

# Butte-Silver Bow County Comprehensive Historic Preservation Plan



Developed by the  
Butte-Silver Bow CHPP Ad Hoc Committee

Prepared by:



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Project direction, historic preservation planning, and report preparation provided by Scott L. Carpenter, *InteResources Planning, Inc.*, 505 Bond St., Suite B, Bozeman, MT 59715, 406-587-9477.

Committee meeting facilitation and planning support provided by Jennifer Boyer, **Future West**, 321 East Main St., #309, Bozeman, MT 59715, 406-587-2974.

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## Management Summary

This Comprehensive Historic Preservation Plan (CHPP) was developed to assist the City-County of Butte-Silver Bow to meet its responsibilities as a *Certified Local Government* administered by the Montana State Historic Preservation Office (SHPO). The goal of the Certified Local Government program is to provide a system for local, state, and federal governments to work together to preserve the irreplaceable historic character of a community.

Beginning in 2013, an *Ad Hoc* committee of twelve community members (Appendix B) was selected by the City-County of Butte-Silver Bow. The committee met several times each month for approximately one year to discuss Butte-Silver Bow's unique economic and historic setting, develop a framework for the plan, and to hear valuable information from local and national experts in the fields of historic preservation, economic development, and related disciplines. The CHPP was developed by the *Ad Hoc* committee through a public consensus approach.

The *Vision Statement* developed by the *Ad Hoc* committee for the CHPP is:

*Butte-Silver Bow's historic preservation plan provides opportunities for reinvestment and recognizes the community's culture and sense of pride. The plan defines and prioritizes all elements of our unique heritage, and provides a course of action to establish a vibrant and economically sustainable community.*

The CHPP is organized around fundamental information including:

- Who administers historic preservation programs in Butte-Silver Bow?
- How are historic properties identified?
- How are historic properties managed?
- What are the incentives and benefits of historic preservation?
- How can education, public interpretation, marketing, and advocacy support historic preservation in Butte-Silver Bow?

Butte-Silver Bow holds the unique position as one of the premier areas of preserved historic properties and sites in the nation. Such a special place can be maintained only if the irreplaceable cultural heritage and historic properties are effectively managed and preserved.

The plan clearly documents the important advantages of using historic preservation to help sustain the economic vitality of the Butte-Silver Bow. Numerous national and area studies substantiates that the effective preservation and management of historic properties can provide the economic engine to community development and economic

growth. If significant historic properties are lost, so too are the tools for maintaining a strong and vital community.

The CHPP presents goals, directions, and specific action items to carry out the first five years of implementing, evaluating, and revising the plan.

## 1. Introduction

*Butte-Silver Bow's historic preservation plan provides opportunities for reinvestment and recognizes the community's culture and sense of pride. The plan defines and prioritizes all elements of our unique heritage, and provides a course of action to establish a vibrant and economically sustainable community.*

This Comprehensive Historic Preservation Plan was developed to assist the City-County of Butte-Silver Bow to meet its responsibilities as a *Certified Local Government* administered by the Montana State Historic Preservation Office (SHPO). The goal of the Certified Local Government program is to provide a system for local, state, and federal governments to work together to preserve the irreplaceable historic character of a community. Through the certification process, communities make a commitment to local historic preservation – a commitment that is vital to the preservation, protection, and increased appreciation of America's unique cultural heritage.

As a Certified Local Government, Butte-Silver Bow is charged with planning and implementing historic preservation programs to meet several goals:

- ✓ Establish a qualified historic preservation commission.
- ✓ Enforce federal, state, and local regulations for the designation and protection of historic properties.
- ✓ Administer a systematic historical, architectural, and archaeological survey program to identify local historic properties.
- ✓ Make formal recommendations to the Montana SHPO regarding the eligibility of properties for listing in the National Register of Historic Places.<sup>1</sup>

<sup>1</sup>The National Historic Preservation Act of 1966 established the National Register of Historic Places (National Register), a listing of historic and archaeological resources that are significant elements of our national heritage. The Act also

- ✓ Encourage and facilitate public participation in local preservation efforts, including involvement with the National Register listing process.
- ✓ Provide information on historic preservation programs and planning assistance to local government offices and the general public.
- ✓ Follow the requirements outlined in the State's *Certified Local Government Procedures Manual*.

In turn, the Montana SHPO and the National Park Service provide local governments funding, technical assistance, and program oversight to help them meet these goals.

### **The Development of the Butte-Silver Bow Comprehensive Historic Preservation Plan (CHPP)**

As a Certified Local Government in Historic Preservation, the City-County of Butte-Silver Bow is responsible for administering historic preservation programs throughout its jurisdiction. As part of that process, Butte-Silver Bow is required to complete a CHPP and to review and update it every five years. According to the *Montana Certified Local Government Manual*, the specific purpose of the CHPP process is to create a framework for the treatment of historic properties. The Plan emphasizes the Butte-Silver Bow portion of the

established guidelines for administering various programs with local, state, and federal governments (NPS n.d.).

Butte-Anaconda National Historic Landmark District but also considers significant historic properties throughout the county.

Butte-Silver Bow authorized the development of a CHPP for the county during the summer of 2013. The Plan includes a summary of the county's historical and prehistoric archaeological resources, historic structures, and National Register properties, as well as short- and long-term goals and action items. It also provides a framework for implementation of the historic preservation program, a process for review and evaluation of the program's progress, and a mechanism for future revisions.

The foundation document prepared by City-County government presents the rationale and framework for developing the CHPP (Appendix A). The major expected outcomes of the planning process were identified as follows:

- ✓ Establish a process for prioritization and treatment of Butte-Silver Bow's vast number of inventoried, historic "registered" properties (including almost 4,000 public and private commercial buildings, historic structures, associated properties, and residential neighborhoods within the county portion of the historic district).
- ✓ Develop an inventory and database for identifying and tracking vacant buildings (public and private/historic and non-historic) in Butte-Silver Bow.
- ✓ Establish better awareness, education, communication, coordination, and cooperation among Butte-Silver Bow's multiple public- and private-sector stakeholders about historic preservation and its role in community development and revitalization.
- ✓ Improve compliance with federal, state, and local regulations related to our historic districts and associated properties.

## **The Consensus Approach**

The CHPP also ensures that available and future funds for historic preservation are spent in the most effective and strategic manner possible. To this end, the county recognized a need to design and construct the CHPP from a consensus-based committee of local citizens. A citizen *ad hoc* committee of twelve individuals (Appendix B) was selected to represent a cross-section of interests and expertise within the community. It brought together historic preservation professionals, small business entrepreneurs, affordable housing advocates, engineers, developers, elected officials, and others, who recognized that an effective preservation program would require partnerships between public, private, and government entities.

The committee agreed during the initial meeting to operate under formalized consensus guidelines. All parties had to agree with and support the decisions and be willing to implement them. They defined a "consensus" as 100% agreement by those members present at each meeting. The committee also adopted a code of conduct for all participants in the public forums.

The committee met two or three times a month for more than eight months, beginning in September 2013. Their discussions included issues ranging from trade and technology to heritage tourism, affordable housing to financing preservation projects. Speakers were invited from the local community, the SHPO, and other Montana towns; internationally acclaimed experts also came to share their experiences and keys to success. Each meeting, work session, and public forum included opportunities for public comment and input.

The citizen-driven process was a unique approach to developing a CHPP from the ground up. The Butte-Silver Bow CHPP is a true reflection of local community values and the unique understanding its citizens have of this special place.

## Components of the CHPP

This CHPP is organized around five primary components. These components help to organize the plan for effective administration, planning, and implementation:

- Administration
- Historic Properties Identification
- Historic Properties Management
- Incentives and Benefits
- Education, Interpretation, Marketing, and Advocacy

### *Who administers Historic Preservation Programs in Butte-Silver Bow?*

The Butte-Silver Bow Historic Preservation Commission (HPC), with the support of the Butte-Silver Bow Planning Department, serves as the primary group for overseeing and carrying out historic preservation programs for Butte-Silver Bow. The ultimate authority for allocating funding, enacting ordinances, and other governmental functions is vested in the Butte-Silver Bow Council of Commissioners.

The county's preservation ordinance states that the Historic Preservation Commission "is responsible for creating and administering an historic preservation program for Butte-Silver Bow County (County Ordinance 2.64.040, Appendix C). As stated in the "Montana Certified Local Government Manual" (Schliesman, et al 2005), the primary responsibilities of the Certified Local Government are to see that these guidelines are followed:

- ✓ Historic preservation issues are understood and addressed at the local level, and integrated into the local planning and decision-making processes at the earliest possible opportunity;
- ✓ Local interests and concerns are integrated into the identification, evaluation, nomination, and protection of historic properties;

- ✓ Information concerning local historic preservation issues is made available to the public and provided to the SHPO;
- ✓ Local historic preservation commissions are established in cities and towns where they do not already exist, and are supported where they do exist;
- ✓ Historic and architectural and inventory records are accessible to communities to guide community and neighborhood development and conservation goals;
- ✓ Experienced professionals in historic preservation are identified to assist local governments in developing and implementing local historic preservation plans.

As required by the manual, the City-County Planning Department employs a Historic Preservation Officer in a staff position. Citizen guidance is provided by a Historic Preservation Commission, which consists of seven volunteer members appointed by the City-County Chief Executive Officer and confirmed by the Council of Commissioners. Each member serves a three-year term. The requirements for becoming a Certified Local Government stipulate that the local government shall appoint at least three volunteer commission members with professional expertise in the disciplines of history, planning, archaeology, architecture, architectural history, historical archaeology, or other disciplines related to historic preservation.

The historic preservation program works within the framework formed by the Secretary of the Interior's *Standards for the Treatment of Historic Properties* (U.S. Department of Interior 1995), local ordinances, any guidelines and policies established by the Historic Preservation Commission, and this CHPP. Under the county's Historic Preservation Ordinance, the committee establishes guidelines to implement the historic preservation program.

Broad community support for historic preservation exists in Butte and surrounding areas of the county. The support is evident in

the many local organizations dedicated to historic preservation, public education, and related disciplines. Historic preservation groups include:

- Butte Citizens for Preservation and Revitalization
- Butte Historical Society
- Butte Public Archives
- Old Butte Historical Adventures
- Copper King Mansion
- The Historic Dumas Brothel
- Mai-Wah Society
- Mainstreet Uptown Butte, Inc.
- World Museum of Mining

Other groups that could benefit from historic preservation programs include:

- Butte Urban Revitalization Agency
- Butte Habitat for Humanity
- National Affordable Housing Network
- Highlands College Building Trades Program
- Greater Butte-Silver Bow Tourism Work Group
- Greeley Neighborhood Community Coalition

Additionally, private owners and developers carry out many individual historic restoration and rehabilitation projects on private residences, apartment buildings, and historic structures. This private, and often uncharted, segment of the public contributes substantially to historic preservation in the local area.

### *How are Historic Properties Identified?*

The CHPP directs a systematic process of inventory, evaluation, and monitoring of historic properties. This includes historic and prehistoric archaeological sites, buildings, structures, features, and objects.

The best available information maintained by the Montana SHPO indicates that perhaps only 15% of the area of Butte-Silver Bow has been subjected to any systematic cultural resources inventory. It will be important not only to conduct future inventories of undocumented resources,

but also to update previous surveys. New inspections will be needed to reevaluate historic elements, provide supplemental information, and carry out updated assessments of the current condition and integrity of known resources.

Local historic preservation ordinances, Historic Preservation Commission guidelines, and this CHPP identify the need to develop and maintain an inventory database system for tracking historic properties. This system should have the capacity to direct new inventories, monitor the conditions and threats to known properties, track vacant and underused properties, and periodically expand the resources database.

### *How are Historic Properties Managed?*

The scope and range of specific historic preservation projects are organized according to the significance of a property, its historic integrity, physical condition, potential threats, and current and potential uses, as well as economic factors and established priorities. The range of actions is tied to the standards and guidelines presented by the Secretary of the Interior, the Montana SHPO, and the county's Historic Preservation Ordinance:

- Preservation of historic properties
- Rehabilitation of buildings and structures
- Stabilization of buildings and structures
- Temporary "mothball" treatment
- Design review of proposed changes to historic properties

### *What are the Incentives and Benefits of Historic Preservation?*

This component identifies the financial incentives and benefits for agencies, organizations, developers, and private property owners to maintain and preserve the historic properties under their jurisdiction. Regulations

and ordinances, which are sometimes viewed as negative and punitive, can assist in these efforts, but financial incentives and benefits often provide the best results. The importance of historic preservation to sustainable and economically viable communities has been documented throughout the United States (Rypkema 2005, Rypkema and Cheong 2011, National Trust for Historic Preservation 2011). When financial incentives for historic preservation are an active tool of community development, individual property owners and developers are much more likely to participate.

### *How can Education, Interpretation, Marketing, and Advocacy support Historic Preservation?*

Public education builds advocacy and support for historic preservation. Successful historic preservation programs are strengthened by the creation of educational products and programs for residents and the visiting public. Heritage tourism and interpretive materials can highlight the unique history of Butte and the surrounding area.

Many studies (National Trust for Historic Preservation 2011, Mandala Research 2013, Rypkema and Choeng 2011 and 2012) have shown that active partnerships between historic preservation programs and tourist bureaus, chambers of commerce, and business organizations are key to sustainable communities and help maintain strong and effective preservation programs.

Marketing and education programs also play a vital role in building community advocacy for historic preservation. Information provided to the public about the economic benefits of historic preservation can bolster support for these programs. Public brochures, videos, school curricula, trail-side interpretive signs, and other educational products can be vital messengers for the cause of historic preservation.

### **The Way Ahead – Funding and Implementation**

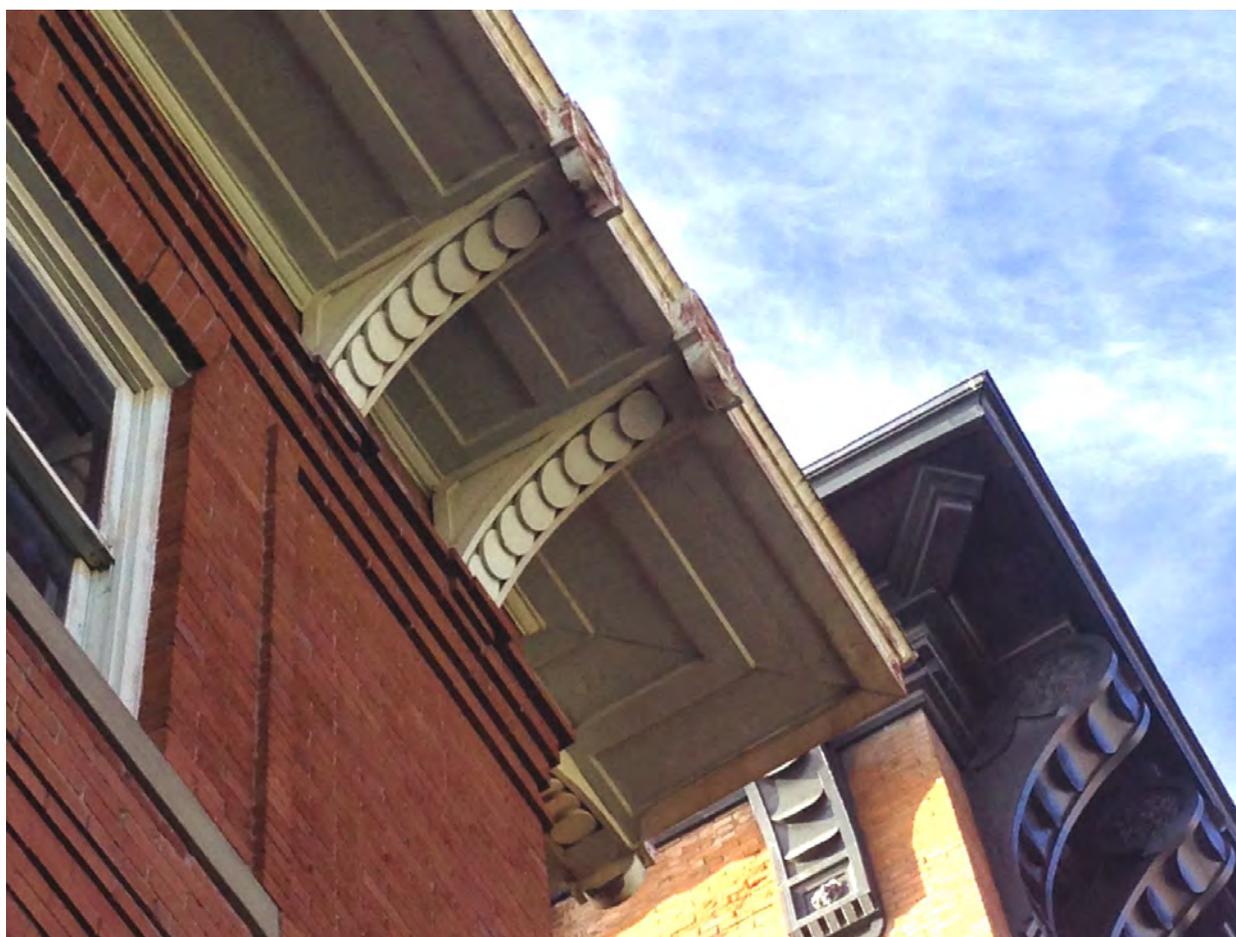
To fully implement the CHPP, it will be important to effectively use current and potential funding. Current funding sources include these:

1. The County Council of Commissioners authorized funding in the FY12-13 budget cycle to implement a Historic Building Stabilization Fund and a Vacant Building Inventory Fund. The stabilization funds remain intact, awaiting further input from the public to direct how and where these public funds should be invested within the community.
2. The Vacant Building Inventory Fund, a separate County Council of Commissioners allocation, was used in 2013 to systematically identify and inventory vacant buildings.
3. Affordable housing, tourism planning, redevelopment block grants, and Main Street revitalization programs also have funding that can support historic preservation. The Tourism Business Improvement District (TBID) and the Urban Revitalization Agency (URA) are two such programs.
4. The Butte-ARCO Redevelopment Trust Account was established to provide funding for historic preservation and economic development projects in the community.
5. Building partnerships between the county historic preservation program and other development/redevelopment projects are planned or have been implemented in or adjacent to historic districts and properties.
6. A variety of small grant programs are maintained by local and regional non-profit groups such as the Butte Citizens for Preservation and Revitalization

(CPR) and the Montana State Historic Preservation Office (SHPO).

