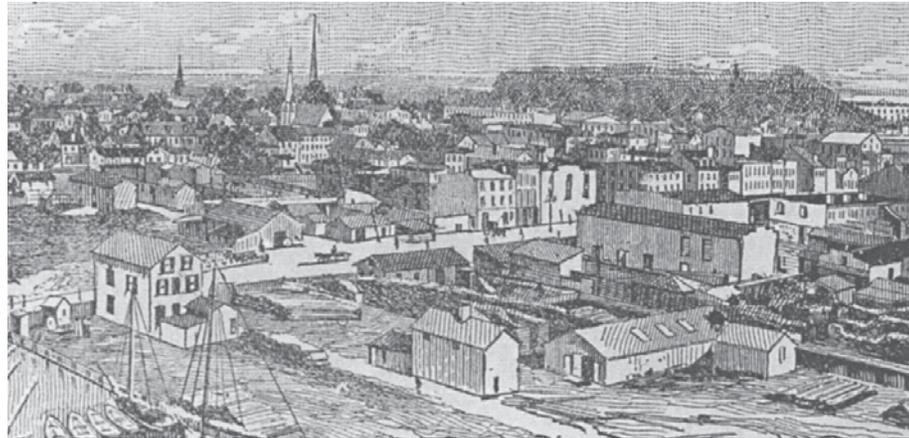




## II. PLANNING YOUR PRESERVATION PROJECT





This 1886 image from Edward Pollock's *"Sketchbook of Portsmouth"* looking northwest from the waterfront at Columbia Street shows a densely developed downtown.

### A. Preservation in Portsmouth

As cities and towns develop through time, each generation leaves its physical imprint on the community. The results are periods of various architectural styles, building types, street patterns and open spaces. These individual buildings, neighborhoods, and commercial areas become more distinctive and treasured as they survive subsequent generations of development. The city of Portsmouth has a rich history, much of it conveyed by the city's remarkable collection of historic buildings and structures.

To that end, the City of Portsmouth has completed a number of basic steps crucial to the preservation of the city's rich architectural heritage. The first step in identifying historic resources is to conduct a historic buildings survey. Based on surveys conducted in a number of Portsmouth's historic

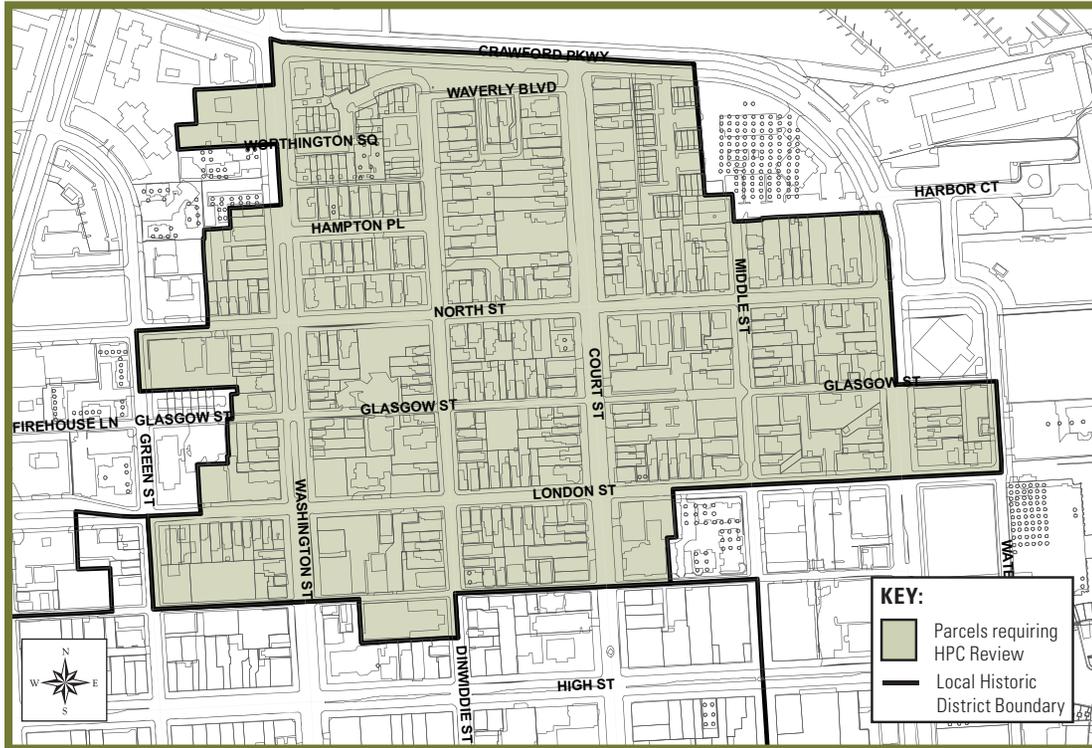
neighborhoods, the community recognized the architectural, historic, and cultural significance of these areas.

