



Memorandum

Planning Division • Community Development

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To: Historic Preservation Commission (HPC)

From: Anne Nygaard, AICP, Planner II

CC: Kent White, Tom Martin, Victoria Glasgow, Keith Wright

Date: September 5, 2019

Re: Demolitions by Neglect in Local Historic Districts

At the June 17th Historic Preservation Commission (HPC) meeting, staff reported that a chimney at 314 Harrison Street has become a safety issue and its demolition is being ordered by the City Building Official. Section 35.2-13.1(c) of the Zoning Ordinance states that “no certificate of appropriateness is required when the demolition of a structure is ordered by the Building Official pursuant to the provisions of the Uniform Statewide Building Code.” Maintenance of this property is still proceeding through the court system and the chimney has not yet been demolished. Concerns over this situation led members of HPC to ask what they could do to help prevent these situations in the future, and ensure that more historic resources are not inadvertently demolished due to long-term neglect.

Staff has researched past demolitions and found that there have been nine (9) demolitions of primary structures in the last twenty (20) years – five (5) of which were structure fires. While this shows that designation within a historic district has been relatively effective in preventing demolition, there are still properties that are deteriorating over an extended period of time due to lack of maintenance. At your September 16 meeting, staff from Planning and Inspections Divisions will give a presentation that helps quantify the issue, explains what Inspections staff does to combat these issues today, and provides options for increasing efforts.

Within historic districts, thirty-seven (37) properties are listed as either vacant or condemned and are inspected regularly by City property maintenance staff. Additionally, in FY19, City staff logged 493 inspections at 127 addresses within historic districts. Success of property maintenance staff efforts can be limited for a variety of reasons out of the City’s control. Properties are much more likely to be restored and maintained in the long term if an owner willingly invests in a historic district rather than does so because of City enforcement action. Staff recommends increasing advocacy efforts as the most effective action HPC can take in the near term. Some options for HPC to consider at the September meeting include:

- **Toolkit** – Develop a “toolkit” to guide owners on navigating the restoration and renovation process. Topics covered could include common restoration activities, contacts and recommendations for qualified contractors, tips for getting construction loans, guidance on available incentive programs (State or Federal Tax Credits, City’s Real Estate Rehabilitation and Renovation Program).
- **Outreach to Owners** – Reach out to property owners of struggling properties directly with suggestions and encourage maintenance work to occur.

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- **Education** – Continue education and promotion with neighborhood groups, realtors, contractors, non-profits.
- **Loan Availability** – Work with banks to confirm low interest loans are available to owners in the historic districts.
- **Survey/Priority list** – Survey the historic districts and create a priority list for property maintenance staff to pursue enforcement on annually.

Additional items to consider that would require significant investment or change in policy include:

- **Securing vs. Stabilizing Structures** – Currently, Community Development will only “secure” structures that are condemned or on the vacant property registration to prevent harm to human life. Securing structures does not include ensuring that they are water-tight and that the structure is not continuing to decay. Stabilizing structures would prevent their deterioration but would require additional budget funding.
- **Receivership Program** – State Code (§ 15.2-907.2.) enables localities or appointed land banks to fix properties and bill the owner for the repairs, but this requires a significant budget and staff to manage the program that is not currently dedicated.
- **Availability of qualified contractors** – Property owners and staff express concerns that it is becoming more difficult to find contractors familiar with historic materials that are able to do the repairs at reasonable prices.
- **Revise Design Guidelines** – HPC could consider revisions to the design guidelines to allow alternate building materials that would enable more affordable maintenance options.
- **Zoning Changes** – Maintenance issues can be related to housing affordability. Houses in the historic districts are large, old, ornate, and difficult to maintain. They are also mainly zoned for single-household occupancy. While a few districts were downzoned as recently as 2006 to prevent neglect of rental properties, allowing more units in these houses may improve the affordability for property owners struggling to maintain these large structures. Prior to advocating for zoning changes, HPC should consider appropriate methods for converting structures into multiple units, if HPC would approve the exterior changes, and would the rental property owners maintain the structures to the desired level.