

Historic Buildings & Codes 101: WYNTK for Working with Pennsylvania's Older & Historic Places

PENNBOC Annual Conference
September 2022



Agenda

- Preservation at the Federal & State Level
- Preservation at the Local Level
- What is “Historic”?
 - Questions & 15 minute Break
- Secretary of the Interior’s *Standards*
 - Questions & 15 minute Break
- Applying Building Codes to Historic Buildings
 - Questions & Wrap Up



Don't forget to check the digital locker for copies of today's presentations, helpful links and contact information.

Learning Objectives

After this session, you'll be able to...

- Communicate what a historic building is and how it is defined.
- Explain the Secretary of the Interior's Standards for Rehabilitation and their relationship to code & regulatory requirements in historic buildings.
- List at least two IEBC Building Code compliance options for historic buildings.
- Identify key personnel and resources at the Pennsylvania State Historic Preservation Office for building code issues.

Meet the Speakers



Megan McNish

PA State Historic Preservation Office
Community Preservation Coordinator
Eastern Region Counties



Scott Doyle

PA State Historic Preservation Office
Division Manager, Preservation Incentives
Historic Tax Credits, Keystone Historic Preservation Grants & Historical Markers



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Historic Preservation in Pennsylvania

Megan McNish
Community Preservation Coordinator,
Eastern Region
September 21, 2022



Our Agenda for this Morning

- Preservation Players
- Legal Basis for Historic Preservation
- State & Federal Historic Preservation Programs
- Preservation at the Local Level
- Defining “historic”

The Major Players

Federal

National Park Service

Advisory Council

State

State Historic
Preservation Office
(PHMC)

