Introduction
How Preservation Law Lays the Groundwork for a “Movement of Yes”
WILL COOK
The Tao of Urban Rejuvenation: Lessons from Lowertown
WEIMING LU
The Four Point Refresh: Improving on Main Street’s Successful Model
HANNAH WHITE
Strengthening the Connection: Community Development and Historic Preservation
JUSTIN GUNTHER
Getting Away From “No”: Straight Talk to Local Advocates
JOYCE BARRETT
Looking (and Getting) Past Crisis Moments in Preservation
MARGARET O’NEAL
How State Historic Preservation Offices Say “Yes”
ERIK HEIN
From Regulation to Community Action: The Expanding Role of Preservation Commissions
ESTHER HALL

Cover: In Ohio, preservationists ran a successful campaign of “yes” to fund the restoration of Cincinnati Union Terminal. Yes On 8 encouraged voters to approve a five-year, one-quarter of 1 percent sales tax increase to fund the restoration of the terminal. Issue 8 passed and is expected to generate $172 million that will ensure that the historic building will be restored and re-opened by 2018.
Introduction

In the previous issue of Forum Journal (Fall 2015), we asked preservation leaders and allies to help us envision the future of the historic preservation movement. In the introduction, Stephanie Meeks, president and CEO of the National Trust for Historic Preservation, wrote:

*I believe that to keep growing preservation for the next 50 years and beyond, we need to keep working to become a “Movement of Yes.”* … *[P]reservation needs to be about more than simply stopping bad things from happening to old buildings. Of course, there is still an important place for local preservation controls. But … instead of being the ones who hold back change, and say “no, you can’t do that,” we must lead by example—innovating, adopting new tools, crafting new partnerships, and finding more ways to adapt and reuse historic buildings.*

That got us thinking.

When we tell people about the preservation work we do and the issues we care about, why do we sometimes get a negative response—hostility (“What right do you have to tell property owners what to do?”), skepticism (“What do you do-gooders know about the tough realities of business investment, real estate, or urban development?”), even bewilderment (“Why do you bother?”)?

What are we doing wrong? Even more important, what are all the things we’re doing right but are failing to communicate?

This issue of Forum Journal tries to answer those questions from the perspectives of preservation practitioners and partners engaged in diverse activities and entities: preservation law, urban revitalization programs, Main Street efforts, Community Development Corporations, statewide and local advocacy groups, Preservation Green Lab projects, state historic preservation offices, and local preservation commissions.

We invite you to join the discussion. How are you, in your own activities and interests, advancing preservation as a “Movement of Yes” in your community? And how are you celebrating that in a way that makes others eager to join in? FJ
How Preservation Law Lays the Groundwork for a “Movement of Yes”

WILLIAM J. COOK

As an attorney in the Law Division of the National Trust for Historic Preservation for the past five years, I have had the privilege of working with a team of colleagues who have dedicated their careers to protecting historic places across the United States. Our projects reflect the diversity of the country’s history and geography, and the fragile landscapes deeply connected to both. As advocates, we develop and respond to an array of legal claims that arise from historic preservation statutes, regulations, court decisions, state laws and local ordinances. This work ranges from fighting the unregulated cruise ship tourism that is overwhelming the National Historic Landmark District in Charleston, South Carolina, to opposing the threat of uranium mining in the scenic and sacred landscapes of Mount Taylor, New Mexico. We supported a coalition that took on and won a legal battle that stopped an office tower from spoiling the pristine views of the Hudson River Palisades in Englewood Cliffs, New Jersey. We are working to save the James River and its landscapes in Virginia from the visual threat of giant power lines and are still fighting to block commercial development near the South Rim of the Grand Canyon in Arizona. We continue to oppose a planned wind farm that would mar historic views of Nantucket Sound and are fighting “takings” challenges in urban areas like New York City. My experience has shown me that, notwithstanding their significance, historic places continue to confront increasing risk of loss. To make our work even more challenging, the laws designed to protect these places from harm attract a level of criticism that other areas of land use or environmental regulation manage to escape.

Despite the commonly touted benefits of preservation—opportunities for place-based learning, tourism, community revitalization, local job creation and property value enhancement—some
critics like to refer to any whiff of historic preservation as the “Movement of No.”1 Although there is some modicum of truth to that perception, the basic supposition is wrong. Historic preservation is not a “Movement of No.” Historic preservation is a movement designed to protect places that are valued by communities and that preserve our sense of place as individuals and as a nation. This movement is supported by protective laws on which these places depend for their survival so that current and later generations can appreciate and enjoy them into the future—much like other environmental laws designed to protect the public’s welfare.2

In his essay series, “Why Do Old Places Matter?,” Rome Prize recipient and National Trust attorney Tom Mayes identified myriad reasons in addition to those already listed here, which include but are not limited to history, memory, beauty, economics, architecture, learning, continuity, creativity, sustainability, identity and spirituality. All of these reasons inform the purpose and policy of historic preservation. But as those who advocate for these values know, preserving historic places depends on more than just the good intentions of property owners, the eager efforts of advocates or the persuasiveness of social media campaigns. The ability to say “no” under certain circumstances is critical—because saying “no” to inappropriate property use and development is saying “yes” to the
The survival of meaningful historic and cultural places and the values they embody. Without the ability to say “no,” places like the iconic Beaux Arts Grand Central Terminal in New York City or vernacular shotgun houses in the Campground Historic District of Mobile, Alabama, would probably no longer stand.3

This article examines how the laws that underpin America’s historic preservation movement are designed to promote flexibility and collaboration and lead to outcomes for the public good. It questions why perceptions about preservation law are sometimes negative and considers how we as preservation supporters can counter such perceptions through our messages and actions to help preservation reposition itself as a positive movement.

WHY WE NEED TO BE ABLE TO SAY “NO”

Sometimes getting to the outcomes with the greatest long-term public benefits requires saying “no.”

In his famous article, “The Tragedy of the Commons,” American ecologist and philosopher Garrett Hardin illustrates why regulation of property rights is necessary.4 To do so, Hardin uses the example of a colonial commons or community pasture for grazing cattle, which no one owns but everyone can use. In other words, he describes a world with an absence of property rights or any land use control. In the commons—where no one owns or has the ability to control anything—rational humans, operating according to each individual’s self-interest, race to use as much of the commons as possible.
possible even though the commons is limited. They do so even though this behavior harms the group as a whole. As a result, the commons is ultimately overconsumed and destroyed. In academic and conservation circles, this idea of a commons is applied to oceans and the problem of overfishing, forests and too much logging, subsurface mining rights and mountaintop removal, the atmosphere and industrial pollution, and wildlife and the extinction of species that results from overhunting. These examples help demonstrate how our rush to consume finite resources before others do leads to their overconsumption and to the destruction that Hardin predicted.

Our shared historic and cultural heritage is a commons too and likewise in need of legal protection. But because most of us who enjoy it are “free riders” who receive the benefits of historic preservation without having to share in its burdens or costs, it is easy to take for granted the need to protect the historic commons. As a result, we do not often realize the special duties and obligations that preservation law confers, or how it operates. Preservation law, however, is essential if society wants to protect historic resources. Without it, the unfettered consumption described by Hardin would bring about adverse effects, such as those of massive cruise tourism on the Charleston National Historic Landmark District or at the Port of New Orleans. As Harvard professor Jerold S. Kayden has explained, without the power to say “no,” “thousands of historic buildings that stamp a place as special would be gone.”

But preservation law should never be used to avoid all change. Hardin’s critics point out that too much regulation of the commons can lead to such unwanted outcomes as resource underuse or economic stagnation. To avoid such problems, preservation must strike the right balance between past, present and future use so that the property, site or place that embodies our shared history can continue to remain productive and not languish. Preservation law in all its forms reflects this tension. Change is a constant and important part of our work.

A VERY BRIEF HISTORY OF PRESERVATION LAW
Preservation law as we know it today developed gradually.
From historic preservation’s early beginnings—with Ann Pamela Cunningham’s efforts to preserve George Washington’s Mount Vernon in the 19th century, the passage of the federal Antiquities Act in 1906, and the nation’s first local preservation laws in Charleston and New Orleans in the 1930s—preservation regulation has expanded steadily over time because of public support. By 1965, 51 communities across the country had preservation ordinances, a number that has grown to more than 2,300 communities in the United States today. This same support led to Congress’s adoption of a comprehensive federal program, including the National Historic Preservation Act (NHPA) and Section 4(f) of the Department of Transportation Act, both enacted in 1966, and the National Environmental Policy Act (NEPA), enacted in 1969. Taken together, preservation law is composed of statutes, regulations, financial incentives, policies and case precedent decided by courts.

From the beginning, of course, the motives of historic preservation have been questioned. Critics have claimed that preservation is merely an elitist preoccupation that harms ordinary folks by violating their property rights and holding back progress. But such arguments lack merit. In fact, the Supreme Court of the United States determined in 1978 that historic preservation serves a valid public purpose, including because it can generate powerful economic benefits for communities.9

In light of historic preservation’s strong public, political and legal support, it is confusing that preservation law should ever be considered “negative.” The history of preservation law shows the opposite. For example, since the passage of the NHPA, federal agencies have had a duty to “take into account” the effects of their undertakings and to “consider” ways to avoid, minimize or mitigate harm to historic properties in consultation with stakeholders.10 The NEPA, a related information-gathering law, requires public disclosure of significant effects on the human environment, including historic and cultural resources, and consideration of project alterations to avoid or prevent such effects.11 In both federal laws, however, the legal protections provided are procedural in nature as well as collaborative and cannot dictate outcomes. One narrow exception
in federal law to the usual “stop, look and listen” approach is found in Section 4(f) of the Department of Transportation Act, which prohibits the use of historic properties unless all possible planning has taken place to minimize harm and there is no other “feasible and prudent” alternative to the proposed project. In practice, however, this prohibition is rarely exercised because of the elastic nature of the exception. Permits requiring application of these laws for new roads, bridges, mining permits, cell phone towers, urban infill projects, wind and solar farms, elevated rail projects, and many other undertakings are approved by the government almost every day. Preservation law, then, cannot legitimately be considered an impediment to change or progress.

Moreover, in addition to funding voluntary grant programs that provide financial support for repairs, research or technical assistance, federal law (along with some state laws) provides attractive financial incentives for historic rehabilitation tax credit projects and preservation easement deductions. The benefits of tax credits have been highlighted in a series of reports released by the National Trust Community Investment Corporation and the National Park Service. These reports show that the Federal Historic Rehabilitation Tax Incentives Program successfully brings together property owners and investors to revitalize historic buildings in need of repair. Nearly $100 billion in private investment has been realized in communities all over the country during the 37-year life of the federal program. Some states, such as New York, North Carolina and Virginia, have state credit programs too. At the federal level alone, historic rehabilitation tax credits have generated millions of

Ever since Charleston, South Carolina, became a home port for Carnival Cruise Lines, the number of cruise ships and passengers has become a threat to the fragile infrastructure and historic character of the National Historic Landmark District. The National Trust placed Charleston on “watch status” in 2011.
jobs, raised new tax revenue for all levels of government, and increased payrolls and production in nearly every sector of the economy. Although it is certainly possible that a state historic preservation officer and the National Park Service could refuse to approve a developer’s inappropriate plans, in most cases they are able to collaborate in rehabilitation projects using flexible guidelines, the Secretary of the Interior’s Standards. After tax credit projects are completed, present and future generations are able to use and enjoy historic buildings once again, thereby multiplying their economic benefits. Historic tax credits provide further evidence that historic preservation law is not a “Movement of No.”

