

## Response to Several Questions Regarding Historic District Designation

<p><b><i>What is Preservation?</i></b></p> <p><b><i>What Preservation Is Not</i></b></p>	<p><b>Preservation is keeping buildings in active use and accommodating change while protecting key character-defining features</b></p> <p><b>Preservation does NOT:</b></p> <ul style="list-style-type: none"> <li>• Freeze a district in time</li> <li>• Stop changes from happening</li> <li>• Require making improvements</li> <li>• Require removing inappropriate changes that have happened</li> <li>• Preserve only the pretty buildings (but works to preserve the overall character of the neighborhood)</li> <li>• Tell you what color to paint your house</li> </ul>
<p><b><i>Why is Yalecrest Neighborhood Historically Significant?</i></b></p>	<p>The National Register nomination prepared in 2005 indicated the significance of these houses as follows:</p> <p style="padding-left: 40px;">“It was built out quickly with 22 subdivisions platted from 1910 to 1938 containing houses that reflect the popular styles of the era, largely period revival cottages in English Tudor and English Cottage styles. The architectural variety and concentration of period cottages found is unrivalled in the state...The subdivisions were platted and built by the prominent architects and developers responsible for early twentieth century east side Salt Lake City development. It is associated with local real estate developers who shaped the patterns of growth of the east bench of Salt Lake City in the twentieth century. “</p>
<p><b><i>What is the Role of the HLC?</i></b></p>	<p><b>How does the role of Historic Landmarks Commission differ from the role of the Planning staff?</b></p> <p>The role of the Historic Landmark Commission is educational, rather than advocacy. They are a regulatory body which must maintain a neutral position so to be unbiased when a petition comes before them. That is not to say that they cannot provide information of a general nature about historic preservation, designation, design guidelines, etc. The planning staff provides the Commission, the Planning Commission and the City Council with the support they need to carry out their functions.</p>

<p><b>Who Reviews What?</b></p>	<p><b>HLC Reviews:</b></p> <ul style="list-style-type: none"> <li>• Major alternations</li> <li>• New construction of principal buildings</li> <li>• Accessory structures over 600 sq. feet or more than one story</li> <li>• Additions whose footprint is greater than 50% of the existing building footprint</li> <li>• Demolition of historic buildings</li> </ul> <p><b>Staff Reviews:</b> The HLC gives the staff authority to review the simpler items so there is faster turnaround</p> <ul style="list-style-type: none"> <li>• Minor alterations or additions</li> <li>• Partial demolitions, demolition of an accessory structure, demolition of non-historic structures</li> <li>• Fences, roof replacements, driveways, etc.</li> </ul>
<p><b>Preservation Information Availability</b></p>	<p><b>Does Historic Landmarks have information pieces available regarding when permits or certificates are required?</b> Yes, the Preservation in Brief is available at the one-stop center and is often sent in response to emails. The HLC website (<a href="http://www.slcgov.com/ced/hlc">www.slcgov.com/ced/hlc</a>) provides a lot of information.</p> <p>There are also links to the Utah State Historic Preservation Office which has a wealth of information about historic preservation (but not regarding permitting): <a href="http://history.utah.gov/">http://history.utah.gov/</a></p>
<p><b>Required Documents</b></p>	<p><b>Does the applicant have a list of what is required to be submitted with the application?</b></p> <p>Yes, the application specifically lists the documents which need to be submitted with the applications. There are occasions, however, where once the preservation planner receives the application and required attachments, there may be some additional information requested (e.g., revised drawings). These applications as well as building permit information are available at <a href="http://www.slcgov.com/CED/buildzone/pdfs/build.pdf">http://www.slcgov.com/CED/buildzone/pdfs/build.pdf</a></p>

**Contributing/Non-Contributing Structures**

The map (on the next page) was developed in 2005 by a historic preservation specialist hired by the City.

