

City of Bowling Green Historic Preservation Commission (HPC) - Proposed Ordinance

--Help with Frequently Asked Questions--

I. About the Certified Local Government Program

Q1 What is a Certified Local Government (CLG) program?

Answer: The CLG program enables towns to enact historic preservation ordinances which establish the basis for preserving properties.

Q2 Why is BG doing this?

Answer: BG and its community members have pride and respect our heritage and history. Because of this we want to preserve our gems throughout BG's history. Historic preservation has been recommended by several recent city planning documents. Ohio has 78 CLG communities in place already, including every university town, except BG.

Q2A What are the benefits of a CLG?

Answer: Fostering BG civic pride and sense of heritage, increasing property values, attracting customers to local businesses, encouraging revitalization of historic areas, helping owners understand how to improve their historic buildings.

Q2B Why is historic preservation important to BG?

Answer: Historic preservation provides affordable and varied housing options as well as more affordable (as opposed to new builds) commercial rent which better serves small businesses. Heritage Tourism is also an economic benefit for the city – studies find heritage tourists stay longer, visit more places, and spend more per day than other tourists. Studies have also found that 44% of Millennials (who recently passed the Boomer generation as the largest cohort) want to buy homes in character rich, historic neighborhoods. Sustainability! Saving an old building instead of demolition and re-building is better for our landfills and finite resources. Lastly, preservation maintains the identity of a community. Preserving our unique historic buildings help tell the story of who has been here and what the priorities of the city have been throughout its history.

Q3 As a downtown building owner, what is the advantage to me of becoming a CLG city?

Answer: You will be eligible for historic preservation tax credits and enhancement programing (such as "Building Doctor"). There is also recognition and an enhanced sense of pride for the downtown.

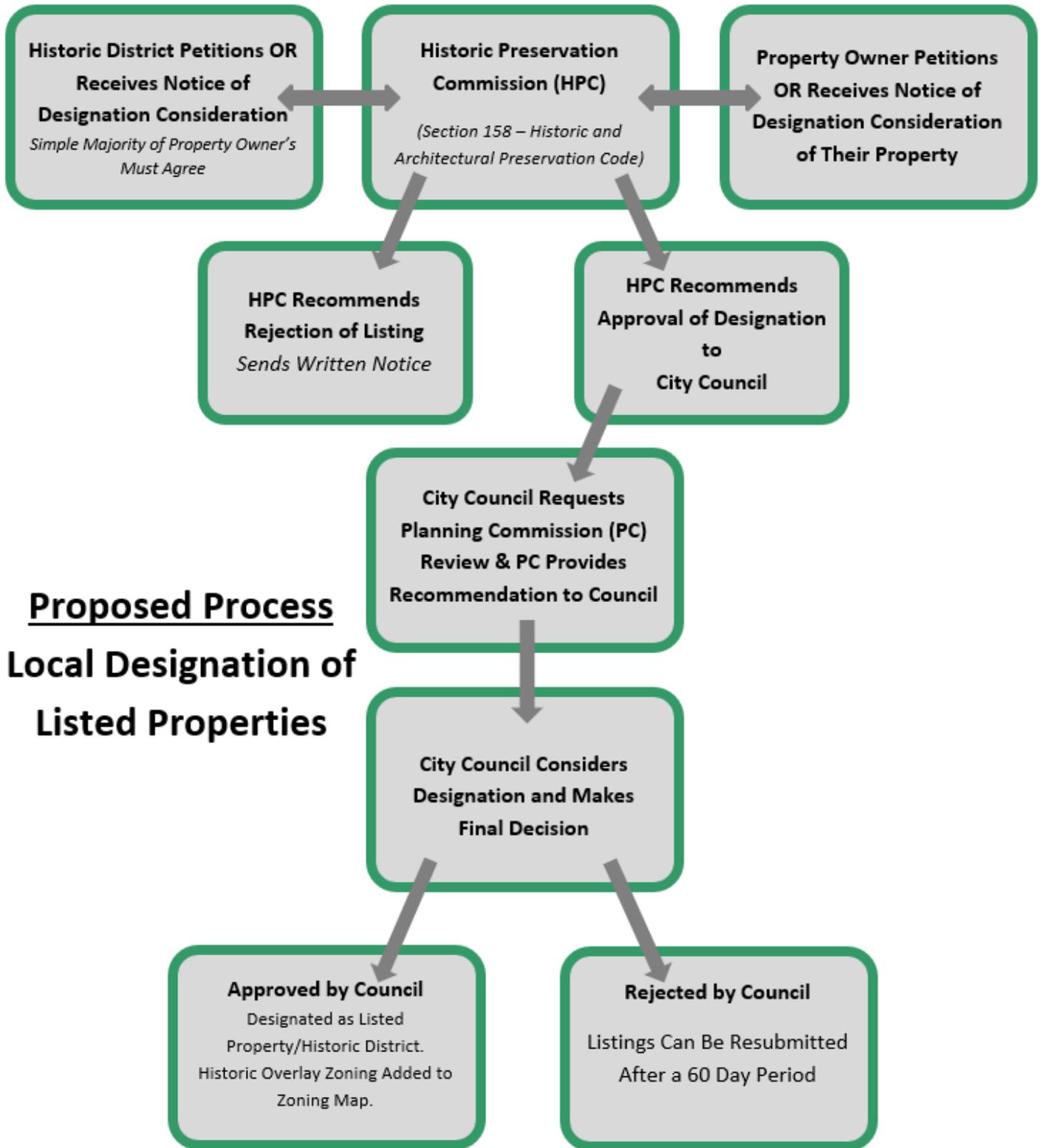
II. What the HPC is Actually Proposing with This Ordinance

