

CHAPTER I

ARE CONSERVATION DISTRICTS VIABLE FOR SAINT PAUL?

Introduction

Preservation has expanded beyond the protection of individual landmarks, to become a more inclusive, broader movement that has come to include controversial land-use issues. No current preservation topic better typifies this delicate balance between aesthetics, cultural resource protection, and municipal controls, than the idea of conservation districts. Neither fully a preservation policy or a planning tool, this hybrid technique can typify the best — and worst — of the fields.

A “first wave” of conservation districts developed in a number of American cities during the late 1980s-early 1990s, drawing national commentary, and resulting in several noteworthy studies of the idea. These reports did an excellent job of characterizing the conservation district movement, and of summarizing the situations in several of the cities that adopted conservation districts as alternatives or additions to their historic districts. However, conservation districts as a concept were never analyzed or even clearly defined, thus intensifying the controversy over whether or not conservation districts were a valid preservation or planning tool.

The City of Saint Paul quietly entered the fray in 1991, when it contemplated the adoption of the conservation district concept, and commissioned *A Study of Conservation Districts* by Carol Zellie. The City decided not to follow the study’s recommendation to draft conservation district legislation, mainly because the one neighborhood deemed most appropriate for conservation district status would not accept the “lesser” designation of conservation district status over historic district designation.

However, had conservation districts been overwhelmingly appropriate for the City of Saint Paul, the preferences of one neighborhood would hardly have had such a compelling influence. Saint Paul chose against the adoption of conservation districts in 1991 for a number of reasons ranging from a lack of community support to concerns over the effects of such districts on the city’s heritage preservation districts. Should the city now, ten years later, re-evaluate that decision? Are conservation districts a viable planning and preservation policy option for the city? Should Saint Paul now introduce historic conservation districts in order to reinforce its preservation efforts?

Methods and Approach

Although this thesis spends no small amount of time considering case studies of conservation districts nationwide, and although it necessarily investigates policies and procedures established for such districts, it is not a theoretical treatise. Indeed, it may be seen as an investigation of politics, rather than policy, investigating the specific viability of conservation districts for the City of Saint Paul.

As such, I conducted investigation in two major areas: the City of Saint Paul, and the conservation district concept. I have summarized my research accordingly by describing the research conducted, along with explanations of how each of the points have pertained to the thesis topic and my ability to reach conclusions about the hypothesis.

The City of Saint Paul

In order to establish the framework for the discussion, I first investigated city planning efforts, particularly as related to historic preservation, in various planning documents and efforts such as the Comprehensive Plan, housing plans, land use plans, small area plans, and so forth. Since Saint Paul has no defined preservation plan, preservation-related policies are instead included in the city's land use plan, included within the city code in the chapter establishing the Historic Preservation Commission (HPC), and mentioned in the city housing plan. My central starting point was that Saint Paul defines itself as “a city of neighborhoods,” where the replacement of small, local retail and industrial activities with larger, national entities is quickly becoming a crucial concern, especially since the larger stores require more prime development space while often offering less innovative architecture and design that undermines, or even destroys, prized neighborhood character. As issues such as

affordable housing and neighborhood development have become increasingly more pressing, preservation and alternatives to the current historic districts have correspondingly gained in importance.

I then specifically considered Saint Paul's five current historic districts, including their design guidelines, outreach materials, and recent land use challenges. In particular I sought a definition of what qualifies as a historic district in Saint Paul, a summary of the similarities and differences between the districts, an understanding of the city's historic preservation program, a basis for comparing proposed conservation districts to extant historic districts, and an ability to recommend changes to historic district enforcement or the formation of any new historic districts. I also looked at other city preservation activities such as the Historic Preservation – Housing Policy Advisory Committee recommendations made in 1996, a 1983 Ramsey County Historical Society Saint Paul site survey, and recent Historic Saint Paul Foundation (HSPF) initiatives, reasoning that the city's involvement with preservation consists of more than just its legislation. I thought that it was imperative to understand the current historic districts in order to determine what kind of alternative conservation districts might present, and to determine whether or not a revamping of the current historic district structure may provide an appropriate substitution. The adjunct preservation activities cited not only provided a direct forum for grassroots community involvement, but also have often proved to have a more direct and effective way to change and effect city preservation policy than regulation.

Since conservation districts are a hybrid of preservation and planning, and as Saint Paul is greatly affected not only by local governance, but also by metropolitan, regional, and statewide policies, I turned next to related issues such as design district ordinances, overlay zoning ordinances, "This Old House" statewide tax incentives, and larger initiatives particularly affecting Saint Paul, including state legislation, State Historic Preservation Office (SHPO) efforts, Metropolitan Council comprehensive planning requirements, and other applicable enabling legislation. In particular, I investigated the boundaries, goals, regulation and expectations of the various kinds of legislative actions, the relationship of city and state legislation and regulation, and elements of the two newer ordinances (design districts and overlay zoning) in regards to, and in comparison with, historic and conservation districts. These all proved to be core issues in that they defined exactly what the city was empowered to do, and to what extent it had used that power. Though Saint Paul's programs are unique, they do not exist in a vacuum. No changes could be presumed to be effective unless they corresponded with larger metropolitan and state issues.

An important investigative element consisted of personal interviews, including ones held with selected past and current city staff working with preservation issues, with elected officials such as councilmembers, and with representatives from Saint Paul's nineteen district councils — neighborhood planning groups that are charged with providing community input to the city planning process. The district council element proved to be the most crucial part of the thesis for determining current land use concerns, the development of neighborhood character and priorities, public will toward the conservation district concept, and alternate methods of administration, and provided an important method of gauging community attitudes toward preservation, community character, and land use issues.

Finally, to bridge the two areas of investigation, I analyzed *A Study of Conservation Districts*, as prepared by Carol Zellie in 1991 for the Saint Paul Heritage Preservation Commission, and conducted a follow-up interview with the author. This study remains one of the premier summaries of the "first wave" of conservation districts nationwide, and as it deals in particular with Saint Paul, was a seminal influence on the thesis.

The Conservation District Model

My second primary research consisted of a much broader overview of the conservation district concept. I began by conducting research on cities which have enacted conservation districts, using a variety of means including the internet, published outreach materials, enabling legislation, and telephone and personal interviews. This research provided both a broad-based and more specific understanding of other conservation districts — what works, what doesn't, what kind of community and political support is necessary, a comparison with historic districts, and how outreach is conducted in a variety of circumstances. I also looked at a few cases in which conservation districts might have been appropriate but where they were not chosen, where they were considered but not enacted, and where they were rejected or rescinded. To provide a wider scope of reference, I also analyzed

secondary sources of the conservation district model, both in specific studies and references made in more comprehensive works. Particularly informative to this mode of investigation were personal interviews with renowned preservationist Professor Robert E. Stipe regarding his conservation area concepts, and an illuminating consideration of the conservation area model in Great Britain, as undertaken in 1977 by Antoinette Lee.

Summary by Chapter

In Chapter II of the thesis, I identify the conservation district concept. In this chapter, I relied upon the work of several groundbreaking studies completed in the early 1990s, including *A Study of Conservation Districts* by Carol Zellie, the *Philadelphia Neighborhood Conservation District Research Report* by Deborah Marquis Kelly and Jennifer Goodman, and *Innovative Tools for Historic Preservation* by Marya Morris. I used these three seminal works, as well as the work of preservationists including Professor Stipe and Antoinette Lee, to develop a working definition for conservation districts.

Chapter III conducts an in-depth analysis of the political situation in Saint Paul, including its history of planning and governance, the evolution of the historic preservation movement in the city, other influences, and the role of the citizen-based community councils in city planning and governance. This chapter also identifies some alternatives to conservation districts as contemplated by the city, including special overlay zones and design districts.

In Chapter IV, the investigation becomes more broadly focused, by considering the conservation district movement nationwide. Here, I investigated conservation districts in twenty American cities, including case studies of Nashville, Tennessee; Cambridge, Massachusetts; Bozeman, Montana; and Iowa City, Iowa. These four cities were selected because of their particular applications to Saint Paul's situation, including programming and administration, the age of the community and its structures, building style and materials, geography, size and demographics, political situation, etc. In this chapter, I also considered some conservation district programs that did not work, and considered some cases in which municipalities considered, but did not adopt, the conservation district model.

Chapter V focuses on the potential results of programs such as conservation districts, however subjective available current research may prove to be. This section looks at general nationwide data on the fiscal effects of preservation, as well as a 1996 study of specific tax district data in designated historic districts in Saint Paul. Some of the most valuable data in this chapter is derived from a 1997 Center for Urban and Regional Affairs (CURA) study that statistically evaluated the fiscal effects of rehabilitation in Saint Paul's Houses to Homes program. This information yielded some of the most measurable and important data to date about the positive fiscal effects of preservation activities in Saint Paul, indicating that programs such as conservation districts could be extremely important economic development tools for the city.

Chapter VI consisted of a specific inquiry of the 1991 Zellie study conducted on the possibility of conservation districts in Saint Paul, and particularly how that information has changed or held true in the last decade.

Finally, Chapter VII recommends for the creation of conservation districts for Saint Paul, and outlines an action plan for their establishment.

A quick note regarding illustrations; in many cases, I demonstrate my points with charts and photographs within the body of the text. Unless otherwise indicated, all images are by the author.

CHAPTER II THE CONSERVATION DISTRICT CONCEPT

The Conservation District Controversy

Inclusive, community-based planning vehicle or “preservation district lite”? The term “conservation district” is exceptionally difficult to characterize, and is thus one of the most quietly controversial issues in historic preservation today. Ardent supporters of the concept characterize it as a sort of preservation utopia, a community based alternative to a traditional historic district that allows greater flexibility and that embraces multiculturalism, eschews gentrification, and neatly avoids hardship provisions, all allowing more people to become involved with preservation and more buildings to be saved. Critics decry the idea as an administrative nightmare, a confusing relative of the traditional historic district that “debases the currency,” an impediment to the designation of future historic districts, and an unsatisfactory compromise that can be neither regulated nor evaluated.

One of the main elements of the controversy is the confusion between historic districts and conservation districts. Although the two kinds of areas may superficially resemble each other, they are in actuality very different in history and intent. The first preservation district was established in 1931 to protect a Charleston, South Carolina neighborhood from demolition and inappropriate new construction; New Orleans followed in 1937 with an ordinance to protect the Vieux Carré, and San Antonio, Texas and the Georgetown neighborhood of Washington D.C. soon also adopted the concept. Today, there are over 2,500 preservation districts nationwide,¹ and that number is rapidly increasing. In general, historic districts — whether locally designated or National Register districts — are united by historic themes or contexts, established by local ordinances, incur design review processes that rely upon universal guidelines such as the Secretary of the Interior’s Standards (Secretary’s Standards),² and have as their main goal the preservation of the stylistic and/or architectural integrity of the structures. The districts have proved to be a valuable preservation method, and have not only protected historic resources but have also revitalized neighborhoods, strengthened local economies, and become tourist attractions.

Conservation districts did not begin as a preservation tool, but rather originated in city planning departments, in which “‘conservation district’ is often an umbrella term for ‘neighborhood planning district.’”³ As the concept was initially used mainly in planning for housing and environmental protection, historic and aesthetic issues were a secondary focus, and indeed, even the single term “conservation” was rarely defined.⁴ It soon became apparent, however, that conservation districts could address problematic areas that possessed historic resources but that did not meet the established guidelines for historic districts. Similar to historic districts, conservation districts were established by ordinance, and included some kind of administrative design review process. Boston, Massachusetts established the first conservation district in 1975; it was followed by a wave of new districts created in the late 1980s and early 1990s. This was presumably the product of increased preservation activities conducted by local governments resulting from the National Historic Preservation Act Amendments of 1980, especially as carried out under the Certified Local Governments program, a designation by the National Park Service that provides technical assistance and funding to qualified local preservation programs.^{5,6}

At present, close to fifty American cities have adopted conservation districts specifically as a means of historic preservation,⁷ though there is little consistency between them as to designation, regulation, design standards, administrative practices, or differentiation from historic districts. Now that communities possess this new hybrid of preservation and planning, they seem unsure as to exactly what to do with it. In general, conservation districts focus on new construction, demolition, relocation, and often major exterior alterations, but the level of regulation and design review varies wildly. Atlanta, Georgia, for example, requires no binding review of such districts. Bozeman, Montana and Nashville, Tennessee, two cities noted for the interrelationship of their conservation districts and historic districts, tend to enforce rigorous review for both categories, based on local guidelines that bear close resemblance to the Secretary’s Standards.

Some cities, though their ordinances are broadly based, tend to focus mainly on specific situations; for instance, Memphis, Tennessee is concerned especially with the “increase in the habitable area of a building, object, structure or site within and historic conservation district,”⁸ while Phoenix, Arizona’s regulations are “limited to cases that have a major impact on the Village Plan”⁹ and are generally concerned only with new commercial buildings.

	I	II	III	IV
Type of Project	Iowa City Guidelines	Iowa City w/ Exceptions	Architecture Compatible to Individual District	Site and Scale Compatible to Individual District
Alteration: Primary Structure (contributing structure)	Historic District	Conservation District		
Alteration: Primary Structure (noncontributing structure)		Conservation & Historic District		
Addition: Street Elevation (contributing structure)	Historic District	Conservation District		Conservation & Historic District
Addition: Street Elevation (noncontributing structure)		Conservation & Historic District		Conservation & Historic District

Figure 1: Iowa City Guidelines. (Source: Iowa City Preservation Handbook)

Cities with relatively sophisticated conservation district programs, such as Cambridge, Massachusetts, establish separate design review policies for each individual district in which the main goals are “to preserve, conserve and protect the beauty and heritage of the city of Cambridge and to improve the quality of its environment through identification, conservation, and maintenance of neighborhoods.”¹⁰ Within this framework, each district retains its individuality; each individual Neighborhood Conservation District “is administered by its own Commission, which is empowered to approve any new construction, demolition, or alteration that is visible from a public way ...[and thus] recognizes the particular design and architectural qualities of special neighborhoods.”¹¹ Other cities, such as Iowa City, Iowa, provide for different levels of regulation depending on the kind of district — historic or conservation, kind of structure — contributing or non-contributing, and nature of the work — major, intermediate or minor. These “categories of compliance” are illustrated above.

In addition, Iowa City adds a layer of enforcement by regulating new multi-family residential structures within their Central Planning District,¹² in order to “ensure that new multi-family buildings constructed within the Central Planning District are compatible in terms of their architecture, scale, and building materials to existing residential structures found within said older neighborhoods;...the City deems it necessary to adopt and enforce design standards for new multi-family buildings.”¹³ Portland, Oregon allows a choice between Historic Design Review or a more flexible set of Community Design Standards for projects in most of its conservation districts, but adds another voluntary level of regulation in its optional Historic Preservation Incentive Review.¹⁴

Sometimes, conservation districts gain meaning only in relationship to historic districts; Albuquerque, New Mexico has no actual conservation districts, but has adopted enabling legislation which defines them as areas in which “the overlay zone may be used for areas which have distinctive characteristics but which lack sufficient historical, architectural, or cultural significance to qualify as historic areas.”¹⁵ In Tacoma, Washington there is a direct relationship in which “the area should normally be established surrounding a proposed or established historic district...a conservation district shall be of lesser historic significance than a historic district.”¹⁶

Additional excerpts from key conservation district legislation are included in Appendix I of this thesis. While this diversity of legislation shows an admirable acknowledgement of the individuality of each city — and often each unique district — a standard definition for the term “historic conservation district” is greatly needed in order to begin to address the controversy.

Definitions Made by Existing Studies

Carol Zellie has conducted possibly the most thorough study of the current American system in her 1991 work *A Study of Conservation Districts*, which was conducted for the Saint Paul Heritage Preservation Commission. In this analysis, her working definition of a conservation district is:

...the setting off, through the creation of a special district or overlay zone, an area with special characteristics of appearance, amenity, landscape, architecture, or history, or some combination of all four. New construction, demolition, and alteration of existing properties might all be subject to design review, or be eligible for special improvement funding or other treatment.¹⁷

Zellie identifies two distinct types of conservation district models, the “neighborhood planning model” and the “architectural or historic preservation model” in which “the second model [focuses] on historic resources in addition to new construction, land use, and other neighborhood planning issues.”¹⁸ These two systems, as well as a number of other issues investigated in the study such as the designation process, design review, and the relationship of conservation to historic districts, are addressed at length in Chapters III and IV of this thesis.

In *Innovative Tools for Historic Preservation*, written for the American Planning Association in 1992, Marya Morris conducts a detailed investigation of conservation districts as a preservation issue. Her working definition is perhaps the most successful at uniting the goals of preservation with those of urban planning:

Conservation districts are areas, usually residential neighborhoods, with certain identifiable attributes, embodied in architecture, urban design, and history that are subject to special zoning or land use regulations...in general, the districts are a land use or zoning tool used to preserve neighborhood character, retain affordable housing, and protect an area from inappropriate development by regulating new construction.¹⁹

Morris theorizes that different kinds of conservation districts may be appropriate for different kinds of goals, such as preserving community character, promoting neighborhood revitalization, retaining affordable housing, or regulating architectural style and aesthetic standards for an area.

Perhaps most importantly, Morris views conservation districts as part of a larger effort to coordinate preservation with political efforts and community policies. This kind of collaboration can produce extraordinary results:

...where there is political will, planners, preservationists, and community leaders continue to find ways of effectively coordinating development policies and fostering a greater understanding of the effects of community growth on historic resources...As a result, local historic preservation tools and techniques are becoming more sophisticated and are moving into a number of areas of urban planning and development control.²⁰

Alternative Models

While Zellie and Morris investigate the reality of conservation districts in America, other preservationists have envisioned entirely new models. Professor Robert E. Stipe has long consistently urged preservationists to broaden their concerns, reminding them that:

Preservation programs...will have to display increased sensitivity to changing concepts of significance that have less to do with maintaining the artistic and stylistic integrity of buildings than they do with enhancing the quality of the larger environment for the daily living purposes of people.²¹

Stipe has pioneered a concept called “conservation areas,” which he thus defines:

The ideal conservation area is one that is crisply, if broadly defined and easily distinguished from the traditional historic district...[it] possesses form, character and visual qualities defined from arrangements or topography, vegetation, space, scenic vistas, architecture, appurtenant features, or places of natural or cultural significance, that create an image of stability, comfort, local identity and livable atmosphere.²²

These conservation areas are designated and implemented by the local government as part of a larger neighborhood planning initiative. As such, the areas require little involvement or investment from the individual property owner, but instead a greater commitment from the community at large. They eschew regulation, relying instead on an incentive program that “supplement[s] this traditional regulatory stick with a proactive carrot.”²³ Professor Stipe cites numerous other advantages, claiming the concept:

fits well with contemporary thinking about what is worth preserving...is more flexible in interpretation, and less threatening or restrictive to the average property owner...melds easily with contemporary local planning processes and administrative structures, and, most important, admits to the evaluation process additional associative values, including human ones, without demeaning history or architecture.²⁴

In particular, he recommends conservation areas for neighborhoods surrounding or bordering historic districts, “pre-natal” historic districts under fifty years of age, and “neighborhoods that while they might never qualify for ‘historic’ status, are important to preserve and maintain solely for their social and economic value, or for their utility as affordable housing.”²⁵

Stipe’s conservation area theory is not at present used in any American city, though he remarks that “Raleigh, North Carolina comes close.”²⁶ Instead, he bases this revolutionary concept on European preservation systems, particularly the British model, which he feels is far ahead of the United States in correlating preservation with planning and with larger community goals.²⁷ Other preservationists agree. In 1977, Antoinette J. Lee undertook a comprehensive study of conservation areas in British towns as a Winston Churchill Fellow. In the study, she investigated both the nationwide model and individual case studies in sixteen separate cities, from London to Bath to Glasgow to Bristol. She found that:

Conservation areas as developed by the British ...[were] being tried in order to address the need to keep old areas economically and socially alive at the same time properties were being physically upgraded. These new directions necessitated that preservation practice address the larger planning questions of regional growth and change — the mobility of commercial facilities, the impacts of transportation routes, the effects of tax laws, the rise and decline of neighborhoods, etc.²⁸

Lee found a number of benefits to the British conservation area system, including:

- a flexibility and adaptability to localized situations
- greater self-determination for the local governments
- a priority placed on the adaptive use of obsolete buildings
- increased visibility by focusing on groups of buildings rather than individual structures
- reduced gentrification
- a greater correlation between preservation and the environment
- perhaps surprisingly, increased development as investors were reassured that the towns were planning for the future

The report particularly recommended conservation areas as buffers to existing historic districts, and for areas “which possess a character that ought not fall victim to normal market forces.”²⁹ Her definition, perhaps the simplest of the studies, simply stated:

Conservation can be seen as a process toward the objective of protecting the character of an area...³⁰

Common Themes

Due to different laws and governmental systems, American and British conservation district programs should not be too closely compared, and even the various American programs are extremely varied. However different these concepts and definitions may be, they possess some striking similarities as well. Several common themes emerge:

- Conservation districts are primarily a land use tool.
- The major area of concern is not the individual structures, but the overall character and/or sense of place of the neighborhood.
- History is a key component of a conservation district, but it is not the only factor.
- Other major issues include landscape, aesthetics, and culture.
- New construction is of great concern in a designated conservation district, followed by demolition and alteration.

There is one other less obvious but equally definitive characteristic of conservation districts — they are almost exclusively an urban phenomenon, seen in cities large enough to be divided into several neighborhoods of distinct character. Thus, also inherent in the standards held for conservation districts is the need to recognize this diversity.

Conservation districts are not a universal solution for protecting a neighborhood's historic character. In many cases, it may be more appropriate for a neighborhood to be fully designated as a historic district, however, some communities may simply lack the political will to enact any kind of additional regulation. It appears that certain types of neighborhoods are most likely to benefit from conservation district status, namely:

- neighborhoods that serve as “buffer zones” to historic districts
- areas with historic or architectural prominence but whose current integrity is impaired³¹
- areas that have a distinct and identifiable historic presence, but one which is outside of the historic context for the community³²
- notable areas that represent the “recent past” (under fifty years of age) and are thus not eligible for more traditional protections
- National Register districts that have not been locally designated
- mixed residential/commercial districts (such as old streetcar routes), especially as an alternative to rezoning
- areas in which it is perceived that a historic district will cause undue hardship to the residents, or in which avoiding any gentrification is a prime concern³³

Any working definition of a conservation that intends to serve as a practical solution must take the specific needs of these kinds of communities into account.

A Working Definition

Considering the controversy inherent in the conservation district debate, the policies and ordinances of numerous districts nationwide, the common themes identified by studies on the issue, and the specific needs of the communities in which the districts are most likely to be successful, I have developed the following working definition of conservation districts:

A conservation district is a neighborhood with a distinct sense of place, as defined by its architecture, landscape, historical significance, cultural significance, and/or infrastructure. This area is protected by land use regulation designed to preserve and enhance its distinctive character and sense of place.

Such districts are almost always urban solutions to a diversity in land use, varied socio-political mores, and strong political will.

Design guidelines for conservation districts most frequently encompass new construction and demolition. They also often address alterations of existing structures that increase habitable space, and/or affect distinctive architectural features.

Conservation districts are designed to present a viable alternative to the traditional historic district model; this choice is especially appropriate for areas that are “buffer zones” to historic districts, areas that have the potential to become historic districts in the future but lack the requisite characteristics to be designated at the present time, areas with streetscapes of distinctive character but in which the architectural integrity of the structures is significantly impaired, areas with a distinguishable historic context that does not correlate with the historic contexts of the larger community, National Register districts that are not locally designated, areas that represent the recent past, mixed residential/commercial areas as an alternative to rezoning, and areas in which it is perceived that a traditional historic district will create considerable economic hardship to the residents or extreme or undesired gentrification of the community.

In applying this definition to Saint Paul, conservation districts should be evaluated in terms of land use standards that promote community revitalization while respecting the city's strong and diverse neighborhoods. In particular, they would be appropriate as buffer zones to the city's designated heritage preservation districts, as an added layer of protection to the section of the National Register district that has not been locally designated, and in areas that represent the recent past. Past studies³⁴ and current findings all suggest that conservation districts could be an appropriate and valuable preservation tool for Saint Paul.

CHAPTER III THE CITY OF SAINT PAUL

Early History

There was not a city planner among them, but the group included... a sufficient number of disreputable characters to assure Saint Paul a colorful history.³⁵

Saint Paul was founded as a small encampment outside the federal Fort Snelling,³⁶ called “Pig’s Eye” after its founder, Pierre “Pig’s Eye” Parrant. The Treaty of 1837 finally officially allowed white settlement in the area, and the camp became a thriving trading settlement on the banks of the Mississippi River.

“Pig’s Eye” became “Saint Paul” when Father Louis Hennepin convinced the population of the necessity for a more refined name, and was incorporated as the capitol of the Minnesota Territory in 1849. For much of the 1850s the town, whose main business came from river trade, clustered tightly around the banks of the Mississippi. With Minnesota’s admission to the Union in 1858 the city began to grow dramatically, due to its access to extensive natural resources (chiefly fur and timber), and to the easy transportation of these resources via extensive rail and steamboat operations. The post Civil War period brought increased immigration and a modest building boom, and by the late 1860s, Saint Paul was actually two competing settlements, Lower Town,³⁷ and Upper Town, slightly to the west at the end of the St. Anthony Road, which was the main transportation link to the village of St. Anthony.³⁸

Each area had its own steamboat docks, commercial center, and residential settlement. The two areas were not effectively joined until the city’s glory years at the end of the century, an age of railroad barons, wealthy “madams,” influential religious leaders and ubiquitous merchandise traders; this period lasted from the 1870s to the nineteen-teens. Saint Paul still considers this Victorian period its “Golden Era” of fame and fortune.



Figure 2: City of Saint Paul Map, 1874. (Source: Old Town Restorations)

City Planning

Saint Paul began demonstrating excellence in city planning by the end of the 19th century. It initiated building codes and permits in the early 1880s, and in 1922 was one of the first metropolitan areas nationwide to establish zoning regulations. The city responded well to federal movements encouraging urban planning in the 1940s, and by 1965 had established a planning department in the Mayor's office as part of statewide legislation requiring such action:

Municipal planning and development; statement of policy. The legislature finds that municipalities are faced with mounting problems in providing means of guiding future development of land so as to insure a safer, more pleasant and more economical environment for residential, commercial, industrial and public activities, to preserve agricultural and other open lands, and to promote the public health, safety, and general welfare. Municipalities can prepare for anticipated changes and by such preparations bring about significant savings in both private and public expenditures. Municipal planning, by providing public guides to future municipal action, enables other public and private agencies to plan their activities in harmony with the municipality's plans. Municipal planning will assist in developing lands more wisely to serve citizens more effectively, will make the provision of public services less costly, and will achieve a more secure tax base. It is the purpose of sections 462.351 to 462.364 to provide municipalities, in a single body of law, with the necessary powers and a uniform procedure for adequately conducting and implementing municipal planning.³⁹

Saint Paul residents eagerly embraced the ability to affect their future as neighborhood and citizen groups participated in urban planning, historic preservation, economic development, community policing, and other means of activism. It was said that the most popular activity for Saint Paul residents was attending community meetings!⁴⁰

In a 1970 referendum, Saint Paul voters approved a new charter that limited the city to six departments and made official the role of the Mayor as the city's chief executive, holding supervisory responsibility for most administrative functions. This model, known in many cities as the "strong mayor—weak council" system, in Saint Paul paradoxically also established a strong Council; with a majority of five votes, that body could block, promote or override a mayoral veto of any city action.

In the spring of 1972, the city's Government Reorganization Committee recommended that the six mandated new departments be: Police, Fire, Public Works, Community Services, Finance & Management Services, and City Development (planning). The Mayor's office would be responsible for coordination of the departments, and for overall budgeting and administration. That fall, five of the six departments were established, but City Development remained under the auspices of the Mayor's office. Though this structure proved effective for most city departments, planning became somewhat lost in the shuffle both to city government and to the average resident.