Furthermore, preservation easements are another type of voluntary tool encouraged by tax deductions. As with conservation easements that are used to protect open land in perpetuity, preservation easements are agreements between a property owner and an easement holding organization to protect an owner’s intent to control the future use of his or her historic property. Because preservation easements are negotiated agreements, parties have flexibility in their drafting to address the specific characteristics of a historic property, the property owner’s interests and the goals of a preservation easement-holding organization—sometimes even allowing for limited future development. And to the extent that preservation easements protect historic properties that are not subject to local historic preservation laws—as well as properties subject to laws that might in the future be exempted or revoked—an easement may be the only protection against demolition or inappropriate alteration. Although a court may be asked at some point in a future enforcement lawsuit to say “no” to someone who has violated an easement’s terms, the decision to place an easement on a historic property is a voluntary one.

**FACTORS CONTRIBUTING TO A “NEGATIVE” PERCEPTION**

For the most part, historic preservation is a voluntary activity. Millions of people maintain, reuse and enjoy landmarked historic structures by choice every day. And much more unsung preservation activity takes place without any landmark regulation or legal
compulsion. Nevertheless, why does a negative perception about preservation law persist?

**Local Laws with Veto Power**

It is often said that most people experience preservation law at the local level, an old adage that is probably true. And it is at the local level that most people encounter “no,” even though the vast majority of proposed changes to historic buildings are ultimately approved. Because of the way the preservation system is structured within our federal system of government under the NHPA, more than 2,300 local historic preservation commissions across the country have been empowered by state enabling laws to make decisions regarding whether to allow changes to historic properties that have been landmarked under local law.\(^\text{18}\) This means that the bulk of preservation law decisions take place locally and that the administration of preservation law across cities and towns is decentralized.

For this reason, outcomes involving local law tend to vary, even though those differences are rarely discussed, explained or understood. This is why a local preservation commission in an architecturally progressive place like Miami might allow a contemporary addition to a historic building but a commission in a more architecturally conservative city like Philadelphia might reject it. And when decisions like these are compared or referenced in the popular press, headlines tend to emphasize the fact that a commission said “no” without giving any factual or legal context.\(^\text{19}\) In fact (although this is backed up by anecdotal evidence rather than statistics), most projects that historic preservation commissions review are not rejected. In cities like Washington, DC, for example, it is usually only the largest and clearly incompatible projects that go before the Historic Preservation Review Board. And even then, most of those are ultimately approved.\(^\text{20}\) Even for those projects that are rejected outright, there is usually some portion of the work or some revision involved that makes the application acceptable in the end.\(^\text{21}\) This is the case in many other cities and towns.

Further complicating the perception problem is the fact that sometimes preservation commissions are not even the ones saying “no.” Sometimes after a historic preservation officer has already
approved a project or, in other cases, even before the matter has come up before a preservation commission, it may be rejected by a local design review board or planning or zoning commission. A recent illustration involves the construction of a modest contemporary house in Raleigh, North Carolina, which a local preservation commission approved as being consistent with existing adjacent historic properties in the Oakwood Historic District. The article’s headline, however, attributed a lawsuit filed to require demolition of the newly constructed house to a preservation decision, even though the suit was filed by a disgruntled neighbor. Myrick Howard, president of Preservation North Carolina, encouraged residents to reject a narrow focus and embrace contemporary design to ensure that the area did not get “stuck” in one style.

Regardless of how local preservation laws are worded, they all reflect the voluntary political choices made by elected officials in cities and towns and, by extension, their constituents. Some laws, like those that apply to the Historic Beacon Hill neighborhood in Boston, Massachusetts, require an owner to obtain permission from a historic preservation commission for any exterior change that he or she might propose. Camden, South Carolina, is much less restrictive but requires owner consent prior to any landmark designation. The City of Los Angeles allows for the designation of landscape features and “natural phenomena.” Detroit’s local law can extend to open space but does not have strong maintenance requirements. Savannah, Georgia, applies its preservation law only to building facades that are visible from a public right of way. Washington, DC’s ordinance includes a “special merit exception” for changes that provide an important public benefit. And the local preservation law of New York City—one of the strongest in the nation—incorporates a transfer of development rights program for certain parts of the city, designed to offset loss of development opportunities that occur following the designation of a historic landmark.

Even though no two local preservation ordinances are alike, one common thread—in addition to the power to designate landmarks—is that they allow a historic preservation commission to say “no” when a property owner proposes a change that would either
harm the historic integrity of an individual building or jeopardize adjacent historic property owners. Indeed, many people who make the choice to live in a historic district do so precisely because of the certainty that preservation commission review control provides. Certainty like this is needed to assure property owners that the historic context will be protected and inappropriate property changes won’t be allowed in the neighborhoods in which they invest.

In some cases, communities have adopted local preservation laws in order to obtain Certified Local Government status, which is conferred by a voluntary National Park Service program that provides grant funding and technical assistance for historic preservation projects. Another common thread is that local laws all allow exemptions under appropriate circumstances, such as when a proposed change is not visible from a public right of way (Savannah and Charleston), might result in a legitimate financial hardship (Philadelphia and Portland, Maine), or frustrate a project of “special merit” (San Antonio and Washington, DC). A final common thread is this: legal attacks on the constitutionality of local ordinances—such as in Chicago—have generally not been successful.26

Enforcement and Interpretation Issues

One of the most common ways to weaken support for preservation law—and which contributes to a negative reputation—is through poor or arbitrary enforcement. Enforcement problems can take many forms. First, preservation law of any kind suffers when it lacks enforcement power, whether because a government agency has no enforcement scheme, has weak penalties, or does not have sufficient staff or financial resources to challenge violators. In systems such as these, those who desire legal protection from preservation law, as well as those who wish to skirt it, discount the law’s clout.

Second, even when governments enforce preservation law, arbitrary or inconsistent decisions—or a failure to follow consistent procedures—weaken community confidence in it. Allowing one property owner to change a historic house facade while denying another with a similar house the opportunity to make a similar change inevitably leads to negative perceptions. At the federal level,
examples of enforcement problems could include a federal agency issuing a finding of “no effect” on a permit application for destructive uranium mining on a sacred Native American site when the adverse effects are patently obvious. Regardless of the reason, practices like these undermine preservation law and cause the public to lose respect for its legitimacy. Preservation law is likewise weakened by government agencies or commissions that fail to explain why “no” is necessary. For this reason, written decisions should always be supported by facts and law.

Moreover, divisive and expensive litigation often arises when federal or state agencies and local governments fail to comply with the statutes, ordinances and regulations that they are required by law to enforce. In carrying out its mission, the National Trust has participated as a party or *amicus curiae* in more than 200 cases in federal and state courts since 1970. These cases have helped secure the standing of preservation groups to sue to protect the rights of owners of historic properties, as well as community members, and helped make sure that preservation law is applied by government agencies and commissions according to its letter and spirit. In many of these cases, however, litigation could have been avoided had government agencies simply followed the law, instead of actively trying to sidestep it.

Complexity

Preservation law is also misunderstood because of its complexity. Unlike a speed limit sign or a dock permit application, preservation law is not easy to explain or to reduce to catchy sound bites; it
comprises constitutional protections, statutes, regulations, executive orders, local ordinances, architectural guidelines and local commission decisions—along with hundreds of decisions by federal and state courts involving the application of these laws.

Legal complexity poses an ongoing challenge that can and probably does deter potential support. The layers of rules range widely, addressing local historic districts, tax credits, easements, archaeology, National Register nominations, maintenance protocols, Section 106 review, affordable housing and more. And the resources these rules target are varied as well. In the case of Native American resources, some laws apply to historic structures only, while others protect against the destruction or removal of artifacts (such as pottery, basketry, tools and rock paintings) that may be found on federally owned or tribal lands and, in some cases, on privately owned land. There are also laws that provide a process for review of governmental actions that may adversely affect a wide variety of traditional cultural resources.

Deciphering the laws that offer protection for historic and cultural resources and sacred sites is not an easy task, even for seasoned lawyers and judges. One of the best descriptions of the complexities of historic preservation law comes from the U.S. Committee of the International Council on Monuments and Sites (US/ICOMOS):

*The conservation of the built heritage in the United States is a complicated and multifaceted field that reflects our history, our specific type of federated government as established by our Constitution, the size of our country and our cultural diversity. The rise of public interest in the conservation of heritage sites, plus a somewhat natural propensity towards understanding the weight of our history has meant that the preservation movement and the preservation ethic permeate all levels of our society and government. Our success in the field is hard to measure and even harder to describe.*

Legal complexity does not arise out of a desire to make compliance tough but rather reflects the inherent difficulty of regulating historic and cultural resources, which often requires subjective
assessments of aesthetic merit; value judgments over issues such as historic “significance” and “integrity”; or legitimate disagreements over how best to avoid, minimize or mitigate adverse effects. Preservation law, however, is no more complicated than many environmental regulations, healthcare laws, or antitrust or securities laws. Although lawyers and advocates need to do what they can to explain preservation law and make it more accessible to the broader public, regulating historic and cultural heritage will always be complex. Any law that attempts to protect this heritage will reflect this complexity and must require the ability to say “no” under appropriate circumstances. But the suggestion that preservation law is wholly negative because it is complex or misunderstood is simply untrue.

**COUNTERING NEGATIVE PERCEPTIONS**

No easy answers exist as to why preservation is sometimes considered a “Movement of No.” This article explores some of the reasons related to preservation law. The next articles in this issue look at why this negative perception gets attached to other aspects and activities of the preservation movement. On balance, the perception is not an accurate one. When faced with the question, “Why is preservation a ‘Movement of No?,’” the best defense is four-fold. First, reject the proposition. Embrace historic preservation by name. As Tom Mayes has explained in his essays, there is nothing negative about historic preservation’s purpose. Second, recognize that saying “no” is absolutely necessary if communities want to protect historic resources and that there is inherent complexity in regulating issues related to heritage. A “one size fits all” approach is naive. Third, do a better job of educating the public and enforcement officials about how preservation law is intended to operate and how to apply it consistently and fairly. Moreover, preservation commissions and other government agencies should always explain the basis for their decisions and assist the public with compliance. Economic consultant Donovan Rypkema has said that “if your historic preservation commission does not have written, illustrated guidelines, available online and understandable not just
by architects but by actual human beings, you’re part of the problem with preservation, not part of the solution.”28 Fourth, urge communities to create or enhance voluntary preservation incentives. Taken together, these recommendations may not altogether turn preservation law into a “Movement of Yes,” but they can help preservation law “grow toward a new maturity.”29

William J. Cook is an associate general counsel in the National Trust for Historic Preservation’s Law Division.


2 Section 1 of the National Historic Preservation Act, Pub. L. No. 89-665, as amended by Pub. L. No. 96-515.

3 New York City’s lack of a local preservation ordinance in 1963—and concomitant lack of ability to say “no” to proposed demolitions for historic preservation reasons—is why the internationally acclaimed historic Penn Station was demolished starting that year. As reported in the editorial pages at the time (Editorial, “Farewell to Penn Station,” New York Times, October 30, 1963), “Any city gets what it admires, will pay for, and ultimately deserves. Even when we had Penn Station, we couldn’t afford to keep it clean. We want and serve tin-can architecture in a tinhorn culture. And we will probably be judged not by the monuments we build but by those we have destroyed.” For images depicting the loss of Penn Central, see New York Architecture (blog), available at http://www.nyc-architecture.com/Gon/Gon004.htm. The loss of Penn Station led to the passage of the New York City Landmarks Law in 1965.


5 In colonial America, perceived endless amounts of land resulted in few land use controls. However, as populations started to shift from rural to urban areas, the need to regulate land increased. This was especially true in urban areas, where cities tried to control the location of industry, commerce and housing. The first zoning ordinance was passed in New York City in 1916 in response to the large height and scale of the Equitable Building at 120 Broadway. Chicago passed its first comprehensive zoning law in 1923, although it first started regulating the built environment in 1837 and passed a height ordinance in 1893. By the 1930s, encouraged by the U.S. Department of Commerce’s 1924 Standard State Zoning Enabling Act, most states had adopted zoning laws. In the 1960s, concerns about the environment and historic preservation led to further regulation.