Through further research and documentation, the historic districts of Olde Towne, Park View, Port Norfolk, Cradock, and Truxtun were recognized on both the Virginia Landmarks Register and the National Register of Historic Places. Listing on these registers, however, provided no protection for the preservation of these local resources.

A local historic districts Zoning Ordinance was first adopted in 1967 to provide such protection. This local regulation establishes the criteria and review process for changes to be made to the exterior appearance of historic properties. This part of the Zoning Ordinance was last updated in 2007.



## II. PLANNING YOUR PRESERVATION PROJECT



The shaded area comprises the Olde Towne Historic District covered by the historic district zoning. Approximate footprints of structures and lot lines are depicted.

### Dates of Local Historic Districts and National Register Designations

- Olde Towne (local review 1967, National Register 1970)
- Cradock (local review 1976, National Register 1974)
- Truxtun (local review 1983, National Register 1982)
- Port Norfolk (local review 1983, National Register 1983)
- Park View (local review 1984, National Register 1984)

## B. Historic Districts Ordinance

### 1. Historic Districts Zoning

Section 40.54 of the Zoning Ordinance requires that a building owner receive a Certificate of Appropriateness from the Historic Preservation Commission (HPC) before most exterior alterations can be made or application for a building permit can move forward. The review process is based on the standards adopted into the historic districts Zoning Ordinance.

In addition to the Zoning Ordinance provisions, these design guidelines assist the HPC and property owners as they oversee and carry out changes to properties and districts.

Specific uses are also spelled out for each historic district in this section of the ordinance. For the permitted uses in Olde Towne, see the chart on the opposite page.

## II. PLANNING YOUR PRESERVATION PROJECT



HISTORIC DISTRICT USE	MINIMUM LOT SIZE IN SQUARE FEET	MAXIMUM BUILDING COVERAGE OF LOT	MINIMUM LANDSCAPED AREA OF LOT	MINIMUM SIDE YARD	MINIMUM FRONT YARD	MINIMUM REAR YARD	MAXIMUM HEIGHT
Single-family	2,500	70%	20%	Lots <30 feet Three (3) feet  Lots > 30 feet Five (5) feet	align with existing abutting residences	20 feet	Three (3) stories  but may be limited to two (2) stories for compatibility with adjacent structures
Two-family	3,045	70%	20%	Lots <30 feet Three (3) feet  Lots > 30 feet Five (5) feet	align with existing abutting residences	20 feet	Three (3) stories  but may be limited to two (2) stories for compatibility with adjacent structures
Three dwellings in structure	4,570	70%	20%	Lots <30 feet Three (3) feet  Lots > 30 feet Five (5) feet	align with existing abutting residences	20 feet	Three (3) stories  but may be limited to two (2) stories for compatibility with adjacent structures
Four dwellings in structure  <i>an additional unit may be added for each 3,045 square feet of lot over 6,090</i>	6,090	70%	20%	Lots <30 feet Three (3) feet  Lots > 30 feet Five (5) feet	align with existing abutting residences	20 feet	Three (3) stories  but may be limited to two (2) stories for compatibility with adjacent structures
Nonresidential use	2,500	70%	20%	Lots <30 feet Three (3) feet  Lots > 30 feet Five (5) feet	align with existing abutting residences	20 feet	Three (3) stories  but may be limited to two (2) stories for compatibility with adjacent structures
Office and more than one (1) residential unit	4,500	70%	20%	Lots <30 feet Three (3) feet  Lots > 30 feet Five (5) feet	align with existing abutting residences	20 feet	Three (3) stories  but may be limited to two (2) stories for compatibility with adjacent structures
All new construction and additions	May not encroach into any required side or front yard or within three (3) feet of any lot line.  May not exceed two (2) square feet of floor area per zoned lot area for total structure.			Lots <30 feet Three (3) feet  Lots > 30 feet Five (5) feet	align with existing abutting residences	20 feet	Three (3) stories  but may be limited to two (2) stories for compatibility with adjacent structures