Saint Paul's most popular mayor to date, George Latimer, was elected in 1976 on a platform of community responsiveness. Latimer realized that the reorganization of the city planning process was a crucial first step for his administration, especially in response to new Community Development Block Grants (CDBG),⁴¹ program funds established by the National Housing and Community Development Act of 1974 in order to develop:

viable urban communities by providing decent housing and a suitable environment and expanding economic opportunities, principally for persons of low or moderate income...the federal assistance provided in this title is for the support of community development activities which are directed toward... reduction of isolation of income groups within communities and geographical areas and the promotion of an increase in the diversity and vitality of neighborhoods through the spatial deconcentration of housing opportunities for persons of lower income and the revitalization of deteriorating neighborhoods to attract persons of higher income.⁴²

In response to this act, the state legislature, prompted by the Saint Paul delegation, enacted new state laws requiring reorganization of the city's planning process, including the establishment of the City Council as the Board of Commissioners for the Housing Redevelopment Authority (HRA). To this day, councilmembers wear two hats, setting policy as the council and serving as a governing authority as HRA commissioners.

One of Latimer's first official acts, in conjunction with the City Council, was to establish a Special Planning and Development Committee. The committee established ten original guidelines and objectives⁴³ as a means to establishing a proactive, effective planning department; all of the goals and objectives were eventually achieved during the reorganization process. After conducting an assessment of the current program and hearing both citizen and agency testimony, the committee determined that although social and economic planning were faring well under the established system other elements were ignored or neglected, including district planning, development and planning policy, and a city comprehensive plan. Additionally, it was difficult to separate functions of the system, and citizen access was hindered by the involvement of multiple offices.⁴⁴ The committee determined that the existing system led not only to fragmentation and a lack of efficiency, but also to a lack of accountability for elected officials. After considering earlier reorganization proposals and investigating the structures of other similar urban areas, the committee finally recommended creation of the office of Planning and Economic Development (known almost instantly thereafter as "PED") as the city's sixth department.

As originally proposed, PED consolidated three departments — City Planning, Renewal, and Economic Development — as well as encompassing the Port Authority, Housing and Building Code Enforcement, and the HRA. The Council passed a resolution establishing the department in February 1977, but removed the Port Authority and Code Enforcement Divisions from the department's proposed auspices. However, the Council added the newly strengthened district council system to PED's responsibilities, providing an extremely effective mechanism for soliciting community participation in city planning.⁴⁵ A volunteer, mayoral-appointed Planning Commission was also established as an advisory board. The new structure was a resounding success, and the late 1970s and 1980s became the high point of citizen participation in planning for the city of Saint Paul, with the city receiving national recognition and awards for programs such as the district council system and the revitalization of the Historic Hill District.

Mayor Latimer stepped down in 1989, and for part of the 1990s, PED remained unchanged. During that period, the City Council became a part-time body still under the "strong mayor" system, but remained extremely effective, especially in their dual role as Council/HRA. In 1994, Mayor Norm Coleman initiated a number of sweeping reforms as part of a city-wide reorganization policy. Coleman changed PED from a functionally-based department (land use, economic development, etc.) to one with a geographic focus, dividing the city into four quadrants and assigning a multi-functioned team to each, with one central coordinating department. As part of this effort, certain divisions, most notably Historic Preservation, were removed from PED and transferred to the Department of Licensing, Inspections and Environmental Protection (LIEP), an outgrowth of the old Code Enforcement Division.

The reorganization of the planning department also led to deep and drastic staff cuts. Almost twenty layoffs⁴⁶ resulted immediately from the change, with many more following through attrition. PED discontinued its process of maintaining direct liaisons with community councils, eliminated district-specific plans, and reduced many of its community notification procedures, all of which directly and dramatically reduced community involvement with the department. Today, although Saint Paul's community planning participation may be seen as equal to or only slightly less than that of similar metropolitan areas, in truth it is so greatly diminished from the 1970s and 80s as to be extremely disheartening for the community. The cuts in staffing have resulted in limited resources for development or implementation. Although the new PED has arguably proved beneficial for high profile causes such as downtown economic development, it has proved to be problematic for more neighborhood-based issues such as housing and comprehensive planning.

Other Influences

Luckily, Saint Paul, does not exist in a vacuum. Larger scale projects are addressed by the Metropolitan Council (Met Council), a governor-appointed body concerned with the coordination of the entire Twin Cities metropolitan area. Created in 1974 by the Metropolitan Reorganization Act, the Met Council has authority over specific issues influencing the area as a whole, such as sewers, waste control, mass transit, the airport, and regional parks. More importantly, the Met Council is charged with determining the regional plan for the greater Twin Cities metropolitan area. As such, the council acts as the metropolitan housing authority, determines tax-based revenue sharing, issues bonds for regional parks and open space development, and coordinates regional planning efforts.

The planning charge delegated to the to the Met Council by the state legislature is to:

Prepare and adopt...a comprehensive development guide for the metropolitan area. It shall consist of a compilation of policy statements, goals, standards, programs and maps prescribing goals for an orderly and economic development, public and private, of the metropolitan area. The comprehensive development guide shall recognize and encompass physical, social or economic needs...⁴⁷

The *Regional Blueprint* cites seven critical policy issues for the region: regional economic growth, reinvestment in distressed areas, the creation of stronger communities, preservation of the natural environment, guided growth, affordable and preserved housing, and regionally sound public facilities.⁴⁸ To this end, it identifies a growth strategy for the area through the year 2040. Urban redevelopment, particularly in the core cities, is a key element of the initiative.

In 1998, the Metropolitan Council decreed that all Twin Cities metropolitan governments must revise and update their comprehensive plans. PED, with its new geographic focus had become of necessity a reactive, rather than proactive, agency in regards to comprehensive planning, and the required updates proved problematic. The Library, Parks and Recreation, and Transportation plans had all been recently revised and met the Met Council's guidelines, but the city had to quickly reevaluate its Land Use and Housing plans. As part of this initiative, Saint Paul created an Urban Design Office and significantly strengthened its bi-annual review of housing strategies and its annual review of the Capital Improvement Budgeting process. In addition, PED created a simplified summary and review process for the comprehensive plan, intended to make the current process more accessible to the average citizen. The effects of many of these changes are addressed later in this chapter, under "Recent Initiatives."

Though the Metropolitan Council is primarily incentive based, rather than regulatory, these recent initiatives have had a profound effect on Saint Paul, particularly in the areas of neighborhood revitalization, affordable housing, and comprehensive planning.

In addition, statewide influences such as revisions of Minnesota State Statute 462⁴⁹ have ensured the legislature's ongoing involvement in municipal planning.

Finally, the city of Saint Paul incurs certain preservation policy responsibilities by virtue of its designation as a Certified Local Government (CLG) by the State Historic Preservation Office (SHPO). Its duties under this arrangement include:

- the enforcement of legislation designating and protecting historic properties;
- the establishment of an "adequate and qualified" historic preservation review commission;
- the establishment and maintenance of a survey/inventory procedure for historic properties; and
- the provision for public participation in the historic preservation program.⁵⁰

Recent Initiatives

Saint Paul has recently adopted two new policies that could have a great effect on the city's urban planning and development. Both are recent and relatively untested, but expand the cities policy mechanisms greatly.

In 1993, the state of Minnesota passed special legislation allowing Saint Paul to develop design districts, in a manner similar to the development of heritage preservation districts. This idea was sponsored by the Saint Paul delegation, who was especially concerned with providing new tools to "enhance the City's appearance and environmental quality."⁵¹ The ordinance authorized the city to "prepare, adopt and amend design districts and design framework, to establish a design advisory committee, and to establish design review procedures..."⁵² The design districts were envisioned as overlay districts, similar to the heritage preservation districts and river corridor overlay conservation districts already in use in the city, and were modeled after the success of similar legislation in Duluth, Minnesota.

The City Council unanimously approved the design district resolution later that year, and by late 1994 had drafted a declaration of public policy for the districts. Their purposes were defined as:

- improving the city's visual character and environmental quality
- providing a spatially coherent and cohesive sense of place, neighborhood and community building on local characteristics
- fostering civic pride
- encouraging sustainable infill development
- promoting good design that encouraged business growth
- creating and perpetuating human-scale and environmentally aware neighborhoods
- supporting and implementing neighborhood planning
- facilitating compatible mixed use
- providing safe pedestrian, bicycle and vehicular byways
- creating a public realm that encouraged interaction, neighboring and community building⁵³

The guidelines went on to establish a Design Advisory Committee and to establish criteria, designation policies, and review standards for the districts, as well as the creation of design guidelines addressing general visual character, public spaces, exterior appearance, scale, massing, orientation, materials, the relationship to the street, signage, historic preservation, landscaping, access, amenities, and view corridors.⁵⁴

The city informally designated downtown Saint Paul as the first design district, and established a small Urban Design Office, but has done little else with the concept, and has not formally adopted policies or regulations for the districts.

In December 1999, Saint Paul adopted its first official overlay zoning area as part of the zoning code amendments applied to the Shepard-Davern area.⁵⁵ A small-area plan, completed in 1999, recommended an ambitious plan for the neighborhood, including a redesigned "gateway" to the city, increased housing, and expanded, more pedestrian-friendly commercial development. To this end, the City Council adopted two overlay districts for the area, the Shepard-Davern Commercial Redevelopment Overlay District, and the Shepard-Davern Residential Overlay District. The districts were established:

to maintain a unique character, to promote economic development potential, to encourage development of urban villages with pedestrian and transit oriented design, to promote mixed use development, and to promote public health, safety and welfare within the designated districts.⁵⁶

The Shepard-Davern overlay districts are fairly typical of overlay districts nationwide, in that they adopt new provisions in an area in addition to the main provisions of the zoning code, rather like a layer of icing over a cake base. In the case of a conflict with the primary zoning district, the provisions of the redevelopment overlay would govern. In general, these two separate commercial and residential overlay

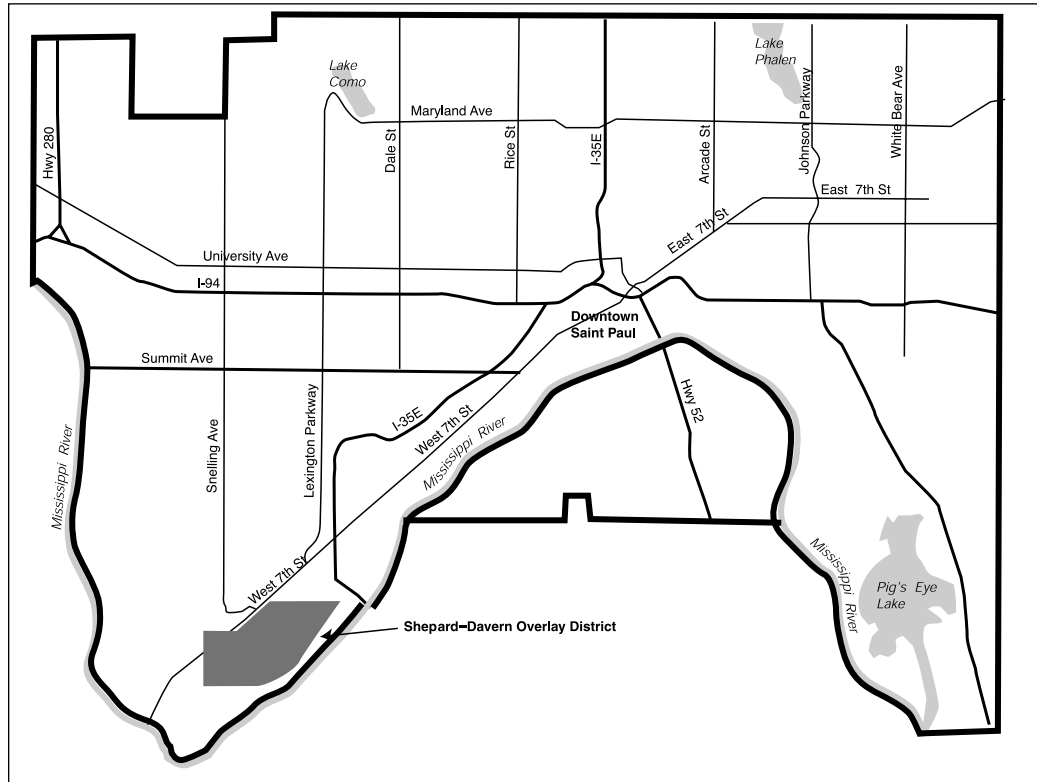


Figure 3: Shepard-Davern Overlay District in Saint Paul.

districts are especially concerned with new construction, signage, parking and landscaping, are designed to encourage a mixed-use, “urban village” atmosphere. Both overlays govern permitted and prohibited land use, building height, floor to area ratios (FARs)⁵⁷ front and side setbacks, building design, and amenities. The area is not near a designated historic district, but does abut a river corridor area, so must also correlate with state Department of Natural Resources guidelines.

By the time of this writing, no new construction had been proposed in the area since the overlay districts were enacted, and so the efficacy of the ordinance is yet to be tested. Should the zoning prove to further the community development goals of the area, overlay zoning may become an increasingly popular tool for neighborhood revitalization in Saint Paul.

Historic Preservation as a Function of Saint Paul’s City Government

During the 1970s and 1980s, as Saint Paul was becoming known for innovative planning, it was also recognized for its preservation initiatives, both through the reorganized city system and citizen participation model, and also through the efforts of private organizations such as Old Town Restorations. During that time period Saint Paul set the tone for a grassroots preservation program, based on citizen involvement, that continues to this day.

Saint Paul’s Heritage Preservation ordinance, first adopted in 1976 and amended several times since, promotes a very clear declaration of public policy and purpose:

The council of the City of St. Paul hereby declares as a matter of public policy that the preservation, protection, perpetuation and use of areas, places, buildings, structures and other objects having a special historical, community or aesthetic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. The purposes of this chapter are to:

1. Safeguard the heritage of the City of Saint Paul by preserving sites and structures which

- reflect elements of the city's cultural, economic, political or architectural history;
2. Protect and enhance the City of Saint Paul's attraction to residents, tourists and visitors, and serve as a support and stimulus to business and industry;
 3. Enhance the visual and aesthetic character, diversity and interest of the City of St. Paul;
 4. Foster civic pride in the beauty and notable accomplishments of the past; and
 5. Promote the use and preservation of historic sites and structures for the education and general welfare of the people of the City of St. Paul.⁵⁸

This ordinance established a number of preservation responsibilities for the city. The first was to establish a Historic Preservation Commission (HPC). This thirteen-member, all-volunteer commission is appointed by the mayor, and in accordance with Saint Paul's status as a Certified Local Government, must include both architects and historians, as well as developers, realtors, and others interested in civic service and the preservation of the city's past.

The commission was charged with a number of powers and duties, including:

- serving as an advisory board to the mayor and city council on the city's heritage preservation matters, including reviewing plans and studies;
- conducting a continuing survey of Saint Paul's historic resources;
- recommending the designation of city, state, and nationally recognized historic sites;
- performing design and permit review for alterations and new construction within historic districts and for landmark sites;
- recommending the use of eminent domain, when necessary, for threatened historic sites;
- providing educational and outreach initiatives;
- reviewing proposed street name changes for streets over fifty years old; and
- acting as a liaison to the city-funded Historic Saint Paul Foundation (HSPF), established in 1997. The HSPF's main duties are to encourage private funding of and public participation in preservation activities within the city of Saint Paul.⁵⁹

The HPC maintains a rigorous standard of public accountability. The committee must hold public hearings prior to its recommendations, as well as apprising the State Historic Preservation Office of its activities in accordance with Saint Paul's CLG status. In addition, the HPC's recommendations are subject to Planning Commission review and City Council hearings and recommendation. The HPC is staffed by the Historic Preservation office of Licensing, Inspections and Environmental Protection (LIEP).

The second part of the ordinance established seven criteria and procedures for the designation of heritage preservation sites, similar to the National Register criteria. The criteria established were the:

- "character, interest or value as part of the development, heritage, or cultural characteristics of the City of Saint Paul, State of Minnesota, or the United States;"
- location as the site of an important historic event;
- identification with person(s) significant to the culture and development of Saint Paul;
- distinguishing architectural or engineering characteristics;
- identification with the work of a prominent architect, engineer and/or master builder;
- craftsmanship that represents significant architectural or engineering innovation; or
- physical characteristics (including location) that represent an important visual feature of a community.⁶⁰

A key element of the ordinance established a permit and design review procedure. The HPC was charged with review and approval (or disapproval) of all permits for a historic site for repair and/or remodeling that would change a building's exterior appearance, new construction, building moves and demolition, and review of any and all city activity that might alter the nature or appearance of a heritage preservation site.⁶¹ The commission was also given the responsibility of ensuring due process in public notice and participation, and was required to render an opinion within sixty days of the filing of the permit application.

The ordinance also required certain factors to be considered in permit review. For alterations, the

HPC must find that the change will not impair the architectural or historic value of the building or the area, and must make written findings considering a number of elements, including appearance, massing, material type, etc. In consideration of new construction, the commission must also determine that the building will not adversely affect the surrounding area. In the case of proposed demolition, the HPC must make written findings on a number of issues, including the building's past, the effect of new construction on the site, and the building's potential for successful reuse if not demolished.

Finally, the ordinance determines penalties by making clear that violation of the heritage preservation standards, "by any owner or occupant...shall be guilty of a misdemeanor" and gives the city the power to "restrain, correct or abate a violation."⁶² This clause is especially important, as it establishes consequences for violation that are enforceable yet not disproportionately punitive, increasing the likelihood of judicial support for the ordinance.

Stemming from this original ordinance, Saint Paul's historic preservation policy was both clear and comprehensive, establishing a preservation presence in the city while acknowledging the need for further research of the city's resources. The guidelines established for Saint Paul's five historic districts,⁶³ while mainly serving as design review tools, also furthered the city's preservation policy by identifying resources and historic contexts. Finally, the Latimer administration's interest in preservation as public policy was made clear by the establishment of the Historic Preservation office as a division of PED, as the official policy wing of city government. For much of the late 1980s and early 1990s, the Historic Preservation Team made great advances, as shown by the expansion of historic districts and the alliances formed with other city departments. The team also enjoyed community support of their agenda, with neighborhoods taking an active role in creating their own preservation plans. During that period, for example, the Historic Hill District expanded twice, and public interest and participation in preservation activities was at an all-time high. Private preservation organizations and neighborhood associations took the lead in promoting preservation as an integral part of community revitalization.

In late 1995, the Saint Paul City Council directed the formation of the Historic Preservation Policy Advisory Committee, based on the recommendation of its Community and Economic Development Committee. The Community and Economic Development Committee had been charged with reviewing the city's Houses to Homes program, a city-supported "gap financing" program for the acquisition and rehabilitation of vacant properties.⁶⁴ The committee determined that the Houses to Homes program continued to meet critical affordable housing and revitalization goals of the city, but determined that "current city policy was inadequate and could not provide sufficient guidance when the City Council or Housing and Redevelopment Board faced decisions involving historic buildings."⁶⁵ Based on these concerns, the specific goals of the Historic Preservation Policy Advisory Committee were to:

- develop specific policy recommendations for the City Council/HRA to assist in policy and funding decisions;
- develop broad based guidelines and recommendations regarding history, heritage, and historic preservation in Saint Paul; and
- consider the extent to which higher rehabilitation costs for historic buildings are justified.⁶⁶

The committee determined that the city's historic neighborhoods were one of the city's biggest assets, providing economic benefits, increased tourism, and invaluable character and sense of place.

Based on recommendations from the committee, the City Council created the Historic Saint Paul Foundation in 1998, funding its first two years with \$100,000 seed money annually. Since this start-up funding, the foundation has become a privately funded non-profit corporation. Historic Saint Paul is dedicated to:

- promoting the economic and cultural value of historic preservation;
- articulating a realistic vision for Saint Paul's future based on an understanding of the past and an appreciation for our built environment;
- identifying and preserving the historic neighborhoods, buildings, structures and landscapes of the city;

- educating citizens about architectural heritage and urban history; and
- generating and distributing resources which support historic preservation projects in Saint Paul's diverse neighborhoods (including grants, loans, technical assistance and educational materials.)⁶⁷

To this end, the foundation has funded five residential restoration grants, two commercial restoration grants, and four cultural and educational grants, in projects ranging from a labor history map and curriculum to a historic building survey for a commercial avenue. While still a new organization, Historic Saint Paul is poised to become an important asset in the city's preservation agenda.

Despite these auspicious beginnings, Saint Paul never did draft or approve a preservation policy for the city, or a preservation plan, or even a preservation section of its comprehensive plan. Although the city's preservation program draws its viability from the strength of the initial policies established, the lack of a formal preservation policy has not only hurt the city by failing to provide for the protection of historic resources, it has also resulted in missed financial opportunities.⁶⁸

Heritage Preservation Districts

Saint Paul has adopted five Heritage Preservation Districts (historic districts), which range vastly in size and character. The first of these, the Historic Hill District, was listed on the National Register in 1976. The city at that time had no historic preservation program, but neighborhood organizations were insistent in declaring the need for a local Historic Preservation Commission, as well as local recognition of, and protection for, historic districts. Finally in 1980, Saint Paul designated the Historic Hill District as its first local historic preservation district, and charged the HPC with its oversight. A second Historic Preservation Commission was formed for the oversight of the Irvine Park Historic District in 1981. In 1983, the two commissions were merged to oversee both districts, as well as the newly designated Lowertown Heritage Preservation District. The Summit Avenue West Heritage Preservation District was created in 1991, and the Dayton's Bluff Historic District was added in 1992.

Although there are no city-wide preservation policies, the five historic districts each maintain their own specifically tailored guidelines and design standards. In general the guidelines for design review correspond to the Secretary of the Interior's Standards, and are fairly consistent throughout the districts. Of course, major renovations and new construction are particularly carefully reviewed. In general, though, the complexities of the five districts and the sheer number of the properties included,⁶⁹ ensure that the majority of the HPC's time is spent just in plan review.

Although all five of the districts were built at roughly the same time (1870s-early 1900s), they vary considerably in size, composition and character.⁷⁰ The districts' diverse qualities are as follows:

The Historic Hill District's over eight hundred structures are quite varied, from mansions to cottages. The district has met several criteria for consideration as a heritage preservation district; it contains outstanding examples of craftsmanship and design as well as excellent examples of the work of major architects, and the area is identified with people who significantly contributed to the culture and development of the city and the nation.⁷¹ The area's housing is distinctive in that it is an excellent representation of upper-middle class, late nineteenth-century tastes; it is also significant as a continuous whole, with relatively few intrusions or vacant lots. The Historic Hill District was added to the Minnesota State Register in 1973 and the National Register of Historic Places in 1976. Since then, it has been expanded twice.⁷² A section of the Historic Hill District, Crocus Hill, is included in the National Register area, but has not been locally designated.

Most of the houses are high Victorian, ranging from grand structures on the eastern end of Summit Avenue (considered to be the best-preserved and largest remaining Victorian street in America), to simple clapboard pattern-book vernacular housing, to multiple unit buildings erected when "flats" were the pinnacle of fashionable living at the turn of the century. Within the era of construction, there is a great amount of architectural diversity, ranging from early Italianates to the predominant Queen Anne style to the distinctly Midwestern Prairie Style. The primarily residential district includes one commercial street,

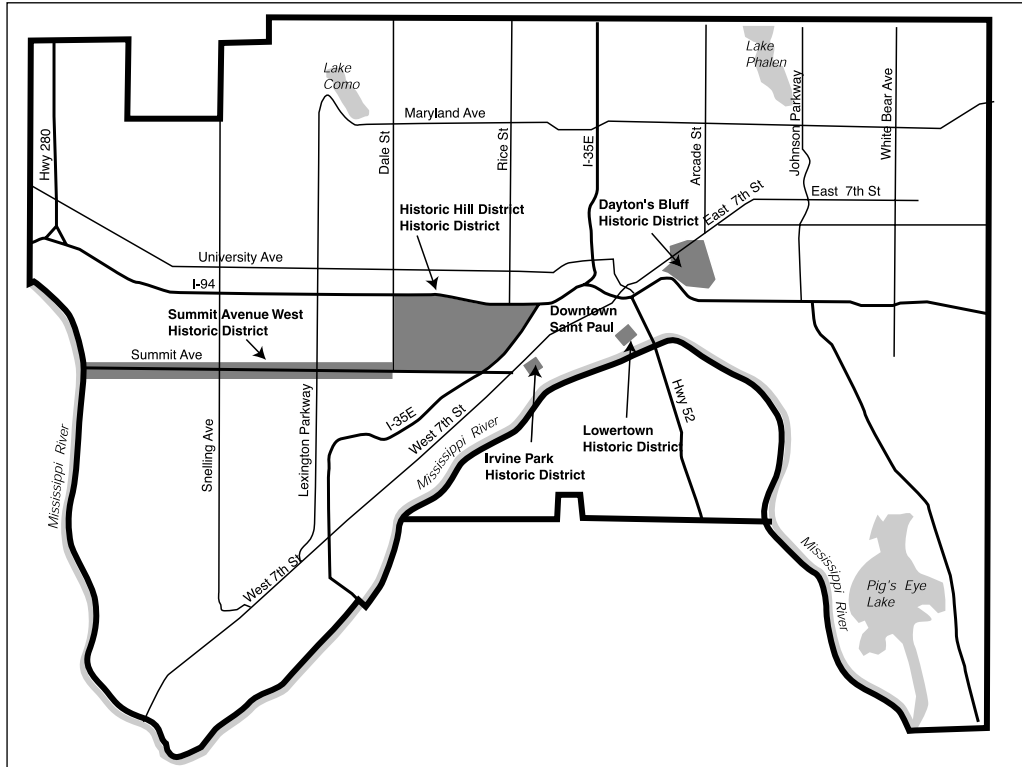


Figure 4: Historic Districts of Saint Paul.

Selby Avenue, with a “streetcar tradition” of shopping nodes. Most recently, many historic landmarks along Selby have been converted into restaurants and bars, as the street becomes an upscale entertainment district for the city.

The Irvine Park District is quite small, encompassing just a few blocks and less than fifty structures. It stands as the “only complete representation of residential development in the metropolitan area from the start of white settlement in the late 1840s until the close of the nineteenth century,”⁷³ representing an exceptionally long development period for the city of Saint Paul. Irvine Park, designated in 1981, shares a number of characteristics with the Historic Hill District, including varied architectural styles, excellent



Figure 5: Typical Homes in the Historic Hill District.



Figure 6: Irvine Park Historic District.

design and craftsmanship standards, and an association with important figures in city, state and national history. The Irvine Park District was listed on the National Register in 1973.

The district is characterized by diverse architectural styles (including Federal, Greek Revival, Gothic Revival, French Second Empire, Italianate, Queen Anne and Romanesque Revival), all oriented towards the public green space of Irvine Park, an enchanting public park

dedicated to the city in 1849. The park itself is also a historic resource — perhaps more so than several of the houses along it, which have been moved in from other locations. The area remains almost exclusively residential, with the exception of a restaurant overlooking the park.

The Lowertown Historic Preservation District demonstrates a vibrant mix of commercial and residential uses. This district is comprised almost exclusively of large brick or stone warehouses built between 1880-1920, demonstrating the industrial and commercial heritage of the city. Of the forty-four buildings within the sixteen block area of the district, all but four are classified as either pivotal or supportive to the district.⁷⁴ Lowertown was both designated Saint Paul's third historic district and listed on the National Register in 1983.

Lowertown is a classic urban warehouse district. Its buildings are generally Romanesque, Beaux Arts or Classical Revival in style, faced in brick or stone, and incorporating a vertical and horizontal rhythm in their facades that is accented by piers, string courses and fenestration. This rhythm has been likened to the three main parts of a column: the base, the shaft, and the capital. The older buildings (before the turn of the century) feature ornate Victorian ornamentation (including cast iron storefronts) and run 4-7 stories in height; later buildings are simpler, taller, and more massive in scale. The massing of the buildings is highlighted by their orientation around another of Saint Paul's oldest public spaces, Smith Park,⁷⁵ which was dedicated to the city in 1849.

The designation of Lowertown as a historic district served as a catalyst for the economic development of the area. The private non-profit development corporation Artspace has combined renovation and affordable housing tax credits to develop two thriving artist cooperatives, the Northern and the Tilsner, with several other private renovations following suit. In 1991, Mears Park was redesigned, and the nearby downtown Farmer's Market continues to draw weekend crowds.