7 Even though it is a fallacy, a common argument by opponents of historic preservation is that preservationists want to stop any change from occurring. For example, see “Supreme Court Told Group Favors ‘Pristine State’ for Grand Central,” New York Times, April 18, 1978.


13 Some states have adopted similar legislation based on these federal laws.

14 For example, according to government statistics on its website, the U.S. Army Corps of Engineers issues more than 40,000 permits a year through its nationwide permitting program.

Ibid.


For perspective, according to the most recent U.S. Census data, the United States has 19,354 cities and towns with 3,144 counties or county equivalents. Thus, only slightly more than 10 percent of local governments have historic preservation laws. Within those communities, 5 percent is the average amount of historic fabric protected by local designation.

Robin Pogrebin, “Landmarks Commission Rejects Plan to Change Interior of the Four Seasons,” New York Times, May 19, 2015. (Pogrebin reports a controversial decision, but does not explain that the local preservation law specifically grants the authority to review proposed changes to landmarked interiors.)

Information provided by the DC Office of Planning/Historic Preservation Office on January 12, 2016 (on file with author).

For fiscal year 2015, DC’s Historic Preservation Office approved at least 4,924 permit applications. Ibid.

For example, see “Contemporary Glass Structure Rejected by Covington Board,” River City News, July 21, 2015 (describing how an urban design review board rejected a contemporary building and noting the historic preservation arguments that were made), and Chris Korman and Steve Kilar, “Design Review Panel Rejects Casino, But Likes Light Rail Entrances,” Baltimore Sun, September 13, 2012 (discussing urban design review panel’s decision to reject proposed architectural plans).


J. Peter Byrne, “Historic Preservation and Its Cultural Despisers: Reflections on the Contemporary Role of Preservation Law in Urban Development,” George Mason Legal Review 665 (2012). As Professor Byrne has noted, “Legal research into [preservation law’s] assumptions, methods, and goals should be a growing field.” Ibid.
The Tao of Urban Rejuvenation: Lessons from Lowertown

WEIMING LU

Editor’s Note: Weiming Lu has earned international recognition for his work in American cities; for his consulting work in cities around the world; and for his writings and lectures on city design, urban conservation and development. Lu was born and raised in China, where his father practiced and taught architecture and planning, and he studied engineering there. Lu continued his education in the United States, studying engineering at the University of Minnesota, then earning a master’s degree in regional planning from the University of North Carolina–Chapel Hill.

Lu’s career took him to planning positions in Minneapolis, Dallas and Saint Paul. As chief urban designer for Minneapolis in the 1960s, at the height of “urban renewal,” he helped develop Minnesota’s Heritage Preservation Act and establish the city’s preservation program. His activities as director of urban design for the City of Dallas in the 1970s helped revive urban neighborhoods and save the Texas School Book Depository. In Saint Paul, he served as president (1981–2006) of the Lowertown Redevelopment Corporation. Under his leadership, this became a national model of successful central city revitalization through public-private partnerships, recognized nationally with a Presidential Award for Design Excellence (1985) and a National Trust Honor Award (1995).

Lu is known for his expertise in blending old and new design. He has served as a consultant and advisor on numerous public and private projects in the United States and abroad, including the Beijing Olympics, Taiwan’s Planning Program, Singapore’s Chinatown and the reconstruction of south central Los Angeles after the 1992 riots.

In his recent book, The Tao of Urban Rejuvenation: Building a Livable Creative Urban Village (2013), Lu draws on his long career to present both visionary and practical guidance on how to revitalize and enhance urban areas.
ome perceive preservationists as people who merely hold back change and say, “No, you can’t do that.” I believe preservationists can be the ones who advocate for change, say “yes,” find appropriate ways to adapt and reuse historic buildings, attract new development that complements the old, and give new life to cities.

For many years, I have been privileged to participate as a planning and development professional in rejuvenation projects making use of public-private partnerships in cities in America and Asia. While preserving the old and attracting the new, I make certain they complement each other. While every community (and country) is unique, and there is no one process or solution for all, I have witnessed what works—and what doesn’t—in many scenarios.

Approaching each new city and project with an open mind, I have found new opportunities and challenges. I draw from past experience and envision the future. What I learned in Minneapolis informed my work in Dallas, and what I learned in Minneapolis and Dallas and elsewhere informed my work in Saint Paul. What I have learned in America has informed my work in cities across the sea and vice versa.

I’ve learned through experience that it is possible for visionary and dedicated public and private partners to turn disinvested and deteriorated urban areas into vibrant urban villages—as our work in Lowertown in Saint Paul has shown.

**THE REJUVENATION OF LOWERTOWN**

**An Ambitious Start**

In 1978 Saint Paul Mayor George Latimer sought the [McKnight Foundation’s](https://www.mcknight.org/) support to create a partnership to rejuvenate Lowertown, which covers 16 blocks of historic buildings, abandoned rail yards and riverfront, making up one-third of downtown Saint Paul.

He asked for $10 million and promised to generate $100 million in investment, adding housing and creating jobs—which were ambitious goals, as the area had attracted only $22 million in investment in the 10 previous years. Nevertheless, the foundation generously set aside $10 million of program-related investments (PRI) as loans to support these social and economic development goals and wisely
asked for the creation of an independent corporation to lead this effort. Thus, Lowertown Redevelopment Corporation (LRC) was established, and in 1979 I was asked to join.

**Preservation of Architectural Heritage**

Preserving Saint Paul’s architectural heritage was one of our basic missions, though historic designation was controversial. Some opposed it; they were concerned that imposing design review would impede development.

We quietly surveyed the historic buildings in Lowertown and had the area designated as a National Register Historic District. Afterward, we immediately publicized the historic tax credits for which building owners now qualified. This quickly attracted developers from near and far.

In one case, we hosted the visit of a development team from Philadelphia. We gave them a tour, shared with them our market survey and introduced them to our mayor. Soon after, they bought three buildings, investing $65 million without any financing from the city or LRC. A number of other developers followed. Thus, many empty warehouses were rehabilitated to provide a variety of housing for diverse ages and incomes, including low and moderate incomes. Today a variety of businesses, large and small, have also moved here.
Restoration of Union Depot

Behind every Lowertown building there is a story. Its rejuvenation is a complex dance of design and development. How the Union Depot was finally restored after 40 years of vacancy is a long story that began with historic designation, which saved the building from demolition.

The building was threatened by the proposed expansion of the post office, which had acquired the Union Depot land earlier. We prevented this with the help of an aggressive media effort. Our next challenge was to relocate the post office to a suburb. Our first effort to do so ran into strong opposition, which almost killed the depot project. Fortunately, our partners on the County LOCATE Task Force didn’t give up. With the assistance of a visionary congresswoman, we continued the fight, and the post office finally found a site.

Following fundraising at local, state and federal levels; acquisition of the depot concourse and the depot site; and the rehabilitation of the depot head house and concourse building, the Union Depot was finally restored. At the same time, we worked with Amtrak and Light Rail Transit to finally return Amtrak service to the depot and to initiate light rail service there connecting Lowertown with downtown Minneapolis.

Creative Community

From the beginning we were concerned about whether we would chase away artists when redevelopment proceeded, as has happened in so many cities.

We made three attempts to build artist housing and failed three times for different reasons. However, we didn’t give up, and finally succeeded on the fourth attempt, creating a 30-unit artist cooperative on the riverfront. After that, three other projects quickly followed. Today more than 500 artists are living and working in Lowertown.

Since then we have attracted many arts organizations to Lowertown, including the Jerome Foundation, State Arts Board, Public Art Saint Paul, Springboard for the Arts, Zeitgeist Quartet and Nautilus Theatre. More recently, through the LRC Future Fund
(described later), we helped the Baroque Room, the Bedlam Theatre and the Minnesota Museum of American Arts to join Lowertown.

Through our Cyber Village vision, we encouraged the expansion of our fiber optic network and attracted internet service and content providers. We successfully recruited Twin Cities Public Television (TPT) and helped it design and build headquarter and studio facilities in Lowertown. With its successful fundraising, TPT has completely renovated and upgraded its facility and greatly expanded its program. The super-computer firm Cray and a number of biomedical firms have also chosen to locate in Lowertown. All these efforts have helped us to build and nurture a creative community.

Livable Community

Building a variety of housing to meet diverse needs and achieving rejuvenation without gentrification were our goals. Through collaborative efforts with partners, we succeeded in keeping 25 percent of our housing affordable. Providing a variety of places for people to meet, play and exercise was important—such places have helped us create a livable and equitable community.

Mears Park, neglected for many years, was known as an “abandoned brickyard,” attracting only winos and the homeless. We surveyed residents, recruited a nationally known sculptor, worked with the park staff and the community to develop a creative new design, raised needed funds, and rebuilt it. People really love it as a place to walk, to meet, to hold concerts. Many volunteer gardeners took over much of the park space along the creek. The transformation has generated $250 million in investment around the park, including new offices, housing, restaurants and a YMCA.

With the McKnight Foundation’s support, LRC worked with Saint Paul’s East Side neighborhood and created the Bruce Vento Nature Sanctuary. Actively working with 25 partnering organizations in the East Side and Lowertown neighborhoods, we jointly engaged in
visioning efforts, raised $8.5 million and reclaimed a former rail yard to create a large, beautiful park joining the two neighborhoods.

The Bruce Vento Nature Sanctuary was developed on land that is part of a vital bird flyway and a sacred site for Native Americans. The land had been used for rail operations, and in the 1970s the area was largely abandoned and contaminated. After working with other partners, we secured federal funding to purchase the land and sponsored cleanup events to remove tons of debris. A federal brownfield cleanup grant and other sources provided funds to remove contamination and cover the area with four feet of clean soil. We have since connected 85 miles of regional trails through a hub there, and acquired the land and a building next to the sanctuary. The joint task force is now actively envisioning possibilities, raising funds, and building a new interpretive center in the sanctuary to showcase the natural and cultural history of the area.

Connecting the sanctuary to Lower Landing Park along the Mississippi River is another important goal. When the two are linked, it will truly beautify the Mississippi, making the two neighborhoods even more livable and attractive.

**Sustainable Community**

Preservation action helps us build sustainable communities. A 1999 General Services Administration study found that thick-walled historic buildings, properly rehabilitated, consume 27 percent less energy than their modern counterparts. A study for the Advisory Council on Historic Preservation found that constructing a 50,000-square-foot building uses 80 billion BTUs or 640,000 gallons of oil. Its demolition creates 4,000 tons of waste requiring 26 railroad boxcars for removal to already overflowing landfill sites.

Through sustainable conservation measures, LRC preserved 3.3 million square feet of warehouse buildings, equivalent to saving 5,280 billion BTUs or 42 million gallons of oil. The demolition of those buildings would have created 264,000 tons or 1,716 boxcars of landfill waste.

Besides extensive rehabilitation of existing buildings, LRC also worked with the city government in the establishment of hot-water district heating and in supporting the production and sale of locally
grown food by finding a site and seeking funding for a farmers’ market. The hot-water district heating system has since expanded to downtown and the state capitol building, serving more than 31 million square feet of buildings or 80 percent of downtown and adjacent areas. Given that success, a district cooling system was launched in 1993; it now serves 60 percent of downtown buildings.

LRC, from the very beginning, wanted to build a new urban village, rather than just work on discrete projects. Through visionary and persistent public-private partnership, LRC overcame the disinvestment challenge and generated $1 billion in new investments by 2012. The result, as Twin Cities Public Television called it in its new film, is Lowertown: The Rise of a New Urban Village. In 2006 the LRC board, believing our mission was largely completed, decided to close the corporation and used its remaining funding to create a grant program, the Lowertown Future Fund, to nurture the community we have built.

