



CITY OF WARREN

Village Historic District Plan



2022

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B R i
Beckett & Raeder

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Plaque on the First Baptist Church of Warren.

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1

Introduction

“It has been said that, at its best, preservation engages the past in a conversation with the present over a mutual concern for the future.”

-William Murtagh, first keeper of the National Register of Historic Places

Historic preservation is a conversation with our past about our future.¹ Historic preservation continues to play an increasingly important role in our culture, our society, and most importantly the built environment that surrounds us. Historic preservation provides us with opportunities to ask, “What is important in our history?” and “What parts of our past can we preserve for the future?”² Through historic preservation, we look at history in different ways, ask different questions of the past, and learn new things about our heritage and ourselves. Historic preservation can help us to understand how to better conserve the historic character and heritage of the City of Warren for future generations to enjoy.

Historic preservation in the City of Warren includes the built environment—the structures of the past provide evidence and insight to the history of Warren. The purpose of this document, the Historic District Plan for the Village Historic District in the City of Warren, is to identify the historic resources that are within the historic district, survey these historic resources through documentation of their condition and inclusion within the existing

boundaries of the historic district, establish recommendations on how to better promote these historic resources through a targeted historic preservation approach, and identify financial incentives to sustain these historic resources and foster smart planning and preservation decisions in the future.

The City of Warren has several landmark properties that contribute to the city’s unique character and rich history. Among the city’s most important historic places are those within the Village Historic District, an area that contains historic properties that have been identified as embodying historic value, retaining a distinct architectural character, and have a significant relationship to the history of Warren. Historic buildings, residences, and landscapes, like the Red Run Drain, embody the intentions and lives of those who built, lived, or worked in Warren. These historic resources tell the history of Warren and help us understand the historical fabric of the city. Preserving this important fabric will allow community members to consider the past when planning for the future in Warren.

Sources

- 1 National Park Service, Historic Preservation, What is Historic Preservation? <https://www.nps.gov/subjects/historicpreservation/what-is-historic-preservation.htm> Accessed 2/20/2022
- 2 National Park Service, Historic Preservation, What is Historic Preservation? <https://www.nps.gov/subjects/historicpreservation/what-is-historic-preservation.htm> Accessed 2/20/2022



Image of firefighters outside of Warren Village Hall, 1935. Image courtesy of the Warren Historical and Genealogical Society.

2

Village Historic District: A Local Historic District

Warren’s Historic District

The City of Warren’s local historic district is the Village Historic District and was established in 1997. Seven members and one ex-officio make up the Village Historic District Commission.

A local historic district is a historically significant area that is protected by a historic district ordinance. The local unit of government appoints a historic district commission to review proposed work to the exterior of resources in the district to determine if the work meets the Secretary of the Interior’s Standards and Guidelines for Rehabilitation. Designating an area as a local historic district is one of the few ways a community can provide legal protection for its historic resources.¹



Village of Warren Historic District Sign.

The City of Warren has nearly forty local landmark properties that are officially recognized and listed within the city as well as the Village Historic District, the City’s local historic district, as identified with the plaques that are located not only within the Village Historic District, but within the boundaries of the City. If a community’s goal is to protect historic character and a sense of place, that goal is most effectively achieved at the local level through appropriate historic preservation practices.

A local historic district is an area that has been recognized for its outstanding historical, architectural, or archaeological significance. In general, there are three types of historic designation: national (National Register of Historic Places), state (State Historical Marker program), and local (Local Historic Districts). Both national and state designations are honorary and raise awareness of the importance of historic places but have no regulatory process to protect those places.

Michigan’s Local Historic Districts Act, Act 169 of 1970, provides the legal foundation for the creation of local historic districts. It is a public act that was created to:

“provide for the establishment of historic districts; to provide for the acquisition of certain resources for historic preservation purposes; to provide for preservation of historic and non-historic resources within historic districts; to provide for the establishment of historic district commissions; to provide for the maintenance of publicly owned resources by local units; to provide for certain assessments under certain circumstances; to provide for procedures; and to provide for remedies and penalties.”²

Five Reasons to Establish a Historic District

1. As protection of historic properties,
2. To control new development,
3. As a redevelopment incentive,
4. To stabilize or increase property values, and
5. To foster public relations and promotion.

Source: Norman Tyler, Ted J. Ligibel, Eileen R. Tyler, *Historic Preservation: An Introduction to Its History, Principles, and Practice* 2nd Edition, W. W. Norton & Company, New York & London, 2009

Figure 1: Historic Sites Map

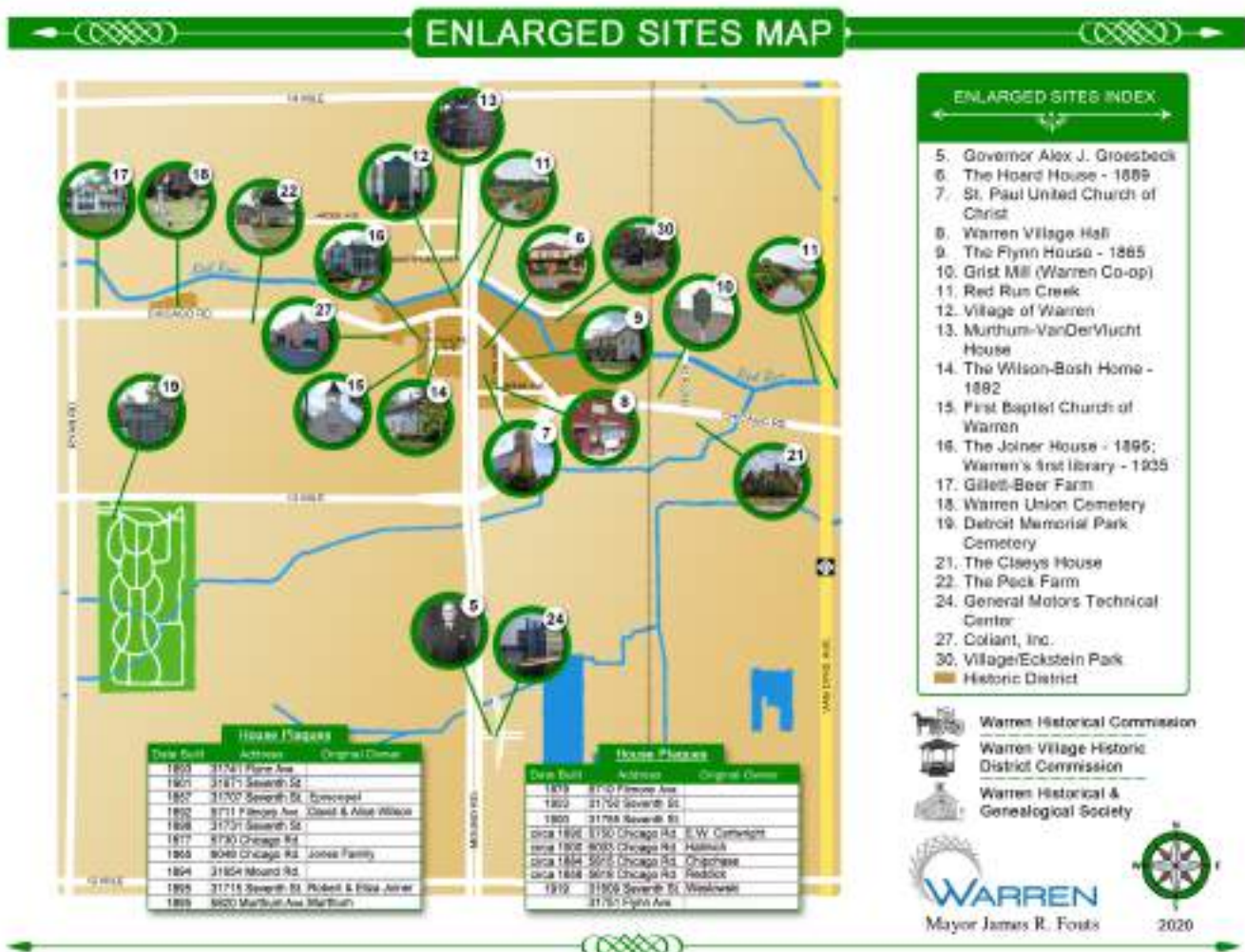


Figure 2: Historic Sites Map



Source: City of Warren, Historic Sites Map_2021, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/viewer.html?pdfurl=https%3A%2F%2Fwww.cityofwarren.org%2Fwp-content%2Fuploads%2F2021%2F02%2Fhistoric_sites_map_2021.pdf&chunk=true Accessed 3/1/2022

Sources

- 1 Michigan Economic Development Corporation, MiPlace, State Historic Preservation Office, Local Historic Districts. <https://www.miplace.org/historic-preservation/programs-and-services/local-historic-districts/> Accessed 2/26/2022
- 2 State of Michigan, Michigan Legislature, Local Historic Districts Act, Public Act 169 of 1970. [http://www.legislature.mi.gov/\(S\(pns2l2l2ep11ggpedjeOuomd\)\)/mileg.aspx?page=GetObject&objectname=mcl-act-169-of-1970](http://www.legislature.mi.gov/(S(pns2l2l2ep11ggpedjeOuomd))/mileg.aspx?page=GetObject&objectname=mcl-act-169-of-1970) Accessed 1/20/2022

3

The Importance of Historic Preservation

It's not good because it's old. It's old because it's good. That's the mantra of historic preservation.

The importance of historic preservation is not a new cultural shift. In fact, historic preservation has been around since the late 1800s. However, with a trend that's focused on creating unique places and spaces that people love, this often happens in and around historic buildings—like those in the Village Historic District. It's even been noted that new buildings make sense for major chain stores, but other businesses—such as bookstores, local restaurants, antique stores, neighborhood brewpubs, and especially small start-ups thrive in old buildings. Perhaps, it's the warmth of the building materials, the heart pine or old brick, or the relationship that old buildings have with the past? It could be simply that older buildings are just more interesting with their permanence and heritage.

Historic preservation is often referred to as a public purpose because it has the ability to preserve the historic, architectural, and aesthetic character and heritage of Warren, and helps to provide a sense of place and continuity. As suburban sprawl and roadside development, like the areas north and south adjacent to the Village Historic District, make

more and more places look the same, it becomes important for Warren to keep its identity intact. Even one or two striking historic buildings, like those historic buildings that anchor East and West Chicago Road at the intersection of Mound Road, can help to define a sense of community in Warren and hint at its past. If whole neighborhoods like the neighborhoods at Flynn Avenue and Chicago Road or Seventh Street and Filmore Avenue can be preserved, the effect is that much greater. The sense of history can contribute to community pride, and to a better understanding of Warren's present. Remember, to consider the past when planning for the future. Smart decisions are centered around sound preservation and planning practices.

Historic preservation is also an efficient use of resources. It conserves resources, reduces waste, and saves money by repairing and reusing existing buildings instead of tearing them down and building new ones. Reusing a historic structure instead of tearing it down and building with new materials helps to greatly reduce the carbon footprint of a building.

The preservation of historic buildings is a one-way street. There is no chance to save a historic building once it's gone. Like the Joni Mitchell song, "We pave a paradise to put up a parking lot." We can never be certain what will be valued in the future. This reality brings to light the importance of saving buildings of historic significance—because once a piece of history is destroyed, it is lost forever.

Source: Joni, Mitchell. Big Yellow Taxi, Siquomb Publishing Group, January 7, 1970. <https://jonimitchell.com/music/song.cfm?id=13> Accessed 3/2/2020

A majority of the buildings that were built within the Village Historic District are late 19th and early 20th century commercial structures. They were built with the assumption that they would be the backbone of Warren – the architectural landscape of the city – and were constructed with quality workmanship and traditional building methods of generations from the past. By understanding the needs of these buildings, we can train new generations of craftspeople the traditional building techniques to maintain and preserve them in perpetuity.

Historic preservation can help to plant a seed for reinvestment and change the nature of a deteriorating neighborhood or area of sprawl. In Warren, the preservation of those historic buildings that flank both sides of Mound Road might be the focus of a new residential or commercial development. If approached with

smart preservation and planning practices, the Village Historic District could serve as a magnet for reinvestment and provide jobs for residents and even attract tourists from outside of the community. Having said that, community members within the city of Warren come first. They've laid roots in Warren. And these same folks care about the history of Warren and what the future holds for the city.

Historic preservation creates jobs. Local labor is often employed for rehabilitation projects and the building materials are already in place. Residents could also be employed in rehabilitation or restoration projects as artisans or workers, if they have the skills, or as trainees. In the latter case, by the end of the project, many may have developed enough competencies as carpenters, masons, or the like to start new careers.



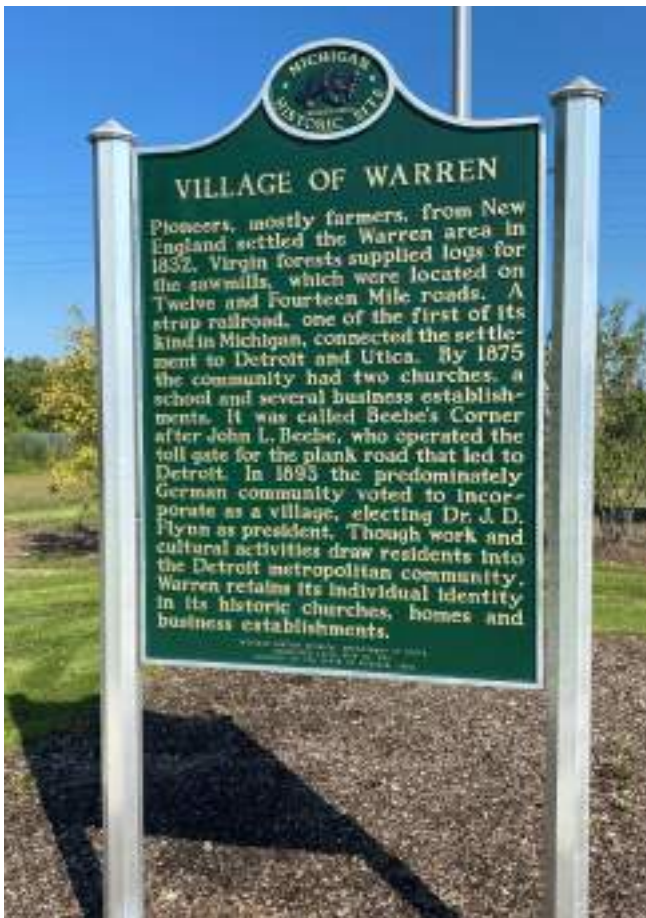
St. Anne Catholic Church. 32000 Mound Road.

4

What is a Historic District Plan?

“Preservation does not mean merely the setting aside of thousands of buildings as museum pieces. It means retaining the culturally valuable structures as useful objects: A home in which human beings live, a building in the service of some commercial or community purpose. Such preservation insures structural integrity, relates the preserved object to the life of the people around it, and not least, it makes preservation a source of positive financial gain rather than another expense.”

-Lady Bird Johnson, from Foreword to *With Heritage So Rich* (1966)



Village of Warren Sign in Historical Beebe Pocket Park.

A Historic District Plan is an important planning document that helps to guide members of the historic district community to consider the historic built environment when making decisions that could potentially impact the historic district. A historic district plan prioritizes goals, enhances strengths, identifies weaknesses, and seeks opportunities to strengthen the role of historic preservation. More importantly, it's an important tool for planning and revitalization of historic districts through smart historic preservation practices. Those who may benefit from reviewing and understanding a historic district guide could be homeowners, building owners, small businesses, city staff, and virtually all members of the community who are part of the historic district. The historic district plan provides a brief overview of the historic district, predominant architectural styles and property types of the historic district, character-defining features, contributing and non-contributing resources, findings of field visits and community feedback, and recommendations to guide further development that is appropriate within the context of the Village Historic District.

The Historic District Plan is an important tool that dovetails with the City of Warren's Master Plan that was adopted in 2021. The historic district plan

Role of the Historic District Plan

The Historic District Plan seeks to provide an understanding for

1. Preserving the historic fabric of the Village Historic District.
2. Providing effective recommendations to sustain and enhance the city's economic, cultural, and historic built environment.
3. Proactive planning within the Village Historic District and focus on future growth surrounding the Village Historic District.

The Historic District Plan will take its full role in local government only when it becomes an integral part of Warren's Master Plan. When the two disciplines of preservation and planning dovetail, historic preservation is seen as a vital tool to the enrichment of quality of life, revitalization of the built environment, and benefits the broader community in a socioeconomic advantage.

helps to foster an understanding of local heritage, promotion of historic preservation, is sensitive to public health and safety, and further advances the economic and general welfare of the community members in the Village Historic District. The historic preservation priorities and recommendations are intended to be comprehensive. Although this plan was prepared for the city, its success will depend on leaders at all levels of government and the members of the community, from the Warren Historic District Commission, the City of Warren Planning Department, the Warren Historical and Genealogical Society, homeowners, building owners, community members, and local stakeholders. The old adage that historic preservation is a "local, grassroots effort" is resolute. Historic preservation grows out of the desire of citizens who care about preserving the heritage of yesterday for the future. Oftentimes, individual property owners will be at the center of preservation efforts, saving important buildings and historic neighborhoods one building at a time. The diverse base of support for historic preservation in Warren's past suggests that it will be an even more important community improvement strategy in the future.

What is a historic preservation ordinance?

Local historic preservation ordinances are the primary laws that communities implement to protect and preserve historic resources. These laws protect individual sites and areas, and they offer the strongest form of legal protection for historic properties. Each ordinance is tailored to fit the needs that best suit the individual community.

What is a historic commission?

Creating a historic preservation ordinance establishes the historic preservation commission. The commissions are the local governing bodies for all things preservation; they review ordinances, designation proposals, and requests to alter, move, or demolish historic properties.

Appointed by a mayor or legislative body, commissions are made up of members who have expertise and interest relevant to historic preservation. The commissions then rule by majority vote.

Background & Purpose of the Village Historic District (Section 21A.01)

The ordinance is intended to protect the Village Historic District, because of its distinctive character and rich historical heritage; and to encourage interest in the City of Warren's historic past. Historic preservation is a public purpose. This article is established pursuant to the Michigan Local Historic Districts Act, P.A. 169 of 1970, as amended by MCL 399.201 et seq. Pursuant to this ordinance and the applicable provisions of the Michigan Local Historic Districts Act, the City of Warren (City) shall regulate the construction, addition, alteration, repair, moving, excavation, and demolition of resources in the Village Historic District. This ordinance is also intended to:

- (a) Promote the economic and general welfare of our residents by fostering civic beauty through the encouragement of appropriate historic settings and conservation of desirable historical character.
- (b) Encourage educational, recreational, and cultural activities within our municipality which advance the principles and goals of historic preservation and community development, as embodied in the Master Plan.
- (c) Safeguard the heritage of the City by preserving the Village Historic District's history, architecture, archaeology, engineering and culture.
- (d) Stabilize and improve property values in the Village Historic District and the surrounding areas.
- (e) Strengthen the local economy.
- (f) Promote the use of the Village Historic District for the education, pleasure, and welfare of the citizens of the City and the State.

(Ord. No. 30-1006, § 2, 9-23-14)



Warren Village Hall (5961 Beebe Avenue).

5

Methodology



Red Run Creek Landmark Sign.

Identifying Historic Resources

Methodology for evaluating historic resources is based on the National Register of Historic Places Criteria for Evaluation which is guided and administered by the National Park Service under the direction of the Secretary of the Interior. Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources. The National Register of Historic Places documents the appearance and importance of districts, sites, buildings, structures, and objects significant in American history and prehistory. The National Register is the nation's

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation.

inventory of historic places and the national repository of documentation on the variety of historic property types, significance, condition, ownership, needs, and other information. The Criteria for Evaluation define the scope of the National Register of Historic Places; they identify the range of resources and kinds of significance that will qualify properties for listing in the National Register. The National Register Criteria are written broadly to recognize the wide variety of historic properties associated with our prehistory and history.¹

Historic buildings and neighborhoods often evoke passionate feelings. The threat of demolition can spark heated community debates about whether a building is historic or not. As these discussions take place, some community members may conclude that others think "everything is historic" and must be "saved." However, preservation professionals and historic district commissions make determinations about what is or is not historic based on the National Register of Historic Places criteria which have been tested, used, and periodically revised since their initial development in 1966.

The National Register Bulletin How to Apply the National Register Criteria for Evaluation is a helpful guide for the evaluation of historic properties. This guide was utilized when the site assessment was conducted for the properties within and adjacent to the Village Historic District.

The National Register Criteria for Evaluation evaluates historic properties by age, significance, and integrity. The rule of thumb is a property must be fifty years of

National Register

The National Register is the official list of properties significant in the history, architecture, archaeology, and culture of the United States. These are buildings, districts, sites, objects, and structures that possess “integrity of location, design, setting, materials, workmanship, feeling, and association,” and that:

- » Are associated with historic events;
- » Are associated with “the lives of persons significant in our past;”
- » Embody distinctive architectural or artistic characteristics;
- » Have yielded or are likely to yield information important in history or prehistory.

age or older. The property must also reflect much as it did when it was originally constructed though it’s understood that properties change and evolve over time. For a historic property to be considered eligible for listing in the National Register of Historic Places, a property must be significant.

Significance can fall within four categories:

- » A property may be associated with an event, an activity, or developments in the past.
- » A property may relate to people who were important in the past.
- » A property may convey architectural history or craftsmanship or may be associated with landscape history or other engineering achievements.
- » A property may have the potential to yield information through archaeological investigation about our past.

The National Register Criteria for Evaluation involves examining the property’s age, significance, and integrity.

The methodology implemented for the site assessment of the Village Historic District aligns with the National Register Criteria for Evaluation

Sources

- 1 US Department of the Interior, National Park Service, National Register of Historic Places, March 18, 2022 last updated. <https://www.nps.gov/subjects/nationalregister/index.htm> Accessed 12/20/2021

Historic Integrity

Historic integrity is defined via seven aspects:

- » Location
- » Design
- » Setting
- » Materials
- » Workmanship
- » Feeling
- » Association

and is an important step in the preservation process. The site assessment included walking the boundaries of the Village Historic District where historic resources were identified, evaluated for architectural and historical significance, and analyzed for historic integrity.

The site assessment serves as the framework for evaluation for National Register eligibility.

Historic resources must retain integrity. Integrity is the ability of a property to convey its significance: historic and architectural. To be listed in the National Register of Historic Places, a property must not only be shown to be significant under the National Register criteria, but it also must have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property’s physical features and how they relate to its significance. The site assessment evaluated the historic properties within the Village Historic District and identified if a property retained its integrity or not.

According to the National Register Criteria for Evaluation, “Historic properties either retain integrity (this is, convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognizes seven aspects or qualities that, in various combinations, define integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Determining which of these aspects are most important to a particular property requires knowing why, where, and when the property is significant.

6

Field Study & Assessment

In September of 2021, a field study and assessment was conducted of the historic resources within the Village Historic District. This field study and assessment was facilitated in order to identify, survey, and document those historic resources that are part of a local historic district as part of the Village Historic District. Overall, twenty-two properties were evaluated against the National Register Criteria for Evaluation.

When facilitating a field study and assessment, it's common practice to evaluate locally designated, historic resources against National Register criteria in order to consider if the resources would be eligible for listing in the National Register of Historic Places. Professional preservationists refer to 36 CFR §67.5 Standards for evaluating significance within registered historic districts.¹

(a) Properties located within registered historic districts are reviewed to determine if they contribute to the historic significance of the district by applying the following Standards for Evaluating Significance within Registered Historic Districts.

(1) A building contributing to the historic significance of a district is one which by location, design, setting, materials, workmanship, feeling and association adds to the district's sense of time and place and historical development.

(2) A building not contributing to the historic significance of a district is one which does not add to the district's sense of time and place and historical development; or one where the location, design, setting, materials, workmanship, feeling and association have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost.

(3) Ordinarily buildings that have been built within the past 50 years shall not be considered to contribute to the significance of a district unless a strong justification concerning their historical or architectural merit is given or the historical attributes of the district are considered to be less than 50 years old.

Historic resources may be identified as contributing or non-contributing in locally, designated historic districts. This determination, in turn, may dictate the level of review that will be applied. The historic resources in the Village Historic District were identified as contributing or non-contributing within the historic district and their existing conditions were evaluated as excellent, good, fair, or poor. Contributing properties may have full protection while changes to non-contributing property (including vacant land) are generally approved if "compatible" with the character of the historic district.²

Section 21A.01

The ordinance is intended to protect the Village Historic District, because of its distinctive character and rich historical heritage; and to encourage interest in the City of Warren's historic past. Historic preservation is a public purpose. This article is established pursuant to the Michigan Local Historic Districts Act, P.A. 169 of 1970, as amended by MCL 399.201 et seq. Pursuant to this ordinance and the applicable provisions of the Michigan Local Historic Districts Act, the City of Warren.

Figure 2: Field Survey (Refer to Figure 3 for Map Key)

Eight properties were identified as priority properties during the field survey and assessment.

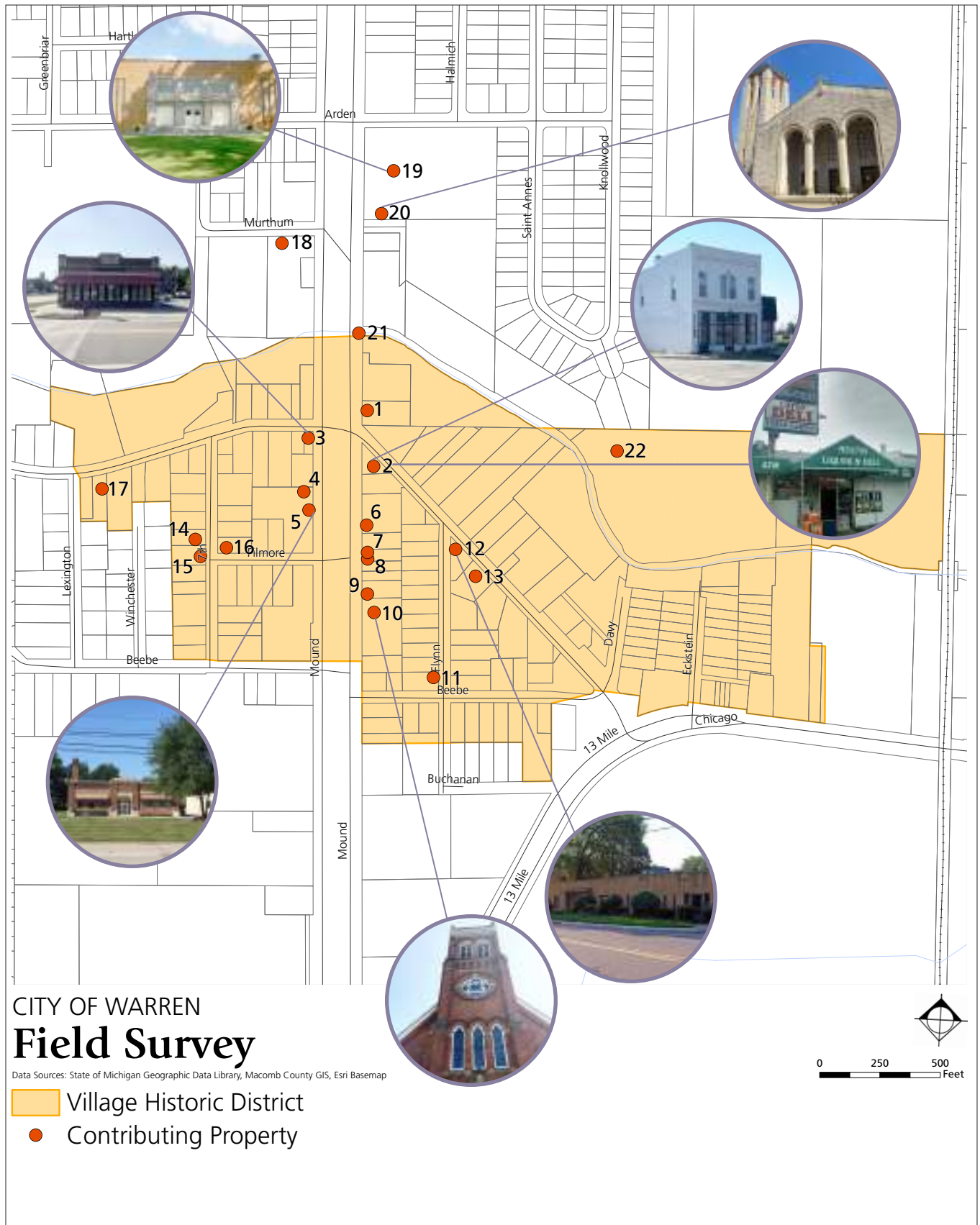


Figure 3: Historic Properties Inventory

Key	Address	Property Type	Architectural Style	Year	Criteria	Property Image
1	31912 Mound Rd	Commercial	Neoclassical/beaux arts	1900	C	
2	31850 Mound Rd	Mixed Use	Italianate with a modern store front	1924	C	
3	31851, 31821, 31825, 31829 Mound Rd	Commercial	20th century commercial	1940s	C	
4	31745 Mound Rd	Commercial	20th Century Commercial	1970	A	
5	31739 Mound Rd	Commercial	20th Century Industrial	1940s	B,C	
6	31736 Mound Rd	Other	Combination	1889	A,C	
7	31702 Mound Rd	Commercial	20th century commercial	1920s	C	
8	31698 Mound Rd	Commercial	20th century commercial	1920s	C	
9	31670 Mound Rd	Commercial	Mid century	1950s	C	
10	31654 Mound Rd	Other	Gothic	1894	A,C	
11	5959 Beebe Ave	Other	20th century	1922	A,C	
12	6020 Chicago Rd	Commercial	Mid century	1950s	C	

Key	Address	Property Type	Architectural Style	Year	Criteria	Property Image
13	6032 Chicago Rd	Residential	Upright and wing	1865	A, C	
14	31707 7th St	Other	Greek Revival	1857	A, C	
15	31715 7th St	Residential	Folk victorian	1895	A,C	
16	5711 Filmore Ave	Residential	Folk Victorian	1892	A,C	
17	5520 Chicago Rd	Commercial	20th century	1927	A,C	
18	5820 Murthum Ave	Residential	East Lake/Victorian	1895	A,C	
19	5920 Arden Ave	Other	Mid century	1930s	A,C	
20	32000 Mound Rd	Other	Italianate	1964	A, C	
21	Red Run	Other	N/A	N/A	B	
22	31950 Mound Rd	Other	N/A	1928	A,B	

A: A property may be associated with an event, an activity, or developments in the past.

B: A property may relate to people who were important in the past.

C: A property may convey architectural history or craftsmanship or may be associated with landscape history or other engineering achievements.

D: A property may have the potential to yield information through archaeological investigation about our past

Figure 4: Historic Resources

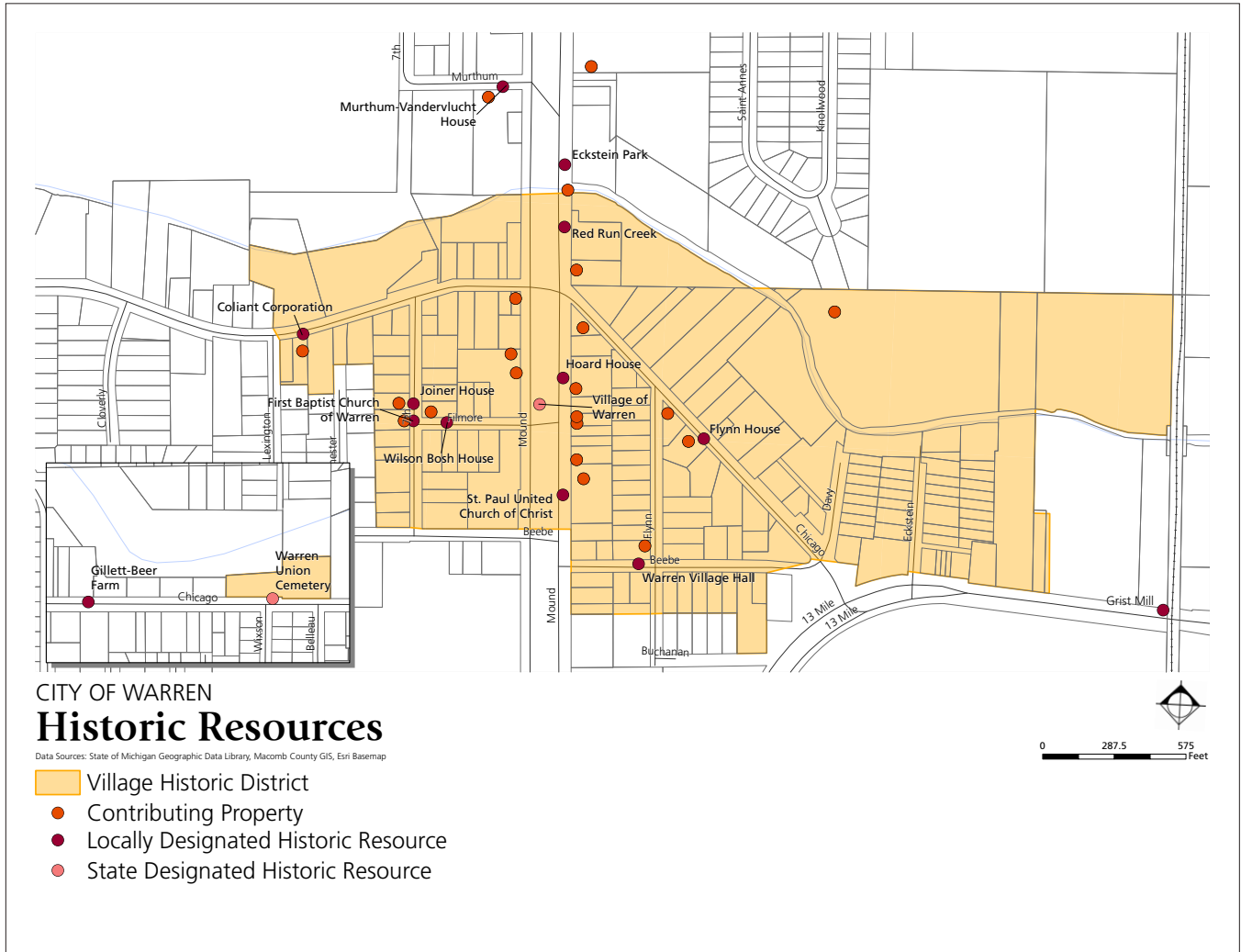


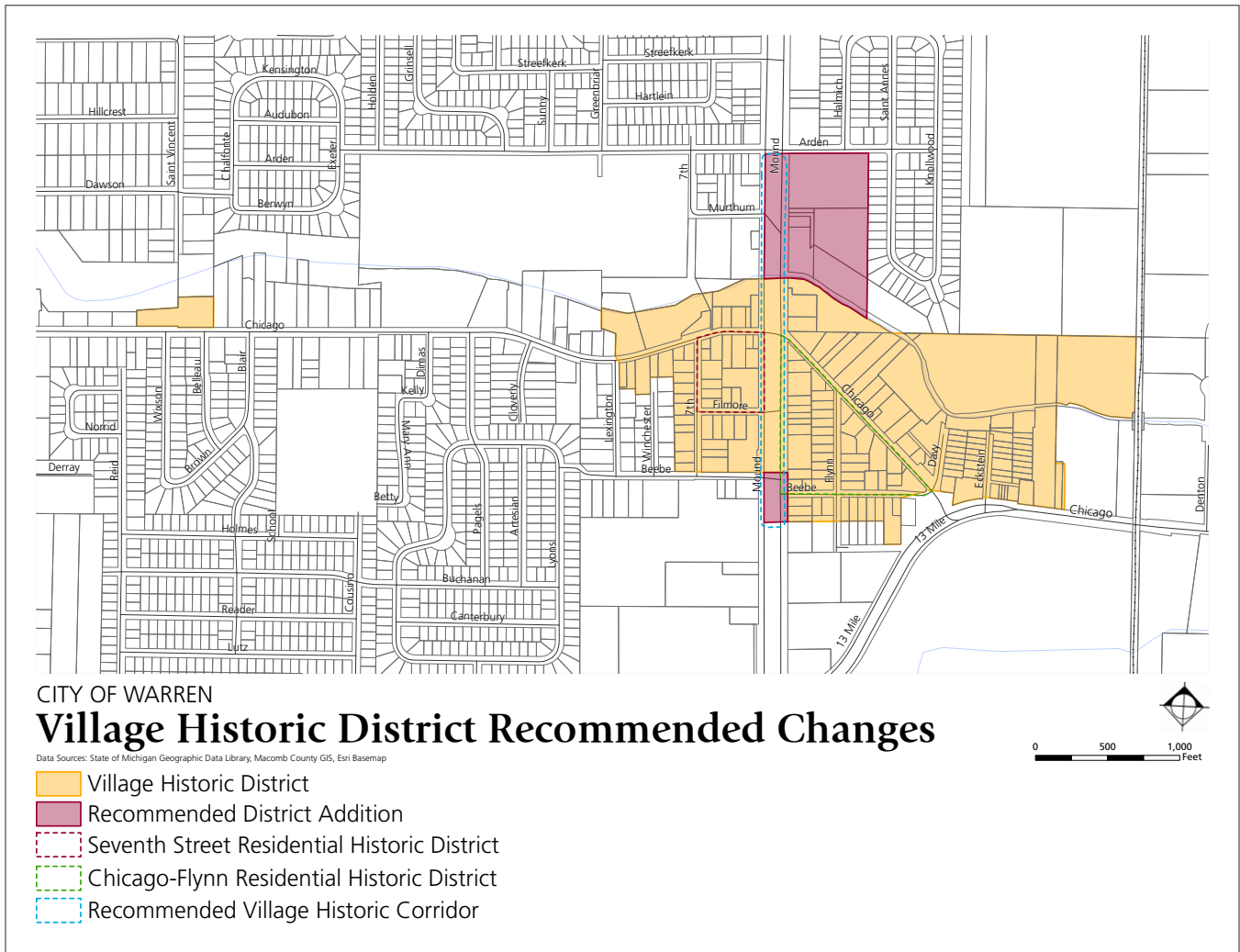
Figure 5: Historic Resources Evaluation

	Contributing	Noncontributing
Buildings	20	—
Sites	2	—
Structures	—	—
Objects	—	—
Total	22	—

Findings of our field study and assessment of the historic district identified that there were three, distinct historic districts within the Village Historic District. The new, historic districts identified are:

1. The Village Historic Corridor
2. Chicago-Flynn Residential Historic District
3. Seventh Street Residential Historic District

Figure 6: Village Historic District Recommended Changes



The Village Historic Corridor

The proposed Village Historic Corridor extends from Beebe Avenue to Arden Avenue and includes Mound Road. This is the historic artery of the Village Historic District. It's recommended that the Village Historic Corridor is promoted to recognize the historic core of the Village Historic District. By creating an awareness of this new corridor, the city may in turn see a decrease in the speed of traffic and an interest in redevelopment of the buildings that comprise this corridor. Presently, the historic corridor is concentrated with commercial buildings

with small businesses at the street level, houses of worship, and a school. There are opportunities to incorporate residential units within these existing, commercial buildings to activate second-floor spaces that are currently underutilized. The Village Historic Corridor is an attempt to create a downtown-like setting through targeted historic preservation activities in a non-traditional, built environment. In order to create a distinct Village Historic Corridor there should be "bookend" buildings that anchor the northern and southern areas of the corridor.

The following section will discuss eight parcels that were identified during the field study and assessment as priority sites of focus in a targeted historic preservation approach for the City of Warren and the Village Historic District Commission.

31850 Mound Road



Year Constructed	late 1890s
Property Owner	Tribe Detroit, LLC
Property Type	Commercial / Mixed-Use Building
Contributing	Contributing property to the VHD



31850 Mound Road

This property is one of the most important within the Village Historic District and proposed Village Historic Corridor. This property is important because it boasts two storefronts: one at the facade that faces Mound Road and one at the north (side) elevation that is parallel with Chicago Road. The storefront at the side elevation is underutilized and is ripe for redevelopment. In addition, this is one of the few two-story commercial buildings within the Village Historic District that could potentially be developed to house residential units in the upper story. The property is in good condition and could benefit from a facade improvement grant on the north elevation. The current occupancy and vacancy of this property is unknown. Encouraging more people to live, work, and enjoy the Village Historic Corridor will help to create a sense of community and vibrancy of place.