The Summit Avenue West District is distinctive because it was established not to revitalize a depressed yet historically significant neighborhood, but rather to protect the approximately three hundred impressive homes of the Avenue from improper



Figure 7: Lowertown.



Figure 8: Summit Avenue Houses.

alterations or inappropriate infill construction.⁷⁶ As such, many of its guidelines are significantly less strict than the other heritage preservation districts. Summit Avenue West was designated by city in 1991 and the National Register in 1993.

Summit Avenue is considered Saint Paul's jewel, lined with stately large homes and luxurious public boulevards and greenspace. It again meets criteria shared by the above districts: excellent examples of quality workmanship, as well as work by prominent architects and association with the lives of prominent civic and social leaders. It represents "an early planning effort to create an exclusive residential area"⁷⁷ whose style is "architecturally diverse within an overall pattern of harmony and continuity."⁷⁸ As early as 1915, the future quality of the avenue was ensured by an ordinance restricting Summit Avenue to one and two family residential, church and school uses. The current historic designation should protect it for years to come.

The Dayton's Bluff Historic District is Saint Paul's newest historic district. It is the city's largest historic preservation district, with over a thousand houses ranging in style from Italianate and Queen Anne mansions to simple Arts and Crafts bungalows, and is often considered more representative of the "average, working class"⁷⁹ resident than the above neighborhoods. Dayton's Bluff achieved local designation in 1992, but is not included in the National Register of Historic Places.

Dayton's Bluff faces a number of unique challenges, including broad ethnic and economic diversity, a dilapidated housing stock that is less grand and immediately evident in value than the other districts, and an agenda to preserve also the neighborhood's outstanding natural features, including the river bluff and Swede Hollow Park. Nevertheless, the neighborhood is extremely committed to, and involved in, preservation, understanding that it serves as a catalyst to economic and community revitalization. Its apparent weaknesses may indeed be its greatest strengths — its current ethnic diversity is reminiscent of a past that gave one of its neighborhoods the name "Swede Hollow," its housing is diverse and relatively intact, and its unusual terrain ensures that "the broad vistas of the river and downtown Saint Paul remain among the reasons new residents are drawn to this unique neighborhood"⁸⁰ Dayton's Bluff is one of Saint Paul's newest success stories, with thriving businesses, unique community partnerships such as the Children's Garden (which sells its produce to stores and restaurants citywide), and housing that is in great demand.



Figure 9: Dayton's Bluff.

Historic Preservation Commission Standards

The general HPC standards differentiate between minor work — generally repair and replacement, moderate work — additions and larger alterations, and major work — including new construction and demolition.⁸¹ Additionally, each diverse district each maintains its own guidelines and design standards, ranging from a few typewritten pages⁸² to detailed, illustrated principles.⁸³ The most successful of the

design review guidelines are those that give illustrated examples of the kinds of alterations that are permitted or discouraged, as well as visual examples of the kind of building stock indigenous to the district.

Perhaps most notably, neither the HPC standards nor individual district guidelines refer to the historic integrity of a structure or an area as a crucial value. Designation is based on the original quality of the structures, rather than on their current state. Thus, some historic district are more intact, or in better physical condition, than others.

The following points are consistent among all of the districts:

The Secretary of the Interior's Standards. All of the guidelines refer to the Secretary's Standards as the general principles for restoration and rehabilitation. The Standards, as used in the district guidelines, are concerned mainly with establishing a property as a building within its own time, preserving distinguishing features, and undertaking sensitive additions or replacements.

The restoration and renovation of existing structures. All five of the sets of guidelines address certain aspects of existing structures, including: masonry, walls and foundations, siding and surface treatment,⁸⁴ roofs and chimneys, windows and doors, porches and steps, and exterior architectural features. The guidelines address appropriate renovation and repair of these features, occasionally providing visual examples. They do not address color, and all state their intentions of flexibility within the guidelines. Most of these elements are minor changes, with a few perhaps falling into the moderate range.

New construction. All five of the districts cite the following considerations for new construction: massing, height and scale, rhythm and directional emphasis, and materials and detailing. Standard site considerations addressed are setbacks, landscaping, and parking. In addition, they address the following building elements for both new construction and for larger additions: roofs, windows and doors, and porches and decks. Almost all of these instances would fall into the major work category of the HPC standards, and would thus undergo substantial design review.

The neighborhood as a whole. All five of the plans address not merely specific properties, but also the concept of the district as a complete neighborhood. As such, they address the issues of public infrastructure (lighting, sidewalks, etc.), storefronts, and signage. Dayton's Bluff also addresses fences and retaining walls.

Demolition. Four of the plans⁸⁵ refer to the following section of the Saint Paul Legislative Code:

In the case of the proposed demolition of a building, prior to the approval of said demolition, the commission shall make written findings on the following: the architectural and historical merit of the building, the effect of demolition on surrounding buildings, the effect of any proposed new construction on the remainder of the building (in case of partial demolition) and on surrounding buildings, and the economic value or usefulness of the building as it now exists or if altered or modified in comparison with the value or usefulness of any proposed structures designated to replace the present building or buildings.⁸⁶

House moving. Four of the five plans evaluate house moving by the same standards as demolition, rationalizing that a house removed from its original site has lost much of its historic context. Dayton's Bluff does not refer to house moving in its guidelines.

Because these guidelines take such pains to be generally appropriate yet flexible, and because they are so exceptionally standardized as to their treatment of individual elements and in their recognition of the Secretary of the Interior's Standards, the guidelines for the five districts stand as a valuable resource to design review in the city of Saint Paul. With care, the technical assistance they provide could easily be extended to homeowners throughout the city who seek to appropriately renovate any older home.

Saint Paul's District Councils

One of the main factors cited for the success of PED's community involvement program is Saint Paul's innovative district council structure. Created in 1975 as a citizen participation vehicle, the program originally divided the city into seventeen community councils. PED assigned a planner to each district council, and assisted in the creation of the neighborhood's small area plan. In return, the district council provided input on planning issues and a grassroots forum for community involvement. The relationship between the district councils and PED at that time was extremely close:

The partnership between PED and district councils is not driven by either; it is automatic...[The level of trust] is established well enough now that when district councils and the city disagree, we know that it doesn't make the whole process fall apart. The process...[provides] a forum for compromise. We try for win-win situations.⁸⁷

Though most of those ties were cut during the department's 1994 restructuring, Saint Paul's current nineteen⁸⁸ district councils still thrive as mechanisms for community involvement, with important voices in city governance.

The district council concept has been lauded as an exemplary means of community involvement, and has won awards for its innovation from groups such as the National League of Cities. Former Saint Paul mayor Jim Scheibel commented in 1984:

Saint Paul was one of the first cities to recognize that it worked to government's advantage to have organized groups in each neighborhood. When people see how decisions are made, they become more understanding of the differences between people.⁸⁹

Indeed, a number of councilmembers and other community leaders have come through the district council ranks. The councils also provided a unique way for the average citizen to have an important voice in the city's governance:

Before the district council system, City Council meetings were marked by confrontation politics as neighborhoods found City Hall the only place to go to oppose local projects.⁹⁰

Previously, issues would explode in City Council because it was the only way neighborhoods had of expressing their opinions or getting involved.⁹¹

Though funded primarily by the city, each district council is in fact an individual non-profit corporation, responsible for its own programming, budgeting, and fundraising. Geographically, the councils were established around already established neighborhoods whose sense of community was already identifiable, rather than by ward, precinct, or school district.

District council board members are elected directly by the public that they represent. As part of their contract with the city, the councils are required to solicit community input on land use matters. Most also receive city funding for neighborhood-based crime control and for community clean-ups. Other programs are as diverse as the councils and the neighborhoods they represent: senior chore services, childcare, even a housing cooperative.

Based both on their original charter and their current functions, the bulk of each district council's duties, however, consists of ensuring community participation in land use matters. When LIEP receives an application for such an issue,⁹² that office is charged with soliciting community input on the issue through the district council.

District Council Interviews

In the fall of 2000, I conducted interviews with representatives from the community councils regarding land use, sense of community character, the relationship to the city, and community participation. Eighteen of the nineteen district councils indicated that their interest in participating in the project stemmed from pride in their activities and a desire to effect better communication with the city.

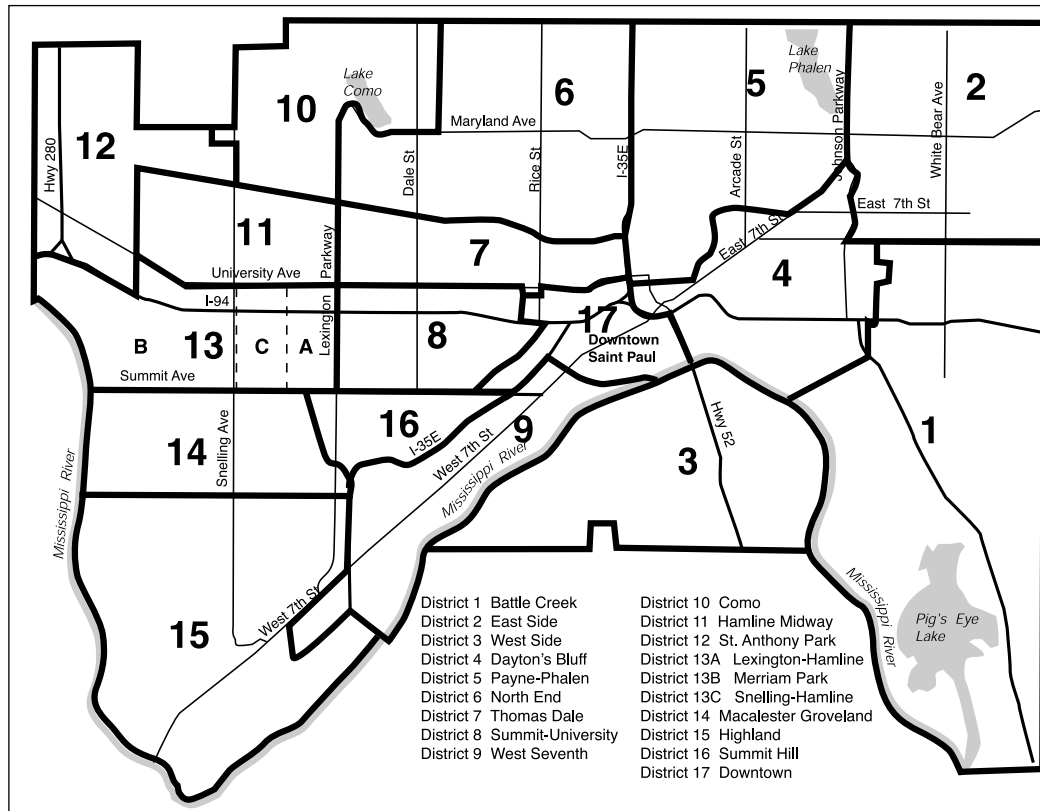


Figure 10: Saint Paul's District Councils.

Only one district council⁹³ declined to participate because city-wide research projects “don’t serve neighborhood priorities or interests significantly enough to justify the time staffmembers or volunteers devote to them.”⁹⁴ The interviews covered a number of specific topics: land use policies and activities, community meetings regarding land use issues, neighborhood debate on aesthetics, community character, history and sense of place, controversial land use issues, the relationship of the historic district to the larger community (when present), and other major council activities and concerns.⁹⁵

Not surprisingly, most of the councils interviewed had fairly similar procedures for obtaining community input on reactive issues such as an application for a major variance. Almost all of the councils have a land use committee that has developed a level of expertise on the subject. Some, such as Payne-Phalen, describe these committees as “very sophisticated” in their understanding of zoning and related issues. Once the council has received notification of an issue from LIEP, they usually hold a community meeting, depending on their criteria. Summit-University’s standing rules, for example, require that they hold a community issues meeting for “an application for a major variance, a rezoning, a special conditional use permit, or a request for tentative developer status,”⁹⁶ but often the council holds meetings on other issues they deem important to the community, such as requests for a liquor licenses.

The community meetings vary as to their size and notification; in some smaller districts, they are informal gatherings with just the applicant and the immediate neighbors, while other district councils call residents, poster, and flyer all businesses and residences within 300-500 feet of the proposed site. The decision from the community meeting informs the land use committee, who then makes a recommendation. In several of the more active neighborhoods, such as St. Anthony Park, Payne-Phalen, Summit-University and Summit Hill, the recommendation from the land use committee clarifies the community response by relating it to city code; in a Summit-University case, for example, the community enthusiastically supported a project that allowed six units in a newly constructed building rather than the four allowed by city code. The land use committee refined the motion to recommend “That the Summit-

University Planning Council support the configuration variance to allow six units in a single building, as opposed to rezoning the site, due to the intent of the code, the special circumstances of the historic district, and the council's historic opposition to spot rezoning."⁹⁷ For about half the district councils, the land use committee's recommendation is passed along directly to the city (usually because of time restraints); several of the other district councils require that the recommendation be considered by the entire board before it is submitted.

The great amount of time and effort spent by the district councils on these issues is particularly remarkable because it reflects a disconnect between the attitudes of the councils and city staff, who "have never met a variance they didn't love."⁹⁸ A key frustration of most of the councils surveyed was that their boards took their responsibilities very seriously and that they went to great lengths to gather community input and to carefully consider the neighborhood impact of each individual case — only to be disregarded by city staff, who were prone to easy approval of even the most complex cases. Several interviewees indicated that they believed that their board members had a much stronger understanding of city code and its relationship to the individual situation in question than did city staff, and that they were angry that their neighborhood's preferences, opinions and decisions were not being adequately reflected. Every single district council interviewed remarked that the community input process was very hurried, that they only had a few days to solicit community input due to notification timing from LIEP, and that they often simply could not hold the required meetings or get board approval on a recommendation due to the limited timeframe.

Indeed, it is perhaps these small individual cases that are crucial to the consideration of community character in Saint Paul and thus to the potential success of programs such as conservation districts. They reflect a number of issues: knowledgeable district councils who have proved themselves willing and able to consider controversial issues, active community members who still turn out for meetings, and on the other side a fundamental disconnect between the city government and its constituency and a wholesale devaluation of zoning codes due to timing issues and a lack of consideration of community values. The overwhelming sense was that these individual situations were diminishing the community, one small bit at a time.

District Council Planning Efforts

Moving from these specific instances, I turned next to an investigation of proactive planning carried out by the district councils. PED discontinued district council comprehensive plans in the late 1990s, turning instead to small area plans addressing "hot spots" such as commercial corridors or redevelopment sites. Some councils still create their own plans, however; Macalester-Groveland, for example, has a separate long-range planning committee that just produced a district plan with nine major areas of focus: land use, housing, transportation, public utilities, urban design, social/recreational, public safety, environment, and economic development.⁹⁹ This plan is deeply concerned with the neighborhood's community character as a primarily single-family, residential area that is pedestrian-friendly and environmentally aware, with a successful core commercial cluster. Recommendations towards this goal include home improvement incentives, traffic calming, noise abatement, commercial fix-up programs, and a number of specific initiatives such as lead water main replacement, boulevard stump removal, and alley lighting.

Though most of the district councils do not have as sophisticated a plan as Macalester-Groveland, they all indicated that community character was a primary concern of their constituency. The individual situations vary: Merriam Park is especially concerned with the relationship between their small industrial area and adjoining residences; Thomas-Dale has been struggling with respecting the cultures of its influx of new Somali and Hmong residents while preserving the neighborhood's traditional heritage; the East Side has recognized the importance of some of its recent past such as its main 1960s era shopping center; Dayton's Bluff is particularly focused on deferred maintenance on some of the absentee-owned rental property. What all of these groups have in common is their pride in the importance of their individual neighborhood and its specific characteristics as a part of a diverse and vibrant Saint Paul. Every district

council indicated a desire for a better means of preserving their community character and more protection of their unique, community-identified assets.

Most of the community councils identified common larger land use issues and controversies: gentrification, affordable housing, unlicensed automotive repair, the aesthetics of both deferred maintenance and poor quality new construction, poor infrastructure, diversity and race issues, and the importance of recognizing historic sites and patterns. Though each district is inherently distinctive, these issues were universal, from the relatively more wealthy Summit Hill and Highland areas to the less affluent North End and Thomas-Dale neighborhoods. Regardless of the area's economic status, it appears that each of the community councils has the capacity to address these issues, but with very little city planning or support.

Saint Paul Summarized

This chapter reveals a number of challenges for the city of Saint Paul, yet also a great deal of hope. The city has a vibrant and exciting history, an extremely well established planning base, a strong historic district program, and perhaps most importantly, an excellent citizen participation vehicle in the district councils. Recent initiatives, such as the Design Districts, overlay zoning areas, and the Historic Saint Paul Foundation demonstrate exciting new ideas and great development potential. The city is supported by the policies of the Metropolitan Council and is fortunate in having an active and involved legislative delegation.

Recently, neighborhood based planning has been neglected. Community councils feel that their valuable relationship to the city has been compromised, and often basic zoning regulations are not respected. Many historic resources are endangered, and the neighborhoods are quickly losing their identifiable sense of place and community. As former PED staffperson Stacy Becker commented in a recent editorial:

Historic preservation is about more than vintage architecture. People have a need to feel they are part of something bigger than themselves. Cities fill this need, for embedded in the physical form of a city are stories of our collective past. When we build, we reshape the city, leaving an imprint connecting us to the future. If history is so readily expendable, then what of our work? Of us? The buildings we build lose their meaning and so do our cities...¹⁰⁰

The strong role that historic preservation has played in the development of Saint Paul as a thriving metropolitan area is one of the key reasons that Saint Paul stands as one of America's most livable cities. Residents are proud of their city's past and eager to protect it. Saint Paul needs to return to the initial preservation policies established in response to the community's participation, and to commit to maintaining and promoting these policies if it is to survive as a unique and desirable metropolitan area. Innovative techniques, such as conservation districts, may be just the way to achieve such a goal.

CHAPTER IV CONSERVATION DISTRICTS

Introduction

In 1991, when three major studies of American conservation districts were completed,¹⁰¹ the concept was new and unproven, but at the same time well-defined. Approximately thirty cities had conservation district programs, many of which were carefully analyzed in the studies. All of these programs were in major urban areas; these communities had initiated conservation districts in order to address issues not adequately covered by their historic districts and preservation ordinances; the districts were administered by the local historical agency in about half of the cases and by the city planning department in the other half; the districts tended primarily to regulate major activities, such as new construction and demolition; and design guidelines, selection criteria, and other elements were generally more flexible variations of the historic district regulations. Though the programs were diverse, depending on the individual circumstances of each city, they were similar enough to be characterized as the first wave of a conservation district movement.

Ten years later, the conservation district concept is somewhat different. Communities of varying size have introduced the concept, from Atlanta, Georgia to Huntington Beach, California, from Lincoln, Nebraska to Boston, Massachusetts. Conservation districts are gaining ground as flexible alternatives to historic districts, a hybrid planning/preservation tool that can uniquely meet many neighborhood revitalization needs. In order to understand the special characteristics and potential of conservation districts, I completed a broad study of current American conservation districts in the fall of 2000.

The concept has become so widespread that it would be almost impossible to conduct a full study of every extant conservation district in the nation. Therefore, I concentrated my efforts on the following cities:

- Phoenix, Arizona
- Huntington Beach, California
- Iowa City, Iowa
- Boston, Massachusetts
- Bozeman, Montana
- Omaha, Nebraska
- Portland, Oregon
- Memphis, Tennessee
- Dallas, Texas
- Roanoke, Virginia
- Davis, California
- Atlanta, Georgia
- Eastport, Maryland
- Cambridge, Massachusetts
- Lincoln, Nebraska
- Raleigh, North Carolina
- Knoxville, Tennessee
- Nashville, Tennessee
- Fort Worth, Texas
- Tacoma, Washington

From my research and interviews, I am confident that this selection of cities provides a varied and diverse cross section of existing American conservation district programs that accurately represents the state of the movement today. In addition, I investigated Albuquerque, New Mexico, which has a conservation district ordinance on the books but none in practice, and Philadelphia, Pennsylvania, which developed a comprehensive conservation district program, though it has not been enacted.

Finally, I considered instances where conservation districts were considered and might have been appropriate, but were not chosen. The two cases cited here are Elgin, Illinois and Louisville, Kentucky.

Summary by City

In earlier studies conducted by Carol Zellie, the American Planning Association and Kelly/Goodman, the authors were able to neatly summarize selected conservation districts in a comparative chart.¹⁰² In my research, I was unable to draw such clear conclusions for two reasons. First, conservation districts have evolved so much in size and complexity, with so many individualized situations, that they can no longer be neatly summarized for standard elements. To do so would be like attempting to compare historic preservation districts, or even different zoning codes; they are simply, at this point, too dissimilar in too many of the cases. Second, in conducting follow-up research on the two above-referenced studies, I

discovered that many of the elements compared have changed significantly since the early 1990s, enough so that the previous summaries were sometimes inaccurate.

In an effort to avoid prematurely dating this research, and also in order to present the information in a new and different manner, I have eschewed the charts favored by previous studies and addressed some of the key features of conservation districts in a broader, more comprehensive narrative.

Phoenix, Arizona has adopted a “Village Planning Focus.” The goals of the plan are to: balance housing and employment opportunities, concentrate intensity in village cores, and promote the unique character and identity of each village.¹⁰³ Thus, guidelines are particular to the specific needs of each neighborhood; for example, one popular technique is to downzone the neighborhood, reducing density in hopes of preventing demolition and infill construction. These Special Planning Districts are “intended as a means for property owners to initiate and implement plans for the revitalization and conservation of neighborhoods”¹⁰⁴ — they are planning regulations that have a corollary effect on historic preservation.

Davis, California is currently in the process of establishing conservation districts for the area bounded by the original 1917 Davis city limits. These neighborhoods, which include the central business district and its three adjacent neighborhoods, are engaged in an extensive community participation process that will determine the eventual design guidelines and selection criteria. Initial goals are to: protect and preserve the neighborhood character, fabric, and setting; discourage demolition; plan for new commercial and residential infill construction; and to foster downtown economic development.¹⁰⁵

Huntington Beach, California, which is a much smaller urban area than others considered here, has also successfully adopted a Neighborhood Conservation Overlay District. The ordinance is designed to “allow property owners to initiate and implement programs for the revitalization or conservation of older areas or districts possessing distinctive features, identity, or character worthy of retention and enhancement.”¹⁰⁶ The ordinance also calls for a Master Conservation Plan.

Atlanta, Georgia calls its districts “Historic and Cultural Conservation Districts.” These districts must possess historic, architectural, or cultural significance, although it is acknowledged that alterations may have occurred. Exterior work in the conservation districts does not call for the detailed certificates of appropriateness that Atlanta’s historic districts require, but the Historic Commission must still review new construction, demolition/relocation, and exterior alterations.¹⁰⁷

Iowa City, Iowa has introduced conservation districts as a new preservation tool this year. The city also utilizes design standards for multi-family residences, and has five historic districts. A more thorough analysis of Iowa City’s program is conducted later in the chapter.¹⁰⁸

Eastport, Maryland, has adopted a Residential Conservation Overlay District in order to: encourage traditional urban design and to protect architectural features and neighborhood scale and character, encourage compatibility of new construction and structural alterations with existing properties, promote mixed land use that reflects traditional community patterns, and preserve streetscapes.¹⁰⁹ Particularly important to Eastport was the preservation of a distinct community character, as separate from Annapolis proper, since it had been an independent town prior to its annexation by the city of Annapolis in 1951.

Boston, Massachusetts was the first American city to enact conservation district legislation. Its Architectural Conservation Districts are very traditional and similar to the city’s historic districts. There is little to no connection between Boston’s and Cambridge’s programs, though the cities are adjacent.¹¹⁰

Cambridge, Massachusetts has developed sophisticated conservation districts that work in conjunction with the city’s historic districts, its preservation easement policy, its preservation grant funds and its extremely strong demolition delay ordinance. Cambridge is another of the case studies investigated later in the chapter.¹¹¹

Bozeman, Montana is unusual in that the entire core city is designated a conservation district, with eight separate National Register districts given additional protection within the boundaries of the larger conservation district. Bozeman has also developed a number of preservation incentives, including the Design Services Bank, and is discussed at greater length later in the chapter.¹¹²

Lincoln, Nebraska had previously enacted neighborhood design standards applying to all new construction in its conservation districts. In May, 2000 the city voted to eliminate the conservation districts and make the design standards applicable to all new construction in its R-4 through R-8 zoning categories.¹¹³

Omaha, Nebraska intends its conservation overlay districts to “accommodate unique land use, urban design, and other distinctive features of older established neighborhoods.”¹¹⁴ It calls for a neighborhood conservation plan as an integral part of the city’s comprehensive plan.

Raleigh, North Carolina has established a very minimalist, neighborhood-based overlay conservation district program that regulates primarily new construction. It does not require design review or standards for the conservation districts. However, prior to being designated as a district, a neighborhood must draft a neighborhood conservation plan addressing neighborhood history, land use, housing stock, characteristics of the built environment, capital improvement, and commercial development and revitalization.¹¹⁵

Portland, Oregon’s conservation districts are an unusual hybrid. The city’s historic preservation ordinance establishes several levels of designation, including individual historic landmarks, conservation landmarks, historic districts, and conservation districts. The ordinance also outlines demolition review and demolition delay standards. Portland offers a Community Design Standards process as an alternative to historic design review for conservation landmarks located outside the central city, conservation districts, and for the Albina Community Plan District.¹¹⁶ Finally, the city has developed an elaborate set of zoning incentives applicable to all historic and conservation districts, including: transfer of density and Floor Area Ratios (FARs), additional density provisions in single-dwelling and multi-dwelling zones, daycare in residential zones, non-residential uses in the “RX” zone, and conditional uses in historic landmarks.¹¹⁷

Knoxville, Tennessee has enacted a Neighborhood Conservation Overlay District ordinance which has proven to be highly controversial in neighborhoods such as Fort Sanders, whose residents claim that such regulations infringe upon private property rights and cause a decrease in property values.¹¹⁸ The purposes of the Knoxville ordinance are very basic, including encouraging development conforming to the size, orientation and setting of the neighborhood, avoiding the need for major variances by means of a more inclusive zoning code, and regulating demolition.¹¹⁹

Memphis, Tennessee currently has two conservation districts and eight historic preservation districts. In historic districts, all major work — new construction, demolition, relocation and exterior alteration — is reviewed, while in conservation districts, review is required only when “habitable space” is increased (including new construction and demolition). Several Memphis neighborhoods are currently considering conservation district status.¹²⁰

Nashville, Tennessee was an early leader in the establishment of conservation districts. Its ordinance originally established historic districts and conservation districts on equal footing but with separate goals, rather than adding conservation districts later as most other cities have done. A more thorough analysis of the Nashville program follows later in the chapter.¹²¹

Dallas, Texas has a stable conservation district overlay program that works in cooperation with its historic district overlays. The city also has an extensive tax incentive program that divides the city into several areas, including focusing on the “eight endangered neighborhoods” and outlines a variety of programs ranging from restoration to façade easements to a transfer of development rights. Because so many more intensive options are available, the conservation overlay districts are not widely used.¹²²

Fort Worth, Texas has also established conservation district overlays. The city has three local historic districts and five conservation districts. In Fort Worth’s current comprehensive plan, preservation is an important policy goal encompassing a number of elements, including a demolition delay process, government-nonprofit partnerships, and the designation of Highly Significant Endangered properties.¹²³ However, the city’s comprehensive plan, as well as preservation staff interviewed, both declare conservation districts to be of limited use for the city — mainly because the enabling legislation provides

for little design review and no non-compliance penalties within the conservation districts. Preservation Planner Shannon Peterson states that “if people are truly interested in preserving their neighborhood they go for historic district status,” with conservation districts generally reserved for areas of more questionable integrity or architectural merit.¹²⁴ Fort Worth has had success, however, in using conservation districts as mechanisms to preserve the recent past, which are ineligible for designation as full-fledged historic districts.