The following document summarizes the findings of the planning process and offers a comprehensive “roadmap” to guide future preservation policies, planning, and programs to strengthen the Historic Preservation program of

Butte-Silver Bow County. The CHPP process was coordinated by staff from InteResources Planning, Inc., and Future West, both of Bozeman, Montana. InteResources Planning provided technical Historic Preservation guidance, and Future West served as meeting and discussion facilitator to promote efficiency and progress in the planning process.



## 2. Historic Properties in Silver Bow County

### Historic Development in Silver Bow – An Overview

The history and prehistory of Silver Bow County is representative of Montana as a whole. Prehistoric camps and resource areas, transportation routes and railroads, mining, and community development all highlight the unique cultural development that has made Montana an important part of American history. Each historic resource is important to this county, both for what it can teach us and for the contribution it makes to the character of the area.

Native Americans have inhabited Silver Bow County, and adjacent regions of the Northern Rocky Mountains, for at least the past 11,000 – 12,000 years (McDonald 2012, Knight 1989, Deaver and Deaver 1986). Native people inhabited and used the upper Silver Bow Creek basin for several thousand years, adapting to changing seasons, climatic conditions, and available resources. During that period they created camps, tool production areas, hunting and fishing sites, plant gathering areas, and sacred sites.

The historic period of the Butte area began with the increasing immigration of Euro-Americans into Montana Territory. This increase in population followed the discovery of gold at Bannack and Alder Creek, south of Butte. Peter McMahon discovered gold along Silver Bow Creek in 1864. Butte began as a humble scattering of tents, shacks, and mining camps established in the early 1870's (Glasscock 2002, Bossard 2012, Gibson 2012, Vincent & Okrusch 2011, Malone 2006, Strahn 2006, Burlingame & Toole 1957, Lynch 1979). Next came the discovery of silver, and by 1875 Butte was well into its nascent mining boom. Butte City was incorporated in 1879 as a 45-block area bounded by what are now Mercury, Quartz, Arizona, and Washington Streets.

By the 1880s, fueled by world-wide demand for the suddenly precious red metal, copper mining emerged as the dominant local industry. This era ushered in the development of the mines in

Butte and Walkerville, smelters and support industries throughout Butte and Anaconda, and the construction of five railroads to transport the ore. Ultimately, most of the mining and processing were consolidated under the Anaconda Copper Mining Company. The Butte area flourished with the construction of mines, mills, power systems, factories, businesses, churches, schools, fraternal lodges, saloons, entertainment establishments, and related properties. By 1915, Butte's population had grown to some 75,000 people (Moffatt 1996:128). Less than a century later, it had fallen by more than half. Other towns never reached these numbers: Walkerville saw its maximum population of 3,000 in 1915 (Moffatt 1996:136), and Anaconda topped out at just under 12,494 in 1930 (Moffatt 1996:127).

Like the native people, historical inhabitants of the area have left behind structures, sites, and towns. It is estimated that the cultural resources in the county include perhaps as many as 7,000 properties including archaeological sites, buildings, structures, roads, trails, rail lines, monuments, and objects. A complete list of known archaeological and historical properties in the region (and the state) is maintained by the Montana SHPO in Helena. But only about 10% to 15% of public and private lands have been inventoried for these properties, and there are almost certainly a great many more prehistoric and historical resources to be found and recorded.<sup>1</sup>

### Silver Bow County Heritage Themes

The Montana Heritage Themes and Associated Resources, as defined by the SHPO, provide a framework for the systematic recording, evaluation, and treatment of important cultural resources. A brief summary of the main cultural

<sup>1</sup> Cultural resources on public lands are protected by law and should not be disturbed. If you find archaeological remains on public lands, contact the agency responsible for managing the area. Chances are they will have an archaeologist on staff who will be interested in your find!

heritage themes applicable to the Butte area include these:

- The Land
- Early Peoples
- Western American Expansion
- Montana Territory
- American Indian Culture After 1800
- African-American Heritage
- “Oro y Plata” – Hard Rock Mining in Montana
- Timber
- Agriculture and Homesteading
- Federal Agencies in Montana
- State and Local Government
- Transportation
- Community Building
- Tourism and Recreation
- The More Recent Past
- Modern Montana

More about these themes can be found in *Preserving Montana: The Montana Historic Preservation Plan, 2013-2017* (available on-line at:

<http://www.montanahistoricalsociety.com/shpo/surveyplanning/HistPresPlan.pdf>).

**Silver Bow County Historic Landmarks, Districts, and Properties**

A recent search of the cultural resources database maintained by the Montana SHPO indicates that there are 758 documented resources in Silver Bow County (Table 2.1). Fifteen of the properties have been determined eligible and are listed in the National Register of Historic Places (Table 2.2). The vast majority of historic properties, buildings, and archaeological sites in the county have not been evaluated for National Register eligibility. Yet, the vast majority of National Register listed historic buildings, sites, and structures (approximately 4,000) are located within the Butte-Silver Bow National Historic Landmark District. Hence, these summary statistics only give a glimpse of the large numbers of documented cultural resources in Silver Bow County.

Table 2.1. Table showing numbers of recorded prehistoric and historic-period sites, structures, and districts within Silver Bow County (Source: MT SHPO, March 2014).

<b>Recorded Archaeological Sites and Historic Properties in Silver Bow County</b>				
	<b>Totals</b>	<b>Determined Eligible for National Register</b>	<b>Determined Ineligible for National Register</b>	<b>Eligibility Undetermined</b>
<b>Historic Resources</b>	663	73	0	590
<b>Archaeological Resources</b>	95	3	2	90
<b>TOTALS</b>	758	76	2	680

Table 2.2. Table showing existing properties listed in the National Register of Historic Places, Silver Bow County.

<b>National Register Listed Historic Properties in Silver Bow County</b>					
<b>Property Name</b>	<b>Address Location</b>	<b>City</b>	<b>Listing Date</b>	<b>Smithsonian Number/ NR Reference Number</b>	<b>Property Type</b>
Big Hole Pumpstation	MT 43	Divide	9/24/1980	24SB0257 / 80002432	Building
Butte--Anaconda National Historic Landmark District	Walkerville, Butte, and Anaconda	Butte/Anaconda	10/15/1966	24SB0354 / 66000438	NHL District
Butte Anaconda and Pacific Railway National Historic Landmark District	Confluence of German Gulch & Silver Bow Creeks, east end of Silver Bow Canyon	Durant	1/13/1989	24SB0124 / 88003149	NHL District
Clark, Charles W., Mansion	108 N Washington St	Butte	10/22/1976	24SB0255 / 76001128	Building
Clark, W. A., Mansion	219 W Granite	Butte	10/6/1970	24SB0355 / 70000366	Building
Butte Grade Schools: Hawthorne School Longfellow School Madison School	3500 White Way 1629 Roosevelt Ave 45 E Greenwood	Butte Butte Butte	1/25/1988	24SB0321 / 87002304 87002305 (removed, 2007) 87002306	Building
Matt's Place Drive-In	2339 Placer Street	Butte	3/29/2001	24SB0524	Building
Parrot Mine Shops Complex	244 Anaconda Rd.	Butte	1/9/2007	24SB0764	District
Ramsay Historic District	6.5 mi W of Butte on I- 90	Butte	1/14/1988	24SB0288	District
Silver Bow Brewery Malt House	W of Butte off US 91	Butte	1/19/1983	24SB0259	Building
Silver Bow County Poor Farm Hospital	3040 Continental Dr	Butte	7/16/1981	24SB0254	Building
Socialist Hall	1957 Harrison Ave	Butte	5/26/1995	24SB0584	Building
U S Post Office	400 N Main St	Butte	11/15/1979	24SB0258	Building
Wheeler, Burton K., House	1232 E 2nd St	Butte	12/8/1976	24SB0256	Building
Wold (Cue) Barn	SW corner of Hecla and 3rd Streets	Melrose	1/8/2009	24SB0798	Building

The 15 listed properties range from single structures to the Butte-Anaconda National Historic Landmark Districts. The district extends from the mining hill and uptown area of Butte, along the historic railroad grade, to Anaconda in Deer Lodge County. It includes three separate communities – Butte, Anaconda, and Walkerville – as well as the former route of the Butte, Anaconda, Pacific Railroad.

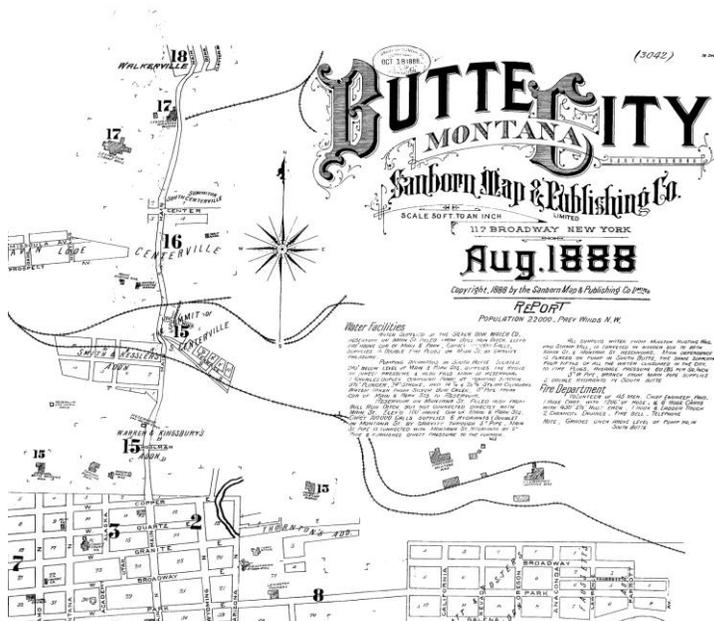
The portions of the NHL Districts located in Silver Bow County include roughly 4,000 buildings, structures, sites, and objects. The Butte-Anaconda National Historic Landmark District is the largest National Register property, by numbers of individual properties, in the US and is uniquely important for its historical values and its degree of physical preservation.

Figure 2-1 shows the National Register listed properties and districts located in Silver Bow County. Figure 2-2 provides a detailed map of the Butte portion of the Butte- Anaconda National Historic Landmark District with the locations of individually listed historic properties.

The Butte and Walkerville portions of the National Historic Landmark District are divided into 13 specific neighborhoods or areas (Figure 2-3). The neighborhood designations follow the historic development of specific areas of the community. They include:

- Centerville
- Northwest
- St. Mary's
- West Side Butte
- Central Business District
- East Side Butte
- Southwest Butte
- South Central Butte
- Smelter District
- South Butte
- Montana Tech Campus
- Butte Mining District
- Walkerville

A list of all historic properties within the District is available for review at the Butte Public Archives, at 17 W. Quartz St., and the Butte-Silver Bow Planning Office (located in the Courthouse, at 155 W. Granite St.). Additional information about these historic sites can be found at the Montana SHPO in Helena.



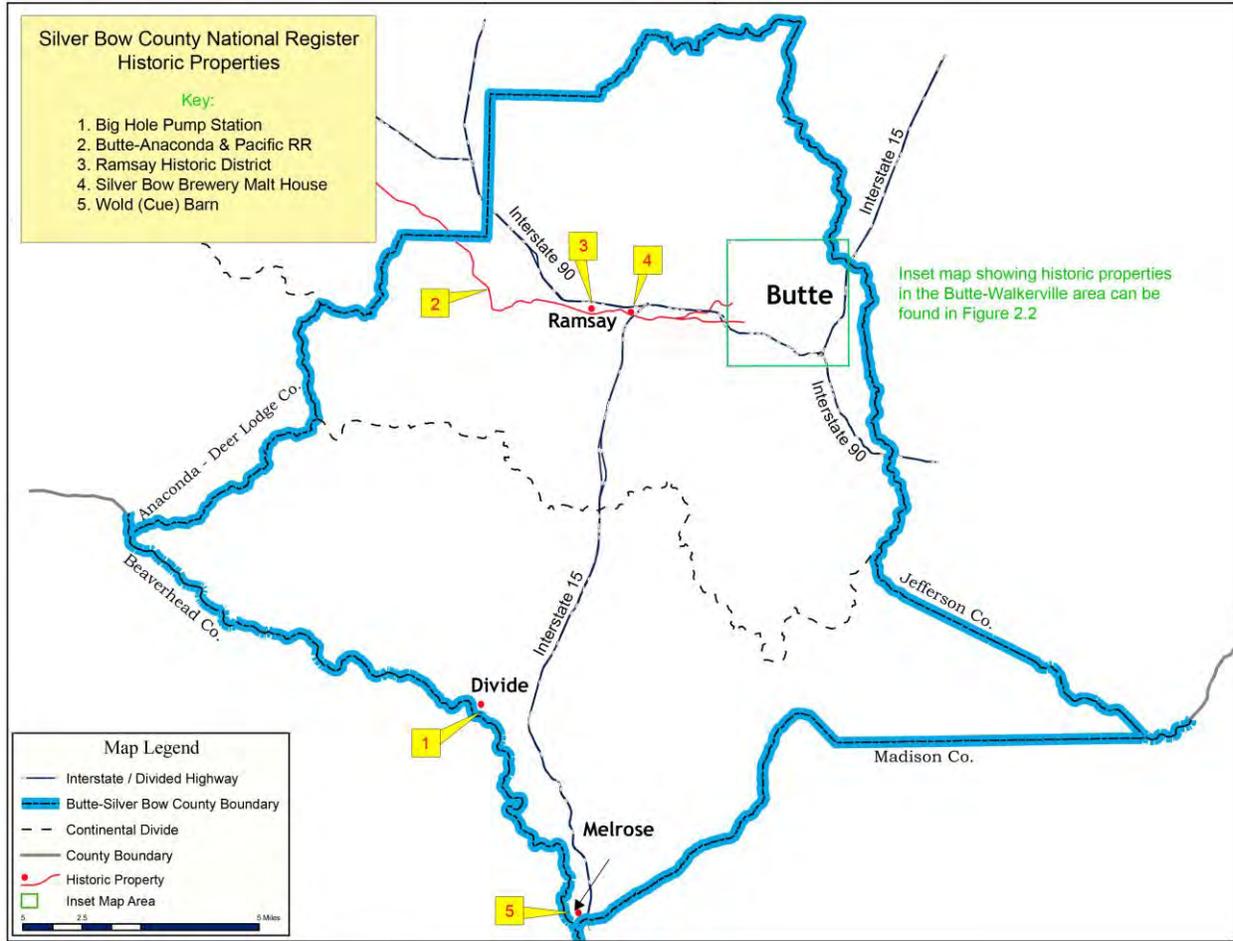


Figure 2.1. Map of Silver Bow County showing locations of National Register of Historic Places listed properties. Inset square covering Butte refers to the map presented in Figure 2-2.

