

# Fort Worth Citywide Historic Preservation Plan



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**The City of Fort Worth**

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# Table of Contents

<b><u>Section</u></b>	<b><u>Page</u></b>
<b>PLAN SUMMARY</b> .....	<b>i</b>
<b>PRESERVATION CONTEXT</b>	
<b>Fort Worth’s Historic Character</b> .....	<b>1</b>
Overview of Fort Worth’s History.....	1
Fort Worth’s Historic Resources .....	13
Defining What is “Historic” .....	21
<b>Public Value of Historic Preservation</b> .....	<b>24</b>
Economic and Fiscal Value.....	24
Cultural Value .....	26
<b>Past Preservation Efforts</b> .....	<b>27</b>
Early Preservation Efforts in Fort Worth .....	27
Comprehensive Preservation Planning.....	28
Coordination and Collaboration .....	29
Historic Resources Survey .....	30
Recent Preservation History .....	31
<b>Policy Context of Preservation</b> .....	<b>34</b>
Comprehensive Planning Requirements.....	34
Legal Context of Preservation Policy .....	34
<b>Historic Research Sources</b> .....	<b>37</b>
<b>ANALYSIS OF CURRENT TOOLS AND CONDITIONS</b>	
<b>Existing Historic Resources Survey</b> .....	<b>39</b>
Methodology .....	40
Survey Content, Findings and Recommendations .....	42
Limitations .....	43
Accessibility .....	45
<b>Existing Historic Preservation Ordinance</b> .....	<b>46</b>
Evolution of the Ordinance: Revisions Over Time .....	47
General Comparison to Other Preservation Ordinances .....	49
Effectiveness of the Ordinance .....	50

<b>Existing Historic Preservation Incentives .....</b>	<b>55</b>
Existing Local Incentives .....	55
Existing State Incentives .....	57
Existing Federal Incentives .....	60
Potential Model Incentives Found Elsewhere .....	63
<b>Other Relevant Local and State Policies .....</b>	<b>72</b>
Relevant Local Policies .....	72
Relevant State Policies.....	77
<b>Summary .....</b>	<b>80</b>

**GOALS, OBJECTIVES AND STRATEGIES FOR ACTION**

Findings .....	82
Background.....	85
Historic Resources Survey and Resource Priorities.....	88
Preservation Ordinance.....	94
Preservation Incentives .....	106
Preservation within all City Policies/Decisions .....	113
Public Education and Communication.....	116
Implementation Matrix.....	121

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## Plan Summary

### Fort Worth Citywide Historic Preservation Plan

#### Project Purpose

Fort Worth has a tremendous wealth of historic resources that give the community a unique identity and strong community character. The city's historic resources contribute in a variety of ways, but many of these resources are not protected from development pressures and other threats. Public awareness levels and opinions vary widely with respect to historic preservation in Fort Worth, and only a small number of citizens are actively involved in the issue. Several preservation controversies in recent years have illuminated the varied opinions. *It is the goal of this plan to build a consensus on a wide range of historic preservation issues in Fort Worth.*

#### Project Approach

If any single word best embodies the approach taken in developing Fort Worth's historic preservation plan, it would be "balance." A strong sense of balance has been applied through the perspectives represented in this plan's creation, through the proposed approaches to achieving preservation objectives, and through the preservation program's relationship to other programs and policies of the City. The City's appointed Steering Committee to lead the plan's creation reflects a broad range of viewpoints. While some members represent preservation-oriented groups, many others represent groups not seen as traditionally supporting historic preservation, but having useful insights into preservation and bringing an important perspective. By having such a committee composition, the plan reflects a balanced perspective. A three-step process was used to develop the plan, as follows:

##### Element 1: Summary of Preservation Context

This initial phase of the project included: meeting with public officials and citizens; defining the historic character and public value of preservation; summarizing past preservation efforts in Fort Worth; identifying comprehensive planning requirements; describing the legal context of existing preservation policies; and presenting the Summary Report.

##### Element 2: Analysis of Current Tools & Conditions

This phase of the project included evaluating the existing historic resources survey, the historic preservation ordinance, the preservation incentives, other relevant local and state policies, and presentation of the report.

##### Element 3: Goals, Objectives & Strategies for Future Action

The third step of the project included: public meetings to formulate goals, objectives and strategies; developing a historic resource survey and designation strategy; providing preservation ordinance recommendations; identifying preservation incentives; creating a strategy for preservation within all City policies and decisions; preparing a strategy for the enforcement of preservation policies; developing a public education and communication strategy; creating a time-frame for plan implementation; presentation of the draft preservation plan; and revisions and presentation of the final plan.

## Preservation Context

Fort Worth has numerous historic resources that are significant to the preservation of Fort Worth's unique history, architecture, and culture. Key historic themes include:

- Pioneer & 'Fort Worth' Era
- Cattle Drives & Stockyards
- Railroads: Queen of the Prairie
- Fort Worth's Development Patterns
- Oil & Aviation Industries

Research conducted early in the project revealed that most existing histories on Fort Worth are from a singular perspective that places little emphasis on the history of African-Americans, Mexican-Americans, and other minorities. Fort Worth's resources were categorized into the following groupings: districts; buildings; structures/infrastructure; objects; sites; and written, oral and living histories. By using examples of resources considered "historic" by other communities across the country, it was emphasized that clear criteria to define "historic" will necessarily entail a degree of subjectivity. Several substantial benefits derived through historic preservation were identified. Both national and in-state studies have documented the economic and fiscal value of preservation. Similarly, cultural and "quality of life" benefits were identified. Past preservation efforts in Fort Worth were also summarized, beginning with the historic marker program begun in 1924 during the city's Diamond Anniversary celebration. The evaluation of the policy context for preservation in Fort Worth revealed that state laws uphold the designation and protection of resources, as well as the provision of local property tax incentives.

## Analysis of Current Tools & Conditions

An evaluation of Fort Worth's current tools and conditions produced the following findings:

### Existing Historic Resources Survey

The existing historic resources survey is good, but has limitations related to currency of data, accessibility and inclusiveness.

- The *Tarrant County Historic Resources Survey (TCHRS)*, completed through the 1980s and early-1990s, has not been updated since the initial survey was conducted.
- The *TCHRS* is available in hard copy for purchase or at the library, but it is not available electronically, and the complete set is relatively expensive to purchase.
- Certain geographic areas, ethnic groups, time periods and building types are under-represented in the existing survey.
- Most of the existing histories on Fort Worth are from a relatively narrow perspective. Information on the story of Native Americans, African-Americans, Mexican-Americans, Asians and Fort Worth's other minority groups are difficult to find.

### Existing Preservation Ordinance

The existing preservation ordinance is fairly typical of cities the size of Fort Worth. While, key components of an effective preservation ordinance are present in Fort Worth's, several weaknesses also exist, including:

- Enforcement provisions are inconsistently applied.
- Designation criteria are vague and can be interpreted subjectively.

- The appeals process is loosely worded.
- The Demolition Delay consultation provisions are unclear.

#### Existing Preservation Incentives

The City currently has one historic preservation incentive, the Historic Site Tax Exemption, which allows for City taxes to be assessed on the pre-renovation value for ten to fifteen years.

- In FY 2002, the Historic and Cultural Landmarks Commission verified rehabilitation expenditures leveraged by the Historic Site Tax Exemption of approximately \$1 million.
- The Historic Site Tax Exemption is especially attractive for smaller projects, where property values are exceptionally low prior to rehabilitation, and for larger commercial projects.
- The Historic Site Tax Exemption has not been as effective in promoting reinvestment where property values are already high.

#### Impacts of City Policies

Some policies of the City can have indirect impacts on historic preservation, such as transportation, housing, and economic development.

- The construction of architecturally incompatible City-sponsored housing can have a negative impact on the character and value of historic neighborhoods.
- Some Police and Code Compliance enforcement actions have the effect of diminishing the historic housing stock by demolishing houses considered substandard.
- Current standards for wide streets and curb cuts have an adverse impact on the design of historic districts and central city neighborhoods.

### **Goals, Objectives & Strategies for Future Action**

While the preservation programs of many communities across the country are heavily weighted toward regulatory measures, Fort Worth is pursuing a more balanced approach. A key objective of this plan is to emphasize approaches such as financial incentives and education. Below is a summary of the key recommendations of the plan:

#### Historic Resources Survey & Resource Priorities

*GOAL A: Maintain a Historic Resources Survey that is current, comprehensive and cost-effective.* Strategies include: continuing to update and expand the survey through the use of volunteers overseen by qualified professionals; carefully prioritizing areas and resources to survey; and pursuing creative approaches to make future historic resource surveys more cost effective, such as the use of advanced technologies.

*GOAL B: Maintain a Historic Resources Survey that is accurate, useful and readily accessible to a wide spectrum of potential users.* Strategies include: insuring that survey data are accurate by utilizing qualified surveyors; insuring that survey data are useful by using a well-designed survey form; and making the survey highly accessible and integrated into other related data.



GOAL C: *Prioritize Fort Worth's historic resources so that the most important resources can be preserved.* Strategies include: identifying the most significant historic resources among the various resource categories; prioritizing resources or areas at risk due to deterioration or development pressure; and prioritizing National Register Districts that have no local designation.

#### Preservation Ordinance

GOAL A: *Achieve a Preservation Ordinance that is clearly written, logically organized, reasonably concise, based upon sound purposes, coordinated with other ordinances and insures a properly functioning Landmarks Commission.* Strategies include: expanding the "Purpose" section; revising the description of how preservation designations relate to base zoning districts; revising the "Definitions" section; more fully addressing issues related to Landmarks Commission membership; provide more training for Commission members and others involved with the preservation in Fort Worth; revising the appeals section to tighten the language and clarify the process; revising the substandard property section to bring it in line with other related City ordinances; and following the meeting attendance requirements for Commission members.

GOAL B: *Designate historic resources for protection based upon reasonably objective designation criteria and a fair designation process.* Strategies include: modifying the ordinance's designation criteria to be more specific and more comprehensive; revising the "Districts Established" section; revising the "Procedures for Designation of Property" section; relocating the property tax incentives provisions within the preservation ordinance; considering the designation of Conservation Districts as an alternative to historic designation; specifying that the City, property owners or other individuals and entities may prepare the documentation needed to initiate nominations for local designation; requiring City staff to hold one or more public information meetings upon validation of a district nomination petition; and revising the owner consent provisions to eliminate the many potential "loopholes" that now exist.

GOAL C: *Provide a review process for applications for Certificates of Appropriateness (COAs) that is fair, logical, user-friendly and based upon objective design guidelines.* This goal's strategies include: establishing a Design Assistance Team of design professionals to assist COA applicants; clarifying that significant site features are also regulated; revising the ordinance with respect to when work requiring a COA may begin; waiving the required 180-day delay of demolition when an unreasonable economic hardship is determined; allowing certain types of work to be administratively approved by the City's Historic Preservation Officer; revising the Landmarks Commission's Rules of Procedures for carrying out meetings; strengthening provisions regarding the amount of time that the Landmarks Commission has to make a decision on a COA application; and improving the Demolition Delay designation with a more specific process for exploring alternatives to demolition.

GOAL D: *Enforce the preservation ordinance in a manner that is effective and fair.* Strategies include: revising the "demolition by neglect" provisions to apply to properties designated as Demolition Delay; amending the "Appeal; Penalties" section to clarify numerous issues currently not addressed; aggressively pursuing penalties for property owners violating the preservation ordinance; building a stronger relationship between the Landmarks Commission/Historic Preservation Officer and the City's Development

Department and Code Compliance department; working with other Texas communities, Texas Historical Commission and Preservation Texas Building Industry Council to provide preservation training programs to municipal code enforcement officials.

Preservation Incentives

*GOAL A: Capitalize on existing state and federal incentives for historic preservation and promote their availability to all applicable entities and individuals. Strategies for this goal include: working with the North Central Texas Council of Governments to encourage their award of TEA-21 federal enhancement funds to historic preservation projects; promoting the availability of the federal Investment Tax Credit and the New Market Tax Credit for qualified historic rehabilitations and/or commercial revitalization projects; and promoting the availability of the federal tax incentives for donating façade easements.*

*GOAL B: Revise and enhance the City's existing incentives for historic preservation, and develop new incentives. Strategies include: relocating the City's existing historic site tax exemption provisions within the preservation ordinance, and promoting this incentive's availability; revising the tax exemption to leverage greater rehabilitation; prioritizing historic resources for receiving Tax Increment Financing from the City; prioritizing areas in special circumstances for preservation incentives; facilitating the development approval process for locally designated historic properties by providing City staff to walk applicants through the process; exploring City programs that offer other benefits when considering future historic or conservation district designation for neighborhoods; exploring the creation of a façade rehabilitation loan program to be administered by either the City or some other appropriate entity; and establishing a local revolving loan fund for historic preservation.*

Preservation within all City Policies/Decisions

*GOAL A: Adjust City policies and programs that are in conflict with the City's historic preservation goals, and look for opportunities to benefit preservation. Strategies for this goal include: the City Manager issuing an Administrative Regulation to require all departments to submit for review by the Historic Preservation Officer all projects that could negatively impact historic resources; amending the City's program of conveying tax foreclosed properties to include developers who will commit to sensitively rehabilitating historic buildings; and modifying the City's program to eliminate buildings that are perceived to foster criminal activity to avoid negative impacts to historic resources.*

*GOAL B: Develop new public policy tools to benefit historic preservation efforts in Fort Worth. Strategies include: developing and adopting a Rehabilitation Building Code to specifically apply to historic and older buildings; and giving first consideration to historic buildings and/or compatible infill construction when the City considers the location and design of new public facilities.*

Public Education & Communication

*GOAL A: The City, working with Fort Worth's various preservation organizations, should educate the public on technical issues and promote the benefits of preservation. Strategies include: promoting the availability of all incentives for preservation; working with public and independent school systems to develop curricula related to Fort Worth's*

history and historic preservation; continuation of the City and local preservation groups working together to establish periodic conferences and lectures on preservation; encouraging property owners to nominate eligible properties to the National Register of Historic Places; being more proactive in educating property owners about the benefits of local historic designation; and working with other communities and organizations to implement advance disclosure of historic designations to prospective property buyers.

*GOAL B: Educate the public about the true diversity of Fort Worth's history, including that which is associated with significant places, whether preserved or lost. Strategies include: interpreting a broad perspective that tells the story of all segments of the community; identifying significant sites that no longer qualify for historic landmark designation, but are recognized as historically important; working with local historic and preservation groups to expand the interpretation of Fort Worth's historic sites; establishing the importance of oral history, and designating the Fort Worth Public Library system as the agent for compiling these accounts; and partnering with media outlets to spotlight historic preservation, and helping to educate the public as to its importance.*

# Preservation Context



## FORT WORTH'S HISTORIC CHARACTER

### Overview of Fort Worth's History

Although the area of present-day Fort Worth was inhabited by Native Americans before the arrival of European explorers in the 16<sup>th</sup> century, little is known of these local peoples. Groups thought to have been in the area were the Tonkawas and the Hasinai Caddos. By the late-1700s, the Commanche, Kiowa, and Wichita tribes had also moved into the region. In 1843, a treaty was adopted at Fort Bird (near present-day Haltom City, northeast of Fort Worth), dividing the area between the settlers and the Native Americans. With the establishment of Fort Worth six years later, the settlers benefited from this treaty, as natives had not settled in the immediate vicinity although skirmishes continued until the 1870s.

The Congress of the Republic of Texas encouraged settlement by offering large grants to companies such as the Peters Land Company (also known as the Peters Colony) in 1841, which eventually obtained the land that would become Tarrant County. Since Fort Worth's beginnings as a fort in 1849, the community has experienced many influences that molded its history. Fort Worth's past is defined by the contributions and developments associated with each of these influences. Key historic themes include the following:

- Pioneer and "Fort Worth" Era
- Cattle Drives and Stockyards
- Railroads: Queen of the Prairie
- Oil, Aviation and Other Industries
- Fort Worth's Development Patterns

### Pioneer and "Fort Worth" Era

In 1849, U.S. Army General William Jenkins Worth, commander of the U.S. Army troops in Texas, proposed a line of ten forts across Texas be established to protect the western frontier. On June 6 of that year, the frontier post of Company F, 2<sup>nd</sup> Dragoons, 8<sup>th</sup> Department of the U.S. Army was founded at the bluffs overlooking the junction of the West and Clear Forks of the Trinity River. This location is just north of the Tarrant County Courthouse, between the courthouse complex and the



*This cabin at the Log Cabin Village is typical of those existing in Fort Worth's earliest years.*

site of the former Ripley Arnold housing community. Major Ripley Arnold commanded the fort and named it after Major General Worth, who unknown to Major Arnold, had died several days earlier. Tarrant County was established in 1849. With the presence of the U.S. Army, settlers soon began establishing homesteads in the vicinity. When pioneers migrated into what we now know as Tarrant County, they found vast grasslands teeming with vegetation and wildlife. These prairies were intermittently broken by scattered woodlands along stream and riverbanks. Because it was determined that this part of Texas was not threatened by Indians, the Army abandoned the fort in 1853 and moved further west. However, the community which had grown up around the fort remained and adopted the name: Fort Worth.

Elections were held in 1851 and 1856 to determine the location of the county seat and Fort Worth, which was the largest community in the county, won. In 1860, another election for the county seat was held, which Fort Worth also won, permanently establishing its claim to this position. During the Civil War, Fort Worth suffered from the effects of the conflict, including economic impacts and a loss of manpower. However, shortly after the war, circumstances occurred that would define the economy, culture and character of Fort Worth for years to come.

### **Cattle Drives and Fort Worth Stockyards**

During the Civil War, free-range longhorn cattle thrived on the plentiful grasses of the prairies to the south and west of Fort Worth. Jesse Chisholm identified a trade and cattle route from the Red River through Oklahoma and Kansas to loading pens and shipping cars in Kansas City and later, Abilene, Kansas. Drovers and herders collected these longhorns in Texas and began cattle drives. One of these routes through Texas began in Brownsville,



*Living history demonstration in the Stockyards District*

continued through Austin and Waco, and crossed the Trinity River at a low-water location just a mile to the north of Fort Worth. This trail continued north to Red River Station or Red River Crossing (east of Decatur), where it crossed the Red River into Oklahoma Territory. The route through Texas was originally referred to as the Texas Trail or Eastern Trail, but Texas cowmen soon called the entire cattle trail from south Texas to Kansas the Chisholm Trail. A large percentage of the approximately five to ten million cattle driven across the state from 1866 to 1884 used the Chisholm Trail, ultimately one of the best known in the West.

Fort Worth prospered from these cattle drives. Small stockyards were established south of the city, near the present interchange of Interstate Highways 30 and 35, and the cattle were shipped by rail to other markets. The Fort Worth Union Stockyards Company was chartered in 1887 by a group of local businessmen, and land was purchased for new stockyards across the Trinity River to the north. In 1890, the Fort Worth Meat and Packing Company at which cattle was slaughtered and then packaged for transit in cooled rail cars, ushering in a new era of the cattle industry. In 1893, the Fort Worth Livestock Exchange Building opened as headquarters for what would become one of the greatest livestock markets in the world. In 1902, the Armour Packing Company and the Swift Packing Company built plants at the Stockyards, having a dramatic impact on the local community by creating hundreds of jobs and stimulating other livestock-related businesses.

The Southwestern Exposition and Fat Stock Show started in 1896 as a venue for the cattle ranchers to exhibit their stock. This show immediately became an annual event. In 1908, a coliseum was built at the Stockyards to house this Exposition. The location of the first indoor rodeo in the country in 1918, it was soon known as "Northside Coliseum." In 1943, the Exposition was moved to the Will Rogers complex on a temporary basis because all of the buildings in the Stockyards were in use for war production. After the war, the Exposition remained at the Will Rogers complex, on the west side of town.

The Stockyards remained an important component of Fort Worth's economy until 1962, when Armour & Company closed its plant. Swift & Company followed suit in 1971. The area then went through an economic decline until the 1980s, when the heritage and history of the cattle industry provided the initiative to revive the area for tourism. The Fort Worth Stockyards continues to operate today as working stockyards, although at a dramatically reduced pace.

### **Railroads: Queen of the Prairie**

Prior to the advent of railroads in Fort Worth, the town was served by several stage lines, with the first westbound coach arriving in 1874. In 1878, the Yuma Stage Line made Fort Worth the eastern terminus of its route to Yuma, Arizona. During the late-19<sup>th</sup> century, railroads became critical to the survival and growth of any community. With the advent of the railroads and the booming cattle market, Fort Worth grew to a population of 23,067 by 1890. With its transformation into an active Victorian city, Fort Worth became known as the "Queen of the Prairies."

The first railroad in Fort Worth was the Texas and Pacific, which began service there in 1876. Fort Worth was the eastern terminus for its route to San Diego, California. Other railroads soon followed with service to Fort Worth, including:

- Missouri-Kansas and Texas Railroad (1880; referred to as "Katy")
- Santa Fe Railroad (1881)

- Fort Worth and Denver City Railroad (1881; established by local businessmen)
- Fort Worth and New Orleans Railroad (1885; later sold to Southern Pacific)
- Fort Worth and Brownwood Railroad
- Fort Worth and Rio Grande Railroad (1886; later became the Frisco)
- Fort Worth, Corsicana and Beaumont Railroad
- St. Louis Southwestern (1887; also known as the “Cotton Belt Railroad”)
- Rock Island Railroad (1893)

Several railway terminals were built in conjunction with the various railroads. The earliest was the Santa Fe Depot, constructed in 1889. The impressive Victorian-style Texas and Pacific Railway terminal was built in 1899, but it burned in 1904. That structure was succeeded by the zigzag moderne Texas and Pacific Terminal, in 1931. This magnificent station has recently been restored and reactivated as a functional passenger rail terminal, housing the Trinity Railway Express through the Metroplex to Dallas.

In addition to the regional railroads, there were local lines serving the community. The Fort Worth Street Railroad Company ran a mile-long route down Main Street. Also, the Dallas/Fort Worth Interurban was completed in 1902. Operated by the Northern Texas Traction Company, this line served many communities between the two major cities. The Interurban was important for the development of East Fort Worth, including Stop 6, and the town of Handley, until it ceased service in 1934.

## **Oil, Aviation and Other Industries**

### Oil Industry

The discovery of major oil fields in northwest Texas in 1917 and 1918 brought more businesses to Fort Worth. Because the town became a center for refining, sales of leases, and oil stock exchange, various oil businesses located here. Several major refinery and pipeline companies, such as Sinclair Refining, Texaco and Humble (now Exxon Mobil), opened facilities in Fort Worth. Although the first major oil refinery in Fort Worth opened before the oil boom in 1911, there were seven by 1918. The industries and manufacturing associated with the oil business were explosive, and the city’s population grew accordingly. This growth overwhelmed several of the surrounding suburbs, and by 1928 several had been annexed by Fort Worth. Among the areas annexed were Polytechnic, Riverside, Diamond Hill, Rosen Heights, Washington Heights, Meadowbrook, Stop Six, Arlington Heights and Como. Three new



*Early 20<sup>th</sup>-century Riverside building*



subdivisions also resulted from the oil Boom of the 1920s and 1930s: Cheltenham, Berkley and Park Hill. While most of the country was suffering economically, the oil boom provided a catalyst for growth and helped offset the effects of the Great Depression in Fort Worth.

### Aviation Industry

Aviation history in Fort Worth began in 1911 with a performance by seven international aviators; they arrived by rail, assembled their planes and put on an air show. Amon G. Carter headed the committee, which organized this performance. Six years later, three Canadian airfields were located near the city: Taliaferro I, Taliaferro II and Taliaferro III. This location was chosen for the climate, which allowed flying for roughly 300 days of the year. Later that year the U.S. Army established Camp Bowie for aviation training in Fort Worth. Responsible for training 100,000 men, this camp consisted of 2,000 acres in the southwest part of town. The street accessing the camp was originally named Arlington Heights Boulevard, but was renamed Camp Bowie Boulevard in honor of the army camp. After the war, commercial and residential development replaced the facility.

In 1927, Meacham Field opened north of downtown Fort Worth, offering commercial and passenger service from locally owned Braniff Airways and American Airlines. Following World War II, Fort Worth further strengthened its partnership with the aviation industry. Consolidated Vultee Aircraft Corporation, the largest manufacturer in the city, was purchased by General Dynamics. Next to this facility, the Army Air Force located Tarrant Field Air Dome in 1946, which in 1948 became Carswell Air Force Base and was part of the Strategic Air Command. Carswell was home to the B-356 bomber.

Lawrence D. Bell, aircraft manufacturer of Buffalo, NY, wanted to separate the airplane and helicopter operations of his business. Bell Helicopter moved to its new headquarters and manufacturing facility to far east Fort Worth, south of Hurst, in 1951. In 1960, Textron purchased this division and renamed it Bell Helicopter Textron, and as the world's largest manufacturer of helicopters, continues to contribute to the aviation economy of the region. In 1953, Amon G. Carter Field opened in far east Fort Worth. This airfield became Greater Southwest International Airport. Greater Southwest and Meacham were superceded by Dallas/Fort Worth International Airport in 1974, which is now one of the busiest airports in the world.

Aviation Corporation, a New York company, was organized as a domestic airline in 1929, and it immediately began acquiring young aviation firms. One firm it acquired in 1934 was Fort Worth-based Texas Air Transport, whose treasurer was C. R. Smith, a Texas native. They reorganized twice in 1934, first as American Airways and later as American Airlines, with C. R. Smith as president. At that time, Amon G. Carter became a director and part owner of American Airlines. After World War II, American continued to develop its passenger flight base, becoming the largest airline in the world. During the 1970s, American moved its national headquarters to Fort Worth, building on its strong local roots.

Other Industries

Other significant industries that have impacted the history and current economy of Fort Worth include medical, higher education and media – both radio and television.

*Medical*

St. Joseph’s Infirmary, opened in 1889, was the first hospital in Fort Worth. It was followed in 1895 by All Saints Hospital, as well as the opening of the Fort Worth Medical College later that year. In 1906, a City-County hospital was established in Downtown Fort Worth as an affiliate of the Fort Worth Medical College. These early medical centers laid the foundation for later facilities: Ethel Ransom Hospital in 1914, serving the African-American community; Booker T. Washington Sanitarium in 1918, also serving the African-American community; Fort Worth Free Baby Hospital (later Fort Worth Children’s Hospital) in 1918; Harris Hospital in 1923; and Cook Hospital (later Cook Children’s Hospital) in 1926.

*Education*

Fort Worth is home to two large universities: Texas Christian University (TCU) and Texas Wesleyan University (TWU). The forerunner of TCU, Addran Male and Female Academy, was established in 1873 in Thorp Springs, near Granbury. The school moved to Waco in 1895, and it became Texas Christian University in 1902. When the main building on campus was destroyed by fire in 1910, the City of Fort Worth offered the school 50 acres of land and \$200,000 to relocate to Fort Worth. The university accepted and opened its new campus here in 1911.

Texas Wesleyan University was established in 1890, when the Northwest Texas Conference of the Methodist Episcopal Church authorized the establishment of Polytechnic College. Fort Worth businessmen contributed 300 acres; 50 acres were used for the college, and the remaining 250 acres became the community of Polytechnic Heights. Classes began in 1891. In 1914, the school changed its name and focus when it became the Texas Women’s College. Faced with declining enrollment during the Depression, the school again became co-ed and changed its name to Texas Wesleyan College. The name was again changed again in 1989 to university status.

*Media*

Fort Worth’s newspaper history began in 1879 with the *Evening News* and the *Mail Telegram*; the *Mail Telegram* survived as the *Telegram* until 1908, when it was purchased by the rival *Fort Worth Star*, which had been founded in 1906 by a group of newsmen, including Amon G. Carter, Sr. The combined newspaper – the *Fort Worth Star Telegram* – stressed local news and served 84 counties in West Texas. The *Como Weekly*, founded in 1940, was established to chronicle events in Fort Worth’s African American community. Carter was not content to let new forms of media pass him by, so he expanded his news empire by establishing Fort Worth’s first radio station, WBAP, o in

1922. On September 27, 1948, WBAP became the first television station to operate in Texas opening with the broadcasting of a live speech by President Harry Truman. WBAP became the first Texas station to broadcast in color in May 1954.

### **Fort Worth's Development Patterns**

Fort Worth was incorporated approximately two decades after the community was established as a fort and settlement. The Texas State Legislature enacted a bill that incorporated Fort Worth on February 15, 1873. At the time of incorporation, the city was four square miles in area.

#### Downtown

Until the early-1900s, downtown Fort Worth was comprised of relatively small-scaled wood frame and masonry buildings of two to four stories. Regrettably, few of these structures survive today. With the advent of the railroad, Fort Worth grew to the south and east of downtown, and northward along Samuels Avenue.

In 1907, the Flatiron Building was completed and opened as medical offices. At seven stories tall, this building was considered a "skyscraper" and was the tallest building in the entire southwest at the time. The Flatiron Building initiated an era of large, impressive downtown structures as Fort Worth prospered due to the petroleum industry, local banking interests, and a generally healthy economy. Many of Fort Worth's impressive early skyscrapers, such as the Burk Burnett Building (1914) and W. T. Waggoner Building (1920), reflected the town's prosperity of the early decades of the twentieth century. In the 1930s, as additional commercial development occurred in downtown, these new structures reflected the architecture of the modern age. Examples include the Blackstone Hotel (1929), the Electric Building (1930), and the Sinclair Building (1930), as well as public buildings such as the United States Federal Courthouse (1933) and the Central Fire Station #2 (1930). Following this building boom of the late-1920s and early-1930s, Downtown Fort Worth was relatively dormant until the 1970s and 1980s, when another round of construction of high-rises changed the skyline.



*Downtown's 1907 Flatiron Building*

#### Neighborhoods

In the early years, the Trinity River was an obstacle to growth towards the north, west and east of Downtown Fort Worth. Initial growth and development was to the south of the original town located at the top of the bluffs, where the County Courthouse is currently

located. By the 1890s, the city's first mansions began to appear on the fringe of downtown on the bluffs on Summit Avenue, Quality Hill, and Samuels Avenue.

Residential neighborhoods established during the early-20<sup>th</sup> century included Mistletoe Heights, Glenwood, Chase Court, Fairmount, Bellevue, Morningside, Worth Heights, Ryan Place, Riverside and Oakhurst. The majority of these neighborhoods were located to the south and southwest of downtown. An early African-American neighborhood in this area was Trezevant Hills, at 8<sup>th</sup> Avenue; this neighborhood no longer exists, but was at the location of the medical center. During this period, the exclusive Summit and Pennsylvania Avenue residential neighborhoods declined due to commercial intrusions from downtown. Another early growth area was Polytechnic Heights, located to the east. The nearby Polytechnic College (now Texas Wesleyan University) opened in 1891, and was located on land donated by the Hall and Tandy families. Like many areas of Fort Worth, the "Poly" area experienced its first substantial population increase in the early years of the 20<sup>th</sup> century.



