter, unless the interior itself is designated.
- Exterior work that is visible from a public right-of-way must comply with the standards adopted by the PHC (Currently, this is guided by the Secretary of the Interior’s Standards for the Treatment of Historic Properties.)
- A PHC approval or denial can be appealed
- Appeal cases are heard by the Board of License and Inspection Review (LIRB)

For properties on the Philadelphia Register, the PHC may only approve demolition applications in two instances: infeasibility of reuse (financial hardship), meaning that the resource “cannot be used for any purpose for which it may reasonably be adapted” or if the demolition is “necessary in the public interest.” The PHC does not have the ability to approve or deny new construction projects on lots that were vacant at the time a historic district was formed. Instead, the PHC only reviews and comments on the proposed new structure(s).

There are several other sections of the Philadelphia Zoning Code that affect preservation in the city. PCPC reviews façade changes on specific Center City commercial corridors to ensure they maintain the character of the streets. The Zoning Code also allows for overlay districts (Neighborhood Conservation Overlays) where alterations and new construction projects can be regulated to preserve the character of places. Lastly, the Zoning Code established a Civic Design Review Process to review the impact of large scale projects on the public realm.

L&I is responsible for enforcing the zoning and building codes, including the Historic Preservation Code. When it is determined that a property owner has violated the ordinance, L&I issues a violation notice upon PHC’s request. The violation identifies the infraction, informs the property owner of their appeal rights, and identifies a time limit for correction. If not corrected, the violation is referred to court for enforcement, where a judge may order the correction and/or issue a fine. In serious cases, including demolition by neglect, the city, on behalf of the PHC, may petition the court to order a property owner to repair and maintain a property.

Benefits of Historic Preservation

Historic resources contribute to a sense of place and create pride in a neighborhood. Reuse of a building provides environmental benefits as compared to new construction. Historic resources also offer intergenerational connections that can reach back decades or even centuries. Today one can stand in many places where Benjamin Franklin once stood, worship on the same site as Richard Allen, live on the country's oldest residential street, or watch a game in college basketball's most historic gym.

The preservation and rehabilitation of historic properties are strong drivers of Philadelphia's economy. Since the beginning of the Federal Historic Preservation Tax Credit program in the late 1970s, \$785 million in tax credits have incentivized \$3.9 billion in investment in rehabilitation of historic buildings.¹ Heritage tourism is a major sector in the city's economy. In 2016, over 42 million visitors came to the Philadelphia region, with over 3.2 million center city hotel room nights. This growing industry accounted for \$6.8 billion in direct spending and an \$11 billion total economic impact on the region.²

In 2008, the Preservation Alliance for Greater Philadelphia evaluated the local economic benefit of historic preservation. Their consultant, Econsult determined that "historic preservation has had a significant impact on the local economy, in the form of expenditures, employment, and earnings." The report noted that in the years between 1999 and 2007, Federal Historic Tax Credit projects in Philadelphia totaled \$244 million in investment, accounting for 1,046 jobs, \$40 million in total earnings and \$2.44 million in local tax revenues (including income, sales and business taxes). The report also noted additional economic benefits to the city, including heritage tourism, use of historic properties by the film industry, and the positive effect on property values.³

Not every neighborhood shares in these economic benefits. Philadelphia's poverty rate is the highest of the nation's 10 largest cities. Approximately 26 percent of Philadelphians live below the poverty line, which is \$19,337 in annual income for an adult living with two children.⁴ With over 75 percent of the city's houses more than 50 years old, many residents live in aging housing stock with deferred maintenance issues, and/or in neighborhoods with adjoining vacant buildings or lots, both issues making maintenance and preservation costly and challenging.

Preservation Planning

While the PHC is the primary city agency responsible for preservation in Philadelphia, the PCPC is mandated by Philadelphia Home Rule Charter (Charter) to create and maintain a comprehensive plan for the city. In 2011, the PCPC adopted a new comprehensive plan, *Philadelphia2035: A Citywide Vision*, that set a roadmap for development in Philadelphia by 2035. This plan addresses many topics that affect development, including housing, economic development, land management, transportation, parks and open space, public realm and preservation. The plan acknowledges that there are many vacant and abandoned structures throughout the city. It stresses that the priority should be to stabilize and reuse this building stock where feasible. It also acknowledges that additions and new structures should be

¹ Information provided by Cory Kegerise, Community Preservation Coordinator - Eastern Region
Pennsylvania Historical and Museum Commission, State Historic Preservation Office

² *Revolutionary Marketing for a Revolutionary Region*, 2017 Annual Report of Visit Philadelphia.