31851 Mound Road

This property, an early 20th century, single-story building, is recognized as the historic Halmich Building, and should serve as the “bookend” at the northwestern corner of the Village Historic Corridor. This property is in excellent condition and has been maintained and cared for over time. Adjacent to this property is the newly created pocket park that promotes the history of Warren with a local landmark sign and also provides a place of refuge and relaxation amongst the concrete and bustle of Mound Road.

31739 Mound Road

This property should serve as the southwestern “bookend” and possesses a distinct architecture of an early 20th century foundry that evokes a feeling and association with the history of Warren and its important role during the war effort in WWII. A smokestack can be identified toward the rear of the building and stands proudly as a visible, historical element amongst the landscape on Mound Road. These unique characteristics should be promoted within the corridor. The current occupancy of this building is that of a commercial nature, it is important to consider if the building

31851 Mound Road



Year Constructed	1940s
Property Owner	To be Added
Property Type	Commercial
Contributing	Contributing property to the VHD



31739 Mound Road



Year Constructed	1930
Property Owner	WKM Partners, LLC
Property Type	Commercial / Industrial Building
Contributing	Contributing property to the VHD



is fully occupied as the storefront and adjacent grassy parcel to the south would serve nicely as a restaurant and outdoor dining area. It was observed that there is enough parcel of land to the south of this property that outdoor dining or a pocket park would be suitable and still safe. This is an excellent property and parcel of land for redevelopment.

31654 Mound Road / St. Paul United Church of Christ

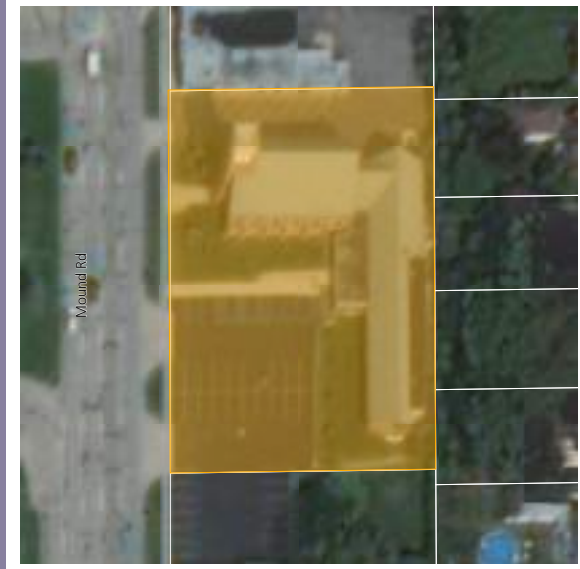
This property, St. Paul United Church of Christ, is a historic landmark within the city that serves as the southeastern “bookend” of the corridor. This Gothic Revival-style church is a symbol of community, a place for gathering, and also serves as a landmark within the built landscape. This is a beautiful building and its longevity should be protected through the form of a preservation easement or covenant so that the building stands proudly in perpetuity.

In addition, there are two, historic properties that should be included in the Village Historic District with an extension of the northern boundary to include a house of worship and a grade school. Inclusion of these two, historic resources will bring recognition and awareness to their historic significance and importance in the city of Warren. At this time, neither of the two buildings are listed within a local historic district nor are they listed in the National Register of Historic Places.



Intersection Signage at Seventh Street and Filmore Street.

31654 Mound Road



Year Constructed	1930
Property Owner	St. Paul United Church of Christ
Property Type	Other
Contributing	1894



32000 Mound Road / St. Anne Catholic Church

This property was constructed in 1964 and has served as a house of worship since its construction. Built with an Italian influence with a heavy emphasis on the Mediterranean Revival style, this church is in excellent condition. This historic building should be included as a contributing property within the Village Historic District.

31830 Mound Road

This single story building was constructed in 1945 and is a nondescript, commercial building that appears to have been altered over the years with little historic ornamentation and character. However, the importance of this building within the Village Historic District, specifically, the proposed historic corridor is consequential. It should be noted that its importance is not whether or not

32000 Mound Road



Year Constructed	1964
Property Owner	St. Anne Catholic Church
Property Type	House of Worship Structure
Contributing	*Should be added to VHD



31830 Mound Road



Year Constructed	1945
Property Owner	Mound Liquor and Deli
Property Type	Commercial Building
Contributing	Non-contributing to VHD but an important resource within boundaries of VHD



the building is historic, but rather, its importance relies solely on the fact that the building spans a significant length of the Mound Road just south of Chicago Road – in the heart of the historic corridor. Its location and visibility is critical. It's currently in a deteriorated condition and is an eyesore to passerbys with no windows that align with the sidewalk and roadway. This building is an excellent candidate as a facade rehabilitation project. Design guidelines would be appropriate for this building to consider how the building dovetails with the adjacent building located at 31850 Mound Road.

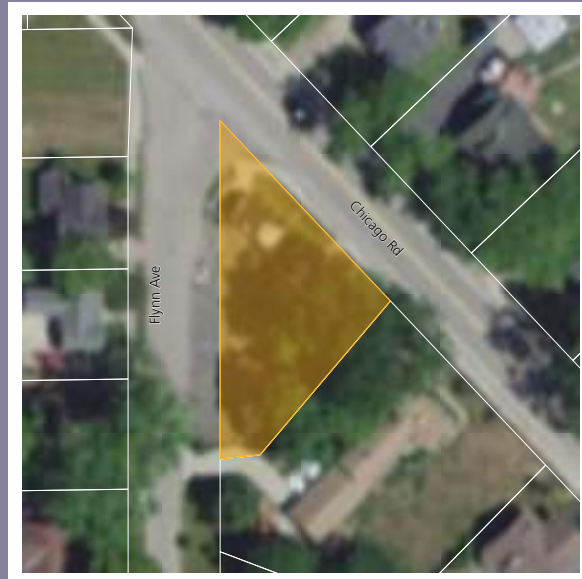
6020 Chicago Road

This single story building is located at the intersection of Flynn Avenue and Chicago Road. The building is constructed of masonry and boasts leaded glass windows with some aluminum ornamentation. A lovely building, its the only Mid-Century Modern building within this proposed residential historic district. This building could serve as a mixed-use building and adapt as partly residential and partly commercial. During the field study, it was observed that this building may be vacant. This commercial property would be an excellent candidate for a small grocery to serve the neighborhood residents as there is no grocery store within the boundaries of the Village Historic District. It anchors the corner of Flynn Avenue and Chicago Road nicely and is an excellent opportunity for redevelopment. It is recommended to keep an eye on this property as it plays an important role within the Village Historic District.

5920 Arden Avenue / St. Anne Catholic School

This property was constructed in 1966 and has served as a school since its construction. Built in the mid-century style with some Art Deco influences, this school is in good condition. This historic building should be included as a contributing

6020 Chicago Road



Year Constructed	1950
Property Owner	4 S Electric, LLC
Property Type	Commercial / Mixed Use Building
Contributing	Contributing property to the Chicago-Flynn Residential Historic District



5920 Arden Avenue



Year Constructed	1966
Property Owner	St. Anne Catholic School
Property Type	School / institutional building
Contributing	*Should be added to VHD



property within the Village Historic District. This building should serve as the northeast bookend of the Village Historic District as it supports the historic character of the historic district and is the northeasternmost resource within the Village Historic District.

Chicago Road Residential Historic District

This proposed residential historic district is distinct because of the variety of architectural styles that can be identified within the area that encompasses Chicago Road, Flynn Avenue, and Beebe Avenue. This residential neighborhood supports the eastern side of Mound Road and boasts a variety of architectural types and building materials that range from the late 19th century up through the mid-century modern era.

Seventh Street Residential Historic District

This proposed residential historic district is distinct because it depicts the very early settlement of Warren. In addition, this neighborhood includes the First Baptist Church of Warren from the mid-19th century. The architectural types and building materials of this neighborhood are early Folk Victorian and vernacular house types that are connected with the city's earliest settlers. This area encompasses Seventh Street, Fillmore Avenue, and Chicago Road.

When conducting a field survey and assessment it's important to consider if the contributing and non-contributing resources could be or should be considered worthy of listing in the National Register of Historic Places. There's a distinction between National Register and local historic district designation.

Commission Powers & Duties

Code of Ordinances of the City of Warren, Article XXI-A. - Village Historic District, Per Section 21A.08 - Powers and Duties - The Commission shall have the following powers and duties:

(g) To recommend to the City Council the designation of additional historic districts from resources chosen according to the criteria listed in MCL 399.203 and MCL 399.214.

Source: Code of Ordinances of the City of Warren, MI, ARTICLE XXI-A. - VILLAGE HISTORIC DISTRICT, Section 21A.08 - Powers and duties. https://library.municode.com/mi/warren/codes/code_of_ordinances?nodeId=PTIICOOR_APXAZO_ARTXXI-AVIHIDI_DIV1GE_S21A.02DIBO Accessed 3/20/2022

National Register Historic Districts

National Register historic districts most commonly encompass central business districts, residential neighborhoods, industrial areas, rural areas, and occasionally, entire communities. National Register districts and locally designated historic districts can be used as effective preservation tools, either independently or together, to help preserve a community's historic resources. Local historic preservation ordinances offer the greatest protection for historic resources. These laws protect individual sites and historic districts through a permitting process that requires advance review of proposed projects by a preservation commission, such as the Village Historic District Commission. Properties are identified or designated as landmarks and historic districts by local legislative bodies and typically include the local Historic District Commission based on detailed research and a rigorous review process. Sometimes, however, the Village Historic District Commission may be empowered to designate individual properties and/or districts.

Local Historic District

A local historic district is a district designated by a local ordinance, which falls under the jurisdiction of a local historic preservation review commission. A local historic district is generally "overlaid" on the existing zoning classifications in a community. Therefore, a local district commission deals only with the appearance of the district, not with the uses of those properties. The designation of a local district protects the significant properties and the historic character of the district. It provides communities with the means to make sure that growth, development, and change take place in ways that respect the important architectural, historical, and environmental characteristics within a district. Local designation encourages sensitive development in the district and discourages unsympathetic changes from occurring. This happens through a process called design review, whereby the historic preservation commission approves major changes that are planned for the district and issues Certificates of Appropriateness which allow the proposed changes to take place. Local historic districts protect the investments of owners and residents and retain their property values over time.

Both National Register districts and local historic districts can be used as effective preservation tools, either independently or together, to help preserve a community's historic resources. Listing of a property in the National Register is honorary and places no restrictions on what a property owner may do. In addition, listing in the National Register provides opportunities for promotion, makes available certain incentives like grants and is the gateway to the Federal Historic Tax Credit Program. Tax incentives through historic preservation helps to foster reinvestment in Michigan's cities, towns, and villages, and creates jobs for local craftspeople and laborers. Recently, in December 2020, properties that are contributing to local historic districts are now eligible to apply for tax incentives through the

newly reinstated Michigan State Historic Tax Credit Program.

Historic preservation ordinances, specifically, a local historic district ordinance, offers the greatest protection for historic resources. These laws protect individual sites and historic districts through a permitting process that requires advance review of proposed projects by a preservation commission, such as the Village Historic District Commission. Sometimes, a local, legislative body, such as the

Village Historic District Commission, may be empowered to designate individual properties and/or districts. This field study and assessment has identified two additional properties that should be included as part of the historic district. In addition, this field study and assessment has evaluated the overall efficacy of the existing historic district. A result of the field study and assessment is the identification of three, unique historic districts within the boundaries of the Village Historic District.

Sources

- 1 US Department of the Interior, National Park Service, Standards for Evaluating Significance Within Registered Historic Districts, chrome-extension://efaidnbmnnnibpcjpcglclefindmkaj/viewer.html?pdfurl=https%3A%2F%2Fwww.govinfo.gov%2Fcontent%2Fpkg%2FCFR-2012-title36-vol1%2Fpdf%2FCFR-2012-title36-vol1-sec67-5.pdf&cliclen=168113 Accessed 3/20/2022
- 2 National Trust for Historic Preservation, Preservation Leadership Forum, Local Preservation Laws, <https://forum.savingplaces.org/learn/fundamentals/preservation-law/local-laws> Accessed 3/15/2022



Community Engagement

What is the role of the Village Historic District Commission in regards to historic preservation in the district?

“To promote the economic and general welfare of the community by fostering civic beauty through encouragement of appropriate historic settings and conservation of desirable historical character, thereby promoting educational, recreational, and cultural activities in the district.”

- Stakeholder Survey Response

The historic district plan development engaged the community in an effort to meaningfully integrate the community’s perspective on historic preservation in Warren. This feedback helped to provide a framework for which to measure the preservation ethos of the community at-large. A major component in this process was to gather stakeholder and community perspectives on historic preservation and incorporate their feedback into the historic district plan. Three community engagement measures were implemented:

1. In August of 2021, a stakeholder meeting was facilitated at the beginning of the planning process where community members provided information on the state of historic preservation in Warren.
2. In October of 2021, a second, stakeholder meeting was facilitated where the results of the field study and assessment were presented and a tour was conducted with community members of the Village Historic District.

3. In November of 2021, a survey was distributed to the members of the stakeholder meeting in order to survey and evaluate the current pulse of preservation in Warren. In this survey, Historic Resource was defined as “a publicly or privately owned building, structure, site, object, feature, or open space that is significant in the history, architecture, archeology, engineering, or culture of this State or a community within this State or of the United States.” The definition of use for Historic Preservation was the “identification, evaluation, establishment, and protection of resources that are significant in history, architecture, archeology, engineering, or culture.” A link to the online survey was made available to the Steering Community members via email and a total of 13 responses were completed. A complete summary of the survey is in the Appendix.¹

This plan closely examined community engagement at the local level in Warren, but we also must consider the role of historic preservation at both the state and federal levels. Community engagement (around historic preservation) at both the state and national level has been a people-centered, grassroots driven, focus on the future preservation movement. Community engagement allows us to broaden our understanding that historic preservation isn’t simply bricks and mortar. It’s also the more complex, intangible story of the struggles of racial and social injustice that need to be communicated and understood.

Through community engagement the stakeholder group members in Warren had the ability to share their experience of preservation in Warren. The survey allowed for members to share their candid feedback on the strengths, weaknesses, opportunities, and voids of the historic district. The feedback generated from the stakeholder meetings

and survey created a baseline of which to evaluate the current preservation ethos in Warren. The most prevalent and powerful message to come out of our community engagement was the discussion that was generated between community members of shared stories from the past and the concern for saving the places that matter to them. Historic preservation is at a precipice in Warren: either the community rallies and builds momentum to support historic preservation efforts or the community continues on the downward slope of relinquishing its history to sprawl and the limited number of historic resources that exist within it. The results of the survey have indicated that there needs to be a more equitable, healthier, vibrant, and sustainable Warren for present and future generations to appreciate and enjoy. The concept of historic preservation is generally embraced by a diverse cross-section of the population.

For example, a recent study conducted of Millennials by the National Trust for Historic Preservation showed that:

- » A whopping 97% of the Millennials surveyed appreciate the value of historic preservation;
- » More than half of them (54%) are interested in historic preservation as a means to save the places that define us as Americans;
- » 53% view historic preservation as a way to protect the unique cultural wealth and diversity of communities; and

In your opinion, what is the biggest **STRENGTH** of the Warren Village Historic District?

“The fact that it is a designated Historic District with a Commission that strongly feels a sense of protecting the district and commitment to improving sites and the district generally.”

- Stakeholder Survey Response

In your opinion, what is the biggest **WEAKNESS** of the Warren Village Historic District?

“Lack of community spirit. Many of the newer residents don’t even know they live in a historic district. Each new resident should receive a “Welcome to the Neighborhood” bag with info about Village history, regulations etc. There used to be Village chicken dinners, Oktoberfest dinners, parades, classic car shows, ice cream socials etc. Cards were sent to all Village homes a couple of years ago about an ice cream social; 10 people showed up, mostly VHDC members. If the area was spruced up, I believe more history-minded people would move in. Now even Warrenites don’t know there’s a Historic District.”

- Stakeholder Survey Response



5711 Filmore Avenue.

Preservation for People: A Vision for the Future

- » A people-centered preservation movement hears, understands, and honors the full diversity of the ever-evolving American story. A preservation movement more firmly rooted in people can be more inclusive in the identification, understanding, and protection of historic places.
- » A people-centered preservation movement creates and nurtures more equitable, healthy, resilient, vibrant and sustainable communities. It recognizes that older and historic places are essential to physical and psychological health; to fostering a creative, fair, sustainable and entrepreneurial economy; to conserving land and habitat and avoiding carbon emissions (helping the planet); and to encouraging tolerance and social cohesion.
- » A people-centered preservation movement collaborates with new and existing partners to address fundamental social issues and make the world better.

- » They are more than twice as likely to prefer shopping or eating in historic downtowns (52%) and in places with historic appeal over malls and planned commercial districts or recently constructed places.

In the National Trust for Historic Preservation's white paper entitled: *Preservation for People: A Vision for the Future*, the Trust put forth three propositions that it believes will help the historic preservation movement become "a prevalent, powerful, and practical force to sustain, improve, and enrich people's lives."

The results of the Trust's study are relatable in Warren. We want to stimulate the local economy and support our small businesses. We want to retain our young people and that requires utilizing our existing built environment in Warren to create unique spaces for social interaction. We want to have jobs that provide a living wage where people can afford to stay in the community that they love. We want to preserve the historic identity of Warren and promote our historic places and park. And finally, we want to ensure we have affordable housing within our vibrant neighborhoods. These efforts are dynamic and are not mutually exclusive of one another. Indeed, these efforts all fall under the umbrella of targeted, historic preservation outreach and community engagement.

Source: The National Trust for Historic Preservation, *Preservation for People: A Vision for the Future*, May 2017, <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/viewer.html?pdfurl=https%3A%2F%2Fforum.savingplaces.org%2FHigherLogic%2FSystem%2FDownloadDocumentFile.aspx%3FDocumentFileKey%3D57133684-4c32-4863-5965-96476f7b4dab&clen=2562419> Accessed 3/20/2022

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- 1 Timothy J. McClimon, *The Future of the Historic Preservation Movement: Connecting People With Places*, 2018, <https://www.forbes.com/sites/timothyjmcclimon/2018/09/18/the-future-of-the-historic-preservation-movement-connecting-people-with-places/?sh=7564e31c4117> Accessed 3/20/2022



Recommendations & Implementation

The following recommendations are the city's goals related to historic preservation in the Village Historic District. These recommendations include involvement from the community, support from members of the stakeholder group, and active participation on behalf of city leadership.

Recommendation 1: Act as an agent of change and better communicate the benefits of historic preservation.

The City of Warren's historic preservation policies must reflect the preservation ethic of its residents; therefore, strong citizen support is essential to influencing the responses of city officials and staff facing preservation issues. The accomplishment of this recommendation will result in better-informed citizens who see the rewards of historic preservation. This recommendation includes efforts to heighten public awareness of preservation benefits, for this will lead to stronger support for stewardship of historic resources within the city.

- » Reframe the message of historic preservation.
- » Keep the public informed of the positive benefits of historic preservation.
- » Promote the importance of place and the role of historic preservation in Warren.
- » Create interest in historic preservation.
- » Support smart planning and preservation policies and zoning practices that retain historic character and value Warren's historic resources.

Recommendation 2: Better integrate preservation values into Warren's planning, zoning, land use, and other policies and practices.

Historic preservation provides the most benefit to residents when it is integrated into the day-to-day decisions of planning, zoning, land use staff. By weaving historic preservation into its planning activities, the City will ensure that preservation issues are identified and resolved early as a natural component of planning and land use. Most urban

areas now embrace historic preservation as an element of their comprehensive plans, recognizing that historic character is an asset to community identity. The City of Warren's Master Plan adopted in 2021 recognizes the importance of historic preservation.

Recommendation 3: Establish appropriate signage to identify the boundaries of the Village Historic District.

Signage creates a tangible and intangible connection between orientation and the built environment. In addition, signage defines an area and promotes the mission of this area. In Warren, the Village Historic District is in need of appropriate signage to signal to pedestrians and vehicles that you've entered a unique location and hopefully, creates a pause for both the pedestrian and vehicle to decrease the speed of traffic on Mound Road and appreciate the historic district. Not only does signage provide orientation and navigation, branded signage introduces the character of the historic district, evokes storytelling, and most importantly creates emotions through its connection to the history of Warren. This can contribute to a deeper relationship between promotion of the historic district and historic preservation of the built environment.

Banners were once hung within the Village Historic District, but are now stored at at the Old Village Hall. Perhaps, these banners can be re-installed within the historic district at a nominal fee or with the assistance of volunteers.

There is a symbiotic relationship between historic preservation and signage. Each of these efforts rely on one another. A historic district can't solely exist in writing with the historic buildings as the backdrop. A historic district must be celebrated in appropriate signage that identifies when you've arrived within the boundaries of the historic district.

Recommendation 4: Establish new boundaries of the Village Historic District.

Create a Village Historic Corridor to anchor the main artery of the Village Historic District. Designate new, residential historic districts: Chicago Road Residential Historic District and Seventh Street Residential Historic District. Increase the northern boundary of the Village Historic District boundaries

to include two, additional, contributing historic properties: St. Anne Catholic School and St Anne Catholic Church. This will better align targeted historic preservation efforts and promote historic neighborhoods, corridors, commercial buildings, houses of worship, and civic properties.



5520 Chicago Road.

Recommendation 5: Create appropriate design guidelines for the Village Historic District.

Design guidelines are intended to be helpful, interpretive, explanatory recommendations for appropriate preservation treatments, acceptable building materials, technical advice, and compatible new construction methods within the context of a historic district. Design guidelines can assist property owners in maintaining and enhancing the appearance of their properties, keep up property values, and improve the livability of historic areas. Design guidelines help property owners understand the value and methods of preserving and maintaining the essential character of their property and methods for preservation and appropriate maintenance. This recommendation includes preservation education and historic district commissioner training for the Village Historic District Commission on making sound and effective decisions as part of an active commission and to implement the design guidelines. This recommendation should align with the existing Zoning Ordinance and work cohesively with municipal leadership to assist with the review process.

Design Guidelines Can Help the Village Historic District Commission:

- » Establish a basis for making fair and sound decisions.
- » Initiate consistency in design review.
- » Educate on incentives for reinvestment.
- » Demonstrate property value retention and enhancement.
- » Illustrate in pictorial form guidance for education and technical assistance.

Design Guidelines Can...

- ✓ Explain, expand, and interpret general design criteria in the local preservation ordinance.
- ✓ Help reinforce the character of a historic area and protect its visual aspects.
- ✓ Protect the value of public and private investment, which might otherwise be threatened by the undesirable consequences of poorly managed growth.
- ✓ Indicate which approaches to design a community encourages, as well as which it discourages.
- ✓ Serve as a tool for designers and their clients to use in making preliminary design decisions.
- ✓ Increase public awareness of design issues and options.

Design Guidelines Cannot...

- X Serve the same legal purpose as the design review provisions of the ordinance. An ordinance is a law, but local design guidelines are typically not laws.
- X Limit growth, or regulate where growth takes place. Guidelines address only the visual impact of individual work projects on the character of a local historic district. Growth itself is a separate issue that must be separately addressed through zoning ordinances and preservation planning.
- X Control how space within a building is used. They usually deal only with the exterior, publicly visible portions of buildings, not with how interior space is laid out or used.
- X Guarantee that all new construction will be compatible with a historic area or the guarantee creativity that is essential to the best sorts of sensitive design.
- X Guarantee "high quality" construction. Since materials are generally not specified in the design guidelines, the final visual results, again, cannot be guaranteed.

Design guidelines are among the most useful tools available for preserving historic character in a commercial district. The Michigan State Historic Preservation Office (SHPO) has prepared Creating Design Guidelines for the Historic Commercial District for a number of Michigan communities interested in protecting the historic character and architectural features of their old buildings. Many of these

communities take advantage of grant opportunities that assist with offsetting the costs of hiring a consultant to create design guidelines for their community. One such grant program that provides grant funding for the creation of design guidelines is the Certified Local Government program. A short list of communities with excellent design guidelines are Ann Arbor, Clarkston Grand Rapids, and Kalamazoo.

Recommendation 6: Pursue Certified Local Government Certification through the State Historic Preservation Office.

The City of Warren has adopted Public Act 169 of 1970 through the creation of a historic preservation ordinance, has an active Historic District Commission, and the next step is Certified Local Government designation which will promote a stronger local-state-federal partnership between the City of Warren, the State Historic Preservation Office, and the National Park Service. The Certified Local Government designation will provide an opportunity for the city to apply for preservation-related grants for capital improvement projects or educational programming for historic preservation activities in the city. A representative from the city could partner with a representative of the Historic District Commission and work together to complete the Certified Local Government program application. Alternatively, the City of Warren could hire a historic preservation specialist to assist with the CLG application and serve as a liaison between the city and Historic District Commission throughout the application process.



6017 Chicago Road.

Certified Local Government

- » Federal-State-Local Partnership to promote historic preservation.
- » The City of Warren is eligible to pursue this designation as the first requirement to become a Certified Local Government community is the adoption of Michigan's Local Historic Districts Act, Act 169 of 1970, which provides the legal foundation for the creation of local historic districts.
- » The Certified Local Government program integrates preservation into master planning and community development processes. In addition, technical expertise and guidance from the Certified Local Government program will assist with guidance on how to preserve the integrity of the historic district while marrying important planning and preservation practices.
- » Certified Local Government designated communities are recognized as active partners in the national historic preservation program and gain special access to technical assistance, grant funding, and other benefits from the State Historic Preservation Office.

Source: Michigan Economic Development Corporation, MiPlace, State Historic Preservation Office, Programs and Services, Certified Local Government Program, <https://www.miplace.org/historic-preservation/programs-and-services/certified-local-government-program/clg-grant-program/> Accessed 3/15/2022

Historic districts and buildings have a competitive advantage. They contain attractive buildings, spaces, and other attributes desirable to small businesses. Small businesses don't just provide convenience and local jobs; they are also the source of the commercial vitality of a neighborhood.



Incentives for Historic Preservation

Rehabilitating historic properties conserves taxpayers' dollars, conserves our local heritage, and conserves the natural environment. Rehabilitating historic buildings and using the infrastructure that is already in place to serve them is the height of fiscal and environmental responsibility.

-Donovan Rypkema, Place Economics

There are at least five measures that municipal leadership, local stakeholder groups, and historic district commissions can take to encourage historic preservation: providing incentives, imposing regulations, providing help and support to those engaged in preservation, and for preservation itself, educating the public through preservation advocacy.

An incentive is a benefit given to someone in order to encourage a person to do something specific. There are several kinds of incentives that can be used to encourage historic preservation, most of them are desirable because they offset the cost of investment in historic building rehabilitation.

Tax Incentives

Tax incentives are methods of reducing taxes for businesses and individuals in exchange for specific desirable actions or investments.

They can come in three forms:

1. Tax credits: the money you spend on historic preservation, or some fraction of it, is a reduction subtracted from the taxes you that you have to pay.
2. Tax deductions: a percentage of the money you spend on historic preservation is subtracted from your tax amount.
3. Tax abatement: the branch of government imposing the tax simply allows you not to pay all, or some fraction, of your taxes, usually for a limited period of time.

Any of these tax breaks could be provided by the federal, state, or local government.

Federal Historic Preservation Tax Incentives Program

The Federal Historic Preservation Tax Incentives program is administered by the National Park Service, Technical Preservation Services and encourages private sector investment in the rehabilitation and re-use of historic buildings. This program is only for business or other income-producing purpose (i.e., a bakery, multi-family housing, a brewery, an office complex). It creates jobs and is one of the nation's most successful and cost-effective community revitalization programs.¹ The federal government, for example, offers a Historic Preservation Tax Credit of up to 20% (i.e., a credit equal to 20% of the money spent on preservation) for the rehabilitation, restoration, or preservation of a historic building. To be eligible for the credit, the building has to be a certified historic structure, and the work on it also has to be certified as historically accurate and as following the Secretary of the Interior's Standards and Guidelines for Historic Rehabilitation. A certified historic structure is a building that is listed individually in the National Register of Historic Places or is a building that is located in a registered historic district and certified by the National Park Service as contributing to the historic significance of that district.

Financing Historic Preservation

There are limited dedicated sources of funding for historic preservation activities, communities, and not-for-profit organizations seeking to finance their historic preservation efforts need to be creative and resourceful.

Sources of funding include:

- » A community's capital revenue. This may be easily implemented through a facade improvement program as part of the Downtown Development Authority.
- » Grants from federal, state, and nonprofit programs. The Michigan Economic Development Program has specific grant programs that are strategically aligned with historic preservation efforts.
- » Private donations, organizational membership fees, and corporate contributions.
- » Income raised through special assessment districts such as a business improvement district or local "Main Street" program.
- » Revolving loan funds (which can be capitalized in many ways).
- » Tax credits, rebates, and abatements (federal, state and local).
- » Incentives such as grants, loans, and design assistance, for property owners and businesses.
- » Special fundraising and promotional events or programming.

Michigan State Historic Tax Credit Program

Public Act 343 of 2020 was signed into law by Governor Whitmer on December 30, 2020 and established the new State Historic Tax Credit Program. The State Historic Tax Credit Program is administered by the State Historic Preservation Office and will help support place-based projects while promoting the preservation of Michigan's historic resources. This program is for business or other income-producing purpose and private residences (i.e., commercial/retail/mixed-use properties and homeowner-occupied residences). The newly reinstated program offers a historic preservation tax credit of up to 25% (i.e., credit equal to 25% of the money spent on preservation) for the rehabilitation, restoration, or preservation of a historic residential or commercial building. Michigan's State Historic Tax Credit Program follows closely that of the federal historic preservation tax incentives program in that to be eligible for the credit, the building has to be a certified historic structure, and the work on it also has to be certified as historically accurate and as following the Secretary of the Interior's Standards and Guidelines for Historic Rehabilitation.

Combined Federal and State Tax Credits

Both the federal and state historic tax incentive programs are expected to be enabled once the framework for the state program is established and applications can be accepted (July 15 2022). These programs can be layered with other federal and state incentives and utilized together on the same historic rehabilitation project.

New Market Tax Credit Program

Administered by the U.S. Department of the Treasury, Community Development Financial Institutions Fund, the New Market Tax Credit Program addresses real estate issues in low-income communities that experience a lack of investment, as evidenced by vacant commercial properties, outdated manufacturing facilities, and inadequate access to education and healthcare service providers. The New Market Tax Credit Program aims to break this cycle of disinvestment by attracting the private investment necessary to reinvigorate struggling local economies.²

Local Historic Preservation Incentives

Local incentives are often driven by local community and economic development organizations such as the Downtown Development Authority. Local incentives are designed by and for individual communities to encourage specific rehabilitation programs. These incentives can supplement the federal and state historic tax incentive programs and often apply to projects not eligible for the credits. Matching grants are one of the most common local incentives. Grants may be given to eligible applicants for such things as façade renovations, exterior maintenance, new signage, and commercial space interior renovation. Grants are commonly matched with private funds in the range of 20% to 50%. Low-interest loans are another common local incentive. The loans are given at a reduced interest rate, typically 2 to 5 points below prime. Eligible properties and projects are similar to those of matching grants. Low-interest loans can be given on a matching basis or have a cap on the low-interest portion.

Local governments often have resources available to provide incentives such as grants, low-interest loans, and public investment incentives. The programs can be administered much like any other local incentive program. Grants and low-interest loans can be funded from special taxes or economic development districts. The City of Warren has a Tax Increment Financing Authority (TIFA); however, the TIFA does not include the area that encompasses the Village Historic District. Another type of local incentive program is a Special Service Area (SSA) taxing districts are common funding sources. SSAs collect a special tax on properties in the district. The monies collected must be reused to improve the district in which they were collected.

Other communities have been designated as state or local economic development or empowerment zones that can provide for financial incentives for district improvements. Some cities have offered public improvements as incentives. For example,



31912 Mound Road.

if a property owner invests a certain amount in a façade renovation, the city will agree to replace sidewalks, add pedestrian amenities, or make improvements in the alley next to the building. Another incentive for building improvements is a property tax freeze on renovated buildings for a specified number of years.

Local governments can offer developers or businesses such things as permit waivers (i.e., permission to bypass a regulation or piece of the building code), exceptions to particular regulations in return for certified preservation work, or density bonuses (e.g., permission to turn a historic building into a multi-unit residence in an area zoned for single-family housing).

Governments or organizations might also offer subsidies for bringing old buildings up to code in a historically appropriate manner – e.g., installing insulation without damaging either inside or outside walls. Areas that might be addressed here include wiring, plumbing, heating/air conditioning, energy conservation, lead paint or asbestos removal, and compliance with ADA (Americans with Disabilities Act) requirements.

Easements

Easement programs offer incentives to both property owners and municipalities. When donating a historic preservation easement to a governmental entity or nonprofit organization, property owners are allowed a tax deduction for a charitable contribution on their federal income tax return. The city, meanwhile, is provided a low-cost mechanism for protecting historic properties from demolition and neglect and keeping the property on local tax rolls.

With the donation or sale of a historic preservation easement, a property owner gives away certain property rights, usually the ability to alter the exterior façade of the property without permission from the easement holder. Some easement programs, however, are focused on protecting the historic interior of a property and/or the land surrounding the structure. The easement holder can be a city government, nonprofit organization, or quasi-governmental organization. In order to take advantage of the federal income tax deduction, property owners must donate the easement in perpetuity to a qualified organization for conservation purposes. In addition, the property must be listed in the National Register of Historic Places or be a contributing structure in a National Register Historic District.³

State Government Incentives

Michigan Economic Development Corporation

The Michigan Economic Development Corporation offers grants and loans to redevelop Michigan's downtowns and foster historic preservation. By encouraging a compact mixture of uses and walkable urban fabric, we decrease the impact of sprawling development and efficiently utilize infrastructure. This development promotes

environmentally and fiscally sustainable environments that attract talent and business and keep our youth here.

Additional Programs through the Michigan Economic Development Corporation:

- » **Revitalization and Placemaking Program:** The Revitalization and Placemaking Program is an incentive program that will deploy \$100 million in American Rescue Plan funding to address the COVID-19 impacts in Michigan communities. This program will provide access to real estate and place-based infrastructure development gap financing through grants of up to \$5 million per project for real estate rehabilitation and development, grants of up to \$1 million per project for public space improvements and grants of up to \$20 million to local or regional partners who develop a coordinated subgrant program. Eligible applicants are individuals or entities working to rehabilitate vacant, underutilized, blighted and historic structures and the development of permanent place-based infrastructure associated with traditional downtowns, social-zones, outdoor dining and placed-based public spaces.⁴
- » **Michigan Community Revitalization Program:** Michigan communities have access to development gap financing with the Michigan Community Revitalization Program. The program promotes community revitalization through the provision of grants, loans, or other economic assistance for eligible projects located on properties that are either contaminated (facility), blighted, functionally obsolete or historic resources. The amount of support is determined by a needs analysis and funding commitments are expressed as a percentage of the Michigan Community Revitalization Program eligible investment basis. Applicants should explore all other sources prior to applying for Michigan Community Revitalization Program gap financing.⁵

Michigan State Historic Preservation Office

Jointly administered by the Michigan State Historic Preservation Office and the National Park Service, the Certified Local Government program provides an effective framework for promoting, supporting, and enhancing historic preservation activities at the local level. Through the Certified Local Government

program, communities partner with SHPO to plan for, protect, and tell the story of important historic places. In exchange, communities gain special access to exclusive grant funding opportunities, technical assistance from SHPO, and other benefits.⁶

Michigan Arts and Cultural Council

Administered by the Michigan Arts and Culture Council, these grants are for arts and culture organizations, cities and municipalities, and other nonprofit organizations ensure that every citizen and community in Michigan enjoys the civic, economic and educational benefits of arts and culture.⁷

Public Spaces Community Places

Local placemaking projects through crowdfunding, access to matching grants, and hands-on project coaching. The Michigan Economic Development Corporation, in conjunction with Detroit-based crowdfunding platform Patronicity and in partnership with the Michigan Municipal League, has developed “Public Spaces Community Places”, a creative placemaking and funding mechanism. Public Spaces Community Places program is a grant match program that utilizes donation-based crowdfunding to generate public interest and funding to revitalize or create public spaces. By utilizing web-based donations, projects are accessible to anyone willing to donate in real-time. This model we call Crowdfunding engages the public as each person plays a part in achieving place-based improvements and instills community pride as residents become invested in their surroundings.⁸

Michigan State Housing Development Authority

The Michigan State Housing Development Authority administers the federal Low Income Housing Tax Credit Program in Michigan according to a Qualified Allocation Plan. There are application deadlines and competitive scoring. Over 20,000 affordable apartments have been assisted in the state using this incentive for private owners of affordable rental housing.⁹ The Low Income Housing Tax Credit Program is an investment vehicle created by the federal Tax Reform Act of

1986, which is intended to increase and preserve affordable rental housing by replacing earlier tax incentives with a credit directly applicable against taxable income. Administered in Michigan by the Michigan State Housing Development Authority, this program permits investors in affordable rental housing who are awarded the credit – corporations, banking institutions, and individuals – to claim a credit against their tax liability annually for a period of 10 years. The Low Income Housing Tax Credit is a program that works favorably with historic preservation rehabilitation activities.¹⁰

Michigan Department of Transportation

Transportation Alternatives Program grants:

Administered by the Michigan Department of Transportation, these grants are aimed at transportation enhancement, they can involve the restoration or rehabilitation of historic transportation facilities and/or properties (railroad or subway stations, gas service stations), work on historic roads or bridges, or preservation work associated with widening or improving streets in historic neighborhoods.¹¹

The Michigan Historic Preservation Network

There are two programs through the Michigan Historic Preservation Network that aid in the restoration and rehabilitation of historic buildings.¹²

- » **The Predevelopment Loan Fund:** The Michigan Historic Preservation Network Predevelopment Loan Fund provides financial support for projects rehabbing historic buildings in Michigan. The loan fund covers reasonable third-party costs that occur in the early stages and are necessary in making the project happen.
- » **The Preservation Fund - Intervention Loan Fund:** The Michigan Historic Preservation Network Preservation Fund-Intervention Loan Fund provides low interest loans for repairs to historic buildings. The primary aim of this program is to stabilize historic properties that are threatened by one or more failures of major building systems. Further, this program is designed to align with, and support, other more comprehensive efforts to rehab the building.

Grants and Loans

Government offices at all levels, private organizations, and foundations offer grants for various kinds of preservation activities, or for the preservation of specific kinds of structures or properties.

- » **Historically significant properties.** These are structures or properties that are directly connected to specific historic events or figures.
 - » **Scenic byways.** These are secondary roads, often with historic interest. Work on them may entail restoration of historic landscapes and buildings, or of the historic road surface itself (original paving material, for instance).
 - » **Heritage areas.** As mentioned earlier, the federal government recognizes 27 National Heritage Areas. In addition, many states also recognize and support heritage areas of various kinds, most connected to the economic and social history of the region.
 - » **Tribal properties.** Native American areas often contain historic structures or landscapes, as well as burial grounds and other features related to the cultural heritage of the people living there.
 - » **Miscellaneous federal grants.** Among others, there are specific federal grants for preserving battlefields, historic barns, covered bridges, maritime heritage sites, and underground railroad sites.
- » **Grants for Houses of Worship.** To ensure that America's sacred places continue to serve their communities' material and spiritual needs, the National Trust for Historic Preservation has joined Partners for Sacred Places and the Lilly Endowment to establish the National Fund for Sacred Places.¹³
 - » **Grants for African American Cultural Heritage Fund.** The National Trust for Historic Preservation launched its African American Cultural Heritage Action Fund, a preservation campaign to preserve and protect places that have been overlooked in American history and represent centuries of African American activism, achievement, and resilience. Through this preservation effort—the largest ever undertaken in support of African American historic sites—we partner with and empower Black and diverse communities to expand the American story.¹⁴
 - » **Grants from foundations and non-profit organizations.** Many foundations and organizations exist specifically to raise and distribute money for historic preservation and related activities. The Jeffris Family Foundation, The 1772 Foundation, American Foundation, the National Park Service, the Kresge Foundation, the Mott Foundation, the National Trust for Historic Preservation, and the Michigan Architectural Foundation.



Halmich Keystone (31851 Mound Road).

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Preservation Forward: Moving Forward in Warren

“Old ideas can sometimes use new buildings. New ideas must use old buildings.”

