



**Michigan Association of Planning
A Chapter of the American Planning Association**

Excerpted from the MSPO Community Planning Handbook

Historic District Ordinances

Description

Neighborhoods, or districts with unique historical or architectural qualities, are often important components of community character. If protected, they present unique opportunities and a chance to continue an important element of the culture of a community. Historic district ordinances provide a way to protect the integrity of historic areas and extend protection beyond that afforded by standard zoning ordinances.

They often include the following elements:

- The location of historic districts and individual landmarks which are subject to provisions of the ordinance.
- The establishment of a Historic District Commission to administer the preservation standards set forth in the ordinance.
- Design guidelines which the Historic District Commission will apply in considering the appropriateness of any "construction, alteration, repair, moving or demolition affecting the exterior appearance" of a building in an historic district.
- Types of district structures and features (e.g., street trees, lighting fixtures, signs, streetscapes) to which design guidelines must be applied.
- Administrative and review procedures including appeals, hardship provisions, fee structures, citizen input requirements, and enforcement.

Any city, township, village, or county may establish an historic district ordinance. A "Historic District Study Committee" report with draft ordinance language must be reviewed by the local planning commission, Michigan Historical Commission, and State Historical Advisory Council before consideration by the municipality's legislative body. The legislative body then adopts the ordinance draft after the required public hearings. The ordinance outlines the historic district and establishes the Historic District Commission. The Historic District Commission is responsible for the administration and application of the preservation design guidelines whenever renovation or development projects are proposed within the historic districts. The

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Commission is also responsible for recommending amendments to the historic district, preservation guidelines and maintaining any properties obtained by the City for preservation purposes.

Planning Considerations

Effective historic preservation planning hinges upon the adoption and use of a strong local ordinance controlling building demolition and alteration. New construction in historic districts must also be controlled to maintain continuity within and/or across districts. By establishing districts for preservation, adopting appropriate design guidelines and an administrative body to implement them, the historic district ordinance will benefit the community by:

- Preserving local heritage and character of the community.
- Stabilizing and improving property values.
- Fostering civic beauty.
- Strengthening the local economy through retail and tourism promotion.

Several initial steps need to precede the drafting and adoption of an historic district ordinance. First, a report on the "historic significance of the buildings, structures, features, sites, objects, and surroundings in the local unit" need to be prepared. Second, an historic preservation plan should be prepared to provide the general framework for the ordinance as well as specific recommendations for protective action (e.g. district boundaries and design guidelines consistent with the character and prosperity of the area).

To be effective, the historic district ordinance needs to be coordinated with all other planning and zoning activities in the community. Review standards incorporated in the ordinance must be coordinated with standards used by the U.S. Department of the Interior for certifying renovation projects for federal tax credits. Developers should not be falsely led to believe that local approval of their projects automatically qualifies them for such credits. The historic district ordinance must also be coordinated with local zoning laws, building codes, and subdivision regulations. Many communities require that a planning commission member sit on the Historic District Commission to help coordinate their individual efforts. In some communities the planning commission is also the Historic District Commission. Finally, the districts and guidelines set forth in the ordinance must be consistent with the goals, objectives, and strategies outlines in the local Historic Preservation Plan.

Advantages

- Historic preservation helps maintain community or neighborhood character, and is often supported by area residents.
- Historic districts often become popular recreation and tourist attractions, generating local tax and business revenues.

- Tax benefits are available to structures properly designated and included in qualified historic districts. This often makes it feasible for large older structures to be refurbished and to continue their useful life.

Disadvantages

- Keeping and maintaining historic structures can be costly.
- Some property owners may feel regulations restrict the use of their property.

Limitations

- If the Historic District Commission is separate from the Planning Commission there may be a loss of communication and conflicting decisions on land use changes. Coordination is critical.