³ Econsult Corporation, *The Economic Impact of Historic Preservation in Philadelphia*, October 24, 2008,

⁴ Howell, Octavia and Susan Warner, *Philadelphia's Poor: Who they are, where they live and how that has changed*, The Pew Charitable Trusts, November 2017.

compatible to respect the historic integrity, allowing the accommodation of accessible design and modern amenities in historic districts.

An entire section of the *Citywide Vision* is dedicated to historic preservation planning.

Recommendations include having a citywide survey of potential historic sites to better convey the many histories throughout the city; investing in neighborhoods, especially commercial corridors and anchor buildings, such as libraries, churches and schools; creating regulations for the preservation of archaeological resources; rehabilitating industrial buildings and infrastructure, and acknowledging cultural assets where possible.

As part of *Philadelphia2035*, the PCPC divided the city into 18 districts and is in the process of creating 10-year, more targeted plans for each district. Each of these district plans includes a section on historic preservation recommending properties to be added to the Register and suggesting areas for remapping that support preservation.⁵

Lastly, as a major landowner, the City of Philadelphia also plays a role in preservation throughout Philadelphia. The Departments of Public Property, Parks and Recreation, Police, Fire, and Streets all oversee historic properties – both officially recognized and potentially designated. The City does not have any official guidelines for dealing with these land holdings, though if work is done on a property that is on the Register, the city agency applies to the PHC for review, as with any other property owner.

Preservation and Sustainability

Historic preservation and sustainability are natural partners. Preservation and reuse of historic buildings reduces resource and material consumption, puts less waste in landfills, and consumes less energy than demolishing buildings and constructing new ones.

As part of Greenworks, Philadelphia's comprehensive sustainability plan, the City is committed to a more aggressive goal of reducing local greenhouse gas emissions 80% by 2050. The single biggest opportunity for meeting this 80 by 50 goal is to make deep energy efficiency upgrades in our existing building stock, which currently account for 60% of the city's greenhouses gas emissions. Retrofit projects that prioritize deep energy retrofits will better position the city to meet future climate mitigation and adaptation goals.

In addition to reducing building energy consumption, we must also increase efforts to make our built environment more climate resilient. The best available climate information suggests that weather in Philadelphia will become warmer and wetter during all seasons in the years and decades ahead. The challenge posed by climate change to our older building stock is particularly significant. Many of these buildings were designed to withstand past climate conditions, not those that scientists expect will occur in the future. In addition, historic properties located in or near floodplains risk significant damage or loss due to sea level rise. Over time, prolonged extreme temperatures and changing precipitation patterns may lead to safety hazards, building deterioration, and higher maintenance costs. At the same time, conflicts may exist between green building strategies and preservation standards. The City does not presently have regulations that address how to integrate energy efficiency into the standards followed by the PHC.

⁵ *Philadelphia2035* can be found on the PCPC's special website, www.phila2035.org

Preservation Advocacy

Many organizations throughout Philadelphia advocate for preservation, including historical societies, historic sites, house museums, civic and neighborhood associations, and umbrella organizations such as Historic Germantown Incorporated. The Preservation Alliance for Greater Philadelphia (Alliance), the region's largest advocacy organization, promotes the appreciation, protection, and appropriate use and development of the Philadelphia region's historic buildings, communities and landscapes. The Alliance administers an easement program, monitors and assists the PHC, nominates properties to the Philadelphia Register, offers achievement awards for preservation projects and programs, runs historic walking tours, and provides publications and outreach for preservation issues.

The Alliance's principal concerns, as presented to the Task Force, are:

- There is an awareness and education gap about preservation among the many property owners and neighborhoods.
- Many organizations are working on preservation at the neighborhood level, but have little or no interaction with the PHC.
- Many property owners perceive designation as an infringement on property rights and as a cost burden, even though designation in many instances does not change an owner's options.⁶

Reports of the Subcommittees for Regulation, Survey, Incentives, and Outreach and Education and an Assessment of Philadelphia Historic Commission Capacity

The Task Force Subcommittees have been meeting since September 2017. Each member of the Task Force is a member of a subcommittee. The subcommittees are organized to allow for research and discussion around the topics of regulation, survey, incentives and outreach and education. The subcommittees are charged with surfacing and discussing important issues that may be useful for the Task Force as it works towards issuing recommendations in December 2018. The National Trust is providing technical support to the subcommittees. As issues or strategies come to light, subcommittees are also convening joint meetings with other subcommittees to discuss overlapping concerns.

Report of the Regulation Subcommittee

Current State of Regulation for Preservation Outcomes

The Regulation Subcommittee of the Task Force is evaluating the city's preservation ordinance and the PHC's Rules and Regulations to address current and future preservation needs in accordance with these standards. The Subcommittee is currently reviewing: the standards adopted by the PHC when reviewing work to properties on the Philadelphia Register; the review of new construction permits on vacant lots in historic districts; required documentation for nominations to the Philadelphia Register; a potential demolition delay process; the appeals process for PHC decisions; and the protection of archaeological resources.

