



HISTORIC DISTRICT COMMISSION BEST PRACTICES

From the National Alliance of Preservation Commissions

People are often surprised to learn that their local Historic District Commission is an arm of their local government; that it is a quasi-judicial body with binding authority, just like the Planning Board and Zoning Board of Adjustment. Its members are public servants, just like other boards, and it must follow the same rules of procedure, public notice, ethics, meeting conduct, conflict of interest, and record keeping as the town council. How the Historic District Commission operates is critically important, because it deals with personal property in a way that other Boards and Commissions don't. Effective and sound Historic District Commission operation is a dynamic, ongoing process, constantly improving as it responds to community needs and evolving preservation practice. The following discusses six aspects of commission operation and provides best practice techniques to help your commission be highly-functioning. The time invested in constantly checking to ensure that the commission is following the best practices possible pays-off in headaches avoided and public support gained.

THE PUBLIC

How do property owners discover the commission and what will be their first impression?

- Send friendly welcome letters to new property owners telling them about the commission and its work. Include a boundary map and a simple brochure outlining what type of work is and is not reviewed by the commission. Let them know where they can get copies of applications and other materials.
- Make the Certificate of Appropriateness easy to read and complete. Avoid jargon and, where appropriate, use illustrations to make it as user-friendly as possible. Include a checklist of required application materials and steps.
- Commission staff and members should be willing and available to help property owners understand the application, review process, and standards and guidelines. Some commissions have publicly-noticed "working sessions" for applicants either before regularly scheduled meetings or at other designated times.

THE POLICY

Are your policies clearly communicated and updated when necessary?

- Periodically review your ordinance to ensure that you are familiar with its provisions and are following them. A periodic review will also help identify any deficiencies that need to be corrected.
- Guidelines only go so far. Ultimately, *The Secretary of the Interior's Standards* are the baseline criteria against which most commissions measure their work. Don't be afraid to refer to them and cite them when rendering decisions.
- Design guidelines should be based upon the local community and preservation objectives, and should fit the district's composition and character. One size does not fit all. For example, if a district doesn't have any commercial buildings, a section on signage and storefronts would be superfluous and confusing; or if the community's preservation goal is maintenance of a certain streetscape rhythm, the guidelines should provide ample information about size, scale, massing, setbacks, spacing, etc.
- A simple but professional brochure explaining what work the commission does and does not review can help to educate the public and dispel misinformation. Be sure to include the general review criteria used as well as an overview of the review process and where to get more information. Make the brochure available at town hall, the planning office and building permit counter, real estate offices, and the library.
- As you identify guidelines gaps and gaffs, take the necessary steps to correct them. Correcting an ineffective and unclear policy when the problem is first identified will prevent future problems.

THE PROCEDURE

What is your conduct before, during, and after the meeting?

- Be aware of the minimum public meeting posting requirements and try to do more. Consider additional notice measures like yard signs, posting in multiple places, and online notice.

- Be prepared! Review application packets before the meeting to become familiar with the applications so that there is no struggle to understand the project or keep up during deliberations, and more importantly to ensure that your decision is an informed one.
- Take the time for a site visit. Photographs are informative but do not tell the whole story. Check it out in person.
- The meeting should always start on an upbeat, positive, and professional tone. The chair should always acknowledge all commissioners and staff by name and use place cards so the audience can know who is speaking during deliberations. Remember that for many, your meeting will be the first and only interface residents have with the inner-functioning and management of their community – make it as professional as possible.
- Try to remember when it is the applicant’s first time at the table. Be patient with new commissioners and applicants and help them understand the process.
- Produce accurate minutes and adopt them at every meeting. Accurate and timely minutes help keep a commission’s work on track. After adoption, make the minutes publicly available. If the commission is doing its job according to the rules, minutes can be an effective public relations tool.

THE PRACTICE

Is everyone at the table making the effort?

- In addition to a basic training and orientation session for new commission members, everyone should attend an annual training event. Look for sessions at the New Hampshire Preservation Alliance Spring Conference, the Office of Energy and Planning Annual Conference, the National Alliance of Preservation Commission Conference, as well as regional workshops and lectures.
- Join a listserv devoted to Historic District Commission issues. Both the National Alliance of Preservation Commissions and the New Hampshire Division of Historical Resources maintain such listserves.
- Create commissioner notebooks for all commission members. Notebooks should contain, at a minimum, the ordinance, rules of procedure, regulations, design guidelines, map of the district, and any other information the commission distributes, such as brochures and handouts.
- Consider a consent agenda and administrative review, if feasible or warranted. If a commission has staff, identify work that can be approved at the administrative level and include a list of that work in the guidelines. If a commission does not have staff, consider designating several commissioners as “Expediting Commissioners” who can give administrative approval for a limited range of work. It is advisable to require approval by more than expediting commissioner to receive a Certificate of Appropriateness.
- Consider visiting other commissions’ meetings and inviting other commissions to yours.
- Review and reflect upon your work at the end of every year, and take the time to review the commission’s operation and decisions. Take photos of completed projects and create a “before and after” slide show, allowing you to identify areas where improvements can be made as well as to acknowledge where a good job was done.

THE POLITICS

Are you soliciting support from the local leadership?

- Use an annual report to inform elected officials of how many applications the commission approved and how many were denied. Chances are the officials won’t hear about the approvals unless the commission tells them. Send the report to the local media along with a brief press release.
- Consider periodic joint meetings with the other land use boards and elected officials to keep everyone informed and aware of the commission’s work and needs.
- Look for ways to involve the commission in as many aspects of local government as possible, including representation on other boards, such as the Planning Board, as well as participation in civic activities.

THE PERCEPTION

Are you recognizing the good preservation work of others?

- Don’t forget about positive reinforcement! Look for ways to recognize good preservation work in the community – not just the large-scale projects, but the small ones as well. Consider starting a joint awards program with the local preservation non-profit organization or participating in programs already in place.
- If local incentives exist, such as a façade grant program or certified local government program, make sure people know about it. Let people know about the Federal Rehabilitation Tax Credit Program.
- A commission doing its job well and consistently following the rules is its best defense against accusations of being arbitrary and capricious.