The map indicates contributing (i.e., historically significant buildings), non-contributing buildings and out-of-period. The survey was conducted in order to prepare a nomination for the National Register of Historic Places. Although houses on the National Register are basically honorary, owners of such houses can take advantage of State Tax credits for improvements to the building. The historic districts are important for the development of the neighborhood. The neighborhood itself may reflect distinctive architectural styles, works of notable architect or master craftsman, be a site of important historic event or residences of important historic figures.

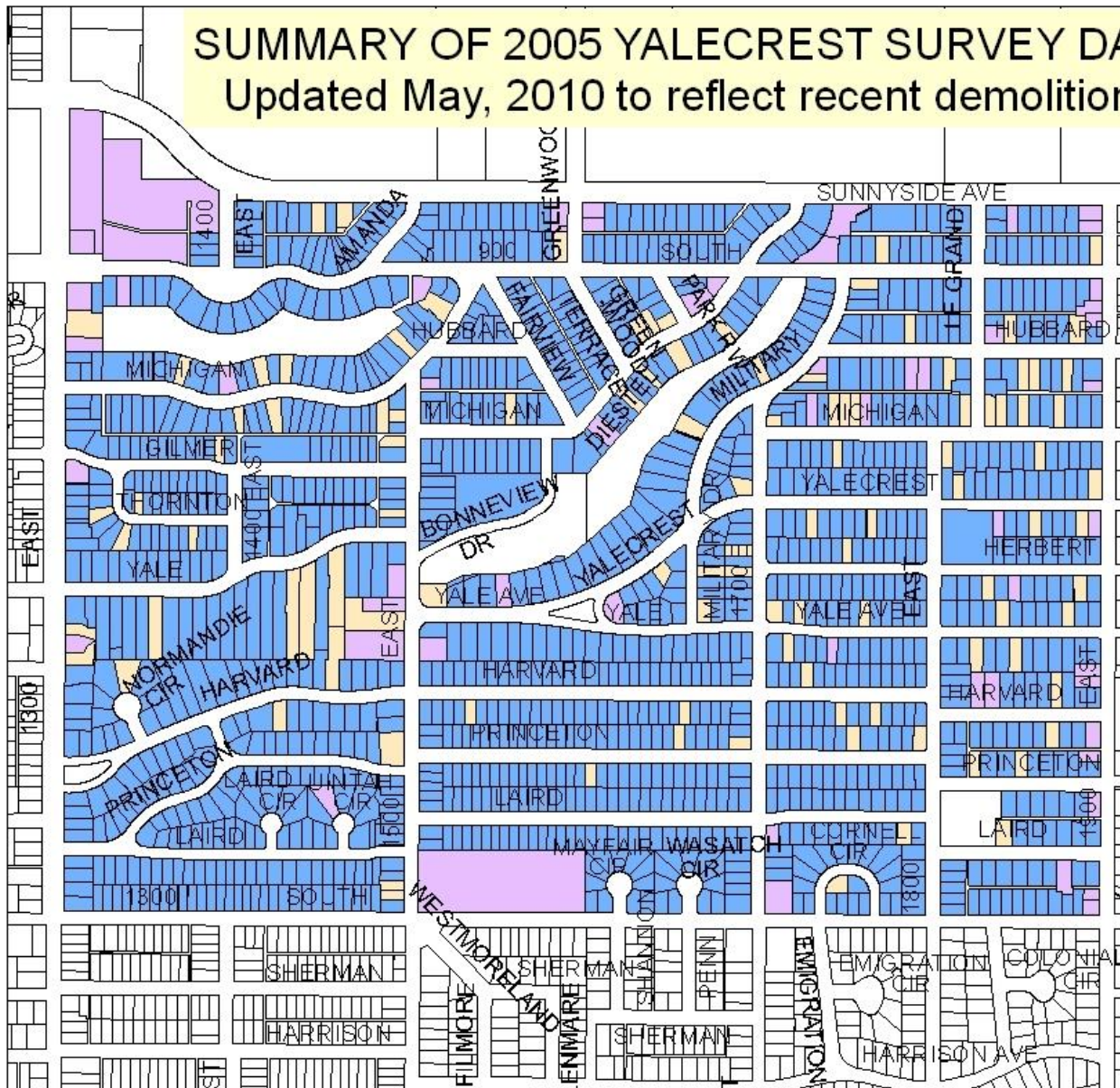
*As this map was prepared in 2005, it has changed to reflect demolitions and new construction since that time.*