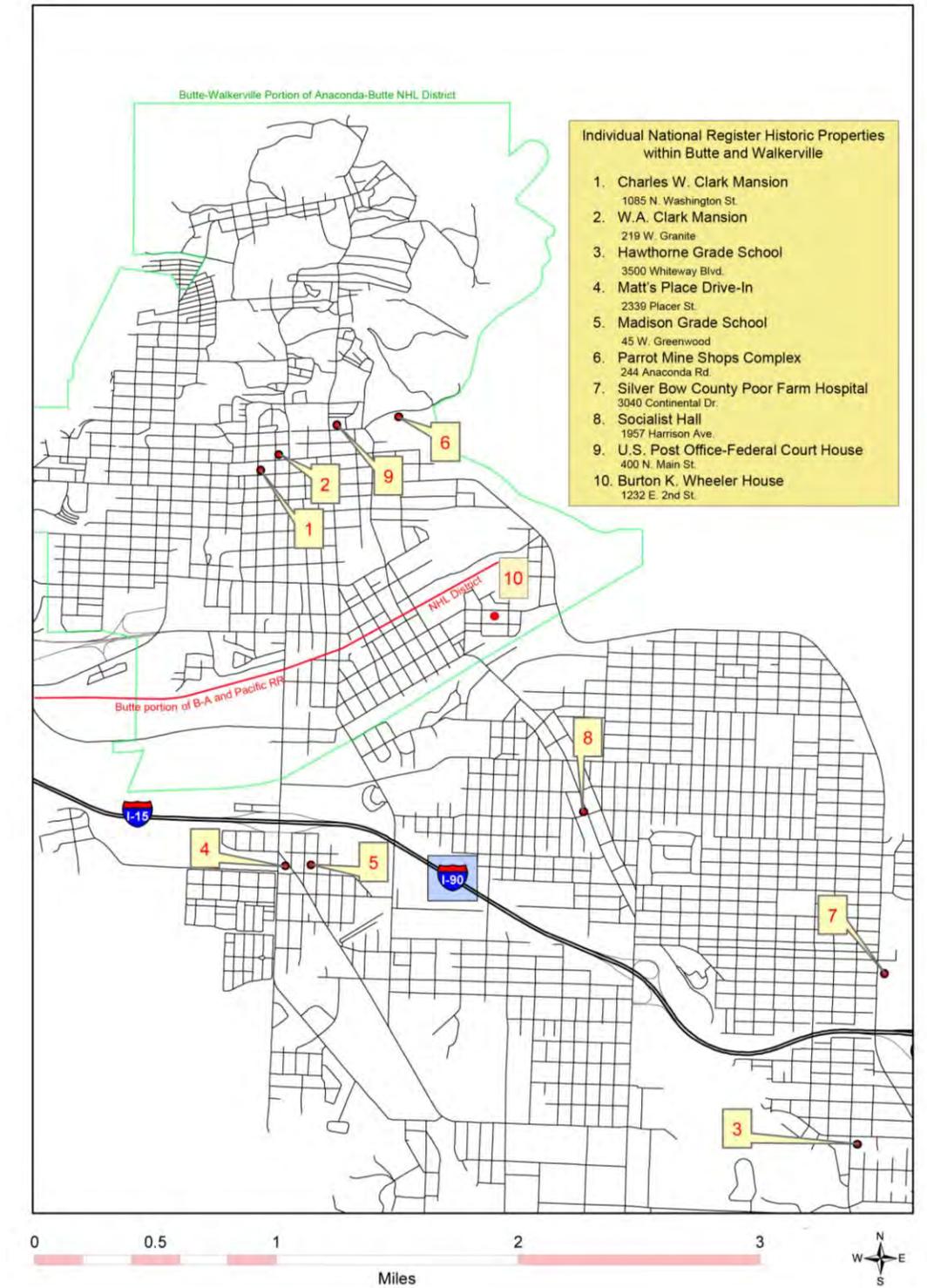


Figure 2.2. Map of Butte-Walkerville area showing boundary of Butte portion of Butte-Anaconda NHL District and Butte-Anaconda & Pacific Railroad NHL District, along with locations of National Register of Historic Places listed properties.

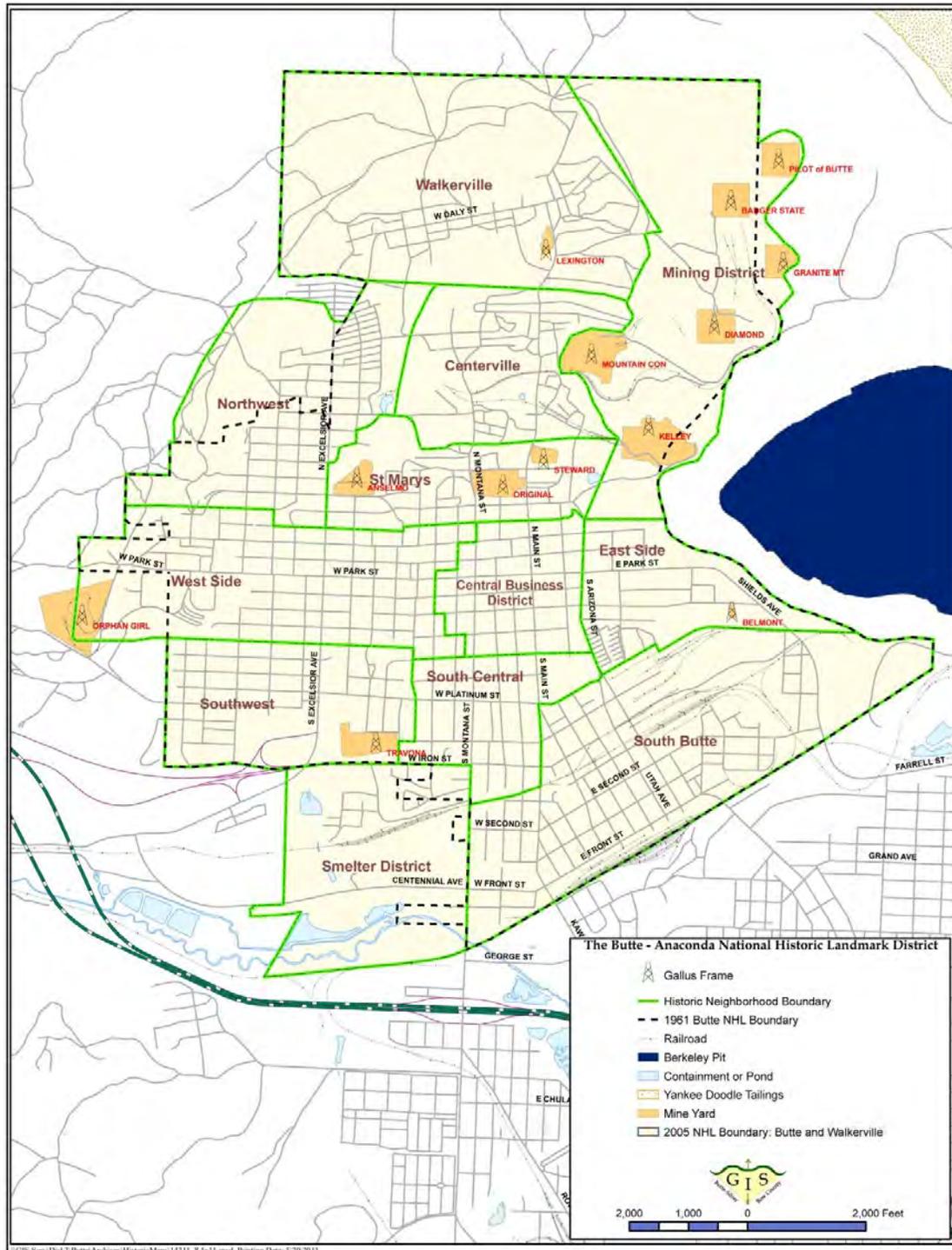


Figure 2.3. Map showing Butte-Anaconda National Historic Landmark District boundary and principal neighborhood areas.



### 3. Why Preservation Matters: The Economics of Historic Preservation

*“When it comes to community planning, we cannot afford to regard historic preservation as an expendable ‘extra.’ It should be seen instead as a crucial tool for creating the sort of city in which we all want to live” (Donovan Rypkema 2011).*

Many studies have shown the direct, positive relationships between historic preservation, community development, and economic prosperity (Rypkema 2011, 2005, 2004, 1996; National Trust for Historic Preservation 2011; Michigan Historic Preservation Network/National Trust for Historic Preservation 2012). Preserving our historic resources is not just about “saving” history. Historic preservation is also about supporting a sustainable economy. As much as the mines and the mountains, the eclectic Uptown buildings shape the character and identity of Butte. In this way, historic preservation programs add to the unique qualities of the area.

#### Historic Preservation Supports Local Jobs

A typical rehabilitation project spends 10% to 20% more on labor than new construction does (Rypkema 2011, 2005; National Trust 2011). This means more jobs for carpenters, electricians, plumbers, and painters – nearly all of them hired locally. Historic preservation generates jobs in a variety of other fields as well. Architects, lawyers, accountants, interior designers, wholesale suppliers, and real estate brokers all stand to benefit from local preservation.

#### Historic Preservation Increases Property Values

Properties in established historic districts increase in value more rapidly than similar properties in older neighborhoods that are unrecognized and unprotected by historic registers, ordinances, or programs. One study (Rypkema 2011) shows that property values in a

Knoxville, Tennessee neighborhood, with National Register status and local preservation zoning, increased 157% over a four-year period; the rest of the community saw an increase of only 16% during that same period. In Philadelphia, homes in historic districts sold for 131% more than comparable properties in neighborhoods without historic designation (National Trust for Historic Preservation 2011).

#### Historic Preservation Promotes Downtown Revitalization

Historic preservation is an effective strategy for economic development in a community. Since 1980, the Main Street Program of the National Trust for Historic Preservation has assisted some 2,000 communities with downtown revitalization projects.<sup>1</sup> The program has created 450,000 new jobs, 109,693 new businesses, 236,418 historic building rehabilitations, and \$55.7 billion in reinvestment throughout the U.S.

#### Historic Preservation Supports Small Business

According to the National Trust (2011) and recent studies (Rypkema 2011), at least 75% of all new jobs in the U.S. are created by small businesses. Additionally, the National Trust has found that 60 cents of every dollar spent at independent businesses remains in the local economy, while less than 10 cents of every dollar spent at national chain retail stores stays

<sup>1</sup>2012 statistics compiled by National Main Street Center, Inc. of the National Trust for Historic Preservation, summary available online at: <http://www.preservationnation.org/main-street/about-main-street/reinvestment-statistics-1.html#.Uzihw13c3xp>

local. Because of their unique architectural qualities and competitive costs, older buildings make ideal locations for small, independent businesses and new start-up businesses.

### **Historic Preservation Encourages Tourism**

Cultural tourism, including history- and preservation-related travel, is a growth industry around the globe. “Among cities with no particular recreational appeal,” writes travel authority Arthur Frommer, “those that have substantially preserved their past continue to enjoy tourism. Those that haven’t, receive no tourism at all (Frommer 1988:10).”

The National Trust for Historic Preservation (2011) has documented that nearly 80% of U.S. leisure travelers participate in cultural and/or heritage activities. These cultural heritage travelers also spend significantly more per trip than the average US traveler.

In 2012, the City-County of Butte-Silver Bow commissioned a plan titled *Building Montana’s Copperway: An Action Plan for Heritage Tourism in the Butte-Anaconda Heritage Corridor* (Heritage Strategies 2012). Among many recommendations, the plan identified a key direction for strengthening economic development and heritage tourism through effective historic preservation programs:

“Send a signal to private investors that their investments in historic properties in Butte will be respected. Reinforce existing historic preservation regulatory programs – the 2007 Historic Preservation Ordinance and guidance and the Butte Historic Preservation Commission – to signal private investors that their investment in historic buildings will not be undermined by blight .... As a priority among tasks the Historic Preservation Commission should undertake to fully implement the 2007 Historic Preservation Ordinance, the consulting team recommends a focus on design guidelines over the Local Historic Register.”

### **Historic Preservation Supports Taxpayer Investments**

Every community has already made a huge investment in sidewalks, lights, sewers, streets, and other infrastructure. It makes sense to protect that investment. A commitment to historic neighborhoods and downtown revitalization is one of the most fiscally responsible policies that local government can adopt.

### **Historic Preservation as a Primary Tool for Sustainable Development & Environmental Conservation**

Older structures were built to last. Many buildings constructed before 1945 have a greater life expectancy than those built in recent decades (Rypkema and Cheong 2011, Jackson 2005). It is a sound investment to restore and rehabilitate substantial, well-constructed historic structures rather than to replace them. Statistics vary depending on the size, type, and condition of building, but generally the effective cost buy-back figures can be 30-65 years for new construction instead of utilizing older existing structures.

Donovan Rypkema, in his 2007 presentation on the Economic Benefits of Preservation<sup>2</sup> and his discussions with the Butte-Silver Bow CHPP Ad-Hoc Committee, notes five key factors to successful and sustainable development:

1. Sustainable development is crucial for economic competitiveness.
2. Sustainable development has more elements than just environmental responsibility.
3. “Green buildings” and sustainable development are not synonyms.
4. Historic preservation is, in and of itself, sustainable development.

<sup>2</sup> Donovan D. Rypkema’s presentation, *Sustainability, Smart Growth and Historic Preservation*, given at the Historic Districts Council Annual Conference in New York City, on March 10, 2007. Available online at: <http://www.preservation.org/rypkema.htm>

5. Development without a historic preservation component is not sustainable.

Several studies (Jackson 2005, Booz, Allen & Hamilton, Inc. 1979, Krigger and Dorsi 2004) have also shown the benefits of reusing historic and other existing buildings rather than demolishing such buildings and constructing new ones. The energy required to extract, process, deliver, and install the necessary materials—sometimes called *embodied energy*—is much higher for new buildings. Development planning and design that capitalize on the embodied energy of existing structures can save considerable amounts of energy and materials.

### Current Trends, Influences, and Opportunities for Historic Preservation

#### *Preservation of Cultural Heritage in Silver Bow County*

Before the close of mining operations in the Berkeley Pit in 1982, the citizens of Butte worked to preserve the mine's historic records and buildings as part of the irreplaceable cultural heritage of the community. This was not the first example of the community's commitment to historic preservation in Silver Bow County:

- In 1961, the Butte National Historic Landmark District was listed in the National Register of Historic Places.
- In 1978, the Butte Historical Society was created.
- In 1979, research teams from the NPS Historic American Engineering Record came to Butte to aid in the documentation of the complex assemblage of historic buildings in the historic district.
- In 1981, the Butte-Silver Bow Public Archives were established by county ordinance.

But the community's commitment did not stop there. In 1985, as part of the effort to become a Certified Local Government recognized by the National Park Service and the Montana SHPO, Butte-Silver Bow passed ordinances to establish an Historic Preservation Commission and an Historic Preservation Ordinance (for more on the Commission, see Section 1). The historic preservation ordinance created an historic overlay zoning district to prevent demolition of important historic resources within a 490-acre portion of the Butte-Anaconda Landmark District. The City-County of Butte-Silver Bow was certified by the National Park Service as a Certified Local Government the following year.

In the 1990s, the Butte-Silver Bow Urban Revitalization Agency began to review all requests for public incentives involving historic properties and infill development within the historic district. The county developed and adopted a Regional Historic Preservation Plan in 1993, in preparation for mine closure and environmental cleanup.

In 2007, the City-County of Butte-Silver Bow adopted a new Historic Preservation Ordinance (06-12). The ordinance, which repealed the existing Historic Overlay Zoning ordinance, introduced countywide review of demolition requests, provided for the creation of a Local Register of Historic Places, and reviewed any planned changes to the exterior of Local Register properties. The 2007 Ordinance was written to be consistent with the Secretary of Interior's *Standards for the Treatment of Historic Properties*. It applies to historic and archaeological resources within the boundaries of Silver Bow County, excluding Walkerville.

Today many non-profit organizations provide high-quality programs and projects to preserve the historic built environment in Silver Bow County. The Historic Preservation Committee focuses mainly on preservation activities related to the National Historic Landmark District and other National Register properties, especially as they are related to local, state and federally funded projects. Additionally, the county and the Historic Preservation Commission are involved

with historic preservation consultations and evaluations associated with affordable housing, urban renewal and redevelopment, infill development, planning and zoning, private development, and other projects.

### *Economics, Population, Land Use, Housing, Transportation, and Other Trends*

The decrease in the local mining industry and related environmental challenges over the history of Butte-Silver Bow has led to a decline in both population and property values. As a result, many historic properties are poorly maintained, vacant, or underused. The City-County of Butte-Silver Bow has developed various long-range plans in response to these trends:

- Butte-Silver Bow Growth Policy (2008 update)
- Butte-Silver Bow Transportation Plan
- Butte-Silver Bow Comprehensive Historic Preservation Plan
- Building Montana's Copperway: An Action Plan for Heritage Tourism in the Butte-Anaconda Heritage Corridor
- Central Butte Neighborhoods Plan
- Emma Park Neighborhood Plan
- Greeley School Neighborhood Plan
- 1993 Regional Historic Preservation Plan

Direction from the City-County government and public input has identified strategies for sustainable economic development in the area. These plans, subdivision review, floodplain management, mining area reclamation, and building code enforcements, provide an effective framework for managing the growth of a quality community with an emphasis on historic preservation.

### *Local Growth Policy*

The Butte-Silver Bow Growth Policy provides a set of goals, objectives, and implementation strategies that address identified land uses and growth trends in the county. Goals and strategies for housing in the county deal with the need and opportunity to redevelop blighted neighborhoods and ensure affordable, decent

housing for all citizens, while preserving the historic character of neighborhoods

The Growth Policy speaks directly to preservation, stating that "Butte's historic properties are key to the redevelopment of our community." The specific goals of the Growth Policy include the direction to "Protect the nationally significant historic resources within and outside of the [Butte-Anaconda] National Historic Landmark District." The plan notes that many of Butte's nationally significant historic resources are threatened due to the loss of population and associated decay in the urban core. Further, the plan identifies that a lack of design review for proposed renovations and infill construction within the District poses additional threats to the historic scene and properties. A second goal of the policy is to "Protect cultural and archeological resources in Butte-Silver Bow, inside and outside the urban corridor."