This chart shows the permitted uses and their specific requirements in the Olde Towne Historic District.



## II. PLANNING YOUR PRESERVATION PROJECT

Please call the Planning Staff at (757) 393-8836 to confirm whether or not a COA is needed before beginning your project.

### B. Historic Districts Ordinance *continued*

#### 2. Historic Preservation Commission

Members of the Historic Preservation Commission (HPC) are citizen members of the City of Portsmouth's government and have design review authority over historic properties. Each member has a knowledge of and interest in the preservation of the historic character of the city of Portsmouth. These members are appointed to the Historic Preservation Commission by City Council and serve a three-year term.

#### 3. Levels of Review

The historic districts zoning requires review of the material change in appearance of any building, either individually designated or in a historic district, as viewed from a public right-of-way. A project must adhere to the criteria in the Zoning Ordinance and these guidelines in order to be approved. Routine maintenance projects are excluded from review.

Projects that require a COA include:

- exterior alterations/rehabilitations that require a change in design, color or material *such as replacement windows, paint, and substitute siding;*
- additions and new construction;

- major site changes *such as fencing and paving;*
- moving any building; and
- demolition, full or partial.

Rehabilitation projects may be heard by the HPC or be reviewed administratively. The level of review for each project type varies by the extent of the proposed work. An approval matrix found in the *Appendix* of this document provides guidance on what type of review is required.

The Historic Preservation Commission (HPC) will always hear applications for new construction, relocation, and demolition projects. The HPC may also review applications that the staff determines are beyond the scope of administrative review.

#### 4. Appeal of the Decision of the HPC

To appeal a decision of the HPC, the property owner must cite an error in the findings of the HPC that the proposed work was not architecturally compatible with the character of historic district. The appeal is first reviewed for grounds by the Appeals Review Committee (ARC) which consists of the Director of Planning and the Senior Deputy City Attorney or their designees. If the ARC finds grounds for the appeal, it will then be placed on the City Council agenda for the next available meeting. Appeals must be filed with the ARC within 30 days of the final action of the HPC.

### Application Process

A comprehensive flow chart of the application process can be found in the *Appendix*.

1. Contact the Planning Staff in the Department of Planning to set up an appointment to discuss the scope of your project and whether or not it requires a Certificate of Appropriateness (COA).
2. File the COA Application and any required information as requested on the application. Applications are available online at [www.portsmouthva.gov/planning](http://www.portsmouthva.gov/planning) and in the Department of Planning.
3. When you return your completed application, the Planning Staff will ask you for any additional information needed and will inform you if the project can be administratively reviewed or requires review by the Historic Preservation Commission. (See Item #3 at left.)
4. If the project is approved, you will receive a COA and can obtain the necessary permits or begin your project, if permits are not required.
5. If the project is not approved by the HPC, you may file an appeal with the Appeal Review Committee according to the process in Item #4 on this page.



