



The Network

an E-Newsletter for Ohio's Certified Local Governments

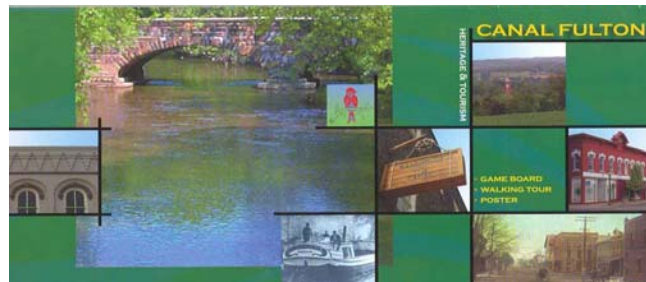
Ohio Historic
Preservation Office

The Network
January/February 2005

CLG Grant Helps Promote Canal Fulton Main Street Program with New Heritage Tourism Brochure, Business Recruitment Packet and Website

A new tourism brochure, website, and business recruitment packet, funded in part with a Certified Local Government grant, have been developed by Canal Fulton – an aspiring Ohio Main Street program. The project promotes economic development and historic preservation. The tourism brochure for the Canal Fulton Historic District is a poster, game board and walking tour. Visitors are challenged to find buildings that match the historic photographs and photographs of architectural details as they walk the historic canal town.

The Canal Fulton -Main Street Board and the Historic Preservation Commission wanted to create a colorful brochure that would actively engage tourists. The idea of a board game graphic was discussed and further developed into a matching game. Working with the Canal Fulton Heritage Society and the Canal Fulton Public Library, historic photos of the district were located and current photos were taken that captured the same views. For



buildings that did not have historic photographs, architectural detail shots were taken and then photo-shopped and sepia toned. The text that was used to describe the area's historic development enhances the connection between the historic periods and the types of buildings associated with these periods. Playing the game not only requires walking around the district, but also studying the details of the buildings, which will help residents and tourists alike appreciate Canal Fulton for more than the canal.

“When visitors look at our historic buildings, they also come to our specialty shops and restaurants”, according to Main Street President, Re-

becca Shimer. “The brochure may prompt residents and visitors of Canal Fulton to re-look at these buildings”, says Planner, Jeff Winstel from the Cuyahoga Valley National Park. “The historic photographs show the community how these buildings originally looked and perhaps will encourage additional rehabilitation work”, he added.

The business recruitment packet features demographic and market information aimed at expanding Canal Street's retail mix. “The Towpath Trail, St. Helena III Canal Boat, Tuscarawas River canoe livery, National Scenic Byway and historic architecture, pro-

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MARK YOUR CALENDARS!

Heritage Ohio Annual Conference: April 13-15

Congratulations to Galion on becoming Ohio's 40th Certified Local Government

Look for information about this exciting Crawford County community in the April/May issue of The Network.



CLG Grant Helps Promote Canal Fulton Main Street Program.

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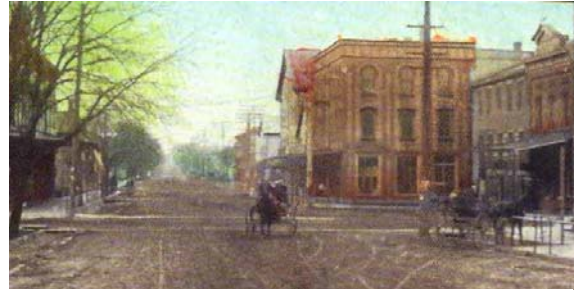
vides strong retail opportunities linked to the tourist market,” according to Shimer. Entrepreneurs can learn about the opportunities in the historic downtown by requesting a Business Recruitment Packet or visiting www.canalfultonmainstreet.com. The website features information about upcoming public events, such as the recent Holiday Open House, Holiday Parade and Holiday Caroling. The tourism brochure is available throughout downtown Canal Fulton and can be found at the Canton Stark County Tourist Information Center.

Copies are also available by contacting the Ohio Historic Preservation Office or Rebecca Shimer, 330/854-3475 or rsantal@aol.com

In addition to the CLG grant, funding for the project was provided by the Stark Canton Convention & Visitors’ Bureau and the Ohio & Erie Canal Association. Cuyahoga Valley National Park and the Canal Fulton Heritage Society provided technical assistance on the project. Christopher Hoot, Associate Professor at the Myers School of Art, University of Akron designed the brochure and was re-

sponsible for the digital photography.

Thanks to Jeff Winstel for the content of this article.



Early 20th century post-card looking down Canal Fulton’s Canal Street shows a horse and buggy on a dirt road, but many buildings look familiar.