**Contributing Structure:** A contributing structure is a structure or site which has been classified by as historically significant either individually or collectively within the neighborhood as significant to the city, state, region or nation because it imparts artistic, historic or cultural values. A contributing structure has its major character defining features intact or with minor alterations.

**Noncontributing Structure:** A noncontributing structure is a structure that does not meet the criteria of the ordinance which determine historical significance. The major character defining features have been so altered as to make the original and/or historic form, materials and details indistinguishable and alterations are irreversible. Also, the house may be classified as non-contributing if they were built less than 50 years ago.

# SUMMARY OF 2005 YALECREST SURVEY DATA

Updated May, 2010 to reflect recent demolitions



**Legend**

**YALECREST 2005 SURVEY STATUS**

- CONTRIBUTING
- NON-CONTRIBUTING: ALTERED
- NON-CONTRIBUTING: OUT OF PERIOD

Non-contributing properties include properties that have been dramatically altered, new construction, properties that were erected within the last 50 years and properties that have been recently demolished.

**Applicant Reviews**

**How many COA are handled by the one-stop center? Preservation Planners administratively? Historic Landmark Commission?**

How long does the average HLC determination take over and above the normal permit process in the existing historic districts?

Project Type	2009	2008	2007	2006	2005	2004	2003	2002
	<b>HISTORIC PRESERVATION PLANNING</b>							
Admin	255*	192	235	245	255	230	244	174
HLC Review	16+	50	30	43	32	29	25	31
Designation			2	4	3	3	1	3
Surveys			5	2	2	1	1	1
<b>Total Pres. Projects</b>	<b>271</b>	<b>242</b>	<b>272</b>	<b>294</b>	<b>292</b>	<b>263</b>	<b>271</b>	<b>209</b>

\* 45% of the reviews were done over the counter at the time the application is submitted, e.g., roofing, driveway, fencing and minor repairs

\*\*For applications which must be reviewed administratively by a preservation planner, the turnaround time varies depending on the complexity of the project. For example:

- 36% are turnaround in average of 9 days where there a minor additions, accessory building, where materials are similar to the main building
- 11% are turnaround in average 24 days where the applications received are incomplete, the replacement material may not be similar to the existing, and where site visits are required
- 8% are turned around in 48 days where the application is not complete, the replacement material may not be similar to the existing, and site visits are requires.

+ The turnaround time for HLC is 60 days. Many of the items covered by HLC in 2009 were:

- Considering legalization of work where the owner made the improvements without permits and got caught; new additions, new construction on site, signs