-Jane Jacobs, *The Death and Life of Great American Cities*

Next steps for historic preservation in Warren

Historic preservation may not be the first thing that comes to mind when you think of the future of Warren. More aptly, the City of Warren needs historic preservation for its future. The Village Historic District with its backdrop of blocks of older, smaller, mixed-age and mixed-condition, historic buildings add character and charm to Warren. The historic district doesn't have to boast big, fancy buildings to have historical value. But if city leaders and community members don't take note of the important role that these old buildings play in bringing people into Warren, then these historic buildings will seemingly end up a fateful death as quaint relics. In fact, during the development of this plan, it was observed that historic preservation is an underutilized and oftentimes, an unfamiliar effort in Warren. The recommendation to act as an agent of change and better communicate the benefits of historic preservation is more important now than ever.

What can be gathered by this finding? For Warren, a community can be only as strong as its core. We need the Village Historic District to be the heart of Warren with the Village Historic Corridor as the aorta, the Chicago-Flynn Residential Historic District and the Seventh Street Residential Historic District as the left and right arteries. The recommendation to identify three, historic districts within the boundaries of the Village Historic District is tactical placemaking and targeted historic preservation. Focusing on three, distinct areas that are uniquely different and building on the assets within each district. This is utilizing historic

preservation as a tool for economic development. These efforts together, collectively, create a symbiotic relationship. This symbiotic relationship between the core and the adjacent neighborhoods creates a synergy that is the framework of historic preservation in Warren.

We can't go from zero to sixty in Warren. Historic preservation efforts can happen incrementally. The city and community members don't have to take on the entire Village Historic District in one, huge, redevelopment undertaking. These efforts can begin a step at a time. The city and community members can start by working with one house, one block, one neighborhood and go from there. The recommendation of appropriate signage can be executed rather quickly. Banners that once helped to brand and market the city are now in storage at the Old Village Hall. This is a low-hanging fruit to begin to initiate efforts toward creating a "sense of place" in Warren. Like patches in a quilt, preservation values can be woven into current planning, zoning, and land use policies and ordinances. This recommendation requires city staff and the Historic District Commission to understand the basics of preservation and how to appropriately implement a baseline from which to connect preservation values to policy.

Historic preservation enhances the quality of our built environment and enriches our lives. Our abandoned urban areas that were once vacated and left to deteriorate are now renewed. Neighborhoods that support our core areas are now being reclaimed from disinvestment and are on being revived.¹ Moving forward in Warren includes a cultural shift in the existing mindsets

of municipal leaders and community members to embrace preservation as a smart planning tool, as an economic development undertaking, and as a connection to the rich history of Warren. Moving forward in Warren must start at the local level with those who are able to enact change in policy and mindset to stand on the front line as stewards of historic preservation. The recommendation to create a stronger presence within the preservation community through applying to the Certified Local Government program will help the city tap into state and federal preservation expertise, technical education, and grant opportunities. This is a natural next step to enacting preservation policy and planning at the local level.

The more we can envision the Village Historic District as a place we want to live, work, worship, learn, and enjoy, the more we will be inspired to move toward it. The aesthetics must match the

energy in Warren. An authentic place begins at maintaining the character the character of the built environment. The recommendation for the creation of design guidelines will assist with how to preserve the architecture of yesterday while introducing opportunities for new construction to sympathetically relate with the older, commercial buildings. Aesthetics of the community and its surroundings are important. If a neighbor sees another neighbor investing in their home or building, they're more apt to follow their neighbor's lead and improve the condition of their asset. People don't want to be the owner of the eyesore on the corner. Design guidelines can provide the framework for what's appropriate and what's not. For all of these reasons and more, we have to think deeply and critically about the future of preservation in Warren—what we must do and where we need to go to keep moving forward.



Murthum-Vander Vlucht House (5820 Murthum Avenue).

Sources

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Appendix

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Responsibilities of the Village Historic District Commission

In Warren, the Village Historic District Commission meets monthly and has the following powers and duties:

- » To adopt rules of procedure;
- » To review permit applications for work affecting resources;
- » To issue a Certificate of Appropriateness, for appropriate proposed work; or a Notice to Proceed or a denial of the application for proposed inappropriate work, on a resource that affects the exterior appearance, or the interior arrangements, as provided in MCL 399.205(1) and (4);
- » To issue a Notice to Proceed, or deny an application to demolish a resource;
- » To give advice and guidance regarding any proposed work on a resource;
- » To advise and assist property owners, City Departments, City Council, the Mayor, and the general public on physical and financial aspects, and benefits of historic preservation;
- » To recommend to the City Council the designation of additional historic districts from resources chosen according to the criteria listed in MCL 399.203 and MCL 399.214;
- » To accept and administer grants and gifts given to the Commission for the purpose of preserving the Village Historic District;
- » To enter into agreements and contracts for the purpose of assisting the Commission in carrying out its duties;
- » To write an annual report to the Mayor, at the end of the fiscal year;
- » To conduct an ongoing survey, in accordance with the survey procedures established by the State Historic Preservation Office, in order to identify properties, structures, and areas that exemplify the cultural, social, spiritual, economic, political, educational, engineering, or architectural history of the city, state, or nation;
- » To keep a register of all designated historic resources within the Village Historic District, including all information required for each designation;
- » To determine an appropriate system of markers, and to confer recognition on the owners of historic resources, within the Village Historic District, by means of certificates, plaques, or markers;
- » To nominate Village Historic District historic resources to the State and National Register of Historic Places and to review and comment on any nominations submitted to the Commission;
- » To disseminate information to the public concerning those resources deemed worthy of preservation, and to encourage the protection, enhancement, perpetuation and use of resources of historic and/or architectural interest;
- » To adopt design review standards and guidelines for resource treatment and seek approval of the standards and guidelines from the State Historic Preservation Office.¹

Sources

¹ City of Warren, Boards and Commission, Village Historic District Commission, <https://www.cityofwarren.org/government/boards-and-commissions/village-historic-district-commission/> Accessed 12/10/2021



Warren's Village Historic District Plan Survey

Warren is developing a Village Historic District Plan to identify and document the City's historic resources with the aim of meaningfully integrating a historic preservation ethos into the City's development program. A major component in this process was to gather stakeholder and community perspectives on historic preservation and incorporate their input into the final plan.

In this survey, Historic Resource was defined as "a publicly or privately owned building, structure, site, object, feature, or open space that is significant in the history, architecture, archeology, engineering, or culture of this State or a community within this State or of the United States." The definition use for Historic Preservation was the "identification, evaluation, establishment, and protection of resources that are significant in history, architecture, archeology, engineering, or culture." A link to the online survey was made available to the Steering Community members via email and total of 13 responses were completed. A summary of the survey results is highlighted in the following pages.

Summary of Results

Question 1: What does historic preservation mean to you?

The response to this open-ended question can be broadly summarized as wanting to preserve the history of the area through its building stock. By preserving historic resources, the past can enhance the present by connecting to significant cultural sites and keeping different eras alive. This still allows for adaptive re-use but ensure the public can still have access to the meaning of the site's previous lives.

Question 2: What are your goals for historic preservation in the district?

Below is a summary of the goals listed by the Steering Committee.

- » Preserve and/or restore residential homes and commercial buildings
- » Secure funding to support preservation efforts in the historic district
- » Maintain the history of the Village in Warren
- » Prioritize resources for historic significance, improve and showcase them through events
- » Create a recognizable "place" that is walkable, and cultivates a sense of community with pride
- » Draw new development to the area that adds to the existing neighborhood
- » Redevelop prioritized underutilized buildings
- » Enforce rules and foster a sense of understanding the founding and development of the area
- » Ensure any new building or construction within the designated area be appropriate to the history of the area



Question 3: What are your top three priorities for historic preservation?

The online survey provided a [link](#) to a web mapping application that documented the location, detailed information, and pictures for 24 historic properties in the district. Of these 24 sites, the respondents identified 31850 Mound Rd, 31739 Mound Rd, 31707 7th St, and 31736 Mound Rd as the top sites for historic preservation.



31850 Mound Rd



31739 Mound Rd



31707 7th St

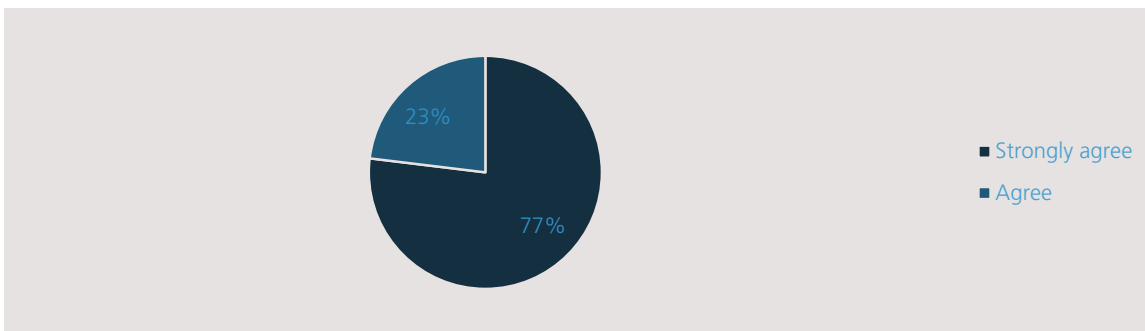


31736 Mound Rd



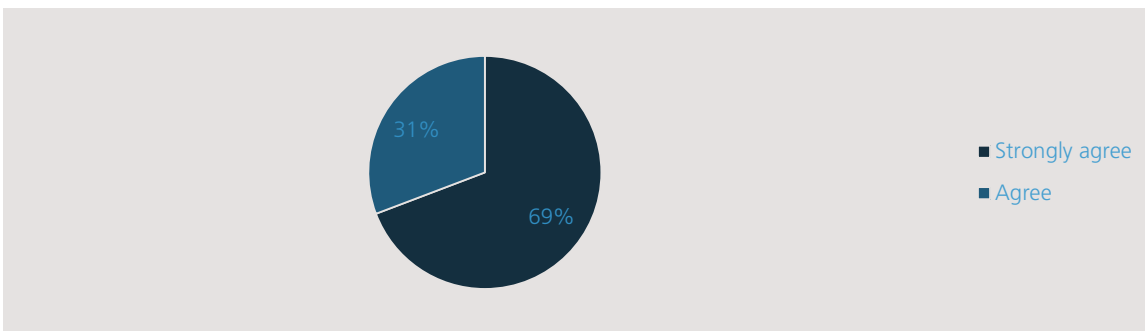
Question 4: To what extent do you agree with the following statement: "Historic resources are important assets to the City of Warren."?

Over 3/4th of the respondents strongly agreed and nearly 1/4th agreed that historic resources are important assets to the City of Warren.



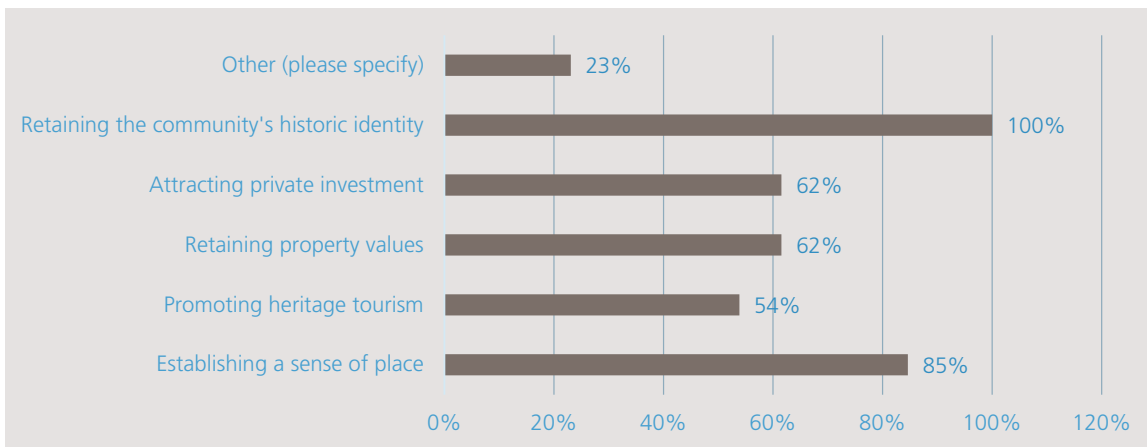
Question 5: To what extent do you agree with the following statement: "Historic resources in Warren's Village Historic District could be better protected/preserved."?

All of the respondents agreed that to some extent, that historic resources in Warren's Village Historic District could be better protected/preserved.



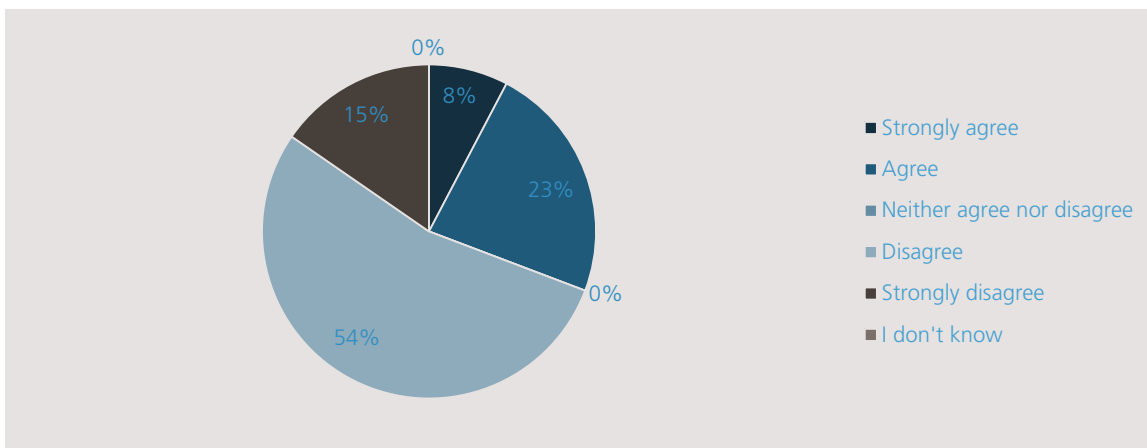
Question 6: In your opinion, what value do historic resources add to district? (Check all that apply)

All respondents agreed that historic resources' value is in the retention of the community's identity and secondly in establishing a sense of place. These findings suggest that a dominant ethos is historic buildings are of intrinsic value and that their ability to attract investment, promote tourism, and retain property values is secondary.



Question 7: To what degree do you agree with the following statement: "I feel safe from vehicular traffic while walking through the Village Historic District"?

Almost 70% of the respondents reported feeling unsafe from vehicular traffic while walking through the Village Historic District. The majority of the district falls on Mound Road which has a high volume of high speed vehicular traffic. The noise and the width of Mound Road makes it inconvenient and unpleasant for pedestrians to walk the historic district.

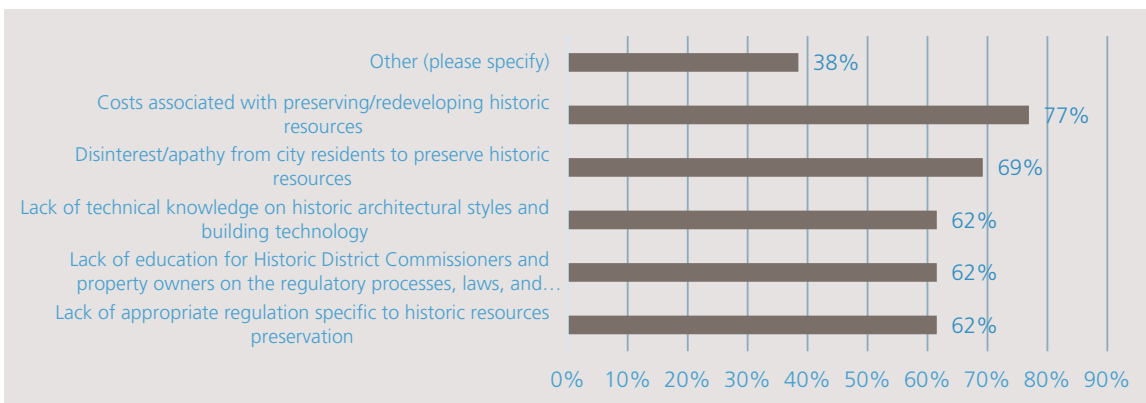


Question 8: In your opinion, which of the following are the challenges facing historic preservation in the district? (Check all that apply)

Over 75% of the respondents feel that costs associated with preserving/redeveloping historic resources is on the biggest challenges facing historic preservation in the district, followed by a general apathy from city residents. Tied at 69% of responses, lack of technical knowledge, lack of education on regulatory processes for the Historic Commission, and a lack of appropriate guidelines are all interrelated. Educating the community, property owners, and historic district commissioners

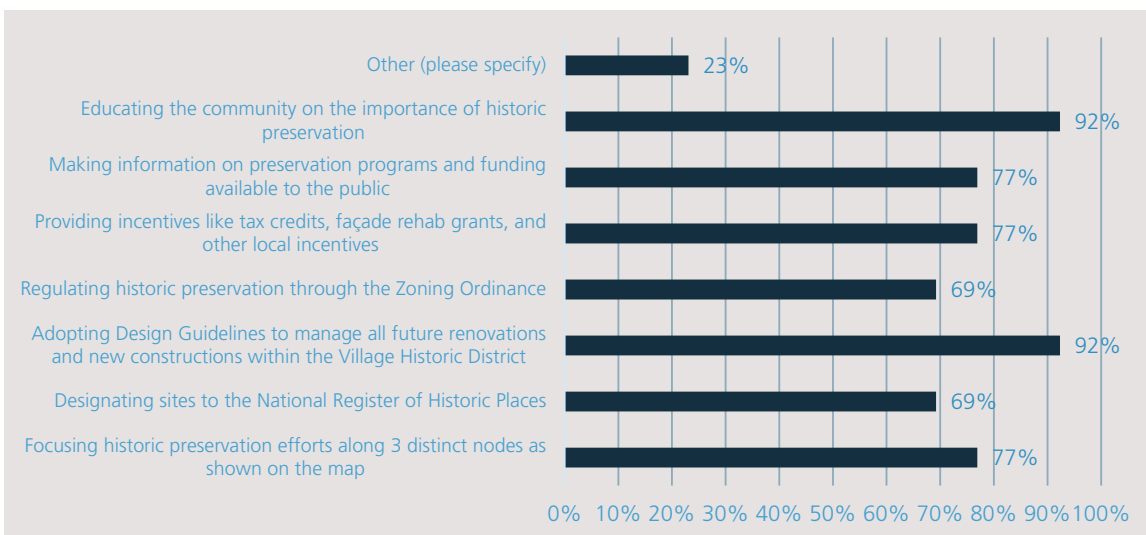


on historic preservation will help address other issues like disinterest, lack of technical knowledge, lack of education on regulatory processes etc. In the open-ended “other” option, it was noted that a lack of staff makes it difficult to seek out necessary funding.



Question 9: In your opinion, which of the following strategies will help better preserve Warren’s historic resources in the Village Historic District? (Check all that apply)

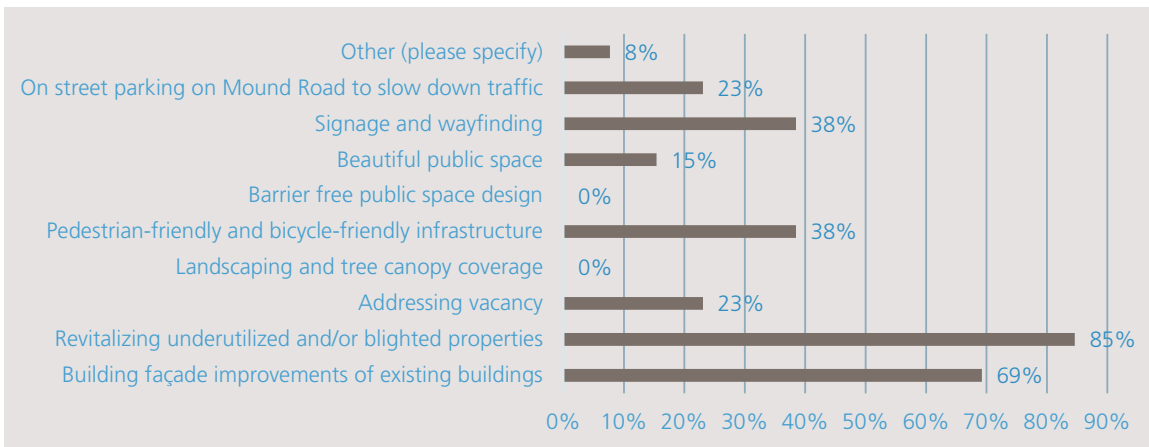
Over 90% of the survey respondents identified educating the community on historic preservation and adopting design guidelines as the best strategies to preserve the historic resources in Warren. Over 75% of the respondents also agreed that preservation efforts should be focused on 3 distinct nodes along Mound Road corridor, Chicago Ave and Flynn Ave, and Filmore Ave and 7th Street. Identifying funding opportunities and making information available to the public are other important strategies selected by the Steering Committee.





Question 10: What are the top three elements that the Village Historic District should prioritize?

85% majority of the respondents felt that revitalizing blighted and underutilized properties should be a priority in the Village Historic District. Similarly, nearly 70% indicated building facade improvements should be a focus, while building additional infrastructure for pedestrian and bicycle friendly and signage and wayfinding tied as lower priorities in the district.



Question 11: In your opinion, what is the biggest strength of Warren’s Village Historic District?

Many identified the architectural and stylistic variety of historic properties, and the pride and effort the community and the Historic District Commission takes in preserving such structures as the biggest strength of the district.

Question 12: In your opinion, what is the biggest weakness of Warren’s Village Historic District?

Many of the respondents reported Mound Road as the biggest weakness of the Historic District. While some respondents identified the community’s and WVHD’s interest to preserve historic properties as a strength, some respondents stated the opposite; they felt the lack of action in preserving historic structures as the biggest weakness. Others said the lack of proper maintenance of structures, a high commercial vacancy rate, and lack of funding for building upkeep as some other weaknesses.

Question 13: What is the role of the Village Historic District Commission in regards to historic preservation in the district?

The respondents had varied roles as listed below:



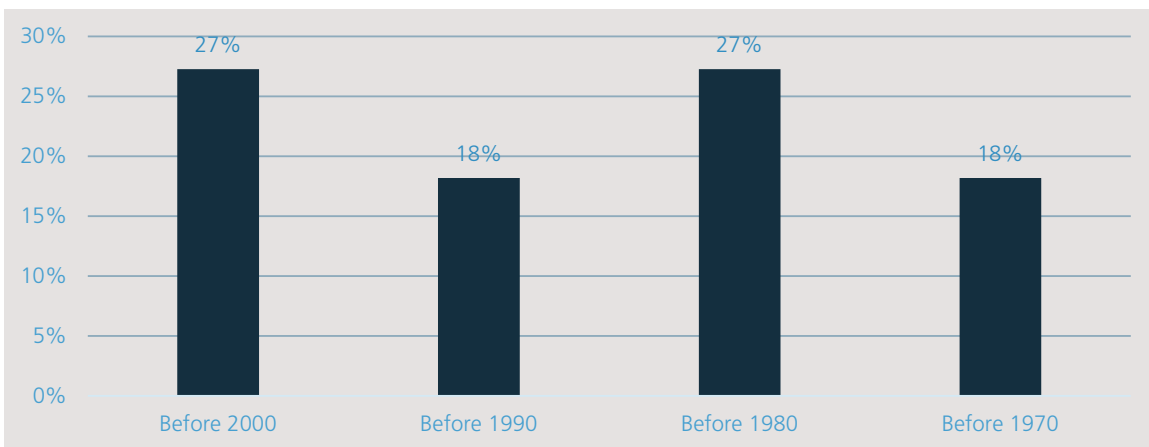
- » To promote the economic and general welfare of the community by fostering civic beauty through encouragement of appropriate historic settings and conservation of desirable historical character, thereby promoting educational, recreational, and cultural activities in the district.
- » To try and preserve what is left of the village
- » Helping property owners keeping the historic integrity of their property and improve their value.
- » To keep the time period correctness aesthetics of the area
- » To regulate the renovation of the historic resources and create interest in the district
- » To
- » Approve permits and changes to the structure
- » To enforce the rules of the Historic District, help residents properly maintain and improve sites within the district and look for ways to bring more attention to the district.
- » Advise, consent, and initial oversight as it relates to any work done on new builds or existing structures.
- » Education

Question 14: What is the role of the City in regards to historic preservation in the district?

Many respondents think the biggest role of the City is to enforce historic preservation through design guidelines in the Zoning Ordinance. A vast majority also felt recognizing the district as an asset and channeling funding to preserve and improve the buildings in the district should be supported by the City.

Question 15: What year did you move to Warren?

All of the respondents have lived in Warren for over two decades.







AFTER

Cadillac House and Tavern

5502 Main Street, Lexington

COMPLETED JULY 2018

Project overview

The Cadillac House has been a prominent landmark in the center of Lexington for more than 150 years. The building became less utilized over time until the restaurant that remained on the first floor closed in 2016. Soon after, Detroit-based developer Roxbury Group stepped in to return the building to its original use as a lodging and dining establishment. The project fully renovated and re-opened the building as the Cadillac House and Tavern, which included the return of overnight accommodations for the first time in over 50 years. The \$2.5 million project removed the existing blight and historically rehabilitated the property with 12 guest rooms and tavern. This project went on to receive a 2019 Governor's Award for Historic Preservation from the State Historic Preservation Office (SHPO).

Project details

The scope of the project included a historic restoration of the building's exterior, as well as complete renovation of the interior. The Roxbury Group diligently restored the building to its early resort-era appearance, including the removal of the early 1970s modernization and restoration of the original lap-siding, replacing windows and restoring the second-story covered porch and entryways. Where physical remains no longer existed, historic images were referenced to recreate missing or altered features including chimneys, balconies, a tavern bar and signage and lettering.

The Cadillac House now provides a unique dining and overnight option in downtown Lexington. The redevelopment of this iconic building has transformed the downtown and been a catalyst for new development.

Historic Preservation Tax Credit value: \$625,000

MEDC investment: \$1,000,000 Community Development
Block Grant Funding

Local investment: \$10,000 Downtown Development
Authority Façade Improvement Grant







Forest Arms Apartments

625 Second Avenue, Detroit

COMPLETED 2017

Project overview

Located in Detroit's Midtown, Forest Arms Apartments dates from 1905 when the Warren-Prentis district was popular among upper and upper-middle class professionals. It is one of the earliest and most architecturally impressive apartment buildings remaining in the area. During the 1940s, the original 36 units were subdivided into 72 and eventually became popular housing for Wayne State University students. In 2008, a fire destroyed much of the building, leaving nearly 100 people homeless. Rumors swirled that what remained of Forest Arms would be demolished to make way for a franchise coffee shop.

Project details

This proved to be a comprehensive rehabilitation project to remove fire- and water-damaged components, preserve and restore the character-defining features of the property and modernize the facility for energy efficiency and resident comfort. Developer Scott Lowell purchased the building and began rehabilitating it in 2014 as part of a \$12.1 million project using Federal and Enhanced State Historic Preservation Tax Credits. Significant reconstruction took place on the top floor, which had been open and exposed to the elements after the fire burned off the roof. Forward-looking features such as solar panels, geo-thermal heating and underground rainwater collection demonstrate how historic buildings can be retrofitted with the latest technology in a sensitive and meaningful way.

The anticipation surrounding the rehabilitation of Forest Arms led to all 70 of the units being leased before the project was even completed.

Historic Preservation Tax Credit value: \$3.79 million



BEFORE





Wabash and Main redevelopment

2 East Main Street, Milan

COMPLETED 2016

Project overview

The \$5.3 million Wabash and Main project reconstructed an entire block of historic downtown Milan, representing approximately 25 percent of the downtown area. This project went on to receive a 2017 Governor's Award for Historic Preservation from the State Historic Preservation Office (SHPO).

Project details:

Mostly vacant, functionally obsolete, and underutilized before the project, four adjacent buildings, built between 1845 and 1892, were restored. Original façades were rehabilitated, and the derelict interiors gutted to create 15 quality downtown lofts and more than 10,000 square feet of commercial space on the first floor. Careful attention was paid to repairing existing intricate brickwork and installing historically appropriate windows.

The project took more than five years of planning and one year of construction. The redevelopment has inspired additional investment in the area. Major work has been done by owners of 12 other downtown buildings and businesses. In addition, Milan has become a Select Michigan Main Street community, which will strengthen the business district and encourage additional historic preservation activities. This public/private partnership is a model for other rural communities who have difficult historic downtown rehabilitation projects across the state.

Historic Preservation Tax Credit value: \$700,000

MEDC investment: \$1.1 million Community Revitalization Program performance-based grant; \$252,000 Community Development Block Grant (CDBG)

MSHDA investment: \$1.6 million in CDBG for rental rehabilitation

Private investment: \$2.35 million

Jobs created: 25



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MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION

PLEASE NOTE

The Historic Preservation Tax Incentives brochure has not been revised to reflect any changes that may be necessary related to Public Law No: 115-97 (December 22, 2017).

Public Law No: 115-97 amends the Internal Revenue Code to reduce tax rates and modify policies, credits, and deductions for individuals and businesses. Section 13402 modifies the 20% Historic Rehabilitation Tax Credit and provides certain transition rules. These and other changes to the Internal Revenue Code may affect a taxpayer's ability to use the 20% tax credit. The law also repeals the 10% credit for rehabilitating non-historic buildings. The text of Public Law No: 115-97 is available at www.congress.gov.

Applicants requesting historic preservation certifications by the National Park Service, as well as others interested in the use of these tax credits, are strongly advised to consult an accountant, tax attorney, or other professional tax adviser, legal counsel, or the Internal Revenue Service regarding the changes to the Internal Revenue Code related to Public Law No: 115-97.

Historic Preservation Tax Incentives



National Park Service
U.S. Department of the Interior
Technical Preservation Services

This booklet describes the Federal Historic Preservation Tax Incentives in general terms only. Every effort has been made to present current information as of the date given below. However, the Internal Revenue Code is complex and changes frequently. Furthermore, the provisions of the tax code regarding at-risk rules, passive activity limitation, and alternative minimum tax can affect a taxpayer's ability to use these tax credits. *Readers are strongly advised to consult an accountant, tax attorney, or other professional tax advisor, legal counsel, or the Internal Revenue Service for help in determining whether these incentives apply to their own situations.* For more detailed information, including copies of application forms, regulations, and other program information, contact one of the offices listed on pages 26-29.

Department of the Interior regulations governing the procedures for obtaining historic preservation certifications are more fully explained in Title 36 of the Code of Federal Regulations, Part 67. The Internal Revenue Service regulations governing the tax credits for rehabilitation are contained in Treasury Regulation Section 1.48-12. These sets of regulations take precedence in the event of any inconsistency with this booklet.

Technical Preservation Services

National Park Service
2012

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Cover: German Bank, Dubuque, Iowa (1901). After rehabilitation for continued commercial and residential use. Courtesy State Historical Society of Iowa. Photograph: John Zeller.

Preservation Tax Incentives

Historic buildings are tangible links with the past. They help give a community a sense of identity, stability and orientation. The Federal government encourages the preservation of historic buildings through various means. One of these is the program of Federal tax incentives to support the rehabilitation of historic and older buildings. The Federal Historic Preservation Tax Incentives program is one of the Federal government’s most successful and cost-effective community revitalization programs.

The National Park Service administers the program with the Internal Revenue Service in partnership with State Historic Preservation Offices. The tax incentives promote the rehabilitation of historic structures of every period, size, style and type. They are instrumental in preserving the historic places that give cities, towns and rural areas their special character. The tax incentives for preservation attract private investment to the historic cores of cities and towns. They also generate jobs, enhance property values, and augment revenues for State and local governments through increased property, business and income taxes. The Preservation Tax Incentives also help create moderate and low-income housing in historic buildings. Through this program, abandoned or underused schools, warehouses, factories, churches, retail stores, apartments, hotels, houses, and offices throughout the country have been restored to life in a manner that maintains their historic character.



Current tax incentives for preservation, established by the Tax Reform Act of 1986 (PL 99-514; Internal Revenue Code Section 47 [formerly Section 48(g)]) include:

- » a 20% tax credit for the *certified rehabilitation of certified historic structures*.
- » a 10% tax credit for the rehabilitation of *non-historic, non-residential buildings* built before 1936.

From time to time, Congress has increased these credits for limited periods for the rehabilitation of buildings located in areas affected by natural disasters. For more information, see the instructions on IRS Form 3468, Investment Credit, or contact your State Historic Preservation Office.

In all cases the rehabilitation must be a *substantial* one and must involve a *depreciable* building. (These terms will be explained later.)

What Is a Tax Credit?

A tax credit differs from an income tax deduction. An income tax deduction lowers the amount of income subject to taxation. A tax credit, however, lowers the amount of tax owed. In general, a dollar of tax credit reduces the amount of income tax owed by one dollar.

- » The 20% rehabilitation tax credit equals 20% of the amount spent in a *certified rehabilitation of a certified historic structure*.
- » The 10% rehabilitation tax credit equals 10% of the amount spent to rehabilitate a *non-historic building* built before 1936.

Armstrong Cork Company Plant, Pittsburgh, Pennsylvania (1901-1913). After rehabilitation for retail and housing. Photograph: Charles Uhl.

20% Rehabilitation Tax Credit

The Federal historic preservation tax incentives program (the 20% credit) is jointly administered by the U.S. Department of the Interior and the Department of the Treasury. The National Park Service (NPS) acts on behalf of the Secretary of the Interior, in partnership with the State Historic Preservation Officer (SHPO) in each State. The Internal Revenue Service (IRS) acts on behalf of the Secretary of the Treasury. Certification requests (requests for approval for a taxpayer to receive these benefits) are made to the NPS through the appropriate SHPO. Comments by the SHPO on certification requests are fully considered by the NPS. However, approval of projects undertaken for the 20% tax credit is conveyed *only in writing* by duly authorized officials of the National Park Service. For a description of the roles of the NPS, the IRS and the SHPO, see “Tax Credits: Who Does What?” on pages 14 -15.

The 20% rehabilitation tax credit applies to any project that the Secretary of the Interior designates a *certified rehabilitation* of a *certified historic structure*. The 20% credit is available for properties rehabilitated for commercial, industrial, agricultural, or rental residential purposes, but it is not available for properties used exclusively as the owner’s private residence.

What is a “certified historic structure?”

A *certified historic structure* is a building that is listed individually in the National Register of Historic Places —OR— a building that is located in a *registered historic district* and certified by the National Park Service as contributing to the historic significance of that district. The “structure” must be a building—not a bridge, ship, railroad car, or dam. (A *registered historic district* is any district listed in the National Register of Historic Places.

Hanny’s Building, Phoenix, Arizona (1947). After rehabilitation of this high-fashion clothing store for restaurant and other commercial use. Photograph: Ryden Architects, Inc.

A State or local historic district may also qualify as a *registered historic district* if the district and the enabling statute are certified by the Secretary of the Interior.)

Obtaining Certified Historic Structure Status

Owners of buildings within historic districts must complete Part 1 of the Historic Preservation Certification Application—Evaluation of Significance. The owner submits this application to the SHPO. The SHPO reviews the application and forwards it to the NPS with a recommendation for approving or denying the request. The NPS then determines whether the building contributes to the historic district. If so, the building then becomes a *certified historic structure*. The NPS bases its decision on the Secretary of the Interior’s “Standards for Evaluating Significance within Registered Historic Districts” (see page 23).

Buildings individually listed in the National Register of Historic Places are already certified historic structures. Owners of these buildings need not complete the Part 1 application (unless the listed property has more than one building).

Property owners unsure if their building is listed in the National Register or if it is located in a National Register or certified State or local historic district should contact their SHPO.



What if my building is not yet listed in the National Register?

Owners of buildings that are not yet listed individually in the National Register of Historic Places or located in districts that are not yet registered historic districts may use the Historic Preservation Certification Application, Part 1, to request a *preliminary determination of significance* from the National Park Service. Such a determination may also be obtained for a building located in a registered historic district but that is outside the period or area of significance of the district. A preliminary determination of significance allows NPS to review Part 2 of the application describing the proposed rehabilitation. Preliminary determinations, however, are not binding. They become final only when the building or the historic district is listed in the National Register or when the district documentation is amended to include additional periods or areas of significance. It is the owner’s responsibility to obtain such listing through the State Historic Preservation Office in a timely manner.

What is a “certified rehabilitation?”

The National Park Service must approve, or “certify,” all rehabilitation projects seeking the 20% rehabilitation tax credit. A *certified rehabilitation* is a rehabilitation of a *certified historic structure* that is approved by the NPS as being consistent with the historic character of the property and, where applicable, the district in which it is located. The NPS assumes that some alteration of the historic building will occur to provide for an efficient use. However, the project must not damage, destroy, or cover materials or features, whether interior or exterior, that help define the building’s historic character.

Application Process

Owners seeking certification of rehabilitation work must complete Part 2 of the Historic Preservation Certification Application—Description of Rehabilitation. Long-term lessees may also apply if their remaining lease period is at least 27.5 years for residential property or 39

years for nonresidential property. The owner submits the application to the SHPO. The SHPO provides technical assistance and literature on appropriate rehabilitation treatments, advises owners on their applications, makes site visits when possible, and forwards the application to the NPS, with a recommendation.

The NPS reviews the rehabilitation project for conformance with the “Secretary of the Interior’s Standards for Rehabilitation,” and issues a certification decision. The entire project is reviewed, including related demolition and new construction, and is certified, or approved, only if the overall rehabilitation project meets the Standards. These Standards appear on pages 24-25. Both the NPS and the IRS strongly encourage owners to apply *before* they start work.



58 B Street, Virginia City, Nevada (1875). Rehabilitated as a bed and breakfast. Courtesy Chris Eichin.

After the rehabilitation work is completed, the owner submits Part 3 of the Historic Preservation Certification Application—Request for Certification of Completed Work to the SHPO. The SHPO forwards the application to the NPS, with a recommendation as to certification. The NPS then evaluates the completed project against the work proposed in the Part 2—Description of Rehabilitation. Only completed projects that meet the Standards for Rehabilitation are approved as “certified rehabilitations” for purposes of the 20% rehabilitation tax credit.

Before



After



Carleton Place (historic name: Simmons Manufacturing Company), St. Paul, Minnesota (1909). Before and after rehabilitation for residential use. Courtesy Hess, Roise and Company.

Processing Fees

The NPS charges a fee for reviewing applications. Fees are charged for the review of proposed work (Part 2) and for review of completed projects (Part 3). The fees are based on the rehabilitation costs. Payment should not be sent until requested by NPS. The NPS will not issue a certification decision until payment has been received. See the NPS website on page 26 for the fee schedule.



Hollywood Bungalow Courts, Los Angeles, California (1921-1925). Rehabilitated as housing for special-needs and low-income residents. Photograph: NPS Files.

IRS Requirements

To be eligible for the 20% rehabilitation tax credit, a project must also meet basic IRS requirements:

- » The building must be *depreciable*. That is, it must be used in a trade or business or held for the production of income. It may be used for offices, for commercial, industrial or agricultural enterprises, or for rental housing. It may not serve exclusively as the owner’s private residence.
- » The rehabilitation must be *substantial*. That is, during a 24-month period selected by the taxpayer, rehabilitation expenditures must exceed the greater of \$5,000 or the adjusted basis of the building and its structural components. The adjusted basis is generally the purchase price, minus the cost of land, plus improvements already made, minus depreciation already taken. Once the substantial rehabilitation test is met, the credit may be claimed for all qualified

expenditures incurred before the measuring period, during the measuring period and after the measuring period through the end of the taxable year that the building is placed in service.

- » Phased rehabilitations—that is, rehabilitations expected to be completed in two or more distinct stages of development—must also meet the “substantial rehabilitation test.” However, for phased rehabilitations, the measuring period is 60 months rather than 24 months. This phase rule is available only if: (1) a set of architectural plans and specifications outlines and describes all rehabilitation phases; (2) the plans are completed before the physical rehabilitation work begins, and (3) it can reasonably be expected that all phases will be completed.
- » The property must be placed in service (that is, returned to use). The rehabilitation tax credit is generally allowed in the taxable year the rehabilitated property is placed in service.
- » The building must be a *certified historic structure* when placed in service, with the following exception: If the building or the historic district is not listed in the National Register, the owner must have requested that the SHPO nominate the building or the district to the National Register before the building is placed in service. If the building is in a historic district that is listed or may be listed in the National Register, the owner must submit Part 1 of the application before the building is placed in service.
- » Qualified rehabilitation expenditures include costs of the work on the historic building, as well as architectural and engineering fees, site survey fees, legal expenses, development fees, and other construction-related costs, if such costs are added to the property basis and are reasonable and related to the services performed. They do not include acquisition or furnishing costs, new additions that expand the building, new building construction, or parking lots, sidewalks, landscaping, or other related facilities.