The Growth Policy outlines the methods for meeting these goals:

- Protect, preserve and interpret individual sites as appropriate, while recognizing that the significance of the historic resources in Butte-Silver Bow is defined by the entire landscape, which incorporates mining, industry, commerce, and residential development.
- Continue the identification of cultural resources throughout Silver Bow County.
- Encourage the protection of cultural sites through both regulatory and educational programs.
- Implement the 2007 Historic Preservation Ordinance by establishing a Local Register of Historic Places.
- Encourage neighborhoods to participate in the development of

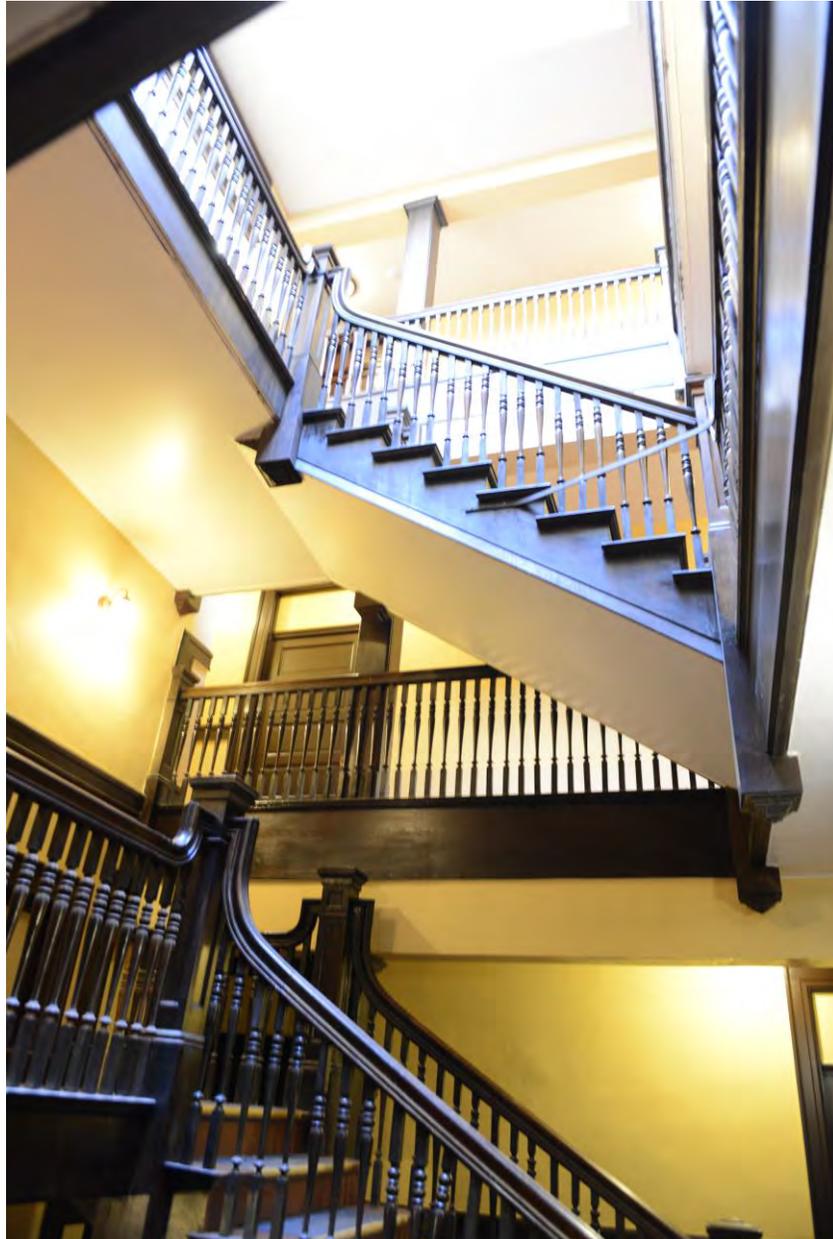
design standards for both rehabilitation and new construction.

- Address the protection of cultural resources in the Butte-Silver Bow Subdivision Ordinance.
- Incorporate cultural resources into efforts to promote the area to both residents and visitors.

- Work with various state and local tourism and cultural organizations to provide for the preservation and interpretation of the National Historic Landmark District and other cultural resources sites in the county.

These planning goals and actions form a solid framework for integrating the Growth Policy, the CHPP, and other planning/implementation documents into a unified system.





## 4. Threats, Treatments, and Benefits to Historic Properties

Historic properties, by their very nature, are non-renewable resources. Silver Bow County's historic mine structures, residences, commercial and civic buildings, and landscapes, along with its prehistoric archaeological sites, are unique and irreplaceable. Once they are lost, they can never tell their stories. A community without its history is like a puzzle with many of the pieces missing: we can never truly see the whole picture.

### What is a Significant Cultural Resource?

To be eligible for listing in the National Register of Historic Places, a prehistoric or historic resource must meet two conditions: 1) it must be significant in American history, and 2) it must have *integrity*. That is, the property or building needs to retain various qualities to convey its significance. Several things can affect this integrity. Old buildings are impacted by the passage of time, the effects of natural elements, and sometimes the original construction techniques and materials. Archaeological properties are susceptible to looting, development, and construction disturbances. Such factors can contribute to a site's deterioration and loss of integrity. Under federal regulations, a cultural resource that meets both conditions and is found eligible for listing on the National Register is referred to as an "historic property."

### What are the Threats to Historic Properties?

Professionals in historic preservation have developed lists of obvious threats to historic properties. Such threats can lead to *adverse effects*. Federal law defines adverse effects as impacts to historic properties that take away some (or all) of their integrity:

*"An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design,*

*setting, materials, workmanship, feeling, or association"* [36 CFR 800.5].<sup>1</sup>

The statute goes on to define adverse effects, which include (but are not limited to):

- Physical destruction or damage;
- Alteration of a property, including inappropriate restoration or repair;
- Removal of the property from its historic location;
- Change to the use or physical features of the setting, if those add to the property's historical significance;
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property; and
- Neglect of a property that results in its deterioration (except under special circumstances).

These adverse effects can come from many different causes. Some are natural or accidental: fire, flooding, erosion, and even lack of awareness on the part of an individual or a community. Others are intentional: development, vandalism, abandonment, and so on. To mitigate these effects, professional historians, archaeologists, and other historic preservationists might conduct archival research to learn more about the property, oral-history interviews with knowledgeable people, archaeological excavations to collect as much

<sup>1</sup> More information can be found at <http://www.achp.gov/regs-rev04.pdf>

information from a site as possible, or public interpretation to educate the community about the prehistory and history of the area. For standing structures, mitigation may take the form of restoration or rehabilitation of the structures for adaptive re-use. These *treatment options* are intended to preserve historical and scientific knowledge about different aspects of America's past.

Additional specific threats to Butte's historic properties are related to declining or slow growth of the economy, in a community that is a fraction of its former size. Diminished tax revenues and limited outside sources of funding result in challenges to address the great number of properties within the boundaries of public planning.

### **Treatment Options**

The National Register of Historic Places, the State Historic Preservation Offices, and the various processes for historic preservation are coordinated by the National Park Service, within the U.S. Department of the Interior. Various federal, state, and local regulations exist to promote the efficient and effective planning and implementation of historic preservation processes. The Advisory Council on Historic Preservation is an independent federal agency that promotes the preservation, enhancement, and productive use of historic and prehistoric resources in the U.S.

The Secretary of the Interior is responsible for establishing professional standards and providing advice on the preservation and protection of all cultural resources listed in or eligible for listing in the National Register of Historic Places. The Secretary's office has produced two foundation documents to guide archaeology and historic preservation in the U.S. (U.S. Department of Interior 1983, 1995).

The 1995 *Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties* (SOI Standards and Guidelines) are applied to all proposed development grant-in-aid projects assisted through the National Historic Preservation Fund, and to projects receiving

federal tax credits. The SOI Standards and Guidelines can be applied to a wide variety of resource types, including buildings, sites, structures, objects, and districts. They address four kinds of treatment: preservation, rehabilitation, restoration, and reconstruction.

- **Preservation:**  
Preservation of an existing structure and its features realizes the importance of the retention of all historic fabric through conservation, maintenance, and repair.
- **Rehabilitation:**  
Rehabilitation is a treatment option that emphasizes the retention and repair of historic materials, but with more flexibility to provide for replacement of selected fabric and features to address deterioration of the original structure.
- **Restoration:**  
Restoration focuses on the retention of materials from the most significant period of a property's history, while allowing the removal of materials from other periods.
- **Reconstruction:**  
Reconstruction provides limited opportunities to re-create a non-surviving site, structure, building, landscape, or object using all new materials.

It should be noted that the SOI Standards and Guidelines apply only to projects on federally managed land or those conducted with federal funds (including federal tax credits) or federal permits; otherwise, the Standards and Guidelines are intended only as general guidance for work on any historic building or property and, in that way, are meaningful in all preservation project contexts.

Silver Bow County's administration of various historic preservation projects follows the SOI Standards and Guidelines on all projects that are federally funded, permitted, or on federal property. All other projects in the county fall under the Butte-Silver Bow Historic Preservation Ordinance.

The SOI Standards and Guidelines provide a broad framework to help identify appropriate treatment for historic buildings. "Choosing the

most appropriate treatment for a building requires careful decision-making about a building's historical significance, as well as taking into account a number of other considerations (U.S. Department of Interior 1995)." Those considerations include:

- The building's relative significance in history
- The historical integrity of the building
- The proposed use of the building
- Mandated state and local code requirements

The Secretary of the Interior's Standards and Guidelines were developed to promote responsible preservation practices that help to protect and preserve the Nation's irreplaceable historic properties. Because they pertain to a wide variety and complex range of resources and conditions, the SOI Standards and Guidelines were developed without technical details or specific treatment prescriptions. The standards set out overall goals to be met, and the guidelines add specifications on how to meet those goals.

The existing Butte-Silver Bow Historic Preservation Ordinance (2007) and the proposed draft amended ordinance (2012-2014) also present a range of treatment scenarios to be considered. These specific treatment options, and the processes by which they may be implemented, are as follows:

- Cultural Property Inventories
- Documentation of Archaeological Resources and Mitigation of Impacts
- Review of Properties by Community Decay Ordinance
- Demolition
- Alterations to Historic Properties
- Mothballing of Historic Structures
- New Construction and In-Fills within Historic Districts
- Enforcement of Existing Local Codes and Ordinances
- Financial Incentives

### Historic Property Inventories

The first step in the treatment of historic properties is to maintain a current inventory of these properties. Much of Silver Bow County has not been inventoried for prehistoric or historic sites and structures. Future inventories should record additional cultural resources that may be determined eligible for listing on the National Register of Historic Places.

Effective treatment requires information about what the properties are, where they are located, their current condition, and other important data. It is important to determine 1) what are the significant historic themes and elements for the property, 2) what is the documented condition for any specific time for the property, 3) what existing or potential threats and impacts are there, and 4) what plans already exist for future monitoring, evaluation, and treatment.

It is also important that these inventories are flexible and dynamic. As properties are added to the list, as conditions and threats change, and as treatment activities occur, all new information must be added to the inventory to provide an updated record of evaluation and treatment. Conducting new inventories is costly and must be prioritized with other preservation programs such as monitoring and treatment of currently documented properties.

The Butte-Silver Bow Historic Preservation Guidelines and Design Standards (BSB HPC 2010) and the Historic Preservation Ordinance (2007) describe the development and maintenance of a Local Register of Historic Places Program. The Local Register is designed to include information about eligibility criteria, design review requirements, financial incentive reviews, and design review standards. It is patterned after the National Register of Historic Places program administered by the National Park Service and the Montana SHPO and is administered by the Butte-Silver Bow HPC with support from the City-County Planning Department. The register is intended as a means to identify historically significant local properties and provide a list that can be used for reviewing projects and funding under the Design Review Program. To date, no properties have

been listed in the Local Register. The draft amended Historic Preservation ordinance attempts to improve the effectiveness of the Local Register Program by encouraging the listing of properties and linking design reviews to properties on that list.

### **Documentation of Archaeological Resources and Mitigation of Impacts**

When property developments, construction, and other activities occur where prehistoric and historic archaeological sites, historic buildings and structures, and other cultural features are known to exist, there is a potential that archaeological resources will be adversely impacted or lost. Historic and prehistoric period archaeological deposits have the potential to yield information important to the research of history and prehistory (National Register Criterion D). Linked with historic documents and historical-architectural information, archaeological information can complete the properties story – one that forms the historic significance and context of the area.

Archaeological investigations can contribute to the initial inventory and subsequent research of a property. Documentation of archaeological resources is carried out on known properties, ideally before threats or adverse effects are defined. An archaeological sampling strategy should be developed for various areas within the NHL district. Results from the sampling will indicate where potential significant archaeological deposits may be encountered prior to future ground disturbance and development. Mitigation of adverse effects should occur as data recovery projects to answer defined archaeological research questions important to documenting Butte's history.

### **Demolition**

Demolition of historic buildings and structures or destruction of archaeological sites is an acceptable treatment option in certain cases. Generally, it is used for buildings and structures when careful analysis indicates it to be the only

viable option, due to advanced deterioration or unsafe conditions. It is necessary to conduct an inventory and condition assessment before proceeding with this determination.

It should be stressed that current professional best practices in historic preservation (Rypkema 2012, personal communication 2014) highly recommend that demolition of historic structures should not be carried out until a subsequent use of the property has been determined. Simply to create vacant land is generally not an acceptable justification for pursuing demolition. *In situ* preservation of historic structures—in combination with new, economically beneficial uses – is almost always the preferred alternative.

The Butte-Silver Bow Historic Preservation Guidelines and Design Standards and the draft revised Historic Preservation Ordinance provide specific details for the review of proposed demolitions. Included in the guidelines is specific information on a Historic Property Demolition Review Program, including:

- Determination of historic status/significance of structure/property
- Demolition Review Certificate of Appropriateness Program
- Historic documentation prior to demolition of a structure/property.

### **Demolition by Neglect**

Too often, the technique of Demolition by Neglect is used in lieu of historic preservation treatment options for buildings and structures. Many times, property owners and agencies allow this to occur when a lack of funding and/or interest prevents the treatment and preservation of a resource. The SOI Standards and Guidelines and the Butte-Silver Bow Historic Preservation Ordinance define Demolition by Neglect as an adverse effect.

### **Alterations to Historic Properties**

The SOI Standards and Guidelines for the treatment of historic properties, the Montana

SHPO, Butte Citizens for Preservation and Revitalization, the American Association of State and Local History, the Association for Preservation Technologies, the National Trust for Historic Preservation, and other historic preservation sources provide excellent guidance for planning and carrying out alterations to historic properties. The key to this treatment option is to follow such guidelines to assure that irreversible damage does not occur to significant historic architectural features prior to professional documentation, evaluation, and consultation.

The Butte-Silver Bow Historic Preservation Guidelines and Design Standards (2010) and Historic Preservation Ordinance (2007) provide specific details on design review requirements and standards for rehabilitation and restoration projects. The design review process allows owners of properties listed on the Local Register to pursue rehabilitation and structural alterations with consideration of historically compatible methods and materials. Under the current ordinance (BSB Ordinance 2.64.070 B), the Historic Preservation Committee is directed to apply the Secretary of the Interior's Standards for Treatment of Historic Properties when reviewing design changes. The program includes a Certificate of Appropriateness process to review and approve planned additions and alterations to listed properties.

### **Mothballing of Historic Buildings and Structures**

Often, vacant or underused historic buildings and structures require interim measures to maintain their integrity before restoration or rehabilitation can be carried out. Too many times, the reality of historic preservation is that buildings are lost before they can be restored or rehabilitated, due to inadequate measures to secure, stabilize, and mothball them. Along with regularly schedule inspections and maintenance, it is important to the long-term preservation of historic buildings and structures that they are protected from water damage, interior bird nesting, and unauthorized human access. "Mothballing" of historic buildings with short-term or temporary roofing, windows, and

doors is a valuable and often underused interim technique in the historic preservation tool-kit.

Key points for interim mothballing (and for many other treatment options as well) include these:

- Provide regular inspection and maintenance of the structure and applied mothball treatments. Provide careful examination for apparent signs of deterioration and other changes in condition.
- Do no harm. Any mothball treatments such as roofing, window and door coverings, foundation and drainage repairs, and patching should be done with methods and materials that are reversible and not damaging to original or significant historic fabric.
- The opportunity provided by mothballing can be used to produce rational and attainable plans for full restoration or rehabilitation.
- Where possible under funding and scheduling constraints, attempt to mothball certain features, such as roofs and selected windows, by actually performing long-term restoration and rehabilitation first.

As with many of the treatment options, it is vital to realize the importance of maintaining a current and usable inventory of historic properties and other cultural sites. The best and most appropriate use of mothballing is realized when the inventory database of cultural properties is regularly updated through inspections and condition assessments. An outline of considerations for implementing treatment by mothballing is included in Appendix D.

### **New Construction and In-Fills within Historic Districts**

Much of the significance and integrity of historic properties and districts lies in the overall historic setting provided by the other historic buildings in the neighborhood as a whole. Specific areas of an historic district demonstrate their significance by the architectural types used in that area. The landscape or neighborhood in which the historic property is situated is also very important. The careful use of design, materials, and scale of

new construction that is sympathetic to the surrounding historic scene is critically important. The SOI Standards and Guidelines, as well as guidance from the Montana SHPO, provide substantial information on this topic. The goal is to ensure that additions to historic districts are compatible with the district, without attempting exact replication of surrounding historic buildings.

