

Frequently Asked Questions Cincinnati Local Historic District Designation

1. What is a designated local historic district?

An historic district is an area containing two or more parcels containing two or more historic buildings, properties, or sites typical of one or more eras in the city's history, or representing an assemblage of structures important to the city's history.

Buildings, structures, objects and sites within a local historic district are evaluated to determine whether they are contributing and non-contributing structures within the district. Districts vary in size: some have hundreds of structures, while others have just a few. The district 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.

2. How is a local historic district designated?

A historic district is a zoning overlay that is designated by ordinance by the Cincinnati City Council after it receives recommendations from the Historic Conservation Board (HCB) and the City Planning Commission (CPC). Procedures for designation are set forth in the City of Cincinnati Zoning code Chapter 143-07.

An application for historic designation is required to start the designation process. An application can be submitted by the owner of the subject property or by the owner of a property within the area proposed to be designated, by Council or a member of Council, by the City Manager, by the Urban Conservator, by the City Planning Commission, or by a local community organization, including, but not limited to, preservation associations and community councils. An application include an application form, fee, designation report and historic guidelines.

3. Does historic district designation affect my rights to make changes to the exterior of my property and/or to demolish my property?

Yes. Designation does not prevent owners from making changes to their properties, nor does it require them to restore or repair their property (unless they are allowing it to deteriorate and collapse in which case, they may be in violation of property maintenance regulations). Designation requires that owners obtain approval from the Historic Conservation Office or Historic Conservation Board prior to certain alterations, additions or demolitions being made and ensures that such changes are in keeping with the historic character of the area. This happens through process called the Certificate of Appropriateness Review Process design, whereby the proposed alterations are evaluated to their conformance to the adopted design guidelines for the district. Minor alteration can generally be approved by the Urban Conservator and major alterations are required to go to the Historic Conservation Board. Local designation encourages sensitive development in the district and discourages unsympathetic changes from occurring.

4. What types of projects need COA approval?

A Certificate of Appropriateness required before any of the following work on historic properties can commence:

- Any exterior work that is not considered ordinary repair and replacement. Examples include roof replacement, window replacement, change of materials, additions, new siding, decks, and demolitions; painting of unpainted masonry;
- Any exterior replacements such as windows, doors, stairs, and railings; or
- Any addition or replacement of fences, walls, signs, solar panels, sidewalks, driveways and parking lots.

When Does a Project NOT Require a Certificate of Appropriateness

- Any work on the interior of your building;
- Ordinary maintenance; or
- Painting of previously painted buildings and paint colors.

5. How do I apply for a COA?

For minor alterations that do not require a Historic Conservation Board approval but do require a building permit, the COA application is submitted with the building permit application. There is not a separate application form, but some additional documentation may be required.

For minor alterations that do not require Historic Conservation Board approval but do not require a building permit, a Certificate of Appropriateness application and required documentation is submitted to the Historic Conservation Office through the Department of Buildings and Inspections intake counter.

For major alteration that require Historic Conservation Board approval, an adjudication letter from the Urban Conservator is required. Once that is received, an application can be submitted with all the required documents to the Office of Administrative Boards. Once it is accepted it will be set for a hearing.

6. Why isn't zoning enough to protect historic properties?

Historic preservation is zoning; the United States Supreme Court and the Ohio Supreme Court have determined that the reasonable regulation of aesthetics for the purpose of historic preservation is a viable zoning tool of local government that it may exercise and that the exercise of same is constitutional. A Local historic district is a zoning overlay that regulates the aesthetics of a property. It does not regulate use of the property.

7. What is the difference between a contributing and non-contributing property?

A contributing resource is one that was constructed either before or during the period of significance established for the local historic district and retains a high degree of architectural integrity from that period. Defining the specifics of architectural integrity may vary from district to district depending on the architectural characteristics of the district but generally means a resource continues to convey the original design intent even if it has seen changes.

A non-contributing resource is one that was built after the period of significance or was constructed during the period but has been altered such that it no longer conveys its original design intent and is no

longer complimentary or sympathetic to the architecture of the overall district.

8. What are design guidelines? How are they applied?

The purpose of the design guidelines is to provide clear and uniform recommendations that preserve the essential character of historic resources within the district. The guidelines provide detailed information for property owners, tenants and developers to address common rehabilitation questions, recommendations for maintaining the site and setting of historic properties, and guidance for new construction.

9. What does “historic integrity” mean?

Historical integrity means a building or structure retains its design, materials, workmanship, feeling and association within the broader historic district.