**SHARING OUR EXPERIENCE**

Our work has attracted national and international interest. Urban affairs specialist and syndicated columnist Neal Peirce wrote a column, which appeared in 150 newspapers, projecting Lowertown as a national model for building the urban village. Our work was also cited in several books in English, Chinese and Japanese, including Reinventing Government by David Osborne and Ted Gaebler, Global Environment and Metropolis in Japanese, and Building Cities with Shan Shui (Mountain and Water) Spirit in Chinese.

LRC won a number of awards, including the Presidential Design Award, which we happily shared with our partners. We have hosted mayors, planners and foundation executives from many cities and countries, including Margaret Thatcher’s advisor, French commissioners and Mayor Zhu Rongji of Shanghai (who later became premier of China).

Four governments and foundations in four U.S. and Canadian cities expressed an interest in forming partnership instruments similar to LRC. We were happy to share with them our experiences and see them raise a combined $52 million for the rejuvenation of
their downtowns and riverfronts. One of the cities has since generated $300 million in investment in its downtown and riverfront.

President Obama paid a visit to the Union Depot in February 2014 and announced a $300 billion national transportation plan. He praised the restoration of Union Depot as a good national model of a multimodal terminal. His plan has since won congressional approval.

**EXAMINING THE PROCESS**

Before the closing of LRC, I was asked by my board to share our experiences by writing a book. Building livable, creative, equitable and sustainable cities is a common community goal, but drawing from several disciplines to achieve it may pose a considerable challenge. Public-private partnership is popular today, but making it work in a complex world is difficult. Therefore, it is worthwhile to share what we have learned.

In my book, I trace LRC’s experience in creating a vision, in marketing an area that has suffered decades of disinvestment, in taking calculated risks to attract new investment, in negotiating complex loans and guarantees, and in leveraging resources—every dollar LRC supplied in gap financing generated $20 of public and private investment in Lowertown, on average. I explain how to form complex partnerships with many in the public and private sectors. We tried to avoid competition while fostering collaboration, sharing common goals while marshaling diverse resources. I describe our multidisciplinary approach in guiding diverse project designs and creating a sense of place. I cite many specific cases of envisioning, marketing and financing efforts and the lessons we learned in these cases over the past two decades.

In the book, I also share the difficulties—LRC’s successes and failures—of working to advance the long-term interest of a community. Having seen the destruction caused by “urban renewal”—in which some cities have become formless and their people rootless—we strived for urban rejuvenation without gentrification (as stated earlier, 25 percent of Lowertown’s housing is affordable); for balancing economic development with social advancement; for preserving the old while welcoming the new; and, above all, for
building livable, creative, equitable and sustainable cities.

With my bicultural background, I owe much of my understanding to both the East and the West. While I treasure Kevin Lynch’s teaching on city design via many fine books including *The Image of the City*, I also value the wisdom of Lao-Tzu’s teaching. For example, he spoke of Tao as “creating without possessing, acting without expecting, guiding without interfering.” I believe this philosophy can also help us deal with the complex process of planning and development.

I titled my book *The Tao of Urban Rejuvenation: Building a Livable Creative Urban Village*. Tao means “way” in Chinese. I tried to share how the two cultures have profoundly influenced my works.

Seeing the rapid growth and changes in China, I was pleased to be invited to Beijing, Nanjing and Shanghai to share with their planners and political leaders our planning and development experiences in America. I urged them to take measures to address the environmental challenges while guiding the explosive development. Serving as planning advisor to the mayor of Beijing, I was invited to be a jury member for the International Design Competition for the Beijing Olympics; I urged the city government to respect the Shan Shui (mountain and water) spirit of the Chinese city by protecting the environment and saving the courtyard houses and architectural heritage.

**THE NEXT URBAN VILLAGE**

The building of a healthy, vibrant and sustainable city or neighborhood has no completion date—as one phase ends, another has already begun. We are happy to see the continued growth and development of Lowertown, including new housing, new...

---

*The Tao of Urban Rejuvenation: Building a Livable Creative Urban Village* draws examples and insights from the redevelopment of Saint Paul’s Lowertown. 

Image courtesy of Bentz/Thompson/Rietow and Lowertown Redevelopment Corporation.
businesses, art galleries, new high tech and a new stadium, even when the nation is in recession. Annual art crawls, music and other events draw large crowds.

A new generation of leaders has emerged from Lowertown and in the city of Saint Paul. Through the LRC Future Fund, we helped them envision the future in the Greater Lowertown Master Plan, which was approved by the city council in 2013. The future is only limited by our own imagination.

To sum up, I believe that preservationists can lead preservation action and support urban rejuvenation through sensitive envisioning, creative marketing, disciplined financing and collaborative public-private partnerships—thus giving new life to our cities and building livable, creative and sustainable communities. FJ

WEIMING LU is a Fellow of the American Institute of Certified Planners (FAICP), an Honorary Member of the American Institute of Architects (Hon. AIA) and a Fellow of the Dallas Institute of Humanities and Culture. Currently he is a member of the International China Planning Network and the Chinese American Committee of 100 and an advisor to the Metropolitan Design Center of the University of Minnesota’s College of Design, the U.S./China Friendship Association (Minnesota Chapter) on the Chinese Garden Project, the Saint Paul Foundation on the Lowertown Future Fund and the Chamber Music Society of Minnesota. Lu is also an accomplished Chinese calligrapher whose work has been exhibited in China, Japan and the United States. Excellent sources for further information about Lu’s career include Antoinette J. Lee, “An Interview with Weiming Lu,” CRM: The Journal of Heritage Stewardship 5, no. 2 (Summer 2008) and archival collections of the Minnesota Historical Society and the University of Minnesota Anderson Library.

**TAKEAWAY**

Click here for an Interview with Weiming Lu in CRM Journal
The Four Point Refresh: Improving on Main Street’s Successful Model

HANNAH WHITE

The Main Street approach has been a successful model for commercial district revitalization since its beginnings more than 30 years ago. Initially launched in 1977 as a three-year demonstration project by the National Trust for Historic Preservation, the Main Street initiative sought to explain why so many downtowns were dying—identify the factors affecting downtowns’ health—and to develop a comprehensive revitalization strategy to save historic commercial buildings. After the project’s success, the National Main Street Center (NMSC) was established in 1980 to share the newly created preservation-based revitalization framework throughout the nation. Since then, the center has become an independent subsidiary of the National Trust and continues to thrive. It now leads a network of more than 1,100 Main Street communities and affiliates practicing revitalization at the local level and 45 state-, county- and city-level Coordinating Programs that oversee and provide technical services to those communities. The strength and success of this network is clear: since the program’s beginnings, more than $61 billion has been reinvested into Main Street communities, 120,510 new businesses have opened, and 251,838 buildings have been rehabilitated.

Indeed, what sets the Main Street approach apart from other revitalization efforts is the powerful network: the unique combination of grassroots dedication to comprehensively improving quality of life at the local level; the integral support and expertise provided by Coordinating Programs at the city, county and state levels; and the leadership and direction from the NMSC. By being so responsive to and supportive of local communities for so many years, the Main Street program may be one of the best examples of preservation as a “Movement of Yes.” Changes are now underway to make the program even more effective and accessible.
THE FOUR POINT APPROACH

From the start, the Four Point Approach has provided the framework for this work, serving to organize the activities of Main Street programs and shape the way they help communities tackle their most challenging revitalization and historic preservation needs. The four main areas of work are Organization, Promotion, Design, and Economic Vitality (formerly called Economic Restructuring).

- **Organization** provides structure to the initiative and establishes consensus and cooperation by building partnerships among the various groups that have a stake in the commercial district.
- **Promotion** focuses on creating a positive image, and building excitement for the community.
- **Design** aims to get Main Street into top physical shape and create a safe, inviting environment for shoppers, workers and visitors while preserving a place’s historic character.
- **Economic Vitality** strengthens the community’s existing economic assets while diversifying its economic base.

Taken together, these four points complement each other, helping Main Street programs leverage local assets and build a sustainable community revitalization effort.

CHANGING TIMES, BASIC PRINCIPLES

The community development field has changed dramatically over the past three-and-a-half decades. The challenges that must be addressed in downtowns today include meeting demand for affordable housing, promoting transit-oriented development, adapting to climate change, responding to competition from online retailing, and more. Additionally, the demographic make-up of communities is changing. Today, millennials and baby boomers are overwhelmingly choosing to live in urban areas, especially those with vibrant, traditional downtowns, rather than in exurbia.

Some of these challenges and changes call for new planning approaches. Yet, in many ways, new trends in planning, development
and preservation continue to build off principles that those in the Main Street network have long understood: that revitalization must be inclusive and representative of the community, that a place’s distinctive characteristics and historic buildings are its greatest assets, and that fostering a strong local-business environment creates enormous rewards.

**FOUR POINT REFRESH TASK FORCE**

To ensure the continued success of the Main Street model in revitalizing older and historic business districts, the NMSC’s board of directors appointed a Four Point Refresh Task Force to oversee the renewal of the center’s signature revitalization framework. The task force is being led by Main Street veteran and NMSC board member Mary Thompson and is working with community revitalization experts Kennedy Smith and Josh Bloom of the [Community Land Use and Economics (CLUE) Group](#) and in partnership with the network of Main Street Coordinating Programs. The purpose of the Four Point Refresh is to obtain a clear picture of the most common challenges facing older and historic downtowns and business districts, how different audiences use and perceive the Four Point Approach, and how this approach should evolve to better meet the needs of the Main Street network and the revitalization field.

The Refresh research found that the Four Point Approach remains strong and relevant. However, while the Four Points are meant to serve as a set of guidelines or framework leading to the ultimate goal of community revitalization, the nature of the Four Point Approach encourages users to be overly concerned with the process itself, sometimes at the expense of developing a long-term vision and strategic focus on outcomes. Additionally, many Main Street programs tend to devote too much time and effort to those components of the Main Street approach with which they may feel most comfortable and on which they can have the most visible impact in a short period of time—most often, Design and Promotion. As a result, many programs report that they struggle to be recognized as serious revitalization organizations and reach key revitalization benchmarks.

The task force also received feedback from surveys and focus groups that many organizations and communities outside of the
Main Street network are interested in the Main Street approach but see it as being “not for them.” Some perceive the Main Street program as being too rigid, requiring a very specific kind of organizational model that does not fit their existing structure. Others have the misconception that Main Street is only for small towns.

**THE REFRESHED FOUR POINTS**

Based on feedback, and with direction from the Four Point Refresh Task Force, the NMSC will focus its efforts on implementing an updated framework, with the goal of making the Main Street approach work better for those already using it, and more accessible for those not yet involved. This is not a dramatic rewrite of the principles that have worked well for so many Main Street practitioners over the years but a renewed focus on holistic transformation and rigorous outcome measurement.

As has been the case in the past, Main Street programs will be encouraged to engage a wide range of local stakeholders in developing a vision of success for their downtown or neighborhood commercial districts. Main Street communities will then be urged to develop cross-cutting “Community Transformation Strategies” that are connected to meaningful, long-term change. Progress will be measured in a variety of ways, including through economic metrics and qualitative assessment. Under the refreshed Main Street model, Community Transformation Strategies will become the focus of a Main Street program’s work. After community visioning processes and upfront assessments of local needs, the Main Street program or host organization will commit to two or three transformation strategies and organize its work around those strategies (as opposed to organizing people, funding and time around the Four Points). These strategies will be rooted in a thorough understanding of the district’s existing assets and economic potential. This will require a shift in focus for many communities (though some, we understand, are already operating this way), as well as in the way coordinators and the center conduct training and assessments.
For example, if a Main Street program decides that enabling local residents to “age in place” is a critical element of its community vision, the organization would develop a series of Community Transformation Strategies to promote that goal. A short-term strategy could be to implement a special senior discount at cooperating businesses. A longer-term strategy could be to partner with other advocacy groups and the department of transportation to encourage transit-oriented development in the district. Implementation of these strategies would be carried out through work that aligns with the Four Points.