114 NW Main Street, Rocky Mount, North Carolina (1928).
Photograph: William Ferguson.

Getting your project approved, or “certified”

Tens of thousands of projects have been approved for the historic preservation tax credit. Observing the following points will make approval of your project easier:

- » *Apply as soon as possible—preferably before beginning work.* Consult with the SHPO as soon as you can. Read carefully the program application, regulations, and any other information the SHPO supplies. Submit your application early in the project planning. Wait until the project is approved in writing by the NPS before beginning work. Work undertaken prior to approval by the NPS may jeopardize certification. In the case of properties not yet designated certified historic structures, apply before the work is completed and the building is placed in service.

- » *Photograph the building inside and outside—before and after the project.* “Before” photographs are especially important. Without them, it may be impossible for the NPS to approve a project.
- » *Read and follow the “Secretary of the Interior’s Standards for Rehabilitation” and the “Guidelines for Rehabilitating Historic Buildings.”* If you are unsure how they apply to your building, consult with the SHPO or the NPS.
- » *Once you have applied, alert the SHPO and the NPS to any changes in the project.*

Claiming the 20% Rehabilitation Tax Credit

Generally, the tax credit is claimed on IRS form 3468 for the tax year in which the rehabilitated building is placed in service. For phased projects, the tax credit may be claimed before completion of the entire project provided that the substantial rehabilitation test has been met. If a building remains in service throughout the rehabilitation, then the credit may be claimed when the substantial rehabilitation test has been met. In general, unused tax credit can be “carried back” one year and “carried forward” 20 years.

The IRS requires that the NPS certification of completed work (Application Part 3) be filed with the tax return claiming the tax credit. If final certification has not yet



been received when the taxpayer files the tax return claiming the credit, a copy of the first page of the Historic Preservation Certification Application—Part 2 must be filed with the tax return, with proof that the building is a *certified historic structure* or that such status has been requested. The copy of the application filed must show evidence that it has been received by either the SHPO or the NPS (date-stamped receipt or other notice is sufficient). If the taxpayer then fails to receive final certification within 30 months after claiming the credit, the taxpayer must agree to extend the period of assessment. If the NPS denies certification to a rehabilitation project, the credit will be disallowed.

Recapture of the Credit

The owner must hold the building for five full years after completing the rehabilitation, or pay back the credit. If the owner disposes of the building within a year after it is placed in service, 100% of the credit is recaptured. For properties held between one and five years, the tax credit recapture amount is reduced by 20% per year.

The NPS or the SHPO may inspect a rehabilitated property at any time during the five-year period. The NPS may revoke certification if work was not done as described in the Historic Preservation Certification Application, or if unapproved alterations were made for up to five years after certification of the rehabilitation. The NPS will notify the IRS of such revocations.



Prizery/R.J. Reynolds Tobacco Warehouse, South Boston, Virginia (1900). Rehabilitated for commercial use. Photographs: Ian Bradshaw.

Depreciation

Rehabilitated property is depreciated using the straight-line method over 27.5 years for residential property and over 39 years for nonresidential property. The depreciable basis of the rehabilitated building must be reduced by the full amount of the tax credit claimed.

Rehabilitation Tax Credits: Who Does What?

The Federal historic preservation tax incentives program is a partnership among the National Park Service (NPS), the State Historic Preservation Officer (SHPO), and the Internal Revenue Service (IRS). Each plays an important role.

SHPO

- » Serves as first point of contact for property owners.
- » Provides application forms, regulations, and other program information.
- » Maintains complete records of the State's buildings and districts listed in the National Register of Historic Places, as well as State and local districts that may qualify as registered historic districts.
- » Assists anyone wishing to list a building or a district in the National Register of Historic Places.
- » Provides technical assistance and literature on appropriate rehabilitation treatments.
- » Advises owners on their applications and makes site visits on occasion to assist owners.
- » Makes certification recommendations to the NPS.

NPS

- » Reviews all applications for conformance to the *Secretary of the Interior's Standards for Rehabilitation*.

- » Issues all certification decisions (approvals or denials) in writing.
- » Transmits copies of all decisions to the IRS.
- » Develops and publishes program regulations, the *Secretary of the Interior's Standards for Rehabilitation*, the Historic Preservation Certification Application, and information on rehabilitation treatments.

IRS

- » Publishes regulations governing which rehabilitation expenses qualify, the time periods for incurring expenses, the tax consequences of certification decisions by NPS, and all other procedural and legal matters concerning both the 20% and the 10% rehabilitation tax credits.
- » Answers public inquiries concerning legal and financial aspects of the Historic Preservation Tax Incentives, and publishes the audit guide, *Market Segment Specialization Program: Rehabilitation Tax Credit*, to assist owners.
- » Insures that only parties eligible for the rehabilitation tax credits utilize them.



Odd Fellows Building, Raleigh, North Carolina (c. 1880). Rehabilitated for continued commercial use. Courtesy Empire Properties.

10% Rehabilitation Tax Credit

The 10% rehabilitation tax credit is available for the rehabilitation of *non-historic buildings* placed in service before 1936.

As with the 20% rehabilitation tax credit, the 10% credit applies only to buildings—not to ships, bridges or other structures. The rehabilitation must be substantial, exceeding either \$5,000 or the adjusted basis of the property, whichever is greater. And the property must be *depreciable*.

The 10% credit applies only to buildings rehabilitated for *non-residential* uses. Rental housing would thus not qualify. Hotels, however, would qualify. They are considered to be in commercial use, not residential.

A building that was moved after 1935 is ineligible for the 10% rehabilitation credit. (A moved *certified historic structure*, however, can still be eligible for the 20% credit.) Furthermore, projects undertaken for the 10% credit must meet a specific physical test for retention of external walls and internal structural framework:

- » at least 50% of the building’s external walls existing at the time the rehabilitation began must remain in place as external walls at the work’s conclusion, and
- » at least 75% of the building’s existing external walls must remain in place as either external or internal walls, and
- » at least 75% of the building’s internal structural framework must remain in place.

Claiming the 10% Rehabilitation Tax Credit

The tax credit must be claimed on IRS form 3468 for the tax year in which the rehabilitated building is placed in service. There is no formal review process for rehabilitations of non-historic buildings.

The 10% or 20% Credit: Which One Applies?

The 10% rehabilitation tax credit applies only to non-historic buildings first placed in service before 1936 and rehabilitated for non-residential uses. The 20% rehabilitation tax credit applies only to *certified historic structures*, and may include buildings built after 1936. The two credits are mutually exclusive.

Buildings listed in the National Register of Historic Places are not eligible for the 10% credit. Buildings located in National Register listed historic districts or certified State or local historic districts are presumed to be historic and are therefore not eligible for the 10% credit. In general, owners of buildings in these historic districts may claim the 10% credit *only* if they file Part 1 of the Historic Preservation Certification Application with the National Park Service before the physical work begins and receive a determination that the building does *not* contribute to the district and is not a certified historic structure.

Other Tax Provisions Affecting Use of Preservation Tax Incentives

A number of provisions in the Internal Revenue Code affect the way in which real estate investments are treated generally. These provisions include the “*at-risk*” rules, the *passive activity limitation*, and the *alternative minimum tax*. What these provisions mean, in practice, is that many taxpayers may not be able to use tax credits earned in a certified rehabilitation project.

A brief discussion of these matters follows. Applicants should seek professional advice concerning the personal financial implications of these provisions.

At-Risk Rules

Under Internal Revenue Code Section 465, a taxpayer may deduct losses and obtain credits from a real estate

Before



investment only to the extent that the taxpayer is “at-risk” for the investment. The amount that a taxpayer is “at-risk” is generally the sum of cash or property contributions to the project plus any borrowed money for which the taxpayer is personally liable, including certain borrowed amounts secured by the property used in the project. In addition, in the case of the activity of holding real property, the amount “at-risk” includes qualified non-recourse financing borrowed from certain financial institutions or government entities.

Passive Activity Limitation

The passive activity limitation provides that losses and credits from “passive” income sources, such as real estate

After



John Harvey House, Detroit, Michigan (1875). (opposite) Before rehabilitation; (above) After rehabilitation as a bed and breakfast. Courtesy: Marilyn Nash-Yazbeck. Photograph: Steven C. Flum, Inc.

limited partnerships, cannot be used to offset tax liability from “active” sources such as salaries. This passive activity limitation does not apply to:

- » Most regular corporations.
- » Real estate professionals who materially participate in a real property trade or business and who satisfy eligibility requirements regarding the proportion and amount of time spent in such businesses.

For other taxpayers, two exceptions apply: a general exception and a specific exception for certified rehabilitations.

General Passive Loss Rules

Taxpayers with incomes less than \$100,000 (generally, adjusted gross income with certain modifications) may take up to \$25,000 in losses annually from rental properties. This \$25,000 annual limit on losses is reduced for individuals with incomes between \$100,000 and \$150,000 and eliminated for individuals with incomes over \$150,000.

Passive Credit Exemption

Individuals, including limited partners, with modified adjusted gross incomes of less than \$200,000 (and, subject to phase out, up to \$250,000) investing in a rehabilitation credit project may use the tax credit to offset the tax owed on up to \$25,000 of income. Thus, a taxpayer in the 33% tax bracket could use \$8,250 of tax credits per year ($33\% \times \$25,000 = \$8,250$).

This \$25,000 amount is first reduced by losses allowed under the general “passive loss” rule above for taxpayers with incomes less than \$150,000.

Alternative Minimum Tax

For purposes of the rehabilitation tax credit, the alternative minimum tax does not apply to qualified rehabilitation expenditures “properly taken into account for periods after December 31, 2007.”

However, for qualified rehabilitation expenditures taken into account for periods before January 1, 2008, taxpayers who are not required to pay tax under the regular tax system may still be liable for tax under the alternative minimum tax laws. Alternative minimum taxable income is computed from regular taxable income with certain adjustments and the addition of all appropriate tax preference items.

Nonrefundable credits, such as the rehabilitation tax credit, may not be used to reduce the alternative minimum tax. If a taxpayer cannot use the tax credit because of the alternative minimum tax, the credit can be carried back or forward.

Rehabilitations Involving Governments and Other Tax-Exempt Entities

Property used by governmental bodies, nonprofit organizations, or other tax-exempt entities is not eligible for the rehabilitation tax credit if the tax-exempt entity enters into a disqualified lease (as the lessee) for more than 50% of the property. A disqualified lease occurs when:

- » Part or all of the property was financed directly or indirectly by an obligation in which the interest is tax-exempt under Internal Revenue Code Section 103(a) and such entity (or related entity) participated in such financing; or,
- » Under the lease there is a fixed or determinable price for purchase or an option to buy which involves such entity (or related entity); or,
- » The lease term is in excess of 20 years; or,
- » The lease occurs after a sale or lease of the property and the lessee used the property before the sale or lease.

Other Tax Incentives for Historic Preservation

Other Federal and State tax incentives exist for historic preservation. They may be combined with the rehabilitation tax credit.

Charitable Contributions for Historic Preservation Purposes

Internal Revenue Code Section 170(h) and Department of the Treasury Regulation Section 1.170A-14 provide for income and estate tax deductions for charitable contributions of partial interests in historic property (principally easements). Generally, the IRS considers that a donation of a qualified real property interest to preserve a *historically important land area* or a

certified historic structure meets the test of a charitable contribution for conservation purposes. For purposes of the charitable contribution provisions only, a *certified historic structure* need not be depreciable to qualify, and may include the land area on which it is located.

A facade easement on a building in a registered historic district must preserve the entire exterior of the building (including its front, sides, rear, and height) and must prohibit any change to the exterior of the building that is inconsistent with its historic character. The easement donor must enter into a written agreement with the organization receiving the easement contribution, and must provide additional substantiation requirements. If the deduction claimed is over \$10,000, the taxpayer must pay a \$500 filing fee. For additional information, see IRS publication 526.

State Tax Incentives

A number of States offer tax incentives for historic preservation. They include tax credits for rehabilitation, tax deductions for easement donations, and property tax abatements or moratoriums. The SHPO will have information on current State programs. Requirements for State incentives may differ from those outlined here.

Tax Credit for Low-Income Housing

The Tax Reform Act of 1986 (IRC Section 42) also established a tax credit for the acquisition and rehabilitation, or new construction of low-income housing. The credit is approximately 9% per year for 10 years for projects not receiving certain Federal subsidies and approximately 4% for 10 years for projects subsidized by tax-exempt bonds or below market Federal loans. The units must be rent restricted and occupied by individuals with incomes below the area median gross income. The law sets a 15-year compliance period. Credits are allocated by State housing credit agencies. The tax credit for low-income housing can be combined with the tax credit for the rehabilitation of certified historic structures.

The Secretary of the Interior's Standards for Evaluating Significance Within Registered Historic Districts

The following Standards govern whether buildings within a historic district contribute to the significance of the district. Owners of buildings that meet these Standards may apply for the 20% rehabilitation tax credit. Buildings within historic districts that meet these Standards *cannot* qualify for the 10% credit.

1. A building contributing to the historic significance of a district is one which by location, design, setting, materials, workmanship, feeling and association adds to the district's sense of time and place and historical development.
2. A building not contributing to the historic significance of a district is one which does not add to the district's sense of time and place and historical development; or one where the location, design, setting, materials, workmanship, feeling and association have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost.
3. Ordinarily buildings that have been built within the past 50 years shall not be considered to contribute to the significance of a district unless a strong justification concerning their historical or architectural merit is given or the historical attributes of the district are considered to be less than 50 years old.

The Secretary of the Interior's Standards for Rehabilitation

Rehabilitation projects must meet the following Standards, as interpreted by the National Park Service, to qualify as “certified rehabilitations” eligible for the 20% rehabilitation tax credit. The Standards are applied to projects in a reasonable manner, taking into consideration economic and technical feasibility.

The Standards (36 CFR Part 67) apply to historic buildings of all periods, styles, types, materials, and sizes. They apply to both the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



Van Allen and Son Department Store, Clinton, Iowa (1913-1915). Courtesy Community Housing Initiatives, Inc.

For More Information

For more information on tax incentives for historic preservation, contact the NPS, the IRS, or one of the SHPOs listed below. Available information includes:

- » NPS publications on appropriate methods to preserve historic buildings. These include *Guidelines for Rehabilitating Historic Buildings*, *Preservation Briefs*, and many others.
- » The Historic Preservation Certification Application (a 3-part form: Part 1—Evaluation of Significance; Part 2—Description of Rehabilitation; Part 3—Request for Certification of Completed Work).
- » Department of the Interior, National Park Service, regulations on “Historic Preservation Certifications.” [36 CFR Part 67].
- » Department of the Treasury, Internal Revenue Service, regulations on “Investment Tax Credit for Qualified Rehabilitation Expenditures.” [Treasury Regulation Section 1.48-12].
- » *Market Segment Specialization Program: Rehabilitation Tax Credit* (available only from the IRS).

National Park Service

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tel: 202-513-7270

email: nps_tps@nps.gov

main web: www.nps.gov/tps

tax web: www.nps.gov/tps/tax-incentives.htm

Internal Revenue Service

web: www.nps.gov/tps/tax-incentives/before-apply/irs.htm

Additional IRS website: <http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Rehabilitation-Tax-Credit---Real-Estate-Tax-Tips>

State Historic Preservation Offices

Contact information for the State Historic Preservation Offices can be found at: **www.ncshpo.org**

PLEASE NOTE

The Historic Preservation Tax Incentives brochure has not been revised to reflect any changes that may be necessary related to Public Law No: 115-97 (December 22, 2017).

Public Law No: 115-97 amends the Internal Revenue Code to reduce tax rates and modify policies, credits, and deductions for individuals and businesses. Section 13402 modifies the 20% Historic Rehabilitation Tax Credit and provides certain transition rules. These and other changes to the Internal Revenue Code may affect a taxpayer's ability to use the 20% tax credit. The law also repeals the 10% credit for rehabilitating non-historic buildings. The text of Public Law No: 115-97 is available at www.congress.gov.

Applicants requesting historic preservation certifications by the National Park Service, as well as others interested in the use of these tax credits, are strongly advised to consult an accountant, tax attorney, or other professional tax adviser, legal counsel, or the Internal Revenue Service regarding the changes to the Internal Revenue Code related to Public Law No: 115-97.



**MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION**

COMMUNITY DEVELOPMENT





To be vibrant and competitive, Michigan communities must be ready for development. This involves planning for new investment, identifying assets and opportunities, and focusing limited resources. MEDC Community Development supports the growth of vibrant, diverse, and resilient communities by providing economic development services and programs to attract and retain talent in Michigan communities.

"The Michigan Main Street program is a catalytic partner in downtown Owosso's continued revitalization. Over the past 10 years, the Main Street 4-Point Approach has produced sustainable programming capacity for both community and small business development. The Michigan Main Street team has provided a steady stream of training, support, and financial opportunities for our district to grow and evolve."

—Josh Adams, Executive Director, Owosso Main Street/DDA



Housed within the Michigan Economic Development Corporation, the program is affiliated with the National Main Street Center.



The **MICHIGAN MAIN STREET PROGRAM** exists to help communities interested in revitalizing and preserving their traditional commercial district develop main street districts that attract both residents and businesses, promote commercial investment, and spur economic growth.

Michigan Main Street (MMS) staff provides technical assistance and services to communities at three levels: Engaged, Select and Master. Each level is designed to assist the community in tackling increasingly sophisticated district revitalization efforts by utilizing the Main Street Approach™—a common-sense approach to tackling the complex issues of revitalization by capitalizing on a district's history and identifying the unique assets of the community itself.

ENGAGED LEVEL

A community will officially be recognized as an Engaged Level Main Street Community once they complete the following activities:

- Participate in the Main Street training series
- Develop a communications plan following the Main Street Basics training
- Develop a fund development plan following the Main Street In Practice training

SELECT LEVEL

The Select Level provides communities with specialized training within their own community. The intent of the Select Level is to assist communities in implementing the Main Street Four-Point Approach™. The Main Street program will have an active board of directors, providing oversight and direction, volunteer-driven committees completing projects, and a Main Street director assisting with day-to-day needs. In addition, at the Select Level, communities receive over \$100,000 worth of specialized trainings designed to help revitalize their downtown or traditional neighborhood commercial district.

MASTER LEVEL

The Master Level is the most prestigious level of the MMS program. The intent is to continue assisting communities that have successfully integrated a full Main Street program into their community. This is achieved by continuing to offer select level trainings and networking opportunities through MMS, as well as the opportunity to act as mentors for other MMS communities. In addition, Master Level communities continue to receive specialized technical assistance based on the needs of the district.

MICHIGAN MAIN STREET TRAINING SERIES

The first step for communities interested in participating in MMS is completing the Main Street training series, which provides:

- A basic understanding of the Main Street Approach™
- An overview of the strategies that build awareness and participation in future Main Street efforts

For more information, email michiganmainstreet@michigan.org or visit www.miplace.org.

"The MEDC'S Redevelopment Ready Communities program has been a fantastic and transformational experience for the city of St. Johns. We've been able to review many of our processes and update documents that have been antiquated for quite some time. But more importantly, this program has been a gateway to collaboration. We've received significant feedback from other staff, residents, downtown shopping district members, planning commissioners, and city commissioners. This effort has led to significant ordinance updates that'll shape development in our city for many years to come. We'd recommend this program to any city interested in improving development activity within their jurisdictions."

—Dave Kudwa, Deputy City Manager and Community Development Director

If your community plans for future investment, invites public input, and offers superior customer service, then Redevelopment Ready Communities® certification is for you!



Redevelopment Ready Communities® (RRC) is a statewide program that empowers municipalities to shape their future by building a strong foundation of planning, zoning and economic development best practices and integrating them into everyday functions.

A certified RRC has a clear vision for the future, established through collaborative community planning, and welcomes private sector investment through a proactive and predictable customer service approach to development. RRC certification signals to residents, business owners, developers and investors that a community has removed development barriers by incorporating deliberate, fair and consistent processes.

TECHNICAL ASSISTANCE PROVIDED

Communities engaged in RRC are supported with hands-on technical assistance throughout the certification process. They build productive relationships with their RRC planner and have access to a wide range of resources ranging from the RRC baseline report to the RRC library, webinars, workshops, planning documents, ordinance updates, and more. The RRC planner connects the community not only with resources to achieve certification, but also works to challenge norms and capture community development momentum at critical junctures which can lead to long-term prosperity.

RRC BEST PRACTICES

Developed by public and private sector experts, the RRC Best Practices are the standard for evaluation. Communities are able to choose from two available paths for a customized experience." Each best practice addresses key elements of community and economic development. To be awarded certification, a community must demonstrate that all best practice components have been met. The RRC Best Practice training series is aimed at building the capacity of local governments in communities eager to work toward and adopt RRC Best Practices.

CERTIFIED COMMUNITIES

When a community becomes certified, it signals that it has effective development practices. These include clear development procedures, a community-supported vision, an open and predictable review process, and compelling sites for developers to locate their latest projects. Certified RRCs gain access to the expertise of the Redevelopment Services Team, focused on a proactive approach to site redevelopment.

MEDC prioritizes projects in communities engaged in RRC and working to increase capacity and promote sustainable, streamlined and transparent development.

For more information, email RRC@michigan.org or visit www.miplace.org.



REDEVELOPMENT SERVICES

MEDC's Redevelopment Services Team (RSTeam) is the next frontier of the Redevelopment Ready Communities® (RRC) program. The RSTeam proactively packages priority Redevelopment Ready Sites (RRSites) throughout RRC certified communities across the state of Michigan.

Michigan's communities of all sizes are rich with sites ripe for redevelopment. These properties may be in the form of vacant land, a superfluous surface parking lot, a former industrial site, a historic building that has fallen on hard times, or even vacant storefronts or upper stories along a traditional commercial street. Reimagining these properties for more productive uses will help community leaders meet multiple goals, from increased tax revenue to a better quality of life for existing residents.

Upon RRC certification, communities across the state engage with the RSTeam to receive personal and direct one-on-one professional support to assist in the redevelopment of their priority sites.

The team is built upon three foundational focus areas:

- 1 High-quality and in-depth technical assistance:** The RSTeam has expertise in community planning; organizing and consensus building; building design and construction; urban design; historic preservation; project management; and redevelopment finance and incentives. The team assists with site analysis, financial analysis, market analysis, environmental assessments and testing, and more.
- 2 RRSites marketing and promotion:** The RSTeam collects and organizes integral data on up to three priority RRSites identified by the community. Promotional print materials, property information packages, web content, real estate development listings, conferences, www.miplace.org, and Zoom Prospectors will all be used by the team to promote priority RRSites.
- 3 Developer relationship building and matchmaking:** Building on years of service and delivery on community development projects, the RSTeam will continue to cultivate relationships with known, successful developers in the state of Michigan and beyond while connecting them directly to real estate opportunities in certified RRCs through various matchmaking events.

For more information, email Nate.Scramlin@redevelopment.org, Redevelopment Services Manager, at scramlin@michigan.org or visit www.miplace.org/sites.

"The Redevelopment Services Team at MEDC has been indispensable in producing compelling and thorough redevelopment packages for our priority redevelopment sites. Their expertise helped us to align the goals of the project to the site's challenges, market opportunities, and financial realities. Their passion for facilitating quality redevelopment was evident and positioned us for success."

—Jacob Kain, AICP, City Planner, City of Mt. Pleasant

YOU CAN HELP SAVE OUR LIGHTS!

Michigan has more lighthouses than any other state in the country. The Michigan Lighthouse Assistance Program (MLAP), a grant program which is funded through the sale of specialty license plates and administered by the SHPO, supports lighthouse preservation. Since the plate was first made available in 2000, the MLAP has awarded more than \$2.5 million in matching grants for lighthouse rehabilitation projects. Support this effort and get your plate at www.michigan.gov/saveourlights.



The State Historic Preservation Office (SHPO) evaluates, protects and promotes Michigan's historic built environment and archaeological sites. This is achieved by helping property owners, developers and local and state agencies identify and seize opportunities to celebrate and rehabilitate historic places that define local communities and make our state uniquely Michigan.

SHPO provides programs and services to encourage the preservation of, and investment in, historic places across the state.

IDENTIFICATION AND DESIGNATION

Identifying and researching what is historic is the first step in preserving the state's cultural heritage and historic character. This is achieved through:

- **Historic Resource Surveys** which identify and document historic properties to be considered in community planning.
- Listing in the **National Register of Historic Places**, which recognizes Michigan sites as places worthy of preservation.
- The creation of **Local Historic Districts**, enabled under Public Act 169 of 1970, which allows municipalities to protect and promote their own historic neighborhoods.

INCENTIVES & DEVELOPMENT

A successful preservation project will preserve the character and history of a site while creating a vibrant space that meets a community's 21st century needs. Various tools help to finance these projects:

- **Federal Historic Preservation Tax Credits** provide a credit of up to 20 percent of rehabilitation costs as an incentive for investing in underutilized and vacant structures.
- **Certified Local Government Program (CLG)** is a partnership between local, state and federal governments focused on promoting historic preservation at the grassroots level by providing annual grants to certified CLG communities.
- **Michigan Lighthouse Assistance Program** celebrates Michigan's 120+ historic lighthouses by providing annual matching grants to rehabilitate and restore these historic icons.

SHPO carries out the responsibilities of the National Historic Preservation Act of 1966 within the state of Michigan.

CULTURAL RESOURCE PROTECTION AND PLANNING

The National Register criteria provide a platform for planning for future development, by considering any impacts to historic buildings, landscapes and archaeological sites. SHPO works closely with other agencies, Native American tribes and local communities to consider these resources. Planning activities include:

- Consulting with federal partners to avoid, minimize or mitigate any potential effects on historic and archaeological resources for all federally funded, permitted or licensed projects, per Section 106 of the National Historic Preservation Act of 1966.
- Maintaining the State Archaeological Site File, the state's master list of reported archaeological sites, including shipwrecks.
- Retaining Historic Preservation Easements, legal agreements that protect significant historic properties, typically those transferred from the federal government to another entity and sites which receive SHPO grant funding.
- Creating a statewide plan for historic preservation every five years. This plan is informed by stakeholder and public input. Find the current statewide plan at www.michigan.gov/mhplplan.

For more information about SHPO programs and services, visit www.michigan.gov/shpo.



The MEDC's support of new and existing main street businesses, as well as the local entrepreneurial ecosystem, helps foster a supportive business climate and provides tools and resources that are accessible statewide to aid in small business success.

MATCH ON MAIN

Match on Main is a reimbursement grant program that serves as a tool to support new or expanding place-based businesses by providing up to \$25,000 in funding to support an eligible small business through an application submitted, administered, and managed by the local unit of government, downtown development authority, or other downtown management or community development organization where the business is located. The MEDC finds value in supporting place-based businesses located in certified Redevelopment Ready Communities* and Michigan Main Street districts, given the local capacity that has been built to support new and existing small businesses through the technical assistance, training, and education communities gain by participating in these programs. The focus of Match on Main is to support place-based businesses as they seek to launch and grow on main street.

COMMUNITY CAPITAL

Community Capital is simply money that comes from the community and goes the community. Leaning on this type of capital can assist a small business owner wanting to start up or grow. Community capital can come in various forms such as donation-based crowdfunding, zero interest loans, or investor-return crowdfunding. Investor-return crowdfunding is a type of democratized capital* that yields a return for its investors and can be a viable financial resource to start or grow a small business.

INITIATE (SMALL BUSINESS SUPPORT)

Small businesses across the state now have access to new tools and resources to help them launch and grow in Michigan, including an online small business learning

platform called "Initiate." The Initiate resource portal covers topics such as money, marketing, management, and COVID-19 resiliency resources by using a variety of learning methods including videos, templates, and guides. To best position our business community to access these tools, the MEDC is partnering with community and economic development organizations, financial institutions, and other small business support organizations to work one on one with businesses at the local level. Business retention efforts are critical at the local level. Through a "Train the Trainer" model, partner organizations that serve small business customers will learn how to establish a consistent business retention program locally, how to build trust with business owners, how to use available tools to understand business needs, where to direct businesses using the MEDC, Initiate portal, and how to develop consistency, accountability and follow through in your organization's small business support and development services.

EDUCATION, TRAINING AND TECHNICAL ASSISTANCE

Through the MEDC, communities and small businesses have access to a statewide network of small business resource providers that offer tools, trainings and technical assistance. From supporting entrepreneurs with an idea to open a bricks and mortar business to a second-stage company seeking to grow, resources are available to help develop the local entrepreneurial ecosystem in order to foster a successful business environment.

*The Michigan crowdfunding legislation, Michigan Invests Locally Exemption (MILE), allows small businesses to raise capital by reaching out to Michigan residents to invest in their company.

For more information, visit www.miplace.org/small-business.

SMALL BUSINESS SERVICES

- Main street businesses.
- Mom and pop.
- Locally owned.
- Brick-and-mortar.
- Place-based entrepreneurs.

These are just a few of the names used to describe the small businesses that reside in Michigan's downtowns. These businesses provide a unique and authentic experience in communities across Michigan and contribute to the overall sense of place. They provide goods and services as well as places to eat, sip and shop for residents and visitors, while adding to the vibrancy of the downtown core.

Community Development's small business services supports the creation, growth and retention of small businesses located in traditional downtowns or neighborhood commercial districts, in addition to downtown management organizations, community leaders and partner organizations.

COMMUNITY DEVELOPMENT FINANCING AND INCENTIVES

Growing vibrant, diverse, and resilient communities across Michigan

COMMUNITY DEVELOPMENT PRIORITIES

Downtown?

A community's principal downtown is one with a grouping of 20 or more contiguous commercial parcels of property that include multi-story buildings of historic or architectural significance. The area must have been zoned, planned, built, or used for commercial purposes for more than 50 years. The area must primarily consist of zero-lot-line development, have pedestrian-friendly infrastructure, and an appropriate mix of businesses and services.

High Impact Corridor/Gateway?

A high impact corridor or gateway offers unique connectivity and connections to downtowns, new economic opportunities, safe and sustainable transportation, and improvement in a community's quality of life. A corridor includes one or more routes that connect to economic activity, and often forms connections between neighborhoods and communities.

OR

Communities with this place type shall demonstrate readiness through RRC engagement.

Communities with only this place type shall demonstrate readiness through RRC certification.

ALL MEDC community development projects will be evaluated on the following criteria to identify high priority projects:

LOCAL AND REGIONAL IMPACT CONSIDERATIONS

Competitive projects support a local or regional vision or goal identified in a master plan or economic development strategy. Projects in geographically disadvantaged areas will be most competitive.

PLACE CONSIDERATIONS

Projects should be designed and programmed in concert with basic tenets of urban design (mass, density, type and scale). Additional competitive elements include historic rehabilitation, mixed-use and mixed-income projects, inclusive design, and environmentally sustainable buildings and sites.

FINANCIAL CONSIDERATIONS

All projects will need to demonstrate financial need. All funding sources, including debt and equity, must be maximized and development costs must be reasonable.

COMMUNITY DEVELOPMENT GUIDANCE

ALL MEDC community development projects will be evaluated on the following criteria to identify high priority projects:

LOCAL AND REGIONAL IMPACT CONSIDERATIONS

- Project supports the vision and goals stated in the local master plan, downtown plan, and/or capital improvements plan and economic development strategy.
- Located in a Redevelopment Ready, Michigan Main Street, or Certified Local Government community.

- Located in a geographically disadvantaged area (GDA); [click here](#) to see a public map of Michigan's geographically disadvantaged areas.*
- Community financially supports the project.
- Project supports local/regional workforce and career opportunities.

- Project incorporates emerging developers.**
- Project serves as a catalyst within the community, fostering additional development and investment.
- Project promotes mixed-income neighborhoods.

* "Geographically Disadvantaged Areas" are defined as economically distressed and historically underinvested census tracts and counties, especially in urban and rural areas, that tend to experience relatively high unemployment and low household incomes. MEDC and State of Michigan operationalize geographically disadvantaged areas to constitute Treasury-designated Opportunity Zones and Small Business Administration-defined HUBZones (Historically Underutilized Business Zones).

** "Emerging developers" are defined as Michigan-based developers with limited real estate experience and financial resources who support local initiatives and have completed commercial real estate training programs

PLACE CONSIDERATIONS

- Contributes to a traditionally dense mixed-use area and includes multi-story elements.
- Evaluated in concert with the basic tenets of context-sensitive urban design appropriate to its surroundings.
- Project includes the preservation and rehabilitation of a historic resource.
- Project positively contributes to the pedestrian experience, and considers availability of transportation alternatives, both motorized and non-motorized.
- Project leverages existing physical and social infrastructure.
- Redevelopment meets a third-party certification for green buildings (Leadership in Energy and Environmental Design [LEED], National

- Green Building Standard, Living Building Challenge, Green Globes, Net Zero Energy Building, Passive House/PHIUS+ Certification, etc.)
- Proposed plans demonstrate principles of "Universal Design:" designed to be accessed, understood and used to the greatest extent possible by all people.

ECONOMIC AND FINANCIAL CONSIDERATIONS

- Project demonstrates financial need.
- All other potential funding resources have been explored and maximized.

- Project leverages high ratio of private dollars compared to the total project cost and maximizes all available senior financing.

OTHER CONSIDERATIONS

- The community, developer and applicant must be in compliance with existing MEDC/MSF programs to be considered for support.

- The Michigan Strategic Fund (MSF) will not consider "big box" retail operations or single-story strip malls.

- Demolition of a structure, or other adverse effect to a historic resource, or structure that is eligible to be a historic resource, is discouraged.

For more information on projects and MEDC Community Development priorities, please visit www.miplace.org or contact your Community Assistance Team (CA Team) specialist.



MEDC's CD team administers the Michigan Strategic Fund programs (below) in order to facilitate the reinvigoration of city centers and rural communities across Michigan.

Communities that meet the eligibility requirements may apply for the following financing and incentives:

Brownfield Redevelopment Act (PA 381)

Any city, village, township, or county may create a Brownfield Redevelopment Authority. Brownfield incentives promote investment in contaminated, blighted, functionally obsolete, or historic properties. Tax increment financing (TIF) is available for brownfield sites. The creation of a Brownfield Redevelopment Authority allows redevelopment decision-making on a local and state level. State funding support requires Michigan Strategic Fund (MSF) approval for non-environmental activities and EGLE approval for environmental activities.

Transformational Brownfield Plan (TBP) (Act 46-50 of 2017)

A TBP allows developers the opportunity to capture a portion of specific incremental taxes generated from large-scale projects for a specified time period. A TBP is defined as a brownfield plan that, among other requirements, will have a transformational impact on local economic development and community revitalization while also having an overall positive fiscal impact on the state. A TBP proposing to use property tax increment, construction period tax capture, withholding tax capture, and income tax capture revenues may be approved for an amount only up to that necessary to fill a demonstrated financing gap. Funding requests for TBP will only be considered if other MSF program assistance is not available to fill a financing gap.

Community Development Block Grant (CDBG) The U.S. Department of Housing and Urban Development allocates CDBG funding to the state of Michigan through

the MSF with assistance from the MEDC for further distribution to eligible units of general local government (UGLGs) to carry out MSF-approved activities. CDBG program funds are used to provide grants and loans to UGLGs, usually with populations under 50,000, in support of economic or community development projects. Project proposals are considered and evaluated continuously based upon the MSF's approved funding guide. Eligible project types include place-based infrastructure, historic preservation and rental rehabilitation.

Community Revitalization Program (CRP) Chapter 8C of Act 270 of 1984

CRP is designed to support real estate redevelopment, infill and historic preservation projects in downtowns and high-impact commercial corridors. CRP awards fill financial gaps with loans, grants or other economic assistance in projects that promote community revitalization by accelerating private investment, fostering redevelopment of functionally obsolete or historic properties, and reducing blight.

Public Spaces Community Places

The first national program of its kind wherein local residents can contribute to transformational projects in their communities while being backed by the state, dollar-for-dollar, up to \$50,000. Thriving places help define a community's economic vitality. From bike trails to public sculpture projects, these projects promote a strong quality of life, help attract and retain talent, and grow stronger local economies. This reward initiative provides matching grants for crowd-funded public space projects through Patronicity, an online crowdfunding platform.

MEDC's **Community Development** team consults with communities, developers and non-profits to coordinate all necessary state and local services in order to complete projects and foster economic growth.



For more information about community eligibility, visit www.miplace.org.

LOCAL COMMUNITY DEVELOPMENT TOOLS

Business Improvement District (BID)/ Principal Shopping District (PSD) (PA 120) Cities, villages, and urban townships may create a BID or PSD to allow a municipality to collect revenues, levy special assessments, and issue bonds in order to address the maintenance, security, and operation of that district.

Business Improvement Zone (BIZ) (PA 120) A BIZ can be created by private property owners of those parcels in a zone plan within a city or village to levy assessments and finance activities and projects outlined within a zone plan.

Commercial Redevelopment Act (PA 255) PA 255 encourages the replacement, restoration, and new construction of commercial property in a city or village. Property taxes generated from new investment are abated for a period up to 12 years. Land and personal property are not eligible.

Commercial Rehabilitation Act (PA 210) PA 210 encourages rehabilitation of commercial property in a city, village, or township. Property taxes generated from new investment are abated for a period up to 10 years.

Conditional Land Use Transfer (PA 425) PA 425 allows one municipality the option of conditionally transferring land to another. This public act was established to ease the legally difficult process of annexation, and

to encourage cooperation. Cities, villages, and townships may enter into land transfer agreements.

Corridor Improvement Authority (CIA) (PA 57, Part 6) A CIA is designed to assist cities, villages, and townships by allowing the use of tax increment financing or other funding tools to implement eligible improvements in designated commercial corridors.

Downtown Development Authority (DDA) (PA 57, Part 2) A DDA is designed to be a catalyst in a community's downtown district. It provides a variety of funding options including a tax increment financing mechanism, which can be used to fund public improvements and to levy a limited millage to address administrative expenses.

Local Development Financing Authority (LDFA) (PA 57, Part 4) An LDFA allows a city, village, or urban township to use tax increment financing to fund public infrastructure improvements for eligible properties. LDFAAs can promote economic growth and job creation through supporting companies in manufacturing, agricultural processing, and high technology operations.

Neighborhood Enterprise Zone (NEZ) (PA 147) PA 147 provides a tax incentive to develop or rehabilitate residential housing units in qualified local units of government (i.e., Core Communities).

Neighborhood Improvement Authority (NIA) (PA 57, Part 8) An NIA may use its funds, including tax increment financing, to fund residential and economic growth in residential neighborhoods. An authority may also issue bonds to finance these improvements.

Obsolete Property Rehabilitation Act (OPRA) (PA 146) Tax incentives are available to encourage redevelopment of contaminated, blighted, and functionally obsolete buildings in eligible core communities. OPRA helps spur private development in urban areas and centers of commerce, by temporarily freezing local taxes up to 12 years.

Redevelopment Liquor Licenses (PA 501) Through PA 501, the Liquor Control Commission may issue new public on-premises liquor licenses to local governments in addition to quota licenses allowed in cities under PA 58.

Water Resource Improvement Tax Increment Finance Authority Act (PA 57, Part 7) Through PA 94, a city, village, or township can establish a Water Improvement Tax Increment Finance Authority to prevent deterioration in water resources, and to promote water resource improvement or access to inland lakes, or both.

OTHER RESOURCES

Capital Access Program (CAP) This program uses public resources to generate private bank financing, providing small businesses access to bank financing. Visit www.michiganbusiness.org for information.

Michigan Council for Arts and Cultural Affairs (MCACA) MCACA's mission is to encourage, initiate, and facilitate an enriched artistic, cultural, and creative environment in Michigan. As state government's lead agency charged with developing arts and culture policy and grant-making, MCACA recognizes the need for, and seeks out, a wide variety of public and private sector partners to help fulfill this mission. Visit www.michiganbusiness.org/arts for information.

Pure Michigan Business Connect (PMBC) Developed by the MEDC, PMBC is a multi-billion dollar public/private initiative that connects Michigan businesses by introducing them to the purchasing pipelines of the state's larger companies. Through this business-to-business (B2B) network, Michigan companies are encouraged to increase their procurement spending within the state. The B2B portal is free to all Michigan businesses. For more information, visit www.puremichigan2b.com.