Roanoke, Virginia calls its conservation districts “Neighborhood Preservation Districts,” with standards and regulations almost identical to those of its historic districts. Design review and designation are advisory only to the applicant.¹²⁵

Tacoma, Washington initiated conservation districts as part of its Union Station Redevelopment Master Plan begun in 1989. Tacoma’s conservation districts are by definition established as buffer zones to the historic districts, designed to ensure an appropriate quality of development and mix of uses for the larger area.¹²⁶

Overlay Zoning

A common characteristic of all the cities mentioned above is their use of overlay zoning to regulate land use in their conservation districts.

In overlay zoning, special zoning provisions are deemed necessary due to an area’s particular resources or development needs. These provisions are then placed on the zoning map over the traditional zoning district, adding an additional layer of regulation to the base zoning. The area is thus subject to the rules of both the underlying zoning and of the overlay zone, which may be more restrictive or more expansive than the base zoning. In case of a conflict among regulations, the stricter standard generally applies. Overlay zoning is characteristically flexible in application and may be coterminous with existing zoning districts, or may cover only parts of one or more such districts. In general, “overlay zoning was born of the necessity to add an additional dimension of land use control to the zoning map for some special public purpose that does not coincide with the boundaries of current zoning.”¹²⁷

When used in conjunction with traditional Euclidean zoning,¹²⁸ overlay zoning can be an extremely effective land use control. Rather than having to develop numerous kinds of specific zoning, a

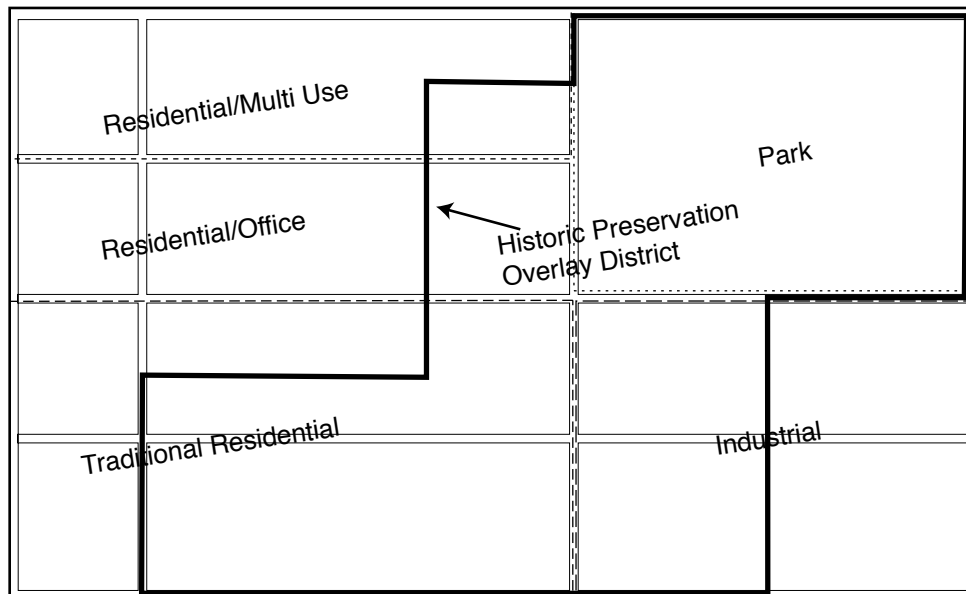


Figure 11: Overlay Zoning.

municipality can adopt very basic categories such as single family residential, multi family residential, and commercial, and then refine the zoning through the overlying classifications.

Overlay zoning was first developed in the 1960s to address environmental conservation areas. Since then, it has also been recognized for its applicability to preservation areas and business districts.

Because of its importance in land use regulation of conservation districts, overlay zoning should be considered the *de facto* standard for American conservation districts, and for some historic districts as well.

Two Models

The individual consideration of each municipality gives one a good understanding of the role of conservation districts in that community and the planning goals they hope to achieve. Overlay zoning summarizes land use techniques. For a better understanding of the general conservation district concept, however, one must consider the bigger picture, ranging from the rationale for the districts, to the political factors that affect them, to the various kinds of activities that they regulate.

The previously defined working definition of a conservation district informs this comparison: that of a neighborhood with a distinct sense of place, protected by land use regulation, with diverse uses and social conditions and a strong political will, with design guidelines most frequently regulating new construction, demolition, structure relocation and/or major exterior alterations, and put into place as a flexible alternative to historic districts.

Carol Zellie remarked wryly in her 1991 study of American conservation districts that the “twenty ordinances were twenty separate variances of a theme related to the conservation of neighborhood character.”¹²⁹ She did, however, propose a primary delineation between the kinds of districts as the “neighborhood planning model” and the “architectural or historic preservation model.”¹³⁰ This difference in intent, simple as it may seem, still indicates a defining difference for some kinds of conservation districts.

For example, the mechanics of a district’s designation, as provided for in its enabling legislation, are often determined by this intent. In districts that have a more defined preservation focus, such as Nashville, Memphis, or Boston, the status can be requested by either the residents or the historical commission. Often these cities have very particular architectural criteria, such as guidelines that are a variation of the Secretary’s Standards; Bozeman is one case where guidelines for both historic and conservation districts are taken almost directly from the Secretary’s Standards. In communities where the districts feature a planning bent, such as Raleigh or Phoenix, it is generally the residents who request designation, though the planning commission is also empowered to do so. These districts often have broader designation criteria and place a greater emphasis on social, political, and cultural factors than on individual structures.

Most of the cities favoring the architectural/preservation model require that the proposed conservation districts have achieved citywide significance in order to be designated, while those under the neighborhood planning model are more concerned with the community’s stability, maintenance and enhancement. Finally, the district’s administration characteristically follows these lines, with the local historical commission tending to regulate architectural/preservation oriented districts, and the planning or zoning department handling those with a neighborhood planning focus. These generalizations, originally proposed for the cities included in the 1991 studies, have proved applicable to many of the conservation districts implemented since then, indicating that this dual model of a neighborhood planning focus versus an architectural or historic preservation orientation can be a central theme for conservation districts.

The Relationship to Historic Districts

One key factor that has changed since the 1991 studies is the relationship of conservation districts to the municipalities’ historic districts. Originally, all cities implementing conservation districts also had historic districts; Nashville established the two simultaneously with a dual ordinance, while other cities

added conservation districts later to fill needs unmet by the historic districts. In some cases, the relationship between historic and conservation districts is very direct — in Tacoma, for example, the criteria for designation states:

The area should normally be established surrounding a proposed or established historic district and shall possess special historic, architectural or cultural significance as part of the heritage of the city. A conservation district shall be of lesser historic significance than a historic district, which fully meets all the city's criteria for landmark designation.¹³¹

In other cities, such as Atlanta, conservation districts are considered appropriate for neighborhoods that have sufficient architectural or historic merit to be designated as a historic district, but in which the integrity of the structures is significantly impaired. An early hope was that these areas would act as “incubators,” and that, with greater public education and access to funding, they would eventually be upgraded to historic district status. Nashville hoped for such a progression with its Lockeland Springs-East End neighborhood, a 1,200 structure working class neighborhood near its downtown, designated in 1985. Although Lockeland Springs-East End has been successful in stabilizing property values and in regulating new construction, the area has not been converted to a historic district, and attempts to expand its size have been defeated. To date, no city has been successful in converting a neighborhood from a conservation district to a historic district.

Two of the biggest weaknesses of conservation districts, as a concept, stem from their uncertain relationship to historic districts. The first is that there seems to be both citizen and governmental confusion about the differences between the two kinds of districts — their boundaries, goals, qualifications and requirements. This seems to happen most often in the cities where both districts are monitored by the historical commission, and in which the designation and regulation criteria are very similar, such as Memphis. Some cities, such as Cambridge, are extremely aware of this flaw, and attempt to compensate and differentiate between the two by requiring each conservation district to draft its own specific guidelines.

The second major problem often attributed to conservation districts is their relative lack of enforceability. Again, this tends to occur most often where the conservation districts are administered by historic commissions, and happens most frequently in cases in which:

- the two kinds of districts have the same criteria, but where historic district review is binding and conservation district review it is merely advisory
- the districts regulate different activities, but the rationale for this difference is unclear
- the districts regulate the same activities, but have different levels of enforcement,¹³² due either to a lack of political or popular support for the conservation districts, or to a poor relationship between the historical commission and the city's planning division

In all of these cases, the critical distinction in these situations is not only what is reviewed and protected, but also how it is communicated and promoted.

Recent initiatives have done much to address some of these issues. Some cities, such as Memphis, have found that creating neighborhood specific guidelines is the best way to give necessary definition without sacrificing flexibility. Other cities, like Nashville, have found the key to be educational outreach — as property owners grow to understand more about their building and the neighborhood, they take a more active role in its governance. Often cities like Tacoma or Bozeman, who use conservation districts as buffer zones to established historic districts, are able to capitalize on a “compare and contrast” model, where conservation districts gain part of their meaning in terms of a relationship to the historic district.

Of particular interest are the lessons that newly created conservation districts have taken from the established ones. Davis, for example, has decided against implementing historic districts, deciding instead on a city-wide network of conservation areas. Other cities, such as Portland or Iowa City, enhance their conservation districts with design district options. Conservation districts are becoming more finely honed tools to deal with specific situations.

Political Will

The final, most difficult to characterize, and arguably most important issue facing the future success of conservation districts is political will. Too often, conservation districts have been forged as an unhappy compromise between those who want increased regulation and those, such as the property rights movement, who want less. Cities promote the districts for their flexibility, yet deny them enforceability. Carol Zellie's study postulates that "this occurs primarily where there exists inadequate state or local legislation or local political support to create or administer historic districts"¹³³ — a particularly telling statement when one considers that every one of the twenty cities Zellie includes in the study did indeed also administer historic districts at the time. In all cities whose conservation district programs are successful, local government is strongly supportive of the concept; several of the struggling programs cite political disenfranchisement as one of their biggest challenges.

The will of the citizenry is equally crucial; when speaking of the difficulties of establishing the city's most recent conservation district, The Marsh, Cambridge Preservation Planner Sarah Zimmerman vows that she "will never again move forward on the designation of a conservation district without proof of significant community will."¹³⁴ To be successful, conservation districts must be implemented as a neighborhood driven tool to address a unique neighborhood situation, rather than as a second rate historic district that the community finds more palatable due to its comparative lack of regulation.

Case Studies

Because conservation districts are by nature so dependent upon the particular circumstances of the community, it becomes difficult to fully understand them by general comparison. In order to really grasp their strengths, weaknesses, and effects, it is imperative to consider individual case studies. I have chosen four cities for a more in-depth profile. Cambridge and Nashville are cities from the first wave of conservation districts, whose programs are relatively advanced and sophisticated; Bozeman was also one of the first wave of cities, but the program has grown enormously since then; Iowa City introduced its first conservation district in the fall of 2000.

Nashville

Nashville, Tennessee credits much of the success of its conservation district program to its local enabling legislation, an ordinance that gives historic and conservation districts equal status and similar operation. The conservation districts are administered by the Metropolitan Historic Zoning Commission (MHZC), which shares staff and space with the Historical Commission but is its own separate entity.

The goals of the original ordinance for both kinds of districts were to preserve and protect the architectural value of the buildings, structures and other significant areas, to create aesthetic conditions that reinforce and enhance the historic fabric of the area, to stabilize and improve property values, to foster civic beauty and pride, and to strengthen the local economy and development.¹³⁵

The MHZC further defines itself as "a planning tool to protect the architectural character of Nashville's historic neighborhoods by managing growth and change."¹³⁶ Its goals are to protect the conservation districts from "the loss of architectural or historically important buildings, new construction not in character with the neighborhood, and alterations or additions to buildings that would lessen their architectural significance."¹³⁷ Guidelines are different for each district and are jointly developed by the neighborhoods and the MHZC, using the Secretary's Standards as a starting point. Marya Morris characterizes these guidelines as "contextualism; that is, new buildings must meld with the old. They may stand out for their uniqueness, but not for their newness."¹³⁸ The MHZC reviews demolition, new construction, relocation and the increase of habitable space within the districts.

According to MHZC Historic Zoning Administrator Bill Kelly, the city currently has three historic districts and six conservation districts. The smallest of the six conservation districts has only six properties, and demonstrates the city's sophisticated use of the concept as a planning tool. In this case, the one lot and five Colonial Revival houses in the district were located in a residential area that abutted a

commercial zone near Vanderbilt University. Due to their high density zoning, which would have allowed up to two hundred apartments on the site, and their proximity to the school, the houses were targeted for demolition by a developer. Attempts to rezone the base classification proved fruitless. Instead, the neighborhood initiated a request to designate the area as a conservation district, with a commercial district overlay. The houses were converted into offices and retail units, and today the area is thriving.¹³⁹

One of the biggest issues currently facing the MHZC is the issue of maintenance. In 1991, Carol Zellie found that:

...it appears that Nashville's historic districts contain the more high-styled buildings. The Nashville planner gave the opinion that generally conservation districts were best suited to areas where there was already good maintenance, a pattern of relatively little exterior change, or where residents were strongly opposed to design review.¹⁴⁰

Ten years later, the inability to regulate maintenance, upkeep, and "demolition by neglect" has become one of the major concerns of the MHZC, which is concerned about these role that these factors are playing in diminishing the integrity of the conservation districts. For instance, since materials are not regulated, Kelly remarks that "one neighborhood is covered completely in vinyl siding."¹⁴¹ The MHZC's response to this has been to increase their educational efforts, reasoning that a more knowledgeable public will make better, more sensitive choices in the restoration of their homes. Kelly comments that it is "an imperfect tool, but better than nothing."¹⁴²

Unlike many other cities, in Nashville there is almost no government or citizen confusion between historic and conservation districts. Kelly credits this to the clarity of the ordinance and its establishment of the districts as "separate but equal," as well as to knowledgeable and sophisticated neighborhoods and to many years of community outreach.¹⁴³ Carol Zellie commented that "the Nashville model provides a well explained process and rationale for it two-tier system"¹⁴⁴ and that distinction seems only to have improved.

Several situations have recently tested the strength of Nashville's program. In one instance, a more affluent neighborhood, designated in 1996, chose conservation district status rather than becoming a historic district because of the "easier sell" of the former. This is now proving to be problematic because most of the work presently occurring in the area is minor alteration that is not regulated by the MHZC, so the neighborhood's integrity is suffering. Another recent, very contentious designation was initiated by a proposed church expansion that threatened several historic homes and pitted institution against community.



Figure 12: Nashville's Lockland Springs -East End Neighborhood.
(Source: Metropolitan Historical Commission, Nashville)

There are also many success stories. The city's first conservation district, the working class Lockland Springs-East End neighborhood, has solved most of its major problems since being designated as a conservation district — demolitions have been halted, new construction is of substantially greater character and higher quality, and the

neighborhood has seen an influx of new homebuyers. Part of Lockeland Springs-East End and several other full conservation districts has been listed on the National Register, making Nashville one of the few cities in the nation that has conservation districts included in the Register.

Conservation districts in Nashville have a very promising future. The Metropolitan Historic Zoning Commission is heartened by their success, and plans to further refine their guidelines in order to improve integrity and address the issues of maintenance and other exterior alterations. Another major challenge lies in the Commission's ability to facilitate the designation of future conservation districts without acting as a disincentive to the establishment of historic districts. In general, however, the program is well-structured, clearly defined, and has particularly strong political and community support. With the "one ordinance, two standards" system, Nashville has been especially successful in differentiating criteria for historic and conservation districts, and continues to set an excellent standard for conservation districts nationwide.

Cambridge

Cambridge, Massachusetts is another national conservation district leader. Here, conservation districts are an important element of a total program that includes historic districts, a strong demolition delay ordinance, preservation grants, a preservation easement policy, extensive use of Floor Area Ratios (FARs), and strong educational outreach. Here too, conservation districts are becoming an increasingly more important part of the mix.

Cambridge faces the enviable situation of having almost too much that is historic. It reserves its historic districts for areas that are "really historic," such as its Revolutionary War sites.¹⁴⁵ Areas outside of this period of significance, such as its Victorian neighborhoods, thus become Cambridge's conservation districts, even though in most other cities they would probably achieve historic district status. This interaction between the city's historic districts and its conservation districts results in the reflection of a greater historical continuum and a generally higher level of integrity for all of the structures. The city has two historic districts, Old Cambridge and Fort Washington, and three conservation districts, Mid-Cambridge, Half Crown,¹⁴⁶ and Avon Hill. The Cambridge Historical Commission has nearly completed designation of The Marsh as a fourth conservation district, and is in the process of consolidating community input for the designation of Harvard Square as a fifth. All preservation activities, including the regulation of the various districts, are carried out by the Cambridge Historical Commission.

Cambridge's Neighborhood Conservation District ordinance defines the districts as "groups of buildings that are architecturally and historically distinctive"¹⁴⁷ and defines its purposes as to:

...conserve and protect the beauty and heritage of the City of Cambridge and to improve the quality of its environment through...conservation and maintenance of neighborhoods...which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the City; to resist and restrain environmental influences adverse to this purpose; and to foster appropriate use and wider public knowledge and appreciation of these neighborhoods..."¹⁴⁸

Similar to Nashville, Cambridge places great importance on the clear differentiation between historic and conservation districts. Historic districts undergo binding review for all exterior changes, including but not limited to: paint and roof color, signage, temporary structures, walls, fences, driveways, storm doors and windows, gutters, and window air conditions, regardless of whether or not a building permit is required for the work. Conservation districts incur binding review of new construction, demolition, and of major exterior alterations that are determined to affect the neighborhood's character, such as a significant increase in habitable space. The Historical Commission makes advisory recommendations on other exterior work; in addition, each individual district may enact stricter guidelines as they see fit. For example, the Mid-Cambridge district requires binding review of:

- new construction, including additions, of more than 750 square feet, or that increase floor space by more than 33%, or that allow more than 33% additional lot coverage

- demolition, or partial demolition of more than 33% of the structure
- any alteration or construction to National Register sites, publicly owned structures, or structures containing non-conforming use(s)¹⁴⁹

This customization of the guidelines allows for maximum flexibility and community participation. As Carol Zellie noted:

In this way, the neighborhood is protected from large-scale change, and residents are allowed to proceed with minor architectural alterations. The sense of neighborhood character is thus protected, even though some alterations that would not normally be allowed in traditional historic districts are not prevented.¹⁵⁰

A number of other innovative tools support Cambridge's conservation districts and historic preservation program as a whole. The city has an extremely strong demolition delay ordinance; if the Historical Commission determines that a building is significant it can delay demolition for up to six months while its potential is evaluated. The intent of the legislation is clear — “not to prevent demolition but to provide an opportunity for the development of preservation solutions.”¹⁵¹ The demolition ordinance covers all buildings over fifty years of age city-wide, even if they are not located in a protected area. It even applies to utilitarian structures, such as garages, though commission staff are empowered to sign off on these cases.

Recently, Cambridge's preservation easement program has become extremely popular. In this program, property owners convey control over the exterior of the building to the Historical Commission, in return for significant federal and municipal tax benefits. These easements are fairly flexible, and can be drafted to allow certain kinds of development or alterations, or to protect significant interior features. Most of the easements are voluntarily donated, but the Commission may also request an easement from a property receiving a large preservation grant; one may also be required as a condition of sale, or as the result of a major variance.

The Cambridge Historical Commission is one of only a few such local governmental units in the country that provides preservation grants to private homeowners and non-profit affordable housing agencies. The grants, funded by Community Development Block Grants, may be used to restore exterior features that contribute to the original appearance of the building, remove artificial siding and restore original materials, and to perform structural repairs essential to the integrity of the original features.¹⁵² In the past, the Commission has also partnered with the Cambridge Housing Rehabilitation Program to administer a paint program which provided technical assistance, paint color consultations, and in some areas, an exterior paint cost matching grant program for low to moderate income households.¹⁵³ The Commission also has an extensive outreach and educational program.

Floor-Area-Ratios are a key zoning tool that the Historical Commission has refined. According to state law, only cities of the first class, such as Cambridge and Boston, can utilize FARs. The regulation of FARs in commercial areas has already proved to be extremely important in maintaining neighborhood character, particularly in the Mid-Cambridge Neighborhood Conservation District (NCD). The Commission is now using them in more residential areas, which is proving an excellent method for regulating density. They also plan on adding lot coverage regulation either in conjunction with, or in place of, FARs for some areas.

According to Historical Commission preservation planner Sarah Zimmerman, these multiple programs are a big part of the success of historic preservation in Cambridge. With several different options, people can combine them, move between them, or find specific elements that work for their particular situation. She thinks a key part of the program is not trying to impose solutions upon people, but instead responding and tailoring options to what they need. This way, property owners know that the Commission's goal is to work with them rather than against them, and that they are as reasonable and flexible as they can be while working with the citizenry to make Cambridge a viable, vibrant community.¹⁵⁴ In Zimmerman's words, “Zoning is a blunt tool. Controls, such as FARs, are good refiners. But concepts such as conservation districts are perhaps even better refiners, because a

community can tailor its base zoning for an appropriate level of development while using overlays to emphasize an area's traits and characteristics, and to guide its future development."¹⁵⁵

This spirit of cooperation is evident in the designation of conservation districts. Although the Commission is technically able to designate a district on its own, in practice they wait until a neighborhood comes to them with a petition. A public meeting is then held to review the petition and determine whether or not to continue the process. If the petition is accepted, the area is then given a one year temporary conservation district designation while a NCD designation study is completed. The study process is comprehensive; tentative district boundaries are set, a study committee is established, a physical inventory is taken, public meetings are held, design guidelines are determined, and a study report is produced. If the study committee determines that the area should be designated, and this decision is ratified by the neighborhood as a whole, the Cambridge Historical Commission then submits a designation ordinance to the City Council, and it becomes part of the city zoning code.

The most recent neighborhood to complete this process was The Marsh. From late 1997 to early 1999, several demolition permits for the area were requested. A core group of neighborhood activists spearheaded the designation process, bringing a petition from seventy residents to the Historical Commission in June, 1999. The Commission voted to accept the petition and initiate an NCD study, recognizing:

- the uniqueness and significance of the area's architecture and development patterns
- the increased threat to neighborhood character posed by the increase in demolition permit requests
- the neighborhood desire to preserve the area and protect it from inappropriate change¹⁵⁶

The Marsh is characterized as a "distinctive grouping of mid- to late-19th century workers' housing, along with important examples of 18th, late 19th, and early 20th century single and multiple family housing, and the city's only frame school (Lowell School, 1883)."¹⁵⁷ The area was seen as significant in representing Cambridge's most cohesive remaining collection of early Irish-American workers' housing. The Marsh's unique development patterns of modest houses sited on densely developed streets, with important landscaping elements between, gave the neighborhood a significant character and sense of place. However, this character was highly vulnerable to demolition and infill construction, and could not be protected by existing zoning codes and regulation.¹⁵⁸

Once the NCD study was approved, a study committee was assembled, physical inventory taken, and sixteen public meetings were held. The preliminary study report resulting from this process is quite comprehensive, including:

- an investigation of the land use issues, including summaries of current zoning and existing conditions, building permit activity, petitions for zoning relief and the status of the Riverview Condominium Complex
- a discussion of the area's historical development patterns
- the physical inventory
- information on the legislative authority for the establishment of conservation districts
- proposed district guidelines including a statement of historical and architectural significance, the recommended boundaries, membership criteria, specific standards, review authority, exemptions, maintenance issues, coordination with other agencies, and a report to the City Council
- conclusion and recommendations
- the proposed ordinance
- support materials including a bibliography, meeting attendance and minutes, samples of mailings, and the results of neighborhood character definition studies¹⁵⁹

A postcard poll taken in May, 2000 indicated that "among the respondents (29% responding), 58% support the designation of The Marsh NCD as proposed, while 42% are opposed to the designation of the NCD as currently constituted."¹⁶⁰

This survey response, which Zimmerman described as “disappointingly low”¹⁶¹ reveals the potentially biggest problem with the proposed designation of The Marsh. The rationale for the district designation was excellent, the neighborhood character easily demonstrated, the NCD study thorough and comprehensive, and thousands of hours of staff time were dedicated to the project. However, the neighborhood has still not been granted full designation because of the lack of community participation in the issue. Although a core group could drive much of the process, in the end, the conservation district must “draw its political life from an active citizenry,”¹⁶² or it becomes disappointingly stalled. Though designation is still possible, even likely, the project has lost momentum. The Marsh is a poster case for how to do everything right — almost.

The Historical Commission still plans on The Marsh soon becoming a conservation district, and is moving ahead with the designation process for Harvard Square. This is also a contentious instance — the famous square was first targeted as a historic district, but the community preference, particularly from the commercial sector, was for the less restrictive conservation district designation. Charles Sullivan,

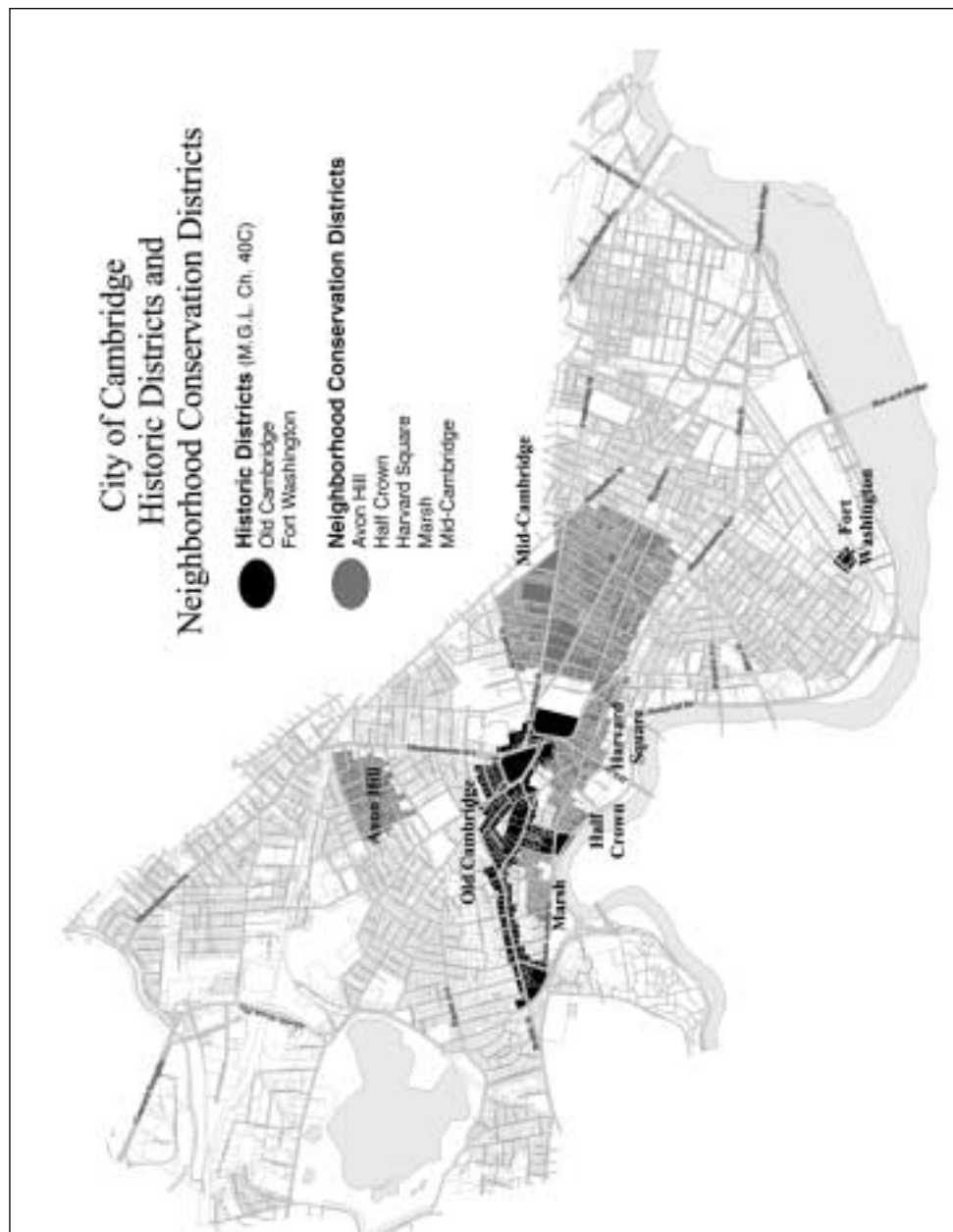


Figure 13: Cambridge Districts. (Source: Cambridge Geographic Information Survey Department)

Executive Director for the Cambridge Historical Commission, is leading the effort toward Harvard Square NCD designation, and the study committee is currently determining design review standards, particularly in regards to FARs and signage. The Commission plans on the designation of Harvard Square as a NCD by summer 2001.