### C. The Historic District Design Guidelines

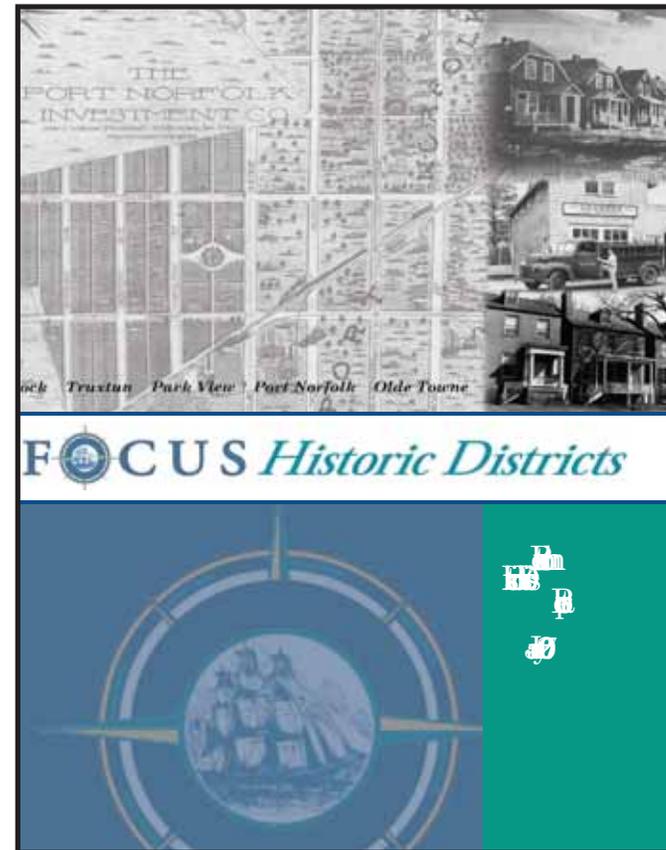
These guidelines help property owners and the Historic Preservation Commission (HPC) decide what are appropriate changes for structures in the historic districts as well as appropriate new construction. As a property owner, you are a partner in preservation and should refer to these guidelines whenever you plan changes to your property. These guidelines help to clarify what is valuable and worth preserving in the Olde Towne Historic District. They explain how you can respect these features as you make changes or repairs to your historic building or design a new building within the district.

These guidelines are the result of a process begun in 2005 called FOCUS Historic Districts. As a part of this process, Olde Towne property owners were sent questionnaires and invited to attend a public meeting to provide their input on the then-current historic district regulations, procedures and guidelines. That input is reflected in the revised Historic Districts zoning (2007) and in these guidelines.

Each of the historic districts has its own set of guidelines tailored to that neighborhood and illustrated with photographs and drawings of the typical house types, elements and materials found in that district. These five sets of guidelines are coordinated to provide uniform organization and appearance and allow for easy navigation either within one set or between two or more sets.

Based on the feedback received from Olde Towne property owners during this process, residents expressed the wish to retain the historic character of their district while improving its overall physical appearance. To aid in this effort, respondents asked that the guidelines provide specific guidance on materials and maintenance and be directed to resources for more technical assistance.

A public copy of the report is located in the City's Planning Department on the 4th floor of City Hall.



The Focus Historic Districts Report recommendations were adopted by City Council in early 2007.



## II. PLANNING YOUR PRESERVATION PROJECT

### Preservation Briefs:

These publications can provide valuable detailed information for your project. In many of the chapters of these guidelines, you will be directed to these publications produced by the National Park Service. Over 40 different subjects are covered in the *Preservation Briefs* which are available in the offices of the Planning Department and online at [www.cr.nps.gov/hps/tps/briefs/presbhom.htm](http://www.cr.nps.gov/hps/tps/briefs/presbhom.htm)

### D. Defining Your Preservation Project

Terms such as preservation, restoration, and rehabilitation, are often used interchangeably; however, they mean different approaches to the work performed on a historic structure.

1. **Preservation** focuses on the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time.
2. **Rehabilitation** acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic

character. This approach must not damage or destroy historically significant materials, features or finishes and requires that any changes be compatible with the building and its context.

3. **Restoration** depicts a property at a particular period of time in its history, while removing evidence of other periods.
4. **Reconstruction** re-creates vanished or non-surviving portions of a property for interpretive purposes.
5. **Remodeling** makes changes to the property without necessarily maintaining the historic character-defining features of a building.