Pure Michigan Talent Connect Employers and job seekers alike can search an extensive database of job openings, post and view résumés and jobs, view upcoming job fairs, and tap into a variety of specialty career services at www.talentnet.org.

SBA 504 Loans These loans provide businesses with long-term fixed-rate financing for the acquisition or construction of fixed assets. Visit www.sba.gov/mi for more information.

Small Business Development Center (SBDC) Michigan's SBDC has 11 regional offices that provide counseling, training, and many other valuable resources to support small businesses. Visit www.sbdcmichigan.org for more information.

For more information about tools and incentives, visit www.miplace.org.



Dedicated to shared economic success, the Michigan Economic Development Corporation promotes the state's assets and opportunities that support business investment and community vitality. The MEDC's business assistance programs and services connect companies with people, resources, partners, and access to capital.

Preservation Through Partnership

an introduction to the
Certified Local Government program



Michigan State Historic Preservation Office

300 North Washington Square
Lansing, Michigan 48913

517.335.9840
Michigan.gov/SHPO

December 2021



Welcome!

Thank you for your interest in joining the Certified Local Government (CLG) program!

If you are reading this, you are likely searching for ways to take your community's historic preservation program to the next level. Perhaps your community is just starting to look more seriously at how preservation can be coordinated with community development activities and you need ongoing technical assistance. Or, perhaps your community has been making strides in historic preservation for decades and you are interested in grant funding that can be used to support ongoing activities. No matter where your community is in its preservation journey, the CLG program might be the tool you need.

Jointly administered by the **Michigan State Historic Preservation Office (SHPO)** and the **National Park Service (NPS)**, the CLG program provides an effective framework for promoting, supporting, and enhancing historic preservation activities at the local level. Through the program, communities partner with SHPO to plan for, protect, and tell the story of important historic places. In exchange, they gain access to specialized technical assistance, exclusive grant funding opportunities, and other benefits that help them meet their goals.

Put simply, the CLG program provides a platform for communities to build strong local preservation programs and gives them access to the tools they need to be successful in their efforts.

Ready to learn more? We encourage you to review this brief guide, which will introduce you to the CLG program. As you do, consider the ways that the program can support your efforts to promote community character, sense of place, economic vitality, and quality of life through historic preservation.

Have questions? Want to talk further about the program or preservation in your community? Reach out to us. We're always happy to chat.

We look forward to working alongside your community in its preservation journey!

Alan Higgins
SHPO CLG Coordinator



CLG Program — Frequently Asked Questions

What is a Certified Local Government?

Broadly speaking, a CLG is a local unit of government that makes a commitment to historic preservation at the local level. CLGs demonstrate this commitment by engaging in a partnership with the State Historic Preservation Office to plan for and carry out preservation activities that are important to the community.

Which communities can become a Certified Local Government?

Any local unit of government (county, township, city, or village) of any size can become a CLG.

How many communities are in the program?

More than **2,000 communities** across the country have joined the CLG program in recognition of the important role historic preservation plays in community development. See the **SHPO website** for a current list of CLGs in Michigan.

Does it cost anything to become a Certified Local Government?

No, there are no application or program fees.

What are the benefits of becoming a Certified Local Government?

The CLG program provides a framework for communities to develop strong local preservation programs and offers participating communities access to exclusive benefits and tools from SHPO and the National Park Service, including prioritized technical assistance, grant funding opportunities, training and education, and more. See pages 4-5 for additional details.

What are the requirements to become a Certified Local Government?

Every community that participates in the CLG program must meet five simple requirements designed to provide a solid foundation for an effective local preservation program. These include enacting a local historic district ordinance, appointing a historic district commission, identifying important historic places in the community, engaging the public, and meeting SHPO standards. See page 6 for additional details.

How does my community become a Certified Local Government?

Interested communities complete a brief application through which they demonstrate that they meet program requirements and identify their historic preservation goals. SHPO works with your community during this process to outline a practical approach for local preservation. See page 7 for additional details.

When are applications accepted?

Communities can apply to become a CLG at any time. SHPO accepts applications year-round and reviews them on a continual basis.

Can SHPO help me figure this out, talk to my community, or assist with an application?

Yes! SHPO's CLG Coordinator is available to help communities build support for local preservation activities and complete the CLG certification process. If you are interested in discussing the program, contact **SHPO's CLG Coordinator**.

What if we already have a local historic district ordinance and are ready to move forward?

If your community already has a local historic district ordinance meeting state requirements, your community has a quick path to CLG certification! Reach out to **SHPO's CLG Coordinator** to discuss next steps and begin the application process.

How Does The CLG Program Help My Community?

The Preservation Framework

Rooted in preservation best practices, the CLG program gives credibility to local historic preservation activities, their importance, and their relationship to community planning and development initiatives. The program also promotes preservation activities consistent with national and state standards, which encourage responsible decision-making for important historic places in the community.

Participation in the CLG program also signals that a community is preservation-ready, supporting a vision for its future that respects the link between the community's built and cultural environment and its sense of place. At a basic level, the program helps communities to:

- Integrate preservation into local planning and decision-making processes;
- Identify, protect, and tell the story of important historic places in the community;
- Plan for and leverage historic resources as valuable community goods;
- Identify and facilitate opportunities for reinvestment and rehabilitation; and
- Partner with state and federal programs in support of local efforts.

The Preservation Partnership

CLG status signifies that your community is part of a larger movement built on a network of partnerships among local communities, the State Historic Preservation Office, and the National Park Service. Importantly, the partnership provides your community with exclusive access to dedicated and prioritized assistance from SHPO, which works closely with CLGs as they plan for, build, and engage local historic preservation programs. The partnership also gives your community access to annual grant funding opportunities, which are made available solely to communities that participate in the CLG program.

Through the program, SHPO actively works alongside your community to help you build and implement an effective local historic preservation program. SHPO's approach to this partnership is rooted in the following guiding principles:



Collaborative: SHPO is an active partner in the success of local preservation programs and believes that meaningful engagement with and assistance to our CLG partners is crucial to the success of the program. SHPO's CLG Coordinator provides ongoing support and assistance designed to help our communities succeed.



Flexible: Communities across the state vary widely in their size, capacity, and resources, and preservation tools and activities will look different in every community. While CLGs are required to meet minimum standards, SHPO works with each CLG to move preservation interests forward in a way that is practical, achievable, and meaningful for the community.



Incremental: The CLG program recognizes that preservation activities are not stagnant; they are part of dynamic, ongoing processes. Change takes time, and no community has everything figured out. Incremental, sustained progress toward preservation best practices is the goal.



Goal-oriented: The CLG program doesn't tell you what your community's preservation goals should be. Rather, the program is intended to help you put in place the tools necessary to meet the goals that are important to you. It's a bottom-up approach that recognizes that historic preservation is most meaningful and impactful at the local level.

What Are The Benefits Of Being a CLG?

The CLG program provides a unique opportunity for communities to leverage the skillset, assistance, and resources of the State Historic Preservation Office and National Park Service. A summary of the program's primary benefits is provided below, and additional detail on select benefits follows on the next page.

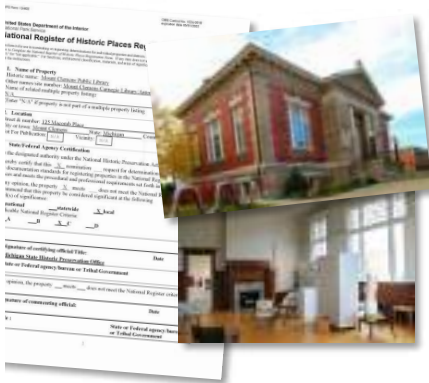
	CLG Community	Non-CLG Community
SHPO Technical Assistance	Prioritized support from SHPO CLG Coordinator	General SHPO support
Building Consultations with one of SHPO's Historical Architects	Yes, with brief report following visit	Yes, no report
Archaeological Advice		
Annual SHPO grant opportunities for rehabilitation projects		
Annual SHPO grant opportunities for planning, documentation, and education projects		
Access to SHPO CLG Virtual Resource Library, Program Bulletins, and more		
Dedicated email list and newsletters with news and notices of training and funding availability		
Access to Community Partnership Projects, which provide no-cost solutions for small preservation planning projects		
Program-specific training and educational opportunities		
Enhanced role in nominating properties to the National Register		
Scholarships from National Park Service to attend certain preservation conferences*		
Access to National Park Service Historic Preservation Fund grants*		Some

*Dependent on annual availability from NPS

CLG GRANTS

One of the greatest benefits of becoming a CLG is that participating communities are eligible to apply for annual grant funding set aside exclusively for CLGs. That's right, yearly grant funding is only available to CLGs! Non-profits and public entities in a CLG community can also apply in partnership with the CLG (local government).

Since the start of Michigan's CLG program, SHPO has provided more than 150 grants to CLGs across the state, supplementing local preservation activities and often serving as a catalyst for additional investment. Grants are provided for two categories of projects: (1) preservation planning, documentation, and education projects and (2) rehabilitation planning and rehabilitation projects. For more detailed information, see our [CLG Grants page at the SHPO website](#).



COMMUNITY PARTNERSHIP PROJECTS

Intended to fill the gap between a community's desire to complete preservation projects and its lack of capacity to carry out projects on its own, **Community Partnership Projects** allow a CLG to leverage the expertise of SHPO to complete small projects that might not otherwise be possible and to do so at no cost. CLGs can apply for one of three project types: historic resource surveys, National Register nominations, or design guidelines.

At the end of the process, CLGs get a professionally finished product from SHPO that they can use to carry forward their preservation goals. Because this is both a technical assistance and educational initiative, participating CLGs also get hands-on experience and training in preservation activities, which better equip them to carry out future projects on their own.

SPECIALIZED TECHNICAL ASSISTANCE

While SHPO assists all communities, CLGs receive dedicated and prioritized assistance from SHPO's CLG Coordinator, who works daily with CLGs on their preservation programs; visits communities to have on-the-ground discussions about local preservation strategies; and develops special initiatives to help communities move their preservation programs forward.

The CLG Coordinator also works with other SHPO staff on collaborative efforts. These include, for example, working with the Survey Coordinator to help CLGs identify practical strategies for identifying and documenting important places in the community; coordinating with SHPO's historical architect to complete building consultations for "problem" properties; and coordinating with SHPO archaeologists to provide education and assistance with archaeological sites.



TRAINING AND EDUCATION

CLGs have access to a curated collection of training materials and technical resources available from SHPO, as well as ongoing program bulletins and newsletters. CLGs can also participate in workshops, regional roundtables, webinars, and other community outreach initiatives designed specifically for CLG staff, elected officials, and HDC members. Communities that want one-on-one support can work with SHPO's CLG Coordinator to arrange for community visits. These provide the opportunity to discuss local preservation strategies, request feedback on particular challenges the community may be facing, and provide the HDC and its staff with training on issues related to design review and administration of local historic districts.

What's Required To Be A CLG?

All communities across the country that participate in the CLG program agree to meet five basic requirements established by the National Park Service. Each State Historic Preservation Office then further defines the requirements based on its own standards and guidelines.

In total, these requirements provide an effective framework for integrating historic preservation into local decision-making processes and community development activities. They also provide the community with a solid foundation for identifying, planning for, protecting, and telling the story of important historic places.

Program Requirement	Why Is It Important?
<p>1. Enact a Local Historic District Ordinance meeting the requirements of Michigan's Local Historic Districts Act (Public Act 169 of 1970 [PA 169])</p>	<p>A local historic district ordinance is basic to the success of a community's preservation efforts. The ordinance formally demonstrates the local government's commitment to preservation and provides the legal authority for communities to protect single site and multi-resource historic districts.</p>
<p>2. Appoint and maintain an active Historic District Commission in accordance with PA 169</p>	<p>A local government appointed commission is vital to making informed decisions about changes to designated historic resources in the community and ensuring that due process is fairly applied to all property owners. The commission is also critical in helping guide the community's preservation planning goals and outreach.</p>
<p>3. Implement a strategy for ongoing, incremental survey of important historic places across the community</p>	<p>Effective planning begins with knowing what you have; preservation is no different. When we understand the sites important to our community, we are better equipped to plan for them. We are also better positioned to collaborate with local stakeholders in discussions about place, heritage stewardship, and community identity.</p>
<p>4. Provide for public participation in the local historic preservation program, including activities of the historic district commission</p>	<p>Public participation is key to the success of a local preservation program. It fosters public awareness and appreciation for our built and cultural environment and links preservation to broader community goals, priorities, and place-based initiatives. Public participation also includes ensuring that the activities of the historic district commission are transparent, consistent, and free of bias.</p>
<p>5. Satisfactorily meet program requirements, including compliance with SHPO goal setting and reporting requirements</p>	<p>A goal-oriented approach helps CLGs prioritize use of their resources and provides momentum for grant funding and technical assistance requests. Completing a brief annual report detailing basic preservation activities complements this approach and provides an easy way to capture preservation activities in the community, which can be used to boost support with the public and elected officials and identify important next steps.</p>

How Does Our Community Become A CLG?

Step 1. Contact SHPO's CLG Coordinator

Communities are encouraged to contact SHPO's CLG Coordinator prior to applying to become a CLG. They should also review **Michigan's Certified Local Government Program Certification Manual** for full information on the program. SHPO's CLG Coordinator is here to help you at each step. They are available to meet with local stakeholders to discuss the program and talk through the application process, which can streamline the community's entry into the program.

Step 2. If not already completed:

2a. Enact a Local Historic District Ordinance

Adopt a local historic district ordinance complying with the requirements of Public Act 169 of 1970. Need a starting point? Use **SHPO's model ordinance**, which you can adapt for your community.

2b. Appoint a Historic District Commission

Following adoption of the ordinance, appoint members to the historic district commission. Once established, the commission should hold its first meeting and approve bylaws.

Step 3. Complete the Application for CLG Certification

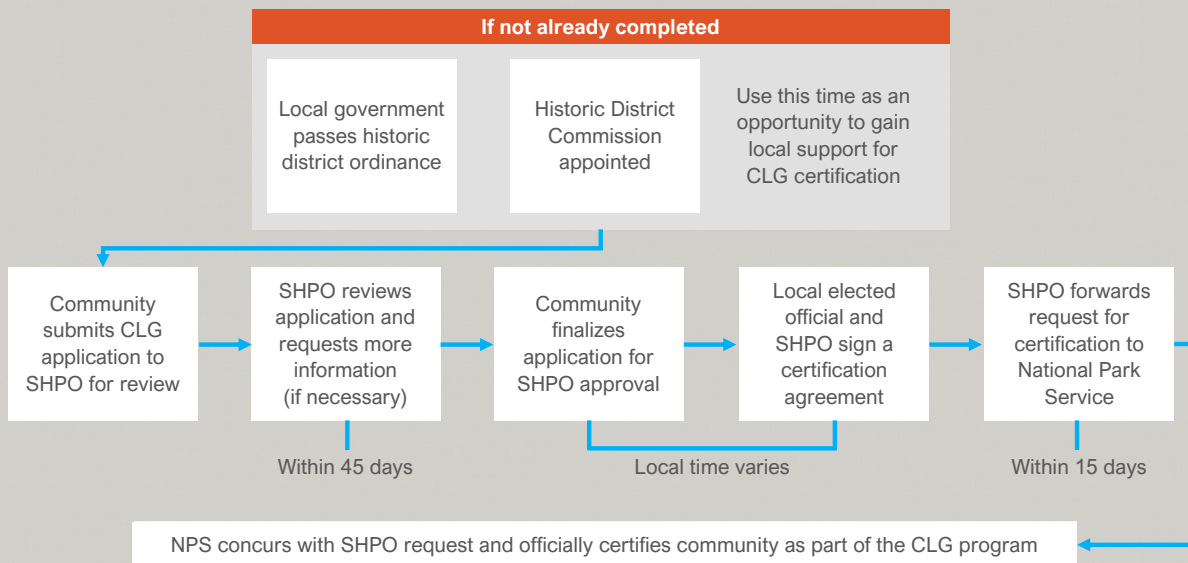
Once a community has its local district ordinance and historic district commission in place, it can apply for CLG certification. Applications can be requested from SHPO or accessed at the **SHPO CLG program webpage**.

Step 4. SHPO Review of Application and Certification Agreement

SHPO reviews the application to make sure it's complete. If necessary, SHPO may request supplemental information. Once the application is satisfactory, SHPO prepares a certification agreement for signature by the chief elected official (e.g., mayor) of the local government and the State Historic Preservation Officer.

Step 5. NPS Review and Approval

SHPO compiles the community's information and requests certification from the National Park Service. Upon concurrence from NPS, the community is officially entered into the CLG program and eligible to take advantage of program benefits.



Ready To Be Michigan's Next CLG?

Does the CLG program sound like it might be a good fit for your community? Consider these questions:

- Are you exploring ways to promote historic preservation activities in your community?
- Are you looking for ways to encourage historic preservation as part of community planning and development processes?
- Are you searching for tools to enhance your ongoing efforts?
- Would grant funding opportunities be helpful to your community?
- Is your local government willing to make a commitment to meeting program guidelines?
- Does your community have a local historic district ordinance meeting state standards or is it willing to enact one?
- Has your community appointed a historic district commission or is it willing to do so?
- Is your community willing to collaborate with SHPO on discussions and preservation activities?

If so, let's continue the discussion! Reach out to SHPO's CLG Coordinator, Alan Higgins, at higginsS3@michigan.gov to learn more about the program. We're also happy to support local conversations with stakeholders and discuss how the CLG program can benefit your community.

We look forward to hearing from you!



WANT MORE INFO?

Check out SHPO's CLG program website at www.michigan.gov/CLGgrants. In addition to basic program information, the site includes detailed information on the CLG grant program; a discussion of program benefits; frequently asked questions; and information on Michigan's CLG communities.

In particular, these resources may be useful:

Michigan Certified Local Government Program: Requirements + Certification Handbook

The CLG program handbook discusses program requirements and benefits in detail. It also provides a deeper discussion of SHPO's approach to working with communities.

CLG Program Annual Reports

Our annual reports highlight some of the preservation work happening in CLG communities across the state, including ways in which the CLG program supports local efforts.

Introduction to the Certified Local Government Program | 9

**State Historic Preservation Office
300 N. Washington Square
Lansing, Michigan 48913
www.michigan.gov/SHPO
preservation@michigan.gov
517.335.9840**

**Certified Local Government Program
Alan Higgins, CLG Coordinator
www.michigan.gov/CLGgrants
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The activity that is the subject of this project has been financed in part with Federal funds from the National Park Service, U.S. Department of the Interior, through the Michigan Strategic Fund, State Historic Preservation Office. However, the contents and opinions herein do not necessarily reflect the views or policies of the Department of the Interior nor does the mention of trade names or commercial products herein constitute endorsement or recommendation by the Department of the Interior or the Michigan Strategic Fund, State Historic Preservation Office. This program receives Federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, as amended, the U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, sex, marital status, or disability. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to: Chief, Office of Equal Opportunity Programs, U.S. Department of the Interior, National Park Service, 1849 C Street, NW, MS-2740, Washington, D.C. 20240.



[Home](#) > [The Standards](#) > Four Approaches to the Treatment of Historic Properties

Four Approaches to the Treatment of Historic Properties

There are Standards for four distinct, but interrelated, approaches to the treatment of historic properties—**preservation**, **rehabilitation**, **restoration**, and **reconstruction**.

[Standards for Preservation](#)

[Standards for Rehabilitation](#)

[Standards for Rehabilitation](#)

(for historic tax credit projects)

[Standards for Restoration](#)

[Standards for Reconstruction](#)

[History of the Standards](#)

[Guidelines for the Treatment of Historic Properties](#)

[Guidelines for the Treatment of Cultural Landscapes](#)

[Guidelines for Rehabilitating Historic Buildings](#)

[Guidelines on Sustainability](#)

[Guidelines on Flood Adaptation for Rehabilitating Historic Buildings](#)



Choosing an appropriate treatment for a historic building or landscape is critical.

Preservation focuses on the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time.

Rehabilitation acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character.

Restoration depicts a property at a particular period of time in its history, while removing evidence of other periods.

Reconstruction re-creates vanished or non-surviving portions of a property for interpretive purposes.

The choice of treatment depends on a variety of factors, including the property's **historical significance, physical condition, proposed use, and intended interpretation**. Historic buildings are used as an example below. The decisionmaking process would be similar for other property types.

Relative importance in history. Is the building nationally significant? Is it a rare survivor or the work of a master architect or craftsman? Did an important event take place in it? National Historic Landmarks, designated for their "exceptional significance in American history," or many buildings individually listed in the National Register often warrant Preservation or Restoration. Buildings that contribute to the significance of a historic district but are not individually listed in the National Register more frequently undergo Rehabilitation for a compatible new use.

Physical condition. What is the existing condition, or degree of material integrity, of the building prior to work? Has the original form survived largely intact or has it been altered over time? Are the alterations an important part of the building's history? Preservation may be appropriate if distinctive materials, features, and spaces are essentially intact and convey the building's historical significance. If the building requires more extensive repair and replacement, or if alterations or additions are necessary for a new use, then Rehabilitation is probably the most appropriate treatment.

Proposed use. An essential, practical question to ask is: Will the building be used as it was historically or will it be given a new use? Many historic buildings can be adapted for new uses without seriously damaging their historic character. However, special-use properties such as grain silos, forts, ice houses, or windmills may be extremely difficult to adapt to new uses without major intervention and a resulting loss of historic character and even integrity.

Mandated code requirements. Regardless of the treatment, code requirements will need to be taken into consideration. But if hastily or poorly designed, code-required work may jeopardize a building's materials as well as its historic character. Thus, if a building needs to be seismically upgraded, modifications to the historic appearance should be minimal. Abatement of lead paint and asbestos within historic buildings requires particular care if important historic finishes are not to be adversely affected. Finally, alterations and new construction needed to meet accessibility requirements under the Americans with Disabilities Act of 1990 should be designed to minimize material loss and visual change to a historic building.

The **Guidelines for the Treatment of Historic Properties** illustrate the practical application of each treatment to historic properties.

The **Guidelines for the Treatment of Cultural Landscapes** apply the treatment standards to historic cultural landscapes.



[Home](#) > The Standards

The Secretary of the Interior's Standards for the Treatment of Historic Properties

The Secretary of the Interior's Standards for the Treatment of Historic Properties are common sense historic preservation principles in non-technical language. They promote historic preservation best practices that will help to protect our nation's irreplaceable cultural resources.

[Standards for Preservation](#)

[Standards for Rehabilitation](#)

[Standards for Rehabilitation](#)

(for historic tax credit projects)

[Standards for Restoration](#)

[Standards for Reconstruction](#)

[History of the Standards](#)

[Guidelines for the Treatment of Historic Properties](#)

[Guidelines for the Treatment of Cultural Landscapes](#)

[Guidelines for Rehabilitating Historic Buildings](#)

[Guidelines on Sustainability](#)

[Guidelines on Flood Adaptation for Rehabilitating Historic Buildings](#)

[Guidelines for Rehabilitating Historic Covered Bridges](#)



The Treatment of Historic Properties

The [Standards](#) offer four distinct approaches to the treatment of historic properties—preservation, rehabilitation, restoration, and reconstruction—with accompanying [Guidelines](#) for each. One set of standards will apply to a property undergoing treatment,

depending upon the property's significance, existing physical condition, the extent of documentation available and interpretive goals, when applicable.

The **Standards** are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations. The **Guidelines** offer general design and technical recommendations to assist in applying the Standards to a specific property. Together, they provide a framework and guidance for decision-making about work or changes to a historic property.

The Standards and Guidelines can be applied to historic properties of all types, materials, construction, sizes, and use. They include both the exterior and the interior and extend to a property's landscape features, site, environment, as well as related new construction.

Federal agencies use the Standards and Guidelines in carrying out their historic preservation responsibilities. State and local officials use them in reviewing both Federal and nonfederal rehabilitation proposals. Historic district and planning commissions across the country use the Standards and Guidelines to guide their design review processes.

The Standards offer four distinct approaches to the treatment of historic properties—**preservation, rehabilitation, restoration, and reconstruction** with **Guidelines** for each.

The Standards for the Treatment of Historic Properties, codified in **36 CFR 68**, are regulatory for all grant-in-aid projects assisted through the national Historic Preservation Fund.

The **Standards for Rehabilitation**, codified in **36 CFR 67**, are regulatory for the review of rehabilitation work in the **Historic Preservation Tax Incentives program**.

The Guidelines are advisory, not regulatory.

COVID-19 Response

Mask requirements vary by park, based on CDC's [COVID-19 Community Level tool](#). Please check the [park website](#) before visiting. Additional details are available at www.nps.gov/coronavirus.

National Park Service

National Register of Historic Places

[NPS.gov](#) / [Home](#) / [How to List a Property](#)

How to List a Property

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

Where to Start

The National Register nomination process usually starts with your [State Historic Preservation Office*](#) (SHPO). Contact your SHPO or check their web page for National Register information, research materials, and necessary forms to begin the nomination process. If the property is on federal or tribal land, then the process starts with the Federal Preservation Office or Tribal Preservation Office. ([More on FPO and TPOs.](#))



Yalecrest Historic District

Photograph courtesy of Utah State Historic Preservation Office

How are Properties Evaluated?

To be considered eligible, a property must meet the **National Register Criteria for Evaluation**. This involves examining the property's age, significance, and integrity.

Age and Integrity: Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?

Significance: Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archeological investigation about our past?

National Register Listing Process

Nominations can be submitted to your SHPO from property owners, historical societies, preservation organizations, governmental agencies, and other individuals or groups. Official National Register **Nomination Forms** are downloadable or from your State Historic Preservation Office. **National Register Bulletins** can also provide guidance on how to document and evaluate certain types of properties. **Sample Nominations** provide additional useful information.

- The SHPO notifies affected property owners and local governments and solicits public comment. If the owner (or a majority of owners for a district nomination) objects, the property cannot be listed but may be forwarded to the National Park Service for a Determination of Eligibility (DOE).
- Proposed nominations are reviewed by your state's historic preservation office and the state's National Register Review Board. The length of the state process varies but will take a minimum of 90 days.
- Complete nominations, with certifying recommendations, are submitted by the state to the National Park Service in Washington, D.C. for final review and listing by the Keeper of the National Register of Historic Places. The National Park Service makes a listing decision within 45 days.

*Note: National Register nominations of Tribal properties start with the Tribal Historic Preservation Officer. National Register nominations of federal properties start with the agency's Federal Preservation Officer.

Results & Owner Information

Listing in the National Register of Historic Places provides formal recognition of a property's historical, architectural, or archeological significance based on national

standards used by every state. Results include:

- Becoming part of the National Register Archives, a public, **searchable database** that provides a wealth of research information
- Encouraging preservation of historic resources by documenting a property's historic significance
- Providing opportunities for preservation incentives, such as:
 - Federal preservation grants for planning and rehabilitation
 - Federal investment tax credits
 - Preservation easements to nonprofit organizations
 - International building code fire and life safety code alternatives
- Possible State tax benefit and grant opportunities. Check with your **State Historic Preservation Office** for historic property incentives available within your state
- Involvement by the **Advisory Council on Historic Preservation** when a Federal agency project may affect historic property
- Find out information on the care and maintenance of your historic property through various **NPS Preservation Briefs and Tech Notes**
- Network with other historic property owners, tour historic areas, or chat with preservationists through Conferences, Workshops, and Preservation Organizations
- Celebrate your listing by ordering a **bronze plaque** that distinguishes your



International Trade Mart, New Orleans, Louisiana

Courtesy of the Louisiana State Historic Preservation Office

property as listed in the National Register of Historic Places.

Listing and Ownership

- Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting.
- National Register listing does not lead to public acquisition or require public access
- A property will not be listed if, for individual properties, the owner objects, or for districts, a majority of property owners object
- National Register listing does not automatically invoke local historic district zoning or local landmark designation
- The National Register of Historic Places is administered under **Federal Regulation 36 CFR 60**
- Contact your **State Historic Preservation Office** (SHPO) for any specific state rules or regulations



Irish Bend Covered Bridge No. 14169, Covallis, Oregon

Courtesy of the Oregon State Historic Preservation Office

Federal Agency Historic Preservation

In conjunction with the Secretary of the Interior, all Federal agencies establish their own historic preservation programs for the identification, evaluation, and protection of historic properties as

mandated in Section 110 of the National Historic Preservation Act. These individual agency programs vary greatly in scope, depending on the degree to which the agency owns, controls, or affects historic properties. The NPS Federal Agency Preservation Assistance Program carries out a number of activities to assist Federal agencies in meeting their historic preservation responsibilities. Check with the [Federal Preservation Officer \(FPO\)](#) within a particular federal agency for additional information.

Tribal Historic Preservation

The NPS Tribal Preservation Program assists Indian tribes in preserving their historic properties and cultural traditions. Among the responsibilities assumed by these tribes are conducting historic property surveys, maintaining permanent inventories of historic properties, nominating properties to the National Register of Historic Places, and reviewing Federal agency assisted projects. Contact the specific tribal officer from the following list of [Tribal Preservation Officers](#) for additional information.

Last updated: February 10, 2022

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Yes

No

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EXPERIENCE MORE

ORGANIZATIONS



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Some of the web versions of the Preservation Briefs differ somewhat from the printed versions. Many illustrations are new and in color; Captions are simplified and some complex charts are omitted. To order hard copies of the Briefs, see [Printed Publications](#).

PRESERVATION BRIEFS

35

Understanding Old Buildings: The Process of Architectural Investigation

Travis C. McDonald, Jr.

[Determining the Purpose of Investigation](#)

[Investigators and Investigative Skills](#)

[Studying the Fabric of the Historic Building](#)

[Looking More Closely at Materials](#)

[Conducting the Architectural Investigation](#)

[Weighing the Evidence](#)

[Keeping a Responsible Record](#)

[Summary and References](#)

[Reading List](#)

[Download the PDF](#)



Architectural investigator at work.
Photo: Courtesy, Valentine
Museum.

If you have ever felt a sense of excitement and mystery going inside an old building—whether occupied or vacant—it is probably because its materials and features resonate with the spirit of past people and events. Yet excitement about the unknown is heightened when a historic structure is examined architecturally, and its evolution over time emerges with increasing clarity to reveal the lives of its occupants. Architectural investigation is the critical first step in planning an appropriate treatment—understanding how a building has changed over time and assessing levels of deterioration.

Whether as a home owner making sympathetic repairs, a craftsman or contractor replacing damaged or missing features, or a conservator reconstituting wood or restoring decorative finishes, some type of investigative skill was used to recognize and solve an architectural question or explain a difficult aspect of the work itself.

To date, very little has been written for the layman on the subject of architectural investigation. This Preservation Brief thus addresses the often complex investigative process in broad, easy-to-understand terminology. The logical sequence of planning, investigation and analysis presented in this Brief is applicable to all buildings, geographic locations, periods, and construction types. It is neither a "how to" nor an exhaustive study on techniques or methodologies; rather, it serves to underscore the need for meticulous planning prior to work on our irreplaceable cultural resources.

Determining the Purpose of Investigation

Both the purpose and scope of investigation need to be determined before formulating a particular approach. For example, investigation strictly for research purposes could produce information for an architectural survey or for an historic

designation application at the local, state or national level.

Within the framework of *The Secretary of the Interior's Standards for the Treatment of Historic Properties*, investigation is crucial for "identifying, retaining, and preserving the form and detailing of those architectural materials and features that are important in defining the historic character" of a property, whether for repair or replacement. A rehabilitation project, for instance, might require an investigation to determine the historic configuration of interior spaces prior to partitioning a room to meet a compatible new use. Investigation for preservation work can entail more detailed information about an entire building, such as determining the physical sequence of construction to aid in interpretation. Investigation for a restoration project must be even more comprehensive in order to re-capture the exact form, features, finishes, and detailing of every component of the building.

Whether investigation will be undertaken by professionals-architects, conservators, historians-or by interested homeowners, the process is essentially comprised of a preliminary four-step procedure: historical research, documentation, inventory, and stabilization.

Historical Research

Primary historical research of an old building generally encompasses written, visual and oral resources that can provide valuable site-specific information. Written resources usually include letters, legal transactions, account books, insurance policies, institutional papers, and diaries. Visual resources consist of drawings, maps, plats, paintings and photographs. Oral resources are people's remembrances of the past. Secondary resources, comprised of research or history already compiled and written about a subject, are also important for providing a broad contextual setting for a project.

Historical research should be conducted well in advance of physical investigation. This allows time for important written, visual, and oral information to be located, transcribed, organized, studied and used for planning the actual work.

A thorough scholarly study of a building's history provides a responsible framework for the physical investigation; in fact, the importance of the link between written historical research and structural investigation cannot be overestimated. For example, the historical research of a building through deed records may merely determine the sequence of owners. This, in turn, aids the investigation of the building by establishing a chronology and identifying the changes each occupant made to the building. A letter may indicate that an occupant painted the building in a certain year; the courthouse files contain the occupant's name; paint analysis of the building will yield the actual color. Two-dimensional documentary research and three-dimensional physical investigation go hand-in-hand in analyzing historic structures. The quality and success of any restoration project is founded upon the initial research.



An inventory of animal nests found within hidden spaces may yield unexpected evidence about food, decorative arts, and cultural or social traditions of everyday life. Photo: Travis C. McDonald, Jr.

Documentation

A building should be documented prior to any inventory, stabilization or investigative work in order to record crucial material evidence. A simple, comprehensive method is to take 35 mm photographs of every wall elevation (interior and exterior), as well as general views, and typical and unusual details. The systematic numbering of rooms, windows and doors on the floor plan will help organize this task and also be useful for labeling the photographs. Video coverage with annotated sound may supplement still photographs. Additional methods of documentation include written descriptions, sketches, and measured drawings.

Significant structures, such as individually listed National Register properties or National Historic Landmarks, benefit from professional photographic documentation and accurate measured drawings. Professionals frequently use *The Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation: HABS/HAER Standards*. It should be remembered that the documents created during investigation might play an unforeseen role in future treatment and interpretation. Documentation is particularly valuable when a feature will be removed or altered.

Inventory

The historic building and its components should be carefully inventoried prior to taking any action; premature clean-up of a structure or site can be a mistake. A careful look at all spaces in and around a building may reveal loose architectural artifacts, fragile evidence or clues to historic landscape features. This thorough observation includes materials and features which have fallen off due to deterioration, fragments removed and stored in basements, attics or outbuildings, and even materials which have seemingly been discarded.

In the beginning, anything that seems even remotely meaningful should be saved. A common mistake is to presume to know the value of artifacts or features at the beginning of a project. Even if the period of significance or interpretation is known from the beginning, evidence from all periods should be protected. Documentation for future study or use includes labeling and, if possible, photographing prior to storage in a secure place.

Stabilization

In many cases, emergency stabilization is necessary to ensure that a structure does not continue to deteriorate prior to a final treatment or to ensure the safety of current occupants, investigators, or visitors. Although severe cases might call for structural remedies, in more common situations, preliminary stabilization would be undertaken on a maintenance level. Such work could involve installing a temporary roof covering to keep water out; diverting water away from foundation walls; removing plants that hold water too close to the walls; or securing a structure against intruding insects, animals and vandals.

An old building may require temporary remedial work on exterior surfaces such as reversible caulking or an impermanent, distinguishable mortar. Or if paint analysis is contemplated in the future, deteriorated paint can be protected without heavy scraping by applying a recognizable "memory" layer over all the historic layers. Stabilization adds to the cost of any project, but human safety and the protection of historical evidence are well worth the extra money.

Investigators and Investigative Skills



An investigator must have the skill and ability to closely observe and analyze the materials with a broad understanding of historic construction practices and technologies. Photo: Travis C. McDonald, Jr.

General and Specialized Skills

The essential skill needed for any level of investigation is the ability to observe closely and to analyze. These qualities are ideally combined with a hands-on familiarity of historic buildings—and an open mind! Next, whether acquired in a university or in a practical setting, an investigator should have a good general knowledge of history, building design history and, most important, understand both construction and finish technologies.

But it is not enough to know architectural style and building technology from a national viewpoint; the investigator needs to understand regional and local differences as well.

While investigative skills are transferable between regions and chronological periods, investigators must be familiar with the peculiarities of any given building type and geographical area.

Architectural survey and comparative fieldwork provides a crucial database for studying regional variations in historic buildings. For example, construction practices can reflect shared experiences of widely diverse backgrounds and traditions within a small geographical area. Contemporary construction practice in an urban area might vary dramatically from that of rural areas in the same region. Neighbors or builders within the same small geographical area often practice different techniques of constructing similar types of structures contemporaneously. Reliable dating clues for a certain brick bond used in one state might be unreliable for the same period in a different state. Regional variation holds true for building materials as well as construction.

Finally, even beyond regional and local variation, an investigator needs to understand that each building has its own unique history of construction and change over time. Form, features, materials and detailing often varied according to the tastes and finances of both builder and supplier; construction quality and design were also inconsistent, as they are today.

Specialists on a Team

Because architectural investigation requires a wide range of knowledge and many different skills, various people are likely to interact on the same project. While homeowners frequently execute small-scale projects, more complex projects might be directed by a craftsman, an architect or a conservator. For large-scale projects, a team approach may need to be adopted, consisting of professionals interacting with additional consultants. Consulting specialists may include architectural historians, architectural conservators, craftsmen, historic finish analysts, historians, archeologists, architects, curators, and many others. The scope and needs of a specific project dictate the skills of key players.



Investigation frequently identifies urgent needs of stabilization. Supplemental support, such as temporary shoring, may be required to prevent collapse. Photo: Travis C. McDonald, Jr.

Architectural investigation often includes the related fields of landscape and archeological investigation. Landscape survey or analysis by horticulturists and landscape architects identify pre-existing features or plantings or those designed as separate or complementary parts of the site. Both above and below-ground archeology contribute information about missing or altered buildings, construction techniques, evidence of lifestyle and material culture, and about the evolution of the historic landscape itself.

Architectural Evidence: Studying the Fabric of the Historic Building

Original Construction and Later Changes

Research prior to investigation may have indicated the architect, builder or a building's date of construction. In the absence of such information, architectural histories and field guides to architectural style can help identify a structure's age through its form and style.

Any preliminary date, however, has to be corroborated with other physical or documentary facts. Dates given for stylistic periods are general and tend to be somewhat arbitrary, with numerous local variations. Overall form and style can also be misleading due to subsequent additions and alterations. When the basic form seems in conflict with the details, it may indicate a transition between styles or that a style was simply upgraded through new work.

The architectural investigation usually determines original construction details, the chronology of later alterations, and the physical condition of a structure. Most structures over fifty years old have been altered, even if only by natural forces. People living in a house or using a building for any length of time leave some physical record of their time there, however subtle.

A longer period of occupancy generally counts for greater physical change. Buildings acquire a "historic character" as changes are made over time.

Changes to architectural form over time are generally attributable to material durability, improvement in convenience systems, and aesthetics. First, the durability of building materials is affected by weathering, temperature and humidity, by disasters such as storms, floods or fire, or by air pollution from automobiles and industry. Second, changes in architectural form have always been made for convenience' sake-fueled by technological innovations-as people embrace better lighting, plumbing, heating, sanitation, and communication. People alter living spaces to meet changing family needs. Finally, people make changes to architectural form, features, and detailing to conform to current taste and style.

Looking More Closely at Historic Building Materials and Features

Although brick or wood frame buildings are the most common in this country, similar sets of characteristics and questions can be established for examining log, adobe, steel, or any other material.



Careful examination of the masonry reveals different periods of construction and repair through the composition and detailing of bricks and mortar. Depending on location, the vertical open joints may indicate the location of nailing blocks for decorative trim or weeps for drainage. Photo: Travis C. McDonald, Jr.

Masonry

Studying historic brickwork can provide important information about methods of production and construction. For example, the color, size, shape and texture of brick reveals whether it was hand molded and traditionally fired in a clamp with hardwoods, or whether it was machine molded and fired in a kiln using modern fuels. Similarly, the principal component part of masonry mortar, the lime or cement, reveals whether it was produced in a traditional or modern manner. Certain questions need to be asked during investigation. Is the mortar made with a natural or a Portland cement? If a natural cement, did it come from an oyster shell or a limestone source? Is it hydrated or hydraulic? As a construction unit, brick and mortar further reveal something about the time, place and human variables of construction, such as the type of bond, special brick shapes, decorative uses of glazed or rubbed brick, coatings and finishes, and different joints, striking and tooling. Does the bond conform with neighboring or regional buildings of the same period? Does the pattern of "make up" bricks in a Flemish Bond indicate the number of different bricklayers? What is the method of attaching wood trim to the masonry?