Other State Agencies

Local

Elected Body

Planning Commission

Historic Architectural
Review Board

Historical Commission

Community Groups

Federal Historic Preservation Legislation

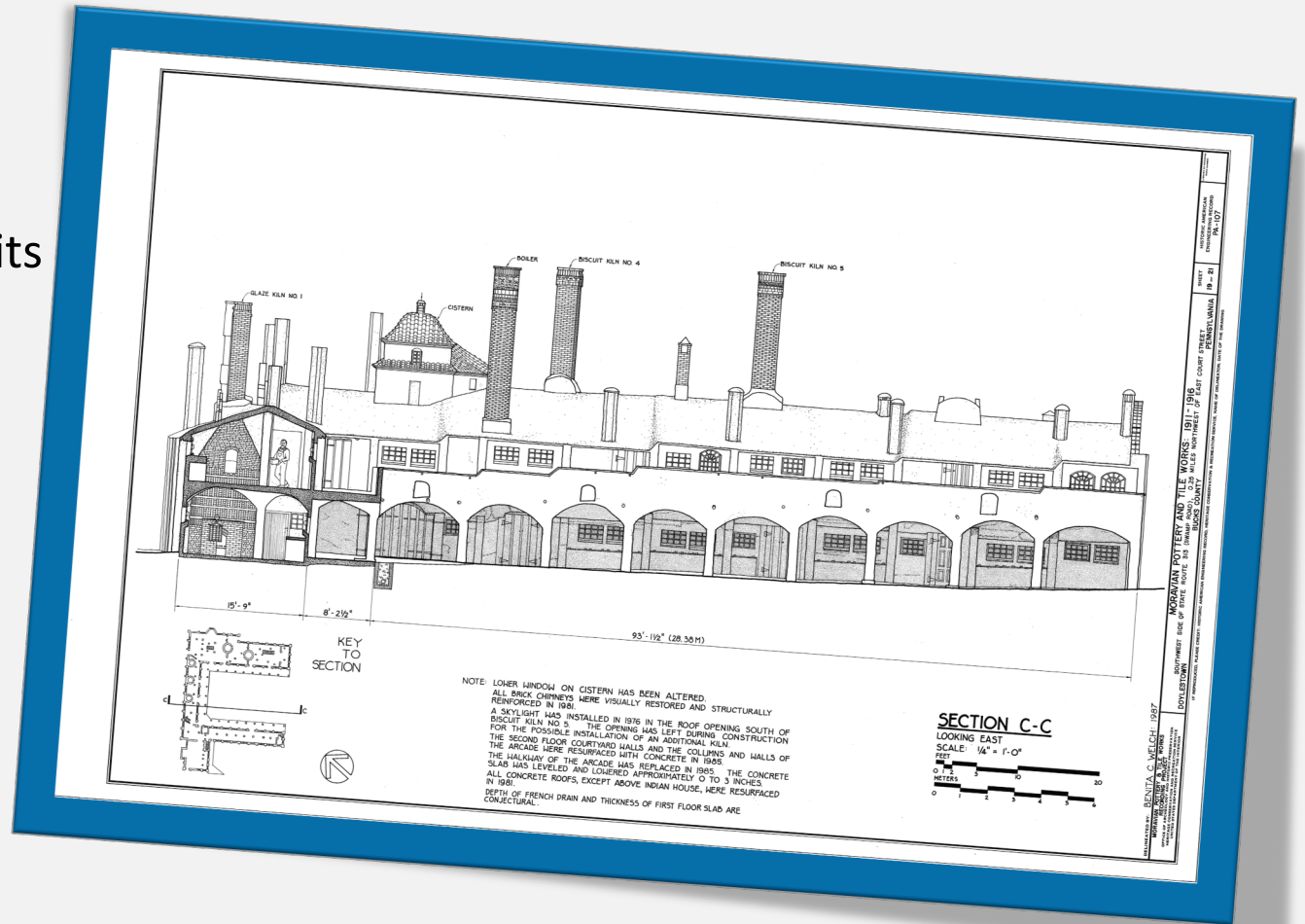
- National Historic Preservation Act of 1966
 - Sets the federal policy for preserving our nation's heritage
 - Charges Federal Agencies with responsible stewardship
 - Established a federal-state and federal-tribal partnership (State Historic Preservation Office (SHPO)/Tribal Historic Preservation Office (THPO))
 - Established the National Register of Historic Places and National Historic Landmarks Programs
 - Established the Certified Local Government (CLG) program

State Historic Preservation Legislation

- The Pennsylvania State History Code
- Created the Pennsylvania Historical and Museum Commission (PHMC)
- Defines the responsibilities of state agencies in relation to historic preservation
- SHPO reviews
 - Projects on Commonwealth land or involving Commonwealth property
 - Projects requiring state licensing, funding, or permitting
 - Projects being undertaken by Commonwealth agencies or instrumentalities of the state