<p><b>COA &amp; Building Plans Reviews</b></p>	<p><b>Can the Certificate of Appropriateness reviews and the building plan reviews be done simultaneously to speed things up?</b></p> <p>The building permit process reviews (which average four weeks turnaround) may be done at the same time Certificate for Historic Appropriateness is being reviewed. This assumes that the COA application is complete when submitted and on whether the petition must go to the HLC will determine the turnaround time. There are times, however, when the HLC may require changes which might require revisions to the building plans.</p>
<p><b>Designation by Year</b></p>	<p><b>One suggestion that came up is to include in the Yalecrest district only homes built before a particular year. Are there concerns with doing this?</b></p> <p>This seems problematic for a number of reasons. First, it would be difficult for residents of the neighborhood to know if they are included in the “district” and therefore, need HLC approval. People know if their house is within a certain geographical boundary and can find it on a map of HLC districts. However, many people have no idea when their house was constructed.</p> <p>Second, it sets up an odd criterion for what makes a building “historic.” Who decides a building built in 1910s is more significant than a building built in the 1930s? It’s a little like saying a two-story building is more historic than a one-story building because it is larger. One could argue that the 50-year old or older criteria used by the National Register Office has already done this, and this criteria has been in place for almost 45 years and has gained national acceptance. Only selecting buildings of a certain age may also have the unintended consequence of having the construction date challenged by applicants thus requiring the staff to spend time researching this issue. Historical records of building permits can be an indicator of approximate time the building is built, but they are notoriously inaccurate.</p> <p>Third, protecting historic buildings, but not their newer neighbors, imposes restrictions on the “historic buildings,” but not the neighborhood as a whole. Thus, what gets built next door (such as a much larger building next door) can negatively impact the historic buildings.</p>

***Is historic designation a “taking”***

**Some have argued that the historic preservation designation, is a “taking.” The SLC Council Legal Advisor, Neil Lindberg indicates:**

In 1978, the U.S. Supreme Court, in Penn Central Transportation Co. v. City of New York, upheld the constitutionality of historic preservation ordinances and answered two important questions. First, a historic preservation ordinance has a valid public purpose if it is designed to preserve structures and areas with special historic, architectural, or cultural significance. Ordinances that establish land use controls to enhance the quality of life by preserving the character and aesthetic features of a city clearly promote the public welfare and thus do not violate the substantive component of the Constitution's due process clause. Second, the Constitution requires only that an owner must have reasonable economic use of the property, not necessarily the so-called "highest and best" use. So long as a historic preservation ordinance allows a property owner "reasonable beneficial use," there will be no taking requiring just compensation.

**Here are links from the National Trust on preservation laws:**

Federal Law <http://www.preservationnation.org/resources/legal-resources/understanding-preservation-law/federal-law/>

State Law <http://www.preservationnation.org/resources/legal-resources/understanding-preservation-law/state-law/>

Enabling Authority for Local Preservation Ordinances  
<http://www.preservationnation.org/resources/legal-resources/understanding-preservation-law/state-law/enabling-authority.html>

Local Preservation Law <http://www.preservationnation.org/resources/legal-resources/understanding-preservation-law/local-law/>

<p><b><i>Demolitions</i></b></p>	<p><b>Some residents are looking for a tool that just ‘prevents demolitions,’ but allows expansions without additional approval beyond that required in other neighborhoods. Is there such a tool?</b></p> <p>The Assistant Planning Director has asked the City attorney for an opinion on whether one can amend the infill ordinance to prohibit demolition. The problem with doing it is that the City has to provide a means or standard by which the property owner can protest the regulation as a “taking” (in other words, an economic hardship).</p> <p>The SLC Historic Overlay provides a standard, but if Yalecrest is not a historic district, we cannot tie to the standards listed in 21A.34.020(c)(2). Perhaps a conservation district can be developed to address only demolition, but there is no overall foundation for conservation district yet in our zoning ordinance.</p>
<p><b><i>Economic Hardship</i></b></p>	<p><b>Can the infill ordinance be revised to prohibit demolitions? Response from City Attorney Paul Nielsen:</b></p> <p>Whether the City could survive a challenge to a prohibition on demolition in the YCI or as part of any other infill ordinance depends on the rationale and parameters for such a regulation. An across-the-board prohibition on demolition would likely invite litigation against the City, and a reviewing court would most likely find an unconstitutional regulatory taking without compensation. At the other end of the spectrum, regulations such as what the City has adopted regarding the “H” Historic Overlay District are very likely to survive a legal challenge, as numerous courts have determined historic preservation to be a legitimate basis for restricting demolition, provided that the regulation does not strip the property owner of all beneficial economic use of the property.</p> <p>The keys to a regulation of this nature surviving judicial review are that the regulation should provide safeguards against a property owner being deprived of all beneficial economic use of the property, and that there should be a rational basis for the regulation clearly specified in the body of the ordinance. A blanket prohibition on demolition would almost certainly result in a judicial determination that a person’s property was taken without just compensation in violation of Fifth Amendment rights. However, ... an economic hardship provision, like what is established in the “H” Historic Overlay District regulations restricting demolition, provides a sufficient safeguard against an unconstitutional taking. However, a regulation</p>