In fact, the Four Points remain critical to the Main Street approach. The most significant changes to the Four Points themselves will be in the form of a more flexible leadership structure. Instead of organizing people, funding and time around the Four Points, committees, groups of volunteers or ad hoc work groups may be formed to engage the community around the Community Transformation Strategies. We believe this evolution is imperative, as the way people organize themselves has changed significantly in recent years, and the Main Street approach must reflect this reality. Communities are welcome to maintain their four-committee structures if that is their preference. However, the center will no longer advise this as a best practice, as this model can result in the silo-ing of revitalization activities, potentially impeding community progress.

Additionally, the NMSC will introduce updated names for the Four Points. In particular, we heard again and again that “Economic Restructuring” is a term with little resonance outside of the Main Street network, and is often confusing even for those working in a Main Street program. Yet Economic Restructuring has always implied more than traditional “economic development.” Going forward, the term “Economic Vitality” will replace “Economic Restructuring,” and we think it will help demystify this point and speak to the great economic development and entrepreneurship opportunities on Main Street.

**WHAT HAPPENS NEXT?**

In many ways, the Four Points have evolved organically over time; some communities report that they are already using a more
flexibly structured, outcome-based approach to the Four Points. Still, making significant changes to what is already a hugely successful approach will take time and great care. Thanks to generous support from the John S. and James L. Knight Foundation and the National Trust for Historic Preservation, we are launching several demonstration projects over the next 12 months to refine our proposed improvements to the Four Points. These demonstration projects, announced earlier this fall, will be in the following Knight Cities: Biloxi, Mississippi; Detroit; Gary, Indiana; Lexington, Kentucky; Miami; Milledgeville, Georgia; and Philadelphia. Additionally, the center is partnering with the Colorado Main Street program to pilot the new approach in three of its highest-performing towns: Brush, Lake City and Steamboat Springs.

Throughout the implementation of the demonstration projects, we will provide updates on key findings from the participating communities through social media and Main Street Weekly.

Going forward, these changes will exemplify what it means for preservation to be a “Movement of Yes.” The refreshed Main Street Approach will provide Main Street communities with an enhanced set of tools with which to do their work, helping them generate increased economic impact while preserving the historic structures and community character that make their districts special. FJ

HANNAH WHITE is the National Main Street Center’s manager of programs and services.

FOUR POINT REFRESH TASK FORCE
MARY THOMPSON, Chair
BARBARA SIDWAY, NMSC Board Chair
JANE JENKINS, Downtown Oklahoma City, Inc.
FRED KENT, Project for Public Spaces
BEPPIE LEGRAND, Main Street South Carolina

ED MCMAHON, Urban Land Institute
MANUEL T. OCHOA, Enterprise Community Partners, Inc.
ANWAR SALEEM, H Street Main Street
ASCALA T. SISK, NeighborWorks America
PATRICE FREY, NMSC

TAKEAWAY
Read an overview on the new Main Street Approach.

TAKEAWAY
Read a full primer on the overall Main Street process.
Strengthening the Connection: Community Development and Historic Preservation

JUSTIN GUNTER

Community Development Corporations (CDCs) are nonprofit organizations that work to strengthen the physical, social and economic fabric of communities by catalyzing neighborhood revitalization and building community wealth. Through a wide range of resident-driven programs, CDCs effect positive, sustainable change by empowering individuals to invest in their communities and improve quality of life. Current reports estimate that 4,600 CDCs exist nationwide, operating in communities large and small across the country.

All are defined by several key characteristics:

- CDCs focus efforts on revitalization of their local communities, which are typically low-income, underserved neighborhoods that have experienced significant disinvestment.
- CDCs invest capital through redevelopment of residential and commercial property, establishing roots as valued community stakeholders with real voices in policy and planning.
- CDCs are nonprofit and mission driven, taking a bottom-up rather than a top-down approach by filling at least one-third of their governing boards with community residents. This ensures grassroots participation in decision making and enables residents to advocate for real change.

Working in urban neighborhoods filled with historic building stock, many of these CDCs are rehabilitating historic buildings to accomplish their housing and revitalization goals. Melissa Jest, manager of the National Trust’s Historic Properties Redevelopment Program, reported on four such CDCs in the Fall 2014 issue of Forum Journal: Mission First Housing, based in Philadelphia; Cincinnati Center City Development Corporation (3CDC); Innovative Housing, Inc., in Portland, Oregon; and Heartland Housing, Inc., in Chicago. Furthermore, the National Trust has, for decades, partnered with CDCs through its Main Street Program and the
former Community Partners Program to help communities turn neglected historic properties into affordable housing.

While collaborations do exist between CDCs and preservationists, the National Trust is committed to expanding and strengthening these relationships. Recently, the National Trust supported research, conducted through the Collaborative Learning Center at the Savannah College of Art and Design (SCAD), to identify areas of common ground and best opportunities for partnership. The SCAD students’ findings are revealing and inspiring, and the study is serving as a valuable resource for the National Trust’s property redevelopment initiatives.

This article explores how perceptions about preservation, both positive and negative, are guiding CDCs’ use of historic property redevelopment as a revitalization tool. Findings from the study can help preservationists make the case to their community development colleagues that preservation strategies, far from being obstacles, can be valuable tools for meeting mutually beneficial goals. Armed with greater understanding of each others’ missions and methods, preservationists and community developers can better share and employ the knowledge, tools and resources needed to successfully save historic buildings and build community wealth.

**HISTORY AND DEVELOPMENT**

CDCs have been around since the 1960s, born out of the anti-poverty and civil rights movements and funded early on by the Ford Foundation’s Grey Areas Program and the federal government’s Special Impact Program, an amendment to the Equal Opportunity Act of 1964. Senator Robert Kennedy, a key figure in the creation of the Special Impact Program, promoted the important role of community involvement in economic development, and in 1967 he helped establish the Bedford Stuyvesant Restoration Corporation (BSRC), the nation’s first CDC. According to Kennedy, BSRC’s effectiveness was based on its ability to “combine the best of community action with the best of the private enterprise system.”

Interestingly, BSRC’s early actions were founded in preservation principles. Rather than embracing urban renewal planning models and demolishing the Brooklyn neighborhood’s historic buildings for
high-rise modern housing towers, this CDC championed the benefits of rehabilitating existing structures. It adaptively used an old milk factory as both its headquarters and a mixed-use commercial development. Realizing the significance of the community’s brownstones, BSRC established a program to restore facades and rehabilitate interiors, which led to the neighborhood’s historic district designation as a New York City Landmark in 1971.¹

Successes of early CDCs such as BSRC inspired the formation of others, with about 100 CDCs operating in major cities by 1970. The numbers grew throughout subsequent decades, fueled by foundation and government funding, eventually expanding to the approximately 4,600 CDCs of today.

According to Community-Wealth.org, a project of the Democracy Collaborative, these nonprofit, community-based organizations produce on average 96,000 units of housing, 7.41 million square feet of commercial space, and 75,000 jobs each year. A December 2012 study entitled Collective Strength, completed by the Philadelphia Association of Community Development Corporations, determined that, over the past 20 years, CDCs “contributed more than $3.3 billion to Philadelphia’s economy through housing and commercial development and a range of community services, while also increasing household wealth, building the local tax base, revitalizing neighborhoods and creating thousands of jobs.” Clearly, CDCs are making significant and sustainable contributions that enhance livability and help break the cycle of poverty.

**PARALLEL PATHS, COMPLEMENTARY GOALS**

As said earlier, many CDCs are actively saving and reusing historic resources in their communities. In every sense of the word, they are preservationists. But few of these CDCs identify preservation as a component of their mission. A bit of semantics is at play, but a clear distinction exists. For preservation organizations, saving historic buildings is always the primary mission, with revitalization, providing affordable housing and other socioeconomic benefits obvious parallel goals. First and foremost for CDCs, on the other hand, is improving the quality of life in struggling neighborhoods. Along with rehabilitating historic buildings for affordable housing
and new businesses, a range of other initiatives—arts programs, job training, sanitation improvement, healthcare programs and new infill development—are means toward meeting CDCs’ goals. Only one of many strategies, preservation is secondary to the overarching mission of community development.

Regardless of how missions are defined, the end result of actions by both preservation organizations and many CDCs is the same—historic buildings are saved and the existing built environment is reused to harness a community’s identity, continuity and vitality. With obvious opportunities for partnerships, why isn’t the connection between these two groups stronger? And if preservation is not currently a key strategy being used by CDCs, what real or perceived barriers exist?

The National Trust, working through SCAD’s Collaborative Learning Center, asked historic preservation students to explore these questions. Throughout the winter 2015 academic quarter, five graduate students taking a Preservation Economics and Development course conducted extensive research by interviewing and surveying CDCs across the country.

CARRYING OUT THE RESEARCH
Before the study could begin, the students had to define their research parameters. The community development landscape is filled with a diverse range of organizations, including community development financial institutions (CDFIs), community land trusts (CLTs), downtown development authorities (DDAs), business improvement districts (BIDs) ... the list goes on. It’s easy to get lost in all the acronyms, so this study honed in on the nonprofit realm of community development and limited its scope solely to organizations classified as CDCs.

After defining CDCs and researching their historic development, the students began exploring the vast network of community developers, starting with national-level community development support organizations—like Enterprise Community Partners, Local Initiatives Support Corporation (LISC), and NeighborWorks America—and national advocacy groups—such as the National Alliance of Community Economic Development Associations
(NACEDA), the National Association for Latino Community Asset Builders (NALCAB), the National Coalition for Asian Pacific American Community Development (National CAPACD), and the National Urban League (NUL).

These broad-based organizations directed the students to local CDCs, and to divvy up the research, each student was assigned a geographical area of the country based on U.S. Census regions. Exploring within the boundaries of their respective areas, the students began locating CDCs actively reusing historic buildings as part of their revitalization work. Along with conducting interviews with CDC leadership, the students developed and widely distributed a standardized online survey. Throughout the process, the following goals guided their research:

- Assess and enumerate the impact CDCs have on historic properties, defined as buildings over 50 years old.
- Identify case studies from five U.S. regions, taking into account social and geographic diversity, that demonstrate the economic and physical impacts CDCs have on the historic buildings.
- Determine barriers and current issues directly related to historic property redevelopment.
- Compile data into searchable formats that encourage exchange and collaboration.

The online survey, distributed to the entire CDC community, asked 19 specific questions related to the intersection of preservation and community development. The team received 47 survey responses during a condensed month-long collection period.

By the end of the 10-week research period, the students discovered more than 140 CDCs across the country carrying out rehabilitations on historic buildings. From these 140, they created profiles of 20 CDCs, collecting detailed locations of preservation projects by CDCs. Yellow flares are the areas of highest activity.
information on mission, history, financial resources, organizational capacity, notable rehabilitation projects, preservation-related challenges and opportunities for collaboration.

MAJOR FINDINGS
As expected, CDCs that use rehabilitation of historic buildings as a revitalization strategy can demonstrate significant community impact. This is clearly seen in the data that 37 CDCs provided through the online survey. These 37 organizations saved 472 historic buildings over the past five years, and the rehabilitation of those buildings generated 42 new businesses, produced 3,792 affordable housing units and created 203 new jobs. The total dollars invested into the local economies from just these rehabilitation projects is close to $600 million. Imagine if data could be reported on all CDCs doing preservation work; the figures would be even more impressive.