The same types of questions related to production and construction characteristics can be applied to all types of masonry work, including stone, concrete, terra cotta, adobe and coquina construction. A complete survey undertaken during "surface

mapping" can outline the materials and construction practices for the various periods of a structure, distinguishing the original work as well as the additions, alterations, and replacements.

Wood

Buildings constructed with wood have a very different set of characteristics, requiring a different line of questioning. Is the wooden structural system log, timber frame, or balloon frame construction? Evidence seen on the wood surface indicates whether production was by ax, adze, pit saw, mill saw (sash or circular), or band saw. What are the varying dimensions of the lumber used? Finished parts can be sawn, gouged, carved, or planed (by hand or by machine). Were they fastened by notching, mortise and tenon, pegs, or nailing? If nails were used, were they wrought by hand, machine cut with wrought heads, entirely machine cut, or machine wire nails? For much of the nineteenth century the manufacture of nails underwent a series of changes and improvements that are dateable, allowing nails to be used as a tool in establishing periods of construction and alteration. Regardless of region or era, the method of framing, joining and finishing a wooden structure will divulge something about the original construction, its alterations, and the practices of its builders. Finally, does some of the wood appear to be re-used or recycled? Re-used and reproduction materials used in early restoration projects have confused many investigators. When no identification record was kept, it can be a problem distinguishing between materials original to the house and later replacement materials.



Analyzing the nail technology can help establish the period of construction and provide other important information. Photo: Travis C. McDonald, Jr.



In many cases, new materials or coverings are placed directly over existing exterior features, preserving the original materials underneath. Here, the removal of a modern shingle roof and its underlayment revealed an historic standing seam metal roof. Photo: Courtesy, Phillips and Opperman, P.A.

Roofs

Exterior features are especially prone to alteration due to weathering and lack of maintenance. Even in the best preserved structures, the exterior often consists of replaced or repaired roofing parts. Roof coverings typically last no more than fifty years. Are several generations of roof coverings still in place? Can the layers be identified? If earlier coverings were removed, the sheathing boards frequently provide clues to the type of covering as well as missing roof features. Dormers, cupolas, finials, cresting, weathervanes, gutters, lightning rods, skylights, balustrades, parapets and platforms come and go as taste, function and maintenance dictate. The roof pitch itself can be a clue to stylistic dating and is unlikely to change unless the entire roof has been rebuilt. Chimneys might hold clues to original roof pitch, flashings, and roof feature attachments. Is it possible to look down a chimney and count the number of flues? This practice has occasionally turned up a missing fireplace. In many parts of the country, nineteenth-century roof coverings evolved from wooden shingles or slate shingles, to metal shingles, to sheet metal, and still later in the twentieth century, to asphaltic or

asbestos shingles. Clay tiles can be found covering roofs in seventeenth and eighteenth-century settlements of the east coast as well as western and southwestern Spanish settlements from the same period. Beyond the mid-nineteenth century, and into the twentieth, the range and choice of roof coverings greatly expanded.

Floors

In addition to production and construction clues, floors reveal other information about the interior, such as circulation patterns, furniture placement, the use of carpets, floor cloths, and applied floor finishes. Is there a pattern of tack holes? Tacks or tack holes often indicate the position and even the type of a floor covering. A thorough understanding of the seasonal uses of floor coverings and the technological history of their manufacture provide the background for identifying this type of evidence.

Walls

Walls and their associated trim, both outside and inside, hold many clues to the building's construction and changes made over time. The overall style of moldings, trim and finishes, and their hierarchical relationship, can help explain original construction as well as room usage and social interaction between rooms. Holes, scars, patches, nails, nail holes, screws and other hardware indicate former attachments. Are there "ghosts," or shadow outlines of missing features, or trim attachments such as bases, chair rails, door and window casings, entablatures, cornices, mantels and shelves? Ghosts can be formed by paint, plaster, stucco, wear, weathering or dirt. Interior walls from the eighteenth and early nineteenth-century were traditionally plastered after grounds or finished trim was in place, leaving an absence of plaster on the wall behind them.



Destructive investigation can be limited to small areas where evidence can be

Evidence of attachments on window casings can also be helpful in understanding certain interior changes. Other clues to look for include the installation of re-used material brought into a house or moved about within a house; worker's or occupant's graffiti, especially on the back of trim; and hidden finishes or wallpaper stuck in crevices or underneath pieces of trim. Stylistic upgrading often resulted in the re-use of outdated trim for blocking or shims. Unexpected discoveries are particularly rewarding. Investigators frequently tell stories about clues that were uncovered from architectural fragments carried off by rats and later found, or left by workers in attics, between walls and under floors.

predicted, such as walls being re-built in a different location. Photo: Travis C. McDonald, Jr.

Attics and Basements

Attics and basements have been known as collection points for out-of-date, out-of-style and cast-off pieces such as mechanical systems, furnishings, family records and architectural fragments. These and other out-of-the-way places of a structure provide an excellent opportunity for non-destructive investigation. Not only are these areas where structural and framing members might be exposed to view, they are also areas which may have escaped the frequent alteration campaigns that occur in the more lived-in parts of a building.



Discarded items are routinely stored within attics, then forgotten only to be discovered during a later investigation. Seemingly worthless debris may help answer many questions. Photo: Travis C. McDonald, Jr.

If a building has been raised or lowered in height, evidence of change would be found in the attic as well as on the exterior. Evidence of additions might also be detected in both the attic and the basement. Attics frequently provide a "top-side" view at the ceiling below, revealing its material, manner of production and method of attachment. A "bottom-side" view of the roof sheathing or roof covering can be seen from the attic as well.

Basements generally relate more to human service functions in earlier buildings and to mechanical services in more recent eras. For example, a cellar of an urban 1812 house disclosed the following information during an investigation: first period bell system, identification of a servant's hall, hidden fireplace, displacement of the service stairs, identification of a servants' quarters, an 1850s furnace system, 1850s gas and plumbing systems, relocation of the kitchen in 1870, early use of 1890s concrete floor slabs and finally, twentieth century utility systems. While the earliest era had been established as the interpretation period, evidence from all periods was documented in order to understand and interpret how the house evolved or changed over time.

Mechanical, Electrical, Plumbing and Other Systems

Systems of utility and convenience bear close scrutiny during investigation. All historic buildings inhabited and used by people reveal some association, at the very minimum, with the necessities of lighting, climate control, water, food preparation, and waste removal. Later installations in a building may include communication, hygiene, food storage, security, and lightning protection systems. Other systems, such as transportation, are related to more specific functions of commercial or public structures. Although research into the social uses of rooms and their furnishings has borne many new studies, parallel research into how people actually carried out the most mundane tasks of everyday life has been fairly neglected. Utility and convenience systems are most prone to alteration and upgrading and, at the same time, less apt to be preserved, documented or re-used. Understanding the history or use of a building, and the history of systems technology can help predict the physical evidence that might be found, and what it will look like after it is found.

Conducting the Architectural Investigation

Architectural investigation can range from a simple one hour walk-through to a month long or even multi-year project-and varies from looking at surfaces to professional sub-surface examination and laboratory work.

All projects should begin with the simplest, non-destructive processes and proceed as necessary. The sequence of investigation starts with reconnaissance and progresses to surface examination and mapping, sub-surface non-destructive testing, and various degrees of sub-surface destructive testing.

Reconnaissance

An initial reconnaissance trip through a structure-or visual overview-provides the most limited type of investigation. But experienced investigators accustomed to observation and analysis can resolve many questions in a two-to-four hour preliminary site visit. They may be able to determine the consistency of the building's original form and details as well as major changes made over time.

Surface Mapping

The first step in a thorough, systematic investigation is the examination of all surfaces. Surface investigation is sometimes called "surface mapping" since it entails a minute look at all the exterior and interior surfaces. The fourfold purpose of surface mapping is to observe every visible detail of design and construction; develop questions related to evidence and possible alterations; note structural or environmental problems; and help develop plans for any further investigation. Following investigation, a set of documentary drawings and photographs is prepared which record or "map" the evidence.

While relying upon senses of sight and touch, the most useful tool for examining surfaces is a high-powered, portable light used for illuminating dark spaces as well as for enhancing surface subtleties. Raking light at an angle on a flat surface is one of the most effective means of seeing evidence of attachments, repairs or alterations.

Non-Destructive Testing

The next level of investigation consists of probing beneath surfaces using non-destructive methods. Questions derived from the surface mapping examination and analysis will help determine which areas to probe. Investigators have perfected a number of tools and techniques which provide minimal damage to historic fabric. These include x-rays to penetrate surfaces in order to see nail types and joining details; boroscopes, fiber optics and small auto mechanic or dentists' mirrors to look inside of tight spaces; and ultra violet or infra-red lights to observe differences in materials and finishes. The most advanced technology combines the boroscope with video cameras using fiber optic illumination. In addition to the more common use of infra-red photography, similar non-destructive techniques used in archeological investigations include remote sensing and ground-penetrating radar.

Small material samples of wood, plaster, mortar, or paint can also be taken for laboratory analysis at this stage of investigation. For instance, a surface examination of a plaster wall using a raking light may show clear evidence of patching which corresponds to a shelf design. Were the shelves original or a later addition? A small sample of plaster from the patched area is analyzed in the laboratory and matches plaster already dated to a third period of construction. A probe further reveals an absence of first period plaster on the wall underneath. The investigator might conclude from this evidence that the shelves were an original feature and that the plaster fill dates their removal and patching to a third period of construction.

Destructive Testing

Most investigations require nothing more than historical research, surface examination and non-destructive testing. In very rare instances the investigation may require a sub-surface examination and the removal of fabric. Destructive testing should be carried out by a professional *only after* historical research and surface mapping have been fully accomplished and *only after* non-destructive testing has failed to produce the necessary information. Owners should be aware that the work is a form of demolition in which the physical record may be destroyed. Sub-surface examination begins with the most accessible spaces, such as retrofitted service and mechanical chases; loose or previously altered trim, ceilings or floor boards; and pieces of trim or hardware which can be easily removed and replaced.

Non-destructive testing techniques do not damage historic fabric. If non-destructive techniques are not sufficient to resolve important questions, however, small "windows" can be opened in surface fabric at predetermined locations to see beneath the surface. This type of subsurface testing and removal is sometimes called "architectural archeology" because of its similarity to the more well-known process of trenching in archeology. The analogy is apt because both forms of archeology use a method of destructive investigation.

Photographs, video and drawings should record the before, during and after evidence when the removal of historic fabric is necessary. The selection and sequence of material to be removed requires careful study so that original extant fabric remains *in situ* if possible. If removed, original fabric should be carefully put back or labeled and stored. At least one documentary patch of each historic finish should be retained in situ for future research. Treatment and interpretation, no matter how accurate, are usually not final; treatment tends to be cyclical, like history, and documentation must be left for future generations, both on the wall and in the files.



Raking light is used to show irregularities on flat surfaces. Patches, repairs, and alterations can then be mapped by the shadows or ghosts they cast. Photo: Travis C. McDonald, Jr.



Exploratory testing was used to verify the location of an abandoned fireplace. Plaster and brick were carefully documented and removed to determine the fireplace's type, size, and location. Photo: Travis C. McDonald, Jr.

Laboratory Analysis

Laboratory analysis plays a scientific role in the more intuitive process of architectural investigation. One of the most commonly known laboratory procedures used in architectural investigation is that of historic paint analysis. The chronology and stratigraphy of applied layers can establish appropriate colors, finishes, designs or wall coverings. When conducted simultaneously with architectural investigation, the stratigraphy of finishes, like that of stratigraphic soils in archeology, helps determine the sequence of construction or alterations in a building. Preliminary findings from in situ examinations of painted finishes on walls or trim are common, but more accurate results come from extensive sampling and microscopic laboratory work using chemical analysis and standardized color notations. Consultants without the proper knowledge have been known to cause far more harm than good.

Mortar and plaster analysis often provide a basis for dating construction with minimal intervention. Relatively small samples of the lime-based materials can be chemically separated into their component parts of sands and fines, which are then visually compared to equivalent parts of known or dated samples. A more thorough scientific approach may be used to accurately profile and compare samples of other materials through elemental analysis. Two similar methods in common use are Neutron Activation and Energy Dispersive Spectroscopy (EDS). Neutron Activation identifies the sample's trace elements by monitoring their response to neutron bombardment. EDS measures the response to electron bombardment through the use of an electron microscope. In both tests, the gathered information is plotted and matched with the reactions of known elements. The results provide a quantitative and qualitative profile of the sample's elemental components for use in further comparisons.

Dendrochronology presents a minimally destructive process for dating wooden members. Also called tree ring dating, this process relies on the comparative wet and dry growth seasons of trees as seen in their rings via a core sample. This technique has two limitations: a very extensive data base must be compiled for climatic conditions over a long span of years and matched with corresponding tree ring samples; and the core samples can only be taken from timber which still has a bark edge. Simple identification of wood species during an investigation can be determined from small samples sent to a forest products laboratory.

After Architectural Investigation: Weighing the Evidence

Evidence, questions, and hypotheses must be continually evaluated during investigation. Like a detective constructing a case, an investigator must sort out information to get at "the facts." Yet, are the "facts" conclusive at any time?

Observations made during the surface mapping may identify random features. These features begin to form patterns; then, sets of patterns, perhaps representing alterations from multiple eras, begin to appear. If the right questions are not asked, the evidence can remain hidden. Hypotheses are formed, questioned, tested, re-formed and either rejected or substantiated. This process is repeated as more "facts" are uncovered and questions asked. Eventually the evidence seems conclusive. These conclusions, in turn, may lead to re-examination, more historical research, and the advice of specialized consultants. At some point, treatment generally follows based on the collective, educated conclusions of an entire professional team.

Keeping a Responsible Record for Future Investigators

The evidence collected during investigation, and any conclusions which can be drawn from it, should be documented in a written report. The complexity of a project dictates the complexity of the resulting record. It may be wise to maintain a report in an expandable format if long or extensive work is expected-additional evidence will undoubtedly need to be incorporated that alters previous conclusions. Reports tend to range from annotated photographs in loose-leaf binders to full-length bound "books."

Putting findings and conclusions in an accessible form helps those who are planning treatment. For example, a rehabilitation project may require documentation to satisfy grant funding or tax credit program requirements; preservation and restoration projects always need careful documentation to guide the work. After work, the investigation report and notes on the treatment itself are made into a permanent file record. Whether or not work is being planned, the architectural investigation report will always be of value to future researchers or owners of the building.

The most common professional document is called an Historic Structure Report. This invaluable tool for preservation typically contains historical as well as physical information. Sections include a history of the building, an architectural description of the original structure and changes made over time, the results of all investigations, a record of current conditions or problems, of past repairs and treatments, and recommendations for current and future action. They are seldom definitive; thus, research is a continuing process.

Summary and References

Architectural investigation plays a critical role in making responsible decisions about treating and interpreting historic buildings. A successful project to research, inventory, document, and ultimately treat and interpret a building is directly linked to the knowledge and skills of architectural investigators and other historic preservation specialists. The expressed goal of historic preservation is to protect and preserve materials and features that convey the significant history of a place. Careful architectural investigation-together with historical research-provides a firm foundation for this goal.

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Travis C. McDonald, Jr., is an architectural historian who serves as the Director of Architectural Restoration at Thomas Jefferson's Poplar Forest near Lynchburg, Virginia. He respectfully dedicates this work to three masters of architectural investigation: Henry A. Judd, former Chief Historical Architect of the National Park Service; Lee H. Nelson, former Chief, Preservation Assistance Division NPS; and Paul E. Buchanan, former Director of Architectural Research at the Colonial Williamsburg Foundation. The author gratefully acknowledges the following professionals for their help in reviewing this manuscript: Edward A. Chappell, Colonial Williamsburg; E. Blaine Cliver, Preservation Assistance Division NPS; Stanley O. Graves, National Conference of State Historic Preservation Officers; Bernard L. Herman, University of Delaware; H. Ward Jandl, Preservation Assistance Division NPS; Hugh C. Miller, Virginia State Historic Preservation Office; Orlando Ridout V, Maryland Historical Trust; William Seale; and professional staff members of the National Park Service. Timothy A. Buehner served as project coordinator and Kay D. Weeks served as project editor.

This publication has been prepared pursuant to the National Historic Preservation Act of 1966, as amended, which directs the Secretary of the Interior to develop and make available information concerning historic properties. Technical Preservation Services (TPS), National Park Service prepares standards, guidelines, and other educational materials on responsible historic preservation treatments for a broad public.

September 1994

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Introduction to Federal Tax Credits for Rehabilitating Historic Buildings **Main Street Commercial Buildings**



National Park Service
U.S. Department of the Interior
Technical Preservation Services



- *Do you own a commercial building located in a historic district?*
- *Does it need to be fixed up?*
- *Will it be used for a business or rental housing?*

If you answered **YES** to all three questions, then you should be aware of a program that offers significant federal tax incentives for rehabilitating historic buildings.

The Program

Administered by the National Park Service in conjunction with State Historic Preservation Offices (SHPO), the **Federal Historic Preservation Tax Incentives program** offers a 20% federal tax credit for qualified rehabilitation expenses. Thousands of property owners across the country have already utilized these tax incentives to rehabilitate historic commercial buildings and similar properties.

Why does the program exist?

Recognizing the importance of preserving our building heritage and the need to encourage the rehabilitation of deteriorated properties, Congress created in 1976 federal tax incentives to promote historic preservation and community revitalization. These tax incentives have successfully spurred the rehabilitation of historic structures of every period, size, style, and type.



Tax Credit Basics

- In general, a tax credit is a dollar-for-dollar reduction in the amount of taxes you owe.
- The amount of credit under this program equals 20% of the qualifying costs of your rehabilitation.
- A project must be “substantial” in that your qualifying rehabilitation expenses must exceed the greater of \$5,000 or the adjusted basis of the building.
- Your building needs to be certified as a historic structure by the National Park Service.
- Rehabilitation work has to meet the Secretary of the Interior’s *Standards for Rehabilitation* as determined by the National Park Service.

The process is straight-forward, and the tax savings can be significant. For example, a property owner planning a project estimated to cost \$60,000 could realize a tax credit of \$12,000 on their federal income taxes.

Applicants are encouraged to consult their accountant or tax advisor to make sure that this federal tax credit is beneficial to them. For additional information on the Historic Preservation Tax Incentives visit the website of the National Park Service at www.nps.gov/tps/tax-incentives.htm.

Monroe, MI 1910. Awnings were a prominent building feature on many of America’s Main Streets. Photo: Walter P. Reuther Library, Wayne State University.

Three Steps

to Determine if a Project is Eligible for Tax Credits

First: Does your building contribute to a historic district recognized by the National Park Service?

The easiest way to determine if your building is located in a historic district is to contact your local historic district commission, municipal planning office, or State Historic Preservation Office (SHPO). Recognized historic districts, for purposes of federal tax credits, include those listed in the *National Register of Historic Places* (maintained by the National Park Service) and certain local historic districts that are certified by the National Park Service. Over one million buildings are already listed in the National Register, either individually or as part of historic districts.

If your property is located in one of these districts, it still must be designated by the National Park Service as a structure that *contributes* to the historic character of the district and thus qualifies as a “certified historic structure.” Not every building in a district is contributing. For example, when historic districts are designated, they are usually associated with a particular time period, such as “1820 to 1935.” In this case, a building constructed in 1950 would *not contribute* and would not be eligible for a 20% rehabilitation tax credit. Within this same district, an 1892 building might not contribute to the historic character if it was almost completely changed in the 1950s.

Second: Will your rehabilitation be “substantial”?

The cost of a project must exceed the greater of \$5,000 or the building’s adjusted basis. The following formula will help you determine if your project will meet the substantial rehabilitation test:

$$A - B - C + D = \text{adjusted basis}$$

A = purchase price of the property

B = the part of the purchase price attributed to the land cost

C = depreciation taken for an income-producing property

D = cost of any capital improvements made since purchase

For example, Mr. Dillon has owned a downtown building for a number of years. He originally purchased the property for \$150,000, and of that purchase price \$40,000 was attributed to the cost of the land. Over the years, Mr. Dillon has depreciated the building for tax purposes by a total of \$60,000. He recently replaced the roof at a cost of \$8,000. Mr. Dillon’s adjusted basis would be \$58,000. Since he intends to spend \$60,000 to fix a leaking basement wall; upgrade the heating/air conditioning systems; and repair the deteriorated storefront, the rehabilitation would qualify as a substantial project. If he completes the application process and receives approval, Mr. Dillon will be eligible for a 20% credit on the cost of his rehabilitation, or a \$12,000 credit.



Retaining historic character: The historic tin ceiling was retained during the rehabilitation for this Main Street clothing store.

Some expenses associated with a project may not qualify for the tax credit, such as an addition off the back of the building, new kitchen appliances, or paved parking.

Third: How does your project become “certified”?

To qualify for the tax credits you need to complete a 3-part application. In Part 1 of the application, you provide information to help the National Park Service determine if your building qualifies as a “certified historic structure.” In Part 2, you describe the condition of the building and the planned rehabilitation work. The proposed work will be evaluated based on the Secretary of the Interior’s *Standards for Rehabilitation* – a set of 10 widely accepted standards of practice for historic preservation. Part 3 of the application is submitted after completion of the project and is used by the National Park Service to certify that the project as completed meets the Standards and is a “certified rehabilitation.”

The three parts of the application should be completed in order. You will need to submit 2 copies of each part to your SHPO. One copy will be forwarded by the SHPO with a recommendation to the National Park Service, which will issue the final decision for each part of the application. You are strongly encouraged to submit Part 2 before beginning work, because if your initial project proposal does not meet the Standards, you still have the opportunity to modify the plans and avoid incompatible work.

To learn more about the Standards, visit the National Park Service website at www.nps.gov/tps or contact your State Historic Preservation Office (SHPO).

The Application

The Historic Preservation Certification Application (NPS Form 10-168) consists of 3 parts. This form can be downloaded from the web at www.nps.gov/tps/tax-incentives/application.htm.

Part 1 of the application is a request to obtain a determination by the National Park Service that your building is a “certified historic structure.” You will need to describe the physical appearance of the exterior and interior of the building, submit photographs, and provide a brief narrative on its history and significance to the historic district in which it is located. Part of this information is likely contained in the National Register Nomination for the district, which should be available from your local historic district commission, municipal planning office, or SHPO.

HISTORIC PRESERVATION CERTIFICATION APPLICATION PART 1 – EVALUATION OF SIGNIFICANCE	
Property name <u>Houseal Building</u>	NPS Project Number _____
Property address <u>316 Main Street, City, State</u>	
5. Description of physical appearance	
<p>The Houseal Building is a symmetrical two-story painted brick commercial building. The display windows are large plate-glass windows set in aluminum frames and have a metal-sided bulkhead. Each storefront has a recessed entry, with a pair of glass and aluminum doors circa 1960.</p> <p>The segmented arched window openings on the second floor have had their sashes removed some time ago and have been boarded up with plywood. There is a simple three brick course cornice with a tall parapet wall. Above the cornice, “HOUSEAL BUILDING” is applied in painted wood letters.</p> <p>The first floor interior consists of one large open space with structural posts running down the middle of the room, and an enclosed bathroom in the back right corner. It has wood floors and plaster walls. A dropped ceiling system obscures the original pressed metal still in place. A staircase along the left wall provides access to the second floor. The second floor interior has deteriorated due to water damage and has warped wood floors and plaster falling off the brick walls. Two rows of structural posts run from the front of the building to the rear and evidence indicates that there were historically two residential or office spaces separated by a central hallway.</p>	
Date of construction <u>c. 1890</u>	Source of date <u>City Directories, Sanborn Fire Insurance Maps</u>
Date(s) of alteration(s) <u>Late 1940's, 1960's</u>	Source of date _____
Has building been moved? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, specify date _____	



The photograph above shows the building described in the sample application prior to the rehabilitation work. Below left, the building is shown after its successful rehabilitation.

HISTORIC PRESERVATION CERTIFICATION APPLICATION PART 2 – DESCRIPTION OF REHABILITATION	
Property name <u>Houseal Building</u>	NPS Project Number _____
Property address <u>316 Main Street, City, State</u>	
<p>Description of rehabilitation work Reproduce this page as needed to describe all work or create a comparable format with this information. Use consecutively to describe all work, including building exterior and interior, additions, site work, landscaping, and new construction.</p>	

Number <u>1</u>	Feature <u>Brick Facade</u>	Date of Feature <u>1890</u>
<p>Describe existing feature and its condition</p> <p>The building is constructed of red brick. It has been painted white sometime after the period of significance for the district. There is some brick spalling and a number of degraded mortar joints. The parapet cap was covered in Portland cement in a prior rehabilitation; there is some brick damage.</p>		
Photo numbers <u>1-4</u> Drawing numbers <u>A-1</u>		
<p>Describe work and impact on feature</p> <p>The paint will be removed from the brick following the guidance found in Preservation Brief 1: Assessing, Cleaning, and Water-Repellent Treatments for Historic Masonry Buildings, using the gentlest means possible. The mortar joints will be repaired using a mortar that matches the composition and appearance of the historic. All work will be done in accordance with the guidance found in Preservation Brief 2: Repointing Mortar Joints in Historic Masonry Buildings. Any replacement bricks required for repairs will match the historic appearance. The Portland cement and top course of brick will be removed; a new brick course and copper parapet cap will be installed.</p>		



Fill out this form until all aspects of your project are fully described. Be sure to indicate details like proposed finishes (drywall, plaster, etc.) and planned methods of repair.

Number <u>2</u>	Feature <u>Storefront</u>	Date of Feature <u>c. 1960</u>
<p>Describe existing feature and its condition</p> <p>The storefront system is a replacement consisting of two symmetrical recessed entrances with large plate glass display windows set in aluminum frames. Metal siding encases the bulkhead and columns. The entrances are paired aluminum and glass doors. There is a canvas awning across the width of the building.</p>		
Photo numbers <u>1-4, 7, 8</u> Drawing numbers <u>A-1, A-1.2</u>		
<p>Describe work and impact on feature</p> <p>This current storefront system will be replaced with a more historically compatible storefront. The brick bulkhead will be restored and a wooden storefront system that includes a transom will be installed. The two recessed entries will be retained in form. The paired doors will be replaced with a single wide glass door set in a wood frame. A new smaller retractable awning will be installed in a manner to reveal the decorative belt course above.</p>		

Part 2 of the application is where you describe the condition of the building prior to rehabilitation and the proposed work. Three forms of information are needed: a description or **narrative** for each main building feature (see sample left, below); ample **photographs** showing the condition and views of the property prior to beginning work (exterior and interior as well as the surrounding site); and architectural plans or **drawings** that include existing floor plans and proposed changes. If no work is planned for a major feature (such as windows, roof, 2nd floor plan, etc.), include a statement to that effect in the application and still provide photographs.

You are strongly encouraged to submit **Parts 1 and 2** during the early planning stages of the project. This provides the opportunity to make changes with minimal inconvenience or additional expense if some aspect of the work is determined not to meet the *Standards for Rehabilitation*. Completing work without Part 2 approval may result in incompatible work and denial of your project.

Part 3 of the application is a Request for Certification of Completed Work. This is a presentation of the finished rehabilitation and, once approved by the National Park Service, serves as documentation to the Internal Revenue Service that your project is a “certified rehabilitation.” Approval of the Part 3 application is a condition for obtaining federal rehabilitation tax credits.

Describing Your Project

Material and information to provide in your application include:

- *historic district map*
- *site plan*
- *photographs*
- *floor plans*
- *elevation drawings* (if exterior changes are planned)

On a copy of the *historic district map*, indicate where your building is located.

Photographs are essential in conveying what the building looks like prior to your rehabilitation. Think of the pictures as providing a “virtual tour” of your property. Include pictures showing each exterior side, the building’s relationship to surrounding structures, and close-ups of such primary exterior features as display windows, doors, and other character-defining features. On the interior, provide views of the main spaces on each floor, and include details like decorative ceilings, stairs, interior doors, and window trim. Document deteriorated conditions, such as crumbling brickwork or water stained plaster.

Number each photograph on the back and write the building’s address and a brief description of the image. Include a *floor plan* with the number of each photograph and an arrow pointing in the direction it was taken. Please indicate if the image is pre- or post-rehabilitation.

Elevation drawings often will be needed where major changes to the exterior of the building are planned. For example, a drawing should show the size, design, and details of a proposed new storefront. *Floor plans* of the existing room layouts are important and, where changes are proposed, *floor plans* showing the new layout are needed as well.

Supplemental material may also be helpful in describing your project. For example, product literature or a simple sketch might best detail a new side entrance door.

Remember that the SHPO and National Park Service reviewers who will be evaluating the application will probably be seeing your building for the first time through the material you provide. Your application should communicate: (a) the appearance of the building prior to beginning work; (b) the building’s condition on both the interior and the exterior prior to work; and (c) your proposed rehabilitation work.

Photo Documentation

Good quality photos (4 x 6 or larger) are needed. If using digital images, print in high-resolution on photo quality paper. Images printed on regular copy paper are discouraged due to the general lack of clarity and detail.

Label and number each photo and reference it in the application. In addition, key the picture to a floor plan with an arrow indicating the direction in which it was taken.



Photo 3, Pre-Rehab
2147 Hamilton Rd.
City, State

Front facade with cornice
detail and mismatched mortar
used in earlier repointing.

Example: Photo and label on reverse side.

Rehabilitating Your Main Street Building

The Historic Rehabilitation Tax Credit Program was created to encourage the rehabilitation and re-use of historic structures while preserving the historic character of individual buildings and districts. Many historic districts in small towns and cities have Main Streets of small shops and other commercial buildings, typically one to four stories high. The variety of architectural styles reflects the popular taste of different eras and the image an entrepreneur wanted to project.

The commercial storefront is usually one of the most significant elements of a Main Street building. In its simplest form, a storefront traditionally consisted of several display windows in a wood or metal frame, set above a bulkhead and below a glass transom, and an entranceway to the store on the first floor. It was also common for a second doorway to be located on one end of the storefront to provide access to the floors above. A sign and a canopy or awning often embellished the storefront.

When the historic storefront has survived largely unaltered, it should be repaired whenever possible, rather than replaced, in order to preserve both the historic appearance and historic materials. Similarly, a later storefront installed during the historic district's period of significance that may have acquired significance in its own right should be repaired. Where the existing storefront is not significant or has deteriorated beyond repair, the following guidance applies, in most cases, when designing a compatible replacement (for further guidance see Preservation Brief 11: *Rehabilitating Historic Storefronts*):

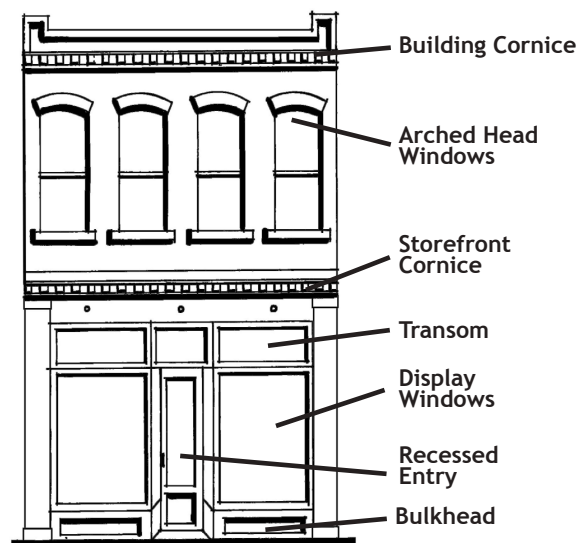
- Relate the new storefront to the design of the building.
- Correctly proportion display windows so as to consist predominantly of glass, typically with a transom above and bulkhead below.
- Retain, where possible, the location of the historic storefront entrances and any separate outside entrance to the upper floors. Duplicate the historic doors or replace with doors that are sized to the opening. (This usually requires a custom-made door to achieve the necessary height and width; avoid doors that have a residential appearance.)
- Ensure that replacement storefronts that aim to recapture the historic design are finished so as to be consistent with the historic appearance.
- With non-historic or replacement storefronts of a compatible design, avoid unpainted wood surfaces as well as in most cases bright metallic or bronze anodized metal finish.
- Design and attach signage and any canopies in a manner so as to avoid damage to the historic material and to be compatible with the features and appearance of the building facade.

Besides the storefront, windows on the upper floors and the roof cornice usually help define the historic character of small commercial buildings. Repair historic windows when possible, adding exterior or interior storm windows as needed. If the historic windows are beyond repair, suitable replacements are ones that match the appearance and materials of the old units.

Depending on the level of historic integrity, the interiors of Main Street commercial buildings on both the upper and lower floors often contribute to the historic character through their historic spaces, features, and/or finishes. Main Street buildings typically had a large open floorplan on all or part of the first floor, making it easily adaptable to numerous uses. While retaining the open plan is recommended, it may be possible to divide portions of the space, provided the sense of openness is preserved. Many commercial buildings retain their historic decorative ceilings, such as pressed metal, and their finished walls. These finished appearances should not be dramatically altered. Throughout the building avoid the removal of plaster to expose masonry walls or removing a pressed metal ceiling to expose the above floor joists. In most cases, mechanical ductwork is best concealed, rather than being left exposed, since exposed mechanicals can visually impact a historic space. Where ducts must be exposed, they should be painted to blend in with the ceiling.

When more floor space is needed, it is often possible to add to the rear of Main Street buildings and still qualify as a "certified rehabilitation." Rooftop additions to most small commercial buildings are not appropriate. While costs associated with new additions are not eligible for the rehabilitation credit, the work is still reviewed by the National Park Service.

Typical Storefront Details



Drawing courtesy of Winter & Company

Frequently Asked Questions

How is a tax credit different from a deduction?

A tax credit usually saves you more in income tax. Unlike a deduction, which reduces your taxable income, a credit is a dollar-for-dollar reduction in the amount of taxes you owe.

Can I receive federal tax credits for fixing up my personal residence?

In general, the tax credits are not available for rehabilitating your personal home. If you live in the upper floor and rent out the first floor, the money spent on rehabilitating the rental portion can be used, provided you meet the adjusted basis test. Contact your State Historic Preservation Office (SHPO) to determine the availability of any state credits or other tax incentives for personal residences.

If I have already begun my project, is it too late to get the credit?

As long as your building is in a registered historic district and you submit your Part 1 of the application prior to completing the project, then you may apply for the tax credits. However, you are strongly encouraged to submit rehabilitation plans (Part 2 of the application) prior to construction. In doing so, you ensure that any required changes are identified early and the resulting cost and inconvenience are minimized.

Can anyone help me through this process?

Help is available through a variety of resources. SHPOs and local historic preservation organizations, including state or local Main Street programs, are the best place to begin if you have questions. Advice is available on the National Park Service website (www.nps.gov/tps/) or through many SHPO websites. Some people choose to hire a professional consultant, but for most small Main Street projects owners complete the process themselves.

How long does it take to get approval of my proposed project?

You should submit your rehabilitation plans (Part 2 of the application) well in advance of beginning work – many states recommend six months prior – to allow time if additional information is needed by the SHPO or National Park Service. When original submittals contain sufficient information, reviews by the NPS are generally completed in 30 days, once received from the SHPO.

When can I claim the tax credit?

A credit may be claimed in the same year the building is placed in service. Where the building is never out of service, the credit is usually taken in the year in which the rehabilitation is completed.

How are the Federal and local reviews different?

Local commissions develop their own guidelines that are particular to the district and the community's preservation goals. Under the Federal tax credit program, the Secretary of the Interior's *Standards for Rehabilitation* are applied uniformly to projects from across the country. Work on both the exterior and the interior of a building is reviewed by the SHPO and NPS, while local review commissions generally only consider exterior work.

Are there any application fees?

It depends on the cost of your project. For information on current fees, visit our web site at www.nps.gov/tps/tax-incentives/application-process.htm.



Approval by the National Park Service for purposes of federal tax credits is a separate and different process from that of approval by a local architectural review commission for purposes of obtaining a certificate of appropriateness.

To locate your State Historic Preservation Office visit www.ncshpo.org

This booklet was prepared by Daniel Bruechert, Technical Preservation Services Branch, Heritage Preservation Service, National Park Service, with the assistance of Charles Fisher, National Park Service. Thanks are extended to Elizabeth Creveling and Jennifer Parker of the National Park Service for their collaboration and Michael Auer for his review. All photographs are from National Park Service files unless otherwise indicated.

First-time user guides for owners of small buildings interested in the federal rehabilitation tax credits are prepared pursuant to the National Preservation Act, as amended, which directs the Secretary of the Interior to develop and make available information concerning the preservation of historic properties. This and other guidance on rehabilitating small buildings can be found on our web site at www.nps.gov/tps.

Revised 2012

ARTICLE XXI-A. VILLAGE HISTORIC DISTRICT¹

DIVISION 1. GENERALLY

Section 21A.01 Background and purpose.

The ordinance is intended to protect the Village Historic District, because of its distinctive character and rich historical heritage; and to encourage interest in the City of Warren's historic past. Historic preservation is a public purpose. This article is established pursuant to the Michigan Local Historic Districts Act, P.A. 169 of 1970, as amended by MCL 399.201 et seq. Pursuant to this ordinance and the applicable provisions of the Michigan Local Historic Districts Act, the City of Warren (City) shall regulate the construction, addition, alteration, repair, moving, excavation, and demolition of resources in the Village Historic District. This ordinance is also intended to:

- (a) Promote the economic and general welfare of our residents by fostering civic beauty through the encouragement of appropriate historic settings and conservation of desirable historical character.
- (b) Encourage educational, recreational, and cultural activities within our municipality which advance the principles and goals of historic preservation and community development, as embodied in the Master Plan.
- (c) Safeguard the heritage of the City by preserving the Village Historic District's history, architecture, archaeology, engineering and culture.
- (d) Stabilize and improve property values in the Village Historic District and the surrounding areas.
- (e) Strengthen the local economy.
- (f) Promote the use of the Village Historic District for the education, pleasure, and welfare of the citizens of the City and the State.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.02 District boundaries.

- (a) The City Council may, at any time, modify boundaries of the Village Historic District, or eliminate the Village Historic District.
- (b) The Village Historic District is established. The Village Historic District boundaries are described as follows:

THE VILLAGE OF WARREN

THE VILLAGE OF WARREN

¹Editor's note(s)—Ord. No. 30-1006, §§ 1 and 2, adopted Sept. 23, 2014, repealed Art. XXI-A and enacted a new article as set out herein. The former Art. XXI-A, §§ 21A.01Editor's note(s)—21A.12, pertained to Village Historic District Zoning and derived from Ord. No. 30-521, § 1(21A.01—21A.12), adopted Dec. 28, 1976, and Ord. No. 30-880, § 1, adopted Oct. 14, 1997

Beginning at the intersection of the north side right-of-way line of Chicago Road and the southeast corner of lot 15 of Block 7 of Assessor's Addition to City of Warren; thence westerly along the north right-of-way line of Chicago Road to the southwest corner of lot 1 of re-plat John Warner Subdivision; thence in a southwesterly direction to the northeast corner of lot 7 of Block 3 of Hoard's and Martin's Plat of the City of Warren; thence south along the east property line of said lot to the southeast corner; thence westerly along the south property lines of lots 1 thru 7 of Block 3 of Hoard's and Martin's Plat of the City of Warren to the southwest corner of lot 1 of said plat; thence continuing westerly across Flynn Street and along the south property lines of lots 2 thru 7 of Block 4 of Hoard's and Martin's Plat of the City of Warren to the intersection of the southwest corner of lot 2 of said plat and the east right-of-way of Mound Road; thence northerly to a point on the west property line of and 33.42 ft. north of the southwest corner of lot 1 of Block 4 of Assessor's Addition to the City of Warren; thence in a westerly direction to the southeast corner of lot 2 of Block 3 of Assessor's Addition to the City of Warren; thence along the south property line (Beebe Ave) of lot 2 of said plat to a point on the east property line of and 30 ft. north of the southeast corner of lot 13 of Block 2 of the Assessor's Addition to the City of Warren; thence west to a point on the west property line of and 30 ft. north of the southwest corner of lot 13 of Block 2 of said plat; thence north along the west property lines of lots 13 thru 18 of Block 2 of Assessor's Plat of the City of Warren to a point on the west property line of and 116.34 ft. north of the southwest corner of lot 8 of said plat and the southeast corner of P.I.N. 13-05-429-023; thence westerly along the south property lines of P.I.N. 13-05-429-022 and 13-05-429-023, 159.48 ft. to the southwest corner of P.I.N. 13-05-429-022 and a point on the east property line of and 149.04 ft. south of the south side right-of-way of Chicago Road and northeast corner of P.I.N. 13-05-428-009; thence south 115 ft. to the southeast corner of P.I.N. 13-05-428-009; thence westerly 105.25 ft. to the southwest corner of said P.I.N.; thence northerly to a point on the west property line of and 40 ft. north of the southwest corner of said P.I.N. and the southeast corner of P.I.N. 13-05-428-001; thence west along the south property line of said P.I.N. 135.74 ft. to the center of Lexington Heights Street; thence northerly to a point on the north right-of-way line of Chicago Road and the southwest corner of P.I.N. 13-05-433-001 thru 13-05-433-006 Village West MCCP Condominiums; thence northerly along the west property line of said condominiums to a point on the south side of the Red Run Drain; thence easterly along the south side of the Red Run Drain traversing across Mound Road and continuing to a point being the northeast corner of P.I.N. 13-04-329-001; thence south along the east property line of said P.I.N. 405 ft. to the northeast corner of lot 15 of Block 7 of Assessor's Addition of the City of Warren; thence easterly along the north property line of said lot 67.70 ft.; thence southerly along the east property line of said lot to the point of beginning on the north side right-of-way of Chicago Road.