Q1 What does this historic preservation ordinance require owners to do to their properties if it is enacted?

Answer: The ordinance, in and of itself, does not require an owner to do anything specific with their property. The ordinance will allow for possible future designation of historic properties (both individual and historic districts). Lastly, once listed, it also allows for standards of review for properties that seek alterations.

Q2 What are Historic Overlay Zones (HOZ)?

Answer: The HOZs will allow for designated areas of the city to be Listed Properties and Historic Districts, which will receive the benefits of the Historic Preservation ordinance and CLG.



Q3 How does the HPC integrate with the other city entities?

Answer: The HPC sends the recommendations to list a historic property or Historic District to City Council. However, because a zoning process (adding a HOZ) is involved, it is Council's practice to send such matters to the Planning Commission for its review and recommendation. Both the Planning Commission and City Council regularly hold public hearings in advance of decision-making in such matters.

The Zoning Board of Appeals is the body to which an owner can appeal a decision made by the HPC on a COA application.

III. If This Ordinance Passes, What Comes Next?

Q1 What happens next, after this ordinance is approved by City Council?

Answer: The HPC will accept nominations from individual property owners and from community sponsors of Historic Districts to become Listed/Protected Properties under the terms of this ordinance. The HPC will work with and provide support to the individuals/community sponsors to ensure the appropriate documentation of the proposed Listed Property(s) is complete, including a full building inventory for each proposed property. When all standards for Listing have been met, the HPC will vote on whether or not to recommend the property or district to City Council for its official action on the proposed Listing.

Q2 The HPC is given the authority to recommend designation of Listed Properties, including Historic Districts, for approval by City Council. Will this recommendation process be transparent and fair?

Answer: The HPC can only recommend the Listing of an individual property or historic district to City Council but has no ability to create zoning change on its own. In the case of historic districts, the HPC must have the consent of a simple majority of property owners in the proposed district before it can make a recommendation to City Council. In the case of individual properties, except in the rarest of circumstances, the HPC will recommend Listing only upon the request of the owner. That "rarest of circumstances" would occur only if there were a general belief in the community that an exceptionally important or distinctive property, central to the character of Bowling Green, should be protected under this ordinance without owner agreement. In such a case, and in such a case only, the HPC might recommend Listing to City Council for its action.

Q3 Some properties in Bowling Green, the Old Post Office building and Needle Hall, for example, are already on the National Register of Historic Places, as are two districts – Main Street and Boomtown. Will these properties automatically become Listed/Protected Properties if this ordinance is approved by City Council?