2005 Federal Fiscal Year Certified Local Government Grants Awarded

Grants Awarded

The Ohio Historic Preservation Office awarded \$54,660 for the seven projects listed below:

The City of **Cleveland** is being awarded \$24,000 for two projects. The Cleveland Landmarks Commission is to develop design guidelines for the city’s 22 local historic districts. The second project which will be administered by the Cleveland Restoration Society is to prepare a national historic landmark nomination for the Cleveland Group Plan, known as the Cleveland Mall. Each project was awarded \$12,000 of CLG funding. Robert Keiser, Secretary of the Cleveland Landmarks Commission is the program coordinator. (216) 664-2531 or RKeiser@city.cleveland.oh.us

The City of **Columbus** award of \$2,100 will assist the Kelton House Museum and Garden with developing a heritage brochure for this historic site in the community. Georgeanne Reuter, Director of the Kelton House Museum will coordinate this project. (614) 464-2022

or keltonhous@cs.com

The City of **Green**, a first time applicant, received an award of \$6,000 to conduct a planning study for the Greensburg area to identify preservation opportunities in this, one of the three major neighborhoods in the City. The CLG Program Coordinator is Patty Schehl, Community Development Administrator. (330) 896-6614 Patty@cityofgreen.org

Shaker Heights continues its historic preservation activities by conducting an intensive survey of the Winslow Road area in their community. Winslow Road is one of the oldest streets in the city, the only street made up entirely of two-family homes, most of which were built to the Shaker Heights Standard before 1929. \$10,560 in CLG funds is being awarded to assist with this survey. Stacey Pfau with the City of Shaker Heights is coordinating this project (216) 491-1433 stacey.pfau@ci.shakerheights.oh.us

Springboro has been awarded \$3,000

of CLG funding to update the community’s design guidelines for its historic district. It will provide additional educational information on architectural and preservation standards for the area. The CLG Program Coordinator coordinating this project is Chris Pozzuto, Assistant City Manager. (937) 748-4343 pozzuto@cityofspringboro.com

Zanesville has been awarded \$9,000 to produce design guidelines for the city’s historic neighborhoods, hold public workshops and focus groups to gather general public input in their development and discuss the character-defining features of the neighborhoods. A training session for commission and city officials on the use of the resultant document is also part of this project.

Contact person for this project is Margaret Deedrick, Director of Community development for the City. (740) 455-0612 or cddirector@coz.org

These seven grant projects have a start

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2005 Federal Fiscal Year Certified Local Government Grants Awarded

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date of February 1, 2005.

The Application Process

In compliance with U.S. Department of the Interior, National Park Service regulations for the Historic Preservation Fund, the Certified Local Government grant availability notification was distributed to all 40 CLGs as well as those communities seeking certification status in August. Applications were made available September 7, both in paper copy and on the Ohio Historic Preservation Office web site. The deadline for applications to be submitted to OHPO was October 25. All proposals received for this funding round were reviewed by the Grant Selection Committee composed of three Ohio Historic Site Preservation Advisory Board and 2 public members. The committee is

staffed by both OHPO program and administrative personnel to respond to any procedural or program questions. The meeting was held at the Preservation Office on November 16, 2004. The selection criteria and scoring system that were used in the evaluation process had been included in the application packet provided to all applicants.

Second Round of Grants Offered

There is a second opportunity to apply for federal fiscal year 2005 CLG grants. Approximately \$23,000 remain in the CLG subgrant funding pool for local historic preservation projects in CLG communities. A paper copy of the application package can be mailed to you upon request or it can be downloaded from www.ohiohistory.org/resource/histpres/toolbox/clgapplication2.html Applications must be postmarked by Friday, March 4, 2005 for projects beginning May 1, 2005.

The National Historic Preservation Act prescribes that 10% of the Federal Historic Preservation Fund monies (HPF) allotted to the states be passed through to Certified Local Governments [CLG] in the form of grants for local preservation projects, thereby developing partnerships in preservation activities. Although the Congressional appropriation for federal fiscal year 2005 had yet to be decided upon, the Ohio Historic Preservation Office maintained its annual CLG sub-grant program schedule.

Questions

If you have any questions about the above grant awards, existing projects, or upcoming grant funding round, please contact Judy Krasniewski at (614) 298-2000 or jkrasniewski@ohiohistory.org

Protecting Older Neighborhoods Through Conservation District Programs

by Julia Miller

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All over the country, older neighborhoods are facing changes that undermine their community character—whether incompatible development, the proliferation of vacant parcels of land and parking lots, disinvestment, or commercial encroachment. In an effort to address these changes, local jurisdictions are increasingly turning to neighborhood conservation district programs to protect viable neighborhoods from development pressures and other threats.

Neighborhood conservation districts offer community-based solutions aimed at protecting an area's distinctive character.