*Near Southeast streetscape*

Mosier Valley, established in 1870 as the first Freedman's community in the county, is now within the city limits. While there are few remnants of this original community, it retains its place in Fort Worth's history. Rock Island Bottoms was another early African-American neighborhood, located near the Rock Island Railroad. African-American families established communities to the east of downtown Fort Worth during the 19<sup>th</sup> century, with black-owned businesses clustering along Jones Street. To the southeast, another community flourished near what would become Polytechnic Heights, as many African-Americans were employed at the first stockyards located nearby. The Near Southeast community, located southeast of Downtown Fort Worth began as a predominantly Anglo neighborhood in the 1890s, but began to transition to an African-American neighborhood in the late 1910s and 1920s. This area became the home of upper- and middle-income African-Americans at the northern half of the neighborhood, as well as a working class in the southern half. African-American businesses were concentrated on Evans Avenue, Rosedale and Verbona Streets, including Fort Worth's first movie theatre for this ethnic group. This concentration of businesses created a close-knit commercial district that served the Fort Worth African-American community.



*Morning Chapel A.M.E. Church*

Another important African-American neighborhood developed in the early 1890s on the west side of Lake Como. This neighborhood was occupied by many African-Americans who worked at the nearby Lake Como Resort, and today the area retains its distinct

character. On the outskirts of town, “Stop Six” was a rural African-American community that began following the Civil War. Located on the sixth stop on the Interurban line to Dallas, this community has continued to grow. Although it is now within the city of Fort Worth, it has managed to maintain its rural character.

A small population of laborers from Mexico was employed at the first stockyards south of downtown, and the city’s first “Little Mexico” barrio grew up nearby in the vicinity of 13<sup>th</sup> and Commerce Streets.

There was little growth on the north side of Fort Worth during the city’s first few decades. The area was platted in 1888, and incorporated into North Fort Worth in 1890. During the 1890s, it emerged as a distinct district with the development of Rosen Heights and North Fort Worth. However, these areas were not heavily populated until the formation of the meat packing plants in 1902. The first permanent viaduct across the Trinity River was built in 1889. This improvement contributed toward opening up



*Northside bungalow*

the western and northern areas of the city for development. North Fort Worth, with its proximity to the large number of jobs at the stockyards and related industries, quickly became home to a diverse population of mostly working class families. It was incorporated into the City of Fort Worth in 1909. A large African-American community to the north of the stockyards included many prominent churches, businesses and other institutions. An influx of Mexican immigrants also settled in the area, particularly during the Mexican revolution period after 1910. The city’s largest Hispanic neighborhood grew around the area of North Main, Northeast 23<sup>rd</sup> and Northside Drive. Many of these residents were immigrants from Greece, Bulgaria, Serbia, Rumania, Hungary, Poland and Spain, as well as Mexico. Numerous social, religious and cultural institutions sprang from those populations that provided comfort and stability to the community.

Riverside, platted in 1891 and formerly known as the “Sylvania Addition,” was one of the earliest residential developments on the east side of town adjacent to the Trinity River. Most of its development, including the Oakhurst neighborhood, occurred after being annexed by Fort Worth in 1922. The southern section of Riverside, known as South Riverside, included a historic and important African-American community. South of Riverside (now south of I-30), Sycamore Heights and Meadowbrook also developed in the early-1900s, but as predominantly white neighborhoods.



*Riverside vernacular frame*



1927; this was followed in 1929 by a Chamber of Commerce Plan. The city followed many of Bartholomew's recommendations, resulting in major roads leading directly to downtown, opening of cross-town routes and the construction of a parkway to Lake Worth.

During the early decades of the 20<sup>th</sup> century, Fort Worth's growth was guided by the development of the streetcar system, which was primarily to the north and south. New suburb developments followed the streetcars, resulting in an explosive growth in population.

In the early-1900s, Fort Worth sought to expand its municipal boundaries. The business community supported this objective because a population increase would enhance the city's image of growth and prosperity. Outlying suburban areas had divided opinions. Some feared a loss of autonomy and increased taxes, while others supported annexation as they saw development and growth in their future and wanted City assistance.

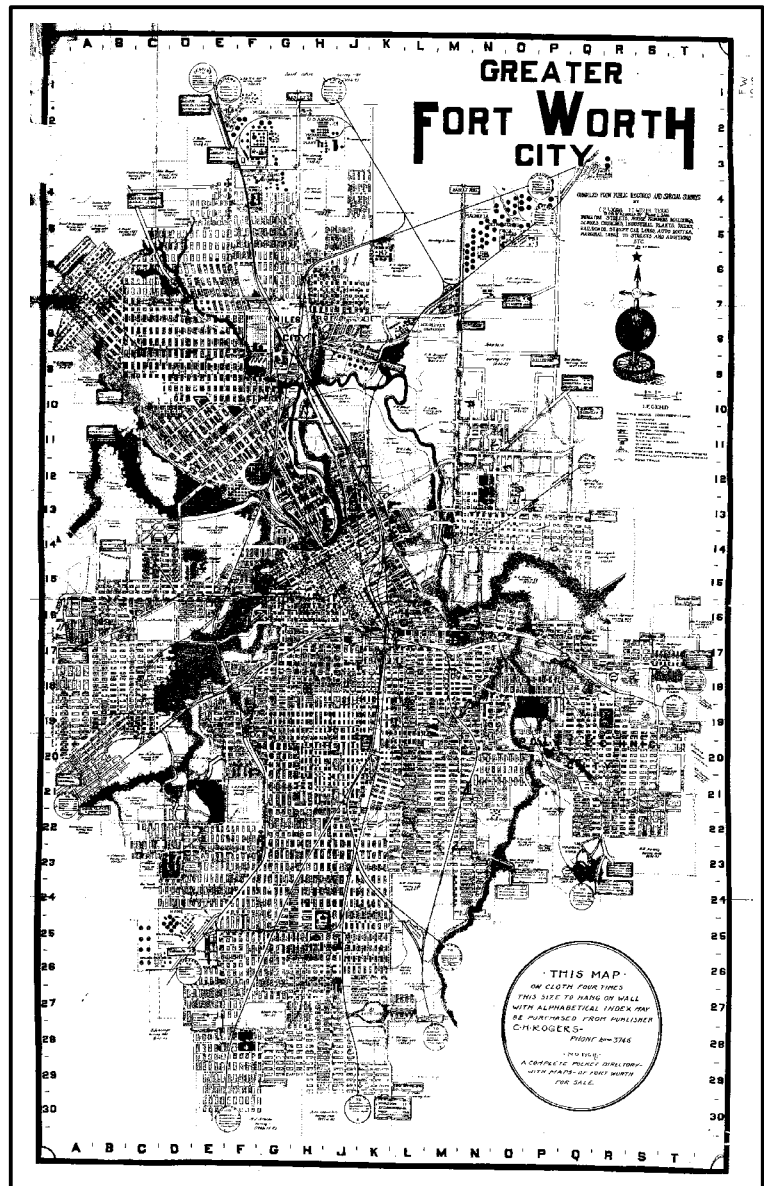
As many of these newer suburbs had grown at a fast pace, the most expedient way to provide utilities was to utilize those of the City of Fort Worth, sometimes without compensation. In 1902, the town of North Fort Worth was incorporated, and previously empty lots began to fill with residences for the managers, supervisors and workers at the packing plants. Rosen Heights, developed by Sam Rosen in 1902, also benefited from these packing plants and was built out by 1910. The north area of the city was built out by the 1930s.

In March 1909, the City disconnected all utilities in suburbs not within its city limits. As an attempt to gain support for annexation, this ploy worked. Within a year, Fort Worth annexed a great deal of surrounding land in all directions, increasing its area from 6 to 16.83 square miles, and tripling its population. One significant exception was the industrial area around the Stockyards. The Stockyards area had incorporated itself as "Niles City" in 1911 to hold off annexation by Fort Worth. This situation lasted until 1922, when the area, along with many other neighborhoods such as Mistletoe Heights, was annexed by the City of Fort Worth. Because of explosive growth that occurred in the early-20<sup>th</sup> century, the City quickly recognized the need for a reliable source of water for future development. In 1914, the West Fork of the Trinity River (northwest of town) was dammed to create Lake Worth. During the depression, the Public Works Administration, City and school district funded numerous public improvement projects for schools, parks, roads and bridges.

During the Depression, Fort Worth's economy suffered although buffered by the oil industry and public construction projects such as the Will Rogers Memorial Auditorium and Coliseum (1936), the minimal Beaux Arts United States Courthouse (1933) and the Fort Worth City Hall (1938). This Will Rogers building would become the nucleus of Fort

Worth's cultural district with internationally recognized museums. Additionally, the complex would expand to accommodate the annual Southwestern Exposition and Livestock Show, providing Fort Worth with cultural highlights of world-class art museums and an annual celebration of its western heritage. Following World War II, Fort Worth continued to grow and annex adjacent communities. These areas included Handley and all of the southeastern area of the city (1946), east to the county line (1950s), and northeast to D/FW Airport (1960s).

Mid-20<sup>th</sup> century transportation improvements, such as the interstate developments in the 1950s and 60s, dramatically changed Fort Worth's land use patterns and disrupted several neighborhoods. In 1953, ground was broken for the Dallas-Fort Worth Turnpike/ West Interstate 30 (I-30), which crosses the city in an east-west direction. This highway separated the older areas of the city that were near the downtown core, with particularly negative impacts upon the African-American neighborhoods. Much of Fort Worth's commercial development that has occurred since the 1960s is orientated along these highway corridors.



1919 map of Downtown Fort Worth and the surrounding areas.



## Fort Worth's Historic Resources

Fort Worth has an abundance of historic resources that reflect the different eras and themes of the city's history, development and growth. While it is not the intent of this document to catalog the city's historic resources, a brief overview is provided.

### Historic Resource Types

The many historic resources in the City of Fort Worth are varied and can be defined by the type of resource. Common definitions of resource types, based upon National Park Service definitions, include the following:

#### Districts

Districts possess a significant concentration, linkage, or continuity of sites, buildings, structures or objects united historically and/or physically. Fairmount and Elizabeth Boulevard are excellent examples of Fort Worth's residential districts. Likewise, the Stockyards District is an example of the city's historic commercial districts. Areas do not necessarily have to be formally designated by local, state or federal governments as districts.



*Elizabeth Boulevard*

#### Buildings

Buildings, such as a house, church, hotel, office structure or similar construction, are created principally to shelter any form of human activity. The Flatiron Building located in Downtown Fort Worth is an example of a historic building, as are the hundreds of Bungalow houses throughout the city's historic neighborhoods.



*Our Mother of Mercy Church*

#### Structures / Infrastructure

These resource types consist of constructions, often for functional uses created for purposes other than human shelter. Structures or infrastructure are often associated with engineering elements, such as bridges, streets, canals, dams, or architectural elements, such as bandstands, gazebos and lighthouses. An example of an architectural structure is the Forest Park Gate.



*Forest Park gate*

### Objects

Objects are elements that are primarily artistic in nature or are relatively small in scale and simply constructed. Although objects may be, by nature or design, movable, they are associated with a specific setting or environment. Examples of objects are fountains, artwork, sculpture, monuments, street signs (including tile curb signs) and boundary markers. The various curb tile street signs imbedded in some of Fort Worth's street curbs are examples of historic objects, as is the Sundance Square mural, regardless of its age.



*Tile street sign*

### Sites

Sites are the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure (ruined or standing) where the location itself possesses historic value due to events, regardless of the value of any existing structure. Examples of sites include battlefields, campsites, natural features and landscapes having historic associates (such as the downtown bluffs and the Trinity River), petroglyphs, or cattle trails.



*Sundance Square Mural*

### Written, Graphic, Oral and Living Histories

Although they are often overlooked because they are not highly visible to the public, written, graphic, oral and living histories are tremendously important historic resources for any community.

Some are more fortunate than others in having written histories or photographic collections. Living history demonstrations are most often associated with special events or specific historic sites, such as cowboys at the Fort Worth Stockyards.



*Marker for 'Fort' Worth site*

## **Historic Resource Overview**

The majority of known historic resources in Fort Worth dates primarily from the late-19<sup>th</sup> and early-20<sup>th</sup> centuries. The city features an interesting historic development pattern in that distinct areas followed the key directions of the compass rather closely. Downtown, the center of the city, developed as Fort Worth's major commercial nucleus. Northside's growth was in conjunction with the Stockyards. The Southside developed primarily in the early 20<sup>th</sup> century. West Fort Worth had little significant building until after WWI, except some in Arlington Heights. Eastside united the Poly neighborhoods and isolated communities such as Handley.

Based upon the historic resource types defined above, an overview of Fort Worth's many historic resources organized by specific geographic areas of the city, is provided below.

## Downtown Fort Worth

### Downtown Buildings

Downtown's historic buildings reflect a full range of architecture that has evolved over the last century: two-story masonry commercial structures as found in the Sundance Square area; civic structures that symbolize the strength of the city or county; the early skyscrapers such as the 1907 Flatiron Building, later examples of skyscrapers that reflect the "boom" times of the 1920s and early-1930s, and post-war commercial buildings reflecting civic pride of the post-WWII era.



*Detailing of Flatiron Building*

The earliest remaining downtown buildings include the Santa Fe Depot (1889-01), Land Title Block (1889), Tarrant County Courthouse (1893-95), Knights of Pythias Hall (1901), Fire Station No. 1 (1907), and the Flatiron Building (1907). These buildings reflect the architectural values of the time – a sense of substance and permanence, a "high design," and the desire that buildings reflect their importance to the community and the image of the owner and business. Ornate elements, such as the arched windows at the two-story Victorian Land Title Block Building and the turret and roof form of the three-story Knights of Pythias Hall, are excellent examples.



*Knights of Pythias Hall*

The Tarrant County Courthouse, completed in 1895 (with 1985 additions), reflects the opulence and pride of this political jurisdiction during its time of origin. Although elected officials responsible for this building were voted out of office for the extravagant cost of this building, the community is forever the beneficiary of this magnificent Renaissance Revival style courthouse that is considered one of Texas' finest.



*Tarrant County Courthouse*

Fort Worth experienced its biggest building boom in the mid-to-late 1910s and early-1920s as the demand for office and retail space resulted from the oil business. The buildings that resulted from this boom include the Burk Burnett Building (1914), W.T. Waggoner Building (1919), Fort Worth Club Building (1925), Blackstone Hotel (1929),

Sinclair Building (1930), Art Deco Electric Building (1930), Public Market Building (1930), and Western Union Building (1931). Institutional buildings constructed during this time-frame include the Masonic Temple (1933), U.S. Courthouse Building (1933), U. S. Post Office (1933), and Fort Worth City Hall (now in the Public Safety Building) (1938).



*US Post Office*



*Burk Burnett Building*



*Paddock Viaduct*

### Downtown Structures / Infrastructure

Within the downtown area, there are historic infrastructure elements that defined the shape of the city; the street grid pattern which dates from the early platting of the town and the railroads which were a major contributor to the city's growth. Paddock Viaduct, built in 1914 at the base of the bluffs of the Trinity River, was the first permanent structure over the river and was also the first reinforced concrete arch to use self-supporting, reinforcing steel in the nation. This bridge has been designated a Texas Historic Civil Engineering Landmark by the American Society of Civil Engineers. Key public spaces have contributed greatly to Downtown Fort Worth's sense of place. Many of the historic public spaces have survived the years, such as the courthouse square at the Tarrant County Courthouse (Paddock Park), the base of the horse fountain at Commerce and Weatherford Streets, and Hyde Park.

## **Neighborhoods and Commercial Districts**

### Neighborhood Buildings

The buildings in Fort Worth's historic neighborhoods reflect a wide variety of residential building types. Buildings include: modest low-income houses, such as shotguns; vernacular houses, such as the L-plan and H-plan houses; and working class and middle-income housing types, such as bungalows, prairie four-squares, and Tudors cottages. There are also examples of hipped, masonry block houses constructed in the 1910s in some neighborhoods, such as Ryan Place. These houses are atypical and can trace their design to that of Frank Lloyd Wright. Housing for the more affluent residents of Fort Worth



*Vernacular early-1900s home*

included historic classicism and revival styles. Mediterranean, Tudor Revival, and Spanish Colonial Revival were among the most widely used.

The first residential neighborhoods were Summit Avenue, Mistletoe Heights, Glenwood, Grand Avenue, Chase Court, Fairmount, Samuels Avenue, Bellevue, Morningside, Ryan Place (including Elizabeth Boulevard), Riverside, and Oakhurst. Subsequent neighborhoods included Polytechnic Heights, Park Hill, Handley, Rivercrest, and North Fort Worth, which was originally incorporated as a separate town.



*1030 Elizabeth Boulevard*

The house styles within most of Fort Worth's residential neighborhoods are quite varied, and do not typically represent a single style within a neighborhood. This condition appears to result from the fact that many neighborhoods were "built out" over several decades, with the homes reflecting their particular time of construction.

#### Commercial District Buildings

The commercial districts outside of downtown Fort Worth include: smaller ones that historically serviced nearby neighborhoods; larger community commercial districts that served multiple neighborhoods, such as the East Lancaster area, East Rosedale/Polytechnic area, South Main Street and Pennsylvania Avenue; and larger destination commercial districts, such as the Stockyards.

The Stockyards' importance is its association with Fort Worth's earliest and most successful commercial interest – the cattle industry. Located near the site of the original cattle trail drives of the late-1860s, this district was later the site of the cattle markets of the 1870s, and the meat packing plants of the 1890s and first half of the 20<sup>th</sup> century. This area, incorporated as Niles City in 1911, was known as the "richest little town in the world," with property values in excess of \$30 million, a fortune at that time. Because of this prosperity, Niles City was a progressive town with improved roads, utilities and city services. Despite the demise of the cattle market, its historic buildings remind visitors of its important history and contributions to Fort Worth. Some of its resources include the Livestock Exchange building (1903), Cowtown Coliseum (1908), 100-102 E. Exchange Place (Maverick Hotel, 1905), 101-111 E. Exchange Avenue (1906), Swift Company headquarters and Horse and Mule barns (1911), remnants of the cattle stocks and pen areas (dating from 1911), and various meat packing plant buildings. The Stockyards district is listed in the National Register of Historic Places, but it is not locally designated or protected.



*Exchange Avenue in the Stockyards*

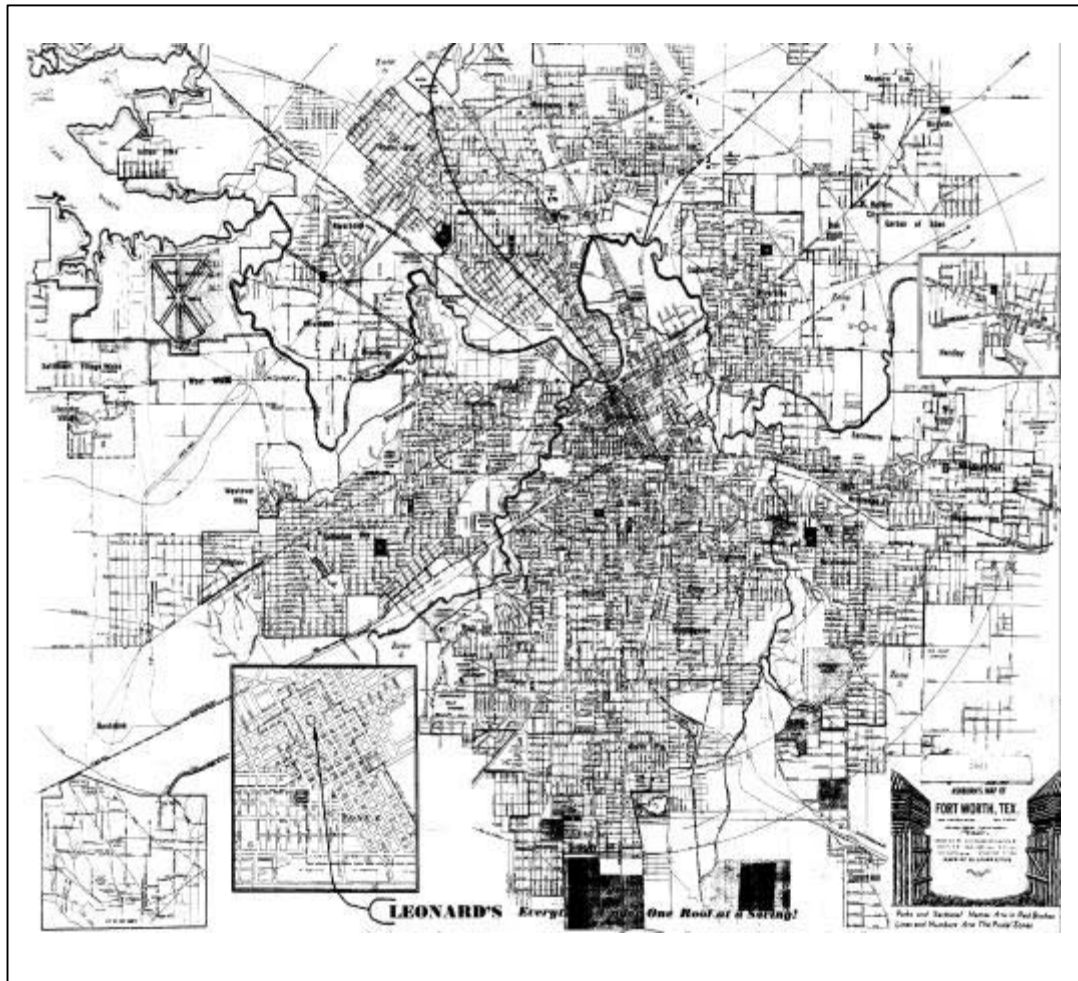
### Neighborhood and Commercial District Structures / Infrastructure

In the early years of the city, the Trinity River was an obstacle to growth towards the north, west and east of downtown Fort Worth. Residential neighborhoods were first located on the same side of the river as downtown, such as Samuels Avenue/Rock Island. The streetcar system eventually extended to the south, serving new residential areas on the Southside. With the first permanent bridge over the Trinity River arriving in 1914, living “across the river” became more desirable, as access to one’s house was possible even during rain and times of flooding.



*Camp Bowie Boulevard's red brick paving*

As the town grew to the north, east and west, the streetcar lines extended to those areas as well. Some neighborhoods and communities were also served by the Interurban. Many structures associated with the Interurban and the railroads remain in place today. For example, underpasses still exist at Henderson, North Jennings, Main, and Tennessee Streets as well as Vickery Boulevard. A component of the early street system is the Thurber brick streets, which date from 1900 through the 1930s. Many of Fort Worth’s early brick streets still remain in place, including East Daggett Avenue, East Broadway Street, South Main Street, East Stella Street and Camp Bowie Boulevard. Many neighborhoods have historically been identified with important public spaces. Examples include the Hayne Triangle and monument at Main and Lancaster, the Ryan Place entry gates at College Avenue and Elizabeth Boulevard, and the Chase Court entry pylons.



1943 map of Downtown Fort Worth and the surrounding areas

### Neighborhood and Commercial District Sites

Fort Worth has been blessed with a natural topography that is unique in Texas – a river with a constant water flow and several low-water crossings, rolling hills, tree-clad limestone bluffs at the edge of downtown, and numerous creeks and natural drainage systems. The bluffs overlooking the Trinity River were the primary reason for the establishment of the fort at this location, and Fort Worth owes its existence to them. Although natural features having no historic connections are not typically considered to be historic resources, the significance of the bluffs and river at this location merits consideration.

### **Written, Oral and Living Histories**

Although they are less tangible than historic resources such as buildings, written, oral and living histories can all be extremely important types of information and useful learning tools. Written materials related to Fort Worth's history exist in large quantities and can be found in places such as libraries, historic organizations, private collections, educational institutions, churches, governmental facilities, and on the internet, to name a few. Perhaps the greatest challenge is simply maintaining a current and well-organized list of the types of written materials available and their locations. Among the varied sources of Fort Worth's published history are the Fort Worth Public Library, the *Star Telegram* Photo Archives, the Fort Worth Black Historical and Genealogical Society, the Tarrant County Archives, and Historic Fort Worth, Inc.

Likewise, oral histories can still be secured from many of Fort Worth's citizens, particularly the elderly who have recollections of the community dating from the early-1900s. The Fort Worth Black Historical and Genealogical Society has done work in the documentation of oral histories, as has the Tarrant County Historical Commission and Historic Fort Worth, Inc. in the Near Southeast area. Depending on how their levels of significance are defined, oral histories are as plentiful as the number of people that live in Fort Worth or otherwise have an association with the city. Their value as a supplement to written histories is often overlooked. Given the age of many people possessing some of the most significant information, time is of the essence for documentation.



*Oral history*

Living history demonstrations are both an effective and entertaining manner to teach local history, and they can be especially appropriate for teaching school-age children. Most living history activities are tied to either specific sites or specific organizations. The Stockyards District is an example of site-specific living history in which the life of the cowboy is interpreted. Another, Log Cabin Village allows for hearing first hand about the life of early settlers.

The brief history and overview of historic resources above is intended as only a general background to provide context to the historic preservation plan. There are numerous sources documenting the history and historic resources of Fort Worth, including those documents, websites, and institutions listed at the end of this plan section under the heading "Historic Research Sources."



## Defining What is “Historic”

When it comes to historic resources, opinions differ widely on what is historic versus what is not. While professional opinions often do not vary widely among historic preservationists, the general public has many perspectives. Although it is the goal of many communities to arrive at clear-cut definitions of historic significance in order to more easily build consensus on preservation issues, it is never a realistically achievable goal. Although “gray” areas will always necessarily exist, there are existing examples of definitions to consider, ranging from the national to local levels.

### National Register Criteria

The National Register standards for evaluating the significance of properties were developed to recognize the accomplishments of all peoples who have made a significant contribution to our country's history and heritage. The criteria are designed to guide state and local governments, federal agencies, and others in evaluating potential entries in the National Register.

#### Criteria for Evaluation

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded, or may be likely to yield, information important in prehistory or history.

#### Criteria Considerations

Ordinarily cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within one of the following categories:

- a. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- b. A building or structure removed from its original location but which is primarily significant for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- c. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life; or
- d. A cemetery which derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- e. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- f. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
- g. A property achieving significance within the past 50 years if it is of exceptional importance.

**Fort Worth’s Existing Criteria**

At the local level, the City of Fort Worth has its own criteria of significance as found in the City’s historic preservation ordinance. These criteria are used to determine a resource’s or district’s potential for designation. Similar to the National Register considerations, the City of Fort Worth’s criteria are paraphrased below as questions:

- 1. Is the resource distinctive in character, interest or value?
- 2. Is the resource an important example of an architectural type?
- 3. Is the resource the work of an important architect or builder?
- 4. Does the resource embody elements that represent architectural innovation?
- 5. Does the resource have a relationship to other important resources physically or thematically?
- 6. Does the resource contain archeological value that has produced, or may produce, useful information?
- 7. Is the resource identified with a significant historic event?
- 8. Is the resource identified with a significant person(s)?
- 9. Does the resource contribute to the character or image of a neighborhood or area?
- 10. Is the resource designated as a Recorded Texas Historic Landmark or State Archeological Landmark, or is it on the National Register?

### Historic Resources from Other Communities

The adage “One man’s trash is another man’s treasure” is perhaps as relevant to historic resources as anything else. Below is a random collection of images of resources from around the country that are considered “historic.” While some are designated on the National Register and some are not, all are considered historic resources to their respective communities and/or neighborhoods.



1960s era sign: Nashville, TN



Arapho Acres: Denver, CO



Garage: Little Rock, AR



Barbershop: Coppell, TX



Battlefield: Murfreesboro, TN



Gold Dome: Oklahoma City, OK



Wall-painted sign: Greenville, TX



Public housing: Memphis, TN



Cleaners: Chicago, IL



House: Oklahoma City, OK



Road: Murfreesboro, TN



Houses: Memphis, TN

## PUBLIC VALUE OF HISTORIC PRESERVATION

Historic preservation has been recognized as a legitimate governmental function at the local, state and federal levels for several decades now. This fact is evidenced nation-wide by more than 2,000 municipal historic preservation commissions (including approximately 50 in Texas), 50 state historic preservation offices, and numerous federal laws enacting historic preservation. Even the federal tax system features a financial incentive for historic preservation as do many states. There are numerous reasons why preserving historic resources is commonly recognized as wise public policy, including economic, fiscal, cultural and quality-of-life benefits, as summarized below.

### Economic and Fiscal Value

**The rehabilitation of historic buildings leverages greater benefits to Fort Worth's economy than does new construction.** In most cases, rehabilitation of existing historic properties is more labor-intensive than new construction, while new construction is more material-intensive than rehabilitation. As a rule of thumb, roughly half of the costs of new construction go toward materials and half toward labor. A typical historic rehabilitation project, on the other hand, typically results in 60 to 70 percent of the costs going toward labor. Most materials are imported to Fort Worth, while most labor comes from either Fort Worth or elsewhere within the Metroplex. Consequently, the dollars going toward labor are more likely to be recirculated into Fort Worth's economy than the dollars going toward materials. According to *The Economics of Historic Preservation* (Rypkema, 1994), a comparison of the economic impact of \$1 million spent on historic rehabilitation with the same amount spent on new construction is as follows:

- \$120,000 more will initially stay in the community with rehabilitation, as opposed to new construction.
- 5 to 9 more construction jobs will be created with rehabilitation than with new construction.
- 4.7 more new jobs will be created elsewhere in the community with rehabilitation than with new construction.
- Household incomes in the community will increase by about \$107,000 more with rehabilitation than with new construction.
- Retail sales in the community will increase \$142,000 as a result of that \$1,000,000 of rehabilitation expenditure - \$34,000 more than with \$1,000,000 of new construction.
- Real estate companies, lending institutions, personal service vendors, and eating and drinking establishments will all receive more monetary benefit from \$1,000,000 in rehabilitation than from \$1,000,000 of new construction.

A 1999 study, sponsored by the Texas Historical Commission and eight Texas cities including Fort Worth, measured the job creation initiated by historic preservation projects, finding that the \$192 million invested in historic rehabilitation during 1997 statewide created 4,200 permanent jobs and generated \$123 million in income.

**Preservation adds stability to Fort Worth's downtown and other historic commercial districts.** Each year, dozens of downtown master plans are prepared for communities all across the country. Market surveys gauging consumer preferences are often a component of such plans. One of the top reasons typically cited by survey respondents for why they like their downtown is its historic character. There is legitimate financial value in the character of historic buildings, and savvy developers understand this fact and capitalize on it. This phenomenon results in economic stability for downtown and Fort Worth's other historic commercial districts. In Texas, historic preservation-based downtown revitalization activity has generated an average of \$97 million in total annual direct economic activity in addition to the value of the building rehabilitations cited previously (*Economic Impacts of Historic Preservation in Texas* study, 1999).