Answer: No. These individual buildings and these two historic districts, like any others that might be proposed, would have to be recommended by the HPC and approved by City Council before they became official Listed/Protected properties. In the case of the two historic districts, a majority positive vote of the owners would have to occur before any recommendation to Council could be made by the HPC. A property on the National Register of Historic Places does not have to following any standards, unless a Federal Tax Credit has been utilized.

Q4 Has the HPC already decided on areas that should become Historic Districts?

Answer: No. There have only been preliminary discussions about possible areas. Boom Town and Downtown would seem obvious candidates, however, the proposed process is designed to have property owners initiate the process with the help of the HPC.

IV. If I Become a Listed Property (with a HOZ designation) what then?

Q1 What does the ordinance require me to do should I become an official Listed Property?

Answer: No part of the ordinance requires constraint on your property for its general maintenance and repair. The ordinance does not affect the property until you wish to alter an exterior feature.

Q2 Before I can undertake any alterations to my property, the ordinance says I have to apply for a Certificate of Appropriateness (COA). What is a COA?

Answer: A COA is a certificate issued by the HPC stating that a proposed alteration, demolition, or new construction to a Listed Property or a property located within a Historic District is appropriate under the terms of this ordinance. An approved COA must be on record in the Planning Department before any on-site work may begin.

Q3 What is the HPC's review process for a Certificate of Appropriateness?

Answer: The official process begins when the owner applies, through the City's Planning Department, for a COA. Once the application is submitted to the HPC, the Commission may seek a meeting with the petitioner to clarify the request(s) and to work cooperatively with the owner to reach a solution which meets both the needs of the owner and the goals of this ordinance. It should be remembered that every HPC meeting is a public meeting and, therefore, one where public input is allowed.

Q4 To whom should I go for advice on remodeling the exterior of my building? Will we get any help in deciding what to do when we want to rehabilitate or restore part of our Listed Property?

Answer: Members of the HPC can offer information and advice about standards, requirements, and the process. The HPC's goal is to be a resource and benefit to the city and the Listed Properties owners and will provide direction and information where possible.

For specific remodeling recommendations and guidelines, see [The Secretary of the Interior's Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings](#). In addition, the Planning Department will assist you with the process and will coordinate with the HPC.

Q5 What standards or rules will the HPC use in deciding on an application for a COA?

Answer: The HPC will use the Secretary of the Interior's Standards for the Treatment of Historic Properties (most commonly, the section titled Standards for REHABILITATION) as well as any points of flexibility or detail stated in the ordinance. The Secretary of the Interior's Standards are available here: <https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>. Under that National Historic Preservation Act, passed in 1966, the Secretary of the Interior is responsible for establishing professional standards and for providing guidance on the preservation of the nation's historic properties. Many communities use these standards for assistance guiding owners or some create their own specific standards and/or guidelines.

Q6 Will the standards and rules of this ordinance be burdensome to the owners or developers who plan new uses for Listed Properties, including ones downtown, or properties near them?

Answer: It is not the intent of the ordinance to be burdensome to the property owners. In general, property owners, especially developers, will be asked to work with the HPC in advance of formal COA applications so conversations about appropriate uses and treatments can be discussed. The

discussions will be centered on the understanding that the ordinances are to protect the historic integrity of the property and to capitalize on the benefits of historic preservation.

Q7 Do I need a COA to do any kind of physical work on my property, whether its downtown or residential? Inside AND outside work?

Answer: Any alteration TO THE EXTERIOR of a Listed Property, whether an individual one or one within an approved Historic District, will require the owner to apply for a Certificate of Appropriateness (COA) from the Historic Preservation Commission (HPC) and receive approval before beginning the project. "Alteration" here means any exterior visual, structural, or material change proposed to be made to the design, texture, material, or architectural features of a property.

NOTE: The ordinance states specifically that: Ordinary maintenance to prevent or correct any deterioration or damage, including painting and choice of colors, is excluded from the definition of "alteration." **See 158.03 A.**

NOTE #2: It is recognized that many historic properties, buildings especially, will have non-historic exterior features when they are Listed – like awnings or signs; asphalt shingles on roofs; aluminum or other siding on exterior walls, non-brick chimneys, etc. In such cases, preservation of those features is allowed without application to the HPC for a COA, including small sections of deteriorated awnings or signs, roofs, walls, etc., so long as the replacement matches the whole in color, texture and design. **See 158.07 A 3.**

NOTE #3: The ordinance also states specifically (**158.07 A 6**) that: This legislation does not seek to dictate every small detail of alteration and/or restoration to a Listed Property. In relatively minor matter of detail, flexibility will be allowed.