CUMULATIVE IMPACT OF CDCS SURVEYED

One of the CDCs contributing to these impact figures is Neighborhood Housing Services of New Haven (NHS), a model example that demonstrates the potential synergies between preservation and community development. Since its founding in 1979, NHS has rehabilitated 180 historic buildings in focus neighborhoods throughout New Haven. Most are dilapidated houses, rehabilitated by NHS to stimulate reinvestment and provide affordable home-ownership opportunities for first-time buyers. To catalyze revitalization, NHS targets its efforts by rehabilitating a number of houses
in the same area all at once, a strategy that attracts additional investment by building confidence in the community’s future.

Along with Low-Income Housing Tax Credits, NHS often takes advantage of federal and state rehabilitation tax credits to help bridge financing gaps. This also ensures that projects are not simply gut jobs but sensitive rehabilitations abiding by the Secretary of the Interior’s Standards. Furthermore, to enhance long-term sustainability and reduce the burden of utility costs for new residents, NHS follows green building practices to improve efficiency and reduce waste.

According to Henry Dynia, the organization’s director of design and construction, NHS frequently partners with The New Haven Preservation Trust. Thanks to their reciprocal exchange of professional and technical assistance, “the partnership is an active and valuable relationship that benefits us both,” says Dynia. In fact, as a result of the collaboration the Winchester Repeating Arms Company National Historic District was recently expanded to include most of the adjoining Newhallville neighborhood, adding hundreds of contributing historic buildings to the district and opening the door to tax incentives for rehabilitation.

NHS of New Haven is not alone. Other CDCs have cultivated strong working relationships with preservation organizations. Omni Development Corporation in Providence, Rhode Island, frequently reaches out to the Providence Revolving Fund for design review and rehabilitation tax credit consulting. Grant funding and advocacy support from Indiana Landmarks assist Irvington Development Organization with its projects in Indianapolis. Wilkinsburg CDC and Pittsburgh History and Landmarks Foundation work together to rehabilitate historic buildings and attract new business investment through Pennsylvania’s Neighborhood Partnership Program, which provides tax incentives for redevelopment in distressed communities. And preservation organizations frequently bring recognition to
CDC projects with awards. For example, the California Preservation Foundation honored East Bay Asian Local Development Corporation (EBALDC) with a “Design Award” for its creative reuse of Oakland’s historic Swan’s Market as a mixed-use development.

REAL AND PERCEIVED BARRIERS
Despite these examples, the majority of CDCs are not partnering with preservationists. The students’ survey revealed that many CDCs are not aware of what preservation organizations exist in their communities, suggesting a silo-ing of resources and efforts. Other CDCs believe their focus on community development is different from the concerns of preservationists or that their missions do not necessarily align. Emma Byrnes, program director at Rebuilding Together Montgomery County in Maryland, reported that “preservation organizations don’t necessarily have the same focus on critical home repairs and health and safety issues” that her organization does.

Through an interview with Frank Woodruff, executive director of NACEDA, the research team learned that community developers sometimes view preservationists as “holding up the process by making things more bureaucratic ... which is not ideal for nonprofit developers that need to move projects forward to make ends meet.” Similar sentiments were voiced by Mark Lindenlaub, executive director of Thrive Alliance in Columbus, Indiana, who stated that projects can be complicated by “sometimes arbitrary determinations by state and local reviewers of what is or is not historic and worth preserving.”

Woodruff also mentioned that advocating for historic preservation tax credits is not a top priority for his organization, since
many CDCs lack the organizational infrastructure to use these credits and view the process as too slow. While the financial rewards can be significant, having to abide by an additional set of standards can add a heavy administrative burden and strain limited resources. Furthermore, as Chris Flood, community development officer at Three Rivers Community Action, Inc., in Minnesota pointed out, rehabilitation tax credits can add “risk” to projects by restricting the “ability to make desired changes.”

Along with perceptions about the restrictive nature of the preservation process, other CDCs listed the usual concerns as challenges to preservation: dealing with lead and asbestos abatement, the additional time and money required to carry out rehabilitation versus new construction, and lack of knowledge about how to deal with buildings in a deteriorated condition. Of course, money was also an issue. While neither community developers nor preservation organizations are flush with cash, CDCs typically have larger operating budgets, more staff and access to a wider range of funding sources. When it boils down to money, few preservation organizations have the resources to offer attractive financing to CDC projects.

POTENTIAL CHALLENGES FACING CDCS REHABILITATING HISTORIC BUILDINGS
A MUTUALLY BENEFICIAL WAY FORWARD

Whether or not these challenges present real or perceived barriers to preservation, the key to creating successful partnerships is to identify ways that mutually benefit the mission and bottom line. Both groups need to break free of their silos and openly discuss the possibilities. Preservationists must increasingly consider their actions from a community development perspective and identify ways to streamline the development process while still protecting community character. And community developers must shift preservation from an afterthought to a central value guiding revitalization efforts.

In light of mounting threats to state and federal historic preservation tax credits, an opportunity presents itself for preservationists and community developers to advocate with a unified voice in support of these incentives. Both groups can demonstrate the empowering effects of rehabilitation and its proven ability to build community wealth. The study identified some challenges CDCs face when dealing with preservation tax credits, and it’s up to preservationists to eliminate these concerns through education and technical assistance.

Through its Historic Properties Redevelopment Program (HPRP), the National Trust is working hard to cultivate relationships with community developers and broaden their knowledge of available incentives, techniques and partnerships. Studies like this one help HPRP quantify the impact of existing relationships and demonstrate the value of adaptive use. A next step will be to further explore the potential of digitally mapping the study’s data to better convey the existing intersections of community development and preservation. This will serve not only to strengthen connections but also to identify gaps where overlaps can and should exist.

Since the 1960s, CDCs and preservation organizations have developed along parallel paths to combat socioeconomic issues affecting our urban environments. The time has come to join forces as both groups strive to create socially diverse, economically sound and environmentally sensitive places for people that will support healthy, vibrant communities well into the future. The insights from this research can serve as a resource to encourage
strengthened collaborations between preservation organizations and CDCs as they work toward the common goal of community revitalization. FJ

JUSTIN GUNTER is a professor of historic preservation at Savannah College of Art and Design, where he focuses on topics of economic redevelopment, material culture, and heritage management and interpretation. He managed the student research team for Strengthening the Connection: Community Development and Historic Preservation, which can be viewed in its entirety at https://blog.scad.edu/history/files/2015/08/CDC.pdf.


MAP
View the map of CDCs that participate in rehabilitation work across the country.
Getting Away From “No”: Straight Talk to Local Advocates

JOYCE BARRETT

When asked a few years ago at a Preservation Partners meeting, “What are preservation’s greatest barriers?” I named historic/design review boards. There was an audible gasp! But yes, I believe poorly trained, though well-intentioned, “hysterical preservationists” have done about as much damage as wrecking balls.

Are there any among you who do not cringe when you mention your association with historic preservation and are met with, “Oh, you tell people what color to paint their house.” God no! We build communities for the future. Where on earth did anyone get the idea that we care about what color you paint your house? Hmm ... I think I know where that came from. Some days, the unflattering view of historic preservation among the general public seems insurmountable. The saddest part is, it was created by well-meaning review boards that likely had no training.

So how do we move away from this perception and reality? We may need new kinds of organizations, new kinds of structures. And we need to bring others along to new ways of thinking.

Heritage Ohio is the first organization in the country to bring the work of coordinating a statewide Main Street program and administering a statewide historic preservation nonprofit under one roof because we believe the National Main Street Center’s approach is the most pragmatic way to solve downtown problems through historic preservation. Our organization engages in three areas of work: revitalization, overseeing Main Street programs in 23 Ohio communities; preservation through traditional activities such as an easement program and an Old House Fair; and advocacy, which has included helping to create a state historic tax credit and now entails working to support continued funding for both the state and federal programs. Our mission is “Helping people to save the places that matter—build community—live better,” and our
programming supports that mission. Nowhere does it say “stand in front of bulldozers” (and we’ve taken some criticism from folks who want us to do that). But if you are looking ahead toward solving problems, you really don’t have much time to fight the battle of “got there too late.” We will never know all the buildings we saved by investing time in creating Ohio’s historic tax credit and working to save the credit over and over again. But that’s a better use of our time, with much more impact in the long run, although it may not be what some people think a “traditional” historic preservation organization does.

Several years ago, I prepared a presentation called “Not Your Grandma’s Preservation Organization.” The intent was to nudge preservation organizations toward looking at changes in our culture as well as looking to the future of how we will sustain membership and interest in historic preservation. Millennials, thankfully, are pushing re-urbanization, and their voices are critical to the future of our organizations. A representative of Heritage Ohio’s new affiliated group, Young Ohio Preservationists, holds a seat on our board of directors, and the input that group provides is sure to influence the perspective of Ohio’s preservation movement in the years to come.
But we’re still in transition. In the meantime, here are some of the folks we have to deal with:

- The people who think every historic building in their community should be a museum. Local communities still struggle with what to do with their significant landmark buildings. But please, no more museums or senior centers—be it the mansion, the train depot or the Carnegie library. Try to find an income-producing use, something that contributes to the tax base.

- The ones who insist, “We need more parking!” How do we get over the notion that parking is more valuable to people than buildings? Even in some tiny towns we work with, there are those who think parking is the secret ingredient for economic success.

- Those who believe, “Old buildings are an eyesore! They’re too far gone.” There are more hobby structural engineers than you can shake a stick at.

- The elected representatives at the local, state and national levels who don’t understand that historic preservation is a solution to problems rather than a problem itself. We need to show them one great example after another to counteract years of negative imagery, both real and imagined.

And about those review commissions? What would happen if they went away? What if all their energy was redirected into technical assistance without a visible stick, but with carrots? What if the public no longer feared the retribution of the preservationists? Yeah, I bet all rehab work wouldn’t be done in accordance with the Secretary of the Interior’s Standards—I get that—but would our movement continue to progress? Yes. Would it open the doors for
more positive relationships between best-practices proponents and the public? Maybe. It is a conversation we should have. I do believe a poorly trained commission is worse than no commission. So in the meantime, NAPC (National Alliance of Preservation Commissions), you have a lot of work on your plate! And every SHPO and every state and local preservation organization needs to act to get those commission member trained!

Let’s start fresh in thinking about how we can grow a movement. I think we have been shrinking, and to turn this around, we will need to make changes that will make some people uncomfortable. FJ

Joyce Barrett is executive director of Heritage Ohio. She served on the Iowa City Historic Preservation Commission for three years in the 1990s and received good training through the Certified Local Government program.

TAKEAWAY
Flip through Joyce Barrett’s presentation “Not Your Grandma’s Preservation Organization.”
Looking (and Getting) Past Crisis Moments in Preservation

MARGARET O’NEAL

For the past year, the Preservation Green Lab has been working in Louisville, Kentucky, to advance building reuse and historic preservation as tools to achieve sustainable, healthy and equitable development. This type of systemic change can take decades—as we in the preservation world know so well. Building by building, block by block—local preservation organizations save something, a preservation-friendly developer saves something. But to really change the course of development patterns in a neighborhood, historic commercial district or city requires more than the work of a dedicated group of preservationists. It requires changing the ethic around reuse and reinvestment, raising awareness of what older buildings contribute to environmental and economic sustainability and social well-being. And it may also require those of us in the preservation movement to be a bit more flexible in pursuing our long-term preservation and community development goals.

I am proud of the progress the Green Lab has made in Louisville in just over a year. We have set up a pilot project in the NuLu commercial district that will deliver economic resilience to small businesses through money-saving energy efficiency retrofits. We’ve led a diverse group of stakeholders through a strategic planning process to create policy recommendations that will bring better building reuse outcomes if adopted by city officials. We’ve brought to the city our unique spatial analysis tools, which use

The Preservation Green Lab has been applying reuse and redevelopment models to various buildings and neighborhoods in Louisville, Kentucky, including the small-scale commercial buildings along Main Street.