As part of the work for the Task Force and in response to questions by the Regulation Subcommittee, the National Trust reviewed current regulations in Philadelphia and issued these findings.

⁶ Information is based on a presentation by Patrick Grossi of the Preservation Alliance to the Historic Preservation Task Force on September 14, 2017.

National Trust Review of Philadelphia's Historic Preservation Ordinance

Local historic preservation ordinances, along with their reasonable application and enforcement, form an essential part of any city's historic preservation program. And as with any law, preservation law comes with its own benefits and burdens. Moreover, even the best preservation ordinance—if it is not tailored to the specific needs of the community or is otherwise underused or misapplied—will ultimately undermine a city's preservation goals, create uncertainty for property owners and investors, and increase litigation risk.

Philadelphia has a fundamentally strong ordinance that compares favorably to other cities. The National Trust's baseline review demonstrates that Philadelphia's ordinance is fundamentally strong. Unlike many cities, the PHC has taken care to make its local preservation ordinance accessible. It is easy to locate, well organized, and contains relevant portions of the city's zoning code and definitions, and is supported by a searchable database of historic landmarks and districts. Moreover, the PHC has adopted Rules & Regulations to help guide decision-making which can be adjusted to meet the changing needs of the city.

Broad authority, criteria, and ability to nominate. Regarding the ordinance's strengths, the PHC—unlike preservation commissions in many other cities—has broad jurisdiction to designate districts, sites, and objects of historic, cultural, and aesthetic importance, as well as unique visual features within neighborhoods. Moreover, any “interested party” may present testimony or evidence regarding a proposed designation, further expanding the ordinance's reach.

Financial Hardship Requirement. Philadelphia's local preservation ordinance includes a robust “financial hardship” exception that gives a property owner the right to demolish or substantially alter a designated historic building in the service of an overriding “public interest” or where the building cannot be reasonably adapted or maintained. A financial hardship requirement is a “best practice” feature that the National Trust recommends for all local ordinances. Financial hardship is determined by a Financial Hardship Committee, a technical advisory committee of the PHC. The committee evaluates project proformas that consider factors such as the assessed value of the land and improvements; financial information related to the property (income, taxes, debt service, cash flow); real estate marketing efforts; and possibilities for adaptive reuse. The Committee may retain an independent financial consultant to inform this process.

Flexible Approach Allowed to Avoid “Unnecessary Hardship.” Holding aside the frequency of its application or degree of public knowledge about its availability, the National Trust has highlighted the Ordinance's “unnecessary hardship” exception in instances where literal enforcement of the ordinance would cause unnecessary hardship to homeowners of low and moderate personal incomes. PHC Rules & Regulations recognizes that in such instances the preservation of “basic form and rhythm rather than restoration can meet the objectives of the ordinance and the Commission.”

Affirmative Maintenance to Prevent Demolition by Neglect. Another feature of Philadelphia's local preservation ordinance is its affirmative maintenance requirement. This helps prevent a widespread preservation problem of “demolition by neglect” and helps to maintain property values.

Objective Standards. Philadelphia's historic preservation ordinance allows PHC to adopt its own standards for Preservation. Although the Secretary of the Interior Standards are the most widely

followed rehabilitation standards, the ordinance allows for flexibility or “similar criteria.” Even with that flexibility, PHC adopted Rules & Regulations requiring adherence to the *Secretary of the Interior Standards for the Treatment of Historic Properties*. This is another positive aspect of Philadelphia’s local preservation law, PHC’s decisions are guided by the nation’s most time-tested and judicially accepted standards. At least two other cities have taken a modified approach. Charleston, SC, and Washington, D.C., are examples.

Report of the Survey Subcommittee

Current State of Surveys and Designations of Historic Districts and Properties

The Survey Subcommittee is exploring the issues around the development of a comprehensive property survey. It is considering what to survey, the criteria to use to determine historic value, priority areas to survey, and how the survey can be used by public and private partners. This process will help the City to build an inventory system that works seamlessly to manage data collected through surveys. The question of criteria is whether to go beyond the traditional designation standards so as to capture a broader range of historical, archeological, and cultural assets.