	<p>without a legitimate governmental purpose could expose the City to litigation. Fortunately, regulations pertaining to historic preservation have been determined by the courts to serve a legitimate governmental interest. An absurd example of a regulation lacking a legitimate government interest might be a regulation prohibiting demolition of homes on Christmas Street to preserve the continuity of holiday decorations. As you might guess, the legitimate government interest test of rational basis scrutiny is not a very high threshold.</p> <p>In sum, I believe that an infill ordinance under the City’s zoning regulations could limit demolition, provided the appropriate safeguards to unconstitutional takings are incorporated and a rational basis for the regulation is specified, but a total ban on demolition would be problematic.</p>
<p><b><i>Difference Between Zoning and Historic Standards &amp; Guidelines</i></b></p>	<p><b>How do the historic preservation standards and guidelines differ from zoning?</b></p> <p>The <b>zoning</b> relies on dimensional standards relating to height, setbacks, height of external walls, lot coverage, scale, etc. They configure a building and accessory buildings on the site. Zoning provisions such as an infill ordinance may be effective in addressing the development extremes like “McMansions.” It is, however, one set of rules for all properties within a specific zoning district. As the infill standards also are one set of rules fits all, it does not work effectively for an area characterized by a wide variety of architectural forms and scale, as well as lot shapes and sizes, or for a neighborhood composed of groups or streetscapes of different scale and character.</p> <p><b>Unlike zoning, historic preservation is a type of design review.</b> Historic preservation standards and guidelines are tools which look at the character-defining features of the building and uses design guidelines to maintain those features, and the neighborhood character in the process.</p> <p>Both can be used to preserve a neighborhood character, but they address different aspects of the built environment.</p> <p><b>Can someone describe whether there is room to make the zoning more flexible?</b></p>

Because **zoning** addresses a “class of districts” with similar regulations (such as height and setbacks), people become comfortable with it because it is more predictable and has definite standards. If one has a lot which is unusual that it requires more flexibility, the applicant must go to the Board of Adjustment to request approval for that variance. By state law, the applicant needs to prove that he/she are being denied something that their neighbors have, that the change will still be in accordance with the general plan, and that the hardship was not self-created. In other words, the variance is granted because there is a problem with the land, not that it hampers what the property owner wants to do with that land. Consequently, zoning regulations are, by definition, inflexible.

**Historic preservation** has much more flexibility in its design guidelines. For those who wish “yes” or “no” answers, this is problematic because the design review focuses on each house individually (as well as the neighborhood patterns) and determines how to maintain the character-defining features. By its very nature, having the flexibility to address each house’s character would not give the comfort to those who like the definitiveness of the zoning ordinance. **What would happen if the design guidelines were that definite?** One would assume, for example, that it would mean having a list of windows that can be used in a district. But to do so, would create a mish mash as gothic windows or square windows may be installed that do not match the architectural style of that particular house. **The result would be neither preserving the history or the architectural integrity of that house or neighborhood.**

**No requirement to restore what has already been removed**

**If the original character-defining features have been removed previously, will HLC require the owner to re-construct those features or use the original fabric to replace it?**

The owner would not be required to undo what a previous owner has removed unless that property owner wants to change something back. Often, as long as the owner is replacing kind with kind, the staff can review the changes quickly, e.g. replace asphalt shingles with asphalt shingles. The HLC does not initiate action to make changes, but only reviews applications where the property owner is proposing change. Such changes do need to meet the standards to ensure the changes are compatible with the character-defining features.