PHOTO BY ANDY SNOW.
available data to gather a baseline understanding of the city’s built fabric; show how the older, smaller portions of the city contribute positively to social, economic and cultural outcomes; and identify areas of opportunity for both market-driven and nonprofit community-based developers.

However, along with so much progress, we have also dealt with a number of crisis moments—emergency situations such as overnight demolitions and unexpected new threats to specific buildings. These moments, known so well to those of us who work in the field, mark critical points in our work and are key to determining how we might be able to proceed in the long run. These situations not only take our eyes off the prize, but they also feed into the reputation we have as those yelling “No!” at the 11th hour to every proposed change. Where did we come from? Why do we care about this, now?

Reacting to crisis moments, or major threats, has been a part of preservation work for so long, it feels like it’s in our DNA. The movement got its start saying “No!” So how do we change? And what is it about how we react to the crisis moment that might be holding us back? To explore these questions, I reached out to partners that the Green Lab is working with across the country.

**TAKING THE LONG VIEW**

Even though much of our work is rooted in the past, the preservation movement has always been about the future. Whether we are saving monuments to notable people in our nation’s political history or the small-scale commercial buildings along Main Street, the actions aren’t really about us—they’re about ensuring that the buildings that have made us who we are stick around to influence the lives of those who will come after us.

In this way, preservation is a forward-looking endeavor. We are actively determining what will survive for the next generation and, in doing so, assigning worth to the things that live and mourning the things that die. But this mentality of asking “What will survive?” contributes to the popular notion that preservationists want to save all the buildings. However, we can’t save all the old places, even in the most preservation-friendly cities in the world. Growth requires change, and to deny that growth is happening, or that it
can be good and welcome, is at best naive and at worst offensive to those wanting to better their communities. If we want building reuse to be taken seriously as a tool for economic development, we need to be willing to advocate for change.

We have to recognize that what we want are thriving cities and towns, with strong local economies and lively streets, built on a mix of old and new buildings. We don’t want perfectly preserved buildings that aren’t functional or that don’t serve the folks who live near them, nor do we want building that are falling down because of a lack of options for reuse. National Trust president and CEO Stephanie K. Meeks has expressed this well:

Instead of trapping buildings in amber, we need to keep them in active service to today’s families. We need to work with communities to reconceptualize historic places, so they are meeting the needs of neighborhoods and reflecting the energy and diversity of their environment. We should partner with preservation-minded developers, property owners, real estate agents, city officials and civic organizations to modernize regulations, help existing communities to thrive and make it easier to breathe new life into older buildings.

So one way of taking the long view is to think about older and historic buildings as living things—places that are constantly being re-animated by each generation that experiences them. This is not a new idea for preservation practitioners, of course, but we often fail to communicate this understanding to those in the development, real estate or planning world. If we take this stance more actively, our job then becomes facilitating progress, connecting with new partners to understand community needs and determine how best to achieve development goals by and with old buildings. A key piece here is making it easier for those interested in investing in older building to breathe new life into old bones. That means sometimes being more flexible in our requirements and expectations—because at the end of the day, in almost all cases, some preservation is better than no preservation.

To take the long view, preservation practice must be proactive, not reactive. Gerald Robbins, executive director of Hyde Jackson
Square Main Streets in Jamaica Plain—a Boston neighborhood that is participating in the Green Lab’s America Saves! program—describes how his organization is addressing this:

*We know that to maintain the greatness of our community, we need to identify those features worth preserving. For this reason, we will be mapping our community assets over the next several months to inform us of our neighborhood’s strengths and developing community plans from this. Our neighborhood is unique and we want to maintain its value. Long-term vision and planning might take time and be hard to do, but we’d much rather do this than react to repeated pressures in our community.*

Whether a city is experiencing intense development pressure, like our partners in Boston, or is just starting to see investment, it is crucial to take stock of the older and historic built resources and assess their long-term potential for continued productive use.

**PARTNERSHIPS ARE KEY**

Another key to developing a long view is gathering insights and support from others, including those outside the preservation field. Coalition building has always been a strength of the preservation movement—from the transportation policy battles of the 1990s to the Green Lab’s Partnership for Building Reuse (PBR) work with the Urban Land Institute. This initiative brings together real estate professionals, community development groups, preservationists, sustainability advocates and city leaders to identify local barriers to building reuse and potential solutions for overcoming these obstacles. Our PBR work is so groundbreaking specifically because a dialogue between preservationists and developers—realizing that we often have a common cause—has not been seen in recent years on a national scale.
Alicia Berg, assistant vice president for Campus Planning + Sustainability with the University of Chicago, who is closely involved with the PBR Chicago effort, sees great potential:

“In Chicago, preservation has been much more successful when it has been paired with good policy or planning. That is why I am so excited to be part of the Partnership for Building Reuse effort. The relationships we’ve formed with the City and the conversations we’ve had amongst the preservation, real estate and development worlds have been incredibly creative and productive. During this process, we’ve discovered how many developers are interested in the value delivered by older buildings—they just need help navigating and streamlining the process [of rehabilitation]. I’m very optimistic that we will save more buildings as a result.

Developing and maintaining relationships with those outside of the preservation movement can help broaden our horizons while also increasing understanding of the diverse nature of our work. After all, taking the long view will not help us toward our goals unless others share the vision and take the journey with us.

**TURNING CRISIS INTO OPPORTUNITY**

Saving places is what we do, and the most visible way to save something is when there is a threat. But putting out fires can’t be our only strategy. When we are inundated by fires, we are in a constant state of looking around, rather than looking ahead.

Though it’s not easy, it’s vital that we use crisis moments to our advantage—taking the instance when preservation is being viewed as a roadblock and integrating that specific situation into the broader

*The Navy Yard, pictured here, is one of the many buildings and sites that were evaluated for their reuse potential by the Preservation Green Lab team, as part of the Partnership for Building Reuse project in Philadelphia.*

*PHOTO BY JIM LINDBERG.*
discussion about progress and growth.

This summer in Louisville, the threatened demolition of historic buildings downtown to make way for a large hotel development provided the classic opportunity to say “No!”—but instead of simply doing that, local preservationists brought together preservation advocates (including the Green Lab), stakeholders and local government officials to talk about the role older buildings play in economic development and how a varied, human-scale streetscape produces the best possible environment for a lively downtown. We ultimately failed to save those specific buildings, but through private meetings, a facilitated design charrette and media outreach, we successfully brought about discussions of options, progress and growth.

Recent conversations with Louisville city officials have shown that this sharing of our long view has influenced their approach to preservation and development issues. Gretchen Milliken, director of advanced planning for Louisville Metro, says:

> Our ultimate goal is to develop a long-term comprehensive plan that articulates a vision for the role of historic preservation in Louisville—the role it plays in economic development, neighborhood revitalization, and accommodation of future needs and uses—and identifies strategies for achieving that vision.

Cynthia Johnson, historic preservation officer with Louisville Metro, looks forward to developing that plan:

> This is an opportunity to directly engage the public in a progressive approach for the preservation of our cultural heritage. This type of work group will bring people together from multiple perspectives to look at ways to develop new practices and protocols for Louisville’s unique cultural and historic resources that recognize the importance of our city’s heritage and character.
The Green Lab’s research has proven that older buildings—even just ordinary ones—contribute significantly to the vitality of cities and neighborhoods in measurable cultural, economic, social and environmental ways. When a crisis moment comes, we need to make sure the narrative of losing something includes loss of future economic development, equity, health and well-being.

And we need to be savvy in communicating that message, in a compelling, timely and professional way, to governments, the media, potential advocacy partners and the public. As one of our partners in Chicago states: “Very few in the preservation movement have had media training or have been taught to think in terms of key messages and framing the discussion. The preservation movement would be transformed if we had comprehensive marketing expertise and communications training.” Effective messaging can help to shift the conversation away from emergency and toward progress.

**WHAT THE LONG VIEW MEANS IN THE SHORT TERM**

It’s true that we can’t ignore these crisis moments as they come up. Many local preservationists expect us to step up and advocate at the last minute, when advocacy is often most needed. As Bonnie McDonald, president and CEO of Landmarks Illinois, notes: “Making choices not to react to a crisis can disappoint and disenfranchise long-term advocates and supporters who may walk away with their membership dollars. Further, it may result in a crisis of identity for well-established preservation advocacy nonprofits.”

But the lesson here is that we also have to agree on the end-game: preserving our older and historic buildings so that they may be used by future

The challenge—and opportunity—for Louisville, Kentucky, is to continue supporting preservation while also encouraging new construction and investment.

PHOTO BY ANDY SNOW.
generations. Being used means that they are *useful*—not just that they survived. And this is the vision that we need to maintain—even in the face of crisis. FJ

MARGARET O’NEAL is a senior manager at the Preservation Green Lab, a department of the National Trust dedicated to realizing the potential of cities and buildings through groundbreaking research, comprehensive dialogue and innovative solutions. In addition to managing the Green Lab’s project in Louisville, Margaret works to increase the impact of the Green Lab through effective communications and marketing outreach, strategic planning, and partnerships.
How State Historic Preservation Offices Say “Yes”

ERIK HEIN

“Better Check with the SHPO,” is a phrase many preservationists either hear or say on a regular basis. Of course, they are referring to the State Historic Preservation Offices that can be found in 59 states and territories as well as the District of Columbia. SHPOs are defined in the National Historic Preservation Act of 1966 (NHPA) as having specific responsibilities for our federal historic preservation program as well as for establishing their own state programs.

Their role is to say “yes” to owners and developers who want to rehabilitate properties in historically and architecturally appropriate ways; to citizens who want to see significant places recorded, recognized and preserved; and to federal agencies that make sure that their projects, the permits they issue or the grants they award are not used to destroy the places that matter to all of us.

SHPOs rely on the funding they receive from the Historic Preservation Fund (HPF), which they must match with their own state funds. Authorized and appropriated by Congress, the amount of HPF funding available is always subject to change, so the preservation community must be continually vigilant in advocating for funding support. As of this printing, the authorization for the HPF expired on September 30, 2015. There is now a broad legislative effort underway to ensure that our national commitment to historic preservation remains intact.

SHPOS PROMOTE STATE AND LOCAL PRIORITIES

SHPOs are the product of a national historic preservation program that is unique to the United States. Rather than relying on a centralized, top-down or national “ministry” or some other government entity, our national program, defined by the NHPA, established a system whereby states and local governments would be required to have a voice in determining what historic resources were important in their communities.
SHPOs can be effective advocates for the protection of significant local and regional places because they are positioned to know what resources are important in their states. They maintain comprehensive survey information and are the official repositories of vast amounts of historical data, maps, artifacts and other materials that help tell the stories of the communities in their respective states. There is great variety from state to state not only in the volume of information but also in how this information can be acquired, stored, digitized and shared. Much depends on available funding but also on the types of resources in a state. For example, Western states frequently are more comprehensive in listing archaeological resources while Eastern states’ data sets contain more built resources.

Guiding all of the work of the SHPOs are State Preservation Plans, which are required as a condition of the federal funding SHPOs receive. These plans are far reaching and cover topics ranging from ensuring that diverse cultures are represented to addressing the potential impacts of flooding or other climate-related issues. They also describe how the SHPO will provide public education and outreach as well as technical assistance. To ensure that the plans reflect the concerns, priorities and values of many different communities, SHPOs actively seek public input and participation from diverse stakeholders. You can find copies of state plans on the National Park Service website at www.nps.gov/preservation-planning/stateplan-links.html.
Protecting the places that matter to their communities is sometimes difficult. In today’s challenging economic environment, funding sources for preservation are not abundant. One effective tool, however, is the federal Historic Rehabilitation Tax Credit (historic tax credit), which is administered by the SHPOs and the National Park Service. The historic tax credit is designed specifically to incentivize the rehabilitation of historic buildings. Thanks to this program, thousands of buildings that would likely otherwise be lost have been saved from the wrecking ball and placed into useful service. Developers work closely with the SHPO during the application process to ensure that their projects meet the Secretary of Interior’s Standards and will ultimately be certified by the National Park Service. Since 1976, the tax credit has been responsible for well over 40,000 rehabilitations in all 50 states, Puerto Rico, the U.S. Virgin Islands and the District of Columbia. Frequently, these projects are the catalyst for additional investment—meaning they have an enormous impact on communities nationwide.