In 2016, the National Trust released a report, *Atlas of ReUrbanism*, that compared the status of preservation in 50 cities across the country. The National Trust found that the City of Philadelphia has:

- The third highest number of total buildings
- The second highest number of properties developed before 1945, with 68 percent of the city’s building stock built before the mid-twentieth century
- Only 4.2 percent of properties are listed on the National Register and just 2.2 percent of properties are listed on the Philadelphia Register – compared to the national averages of 6.8 percent and 4.3 percent respectively

The analysis also noted that 9.4 percent of housing units in Philadelphia are vacant – ranking Philadelphia 21st among the 50 studied cities.⁷

A citywide, comprehensive survey of buildings, sites, and objects has not been completed for Philadelphia. Meanwhile, individuals and organizations have completed an extensive number of smaller surveys focused on a type of building or specific neighborhoods. These surveys, maintained by the SHPO offer significant information about properties that may be prioritized for designation. Many related city, state, and other agencies that utilize federal funding are required to consider the effects of their projects on historic and cultural resources and generate survey data. However, each of these surveys was completed at a different time for a different purpose and vary in the data they collected. The surveys have not been consolidated into a single format or database. In addition, most of these surveys are a snapshot in time and have no process for updating.

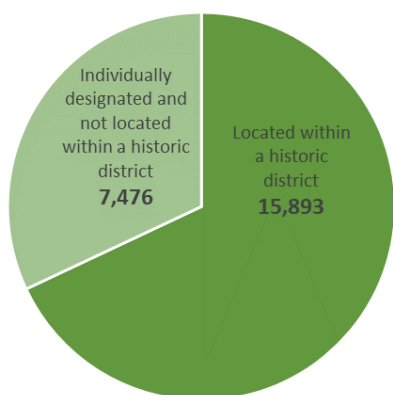
Currently, 10,835 resources are listed on the Philadelphia Register of Historic Places (23,000 individual addresses, including individual condominium units within one larger building). Over 7,400 (including condominium units) are listed individually and the rest fall into one of 16 historic districts (see Figure 1). One historic district, Overbrook Farms, is pending; one district has been notified (1416-32 W Girard);

⁷ Information is based on a presentation by Jim Lindberg of the National Trust to the Historic Preservation Task Force on September 14, 2017.

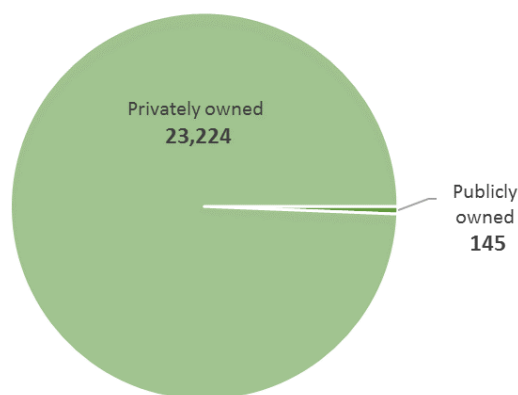
and seven historic districts have been nominated to the Philadelphia Register, but await processing by the PHC. A majority of the properties on the Register are privately owned (see Figure 2). Residential buildings are the primary uses among historic properties on the Register, however, this includes individual condominium units (see Figure 3). It is important to count these individual units because they represent potential permits that would need to be reviewed by the PHC, even if they are over-the-counter interior approvals.

Figures 1 & 2: Locally Designated Properties by Location and Ownership

Locally Designated Properties by Location



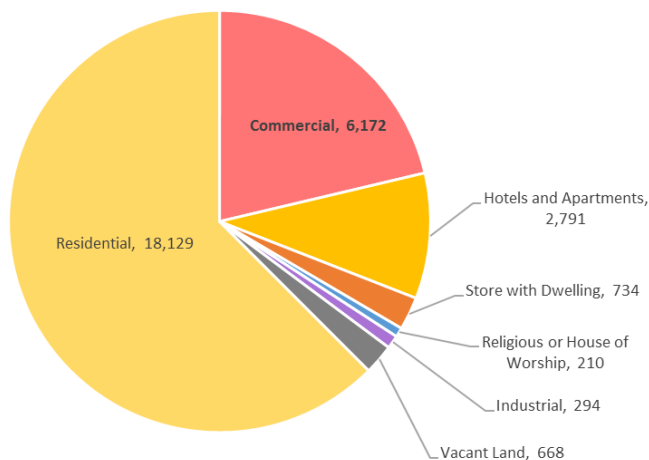
Locally Designated Properties by Ownership



*Note: property count includes individual condominium units within a building

Figure 3: Locally Designated Addresses by Building Type

Locally Designated Addresses by Building Type



*Note: property count includes individual condominium units within a building; total unit count may be larger due to some properties with multiple uses being counted more than once

Throughout Philadelphia, there are 468 buildings, seven sites, and 19 structures along with 72 historic districts listed on the National Register of Historic Places.⁸ There is overlap between the Philadelphia and National Registers, with 1,818 properties included on both. The Central Planning District (a planning area, not a designated district), which includes Center City, is home to the most locally and nationally designated sites and districts. Lower North and South, adjacent to the Central District, also have significant numbers of sites. Outside of the core of the city, the Upper and Lower Northwest, comprised of Germantown, Mt. Airy, and Chestnut Hill, are the next areas with significant numbers of designated sites (see Figure 4). The Colonial Germantown Avenue Historic District is one of the oldest historic districts listed in the National Register and is also a NHL, but is not on the Philadelphia Register.