A number of other neighborhoods have indicated interest in becoming NCDs. However, Zimmerman is cautious about moving too fast, for a number of reasons. First, she is concerned that most of the interest in the districts is coming from Cambridge's high-end neighborhoods, where people may be more interested in protecting their rather substantial investments than in the actual character of the community. She worries that class and economic status are becoming determinant factors in conservation district designation; the area's more affluent neighborhoods may be over-protected, while ones that are perhaps more architecturally interesting, or with a more cohesive sense of place, are perhaps missing out. Finally, in several of the city's traditional neighborhoods, families that have been there for generations are being displaced by waves of new residents in a classic gentrification pattern. Though many of these areas have physical qualities that should be protected, they often lack the cohesiveness and community spirit integral to starting or sustaining a successful conservation district.¹⁶³

Cambridge provides an excellent case study for the conservation district concept. Its administrative program — the Cambridge Historical Commission — seems to do everything right; it has developed innovative programs, it provides extensive community outreach, and its staff are perhaps the most sophisticated in the nation at using historic preservation to protect unique community character. However, without the significant community involvement necessary to support the programs, Cambridge may have a difficult time sustaining and expanding them in the future.

Bozeman

In earlier studies of conservation districts, Bozeman has been considered significant for two reasons. First, it is perhaps the largest conservation district in the country, covering over sixty percent of the city and containing over 4,000 structures, virtually every building in the city over fifty years of age. Its eight individual historic districts, all of which are on the National Register, are completely encompassed by this larger, almost city-wide conservation district.

Secondly, and perhaps most notably, the city has both adopted overlay zoning for the conservation district and also provided, within the municipal enabling legislation, a mechanism for granting deviations/exceptions from the underlying physical zoning requirements. This procedure was deemed necessary because the city had not adopted a comprehensive zoning code until after World War II, with the unfortunate consequence being that almost all of the city's pre-1950 structures suddenly became non-conforming in regards to setbacks, building orientation, lot coverage, and rear and side yards. It became virtually impossible to alter any older building while remaining code-compliant, so property owners instead demolished the structures and built anew. Former district planning consultant Keith Swenson remembers "The zoning ordinance was the biggest disincentive to preservation. It was a major cause of systematic destruction of historic neighborhoods."¹⁶⁴

The concept of a zoning deviation differs from a variance in that the property owner is not required to demonstrate that unnecessary hardship would result from strict adherence to the zoning code. Instead, the plaintiff must meet the following conditions:

- the alterations are more historically appropriate for the building or site in question than a literal enforcement of current zoning regulations would be
- the modifications are consistent with the intent and purpose of the ordinance and of the city's master plan
- there will be minimal adverse affect on abutting properties
- the alterations will be consistent with the zoning code's police powers (the protection of health, safety and general welfare)
- there is a "balancing of values" — that is, the deviation is granted in exchange for the value of the preserved building¹⁶⁵

- develop and maintain the appropriate environment for buildings, structures, sites and areas
- develop educational and cultural dimensions and cultivate civic pride
- maintain and enhance the private and public areas unique to the fabric, theme and character of each neighborhood
- provide the community with notice and opportunity to comment on the proposed property improvements¹⁶⁶

Preservation Officer Derek Strahn feels that Bozeman's greatest strength is its technical support and educational/outreach programs. Perhaps most prevalent is the city's Design Services Bank, created by Historic Preservation Advisory Commission (HPAC) under chair Keith Swenson in 1988. As first conceived, the program provided research and advice to historic property owners in the form of pro bono service by local architects and historians. Within a year, over forty-five hours of advisory services had been committed to six private homes, one church, and one commercial structure.¹⁶⁷ These donated services leveraged other resources, and soon a full blown "restoration boom" had begun, serving as "both a direct and indirect catalyst for the rehabilitation of dozens of properties in Bozeman's historic neighborhoods."¹⁶⁸

In 1990, Bozeman initiated an ambitious design review ordinance, despite the objections of property rights advocates as demonstrated in a *Bozeman Daily Chronicle* editorial that claimed the ordinance "would intrude on private property rights, create a new bureaucracy for homeowners, and be an unnecessary expense for many citizens."¹⁶⁹ However, the majority of the citizens were supportive of the ordinance, due in part to the positive role of the Design Review Board. The public perception was that the city was consciously and responsibly attempting to balance its regulatory power with preservation incentives and services.

Throughout the 1990s the Design Review Board expanded in scope, eventually providing a model for the statewide Montana Preservation Alliance. A relatively new feature is a partnership with upper level architecture students at Montana State University in which the students provide design services to the community, particularly its low income residents, as part of their coursework.

In addition, the HPAC has focused on educational and outreach materials. Strahn feels that "lots of people want to do the right thing but aren't exactly sure what that is" and that as they become more conscious of their property's history and its context, their pride in ownership, and their participation in the community, grows.¹⁷⁰

The property rights movement has always been strong in Montana, and the establishment of the conservation districts has engendered its share of controversy. An early lawsuit challenged the constitutionality of the districts, claiming that the regulation of design standards outside of the National Register districts amounted to a "taking." The judge in the case eventually ruled for the city as to the constitutionality of the districts, but advised the City to ensure due process in administering the ordinance, particularly in regards to public meetings. This ruling legitimized Bozeman's very ambitious preservation program, but also set strict standards for community participation. The case forced the HPAC to become more responsive to and visible in the community.

Because Bozeman's conservation districts encompass its historic districts, and because the design review standards are binding and apply equally to both kinds of districts (due to the similar ages of the homes and the deviation provision to the ordinance), there is some potential for confusion between the districts. This was particularly true in the early 1990s, when conservation districts were a new concept. However, the HPAC believed that it was extremely important to continue with the required standards, reasoning that, particularly in light of the property rights movement, property owners simply would not comply voluntarily with the standards. As residents have become more familiar with the concept, and as the two kinds of districts have cooperated in protecting the entire urban core, Bozeman residents have come to appreciate the dual system as an important way of preserving a greater continuum of the city's past.

The HPAC is particularly pleased with the idea of the conservation district as an "incubator" to higher

designation. Although no new areas have been converted from conservation districts to historic districts, several individual National Register landmarks have been designated. Strahn also stated that the historic integrity of the entire city as a unit has improved greatly since 1990.¹⁷¹

Bozeman provides an interesting model for the use of conservation districts as a “buffer zone” to historic districts. In conjunction with preservation incentives, this strategy has worked well in Bozeman to create a vibrant, historic central core in which historic preservation is an important part of community revitalization and in which the community is supportive and proud of the city’s preservation programs.

Iowa City

Iowa City has only recently joined the ranks of cities with conservation district legislation, designating the Governor-Lucas-Bowery Street Conservation District in the fall of 2000. Nevertheless, Iowa City already has one of the country’s most sophisticated and comprehensive programs, due to its commitment to the concept and supportive programs such as the Multi-Family Design Standards and a comprehensive Historic Preservation Plan.

Iowa City designated its first National Register historic district, South Summit Street, in 1973. In the 1980s, preservation became an integral part of municipal policy; in 1982, the city’s historic preservation ordinance was drafted, and several more historic districts were designated. Preservation gained ground as significant economic repercussions were felt, including over three million dollars of commercial rehabilitation in the downtown core. The city was comprehensively surveyed and inventoried, and historic contexts were developed. In the early 1990s, the city began work on a comprehensive preservation plan, whose mission was defined as “to identify, protect, and preserve the community’s historic resources in order to enhance the quality of life and economic well-being of current and future generations.”¹⁷²

The preservation plan incorporated a number of important goals, including the preservation of the University of Iowa campus, the development of preservation incentives, the strengthening of the city’s preservation educational program, outreach and technical assistance, and the establishment of heritage tourism programs. Perhaps the most crucial of the plan’s objectives, however, was its final goal, to “adopt strategies to conserve historic neighborhoods which reflect their organic development, historical roles and traditions, modern needs, and economic health and stability.”¹⁷³ Iowa City recognized that an important part of its identity was the variety and vitality of its residential and commercial neighborhoods; at the same time, these areas were being threatened by inappropriate development, particularly infill rental units for the University of Iowa’s thousands of students. Although Iowa City had by then six very successful historic districts, it had to do more to protect the unique character of the town while allowing for necessary change and development.

City planners became interested in conservation initiatives being undertaken by other American cities in the early 1990s. Accordingly, they commissioned several surveys of potential designation areas within the city limits. Simultaneously, the city enacted a Conservation Overlay Zone (OCD) ordinance in 1995. The purposes of the zone, as defined in the ordinance, were to:

- conserve the unique characteristics of older neighborhoods, including their architectural, historic and aesthetic qualities
- provide for the design review of new construction or alteration of existing buildings
- encourage the retention and rehabilitation of existing dwelling units
- stabilize property values and encourage reinvestment
- protect the environmental setting of historic landmarks and districts in close proximity to, or bordered by, OCD zones ¹⁷⁴

The same ordinance also established a Design Review Overlay Zone (ODR) procedure.

The extensive surveys completed during the 1990s had recommended a number of potential conservation districts, as well as several new historic districts, for Iowa City. City staff were particularly

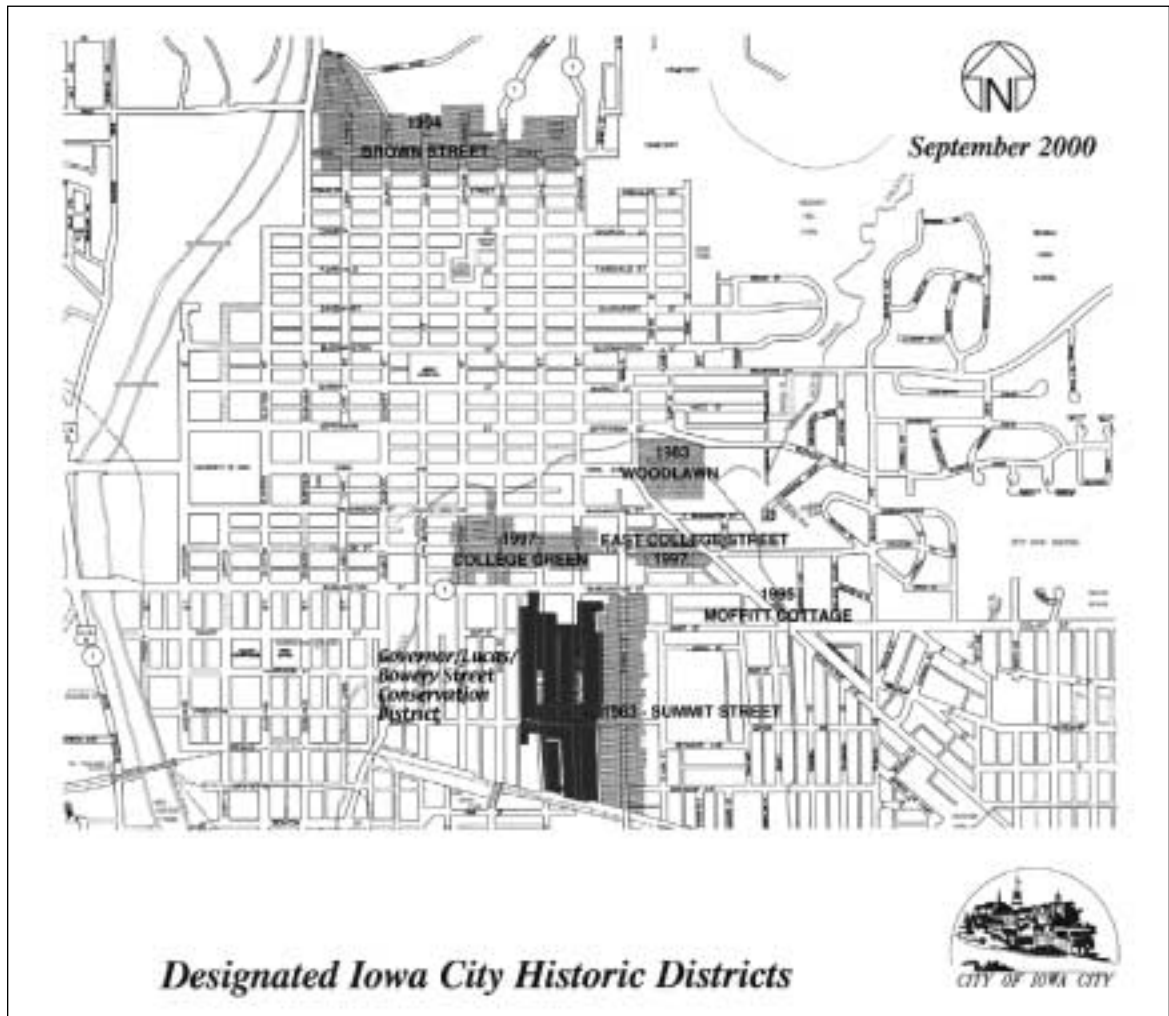


Figure 15: Iowa City Historic & Conservation Districts. (Source: City of Iowa City)

interested in the use of conservation districts as “buffer zones” to established historic districts, and found a special urgency in addressing areas where the residents were particularly threatened by the effects of inappropriate rental infill. Thus, the first area selected for conservation district designation was the Governor-Lucas-Bowery Street Conservation District. The potential district abutted the established Summit Street Historic District, and had been studied in two potential designation surveys, the *Reconnaissance Survey of the Area Bounded by Gilbert, Burlington and Governor Streets* and the *Iowa Interstate Railway Tracks in Iowa City, Iowa* in 1990 and the *Survey and Evaluation of the Longfellow Neighborhood I and II, Iowa City, Iowa* in 1996. In addition, the prospect of designation was well received by neighborhood residents in community meetings held in 1999. Thus, the nomination of the Governor-Lucas-Bowery Street Conservation District became a priority within the city’s calendar year 2000 work plan.

The Iowa City Historic Preservation Commission has formulated a simple, yet comprehensive definition of a conservation district, which is as follows:

Although a conservation district is administered in a similar manner to a historic district, its intent is to preserve neighborhood character rather than historic resources. In a historic district, the preservation of the historic character of the district is a priority, but each contributing building is treated as a historic resource in itself, as well. In reviewing



Figure 16: Governor/Lucas/Bowery Street Conservation District, Iowa City.

proposed alterations within conservation districts, a less strict set of guidelines will be used for alterations to existing buildings. For new buildings and additions, however, guidelines regarding building scale and mass, rooflines, and architectural compatibility will likely be very similar.¹⁷⁵

As befits an inaugural district, the conservation district nomination report for the district is extremely comprehensive. It addresses the survey and character of the area, its residential and development patterns, and its housing and architectural styles. It establishes guidelines for design review of alterations and for new construction, including four levels of review — ranging from minor to elevated. It anticipates the level of city involvement with public infrastructure such as streets, utilities, and bridges over the railroad tracks. The report includes a number of maps, including the district boundaries, land use categories, and contributing/non-contributing building status, also listing these structures and addresses. Perhaps most importantly, the nomination postulates several consequences of designation, including the establishment of a buffer to the Summit Street residences and the stabilization of the neighborhood. It also anticipates some negative consequences, such as the new construction limitations and the changes to parking requirements. Ultimately, it reaches the conclusion that the designation of the area as a conservation district is warranted for a number of reasons:

- the area retains its traditional neighborhood character and sense of time and place, with a majority of structures within the area contributing to this character
- the designation of the conservation district will provide a buffer for the Summit Street historic district and the balance of the Longfellow neighborhood from new apartment construction to the west
- the designation of the area, along with downzoning the neighborhood to prevent demolition and the construction of inappropriate multi-family infill construction, will serve as a tool to protect the area's historic resources
- the stabilization of the area will likely lead to its improvement and reinvestment in the properties¹⁷⁶



Figure 17: Summit St. Historic District, Iowa City.



Figure 18: Proposed Goosetown Conservation District, Iowa City.

Since the district was only created in the fall of 2000, its authority has not yet been challenged. However, the author's site visit in September 2000 demonstrated that even the proposed designation appeared to be a powerful rehabilitation incentive. Several homes in the area were being renovated, with their owners stating that their willingness to make a substantial investments in the

properties was mainly due to the city's commitment to the stabilization of the area. Many of the homes were being converted from absentee-owned rental to owner-occupied residential. One home had recently been purchased and was being converted from a rooming house to a single family home, and neighborhood residents had gathered to assist the new owner with a work day on the house and its overgrown garden grotto, a neighborhood landmark established in the 1950s. The district's one National Register landmark, the Bethel AME Church, was also experiencing growth and revitalization. The sense of neighborhood excitement and community participation in the district was tangible, and seemed to emanate even to the quieter neighboring Summit Street Historic District, where several homes were also conducting projects.

Several other conservation districts have been recommended by the 1990s studies. Probably the next to be designated is the Goosetown conservation district, a large area just to the east of downtown. This neighborhood is not as threatened as the Governor-Lucas-Bowery area, and is not as well surveyed. Nevertheless, it is an excellent match to Iowa City's conservation district standards, retaining similar neighborhood character and sense of place, and representing the "traditional character of Iowa City neighborhoods through architectural characteristics and building patterns,...development patterns, and... unique or unusual character that creates a significantness."¹⁷⁷

While Iowa City waits to assess the efficacy of its first conservation districts, it has established other preservation legislation and policies. Perhaps the most important of these is the Central Planning District Multi-Family Residential Standards, adopted in May 2000. These standards regulate new multi-family construction of three or more units that are located in the central planning district but are outside of historic or conservation districts. The guidelines establish certain mandatory compliance items, ranging from setbacks to parking to lighting. In addition, the project must achieve a minimum of thirty points garnered from design options ranging from exterior materials to height and massing to architectural details. These points are construed in order to encourage innovative design and quality materials, which providing the regulatory body with an objective way of comparing these features. So far, they have been used successfully in one case that incorporates an existing house into a larger multi-unit building.

Iowa City has also revised its Historic Preservation Handbook to allow different categories of compliance for different kinds of buildings (such as individual landmarks, structures in historic districts, structures in conservation districts, contributory structures, non contributory structures, and outbuildings.) A chart demonstrating these divisions is included earlier in this work, on page 5.

Iowa City is an exciting case study in which new conservation district and development solutions are being created by a committed staff in response to active community input and crucial political support. These innovative programs respect Iowa City's vibrant past while opening it up to new development options and community revitalization. Iowa City provides an excellent example of how programs such as conservation districts can bridge the old and the new.

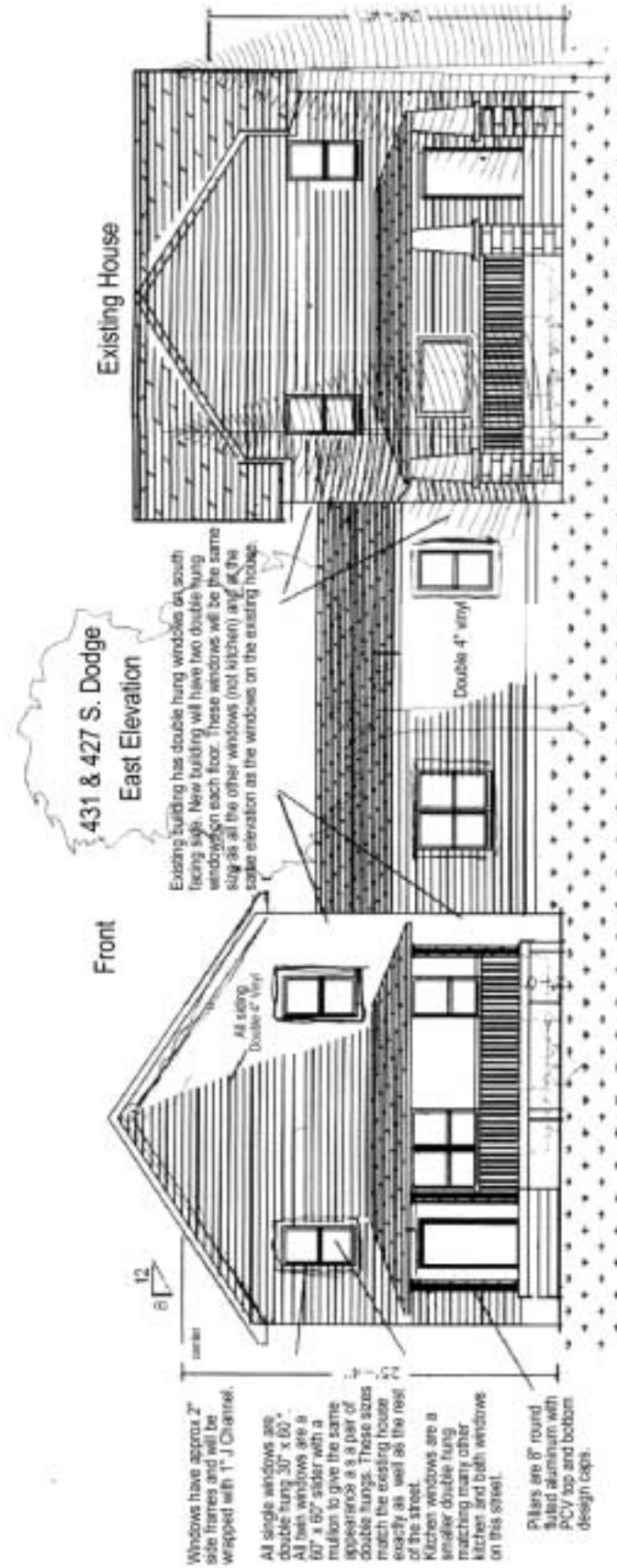


Figure 19: New Construction Plan Implementing Central Planning District Multi-family Residential Standards. (Source: City of Iowa City.)

False Starts - Conservation Districts that Did Not Work

In several cases, it appears that conservation districts, though desired by the city government or by the community, were simply not applicable to that area's development patterns. One example of this is Lincoln, Nebraska, which had established Residential Conservation Districts in 1988. Lincoln had established a universal set of design standards used for new construction in conservation districts, focusing on a limited number of design elements considered to have a "significant effect on compatibility"¹⁷⁸ and including roof types and pitch, building orientation, entrances, porches, fenestration, accessory structures (including garage door width) and landscaping. In May, 2000, the city decided to make these design requirements mandatory for new construction in most of its residential zoning areas, and repealed the R-C Residential Conservation Districts.

Other cities have established conservation district legislation, but have never actually designated a physical district. Albuquerque, New Mexico, has one of the country's most comprehensive ordinances, adopted in 1978. The city defines its urban conservation district overlay zone as a second-generation historic district that

...may be used for areas which have distinctive characteristics that are worthy of conservation but which lack sufficient historical, architectural, or cultural significance to qualify as historic areas, and which, in addition:

Have a recognized neighborhood identity and character;

Have high artistic value;

Have a relationship to urban centers or historic zones which make the area's conservation critical; or

Are located outside of [the downtown redevelopment area] and are subject to blighting influences.¹⁷⁹

Albuquerque, however, has yet to find a neighborhood that meets these standards and has not established any conservation districts.

Philadelphia, Pennsylvania, seriously considered establishing conservation districts in the 1990s. Deborah Marquis Kelly and Jennifer Goodman conducted the landmark *Philadelphia Neighborhood Conservation District Research Report* for the Preservation Coalition of Greater Philadelphia in June 1991. This report made a comprehensive study of conservation programs nationwide, focusing on a number of comparatives for twelve cities including date enacted, administering agency, activities regulated, designation criteria, nomination methods, and design standards and review. The comparative chart created as part of the study was used extensively throughout the 1990s to evaluate conservation district programs, and is included in Appendix II of this work.

The Kelly/Goodman study went on to collect and assess data on Philadelphia's regulatory and assistance programs related to historic preservation and affordable housing. In this section, it analyzed a number of agencies including the Philadelphia Historical Commission, the Philadelphia Art Commission, Federal Section 106 Review, the Certified Local Government Program, the Philadelphia City Planning Commission, the Office of Housing and Community Development, the Philadelphia Housing Development Corporation, the Redevelopment Authority, the Housing Authority, the Philadelphia Commercial Development Corporation, the Philadelphia Industrial Development Corporation, the Pennsylvania Department of Community Affairs and several quasi-public and private groups. The conclusion was that, while there were any number of public and private sponsored preservation and housing assistance programs in Philadelphia, they were not evenly balanced, equally effective, or well coordinated. The study postulated that:

While commercial revitalization areas, special controls districts and Section 106 review provide precedence for regulations and incentives related to preservation and housing, there is no existing program in Philadelphia that links these objectives. A conservation district program can fill this need. Conservation districts will be unique, and serve as a valuable tool for neighborhood-based, preservation and revitalization of older, low- to moderate-income neighborhoods.¹⁸⁰

The report concluded with a brief neighborhood survey that gathered community input on the proposed conservation districts and looked for potential pilot neighborhoods.

The Kelly/Goodman study, with its attractive goal of linking the controversial issues of historic preservation and affordable housing, made an enormous impact on preservation and planning circles. Part of the study was excerpted in the *Historic Preservation Forum*, September/October 1993, in an article entitled “Conservation Districts as Alternatives to Historic Districts,” in which Goodman and Kelly outlined their plans for the ambitious Philadelphia program. A neighborhood’s participation in the program would require meeting a number of selective criteria, including:

- participation initiated by an established and recognized neighborhood association
- a consistent, definable neighborhood character and a consistency of building types (e.g. – rowhouses, duplexes, etc.)
- an inability to satisfy the criteria for designation as a historic district
- a preponderance of buildings in good to excellent condition
- a minimum 80% of the area classified as residential
- minimum occupation criteria of 80% occupied, 60% owner occupied, and no more than 15% vacant residential lots
- a size of between 20-80 square blocks
- demonstrable owner support for the program
- no more than 20% of the structures under forty years of age¹⁸¹

The conservation districts would be administered jointly between the Philadelphia Office of Housing and Community Development and the Department of Licenses and Inspection. These agencies would be responsible for establishing a number of incentives to participate in the program, including design guidelines, technical assistance, revolving funds, and educational initiatives.

This program is defined in greater detail in the *Philadelphia Neighborhood Conservation District: Volume I, A Model Program*, as published by the Preservation Coalition of Greater Philadelphia. This report first summarizes the background research. It then defines a model program with the following goals:

- “to provide neighborhood residents, particularly in low to low-to-moderate income neighborhoods, with resources and guidance to assist in the conservation of the physical fabric and character of the affordable housing stock of those neighborhoods”
- to develop educational materials
- to develop conservation incentives
- to provide the City of Philadelphia with additional strategies to assist neighborhoods in preserving their physical character¹⁸²

The report creates model programs and ordinances for the conservation districts, and identifies the Point Breeze neighborhood of South Philadelphia as a pilot program. Finally, the study establishes written and illustrated neighborhood conservation district threshold guidelines and specific design guidelines for the Point Breeze proposed conservation district.

Although these various studies anticipated establishment of conservation districts in Philadelphia by the mid-1990s, the districts have still not yet been enacted for several reasons. The first is that the neighborhood inclusion requirements were so strict that few neighborhoods wished to become involved; those that did express interest were somewhat less historically, architecturally, or culturally significant than others who abstained. Although the standards were based on an assumption of extensive community participation, there was in truth less community interest in the designation than originally expected. Rather than being driven by the community needs, the program was in danger of being driven by city departments with very little community mandate.

The project also proposed a very expensive implementation and administrative structure, and struggled to find funding. Convinced of the importance of uniting preservation and affordable housing, the Coalition continued to try to implement the program, but the two issues proved to be too dissimilar.

With all these problems, the program lost political support, and the ordinance was never passed by the City Council.

The Philadelphia example proves that, although a programs guidelines and implementation are important, the crucial elements for the success of conservation districts are community participation and political will.