**Heritage Tourism is one of the fastest growing segments of the economy in Texas, generating \$1.43 billion in spending each year. This huge industry is vital to Fort Worth's economy.** Texas tourism industry figures demonstrate that one in ten travelers in Texas are heritage travelers; that is, visitors who tour the state primarily to visit historic buildings and places. Not only do historic resources draw tourists, but they also encourage longer stays on the part of more affluent travelers. Studies have found that, compared to other categories of visitors, heritage tourists tend to have the highest level of education and the greatest amount of disposable income. They spend \$29 per day more than non-heritage or business travelers, and these dollars are more likely to come from out of state. In addition to heritage travelers injecting external dollars into the Fort Worth economy by spending at shops, restaurants, hotels and attractions, the local government does not have to spend significant public funds on tourists, such as the costs of public education.

**Historic preservation can play an important role in Fort Worth's industrial recruitment efforts.** According to *The Economics of Historic Preservation*, "Good industrial recruiters recognize that their community's historic resources are a major selling point in attracting new businesses." The book quotes another book entitled *Job Creation in America*, which summarizes this concept as follows: "High rates of innovation depend primarily on brains, not land or harbors or cheap labor. The key to attracting brains is to offer quality, not cheapness. The successful, innovation-based company will, in general, settle in an environment that bright, creative people find attractive...They want an amorphous thing called quality of life." Large companies such as Boeing readily acknowledge that a major component of their corporate relocation decisions is the unique character and quality of life found in the communities that are chosen.

## Cultural Value

**Historic preservation helps Fort Worth retain community character.** As illustrated in *The Geography of Nowhere* (Kunstler, 1994), most contemporary development is generic in character. The typical cul de sac in Fort Worth is indistinguishable from the typical cul de sac in Peoria. Likewise, a strip commercial highway in Fort Worth looks much the same as a strip commercial highway in Indianapolis. Historic areas are Fort Worth's greatest opportunity to convey community character and Fort Worth's unique identity.

**Historic preservation instills civic pride.** Civic pride is an important ingredient to Fort Worth's citizens having a strong sense of community, particularly in today's transient culture in which many people move into, and away from, their respective communities. Furthermore, a sense of community is something market surveys indicate that the average American is craving, particularly in light of recent national events related to terrorist threats. The restoration of historic buildings gives most citizens a sense of pride in both the community's past, and in its achievements in preserving its cherished history.

**Historic preservation facilitates the interpretation of Fort Worth's rich history.** Understanding the past is a culturally important goal, whether historic education is targeted to young school children or seniors who are simply interested in learning. One of the most effective ways to teach history is to do so at locations either where a historic event occurred, or places that are representative of such events. Environments such as downtown, historic inner city neighborhoods and the Stockyards are ideal stages for teaching Fort Worth's rich heritage.

## **PAST PRESERVATION EFFORTS**

Community leaders and citizens have been actively involved in efforts to preserve the historic buildings and places of Fort Worth for more than 70 years, and the city has a long history of successful preservation partnerships among public and private interests. Building on many preservation successes, one project has led to another, programs have been developed and expanded, and new and creative mechanisms and efforts have contributed to the sophisticated and mature preservation context within which the community conserves its historic legacy today. Preservationists in Fort Worth recognize, however, that continued vigilance and effort, as well as improved and strengthened policies and programs, are required to prevent the loss of the city's significant architectural and cultural character.

### **Early Preservation Efforts in Fort Worth**

In 1924, during Fort Worth's Diamond Anniversary celebrations, a local marker program identified important sites from the city's earliest history, including the reputed location of the last battle of the 19<sup>th</sup> century Indian wars and a stand of oak trees at the old fort site. Mrs. Etta Newby donated the first property of what would later become the Woman's Club complex on Pennsylvania Avenue, the last residential structure of which would be acquired in 1955. Various architects, including Joseph Pelich and Wiley Clarkson, added conjectural architectural components to the houses, in a design approach common among building "conservationists" of the time. Three years later, the Fort Worth Historical Society was organized by Howard Peak and Olive (Mrs. Charles) Peak Scheuber, among others, to document and preserve local history.

During the Fort Worth Frontier Centennial celebration in 1936, architect Joseph Pelich was engaged by the United Daughters of the Confederacy chapter to undertake a "romanticized" restoration of the Van Zandt Cottage. Also "restored" for the Texas Centennial celebration was the Isaac Parker cabin, part of Amon Carter's Shady Oaks Farm on Lake Worth. A failed attempt to stop the demolition of the city's Carnegie Library, which was replaced by the PWA-funded new library designed by Joseph Pelich in 1937, was followed three years later with the founding of the Fort Worth and Tarrant County Historical Society by members of the former Fort Worth Historical Society. The Society adopted a goal of coordinating the history and preservation activities for the city's 1949 Centennial. The group later shortened its name to Tarrant County Historical Society.

The City Centennial celebration focused the public's attention on Fort Worth's history and rapidly disappearing 19<sup>th</sup> century architectural legacy, and it set the stage for continued documentary and physical preservation efforts during the 1950s. The First National Bank commissioned artist Bror Utter in 1957 to create a series of paintings of local landmarks,

which were published in 1961 in Sam Cantey's history of the bank. In 1958, Log Cabin Village was established by the Tarrant County Historical Society in Forest Park as a museum of 19<sup>th</sup> century vernacular buildings. Turned over to City of Fort Worth Parks and Recreation Department and opened to the public in 1964, Log Cabin Village has acquired additional structures for its collection, including the Isaac Parker cabin from Shady Oaks Farm.

## **Comprehensive Preservation Planning**

The 1960s saw increased interest in identifying and documenting significant historic properties. The Texas State Historical Survey Committee (predecessor to the Texas Historical Commission) placed the first state historical markers in Fort Worth, and the Tarrant County Historical Society published its first edition of *A Guide to Historical Sites in Fort Worth and Tarrant County*. In perhaps the first effort to conduct a comprehensive "landmark" inventory, distinguished University of Texas architectural historian Drury Blake Alexander surveyed the city in 1968, identifying a dozen buildings worthy of preservation.

The 1964 demolition of the Waggoner and Ellison mansions on Quality Hill sparked renewed interest among many in the community to find ways to protect the city's disappearing architectural heritage. At this same time thirteen blocks of late-19<sup>th</sup> and early-20<sup>th</sup> century buildings, including the Majestic Theatre, were destroyed to make way for construction of the Tarrant County Convention Center. In 1972, the failed-effort to save the Robert McCart Mansion in Arlington Heights in the face of new townhouse development energized a new generation of citizens who recognized the value of historic places and buildings to the community. The remaining years of the 1970s saw rapid change and new successes for preservation. By mid-decade, the Elizabeth Boulevard residents nominated their important and historic street to the National Register of Historic Places. They later created their own preservation ordinance, lacking only a municipal enabling ordinance with which to enforce their efforts. Several of the community leaders who had vainly tried to save the McCart House went on during the mid-1970s to lead a drive to "Save the Scott Home." The distinguished house, also known as Thistle Hill, was threatened by nearby hospital parking lot expansion plans. The preservationists launched a "penny campaign" among Fort Worth school children and significantly raised awareness among broad new constituencies about the value of historic buildings. The "Save the Scott Home" campaign helped to raise the necessary funds and the great mansion was saved, restored and opened as a successful historic house museum.

Meanwhile, across town, the 1975 demolition of the old Niles City town hall led to organization of the North Fort Worth Historical Society created to preserve the architectural heritage of the Fort Worth Stockyards and surrounding area. The society was instrumental in gaining National Historic District designation of the Stockyards in 1976.



One year later, a collaboration among Texas Heritage, Inc., the North Fort Worth Historical Society and the Fort Worth Chapter of the American Institute of Architects (AIA) completed a historic resources survey of North Fort Worth with funding from the National Endowment for the Arts and the Junior League of Fort Worth.

A group of 20 community leaders founded the Fort Worth Black Historical and Genealogical Society in 1972 to collect, document and preserve both the physical landmarks and the records and memories of the African-American community in Fort Worth. During the ensuing years, the Society's members established an extensive archive of written and oral history materials, photographs and other memoirs, and worked to save landmarks and historic areas across the city.

What would prove to be the largest private sector preservation effort to date in the city's history commenced in 1977 when planning got underway for Sundance Square – a multi-block downtown mixed-use development that incorporates numerous rehabilitated historic commercial buildings. By 1980, construction on the project had begun, with federal historic preservation tax credits being used to finance some of the building rehabilitations. Simultaneously, reconstruction of the brick paving of Main Street began.

## **Coordination and Collaboration**

Even as the Sundance Square project was beginning, largely volunteer-based preservation advocacy and education groups recognized a need for more coordination and collaboration. The Oklahoma City regional office of the National Trust for Historic Preservation, the Washington D.C.-based nationwide non-profit organization, was invited to conduct an evaluation of Fort Worth preservation efforts. The Trust recommended the formation of a coalition of preservation and historical groups to better coordinate efforts. The interim result was the creation of the Economic and Cultural Historical Organizing Alliance (ECHO) in 1978, a loosely organized coalition that ultimately failed to capture the attention or interest of the public.

The preservation groups continued to seek ways to better cooperate and build credibility across the community, and in 1980, the Tarrant County Historical Commission approached the Junior League of Fort Worth for help. The League had just initiated the city's second significant historic home preservation project when the organization purchased the Ball-Eddleman-McFarland House on Quality Hill as a Junior League 50<sup>th</sup> Anniversary Gift of Preservation to the community. The Junior League ultimately agreed to help set up an umbrella "organization of organizations" and assisted in founding the Historic Preservation Council for Tarrant County, Texas (HPC). The League provided start-up funding for operations for three years, including seed funding for a countywide historic resources survey. The HPC collaboration was made up of one delegate from each eligible organization – those organizations with an interest in historic preservation.

Consensus among all organizations was required for the Council to take a public position on a preservation issue, thereby establishing a strong and unified voice for preservation interests. The Council began with 27 constituent groups and ultimately grew to include 41 organizations.

The Historic Preservation Council was immediately engaged in a major preservation struggle when the group joined with many other constituent organizations ranging from neighborhood associations and business groups to labor organizations to support the work of Citizen Advocates for Responsible Expansion (I-CARE) to fight the proposed expansion of the Interstate 30 highway overhead structure at the southern end of downtown. The elevated highway already visually impacted the nearby Fort Worth Water Gardens as well as the historic Texas and Pacific (T&P) railroad depot, the T&P Warehouse and the U.S. Post Office. The depot was on the National Register, and the Warehouse and Post Office were soon listed. The nearly decade-long legal and public relations battle to move the interstate freeway and dismantle the elevated structure was ultimately successful.

## **Historic Resources Survey**

The City of Fort Worth enacted its first municipal preservation ordinance in 1980, and in 1981, the Historic Preservation Council began the first phase of an 11-year project to survey the historic resources of Tarrant County. The quality and scope of the Tarrant County Historic Resources Survey was unequalled in the state at the time, and when the research was completed, the inventories were published, receiving numerous awards from both local and state organizations. The survey researched, documented and evaluated the historic structures and districts to identify the historic places and properties worth saving. It also provided access to the public to the accumulated research in order to build a preservation program, and to make the information available broadly in the public and private sectors. The HPC goal was to institutionalize the information as part of proactive plans to save historic resources, rather than merely reacting to threatened destruction.

Professional consultants worked with several thousand volunteers to research, document and evaluate buildings in Tarrant County, 80 percent of which were located in Fort Worth. The survey's reports, files and photographs were supplemented with maps that located approximately 300,000 buildings and sites. The inventory included primary, secondary and tertiary resources. Primary sites were documented and evaluated as to their potential eligibility for the National Register or for local recognition and were listed in the survey reports. Approximately 2,200 sites throughout the county were noted as primary resources. Public access to the survey information – a primary goal of the Council in conducting the survey – was provided when copies of the maps were placed with the City of Fort Worth and in the offices of the HPC. Public access was also

accomplished by the publication of numerous volumes of the survey's reports, which tell the stories in photographs and text of the important historic resources in the community.

As the survey got underway, private investors were already identifying buildings for adaptive use projects, including a series of small scale commercial properties such as the Vinnedge Building, the Modern Apartments, the Bicocchi Building and the 19<sup>th</sup> century Stephen F. Austin School, which became headquarters for the Williamson-Dickie Manufacturing Company. An innovative Urban Development Action Grant (UDAG) from the federal government in 1980 assisted a major developer in rehabilitating the historic Hotel Texas as part of revitalization effort of the southern end of Main Street. Meanwhile, the 1894 Tarrant County Courthouse was restored by the county government beginning in 1982, one of the earliest such comprehensive courthouse projects in the state.

### **Recent Preservation History**

Preservation activity and advocacy was not without controversy in the 1980s. The Historic Preservation Council began to acquire an advocacy role in the community – not an easy task for an organization that initially required 100 percent consensus of its member organizations to take a position on an issue. The North Fort Worth Historical Society's efforts to list the Northside Coliseum at the Stockyards as a Texas State Archaeological Landmark in 1983 created a stir among many segments of the community, although its listing ultimately protected the landmark and led to its restoration as the centerpiece of the Stockyards National Register Historic District.

Partnerships with like-minded groups and individuals that were proving successful in efforts, such as the I-CARE freeway overhead battle, continued to help the preservation interests in Fort Worth to expand the movement's influence and reach. In 1984, the National Trust for Historic Preservation opened its Texas/New Mexico Field Office in downtown Fort Worth, providing national perspective and significantly increased resources to preservation efforts in the city and across the region. The HPC collaborated with the National Trust on a 1986 video production to encourage the U.S. Congress to protect the historic preservation investment tax credits program from efforts to undermine or cancel the program. Rep. Jim Wright, Speaker of the U.S House of Representatives, and Rep. Gib Lewis, Speaker of the Texas House, were recruited to assist with the effort. Others included the entire Tarrant County state legislative delegation, Chamber of Commerce members, and city government officials. Bus tours providing public policy makers with first hand visits to historic places across the city helped to build the preservation movement's credibility still further. These collaborations led to an ever-stronger coalition among local preservation organizations, including HPC and the Fort Worth Historic and Cultural Landmarks Commission, which had been created when the city enacted its first preservation ordinance in 1980.

The Fairmount Southside Historic District was listed in the National Register in the late 1980s. Subsequently designated and protected as a local historic district, it is the largest residential historic district in Texas. Historic Fort Worth, Inc. (HFW) had been founded during the 1960s, and it bought and rehabilitated the Pollock-Capps House on Quality Hill, later selling it while retaining a façade easement. In the 1980s, the Junior League transferred ownership of the Ball/Eddleman/McFarland House to HFW, which operated it as a historic house museum. Thistle Hill continued to be a successful museum property, joining the Ball/Eddleman/McFarland House in educating new generations of residents about the architectural heritage of the city.

A public presentation in Fort Worth by Charleston, South Carolina, Mayor Joseph P. Riley in 1991 energized the local preservation community. The growing appreciation for the rare remnants of the city's historical legacy resulted in 1992 in the collection of more than 15,000 signatures to petitions calling for a demolition moratorium following destruction of two distinguished mansions on Summit Avenue. While the houses were lost, the public outcry brought about adoption of a new, strengthened preservation ordinance in 1995, and HPC became a general membership-based organization. That public policy victory, coupled with the court rulings in favor of I-CARE and its call for removal of the freeway overhead downtown, brought new national attention to Fort Worth's preservation efforts. The National Trust presented the I-CARE partners with a national award for their successful efforts, and another award to the City for the preservation of more than 400 historic ornamental streetlights.

Additional preservation victories marked the 1990s. The Khleber Jennings House was saved from demolition, moved and rehabilitated; the Our Lady of Victory Convent was saved and a new organization, Historic Landmarks Inc., was founded to rehabilitate the religious orders school and to establish a revolving fund for future preservation projects; and a neighborhood coalition successfully saved the historic brick paving of Camp Bowie Boulevard. The city proudly hosted the National Preservation Conference in 1995, focusing national attention once again on the city and its historic resources. A unique collaboration among the local preservation organizations, the National Trust, and the United Way of Tarrant County was a first-ever element of the national conference. The Fort Worth Partnership raised funds to provide conference scholarships to dozens of community leaders from challenged neighborhoods and other diverse communities in Fort Worth. Following the conference, an ongoing effort continued among the leaders to work together to advance neighborhood revitalization goals in a historic preservation context. In 1995, the National Trust field office was renamed the Southwest Office and added Oklahoma and Arkansas to the list of states it served.

Private sector preservation efforts accelerated in the 1990s. The Texas Electric Building was refurbished for mixed-income apartments, the Blackstone Hotel received significant historic preservation-initiated property tax relief with Historic Fort Worth receiving a

façade easement, and the Ashton Hotel was opened as the final commercial adaptive use project along the downtown Main Street corridor. Controversies continued as well, with the decision of the local transit agency to change the location of a planned downtown Intermodal Transportation Center from the historic Texas and Pacific Terminal to a new site, and its recommendation to change the alignments of the tracks in a manner that would negatively affect historic buildings. While the final negotiated solution was considered controversial among some in the city, the decision was lauded nationally and the National Trust mentioned the project in its annual report as a preservation success.

In the midst of these successes and challenges, discussions and negotiations among several leading preservation organizations in the city about a possible merger were underway. Ultimately, the 17-year-old Historic Preservation Council decided to dissolve, turning its assets, including the Historic Resources Survey materials and archives, over to a significantly expanded Historic Fort Worth Inc. HFW then became a membership-based organization and hired a professional preservationist as Executive Director. Grants from a local foundation provided seed funding for the expanded venture, reflecting the long-standing commitment on the part of several local foundations to the preservation cause. This commitment stretched back to the formation of the Historic Preservation Council some 17 years previously, and initial and continued support for HFW's efforts to preserve the McFarland House.

As the new century opened, successes and conflicts continued, including: the demolition of a beloved landmark house in the Mistletoe Heights neighborhood followed eventually by local historic district designation of the neighborhood; a preservation review based on federal statutes of the proposed demolition of the Ripley Arnold public housing community, as well as an ensuing debate about the merits of Modern Movement resources of the more recent past; and most recently, the partial demolition of the historic Seventh Street Theatre, resulting in calls for strengthening of the consultation process within the City's preservation ordinance. Historic Fort Worth Inc. continued in 2000 with a historic resource survey of Fairmount and the Near Southeast under a contract with the City of Fort Worth. In 2001, Fort Worth hosted the Art Deco World Congress. In 2002, the community prepared for the revival of the Lancaster Avenue corridor following the demolition of the IH-30 overhead, and it proudly hosted the National Trust's National Town Hall Meeting on Main Street focusing on preservation-based downtown revitalization. With that backdrop, Fort Worth embarked on a comprehensive project to develop a Preservation Plan to guide future preservation efforts in the city.

## **POLICY CONTEXT OF PRESERVATION**

This examination of the public policy context of Fort Worth’s historic preservation program focuses on two key issues. First, it reviews State requirements for comprehensive planning because this preservation plan is an element of the City’s comprehensive plan. Secondly, it examines the legal context of various preservation tools with respect to State laws and existing case law.

### **Comprehensive Planning Requirements**

The Texas Local Government Code, Section 213.002, permits municipalities to have comprehensive plans. Furthermore, Section 211.004 of the Code provides that zoning regulations must be adopted in accordance with the comprehensive plan. Based upon its home rule status, the City of Fort Worth has elected to create a City Plan Commission. Section 25-55(7) of the City Code directs the City Plan Commission to create a comprehensive plan and recommend it to the City Council. The Commission is also responsible for periodically reviewing the plan and recommending any necessary revisions. The comprehensive plan is described as a plan for the orderly growth and development of the City and its environs. The plan should “facilitate the movement of people and goods, and the health, safety and general welfare for the citizens of the city.” Section 25-55(7) of the City Code requires that the City Plan Commission advise the Zoning Commission on land uses, building bulk standards, and the creation of zoning districts to carry out the objectives of the comprehensive plan. An up-to-date and realistic comprehensive plan based upon an understanding of existing conditions and trends, as well as goals and objectives of the City, is considered to be critical to the effective growth and development of the City of Fort Worth. This historic preservation plan is one of several elements of the City’s adopted Comprehensive Plan.

### **Legal Context of Preservation Policy**

The City of Fort Worth’s authority to enact laws implementing historic preservation objectives is based in state legislation, as overviewed below:

#### **Designation and Protection of Resources**

State law authorizes Texas cities to take a variety of steps to encourage the preservation of historic structures and areas. Most importantly, Chapter 211 of the Local Government Code (the state zoning enabling act) allows cities to “regulate the construction, reconstruction, alteration, or razing of buildings and other structures” in “designated places and areas of historical, cultural, or architectural importance and significance.” The governing bodies of cities enact such regulations by passing ordinances. These ordinances typically establish historic districts and create a preservation commission to review proposed alterations to designated structures and areas within the districts. Violations of such ordinances are Class C misdemeanors. In addition, cities may seek

injunctive relief and civil penalties for violations. Courts with jurisdiction over Texas have repeatedly upheld such ordinances. See *Penn Central Transp. Co. v. City of New York*, 438 U.S. 104 (1978); *Mayes v. City of Dallas*, 747 F.2d 323 (5th Cir. 1984); *Maher v. City of New Orleans*, 516 F.2d 1051 (5th Cir. 1975), cert. denied, 426 U.S. 905 (1976). Under this authority, the City of Fort Worth established its first historic district and its commission (now known as the Historic and Cultural Landmarks Commission) more than 20 years ago.

### **Tax Incentives for Preservation**

Section 11.24 of the Tax Code authorizes cities and other taxing units to “exempt from taxation part or all of the assessed value of a structure or archeological site and the land necessary for access to and use of the structure or archeological site” where the structure or archeological site is designated as a Recorded Texas Historic Landmark, a state archeological landmark, or “a historically or archeologically significant site in need of tax relief to encourage its preservation....” The Texas Attorney General has concluded that Section 11.24 “does not allow a taxing unit to freeze the amount of taxes paid on a historic site as of the date the exemption was granted or any other date, but it does allow the taxing unit to exempt a specific percentage of the assessed value of the property or a fixed dollar amount of the assessed value.” See *Tex. Att’y Gen. No. LO 97-039* (1997). The City of Fort Worth has used this authority to establish an on-going tax exemption program for historic properties.

### **Conservation Easements**

Chapter 183 of the Natural Resources Code empowers cities to accept and hold conservation easements. A conservation easement is a “nonpossessory interest . . . in real property that imposes limitations or affirmative obligations . . . designed to preserve the historical, architectural, archeological, or cultural aspects of real property.” In some areas of the country, local governments and nonprofit organizations accept facade easements (a type of conservation easement) to ensure that a historic structure cannot be demolished without the permission of the facade owner. Meanwhile, a property owner donates a facade easement to lower property taxes permanently thereafter and to qualify for a one-time charitable contribution on federal income taxes. The City of Fort Worth does not have an active conservation easement program at this time.

### **Liability for Adversely Affecting Historic Property Illegally**

Chapter 315 of the Local Government Code permits cities to hold a property owner liable for damages for adversely affecting a historic structure or property when he or she “does not obtain the appropriate . . . permit” from the municipality. If the structure or property can be feasibly restored, the damages are equal to the cost of the restoration plus attorney's, architect's, and appraiser's fees and other related costs to enforce this law. If restoration is not feasible, the damages are equal to the cost of constructing a new structure or property that is a “reasonable facsimile of the historic structure or property,”

plus the related costs of enforcing the law. Alternatively, the municipality may permit the liable person to restore the historic structure or property or construct the reasonable facsimile. To hold a property owner liable for adversely affecting a historic structure or property; however, the municipality must file in the county's real property records a verified written instrument listing each historic structure or property that is located in the municipality and county. The City of Fort Worth has not recently recorded a verified written instrument in the Tarrant County deed records that lists each historic structure and property, although it regularly records such instruments in the deed of records that list recently designated properties.



## HISTORIC RESEARCH SOURCES

The brief history and overview of historic resources above is intended as only a general background to provide context to the historic preservation plan. There are numerous sources documenting the history and historic resources of Fort Worth, including the following documents, websites, and institutions:

### Documents and Books

Alter, Judy Thistle Hill: The History and the House Fort Worth, Texas: Texas University Press, 1988.

Cohen, Judith Singer Cowtown Moderne: Art Deco Architecture of Fort Worth, Texas College Station: Texas A&M University Press, 1988.

Cuellar, Carlos Stories from the Barrio: A History of Mexican American Fort Worth, 1998.

Dooley, Claude and Betty Dooley Why Stop? A Guide to Texas Historical Markers Houston, Texas :Lone Star Books, 1978

Fuller, Larry Paul, ed., The American Institute of Architects Guide to Dallas Architecture with Regional Highlights McGraw Hill, 1999

Geisel, Paul N., Rolla, Lenora; and Spitzenberger, Cathy Historical Vignette of the Black Population of Fort Worth. Included in the *Statistical and Geographical Abstract of the Black Population in the United States*, published by Dr. Charles M. Christian, Department of Geography, University of Maryland; January 1991.

National Register of Historic Places - nominations of buildings and districts (various authors)  
Tarrant County Historic Resource Survey: Fort Worth South Side Fort Worth: Historic Preservation Council for Tarrant County, 1986.

Tarrant County Historic Resource Survey: Fort Worth Near North Side and West Side, Westover Hills. Fort Worth, Texas: Historic Preservation Council for Tarrant County, 1988.

Tarrant County Historic Resource Survey: Fort Worth Near East Side and West Side, Westover Hills. Fort Worth, Texas: Historic Preservation Council for Tarrant County, 1988.

Tarrant County Historic Resource Survey: Fort Worth Upper North, Northeast, East, Far South and Far West. Fort Worth, Texas: Historic Preservation Council for Tarrant County, 1989.

Tarrant County Historic Resource Survey: Fort Worth Central Business District. Fort Worth, Texas: Historic Preservation Council for Tarrant County, 1991.

Henry, Jay C. Architecture in Texas, 1895-1945 Austin, Texas: University of Texas Press, 1993.

Knight, Oliver. Fort Worth: Outpost on the Trinity Fort Worth, Texas: TCU Press, 1990

Pate, J'Nell. Livestock Legacy: The Fort Worth Stockyards 1887-1987 College Station, Texas: Texas A&M University Press, 1988.

Pellecchia, Michael Fort Worth: A Sesquicentennial Celebration Montgomery, Alabama: Community Communications, 1999.

Pirtle, Caleb III Fort Worth: The Civilized West Tulsa, Oklahoma: the Continental Heritage Press, Inc., 1980.

Roark, Carol Fort Worth's Legendary Landmarks Fort Worth, Texas: Texas University Press, 1995.

Roark, Carol Fort Worth's Then and Now Fort Worth, Texas: Texas University Press, 2001.

Sanders, Barrot Steven The Forgotten History of the Four Cabins unpublished manuscript.

Schiebel, Rich, ed. Outdoors Dallas and Fort Worth

Schmidt, Ruby, ed. Fort Worth and Tarrant County – A Historical Guide Fort Worth, Texas: Tarrant County Historical Commission, 1984

Selcer, Richard The Fort that became a City; Fort Worth, Texas: Christian University Press, 1995

### **Internet Resources and Websites**

The Handbook of Texas, 2002. Texas State Historical Association

Fort Worth Timelines, website

Texas Atlas, Texas Historical Commission

Architecture in Downtown Fort Worth - by John Roberts

### **Institutions**

City of Fort Worth Museum

Fort Worth Black Historical and Genealogical Society

Fort Worth Public Library

City of Fort Worth, Planning Department

Historic Fort Worth, Inc.

National Trust for Historic Preservation – Southwest Field Office

North Fort Worth Historical Society

Tarrant County Historical Commission

### **Other**

Oral interview with Ms. Hazel Harvey Peace, September 24, 2002.

# Analysis of Current Tools and Conditions



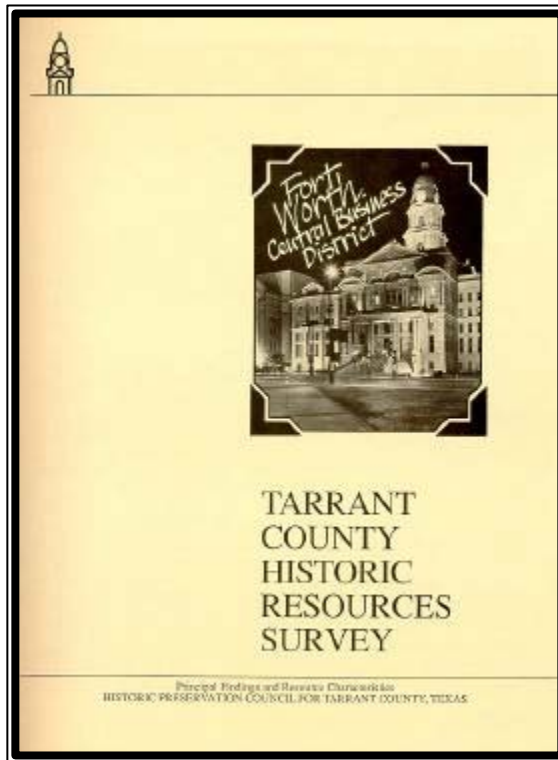
## EXISTING HISTORIC RESOURCES SURVEY

In order to preserve historic and cultural resources, a community must first identify those existing resources and place them in one or more historical, cultural and architectural contexts to make judgments about their significance and value. Thus, architectural and archeological surveys are planned, undertaken and maintained to identify significant properties in neighborhoods and the city as a whole.

Published and broadly disseminated inventories of these historic and cultural sites are central to raising a community's awareness of its heritage as well as in its planning

efforts. The most important resources identified through surveys have potential for designation not only as local landmarks and districts but for listing at the state and National Register levels as well. Moreover, the research materials, photographs and other documentation generated by a survey create an irreplaceable record of the present condition of this heritage, and an indispensable teaching tool for expanding community awareness and understanding of the historic environment.

Fort Worth's record in documenting, collecting and publishing information about its historic resources is a strong and impressive one, as the first comprehensive survey and inventory was inaugurated more than 20 years ago. The Historic Preservation Council for Tarrant County, Texas (HPC) initiated the County's only comprehensive historic resources survey upon the organization's founding in 1981. The Fort Worth Junior League provided seed funding for the countywide survey and the HPC quickly began the first phase of an 11-year survey and publication project. The quality and scope of the Tarrant County Historic Resources Survey was unequalled in the state at the time. When the research was completed, the inventories were published, receiving numerous awards from both local and state organizations. The survey researched, documented and evaluated historic structures and potential districts to identify the historic places and properties worthy of preservation. It also provided access to the



public to the accumulated research in order to build a preservation program and to make the information available broadly in the public and private sectors. The HPC goal was to institutionalize the information as part of proactive plans to save historic resources, rather than merely reacting to individual cases of threatened destruction.