Figure 4: Historically Designated Properties by Planning District:

	Local Sites		Local Districts		National Sites		National Districts	
Central	19,786	84.67%	4	23.53%	172	41.75%	27	39.13%
Lower Northwest	724	3.10%	2	11.76%	3	0.73%	4	5.80%
South	709	3.03%	1	5.88%	26	6.31%	1	1.45%
West Park	628	2.69%	2	11.76%	5	1.21%	2	2.90%
Upper Northwest	572	2.45%	2	11.76%	42	10.19%	10	14.49%
Lower North	353	1.51%	2	11.76%	34	8.25%	11	15.94%
Univ. Southwest	337	1.44%	1	5.88%	29	7.04%	3	4.35%
North	57	0.24%	1	5.88%	20	4.85%	2	2.90%
River Wards	55	0.24%	0	0.00%	17	4.13%	0	0.00%
Lower Northeast	39	0.17%	0	0.00%	12	2.91%	0	0.00%
Lower Far Northeast	28	0.12%	1	5.88%	1	0.24%	1	1.45%
North Delaware	20	0.09%	0	0.00%	8	1.94%	2	2.90%
Upper North	18	0.08%	0	0.00%	19	4.61%	0	0.00%
West	16	0.07%	0	0.00%	14	3.40%	1	1.45%
Central Northeast	13	0.06%	0	0.00%	2	0.49%	2	2.90%
Lower Southwest	6	0.03%	0	0.00%	5	1.21%	1	1.45%
Upper Far Northeast	6	0.03%	0	0.00%	3	0.73%	0	0.00%
Lower South	2	0.01%	1	5.88%	0	0.00%	2	2.90%

Report of the Incentives Subcommittee

Current State of Incentives for Historic Preservation

The Incentives Subcommittee is exploring the different types of incentives, both monetary and non-monetary, that could be created to support preservation activities. The subcommittee will review possible target audiences, types of activities and potential costs of these proposals. It is important to understand what types of incentives are needed for different types of owners and properties to prioritize the preservation of the most vulnerable places. This subcommittee is also reviewing existing programs in the city that directly or indirectly incentivize preservation to understand how they could be utilized, expanded, and/or combined to advance historic preservation based on current demand and operation procedures.

Incentives help encourage adaptive reuse and historic preservation by offsetting added costs a property owner could incur by maintaining or restoring their properties to higher standards. There are currently programs in place that financially incentivize historic preservation, both of designated buildings and other historic and cultural assets, at the federal, state, and local level.

⁸ Information provided by Cory Kegerise, Community Preservation Coordinator - Eastern Region PHMC, SHPO

Federal Historic Tax Credits – A 20 percent income tax credit is available for the rehabilitation of historic, income-producing buildings that are determined by the Secretary of the Interior to be “certified historic structures” listed on the National Register. All work must comply with the *Secretary of the Interior’s Standards for the Treatment of Historic Properties*. Previously, the tax credit could be taken in full when the building was “placed in service.” However, with the passage of the tax reform bill in December 2017, the credit now must be taken over a five-year period. Depending on the annual income tax liability of the owner or tax credit investor and the dollar amount of the qualified rehabilitation expenses, this could provide less of an incentive for preservation than in prior years. Properties built before 1936 that are not on the National Register were previously eligible for a 10 percent tax credit, however the recently passed federal tax reform bill eliminated this program entirely.

State Historic Tax Credits – Established in 2012 and funded annually with \$3 million dollars, the Pennsylvania Historic Preservation Incentive Tax Credit provides up to a 25 percent tax credit to rehabilitate qualified income-producing historic structures, following the same guidelines and requirements as the Federal Historic Tax Credit. The state credits are awarded competitively and available funds are distributed to projects throughout the Commonwealth. Thirteen projects in Philadelphia have received a total of \$3 million in state tax credits since inception.⁹

Private Voluntary Preservation Easements – Organizations including the Preservation Alliance and Chestnut Hill Conservancy have historic preservation easement programs in which the owner of a historic property donates an easement that permanently requires the donor and all future owners to maintain and preserve the building exterior in perpetuity. Properties must be listed on the National Register of Historic Places to be considered charitable donations, meaning that the donor may take a one-time tax deduction equal to the value of the easement. The easement’s value is determined by an independent appraisal.