**Recognizing that there are no simple answers to historic district questions, is it possible to provide a bit more information, for example, ‘Generally, what you are describing is something that can be approved, however, the factors that have to be looked at are a, b, c, and d.**

Yes, there are examples in the Salt Lake City design guidelines:  
[http://www.slcgov.com/ced/hlc/content/Cover\\_TOC.pdf](http://www.slcgov.com/ced/hlc/content/Cover_TOC.pdf)

For example, generally we look to see if historic windows can be repaired and made more energy efficient, consequently helping to preserve these important character-defining features. If they must be replaced we will look for a window which is a close match in terms of overall size, configuration, size and detail. Until a comparison of a specific historic window to a specific proposed new window is presented, a decision can't be made.

Example might be will the new addition require the removal/covering of any character defining features? Will it be visible from the public right-of-way? Are the edges of the historic building still visible/understandable? Is the new addition subordinate to the original historic building in size and detail? Will it be constructed of compatible materials? etc. However, until actual drawings are reviewed, it is impossible to evaluate how all these different aspects of the proposed addition will actually impact the historic structure.

<p><b><i>Are there any definite “yeses” to whether something is allowed or not</i></b></p>	<p><b>Is there ever a time when we can answer a question with yes or no? (Yes you can replace windows. You need to...) (Yes you can build an addition. You need to....)</b></p> <p>The closest we can come to saying yes or no to proposed changes are the design guidelines. As every building is different, they must be looked at individually. Some have asked why isn't there a list of acceptable windows? If one looks at the design guidelines, the illustrations indicate what types of windows would be acceptable for different styles of architecture. As the windows are the eyes on the street and one of the strongest character defining features, if the replacement windows are not appropriate, it changes the entire look of the structure. If we have a list of the kinds of windows that exist in the district as acceptable, they may be used interchangeable, no matter the individual character of a specific house, and pretty soon, the district as a whole loses its character.</p> <p>As a result, the difference between yes and no is almost always in the details. We would be concerned an applicant would hear 'yes,' and would not hear the rest which indicates there is also a possibility on 'no' if the work isn't carried out in a certain way. Unfortunately, there are so many variations on how work can be done; it's hard to second guess them and we also don't want to take away flexibility for the property owner and designers.</p> <p><b>At the same time, reviews start with what the property owners want to do and how can the City work with the owners to get an approval project?</b></p>
<p><b><i>Windows</i></b></p>	<p><b>Information Sheet or something with 5 or 6 window types from which to choose, and that the window issue isn't as difficult as it seems. Is there indeed a list of window types that are allowed in historic districts?</b></p> <p>The policy cited in the design guidelines indicate, “The character-defining features of historic windows and their distinct arrangement should be preserved. In addition, new windows should be in character with the historic building. This is especially important on primary facades.”</p>

## **Windows – cont'd**

The character of a window is made up of the windows individual features including its size, placement, materials, the size and shape of the sash, rails, muntins and mullins, style. These characteristics can be challenging to replicate in a new, double pane window.

Historic windows are typically made of higher quality materials (old growth wood) than new windows. They are repairable, where new stock windows are usually not. Most of the heat loss is through air leaks around the window sash and frame, rather than through the single-pane of glass. Weather stripping, caulking, and storm windows will cut heat loss significantly and can out-perform replacements, while allowing the historic windows to be retained. In one example cited by the U.S. Department of Energy, if 21 windows were replaced in a 1916 house (combination of double-hung, casement, and fixed “picture windows) with new “energy efficient windows, the savings would be only \$90 per year, and would thus take more than 77 years to recoup the cost of the new windows.