Those Who Don't - Cities Which Decided Against Conservation Districts

Several other cities have considered the establishment of conservation district programs, but instead chose other planning tools.

Elgin, Illinois considered the establishment of Architectural Conservation Districts in the late 1990s. As proposed, the program would have established two large conservation districts covering most of the core city, and surrounding Elgin's three historic districts. An Architectural Review Board, separate from the Elgin Heritage Commission, would review all new construction within the conservation districts, including new residential and commercial structures, new accessory structures, additions to existing structures, demolition, and relocation. Exterior alterations, such as porches, siding, and windows, would not be reviewed. Guidelines were to have been adapted from the appropriate sections of the *Elgin Design Guidelines Manual* for the city's historic districts, in order to assure continuity and objective design standards, and would be enforced uniformly city-wide, without adaptation for specific neighborhoods.

The objectives of Elgin's Architectural Conservation Districts were threefold:

- based on economic development, to protect and stabilize property values, to prevent blight caused by inappropriate development, and to provide focus for economic revitalization
- based on neighborhood planning, to reduce incompatible uses, encourage private property investment, and to protect the unique physical features of the city
- based on history and future attractiveness, to conserve and protect the beauty and heritage of the city, to improve the quality of the built environment, and to foster appropriate use and wider public knowledge of the community and its history¹⁸³

The Elgin Heritage Commission put together a draft proposal for the conservation districts, but after receiving public commentary on the issue, decided not to establish them. Residents expressed concern that the plan was both too general — in that it did not account for individual neighborhood character — and too exacting, in that the design guidelines were too complicated. Instead, the city decided to rewrite its comprehensive plan, with a greater focus on historic preservation initiatives.

Louisville, Kentucky, is a city long known for its preservation programs and historic districts. Nonetheless, when the city considered the needs of two important commercial areas, it decided against designating them as either historic districts or conservation districts. Instead, it created design overlay districts informed by the particular needs of the preservation of commercial spaces.

In 1994, the Louisville Development Authority established four Downtown Louisville Development Review Overlay Districts. It also established nine urban design principles developed from the recommendations of the Louisville Downtown Development Plan. These nine principles were:

- Building Location – How the building should relate to the sidewalk
- Building Mass and Form – A building's exterior volume
- Building-to-Building Character – How building facades should look along the street
- Building-to-Pedestrian Character – How building facades should relate to people on the street and sidewalk
- Off-Street Parking
- Open Space

- Street and Sidewalk Character – Sidewalk and street paving, lighting, furniture, banners, fences, walls and landscaping
- Signs
- Public Art and Amenities¹⁸⁴

For each of the four overlay districts, specific guidelines related to the nine principles. For example, the East-West Downtown District was considered to have an open feeling, so open space guidelines were weighted more heavily there than in the Core-Broadway area. An important provision of these guidelines was that, in addition to the overwhelming jurisdiction held over the area by the Urban Design Team and the Louisville Development Authority, a number of other city departments were involved, including the Committee on Public Amenities, the Department of Public Works, and Traffic Engineering.

Louisville's second commercial overlay district is the Bardstown Road/Baxter Avenue Corridor Review Overlay District. This district, which abuts the Highlands National Register Historic District, is described as follows:

The Corridor is an important shopping and business area, closely linked with high quality business areas. The character of the Corridor...reflects an evolution from a mixed commercial/ residential strip to a predominantly commercial corridor, with many buildings remaining intact from each period of development in both commercial and residential styles.¹⁸⁵

The goals of the district are to:

promote compatibility of new development with existing land use and design features, to enhance the District's visual quality, to preserve the District's commercial character with a pedestrian friendly environment and to strengthen the economic vitality of the District by encouraging new investment and further business and commercial development¹⁸⁶

Design review for the district is carried out by the Bardstown Road/Baxter Avenue Corridor Review Overlay District Committee, as appointed by the mayor of the City of Louisville. Design review guidelines are comprehensive and include: location, height, orientation, historic preservation, materials and patterns, site development, exterior lighting, landscaping, open spaces, parking, signs, and public art and amenities. Ordinary repairs and maintenance, as well as interior changes, are exempt from review.

Both the Louisville downtown and the Bardstown Road/Baxter Area districts reflect historic patterns of development and deserve to be protected. However, the city has determined that their historic districts were better suited for residential areas, and were concerned about the limitations inherent in the designation of conservation districts and about any possible confusion that might result from the establishment of two levels of preservation protection. They thus established the commercial overlay districts as a separate design district program, with preservation as an important design review element.

Summary

The various programs outlined in this chapter are even more diverse than initially expected. Although conservation district programs across the country are somewhat similar in terms of their use of overlay zoning, in their designative and administrative structures, and in the kinds of things they regulate and their design guidelines, they are far more different than they are alike. Conservation districts have evolved into increasingly particular solutions for local zoning, land use, and preservation issues.

In Nashville and Cambridge, years of experience have resulted in extremely sophisticated programs, though they still have flaws. Bozeman seems to have succeeded against all odds, and Iowa City is embarking on exciting, innovative new programs. Cities such as Philadelphia and Louisville have considered and rejected conservation districts, but while Philadelphia has discovered no viable alternative, Louisville has developed groundbreaking new urban design standards. As a nation, we have come to demand more proactive, community based planning solutions, and the cities who have been the most

creative in meeting some of these challenges have been rewarded with vibrant, revitalized central cities and an active, involved populace.

Although comprehensive community proposals, well-researched history, and thoughtful design standards prove to be helpful in creating a viable conservation district or a similar kind of program, it turns out that an involved community and dedicated politicians are the crucial factors to the success of the venture. As The Marsh neighborhood in Cambridge and the Philadelphia saga demonstrate, there is no substitute for citizen involvement. Conservation districts must be grassroots responses to specific circumstances, rather than a government imposed solution or universal panacea.

CHAPTER V

POTENTIAL ECONOMIC RESULTS OF CONSERVATION DISTRICTS

A National Question

One of the biggest challenges in evaluating conservation districts nationwide is the lack of measurable data about their effects. Even cities such as Boston, which enacted its first conservation district over twenty-six years ago in 1975, or Nashville, which has eight active districts, have conducted no formal studies of these programs' effects on economic development, neighborhood revitalization, or home ownership.

Instead, the results are measured anecdotally. In Bozeman, Derek Strahn claims that the conservation districts have inspired many individual landmark designations. Nashville and Memphis report increased home ownership and a strong "back to the city" movement within their districts. Almost every staffperson interviewed for this study noted that home owners in conservation districts seemed more willing to invest in their properties because they perceived the city's designation of the area as a commitment to its future, and because they believed that their property values would increase.

Some advocates even suggest that conservation districts have a greater potential effect on economic development than either unregulated, traditionally zoned areas or areas of stringent regulation such as historic districts. This argument postulates that conservation districts, with their flexible design guidelines and emphasis on new construction, inspire more high-quality buildings than in other areas, thereby increasing both spending and property values.

One of the biggest problems in measuring the economic impact of both conservation districts and historic districts has been the difficulty in differentiating the distinct benefits of historic preservation from other factors such as increased public and private investment, strong neighborhood organizations, inflated housing prices, and generally increased economic markets, especially since these elements are often inter-related.

Although such a study would be difficult to conduct, the results would nevertheless be extremely valuable in considering the conservation district concept as a nationwide preservation movement, rather than simply a set of individual solutions to different cities' situations. Anecdotal successes, though of interest, tend to be situation-specific and difficult to quantify, and provide no compelling arguments for the establishment of conservation districts as part of preservation policy. Instead, analyses of the concept must currently rely upon broader information, such as general preservation economic data and property tax trends.

General Economic Impacts of Preservation

The basic economic benefits of preservation in America have been extensively proven and documented. Throughout the country, historic preservation has been shown to be a sound fiscal policy with important community effects including: job creation, property value increases, infrastructure savings, and tourism benefits.

For example, preservation has demonstrated a direct impact on tourism. A study conducted by the Preservation Alliance of Virginia found that "historic preservation visitors stayed longer, visited twice as many places, and spent, on average, two-and-a-half times more money" than other visitors.¹⁸⁷ This data is supported in Minnesota by Department of Tourism statistics, which showed over \$18 million a year spent in Saint Paul alone by visitors to Minnesota Historical Society sites — an average of \$31.51 per person per visit.¹⁸⁸

More applicable to potential conservation districts is a consideration of building costs. In a multitude of nationwide surveys, preservation has time and time again been proven to provide a more cost-effective means of economic and community development than new construction.

Historic preservation provides a cost-competitive alternative to new construction for major commercial rehabilitation projects. If no demolition is required, an average rehabilitation project costs anywhere from 12% less to 9% more than comparable new construction, with a typical cost savings of 4%. If the costs of demolition of an existing building are factored in, rehabilitation is always more cost-effective, saving from 3-16%. This does not include any reduced costs to the city from the reuse of existing infrastructure (water, gas and sewage lines, electricity, pavement, etc.).¹⁸⁹

An equal comparison of expenditures is even more compelling. For instance, in comparing a \$1,000,000 preservation project to an equal amount spent on new construction, the preservation project will consistently:

- create five to nine more construction jobs and four to five more community jobs than the same amount spent for new construction. In addition, the jobs created by preservation work are usually skilled technical positions that teach valuable craftsmanship skills and pay two to three times the rate of the average, minimum wage or entry level position.
- increase household incomes in the community by \$107,000 more than new construction.
- increase retail sales by \$142,000, which is \$34,000 more than new construction.¹⁹⁰

Money spent on rehabilitation is also, in general, better spent in terms of the effect on the local economy. Rehabilitation focuses on local costs, such as labor, rather than materials, which are generally brought in from out of state and have no effect on the local economy. It also has an important effect on taxable property values — not only are renovated homes usually of higher value than new construction, due to their higher architectural character and greater amenities, but, as noted above, they make better and more efficient use of existing infrastructure, reducing levies and assessments.¹⁹¹

Saint Paul has not conducted a comprehensive study of the economic impacts of preservation on the city. However, recent smaller-scale investigations suggest that the adoption of preservation incentives such as conservation districts would have extensive effects on Saint Paul's economic development, in direct as well as leveraged impact.

Property Value Trends in Three Historic Districts

In 1996, Saint Paul's Historic Preservation office conducted a study of property value trends in three of Saint Paul's three historic districts — the Historic Hill District, Irvine Park, and Dayton's Bluff. The study was based on a 10% sample of residential properties in the districts; the changes in property values were compared with residential property values both city-wide and within the area's specific tax district, as compiled annually by Ramsey County's Usage Classification Report.

The Historic Hill District, which was Saint Paul's first locally designated heritage preservation district, demonstrated the most graphic results. Adjusted for inflation, its residential property values rose 84.6% since formal preservation efforts began in the area in 1976. Individual value changes within the sampled properties ranged from +48.5% at 1046 Portland Avenue to +1452.4% at 442 Summit Avenue; approximately 20% of the properties in the sample more than doubled their value.¹⁹²

Since taxable property values were not consistently available for periods prior to 1981, a narrower time period of 1981-1996 was selected for comparative study. The study estimated that, during that period, the increase in property values was conservatively estimated at 63.5%. During that same time, property values for the city as a whole decreased by 18.2%.¹⁹³

It would thus appear that property values within the Historic Hill District increased at a substantially higher rate than either the tax district or the city. Additionally, the Hill District retained, and even increased its population, while one of the main factors cited for the decline of property values city wide was an ex-urbanization movement, particularly to the inner-ring suburbs.¹⁹⁴

Irvine Park is a smaller district, and demonstrated less of a dramatic change in values. During the same study period (1981-1996), values for individual properties sampled ranged from -40.2% at 260 Elm Street to +155.4% at 306 Exchange Street. The sample as a whole reported an increase in property values

of 13.8%, less impressive than in the Hill district but still substantial, especially when compared to a citywide decrease of 18.2%. Tax District 5, a larger area encompassing Irvine Park, reflected an overall decrease of 15% in residential property values, demonstrating that increased values were targeted specifically to the historic district.¹⁹⁵

Dayton's Bluff is Saint Paul's newest historic district, designated in the fall of 1992. Thus, the property values collected included only three years of comparative data, from 1993-1996. During that period, the Dayton's Bluff sample recorded a 14.1% decrease in residential property values, with the individual structures ranging from -83.6% at 761 East 3rd Street to +79.3% at 858 Euclid Street. During that same three-year period, the city wide comparative was a decrease of 7.7%, and in the larger tax district residential property values decreased by 4.5%.¹⁹⁶

Much of the decrease in housing values within Dayton's Bluff is attributed to the substantial changes that accompanied the area's historic district designation, most significantly the deconversion of multi-unit, non-homesteaded buildings to single-family, owner-occupied homes.¹⁹⁷ At 761 East 3rd Street, the structure cited above for the most significant loss in value, the property was undergoing conversion from a five-unit rental property to a single-family home; recent appraisals have valued the property at +150% of its previous rental value.¹⁹⁸ However, since the district is so newly designated and since the demographics are changing so rapidly, it is likely to be a number of years before the area demonstrates a significant market impact in housing values, much less the phenomenal growth shown in the Historic Hill District.

The 1996 housing values study demonstrated that a number of factors affected assessed values within the historic districts, including: the amount of time the district had been in existence, the economic conditions at the time of designation, the amount of public dollars used to subsidize rehabilitation, the public infrastructure investment, and the quality, type, and number of structures within the district.¹⁹⁹ These variables would need to be carefully considered in order to assess the effects of historic district regulation. One would also want to consider more subjective community goals, such as the retention of rental properties, or the provision of affordable housing, in a more thorough examination of historic districts or of potential conservation districts. In general, designation does appear to have a positive effect on property values. These findings were comparable to results from other cities, such as Galveston, Texas, and Fredricksburg, Virginia, where property values in historic districts increased 150-500% more than in other comparable areas from the 1970s-1990s.²⁰⁰

Fiscal Impacts of Renovation

One of Saint Paul's most notable successes in the 1990s was its innovative "Houses to Homes" program through Planning and Economic Development (PED), which provided gap financing for the acquisition and rehabilitation of vacant properties such as tax-forfeited and HUD-foreclosed homes. Between 1991 and 1996, the Houses to Homes program was directly responsible for the rehabilitation of 232 houses and new construction on 34 previously vacant lots. In addition, 1,169 vacant homes were reoccupied through the private market using Houses to Homes technical assistance and financing mechanisms, while 320 properties were demolished.²⁰¹

However, the rehabilitation subsidy for Houses to Homes was quite high — \$40,000 for a single-family home and \$65,000 for the conversion of multi-family units. Rehabilitation of the properties was substantial, usually including, beyond a basic compliance with city building code, the installation of sprinkler systems, the removal of lead paint and asbestos, the replacement of lead water mains, and the installation of new windows meeting the Uniform Building Code.²⁰² In general, Houses to Homes tended to be more comprehensive than similar programs in other cities, such as Cincinnati, Indianapolis, Hartford or Portland.

PED determined that a cost-benefit analysis was necessary, and commissioned a study of the program through the Center for Urban and Regional Affairs (CURA), a department of the Hubert H. Humphrey School of Government located at the University of Minnesota. This 1997 study investigated Houses to Homes and similar programs nationwide, then conducted a specific investigation of the direct, indirect

and spillover property benefits. It also considered sales tax revenue, property maintenance costs, police costs, and foreclosure losses.

Saint Paul's data supported national trends showing a significant depressive effect by vacant housing on surrounding homes:

- the National Association of Home Builders determined that abandoned properties in a central Northeastern urban area reduced the values of adjacent homes by over 30%
- a Minneapolis study of specific census tracts determined that abandoned housing has an average depressive affect of \$900 per property
- a Family Housing Fund of the Twin Cities study reports that houses on the same block as a vacant structure decrease in value in excess of \$2,500, with houses adjacent to or directly across the street from the vacant home losing \$10,000 of value²⁰³

The study identified a number of costs associated with vacant housing or lots in Saint Paul. The most obvious of these was the erosion of the property tax base, particularly significant because residential property taxes accounted for over 40% of the city's tax base in 1997. If a property went into tax delinquency or forfeiture, the loss was even greater, since the back taxes owed were generally not recovered and became a direct loss to the city, county and school district.

Finally, the city incurred direct costs such as the security and maintenance of the property (such as boarding it up, trimming the grass, refuse removal and snow shoveling), increased policing costs, and demolition costs. Other more subjective factors, such as deterred or delayed private investment, perceived harm to overall physical aesthetics and loss of social control, and loss of affordable housing opportunities, were also cited as costs of vacancy.

The CURA study made use of extensive statistical analysis to determine the actual physical costs of vacant housing. It postulated three outcomes for a property once it becomes abandoned:

- it could be rehabilitated through the Houses to Homes program
- it could be demolished by the city
- it could be purchased and reoccupied on the private market, without any rehabilitation

In calculating the direct property tax value benefit, the study used the following average home values: \$68,894 for Houses to Homes properties acquired, \$6,010 for a demolished house, and \$29,618 for reoccupied units. These figures were determined from PED data. Given a property tax levy rate of 153.09% levied against 1% of the first \$72,000 of house value, a 5% discount rate that rounded up Saint Paul's 4.98% bond rate, and the constant that Saint Paul received 40% of total tax revenues (with the balance going to the county and school district), the direct revenue attributed to the city was \$5,528 under rehabilitation, \$459 for demolition, and \$2,260 for reoccupation.²⁰⁴

The analysis of the indirect property value benefit was significantly more difficult to reach. The study constructed a hedonic price model that allowed adjustments for individual house characteristics deemed to affect value such as lot size, number of bedrooms, and desired elements such as a garage or fireplace. The model then divided the city into several neighborhoods, compensating for different demographic and market characteristics. The study then established coefficients based on housing assessors' data and conducted an analysis adjusted for 13 individual property elements and 22 neighborhoods. Finally, the findings were extrapolated over 20 years and the discounted present value was determined. The final conclusion was that, while rehabilitation had a stable effect of \$0 in indirect property value impacts, the effect of demolition to the city ranged from -\$5,828 to -\$13,681 (with a total city/county/school district effect of -\$14,570 to -\$34,202). Reoccupation had a negative effect of -\$5,336 to -\$12,524 directly to the city and -\$13,340 to -\$31,310 in toto.²⁰⁵ When multiplied over a typical block face²⁰⁶ of fourteen houses, these numbers became even more compelling. One interpretation of this data was that rehabilitation appeared to be one of the only factors that could stabilize areas that had already experienced a downturn in property values.²⁰⁷

Spillover investment benefits were similarly difficult to determine. It was postulated that

Category	Rehabilitation			Demolition			Reoccupation		
	low	medium	high	low	medium	high	low	medium	high
Direct Property Values									
Total	\$ 13,145	\$ 13,145	\$ 13,145	\$ 1,148	\$ 1,148	\$ 1,148	\$ 5,650	\$ 5,650	\$ 5,650
Saint Paul Specific	5,258	5,258	5,258	459	459	459	2,260	2,260	2,260
Indirect Property Values									
Total	\$ -----	\$ -----	\$ -----	\$ (14,570)	\$ (26,397)	\$ (34,202)	\$ (13,340)	\$ (24,165)	\$ (31,310)
Saint Paul Specific	-----	-----	-----	(5,828)	(10,559)	(13,861)	(5,336)	(9,666)	(12,524)
Spillover Investments									
Total	\$ 7,457	\$ 13,507	\$ 17,502	\$ -----	\$ -----	\$ -----	\$ -----	\$ -----	\$ -----
Saint Paul Specific	2,983	5,403	7,001	-----	-----	-----	-----	-----	-----
Sales Tax Revenue									
Total	\$ 56,009	\$ 67,211	\$ 78,413	\$ -----	\$ -----	\$ -----	\$ -----	\$ -----	\$ -----
Saint Paul Specific	2,801	3,361	3,921	-----	-----	-----	-----	-----	-----
Property Maintenance Savings									
Total	\$ 7,141	\$ 7,141	\$ 7,141	\$ 4,697	\$ 4,697	\$ 4,697	\$ -----	\$ -----	\$ -----
Saint Paul Specific	7,141	7,141	7,141	\$ 4,697	\$ 4,697	\$ 4,697	-----	-----	-----

Figure 20: CURA Houses to Homes Study Results. (Source: CURA Study)

rehabilitation, demolition and reoccupation had differential impacts on the propensity of the immediate neighbors to invest in their own homes. This model used a sampling of block faces where a rehabilitation, demolition, or reoccupation had occurred, then analyzed the mean building permit values taken out for homes on these blocks and applied an interrupted time series technique. Two final adjustments were made to these figures — to reduce the figures to 30% of their estimated value, since PED estimated that only 30% of investment translated to market value, and to increase the figures by 30% to compensate for an undercount in the number of permits pulled versus actual work completed.²⁰⁸ These calculations determined that only rehabilitation had a significant spillover investment, increasing the number of building permits applied for on the affected street face by 800%, with average overall private investment values ranging from \$7,457 to \$17,502 total — \$2,983-\$7,001 of which went directly to the city of Saint Paul. Demolition and reoccupation produced no similar benefits.²⁰⁹

These same base figures were used to calculate sales tax benefits, calculating that 30% of the cost of rehabilitation went to locally purchased materials, with a sales tax rate of 7%. This analysis accounted for between \$56,009-\$78,413 in direct sales tax benefits from a rehabilitation, with no similar effects from demolition or reoccupation. Saint Paul's percentage of total sales tax was 1/2 of 1 percent, for a direct city benefit of \$2,801 to \$3,921.²¹⁰

In analyzing property maintenance and police costs of vacant property, the CURA study created a Poisson time series regression model for a random sampling of 25 properties with applied coefficients, then extrapolated this data over 20 years. The therefore discounted value of savings to the city for maintenance costs was \$7,141 for a rehabilitated building, \$4,697 for demolition, and \$0 for reoccupation, all accruing directly to the city of Saint Paul.²¹¹ The study was unable to draw a significant correlation between statistical change in police calls for rehabilitation or reoccupation, although it did find a significant decrease in calls to the property if the house was demolished. It did not try to analyze the subjective “quality of life” element of any of these elements.

The chart above summarizes the comparative cost benefits of rehabilitation, demolition, and reoccupation as determined by the CURA study.

The CURA report concluded that “rehabilitation has very real public sector benefits, benefits that increase when compared with demolition or reoccupation.”²¹² Not only was rehabilitation found to directly increase a property's value and tax revenue, it also had a correlating effect on nearby homes; vacancies significantly depressed nearby property values, while renovations appeared to be contagious, spreading to nearby homes. When extrapolated over both time and the number of houses on a block face, this spillover effect was substantial. Direct sales tax revenue was also notable, averaging \$15,000 more than the average Houses to Homes gap financing subsidy.

None of these revenues accrued entirely to the city of Saint Paul; property taxes were divided between the city, county and school district, and most of the sales tax revenue went to the state. Saint Paul did, however, realize direct savings in maintenance and public health services.

The final consideration, and the least easy to measure, were the non-quantifiable, quality of life benefits. As the study notes:

The housing stock of a city is as important an aspect of its infrastructure as its streets or sewers. The condition of a city's housing determines its value and the city's ability to generate property tax revenue. It also impacts the demand for infrastructure outlays by influencing where people live and where they spent their workday and paycheck. The condition of the city's housing stock also influences how attractive a city is to business and visitors.²¹³

The CURA Houses to Homes study found that there are many intangible benefits of rehabilitation and preservation — including neighborhood reinvestment, the promotion of affordable, amenity-filled housing, and the halting of cycles of deterioration and decline, with corresponding reduction of crime and social costs. However, the study took the issue a step further by demonstrating extensive fiscal results as well. Rehabilitation, as possibly promoted by conservation districts, would have an extensive impact on Saint Paul's social, political, and economic development.

A Fiscally Responsible Choice

The varied economic benefits of preservation, such as property tax revenue, job creation, and tourism, have been long understood and promoted. However, due to diverse community factors and influences, it has proved difficult to determine the exact fiscal impact of preservation districts, and near impossible to ascertain the results of conservation districts.

Preservation has been shown to have enormous fiscal benefits, ranging from expanded tourism revenues to job creation and community reinvestment to individual economic benefits. Not only should historic preservation be valued for its cultural, social, and aesthetic repercussions, but also for its use as an economic development and community revitalization tool.

In Saint Paul, however, two studies in particular indicate that the adoption of conservation districts would have a positive impact on the city's economy. A property value assessment of several historic districts indicated a positive correlation between designation and housing values, as well as community character. The Houses to Homes study's careful economic analysis showed a number of fiscal benefits to rehabilitation, especially in comparison to demolition or reoccupation. Both of these studies support anecdotal evidence suggesting the value of preservation designation and its resulting community impact, and provide a strong fiscal argument for a rather subjective issue.

CHAPTER VI THE ZELLIE STUDY

A Point of Reference

Three major studies of the conservation district concept were completed between 1991 and 1992:

- *A Study of Conservation Districts* by Carol Zellie, as conducted for the Saint Paul Historic Preservation Commission in 1991
- *The Philadelphia Neighborhood Conservation District Research Report* by Deborah Marquis Kelly and Jennifer Goodman, produced by the Preservation Coalition of Greater Philadelphia as a project for the National Trust for Historic Preservation in 1991
- The American Planning Association study that resulted in a chapter entitled “Conservation Districts” in Marya Morris’ *Innovative Tools for Historic Preservation*, published in 1992

Each of these studies is notable for certain groundbreaking features; Morris’ chapter is a very theoretical summary that uses some case studies to illustrate her points, while the Kelly/Goodman study makes an extensive comparative survey of common elements in conservation districts nationwide. Carol Zellie’s study, however, is the most seminal work informing this thesis, because *A Study of Conservation Districts* makes a careful study of programs nationwide, defines models for the concept, then applies them to Saint Paul’s specific circumstances. Although now somewhat outdated, *A Study of Conservation Districts* provides an important base for any consideration of the concept in Saint Paul.

Then and Now: The Zellie Study, Ten Years Later

Zellie’s study was extremely comprehensive, and took into account a number of local and national factors. In my research for this thesis, I made a particular effort to try to recreate many of these research components and considerations, in order to establish a comparative structure and to build upon the base she established.

Zellie’s introduction addressed the range of attitudes towards historic preservation in the city — in some neighborhoods, specifically the historic districts, preservation was valued, while in others, rehabilitation was a challenge. Her central starting question was “...what the long-term impact on neighborhood character as well as housing values and the future tax base might be if a large amount of sound housing stock is insensitively remodeled.”²¹⁴ In the opening section, she also acknowledged the broadening of “historic” scope, contexts, and definitions — to include structures that did not always meet strict National Register qualifications, such as recent (post-1950s) buildings. Since these considerations had already been established, my research, ten years later, could begin with the concept of the potential viability of conservation districts, rather than having to establish them as a means of determining community character or values.

In her first chapter, “An Analysis of Programs and Policies Related to Historic Resources and Neighborhood Character,” Zellie stated the study’s original objective as being “...to conduct a study of the conservation district concept”²¹⁵ and to prepare:

- a brief summary of the research pertaining to the concept
- a narrative comparison of district models
- a discussion of the utility of the models to the Dayton’s Bluff neighborhood of Saint Paul, an area for which the city was then considering conservation district designation
- a physical property evaluation of Dayton’s Bluff
- a conservation district model, including eligibility criteria
- the development of a nomination form

Using these goals, Zellie identified the creation of a city-wide conservation district model as the study’s preeminent focus. My central question is broader — the viability of the general concept rather than its application to a specific instance — rather than being area or model specific.

In the “Sources and Methods” section of the chapter, Zellie cited as the central base of the study her analysis of conservation district legislation in twenty U.S. cities, as well as an investigation of Saint Paul’s neighborhood planning and preservation programs. This information was compiled in a number of different ways. For the other cities she studied, Zellie collected and examined ordinances, comprehensive plans, and promotional materials, as well as interviewing key staffpersons in these programs; in Saint Paul, she also collected preservation and planning materials, but also met with Historic Preservation Commission members, PED staff, and district council organizers. Ten years later, my research for this reviewed, updated, and expanded upon many of these efforts.