### E. Maintenance and Rehabilitation

#### 1. Required Maintenance

Section 40-55.1 of the historic district Zoning Ordinance: *Demolition by Neglect* requires that a property owner provide adequate maintenance to prevent the deterioration of a building into a hazardous or unsafe condition. In general, this means that you need to protect your property from the elements by making sure that you have a sound roof, windows, walls, and doors. This section of the ordinance also mandates that you retain the historic character of your property by not removing character-defining features and, therefore, causing irreversible damage to the structure.

#### Maintenance Checklist

A checklist, which can help serve as a reminder of routine maintenance items for your property, is included in the *Appendix* section of these guidelines.



The shingled Mansard roof on the upper level of this double house is being replaced with shingles that replicate the appearance of the historic slate roof as seen on the adjacent structure.



An interactive web class on the *Secretary of the Interior's Standards for Rehabilitation* is available online at

[www.cr.nps.gov/hps/tps/e-rehab/index.htm](http://www.cr.nps.gov/hps/tps/e-rehab/index.htm).

### E. Maintenance and Rehabilitation *continued*

#### 2. *Secretary of the Interior's Standards for Rehabilitation*

These federal guidelines were first developed in 1979 and have been expanded and refined, most recently in 1995. They are used by the National Park Service to determine if the rehabilitation of a historic building has been undertaken in a manner that is sensitive to its historic integrity.

The *Standards* are very broad by nature since they apply to rehabilitation within historic districts throughout the United States. The recommendations found in these guidelines are based on the following standards:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



### F. Health and Safety Considerations

#### 1. Planning Steps

When planning your project, it is often necessary and always wise to look at any health and safety challenges that your project may present. Often, the primary challenges may be the existence of lead paint and/or asbestos.

The first step in mitigating these materials is to identify the character-defining features of your building. Many of these features are illustrated in the preceding chapter and will often include original windows, siding and roof materials.

As a second step, investigate all alternatives to altering or damaging original materials. It is important in all phases of rehabilitation to retain historic features, repair them in a sensitive way when necessary, and as a last option to replace deteriorated elements either with in-kind or substitute materials.

Depending upon the decisions made in the treatment of various materials and features, the third step is to hire experienced workers that are certified for the abatement of the materials to be removed. In some cases, it may also be possible to do much of the work yourself following applicable instructions for your own safety. The resources listed on

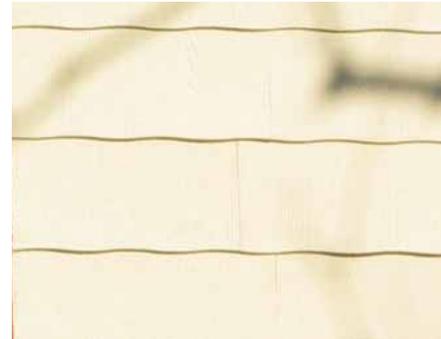


Take proper lead paint precautions when working on any house that was painted prior to the 1970s.

this page will help you to either hire the appropriate workers or safely complete the required steps on your own.

#### 2. Lead Paint

Paints containing lead have not been manufactured since 1978 and, therefore, may not be the top coat on the exterior of a structure. However, if you are removing a substitute cladding material that has been installed over the original wood siding, you may have a lead paint top coat on the underlying wood. If the paint is sound, it may be possible to encapsulate the lead paint layer under new exterior paint. It is not necessary to remove the wood to reduce the lead paint hazard. More information on the actual steps that can be taken are offered in *Preservation Brief #37: Appropriate Methods for Reducing Lead Paint Hazards in Historic Housing*.



Adhere to all federal, state and local regulations when removing asbestos siding, or hire a contractor licensed to perform the task.

#### 3. Asbestos

Asbestos may be found in either roof or siding materials. In this case, the first question to ask in the project planning is whether or not it is necessary to remove the material. Unlike lead paint, which is just a coating, asbestos is an integral part of these materials. Asbestos is only a hazard if it is disturbed. Otherwise it is a long-lasting and often character-defining material in many historic neighborhoods.