## Methodology

Professional consultants from the San Francisco-based firm Page Anderson Turnbull worked with several thousand volunteers to research, document and evaluate buildings in Tarrant County, 80 percent of which were located in the city of Fort Worth. The survey was conducted in six major phases over the course of nearly a decade. Five phases focused on geographically distinct areas of the city, while the sixth and portions of two other phases identified resources in Tarrant County communities outside of Fort Worth. In each phase, the consultants developed a brief historic context or development overview of the relevant geographic area, and teams of two professional Page Anderson Turnbull architectural historians walked or drove each street that existed in 1945 in the relevant survey area. They recorded at the reconnaissance level of documentation each property, structure or object that appeared to date from before 1946, which was the ending of the period of significance selected for the survey. Selected, outstanding properties that dated after 1945 were also recorded and documented. The properties and sites recorded met one of two tests:

- 1) a property deemed of individual historic or architectural significance that should be evaluated for eligibility for listing in the National Register of Historic Places or as a recorded Texas Historic Landmark; or
- 2) Properties that appeared to contribute to the distinctive character of the city and would, together with adjacent or nearby properties, form a potential district or collection of related historic resources.

The consultants analyzed the field survey findings, and HPC volunteers were assigned to conduct research to document the resources found to be of singular or collective importance. Deed and county tax records, mechanics liens, city directories, newspaper articles and many other archival sources were examined for relevant information. Black-and white photographs of the high priority or “primary” properties were collected, indexed and connected to the inventory forms generated by the consultants. Those inventory forms met the standards established for historic resources surveys by the National Park Service and the Texas Historical Commission. Each phase of the survey



*Roseland Marine Theater during the early-20<sup>th</sup> century*

was completed with the preparation of a report by the consultants. The report summarized general observations about the resources identified during the project, placing the properties and sites into the historical context of the area, and making recommendations for future treatment of the priority resources.

The survey's reports, files and photographs were supplemented with maps that located the approximately 300,000 buildings and sites identified during the fieldwork. Approximately 2,200 sites in Fort Worth were noted as primary resources. Public access to the survey information – a key goal of the Council in conducting the survey – was provided when copies of the maps were placed with the City of Fort Worth and in the offices of the HPC. Public access was also accomplished by the publication of numerous volumes of the Survey reports, which tell the stories in photographs and text of what was deemed to be the important historic resources in the community. The HPC published each volume of the survey project as the relevant phase was completed. It then re-published the entire six-volume compendium in the early 1990s with updated information about some of the properties that had been demolished or otherwise altered. In addition, the Texas Historical Commission (THC) placed much of the information collected on primary sites on the THC "Atlas" website, a searchable database of historic resources survey information on more than 100,000 historic resources in Texas.

Subsequent to the completion of the HPC survey efforts in 1992, several more focused surveys and re-surveys were undertaken in Fort Worth and have added to the community's knowledge and understanding of its historic resources. Among them was a recent re-survey and comprehensive photographic inventory of the Fairmount-Southside National Register and local historic district. This re-survey was undertaken by the City and Historic Fort Worth, Inc., to record the present condition of each property in the district to better manage and respond to future planning and rehabilitation projects in the area. In April 2002, the City and Historic Fort Worth also completed a comprehensive re-survey and National Register nomination for the Near Southeast neighborhood, an area that had not been adequately studied in the earlier, citywide survey efforts. In May 2003, the City completed a thematic survey and inventory of historic school buildings throughout the city, recording and analyzing public school buildings constructed before 1960.

## Survey Content, Findings and Recommendations

Each of the five survey phases representing the documentation of Fort Worth resources from 1981 to 1992 was published in paperbound volumes. They were also organized similarly with Historic Context, Methodology and Recommendations sections, followed by the presentation of primary sites, each with at least one photograph accompanied by a brief explanatory text. The reports recommended several categories of treatments for important resources:



*Post-war resources are becoming historic and warrant further attention.*

Historic Districts – Historic Districts are collections of geographically adjacent resources that might be eligible for listing in the National Register of Historic Places.

Conservation Districts – Conservation Districts are areas not likely to be eligible for National Register listing because of intrusions (too many non-historic or altered resources that reduce the integrity of the overall area), but are worthy of local management or regulation to encourage sympathetic rehabilitation and restoration.

Thematic Groups – Thematic Groups are individual resources not necessarily connected by geography or proximity, but related to each other by theme, historic context, building type or other subject. The Thematic Groups category today would be more accurately described in the jargon of National Register listings as Multiple Property contexts and nominations.

Among the dozens of recommendations that appear in the first of the five survey reports, for example, were proposed nominations for an East 2<sup>nd</sup> Street National Register Historic District, a Samuels Avenue Historic District, and Ellison's Warehouse Historic District; and Thematic Group designations for the brick streets of Fort Worth, Central Business District (CBD) Clubs and Fraternal Organizations, Grain Elevators and CBD skyscrapers. A total of 181 individual historic resources were listed in the Phase One report, and the recommendations also called for proactive nominations of eligible resources, monitoring of identified but non-eligible resources to encourage sympathetic improvements, and continued survey work.

Subsequent survey phases and the published reports associated with them expanded on the extent of the observations and recommendations found in the CBD report in Phase One. The historic analysis further illustrated the development patterns associated with neighborhood history and property types (e.g. single-family dwellings, apartment

buildings, commercial buildings), and architectural styles were further described and put into the historical context of the relevant areas.

A broader variety of property types were both recorded and analyzed in Phase Three and later phases of the survey. These identified, for example, infrastructure and industrial properties, such as railroad underpasses and viaducts, as contributing elements in a potential Railroad Structures Thematic Group nomination. More detailed suggestions for future treatment of resources and survey work were also incorporated into the Phase Three and later reports. Examples of suggestions included establishing a local regulatory mechanism that would afford the proposed Conservation District areas with some protection to discourage inappropriate alterations or demolition and encourage “restoration of a building not excessively altered, [which] could result in a dramatic reassessment of its architectural quality.” The consultants also called for continued field survey, research and archival work, noting the period of significance ending date of 1945 constituted a “moving target” that would quickly make decisions about post-1945 buildings obsolete as resources gained age and significance.

As the later, more outlying regions of the city were surveyed in succeeding phases of the survey, some individually significant properties were located and documented, while their more vernacular neighbors were not. Volume Four’s section on Far West Fort Worth, for example, documented a 1949 Lustron (all metal) house on Marks Place. However, it did not record its presumably contemporaneous, but perhaps less imposing, neighbors. Unique property types continued to be inventoried, such as a Quonset hut residence of 1948 in the Handley community. Extensive observations and historical contexts were also developed, noting, for example, important transportation patterns – and the related physical resources when relevant – that caused historically suburban communities to develop, such as Handley, Como and Stop Six.

## Limitations

As in all examples of historic resources surveys, the Fort Worth sections of the Tarrant County Survey do not identify every historically, culturally or architecturally significant property or resource in the city, nor is such a claim made. A historic resources survey is an evolving and never-ending undertaking, because buildings, properties and sites gain significance over time as:

(1) more historical information is collected about a particular



*Alexander Hogg School*



neighborhood or area; (2) persons associated with specific sites become significant in a community's history; (3) substantial numbers of a particular category of resource are lost, leaving fewer representative examples of that category; or 4) the mere passage of time makes properties reach the 50-years of age threshold that most historic surveys use.

The recent, targeted survey and re-survey efforts undertaken by the City and private entities have not, by definition or intent, begun to identify and comprehensively document the neighborhoods and areas of the City of Fort Worth that were developed after 1945. Neighborhoods such as Seminary Drive, Westcliff and Monticello, with their important Modern Movement and Ranch-style residences, have gained importance during the past decade and have reached (or nearly reached) the 50-year threshold.

While "new" neighborhoods and areas that have never been surveyed are, therefore, not represented in the present survey materials, the older areas that were addressed in the 1981 through 1992 efforts have also seen changes – physically as well as culturally – that warrant a fresh look and re-analysis. Certain building types, styles and periods were not covered in the survey, such as: (1) the important public housing projects of the 1940s through 1950s; (2) the motels, signs and other "roadside" architecture of the postwar period that were not necessarily considered significant a decade or more ago; (3) certain industrial structures that may have been missed because they were not readily accessible by a public street; and (4) many landscape features of historical or cultural significance. Similarly, World War II-era and later military and related industrial properties have not been fully explored.

A stronger and broader understanding of ethnic and cultural history in Fort Worth in recent years has initiated a more comprehensive view of historic neighborhoods and communities, and gaps in the present survey materials reflect the need for future work in these areas as well. The recent intensive analysis of the Near Southeast area begins to address these needs in one of the many historically African-American neighborhoods that were, perhaps, under-recorded in previous survey efforts. Certainly the Stop Six community, where just 19 resources were documented in the late-1980s, and the Como neighborhood, where only 10 properties were identified, are likely to yield additional information when surveyed more intensively. No significant historic contexts were developed in the present survey for Mexican and Mexican-American communities, leaving areas such as portions of the Near North Side and Southside to beg questions of under-representation in the survey findings and recommendations. Likewise, it is likely that further research on eastern European and other immigrants who settled in Fort Worth, particularly on the North Side, will warrant a closer analysis and re-survey of those areas as well.

Meanwhile, physical changes have altered – both positively and negatively – the integrity of many areas and individual resources since the 1980s survey was completed, suggesting ongoing updates of the survey information. The East 2<sup>nd</sup> Street area adjacent

to the Central Business District, which was recommended in 1982 as eligible for listing in the National Register of Historic Places, has seen loss of historic fabric and the probable need to amend the previous observations and recommendations for the area. Indeed, the re-publication of the survey reports in 1991 amended several of the previous recommendations. For example, the Samuels Avenue area, originally deemed eligible for National Register historic district listing, in less than ten years had seen enough degradation of its historic resources through demolition and inappropriate alteration that it was subsequently described as eligible as a Multiple Property resource. This recommendation was based upon the area's now isolated and discontinuous individual resources.

Improvements to neighborhoods or communities where previous surveys had found a high incidence of inappropriate alterations – described as “lacking integrity” – affords these neighborhoods with opportunities for re-survey and re-analysis to upgrade their eligibility status and encourage future National Register and local landmark district listing as well. For example, the Grand Avenue District on the Near North Side, identified in the 1986 survey as a Conservation District candidate because of integrity issues, was later listed in the National Register of Historic Places after it was determined that improvements and rehabilitation of properties in the district warranted its listing.

## Accessibility

In addition to the survey content-related issues outlined here, the Fort Worth materials in the Tarrant County Historic Resources Survey have been limited in their accessibility to the community at large, as well as to decision-makers both within the City government and in the business and real estate development community. The survey has not been digitized in an easily searchable format. The only current electronic version of the information resides within the Texas Historical Commission's statewide “Atlas” website, where the data is embedded in the larger Tarrant County survey information and is not easily searchable. The five paperbound volumes of published survey findings and recommendations, while visually attractive and interesting, are difficult to find and somewhat expensive to purchase. Historic Fort Worth Inc.'s plans to develop an information resource center at its offices will afford the public greater access to the survey information, but in an age of instant electronic access to information, the survey does not meet contemporary needs.



*Monuments provide reminders of important sites, people or events that enhance the history of a place.*

The City of Fort Worth, as in many other municipalities, has an ongoing schedule for implementation of a Geographic Information System (GIS), a visual database computer program that incorporates all available land information, in the form of map "layers." The GIS is integrated within all City departments' data management and retrieval systems, and it is publicly accessible through the Internet. Presently, the Fort Worth historic resources survey information has not been digitized or incorporated into the City's GIS mapping program. Therefore, historic resource information is not available to every City department, agency or employee, as is other land use, zoning, infrastructure and similar data.

## EXISTING HISTORIC PRESERVATION ORDINANCE

### Evolution of the Ordinance: Revisions Over Time

The City of Fort Worth has had a historic preservation ordinance for more than 25 years. Over the years, this ordinance has been amended numerous times. This overview briefly describes the beginning of Fort Worth's preservation ordinance and some of its more notable amendments. The overview examines only the citywide preservation ordinance and does not consider any ordinances that govern the city's individual landmarks and districts.

#### April 1976

The Fort Worth City Council took its first step to preserve historic structures in the City through regulation by enacting Ordinance No. 7327. This ordinance established the historic and cultural (HC) subdistrict and prohibited all alterations to structures within this subdistrict unless the Building Code Board of Appeals approved the alteration.



*Montgomery Ward Building*

#### August 1981

The Fort Worth City Council adopted Ordinance No. 8379, which completely revised the regulations for the HC subdistrict and established a five-member Historic and Cultural Advisory Board (now the Historic and Cultural Landmarks Commission (HCLC)). The Council corrected the rules for the Board by passing Ordinance No. 8410 one month later.

#### September 1983

Ordinance No. 8934 provided that the Board would consist of nine members. By passing Ordinance No. 9705 in August 1986, the City Council amended the regulations for the HC subdistrict so that the City would be eligible for designation as a certified local government (CLG) by the National Park Service.

#### December 1988

Ordinance No. 10222 amended the regulations governing the demolition of primary resources in the HC subdistrict. Ordinance No. 10362, enacted in August 1989,

amended the regulations for the HC subdistrict. In November 1989, Ordinance No. 10444 changed the name of the board to the HCLC and the name of the HC subdistrict to the historic and cultural landmark (HCL) subdistrict.

April 1993

The City Council passed Ordinance Nos. 11293, 11294 and 11295, which contained some of the most significant changes to Fort Worth's preservation ordinance. Among other changes, Ordinance No. 11293 added several important definitions and provided for the appointment of a preservation officer. It also provided for the designation of a historic and cultural (HC) overlay district and for partial tax exemptions for restorations of properties within this district. Ordinance No. 11294 revised the rules governing the HCLC. Ordinance No. 11295 established a "historic structure or property" designation and provided regulations governing demolition and relocation of these structures.

June and July 1994

The City Council enacted Ordinance Nos. 11603 and 11610, which provided for property tax exemptions for restorations of historic multifamily properties.

May 1995

The City Council again enacted some major changes to Fort Worth's preservation ordinance by passing Ordinance Nos. 11970 and 11971. Ordinance No. 11970 amended the regulations for the HC overlay district by providing procedures and criteria for the designation of historic structures, as well as restrictions on the alteration and demolition of designated structures. Additionally, it created the "highly significant endangered" (HSE) and "demolition delay" (DD) designations. It also contained requirements for Certificates of Appropriateness and the Historic Site Tax Exemption. Ordinance No. 11971 repealed the regulations enacted by the passage of Ordinance No. 11295.

November 1996

The Council expanded the tax incentives program for structures designated as HSE by passing Ordinance No. 12768. This ordinance provided that the owners of such structures could receive 15 years of tax incentives if they completed their rehabilitations within two years of designation.

September 1999

The passage of Ordinance No. 13953 revised the regulations pertaining to property tax exemptions for restoration of historic multifamily properties. Those regulations are currently found in Chapter 32, Article IV of the Fort Worth City Code.

October 1999

The City Council adopted Ordinance No. 13896, which reformatted the City's zoning regulations into the form they are in today. The City's historic preservation ordinance is

now located in Appendix A of the Fort Worth City Code. Appendix A is the Comprehensive Zoning Ordinance. Within that appendix, Article 5 of Chapter 4 contains the regulations for historic preservation overlay districts. Definitions are found in Chapter 9 of the appendix. The regulations governing the establishment and administration of the HCLC are in Chapter 2 of the appendix and regulations concerning enforcement are in Chapter 8 of the appendix.

### 2002

The City Council has amended the preservation ordinance three times in 2002. The Council first adopted Ordinance No. 14985 in February 2002. This ordinance lowered the requirements for the number of signatures to nominate or remove an HC designation for a district from two-thirds of the area to half or more of the properties *and* half or more of the area. In June 2002, the Council passed Ordinances Nos. 15139 and 15140. Ordinance No. 15139 allows property owners to obtain a tax exemption for some minor restoration completed up to five years before submitting an application for the exemption. Ordinance No. 15140 allows the Zoning Commission to make recommendations concerning and the City Council to approve, with or without modifications, proposed design guidelines for an HC district.

## **General Comparison to Other Preservation Ordinances**

Fort Worth's preservation ordinance is similar to preservation ordinances of other cities with comparable populations and numbers of historic properties. It is generally a solid ordinance that addresses all of the important issues.

The ordinance is notable for having three levels of historic designations, each of which has regulations appropriate for the level of significance of the property. It also has detailed regulations regarding interim protections for design guidelines, properties pending designation, removal of designations, salvage and documentation of structures to be demolished, and unreasonable economic hardship. It lacks a several features found in some ordinances, however, such as specific regulations governing archeological sites, cemeteries and public property.

The ordinance is substantially lengthier than many similar ones. In part, this is due to the fact the ordinance seldom uses one term to refer to all designated properties; instead, it repeatedly refers to some or all of the different designations. In addition, the ordinance sometimes creates confusion by using different terms for the same concept, such as referring to "staff" in some places and to the "Historic Preservation Officer" in others. The organization of the ordinance could be improved as well.

## Effectiveness of the Ordinance

The preservation ordinance is Chapter 4, Article 5 of the Comprehensive Zoning Ordinance.

### Purpose

The purpose section of an ordinance should identify the reasons why the ordinance was enacted. This ordinance lacks a few purposes commonly found in other ordinances, such as increasing public knowledge and appreciation of the city's past, promoting the enjoyment and use of historic resources, resolving conflicts between the preservation of historic resources and alternative uses of property, conserving valuable resources through the use of the existing built environment and encouraging public participation in identifying and preserving historic resources. The lack of these purposes should not affect the efficacy of the ordinance in the vast majority of situations, however.

### Definitions

The definitions section of an ordinance should clearly and succinctly state the meaning of important terms used in the ordinance. They should not contain regulations, nor be inaccurate or vague. In this ordinance, the definition of "landmark" is far too lengthy and redundant. The definition also contains vague regulatory language: "Such structures or property should be preserved and restored to their historic character and should be protected from modifications which detract from their historic significance." This language properly belongs in Chapter 4 of the zoning ordinance, if anywhere. Furthermore, some other definitions are wordy. Overall, however, the definitions accomplish their intended purpose.

### Appointment and Powers of the Commission

The section of an ordinance that creates a city board should describe how its members are appointed and replaced. It should also specify how often the board meets and how many votes are needed to transact business. Additionally, it should outline the board's powers and duties. This ordinance does all these things well. This section does not, however, solicit nominees for appointment from community organizations, provide for the appointment of alternate members or appoint the superintendent of code compliance as an ex officio member. It also does not provide the continuation of a commissioner's term if no successor is appointed.



*One purpose of the ordinance is to protect valuable resources such as the Tarrant County courthouse. Photo circa 1890.*

Criteria for Designation

The criteria for designation should help a community identify its significant historical, architectural and cultural resources. The ten criteria in the ordinance are standard and appropriate for a preservation ordinance.

Nomination and Designation of Historic Resources

The procedures to nominate and designate a historic resource should create: (1) a smooth process whereby a community may thoughtfully consider whether certain places or areas are worthy of designation and (2) designations that provide an appropriate level of protection for the significance of the structure.

This ordinance requires that a nomination of a district be signed by the owners of 50 percent or more of: (1) the properties within the proposed district and (2) the land area within the proposed district. Requiring signatures by ordinance may cause several types of difficulties. First, concerns may arise concerning the validity of signatures. For instance, an unscrupulous supporter may forge signatures while others may lack capacity or authority to sign. Second, persons who have an option to purchase a property or a lien on the property may claim that they should be considered "owners." Third, the boundaries of the proposed district may shift during the period that signatures are obtained, which may lead to disruption of the nomination process if some believe their signatures were obtained under false pretenses. Fourth, and perhaps most importantly, such requirements can stop or at least delay important preservation efforts.

Even after a historic district is designated with the appropriate number of signatures, problems can still occur. For example, some may argue that signatures are needed for any amendment to the district's regulations. Furthermore, questions concerning the district's validity could arise if (1) the signatures are lost, (2) some owners later revoke their consent or (3) new owners object. It is notable that signatures of property owners are not required for the enactment of many other land use laws, such as platting, environmental, zoning, floodplain, landscaping, building or sign regulations.

The ordinance also requires a nomination for an HC designation to receive the affirmative vote of at least three-fourths of all members of the HCLC and the Zoning Commission when the owner submits a written protest at the HCLC hearing. This provision, which is not required by state law, could halt worthy preservation efforts over the wishes of a clear majority of the community.

Moreover, the ordinance does not give any person or group the primary responsibility of initiating and working on nominations. As a result, some significant properties may not be designated.

Furthermore, the DD designation does not provide much protection for properties with that designation. These regulations should be re-examined to determine whether the



designation should continue to exist and, if so, whether the regulations for this designation should be strengthened.

Interim Protection for Nominated Properties

The regulations to preserve a property during the designation process should prohibit harm to the property, yet allow the owner to perform appropriate repairs and maintenance. This section does this well.

Removal of Designation

Similar to the procedures to nominate and designate a historic resource, the procedures to remove a designation should create a smooth process whereby a community may thoughtfully consider whether certain places or areas should no longer be designated. The procedures in the existing ordinance should accomplish this goal.

Procedures to Obtain a Certificate of Appropriateness

The procedures to obtain a Certificate of Appropriateness should allow a property owner to quickly and painlessly obtain approvals for minor work, but also allow the preservation commission to carefully examine major alterations to a designated property. In general, the ordinance does this well.

In particular, the ordinance allows property owners to make “ordinary repairs” without obtaining a Certificate of Appropriateness. The ordinance does not allow the Historic Preservation Officer to approve other minor work that is compatible with a property’s historic character, however, which may result in the HCLC spending time on noncontroversial matters.

In addition, Section 4.507(E) of the ordinance requires a property owner to “file” an application for a Certificate of Appropriateness (rather than “receive” the certificate) before commencing work. Section 4.507(F)(5) assumes that there is always an “unreasonable economic hardship” during “any period for which demolition has been delayed” even though sometimes neither the HCLC nor any other entity has made such a finding. The section then imposes a burden on the City “to recommend a plan to alleviate the unreasonable economic hardship.” While this burden may be appropriate when the HCLC has previously made such a finding under Section 4.507(F)(4)(c), it is not proper when demolition of a property designated DD is delayed under Section 4.507(F)(4)(d).

Furthermore, both Sections 4.507(F)(4)(c) and 4.507(F)(4)(d) allow the HCLC to delay the issuance of a Certificate of Appropriateness for up to 180 days even after the owner has “establish[ed] that an unreasonable economic hardship exists.” The ordinance’s definition of “unreasonable economic hardship” is identical to the U.S. Supreme Court’s and the Texas Supreme Court’s definitions of a regulatory taking without compensation in violation of the state and federal constitutions. While such a delay may allow an

understandable attempt to save an endangered building, it may well increase the City's exposure to damages in litigation.

#### Emergency Securing and Public Safety Hazards

Regulations pertaining to public safety hazards should allow the City to quickly protect the public and the building from serious hazards. In this case, the ordinance has good provisions; however, the procedures and time periods specified in this ordinance are not consistent with those in Chapter 7, Article IV of the Fort Worth City Code, which governs minimum building standards.

#### Unreasonable Economic Hardship

Regulations for determining hardship should require: (1) property owners to submit clear and convincing evidence that they will not be able to realize a reasonable return on their investments unless demolitions are allowed and (2) the government to reach final decisions in a timely manner. This ordinance achieves both goals. In contrast to most similar ordinances, this ordinance does not require owners to submit much evidence in order to file their applications, but it provides that a failure to submit information requested by the HCLC is a ground for denial of the owner's claim. The ordinance thus protects applicants' financial information from disclosure to some extent, but it puts the burden on the HCLC to request sufficient information upon which to base its decision.

#### Demolition by Neglect

Rules concerning demolition by neglect (also known as "affirmative maintenance" requirements) should give the government the ability to compel a property owner to maintain his property in compliance with minimum standards. Demolition by neglect is inherently difficult to define and prohibit, but this ordinance does a decent job of addressing the issue. These provisions do not apply to properties designated DD even though the designation indicates that the City does not want such structures demolished. Parts of these regulations are too wordy, and may not give the HCLC, staff or the public enough guidance.

#### Appeals

Laws governing appeals of preservation commission decisions should allow appropriate persons to contest a decision by the preservation commission in a prompt manner and should set forth fair procedures for the hearing. This ordinance generally accomplishes those goals. It does not give any deference to the HCLC's findings, which may encourage some owners to put forth minimal effort in their applications to the HCLC, and then make an unexpectedly better case to the Council. In addition, the ordinance allows only dissatisfied owners to appeal and does not give other interested parties, such as local preservation organizations, the right to appeal. The ordinance further gives these owners ten days after "receipt of notification" of the HCLC's decision; yet, the HCLC cannot determine when an applicant receives notice of its decisions unless all denials and conditional approvals are sent to owners by certified mail, return receipt requested, which

is cost prohibitive. Presumably, an owner who is present when the decision is made has actual notice of the decision and should not need any additional notice.

#### Enforcement and Penalties

Rules governing enforcement and penalties should allow the City to effectively compel compliance with its preservation ordinance. This ordinance lacks several provisions commonly found in similar ordinances. First, the maximum penalty that can be imposed per day is only \$500, even though state law allows a maximum of \$2,000. Second, the ordinance penalizes persons who demolish or relocate a designated structure without a Certificate of Appropriateness, but it does not explicitly provide that persons who partially demolish a designated structure are subject to the same penalties. Third, it does not state which city officials may enforce the ordinance, and which one is primarily responsible for such enforcement. Fourth, it does not explicitly give staff any remedies, if work is performed without obtaining a Certificate of Appropriateness. Fifth, it does not contain some penalties found in some ordinances, such as civil penalties and revocations of licenses of builders and contractors who perform work without a required Certificate of Appropriateness. Sixth, it does not explicitly address whether new owners are responsible for existing violations of the ordinance.

#### Implementation

When staff and commissioners were interviewed about the effectiveness of the preservation ordinance, they expressed several concerns about implementation of the ordinance. First, some felt that there was no plan to designate important structures. Second, one opined that the ordinance required the HCLC to spend too much time on minor details and not enough on important issues. Third, some thought that commissioners, development staff and code compliance staff needed more training about the ordinance and its relationship to other ordinances and regulations (e.g. development regulations). Fourth, many thought that more needed to be done to educate persons who own historic properties and the rest of the public about the ordinance. This is consistent with many comments and concerns in the community about the specific need to educate real estate professionals about the preservation ordinance and its benefits. Fifth, one felt that the City Council did not appoint enough commissioners with specialized qualifications. Sixth, some believed that the ordinance and the HCLC's decisions were not always enforced. While these issues are perhaps not directly due to the ordinance itself, amendments may alleviate or eliminate these concerns.

## EXISTING HISTORIC PRESERVATION INCENTIVES

### Existing Local Incentives

For the purpose of assessing Fort Worth's existing financial incentives for historic preservation, incentives have been categorized into two different groups: direct incentives and indirect incentives. Direct incentives are those that have been developed specifically for preservation objectives. Indirect incentives, on the other hand, are those that might have the potential to further preservation objectives, but that are intended primarily for other public policy goals (housing, economic development, etc.).



Original Texas and Pacific Terminal, circa 1890's

### DIRECT INCENTIVES FOR HISTORIC PRESERVATION

At present, the City of Fort Worth has only one financial incentive specifically designed to encourage the preservation and rehabilitation of historic buildings. This is the Historic Site Tax Exemption, as described below.

#### City of Fort Worth Historic Site Tax Exemption

##### Overview

Despite its name, this incentive would be more accurately described as an "abatement on added value" or "freeze" than a "tax exemption." The level of the tax abatement permitted for qualified stabilization or rehabilitation projects is dependent upon the level of significance at which the property has been designated, as follows:

##### *Historic and Cultural Landmark*

The Historic Property Tax Exemption is a ten-year City tax abatement of the difference between pre- and post-renovation value of both the land and the improvements made for properties designated as HC (Historic and Cultural Landmark). To qualify, the value of renovations must be at least 30% of the assessed value of the property's improvements (pre-renovation). For example, a structure valued at \$100,000 must undergo a rehabilitation costing at least \$30,000 in order to qualify.

##### *Highly Significant Endangered*

An exemption from City taxes on the improvements is granted when a property is designated HSE. The cost of stabilizing the HSE property may also be counted against City taxes on the land. If the property is substantially rehabilitated (spend at least 30 percent of the assessed value of the structure) and approval is granted by the HCLC

before the work is begun, a substantial tax incentive in the form of up to a 15-year exemption on City taxes on the rehabilitated improvements and up to a 15 year freeze on the value of the land for the calculation of City taxes is offered.

Process

Applications for the credit must be made to the City of Fort Worth’s Historic and Cultural Landmarks Commission, which reviews and approves all applications for the exemption. The Historic Site Tax Exemption involves a two-part process that requires: (1) partial approval by the Landmarks Commission and the City Council before any work requiring a Certificate of Appropriateness is started and (2) verification by the Landmarks Commission and the City Council upon completion of the project. The tax status goes into effect January 1<sup>st</sup> of the year following City Council verification and is renewed by the applicant each year through the Tarrant Appraisal District.

Analysis

The Historic Site Tax Exemption has encouraged over a million dollars in investment in historic properties, especially in the Fairmount Southside Historic District. In FY 2002 alone, the Historic and Cultural Landmarks Commission and City Council verified rehabilitation expenditures in the amount of \$970,633, almost entirely in Fairmount. The exemption is especially attractive and successful in areas where property values are low. The City should explore ways to make the Historic Site Tax Exemption more attractive in neighborhoods with higher property values.

**Tarrant County Historic Site Tax Exemption**

Tarrant County provides a property tax exemption for the increase in value from the rehabilitation of a historic structure that is revitalized for use as either: (1) a permanent or temporary housing structure (one that preferably provides some affordable housing) and (2) a hotel (the policy was recently revised to allow this use as an eligible use.). This exemption is available to any qualified property and project within Tarrant County, including those located in Fort Worth. In order to qualify, the project must meet the following criteria:

1. The property must be designated as historic.
2. The rehabilitation must cost at least 50 percent of the assessed value of the property (structure and land).
3. The applicant must prove that the tax exemption is necessary to make the rehabilitation economically viable.
4. At least two-thirds of the building’s square footage must be used for some form of temporary or permanent housing.
5. Priority can be given to projects in which between 25 percent and 75 percent of the property’s residential units are leased to “Low Income Tenants.”
6. The property must not have been previously given an exemption.

7. As part of the exemption approval, the County may require the applicant to meet certain objectives regarding disadvantaged businesses and employees.
8. Exemptions are determined on a case-by-case basis, and the County has full discretion regarding the approval or disapproval of applications for exemptions.

If approved, the exemption can be applied for up to ten years, beginning on January 1 following the year of the project's completion.