City of Philadelphia Incentives - While at the local level there are no financial, zoning, or streamlined-process incentives specifically designed to encourage property owners to designate, maintain and preserve their historic properties, the PHC staff provides technical assistance, free of charge, to property owners, typically of historically designated properties, who seek advice on repairing and/or making changes to their buildings or making changes to their properties. The PHC also supports residents who seek to establish historic districts or nominate a property to the Register to protect their community’s cultural and historic identity.

The City runs a number of programs that help to support preservation of a wide range of historic and cultural assets that are not necessarily designated. Programs that: help longtime homeowners remain and maintain their homes; increase energy efficiency and sustainability practices; and encourage businesses to invest in commercial corridors all help to preserve the history, culture, neighborhoods, businesses, and people broadly defined as the city’s historic assets. A few of these programs are noted below:

Storefront Improvement Program – This city program, administered by the Commerce Department, reimburses up to 50% of the cost of eligible improvements (up to \$10,000 per property, or up to

⁹ Information provided by Cory Kegerise, Community Preservation Coordinator - Eastern Region
Pennsylvania Historical and Museum Commission, State Historic Preservation Office

\$15,000 for a multiple-addresses or corner business property) to commercial building owners and businesses on select commercial corridors.

Basic Systems Repair Program- This program provides free repairs to correct electrical, plumbing, heating, structural repair and roofing emergencies in eligible owner-occupied homes the maximum grant is \$17,500 per property.

Housing Preservation Loan Program (HPLP) – The HPLP is a new initiative of the Philadelphia Redevelopment Authority and the City of Philadelphia intended to serve low-, moderate-, and middle-income ("LMMI") Philadelphia homeowners who need home repair loans. The goals of the program are: to facilitate healthier, more accessible and more livable homes; to repair the city's aging housing stock so that it contributes positively to the long-term growth of our communities; and to provide access to low-cost financing, credit counseling, and other services for LMMI homeowners.

Tax Abatements – A more complicated incentive is Philadelphia's ten-year tax abatement. The abatement enables building owners to pay property taxes for ten years based only on the preconstruction or pre-renovation value of the property. On one hand, because the tax abatement allows for buildings to be improved without any property tax implications for ten years, it is an incentive to rehabilitate. Between 1999 and 2017 more than 9,000 rehabilitation projects received abatements. On the other hand, the property tax benefit is much greater for new construction on vacant land. Accordingly, as currently structured it may induce developers to seek new construction opportunities ahead of rehabilitation and/or reuse. Over that same 1999-2017 period more than 18,000 abatements were given to new construction projects.¹⁰

Lastly, local non-government organizations have played an important role in historic preservation efforts to help support communities document their assets, preserve properties and support economic stability of low income residents to better maintain and sustain Philadelphia's historic building stock of rowhomes.

Report of the Outreach and Education Subcommittee

Current State of Outreach and Education

The Outreach and Education Subcommittee has two goals - to spread the word about the Task Force's current work and to research possible future outreach and education programs. The subcommittee is exploring ways to build a constituency for preservation – beyond the typical audience that works with PHC today. It is also reviewing programs in Philadelphia and other municipalities that are successful in explaining historic preservation to the public and ways to educate the public on the regulations and services of the PHC.

The Citizens Planning Institute (CPI), the education arm of the PCPC, teaches a core set of classes on planning, zoning and development in the city. Over the years, CPI has also offered several elective classes in preservation for any graduates from the core program. Many graduates of CPI, and other community groups and neighborhood organizations work in preserving their communities. However, these efforts are usually grassroots oriented rather than engaging in the formal regulations of the PHC.

¹⁰ Office of Property Assessment data provided to PCPC Staff, numbers based on unique addresses recorded in the first year of abatement

Those leading these grassroots efforts represent a wide variety of race, age and income levels throughout many of the city's neighborhoods.

Organizations, such as the Preservation Alliance, hold workshops to educate property owners and community groups about history, architecture and the workings of the PHC. Based on its work with neighborhood organizations, the Alliance has identified four key challenges to expanding the city's preservation constituency: many Philadelphians see preservation as an infringement on their property rights; residents, city government staff, and business leaders have limited understanding of historic preservation; the language of "historic preservation" is often itself viewed as elitist and focused on the protection of wealthy peoples' homes and famous architects' buildings; and a general history of prior generations may not resonate with current neighbors.¹¹

Assessment of Philadelphia Historical Commission (PHC) Capacity

The PHC was merged into the newly created Department of Planning and Development in 2017. This new department was approved by the citizens of Philadelphia in 2015. The department combined five agencies – the PCPC, the PHC, the Art Commission, Development Services and the Division of Housing and Community Development – into a single department that has jurisdiction over planning and development in the city.