Also non-contiguous parcels identified as follows: Eckstein Park consisting of P.I.N. 13-04-326-001 through 13-04-326-003; and Warren Union Cemetery consisting of P.I.N. 13-05-180-002.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.03 Definitions.

For the purpose of this Article, the following terms, and phrases shall mean:

Alteration means work that changes the detail of a resource but does not change its basic size or shape.

Applicant means any person, individual, partnership, firm, corporation, organization, institution, or agency of government that wishes to perform work that requires a permit on a resource in the Village Historic District.

Certificate of Appropriateness means the written approval of a permit application for work that is appropriate and that does not adversely affect a resource.

Commission means the City's Village Historic District Commission.

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Demolition means the entire or partial razing or destruction of a resource including, but not limited to, demolition by neglect.

Demolition by neglect means neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.

Denial means the written rejection of a permit application for work that is inappropriate, and that adversely affects a resource.

Fire alarm system means a system designed to detect and annunciate the presence of fire or by-products of fire. Fire alarm system includes smoke alarms.

Historic district means an area, or group of areas not necessarily having contiguous boundaries, that contains one resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture.

Historic preservation means the identification, evaluation, establishment, and protection of resources that are significant in history, architecture, archeology, engineering, or culture.

Historic resource means a publicly or privately owned building, structure, site, object, feature, or open space that is significant in the history, architecture, archeology, engineering, or culture of this State or a community within this State or of the United States.

Notice to Proceed means the written permission for work that is inappropriate, and that adversely affects the resource.

Open space means undeveloped land, a naturally landscaped area, or a formal or manmade landscaped area that provides a connective link or a buffer between other resources.

Ordinary maintenance means keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition. Ordinary maintenance does not change the external appearance of the resource, except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this article.

Permit means approval to perform work, indicated either by a Certificate of Appropriateness, or a Notice to Proceed.

Repair means to restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for purposes of this article.

Resource means any publicly or privately owned historic or non-historic building, structure, site, object, feature, or open space located in the Village Historic District.

Smoke alarm means a single-station or multiple-station alarm responsive to smoke and not connected to a system. As used in this subdivision, "single-station alarm" means an assembly incorporating a detector, the control equipment, and the alarm sounding device into a single unit, operated from a power supply either in the unit or obtained at the point of installation. "Multiple-station alarm" means two (2) or more single-station alarms that are capable of interconnection such that actuation of one (1) alarm causes all integrated separate audible alarms to operate.

Work means construction, addition, alteration, repair, moving, excavation or demolition of a resource, excluding ordinary maintenance.

(Ord. No. 30-1006, § 2, 9-23-14)

Sections 21A.04—21A.06 Reserved.

DIVISION 2. MEMBERSHIP, POWERS, AND DUTIES

Section 21A.07 Established; membership; terms; vacancies.

- (a) *Established.* The Commission is hereby established.
- (b) *Membership and appointment.*
 - i. The Mayor shall appoint the voting members of the Commission.
 - ii. The Commission shall consist of seven (7) voting members.
 - iii. The Commissioners shall:
 - i. Reside in the local unit as defined by MCL 399.201a;
 - ii. If available, include at least three (3) members who are property owners within the Village Historic District;
 - iii. Include at least two (2) members from a list of citizens submitted by a duly organized local historic preservation organization;
 - iv. Include a majority of members who have a clearly demonstrated interest in, or knowledge of historic preservation; and
 - v. If available, include a graduate of an accredited school of architecture who has two (2) years of architectural experience, or who is an architect registered in this State.
 - iv. The Mayor may also appoint one or more nonvoting delegates.
 - i. Nonvoting delegates shall have a clearly demonstrated interest in, or knowledge of historic preservation.
 - ii. The delegate shall not vote.
 - iii. The Mayor may remove nonvoting delegates at any time.
 - v. City Council may appoint a nonvoting ex-officio member.
- (c) *Terms.* A Commissioners' term shall be three (3) years. The Commissioners currently serving on the Commission at the time of the adoption of this Article shall continue to serve on the Commission until their terms would have expired pursuant to the repealed enabling ordinance. Commissioners are eligible for re-appointment to succeeding terms.
- (d) *Vacancies.* In the event of a vacancy on the Commission, the Mayor shall make an interim appointment within sixty (60) calendar days of being notified of the vacancy. The interim Commissioner shall complete the remainder of the outgoing Commissioner's term.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.08 Powers and duties.

The Commission shall have the following powers and duties:

- (a) To adopt rules of procedure.
- (b) To review permit applications for work affecting resources.
- (c) To issue (1) a Certificate of Appropriateness, for appropriate proposed work; or (2) a Notice to Proceed or a denial of the application for proposed inappropriate work, on a resource that affects the exterior appearance, or the interior arrangements, as provided in MCL 399.205(1) and (4).

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- (d) To issue a Notice to Proceed, or deny an application to demolish a resource.
 - (e) To give advice and guidance regarding any proposed work on a resource.
 - (f) To advise and assist property owners, City Departments, City Council, the Mayor, and the general public on physical and financial aspects, and benefits of historic preservation.
 - (g) To recommend to the City Council the designation of additional historic districts from resources chosen according to the criteria listed in MCL 399.203 and MCL 399.214.
 - (h) To accept and administer grants and gifts given to the Commission for the purpose of preserving the Village Historic District.
 - (i) To enter into agreements and contracts for the purpose of assisting the Commission in carrying out its duties.
 - (j) To write an annual report to the Mayor, at the end of the fiscal year, which reviews the budget and the Commission's work during the preceding year.
 - (k) To conduct an ongoing survey, in accordance with the survey procedures established by the State Historic Preservation Office, in order to identify properties, structures, and areas that exemplify the cultural, social, spiritual, economic, political, educational, engineering, or architectural history of the City, State, or nation.
 - (l) To keep a register of all designated historic resources within the Village Historic District, including all information required for each designation.
 - (m) To determine an appropriate system of markers, and to confer recognition on the owners of historic resources, within the Village Historic District, by means of certificates, plaques, or markers.
 - (n) To nominate Village Historic District historic resources to the State and National Register of Historic Places, and to review and comment on any nominations submitted to the Commission.
 - (o) To disseminate information to the public concerning those resources deemed worthy of preservation, and to encourage the protection, enhancement, perpetuation and use of resources of historic and/or architectural interest.
 - (p) To adopt design review standards and guidelines for resource treatment and seek approval of the standards and guidelines from the State Historic Preservation Office.

(Ord. No. 30-1006, § 2, 9-23-14)

Sections 21A.09—21A.11 Reserved.

DIVISION 3. PERMIT APPLICATION, REVIEW, AND APPEAL

Section 21A.12 Permit.

- (a) *Permit required.* An applicant shall obtain a permit from the Commission before performing any work on a resource that affects:
 - (1) The exterior appearance of the resource including, but not limited to: (1) work to the interior that causes visible change to the exterior, and (2) demolition; or
 - (2) The interior of the resource that City Council specifically authorizes the Village Historic District Commission to review.

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(b) *Permit not required.* A permit is not required for ordinary maintenance.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.13 Application.

An applicant shall file a complete permit application with the Commission. The permit application shall include information that the Commission deems necessary to review the application under Section 21A.15 and 21A.16.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.14 Filing fee.

(a) At the time of making a permit application, an applicant shall pay a filing fee as set by resolution of the City Council. A permit application shall not be considered complete until the fee has been paid in full.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.15 Review of application.

- (a) On receipt of a complete permit application, the Commission shall place the permit application on the agenda for the next scheduled meeting.
- (b) The Commission shall review the permit application for compliance with the standards and guidelines stated in this Article.
- (c) After reviewing the permit application, the Commission may issue:
 - (1) A Certificate of Appropriateness;
 - (2) A Notice to Proceed; or
 - (3) A denial of the permit.
- (d) A Certificate of Appropriateness or a Notice to Proceed authorizes the proposed work to proceed, subject to all other provisions of the Code of Ordinances.
- (e) The Commission's failure to act shall constitute an approval of the application, if:
 - (1) Sixty (60) calendar days have passed since the date the applicant filed a complete application; and
 - (2) The Commission and the applicant do not sign a written extension agreement.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.16 Commission action, and standards for review.

- (a) Certificate of Appropriateness.
 - (1) The Commission shall only issue a Certificate of Appropriateness if the permit application provides:
 - i. For work that complies the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, as set forth in 36 CFR Part 67, or design review standards and guidelines that address special design characteristics of historic districts, if

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they are equivalent in guidance to the Secretary of Interior's standards and guidelines, and are established or approved by the State Historic Preservation Office; and

- ii. That the resource has, or will have, before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the State Construction Code.
- (2) In making a finding of whether to issue a Certificate of Appropriateness, the Commission shall also consider all of the following:
- i. The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.
 - ii. The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area.
 - iii. The general compatibility of the design, arrangement, texture, and materials proposed to be used.
 - iv. Other factors, such as aesthetic value, that the Commission finds relevant.
- (b) *Notice to Proceed.*
- (1) The Commission may issue a Notice to Proceed for work that does not meet the standards for a Certificate of Appropriateness, if the Commission finds any of the following conditions prevail, and that a Notice to Proceed is necessary to substantially improve or correct any of the following conditions:
- i. The resource constitutes a hazard to the safety of the public or the structure's occupants.
 - ii. The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing and environmental clearances.
 - iii. Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value, or moving the resource to a vacant site within a historic district, have been attempted and exhausted by the owner. The applicant shall provide proof of financial hardship as required and defined by the Commission.
 - iv. Retaining the resource is not in the interest of the majority of the community.
- (c) *Denial of Permit Application.*
- (1) If the Commission finds that neither a Certificate of Appropriateness, nor a Notice to Proceed is proper, it shall deny the applicant's permit.
- (2) If the Commission denies an applicant's permit, the applicant shall not perform the proposed work.
- (3) If the Commission denies a permit, it shall provide to the applicant:
- i. A written explanation of the reasons for denial;
 - ii. If applicable, a notice that an application may be resubmitted for Commission review when suggested changes have been made; and
 - iii. Notification of the applicant's right of appeal to the State Historic Preservation Review Board and the Circuit Court.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.17 Notification of action.

- (a) The Commission shall file Certificates of Appropriateness, Notices to Proceed, and denials of applications with the Division of Buildings Safety and Engineering and the Planning Department. The decision of the Commission shall be binding on all departments of the City.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.18 Approval of minor classes of work.

- (a) The Commission may delegate the issuance of a Certificate of Appropriateness for designated minor classes of work to the Director of the Division of Buildings Safety and Engineering.
- (b) The Commission shall provide specific written standards to the Director of the Division of Buildings Safety and Engineering for issuing a Certificate of Appropriateness-Minor Class of Work.
- (c) The Director of the Division of Buildings Safety and Engineering shall forward all Certificates of Appropriateness-Minor Class of Work to the Commission for record keeping.
- (d) On at least a quarterly basis, the Commission shall review the Certificates of Appropriateness issued by the Director of the Division of Buildings Safety and Engineering to determine if the delegated responsibilities should be continued.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.19 Appeal from decision of the commission.

- (a) An applicant aggrieved by the Commission's decision may file an appeal with the State Historic Preservation Review Board.
- (b) An applicant shall file the appeal within sixty (60) days after the Commission provides its decision to the applicant. The applicant may submit all, or part of his or her evidence and arguments in written form.
- (c) An applicant aggrieved by the decision of the State Historic Preservation Review Board may appeal the decision to the Macomb County Circuit Court.
- (d) A citizen or duly organized historic preservation organization in the City aggrieved by a decision of the Commission may appeal the decision to the Macomb County Circuit Court.

(Ord. No. 30-1006, § 2, 9-23-14)

Sections 21A.20—21A.24 Reserved.

DIVISION 4. METHODS TO PRESERVE RESOURCES

Section 21A.25 Plan for preservation of resource.

- (a) If an application is for work that will adversely affect the exterior of a resource the Commission considers valuable to the City, State, or nation, and the Commission determines that the alteration or loss of that resource will adversely affect the public purpose of the City, State, or nation, the Commission shall attempt to establish with the owner of the resource an economically feasible plan for preservation of the resource.

(Supp. No. 85)

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(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.26 Prevention of demolition by neglect.

- (a) On a finding by the Commission that a resource is threatened with demolition by neglect, the Commission may:
 - (1) Require the owner of the resource to repair, within a reasonable period of time, all conditions contributing to demolition by neglect; or
 - (2) If the owner does not, or cannot make repairs within the time prescribed, the Commission or its agents may seek a court order to enter the property and make such repairs as are necessary to prevent demolition by neglect.
 - i. The cost of the work shall be charged to the owner, and may be levied by the City as a special assessment against the property.
 - ii. The Commission or its agents may enter the property for purposes of this section by obtaining an order from the Macomb County Circuit Court.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.27 Demolition.

- (a) Prior to issuing a Notice to Proceed to demolish a resource, the Commission may require an applicant to have a historical survey of the property done before or after demolishing the resource.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.28 Remedies for work performed without a permit.

- (a) When any person performs work or causes work to be performed on a resource without first obtaining a permit required by this Article, and the Commission finds that the work does not qualify for a Certificate of Appropriateness, the Commission may require the owner to, within a reasonable period of time:
 - (1) Restore the resource to the condition the resource was in before the inappropriate work was done; or
 - (2) Modify the work so that it qualifies for a Certificate of Appropriateness.
- (b) If the owner does not comply with the Commission's restoration or modification requirement within the time prescribed, the Commission may seek an order from the Macomb County Circuit Court that requires the owner to restore the resource to its former condition or to modify the work so that it qualifies for a Certificate of Appropriateness.
- (c) If the owner does not comply or cannot comply with the order of the Court, and the order so provides, the Commission or its agents may enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a Certificate of Appropriateness.
 - (1) The cost of the work shall be charged to the owner, and may be levied by the City as a special assessment against the property.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.29 Moratorium.

- (a) If the City Council finds that pending work will cause irreparable harm to a resource, the City Council may by resolution declare an emergency moratorium of all such work for a period, not to exceed six (6) months.
- (b) After the expiration of the initial emergency moratorium period, if the City Council finds that the threat of irreparable harm to resources is still present, it may extend the emergency moratorium for an additional period, not to exceed six (6) months.
- (c) The Commission may summarily deny any pending permit application concerning a resource that is subject to an emergency moratorium.

(Ord. No. 30-1006, § 2, 9-23-14)

Section 21A.30 Acquisition of resource by city.

- (a) As provided by the Michigan Local Historic District's Act, MCL 399.207, the City Council may acquire, and the Commission may maintain a resource if:
 - (1) Efforts by the Commission to preserve a resource fail; or
 - (2) City Council determines, after review and recommendation of the Commission, that it is in the public interest to acquire the resource.
- (b) On the recommendation of the Commission, the City may sell resources acquired under this Section with protective easements included in the property transfer documents.

(Ord. No. 30-1006, § 2, 9-23-14)

DIVISION 5. PENALTIES

Section 21A.31 Penalties.

- (a) Any person or entity who violates any provision of this Article is responsible for a municipal civil infraction punishable by a fine of up to \$5,000.00.
- (b) Pursuant to MCL 399.215(2), a court may order the person or entity to pay the costs to restore or replicate a resource unlawfully constructed, added to, altered, repaired, moved, excavated or demolished.

(Ord. No. 30-1006, § 2, 9-23-14)

Sections 21A.32—21A.35 Reserved.

LOCAL HISTORIC DISTRICTS ACT
Act 169 of 1970

AN ACT to provide for the establishment of historic districts; to provide for the acquisition of certain resources for historic preservation purposes; to provide for preservation of historic and nonhistoric resources within historic districts; to provide for the establishment of historic district commissions; to provide for the maintenance of publicly owned resources by local units; to provide for certain assessments under certain circumstances; to provide for procedures; and to provide for remedies and penalties.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1986, Act 230, Imd. Eff. Oct. 1, 1986;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

The People of the State of Michigan enact:

399.201 Short title.

Sec. 1. This act shall be known and may be cited as the "local historic districts act".

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.201a Definitions.

Sec. 1a. As used in this act:

(a) "Alteration" means work that changes the detail of a resource but does not change its basic size or shape.

(b) "Certificate of appropriateness" means the written approval of a permit application for work that is appropriate and that does not adversely affect a resource.

(c) "Commission" means a historic district commission created by the legislative body of a local unit under section 4.

(d) "Committee" means a historic district study committee appointed by the legislative body of a local unit under section 3 or 14.

(e) "Demolition" means the razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to, demolition by neglect.

(f) "Demolition by neglect" means neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.

(g) "Denial" means the written rejection of a permit application for work that is inappropriate and that adversely affects a resource.

(h) "Department" means the department of history, arts, and libraries.

(i) "Fire alarm system" means a system designed to detect and annunciate the presence of fire or by-products of fire. Fire alarm system includes smoke alarms.

(j) "Historic district" means an area, or group of areas not necessarily having contiguous boundaries, that contains 1 resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture.

(k) "Historic preservation" means the identification, evaluation, establishment, and protection of resources significant in history, architecture, archaeology, engineering, or culture.

(l) "Historic resource" means a publicly or privately owned building, structure, site, object, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of this state or a community within this state, or of the United States.

(m) "Local unit" means a county, city, village, or township.

(n) "Notice to proceed" means the written permission to issue a permit for work that is inappropriate and that adversely affects a resource, pursuant to a finding under section 5(6).

(o) "Open space" means undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.

(p) "Ordinary maintenance" means keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition. Ordinary maintenance does not change the external appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this act.

(q) "Proposed historic district" means an area, or group of areas not necessarily having contiguous boundaries, that has delineated boundaries and that is under review by a committee or a standing committee for the purpose of making a recommendation as to whether it should be established as a historic district or added to an established historic district.

(r) "Repair" means to restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for purposes of this act.

(s) "Resource" means 1 or more publicly or privately owned historic or nonhistoric buildings, structures, sites, objects, features, or open spaces located within a historic district.

(t) "Smoke alarm" means a single-station or multiple-station alarm responsive to smoke and not connected to a system. As used in this subdivision, "single-station alarm" means an assembly incorporating a detector, the control equipment, and the alarm sounding device into a single unit, operated from a power supply either in the unit or obtained at the point of installation. "Multiple-station alarm" means 2 or more single-station alarms that are capable of interconnection such that actuation of 1 alarm causes all integrated separate audible alarms to operate.

(u) "Standing committee" means a permanent body established by the legislative body of a local unit under section 14 to conduct the activities of a historic district study committee on a continuing basis.

(v) "Work" means construction, addition, alteration, repair, moving, excavation, or demolition.

History: Add. 1992, Act 96, Imd. Eff. June 18, 1992;—Am. 2001, Act 67, Imd. Eff. July 24, 2001;—Am. 2004, Act 67, Imd. Eff. Apr. 20, 2004.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.202 Historic preservation as public purpose; purpose of ordinance.

Sec. 2. Historic preservation is declared to be a public purpose and the legislative body of a local unit may by ordinance regulate the construction, addition, alteration, repair, moving, excavation, and demolition of resources in historic districts within the limits of the local unit. The purpose of the ordinance shall be to do 1 or more of the following:

(a) Safeguard the heritage of the local unit by preserving 1 or more historic districts in the local unit that reflect elements of the unit's history, architecture, archaeology, engineering, or culture.

(b) Stabilize and improve property values in each district and the surrounding areas.

(c) Foster civic beauty.

(d) Strengthen the local economy.

(e) Promote the use of historic districts for the education, pleasure, and welfare of the citizens of the local unit and of the state.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1986, Act 230, Imd. Eff. Oct. 1, 1986;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.203 Historic districts; establishment; study committee; duties; public hearing; notice; actions; availability of writings to public.

Sec. 3. (1) A local unit may, by ordinance, establish 1 or more historic districts. The historic districts shall be administered by a commission established pursuant to section 4. Before establishing a historic district, the legislative body of the local unit shall appoint a historic district study committee. The committee shall contain a majority of persons who have a clearly demonstrated interest in or knowledge of historic preservation, and shall contain representation from 1 or more duly organized local historic preservation organizations. The committee shall do all of the following:

(a) Conduct a photographic inventory of resources within each proposed historic district following procedures established or approved by the department.

(b) Conduct basic research of each proposed historic district and the historic resources located within that district.

(c) Determine the total number of historic and nonhistoric resources within a proposed historic district and

the percentage of historic resources of that total. In evaluating the significance of historic resources, the committee shall be guided by the selection criteria for evaluation issued by the United States secretary of the interior for inclusion of resources in the national register of historic places, as set forth in 36 C.F.R. part 60, and criteria established or approved by the department, if any.

(d) Prepare a preliminary historic district study committee report that addresses at a minimum all of the following:

- (i) The charge of the committee.
- (ii) The composition of the committee membership.
- (iii) The historic district or districts studied.
- (iv) The boundaries for each proposed historic district in writing and on maps.
- (v) The history of each proposed historic district.
- (vi) The significance of each district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.

(e) Transmit copies of the preliminary report for review and recommendations to the local planning body, to the department, to the Michigan historical commission, and to the state historic preservation review board.

(f) Make copies of the preliminary report available to the public pursuant to subsection (4).

(2) Not less than 60 calendar days after the transmittal of the preliminary report, the committee shall hold a public hearing in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the hearing shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Written notice shall be mailed by first-class mail not less than 14 calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the local unit.

(3) After the date of the public hearing, the committee and the legislative body of the local unit shall have not more than 1 year, unless otherwise authorized by the legislative body of the local unit, to take the following actions:

(a) The committee shall prepare and submit a final report with its recommendations and the recommendations, if any, of the local planning body to the legislative body of the local unit. If the recommendation is to establish a historic district or districts, the final report shall include a draft of a proposed ordinance or ordinances.

(b) After receiving a final report that recommends the establishment of a historic district or districts, the legislative body of the local unit, at its discretion, may introduce and pass or reject an ordinance or ordinances. If the local unit passes an ordinance or ordinances establishing 1 or more historic districts, the local unit shall file a copy of that ordinance or those ordinances, including a legal description of the property or properties located within the historic district or districts, with the register of deeds. A local unit shall not pass an ordinance establishing a contiguous historic district less than 60 days after a majority of the property owners within the proposed historic district, as listed on the tax rolls of the local unit, have approved the establishment of the historic district pursuant to a written petition.

(4) A writing prepared, owned, used, in the possession of, or retained by a committee in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1980, Act 125, Imd. Eff. May 21, 1980;—Am. 1992, Act 96, Imd. Eff. June 18, 1992;—Am. 2001, Act 67, Imd. Eff. July 24, 2001.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.204 Historic district commission; establishment; appointment, qualifications, and terms of members; vacancy; commissions previously established by charter or ordinance.

Sec. 4. The legislative body of a local unit may establish by ordinance a commission to be called the historic district commission. The commission may be established at any time, but not later than the time the first historic district is established by the legislative body of the local unit. Each member of the commission shall reside within the local unit. The membership of the historic district commission in a local unit having a population of 5,000 or more individuals shall consist of not less than 7 or more than 9 members. The membership of the historic district commission in a local unit having a population of less than 5,000 individuals shall consist of not less than 5 or more than 7 members. A majority of the members shall have a clearly demonstrated interest in or knowledge of historic preservation. The members shall be appointed by the

township supervisor, village president, mayor, or chairperson of the board of commissioners, unless another method of appointment is provided in the ordinance creating the commission. Initial members shall be appointed within 6 months after the ordinance establishing the commission is enacted. Members shall be appointed for 3-year terms except the initial appointments of some of the members shall be for less than 3 years so that the initial appointments are staggered and that subsequent appointments do not recur at the same time. Members shall be eligible for reappointment. A vacancy on the commission shall be filled within 60 calendar days by an appointment made by the appointing authority. The ordinance creating the commission may provide procedures for terminating an appointment due to the acts or omissions of the member. The appointing authority of a local unit having a population of 25,000 or more individuals shall appoint at least 2 members from a list of citizens submitted by 1 or more duly organized local historic preservation organizations. A local unit having a population of more than 5,000 individuals but less than 25,000 individuals shall appoint at least 1 member from a list of citizens submitted by 1 or more duly organized local historic preservation organizations. The commission of all local units shall include as a member, if available, a graduate of an accredited school of architecture who has 2 years of architectural experience or who is an architect registered in this state. This section does not apply to historic district commissions established by charter or to historic district commissions established by ordinance before August 3, 1970.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1971, Act 30, Imd. Eff. May 25, 1971;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.205 Permit required; completed application; certificate of appropriateness or notice to proceed; issuance; permit fee; appeal to review board and circuit court; plan review standards, guidelines, and considerations; scope of review; preservation plan; approval; conditions; public meeting; availability of writings to public; rules of procedure; approval of minor work; finding of demolition by neglect; restoration or modification of work done without permit.

Sec. 5. (1) A permit shall be obtained before any work affecting the exterior appearance of a resource is performed within a historic district or, if required under subsection (4), work affecting the interior arrangements of a resource is performed within a historic district. The person, individual, partnership, firm, corporation, organization, institution, or agency of government proposing to do that work shall file an application for a permit with the inspector of buildings, the commission, or other duly delegated authority. If the inspector of buildings or other authority receives the application, the application shall be immediately referred together with all required supporting materials that make the application complete to the commission. A permit shall not be issued and proposed work shall not proceed until the commission has acted on the application by issuing a certificate of appropriateness or a notice to proceed as prescribed in this act. A commission shall not issue a certificate of appropriateness unless the applicant certifies in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531. A local unit may charge a reasonable fee to process a permit application.

(2) An applicant aggrieved by a decision of a commission concerning a permit application may file an appeal with the state historic preservation review board within the department. The appeal shall be filed within 60 days after the decision is furnished to the applicant. The appellant may submit all or part of the appellant's evidence and arguments in written form. The review board shall consider an appeal at its first regularly scheduled meeting after receiving the appeal, but may not charge a fee for considering an appeal. The review board may affirm, modify, or set aside a commission's decision and may order a commission to issue a certificate of appropriateness or a notice to proceed. A permit applicant aggrieved by the decision of the state historic preservation review board may appeal the decision to the circuit court having jurisdiction over the historic district commission whose decision was appealed to the state historic preservation review board.

(3) In reviewing plans, the commission shall follow the United States secretary of the interior's standards for rehabilitation and guidelines for rehabilitating historic buildings, as set forth in 36 C.F.R. part 67. Design review standards and guidelines that address special design characteristics of historic districts administered by

the commission may be followed if they are equivalent in guidance to the secretary of interior's standards and guidelines and are established or approved by the department. The commission shall also consider all of the following:

(a) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.

(b) The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area.

(c) The general compatibility of the design, arrangement, texture, and materials proposed to be used.

(d) Other factors, such as aesthetic value, that the commission finds relevant.

(e) Whether the applicant has certified in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

(4) The commission shall review and act upon only exterior features of a resource and, except for noting compliance with the requirement to install a fire alarm system or a smoke alarm, shall not review and act upon interior arrangements unless specifically authorized to do so by the local legislative body or unless interior work will cause visible change to the exterior of the resource. The commission shall not disapprove an application due to considerations not prescribed in subsection (3).

(5) If an application is for work that will adversely affect the exterior of a resource the commission considers valuable to the local unit, state, or nation, and the commission determines that the alteration or loss of that resource will adversely affect the public purpose of the local unit, state, or nation, the commission shall attempt to establish with the owner of the resource an economically feasible plan for preservation of the resource.

(6) Work within a historic district shall be permitted through the issuance of a notice to proceed by the commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the commission to be necessary to substantially improve or correct any of the following conditions:

(a) The resource constitutes a hazard to the safety of the public or to the structure's occupants.

(b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.

(c) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.

(d) Retaining the resource is not in the interest of the majority of the community.

(7) The business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the commission.

(8) The commission shall keep a record of its resolutions, proceedings, and actions. A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(9) The commission shall adopt its own rules of procedure and shall adopt design review standards and guidelines for resource treatment to carry out its duties under this act.

(10) The commission may delegate the issuance of certificates of appropriateness for specified minor classes of work to its staff, to the inspector of buildings, or to another delegated authority. The commission shall provide to the delegated authority specific written standards for issuing certificates of appropriateness under this subsection. On at least a quarterly basis, the commission shall review the certificates of appropriateness, if any, issued for work by its staff, the inspector, or another authority to determine whether or not the delegated responsibilities should be continued.

(11) Upon a finding by a commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with demolition by neglect, the commission may do either of the following:

(a) Require the owner of the resource to repair all conditions contributing to demolition by neglect.

(b) If the owner does not make repairs within a reasonable time, the commission or its agents may enter the

property and make such repairs as are necessary to prevent demolition by neglect. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. The commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.

(12) When work has been done upon a resource without a permit, and the commission finds that the work does not qualify for a certificate of appropriateness, the commission may require an owner to restore the resource to the condition the resource was in before the inappropriate work or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the commission may seek an order from the circuit court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply or cannot comply with the order of the court, the commission or its agents may enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a certificate of appropriateness in accordance with the court's order. The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. When acting pursuant to an order of the circuit court, a commission or its agents may enter a property for purposes of this section.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1980, Act 125, Imd. Eff. May 21, 1980;—Am. 1986, Act 230, Imd. Eff. Oct. 1, 1986;—Am. 1992, Act 96, Imd. Eff. June 18, 1992;—Am. 2001, Act 67, Imd. Eff. July 24, 2001;—Am. 2004, Act 67, Imd. Eff. Apr. 20, 2004.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.206 Grants, gifts, and programs.

Sec. 6. The legislative body of a local unit may accept state or federal grants for historic preservation purposes, may participate in state and federal programs that benefit historic preservation, and may accept public or private gifts for historic preservation purposes. The legislative body may make the historic district commission, a standing committee, or other agency its duly appointed agent to accept and administer grants, gifts, and program responsibilities.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.207 Historic resource; acquisition by local legislative body.

Sec. 7. If all efforts by the historic district commission to preserve a resource fail, or if it is determined by the local legislative body that public ownership is most suitable, the local legislative body, if considered to be in the public interest, may acquire the resource using public funds, public or private gifts, grants, or proceeds from the issuance of revenue bonds. The acquisition shall be based upon the recommendation of the commission or standing committee. The commission or standing committee is responsible for maintaining publicly owned resources using its own funds, if not specifically designated for other purposes, or public funds committed for that use by the local legislative body. Upon recommendation of the commission or standing committee, the local unit may sell resources acquired under this section with protective easements included in the property transfer documents, if appropriate.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.208 County historic district commission; coordination with township and municipality.

Sec. 8. The jurisdiction of a county shall be the same as that provided in Act No. 183 of the Public Acts of 1943, as amended, being sections 125.201 to 125.232 of the Michigan Compiled Laws, or as otherwise

provided by contract entered into between the county and a city, village or township. If a county historic district commission is in existence, coordination between the county historic district commission and township and municipality historic district commissions shall be maintained. The overall historic preservation plans of cities, villages and townships shall be submitted to the county historic district commission for review, and county plans submitted to cities, villages, and townships having historic district commissions. Day-to-day activities of a commission shall not be reviewed unless the activities affect resources of importance to another commission.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.209 Historic district commission; filings with delegated authority; duties of local public officials, employees, and department.

Sec. 9. (1) The commission shall file certificates of appropriateness, notices to proceed, and denials of applications for permits with the inspector of buildings or other delegated authority. A permit shall not be issued until the commission has acted as prescribed by this act. If a permit application is denied, the decision shall be binding on the inspector or other authority. A denial shall be accompanied with a written explanation by the commission of the reasons for denial and, if appropriate, a notice that an application may be resubmitted for commission review when suggested changes have been made. The denial shall also include notification of the applicant's rights of appeal to the state historic preservation review board and to the circuit court. The failure of the commission to act within 60 calendar days after the date a complete application is filed with the commission, unless an extension is agreed upon in writing by the applicant and the commission, shall be considered to constitute approval.

(2) Local public officials and employees shall provide information and records to committees, commissions, and standing committees, and shall meet with those bodies upon request to assist with their activities.

(3) The department shall cooperate with and assist local units, committees, commissions, and standing committees in carrying out the purposes of this act and may establish or approve standards, guidelines, and procedures that encourage uniform administration of this act in this state but that are not legally binding on any individual or other legal entity.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992;—Am. 2001, Act 67, Imd. Eff. July 24, 2001.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.210 Construction of act.

Sec. 10. Nothing in this act shall be construed to prevent ordinary maintenance or repair of a resource within a historic district, or to prevent work on any resource under a permit issued by the inspector of buildings or other duly delegated authority before the ordinance was enacted.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.211 Appeal of decisions.

Sec. 11. Any citizen or duly organized historic preservation organization in the local unit, as well as resource property owners, jointly or severally aggrieved by a decision of the historic district commission may appeal the decision to the circuit court, except that a permit applicant aggrieved by a decision rendered under section 5(1) may not appeal to the court without first exhausting the right to appeal to the state historic preservation review board under section 5(2).

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History: 1970, Act 169, Imd. Eff. Aug. 3, 1970;—Am. 1992, Act 96, Imd. Eff. June 18, 1992.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.212 Effect of act as to existing legislation and historical commissions.

Sec. 12. This act does not affect any previously enacted legislation pertaining to historical preservation and does not affect historical commissions appointed by local governing bodies to foster historic preservation. An existing local historical commission organized under Act No. 213 of the Public Acts of 1957, as amended, being sections 399.171 and 399.172 of the Compiled Laws of 1948, may be designated as a historic district commission, if its membership and structure conform, or are revised to conform, to the provisions of section 4.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.213 Powers and duties of historic district commission.

Sec. 13. The local legislative body may prescribe powers and duties of the historic district commission, in addition to those prescribed in this act, that foster historic preservation activities, projects, and programs in the local unit.

History: Add. 1986, Act 230, Imd. Eff. Oct. 1, 1986.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.214 Local units; establishing, modifying, or eliminating historic districts; study committee; considerations; review of applications within proposed historic district; emergency moratorium.

Sec. 14. (1) A local unit may at any time establish by ordinance additional historic districts, including proposed districts previously considered and rejected, may modify boundaries of an existing historic district, or may eliminate an existing historic district. Before establishing, modifying, or eliminating a historic district, a historic district study committee appointed by the legislative body of the local unit shall, except as provided in subsection (2), comply with the procedures set forth in section 3 and shall consider any previously written committee reports pertinent to the proposed action. To conduct these activities, local units may retain the initial committee, establish a standing committee, or establish a committee to consider only specific proposed districts and then be dissolved.

(2) If considering elimination of a historic district, a committee shall follow the procedures set forth in section 3 for issuing a preliminary report, holding a public hearing, and issuing a final report but with the intent of showing 1 or more of the following:

- (i) The historic district has lost those physical characteristics that enabled establishment of the district.
- (ii) The historic district was not significant in the way previously defined.
- (iii) The historic district was established pursuant to defective procedures.

(3) Upon receipt of substantial evidence showing the presence of historic, architectural, archaeological, engineering, or cultural significance of a proposed historic district, the legislative body of a local unit may, at its discretion, adopt a resolution requiring that all applications for permits within the proposed historic district be referred to the commission as prescribed in sections 5 and 9. The commission shall review permit applications with the same powers that would apply if the proposed historic district was an established historic district. The review may continue in the proposed historic district for not more than 1 year, or until such time as the local unit approves or rejects the establishment of the historic district by ordinance, whichever occurs first.

(4) If the legislative body of a local unit determines that pending work will cause irreparable harm to

resources located within an established historic district or a proposed historic district, the legislative body may by resolution declare an emergency moratorium of all such work for a period not to exceed 6 months. The legislative body may extend the emergency moratorium for an additional period not to exceed 6 months upon finding that the threat of irreparable harm to resources is still present. Any pending permit application concerning a resource subject to an emergency moratorium may be summarily denied.

History: Add. 1992, Act 96, Imd. Eff. June 18, 1992.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

399.215 Violation; fine; payment of costs.

Sec. 15. (1) A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this act is responsible for a civil violation and may be fined not more than \$5,000.00.

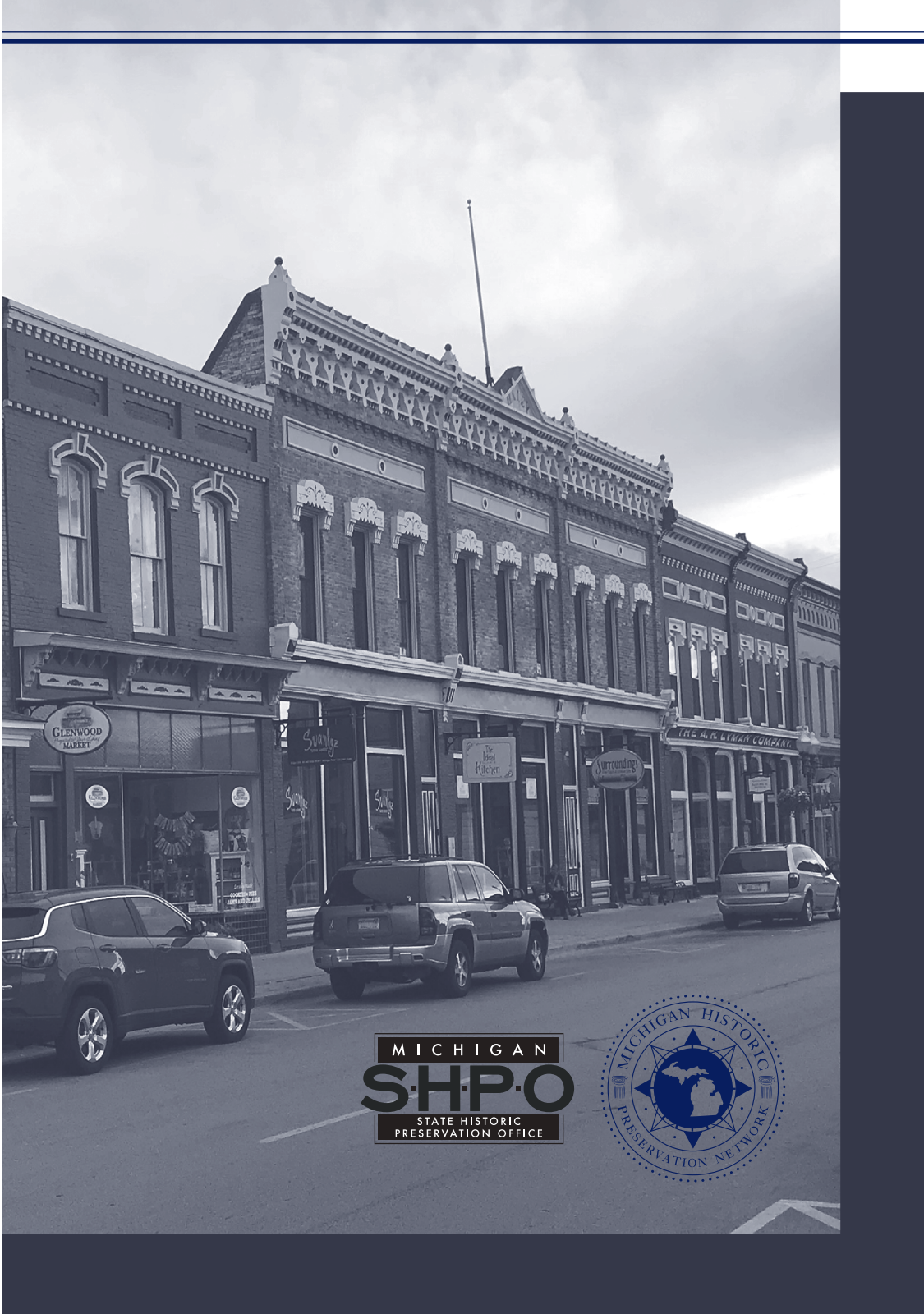
(2) A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this act may be ordered by the court to pay the costs to restore or replicate a resource unlawfully constructed, added to, altered, repaired, moved, excavated, or demolished.