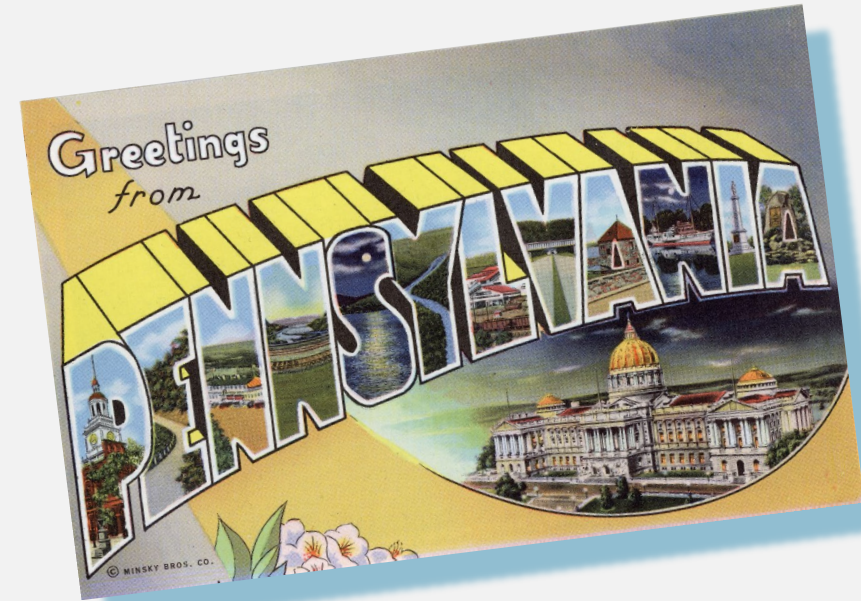
Federal Programs and Services

- National Register of Historic Places
- Heritage Documentation Programs—HABS/HAER/HALS
- Federal Historic Preservation Tax Credits
- Technical Preservation Services
- Grants
 - Save America's Treasures
 - African American Civil Rights Grants
 - Disaster Recovery Grants
 - HBCUs Grants
 - History of Equal Rights (HER) Grants
 - Paul Bruhn Historic Revitalization Grant
 - Underrepresented Community Grants



PA SHPO Programs and Services

- National Register of Historic Places
- Historical Markers
- Environmental Review
- Federal and State Historic Tax Credits
- Keystone Historic Preservation Grants
- Survey, Inventory, and PA-SHARE
- Community Preservation & Certified Local Governments
- Education and Outreach



National Register of Historic Places

The National Register of Historic Places is the nation's official list of properties that are recognized for their significance in American history, architecture, archeology, engineering and/or culture.



National Register of Historic Places

- Includes properties of national, state, and local significance
- Does NOT place any requirements or restrictions on private property owners*
- Must meet one of four criteria for listing
- Includes buildings, structures, sites, objects, and districts
- **Over 3,000 properties listed in Pennsylvania**



Moravian Tile Works
Doylestown, Bucks County

National Register Criteria

- Criterion A
- Criterion B
- Criterion C
- Criterion D



Stroud Mansion

Image Courtesy of the Monroe County Historical Association

Historic Tax Credits

- Federal and State level programs
- Support rehabilitation of income-producing properties
- Provide tax credits equal to a percentage of rehabilitation costs