Conservation districts have been established to control teardowns, as in Dallas, Tex.; waterfront development, as in Annapolis, Md.; or commercial encroachment, as in Boise, Idaho. Conservation district programs are being used to stabilize existing neighborhoods, as in Nashville, Tenn.; to increase or preserve the supply of affordable housing, as in Phoenix, Ariz.; and to revitalize close-in neighborhoods, as in Davis, Calif.

What Is a Neighborhood Conservation District?

Neighborhood Conservation Districts are areas located in residential neighborhoods with a distinct physical character. Although these neighborhoods tend not to merit designation as a historic district, they warrant special land-use attention due to their distinctive character and importance as viable, contributing areas to

the community at large.

Conservation district programs require a high level of neighborhood participation and support. Generally they must be initiated by residents within the neighborhood, and a majority of property owners must back the designation. With the assistance of either planning or preservation boards, residents can develop their own design guidelines and establish a neighborhood review board composed of, or with representation from, members of the community to determine if owners' proposed changes to their properties are acceptable under those guidelines. These programs often also include penalties for violating the terms of the ordinance (from fines to reconstruction requirements) as well as procedures for appeals and for enforcement.

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Protecting Older Neighborhoods Through Conservation District Programs

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Conservation Districts versus Historic Districts

Neighborhood Conservation Districts are both similar to and different from local historic districts. While the desire and commitment to preserve a community's physical attributes rest at the heart of both programs, the primary focus of neighborhood conservation district programs is to preserve community character rather than historic fabric, *per se*. While historic district programs generally rely exclusively on design review to accomplish preservation goals, neighborhood conservation districts, especially those developed under planning programs, may include development controls as well as, or in lieu of, design review.

Today, many communities are looking to neighborhood conservation districts to supplement their local historic preservation programs. Conservation districts provide another way to protect older residential neighborhoods that may not qualify for historic designation under a local preservation ordinance or for inclusion in the National Register of Historic Places, or that simply are not ready for historic designation.

Types of Conservation Districts

The key feature of conservation districts is variety. No two are alike, because each is tailored to address the concerns of an individual neighborhood. That being said, conservation district programs are often described as falling within the "historic preservation model" or the "neighborhood planning model."

The historic preservation model focuses on preserving the physical attributes of a neighborhood by addressing changes that could adversely affect its architec-

tural character. Neighborhoods protected under this approach often include a high concentration of older structures that share a cohesive quality through a common architectural style or building form such as the rowhouse, or because they date from a particular period of time. Sometimes a neighborhood, although historic, may not be eligible for designation as a historic district due to incompatible alterations. Other times, the houses may not be architecturally significant enough or be too new to merit historic designation. In yet other situations, conservation districts may be favored over historic designation because residential support for stricter controls is lacking.

Physical changes to a neighborhood, such as the construction of additions, new houses, and demolition, are generally subject to review and approval by a historic preservation commission or a specially appointed neighborhood commission, which may include members of a historic preservation commission. However, in contrast to historic preservation regulations, alterations to existing structures tend to be subject to less stringent standards of review or, in some cases, excused from review altogether. New construction projects, including additions, are frequently evaluated under standards that emphasize compatible development in terms of size or massing rather than specific architectural features.

The neighborhood planning model also focuses on preserving a neighborhood's unique character. However, conservation goals are accomplished by examining matters typically addressed through zoning and neighborhood planning laws, such as lot coverage, setback requirements, and permitted uses, as well as, or in lieu of, design. By regulating new construction or even serving as a catalyst for new construction, this approach provides a neighborhood-level land-use tool that can preserve neighborhood character, retain affordable housing, and protect an area from the potentially harmful effects of more

intensive or inappropriate development.

The distinctions between preservation-based and planning based conservation districts are becoming less apparent as communities look for and develop solutions that respond to the specific needs of individual neighborhoods. Conservation district ordinances adopted in Dallas, Tex., and Boulder, Colo., for example, have incorporated both development restrictions and design controls to remove underlying pressures for incompatible development and, at the same time, encourage contextually appropriate projects.

The Neighborhood Conservation District Ordinance

The primary mechanism for establishing a conservation district is the "neighborhood conservation district ordinance." As with historic districts, conservation districts are generally established by ordinance upon the review and recommendation of a preservation or planning board. Neighborhood conservation districts must meet specific criteria for designation and property owners are provided with both notice and the opportunity to be heard. The process for reviewing changes to properties upon designation, however, can vary significantly depending upon the agency charged with administering the program and the standards for review.

Do They Work?

