

Local and National Register Historic Districts: What are the differences and why does it matter?

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In the last edition of the Dilworth Quarterly, an article by Architectural Historian and Dilworth Resident Frances Alexander gave a very good summary of how historians and preservationists distinguish between Contributing and Non-Contributing buildings and sites in historic districts. To build on what Frances wrote, it would be helpful to explain the two types of historic districts that have been designated in Dilworth and to clarify the differences between the two.

Dilworth has been designated as both a Local Historic District and a National Register Historic District. There are some similarities between the two, but the boundaries of the two are not entirely the same.

In 1987, Dilworth was listed as an historic district on the National Register of Historic Places. This listing, which was done as a cooperative effort between the Dilworth neighborhood and the City, recognized the area as being of historic significance in the areas of architecture, community planning and landscape architecture, and as having a period of historic significance that spans the years between 1891 and 1941. An inventory of buildings in the area at that time listed 1630 buildings, out of which 1372 were recognized as being contributing to the historic character of the area during that period of historic significance. It is these buildings you often hear called “contributing structures” in the neighborhood. These buildings are also the ones that are potentially eligible for the North Carolina Historic Preservation Tax Credits. National Register designation also requires that any project that would impact the historic character of the neighborhood that can be called “a federal undertaking” needs to be reviewed in advance to try to avoid unnecessarily compromising that historic character. Usually, this means any project that involves Federal money or licensing, such as highway projects. Other than this requirement in federal law or voluntary participation in the preservation tax credit program, there are no regulations for private property owners to follow in a National Register historic district

In 1983, in cooperation with the Dilworth Neighborhood, The Charlotte City Council designated a portion of Dilworth as a Local Historic District as defined in North Carolina law. In 1992, the Local Historic District was expanded to its current size. In a Local Historic District, all properties are under the jurisdiction of the local Historic District Commission, and most improvements to properties have to be approved as being “not incongruous” with the historic character of the district, as outlined in the Historic District Commission’s *Policy and Design Guidelines*. This is a somewhat objective process, but the Commission strives to be even handed in its decisions, and applies their adopted Design Guidelines to every proposal it reviews, while being mindful of the unique characteristics of each property. Except in cases where demolition of an existing structure is proposed, the Commission makes no distinction between Contributing and Non-Contributing properties.

While there are some similarities between National Register and Local Historic Districts, there are also some very important distinctions. National Register districts are designated under Federal guidelines, as administered by the State Historic Preservation Office in Raleigh, which is part of the NC Department of Cultural Resources. This is the same office that administers the NC Historic Preservation Tax Credit Program. Dilworth has been one of the most active users of these Tax Credits in the state. The ultimate authority for the designations of National Register Historic Districts is the US Department of Interior, which reviews recommendations made by the State Historic Preservation Office in listing properties on the National Register. While it is true that the Interior Department can de-list a National Register Historic District if the majority of properties in the area become “non-contributing”, it would require a challenge to the validity of the neighborhood’s designation for that process to come about.

Local historic districts are designated solely by City Council, and only the City Council can remove that designation. Proposals for Local Historic Districts are reviewed by the State Historic Preservation Office in Raleigh, which makes a recommendation to City Council on whether the area meets the definition in NC State Law of a Local Historic District. Historic Districts in North Carolina are Overlay Zoning Districts, and state law is clear that as long as the City follows the proscribed process and as long as the area qualifies, only City Council can designate or de-designate a Local Historic District. The only way a district can be de-designated otherwise is through a lawsuit where a court finds that the area does not meet the legal definition of a local historic or that there was a flaw in the designation process.

There has been a lot of talk in Dilworth about the danger of the neighborhood losing its “Historic Designation”. The Historic District Commission and its staff are not aware of any moves that would lead to the de-designation of Dilworth as either a Local or a National Register Historic District, and the local historic district program continues to have strong support from City Council.

We hope that this gives some clarity on the issue of Dilworth’s twin Historic District status. There is additional information available on National Register and Local Historic District designations on the website of the NC State Historic Preservation Office, at:

www.hpo.dcr.state.nc.us

You can also get more information on Charlotte’ Local Historic District program, including maps of all of Charlotte’s local districts and the Charlotte Historic District Commission’s *Policy and Design Guidelines*, at:

www.charlotteplanning.org

As always, you can contact us with any questions at the numbers below. We look forward to continuing to work with all of you as Dilworth continues to prosper as one of Charlotte’s premier historic neighborhoods.

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