History: Add. 1992, Act 96, Imd. Eff. June 18, 1992.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

Historic Preservation Terminology Guide



Historic Preservation Terminology

As the field of historic preservation has grown and developed, so has the use of terminology associated with its practice. This guide is presented to assist the understanding of how these terms and phrases are defined in common areas of preservation practice. A number of organizations that are frequently involved in historic preservation activities are also incorporated into the list of definitions.

Adaptive Use	Utilization of a building, structure, or site other than for its historic purpose, normally entailing some modification of the resource.
Adverse Effect (Section 106)	Circumstance in which a "project may alter characteristics that qualify a specific property for inclusion in the National Register in a manner that will diminish the integrity of that property." ¹
Advisory Council on Historic Preservation (ACHP)	An independent federal agency that "promotes the preservation, enhancement, and sustainable use of the nation's diverse historic resources and advises the President and Congress on national historic preservation policy." ¹
Archaeology	The study of past peoples through their material remains. ²
Area of Potential Effects (APE – Section 106)	"The geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist." [36 CFR Part 800.16(d)]
Certificate of Appropriateness	Written approval of a permit application for work in a local historic district by the Historic District Commission, indicating that the work is appropriate and does not adversely affect a resource.
Certified Local Government (CLG)	A county, township or municipality that has been endorsed by the SHPO and NPS "to participate in the national preservation program while maintaining standards consistent with the NHPA and SOI Standards for Archaeology and Historic Preservation." ²
Character-defining Features	Prominent or distinctive aspects, qualities, or characteristics of a historic property that contribute significantly to its physical structure or appearance.

Community Economic Development Association of Michigan (CEDAM)	A statewide non-profit membership organization supporting vibrant, sustainable, and resilient communities through locally driven community economic development.
Conference on Michigan Archeology (CoMA)	The oldest and largest body of professional archaeologists in Michigan comprised of archaeologists who work for colleges and universities, state and federal agencies, and private companies.
Consulting Party (Section 106)	Individuals or organizations participating in Section 106 review "due to the nature of their legal or economic relation to an undertaking or affected properties or their concern with the undertaking's effect on historic properties." ¹
Contributing Resource	A building, structure, object, or site adding to the significance of a historic district. ²
Cultural Advocacy Network of Michigan	A statewide non-profit organization serving as a collective voice for cultural organizations in Michigan.
Cultural Landscape	"A geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values." ²
Demolition by Neglect	Neglecting to maintain, repair, or secure a resource resulting in the deterioration of exterior features and/or loss of structural integrity of the resource.
Design Guidelines	Standards of appropriate activity to preserve the historic and architectural character of a building, structure, object, or site.
Eligible	Meets the criteria for listing in a historic register but is not officially listed.
Federal Rehabilitation Tax Credit	A 20% income tax credit for the rehabilitation of historic, income-producing buildings listed in or eligible to be listed in the National Register of Historic Places.

Geographical Information System (GIS)	A computer system for capturing, storing, checking, and displaying data related to positions on Earth’s surface.
Heritage Tourism	“Traveling to experience the places and activities that authentically represent the stories and people of the past and present.” ³
Historic American Building Survey (HABS)/Historic American Engineering Record (HAER)/Historic American Landscape Survey (HALS)	NPS programs that document significant architecture, engineering resources, and landscapes through measured drawings, photographs, and written histories housed at the Library of Congress.
Historic Context	An organizing structure for interpreting history that groups information about historic properties that share a common theme, geographical location, and time period.
Historic District	“A significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.” ²
Historic District Commission (HDC)	A local governmental board responsible for overseeing design review for locally designated districts in Michigan.
Historic District Study Committee	A committee appointed by a local government in Michigan to survey a potential historic district and prepare a recommendation report for review and consideration.
Historic District Ordinance	Local law enacted under Michigan PA 169 of 1970 to allow a local unit of government to establish and administer local historic districts, including establishment of a HDC.
Historic Preservation	The process of identifying, protecting, enhancing, and interpreting buildings, structures, sites, objects, districts, and landscapes of historic and cultural significance.

Historic Preservation Easement, Covenant or Agreement	A legal contractual document, either mandatory or voluntary, which protects a significant historic property, either perpetually or for a designated period of time.
Historic Resource	Any prehistoric or historic building, structure, object, or site included in or eligible for a historic register.
Historic Significance	The meaning or value ascribed to a building, structure, object, site, or district based on criteria for evaluation for an established designation program.
Historic Structure Report (HSR)	A report providing documentary, graphic, and physical information about a property's history and existing condition and outlining appropriate treatment and scope of work for repair, changes, and ongoing maintenance.
Historical Society of Michigan	A statewide non-profit membership organization providing educational publications and programming for the public and support for local historical organizations.
Integrity	The ability of a property to convey its significance through its physical features or characteristics.
Intensive Survey	"A systematic, detailed examination of an area designed to gather information about historic properties sufficient to evaluate them against predetermined criteria of significance within specific historic contexts." ²
Inventory	Catalog of buildings, structures, objects, and sites within a specified area including those listed, eligible for listing, or non-eligible for listing in a historic register.
Local Historic District (LHD)	An area, or group of areas, not necessarily having contiguous boundaries, that contains one resource or a group of resources that are related by history, architecture, archaeology, engineering, or culture designated by the local unit of government.
Local Historic Districts Act:	See PA 169 of 1970.
Michigan Anishinaabek Cultural Preservation & Repatriation Alliance (MACPRA)	An alliance of all Michigan federally recognized and two state historic tribes.

Michigan Archaeological Society (MAS)	A statewide archaeological non-profit membership organization, fostering close ties between professionals and avocationalists.
Michigan Architectural Foundation (MAF)	A statewide non-profit organization dedicated to advancing public awareness of how architecture enriches life.
Michigan Association of Counties (MAC)	A statewide non-profit membership organization representing county governments.
Michigan Association of Planning (MAP)	A non-profit membership organization promoting quality community planning through education, information, and advocacy.
Michigan Barn Preservation Network	A statewide non-profit membership organization promoting appreciation, preservation, and rehabilitation of Michigan barns, farmsteads, and rural communities.
Michigan Centennial Farm	A farm of over 10 acres that has been owned by the same family for over 100 years, certified by the Historical Society of Michigan.
Michigan Community Revitalization Program (MCRP)	A program of MEDC providing “grants, loans or other economic assistance for eligible projects located on properties that are either contaminated (facility), blighted, functionally obsolete, or historic resources.” ⁴
Michigan Council for Arts and Cultural Affairs	A division of MEDC dedicated to “ensuring that every citizen and community in Michigan enjoys the civic, economic and educational benefits of arts and culture.” ⁴
Michigan Department of Environment, Great Lakes, and Energy (EGLE)	A department of state government with mission “to protect Michigan’s environment and public health by managing air, water, land, and energy resources.”
Michigan Downtown Association	A statewide non-profit membership organization supporting the interest and growth of downtowns and communities throughout Michigan.

Michigan Economic Development Corporation (MEDC)	A quasi-public department of state government that “markets Michigan as the place to do business, assists businesses in their growth strategies and fosters the growth of vibrant communities across the state.” ⁴
Michigan Historic Preservation Network (MHPN)	A statewide non-profit historic preservation membership organization “advocating for Michigan’s historic places to contribute to the economic vitality, sense of place, and connection to the past.”
Michigan Historical Commission	State commission advising the Department of Natural Resources on historical artifacts and materials and on the dissemination of information on Michigan’s history including the historical marker program.
Michigan Historical Marker Program	Historic sites, events, objects, subjects, and persons having historic significance to the state of Michigan marked at a significant location by signage erected under authority of the Michigan Historical Commission (PA 10 of 1955).
Michigan History Center	A state agency preserving, protecting, and sharing Michigan’s history through twelve museums and historic sites and the State Archives.
Michigan Lighthouse Assistance Program (MLAP)	A State grant program, funded by the sale of “Save our Lights” license plates, to assist lighthouse stewards in the repair and rehabilitation of historic lighthouses.
Michigan Main Street (MMS)	A program administered by MEDC that “assists communities in revitalizing and preserving their traditional commercial districts”. ⁴
Michigan Museums Association (MMA)	A statewide non-profit membership organization advancing Michigan’s museum community through shared learning, advocacy and collaboration.
Michigan Municipal League (MML)	A statewide non-profit membership organization representing city and village governments.
Michigan Townships Association (MTA)	A statewide non-profit membership organization representing township governments.
Michigan State Register of Historic Sites	The list of historic sites, events, objects, subjects, and persons having historic significance to the state of Michigan marked at a significant location through the Michigan Historical Marker Program (PA 10 of 1955).

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Michigan Underwater Preserve System	A system of thirteen Great Lakes Bottomlands protecting shipwrecks in almost 7,200 square miles of coastal waters.
Mitigation	An action to minimize or offset an adverse effect to a historic property.
Memorandum of Agreement (MOA – Section 106)	A formal document used to outline an agreement between separate entities, groups, or individuals.
Mothball	Temporary measures to protect a building from weather and vandalism.
National Alliance of Preservation Commissions (NAPC)	A national non-profit membership organization supporting local historic preservation commissions.
National Environmental Policy Act (NEPA)	A federal law that requires federal agencies to evaluate the environmental and related social and economic effects of their proposed actions.
National Historic Landmark (NHL)	"A district, building, structure, site, or object of national significance, designated by the U.S. Secretary of the Interior for possessing exceptional value or quality in illustrating or interpreting the heritage of the United States." ²
National Historic Lighthouse Preservation Act (NHLPA)	An amendment to the NHPA that provides a mechanism for the disposal of Federally-owned historic light stations that have been declared excess to the needs of the responsible agency.
National Historic Preservation Act (NHPA)	A federal law that fosters the identification, evaluation, and protection of historic and prehistoric resources in the United States enacted in 1966.
National Main Street Center (Main Street America)	A subsidiary of NTHP that directs "a nationwide network to encourage preservation-based community revitalization." ³
National Oceanic and Atmospheric Administration (NOAA)	A federal agency with mission is to understand and predict changes in climate, weather, oceans, and coasts, and to conserve and manage coastal and marine ecosystems and resources.

National Park Service (NPS)	"A federal agency within the Department of the Interior that works to preserve unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations." ² The agency oversees multiple programs provided through the NHPA.
National Register Criteria for Evaluation (Criteria)	The established measurement for assessing the eligibility of properties for inclusion in the NRHP.
National Register of Historic Places (NRHP)	The Official list of the nation's historic places worthy of preservation. ²
National Trust for Historic Preservation (NTHP)	National non-profit membership organization that "protects significant places representing the nation's diverse cultural heritage." ³
Non-Contributing Resource	A building, structure, object, or site that does not add to the significance of a historic district. ²
Period of Significance	Span of time in which a property attained the importance for which it meets the criteria for historic designation. ²
Preservation (SOI Standard)	"The act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic property." ²
Preservation Action	A national preservation grassroots lobbying non-profit membership organization.
Preservation Plan	Document that details goals, priorities, and strategies for identification, evaluation, registration, and protection of historic properties and for promotion of and education on historic preservation. ²
Programmatic Agreement (PA – Section 106)	A document that spells out the terms of a formal, legally binding arrangement between two or more agencies that have undertakings with similar or repetitive effects on historic properties.
Public Act 169 of 1970, as amended (PA 169)	Michigan law, also known as Michigan's Local Historic Districts Act, that provides a legal foundation for the creation and administration of local historic districts.

Pure Michigan	A division of MEDC working to attract, grow and retain tourism throughout the state.
Qualified Rehabilitation Expenditures (QRE)	The cost of work on a historic building used to calculate rehabilitation tax credits.
Reconnaissance Survey	“An examination of all or part of an area accomplished in sufficient detail to make generalizations about the types and distributions of historic properties that may be present.” ²
Reconstruction (SOI Standard)	“The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.” ²
Rehabilitation (SOI Standard)	“The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.” ²
Restoration (SOI Standard)	“The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period.” ²
Revolving Loan Fund	A self-replenishing pool of money available to leverage historic rehabilitation projects.
Secretary of the Interior’s Standards (SOI Standards)	Typically refers to the Standards for Treatment of Historic Properties—Preservation, Rehabilitation, Restoration, & Reconstruction. However, Standards are also available for Preservation Planning, Identification, Evaluation, Registration, Qualification, and Historical, Archaeological, Architectural, and Engineering Documentation.
Section 106 (of the NHPA)	The process required of federal agencies to consider the effects of projects they carry out, permit, or fund on historic properties (54 U.S.C. 306108).
Significance	See Historic Significance.

State Archaeological Site File	The official record of archaeological sites and surveys in Michigan.
State Archaeologist	The individual designated to guide statewide research and preservation efforts and serve as a resource regarding laws, procedures, educational programs, and other aspects of archaeology within the state.
State Historic Preservation Office (or Officer) (SHPO)	Established by the NHPA, the agency in each state or territory that administers the national historic preservation program. The Officer is appointed by the Governor to oversee its functions.
State Historic Preservation Review Board	The State of Michigan Board appointed to review and approve each National Register nomination for submission to the Keeper of the National Register; to have appellate jurisdiction under the Local Historic Districts Act, as amended, and provide general advice, guidance, and professional recommendations to the State Historic Preservation Office.
Traditional Cultural Property	A property eligible for inclusion in a historic register based on its associations with the cultural practices, traditions, beliefs, lifeways, arts, crafts, or social institutions of a living community. ²
Tribal Historic Preservation Office or Officer (THPO)	The agency designated within a federally-recognized Native American Tribe that administers the NHPA. The Tribal Member overseeing its function is the Officer. (Eight of twelve federally-recognized Tribes in Michigan have established THPOs.)
Undertaking (Section 106)	A project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including (1) those carried out by or on behalf of the Federal agency; (2) those carried out with Federal financial assistance; (3) those requiring a Federal permit, license, or approval; and (4) those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency. [54 U.S.C. 300320]”

Definitions from:

1 Advisory Council on Historic Preservation. www.achp.gov

2 National Park Service. www.nps.gov

3 National Trust for Historic Preservation. www.savingplaces.org

4 Michigan Economic Development Corporation. www.michiganbusiness.org



Front cover: Downtown Manistee, Michigan.

Photo credit: Michigan Historic Preservation Network

Back cover: Seul Choix Point Lighthouse, Gulliver, Michigan.

Photo credit: Michigan Historic Preservation Network

This publication is supported by





Streetscape Guidance for Downtown Historic Districts

Developed with the Michigan Department of Transportation

Introduction

When streetscape improvement projects receive federal funding, federal agencies or their delegates must consult with the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act. Section 106 requires consideration of the potential effects of a project on historic properties, which are those that are listed – or eligible to be listed – in the National Register of Historic Places. If your project area includes historic properties, either currently or in a future phase, continued close coordination with the SHPO regarding the design of your project will be a key element for success. Successful projects design solutions to preserve the historic character of the individual communities, preserving significant elements and introducing new features that are compatible with the historic character of a community.

General Comments:

1. **The individual buildings that make up a historic district are significant for their architectural detail and connection to a community's heritage.** When federal funds are used for any part of a project within a historic district, federal rules and regulations must be followed. All streetscapes, including every element no matter the funding source, must not have an adverse effect on the district (i.e. do not harm the overall character of the area) and must comply with the *Secretary of the Interior's Standards for Rehabilitation*.
2. **The Design and Review Process.** As a first step when planning a streetscape, find whatever historic photographs you can of the downtown area. These photographs will be the key to designing an appropriate streetscape and preserving the character and integrity of the area. Most historic commercial areas have been photographed through time. Paving materials, lights (or the lack of lights), signs, street furniture and more are frequently revealed in historic photographs. Other sources for historic documentation are Sanborn fire insurance maps or older aerial photographs. Local libraries and historical societies are a good place to start the search for historic documentation. Identify the elements that were present in the past and look to those for design guidance. For elements that were not present in the past, choose modern, simple designs. Consult the SHPO early in the design process to review these guidelines and discuss specific issues in your district. Early and consistent consultation is the most effective way to assist the SHPO in providing a smooth and efficient review. Designs may need to be revised in order to comply with the *Secretary of the Interior's Standards for Rehabilitation*; please do not wait until the construction documents are completed, or the work is ready to commence, to involve the SHPO.
3. **Streetscape design in historic districts should be simple.** The stars of historic districts are the buildings and businesses themselves, and thus a cluttered and busy streetscape can distract, overwhelm, obscure architectural details, and/or create a false sense of history, thereby harming the district as a whole. Extravagant streetscaping, unless historically documented, is never appropriate. The streetscape is a sum of the parts. Generally speaking, it is not any one particular element that by itself can cause an adverse effect, but the sum of multiple elements that affect context and can diminish historic character.
4. **Themed streetscapes, again unless historically documented, are also not appropriate for historic districts.** For example, a maritime or nautical theme in a historic district that uses anchors, compasses, ship's wheels, seagulls, driftwood, sails, bright blue streetlights, etc. would not accurately reflect the history of that district. Themed downtowns were not part of the typical design vocabulary in the nineteenth century and early twentieth century.
5. **Streetscape design should reflect the unique (and documented) history of your community.** Existing historic elements should be repaired whenever possible. Replacement elements should be based on documented historic elements. Removing existing elements to make way for a sanitized and stereotypical version of a historic downtown can lead your historic commercial area to look like every other community and cause it to lose its individuality. Using elements that are present in

another community, but never existed in your downtown, will promote a false sense of development and weaken your sense of authenticity.

6. **Citywide Streetscape Plans.** Most cities have districts that differentiate themselves from adjacent areas by variations in the streetscape. Often commercial districts have different needs and different appearances than residential districts. Even though these streetscapes may differ from adjacent areas, they can be compatible and continuity may be achieved through the use of common elements (e.g., the same modern benches or trash cans) while other elements (e.g., the streetlights and historical elements) are unique to each district. What is appropriate for one district may not be appropriate for another. Keep this in mind when planning projects that may be expanded into other areas in the future. Also be aware that the scale of streetscapes in commercial versus residential areas is usually quite different. For example, wide sidewalks, while common and practical in downtown areas, are usually not appropriate in residential neighborhoods.
7. Please note that even if your downtown is not a National Register-eligible historic district, there may be individually eligible buildings that require special consideration when designing the streetscape. Many of the guidelines below will apply to the streetscape treatment in front of these individual buildings. Each individual building and its relationship to the streetscape will need to be reviewed in context and on a case-by-case basis.

Street Treatments:

Pavement Materials and Design—Historic paving materials should be documented before paving choices are made. Special existing paving features or decorative details should be retained. Contemporary decorative paving materials should be avoided if they are incompatible in color or design with existing buildings.

Crosswalks—Delineated pedestrian crosswalks are acceptable, although the use of faux historic paving materials to make the crosswalk look “old” is not appropriate.

Street or Intersection Treatment—Decorative pavement treatment at intersections or on the street itself (with the exception of delineated crosswalks) is not appropriate.

Medians—Medians are never appropriate in historic districts unless their existence can be documented with historic photographic evidence.

Sidewalk Treatments:

Pavement Materials and Design—Plain concrete sidewalks are strongly encouraged unless historic photographs document another material was used. Please note that most downtowns began with dirt roads and perhaps wood sidewalks. Concrete sidewalks almost always replaced wood and dirt paths. Therefore, unless photographic documentation exists, brick or stone (or stamping to look like brick or stone) sidewalks are not appropriate. Unless documentation shows historic brick sidewalks, the introduction of brick or modern pavers to sidewalks is discouraged as it can create a false sense of historical development of the community. Avoid pavers that are brightly colored, multicolored, or placed in decorative patterns because they can distract from the historic character of a commercial district. A small border or small area of accent paving, used in very limited quantity, may be acceptable.

Bump-outs—Bump-outs have only been in use for the past several decades. Although bump-outs have no historic basis, they do improve pedestrian safety. If not carefully planned, these new elements can dramatically change the character of a historic district. They may be acceptable if their overall treatment is simple, only low plantings are used (no trees), standard curb is used for the entire perimeter (except for ADA-compliant ramps), and decorative pavement is very limited.

Specific Streetscape Elements:

Streetlights—Use historic photographs to discover if streetlights were located in your downtown through the years (cobra head lights, which may have been installed as early as the 1960s, are not historic streetlights). If photographs illustrate your downtown did have streetlights historically, you **must** choose a streetlight that closely matches lighting in the historic photographs. A community may have had multiple

light styles in the early twentieth century, so simply choose one style. You **must** provide a copy of the photo documentation as part of your Section 106 submittal.

If photographs demonstrate that your community never had historic streetlights, you **must** choose a streetlight that is modern/contemporary in style. Do not choose a “historic” streetlight that creates a false sense of history or introduce historic designs from other locations. Contemporary street lights should be compatible in scale and color with existing architectural and landscape features. For all streetlights, choose a dark neutral color unless you have documentation of a lighter color

Traffic Signal Poles—Traffic signal poles, including strain poles, independent crossing signal poles and crossing signal activator bollards need to be kept to a minimum. Wherever possible, colocation of traffic signals, crosswalk signals, crosswalk actuators, etc., is strongly recommended. The use of cable-supported traffic signals is always preferred over the use of signal support arms.

Trees—Trees were almost never located in a downtown historically. Trees and vegetation were primarily planted on residential, not commercial, streets. In commercial districts, awnings and canopies were historically the most common method of providing shaded sidewalks. New plantings reduce visibility to business’s storefronts and signs, block potential awnings and canopies, and block street lighting. It is recommended that trees be used on side streets with no or limited storefronts, or in specific spaces such as pocket parks, vacant lots, parking lots, and blocks with non-historic buildings. However, if trees are desired, they may be approved if they meet all the following criteria and are chosen in consultation with the SHPO:

1. Non-canopy
2. Small in size when fully grown
3. Semi-transparent
4. Moderate-growth
5. Non-fruiting
6. Multiple species are used
7. Placement does not obscure significant buildings

Tree grates and guards—Flat tree grates level with the sidewalk are acceptable. Tree guards are only acceptable where historic photographic documentation demonstrates that they existed within the period of significance for the district.

Planters—Simple, modern/contemporary-style **moveable** planters are strongly encouraged. Fixed raised planters under 18 inches in height may occasionally be acceptable only if used in very small quantities.

Street furniture (Benches and Trash Receptacles)—Identify and protect historic street signs and other historic street furniture and preserve them in their original locations. Additional street furniture should be based on local historic design if examples or photographic documentation exist; otherwise simple, modern/contemporary-style must be used. Dark neutral colors should be used and the scale of contemporary street furniture must be compatible with existing architectural and landscape features. Limit the quantity of street furniture and place it appropriately. Street furniture should only be used if the sidewalks are wide enough to accommodate them and should not obscure pedestrian paths or existing architectural features.

Bike Racks—Simple, modern/contemporary-style bike racks must be used. Limit the quantity placed in the primary right-of-way. Where large numbers of racks may be necessary based on realistic anticipated usage rates, bike courts should be located on secondary or rear elevations and screened to limit their visual impact on the character of the property and the district.

Interpretive Signage—The SHPO must be involved in the development and placement of interpretive signage. A professional historian and a professional designer must be hired for all signage development.

Bollards—The use of bollards is strongly discouraged. Bollards may be considered only if a legitimate safety concern can be demonstrated and a strong benefit proven. In the rare cases they are used, bollards must be simple, modern/contemporary in design, and extremely limited in quantity.

Pillars and Fencing—The use of pillars and/or fencing is strongly discouraged unless their existence can be documented with historic photographic evidence. Pillars and/or fencing may be considered only if a

legitimate safety concern can be demonstrated and a strong benefit proven. Pillars and fencing must be simple, modern/contemporary in design, extremely limited in quantity, and in scale with the surroundings.

Arches—Arches are not appropriate in historic districts unless their existence can be documented with historic photographic evidence. Please note that some communities may have photographs showing temporary arches for use during celebrations, festivals, etc. These temporary arches were never permanent and cannot be used as evidence to support a new arch.

Kiosks—Kiosks should be extremely limited in number, dark and neutral in color, a maximum of six feet high (human in scale), very simple, and modern/contemporary in design.

Drinking Fountains—Simple, modern/contemporary-style drinking fountains must be used unless historic photographic documentation of drinking fountains exists.

Public Art—The SHPO must be involved in the development and placement of public art projects. Public art needs to be appropriate in scale to the downtown and placed so that it does not diminish the historic character of the associated properties or the district. Historic public art should be preserved on its original site. Public art should be subject to broad review and consensus, should represent high standards of design and execution, and should consider issues of maintenance and longevity.

Clocks—Clocks are not appropriate in historic districts unless their existence can be documented with historic photographic evidence.

Rain Gardens—While rain gardens did not exist historically in downtowns, they are becoming more common in the present. Care should be given to the design and location of any rain gardens. Any rain gardens should be appropriate in scale to the downtown, placed so that they do not diminish the historic character of the associated properties or the district, and designed to be as simple as possible (for example, using plain, low concrete curb). See above for discussion of the acceptable types of trees in downtowns.

ADA—Care must be taken when complying with Americans with Disabilities Act (ADA) requirements so that buildings are not damaged in the process. ADA compliance that results in significant grade changes at the faces of buildings, the removal and/or addition of stairs, new ramp systems, new pedestrian railings, the removal and/or addition of retaining walls, etc. can negatively alter the character of a historic district. There is a process in place to deal with conflicts between ADA compliance and preserving historic character and features. Please coordinate with the SHPO early in the design process, and be aware that designs may require revisions in order to comply with the Secretary of the Interior's Standards for Rehabilitation while providing the best possible ADA compliance.

Roundabouts—Roundabouts rarely have historic basis and are strongly discouraged. If not carefully planned, this new element can dramatically change the character of a historic district. Roundabouts may be considered only if a legitimate safety concern can be demonstrated and a strong benefit proven. In the rare case they are acceptable, roundabouts must be simple and should respect the surrounding context. Careful coordination with the SHPO early in the project planning phase is highly recommended.

Conclusion

Providing a safe and pleasant streetscape in your downtown is important but does not require the loss of historic integrity. Streetscape modifications can be accomplished while being sensitive to local historic resources. Early and consistent consultation is the most effective way to assist the SHPO in providing a smooth and efficient review. Designs may need to be revised in order to comply with the *Secretary of the Interior's Standards for Rehabilitation*; please do not wait until the construction documents are completed, or the work is ready to commence, to involve the SHPO. This guidance is obviously focused on historic resources, but please keep in mind a successful streetscape project will also need to address many other factors like stakeholder engagement, pedestrian safety and mobility, maintaining adequate sight distance, compliance with American Association of State Highway and Transportation Officials (AASHTO) guidance when applicable, vehicular traffic flow, parking, appropriate plantings, overall maintenance, etc.



MICHIGAN HISTORIC PRESERVATION NETWORK

Preservation Fund – Intervention Loan

The MHPN Intervention Loan Fund provides low interest loans for repairs to historic buildings. The primary aim of this program is to stabilize historic properties that are threatened by one or more failures of major building systems. Further, this program is designed to align with, and support, other more comprehensive efforts to rehab the building.

Property Eligibility	The property must be 50 years of age or older and be located in Michigan.
Applicant Eligibility	Applicants will be accepted from non-profit organizations, municipalities, Downtown Development Authorities, Land Banks, Community Development Corporations and religious organizations. The property must be owned by the applicant or be within the mission of the applicant.
Eligible Activities	The loan funds may be used for: <ul style="list-style-type: none"> • The repair and replacement of building systems that threaten the integrity of historic buildings (e.g. HVAC, roofing, foundations, plumbing, structural elements and electrical systems); • Moth-balling or rehabilitation of the building, if the requested funding contributes to a comprehensive rehabilitation plan.
Loan Range	Loan Ranges from \$1,000 to \$15,000.
Terms and Interest rate	Terms and interest rate of the loan agreement are flexible and will be determined on an individual case-by-case basis.
Fees	\$100 Non-refundable Application Fee (submit with application) Applicant is responsible for any third-party costs for processing the intervention loan.
Criteria	Applications will be evaluated according to criteria that include: historical significance, long-term viability, comprehensive plan for rehabilitation, impact on the community and capacity for repayment.
Application and Approval Process	Applications for funding are available by contacting the Michigan Historic Preservation Network (MHPN). Applications must include estimate from qualified contractor. Applications will be acted upon within 60 days of receipt of all the requested information.
Performance of Construction Activities	MHPN will assist in connecting with a licensed and insured contractor and reviewing the project scope for conformance with Secretary of the Interior’s Standards for Rehabilitation.

Consult with Michigan Historic Preservation Network staff before submitting an application.

Michigan Historic Preservation Network
313 E. Cesar E. Chavez Avenue
Lansing, MI 48906

Phone: 517-371-8080
Fax: 517-371-9090
Email: xbaosmith@mhpn.org



Michigan Historic Preservation Network

Preservation Fund – Predevelopment Loan

The MHPN Predevelopment Loan Fund provides financial support for projects rehabbing historic buildings in Michigan. The loan fund covers reasonable third-party costs that occurs in the early stages and are necessary in making the project happen.

Property Eligibility	The property must be commercial, 50 years of age or older and be located in Michigan.
Applicant Eligibility	Non-profit and for-profit.
Eligible Activities	All reasonable third-party predevelopment costs including accounting, application fees, financing fees, appraisals, architectural and engineering, development consultants, environmental assessment, historic consultants, legal fees, licenses and permits, market and feasibility studies, marketing, option payments, schematic or other drawings, survey, title clearance, zoning approvals. Acquisition will be considered.
Loan Range	Up to \$50,000
Term	Earlier of 24 months or project financial closing. Quarterly interest only payment during the term of the loan.
Interest rate	5% per annum.
Fees	\$250 Non-refundable Application Fee (submit with application) Applicant is responsible for any third-party costs for processing the predevelopment loan whether or not the loan is approved.
Criteria	Applications will be evaluated and scored according to criteria that include: Development Team’s experience and qualifications, quality of proposal, financial viability, architectural and historical significance, benefits to the community, etc.
Application and Approval Process	Applications for funding are available by contacting the Michigan Historic Preservation Network (MHPN). Applications must include estimates from qualified providers of requested service. Applications will be reviewed and acted upon within 60 days of receipt of all applications.

Consult with Michigan Historic Preservation Network staff before submitting an application.

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GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
MICHIGAN STRATEGIC FUND
STATE HISTORIC PRESERVATION OFFICE

QUENTIN L MESSER Jr
PRESIDENT, MSF

State Historic Tax Credit Program PA 343 of 2020

Frequently Asked Questions

February 16, 2022

What is the State Historic Tax Credit program?

The new State Historic Tax Credit program will help support place-based projects while promoting the preservation of Michigan's historic resources. Eligible properties must be listed in the National Register of Historic Places, the State Register of Historic Sites, or be in a local historic district, and either be individually listed or contribute to a listed district. The credit has a \$5 million cap per calendar year.

How does this State Historic Tax Credit program compare to the previous historic tax credit program that Michigan offered until 2012?

This is entirely new legislation which created an entirely new program. Previous instructions, application forms, fee structures, rules, guidance, etc. do not apply to this program.

When will I be able to apply for the credits?

In accordance with the legislation, the State Historic Preservation Office (SHPO) needs to promulgate rules governing the operation of the program, develop application materials, and seek public input. The State rulemaking process as outlined in [Administrative Procedures Act \(PA 306 of 1969\)](#) will take between 12 and 18 months to complete. Please visit the [SHPO website](#) for the most current program information and process updates.

What credits are available?

The credits are available as either Michigan Personal Income Tax Credits (Sec. 266a), Michigan Business Income Tax Credits (Sec. 676) or a combination thereof. In no case shall the total combined credits exceed 25% of the total qualified rehabilitation expenditures.

www.legislature.mi.gov/documents/2019-2020/publicact/pdf/2020-PA-0343.pdf

Are State tax credits credit limited to only exterior work?

No. State credits are available for all capital improvements made to and within the historic resource.



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Will there be a review fee associated with the State credit application process?

There will be a review fee associated with each part of the State application. The fee structure will be established as a part of the rulemaking process. As soon as the fee schedule is available it will be posted to the SHPO website.

Will there be a State Tax Historic Tax Credit application form?

There will not be a State Historic Tax Credit application form per say. All State certification applications must be submitted using the program's online portal. A template will be posted online to aid the applicant in gathering the proper information prior to using the portal.

Are projects with an existing approved Federal Part 2 eligible for State credits?

Projects with Federal Part 2 approvals issued before January 1, 2021 are not eligible to participate in the program.

Can I apply for the State credits retroactively?

Yes and No.

Applications for projects with NPS Part 2 approval, work carried out or, that were complete and returned to service before the effective date of the legislation (1/1/2021) will not be accepted.

An applicant may file a State Part 2 application that includes work already completed. The appropriateness of completed work will be assessed and if determined to be acceptable, the additional proposed work will be reviewed. In no case may a State Part 2 application include work that was complete more than one year before the State Part 2 application was submitted.

Does including previous completed work effect the project timeline?

Yes. If a State Part 2 application including previously completed work is awarded a preapproval letter, the eight-year period for completion of the project will be reduced to seven years and the period to submit the State Part 3 reduced to eight years or one year after the property is returned to service, whichever occurs first.

How long will the review process take?

The SHPO has 120 days from receipt of a complete application to issue a determination relating to that portion of the application. SHPO will make every effort to review applications more quickly.

Are the State credits available to owner occupied residential properties?

Yes, owner occupied residential properties that meet the definition of historic resources in the Act may apply for the credits.

Who is eligible for the credits?

A *Qualified Taxpayer* with a *Certificate of Completed Work* issued after December 31, 2020 and before January 1, 2031.

Who is a *Qualified Taxpayer*?

A person who owns the property, has a long-term lease on the property or is assigned all or any portion of the credits.

What qualifies as a *Long-term Lease*? A long-term lease is defined in the legislation as being at least 27.5 years for a residential resource and 31.5 years for a nonresidential resource.

What properties qualify for the credits?

Historic Resources individually listed in or, that are located in and contribute to an historic district listed in the National Register of Historic Places, the State Register of Historic Sites, or are within a local historic district designated in accordance with [PA 169 of 1970](#).

Do properties that are individually listed on the National Register have to submit a State Part 1 application?

All projects seeking State credits must submit a State Part 1 application. Because the legislation does not specifically exempt individually listed properties from submitting a State Part 1 application, and to create equity within the program, all properties seeking State tax credits will be required to submit all three State Parts, 1 2 and 3, of the state application.

Will requests for preliminary determinations of eligibility be accepted?

Only State Part 1 applications for properties seeking a determination that the resource is *individually eligible* for listing in the National Register of Historic Places will be accepted. State Part 1 applications seeking a preliminary determination based on contribution of the resource to a potentially eligible district will not be accepted.

How long does a project with a preliminary determination of individual eligibility have to complete the listing process?

A project with a preliminary Part 1 must complete the formal listing process before their State Part 3 applicant will be accepted. Because the State Part 3 must be submitted within nine years of the date of the pre-approval letter or within one year of when the building is returned to service, the specific timeline will vary depending on the project.

Will there be review fees associate with the State credits?

Yes, there will be review fees associated with each part of the state tax credit applications. The fees for a State Part 1 will be a fixed fee based on project type. The fees for State Part 2 and 3 will include a fixed base fee plus a percentage of the anticipated credits at State Part 2 and actual credits received at State Part 3 by the project. The exact fee structure will be finalized as part of the rule making process.

At what point in the review process will fees be collected?

Review fees will be collected at the time the associated application part is submitted. Applications that do not include the required fee will be incomplete until the required fee is submitted.

What happens if fee payment is returned to the MSF/SHPO for insufficient funds?

If fee payment is returned to the MSF/SHPO for insufficient funds, the associated application will be deemed incomplete until such time as a new payment is submitted and cleared by the relevant financial institution. Priority numbering for these projects will be based on the date and time the new fee is cleared by the relevant financial institution.

What Standards will be used to determine if proposed work is acceptable?

All proposed work will be reviewed against the guidance contained in *The Secretary of the Interior's Standards for Rehabilitation* (36CFR61); the associated interpretation and explanation found in the *Preservation Briefs Series*; the *Interpreting the Secretary of the Interior's Standards* as published by the National Park Service; and other State tax credit program guidance that may be published by the SHPO.

Are there limits on the amount of State credit a project may receive?

There is a \$2,000,000 credit limit on any given project impacting a specific historic resource.

Is every project guaranteed a full 25% credit?

No. In fact, not every application is guaranteed it will receive any credit at all. Because both minimum credit caps based on project type and an overall annual cap on the total program are included in the legislation, the possibility exists that a project may receive a preapproval letter for less than a full 25% credit.

How much must I spend to qualify for a credit?

For owner occupied residential historic resources the minimum expenditure is \$1,000 or more. For all other project types, the minimum expenditure threshold is 10% of the State Equalized Value as determined by the local assessor having jurisdiction.

When must the State Part 3 application be filed?

State Part 3 for a project that receives a pre-approval letter shall be filed within nine-years of the date of the pre-approval letter or within one year of when the project is returned to service, whichever occurs first.

May a State Part 3 application request additional credits beyond those awarded in the preapproval letter?

Yes. A qualified taxpayer may request credits on their State Part 3 application equal to up to 25% of the projects actual qualified expenditures. State Part 3 applications requesting credits in excess of those specified in their preapproval letter will be added to the end of the list of priority applications awaiting credit reservations and *may* be awarded additional credit if any are available.

Are the State credits transferable?

Yes, State credits may be transferred as a certificated credit in whole or in part. The SHPO is responsible for certifying the assignment and/or reassignment of credits as a part of the project request for certification of completed work (State Part 3).

When must credit assignments be made?

All credit assignments and/or reassignments must be made in the year in which the Request for Certification of Completed Rehabilitation approval is issued on the form provided by the SHPO. Once assigned, the assignment and/or reassignment is irrevocable.

Can the State and Federal Historic credits be combined?

For income-producing properties, the State and Federal credits may be combined.

What is the relationship between the Federal and State historic tax credit program?

Revised Response

The Federal tax credit application and review process is independent from the State tax credit program. All existing IRS/NPS rules and processes remain in place and unchanged by the State program.

The State credits are semi-dependent on the Federal credits. For those projects seeking both Federal and State credits, the project's State application will be considered to have been complete on the day it was received provided that the corresponding Federal approval is issued before the end of the 120-day Stated review period. If the Federal approval is not issued within 120-days of the receipt date of the corresponding State application, the State application will then be considered to be complete on the date that the Federal determination is issued.

Is the amount of the State credits impacted by the Federal credit when combined?

No. When combined, the project may receive both the full 25% State and 20% Federal credits. (Please Note: There may be federal tax consequences associated with combining the credits. You should always discuss your specific tax circumstances with a well-qualified tax professional. The SHPO cannot give tax or legal advice.)

When are the credits claimed?

Credits are claimed after the project receives final certification of the completed work, issued by the SHPO. The taxpayer must begin claiming the credits within 5 years of the date the State Part 3 certification is issued.

What happens if the taxpayer does not begin to claim the credit within five years?

The certificate of completed work becomes invalid and the taxpayer is no longer eligible for any credit associated with that rehabilitation plan.

This document reflects the most accurate and complete answers to the various question as of the date above. As the rulemaking process unfolds some answers may be modified and new questions and answers added. Please regularly check the State Tax Credit Program pages on the State Historic Preservation Office (SHPO) website for the most up to date program information. The site can be accessed at:

<https://www.miplace.org/historic-preservation/programs-and-services/historic-preservation-tax-credits/>

State Historic Tax Credit Program
PA 343 of 2020
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We strongly recommend that you take the time to review the Public Act as it contains additional information relating to an applicant's responsibilities. The legislation is available at:

<http://www.legislature.mi.gov/documents/2019-2020/publicact/pdf/2020-PA-0343.pdf>

Questions regarding the program should be emailed to preservation@michigan.gov

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