Important tools for assuring the preservation of historic buildings and neighborhoods include the combined application of existing codes, the Historic Preservation Ordinance, and the Historic Preservation Committee's Guidelines and Design Standards. The proposed amended Ordinance and draft Guidelines and Design Standards include details about the design and placement of new signs on or near historic structures and neighborhoods. A proposed addition to the draft ordinance would address the treatment of Ghost Signs, as well.

### **Enforcement of Existing Local Codes and Ordinances**

One of the best and easiest ways to implement the CHPP and other aspects of Butte-Silver Bow's historic preservation programs is by consistent enforcement of existing local codes and ordinances. Reference to the CHPP and related ordinances should be included in other City-County planning and implementation documents.

As an example, adoption of the International Existing Building Code (International Code Council 2012) by the Butte-Silver Bow Council of Commissioners for implementation by the County's Building and Code Department will provide numerous advantages to the restoration and rehabilitation of historic structures.

### **Financial Incentives**

Direct financial incentives for carrying out historic preservation projects are often more effective and palatable to the public than the requirements imposed by laws, codes, ordinances, and policies. Both direct and indirect

financial incentives provide a useful tool for supporting the documented economic and social benefits of preservation. These incentives provide a balance with the regulatory requirements of preservation.

The preparation of the CHPP was initiated and carried out with the understanding that several sources of funding exist for implementation of the plan, and for conducting historic preservation projects throughout Silver Bow County.

A substantial but non-exhaustive list of potential sources of financial support for historic preservation projects is included in Appendix E. It should be emphasized that funding sources and actual financial incentive programs change over time; interested parties must contact the appropriate agencies and foundations for current information on tax credits, loans, grants, and other incentives.

The significant source of future CHPP implementation and historic preservation project funding is the ARCO Redevelopment Trust Account, to be used for the following purposes:

1. The funding of improvements associated with the Regional Historic Preservation Plan, including, without limitation, the restoration of buildings and other historic structures in the Butte Hill area and recreational and historical interpretive features.
2. The funding of economic development within the area including, without limitation, the provision of financial assistance to support development of any Mine Waste Source Areas.
3. The establishment and funding of a "governing authority" to administer and oversee Butte-Silver Bow's performance under this Agreement and to guide the planning and use of the funds in the Redevelopment Trust Account, consistent with the purposes of this Agreement.

The agreement for the ARCO Redevelopment Trust Account stipulates that an independent authority will be created to guide the planning and use of the funds in the account. The agreement specifies that \$15 million dollars will be provided for the stated purposes. The bulk of such funds could be used for the establishment

of various local historic preservation incentives, including but not limited to:

- A revolving loan fund for use in inventory, restoration, rehabilitation, and mothballing of historic structures.
- A small-grant or loan program to assist homeowners with basic repair of roofs, windows, siding, details, façade, and painting of historic residences. Such grants would be used to leverage funding from additional sources.
- The establishment and operation of a not-for-profit organization to work with the Butte-Silver Bow government and the Historic Preservation Committee to acquire, mothball, and resell historic properties.
- The preparation of historic property economic development, restoration, and rehabilitation feasibility studies and condition inspections for selected historic structures. The feasibility studies and inspection reports would be used by potential purchasers and developers. The studies are necessary to ensure that “threatened” historic properties are professionally inspected, evaluated, and analyzed by an architect/engineer to determine the potential directions and costs for rehabilitation. Additionally such assessments would include a current fair-market value and potential for new market-driven uses for the property.
- The preparation of public educational materials on the financial incentives, historical information background, and other aspects of historic preservation in Butte-Silver Bow.

A detailed list of proposed initial actions is included in Section 6 of the CHPP.

Beyond the ARCO Redevelopment Trust Fund and other government-administered funds and grants for historic preservation, financial opportunities exist for historic preservation projects undertaken by property owners, developers, businesses, non-government agencies, and not-for-profit organizations.

The Butte-Silver Bow Historic Preservation Office, Community Development Department, the Montana SHPO, and other organizations have identified an array of direct financial incentives applicable to historic properties.

These incentives are available to assist property owners and organizations in the preservation or rehabilitation of historic properties and structures.





## 5. Goals for the Preservation of Historic Properties in Silver Bow County

Silver Bow County's vision for historic preservation requires clear goals that can be carried out by actions and programs. Discussions during CHPP Ad Hoc Committee meetings, interviews with committee members and others, and a synthesis presented during the planning process identified six goals for an effective preservation program:

- General Goals and Policies
- Administration Goals
- Inventory Goals
- Management Goals
- Incentives and Benefits Goals
- Education and Advocacy Goals

This section describes the goals and policies for the five components; the final section of this document presents recommended actions for each.

### General Goals and Policies

#### *1. Coordinate preservation efforts with other programs designed to support local businesses.*

Develop and promote preservation assistance tools, information about financial incentives, job development programs, and heritage tourism activities to help strengthen local businesses located in historic properties and within historic districts. Such tools can positively affect other businesses throughout the area. As an initial step, goals should include the establishment of an annual *Business Partners in Historic Preservation Forum*.

#### *2. Support the creation of a strong heritage tourism program for Silver-Bow County.*

Heritage tourism is a strong economic development tool. It generates jobs in service sectors and construction trades. Butte-Silver Bow currently has not such program at either the city-county government level or within private and non-profit organizations. The preservation program should include the development of an

inventory of resources, services, and experiences to be marketed, and the preparation of interpretive materials that enrich the visitor's experience of historic places. A strong and sustainable marketing component and consistent branding and messaging should be part of these efforts. Programs should also focus on the development of a wayfinding system and installation of consistent signing to direct visitors through Butte and its heritage attractions and remind local residents of the locations of historic properties.

#### *3. Develop tasks to integrate historic preservation principles with other community goals, policies, and programs.*

By building a community-wide preservation partnership, the Historic Preservation Commission, Silver Bow County (particularly units of local government related to economic development such as the local Urban Revitalization Agency district, and a future not-for-profit organization) can work with other community organizations to promote good historic preservation practices. Other allied groups might include affordable housing programs, the Butte Historical Society, the Butte Main Street Program, Montana Tech, and others.

### Administration Goals

Some of the goals, policies, and actions identified by the CHPP Ad Hoc Committee relate to the administration of historic preservation programs and projects within Silver Bow County. Some of the administrative activities mirror those identified in the Certified Local Government guidelines developed by the National Park Service and the SHPO, as well as the related historic preservation ordinances and policies of Silver Bow County.

1. Create a viable partnership between the City-County of Butte-Silver Bow, the Historic Preservation Commission, interested community

- organizations, members of the public, and a not-for-profit historic preservation organization to be established to administer unified historic preservation messages and programs.
2. Recommend the adoption of the recent draft historic preservation ordinance for Silver Bow County.
  3. Provide resources for City-County Code enforcement to support historic preservation goals and programs. The key codes and ordinances include the Historic Preservation Ordinance, building codes, and plans that support community enrichment and development.
  4. Direct the Silver Bow County Building Department to promote and utilize the International Building Codes for Existing Structures.
  5. Assure that clear and strong reference to the CHPP and related historic preservation issues are included in all pertinent Silver Bow County policies, programs, and the bylaws of public boards and commissions that affect historic preservation issues. This includes such planning documents as the current plans for the Growth Policy, Affordable Housing, Design Review, and others.
  6. Integrate historic preservation awareness into all levels of city-county government operations.

### **Inventory Goals**

In order to pursue the implementation of this CHPP, it will be important to gather new and updated information regarding the cultural resources and historic properties within the county. Much of the information that exists for the area's historic properties was compiled 15 to 35 years ago. Although some condition assessments and vacancy status information are current, the information does not exist in a single database or in a readily retrievable format. Support at the state level may be necessary, and should be solicited by the city-county government, in order to fully realize inventory goals. Important inventory goals include the following:

1. Conduct a revised or updated inventory of the Butte-Anaconda National Historic Landmark

- District and other National Register properties throughout the county.
2. Construct a publicly accessible database to assure easy data retrieval and update.
  3. Prioritize the updated inventory to focus limited funds and human resources in the most efficient manner. Focus should begin with an inventory of contributing priorities within the District, followed by other National Register properties in Silver Bow County. Inventories of newly defined areas should be addressed as needs, threats, and funding sources are defined.
  4. Develop standardized guidelines for the inventory, documentation, and preservation of historic advertisements and other signs on building exteriors ("Ghost Signs") in Butte. The city-county government and the Historic Preservation Commission should begin by having a professionally prepared inventory of all ghost signs with information about location, condition, and maintenance prescriptions. Ghost-sign inventory and treatment programs developed by other cities such as Fort Collins, Colorado, and Spokane, Washington, can be used as a guide.

### **Management Goals**

Management goals and policies that relate specifically to resource management and preservation projects:

1. Create a program to direct the implementation process and scope of activities for historic preservation projects in Silver Bow County. Such a program includes definitions and details of the various components of historic property management:
  - Physical evaluations of historic structures
  - Economic feasibility studies for use and rehabilitation of historic structures
  - Marketing plans for potential developers
  - Design review for restoration, rehabilitation, and alterations
  - Design review and standards for in-fill construction within historic districts
  - Façade preservation, maintenance standards, and easements

- Temporary “mothball” standards for historic structures
  - Demolition of historic structures only as a last resort
2. Define and prioritize areas or neighborhoods to target for historic preservation pilot projects. This should involve planning and implementation of a Local Historic Register District to address design review zoning standards.
  3. Formalize support and integrate recommendations for historic preservation issues within the framework of Butte’s new Urban Revitalization Agency.
  4. Formalize support for the Gateway Corridor Program in Butte, beginning with entry corridors along Montana Street from I-90 and along Harrison Avenue. Emphasize clear and consistent signage and messages. Work with other organizations in Butte (Montana Tech, World Museum of Mining, etc.) to adopt similar standards for signage and messages.
  5. Formalize support and integrate recommendations for historic preservation issues within the framework of existing affordable housing programs in Butte. To this end, the Silver Bow County administration, the Historic Preservation Committee, and non-profit organizations should pursue U.S. Department of Commerce Neighborhood Stabilization Program funding to support projects with strong historic preservation components.
  6. Create a model program for teaching historic preservation fundamentals in existing design, technology, and trades in Silver Bow County in coordination with Montana Tech and Highlands College.
  7. Formalize support for the creation of a Heritage Tourism Organization for Silver Bow County. A single pilot project should be identified along with participating organizations to initiate this support and direction. For example, a project could be designed to develop and publicize historic property walking tours centered on key historic themes and neighborhoods.
  8. Support a formal National Park Service feasibility study for the potential establishment of a Butte Heritage Area National Park Service unit.

### Incentives and Benefits Goals

More important than regulations, ordinances, and codes, financial incentives and community benefits can play a vital role in historic preservation and sustainable community economic development. Goals and policies for identifying, formalizing, and enhancing financial incentives include:

1. Provide recommendations for and directions to fund and implement a comprehensive historic structures marketing plan for the Butte-Anaconda National Historic Landmark District.
2. Plan and produce a detailed summary of existing financial tools for historic preservation in Silver Bow County.
3. Create a “one-stop source” where residents, developers, and property owners can find support from organizations and programs that finance, provide grants for, and supply technical expertise on historic preservation.

### Education and Advocacy Goals

To date, public outreach and education in Silver Bow County has focused mainly on informing residents and visitors about local history and historic sites. These efforts have included museum exhibits, interpretive signs, books, tours, and public education workshops. There are also research opportunities at the Butte Public Archives and programs carried out by organizations such as the Butte Historical Society, Butte Citizens for Preservation and Revitalization, and the Mai-Wah Society.

There are great opportunities in Butte for partnership development that will foster effective education and advocacy programs. The Silver Bow County Historic Preservation Team, made up of county staff, the Historic Preservation Committee, and a yet-to-be defined non-profit historic preservation group, will serve as the partnership for these efforts. A critical element of all educational and advocacy programs related to historic preservation will be to provide for a unified and consistent interpretive message.

The Butte-Silver Bow CHPP process has identified goals linked to the existing Heritage Tourism Plan that include strong educational components:

- Formalize support for the Copperway Gateway Corridor program in Butte.
- Establish a local historic preservation award program and annual preservation event to celebrate the best projects carried out in Silver Bow County during the previous year.
- Create and maintain an official Butte History website to highlight ongoing preservation programs and projects.

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## 6. Action Preservation Plan and Implementation

This section of the CHPP describes specific actions for implementation of the plan. These are the result of consensus decisions made by the CHPP Ad Hoc Committee and follow the outline of goals presented in Section 5.

The initial actions described here are only the first steps. As specific tasks are completed, monitored, and evaluated, new projects and tasks will be identified. The CHPP will need to be revised to reflect changes that result from new inventories, reassessments of the conditions of known properties, revised planning priorities, and the development of existing and new funding opportunities. This makes for a strong and dynamic CHPP.

As the designated Certified Local Government for historic preservation, the county, along with the Historic Preservation Commission, has the responsibility to implement, evaluate, and report on the continued status of the CHPP. This section outlines the methods for meeting these responsibilities.

### Actions, Priorities, and Scheduling

The list shown below includes several action items, the primary goals they are designed to meet, and proposed schedules for their completion. Some of these actions will be implemented separately; others are linked by the scheduling sequence. This list of action items is presented here in summary organized by category or goal topics. A matrix presenting the sequential relationship and priority order between tasks is presented in Appendix F. In some cases, implementation and completion dates are tentative at this early stage of planning.

The Butte-Silver Bow CHPP will be implemented in partnership between the city-county government, Historic Preservation Commission, and a to-be-established not-for-profit Independent Historic Preservation Organization. This partnership, or implementation team, will pursue the first task to further refine these action items for implementation.

### *Administrative Goal*

**Action Number: A-1**

**Action Item: Improve Compliance with all Federal, State, and Local Regulations and Ordinances.<sup>1</sup>**

**Description:** Ensure by written policy that:

1. Silver Bow County requires compliance with all federal, state and local laws, regulations, ordinances, and guidelines for historic preservation
2. All local government departments, boards, and committees consider historic preservation and work directly with the Historic Preservation Commission to establish effective procedures for compliance;
3. Advocates for historic preservation are appointed to all local government boards, committees, and commissions whose actions could potentially affect historic resources;
4. All publically-funded or sponsored undertakings are subject to the provisions of the Historic Preservation Ordinance;
5. The appointments to the Historic Preservation Commission and its activities meet the requirement of the *Montana Certified Local Government Manual* and National Park Service regulations applicable to those programs;
6. Public input on all historic preservation matters, including both written and oral comments, is actively sought and strongly encouraged;

<sup>1</sup> BSB Foundation Document for the CHPP Development Process, March, 2013.

7. Projects which local governments proposes, funds, and/or approves to fully adopt all applicable local, state or federal requirements for historic preservation and follow established, best professional practices in historic preservation; and
8. Historic resources inventories and assessments continue in areas of the county with potential historic properties.

**Responsible Organization/Partnership:** Butte-Silver Bow City-County Administration

**Implementation Schedule:** Begin within one month of completion of the CHPP.

**Product:** Written policy requiring full compliance with all Federal, State, and Local laws, regulations, and guidelines by all branches and departments of local government.

**Action Number: A-2**

**Action Item: Establish the Governing Authority for the ARCO Redevelopment Trust Account**

**Description:** Establish the Governing Authority to administer and oversee Butte-Silver Bow's performance of this Agreement and to guide the planning and use of the funds in the Redevelopment Trust Account. The board will be patterned after the Butte Natural Resources Damages Council (BNRC) as an independent citizen board.

**Responsible Organization/Partnership:** Butte-Silver Bow City-County Administration

**Implementation Schedule:** Begin within two months of adoption of the CHPP and complete within two months of start date.

**Product:** Butte-Silver Bow Council of Commissioners to establish board and procedures to distribute funds under the ARCO Redevelopment Trust Account.

**Action Number: A-3**

**Action Item: Establish an Independent Historic Preservation Organization (IHPO) to Implement Portions of the Butte-Silver Bow CHPP**

**Description:** The County and the Historic Preservation Commission will formally support and encourage establishment of an independent historic preservation organization<sup>2</sup>. The IHPO will secure grants, develop community support and coordination, assist with planning and implementation of projects, develop program priorities, implement and evaluate the CHPP, and carry out public education programs. The IHPO will be a critical part of the future of historic preservation in Butte-Silver Bow. It will have the authority to acquire, hold, and transfer properties under any planned historic preservation program. Figure 6.1 presents a schematic diagram of the relationships of the major partners.

**Responsible Organization/Partnership:** Butte-Silver Bow City-County administration

**Implementation Schedule:** Begin within three months of adoption of the CHPP and complete the initial filing process within six months of start date.

**Product:** Creation of an IHPO.

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<sup>2</sup> Organization established as a 501(c)3 under IRS Code.