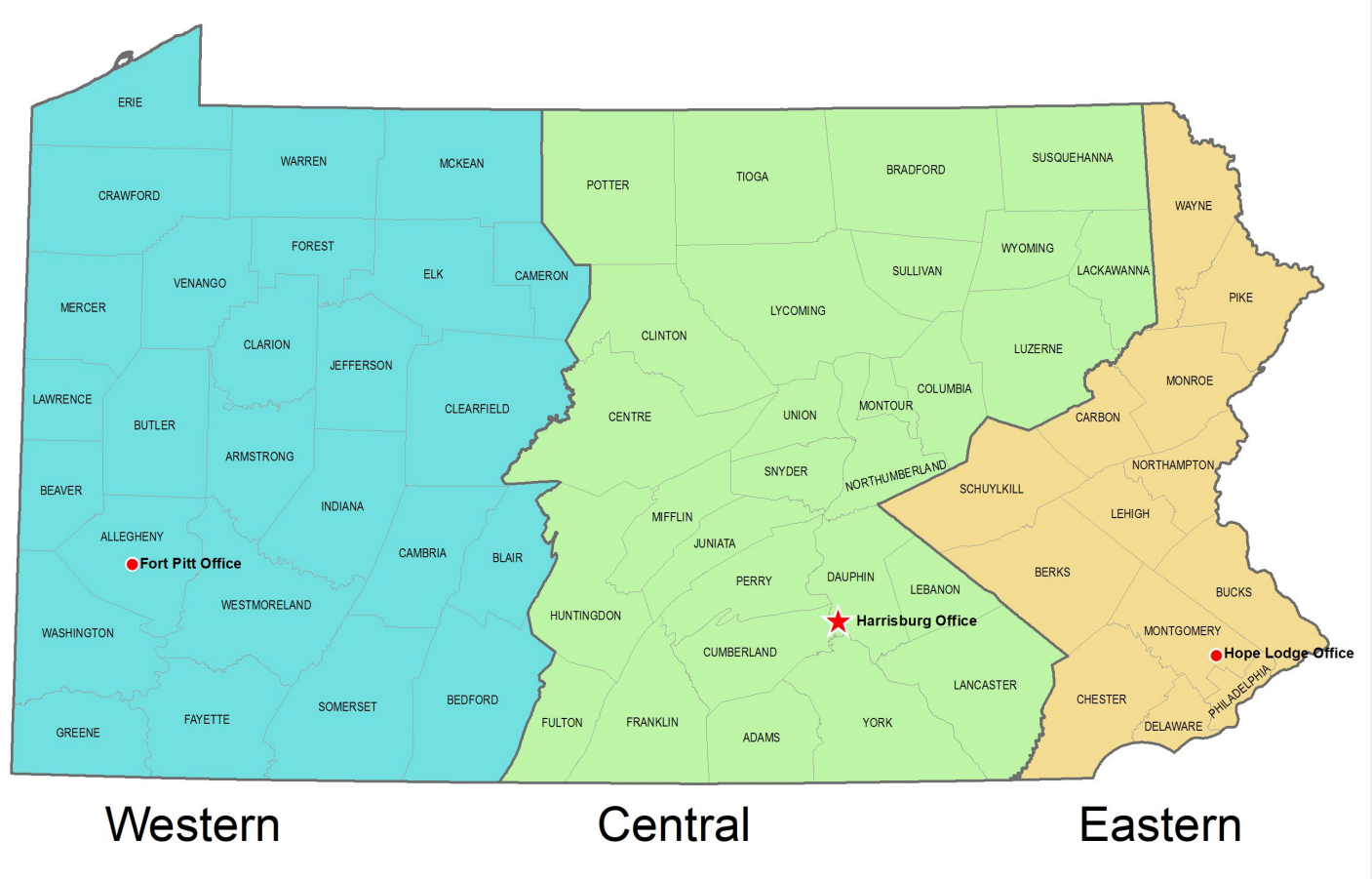


Community Preservation

- Technical assistance for counties, municipalities, community organizations, and individuals
- Assistance with preservation plans, ordinances, conflict resolution, and general preservation questions
- Support for Historic Architectural Review Boards and Historical/Preservation Commissions
- Certified Local Government Program



Community Preservation Coordinator Regions



State Historic
Preservation Office

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#PreservationHappensHere!

Preservation at the Local Level



#PreservAtionHappensHere!

Legal Authority for Historic Preservation

- The 10th Amendment to the U.S. Constitution delegates to States all powers not reserved for the Federal Government
- Includes “police power” – the right to enact laws that protect the health, safety, and general welfare
- Interpreted to allow regulation of the activity of the individual



Legal Authority for Historic Preservation

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

Article I, Section 27, Pennsylvania Constitution

Legal Authority for Historic Preservation

Common Examples of the Police Power

- Public health regulations
- Building codes
- Zoning ordinances
- Subdivision regulations
- Sign regulations
- Pollution controls
- Environmental regulations
- Historic preservation ordinances

Legal Authority for Historic Preservation

- Historic preservation in Pennsylvania is enabled by two statutes
 - Municipalities Planning Code
 - Historic Districts Act
- Enabling legislation describes the requirements and limitations on municipalities when exercising these powers
- Review is generally limited to what is visible from the public right-of-way

How does local preservation work?

- Communities adopt an ordinance outlining the following:
 - Legal authority for preservation
 - Criteria for designating historic resources/districts or an identified resource/district list
 - Creation of a preservation review body
 - Scope and applicability of the regulation
 - Review procedure & administrative review
 - Review criteria*
 - Economic hardship



*Review criteria and guidelines can also be a separate document noted in the ordinance

What Can Local Designation Review?

Demolition & New Construction

- This is the least restrictive preservation review option
- Regulates demolition and new construction of buildings within a designated district or related to designated properties

Big Picture Changes

- More is reviewed than under a demolition and new construction ordinance
- Regulates demolition, new construction, and additions.
- Some communities also regulate major changes to the exterior appearance such as porches and exterior materials.