[http://history.utah.gov/historic\\_buildings/information\\_and\\_research/windows.html](http://history.utah.gov/historic_buildings/information_and_research/windows.html)

Great information on why historic windows are important, and why replacing them shouldn't be the first choice can be found on the National Trust's website:

<http://www.preservationnation.org/issues/weatherization/windows/>

<http://www.preservationnation.org/issues/weatherization/windows/windows-faq.html#windows-matter>

When windows must be replaced they should be replaced with a window which closely matches the size, style, and rail/muntin/mullin details. This typically has been difficult to accomplish in a new vinyl window. A list of “approved” windows or window manufactures is not kept. Windows must be evaluated case-by-case. A window which would be a close match for a casement window on a bungalow, would not be a good match for a multi-pane window on a Victorian. In addition, each window company has various lines of windows, some of which will be better matches for historic windows. Finally, windows companies are continually making changes to the products they offer, making keeping an up-to-date window list nearly impossible to maintain.

	<p>Part of the evaluation, therefore, is whether the windows are original to the house and hence a character-defining feature of the residence. If the house has aluminum windows, they are most unlikely to be original to a historic property, and consequently, are unlikely to be character-defining features in a positive sense. Their loss would not, in this context, adversely affect the historic integrity of the property.</p> <p>Although restoration of historic character would usually be considered a goal in a historic neighborhood, replacing different windows (e.g. aluminum windows with wood windows) perhaps to match the original windows lost to the building) would not be a requirement.</p> <p>It would not feature therefore in any insurance costs, because it would not be required. It would, however, be a good investment in the property if the windows were upgraded in the process</p> <p>If a window breaks again it would not be a loss of a character-defining feature, and there would be no requirement to replace like with like. Equally in this context, there would be no requirement to replace it with something more appropriate to the house or district; only the recognition that to do so may enhance and restore architectural character to both house and district, again probably enhancing the value of both.</p> <p>In preservation terms, the window is usually defined as being the glass, frame, sub-frame, trim, sill and opening, including associated profiles and detailing. All of these elements are part of the window design and contribute to the definition of the character of the building.</p>
<p><b>Additions</b></p>	<p><b>Is it possible to use some as examples of homes in Yalecrest or even other neighborhoods that have additions that would have been allowed under a district so that people can see that it is possible to add on in a historic district?</b></p> <p>Certainly and these are provided in the Powerpoint presentation to at the Yalecrest meetings in May.</p> <p>General guidelines which are typically used in evaluating new additions, including: the addition should not be very visible from the public right-of-way, the addition should be subordinate to the historic building, you should still be able to “read” where the historic building ends and the new addition starts (these can be fairly subtle, such as, recessing the walls on the new addition, by a few inches, changes in materials, etc.), not</p>

	<p>faking history (this includes not exactly matching historic details, or making the building fancier than it was historically, etc.). Typically, the size of the addition should be smaller than the historic building (again, subordinate to the historic structure,) respecting and preserving any character-defining features which may exist where the new addition is proposed. Here is more detailed information on additions:</p> <p><a href="http://www.slcgov.com/CED/HLC/content/Design_Guidelines_Book.asp">http://www.slcgov.com/CED/HLC/content/Design_Guidelines_Book.asp</a></p> <p>Preservation Brief 14: New Exterior Additions to Historic Building – Preservation Concerns (a NPS publication.)</p> <p><a href="http://www.nps.gov/history/hps/tps/briefs/brief14.htm">http://www.nps.gov/history/hps/tps/briefs/brief14.htm</a></p> <p>New Additions section of “The Secretary of the Interior’s Standards for Rehabilitation &amp; Illustrated Guidelines:” <a href="http://www.nps.gov/history/hps/tps/tax/rhb/new01.htm">http://www.nps.gov/history/hps/tps/tax/rhb/new01.htm</a></p>
<p><b>Additions/HLC</b></p>	<p><b>Has the HLC ever approved converting a single-story home into a two-story home, i.e., whether it is possible to build up with an appropriate design?</b></p> <p>This seems like something which could be accomplished under the existing compatible in-fill ordinance, but may not be approvable by HLC for an historic district. The In-fill zoning ordinance attempts to make changes compatible to the neighborhood, by focusing on height, scale, setbacks, etc.</p> <p>Within a historic district, the emphasis is shifted to being concerned with the individual historic building and its setting in the historic district. To add a second-story to a one-story house, no matter how well designed, would dramatically alter the historic character of the building and cause the building to lose its architectural integrity.</p> <p>Here’s a link to a NPS publication rooftop additions on larger buildings. Even then it’s difficult:  <a href="http://www.nps.gov/history/hps/tps/tax/incentives/avoiding_10.htm">http://www.nps.gov/history/hps/tps/tax/incentives/avoiding_10.htm</a></p> <p>Also, NPS “Rehab No – Don’t put on a new addition that changes the building’s historic character”  <a href="http://www.nps.gov/history/hps/tps/tax/incentives/avoiding_10.htm">http://www.nps.gov/history/hps/tps/tax/incentives/avoiding_10.htm</a></p>