## INDIRECT INCENTIVES FOR HISTORIC PRESERVATION

Numerous programs of the City of Fort Worth have the potential to encourage the preservation of historic buildings and are typically intended to further the City's housing and economic development objectives. While they may have the potential to indirectly encourage preservation, the programs can have even greater potential to unintentionally impact preservation efforts in an adverse manner. Therefore, they will only be listed here with respect to incentives but are explained in this report's section entitled "Other Relevant Local and State Policies." The City's incentives having the potential to benefit preservation include:

- Tax Abatements
- Tax Increment Financing
- Enterprise Zones
- Neighborhood Empowerment Zones
- Community Housing Development Organizations
- Conveyance of Tax Foreclosure Properties
- Model Blocks Program
- Special Target Areas

## Existing State Incentives

### DIRECT INCENTIVES FOR HISTORIC PRESERVATION

Although most of the State's preservation incentives are quite limited in their monetary value, there are several programs that exist, as described below:

#### Certified Local Government Grants (THC)

The CLG program provides funding to enable local communities to develop programs and participate in the state's preservation process.



View of Downtown, 1950's

CLG grants require a cash or in-kind service match from the community. Eligible grant projects include, but are not limited to: training for local preservation commissions; completing or updating surveys of historic resources; producing historical walking or driving tour brochures, videos or other educational materials; preparing preservation plans; and preparing National Register of Historic Places nominations. Only cities and counties officially designated as a CLG by the Texas Historical Commission (THC) can apply for these grants. The City of Fort Worth is a designated CLG. CLG grants are funded with money appropriated from Congress for preservation efforts through the National Park Service Historic Preservation Fund (HPF). The major shortcoming of the Texas program for a community the size of Fort Worth is that grants typically range from only \$250 to \$10,000. The City has applied for and received a CLG grant most years. Examples of recent projects include training for Landmarks Commission members, National Register nominations and a survey of historic schools, which is currently being conducted.

### **Texas Historic Courthouse Preservation Program (THC)**

Established in 1999, this program provides partial matching grants to Texas counties for the restoration of their historic county courthouses. In the beginning, a \$50 million appropriation was awarded in two rounds. In 2001, legislators approved another \$50 million allocation to fund Round III grants. To participate counties must submit a Master Preservation Plan for renovating and maintaining their historic county courthouse. Once submitted, this plan is reviewed and may either be accepted, resubmitted with recommended changes or rejected.

### **Texas Preservation Trust Fund Grants (THC)**

THC awards grants for preservation projects from the Texas Preservation Trust Fund (TPTF). Created by the Texas Legislature in 1989, the TPTF is an interest-earning pool of public and private monies. The earned interest and designated gifts are distributed yearly as matching grants to public and private owners of eligible historic properties and archeological sites. TPTF grants pay up to one-half of total project costs to help preserve Texas' cultural resources. Grant funds are awarded for acquisition, development, planning and education. In 2001, 25 matching grants totaling approximately \$393,000 were awarded. For fiscal year 2002, \$375,000 was available for matching grants. However, considering that the average grant amount for 2001 was only \$15,720, this program has limited value for Fort Worth's preservation program. Although the City of Fort Worth has not recently pursued these funds, other entities within the community have. For example, a church listed on the National Register received a grant through this program.

**History Museum Grants (THC)**

History museum grants provide Texas history museums with assistance in preserving their collections and developing educational programs. Eligible projects include, but are not limited to: purchase of acid-free storage materials and filing cabinets; purchase of UV filtering products; development of educational programs; conservation surveys, training and work on artifacts; care and use of historic photographs; and cataloging, care and use of taped oral history interviews. Applications may be submitted for up to 50 percent of a project's cost, provided the request does not exceed \$1,000. Applicants must provide the other 50 percent of the cost through a combination of cash match and in-kind services.

**Grant Writing Workshops (Friends of the Texas Historical Commission, Inc. and THC)**

For the past 22 years, workshop instructors have coached participants on effective fund-raising techniques, successful proposal writing and tips for working with foundations and other nonprofit organizations. The Texas Grant Writing Workshops, designed to improve an organization's chances of becoming grant recipient, cover all aspects of fund raising, including where to find funding, how to approach foundations and how to write convincing proposals.

Another noteworthy State preservation program is the Heritage Tourism Grants. Government and nonprofit organizations in counties within an active Texas Heritage Trails Program region can apply for matching grants when funds are available. Grants are used for heritage tourism-oriented projects, such as interpretation, signage, communications materials, cultural heritage events, exhibits and training. Grants are one-to-one with in-kind and/or cash matches. However, Tarrant County is not part of this program, so Fort Worth is not presently eligible.

**INDIRECT INCENTIVES FOR HISTORIC PRESERVATION**

As with the indirect preservation incentives existing at the local level, state-level indirect incentives have more potential to negatively impact historic resources than they have potential to further preservation goals. Therefore, these programs will be only listed here, and are explained later in the section of this report entitled "Other Relevant Local and State Policies." The State's indirect financial incentives for preservation include:

- Texas Enterprise Zone Program
- Preservation Initiatives
- Housing Trust Fund



## Existing Federal Incentives

### DIRECT INCENTIVES FOR HISTORIC PRESERVATION

The only existing significant federal incentive for historic preservation is the investment tax credit for historic building rehabilitation, explained below:



*Historic view from the Courthouse Square down Belknap and Weatherford Streets, circa 1870's.*

### Federal Tax Credit for Historic Rehabilitation

The Federal Historic Preservation Tax Incentives program is one of the nation's most successful and cost-effective community revitalization programs. The program fosters private sector rehabilitation of historic buildings and promotes economic revitalization. It also provides a strong alternative to government ownership and management of such historic properties. The tax credit is available for buildings that are National Historic Landmarks listed in the National Register, determined as being National Register eligible and/or contributing to National Register Historic Districts and certain local historic districts. Properties must be income producing and must be rehabilitated according to standards set by the Secretary of the Interior. A federal tax credit worth 20 percent of the eligible rehabilitation costs is available for qualified buildings and projects. A building should be eligible for listing at the beginning of the rehabilitation project, but need not be officially listed until the tax credit is claimed by the owner.

#### Eligible Buildings and Costs

The work undertaken as part of the project must meet *The Secretary of the Interior's Standards for Rehabilitation*. The tax credit is available only for income-producing properties, such as office, retail, hotel and apartment projects. Owner-occupied residential properties are not eligible. The credit is also limited to buildings only, so structures such as bridges and silos do not qualify.

The tax credit is designed for substantial rehabilitation projects, not small remodeling projects. The eligible project costs generally must exceed the value of the building itself (not including the land) at the beginning of the project. Most rehabilitation costs are eligible for the credit, such as structural work, building repairs, electrical, plumbing, heating and air conditioning, roof work and painting. Certain types of project costs are not eligible for the credit, such as acquisition, new additions, furniture and landscaping.

### The Application Process

An application for the tax credits must be submitted before the project is completed, although work may begin prior to the application or approval. Ideally, the application should be submitted during the planning stages of the work so the owner can receive the necessary guidance to ensure that the project meets the *Standards for Rehabilitation*, and therefore may qualify for the credits. The application consists of three parts. Part One, the Evaluation of Significance, determines if the building is eligible for the National Register and, thus, the credits. Part One is not needed if the property is already individually listed on the National Register. Part Two describes the proposed work, and photographs are required showing the major features of the building prior to work beginning. Part Three of the application is submitted upon completion of the rehabilitation. Because the tax credit requirements, which include both National Park Service and Internal Revenue Service (IRS) regulations, can appear confusing at times, the staff at the Texas Historical Commission will assist property owners in understanding and applying for credits.

## **Other Existing and Potential Incentives**

### Ten Percent Tax Credit

The IRS also allows a separate ten percent tax credit for income-producing buildings constructed prior to 1936, but not listed on the National Register. While not as valuable financially as the full 20 percent credit, it provides some incentive for preserving older buildings with less stringent rehabilitation standards being applied.

### Single-Family Home Tax Credit

As noted above, both the 20 percent and 10 percent tax credits are limited to income-producing properties. Another incentive that has been discussed for years is the provision of a tax credit for rehabilitating historic single-family homes that do not generate income. Such an incentive would undoubtedly have a measurable positive impact on the rehabilitation of urban neighborhoods across the country, including Fort Worth's neighborhoods. However, to date, Congress has not enacted the proposed Historic Homeownership Assistance Act.

## **INDIRECT INCENTIVES FOR HISTORIC PRESERVATION**

In discussing various housing and economic development programs of the City of Fort Worth and the State of Texas, it has been noted that they can be a "double-edged sword." On one hand, while not intended to encourage historic preservation, some of these programs could inadvertently further preservation. On the other hand, such programs can also be used to negatively alter or demolish historic buildings in the name of housing and economic development. Federally funded and licensed projects face federal review requirements of the National Historic Preservation Act (NHPA), which seeks to avoid adverse impacts to historic resources. The NHPA's Section 106 review process certainly offers no guarantees in protecting historic resources. However, there are also opportunities for historic preservation through HUD's HOPE VI program.

## **Hope VI Program (HUD)**

Since 1993, HOPE VI has been responsible for the revitalization of the nation's most distressed public housing developments by providing grants and unprecedented flexibility to address the housing and social service needs of their residents. On average, approximately \$500 million has been appropriated for HOPE VI grants each year since fiscal year (FY) 1993.

### Overview

The HOPE VI program was developed as a result of recommendations by the National Commission on Severely Distressed Public Housing, which was charged with proposing a National Action Plan to eradicate severely distressed public housing. The Commission recommended revitalization in three general areas: physical improvements, management improvements and social and community services to address resident needs. HOPE VI funds Revitalization and Demolition-only grants. Any public housing authority (PHA) that operates public housing units is eligible to apply for HOPE VI grants. Indian Housing Authorities and Section 8-only Authorities are not eligible to apply for HOPE VI funding. HOPE VI programs benefit current public housing residents, residents of the revitalized public housing units and communities surrounding the revitalized sites.

### Eligible Activities

HOPE VI permits expenditures for the capital costs of demolition, construction, rehabilitation and other physical improvements, development of replacement housing and community and supportive services. It encourages PHAs to seek new partnerships with private entities to create mixed-finance and mixed-income affordable housing that is radically different from traditional public housing "projects." PHAs administer the program and can use the grants in conjunction with modernization funds or other HUD funds, as well as municipal and State contributions, public and private loans and low-income tax credit equity. While most of the funds are to be used for capital costs, a portion of the grant may be used for community and supportive services.

### Historic Preservation Potential

It must first be recognized that HOPE VI can result in negative impacts to historic buildings. For example, many public housing developments dating from the 1930s and 1940s would be considered architecturally and/or historically significant by preservationists. However, such buildings may not be viewed as having any redeeming value by housing officials and, therefore, get slated for demolition and replacement. With that understanding stated, HOPE VI does have potential for preservation as well. For example, a HOPE VI project in Memphis recently featured the sensitive rehabilitation of Lauderdale Courts, a 1930s public housing complex in the Memphis "Uptown" area. In addition to these buildings being rehabilitated, the project went a step further with historic interpretive efforts for the unit once occupied by Elvis Presley. Therefore, this program, often feared by the preservation community for valid reasons, can actually further preservation objectives as well.

### **HOME Program (HUD)**

Although this is a federal program established in 1990, in Texas it is administered by the State. The program provides multi-year housing strategies for participating jurisdictions to strengthen public-private partnerships and provide more affordable housing via block grants. Allocations are made on an annual basis by formula based on several criteria. The program does not require applicants to contribute a match in order to receive a grant or loan, although applicants receive extra points on their applications for providing a match. TDHCA has allocated funds to grantees in four basic housing activities: Homebuyer Assistance Program Rental Housing Development Program, Owner-Occupied Housing Assistance Program and Tenant-Based Rental Assistance Program. While this program has the potential to negatively impact historic resources, as does the HOPE VI program, there is no reason to believe that the HOME program cannot have potential benefits for preservation as well.

## **Potential Model Incentives Found Elsewhere**

### **LOCAL LEVEL MODELS**

A survey of a number of cities across the country having incentives for historic preservation revealed that the vast majority of cities offered property tax benefits. While the duration of the benefit and the level of investment required varies, most involve abating the assessed value added following the renovation for a specific term if the project meets minimal standards for preservation. In addition to tax incentives, at least one community researched (Louisville, Kentucky) offers

a façade rehabilitation loan program. While such programs are quite common across the country, a “Main Street” program rather than a municipality more typically sponsors them. Another model incentive, recently adopted in Nashville, Tennessee, is based upon zoning. Rather than using the conventional “historic zoning” approach, this zoning permits a wide range of uses for landmark historic buildings within residential zones where zoning would not normally permit such uses. Thus, the incentive offered is greater financial feasibility for a property owner or developer. Below is a summary of several incentive programs.



*Façade rehabilitation programs help to preserve historic commercial buildings.*

## **Property Tax Incentive Programs**

### San Antonio Historic Tax Exemption

San Antonio's exemption program waives any increased value for a rehabilitated residential property for ten years, while giving a complete waiver from property taxes for commercial properties for five years. The exemption is for historic buildings, sites, or structures that are substantially rehabilitated and/or restored as certified by the City's Historic and Design Review Commission. They must also meet the definition of a historically significant site in need of tax relief to encourage preservation, and their assessed value for ad valorem taxation is approved by the City Tax Assessor-Collector in the following manner:

*A residential property will have the assessed value for ad valorem taxes for a period of ten tax years based on the assessed value prior to preservation.*

*A commercial property will have no assessed value for ad valorem taxes for a period of five tax years after verification. After this period, the property shall be reappraised at current market value and assessed at a 50 percent rate for an additional five-year period.*

The historic tax exemption will begin on the first day of the first tax year following verification of completion of the preservation required for certification, provided that:

The building complies with the applicable zoning regulations for its use and location; and

The deed, grant, sale, bequest, devise, or otherwise transfer of ownership in the property will cause the exemption to terminate on the last day of the tax year on which the transfer occurs. An exception to this requirement is the donation of a historical easement or exempt structure as qualified as a charitable contribution under Section 170 (f) (3) of the Internal Revenue Code and its present regulations, or as amended.

### Cumberland, Maryland - Tax Credit for Historic Preservation

Maryland state law grants the City of Cumberland the authority to provide tax incentives to property owners for qualified rehabilitations within the historic districts. Section 9-204 of the Maryland Annotated Code Tax Property Article provides that a structure determined to be of historic value in the historic district may receive a property tax credit "up to 10 percent of properly documented expenses" when the structure is renovated or preserved. Section 9-204.1 deals specifically with the Canal Place District (heritage area) and allows a property owner to have the assessed value of the property frozen for up to ten years at the pre-renovation value. A property must be a certified historic structure: it must be listed individually in the National Register of Historic Places, be listed in a National Register historic or landmark district, be listed in a property or district designated as a historic property or district under local law, be included within the boundaries of a

certified heritage area, or be a property or district determined by the Historic Preservation Commission of the City of Cumberland to be compatible with local historic preservation standards. The minimum expenditure for 24 months must be \$5,000. The property owner must submit construction plans for the Historic Preservation Commission to review prior to the start of work. A Certificate of Appropriateness must be on file in order to qualify for the tax program.

Louisville, Kentucky - Property Tax Assessment Moratorium

To encourage the repair, rehabilitation, restoration or stabilization of existing residential or commercial industrial properties, the City of Louisville and Jefferson County have the power, under Kentucky law, to grant moratoriums on property assessments or reassessment. Residential and commercial structures at least 25-years-old may qualify for a reassessment moratorium if:

1. The costs of the improvements made to the structure to repair, rehabilitate, restore or stabilize it equal at least 25 percent of the value of the improvements to the property, based on the latest assessment made by the County Property Valuation Administrator; or
2. The qualifying property is within a “target area,” a census tract where at least 70% of the residents living in that tract have income below 80 percent of the median income for Jefferson County or 20 percent of the residents living in that tract have incomes below the poverty level. The cost of the improvements must be equal to at least 10 percent of the value of the improvements to the property based on the latest assessment.

The Department of Inspections, Permits and Licenses (IPL) and the office of the Property Valuation Administrator coordinate the moratorium program. Applicants for a moratorium certificate must pay a \$40 fee. The fee will be reduced to \$20 for Enterprise Zone certified business/residences. The Property Valuation Administration will make an appraisal of the subject property at its fair cash value within 30 days of the application date. Applications for moratorium certificates must be made to the Division of Building Inspection at least 30 days before any construction work on the property begins. Each application should include or be accompanied by:

- A general description of the property
- Proof that the property is at least 25-years-old
- A general description of the proposed use of the property
- The nature and extent of the restoration, repair, rehabilitation, or stabilization and cost estimates based on bids submitted to the owner

- If the building is listed on the National Register of Historic Places, is on the Survey of Historic Sites in Kentucky, is in a Preservation District, or designated as a Louisville Landmark, approval from the City Landmarks Division showing compliance with the Commission’s standards must accompany the application
- A time schedule for undertaking and completing the project
- If the property is commercial, a descriptive list of the fixed building equipment that will be part of the facility and a statement of the economic advantage (including expected construction employment).

The applicant will have two years to complete the improvements unless an extension is granted by IPL. In no case will the application be extended beyond two additional years. An application will be voided if not acted upon within two years.

When the applicant informs IPL that the work has been completed on the property, IPL will conduct an on-site property inspection to certify that the improvements described in the application have been completed. IPL requires work to be completed on historic sites and structures to conform to approval issued by the Landmarks Division. The Construction Review Office at IPL then certifies to the Property Valuation Administrator that the improvements have been completed and the moratorium certificate will be issued. However, no moratorium certificate will be issued on properties for which there are delinquent tax bills.

The moratorium will become effective on the next assessment date after the moratorium certificate was issued and will remain in effect for five years. An assessment or reassessment moratorium certificate may be transferred or assigned by the holder of the certificate to a new owner or lessee of the property. Any property granted an assessment or reassessment moratorium might be eligible for another moratorium certificate if three years have passed since the previous moratorium ended. On the next assessment date following the expiration, cancellation or revocation of an assessment or reassessment moratorium, the property is assessed on the basis of its full fair cost value. A building permit is required for the inspection and tracking of the tax moratorium at the end of 30 days.

### Atlanta, Georgia

#### *Landmark Historic Property Tax Abatement Program*

The owner of an income-producing building, which is listed in the National or Georgia Register of Historic Places and has been designated by the City of Atlanta as a Landmark Building or a contributing building in a Landmark District, may obtain preferential property tax treatment. The building must be in standard repair or already have undergone rehabilitation. For purposes of tax assessment for City of Atlanta taxes, excluding bonded indebtedness, the fair market values of the building and up to two acres of land surrounding it, is frozen for eight years at the level existing at the time of

application and certification. In the ninth year, the fair market value is fixed at one-half the difference between the frozen value and the current fair market value. The application for this tax freeze must be filed by December 31 of the year before the freeze will go into effect.

*Rehabilitated Historic Property Tax Abatement Program*

The owner of a building, which qualifies for listing in the Georgia Register of Historic Places and has undergone a major rehabilitation initiated after January 1, 1989, may obtain preferential property tax treatment. For purposes of tax assessment for City of Atlanta taxes, excluding bonded indebtedness, the fair market value is frozen at the pre-rehabilitation level for a period of eight years. In the ninth year, the fair market value is fixed at one-half the difference between the frozen value and the current fair market value. Qualifying rehabilitations must meet the standards promulgated by the Department of Natural Resources and must have increased the fair market value of the building by not less than 50 percent for owner-occupied residential real property, or not less than 100 percent for income-producing real property. The application for this tax freeze must be filed by December 31st of the year before the freeze will go into effect.

*City/County Enterprise Zone Tax Abatement Program*

Ad valorem property tax exemptions covering a ten-year period can be obtained by owners of qualifying historic multi-family and non-residential structures located in enterprise zone eligible areas. There are no minimum acreage requirements for proposed zones. Structures suitable for rehabilitation/renovation must provide a minimum of four multi-family housing units.

*Development Impact Fee Exemption*

The owner of a city-designated Landmark Building or a contributing in a Landmark District, which will undergo a rehabilitation or conversion, may obtain a 100 percent exemption from the payment of Development Impact Fees for building permits associated with the rehabilitation/conversion project. Such an exemption must be obtained prior to the issuance of a Building Permit.

*Façade Easements*

A preservation easement is a legally enforceable commitment by a property owner to preserve the facades of a historic structure so that its exterior architectural features remain unchanged in perpetuity. Properties must be National Register-eligible structures. Federal and State income tax deductions can be taken as well as the possibility of other tax advantages related to a property's decrease in value as a result of an easement donation.

Dallas, Texas – Historic Preservation Tax Incentive

The City of Dallas offers tax incentives to property owners completing rehabilitation projects to historic properties (City of Dallas Landmarks or structures in Landmark



Districts) administered by the Historic Preservation Program. These incentives consist of tax abatements for rehabilitation or residential conversions. In order to qualify, property must be designated a City of Dallas Landmark or be a contributing property within a Landmark district. To apply for any of the incentive programs, the applicant must first submit a Certificate of Eligibility. The type of incentive that the applicant is eligible for depends upon the location and planned level of investment in the rehabilitation. The following incentives exist for preservation:

*URBAN NEIGHBORHOODS*

Applies to historic properties in the Central Business District and immediately surrounding neighborhoods

*Rehabilitation* – The applicant may be eligible for a 100 percent abatement on City property taxes for ten years if qualified expenditures exceed 75 percent of the structure’s pre-restoration appraised value.

*Restoration* – The applicant may be eligible for an added value abatement on City property taxes for ten years if qualified expenditures exceed 50 percent of the structure’s pre-restoration appraised value.

*Residential Conversion* – The applicant may be eligible for a 100 percent abatement on City property taxes for five years if converting over 50 percent of the building to residential use.

*Ground Floor Retail Conversion* - The applicant may be eligible for a 100 percent abatement on City property taxes for five years if converting over 65 percent of the building’s ground floor to retail use.

*Conservation Easements* – The applicant may donate a contributing element of the historic property’s character (such as a façade) to the City of Dallas in order to reduce City property taxes and receive a one-time charitable deduction.

*Transfer of Development Rights* – The applicant may transfer a minimum of 20,000 square feet if the property has been restored within the past five years and that restoration exceeds 50 percent of the pre-restoration value. Development rights may only be transferred to building sites within certain commercially zoned districts, and the maximum floor area ratio (FAR) may not be increased by more than an FAR of 4.0

*REVITALIZING NEIGHBORHOODS*

Applies to targeted historic neighborhoods where revitalization and home ownership are encouraged.

*Owner Occupied Restoration* – The applicant may be eligible for a 100 percent abatement on City property taxes for ten years if qualified expenditures exceed 25 percent of the structure’s pre-restoration appraised value. The property must also be owner-occupied.

*Restoration (for non-owner occupied structures)* – The applicant may be eligible for an added value abatement on City property taxes for ten years if qualified expenditures exceed 50 percent of the structure’s pre-restoration appraised value. If the applicant sells the house after restoration in a CDBG eligible area, it must be sold to a buyer who is 80 percent or less below the median income.

*Maintenance (for owner occupied structures)* – The applicant may be eligible for an added value abatement on City property taxes for three years, renewable twice for 9 years total.

#### *CITYWIDE NEIGHBORHOODS*

Applies to contributing properties in historic districts outside the CBD and revitalizing neighborhoods.

*Restoration* – The applicant may be eligible for an added value abatement on City property taxes for ten years if qualified expenditures exceed 50 percent of the structure’s pre-restoration appraised value.

#### New Orleans – Property Tax Amnesty Program

This program is designed to address properties in which the property taxes owed exceed the market value of the property, since that scenario typically takes such properties out of the market for rehabilitation. Rather than requiring the owner to pay the full amount of owed taxes, they are allowed to instead pay the City the market value of the property. That figure is determined by multiplying the assessed value by ten.

### **Façade Loan/Grant Programs**

#### Louisville, Kentucky – Façade Loan Program

In addition to the City of Louisville’s assessment moratorium program, the city also offers a façade loan program that is available in certain targeted neighborhood commercial areas. Qualifying businesses can receive a loan up to \$10,000 per visible exterior wall. The loans are at five percent interest and for a term of ten years. Architectural and design services also are provided as part of the program. The program seeks to promote the aesthetics of neighborhood commercial areas.

#### Pittsburgh, Pennsylvania – “Street Face Program”

Pittsburgh’s Urban Redevelopment Authority sponsors this program, which encourages the façade rehabilitation of historic commercial buildings. Applicants must follow rehabilitation standards that are modeled after the federal standards of the Secretary of

the Interior, and Pittsburgh's Historic Review Commission reviews projects. If the Commission's standards are maintained for a period of five years following the project's completion, the loan is forgiven and becomes a grant.

#### San Antonio, Texas – "Operation Facelift"

This façade improvement grant program is operated by the City and limited to commercial and mixed use properties. The program's stated intent is multi-faceted, including reversing the deterioration of commercial areas, filling vacant space with new businesses, reducing the perception of crime, and historic preservation. The program is limited to targeted areas called Neighborhood Commercial Revitalization Projects (NCRP), and each designated area must have an operating Design and Planning Committee. The funding can be applied to a wide range of work, including minor to substantial façade enhancements, associated roof work, and adjacent streetscape improvements. Funds can also be used for materials, labor and "soft costs," such as fees of attorneys and architects, as well as City permit fees. The program provides funding amounts between \$500 and \$15,000, but each dollar must be matched by the applying property owner or business.

### **Special Zoning**

This classification of incentive does not include conventional "historic overlay zoning," but rather other zoning techniques tied to land use rather than design.

#### Nashville, Tennessee – Neighborhood Landmark Designation

Nashville has a relatively new zoning classification that is intended specifically to benefit historic buildings. Rather than involving a traditional "historic zoning" approach (which Nashville has as well), this zoning is focused on permitted land uses. The challenge is the scenario in which a historic church, corner commercial structure, or similar resource is located in a residential zone. Because of the limited range of permitted land uses, it is typically not financially feasible to preserve the structure, as the building does not lend itself to residential uses. This program allows the property to receive a special Landmark designation that expands the range of permitted uses beyond residential uses so that the building's adaptive re-use is more feasible. There are criteria for property designation and also minimum standards for rehabilitation overseen by Nashville's Metropolitan Historical Commission.

### **Fee Waivers**

While it is typically quite limited in value, one incentive that many communities provide for historic properties is fee waivers for development applications. For example, although Cincinnati offers no substantial financial incentives for preservation, the City's Historic Conservation Board does waive all application fees related to properties within its

designated local historic districts. This waiver can be as high as \$200 for applications for development.

## **STATE MODELS**

Most state governments that provide incentives for historic preservation do so by offering state income tax incentives modeled on the federal investment tax credit. Because Texas has no income tax, such models are irrelevant. However, Maryland and Iowa are among a few states whose tax incentive alternatives allow for refundability or transferability of state credits that may be appropriate models for a Texas state tax incentive for homeowners in historic districts. Because income tax incentives are of limited value to lower-income people, a few states offer an option whereby the incentive benefits are passed along to the applicant's mortgage lender, who in turn passes to the applicant financial benefits for the terms of the loan.

## OTHER RELEVANT LOCAL and STATE POLICIES

### Relevant Local Policies

This section of the report identifies a variety of policies of the City of Fort Worth that have the potential to impact historic preservation.

#### Housing and Economic Development

Fort Worth's eight housing and economic development programs described below all could further preservation efforts but have the potential to lead to the adverse alteration or demolition of historic buildings. Unlike federal requirements to review federally funded and licensed activities for their impacts on historic resources, no such process currently exists at the local level.



*Historic commercial corridors are key areas for preservation and revitalization.*

#### Conveyance of Tax Foreclosure Properties

This program provides tax-foreclosed properties owned by the City to eligible housing non-profit organizations at below market value. The stated purpose of the conveyance program is to: provide greater opportunities for decent, affordable housing to low-income individuals and households; revitalize existing neighborhoods by building homes on vacant lots and rehabilitating deteriorated or vacant homes; and generate revenues by returning these properties to the tax rolls. Since inception of this program in 1998, the City has conveyed 61 properties to its non-profit housing partners. Of the eight housing and economic development programs described here, this one may have the greatest potential to further preservation efforts if modified to do so. For example, in addition to selling properties to non-profit housing organizations for housing, historic properties might also be sold to for-profit developers willing to rehabilitate them.

#### Model Blocks Program

This City program is aimed at "building strong neighborhoods, a safe community and sound economy." It makes a visible impact in a manageable geographical area by concentrating City activities and resources of \$1.2 million in Community Development Block Grant (CDBG) and HOME funds in the selected neighborhood. From the inception of the program in 1993, 13 Model Blocks have been selected.

Tax Abatement

The full or partial exemption from ad valorem taxes on eligible properties for a period of up to ten years and an amount of up to 100 percent of the increase in appraised value (as reflected on the certified tax roll of the appropriate county appraisal district) resulting from improvements begun after the execution of the tax abatement agreement. Eligible properties must be located in a reinvestment zone.

Tax Increment Financing

A tool by which local governments can publicly finance needed structural improvements and enhanced infrastructure within a defined area is called a reinvestment zone. The tax increment is derived from the difference in appraised value between the year in which the reinvestment zone is established (base year) and each year the reinvestment zone is in existence.

Enterprise Zone Program

With a minimum investment of \$75,000 and the creation of new full-time jobs, allowable incentives based on the merit of proposed projects for zone areas within the central city and specific census tracts include: reduced development fees, permit fee waivers, enhanced participation in community facilities agreements, transfer of City-owned surplus property at below market rates, assistance with workforce development, and special transit assistance to connect areas not served by public transportation.

Neighborhood Empowerment Zones

Designed to promote housing, economic development and quality services in Fort Worth's Central City, incentives available to property owners who build or rehabilitate property within a NEZ include municipal property tax abatements, fee waivers and release of City liens. Currently, there are eight active NEZs in Fort Worth: Stop Six, Ridglea Village/Como, Evans and Rosedale, Polytechnic/Wesleyan, Magnolia, Hemphill/Berry, Rolling Hills and Handley.

Community Housing Development Organizations (CHDO)

A CHDO is a City-designated, not-for-profit, community-based service organization that develops affordable or mixed-income housing. The federal HOME program is the source of funding for CHDOs. Acting as a developer, sponsor and/or owner, a CHDO may use its HOME funding to undertake property acquisition, site improvements, rehabilitation, new construction, conversions, lease/purchase programs, interim financing, demolition, homeownership assistance and rental assistance for the benefit of low-income residents.

Special Target Areas

Special Target Areas are identified by City Council for housing, infrastructure and other improvements. The Housing Department is currently implementing projects in two special target areas: Polytechnic Heights Educational Corridor and Polytechnic Heights/Wesleyan Corridor. Examples of activities include: housing rehabilitation, new construction and homebuyers' assistance; infrastructure; traffic management; landscaping; neighborhood capacity building; and code compliance.

## **Zoning, Development Regulations and Building Codes**

### Zoning and Development Regulations

This discussion of zoning does not include “historic zoning” through local historic districts, as the issue has already been addressed at the beginning of this report. In considering Fort Worth’s existing zoning and development regulations, no specific policies were identified that, by themselves, appear to negatively impact historic resources. Although the level of development density/intensity permitted through zoning can intensify the threats of development pressure on historic resources, rarely is manipulating development densities/intensities the answer to preservation success given the other broader objectives that zoning needs to accomplish. While Fort Worth’s zoning and development regulations do not appear to be particularly harmful toward preservation, in general terms, they are not particularly helpful either. For example, there are no special zoning provisions beyond conventional “historic zoning” that are aimed at preservation, as in the case of Nashville’s zoning option that was described in this report’s previous section on model incentives nationwide.