10. What is the Historic Conservation Board (HCB)?

The Historic Conservation Board is established by Article XXX Sec 4 the City of Cincinnati Administrative Code. The HCB shall advise the city planning commission and the council on the designation of the city's historic assets and historic districts, and the acquisition or disposition by the city of historic easements or other interests in historically significant buildings; shall recommend guidelines concerning the conservation of the city's historic assets and historic districts, which guidelines shall suggest what alterations and demolitions, including new construction, may be appropriate for historic assets and historic districts; shall consider applications for certificates of appropriateness when required by ordinance; shall suggest ways by which historic assets and historic districts can be redeveloped in a manner that is compatible with new development; shall suggest desirable public and private improvements to historic assets and historic districts; and shall establish and direct the administration of a program for the acquisition of such easements and interests and for the continued compliance with the terms of the easement agreements.

The historic conservation board shall consist of seven members as follows:

- (i) One professional historic preservationist;
- (ii) One professional historian;
- (iii) Two architects registered in the State of Ohio, or one architect registered in the State of Ohio and one urban design professional;
- (iv) One attorney licensed in the State of Ohio;
- (v) One person engaged in the real estate, development or construction industry; and
- (vi) One economist, accounting or financial professional.

Members shall serve for three-year terms.

11. How are Certificate of Appropriateness decisions enforced?

The Historic Conservation Office reviews all building permit applications within a local historic district and will confirm whether the work submitted complies with the approved Historic Conservation Board plans or if the work doesn't require HCB approval, that the work complies to the guidelines. . A building permit cannot be issued for a property within a historic district without the signoff of the Historic Conservation Office. Inspectors will ensure that projects follow the approved plans. If work is performed that is not part of the approved plans it is subject to the building and inspections violation process.

12. What if the HCB denies my application? How do I appeal?

An applicant may appeal a decision of the HCB on an Application for a Certificate of Appropriateness to the Cincinnati Zoning Board of Appeals. The Zoning Board of Appeals will consider the application and the decision made by the HCB and may uphold or overturn the decision. The applicant, if denied, may appeal the Zoning Board's of Appeals to Circuit Court.

13. Will I have to pay any extra taxes, costs and fees associated with local historic district designation?

No. There are no additional taxes, costs or fees associated with a district designation, except for those accompanying an Application for a Certificate of Appropriateness if you want to make exterior changes. Details on the current fees are on the City of Cincinnati website- <https://www.cincinnati-oh.gov/planning/historic-conservation/certificate-of-appropriateness/>

14. Does local historic district designation require me to repair my house?

No. You will still be required to meet the city-wide Property Maintenance Code requirements.

15. Is there money available to help preserve old buildings?

For income producing properties, contributing properties within a Cincinnati Local Historic District are eligible for State Historic Tax Credits. The City of Cincinnati also provides a \$50,000 tax abatement bonus for historic rehabilitation projects.

16. Can I make my building more energy efficient?

If making the building more energy efficient means changing windows and doors, an Application for a Certificate of Appropriateness may be required. Other installations such as EV charging stations or solar panels on the roof may be installed where they would not be visible from a public right-of-way.

17. Will designation mean that new construction must be designed a certain way?

New construction should be compatible with the architecture of the district in size, scale, massing, and architectural details such as window and door placement, roof massing, materials and other features. However, the construction does not have to be a specific style or replicate a historic building.

18. What about demolition?

The local historic district is in place to encourage preservation and rehabilitation and discourage demolition of buildings, structures and sites. While demolition is not strictly prohibited, there are limitations and a high standard to meet to prove that demolition is required. For contributing buildings, the standard is typically Economic Hardship. If demolition is permitted, any new structure must be designed in such a manner as to be architectural compatible with the architecture of the district in size, scale, massing, architectural delineation such as window and door placement, roof massing, materials and other character – defining features.

19. How does local designation of an historic district affect property values?

National and statewide economic studies show that historic district designation can first stabilize property values, and then slowly values begin to rise. Some studies and documents that discuss this issue are below

Measuring Economic Impacts of Historic Preservation

<https://www.achp.gov/sites/default/files/guidance/2018-06/Economic%20Impacts%20v5-FINAL.pdf>

Twenty-Four Reasons Historic Preservation is Good for Your Community

<https://www.placeeconomics.com/resources/twenty-four-reasons-historic-preservation-is-good-for-your-community/>

The Economics of Historic Preservation: A Community Leader's Guide

<https://www.placeeconomics.com/resources/the-economics-of-historic-preservation-a-community-leaders-guide/>