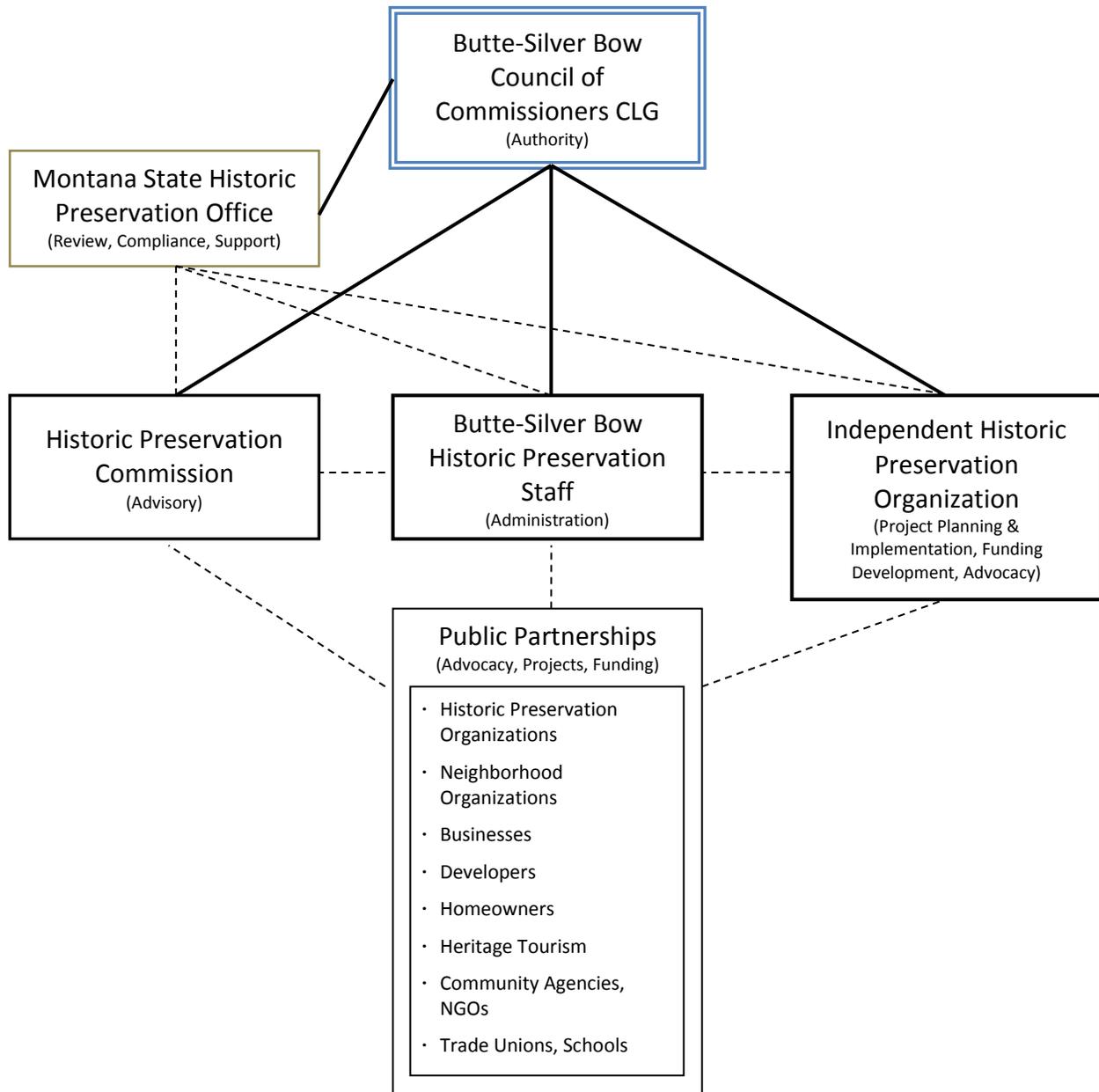


Figure 6.1. Organizational chart showing partnership team to administer and implement the Butte-Silver Bow CHPP. Solid lines denote direct lines of interaction and authority established by CLG, Historic Preservation Ordinance, or by partnerships. Dashed lines denote lines of partnership, coordination, and consultation.

**Action Number: A-4**

**Action Item: Adopt the Draft Butte-Silver Bow Historic Preservation Ordinance**

**Description:** Adopt the new Historic Preservation Ordinance approved by the Ad Hoc Committee and the SHPO in 2012, with the single addition of provisions for the inventory and protection of Ghost Signs.

**Responsible Organization/Partnership:** Butte-Silver Bow Council of Commissioners and Chief Executive

**Implementation Schedule:** Begin within two months of adoption of the CHPP and complete within four months of start date.

**Product:** Adoption of Historic Preservation Ordinance by Butte-Silver Bow Council of Commissioners.

**Action Number: A-5**

**Action Item: Enforce City-County Codes**

**Description:** Direct the county to formally establish and maintain an effective code-enforcement program, including codes that support historic preservation projects and programs.

**Responsible Organization/Partnership:** Butte-Silver Bow Council of Commissioners and Administration, Planning Department, and County Attorney with support from Historic Preservation Commission, the Zoning and Planning Boards, Building Board of Appeals and other historic preservation organizations

**Schedule:** Begin within three months of adoption of the CHPP and complete within six months of start date.

**Product:** Written policies from the County Administration and resources necessary to establish and maintain effective code enforcement that supports historic preservation projects and programs.

Succinct summary information will be compiled by Historic Preservation Commission and Butte-Silver Bow staff and made available to the public.

**Action Number: A-6**

**Action Item: Adopt International Existing Building Code**

**Description:** Adopt current version of the International Existing Building Code when evaluating historic buildings and structures for restoration or rehabilitation and when planning and permitting historic preservation projects.

**Responsible Organization/Partnership:** Butte-Silver Bow Council of Commissioners and Administration, Building & Code Enforcement Office, Planning Department, the Zoning and Planning Boards, Building Board of Appeals, and other departments as necessary

**Schedule:** Begin within three months of adoption of the CHPP and complete within two months of start date.

**Product:** Adoption of IEBC by Butte-Silver Bow.

**Action Number: A-7**

**Action Item: Establish Clear Binding Reference to CHPP in all Pertinent County Policies and Programs**

**Description:** All county administered programs will work more closely and effectively with historic preservation goals and efforts. Assist with the updating of existing county policies and plans to include strong support for historic preservation and the CHPP including: the Butte-Silver Bow Growth Policy, Affordable Housing Plans, Urban Revitalization Plan, Heritage Tourism Plan, design and demolitions review, and other programs.

**Responsible Organization/Partnership:**  
Butte-Silver Bow City-County Administration  
(Human Resources Department, Council of  
Commissioners, Chief Executive)

**Implementation Schedule:** Begin within six  
months of creation of the IHPO and  
complete within three months of start date.

**Product:** Written statements to respective  
Silver Bow County departments, agencies,  
and organizations to adopt historic  
preservation language and priorities from  
the CHPP into individual plans and policies.

#### **Action Number: A-8**

##### **Action Item: Conduct Annual Reviews of the CHPP Implementation**

**Description:** Conduct and document an  
annual review of the progress to implement  
the CHPP, as part of the Certified Local  
Government yearly grant application  
process. The review will be accomplished in  
consultation with the Historic Preservation  
Commission, Montana SHPO, and  
interested members of the public.  
Documentation will record status of actions  
undertaken along with directions for future  
actions. The annual review of progress will  
follow with the preparation of a revised  
CHPP every five years.

**Responsible Organization/Partnership:**  
Butte-Silver Bow administration (Historic  
Preservation Office, Planning Department,  
Chief Executive, Council of Commissioners)

**Implementation Schedule:** Within 12  
months of adoption of the CHPP, and every  
year thereafter. Prepare revised CHPP 5  
years from adoption.

**Product:** Document: Annual Review of  
CHPP.

#### ***Inventory Goal***

##### **Action Number: B-1**

##### **Action Item: Conduct Updated Inventory of the Butte-Anaconda National Historic Landmark District and other National Register Properties**

**Description:** Engage a professional historic  
preservation consultant or staff, who meets  
the Secretary of the Interior's Professional  
Qualifications Standards, to conduct a status  
inventory of all historic properties within the  
National Historic Landmark District and  
individually listed National Register  
properties in Silver Bow County. The  
inventory will document and update  
information from 1961 and 2006 inventories.  
At a minimum, these questions will be  
addressed:

1. Do the historic property and buildings still exist?
2. What is the current ownership and use of the property?
3. Is the property currently occupied, vacant, or abandoned?
4. What is the documented historic significance and integrity of the property?
5. What is the general condition of the property?
6. What potential threats exist for the property?
7. What recommendations are presented for the property?

This inventory will be revised regularly and should incorporate data from the most recent vacant property inventory. The inventory will be maintained as a centralized database accessible to the public. It will be carried out under contract with the newly established Independent Historic Preservation Organization. Funding for this inventory is proposed to be from the ARCO

Redevelopment Trust Account, supplemented as necessary by other sources. This will assure the preparation and maintenance of a professionally compiled inventory system.

**Responsible Organization/Partnership:** IHPO, through an independent professional consultant, for Butte-Silver Bow City-County Administration

**Implementation Schedule:** Begin within nine months of forming the IHPO, and complete within 12 months of the start date.

**Product:** Historic property status inventory report and public database.

**Action Number: B-2**

**Action Item: Develop and Implement Plan to Continue Inventory and Evaluations of Historic Properties in Silver Bow County**

**Description:** Engage a professional consultant or staff, who meets the Secretary of the Interior's Professional Qualifications Standards for historic preservation to develop a plan for continuing inventory of historic properties in the city-county. Such a plan is required under federal regulations and in the *Certified Local Governments Manual*. The plan will develop systematic context statements and National Register of Historic Places (NRHP) registration requirements for historic properties under the four eligibility criteria. The plan will also establish methods for identification and NRHP eligibility evaluations for potential historic properties. The plan will be used to implement a systematic program of inventory, evaluations, and assessment actions for historic properties. The inventory plan will be applied in cases of proposed demolitions or other actions that could affect historic properties.

**Responsible Organization/Partnership:** IHPO, with a qualified professional consultant, for the Butte-Silver Bow City-County Administration

**Implementation Schedule:** Begin within seven months of forming the IHPO, and complete within 12 months of the start date.

**Product:** Continuing Historic Property Inventory

**Action Number: B-3**

**Action Item: Develop Standardized Guidelines for Inventory, Documentation, and Preservation of Ghost Signs**

**Description:** Engage a professional historic preservation consultant team, including specialists in art conservation, historic research, architectural conservation, and legal easements, to develop specific guidelines for inventory, documentation, and preservation steps for Butte Ghost Signs. The project will culminate in the inventory of ghost signs.

**Responsible Organization/Partnership:** IHPO and Historic Preservation Commission

**Implementation Schedule:** Begin within eight months of forming the IHPO, and complete within 12 months of the start date.

**Product:** Historic Ghost Sign Inventory with primary data and recommended preservation treatment steps for each sign.

**Management Goal**

**Action Number: C-1**

**Action Item: Create a Program for Action: Butte-Silver Bow Historic Preservation**

**Description:** Develop a comprehensive program for the full-range of historic preservation options:

1. Historic structures evaluation for treatment plans including interim "mothballing".

2. Historic preservation economic feasibility studies.
3. Marketing for restoration/rehabilitation (including a professionally prepared comprehensive marketing plan for a developers' investment information packet).
4. Design review, following the Secretary of the Interior's Standards.
5. Infill standards for compatibility between historic and non-historic properties, following the Secretary of the Interior's Standards.
6. Façade easements and maintenance standards.
7. Standards for temporary mothballing of historic buildings.
8. Demolition reviews, including alternatives to demolition and implementation of mitigation plans if demolitions are unavoidable.
9. Public outreach and products to provide information about historic properties and the importance of historic preservation to economically vibrant communities.

Planning for historic building evaluations, inspections, and "mothballing" should use the reports developed by Rypekema (2007) and, specifically for Butte-area buildings, the inspection report outlined by James Kujawa (n.d., Appendix D). The plan should include scoping, procedures, and practices that integrate with the revised Butte-Silver Bow Historic Preservation Ordinance. The plan will follow the guidelines presented in the SOI Standards and the Montana SHPO guidelines.

**Responsible Organization/Partnership:**

IHPO, with a qualified professional consultant, for the Butte-Silver Bow City-County Administration

**Implementation Scheduling:** Begin within three months of forming the IHPO and complete within six months of the start date.

**Product:** Document: *Butte-Silver Bow Historic Preservation Program for Action*.

**Action Number: C-2**

**Action Item: Define and Prioritize Areas for Initial Historic Preservation Projects**

**Description:** Define and prioritize selected areas within the National Historic Landmark District for historic preservation efforts and funding. Identify partnership projects with Highland College Building Trades Program, Citizens for Preservation and Revitalization, Butte Historical Society, and other organizations.

Use a "cornerstone" approach within blocks or neighborhoods to tie projects to existing preserved properties. The identification of specific buildings as cornerstones can anchor historic preservation projects within blocks and neighborhoods by providing links between buildings with high levels of significance and limited rehabilitation needs to buildings that require more vision and effort. By highlighting such special historic resources a range of preservation treatments can be planned for adjacent buildings.

Define projects that will expand economic growth through historic preservation. Develop the priority list with information from undated resource inventories and discussions with other organizations and program representatives.

Develop strategies for selected neighborhoods and areas within the District where targeted historic preservation projects can occur. These should include multi-block restoration projects that emphasize marketing to developers and partnerships with development agencies, Montana Tech, and historic preservation organizations. Projects will include opportunities to leverage funding for existing restoration projects and restoration of ghost signs.

**Responsible Organization/Partnership:**

The IHPO in consultation with the Historic Preservation Commission and various stakeholders, including business owners, neighborhood groups, and historic preservation organizations

**Implementation Schedule:** Begin within nine months of forming the IHPO, and complete within 12 months of start date.

**Product:** A priority list for securing funding and defining location(s) for project implementation.

**Action Number: C-3**

**Action Item: Integrate Standards for Historic Preservation within Framework of New Urban Revitalization Agency**

**Description:** Formally define historic preservation issues and goals to be incorporated in the new Urban Revitalization Agency district and related project planning. Establish formal partnerships for historic preservation and cultural property review of URA projects by the Historic Preservation Commission.

**Responsible Organization/Partnership:** The IHPO and/or Butte-Silver Bow City-County and Historic Preservation Commission in consultation with the Urban Revitalization Agency (Butte-Silver Bow Community Development Department).

**Implementation Schedule:** Begin within four months of forming the IHPO, and complete within six months of start date.

**Product:** A partnership with the Urban Revitalization program and historic preservation guidelines.

**Action Number: C-4**

**Action Item: Formalize Support for the Copperway Gateway Corridor Program in Butte**

**Description:** Define and support active partnerships among the Historic Preservation Commission, IHPO, Butte-Silver Bow Planning Department staff, Butte Heritage Tourism Association, Tourism Business Investment District (TBID), and County Parks and Recreation Department, Chamber of Commerce, and other departments and organizations. Partnerships will promote community enhancement efforts, wayfinding, interpretive trails, and other programs.

Encourage coordination between historic preservation and cultural heritage tourism. Support the establishment of Montana Street as a Gateway Corridor as defined in the 2012 Heritage Tourism Study recommendations.

Support the recommendation to “engage drive-through travelers as visitors by improving the visitor center’s layout, offerings, and docent scripts.” Support the development and refinement of visitor messaging to effectively link travelers to local experiences.

1. Develop historic interpretive material for selected neighborhoods or areas within the National Historic District.
2. Develop implementation strategies for new Gateway Corridor programs under the Copperway Plan, with marketing information and informational/directional signs leading to and around the District.

**Responsible Organization/Partnership:** Heritage Tourism Association in consultation with IHPO, Butte-Silver Bow Historic Preservation, Community Development, Public Works, and Parks and Recreation staff, Chamber of Commerce, Tourism Business Investment District, and the Convention and Visitors Bureau, with support from Butte-Silver Bow administration

**Implementation Schedule:** Begin within six months of forming the Heritage Tourism

Association and the IHPO, and complete within 12 months of start date.

**Product:** Involvement with partnership groups to develop plans, gateway standards and messages, and products.

**Action Number: C-5**

**Action Item: Create Model Program: Integration of Historic Preservation in Design, Technology and Trades**

**Description:** Identify historic buildings that are candidates for affordable housing or community organization rehabilitation projects. Projects will include temporary stabilization and “mothballing” of historic buildings until uses, rehabilitation plans, and developers can be identified.

Build partnerships between local organizations to plan and implement model historic preservation projects. Foster the creation of a model partnership program between the IHPO, Historic Preservation Commission, county administration, Montana Tech, Highlands College Building and Trades Program, local trade organizations, contractors, homeowners, affordable housing organizations, historic preservation organizations, community volunteers, and other organizations. The partnership will plan and carry out various historic preservation, restoration, and rehabilitation projects, and to preserve historic structures for sustainable use.

The program will also establish a core group of professional experts to provide technical support to private owners for building evaluations, temporary repairs, restoration, rehabilitation, mothballing, and other preservation tasks. All rehabilitation will follow guidelines of the Montana SHPO and the Secretary of the Interior’s Standards.

**Responsible Organization/Partnership:** IHPO, Historic Preservation Commission, Highlands College Buildings and Trades Program, Montana Tech, and other stakeholders.

**Implementation Schedule:** Begin within 12 months of forming the IHPO, and complete within 12 months of the start date.