The PHC currently has a staff of eight (two new staff members started in December 2017). Another staff member from the Department of Planning and Development performs the Section 106 reviews for all Federal housing dollars in the city.¹² The PHC staff review permit applications, provide technical assistance to property owners, support researchers, write and review nominations to the Philadelphia Register, and administer the work of the PHC itself.

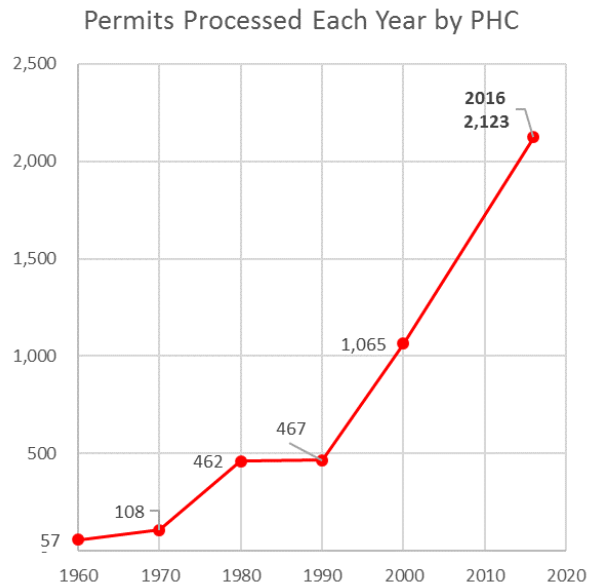
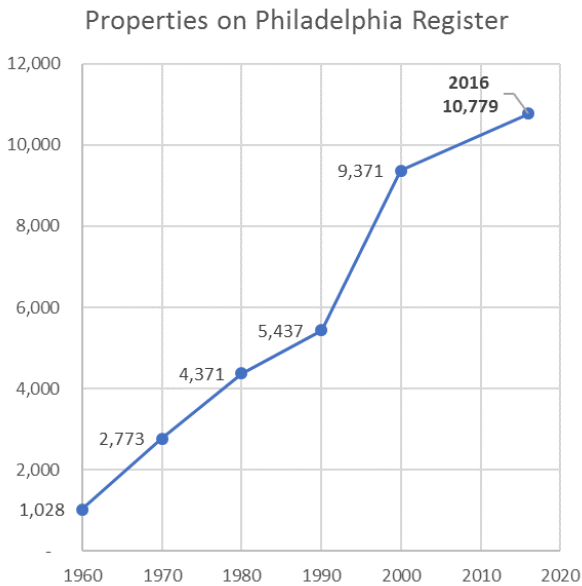
On average, the staff currently review approximately 2,200 permit applications a year. Applications that need to be reviewed by the PHC itself must be processed within 60 days. Applications that can be approved by the staff must be processed within five days. The PHC has granted much of the review authority to the staff and in 2016 the staff approved 94% of all applications, or nearly 2,000 applications, within five days of their submission, often on the same day.

The permit review work has increased substantially as the number of properties in the PHC's jurisdiction has increased. In 2016, the number of permits processed by PHC staff more than doubled what was processed in 2000. With a staff of five able to review permits, this equaled to approximate 354 permits per staff member to process in 2016. As the number of permits increased, the rate of adding new properties to the Register has also slowed.¹³

¹¹ Information is based on a presentation by Patrick Grossi of the Preservation Alliance to the Historic Preservation Task Force on September 14, 2017.

¹² City has been delegated Section 106 review authority for certain HUD funded programs through a Programmatic Agreement with HUD and the PA SHPO.

¹³ From research conducted by the staff of PHC at the request of the Task Force.



Since 1985, the PHC has had the jurisdiction to approve or disapprove demolition applications for buildings on the Register. In the last 32 years, the PHC has received 59 demolition applications and approved 38 (56%). Although this is just over one demolition application per year, some of these applications required four or five committee and Commission meetings with staff providing the research and documentation for each meeting.¹⁴

As noted earlier, all approvals or disapprovals for permit work by the PHC may be appealed to the LIRB. During the last eleven years, since January 2007, the PHC staff has had to prepare research, testimony and logistics for 113 LIRB cases.¹⁵

The PHC is mandated to maintain the Philadelphia Register of Historic Places. Until December 2017, the PHC did not have staff capacity to nominate many potential historic resources. Once a property is listed on the Philadelphia Register, the PHC must have capacity to administer the permit activity that listing would generate. For now, the bulk of nominations to the Philadelphia Register that the PHC reviews are submitted by volunteers or organizations, such as the Preservation Alliance. The PHC annually reviews 40 to 50 nominations to the Philadelphia Register, but there is no specified review period stipulated for when the nominations must be processed (unlike the timelines required for permit review). And although community engagement is part of PHC's mission, it has the capacity to conduct few engagement and education activities for Philadelphia residents, city staff, or the development community each year.