However, the City’s two mixed-use zoning classifications do offer some incentives specifically for historic structures. These two classifications are the Low Intensity Mixed-Use (MU-1) district and the High Intensity Mixed-Use (MU-2) district. Both districts allow for multiple uses to be combined within a single structure, and maximum residential densities can range up to 40 and 60 units per acre. Any off-street parking requirements are waived if the City’s Historic Preservation Officer determines the building to be historic based upon either National Register or local designation as HC or HSE.

### Building Codes

There are two departments within the City of Fort Worth that are involved with implementing the City’s buildings codes: the Development Department and Code Compliance:

#### *Development Department*

This department is responsible for permitting all development and building projects within the City. In the past, the department has coordinated with the Landmarks Commission by participating in their pre-meeting workshops to review the status of various applications. The department has not played that role more recently, although it would benefit the Landmarks Commission if the department’s active participation were resumed. In the past, the Development Department has not dealt with violations of the Landmarks Commission’s Certificates of Appropriateness (COA). However, staff has recently committed to doing so in the future, which is a positive sign for the City’s preservation efforts. Another needed area of coordination between the Development Department and the Landmarks Commission relates to the Energy Code. This code, which is part of the International Building Code (IBC), allows for an exemption for historic buildings. However, that message has not been consistently conveyed to building permit applicants,

which can lead to frustrations for all parties involved with the process. The lack of this information might also discourage would-be renovators of historic buildings from taking on such projects. This is clearly an area that needs improvements in order for preservation efforts to thrive.

#### *Code Compliance*

This department insures that the City's various codes are not violated. When designated historic buildings are deteriorated to a point that they are no longer in compliance, the owner is notified and instructed to "comply" with the minimal codes. The Building Standards Commission (BSC) orders rehabilitation in these cases without demolition. The Landmarks Commission is notified prior to the hearing by the BSC. In the case of historic buildings that are not locally designated, the Landmarks Commission is still notified of the hearing, but there is little leverage available to prevent demolition if that is the chosen option. The deterioration ("demolition by neglect") of pre-WWII houses, primarily within Fort Worth's central city, is one of the greatest challenges facing the City's preservation objectives. Each year the City demolishes roughly 200 houses, while the private sector demolishes another 150 to 160 houses each year. Of course, this scenario is not unique to Fort Worth.

It is also noteworthy that Fort Worth currently has adopted the provisions for historic buildings embodied in Chapter 34 of the IBC, and has implemented the waiver of the Texas Energy Code requirements. The Chapter 34 provisions have proven to be cumbersome and confusing and, therefore, have not been invoked or implemented in any effective fashion. Many other communities, on the other hand, are adopting special provisions for historic buildings designed to be more flexible and responsive to unique conditions. Cincinnati, for example, has alternatives for any contributing buildings within either a National Register or local historic district, as allowed by state law. Examples of provisions include allowing winding stairs for access and not mandating additional requirements that would otherwise be triggered by higher ceiling heights. Likewise, the State of New Jersey has perhaps the best model code for historic rehabilitation found in the country. The State of Maryland also has the Maryland Building Rehabilitation Code Program, which is a component of their "Maryland Smart Growth Initiative."

### **Transportation and Capital Improvements**

In considering the City's policies related to transportation and capital improvements, the main issue identified relates to the City's street widening policies. These policies have not seemed to directly impact historic buildings as in their demolition or alteration to accommodate wider streets. However, they have impacted the character of historic neighborhoods. A recent example is Rosedale Street, which has been expanded to increase traffic capacity, resulting in the loss of mature vegetation. Another example is the potential loss of street address tiles when streets are widened or changed. Because street trees and other landscape elements are such an integral part of a historic



neighborhood's character and value, this issue cannot be overlooked within the broader context of the City's preservation policies.

**Other Relevant Policies**

Another relevant City program is financed by the Crime District Funds. This program is designed to eliminate places that attract crime, such as "crack houses" in low-income neighborhoods. This very well intentioned program is a collaborative effort in which the Police Department and others identify specific buildings where crime consistently occurs, and Code Compliance carries out the demolition. This is a challenging issue to address. Clearly, such programs are important to carrying out law enforcement and to providing safe environments for citizens. However, it is also often counter to historic preservation objectives. It is an issue that should be addressed in the City's overall preservation strategy.

## Relevant State Policies

### Housing and Economic Development

As in the case of the City of Fort Worth's various housing and economic development programs described above, the State's housing and economic development programs also have the potential to adversely alter historic resources. Unlike federal requirements to review federally funded and licensed activities for their impacts on historic resources, no such process currently exists at the State level. Some of the programs most likely to impact historic resources are summarized below:



*Mount Gilead Baptist Church is eligible for local and national historic designation.*

#### Texas Local Government Chapter 214 Receivership Statute

The statute provides that a municipality may petition the district court to appoint a receiver for a distressed property that has been determined to be in violation of minimum building standards through a building standards commission process. The receiver should be a nonprofit or individual with a record of rehabilitating historical structures. The receiver, once appointed by the court, may:

- Take control of the property
- Collect rents
- Make or have repairs to the property
- Purchase materials
- Enter into contracts and leases
- Secure insurance
- Assume all authority of an owner except the right to sell the property

Upon the completion of the work to the property, the receiver files with the court an accounting of:

- Costs and expenses incurred with the repairs
- Reasonable costs for labor and supervision
- Income received from the property

If the income exceeds costs, the property is returned to the owners along with any net income. If the expenses exceed income from the property, the receiver retains control until costs are recovered or until the receiver petitions the court for a termination of the receivership and a sale of the property to satisfy the costs to the receiver. This may happen two years after the initiation of the receivership if the owner cannot be

located or three years if the owner's location is known. A lienholder of record may intervene in the action and pay for the costs to the receiver. The receiver may bid on the property at the foreclosure sale. The court orders a distribution of proceeds as follows:

- Court costs
- Costs and expenses of the receiver
- Valid liens

#### Texas Enterprise Zone Program (Texas Department of Economic Development)

The State of Texas provides direct development incentives for a limited number of qualified businesses and enterprise zone projects in order to support economic redevelopment in the most distressed areas of the state. The major financial incentives are refunds of state sales and use taxes and franchise taxes.

#### Preservation Initiatives (Texas Department of Housing and Community Affairs)

Among these initiatives, TDHCA maintains lists of affordable housing portfolios and classifies each property by its priority for being preserved. In addition, this program requires certain property owners to provide notice to TDHCA of their intent to opt-out of affordable housing programs or to prepay their federally insured mortgage loans. The Multifamily Preservation Clearinghouse is a bulletin board that allows affordable housing property owners interested in selling their properties to get in touch with potential buyers of affordable housing.

#### Housing Trust Fund (State of Texas)

The Housing Trust Fund is a statewide program that seeks to allocate funds to achieve a broad geographical distribution of affordable housing. Funds are available to non-profit organizations, units of local government, public housing authorities, community housing development organizations (CHDOs), and income eligible individuals and families. Eligible activities include acquisition, rehabilitation and new construction of housing. The Housing Trust Fund also provides technical assistance and capacity building to non-profit organizations and CHDOs engaged in developing affordable housing for persons and families of low and very low income.

### **Transportation and Capital Improvements**

Federal grant funding for certain historic preservation projects is available by way of legislation enacted by Congress in 1992: the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). Reauthorizing and funding the federal transportation programs, TEA-21 also continued and enhanced aspects of federal transportation policy, as reflected in the strategic goals of the U.S. Department of Transportation (DOT), the Federal Highway Administration (FHWA), and its Environmental Policy Statement, that stress mobility, protection of the human and natural environment, and community preservation, sustainability, and livability. Transportation Enhancements (TE) program activities,

continued under TEA-21, are a sub-component of the Surface Transportation Program (STP) within TEA-21 and are administered by the Texas Department of Transportation (TxDOT).

Through the Enhancements activities, Congress provided innovative opportunities to improve and contribute to the transportation system, and ten percent of the billions of dollars in funds apportioned to the State for federal transportation and highway projects for a fiscal year must only be available for transportation enhancement activities. Congress included the language on transportation enhancements as a means of stimulating additional efforts to create an improved transportation environment and system, while making a contribution to the surrounding community.

This is being carried out in a non-traditional fashion through implementation of a specific list of 12 TE activities, three of which may be directly related to historic preservation:

- Historic preservation.
- Rehabilitation and operation of historic transportation buildings, structures or facilities (including historic railroad facilities and canals).
- Establishment of transportation museums.

The focus of these actions is to improve the transportation experience in and through local communities. The FHWA encourages partnerships with State and local officials and public interest groups to improve the delivery of these valuable transportation enhancements. Where appropriate, public-private partnerships are also encouraged.

Enhancements grants for historic preservation-related projects have funded hundreds of projects across the country and in Texas, with millions of dollars remaining to be distributed for future projects. Meanwhile, the reauthorization of TEA-21 will be an important issue facing the 108<sup>th</sup> Congress in 2003, with historic preservation advocates supporting continuation of the Enhancements program and funding for the many worthwhile preservation projects yet to be initiated.

## **SUMMARY**

### **Strengths and Weaknesses of the Existing Preservation Program**

In general, Fort Worth's existing preservation program has a good deal of merit and is effective in certain areas in achieving the City's preservation objectives. On the other hand, as with most communities, there are several areas that can be improved. Below is a concise recap of the status of Fort Worth's existing preservation program.

#### **Existing Historic Resources Survey**

The Fort Worth portions of the Tarrant County Historic Resources Survey remain today a conventional example of an effective methodology for collecting and publishing a large-scale, comprehensive inventory of a community's heritage resources. Given its original scope, limited budget and reliance on significant volunteer labor, the survey's data has proven effective and invaluable to preservationists and public policy makers during the past two decades. The survey's limitations, its relative age and timeliness, and, in particular, its lack of accessibility in the age of the World Wide Web leave room for improvements. A comprehensive and ongoing update and data management program will exponentially increase the survey's legitimacy, relevance and educational value to a more diverse audience in Fort Worth, and beyond.

#### **Existing Historic Preservation Ordinance**

The City of Fort Worth Historic Preservation Ordinance is generally similar to preservation ordinances in other cities with comparable population and numbers of historic properties. In general, it addresses all important issues and is organized in a typical format. Some provisions, however, may be cumbersome, confusing and ultimately not effective promoting the preservation, protection and enhancement of the city's historic resources. The petition signature and initiation provisions of the nomination and designation procedures; the protection mechanisms for the Demolition Delay category of resources; demolition by neglect requirements; enforcement and penalties; and various implementation strategies and processes are all areas in which the ordinance needs to be reviewed and improved.

#### **Existing Historic Preservation Incentives**

At present, the City's only existing direct incentive for preservation is the historic property tax exemption, which is actually an "abatement of added value" on post-rehabilitation increases in assessed value. Based upon the examination of similar programs in other communities across the country, there are several variables related to this program that

might be considered for amendment in order to make the incentive more attractive to property owners and developers. Those variables that should be reconsidered include:

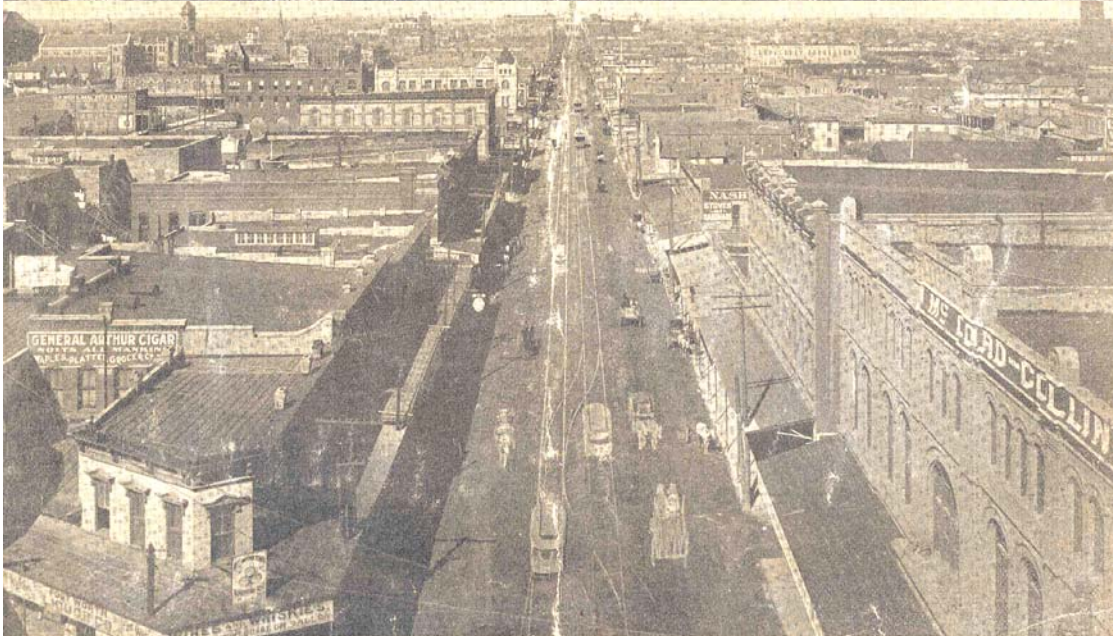
- The duration of the tax exemption
- Whether the exemption is only an “abatement of an increase value,” or an actual exemption
- The levels of historic/architectural significance required to qualify a property
- The required minimum investment level in the project, and
- The duration requirement for complying with preservation standards of the Landmarks Commission

Beyond the City’s tax exemption program, other types of incentives should be explored. Examples include Louisville’s façade loan program and Nashville’s neighborhood landmark designation, which broadens the range of permitted land uses for landmark buildings. Finally, looking beyond the local level, as a major Texas city, Fort Worth should encourage the State to explore stronger state-level incentives for preservation. The chosen incentive of most states, an income tax credit, is not relevant to Texas. However, alternatives such as an option to pass benefits along to mortgage lenders and, in turn, to property owners, are worth consideration.

### **Other Relevant Local and State Policies**

There are numerous policies and programs of the City that have the potential to either positively or negatively impact historic preservation. Since the most effective incentives for preservation are those that have been crafted specifically with that goal, the initial emphasis should be placed on avoiding negative impacts. The two policy areas that can have the most impact on preservation are: (1) housing and economic development programs, and (2) code compliance. Unlike the federal level, in which preservation considerations are addressed for all federally funded or licensed activities that might harm historic resources, no such process exists in Fort Worth. However, spending City funds and human energy on programs and policies that are in direct conflict with one another is both counter-productive and fiscally questionable. While it is not the goal of this plan to generate more work for City staff and more “red tape” for the private sector, it is clear that some type of stream-lined review and compliance program for Fort Worth would be beneficial in order to avoid conflicting objectives, policies and activities of the City. This same concern carries over to the State level.

# Goals, Objectives and Strategies for Action





# Findings





## FINDINGS

1. The existing **historic resources survey** is good but has limitations related to currency of data, accessibility and inclusiveness.

- The *Tarrant County Historic Resources Survey (TCHRS)* was completed through the 80s and early 90s with four volumes dedicated to Fort Worth. It has not been updated since the initial survey was conducted.
- The *TCHRS* is available in hard copy for purchase or at the library. It is not available electronically and the complete set is relatively expensive to purchase.
- Certain geographic areas, ethnic groups, time periods and building types are under-represented in the existing survey.
- Most of the existing histories on Fort Worth are from a relatively narrow perspective, and information on the story of Native Americans, African-Americans, Mexican-Americans, Asians and Fort Worth's other minority groups are difficult to find. The diversity of the community's history is part of what makes such a compelling story, so future interpretation should emphasize that point.

2. Fort Worth has **certain historic resources that are significant to the preservation of Fort Worth's unique history, architecture, and culture.**

Priority should be give to resources associated with these unique elements.

- Key historic themes include the pioneer era, cattle drives and the Stockyards; railroads; development patterns; rich ethnic and cultural contributions of the African-American, Latino, middle-and eastern-European and other communities; and oil, military and aviation industries.

3. The existing **preservation ordinance** is fairly typical of cities like Fort Worth.

- Key components of an effective preservation ordinance are present in Fort Worth's.
- Several weaknesses exist in the ordinance:
  - Enforcement provisions are inconsistently applied.
  - Designation criteria are vague and can be interpreted subjectively.
  - The appeals process is loosely worded.
  - The Demolition Delay consultation provisions are unclear.

4. The City currently has one **historic preservation incentive**, the Historic Site Tax Exemption, which allows for City taxes to be assessed on the pre-renovation value for ten to fifteen years.

- In FY 2002, the Historic and Cultural Landmarks Commission verified rehabilitation expenditures leveraged by the Historic Site Tax Exemption of approximately \$1 million.
- The Historic Site Tax Exemption is especially attractive for smaller projects, where property values are exceptionally low prior to rehabilitation, and for larger commercial projects.
- The Historic Site Tax Exemption has not been as effective in promoting reinvestment where property values are already high.

**5. Some policies of the City can have indirect impacts on historic preservation, such as transportation, housing, and economic development.**

- The construction of architecturally incompatible City-sponsored housing under the guise of affordability can have a negative impact on the character of historic neighborhoods.
- Some Police and Code Compliance enforcement actions have the effect of diminishing the historic housing stock by demolishing houses considered substandard.
- Current standards for wide streets and curb cuts have an adverse impact on the design of historic districts and central city neighborhoods.

**6. Awareness levels and opinions vary widely with respect to historic preservation in Fort Worth. A small number of citizens are actively involved in historic preservation in Fort Worth.** Among the preservation controversies in recent years that have illuminated the varied opinions were the following:

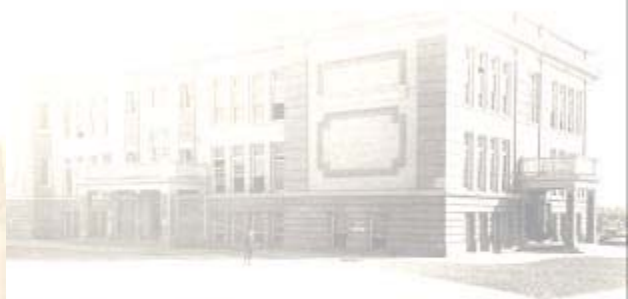
- The Trinity Railway Express tunnel through the Alarm Supply Building.
- Nomination of the Will Rogers Memorial Center for designation as Historic and Cultural Landmark.
- The Section-106 review and subsequent demolition of the Ripley Arnold Complex.
- The Mistletoe Heights Historic District designation.
- Partial demolition of the 7<sup>th</sup> Street Theater despite the Demolition Delay designation.

**7. Some members of the Historic and Cultural Landmarks Commission and its staff have not taken full advantage of training opportunities necessary** to adequately address the many complex issues that such a review body must address. Such training is also required to meet minimum Certified Local Government standards. Because of the technical nature of many preservation issues, it is critical that all Commission members are required to receive thorough training, particularly for new members. Suggested topics include, but are not limited to: preservation principles; basics of architectural history; preservation law, and conducting effective public meetings.

8. **Adequate staff support for the HCLC and the City historic preservation program is critical** to address the increasing caseload of permits, project reviews and requests for historic and conservation district designations. As preservation activities are more fully integrated into the development and planning processes of the city, staff support will be all the more important to reach the community's preservation, planning and economic development goals.



**Background**



## BACKGROUND

The Citywide Historic Preservation Plan encompasses a wide range of tools and options related to historic preservation. In most cases, the term “preservation” is used in a general way to recognizing the value of our history and built environment. Treatments for historic properties can include preservation, rehabilitation, adaptive reuse, restoration and reconstruction. Conservation is also an important tool for historic preservation.

If any single word best embodies the approach taken in developing Fort Worth’s historic preservation plan, it would be “balance.” A strong sense of balance has been applied through the perspectives represented in this plan’s creation, through the proposed approaches to achieving preservation objectives, and through the preservation program’s relationship to other programs and policies of the City.

### **Balancing Perspectives**

The City’s appointed Steering Committee to lead the plan’s creation represents a broad range of viewpoints. While some members represent preservation-oriented groups, many others represent groups not seen as traditionally supporting historic preservation, but having useful insights into preservation and bringing an important perspective. By having such a committee composition, the plan will reflect a more balanced perspective than might otherwise occur.

### **Balancing Preservation Approaches**

While the preservation programs of many communities across the country are heavily weighted toward regulatory measures, Fort Worth is pursuing a more balanced approach. A key objective of this Plan is to emphasize approaches such as financial incentives and education.

### **Balancing Citywide Goals**

A key question that this preservation plan must address is “How do we reconcile historic preservation goals with other goals of Fort Worth?” No formula can adequately consider all of the variables that go into reaching decisions involving historic resources and competing interests. However, a series of questions can be applied to discussions regarding individual historic resources and provide a decision-making framework. Below are the types of questions that can help Fort Worth balance preservation with other goals:

- 1) How important is the historic resource to telling the story of Fort Worth’s history?

- 2) How rare or unique is the resource compared to other historic resources in Fort Worth?
- 3) How feasible, physically and financially, is the resource's preservation and enhancement?
- 4) How does the action relate to the City Council's strategic goals?
- 5) Are there reasonable alternatives to the action that might threaten a historic resource?
- 6) Could a lesser degree of preservation or enhancement occur while still achieving general preservation objectives (less stringent rehabilitation standards, building relocation, etc.)?
- 7) Will the resource's preservation encourage or deter job creation in Fort Worth in the long run?
- 8) Will the resource's preservation increase or decrease Fort Worth's tax base in the long run?
- 9) Will the resource's preservation encourage or deter revitalization of the surrounding area in the long run?
- 10) Will the resource's preservation support or preclude the development of other important community facilities or programs?
- 11) How do the stakeholders most greatly impacted feel about the issue?

Ideally, historic preservation can begin to be viewed as a tool for accomplishing other goals such as economic development and affordable housing and it can be integrated into the collection of strategies utilized by the City of Fort Worth.

Referencing the City of Fort Worth's Comprehensive Plan mission statement, "Fort Worth, Texas is a city focusing on its future. Together we are building strong neighborhoods, developing a strong economy, and providing a safe community." The City Council has selected six strategic goals from the Comprehensive Plan, which should be considered when addressing preservation issues:

- Make Fort Worth the nation's safest major city.
- Create a clean, attractive city.
- Diversify the economic base and create job opportunities.
- Revitalize central city neighborhoods and commercial districts.
- Promote orderly development in peripheral areas.
- Promote user-friendly government.

The Comprehensive Plan also references Fort Worth's "excellent opportunities for unique cultural experiences," many of which are portrayed in the city's rich history now being preserved. Preservation should not be an either/or proposition. Preservation should not be pitted against the City's other goals. The City's historical development and the evolution of areas (residential, commercial, cultural, educational, etc.) should be recognized for the patterns that have been established. These uses should be respected.

The City should look to an independent study commissioned to determine the impacts of preservation on Fort Worth's economy to support policy decisions. Preservation is a significant component of today's overall sound environmental policy. Reuse is a "smart" approach to recycling and conservation of our natural resources. In fact, preservation is a commitment to conservation at a higher level. Flexibility must be allowed in whatever criteria are ultimately adopted. Because no one can see into the future, the formula for interpreting a plan and subsequent guidelines must be creative. There will always be exceptions to rules.

### **Determining Relative Importance**

Part of deciding how important a resource is to telling the story of Fort Worth involves assessing the resource's importance relative to other resources in the city. The most proactive approach to assessing importance would be to conduct a comprehensive historic resources survey that evaluates identified resources. In order to make these determinations, officials should ask questions such as the ones listed below.

- 1) Is the resource the last or one of few left of its kind?
- 2) Is the resource a particularly important architectural specimen in terms of type, period, method of construction or design?
- 3) Is the resource the work of a master architect or other significant local architect?
- 4) Is the resource associated with a significant event?
- 5) Is the resource associated with the lives of people significant in Fort Worth's past?
- 6) Does the resource uniquely present an event or period in history that should be remembered and preserved?
- 7) Does the resource play an important role as part of a larger group of resources?
- 8) Does the resource relate closely to one of the key elements of Fort Worth's history?

Many of these questions are based upon the same criteria used by the National Register of Historic Places. However, the importance of "background buildings" and other common "everyday" historic resources should not be overlooked. Resources such as modest-scaled bungalows are lost on a regular basis in Fort Worth and can be very difficult to generate public support for. Their value to creating the historic context should always be kept in mind.



# Historic Resources Survey & Resource Priorities





## **HISTORIC RESOURCES SURVEY AND RESOURCE PRIORITIES**

**GOAL A: Maintain a Historic Resources Survey that is current, comprehensive and cost-effective.**

### **Strategy 1**

**Continue to update and expand the Tarrant County Historic Resources Survey (TCHRS).** This historic sites survey is one of Fort Worth's best tools for identifying historic properties in Fort Worth and educating the community, the general public and City officials about the community's unique history and historic resources. Historic Fort Worth, Inc. (HFW) is recognized for their stewardship in maintaining these surveys.

#### Implementation

In any effort to update this Historic Resources Survey, it is recommended that a non-profit preservation organization be utilized as the lead entity responsible for conducting the survey because of their ability to acquire grants and other sources of funding. Municipal and county governments in Texas do not have a strong track record for successfully implementing ongoing, multi-phase historic resource surveys in-house. However, the City should provide strong support in providing useful information and resources, such as electronic maps and property data. A non-profit organization will be able to focus on and continue the work regardless of occasional municipal or county budget cycle challenges, and can muster volunteer support to maximize the public and private investment in the survey. The City's role should include any oversight typical of a significant donor to such an undertaking. The City should also formally adopt an updated survey to underscore its validity as a reliable source of important data for decision-making.

#### Funding

The costs of a comprehensive citywide survey are preliminarily estimated at between approximately \$300,000 and \$500,000. Funding should occur through a partnership similar to the one created to fund this preservation plan, which included both public and private funding. A non-profit organization has the capacity to obtain grant and other private sector funds to leverage any public money available to continue and maintain the historic resources survey.

## Strategy 2

**Prioritize areas/resources to survey.** The following priorities should be pursued in the following order of priority:

1. *Survey resources within areas that are subject to impending or anticipated development*, such as the City-designated urban villages, in order to be proactive about the identification of significant resources located in transitioning areas. This effort should be done with careful coordination among appropriate City departments.
2. *Survey areas that have been previously overlooked* because their significance was not recognized and/or appreciated, or because resources for surveying (i.e., funds) were not available at the time. One example of such an area is the Stop Six neighborhood.
3. *Survey resources having clear historic and/or architectural significance if their date of origin is after 1945.* Examples of such resources include those having unusual historic and/or architectural significance, and those strongly representing some particularly meaningful aspect of Fort Worth's more recent history or architecture (i.e., postwar roadside architecture, Modern Movement design, work of a significant architect, etc.).
4. *Survey areas that have been previously surveyed*, but for which survey information is ten or more years out of date.

## Strategy 3

**Pursue creative approaches to make future historic resource surveys more cost effective.** Potential approaches that protect the professional integrity and credibility of survey information can also be cost effective and efficient:

### Technology

It is recommended that digital photography and laptop computers be used in the field. Digital photography avoids the film development process, allows photographs to be easily stored, and allows for graphic manipulation to serve whatever needs exist. Laptop computers enable surveyors to avoid duplicating the data entry process that is often encountered with written forms, and it also requires less storage space and is more easily duplicated and transmitted to users.

### Surveyors

With respect to personnel, it is recommended that volunteers trained to collect field information and conduct research be supervised by one or more qualified architectural historians. This approach will maximize limited survey funding, as volunteers will save dollars, while qualified supervisors can help to maintain a reasonable level of work quality. At present, no universities in the Dallas/Fort Worth area offer historic preservation

programs. However, should any area universities develop a historic preservation academic program in the future, students should be targeted as surveyors.

**GOAL B: Maintain a Historic Resources Survey that is accurate, useful and readily accessible to a wide spectrum of potential users.**

**Strategy 1**

**Insure that historic resource survey data are accurate by utilizing qualified surveyors.**

Training and Qualifications

Surveyors should be sufficiently trained in historic preservation, architectural history and other related areas relevant to the resource types being surveyed. Even volunteers should receive a minimal level of training prior to the survey beginning. The survey supervisors should meet National Park Service standards for qualified architectural historians, and they should carefully train volunteer surveyors. The validity and credibility of the information collected in the database is critical when using the survey as a planning tool integrated into the City's development and planning functions.

Surveyor Diversity

Also, every effort should be made to reflect, and be sensitive to, the culturally and ethnically diverse population of the community in the selection and training of survey personnel. Volunteer surveyors should be recruited from the areas that will be surveyed. Not only will such surveyors be more familiar with the resources and history of the area, but they will also have a personal motivation and be able to serve informally as ambassadors for the City's preservation program.

**Strategy 2**

**Insure that historic resource survey data are useful by utilizing a well-designed survey form.** The form should accommodate information that is currently not addressed, including acknowledgement and identification of post-World War II styles and property types. The form should be predominantly comprised of "forced choice" questions/inputs, as opposed to open-ended questions/inputs requiring narrative answers. This approach is more time efficient to use in the field, and it lends itself to surveyors having limited expertise in architectural history. It also lends itself to tabulating statistics should such data be needed in the future. Encourage the use of standard survey nomenclature and styles, such as those utilized in National Register nominations. See the appendix section of this plan for a model survey form.

### Strategy 3

**Make the historic resource survey highly accessible and integrated into other related data.** Make the survey accessible via the City’s website and other linked websites. It should also be available in a compact disc (CD) format, as well as a “hard copy” format. The hard copy version can be utilized by the public at the offices of the entity that implements the survey, in addition to various public places, including the City of Fort Worth Planning Department and local libraries. Also, the survey should be integrated into the City’s existing geographic information system (GIS). GIS combines graphic and text data for properties throughout the city, and examples of available information include lot shapes and dimensions, utilities, zoning, floodplain status, ownership and similar data. Integrating historic survey information with the GIS will provide “one stop shopping” for anyone needing detailed information on a particular historic property in Fort Worth.

**GOAL C: Prioritize Fort Worth’s historic resources so that the most important resources can be preserved.**

### Strategy 1

**The most significant historic resources should be identified among the various resource categories existing in Fort Worth.** Certain themes in the history of Fort Worth lend significance to historic resources. The City should set priorities based on historic, architectural and cultural significance.

#### Historic Significance

Historic significance should be determined by a relationship to important themes in telling the story of Fort Worth’s rich history, such as the pioneer era, cattle drives and the Stockyards, railroads, development patterns, ethnic and cultural history, and oil and aviation industries. Examples would include:

- *Pioneer era*: Pioneer’s Rest Cemetery, Trader’s Oak Park
- *Cattle industry*: The Stockyards Historic District
- *Railroads*: Santa Fe Depot, Texas and Pacific Terminal
- *Development patterns*: historic neighborhoods, the Marine Commercial District, infrastructure such as the Lancaster Bridge, the Paddock Viaduct and other CCC and WPA works, and skyscrapers in the Central Business District.
- *Publicly-owned resources*: Will Rogers Complex, historic schools, parks
- *Oil, aviation and media industries*: Meacham Field, Camp Bowie site, Star-Telegram Building, etc.