**Product:** Partnerships, program plans, and list of initial rehabilitation projects to be pursued.

**Action Number: C-6**

**Action Item: Formalize Support for the Creation of the Butte Heritage Tourism Association**

**Description:** Recommend and support the Butte-Silver Bow government’s efforts to formalize the creation of an independent 501(c)3 organization (separate from the IHPO) to pursue the planning and implementation of Heritage Tourism projects and programs. The Heritage Tourism Association should include owner-operators of historic attractions, heritage tour providers, non-profit preservation groups, and businesses that benefit from heritage tourism.

The goal of the cooperative effort is to provide quality heritage tourism opportunities while publicizing the importance of historic preservation to the economic sustainability of Silver Bow County. The organization should prioritize and implement the goals listed in the 2012 Butte Tourism Study. Recommendation should stress the importance of establishing a focus on local heritage tourism and maintaining coordination with the CHPP and historic preservation issues. Key issues to be addressed include the creation of additional destination opportunities, public interpretation of historic and historic architectural properties, and the use of vacant store fronts for interpretive exhibits and the distribution of educational information. The option to reorganize the current Tourism Business Investment District into such an organization should be thoroughly explored prior to the creation of any new entity.

**Responsible Organization/Partnership:**

Butte-Silver Bow administration (Chief Executive, Council of Commissioners, Community Development Department)

**Implementation Schedule:** Begin within nine 9 months of the adoption of the CHPP, and complete within 3 months of start date.

**Product:** Recommendation statement to present to the Butte-Silver Bow Council of Commissioners for the creation of the Heritage Tourism Association.

**Action Number: C-7**

**Action Item: Support a Formal National Park Service Feasibility Study for Establishment of a Park Service Butte Heritage Area**

**Description:** Support the current proposal to have the National Park Service conduct a Special Resource Study for the creation of a National Park designated management unit in Butte. This would include a “World Metalliferous Mining Heritage Interpretive Center” and a “Treasures of Southwest Montana National Heritage Area.”

Although this action was completed by the CHPP Ad Hoc Committee during its planning process, it is included here to document formal support for the proposal<sup>3</sup>. Any further actions will be included under a Butte Area Heritage Tourism program as identified in Action C-7.

**Responsible Organization/Partnership:** Butte-Silver Bow Council of Commissioners and administration staff, Historic Preservation Commission

**Implementation Schedule:** Action completed.

**Product:** Formal request from the Ad Hoc Committee asking that a letter of support be presented to the Butte-Silver Bow County Council of Commissioners.

*Incentives and Benefits Goal*

**Action Number: D-1**

**Action Item: Provide Recommendation and Direction to Fund and Implement a Comprehensive Historic Structures Marketing Plan for the Butte-Anaconda National Historic Landmark**

**Description:** Develop a professionally produced marketing plan for historic preservation projects for buildings, structures, and related projects. Such a plan will be a key element of economic development in Butte. It will illustrate vital links to the Historic Preservation Program (C-1), the Butte-Silver Bow Historic Preservation Ordinance, and developing economic feasibility plans, assessments, and evaluations for historic buildings.

**Responsible Organization/Partnership:** IHPO, in consultation with marketing and financial professions.

**Implementation Schedule:** Begin within 12 months of creation of the IHPO, and complete within 12 months of start date.

**Product:** Historic Structures Marketing Plan

<sup>3</sup> The CHPP Ad Hoc Committee supported the proposal from the Greeley Neighborhood Community Coalition to the Butte-Silver Bow Council of Commissioners to formally request the Montana Congressional Delegation to direct the NPS to pursue the feasibility study.

**Action Number: D-2**

**Action Item: Produce Detailed List of Financial Tools for Historic Preservation in Silver Bow County**

**Description:** Research, compile, and publish a list of current financial incentives and funding options for historic preservation projects in Silver Bow County. The list will play an important role in promoting economic revitalization. It will be updated periodically and made available to prospective developers, property owners, and organizations.

**Responsible Organization/Partnership:** IHPO

**Implementation Schedule:** Begin within 1 month of adopting the CHPP, and complete within 2 months of start date.

**Product:** Published list

### Funding and Implementation

The proposed action items presented in this section include several that can be carried out by Butte-Silver Bow City-County departments and elected officials, including but not limited to the Historic Preservation Commission, Historic Preservation Office, Planning Department, Community Development Department, Public Works Department, Parks and Recreation Department, Chief Executive, Council of Commissioners and/or the proposed IHPO.

A primary source of funding to implement projects under the CHPP should be that designated for historic preservation projects under the ARCO Redevelopment Trust Account. Other funding for leveraging with the ARCO funds and/or special projects can be realized by grants and other sources. To enable the use of the ARCO Trust Account for historic preservation projects, the CHPP Ad Hoc Committee defined a recommendation to encourage Silver Bow County to establish a board to create procedures and oversee the distribution of the account (Action Item A-2). Additionally, the city-county and/or IHPO should make every effort to solicit support, financial or otherwise, from Montana State government. Such support should be sought in recognition of Butte's key role in Montana history and the

limitations that prevent city-county government and/or the IHPO from implementing all action items necessary for effective historic preservation.

### Monitoring and Evaluation of the CHPP

As stated earlier in this report, the CHPP is intended to be a dynamic program that can meet the changing condition of cultural properties, the evolving priorities and funding sources, and the changing program directions. The CHPP will serve as a detailed template for implementing the various elements and projects that make up a successful historic preservation program. As a dynamic program, it is crucial that the CHPP, and each project implemented through it, be actively monitored and evaluated for effectiveness.

Monitoring and evaluation of the success of implementing the CHPP is set out as a goal in Action Item A-8. This can be accomplished as part of the annual review to include specific details on the progress of historic preservation projects and CHPP implementation. This review of the status of CHPP implementation is a part of the annual grant application to the SHPO for the CLG program funds.



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Appendix A

Butte-Silver Bow  
Comprehensive Historic Preservation Plan  
Foundation Document

Butte-Silver Bow Comprehensive Historic Preservation Plan  
Ad-Hoc Committee Process and Schedule  
(March 6, 2013)

**EXECUTIVE SUMMARY**

This draft proposal outlines the framework, process and schedule for establishing an ad-hoc committee to work collaboratively to create a Comprehensive Historic Preservation Plan (CHPP) for Butte-Silver Bow, a requirement of maintaining our Certified Local Government (CLG) status with the National Park Service (NPS) and State Historical Preservation Office (SHPO) as a National Historic District. While development of the CHPP is a primary focus, the need for this draft proposal was prioritized/expedited in large part by a need to properly plan and coordinate two sources of funding, passed by the BSB Council of Commissioners in the current FY12-13 budgetary cycle: Historic Building Stabilization Fund (\$200,000) and Vacant Building Inventory Fund (\$75,000).

This process and the resultant CHPP will greatly improve assurances that these significant public funds – as well as all future funds, both public and private – be spent efficiently and strategically. The major expected outcome(s) of implementing the components of this proposal (in addition to those previously stated herein) are:

- Establishment of a process and prioritization of Butte-Silver Bow’s vast number of inventoried, historic “registered” properties (~4,000 public and private commercial buildings, historic structures-associated properties ~~structures~~ and residences-neighborhoods /properties).
- Development of an inventory/inventory database system for identifying and tracking vacant buildings (public and private/historic and non-historic) in Butte-Silver Bow.
- Establishment of better awareness/education and communication, coordination and cooperation between and among Butte-Silver Bow’s multiple stakeholders relative to Historic Preservation and Community/Economic Development and Enrichment.
- Improve compliance with federal, state and local requirements and/or ordinances, as well as certainty and support for development interests in Butte-Silver Bow, particularly as it relates to our historic district and its properties.

**FRAMEWORK**

For a number of reasons and issues, there remains a divisive relationship in Butte-Silver Bow as it relates to its citizens and stakeholders regarding historic preservation. The best way to improve these relationships and to insure a productive outcome of this proposal is to commit the ad-hoc committee operating procedures to the consensus-based decision making model. This model is described as follows:

### ***Consensus-Based Decision-Making***

A consensus based decision-making process is an effort in which affected parties (stakeholders) seek to reach agreement on a course of action to address an issue or set of related issues. In a consensus process, the stakeholders work together to find a mutually acceptable solution. Each consensus process is unique because the parties design their agreement to fit their circumstances. However, successful consensus processes follow several guiding principles:

*Consensus Decision-making* - Participants make decisions by agreement rather than by majority vote.

*Inclusiveness* – To the extent possible, all necessary interests are represented or, at a minimum, approve of the decision.

*Accountability* - Participants usually represent stakeholder groups or interests. They are accountable both to their constituents and to the process.

*Facilitation* - An impartial facilitator accountable to all participants manages the process, ensures the ground rules are followed, and helps to maintain a productive climate for communication and problem solving.

*Flexibility* - Participants design a process and address the issues in a manner they determine most suitable to the situation.

*Shared Control/Ground Rules* - Participants share with the facilitator responsibility for setting and maintaining the ground rules for a process and for creating outcomes.

*Commitment to Implementation* - All stakeholders commit to carrying out their agreement.

#### *Elements of a Consensus Based Decision:*

- All parties agree with the proposed decision and are willing to carry it out;
- No one will block or obstruct the decision or its implementation; and
- Everyone will support the decision and implement it.

Perhaps the most important component of this process for insuring its desired outcome(s) is the Facilitation piece. An impartial facilitator experienced in the consensus-based framework is essential and likewise, an important role to be contracted with a portion of the funds available; the need for this contract can be discussed and/or qualifications/requirements for professionals wanting to be considered for selection.

### ***Ad-Hoc Committee***

A group of ten (10) individual citizens representing multiple stakeholders (i.e. historic preservation, private building owner, development, etc.) will be selected and appointed by the Chief Executive, with input on selection provided by the BSB Historic Preservation/Planning, Community

Development/Enrichment and the Council of Commissioners. A public call for applications will be released via the media to solicit citizen input. Commitment to both the consensus-based framework and to attend all meetings is paramount criteria in the selection of ad-hoc committee members.

In addition to the ad-hoc citizen members and facilitator, the committee will be supported at all meetings by representatives of the local government (Historic Preservation, Community Development, Planning/Superfund, Community Enrichment), as well as state (SHPO) and/or federal (NPS/DOI) agencies, according to their availability. These individuals will not take part in the consensus discussions, but will be there to monitor the process and to provide guidance/support/information upon request of the Ad-Hoc committee members./facilitator.

### **Meetings**

The meeting framework (process/schedule follows in subsequent sections) includes:

- one kickoff/orientation meeting, followed by
- two (2) working meetings per month for six (6) consecutive months (a total of 12 working meetings) and concluded with
- one conclusive meeting to draft the plan. The draft plan will be presented to the HPC and Council for approval.

As it relates to the framework of the working meetings (second bullet), the intent of this bi-monthly schedule is two-fold: 1) educational and 2) action-oriented. The first of each month's monthly meeting will be educational and specific subject-oriented. This meeting will involve a presentation (open to the public) by an expert, expert group or panel of experts on the specific subject (e.g. preservation technology, economic development of historic preservation). Because the expert(s) will be from out of town/state, it is proposed to maximize the benefit of their time and expertise. The expert(s) will give a public presentation(s) on his/her/their area of expertise on Friday evening (or other day/night arrangement); this event will be open to the public. The next day, the expert(s) will engage the ad-hoc committee in a working/information session to apply their specific expertise to Butte's historic preservation issues. The ad-hoc committee will meet a second time in the month to further apply (without the expert present) the newly acquired information/perspective to drafting a specific section(s) of the draft plan. This bi-monthly meeting framework (one expert-led educational meeting; one working meeting) will be followed for six months according to specific subjects (proposed subjects to be covered are below).

### **PROCESS**

The following is a proposed order and list of items to make up the BSB Comprehensive Historic Preservation Plan:

- Identify individuals or groups that should be included on the Ad-Hoc Committee.
- Identify possible facilitators and release a RFP/RFQ; establish preliminary budget for process
- Identify Topics and subsequent applicable Experts/Expert Groups or Panel to present at each monthly educational meeting. The following is a list of suggested topics:
  - Guidance/Requirements of Drafting and Implementing Comprehensive/Comprehensive Historic Preservation Plans
  - Effects of Infill/Renovation vs. New Sprawl Construction

- The Economic Development of Historic Preservation
- Preservation/Restoration Technology. *Commentary: We have the opportunity to serve as a preservation/restoration laboratory where new ideas, materials, and professional designs are openly embraced and utilized to create new restoration/preservation strategies, technologies and JOBS..*
- Prioritization/Categorization of Historic Resources/Districts
- Role of Government/incentives – Smart Growth, URA, Historic Building Stabilization Funds, Tax Credits, property tax abatements, Grant Funding, etc.

## **SCHEDULE**

The following is a proposed month-by-month action-oriented schedule:

*March 2013* Open call for and selection of committee members (10) from stakeholder groups (i.e. private sector building/business owners; preservation/restoration groups and community; labor/contracting; citizens at large); Development and advertisement of RFP/RFQ for Facilitator

*April 2013* Hire Facilitator  
Organize meeting schedule/hold orientation meeting  
Schedule presenters for each meeting

*May 2013* 1<sup>st</sup> set of meetings

*June 2013* 2<sup>nd</sup> set of meetings

*July 2013* 3<sup>rd</sup> set of meetings

*August 2013* 4<sup>th</sup> set of meetings

*September 2013* 5<sup>th</sup> set of meetings

*October 2013* 6<sup>th</sup> set of meetings

*November 2013* Final working meeting for ~~Draft~~ Plan completion

*December 2013* Presentation of Draft Final Plan to HPC and COC



Appendix B

Butte-Silver Bow CHPP *Ad Hoc* Committee

Janel Madrazo  
John Habeger  
Courtney McKee  
Bob Brock  
Brendan McDonough  
Justin Ringsak  
Jim Shive  
James Kujawa  
John Ries  
Tom Staples  
Robert Edwards  
Don Blacketter

Project Facilitators:

Scott L. Carpenter  
*InteResources Planning, Inc.*  
Bozeman, Montana

Jennifer Boyer  
Future West  
Bozeman, Montana

## Appendix C

### Silver Bow County Historic Preservation Ordinance

**Butte-Silver Bow Municipal Code**  
**Title 2, Chapter 2.64**  
**HISTORIC PRESERVATION COMMISSION\***

**Sections:**

- 2.64.010 Purpose and intent.
- 2.64.020 Objective.
- 2.64.030 Scope.
- 2.64.040 Definitions.
- 2.64.050 Historic preservation commission (HPC) established.
- 2.64.060 Appointment-Terms-Vacancy.
- 2.64.070 Powers and duties.
- 2.64.080 Local historic preservation officer.
- 2.64.090 Meetings.
- 2.64.100 Local register property.
- 2.64.110 Design review protection, historic preservation guidelines, and certificates of appropriateness.
- 2.64.120 Demolition permit review and demolition by neglect program.
- 2.64.130 Local preservation incentives.
- 2.64.140 Appeals.
- 2.64.150 Appropriations.
- 2.64.160 Public safety exclusion.
- 2.64.170 Enforcement and penalties.
- 2.64.180 Severability clause.

\* Prior ordinance history: Ords. 239, 267 and 396.

**2.64.010 Purpose and intent.** The city and county of Butte-Silver Bow (city-county) hereby recognizes that the national historic landmark district is nationally known and is significant for its extensive national mining, labor history and concentrated collection of buildings and sites. The sheer number of extant contributing resources and the unique industrial character of the district are extraordinary, and represent an era and a way of life tied to the industrial growth of the nation. Butte's unique qualities have proven increasingly attractive to residents, businesses and tourists because, by their national historic landmark designation, they are important to all Americans.

As a matter of public policy, the city-county aims to preserve, enhance and perpetuate those aspects of the city-county that have cultural, architectural and/or archeological merit. Such historic preservation activities will promote and protect the health, safety, prosperity, education and general welfare of the people living in and visiting Butte-Silver Bow.

More specifically, this preservation ordinance is designed to achieve the following goals.

- A. To provide for an appointed group of citizens of the city-county charged with establishing a local historic preservation program, integrating historic preservation into local, state and federal planning and decision-making processes and identifying, evaluating and protecting historic resources within the city-county's historic district;
- B. To provide for a historic rehabilitation tax abatement review committee;
- C. Recognize the uniqueness and visual character of the area by encouraging historic preservation activities;
- D. Promote public appreciation and education by encouraging greater knowledge, awareness and understanding of the area's cultural history;
- E. Promote heritage tourism as a benefit to the local economy by identifying and protecting the area's significant historical and cultural values;
- F. Encourage the integration of historic preservation into private, local, state and federal decision-making processes having the potential to affect prehistoric and historic properties within the jurisdiction of the city-county;

G. Recognize the historical importance of the city-county's resources and carry that historical importance forward into the future;

H. Recognize the cultural significance of the city-county as an area of human habitation and/or migration and the circumstances surrounding these historic and prehistoric activities;

I. Insure the harmonious, orderly, and efficient growth and development of the city-county;

J. Strengthen civic pride and cultural stability through preservation in neighborhoods and commercial areas;

K. Stabilize and enhance the economy of the city-county through the continued use, preservation and revitalization of its resources;

L. Continue the city-county's commitment to historic preservation by participating in the Certified Local Government Program, (established by Section 101(c) of the National Preservation Act, as amended, (16 USC 470 et seq.) and Montana Code Annotated 76-2-301 and 321). (Ord. 06-12 § 1, 2007)

**2.64.020 Objective.** The objective of this chapter is to establish a local historic preservation commission (HPC) to promote the preservation of historic and prehistoric sites, structures, objects, buildings and districts by addressing historic preservation issues at the local level and integrating them into local planning, and thereby into state and federal decision-making processes. The historic preservation program will include the identification, evaluation and protection of historic and prehistoric resources within the city-county, as well as providing general information and education about these resources. (Ord. 06-12 § 2, 2007)

**2.64.030 Scope.** The HPC shall serve in an advisory capacity to the council of commissioners, planning board, zoning board and other pertinent bodies or organizations. (Ord. 06-12 § 3, 2007)

**2.64.040 Definitions.** The following definitions are provided for the sole purpose of proper interpretation and administration of this chapter:

A. "Alteration or change" means any alteration, demolition, removal, major repair or construction involving a historic property and/or local register property. Alterations and changes may include, but are not limited to, covering original materials and features, replacing windows, repointing brickwork, sandblasting and removing of paint by chemical or other means,

in accordance with those guidelines to be developed pursuant to Section 2.64.110(C).