After defining terminology, Zellie’s study went into some length considering Saint Paul’s neighborhood planning and district councils. Here she identified some national trends, such as gentrification, and placed them into context through the concerns of Saint Paul’s twenty district councils. In particular, she referred to the following findings from *Saint Paul Housing Policies for the 1990s*:

- Saint Paul residents identify mainly with particular neighborhoods, rather than the city as a whole.
- Neighborhood identity is established through physical features, urban design and architectural styles, local histories, and ethnicity, or some combination of the above.
- Neighborhood identity informs the housing market and desirability.
- Saint Paul’s core neighborhoods are competitive in amenities, services, and pricing with its suburbs.²¹⁶

In 2001, these factors still hold true, or are perhaps even heightened. Some of the challenges have increased — for example, in the Frogtown neighborhood, the area’s traditional identity has been established through the physical boundaries and vernacular, working-class housing, but now it is also reflective of the neighborhood’s preponderance of new Americans, especially Hmong and Somali immigrants, who have made the area their home. At times, these two identities can come into conflict. Housing markets today are much stronger than they were in 1991, with central Saint Paul homes commanding premium prices and quick sales that far outpace its suburbs. The establishment of community character, or a “sense of place” is considered even more crucial in 2001 than it was in 1991, and one of the city’s key goals continues to be to “Enhance the qualities and features that distinguish Saint Paul neighborhoods and make them desirable places to live.”²¹⁷

Zellie developed her idea that Saint Paul neighborhoods treat their historic resources differently by comparing District 12 (St. Anthony Park), which placed a particular emphasis on its “architecturally significant house styles”²¹⁸ to District 6 (the North End) in which “the attitude of current residents have already made a large proportion of structures economically infeasible to rehabilitate and retain.”²¹⁹ Her general conclusion was that “while Saint Paul’s current historic districts have a good deal of high-styled architecture which reflects the rationale of their creation, residents of some areas do not see the historic component of their property in a historic light.”²²⁰ This controversial distinction, in which preservation appeared to be a value primarily embraced by more affluent communities, corresponded with anecdotal information collected from other cities at that time.

This point reflects one of the biggest changes in the ten years since the Zellie study was conducted. In 2001, all of the district councils that were interviewed placed great importance on community character and sense of place, and showed a sophisticated understanding of the use of preservation as a community development tool. Nationwide data supports this trend, with cities using preservation as a development tool for a wide range of neighborhoods and situations. The distinction is no longer primarily one between “rich” and “poor” communities, but rather between those which are politically and socially mature, and others whose systems are still developing.

Zellie concluded the first chapter of her study by discussing Saint Paul’s preservation planning elements, including housing improvement programs, the Historic Preservation Commission, and the comprehensive 1983 Ramsey County Historical Society Sites Survey — all of which are still the dominant historic resources for the city. She recommended a number of changes and innovations, among which she emphasized the adoption of conservation districts and design review standards. Her specific

recommendations for actions that the Historic Preservation Commission should take, within its extant powers as of 1991, were as follows:

- review the Historic Sites Survey for references to significant neighborhood history and architecture, and develop these into full historic contexts for the city
- consider the designation of sites with strong social and cultural significance, in addition to those with strong architectural merit
- work with district councils to incorporate preservation issues into community planning
- develop design guidelines and vocabulary
- work with housing improvement programs to be more sensitive to historic architecture and features, and create funds and incentives to prioritize the retention of these features
- provide public information regarding traditional housing character and preservation
- develop the city's Comprehensive Plan to include a preservation chapter
- identify distinctive landscape components, both designed and natural, in Saint Paul neighborhoods²²¹

By 2001, none of these eight objectives have been actually implemented, though most are still relevant to the issues the HPC faces today. Many of the same suggestions recently resurfaced in the 1996 *Historic Preservation-Housing Policy Advisory Committee, Report to the City Council*.

The second chapter of the Zellie study consisted of a comprehensive analysis of conservation districts in the United States, as well as a consideration of some specific cases in Phoenix, Dallas, Nashville, and Cambridge. It is in this section that Zellie developed the theory that conservation districts evolve either along the “neighborhood planning” or “architectural/historic preservation” model,²²² which became a generally accepted guideline for the consideration of conservation districts during the 1990s. In this section, Zellie made several more generalizations regarding conservation districts:

- designation processes operated with diverse criteria, with those concerned with neighborhood planning tending to have broader eligibility criteria than those with architectural or preservation focuses
- the districts were almost always citizen initiated, and required a majority approval of affected residents
- conservation districts were often envisioned as solutions for areas that were not physically “quite ready” or “quite there”²²³ for preservation district status, offering recognition and some level of design review to these areas
- the relationship between local historic districts and conservation districts within cities varied greatly, ranging from a close relationship in some to many in which there was little to no level of correspondence between the two
- although some type of design review was an integral part of each conservation district, the level of review, the kinds of things that were reviewed, and the enforceability of the review varied greatly
- the level of public education regarding conservation districts and preservation in general varied greatly, with the most successful cities generally conducting a great deal of outreach²²⁴

Although these distinctions were informative to the establishment of conservation districts in the early 1990s, they are less universally applicable to more recently created districts. The best current model for successful conservation districts appears to be neither the “neighborhood planning” or the “architectural/preservation” model, but a hybrid of the two that uses preservation as a means of community revitalization.

Chapter 2 of the Zellie study concludes with a proposed preliminary model for Saint Paul, which suggests that conservation districts would be of value for the city, particularly in the following instances:

- in the broad cases “where the Commission or the residents do not feel existing Heritage Preservation District controls are appropriate”

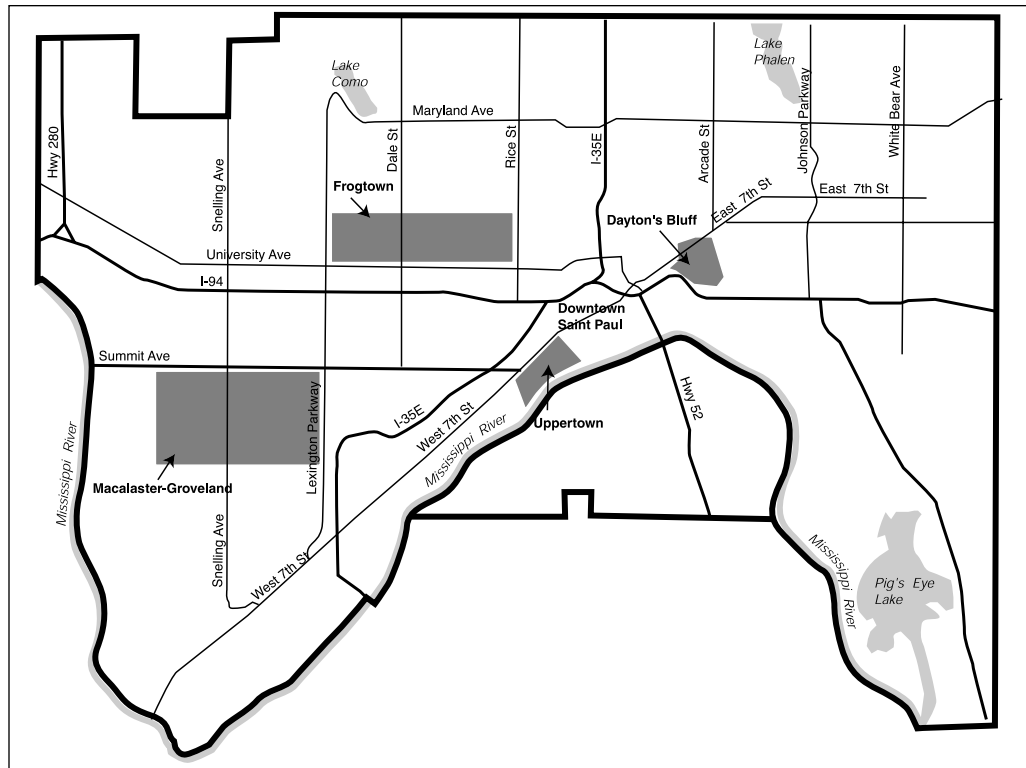


Figure 21: Potential Saint Paul Conservation Districts for Saint Paul as identified by the Zellie study.

- “in stable areas of ‘newer’ buildings, or where there is low integrity or wide dispersion of significant buildings across and area,” or
- where “existing historical research might not support a distinctive area’s designation as a Heritage Preservation District”²²⁵

The recommendation to establish a conservation district program, along with the report’s model for an intensive public education program, were accepted by the HPC but never officially adopted or implemented. These recommendations, and their applicability to Saint Paul’s current situation, are further considered in the final chapter of this thesis.

Zellie’s final charge from the HPC for the study was to identify neighborhoods that had potential for future conservation district or preservation district designation. After considering neighborhood histories, the general character of the housing and commercial buildings, and structures identified in historic resources inventories, Zellie recommended Dayton’s Bluff, Frogtown, Uppertown and Macalaster-Groveland for further consideration.

The Zellie Interview

I was fortunate enough to be able to interview Carol Zellie in early 2001, and was particularly interested in her opinions regarding the repercussions of her study.

Ms. Zellie’s firm, Landscape Research, is engaged mainly in preservation and design consultation. Recent work has ranged from design guidelines to district surveys, and adaptive reuse studies to preservation ordinances. Ms. Zellie has not, however, performed any formal follow-up to the 1991 study, nor any further examination of the concept for Saint Paul.

Ms. Zellie confirmed that her study had been commissioned by HPC staff specifically to evaluate the potential of the Dayton’s Bluff area as Saint Paul’s first conservation district. Saint Paul City Council Research Analyst, Marcia Moermond, had indicated earlier that Dayton’s Bluff had received heritage

preservation district status rather than conservation district designation because “the neighborhood was determined that they wanted to be a preservation district, and would not accept the ‘lesser status’ of being a conservation district.”²²⁶ Ms. Zellie confirmed this impression. She remembered that the citizens involved in the process were a “passionate, vehement group” who “viewed their neighborhood as every bit as beautiful as Crocus Hill”²²⁷ and who had a strong desire to convince others to see Dayton’s Bluff in that same way.²²⁸ The entire process was extremely emotional, with testimony often breaking down into tears and a tangible sense of urgency to “save their neighborhood” on the part of the residents petitioning for designation. In the end, the City Council determined simply to designate Dayton’s Bluff as a heritage preservation district under the existing legislation, rather than investigating new options.

There is still much debate as to whether or not this was the correct thing to do. Dayton’s Bluff certainly did not fit the preservation district model that had evolved in Saint Paul — its homes were almost exclusively vernacular, and as a whole, the district suffered from extremely low integrity, with many cases of inappropriate additions, alterations, and new construction.²²⁹ Other than the Zellie study and a Historic Site Survey completed by Paul Clifford Larson in 1989,²³⁰ little research had been done regarding the area, and Ms. Zellie remembered that many believed the Council “had rubber stamped people’s passion rather than quantitative data.”²³¹

To be fair, when Dayton’s Bluff began its preservation efforts, designation as a heritage preservation district was the only vehicle open to them if they wanted to use preservation as a tool for community revitalization. Later in the process, after the Zellie report was completed, the city seemed receptive to the idea of adopting conservation districts, but Dayton’s Bluff residents were understandably nervous about the possibility of this actually occurring, and about the repercussions of being the pilot neighborhood for such a program. The City Council can also reasonably be commended for its attention to the wishes of the community. Whether or not the decision to designate Dayton’s Bluff as a heritage preservation district instead of a conservation district was the best decision for the preservation policies of the city as a whole, it was probably the best decision for that specific neighborhood at that particular moment.

Ms. Zellie’s biggest disappointment with the study was that, after this single situation, there was little to no further consideration of the conservation district concept. Without a pilot neighborhood or entity willing to push forward the proposal, the city council was reluctant to work it into future policy. Later community planning, particularly in regards to preservation, was effectively discontinued by Mayor Coleman’s reforms. Conservation districts, and their close relative community design districts (as adopted by the city in 1993), were simply not initiatives that the city was willing to invest in at that time. Although the 1991 Zellie study became very influential for other cities as they implemented and refined conservation district programs, it turned out to be of almost no practical value for the city that had commissioned it.

Even though Saint Paul did not implement conservation district strategies, Ms. Zellie thinks that a number of current issues are influenced by the concept. She cites the city’s design guidelines²³² as appearing directly influenced by her study. Recently, Saint Paul has enthusiastically encouraged New Urbanism principles — such as walkable, mixed use neighborhoods, a range of housing types and affordability, connected public open spaces and transit/commercial corridors — in its new developments such as the Phalen Corridor and the West Side Landing. Ms. Zellie suggests that the connections between these ideals and the traditional neighborhood design principles espoused in preservation/conservation districts is not coincidental.

Long-Lasting Implications

In many ways, the failure of Saint Paul to adopt the recommendations of the 1991 Zellie study can be a more compelling argument for its value than its wholesale endorsement would have been. After all, many cities undertake detailed studies, then do not make use of the results — planning departments nationwide are filled with obsolete plans, surveys and recommendations. However, in this case, once the particular instance of Dayton’s Bluff had been resolved, the larger policy issues raised were never

addressed, although they became informative to other cities struggling with the same issues, such as Iowa City.

The Zellie study thus becomes a seminal work not because of the specific analysis it conducted, though these elements too are important when considering the history of the “first wave” of conservation districts in the early 1990s. Nor is it important only for its insights into Saint Paul’s preservation planning and political situation, though many of these still hold true. The study is most valuable because of the questions that the city of Saint Paul never answered:

- What is the relationship between our buildings and our culture? How is that reflected and experienced by the city and its residents?
- Why do the demographics, logistics, and social-political structures of some conservation districts work, while others do not? Are there really two kinds of districts — preservation and conservation — or only two levels of the same kind of district?
- And finally: Does the current preservation planning process in Saint Paul actually work?

CHAPTER VII

A SOLUTION FOR SAINT PAUL

The Evolution of an Idea

The city of Saint Paul had a number of reasons for deciding against the adoption of conservation district legislation in 1991. With the Dayton's Bluff community adamantly opposed to designation as a conservation district, there was no potential pilot neighborhood for the program, and no popular mandate for conservation districts elsewhere in the city. The city lacked a comprehensive historic preservation policy, the resources to expand its preservation activities, and planning expertise in PED. Perhaps most importantly, there was neither the political will nor the strong citizen support necessary to create or maintain conservation districts at that time.

Conservation districts have had mixed results for the many cities that did adopt them during the "first wave" of interest in conservation districts in the late 1980s - early 1990s. In some areas, such as Cambridge, Nashville, and Bozeman, they became extremely effective community revitalization tools that combined preservation and planning goals. Other cities, such as Memphis and Fort Worth, have experienced more mixed results. And some cities that established conservation districts during this first wave have encountered failure; Lincoln recently eliminated its R-C zoning, and in Albuquerque and Philadelphia conservation districts were planned but never established, despite concerted efforts to do so.

The conservation districts established as part of this initial movement tended to share certain general characteristics. In general, the concept was embraced as a less intensive alternative to historic districts, an option for neighborhoods that "lack the requisite historical and architectural significance of a local historic district."²³³ Often, due to their reduced regulation, conservation districts were promoted for areas where it was believed that a traditional historic district would never be accepted. The districts were characterized as fitting under either the "neighborhood planning model" or the "architectural or historic preservation model,"²³⁴ depending on their focus and intent. Designation, regulation, and administration varied extensively between cities — and often between neighborhoods of the same city, in cases where each individual neighborhood set their own guidelines.

This wide variation in standards has been both the strongest and weakest element of the conservation district concept. In some instances, such as Avon Hill in Cambridge, this flexibility allowed residents to tailor the conservation district to the community needs and priorities, producing a successful model of neighborhood revitalization derived from grassroots participation and citizen involvement. In other cases, such as the Point Breeze pilot neighborhood in Philadelphia, the proposed standards proved simultaneously too vague and too exacting to incite community action. In many cases, the results have been somewhere in between, with some real success stories and some neighborhoods in which the concept never caught on, or where it began with strong support but then died out. It has become clear that conservation districts are not universal panaceas that can be imposed upon a community in order to provide better preservation policies, but are instead grassroots solutions for neighborhoods in which "history" has many layers of meaning.

Conservation districts today have evolved into something in between the brash new ideas studied in the early 1990s by Zellie, Morris, and Kelly/Goodman and the more Utopian, incentive-based "conservation areas" as proposed by Professor Stipe.²³⁵ The most recent communities to embrace conservation districts, such as Davis, California, and Iowa City, Iowa, have not adopted them as lesser substitutes for historic districts, but rather as community-based solutions to unique neighborhood situations. These new models identify conservation districts as an important element of a full preservation plan for a larger area. Regulations are specifically tailored for each neighborhood, but also conform to a greater plan for the city as a whole. In these cases "history" is seen through a broader, more inclusive lens, and the preservation of a neighborhood is defined not only as retaining its structures, but also its community character and sense of place. Conservation districts have matured to become viable solutions for areas with complex needs that require both planning and preservation solutions.

Conservation Districts in Saint Paul

In 1991, conservation districts may or may not have been a good idea for the city of Saint Paul. A decade later in 2001, they do meet the city's planning and historic preservation needs, and should be adopted as part of a comprehensive and pro-active preservation strategy for the city. There are a number of reasons why conservation districts are appropriate for Saint Paul at this time.

Conservation districts have come into their own as inclusive, flexible options to traditional historic districts. Rather than being seen as second-rate substitutes for historic districts, they are now understood to be an innovative tool that blends planning and preservation in order to revitalize neighborhoods, preserving the past while planning for the future.

Saint Paul has a number of established neighborhoods whose individual buildings generally do not meet the criteria for heritage preservation district designation, but in which the general character and sense of place should be preserved. Some of these neighborhoods, such as the University Grove area of St. Anthony Park or Upper and Lower St. Dennis Roads in Highland, are architecturally important, but built within the last 50 years and thus ineligible for historic district status. Other areas, such as much of Crocus Hill, are significant for being on the National Register, but have no local protection. But perhaps the most interesting cases are the neighborhoods which display discernable community character, but in which that unique sense of place emanates from the neighborhood as a whole, rather than specific buildings. Sometimes, it is ethnicity that provides this character, such as on the Latino-influenced West Side. At other times, it is location, particularly in neighborhoods that serve as "buffer zones" to established heritage preservation districts. Most often, however, character and sense of place stem from a neighborhood's unique history, involvement, and community participation.

Conservation districts provide a logical next step in the correlation between preservation and planning in Saint Paul. First, the city established heritage preservation districts, setting the model for such activities with the community-driven designation of the Historic Hill District. These districts, and other preservation activities such as the Historic Saint Paul Foundation, heritage tourism, and the Houses to Homes program, have been extremely successful and have been shown to have a positive financial impact on the city. The expansion of preservation activities would likely increase that impact, maintaining or increasing the quality of life for the city and its residents.²³⁶ Many branches of local government, such as the City Council,²³⁷ have shown that they understand the need to strengthen the city by updating its preservation policies. 2001 mayoral elections, and an expected consequent overhaul of PED, will provide upcoming opportunities for change.

New city initiatives, such as design districts and overlay zoning areas could potentially correspond with and strengthen conservation districts and other preservation initiatives. Saint Paul's successful revitalization depends on new development that recognizes and celebrates its past, that "capitalize[s] on what works rather than continually succumb[ing] to the idea that problems disappear when we drop shiny new buildings on them."²³⁸ Some of the city's most popular areas are ones with historic contexts, such as the shopping area along Grand Avenue or downtown's Rice Park.

Saint Paul initiated an excellent community participation method in 1975 when it created the district council system. Not only have the community councils provided invaluable citizen input on neighborhood planning issues, they have also fostered intelligent, involved citizens that understand zoning and planning initiatives. These groups could provide the impetus for the designation and implementation of conservation districts. Grassroots community support has been cited repeatedly as an integral factor for successful conservation districts, and Saint Paul, with its effective planning councils, is uniquely poised for that kind of community action.

In short, conservation districts should be adopted by the city of Saint Paul, and some significant changes should also be made to its planning and preservation policies, in order to ensure the continued vitality of the city.

A Blueprint for Action

Zoning and Land Use Reform

The first step in any changes, and crucial to the success of conservation districts in Saint Paul, would be a major revision of the city's land use policies and regulations. City zoning code is already problematic, as demonstrated by the sheer volume of variance, non-conforming use, and Special Conditional Use Permit requests made to the Board of Zoning Appeals, by the discontent of the district councils regarding land use and their relationship with the city on such matters, and by the lack of coordination on these issues between city departments.²³⁹ Additional, and potentially more subjective, levels of regulation such as conservation districts could potentially exacerbate the situation.

Saint Paul already has successfully implemented overlay zoning in the Shepard-Davern area.²⁴⁰ Overlay zoning regulations should be applied to the five existing historic districts, and to any future conservation or historic districts, in order to preserve the predominant base zoning while allowing for more appropriate patterns of development. Such zoning would protect the character and architecture of these areas. It would also most likely dramatically reduce the number of BZA cases in the districts, since the bulk of variances applied for cite either the space requirements of the existing lot, or matching the historical building pattern of the block, as the reason for the variance. Perhaps most importantly, overlay zoning would give conservation districts some enforcement "teeth."

Saint Paul also needs to re-evaluate its building codes with an eye to simplifying rehabilitation processes, while still ensuring safety and quality. For instance, older buildings moved to new sites and buildings that have been classified as "registered vacant buildings" should be subject to regulations similar to rehabilitation codes, rather than new construction as is currently stipulated; sprinkler system requirements for rehabilitated building should be repealed, as they have been shown to have little to no actual effect;²⁴¹ and regulations regarding lead paint, asbestos, and radon should be re-examined.²⁴² Finally, the coordination of building permit application and HPC approval should be simplified.

There are a number of other ways that the city of Saint Paul could enhance its planning activities through encouraging innovative preservation methods, particularly in conjunction with conservation districts. For instance, it could expand the use of FARs, currently used only in the Shepard-Davern overlay zones and in downtown. This would ensure that new construction matches the cities dominant architectural styles and its standard two to three-story construction, rather than favoring "big box" development patterns. The city could also include appropriate preservation and design standards as a factor for its consideration of tentative developer status on city-owned sites, or for fiscal assistance to private developments, particularly mixed use residential/commercial developments.²⁴³ Though many currently see Saint Paul's rich tradition of land use regulation as little more than an annoying hurdle, it could be one of the city's biggest strengths in terms of encouraging stable, appropriate development.

Conservation districts should not be the only legislative reform that blends the fields of planning and preservation. The city should enact several other ordinances that consider its historic resources comprehensively, rather than in specific districts. A demolition delay ordinance, such as Cambridge's, would protect the city's historic sites without unreasonably affecting development. The city would be spared the agonizing controversy of several recent cases in which they were accused of "attempting to preserve a rundown structure [only] after someone takes an interest in redeveloping it [the site]"²⁴⁴ by having a rational, proactive policy that considers all cases equally. Similarly, a strong "demolition by neglect" ordinance in which historic buildings are not allowed to deteriorate unreasonably, and a demolition delay ordinance similar to Cambridge's would clearly communicate the message that Saint Paul considers its historic buildings an asset rather than a liability.

Preservation Initiatives

Since conservation districts are a hybrid between planning and preservation, a review of the city's preservation policies is equally as important as the land use reforms cited above. As one local editor comments:

Much information has come to light about the city's neighborhoods, architects, and buildings. Consequently, the city is far behind in analyzing and prioritizing its historic sites and implementing protections.²⁴⁵

The city of Saint Paul should draft a full historic preservation plan and include a preservation section in its Comprehensive Plan. The city's commitment to preservation was originally demonstrated in the strength of the enabling legislation, but that mandate now needs to be expanded in order to use preservation as a more effective revitalization tool.

The preservation plan should address some of the major issues confronting preservation in Saint Paul. For instance, the city should identify and develop historic contexts, in order to provide a framework for evaluating the significance of its historic resources. Such contexts would provide broad, overarching themes that would allow the city to organize and evaluate its resources and give it an illuminating perspective on its past. It should also update its historic sites survey, last conducted by the Ramsey County Historical Society in 1983. It should investigate financial programs, such as revolving funds and low-interest loans for preservation projects. Finally, following the lead of cities such as Nashville and Cambridge, Saint Paul should improve its preservation outreach programs. Not only are these issues the ones that are most likely to affect and involve the community at large, they are also the ones that will project a positive, accessible image of the city.

Measurable Markers of Success

As demonstrated in Chapter V, the actual economic benefits of preservation are difficult to measure. Often its benefits are so closely related to issues such as housing markets, public/private investment, and general economic trends, that it is difficult to make a distinction between the factors. This problem is equally inherent to conservation districts.

In Saint Paul, the 1996 study regarding property value trends in historic districts indicated that there was some positive correlation, but that it took several years for the district to become established and show improvement.²⁴⁶ Were conservation districts to be established in Saint Paul, one would not expect to see a measurable fiscal impact for at least several years. Conservation districts would not be a "quick fix" for depressed neighborhoods.

On the other hand, housing values in the city are at one of their highest points ever, with Saint Paul's urban homes selling more quickly and commanding higher prices than similar homes in its suburbs. Conservation districts are a way to extend this property boom, by ensuring that neighborhoods retain the character that gives them much of their increased value. The districts could also help preserve the diversity within and between the city's unique neighborhoods.

While the city develops measurable standards,²⁴⁷ it should not fail to note anecdotal information. Potential immeasurable results under this category include increased community involvement and participation, the development of creative solutions to preservation and planning needs, a potential financial and development renaissance, and a better quality of life for the citizens of Saint Paul. Conservation districts might even serve to ameliorate the current disconnect between the citizens and their planning councils and city governance and PED.

Next Steps

There is no tried and true process that the city of Saint Paul can follow in the implementation of a conservation district program, no "conservation district kit" that can provide all of the answers. However, the city of Saint Paul has some excellent tools at its disposal in order to establish a successful program that will meet the city's unique needs.

The city should first re-examine the 1991 Zellie report it commissioned, *A Study of Conservation Districts*. Though some of the study's observations and recommendations are no longer relevant to the city and its situation, many still are.

Secondly, the city should involve its district councils in the process from the onset. Since these groups are already involved in, and knowledgeable about, their neighborhood's community character, as well as planning and zoning policies, they are potentially invaluable players in the process.

Beyond the planning councils, the city government needs to involve the citizenry at large in initiatives such as the preservation and land use reforms discussed above. It could follow Davis, California's lead in holding a series of community meetings and working groups on the conservation district concept. The designation of Saint Paul's preservation districts has proved that the community process is important and influential,²⁴⁸ and that citizens are eager to be involved.

Finally, it is important to keep in mind that this process must be open to the entire community, and must be respectful of a number of different values and concerns. In many cases, historic preservation has been considered elitist or separatist because was viewed as preserving only wealthy areas or large, ornate properties. Saint Paul has successfully negated this perception by designating the diverse area of Dayton's Bluff as a heritage preservation district, and nationwide this continuum is changing quickly to become more inclusive and representative of a larger population. The designation of working class neighborhoods in Saint Paul, similar to The Marsh in Cambridge or Lockeland Springs-East End in Nashville, can ensure that all of our past history is equally valued.

A Model Conservation District for Saint Paul

Conservation districts are more than a viable option for the city of Saint Paul to consider; they are a sophisticated, hybrid planning and preservation tool that would be a dynamic force in the city's development. The adoption of conservation districts would be one of the best policy decisions the city could possible make at this time, and Saint Paul is uniquely situated to implement and benefit from a conservation district program.

Saint Paul's conservation district ordinance should be similar to Nashville's, in which conservation districts are established as equal in importance and status to its current heritage preservation districts. In this way, conservation districts will be an option for all neighborhoods, rather than a second choice designation for areas that are "not good enough" to be historic districts. Conservation districts will not be confused with historic districts if they are clearly established as an option to historic district status rather than a replacement for this designation; for example, areas in which the individual sites are particularly outstanding or notable are more likely to be designated as historic districts, while conservation districts are more appropriate for areas concerned with preserving the overall neighborhood character and sense of place, with less focus on individual buildings. Conservation districts should be zoned as overlay districts, in order to preserve the predominant zoning and land use.