#### Preservation Brief #37:

Appropriate Methods for Reducing Lead Paint Hazards in Historic Housing

[www.nps.gov/history/hps/tps/briefs/brief37.htm](http://www.nps.gov/history/hps/tps/briefs/brief37.htm)

For more information on the steps to remove asbestos, please consult *How to Properly Remove Cement Asbestos Board* online at [www.spokaneleanair.org](http://www.spokaneleanair.org).



## II. PLANNING YOUR PRESERVATION PROJECT

### G. Green Design and Sustainable Development

It has been said that the greenest building is the one that is never built. The next best option is the preservation of existing buildings. Historic structures are constructed from wood, masonry, glass, and other natural materials that represent embodied energy already expended. Modern day buildings are often built of man-made materials that require far more energy consumption throughout the manufacturing process.

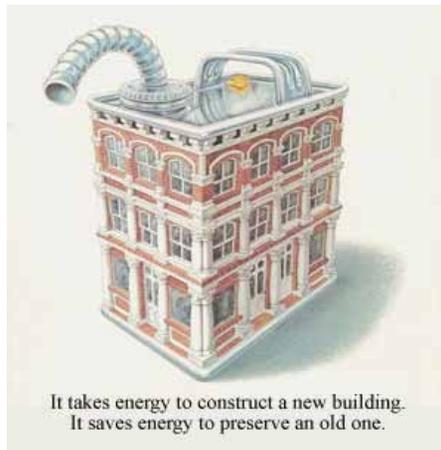
In addition, historic buildings often boast more energy-efficient designs than many modern-day buildings. By rehabilitating an existing building you are recycling the equivalent of over one million aluminum cans! Rehabilitation costs are often higher in labor costs and lower in material costs than new construction. This means that more of the money

you spend on your project stays in your city rather than wherever the new siding or windows are manufactured.

When planning a rehabilitation project, it is important to consider the long-term effect of the choices you make on both the environment and the historic character of the property and/or district. As a locally designated historic structure, the cultural heritage of your property has been recognized to have importance to the city.

These guidelines have been written with green concerns in mind, especially the concept of embodied energy. Embodied energy is the energy that has already been expended in the harvesting and production of materials and the construction of an existing building.

The following *Suggested Guidelines for Green Projects* is not intended to be comprehensive. As more green preservation projects are undertaken, this list will continue to grow.



Credit: National Trust for Historic Preservation

### Suggested Guidelines for Green Projects

- 1 Limit paved surfaces and shade them from direct sun when possible to reduce heat gain.
- 2 Choose porous paving materials, such as paving bricks, which allow water to drain and reduce runoff.
- 3 Use drought-tolerant native plants to reduce landscape water usage.
- 4 Retain and make operable existing wood shutters to reduce heat entering houses and to reduce energy bills.
- 5 Keep double-hung wooden sash windows and transoms operable to provide air-flow and reduce the need for air conditioning.
- 6 Check inventory at second-hand and salvage companies for period-appropriate hardware, lighting and other items.
- 7 Choose paint that is formulated with low volatile organic compounds (VOC).
- 8 Consider the use of historic building techniques and features in new construction. Include deep overhangs to provide shade without reducing light, transoms, shutters and operable double-hung windows, and cisterns to capture grey water for landscape use.



## H. Federal, State and Local Incentives

### 1. Rehabilitation Tax Credits

If you are undertaking a major rehabilitation of a historic building in either a Virginia Landmark or National Register Historic District, you may be eligible for certain tax credits. These credits may be used to reduce your income tax liability dollar-for-dollar.

To be eligible for the tax credits under either the state or federal program, you must file an application with the Virginia Department of Historic Resources (VDHR) before the work begins and follow the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* found in *Chapter II, Section E*.

VDHR reviews your entire project including proposed changes to the exterior and interior as well as the design of any additions.

Qualifying project expenses under both the state and federal programs include most approved work related to the rehabilitation of the building and associated architectural, engineering, project management and developer fees. Additions and other new construction are not eligible expenses.

If you are interested in either or both of these programs, consult your accountant and/or attorney before you begin your project to determine if the credits may be beneficial to you.

Both programs also require that the project be completed within two years, unless it is pre-approved as a phased project with a timeline of five years or less.