All in the Details

- Regulates the most of the three
- Regulates demolition, new construction, additions, alterations, and removal or changes to architectural features and materials.
- Most often what people think of with preservation ordinances

Why does local preservation matter?

- Municipalities make a conscious decision to adopt preservation ordinances to protect the **historic fabric** of their community
- Historic preservation is a planning tool
- Reflects community pride in the built environment that make that place unique!

So, what is 'historic'?

- “Historic Property— a district, site, building, structure or object significant in American history, architecture, engineering, archeology or culture at the national, State, or local level.” – NPS
- “Landmark – An individual site, element or building that demonstrates historical, architectural, cultural, archaeological, educational or aesthetic merit.” –Bethlehem Zoning Ordinance

Some Basics

What makes something “historic” as opposed to “old”?

- **SIGNIFICANCE** in American history, architecture, archaeology, engineering, and culture at the National, State or local level
- **INTEGRITY** – Do the physical remains reflect the significance of the property?



How old is likely to be significant?

- Rule of thumb is 50 years old or older
- Some exceptions for properties that are less than 50 years old



Defining Historical Significance

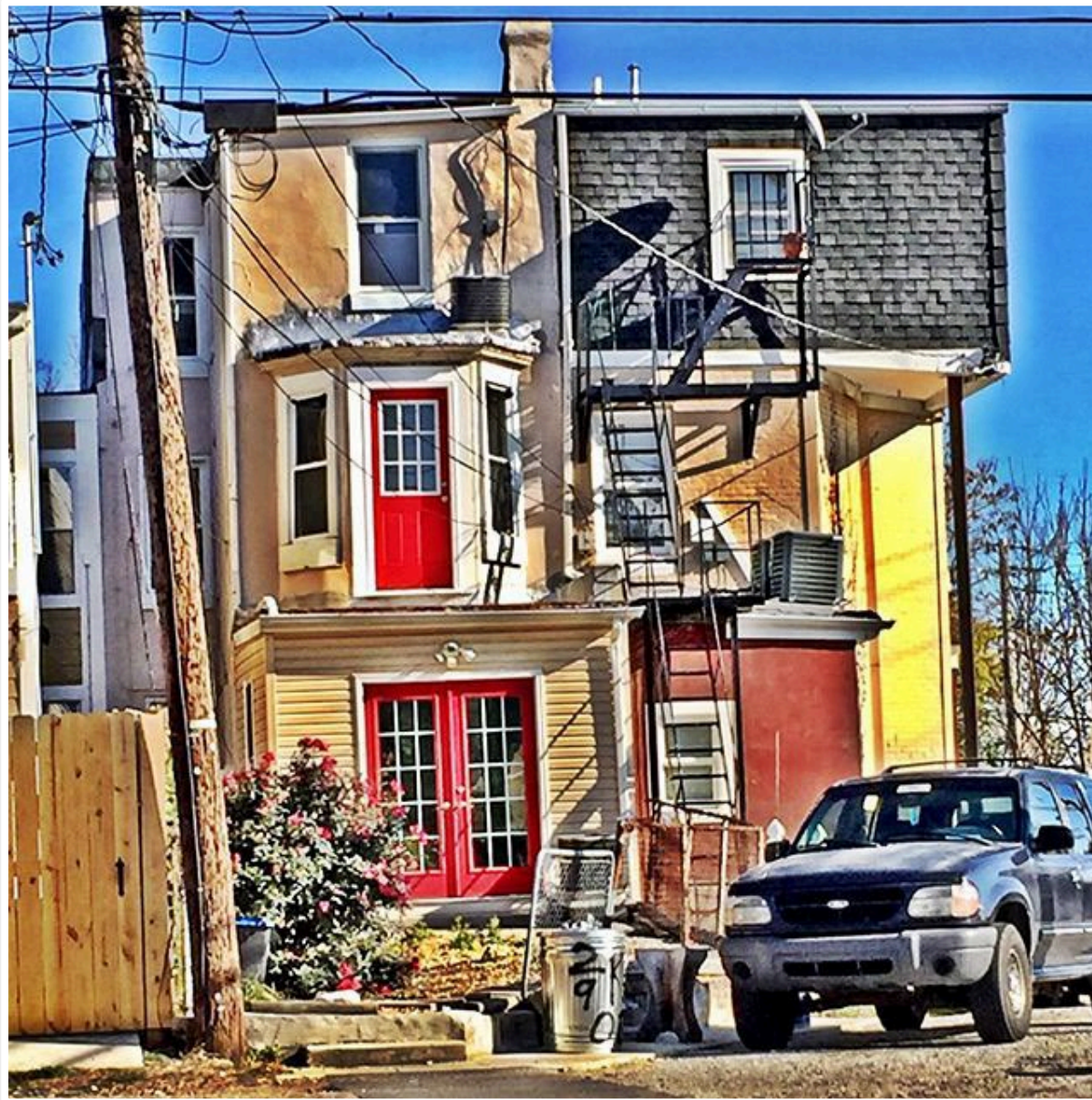
Defining Historical Significance

- National Register of Historic Places program provides most widely used definitions and criteria
- Evaluation of significance involves applying objective criteria to the specific facts of a property and then putting those facts in context

Understanding Integrity

- Integrity is the ability of a property to physically convey its significance
- National Register of Historic Places defines seven aspects of integrity:
 - Location
 - Design
 - Setting
 - Materials
 - Workmanship
 - Feeling
 - Association





#PreservAtionHappensHere!

9/21/2022



Historic Buildings in the IEBC

- Chapter 2 Definitions—Section 202
- Any building or structure that is:
 - listed in the State or National Register of Historic Places;