Currently some 30 U.S. cities have one or more neighborhood conservation districts. While meaningful studies on the effectiveness of conservation districts as a neighborhood conservation tool have yet to come, initial reports are promising. In Phoenix, conservation districts are said to have stemmed the tide of incompatible development, particularly in neighborhoods adjacent to high-rise commercial development. Staff in the Iowa City planning depart-

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Protecting Older Neighborhoods Through Conservation District Programs

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ment report that the districts preserve neighborhood pride, local character, and property values. Residents in Dallas feel they retain greater control over their properties. Nashville's six conservation districts have had success in holding off major commercial encroachment, guiding sensitive small business expansion into previously residential contexts, reducing the number of absentee landlords, and increasing homeownership and property values.

The apparent success of conservation districts can be attributed in part to the program's high emphasis on citizen participation. Through the development of the neighborhood plans, residents are required to think about the qualities of their neighborhood that make it special. They must also think about what is wrong and how those wrongs can be corrected. By being put in the driver's seat, residents have come to appreciate their own neighborhoods and, correspondingly, have chosen to accept necessary restrictions for the benefit of the community overall.

Preservation Perspective

Probably the most significant, and yet unresolved, issues from a historic perspective are (1) how to distinguish conservation districts from historic districts, and (2) whether it is appropriate to designate a residential neighborhood as a conservation district when it meets the criteria for designation as a historic district. While there are numerous instances in which conservation district designation provides a viable tool for protecting the special character of older neighborhoods, conservation district laws generally do not provide the same level of scrutiny or protection for historic resources as do many historic preservation laws.

Thus far, it appears that most conservation district programs have been specifically designed to complement rather than replace historic preservation programs. Communities have worked hard to develop standards to ensure that historic areas qualifying for protection under historic preservation ordinances are designated as historic districts rather than conservation districts.

In practice, however, it cannot be ignored that there are neighborhoods designated as conservation districts that are similar to other neighborhoods protected under historic preservation laws. In some cases this distinction in treatment can be attributed to differing standards for designation under local laws.

In most cases, however, the differing approaches stem less from varying laws and more from the amount of grass roots support.

Julia Miller is a lawyer at the National Trust for Historic Preservation. This article is based on an article published in Volume 21 of the Preservation Law Reporter (PLR). To purchase copies of the PLR article, which includes more detailed information on the legal authority behind neighborhood conservation districts and excerpts of statutory provision, contact the National Trusts Law Department at (202) 588-6035.

Protecting Older Neighborhoods Through Conservation District Programs, a new publication from Preservation Books, provides an overview of conservation districts and the conservation district ordinance along with an annotated list of jurisdictions that currently operate conservation district programs. 24 pages; \$7.50 for Forum members (\$10.00 retail) plus \$3.00 s&h; order number 2B14. Order from www.preservationbooks.org, (202) 588-6296.

Let the Sun Shine on Your Records and Meetings: What Architectural Review Boards and Commissions Should Know About Ohio's Sunshine Laws

Recent problems with the administration of local architectural review boards and commissions in Columbus and Newark, confirm the need to adhere to Ohio's Sunshine Laws in all of your deliberations. The "Sunshine Laws" refer to Ohio's Public Records Act and Open Meetings Act. These statutory laws are based on the notion that there

should be "openness" in government, with public access to records and meetings. Adhering to these laws will help insure that your board or commission maintains a high standard of conduct and integrity. The following information, from the Ohio Bar Association's web site may help insure that your board or commission maintains a high

standard of conduct.

Q. What records are public under Ohio's Public Records Act?

A. Generally speaking, a "public record" is a record held by a public office and includes such things as a paper,

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**What Architectural Review Boards and Commissions Should Know About Ohio's Sunshine Laws**

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computer disks, film/video, basically any item, regardless of its physical form, that is a stored or fixed medium.

Q. What is a public office?

A. A "public office" includes a "state agency, public institution, political subdivision, or any other organized body, office, agency, institution or entity established by the laws of this state for the exercise of any function of government." This is a very broad definition that is meant to include any entity that performs a public service and is supported by public funds.

Q. What are a person's rights under the Public Records Act?

A. Generally, a person has a right to prompt inspection of public records and, upon request, the right to copies of those records within a reasonable period of time. There are some exceptions, including medical, trial preparation, law enforcement investigatory and adoption records.

Q. What is Ohio's "Open Meetings Act"?

A. This law essentially requires all public bodies to take all official actions and hold all deliberations on official business in meetings that are open to the public.

Q. Do public bodies have to keep minutes?

A. Yes. Public bodies are required to keep full and accurate minutes in order to enable

the public to understand and appreciate the rationale behind the public body's decisions.

For more information about Ohio's Sunshine Laws (Public Records Act and Open Meetings Act) contact the web site of the Ohio Bar Association at <http://www.ohiobar.org/pub/lycu/index.asp?articleid=225>