### Architectural Significance

Architectural significance relates to structures that are important examples of a particular architectural style, unique craftsmanship or technology, or a specific architect. An example would be Fort Worth's Art Deco architecture, such as the Sinclair Building, Fire Station #2 and the United States Courthouse.

### Cultural Significance

Cultural significance relates to resources that are not necessarily architecturally significant, but are significant to a particular community. Shotgun houses and other vernacular structures are good examples of resources that are important in telling the story of their particular locales. Examples are the Guinn School and the Evans and Rosedale area.

## **Strategy 2**

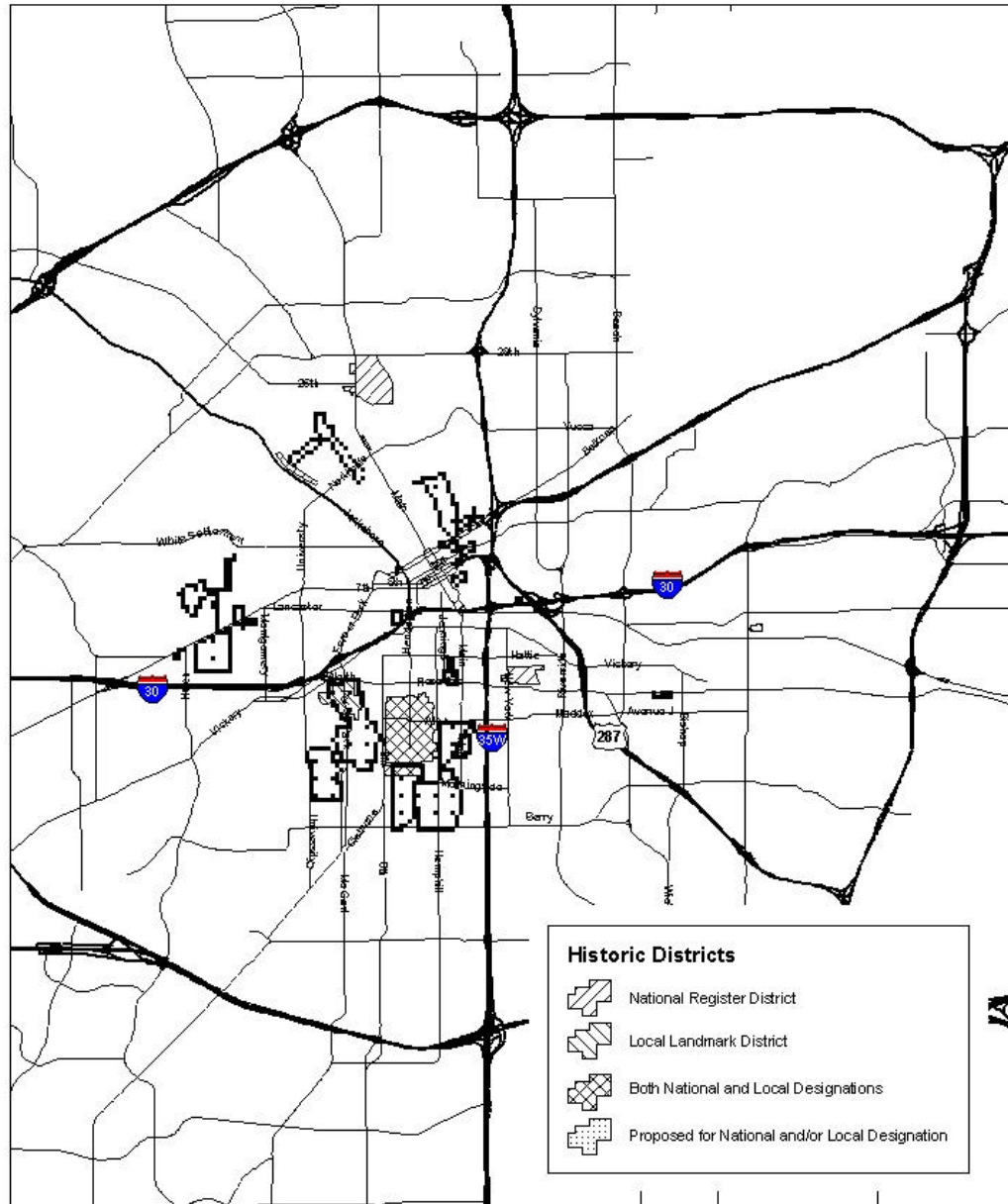
**Survey project priorities** should include identification of resources or areas at risk due to deterioration or development pressure. Survey priorities should also be extended to resources that are not widely or generally known, as well as those that are rare or represent the last remaining of their category or type. An example of areas with strong development pressure would include any of the recently designated urban villages throughout Fort Worth.

## **Strategy 3**

**National Register Districts that have no local designation should be prioritized for local designation.** Any areas of town that are so significant as to warrant National Register designation clearly warrant local designation and protection as well. At present, Fort Worth's seven National Register districts include the following: Grand Avenue Historic District, Fairmount Southside Historic District, Near Southeast Historic District, Marine Commercial Historic District, Elizabeth Boulevard Historic District, Stockyards Historic District, and Central Handley Historic District. Of those, only three National Register districts also have local designation and the protections that accompany such designation. Therefore, the following National Register districts are recommended as strong candidates for local designation once sufficient property owner support can be generated:

- Grand Avenue Historic District
- Near Southeast Historic District
- Marine Commercial Historic District
- Stockyards Historic District

The map below illustrates local and National Register districts. The potential future districts shown as "Proposed" are those that have been suggested in recent years, but have not yet been formally designated.



Planning Department 6/25/03





# Preservation Ordinance



## PRESERVATION ORDINANCE

The existing Preservation Ordinance contains most of the basic elements found in a good preservation ordinance, but several changes are recommended to improve it. Although incentives provisions are part of the preservation ordinance, the issues are so complex and different from the balance of the ordinance, incentives are addressed in a later section of this plan section.

**GOAL A: Achieve a Preservation Ordinance that is clearly written, logically organized, reasonably concise, based upon sound purposes, coordinated with other ordinances and insures a properly functioning Landmarks Commission.**

### Strategy 1

**Expand the “Purpose” section of the ordinance** (4.500) by including various worthwhile purposes found in some other preservation ordinances, but omitted from the current Fort Worth ordinance. Examples of purposes to be added include:

- 1) Increasing public knowledge and appreciation for historic resources;
  - 2) Promoting the enjoyment and use of historic resources;
  - 3) Resolving conflicts between preserving historic resources and competing land uses;
- and
- 4) Encouraging public participation in preserving historic resources.

This revision will not only underscore the many reasons that historic preservation is important to Fort Worth, but it will also expand the flexibility for which the City’s preservation program can be used.

### Strategy 2

**Revise the description of how the preservation designations relate to base zoning districts** within the “Districts Established” section of the ordinance (4.502). The language currently states that, where building and height standards are in conflict between the historic zoning and the base underlying zoning, the “more restrictive” standards shall apply. Suburban-type front setback standards for commercial buildings are typically inconsistent with the shallow setbacks found in historic commercial areas, yet the more generous suburban-type setback could be interpreted as “more restrictive,” thereby superseding the more appropriate historic district standards.



### Strategy 3

**Revise the “Definitions” section of the ordinance** by eliminating lengthy, redundant and vague definitions and those that are defined elsewhere in the City Code. Also, add some new definitions for commonly used terms that are not currently included in this section, as well as creating new terms that are needed. Much of the wordiness of some sections of the ordinance occurs because a single defined term has not been provided to encompass several related terms. For example, the designation terms “Historic and Cultural” and “Highly Significant Endangered” are frequently repeated. By creating and defining a single term to encompass both designation levels, such as “Historic,” much of the ordinance’s language can be more concise. Likewise, the term “site” could replace the terms “site, structure or area,” and “alteration” could be defined to replace several related terms. Regulatory language needs to be eliminated from the definition of “landmark.” In addition, “historic district” could replace “property designated as Highly Significant Endangered, Historic and Cultural Landmark, Historic and Cultural Landmarks District, or Demolition Delay” and similar phrases in the ordinance. Also, many words could be eliminated throughout the ordinance if “alteration” included repair (other than ordinary repair), new construction, reconstruction, demolition in whole or in part, or relocation in whole or in part.

### Strategy 4

**Expand the ordinance to more fully address Landmarks Commission member nominations, alternate members, successor members, and member qualifications** in the section on the “Appointment and Powers of the Commission.”

#### Certified Local Government Requirements

The Certified Local Government (CLG) program is administered by the Texas Historical Commission (THC) to encourage local governments with preservation programs to meet minimum standards. Qualified CLG’s, like Fort Worth, are eligible for special grants and technical support through the THC. Although Fort Worth’s current Landmarks Commission composition is consistent with the CLG qualification standards, the ordinance does not mandate the CLG’s minimum standards. At present, the ordinance suggests that at least five of the nine appointees have specialized backgrounds in historic preservation, but does not actually require this standard. The Texas Administrative Code sets forth the requirements a city must fulfill to be designated as a CLG. That Code requires that *“all review commission, board, or committee members have a demonstrated interest, competence, or knowledge in historic preservation. To the extent available in the community, the local government is to appoint professional members from the disciplines of architecture, history, architectural history, planning, archeology, or other disciplines related to historic preservation such as urban planning,*

*American studies, American civilization, cultural geography, or cultural anthropology.*" The ordinance should be revised to make that standard a requirement. In practice, but not within the ordinance, it is also recommended that certain specializations among the nine appointees be sought, including a realtor, appraiser or real estate development expert, contractor or construction expert.

#### Other Issues

Furthermore, the ordinance needs to address what happens when an existing commissioner's term expires and a new commissioner has not yet been appointed. Other related recommendations include additional training for Commission members, and that the Superintendent of Code Compliance and Building Official (or their representatives) attend the meetings of the Commission, although these recommendations do not require ordinance revisions. The Commission's policies should also include recommendations regarding members' ongoing communication with members of the City Council, by whom they are appointed and are charged with representing on matters relating to historic preservation. It is suggested that Commissioners fulfill this obligation to keep their Council members informed and engaged in preservation issues and successes.

### **Strategy 5**

**Provide more training for Landmarks Commission members and others involved with the preservation in efforts in Fort Worth.** The preservation ordinance already requires training for Landmark Commission members, but it is not specific. Clearly, members should receive the most fundamental training upon beginning their term, as well as regular periodic training to learn preservation principles, local and state legal issues, local history, Commission procedures and state-of-the-art preservation techniques. It is recommended that Commissioner attendance at such training be mandatory and that others involved in local preservation efforts (such as the recommended Design Assistance Team members) be encouraged to attend.

The Commission, as a quasi-judicial body making regulatory decisions about real estate and property interests, must be an educated and knowledgeable group that makes fair and informed decisions. In the interest of making the Commission's review processes as effective and just as possible, adequate and ongoing training for Commission members and staff is vital. The ordinance, therefore, should include a commitment on the part of the City to provide appropriate training. The City should take advantage of the offerings of the Texas Historical Commission, the National Trust for Historic Preservation, the National Alliance of Preservation Commissions and other educational organizations when appropriate, and require Commission members to participate. Training can be accomplished by attending City-sponsored training sessions, as well as working with consultants to develop training specifically for the Commission. Such consultant training could be held in cooperation with other cities' landmark programs, thus sharing costs and reaching a broader audience.

**Strategy 6**

**Revise the appeals section to tighten the language and clarify the appeals process.** As currently written, the exact process is unclear. For example, the ordinance currently requires that an appeal be filed “within ten days after receipt of notification of such action.” “Receipt” is not defined and is difficult to document. Some jurisdictions might define “receipt of notification” as simply hearing the Landmarks Commission’s decision at a public meeting, while other jurisdictions might require certified mail. While there are pros and cons to either extreme, notification must be defined.

**Strategy 7**

**Revise the substandard property section to bring it in line with other related City ordinances,** such as the Building Standards Commission (BSC) ordinance. Currently, the procedure for dealing with substandard properties that are also historically designated is different in the two ordinances. It is recommended that the procedure set out in the BSC ordinance be followed consistently in the preservation ordinance.

**Strategy 8**

**Follow the ordinance’s meeting attendance requirements for Landmarks Commission members.** The ordinance currently requires that members not miss more than three consecutive meetings. In reality, members who cannot attend more regularly are of limited value and will only hinder the effective functioning of the Commission. The minutes of the meeting should clearly document attendance, and a serious discussion between the Commission chair and the tardy member should occur if attendance becomes an issue. This recommendation requires no ordinance revisions.

**GOAL B: Designate historic resources for protection based upon reasonably objective designation criteria and a fair designation process.**

**Strategy 1**

**Modify the ordinance’s existing designation criteria** to be more specific and more comprehensive with respect to the types of resources potentially considered significant. As currently written, the ten criteria apply only to historic “sites or structures,” which could be narrowly interpreted. Examples of resources that should not be

overlooked include structures that are not buildings, such as roads, bridges, and sites, as well as resources that are significant for cultural and historic reasons, rather than solely architectural merit.

Rather than actually altering the language of the ordinance's criteria, it may be more practical and flexible to draft a supplement to the criteria. Most of the detail that should supplement the criteria could occur through the addition of one or more sentences to elaborate on the idea, including the provision of examples. For instance, criterion number 2, which references "an important example of a particular architectural type," might actually list the architectural styles or other categories of architecture considered to be important. It might also discuss how the Commission is to determine importance. Likewise, criterion number 3 refers to the "work of an important architect or master builder." A supplemental elaboration could list known significant architects and builders in Fort Worth, while still leaving the ability for previously unknown architects and builders to be discovered through historic research.

### **Strategy 2**

**Revise the "Districts Established" section of the ordinance** (4.502) with respect to the designation of Historic and Cultural Landmark (HC) districts. As written, a district can be designated for an "area that includes two or more structures or sites which satisfy three or more of such criteria..." Therefore, it is conceivable that an area with only two significant properties and many more non-historic properties could become a district. While it is not recommended that a minimum ratio be adopted, it is recommended that the ordinance require that "contributing" versus "non-contributing" resources be identified. This information will assist in making reasonable designation decisions, without forcing the City to rely on arbitrary threshold numbers. For example, requiring a minimum percentage of 50% contributing would preclude designation of an otherwise deserving area in which only 49% of the resources are contributing. Alternatively, a requirement to distinguish between contributing and non-contributing resources would most likely help avoid the designation of areas with only 10% contributing resources. Furthermore, the distinction between contributing and non-contributing resources will be helpful during the COA process so that non-contributing resources are not held to as high a standard in design review, so long as the ordinance states that approach. In addition, district boundaries should be based on defensible criteria.

### **Strategy 3**

**Revise the "Procedures for Designation of Property" section of the ordinance** (4.503) with respect to requirements for the nomination of the district. The Historic Preservation Officer may validate a petition for district nomination if it is:

- a) signed by the required percentage of property owners, and
- b) a district with coherent and contiguous boundaries that have a defensible basis.

Upon validation of a property owner-initiated district nomination petition, the ordinance should require City staff to hold one or more public information meetings in the proposed district to facilitate the creation of more informed consensus prior to any public hearings regarding the nomination.

**Strategy 4**

**Relocate the property tax incentives provisions within the preservation ordinance.** As currently placed within the ordinance, the tax incentive provisions make the ordinance unnecessarily complex and confusing. Rather than burying the incentive provisions within the core of the ordinance, it is recommended that the incentives section be contained toward the end of the ordinance. With this approach, the primary portion of the ordinance could address regulatory issues, while the latter portion could focus solely on incentives.

**Strategy 5**

**As an alternative to City of Fort Worth historic designation, consider the designation of Conservation Districts.** While provisions already exist in the zoning ordinance providing for Conservation Districts, the provisions should be expanded and revised with respect to nomination procedures and administration. The shortcomings of the current provisions may be one reason that this option has not yet been exercised. This category of designation would be intended for areas worthy of some level of preservation and where the majority of those affected feel that Conservation District designation is most appropriate option. Conservation Districts would be much less restrictive than historic districts, with a primary focus on guidelines that address new “infill” buildings, excessive demolition of contributing structures and general development standards within the Conservation Districts. Any given Conservation District might remain as such indefinitely, or it might become a Historic District in the future if the neighborhood desired that option. It is recommended that all required reviews within a Conservation District (additions and infill) be performed at the staff level, as opposed to a formal design review body. In addition to the Historic Preservation Officer, a separate staff member of the Planning Department should be authorized to conduct reviews, although this person must be adequately trained in design review.

**Strategy 6**

**Amend the ordinance to specify that the City, property owners or other individuals and entities may prepare the documentation needed to initiate nominations for local designation.** The ordinance currently makes it clear that only the City has the legal power to actually nominate and designate resources, as it should. However, it presently suggests that documentation preparation may be

limited to the City, an owner or an owners "agent." The ordinance should allow for assistance to the City or an owner in preparing documentation for a nomination.

### **Strategy 7**

**Upon validation of a district nomination petition, the ordinance should require City staff to hold one or more public information meetings** in the proposed district to facilitate the creation of more informed consensus prior to any public hearings regarding the nomination. Economic benefit information and illustrated preservation/design guidelines should be drafted and presented to the public during the consensus-building process to better illuminate for property owners the proposed regulations and their potential effect on ownership.

### **Strategy 8**

**Revise the owner consent provisions to eliminate the many potential "loopholes" that now exist.** Examples of existing weaknesses include: the potential for signature forgeries, lack of legal capacity on the part of the "owner" (i.e., tenant, easement holder, etc.), lost signatures after ordinance approval, and owners changing their minds after signing. Examples of measures to avoid such problems include:

- 1) Checks and balances to confirm the validity of signatures (identification, witnesses, etc.);
- 2) Proof of fee simple ownership (copy of deed); and
- 3) Formal filing of the petition results prior to ordinance approval for designation by the City.

**GOAL C: Provide a review process for applications for Certificates of Appropriateness (COAs) that is fair, logical, user-friendly and based upon objective design guidelines.**

### **Strategy 1**

**Establish a Design Assistance Team of design professionals to assist COA applicants and to supplement the efforts of the Historic Preservation Officer.** The team members would be available to meet with applicants before they submit their application for a COA or during the staff review period following submission. The team would help the applicant prepare an application that is complete, and it would also offer specific design advice to help the applicant meet the applicable Guidelines and Standards. While the team would not make formal recommendations on applications to the Landmarks Commission, it would assist the staff and provide the Commission with technical advice as needed. This approach has been effective in many

other cities, and it typically makes the applicant’s approval process smoother and quicker. Also, while the members of the team would not include Landmarks Commission members, the proposed Design Assistance Team could serve to prepare future Commission members for their responsibilities.

**Strategy 2**

**Expand the ordinance to clarify that significant site features are also regulated through guidelines.** This revision would occur in the ordinance section entitled “Adoption of Design Guidelines for Landmarks and Districts” (4.505). Site features would not include plant materials, such as trees, shrubs and other landscaping. However, they would include more permanent structural features of a site, such as walkways, retaining walls, raised planting beds, and similar features.

**Strategy 3**

**Revise the ordinance with respect to when work requiring a COA may begin.** As written, work requiring a Certificate of Appropriateness could proceed once a COA application has been filed with the City, as opposed to once the COA has actually been approved. The recommended revision should occur in the “Certificates of Appropriateness” section (4.507) that addresses the “Application Procedure for Certificates of Appropriateness.”

**Strategy 4**

**The ordinance’s required 180-day delay of demolition should be waived when an unreasonable economic hardship is determined.** As currently written, the required delay may remain in effect even after the Landmarks Commission determines the hardship. This recommended revision is intended to make the ordinance fairer to the affected applicant.

**Strategy 5**

**Revise the ordinance to allow certain types of work to be administratively approved by the City’s Historic Preservation Officer,** rather than going before the Landmarks Commission. The ordinance’s “Certificates of Appropriateness” section should list the types of work that might apply. Examples of work that might be administratively approved based upon clear guidelines include:

- 1) Removal of building elements not original to the building and considered insignificant to its structural evolution;
- 2) Wheelchair ramps;
- 3) Fences and landscape features; and
- 4) Gutters and downspouts.

In situations where it is unclear whether the application being considered for an administrative approval meets the Landmarks Commission's standards, the application should be required to go before the full Commission for a formal review. The Preservation Officer should have the authority to make that determination. If an applicant does not agree with the staff determination, administrative COAs may be appealed to the Landmark Commission. Also, the ordinance should require the Preservation Officer to regularly report to the Commission all administrative approvals. This general approach with administrative approvals can only work with clear guidelines and an adequate and well-trained staff, but it will greatly benefit applicants by accelerating and facilitating the approval process.

### **Strategy 6**

**Revise the Landmarks Commission's Rules of Procedures for carrying out meetings.** These rules support the ordinance, but they are not part of the ordinance. Revisions would provide more direction to the Commission's procedures during hearings to review applications for COAs. Examples of needed revisions include: 1) the requirement that decisions be directly relevant to the ordinance and design guidelines; and 2) the requirement that reasons for decisions on every application be clearly stated and recorded for the record. These types of revisions will improve the applicant's experience and results, and provide a legal safeguard for the Commission.

### **Strategy 7**

**Strengthen the ordinance's provisions regarding the amount of time that the Landmarks Commission has to make a decision on an application for a COA.** As presently written, the ordinance requires that a hearing occur within 45 days of an application's submission. However, it is not explicit that the application must first be deemed "complete" before the 45-day period begins, although that might be implied. The time provisions also fail to require that action is actually taken within 45 days, and an alternative to the 45-day requirement is for the application to be heard "*as soon [after submission] as is reasonably practicable.*" The current provisions also allow the Commission to extend the decision period if it is determined that additional information is needed. It is recommended that the ordinance be amended to:

- 1) Clarify that the application must be deemed complete before the time period begins; and
- 2) Clarify that the Commission must take action to either deny or approve the application no later than the second hearing date on a case, unless a continuance is agreed to or requested by the applicant;



If the Commission fails to follow these standards and take formal action in accordance with the time limit provisions, the ordinance should provide for automatic approval of the application.

### **Strategy 8**

**Amend the ordinance’s Demolition Delay (DD) provisions to describe a more specific consultation process in identifying alternatives to demolition.** The current Demolition Delay (DD) provision of the preservation ordinance requires the Historic and Cultural Landmarks Commission (HCLC) to issue a Certificate of Appropriateness for demolition of DD-designated structures, but allows the Commission to require up to a 180-day delay of demolition. During that time, a consultation process is intended to take place in order to find possible alternatives to demolition. The provision does not currently require a specific consultation process.

Therefore, it is recommended that the ordinance be revised to outline the required consultation process. At the time of submission of an application for a COA for demolition, the owner will be required to submit information that will be outlined on the application form relating to the property. Upon submission of an application, staff shall schedule a hearing on the case at the next regular meeting of the HCLC. The HCLC will approve the COA for demolition with the requirement that the permit be issued following the required delay period. If the applicant can prove at that time that there is no economically viable use of the property without demolishing the building, the HCLC may shorten or eliminate the delay period. The consultation process would require that the applicant or his agent, after submission of an application for demolition, work with staff to schedule and attend a meeting with interested parties. The meeting date must allow sufficient time for public notice at least ten days in advance. The applicant would be required to respond in writing to all offers and proposals presented at the meeting. The delay period would end 150 days from the receipt by staff of the applicant’s written response to offers and proposals obtained during the consultation process. During the delay period, the City, interested parties and the applicant are encouraged to continue to explore alternatives to demolition. After the submission of written response by the applicant to all offers and proposals, the applicant may request a second public hearing by the HCLC in order to present reasons why the HCLC should shorten the length of the required 150-day delay period. During the delay period, the City may convene additional meetings of interested parties. A permit shall be issued at the end of the required delay period.

**GOAL D: Enforce the preservation ordinance in a manner that is effective and fair.**

**Strategy 1**

**Revise the “demolition by neglect” provisions to apply to properties designated as Demolition Delay.** Also known as “affirmative maintenance” provisions, “demolition by neglect” provisions prohibit the owner of a historic resource from allowing it to fall into such a state of disrepair as to, in essence, become demolished. In general, the ordinance’s demolition by neglect provisions are well written. However, a legitimate shortcoming of the current provisions is that they do not apply to Demolition Delay resources. It is recommended that the ordinance be revised to apply the demolition by neglect provisions to the Demolition Delay properties in order to be consistent with the idea of avoiding demolitions in any form to historic resources.

**Strategy 2**

**Amend the “Appeal; Penalties” section to clarify numerous issues currently not addressed.** The issues to be addressed include:

- 1) which City officials are responsible for enforcement;
- 2) remedies if work is performed without a COA;
- 3) penalties beyond just fines, such as civil penalties and revocations of licenses; and
- 4) whether new owners are responsible for previously-existing violations.

**Strategy 3**

**The City should cite and aggressively pursue penalties for those property owners and contractors violating provisions of the preservation ordinance,** such as conducting work without a COA and/or building permit, or completing work that is inconsistent with an approved COA. Unless property owners and contractors know they will actually be held accountable in a meaningful way for violations, there will be no incentive to abide by the ordinance. This recommendation would not require an ordinance amendment.

**Strategy 4**

**The Landmarks Commission and the Historic Preservation Officer should build a much stronger working relationship with the City’s Development Department and Code Compliance Department.** That relationship includes participation in Landmarks Commission meetings and enforcement of Landmarks Commission policies, as well as meaningful and ongoing training for designated employees in these and other relevant City departments. A well-written preservation ordinance and an effective Landmarks Commission are of limited value if the

last crucial steps of the COA process are not carried out properly and enforced. A key element in strengthening the relationship between departments will be increased communication. As with several of the recommendations related to the preservation ordinance, this strategy will not require any ordinance amendments.

**Strategy 5**

**The City should work with other Texas communities, Texas Historical Commission and Preservation Texas Building Industry Council to provide preservation-training programs to municipal code enforcement officials.** The program should be designed to not only provide technical information, but to also instill an appreciation for preservation and build a preservation ethic within the related departments. Rather than all of the training coming from those who might be labeled “preservationists,” code officials from other communities who have a strong reputation for being preservation-friendly should be recruited to provide “peer to peer” training.



# Preservation Incentives



## PRESERVATION INCENTIVES

It should be noted that the section on “Preservation within all City Policies/Decisions” also contains several new incentives for historic preservation. However, for various reasons they have been located in that section.

**GOAL A: Capitalize on existing state and federal incentives for historic preservation and promote their availability to all applicable entities and individuals.**

### Strategy 1

**Work with the North Central Texas Council of Governments (NCTCOG) to encourage its award of federal transportation enhancement funds to historic preservation projects.** The federal transportation program provides funding for projects considered to not be conventional road-building activities, such as developing greenways and rehabilitating historic railroad stations. However, NCTCOG has interpreted the program more narrowly and not considered historic preservation projects to be eligible for those enhancement funds. The City of Fort Worth needs to aggressively collaborate with other local governments, as well as groups like the National Trust for Historic Preservation, Preservation Texas and Preservation Action, to affirm for NCTCOG the statutory eligibility of preservation projects for enhancement funds.

### Strategy 2

**Promote the availability of the federal Investment Tax Credit and the New Market Tax Credit for qualified historic rehabilitations and/or commercial revitalization projects.** Excellent information is available through the National Trust for Historic Preservation and the National Park Service, and it should be distributed generously by the City’s Preservation Officer. For example, tax credit information should be given to any COA applicants in their initial meeting with the Preservation Officer if the proposed project has any potential to qualify for the credit (i.e., meets the minimum investment threshold). Tax credit information should also be easily found (or linked) on the City’s website.

**Strategy 3**

**Promote the availability of the federal tax incentives for donating façade easements.** Historic Fort Worth, Inc. currently has a façade easement program in place, serving as an example to the property owners of what can be done. In order for a donated easement to count as a one-time charitable deduction, the property must be listed in the National Register. There needs to be a coordinated marketing and education program for an aggressive easement program. As in the case of the federal investment tax credit, the City of Fort Worth's Preservation Officer can be proactive in promoting the easement benefits to COA applicants that are easement candidates. This promotion includes keeping concise information available to hand out, and addressing it on the City's website. Furthermore, owners often have great difficulty in finding appraisers who are qualified to establish the value of a donated easement, so this type of information should be provided as well. It is also noteworthy that, in cases in which the easement would reduce the property value, the lessening of value can also translate into a reduced valuation for local property taxes. This possibility could also be promoted to easement candidates.

**GOAL B: Revise and enhance the City's existing incentives for historic preservation and develop new incentives.****Strategy 1**

**Relocate the City's existing historic site tax exemption provisions within the historic preservation ordinance, and promote this incentive's availability.** The purpose of relocating the tax exemptions within the overall preservation ordinance is to make the incentives easier to understand. They presently get "lost" among the numerous other provisions of the City's historic preservation ordinance. Once the City's preservation incentives are revised per this plan, the City will need to prepare a new summary that promotes and explains the incentives in a concise manner to supplement the ordinance. The improved incentives should also be highlighted on the City's website.

**Strategy 2**

**Revise the City's existing Historic Site Tax Exemption to leverage greater rehabilitation.** The current exemption has no minimum investment in rehabilitation and no time limit in which to complete "substantial rehabilitation." Substantial rehabilitation is defined as 30 percent of the assessed value of the structure. Currently, a property owner could qualify for a ten-year tax exemption on increased value with an expenditure of \$30 if the house is valued at \$100. The ordinance should be revised to require substantial rehabilitation of 30 percent of the assessed value of the structure or

\$5,000 whichever is greater. Additionally, Historic Site Tax Exemptions should be verified within five years of authorization by City Council. If not, the applicant should apply to the Historic and Cultural Landmarks Commission for an extension. The burden is on the applicant to justify an extension.

Before a detailed set of additional or extensively revised property tax incentives can be recommended for historic preservation in Fort Worth, a set of goals or principles must first be identified to assist in determining the incentives. The following are recommended:

Create incentives that are substantial enough to compete with other investment options for property owners, developers and investors. Incentives may be the deciding factor in an investor's decision to pursue a rehabilitation project. However, because of the inherent difficulty of determining whether the incentive really makes the difference, it is recommended that, unlike some preservation incentives, evidence of the need for the incentive not be a requirement to qualify.

Rather than creating incentives that require a financial outlay by the City, create incentives that are based upon deferred revenues for the City. For example, instead of establishing an incentive program in which grants or loans are provided by the City, utilize incentives in which the person getting the benefit is allowed to avoid paying all or a portion of a required payment to the City. Examples of such payments that would otherwise be required include development permit fees and property taxes.