 - designated as a historic property under local or state designation law or survey;
 - certified as a contributing resource within a National Register listed or locally designated historic district;
 - or with an opinion or certification that the property is eligible to be listed on the National or State Register of Historic Places either individually or as a contributing building to a historic district

How to find/confirm historic status

- PA-SHARE for National Register/National Historic Landmarks
- Zoning Official/Planning Department for local status

PA An Official Pennsylvania Government Website

PA-SHARE is owned by the Commonwealth of Pennsylvania and managed by the PA SHPO, a bureau of PHMC

PA-SHARE

Pennsylvania's Historic & Archaeological Resource Exchange

Welcome to PA-SHARE, Pennsylvania's GIS and online project management system for documenting and working with Pennsylvania's older and historic places.

Use PA-SHARE to search for and locate historic properties and archaeological sites, view and download information, submit and track projects for PA SHPO's programs, and manage all of your project communications conveniently from your home or office.

Sign in to PA-SHARE with your Keystone Login or CWOPA credentials.
If you do not have a Keystone Login, click "Register for an Account." For step-by-step instructions, see Signing In and Subscribing to PA-SHARE

SIGN IN
Forgot your username or password?
Terms of Service

PROCEED AS GUEST

REGISTER FOR AN ACCOUNT

Please email the PA-SHARE Help Desk at pashare@pa.gov for assistance.
For more sign in information and troubleshooting tips, visit <https://www.phmc.pa.gov/PA-SHARE/Pages/Login-Credentials.aspx>
Find all of PA-SHARE's Help Materials and FAQs at <https://www.phmc.pa.gov/PA-SHARE/Pages/Help-Materials.aspx>

PHMC Pennsylvania State Historic Preservation Office
PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

The map shows various locations in Pennsylvania with circular callouts: Erie (a church), Warren (a stone structure), Bradford (a stone structure), Elmira (a bridge), Williamsport (a stone structure), State College (a group of people), Harrisburg (a red building), Lancaster (a large building), and Philadelphia (a large building).

Questions