#### a. Virginia Program

The State credit is 25% of qualifying expenses for either owner-occupied or income-producing properties. For a property to qualify for the program, it must either be individually listed in the Virginia Landmarks Register, be deemed eligible for such listing, or contribute to a listed historic district.

The owner investment required to meet the state's definition of a material rehabilitation for an owner-occupied structure must be at least 25% of the assessed value of the building for local real estate tax purposes in the previous year.

For income-producing structures, an investment of at least 50% of the assessed value of the building for local real estate tax purposes in the previous year is required.



Now completed, this rehabilitation project involved removing later additions that had obscured the historic appearance of this former school building.

Unlike the Federal program described on the next page, some site work may be counted as a qualifying expense. The state income tax credits may be carried forward for up to ten years with no carryback. Once the project is complete and you have certified that it was carried out as approved and received the credits, the property may be sold without penalty.

For more information on the Virginia program, visit the Virginia Department of Historic Resources Tax Credits website at

[http://www.dhr.virginia.gov/tax\\_credits/tax\\_credit.htm](http://www.dhr.virginia.gov/tax_credits/tax_credit.htm)



## II. PLANNING YOUR PRESERVATION PROJECT



The Crawford Urban Renewal Project, a PRHA-sponsored program, provided resources for the revitalization of this row in Olde Towne. The finished project may be seen on the next page.

### b. Federal Program

The Federal credit is 20% of qualifying expenses for the rehabilitation of income-producing properties and requires that the property be listed on the National Register of Historic Places either individually or as a contributing building in a listed historic district.

As defined by the National Park Service who oversees this program, a substantial rehabilitation requires an investment in the building equal to or greater than the building's purchase price minus the land value and any claimed depreciation, plus the value of any earlier capital improvements (adjusted basis).

The Federal tax credits may be carried forward 20 years and carried back for one year. The Federal program requires that the owner of the building receiving the credits retains ownership for five years.

For more information on the Federal program, visit the National Park Service's Tax Incentives website at [www.cr.nps.gov/hps/tps/tax/incentives/index.htm](http://www.cr.nps.gov/hps/tps/tax/incentives/index.htm)



### 2. Local Incentives

#### a. Real Estate Tax Exemption

According to *Chapter 35: Article III: Division 5* of the *Portsmouth City Code*, owners of residential, commercial or industrial real estate that having undergone a substantial rehabilitation may qualify for a five-year exemption from the increase in assessed value as determined by the City Assessor.

A substantial rehabilitation is defined as an increase in value of at least 40% without increasing the structure's square footage by more than 15%. A qualifying building must be at least 40 years old.

To be eligible to receive this exemption, it is necessary to file an application within ten days of applying for the necessary building permits for your project. *(See Call Box A to the right.)*

#### b. Portsmouth Redevelopment and Housing Authority (PRHA) Programs

A number of programs, including low-cost loans and down payment and closing cost assistance, are available for low/moderate income homeowners through the PRHA.

The HOME REHAB Loan Program is available to property owners that have owned their homes for at least one year and are in violation of at least one housing code or standard. In addition, the applicant may have an income of no more than 80% of the median for the area as determined by the United States Department of Housing and Urban Development (HUD).



Utilities were placed underground, streetscape improvements made, and the houses rehabilitated, renewing the appearance of this historic block.

The first priority for the use of funds from the HOME REHAB program includes roofing, storm windows, doors, storm doors, and gutters, as well as appearance items such as painting, siding and porches. A Certificate of Appropriateness is still necessary for any work completed with funds from this program as are any necessary building permits.

The HOMECARE Loan Program is similar to the HOME REHAB program but is available only to qualifying elderly or disabled homeowners. *(See Call Box B to the right.)*

#### A.

**More information on this program is available through the Real Estate Assessor's office at (757) 393-8631 or online at [www.portsmouthva.gov/assessor/](http://www.portsmouthva.gov/assessor/)**

#### B.

**More information on these and other programs is available by calling (757) 399-5261 or at the PRHA's website at [www.prha.org](http://www.prha.org)**