To be eligible for the historic tax credit, a building must be income producing. It must also be a “certified historic structure” as a contributing building in a registered historic district or listed in the National Register of Historic Places—another program for which SHPOs play a substantial role. A point of pride for many a
community, places listed in the National Register—even if they are incorrectly referred to as being on the “National Registry,” a “Historical Landmark” or on the “Historical Registry”—represent aspects of a community’s history. Applying for listing involves conducting a fair amount of research and obtaining community and property owner support. Rather than going straight to the National Park Service in Washington, DC, National Register nominations are first reviewed by the SHPOs in collaboration with the applicants, with the SHPOs providing advice, as needed, on how to produce a correct and compelling nomination. An SHPO’s approval of a nomination demonstrates strong state and local support for the inclusion of a resource in the National Register. The SHPO might also promote listing the resource in the state register instead of or in addition to national listing.

Ten percent of the HPF funding SHPOs receive, as well as a great deal of technical assistance, is passed on to more than 1,900 Certified Local Governments (CLGs) nationwide to help them produce National Register nominations, conduct site survey or rehabilitation work, or develop design guidelines—further ensuring that communities are “plugged in” to the national program. Beyond this, the CLG program also empowers local communities to create their own historic inventories and establish their own commissions as well as outlines roles, responsibilities and best practices for the administration of local historic districts.

PROJECT REVIEWS ARE CONSULTATIONS, NOT DEMANDS

A few years ago, I had the privilege of meeting with a delegation from Russia that was exploring how our federal historic preservation program works. Of particular interest to them was “Section 106,” the provision in the NHPA that requires federal agencies to consider the impact of what they do on our historic resources—and to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. What was particularly astonishing to them was that not only would the federal government have to consult at all, but also that, as part of that process, it must do so with SHPOs, Tribes and the public. And the federal agency participates in consultation without dictating the outcome and, at times,
compromises. Preserving historic places is certainly a goal of Section 106 review—but other factors influence what the outcome of federal undertakings can be. In other words, preservation in the United States is not about saying “no,” it’s about getting to “yes.”

The federal “undertakings” reviewed under Section 106 of the NHPA can be as simple as the installation of a single cellular antenna to the proposed sale and reuse of an entire federal campus. They can be transportation projects, utility projects, building rehabilitation projects, demolition projects, renewable energy projects—the list goes on and on. All along the way, SHPOs play a vital role in making sure that the impact of these projects on a community’s historic resources is considered. And they do this, in the vast majority of cases, in 30 days or less.

To be sure, these projects are not always perfect. I’m certain many of us could cite a contentious case with an outcome we didn’t like. But this very fact, in my opinion, is characteristic of a program designed to consider multiple points of view. It requires stakeholders to sit in a room and work toward a solution. Sometimes personalities clash, objectives don’t align or other priorities win—but I believe that, more often than not, the winners in all of this are communities that get to keep and enjoy the places that mean something to them.

A SYSTEM THAT WORKS
In 2014 SHPOs reviewed 102,900 federal “undertakings” and 1,918 proposed or completed historic tax credit projects. They surveyed
approximately 16.5 million acres and evaluated more than 137,000 properties for their historic significance. They also successfully proposed 1,030 new listings to the National Register of Historic Places, which include 31,237 contributing properties. Since the numbers in recent years have continued to increase, they help paint the picture of a national program that continues to work.

Nobody expects our historic communities to stay embedded in amber. Change is constant, and our national historic preservation program is designed to both protect places as well as consider and manage change. SHPOs are a key part of that equation—bringing a community voice and perspective to a national program rather than delivering a directive from it, while making sure citizens across the nation have the opportunity to take full advantage of the federal program. FJ

ERIK HEIN is executive director of the National Conference of State Historic Preservation Officers, which is the national membership organization representing SHPOs before elected officials, federal agencies, NGOs and the public. He was formerly president of Preservation Action, the national nonprofit grassroots lobbying organization focused on federal historic preservation policy.
From Regulation to Community Action: The Expanding Role of Preservation Commissions

ESTHER HALL

The role of the local preservation commission has evolved significantly over the past 50 years. Originally formed to protect and preserve historic resources in local historic districts, commissions are established by and provided with review authority through an enabling ordinance adopted by a local jurisdiction. The districts they govern often have a set of design guidelines that help commissions evaluate proposed changes to historic buildings and new construction within the district. Owners seek approvals for changes through a Certificate of Appropriateness (COA) process. This remains the primary role of preservation commissions today.

But encouraging property owners to make wise design decisions that enhance the value and appeal of their properties and neighborhoods is just one of the positive ways commissions may serve their communities.

ENHANCED PROFESSIONALISM

Often criticized for being naysayers (the “preservation police”), it is true that some commissions could be accused of taking their regulatory responsibilities too far—nitpicking about minor, reversible choices such as paint colors. But thanks to the training offered by the National Alliance of Preservation Commissions (NAPC) and other specialists, both the perception and reality continue to change.

The signature training offered by NAPC is the Commission Assistance and Mentoring Program (CAMP). The goal of CAMP is to provide high-quality, engaging and informative training to preservation-related boards and commissions of all types through in-person learning that includes presentations, hands-on exercises, group discussions and networking (mentoring) opportunities. These activities are led by preservation professionals knowledgeable
about the work of local preservation commissions, including commissioners; staff members of local, state and national government agencies; attorneys; and commission partners. Some of the topics included on the CAMP menu are Legal Preservation Basics, Preservation Planning, Identification and Designation of Historic Resources, Survey, Building Public Support, Review of Federal Standards and Local Guidelines, Design Review, and Meeting Procedures for Local Commissions—just to name a few.

CAMP has been serving local commissions for more than 15 years. Each year, NAPC provides training services to almost 40 communities nationwide. As a result, commission members are now far more likely to be well versed in the “bigger picture” concerns of design review and better prepared to make fair, consistent and defendable decisions.

EXPANDING ACTIVITIES
Today’s commissions are also more likely to be moving beyond their regulatory duties, extending their outreach to embrace advocacy, address sustainability concerns, promote economic development and document cultural icons.

While a bit clichéd, the notion that “all politics is local” is intrinsic to 21st-century historic preservation practice. The face of local preservation is changing to reflect a growing public appreciation of historic assets. And because the work that local historic preservation programs and commissions do directly affects and is accountable to the public, these bodies continue to adapt and innovate.

The National Alliance of Preservation Commissions is pausing to reflect on the past 50 years of preservation as well as highlight current and future trends during its July 2016 FORUM in Mobile, Alabama. While honoring the need for nuts-and-bolts training, a large part of the program will focus on innovative approaches to preservation practice at the local level. By the end of FORUM, local commissions will have a toolbox of new ideas to implement at home, and NAPC will have marching orders from its constituents for programming and organizational development in the coming years. The themes identified for FORUM 2016 will demonstrate the wide array of approaches embraced by commissions at the local level.
Since enacting a sales tax to fund historic preservation in 2008, Louisville, Colorado, has raised almost $4 million to preserve historic places, enabling the designation of 30 historic landmarks, including the Di Francia Saloon at 740 Front Street, which was celebrated in a landmarking ceremony in May 2015.

**Advocacy**

For example, in 2008 the citizens of Louisville, Colorado, enacted a sales tax dedicated to funding historic preservation, largely as the result of advocacy efforts by the local preservation community including several Historic Preservation Commissioners. Proponents were concerned about the loss of the historic character of this dynamic city of 20,000 located just northwest of Denver, consistently rated as one of the most livable communities in the country. Since its adoption, the fund has raised nearly $4 million to assist property owners in preserving historic places and has resulted in the designation of 30 local historic landmarks, including the Louisville Grain Elevator. The Historic Preservation Commission reviews landmark grant applications as well as using the fund to support creative outreach projects, such as booths at community events and school field trips. Over the past year, funds from the tax were used by the Historic Preservation Commission and city staff to develop a citywide historic preservation plan that defines goals for historic preservation and proactively integrates them with other community goals including economic development, creation of affordable housing and response to environmental sustainability concerns. The plan strives to engage the entire community in defining a vision for historic preservation in Louisville for the next
20 years. The success of an initiative of this magnitude would not be possible without the participation of the Historic Preservation Commission, citizens and community leaders.

Research

Traditional survey methods are being used in not-so-traditional ways in sprawling King County, Washington (which encompasses the city of Seattle and outlying areas). Preservation commissioners have expanded the amount of information available to the county’s historic preservation program. The King County Landmarks Commission had designated four cemeteries as local landmarks, but felt it was important to better understand the range of cemetery types across the county and the issues involved in protecting and maintaining them. Tom Hitzroth, a historian and former chair of the commission, spearheaded the efforts to survey and inventory all of the historic cemeteries in the county, working closely with county historic preservation staff. The work was supported by Certified Local Government grants. Since completion of the survey, the commission initiated the county’s cemetery preservation program, which offers cemetery preservation workshops as well as tours in several cemeteries.

Lorelea Hudson, the archaeologist on the King County Landmarks Commission, recently spearheaded a one-day archaeological survey of a historic Japanese bathhouse (furōba) at the Neely Mansion near Auburn, Washington. The survey was a condition of approval of a COA for a new foundation for the building. However, the nonprofit association that owns the property and is restoring the bathhouse had no funds to conduct the survey. Hudson organized
several partners—including employees from her own company, staff from the regional cultural history museum, anthropology students and members of the historical organization that operates the site—to dig, screen and document their findings during a short window of time when the bathhouse was moved temporarily. Without her willingness to organize the dig, and the commission’s push to investigate the site, the opportunity to learn more about it would have been lost. Not only did this research provide information about the original users, but it will also result in a more accurate restoration of the bathhouse.

**Addressing Emerging Concerns**

Another growing focus of local commissions involves responding to climate change and sea level rise. This concern has grown in urgency as local governments assess new information provided by improved GIS data collection and mapping work done by NOAA...
and FEMA. In Annapolis, Maryland, the city’s Historic Preservation Division has led community conversations on the impacts of sea level rise, subsidence and tidal flooding to the historic district. Through public meetings, online surveys and focus groups, the division has prioritized those historic resources that must be protected due to their historic, architectural, cultural, economic or social value to the community. To that end, it is developing a Cultural Resource Hazard Mitigation Plan, a hazard mitigation handbook and design guidelines that will be adopted and used by the Historic Preservation Commission (HPC) to develop mitigation strategies sensitive to historic properties, including protection of key viewsheds and streetscapes. Additionally, the city council has recently amended the city’s Historic Property Tax Credit to add a 25 percent local property tax credit for hazard mitigation work approved by the HPC.

As the first generation of preservationists passes the baton to a newer generation, it is imperative that commissions engage broader audiences (youth, millennials, businesses, partners in non-preservation fields) and address community concerns in a larger way. It is crucial to keep in touch with community needs and gain wider support for resource protection. This will only further enhance the core, traditional values of local historic commissions nationwide. FJ

ESTHER HALL is chair of the board of the National Alliance of Preservation Commissions (NAPC) and member of the Raleigh, North Carolina, Historic Development Commission. NAPC provides technical support and manages an information network to help local commissions accomplish their preservation objectives. It also serves as an advocate at federal, state and local levels of government to promote policies and programs that support preservation commission efforts.