Provide incentives that encourage not only the rehabilitation of historic structures, but their preservation as well. The real estate market is not always strong enough to support the reuse of historic buildings, although market conditions will likely change at some point in time to support their reuse. Rather than demolition being the best alternative to a property owner, incentives should be available to encourage a building's "mothballing" until a rehabilitation project is feasible.

In order to insure that a building rehab project really is "historic preservation," require that each qualifying project meet minimum preservation standards. Standards should be based on existing federal or local standards. Also, verification that the project follows such standards must occur both before the project is implemented (plan review) and after the project is completed (field checking the work).

The incentives should be structured to either insure or strongly encourage that rehabilitated buildings are preserved with a high level of historic and/or architectural integrity for a substantial period of time. The goal should be that a preserved or rehabilitated structure receiving a City financial incentive is not demolished or negatively altered at some point in the future. Potential tools for achieving this goal include façade easement requirements and requiring that the owner pay back the incentive should a negative alteration or demolition occur.

The greatest level of incentives should be targeted to the most significant historic resources. Preservation and rehabilitation efforts for resources having the highest level of significance designation should be given the largest incentives. However, even the most average historic resources should be encouraged to be preserved and restored through financial incentives.

Incentives should be prioritized for specific areas where historic resources are being lost or negatively altered at above average rates. This does not necessarily require that the preservation incentive be greater for some locations than others. However, other City incentive programs could be coupled with preservation incentives, and targeted for specific areas in need.

Incentives should be structured to be attractive for both lower valued and higher valued properties. The City's existing incentives are of limited value to higher valued properties.

There are other ways to encourage preservation and rehabilitation beyond specific historic preservation financial incentives. Simply going through the normal Certificate of Appropriateness (COA) approval process for locally designated historic resources can be a deterrent to preservation. Therefore, enhancing the overall approval process to be more "user friendly" without sacrificing historic and architectural integrity should be a key goal of the City.

Preservation incentives should be focused on historic preservation, rather than other objectives of the City. This principle does not imply that incentives related to other objectives, such as affordable housing, cannot be coupled with preservation incentives for individual properties or areas. However, objectives beyond historic preservation should be pursued through specific policies and programs for those objectives so as not to dilute or distract from the preservation goals.

Unlike the current program, which only applies to City taxes, it is recommended that the City approach other taxing authorities, such as Tarrant County and the Fort Worth Independent School District, to sign intergovernmental agreements to apply these same recommended incentives to their respective portions of a property's taxes.

Based upon the principles summarized above, the City of Fort Worth, along with a citizen committee comprised of developers, residential and commercial real estate professionals and preservation professionals, should make recommendations regarding a new incentive program for historic preservation. Those involved should study successful examples from other cities that would include:



#### HISTORIC DISTRICT INCENTIVES

This incentive would be available for contributing properties within newly created local historic districts. The goal of this incentive would be two-fold: to discourage the gentrification of the neighborhood due to rising property values in designated districts and to provide an incentive for the creation of local historic districts. The incentive could be a freeze or waiver of some or all City tax burden for a specified period of time (such as five years). This incentive would be automatically applied upon designation for all contributing properties in the district.

#### PRESERVATION INCENTIVES

This incentive would be available for all levels of local historic designation (Highly Significant Endangered, Historic and Cultural Landmark, Demolition Review). The goal of the incentive would be to discourage the demolition of historic buildings and encourage their “mothballing” for a limited period of time until rehabilitation is feasible. This incentive could be a waiver of some or all of City property taxes for a specified period of time (such as five years) during which no rehabilitation requirement would apply. The incentive should provide a mechanism to insure that the structure is not demolished after taking advantage of this incentive without the repayment of the tax benefit.

#### REHABILITATION INCENTIVES

These incentives would encourage rehabilitation of locally designated structures. They may be applied to a property that also took advantage of the preservation incentives prior to the rehabilitation project. Upon completion of the rehabilitation project a portion or all City taxes could be waived or frozen for a period of years (such as seven to ten). HSE properties would qualify for a longer exemption period. All qualified rehabilitation must be reviewed and approved by the Historic and Cultural Landmarks Commission.

### **Strategy 3**

#### **Prioritize historic resources for receiving Tax Increment Financing from the City.**

TIF is an existing financial incentive allowed by state law and utilized by the City of Fort Worth. It is recommended that the criteria used to evaluate applications for TIF funded projects add historic resources to their priorities. Therefore, in a competition for TIF funding between two otherwise comparable projects, the historic rehab would be preferred. This approach to prioritizing historic resources is already done in other communities across the country, including several Texas cities. It is noteworthy also that the State will now allow communities to apply both property tax exemptions and TIF funding to the same project, which is a scenario that was previously prohibited.

#### Strategy 4

**Areas in special circumstances should be prioritized for preservation incentives.** It is recommended that specific areas be given extraordinary incentives if they have extraordinary circumstances. The recently designated and planned urban villages and neighborhood empowerment zones, for example, are areas, which will likely experience substantial development pressures in the coming years. It is recommended that these areas, when identified as historic, be given a set of property tax incentives similar to those described earlier in the “preservation incentives” section above. In such a case, either local historic or conservation district designation would first need to occur. Once applied, any building deemed to be contributing to the district would receive an automatic incentive. It is anticipated that, within such areas, this sort of incentive might be necessary to avoid demolitions.

#### Strategy 5

**Facilitate the development approval process for locally designated historic properties by providing City staff to help applicants through the process.** The Development Department should hire a preservation architect or plans examiner to review all rehabilitation projects so as to simplify administrative procedures for builders and developers. This approach would serve as one of many potential incentives for historic designation.

#### Strategy 6

**When considering future historic or conservation district designation for Fort Worth’s neighborhoods, City programs that offer other benefits should be explored for them.** For example, financial incentives should be explored for targeted commercial corridors if designated as historic or conservation districts. Although most existing City programs providing financial benefits to specific areas are limited to lower-income neighborhoods, one or more of the following types of City programs should be considered, when applicable, as an incentive to pursue in conjunction with historic or conservation district designation:

- Neighborhood Empowerment Zones
- Enterprise Zones
- Model Blocks Program

**Strategy 7**

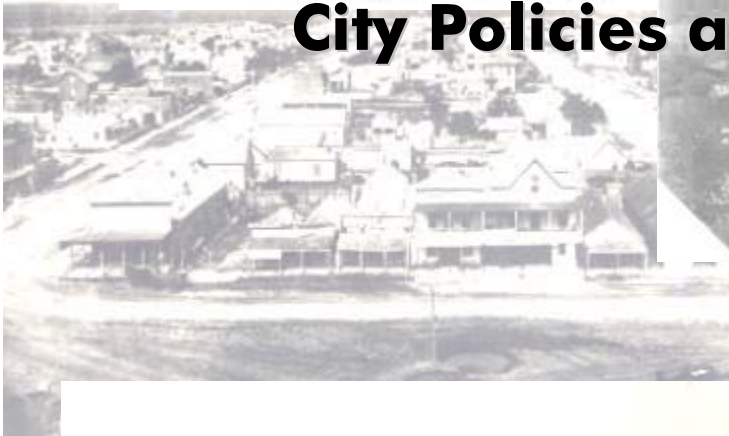
**The City should explore the creation of a façade rehabilitation loan program to be administered by either the City or some other appropriate entity.** The program would provide below-market interest rates for qualified projects through a collaboration of multiple local banks. In order to get local banks involved, the City may need to provide some type of financing instrument to help secure the loans to protect the banks from risk. The loan program might be targeted to lower-income neighborhoods, in particular, which would help banks meet their Community Reinvestment Act (CRA) obligations. Once the program is adopted, the City's Preservation Officer should help promote this program to likely candidates. As with other incentives discussed in this plan, promotion of the incentive might include a concise informational handout, as well as website information. The demands of this type of loan program should be fully understood before it is initiated, as it entails rigorous financial management, complex reporting requirements and close supervision of rehabilitation work.

**Strategy 8**

**The City should establish a local revolving loan fund for historic preservation.** The City should provide first year seed money to establish a revolving loan fund, and fines collected for violations of the preservation ordinance could also be placed into the revolving fund. As a part of this strategy, the City might even develop a loan forgiveness program for low-income homeowners if tied to certain performance requirements (façade easement donation, etc.). However, the practice of forgiving loans will be viable only if there are ways to financially replenish the loan fund. Otherwise, the funds derived from the loan repayments will be needed to continue.



**Preservation within all  
City Policies and Decisions**



## **PRESERVATION WITHIN ALL CITY POLICIES AND DECISIONS**

As noted previously in the incentives section of this plan, there are several additional incentives included within this section on all City policies and decisions. However, for a variety of reasons, many of these incentives are more appropriately located in this section of the plan.

**GOAL A: Adjust City policies and programs that are in conflict with the City's historic preservation goals, and look for opportunities to benefit preservation.**

### **Strategy 1**

**The City Manager should issue an Administrative Regulation to require all departments to submit for review by the Historic Preservation Officer all projects that could negatively impact historic resources.** In particular, transportation, economic development and housing projects should be reviewed to seek alternatives to avoid negative impacts. For example, even such actions that do not directly impact resources physically, such as the removal of mature street trees, can substantially impact the character of a site, street or district. In the event that the Historic Preservation Officer determines that the project will have an adverse impact, it must be cleared by the City Manager. This expanded role will require additional staff support.

### **Strategy 2**

**Amend the City's program of conveying tax foreclosed properties to include developers who will commit to sensitively rehabilitating historic buildings,** rather than limiting the program to only housing development. A potential requirement of the developer might be to place a façade easement on the building to insure its future protection. Also, the building's rehabilitation would have to be consistent with the standards of the Landmarks Commission.

### **Strategy 3**

**Modify the City's program to eliminate buildings that are perceived to foster criminal activity so as to avoid negative impacts to historic resources.** Crime District Funds are currently used to demolish buildings where criminal activity is known or expected to occur, but the funds should be available to secure historic properties. Many demolished buildings are not only historic, but have the potential to be rehabilitated for much-needed affordable housing. Rather than demolishing these

buildings, techniques for effectively securing problem buildings should be implemented (i.e., using screws instead of nails to board up access or installing a security system). The City should pursue the following three recommendations:

1. *The City, the Crime Control and Prevention District, and the Landmarks Commission should establish a dialogue on this issue, and then work together to develop alternative approaches to solving this problem.*
2. *Funds that are currently used for demolition should be used instead for stabilization and protection of the structure, such as better ways to secure buildings and the use of temporary alarm systems (similar to what HFW has done with residences).*
3. *The Landmarks Commission should be involved in the review process of any proposed demolition of a historic structure or a structure in a local or National Register-eligible historic district.*

Furthermore, the long-term implications of this issue need to be discussed with other entities (Police Department, Crime District, etc.), and education about this issue should occur with other groups.

**GOAL B: Develop new public policy tools to benefit historic preservation efforts in Fort Worth.**

**Strategy 1**

**Develop and adopt a Rehabilitation Building Code to specifically apply to historic and older buildings.** This code would support the rehabilitation of historic buildings, which is often hindered by the need for compliance with conventional building codes that were originally written for new construction. It would address the unique needs of historic and older buildings, and ensure that life safety standards are met while protecting and maintaining the historic fabric of older buildings. The best model for developing such a new code is the New Jersey Rehabilitation Code, although the State of Maryland also has merit. While another option is to amend Fort Worth's existing building code to address rehabilitation issues, a completely new code for historic buildings is believed to be the most effective approach.

**Strategy 2**

**When considering the location and design of public facilities, the City should give first consideration to preserving historic buildings and/or compatible infill construction.**

In order to make existing buildings and sites adaptable for the needs of modern users, the City's relevant department will have to work cooperatively with the Historic Preservation Officer and the Landmarks Commission to reach "win-win" solutions. There are already precedents for this type of policy within the federal government. An example is that new post offices must make the same considerations. This policy could be implemented in Fort Worth through an Administrative Regulation issued by the City Manager, and the requirement that the relevant City department certify that there is no suitable historic property that could be feasibly reused before staff is authorized to acquire a new property or build a new building on an existing City property. The City should also encourage other local public entities to adopt similar policies.



# Public Education and Communication





## PUBLIC EDUCATION AND COMMUNICATION

**GOAL A: The City, working with Fort Worth’s various preservation organizations, should educate the public on technical issues and promote the benefits of preservation.**

### Strategy 1

**Promote the availability of all incentives for historic preservation,** including the City’s property tax exemptions and the federal investment tax credit for historic rehabilitation projects. As this plan is implemented over time, additional incentives will become available as well. The following approaches and tools are recommended for promoting incentives:

- Meetings with Certificate of Appropriateness (COA) Applicants – The Preservation Officer and the Design Assistance Team should promote potential incentives at the earliest contact with the applicants, particularly during a pre-submission meeting. In addition to explaining programs during the meeting, informational brochures should be distributed (see below).
- Informational Brochures – Information on existing federal incentives is already available in user-friendly and concise formats through organizations such as the National Park Service, the National Trust for Historic Preservation and the Texas Historical Commission. For incentives specific to Fort Worth, similar marketing-quality pieces should be created. Arrangements should be made for letting the public know about availability, and distribution should occur as funding allows.
- Website – An electronic version of the informational brochures explained above should be included on the City’s website. For further detail, links to other websites should be included, such as those of the National Park Service, the National Trust for Historic Preservation and the Texas Historical Commission. The City should also list endangered resources on line.
- Presentations – The City’s Preservation Officer and representatives from local preservation groups should seek opportunities to promote preservation incentives to targeted audiences and the general public. A PowerPoint presentation should be developed that can be presented to groups such as the local homebuilders, chambers of commerce, business associations, and civic organizations. For example, National Historic Preservation Week is an appropriate time to engage in a major promotional campaign.

- Realtor Partnership – A public/private partnership should be established to provide ongoing training and education for Realtors and other real estate professionals to promote the benefits and opportunities of preservation of historic resources and establish greater understanding of the economic benefits to such professionals for promoting and marketing historic properties. The City and preservation advocacy groups should work to persuade the Texas Association of Realtors to require notice of any historic designation and/or eligibility as part of the seller’s disclosure. Help Realtors to understand the incentives available for building rehabilitations.

## Strategy 2

### **Work with both public and independent school systems to develop curricula related to Fort Worth’s history and the reasons for historic preservation.**

While the City should provide a level of support, such as an initiative, this strategy is most appropriately led by a non-profit preservation organization. It is recommended that preservation education occur in at least two intervals, if not a third. In addition, parents who are “home schooling” should be made aware of this subject.

- Phase I Curriculum – The initial introduction should occur when students are in the third grade, since the state instruction standards require that students study the “community” at this time. The focus should be on national history and how it relates to local periods of time. Field trips to historic sites should be included, as well as museum tours and living history demonstrations. Parental involvement should be encouraged so that the teaching of history and the significance of the community can continue beyond the classroom, as well as to stimulate an interest on the part of parents. This phase is intended to nurture an interest in historic preservation at a young age.
- Phase II Curriculum – The second phase of curriculum should occur at the junior high level (when seventh graders study Texas history). It should expand on most of the subjects contained in Phase I, and introduce students to the goals of and approaches to historic preservation. Field trips would not only convey the history lessons of a particular site, but the preservation stories as well (i.e., the Stockyards district’s revitalization). Websites for further learning about preservation should also be provided, and outside reading encouraged.
- Phase III Curriculum – A potential third phase for older students should include more hands-on exposure to preservation in Fort Worth itself. For example, the City Preservation Officer has already assisted students in preparing the local historic designation nomination of two Fort Worth schools. Programs such as this could be expanded.

### **Strategy 3**

**The City and local preservation groups should continue to work together to establish periodic conferences and individual lectures related to historic preservation.**

In particular, educational programs and technical resources are needed for owners of historic properties. This strategy should be implemented by the City's Preservation Officer and representatives of the various local preservation groups. At an initial planning meeting, three issues should be explored:

- 1) What audiences and subjects matters are already being addressed by educational programs of other area entities?
- 2) Where do the audience and subject matter gaps exist that need to be filled?
- 3) How do the potential opportunities relate to the calendar schedules of those existing programs?

Once these questions are answered, ideas for specific training can be developed. To the extent that it does not compete with other related programs, National Historic Preservation Week is an especially advantageous time to spotlight historic preservation in Fort Worth. This strategy should utilize the materials recommended in Strategy 1.

### **Strategy 4**

**Encourage property owners to nominate eligible properties for the National Register of Historic Places.**

As noted previously, organizations such as the National Trust and the Texas Historical Commission (THC) already have good materials for concisely informing and encouraging the public to engage in various aspects of preservation, including how to nominate property to the National Register. As part of these other broad promotional strategies already suggested in this plan, National Register nominations should be encouraged. Information should be available both as informative brochures and on the City's website, complete with appropriate links. It is recommended that the same entity responsible for implementing the Fort Worth historic sites survey also be the lead entity in providing technical assistance to people nominating properties. The THC should also be promoted as a partner that can help. While it is important to get property owners directly involved in the nomination process, qualified preservationists with experience in preparing nominations should always be involved in order to increase the odds of a successful application.

### **Strategy 5**

**Be more proactive in educating property owners about the benefits of designation as local Historic and Cultural Landmarks and Districts.**

At present there is a great deal of misunderstanding among the public with respect to local designation. In addition to utilizing the various promotional tools already discussed in this plan, a "marketing piece" should be developed for this purpose. This piece, to be

comprised of text and images, can be conveyed in various forms, including a brochure, website, and presentation. It should achieve a variety of objectives, including:

- 1) distinguishing between National Register designation and local designation;
- 2) clarifying the purpose of local designation and the levels of restriction;
- 3) emphasizing the benefits of designation, including design assistance, financial incentives, and property value benefits.

With respect to the property values, national studies should be cited to confirm that local designation consistently benefits property values rather than lowering them. As a compliment to this marketing piece, the City should develop a “playbook” of steps to take in pursuing local designation. This type of tool was not available to citizens in the recent Mistletoe Heights designation debate, and has been cited as a needed tool to make the designation process more user friendly.

### **Strategy 6**

**Work with other communities and organizations to implement effective and meaningful advance disclosure of historic designations to prospective property buyers.** The City and non-profit entities should encourage the Texas Association of Realtors (TAR) and the Texas real Estate Commission to formally adopt disclosure documents and other instruments that fully inform prospective property buyers of the existence and effect of any historic designations on property ownership. Design guidelines and other materials pertaining to historic designations should be as a matter of course provided to prospective buyers.

**GOAL B: Educate the public about the true diversity of Fort Worth’s history, including that which is associated with significant places, whether preserved or lost.**

### **Strategy 1**

**Future interpretation of Fort Worth’s history should entail a broad perspective that tells the story of all segments of the community.** Most of the existing histories on Fort Worth are from a relatively narrow perspective, and information on the story of Native Americans, African-Americans, Mexican-Americans, Asians and Fort Worth’s other minority groups are difficult to find. The diversity of the community’s history is part of what makes such a compelling story, so future interpretation should emphasize that point.

### Strategy 2

**In concert with non-profit organizations, the City should identify significant sites that no longer qualify for historic landmark designation, but based on the memories of such an area, they are recognized as historically important.**

By community leaders and area residents collaborating on the identification and interpretation of these sites, Fort Worth's history is made more complete. A newly created City marker program or THC subject markers could recognize these sites as being important. Because many traditional minority neighborhoods and commercial districts have suffered considerable loss of their physical fabric, such a program will contribute to recording and celebrating Fort Worth's true diversity.

### Strategy 3

**Working with local historical and preservation groups, expand interpretation of Fort Worth's historic sites.**

One of the most effective means of interpretation, and one with great potential in Fort Worth, is wayside exhibits. In concept, they are similar to the State's historic markers that have been posted on many highways for the past several decades. However, it is recommended that future wayside exhibits for Fort Worth be modeled after the National Park Service's current design standards. This model includes a hierarchy of information in text so the reader can get as much detail as desired. There should also be extensive high-quality graphics, including historic photographs when available.

In addition to wayside exhibits, walking and driving tour brochures should be developed. Tours should focus on specific historic themes. Some might be tied more to the key eras of Fort Worth's history, while others might be subject-oriented. Brochures should include maps, text, graphics, and an overall high-quality design.

### Strategy 4

**Establish the importance of oral history and designate the Fort Worth Public Library system as the agent for compiling these accounts as they are recorded.**

Efforts have been made to take the oral remembrances of growing up and living in Fort Worth as experienced by African Americans in past decades and those are at the Central Library. The oral histories of persons of both the minority and majority communities should be captured as possible and valued.

### Strategy 5

**Partner with media outlets to spotlight historic preservation and help to educate the public as to its importance.**

Seek to identify reporters and editors who have or desire to have a working knowledge of preserving our historical assets and support their research by facilitation and sharing.



# Implementation Matrix



## Fort Worth Preservation Plan - Implementation

GOALS & STRATEGIES	RESPONSIBLE PARTY	PRIORITY LEVEL	TIME FRAME
<b>Historic Resources Survey &amp; Resources Priorities</b>			
GOAL A: MAINTAIN A SURVEY THAT IS CURRENT, COMPREHENSIVE AND COST-EFFECTIVE			
Strategy 1: Continue to update and expand the Tarrant County historic resources survey	Non-profit preservation org.	Moderate	Phase 2
Strategy 2: Prioritize areas/resources to survey	Non-profit pres. org. / City	High	Phase 2
Strategy 3: Pursue creative approaches to make future historic resource surveys more cost-effective	Non-profit pres. org. / City	Moderate	Phase 1
GOAL B: MAINTAIN A SURVEY THAT IS ACCURATE, USEFUL AND READILY ACCESSIBLE			
Strategy 1: Insure that historic resources survey data are accurate by utilizing qualified surveyors	Non-profit preservation org.	Moderate	Phase 2
Strategy 2: Insure that historic resources survey data are useful by utilizing a well-designed survey form	Non-profit preservation org.	Moderate	Phase 2
Strategy 3: Make the historic resources survey highly accessible and integrated into other related data	Non-profit pres. org. / City	High	Phase 2
GOAL C: PRIORITIZE HISTORIC RESOURCES SO THAT THE MOST IMPORTANT ONES ARE PRESERVED			
Strategy 1: The most significant resources should be identified among the various resource categories	Non-profit preservation org.	High	Phase 2
Strategy 2: Survey project priorities should include resources at risk, not widely recognized or rare	Non-profit preservation org.	High	Phase 2
Strategy 3: Prioritize National Register districts for future local district designations	City	High	Phase 1
<b>Preservation Ordinance</b>			
GOAL A: ACHIEVE AN ORDINANCE THAT IS CLEAR, WELL ORGANIZED, CONCISE, AND PURPOSEFUL			
Strategy 1: Expand the "Purpose" section of the ordinance	City	Low	Phase 1
Strategy 2: Revise the description of how the preservation designations relate to base zoning districts	City	High	Phase 1
Strategy 3: Revise the "Definitions" section of the ordinance	City	Low	Phase 1
Strategy 4: Expand the ordinance to more fully address Landmarks Commission member appointments, etc.	City	Moderate	Phase 1
Strategy 5: Provide more training for Landmarks Commission members and others involved with preservation	City	High	Phase 1
Strategy 6: Revise the appeals section to tighten the language and clarify the appeals process	City	Moderate	Phase 1
Strategy 7: Revise the standard property section to bring it in line with other related City ordinances	City	High	Phase 1
Strategy 8: Follow the ordinance's meeting attendance requirements for Landmarks Commission members	City	Low	Phase 1
GOAL B: DESIGNATE RESOURCES FOR PROTECTION BASED UPON OBJECTIVE CRITERIA/PROCESS			
Strategy 1: Modify the ordinance's existing designation criteria to be more specific and comprehensive	City	High	Phase 1
Strategy 2: Revise the "Districts Established" section of the ordinance	City	Low	Phase 1
Strategy 3: Revise the "Procedures for Designation of Property" section of the ordinance	City	High	Phase 1
Strategy 4: Relocate the property tax incentives provisions within the ordinance to be less confusing	City	Low	Phase 1
Strategy 5: As an alternative to historic district designation, consider the designation of Conservation Districts	City	High	Phase 1
Strategy 6: Amend the ordinance to specify that anyone can prepare the nominations for designation	City	Moderate	Phase 1
Strategy 7: Upon district nomination validation, require that a public meeting occur	City	High	Phase 1
Strategy 8: Revise the owner consent provisions to eliminate the many potential "loopholes" that now exist	City	Moderate	Phase 1
GOAL C: PROVIDE A REVIEW PROCESS FOR COA APPLICATIONS THAT IS FAIR & LOGICAL			
Strategy 1: Establish a Design Assistance Team of design professionals to assist COA applicants	City	High	Phase 1
Strategy 2: Expand the ordinance to clarify that significant site features are also regulated through guidelines	City	Low	Phase 1
Strategy 3: Revise the ordinance with respect to when work requiring a COA may begin	City	High	Phase 1
Strategy 4: The ordinance's required 180-day delay of demolition should be waived for an economic hardship	City	Moderate	Phase 1
Strategy 5: Revise the ordinance to allow certain types of work to be administratively approved by City staff	City	High	Phase 1

<b>GOALS &amp; STRATEGIES</b>		<b>RESPONSIBLE PARTY</b>	<b>PRIORITY LEVEL</b>	<b>TIME FRAME</b>
<b>Preservation Ordinance (continued)</b>				
Strategy 6:	Revise the Landmarks Commission's Rules of Procedures for carrying out meetings	City	Moderate	Phase 1
Strategy 7:	Strengthen the provisions regarding the amount of time the Commission has to decide on COAs	City	High	Phase 1
Strategy 8:	Improve the Demolition Delay designation with a more specific process for exploring demolition alternatives	City	High	Phase 1
<b>GOAL D: ENFORCE THE PRESERVATION ORDINANCE IN A MANNER THAT IS EFFECTIVE AND FAIR</b>				
Strategy 1:	Revise the demolition by neglect provisions to apply to properties designated as Demolition Delay	City	High	Phase 1
Strategy 2:	Amend the "Appeals; Penalties" section to clarify numerous issues currently not addressed	City	Moderate	Phase 1
Strategy 3:	The City should cite and aggressively pursue penalties for those property owners violating the ordinance	City	High	Phase 1
Strategy 4:	The Commission and preservation staff should build a strong relationship with Develop. & Codes depts.	City	High	Phase 1
Strategy 5:	The City should work with other entities to provide preservation training programs to code officials	City	High	Phase 1
<b>Preservation Incentives</b>				
<b>GOAL A: CAPITALIZE ON EXISTING STATE AND FEDERAL INCENTIVES AND PROMOTE THEM</b>				
Strategy 1:	Work with the NCTCOG to encourage their award of TEA-21 enhancement funds to preservation projects	Non-profit pres. org. / City	Moderate	Phase 1
Strategy 2:	Promote the availability of the federal investment tax credit for qualified rehabilitation projects	Non-profit pres. org. / City	Moderate	Phase 1
Strategy 3:	Promote the availability of the federal tax incentives for donating façade easements	Non-profit pres. org. / City	Moderate	Phase 1
<b>GOAL B: ENHANCE THE CITY'S EXISTING PRESERVATION INCENTIVES AND DEVELOP NEW ONES</b>				
Strategy 1:	Relocate the City's existing tax exemption provisions within the ordinance and promote their availability	City / Non-profit pres. org.	High	Phase 1
Strategy 2:	Revise the City's existing Historic Site Tax Exemption to leverage greater rehabilitation	City	High	Phase 1
Strategy 3:	Prioritize historic resources for receiving Tax Increment Financing from the City	City	High	Phase 1
Strategy 4:	Areas in special circumstances should be prioritized for preservation incentives	City	High	Phase 1
Strategy 5:	Facilitate the COA approval process by providing City staff to walk applicants through the process	City	High	Phase 1
Strategy 6:	Explore targeting of other City programs to areas being considered for historic and conservation districts	City	Moderate	Phase 2
Strategy 7:	Explore the creation of a façade rehab loan program to be administered by the City or another entity	City / Non-profit pres. org.	Moderate	Phase 2
Strategy 8:	The City should establish a local revolving loan fund for historic preservation	City	Moderate	Phase 2
<b>Preservation within all City Policies/Decisions</b>				
<b>GOAL A: ADJUST POLICIES AND PROGRAMS IN CONFLICT WITH PRESERVATION GOALS</b>				
Strategy 1:	Issue an administrative regulation requiring all City projects to be reviewed for impacts on historic resources	City	High	Phase 1
Strategy 2:	Amend the City's program of conveying tax foreclosed properties to include developers who will do rehabs	City	High	Phase 1
Strategy 3:	The City's program to eliminate buildings where crime habitually occurs should be altered	City	High	Phase 1
<b>GOAL B: DEVELOP NEW PUBLIC POLICY TOOLS TO BENEFIT HISTORIC PRESERVATION EFFORTS</b>				
Strategy 1:	Develop and adopt a Rehabilitation Building Code to specifically apply to historic and older buildings	City	High	Phase 1
Strategy 2:	The City should give first consideration to historic buildings and infill sites for new public facilities	City	High	Phase 1
<b>Public Education &amp; Communication</b>				
<b>GOAL A: THE CITY SHOULD EDUCATE THE PUBLIC ON PRESERVATION ISSUES AND BENEFITS</b>				
Strategy 1:	Promote the availability of all incentives for historic preservation	City / Non-profit pres. org.	Moderate	Phase 1
Strategy 2:	Work with the local school systems to develop curriculum related to local history and preservation	City / Non-profit pres. org.	Low	Phase 3
Strategy 3:	The City and other preservation groups should continue to establish periodic conferences and lectures	City / Non-profit pres. org.	Moderate	Phase 2
Strategy 4:	Encourage property owners to nominate eligible properties for the National Register of Historic Places	City / Non-profit pres. org.	Low	Phase 2
Strategy 5:	Be more proactive in educating property owners about the benefits of local designation	City / Non-profit pres. org.	High	Phase 1
Strategy 6:	Work toward achieving advance disclosure of historic designation to prospective property buyers	City / Non-profit pres. org.	Moderate	Phase 2



<b>GOALS &amp; STRATEGIES</b>		<b>RESPONSIBLE PARTY</b>	<b>PRIORITY LEVEL</b>	<b>TIME FRAME</b>
<b>Public Education &amp; Communication (continued)</b>				
GOAL B: EDUCATE THE PUBLIC ABOUT THE TRUE DIVERSITY OF FORT WORTH'S HISTORY				
Strategy 1:	Interpretation of local history should entail a broad perspective that covers all segments of the community	City / Non-profit pres. org.	Moderate	Phase 2
Strategy 2:	Identify significant sites that would no longer qualify for designation, but whose memory is important	City / Non-profit pres. org.	Moderate	Phase 3
Strategy 3:	Working with local historic and preservation groups, expand interpretation of Fort Worth's historic sites	City / Non-profit pres. org.	Low	Phase 3
Strategy 4:	Establish the importance of oral history and designate the Fort Worth Public Library as the keeper	City / Non-profit pres. org.	Low	Phase 3
Strategy 5:	Partner with media outlets to spotlight historic preservation and educate the public about its importance	City / Non-profit pres. org.	Low	Phase 3