<p><b>Seismic Bracing</b></p>	<p><b>Is it more expensive to retrofit an older home than to construct a new to prepare for an earthquake?</b></p> <p>The Utah State Preservation Office has developed a brochure addressing how to brace one’s house for an earthquake. It is entitled, “Bracing for the Big One”  <a href="http://history.utah.gov/historic_buildings/information_and_research/bracing_for_the_big_one.html">http://history.utah.gov/historic_buildings/information_and_research/bracing_for_the_big_one.html</a></p> <p>It indicates, “Many of the retrofit procedures described here are inexpensive. A minor investment now in upgrading your historic house can help prevent major, costly repairs after an earthquake or perhaps save the building from complete destruction. While historic buildings are constructed of old, sometimes archaic materials, effective seismic retrofit is mostly a matter of improving the strength of connections as well as securing and anchoring building elements, objects, etc. to reduce hazards. It is important to remember that in both old and new construction, there is no such thing as "earthquake-proof." Only repair and upgrade efforts now can reduce the seismic risk to your historic house and improve your personal safety in the next big earthquake.”</p>
<p><b>Insurance</b></p>	<p><b>Does it cost more to insure houses on the National or Local Register?</b></p> <p><b>Paul Lusignan of the National Park Service, National Register Office in WDC</b> (which has federal responsibility for historic preservation) indicates:</p> <p>“In recent years we have seen an increasing number of insurance companies change their perspective on how they deal with historic properties. Fearful of taking on additional risk some firms, based on false information, are refusing to underwrite "historic" older homes. Listing in the National Register of Historic Places, however, does not mean that property owners are restricted in any way from altering, managing, or rebuilding their property as they choose. If a National Register listed property is destroyed or heavily damaged there are no Federal requirements that the building be rebuilt according to original specifications. In other words, property owners are free to do what they wish with their property. And therefore insurance companies are not obligated to fund complete historic reconstructions. (In many cases, such reconstructions might not even meet modern buildings codes.)</p>

Some communities have established local historic preservation ordinances, which under local zoning laws might place some restrictions on historic properties, but few if any require complete reconstruction of destroyed buildings...[SLC's ordinance does not require reconstruction of destroyed buildings]

Our recommendation regarding insurance firms is to shop around for firms that fully understand the relevant rules and requirements of programs such the National Register. Perhaps even looking to a firm or representative outside your community. Secondly, provide your agent with documentation from our web site that explains the provisions of our program. [see, [http://www.nps.gov/history/nr/national\\_register\\_fundamentals.htm](http://www.nps.gov/history/nr/national_register_fundamentals.htm)] Finally, organizations such as the National Trust for Historic Preservation have been working on these issues, and visiting their web site might provide additional useful information. [see <http://www.preservationnation.org/>]"