Designation of conservation districts should be initiated by the neighborhood's residents. The city could then support this action by a system similar to Cambridge's, in which the area is given temporary conservation district status while it is intensively surveyed and studied, with the neighborhood voting on final designation once the study committee makes its recommendation. This structure ensures that the political system supports the desires of the community, rather than imposing designation upon them. This process would also ensure that Saint Paul begins the long-delayed task of updating its historical resources surveys.²⁴⁹ Saint Paul has had few recent additions to the National Register, and these surveys may indicate some sites or areas that should be nominated.²⁵⁰

Since Saint Paul is an old city, almost every neighborhood has the potential of being designated as either a historic or conservation district. Conservation district status would be especially appropriate for neighborhoods:

- that serve as buffer zones to the city's designated heritage preservation districts
- that are on the National Register but are not locally designated
- that represent the recent past

Conservation districts and historic districts should have equal enforceability, even if different elements are regulated. The city should enact "threshold standards" that hold true for all of the

conservation districts, defining the main areas of regulation such as new construction and demolition. Each individual district should then set standards tailored for their specific needs and situation. Design guidelines, or design districts, could be incorporated into this structure. An excellent model for this system is Iowa City, in which the tiered design guidelines establish certain mandatory compliance items as well as requiring a minimum of thirty points achieved by a combination of design factors. The administration of the conservation districts provides a number of creative options for the city, ranging from a hybrid planning-preservation division to individual neighborhood administration,²⁵¹ to privatization through administration by a non-profit agency.

This model reflects suggestions for a successful conservation district program in Saint Paul, but it is important to recognize the invaluable component of community participation and accountability. As the Philadelphia model proved, conservation districts cannot be imposed on a neighborhood or a city. They must instead be an organic response to particular needs and conditions, including Saint Paul's current challenges of new development, deteriorating cultural resources, affordable housing, neighborhood revitalization, and community participation. My research and analysis suggests that the conservation district concept is the best response for Saint Paul at this time.

CHAPTER VIII CONCLUSION

Initial Considerations

This thesis originally sought to determine if conservation districts were a viable preservation option for Saint Paul, particularly in light of the city's dismissal of the concept in 1991. My ultimate conclusion is that conservation districts would be a valuable element in Saint Paul's preservation and planning initiatives, and indeed, that innovative tools such as conservation districts are crucial to the city's future development success. However, I have come to that recommendation with a very different perception of conservation districts, and of the city of Saint Paul, than I had when I began my research.

To begin with, conservation districts have changed greatly since the "first wave" of implementation studied by Zellie, Morris, and Kelly/Goodman in the early 1990s. Many of the first conservation districts established were viewed as lesser versions of historic districts, or as "not as controversial" methods of designation to try when more intensive options were not accepted by either the community or by government decision-makers. These districts tended to fall into one of two categories, either the "neighborhood planning model" and the "architectural or historic preservation model." Other elements, such as designation processes, design guidelines, and the relationship to historic districts varied from city to city, and often between districts in the same city.

A decade later, the most successful conservation district programs have a slightly different emphasis. These districts are established to protect a neighborhood's community character and sense of place, rather than focusing on individual structures within the district. They are a true mix of planning and preservation tools that simultaneously protect an area while allowing it to change and develop, and that take into account the neighborhood's specific (and changing) needs and priorities. Today's conservation districts are a sophisticated, often underused, tool.

Saint Paul, too, has changed and developed in the last ten years. It has further developed an excellent, grassroots community participation vehicle through its district council program, and has designated five diverse and thriving historic districts. Its urban neighborhoods are vibrant, desirable places to live, work and play, and its downtown has recently experienced great growth and redevelopment, including a hockey arena, new retail and professional spaces, and upper-market loft residences. At the same time, it has lost expertise and leadership in its planning department, fostered discontent between community advocates and city staff, and has neglected many of its preservation duties. The city of Saint Paul is in clear need of reform in both its planning and preservation functions.

A Viable Option for the City of Saint Paul

Conservation districts, as defined and explored in this thesis, are an excellent solution for Saint Paul, and ought to be established as part of the city's development policies for a number of reasons.

Since the conservation district concept is a unique preservation and policy hybrid, it could simultaneously address some of the city's greatest strengths and some of its weaknesses. Conservation districts would complement Saint Paul's existing heritage preservation districts and its other preservation-oriented activities, enhancing and developing the city's already strong current programs. At the same time, they could strengthen the city's planning initiatives by serving as an innovative development tool for the department of Planning and Economic Development.

Saint Paul is uniquely situated to create grassroots based, community oriented conservation districts due to its successful district council system. These community planning councils have demonstrated their involvement with and knowledge of planning and development issues. By working with these constituencies to develop such innovative techniques as conservation districts, the city could reinstate the natural bond, currently severed, between PED and the communities that it represents. District councils were initially conceived as "both voices for Saint Paul neighborhoods on planning and economic development matters and as citizen watchdogs of the mayor and City Council"²⁵² and the councils

interviewed for this work have indicated a strong desire to return to this role. Saint Paul's greatest strength is that it is a city of individual, active neighborhoods, and its citizens are proud of the city and its past, eager to take part in forging its successful future, and eminently able to envision and implement necessary changes, and conservation districts are a unique community development tool that can capitalize on these assets.

Further Consideration

In this work, I did not address several issues that I had originally contemplated in my initial consideration of the conservation district concept. For example, I had planned to identify several target Saint Paul neighborhoods, much as Carol Zellie did in *A Study of Conservation Districts*; however, I now strongly believe such pre-identification is shortsighted. This strategy failed for Saint Paul in 1991, when the city identified Dayton's Bluff as a potential conservation district, only to have that community reject such a designation in favor of heritage preservation district status. It also failed in the Point Breeze neighborhood of Philadelphia. It has been less than successful approach even in cities such as Cambridge, where preservation planner Sarah Zimmerman indicated that the struggling Half Crown Conservation District might have been more successful had it been more community driven, even if its designation might have been slower and perhaps more controversial.²⁵³ Even in Nashville, where conservation and historic districts are given equal status under the enabling ordinance, Historic Zoning Commission staffperson Billy Kelly theorizes that one reason that no conservation district has met the department's goal of being "upgraded" to a preservation district is because neighborhoods are initially too narrowly characterized and thus lack the ability to re-prioritize as their circumstances change.²⁵⁴ Saint Paul neighborhoods should be trusted to set their own priorities and issues.

I also did not address a number of issues inherently included in any preservation or policy discussions, including affordable housing, gentrification, diversity, hardship exemptions, or private property rights. Each of these topics could engender numerous theses on their own, as could a more complete investigation of the cost-benefit effects of preservation and rehabilitation activities,

The Next Steps

Saint Paul is ideally situated to become part of a "new wave" of cities with conservation districts — places like Davis, California and Iowa City, Iowa — who model themselves on successful programs but which take risks and try new ideas in order to form deeply personalized kinds of conservation districts that celebrate their unique heritage.

Conservation districts are thus an ideal solution for Saint Paul at this time. They capitalize on some of the city's major strengths — its community participation and strong neighborhoods — and simultaneously address some of its planning and administrative weaknesses without casting blame on these areas where the city has been less than successful. Conservation districts are a viable option for the city of Saint Paul — in fact, they are almost an imperative if the city is to expand and succeed.

In the words of Bush Fellow and former public works director Stacy Becker:

Crucial to the prosperity of our cities is the ability to spot and know what works, even if disguised by problems [and]... the issues at stake here help define what we are about as a city. In today's global economy, cities compete as never before; thus, they must develop and project an image. Cities that are not true to themselves in this process risk becoming indistinguishable from every other city, competing for the same prizes of residents and jobs. The right solution will...help St. Paul thrive and grow. And it will be unmistakably "St. Paul."²⁵⁵

GLOSSARY AND ABBREVIATIONS

- BZA.** Board of Zoning Appeals
- CDBG.** Community Development Block Grants. Program approved in 1974 that replaced smaller individual programs into one large block grant. A HUD-operated program that provides federal funds through a simplified application process to locally designated priorities such as infrastructure, transportation, and Urban Renewal programs.
- CLG.** Certified Local Government. A local, state and federal partnership jointly administered by the National Park Service in association with the State Historic Preservation Office. The CLG program was established a part of the National Historic Preservation Act amendments of 1980, and sought to expand the partnership between federal and state institutions to local government. Federal funds are allocated to the SHPOs, who broadly administer the funding to local governments through an application process. Particular goals are to develop and maintain local historic preservation programs, especially ones influencing zoning and land use decisions critical to preserving historic properties, and to ensure broad public participation in preservation activities.
- CURA.** Center for Urban and Regional Affairs of the Hubert H. Humphrey School of Government of the University of Minnesota
- Euclidean Zoning.** Traditional means of zoning that separates the area into districts, then imposing different land use controls on each area. Standard zones include residential, commercial, industrial, and agricultural. Common controls include allowed and prohibited uses, intensity of use, population density, and bulk, massing, and placement on the site. Named after the case of Euclid vs. Ambler, a landmark zoning case before the Supreme Court in 1926.
- FARs.** Floor Area Ratios. The total floor area of all buildings or structures on a zoning lot divided by the area of said lot.
- Houses to Homes.** City of St. Paul gap financing program for the acquisition and rehabilitation of vacant properties.
- HPAC.** Historic Preservation Advisory Commission
- HPC.** Historic Preservation Commission
- HPF.** Historic Preservation Fund
- HRA.** Housing and Redevelopment Authority
- HSPF.** Historic St. Paul Foundation (now "Historic Saint Paul," as of May 2001)
- HUD.** Housing and Urban Development
- LIEP.** Licensing, Inspections, and Environmental Protection
- Metropolitan Council.** A program created to coordinate the planning and development of the Twin Cities metropolitan area. Duties include physical planning, transportation, and social services. The Met Council is not an official level of government, and its members are appointed by the governor.
- MHZA.** Metropolitan Historic Zoning Commission
- National Historic Preservation Act.** This Act, as first passed in 1966 and amended several times since then, has provided for a number of preservation initiatives, including: the establishment of the National Register of Historic Places; the creation of a system of direct and indirect preservation subsidies and tax credits; the creation of the State Historic Preservation Offices and Certified Local Governments; the establishment of "Section 106 processes," mandatory review and evaluation of the potential effects of federal and federally sponsored projects on cultural resources; established the Advisory Council on Historic Preservation; and the establishment of other related programs including housing, transportation, archeology, and environmental review.

National Register of Historic Places. The nation's basic inventory of significant historic properties. The National Register is administered by the National Park Service and contains properties deemed to be important in American history, architecture, archeology, engineering and culture.

NCD. Neighborhood Conservation District

NPS. National Park Service

OCD. Overlay Conservation District

ODR. Iowa City's Design Review Overlay Zone

PED. Planning and Economic Development

SARPA. Summit Avenue West Preservation Association

Secretary of the Interior's Standards. National standards developed to guide work undertaken on historic properties. The Standards distinguish between acquisition, protection, stabilization, preservation, rehabilitation, restoration, and reconstruction. They encompass the exterior, interior, related landscape, building site and environment, and attached, adjacent, or related new construction.

SHPO. State Historic Preservation Office

SUPC. Summit-University Planning Council

ENDNOTES

- 1 According to the National Trust for Historic Preservation and the National Alliance of Preservation Commissions.
- 2 For more information on the Secretary of the Interior's Standards, see Glossary and Abbreviations.
- 3 Zellie, Carol. *A Study of Conservation Districts*. Landscape Research, St. Paul, MN for the St. Paul Historic Preservation Commission, 1991, p21.
- 4 Ibid, p23.
- 5 For more information on the National Historic Preservation Act and the duties of a Certified Local Government, see Glossary and Abbreviations.
- 6 Morris, Marya. *Innovative Tools for Historic Preservation*. Planning Advisory Service Report Number 438 Chicago: American Planning Association, 1992, p13.
- 7 Scores more have adopted similar districts for environmental protection or as economic development initiatives.
- 8 Memphis Historic Preservation Code, Article IV, Memphis Landmarks Commission, p2048 and interview with city preservation staff.
- 9 Phoenix *Village Planning Handbook*, p7.
- 10 Cambridge Neighborhood Conservation District Ordinance, Article III.
- 11 Cambridge Conservation District Information Summary, website.
- 12 For areas within the Central Planning District which are not already protected by historic district or a conservation district status.
- 13 Iowa City Ordinance Number 00-3931, Adopting Central Planning District Multi-Family Residential Design Standards.
- 14 City of Portland, Chapter 33.445, Historic Resource Protection Overlay Zone.
- 15 Morris 1992, p14.
- 16 Ibid, p14.
- 17 Zellie 1991, p21.
- 18 Ibid, p26.
- 19 Morris 1992, p13.
- 20 Ibid, p2.
- 21 Tersh Boasberg, "A New Paradigm for Preservation," *Past Meets Future: Saving America's Historic Environments*, ed. Antoinette J. Lee. Washington DC, The Preservation Press, 1992, p147.
- 22 Robert Stipe, "Conservation Areas: A New Approach to an Old Problem," *Issues Paper: Conservation Districts* . ed. Stephen Morris. Washington, D.C., National Park Service, 1998, p3.
- 23 Ibid, p2.
- 24 Ibid, p3.
- 25 Ibid, p4.
- 26 Stipe telephone interview, fall 2000.
- 27 Ibid.
- 28 Lee, Antionette J. *Conservation Areas in British Towns*. Report prepared for the Washington, D.C. branch, English-Speaking Union, January 27, 1977 and revised March 18, 1977, p2.

- 29 Ibid, p53.
- 30 Ibid, p49.
- 31 Sometimes referred to as historic district “incubators.”
- 32 An example is high Victorian districts in Cambridge, Massachusetts.
- 33 An example being the proposed plan for Philadelphia, Pennsylvania.
- 34 The 1991 Zellie report, *A Study of Conservation Districts*.
- 35 Millett, Larry. *Lost Twin Cities*. St. Paul, Minnesota Historical Society Press, 1992, p9.
- 36 Established in 1805 by Zebulon Pike.
- 37 Modern day downtown St. Paul.
- 38 Now Minneapolis.
- 39 HIST: 1965 c 670 s 1; 1980 c 566 s 18, Copyright 1998 by the Office of Revisor of Statutes, State of Minnesota
- 40 Old Town Restorations, Inc. *Building the Future from Our Past : a Report on the Saint Paul Historic Hill District Planning Program*. St. Paul: Old Town Restorations, Inc., c1975, p126
- 41 For more information on CDBG funds, see Glossary and Abbreviations.
- 42 Gerckens, Larry. *Shaping the American City*, The On-Call Faculty Program, rev. 1999, p J18.
- 43 See Appendix II.
- 44 Though some theorized that this situation had actually led to the creation of strong citizen advocacy groups out of necessity!
- 45 An in-depth discussion of the district council system follows later in this chapter.
- 46 Over 20% of the staff, mainly planners.
- 47 Twin Cities Metropolitan Council. *Regional Blueprint*. December 1996, p5.
- 48 Ibid, p6.
- 49 As seen on page 11 of this thesis.
- 50 National Historic Act of 1996, as amended through 1992. For more information, see Glossary and Abbreviations.
- 51 Minnesota Chapter Number 242, Senate File Number 262, enacted May 1993.
- 52 Ibid.
- 53 St. Paul Design Districts draft guidelines, October 1994, p1.
- 54 Ibid, p4.
- 55 A mixed use neighborhood along the Mississippi River in the southwest corner of the city.
- 56 St. Paul City Council File #99-1165, amending St. Paul Legislative Code Chapter 60, Subdivision 9.60.9010, lines 23-26.
- 57 For more information on FARs, see Glossary and Abbreviations.
- 58 City of St. Paul Ordinance Number 17703, s1, 1-9-90.
- 59 Ibid.
- 60 Ibid.
- 61 Similar to federal Section 106 review.

- 62 City of St. Paul Ordinance Number 17703.
- 63 The Historic Hill District, Irvine Park, Lowertown, West Summit Avenue, and Dayton's Bluff.
- 64 For a more in-depth discussion of Houses to Homes, see Chapter V of this thesis.
- 65 Historic Preservation-Housing Policy Advisory Committee, Report to the City Council, December 1996, p1.
- 66 Ibid, p1.
- 67 Historic St. Paul Foundation mission statement, July 1998.
- 68 Such as increased CLG funds.
- 69 Over two thousand buildings in total, which make up the majority of building permits applied for annually in the city.
- 70 See page 19 of this thesis for map.
- 71 Such as F. Scott Fitzgerald, Sinclair Lewis, Archbishop John Ireland and Cass Gilbert.
- 72 In 1985 and 1990.
- 73 Irvine Park Heritage Preservation District Guidelines summary page.
- 74 Lowertown Heritage Preservation District guidelines summary.
- 75 Renamed "Mears Park" in the 1980s.
- 76 Summit Avenue West Heritage Preservation District guidelines, p9.
- 77 Ibid, p9.
- 78 Ibid, p9.
- 79 Dayton's Bluff Historic District Handbook, p7.
- 80 Ibid, p5.
- 81 See Design Guidelines, Appendix V.
- 82 See Appendix VI for Irvine Park.
- 83 See Appendix VII for Dayton's Bluff.
- 84 Dayton's Bluff further defines this category as "wood siding" since that is the predominant surface material for that area.
- 85 Dayton's Bluff guidelines include no reference to demolition.
- 86 Alternately referred to as Section 73.06(I)(2) and the Heritage Preservation Ordinance (#16006), Section 6(1)(2)).
- 87 Lanegran, David (ed.) *The St. Paul Experiment: Initiatives of the Latimer Administration*. St. Paul, City of St. Paul publication, c1989, p394.
- 88 One of the original districts has since divided into three parts.
- 89 Lanegran 1989, p389.
- 90 Ibid, p392.
- 91 Ibid, p392.
- 92 Most commonly major variances, minor variances, special conditional use permits, nonconforming use permits, determination of similar use, rezoning, transitional housing permits or requests for tentative developer status.
- 93 Hamline-Midway.
- 94 Memo from Jodi Bantley, Hamline-Midway Coalition, September 2000.

- 95 See Appendix IV for a sample interview format.
- 96 Summit University Planning Council standing rules, p5.
- 97 Summit University Planning Council minutes, April 1995.
- 98 Anonymous district staffperson during telephone interview, fall 2000.
- 99 Macalaster-Groveland long range plan, published summer 2000.
- 100 "Find A Way to Help Both St. Pauls," editorial by Stacy Becker. Star Tribune, February 27, 1999.
- 101 These are *A Study of Conservation Districts* by Carol Zellie, *Innovative Tools for Historic Preservation* by Marya Morris, and the *Philadelphia Neighborhood Conservation District Research Report* by Deborah Marquis Kelly and Jennifer Goodman.
- 102 See Appendix III.
- 103 Phoenix *Village Planning Handbook*, p1.
- 104 Zellie 1991, p27.
- 105 Davis, California Conservation District Guidelines, p1.
- 106 Huntington Beach Zoning Code, Chapter 224.02.
- 107 Atlanta Code of Ordinances, Land Development Code, Part 16-Zoning, Section 20.007.
- 108 Iowa City Preservation Plan Executive Summary, p1.
- 109 Eastport Residential Conservation Overlay District Guidelines, p1.
- 110 Cambridge Conservation District Information Summary, website.
- 111 Cambridge Conservation District Information Summary, website.
- 112 Bozeman Conservation Overlay District Ordinance, Section 18.42.010.
- 113 Lincoln City Code 27.17.090.
- 114 Omaha Municipal Code, Chapter 55, Article XI, Section 55.601.
- 115 Morris 1992, p19.
- 116 Portland City Code Chapter 33.445, Historic Resource Protection Overlay Zone.
- 117 Ibid.
- 118 Fort Sanders Neighborhood Association position paper.
- 119 Knoxville Zoning Ordinance, Article 4, Section 22, p1.
- 120 Memphis Historic Preservation Code, Article IV, Memphis Landmarks Commission.
- 121 *Conservation Zoning: Protecting Nashville's Architectural Heritage*.
- 122 Dallas Preservation Information Summary, website.
- 123 Fort Worth Comprehensive Plan 2000, part 3, pages 1-3.
- 124 Peterson telephone interview, fall 2000.
- 125 Zellie 1991, p10.
- 126 Zellie 1991, p10.
- 127 Maryland Office of Planning. *Managing Maryland's Growth*, 1995, p3.
- 128 For more information on Euclidean zoning, see Glossary and Abbreviations.
- 129 Zellie 1991, p22.

- 130 Ibid, p26.
- 131 Morris 1992, p14.
- 132 Either by design or simply in practice.
- 133 Zellie 1991, p23.
- 134 Zimmerman telephone interview, November 2000.
- 135 Zellie 1991, p30.
- 136 Nashville Historic Zoning Commission summary.
- 137 Ibid.
- 138 Morris 1992, p22.
- 139 Kelly telephone interview, fall 2000.
- 140 Zellie 1991, p31.
- 141 Kelly telephone interview, fall 2000.
- 142 Ibid.
- 143 Ibid.
- 144 Zellie 1991, p31.
- 145 Zimmerman telephone interview, November 2000.
- 146 Although this district is now nearly defunct due to declining community interest.
- 147 Cambridge City Ordinance, Chapter 2.78, Article III.
- 148 Ibid.
- 149 Mid-Cambridge Conservation District Design Guidelines.
- 150 Zellie 1991, p33.
- 151 Cambridge Demolition Delay ordinance summary.
- 152 Preservation Grant Program summary.
- 153 Zellie 1991, p33.
- 154 Zimmerman telephone interview, November 2000.
- 155 Ibid.
- 156 The Marsh Neighborhood Conservation District Preliminary Study Report, Executive Summary.
- 157 Ibid.
- 158 Ibid.
- 159 The Marsh Neighborhood Conservation District Preliminary Study Report, Table of Contents.
- 160 The Marsh Neighborhood Conservation District Preliminary Study Report, Conclusion and Recommendations.
- 161 Zimmerman telephone interview, November 2000.
- 162 Ibid.
- 164 Ibid.
- 164 Morris 1992, p24.
- 165 Ibid, p 24.
- 166 Bozeman Conservation Overlay District Ordinance, Section 18.42.010.

- 167 Strahn, Derek. "Planting an Acorn and Getting an Oak: The Evolution of a Design Services Bank in Bozeman, Montana," p4.
- 168 Ibid, p5.
- 169 Ibid, p6.
- 170 Strahn telephone interview, fall 2000.
- 171 Ibid.
- 172 Iowa City Preservation Plan Executive Summary, p1.
- 173 Ibid, p8.
- 174 Iowa City Conservation Overlay Zone Ordinance.
- 175 Conservation District Nomination Report, Proposed Governor-Lucas-Bowery Street Conservation District, p2.
- 176 Ibid, p6.
- 177 Ibid, p2.
- 178 Kelly/Goodman 1991, p12.
- 179 Morris 1992, p14.
- 180 Kelly/Goodman 1991, p25.
- 181 Ibid, p12.
- 182 Preservation Coalition of Greater Philadelphia, *The Philadelphia Neighborhood Conservation District: Volume I, A Model Program*. Self-published, Philadelphia, PA, 1992, p2-1.
- 183 Elgin, Illinois Architectural Conservation Districts draft study, p1.
- 184 Louisville Kentucky Downtown Development Review Overlay Districts Guidelines, p1-2.
- 185 Bardstown Road/Baxter Avenue Corridor Review Overlay District Ordinance, p16.
- 186 Ibid, p2.
- 187 Preservation Alliance of Virginia, *The Impact of Preservation on Jobs, Business and Community*. Charlottesville, VA, 1996, p12.
- 188 Historic Preservation-Housing Policy Advisory Committee 1996, p14.
- 189 Rypkema, Donovan. *The Economics of Rehabilitation*. The National Trust Historic Preservation Information Booklets, 1997, p8.
- 190 Ibid, p20.
- 191 Ibid, p20.
- 192 Bartz, Beth. Memo Regarding Residential Property Value Trends Within St. Paul Historic Districts, August 13, 1996.
- 193 Ibid.
- 194 Ibid.
- 195 Ibid.
- 196 Ibid.
- 197 St. Paul's property taxation system incurs different rates for owner-occupied, "homesteaded" properties and absentee-owned buildings. The homestead rate is roughly half the non-homestead levy.
- 198 Historic Preservation-Housing Policy Advisory Committee 1996, p12.

- 199 Ibid, p12.
- 200 Ibid, p14.
- 201 Goetz, Edward, Kristin Cooper, Bret Theile and Hin Kin Lam. *The Fiscal Impacts of the St. Paul HOUSES TO HOMES Program*. Minneapolis, Center for Urban and Regional Affairs, February 1997, p5.
- 202 Ibid, p6.
- 203 Ibid, p12.
- 204 Ibid, p16.
- 205 Ibid, p23.
- 206 The houses of one block, on both odd and even sides of the street, as facing each other.
- 207 Historic Preservation-Housing Policy Advisory Committee 1996, p18.
- 208 Goetz et al 1997, p22.
- 209 Ibid, p22.
- 210 Ibid, p24.
- 211 Ibid, p28.
- 212 Ibid, p32.
- 213 Ibid, p33.
- 214 Zellie 1991, p3.
- 215 Ibid, p6.
- 216 Ibid, p9.
- 217 Ibid, p9.
- 218 Ibid, p9.
- 219 Ibid, p10.
- 220 Ibid, p12.
- 221 Ibid, p18-19.
- 222 Ibid, p26.
- 223 Ibid, p25.
- 224 Ibid, p26-27.
- 225 Ibid, p35.
- 226 Moermond interview, summer 2000.
- 227 A National Register district.
- 228 Zellie interview, January 2001.
- 229 It should be noted that St. Paul's Heritage Preservation District guidelines and regulations did not then and do not now cite "integrity" as a crucial designation factor.
- 230 Larson, Paul Clifford. Dayton's Bluff Historic Site Survey, August 1989.
- 231 Zellie interview 2001.
- 232 As discussed in Chapter III.

- 233 Kelly, Deborah Marquis and Jennifer Goodman. *Conservation Districts as An Alternative to Historic Districts*. Historic Preservation Forum, September/October 1993, p 7.
- 234 Zellie 1991, p26.
- 235 Morris 1999, p3.
- 236 Historic preservation has already been cited as a major force in the revitalization of several neighborhoods, including the Historic Hill District and Dayton's Bluff.
- 237 The St. Paul City Council has shown a great interest in preservation, as evidenced by the creation of the Historic Preservation-Housing Advisory task force, recent policy sessions on preservation, the continued funding of the Historic St. Paul Foundation, and their ongoing involvement with activities such as the controversy over the HPC's recommended designation of the St. Francis Hotel.
- 238 Becker 1999.
- 239 Such as between the HPC and the Planning Commission.
- 240 Shepard-Davern Commercial and Residential Redevelopment Overlay District Ordinance, 1999.
- 241 Historic Preservation-Housing Policy Advisory Committee 1996, p23.
- 242 For example, required radon precautions were recently reduced in the sale of a city owned structure to a private party, after national studies showing that radon contamination was less of a risk than had previously been assumed were brought to the city's attention.
- 243 Such as the North Quadrant, River Bluff, Upper Landing, West Side Flats, and Phalen Corridor projects, all either currently underway or set to break ground this year.
- 244 Clark, Ronald D., editorial in the St. Paul Pioneer Press, November 23, 1999.
- 245 Ibid.
- 246 Bartz memo, 1996.
- 247 Such as the Houses to Homes program study referenced in Chapter V.
- 248 For more information on a particularly exciting process, see Old Town Restorations' *Building the Future from Our Past*, a chronicle of the community processes surrounding the designation of the Historic Hill District.
- 249 Last completed in 1983.
- 250 St. Paul should also consider following the lead of several other cities, such as Memphis and Nashville, which have listed their conservation districts on the National Register as well as their historic districts.
- 251 Similar to the Neighborhood Revitalization Program administration in Minneapolis, funded mainly by TIF monies, in which each neighborhood develops and administers its own revitalization plan.
- 252 Balaji, Murali. "St. Paul Addressing Role, Future of Community Council System." Pioneer Press, May 24, 2001.
- 253 Zimmerman interview, fall 2000.
- 254 Kelly interview, fall 2000.
- 255 Becker 1999.