NOTE #4: In addition, greater flexibility will be allowed for additions, alteration or restoration work at the REAR of buildings/properties when they do no destroy significant historical, architectural, or cultural material.

Q8 In the case of downtown buildings, would COAs be required for such things as store front changes, awning replacement, window and door replacement, etc.?

Answer: Alterations to the exteriors of all Listed Properties, including those in a downtown Historic District, would require the owner to request a COA from the HPC. Color is not defined as an "alteration" for purposes of this ordinance, and repainting would NOT require a COA.

Window and door repairs/restoration would not require a COA, but replacements would.

However, the HPC is required by the ordinance to be flexible about such replacement, especially if the goal is energy efficiency, etc. For example, the replacement of wood, double-hung windows with more efficient models would be approved, as long as the replacements gave the same general appearance as the originals. This would be the case with all Listed Properties, not just with downtown buildings.

Proposed changes to awnings would be handled on a case-by-case basis. In general, if an awning or sign repair/preservation would not change its existing placement, dimensions, profile, and appearance, no COA would be required. If the awning or sign is a designated historic feature, the repair/preservation treatment would need to match the historic in composition, color, texture and design. In the case of a full replacement of a non-historic awning or sign, the HPC would be likely to approve the replacement only if the changes moved the awning or sign in the direction of greater historical accuracy or made it less obtrusive to the historic feel of the building. **See 158.07 A 3** for more about the different standards for designated historic features versus non-historic ones.

Q9 How strict will HPC decisions be? Is the HPC an advisory group or does it have enforcement powers? How detailed will the HPC be in applying the standards and requirements when acting a COA?

Answer: In acting on COAs, the HPC has decision-making authority. Its decisions may be appealed to the Board of Zoning Appeals, however. Enforcement of HPC decisions will be handled by the City through its regular powers and procedures.

As far as strictness, the HPC will be as flexible and reasonable as possible in interpreting the standards and requirements of the ordinance. In every instance of a proposed alteration, rehabilitation, reconstruction, etc., it will work cooperatively with the owner of the property to seek a practical execution of the proposed work that will honor both the owner's intent and the goal of historic preservation.

Q10 A couple of shingles/siding on the side of my house need to be replaced. Do I have to get a COA for that?

Answer: The answer is **almost** the same whether shingles/siding are the original/historic or a later non-historic replacement. In the first instance, restoration of small sections of such things as siding, roofs, chimneys and foundations is allowed, without application to the HPC for a COA, so long as the restoration matches the whole in "color, texture and design." In the second instance, if there is a small replacement to a designated historical feature of the building (i.e. shingles and siding), the new material must also match the historic in "composition" (see the Secretary of the Interior's Standards for the PRESERVATION of Historic Buildings).

Q11 My porch steps are rotting in places. Do I need to get a COA to fix them?

Answer: It depends on the extent of the needed treatment. If only a small part of the steps needs to be replaced (a riser, for example, or one step), the answer is the same as that for above (Q10) about shingles/siding. However, if the whole set of steps must be replaced, a COA will be required. In that case, there are different requirements if the steps are a designated historic feature of the building, versus if they are NOT a historic feature.

Q12 The front door of my house is in bad shape. Do I need a COA to fix it?

Answer: If a portion of the door is being replaced or it is being repaired a COA is not required. If the door is being entirely replaced a COA will be required.

Q13 I need to repair and/or replace the roof of my house. Can I do that without hassle?

Answer: Same answer as for the ones above about shingles, porch steps and doors. That is, it depends on whether it's a repair/restoration treatment that's needed, or a full replacement. And, it depends on whether the roof is a designated historic feature or a non-historic one.

Q14 Will I have to keep every old shed or structure on my property?

Answer: No, not necessarily. Auxiliary structures MAY be designated as historically important when a property is listed and are therefore given the same protections as a main building. But, other structures, not so designated, will not be subject to the restrictions as to demolition, rehabilitation, restoration and/or reconstruction.