The Department of Planning and Development was established in 2017 after a Charter change by Philadelphia voters that required the consolidation of the City's planning, housing, preservation, and development related functions. The new Department has three divisions and places the Philadelphia Historic Commission (PHC) in the Division of Planning and Zoning aligning its work with the Philadelphia City Planning Commission, Art Commission and the Zoning Board of Adjustment. This has already resulted in greater cross-agency collaboration, resource-sharing and improved capacity in each of these

¹⁴ From research conducted by the staff of PHC at the request of the Task Force.

¹⁵ From research conducted by the staff of PHC at the request of the Task Force.

areas. Establishing this department also provides an opportunity to evaluate current practices and challenges, including our historic preservation activities.

Principles and Framing Questions Guiding the Work of the Task Force

Over the course of the remainder of 2018, the Task Force will work to put forward recommendations to the mayor and City Council that can be used to help balance the goals of historic preservation with new development in Philadelphia today.

Through discussions during public meetings of the Task Force, in one-on-one interviews with members of the Task Force, and at the meetings of the subcommittees, the Task Force has begun to frame its work – to ensure that the effort is not simply one that catalogues current conditions but that seeks to create a bigger “preservation tent” for all Philadelphians.

This framework, will guide the work of the Task Force throughout 2018 as it works to meet the charge put forth by Mayor Kenney and articulated in the vision statement.

Principles Guiding the Work of the Task Force

- Historic Preservation is an important public good, recognized in law, policy, and practice.
- Preservation must be understood as part of a larger system of city growth and development – one that is both regulatory as well as flexible and allows for new development to be added to Philadelphia’s legendary building stock.
- Many of Philadelphia’s neighborhoods located far from its historic core have a strong sense of place. We need tools to encourage their growth and preservation. Preservation must expand to capture the multitude of diversity that makes up Philadelphia.
- Philadelphia’s buildings and its built environment contains a wealth of stories. These neighborhood tales need to be captured for future generations. Allowing preservation to be understood as much about people and events as it is about buildings, sites, objects and landscapes.

Framing Questions Guiding the Work of the Task Force

- How do we define historic preservation and establish a clear understanding of the city’s preservation priorities?
- Is there an expanded definition of preservation that captures today’s reality of many neighborhood groups and non-profits working to preserve their communities building on the preservation ordinance?
- Can preservation be a vehicle for meeting the goals of equity and inclusive growth?
- Should there be a tiered approach to preservation that allows for different degrees of preservation?
- What types of financial incentives would help integrate preservation into development plans?
- How can we help existing homeowners maintain their historic properties?
- How might the city better integrate the goals of historic preservation and development across other city agencies and regulatory bodies that touch the built environment such as planning, zoning, housing and redevelopment?

- How can the city reach different audiences to educate the public about the benefits of and programs that support preservation?

Next Steps

City Council, in its adoption of the expanded Historic Preservation Ordinance in 1984 and reaffirmed in the new Zoning Code adopted in 2011, declared that it is “a matter of public policy that the preservation and protection of buildings, structures, sites, objects, and districts of historic, architectural, cultural, archaeological, educational and aesthetic merit are public necessities and are in the interests of the health, prosperity and welfare of the people of Philadelphia.”

Today, many Philadelphians favor initiatives that support a broad definition of preservation. However, increasing development pressure and a lack of resources have meant that city staff and communities are often only able to react instead of making strategic, equitable decisions around preservation.

Mayor Kenney’s Historic Preservation Task Force is a means to meet that challenge.

The Task Force’s next step is to review best practices from around the country in regulations, incentives, surveys and outreach and education. Informed by those best practices and guided by its framing questions and vision statement, the Task Force will offer strategies and recommendations to help Philadelphia balance the goals of historic preservation with new development.

This document is the first of three products from the Task Force. It provides an overview of the Task Force and a summary of the current state of historic preservation in Philadelphia (including economic benefits, preservation planning, and advocacy). It is intended to assist the Task Force members and the public to have a common understanding of existing conditions. The Task Force will produce two more papers: the second will note specific issues the Task Force has prioritized tackling, based upon its research, public comments, and their knowledge. The second paper will also identify the best practices being considered by the subcommittees to address this challenge. The third and final paper will contain specific recommendations for Philadelphia to adopt and proposed strategies for implementing and resourcing those recommendations. While the City is leading the charge, the work and strategies proposed will require engagement and participation by communities, public sector, academic and private partners to succeed.