B. "Appeal" means an applicant may appeal a decision of the HPC to the council of commissioners.

C. "Applicant" means the owner of record of a historic property, the lessee thereof with the approval of the owner of record in notarized form or a person holding a "bona fide" contract to purchase a historic property and/or local register property.

D. "Butte-Silver Bow" means and includes that territory within the jurisdictional limits of the city and county of Butte-Silver Bow, Montana, excluding that area within the territorial limits of the town of Walkerville, Montana.

E. "Butte-Silver Bow local register" hereinafter referred to as the "local register," means a list of properties designated by the (HPC), based on local register criteria and procedures.

F. "Certificate of appropriateness" means a signed and dated document that shall be submitted to and approved by the HPC for proposed alteration or change by an applicant of a local register property. Certificate of appropriateness is not required for ordinary maintenance and repairs.

G. "Certified local government" hereinafter referred to as "CLG" means a local historic preservation program that has been certified by the state historic preservation office (SHPO) and National Park Service. It is the local government, and not the HPC, that is certified. 36 CFR 61.

H. "City-county" means the local government of the city and county of Butte-Silver Bow, state of Montana, and where applicable, includes its officers, employees, agencies, boards and commissions.

I. "Conditional approval" means the HPC may offer measures to owners or applicants, that, if accepted, would allow the HPC to approve a permit or certificate of appropriateness.

J. "Council of commissioners" hereinafter referred to as "council" means the governing body of the local government of the city and county of Butte-Silver Bow, state of Montana.

K. "Demolition" means the complete or partial removal of an historic property. This includes the removal of major architectural features, landscape and historic signage.

L. "Demolition by neglect" means the improper maintenance or lack of maintenance of any historic property which results in substantial deterioration of the historic property and threatens its continued preservation.

M. "Design review protection" means a procedure designed to affect the physical condition of a property by avoiding deterioration, loss, danger or damage that shall be developed and used by the HPC to evaluate alteration and changes to local register properties, and shall apply in the case of demolition or demolition by neglect to historic properties.

N. "Historic preservation" means identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, conservation and education and training regarding these activities or any combination.

O. "Historic preservation commission" means the commission created by this chapter and appointed by the chief executive and confirmed by the council, and that is responsible for creating and administering an historic preservation program for Butte-Silver Bow County.

P. "Historic property" means any prehistoric or historic district, site, landscape, building, structure, object or traditional cultural property included in, or eligible for, inclusion in the national register, including artifacts, records and material remains related to such a property or resource. Properties listed as contributing in a national historic landmark district are automatically listed in the National Register of Historic Places.

Q. "Historic rehabilitation tax abatement review committee" means the HPC created by this chapter which is responsible for hearing local tax abatement application requests for local register properties, and new construction within the historic district, and reporting its findings to the council.

R. "Integrity" means the ability of a property to convey its significance via its location, design, setting, materials, workmanship, feeling and association.

S. "Jurisdiction" means, solely for this chapter, that the jurisdiction of the HPC is identical to those of Butte-Silver Bow County.

T. "Local historic preservation officer" hereinafter referred to as "HPO" or "Preservation Advisor," means the official appointed by the local government who shall serve as the secretary to the historic preservation commission under the supervision of the chief executive.

U. "Local register property" means an historic property that has been designated to the local register by the HPC and are subject to the design review protection. Properties are listed with the consent of the owner. By consenting to have their property listed the owner(s) agree to maintain the property in a manner consistent with its original design and construction.

V. "Local register" means a special designation which shall apply to historic properties within the city-county where the owners of said properties have consented to design review requirements in order to protect the historical significance of said existing structures by prohibiting alterations to the historic property that may have a deleterious effect on the integrity of the historic property. These deleterious effects may include remodeling, moving, removal and demolition of said structures.

W. "National historic landmark district" means those properties within the city and county of Butte-Silver Bow which have been officially recognized by the Secretary of the United States Department of the Interior as nationally significant by contributing to the understanding of national, state and local history.

X. "Ordinary maintenance and repairs" means work to prevent deterioration of historic property and/or local register property or any part thereof by returning the property as nearly as practical to its condition prior to such deterioration, decay or damage, and by using, where possible, original materials. The HPC shall determine what work constitutes ordinary maintenance and repairs and publish it in the historic preservation guidelines.

Y. "Significance" means a property is important for historic, architectural, archeological, engineering or cultural values.

Z. "State historic preservation office," hereinafter referred to as "SHPO," means the Montana State Historic Preservation Office, a department of the Montana Historical Society.

AA. "Unreasonable economic hardship" means the inability of an owner to obtain a reasonable return on a reasonable beneficial use from a historic property as required by the United States Supreme Court in Penn Central

Transportation Company vs. New York City, 438 US 104 (1978) and subsequent decisions. (Ord. 06-12 § 4, 2007)

**2.64.050 Historic preservation commission (HPC) established.** In order to carry out the purpose of this chapter, an HPC is created. This HPC shall consist of seven residents of the city and county of Butte-Silver Bow and, inasmuch as possible, shall consist of the following mix:

A. Three members with professional expertise in the disciplines of history, planning, archaeology, architecture, architectural history, historic archaeology or other historic preservation related disciplines such as cultural geography or cultural anthropology to the extent that such professional expertise is available in the community.

B. Four members, among whom may include a local owner of property within the national historic landmark district and a realtor licensed in the state of Montana. (Ord. 06-12 § 5, 2007)

**2.64.060 Appointment-Terms-Vacancy.** A. Terms of office for the HPC members shall be staggered and shall be three years in duration. For the initial term, upon enactment of this chapter, two members shall be appointed for one year, three members shall be appointed for two years and two members shall be appointed for three years. The number of consecutive terms served by any one member will not be limited.

B. Vacancies on the HPC shall be filed within sixty days by appointment by the chief executive and are subject to the confirmation of the council for the unexpired portion of the term. (Ord. 06-12 § 6, 2007)

**2.64.070 Powers and duties.** The HPC shall:

A. Maintain and update a system for the survey and inventory of historic and prehistoric properties. The HPC shall conduct or cause to be conducted a continuing study and survey of historic resources within the city-county. The HPC will study and review individual properties and neighborhoods for their potential designation in the local register.

B. Use the Secretary of the Interior's standards for the treatment of historic properties as the basis for the historic preservation guidelines.

C. Review and participate in all proposed national register nominations within the city-county according to Montana Certified Local Government Manual.

D. Nominate properties via the SHPO, to the National Register of Historic Places.

E. Encourage public participation, undertake public educational programs and cooperate with local, state and national preservation organizations and agencies regarding historic preservation, awareness and potential affects to prehistoric and historic properties within the jurisdiction of the HPC.

F. Submit reports to the state historic preservation office meeting the requirements established by the Montana Certified Local Government Manual.

G. At least one member shall attend at least one training session each year, and provide to all HPC members for review any orientation materials provided by the state historic preservation office.

H. Review and comment on land use proposals and planning programs related to historic and prehistoric resources. The HPC will participate in the development of the Butte-Silver Bow comprehensive growth plans.

I. Consult with the local, state and federal agencies on all applications, environmental assessments, environmental impact statements and other similar documents pertaining to historic districts, landmark sites and landmark or neighboring properties within the city-county. Comments by the HPC will be sent by the HPO to the council.

J. Review the local zoning regulations for their applicability to the characteristics of current or proposed historic districts and make appropriate recommendations to the appropriate Butte-Silver Bow zoning board concerning any changes or modifications to the zoning regulations or zoning district boundaries.

K. Develop local preservation incentives, in cooperation with the local Montana Department of Revenue, Appraisal/Assessment Office or other pertinent local agencies, and the approval of the council. The HPC shall serve as the review body with the authority to review, approve and deny local preservation incentives on historic properties and/or local register properties.

L. Provide technical information and guidance on historic preservation, restoration, rehabilitation, landscaping and maintenance of local register properties, historic properties and potentially historic districts, buildings, sites, objects and structures. When federal and/or state mandates apply such

as federal funding, permits, licenses or historic rehabilitation tax credits or state compliance programs, the HPC will refer the applicant to SHPO.

M. Participate in, promote and conduct public information, educational and interpretive programs pertaining to historic preservation, including, but not limited to, local, state, national incentives, awards, regulations and grants, when available.

N. The HPO shall provide an annual report to the council. The HPC may in addition provide quarterly reports to the council to discuss their activity. Minutes of HPC meetings and any other information deemed necessary may be appended to the quarterly reports.

O. Undertake any actions necessary to assure compliance with federal and state guidelines regarding the CLG.

P. Develop and administer a design review protection program, including historic preservation guidelines and a certificate of appropriateness process, that shall apply to local register properties. The design review protection program will include, but is not limited to, alterations or changes, new construction, signage, relocation, demolition and demolition by neglect. The design review protection program's guidelines will be published and distributed to the public on a regular basis.

Q. Develop and administer a demolition by neglect program that shall apply to historic properties. The demolition by neglect program's criteria and guidelines will be published and distributed to the public on a regular basis.

R. Develop and administer a demolition permit review program that shall apply to historic properties. The program's criteria and guidelines will be published and distributed to the public on a regular basis.

S. Establish, develop designation criteria and process for, and administer local register.

T. Develop and administer requirements for claiming unreasonable economic hardship.

U. Acquisition and development of historic properties if approved by the HPC and the council. All property acquired by funds appropriated by the city-county shall be acquired in the name of the city-county unless otherwise directed by the city-county. (Ord. 06-12 § 7, 2007)

**2.64.080 Local historic preservation officer.** A. The HPO shall act as secretary to the HPC. The HPO must have a demonstrated interest, competence or knowledge in historic preservation with professional expertise in history, planning, archaeology, architecture, architectural history, historic archaeology or a closely related field to the extent that such professional expertise is available to the community.

B. Duties of the HPO include coordinating local historic preservation programs, helping in the development and the performance of local surveys, projects and historic preservation planning documents, advising and providing assistance to the HPC, government agencies and the public, and ensuring to the extent practicable that the duties and responsibilities delegated by this ordinance are carried out. (Ord. 0612 § 8, 2007)

**2.64.090 Meetings.** A. The HPC shall conduct a minimum of one regularly scheduled meeting each month, with submissions for review received ten days prior to the meeting for inclusion on the agenda with issuance one week prior to meeting in compliance with the Montana open meeting law, except that the chairperson may cancel any meeting if there are no matters to be considered or schedule special meetings when such meetings are necessary to carry out the provisions of this ordinance.

B. Special meetings of the HPC may be called by the chairperson or by three members. All meetings shall be held in public and in accordance with the Montana open meeting law. Notice of the meetings shall be given at least forty-eight hours in advance and should be calculated to reach all interested and affected members of the community in sufficient time to enable them to participate meaningfully, through circulation, radio public service announcements, news releases to local news media or any other method deemed necessary and appropriate. All written or taped minutes, reports and case decisions shall be available to the public.

C. The HPC shall establish guidelines conforming to the guidelines set forth in the Montana Certified Local Government Manual. (Ord. 06-12 § 9, 2007)

**2.64.100 Local register property.** A. Designation Criteria:

1. A designated property shall have documented evidence of significance for its history or historical patterns, association with a person(s) who is significant at the local, state or national level, architectural, landscaping or engineering merits, masterwork of an architect, landscape architect or engineer, has yielded or is likely to yield information about history or pre-history;

2. A designated property shall have documented evidence of its integrity;
3. A designated property shall have documented evidence that it is at least forty years old. A property that is less than forty years old may be designated only if there is documented evidence of exceptional significance;
4. The designated property must have written consent of the property owner or the owner is accepting local government tax relief, funds or other incentives.

B. The HPC shall serve as a review body with the authority to approve and deny designation.

C. Owner(s) of local register property must maintain the property in a manner consistent with its original design and construction.

D. Owner(s) of local register properties must apply for and receive an approved certificate of appropriateness from the HPC prior to undertaking any work to the property, except for ordinary maintenance and repairs.

E. The HPC shall serve as the review body with the power to approve and deny applications for certificates of appropriateness.

F. In approving and denying certificates of appropriateness, the HPC shall seek to accomplish the purposes of this chapter.

G. A public hearing shall be conducted as part of the HPC's designation process.

H. All decisions of the HPC shall be in writing and shall state the findings of the HPC.

I. The local register designation will be attached to the property deed by the Butte-Silver Bow clerk and recorder.

J. The designation will remain on the property until such time that the property has lost its significance and integrity, and the HPC has approved removing the designation. (Ord. 06-12 § 10, 2007)

**2.64.110 Design review protection, historic preservation guidelines, and certificates of appropriateness.** A. No local register property shall be altered, relocated or demolished without a certificate of appropriateness approved by the HPC. B. No building permit which affects a local register property

shall be issued by a city-county official prior to the approval of the certificate of appropriateness by the HPC.

C. The HPC shall develop and administer design review protection program which will include procedures, requirements, deadlines, recommendations, expirations and provisions for approval, conditional approval, denial, deferment, request for additional information, resubmission, appeal, enforcement and unreasonable economic hardship.

D. The HPC shall serve as the review body with the authority to approve and deny applications for certificate of appropriateness.

E. Failure by the HPC to render a decision within sixty days of the date of filing a certificate of appropriateness shall be taken to constitute approval of the certificate of appropriateness, unless an applicant has requested that the HPC delay its decision beyond the sixty day period.

F. The approval of a certificate of appropriateness shall not relieve an applicant of applying for or complying with a building permit, special use permit, variance or other authorizations.

G. The HPC shall develop, publish, and distribute historic preservation guidelines that shall supplement the provisions of the historic preservation ordinance.

H. The historic preservation guidelines will include provisions for new construction, preservation, rehabilitation, restoration, stabilization and maintenance. The HPC shall apply the historic preservation guidelines to all certificate of appropriateness applications.

I. The HPC shall develop an application form entitled the certificate of appropriateness.

J. The HPC will develop criteria for approval, conditional approval, denial, deferral, expiration and resubmission of, and procedures for issuance of the certificate of appropriateness. (Ord. 06-12 § 11, 2007)

**2.64.120 Demolition permit review and demolition by neglect program.** A. No local register property or historic property may be demolished without the approval of the HPC.

B. The HPC shall serve as the review body with the authority to approve, conditionally approve and deny demolition permits.

C. The HPC shall develop criteria for approval, conditional approval and denial of demolition permits for local register properties and historic properties in its jurisdiction.

D. In approving or denying demolition permits, the HPC shall seek to accomplish the purposes of this chapter.

E. The HPC shall review all demolition permits for local register properties and historic properties in its jurisdiction.

F. The HPC is authorized to invoke a ninety-day demolition delay to find demolition alternative and make recommendations. The HPC must notify the owner in writing of a demolition delay and hold a public hearing.

G. Failure by the HPC to render a decision within ninety days of the date of filing a demolition permit shall be taken to constitute approval of the demolition permit, unless an applicant has requested that the HPC delay its decision beyond the sixty-day period.

H. The HPC shall develop demolition by neglect guidelines that shall supplement the provisions of the historic preservation ordinance.

I. The demolition by neglect procedures shall include owner notification, requirements, deadlines, recommendations, expiration and provisions for requesting additional information, conditional approval, deferment to a specific date, public hearing(s), appeal, enforcement and unreasonable economic hardship.

J. The HPC is authorized to initiate demolition by neglect procedures.

K. The HPC shall identify, cause to identify, and be made aware by the local government and the public of properties that may be subjects of demolition by neglect guidelines.

L. The HPC shall cooperate with the Butte-Silver Bow health department, the enrichment committee and other local agencies to halt the deterioration of a local register property or historic property. (Ord. 06-12 § 12, 2007)

**2.64.130 Local preservation incentives.** The HPC shall develop eligibility requirements, guidelines and procedures concerning the review of local historic preservation tax abatement applications and other incentives that shall supplement the provisions of the historic preservation ordinance.

A. The HPC shall cooperate with the Butte-Silver Bow tax assessment office or other pertinent local agencies in the development of the tax abatement and other local incentives and seek approval from the council.

B. Failure by the HPC to render a decision within sixty days of the date of filing a local preservation incentive shall be taken to constitute approval of the local preservation incentive, unless an applicant has requested that the HPC delay its decision beyond the sixty-day period. (Ord. 06-12 § 13, 2007)

**2.64.140 Appeals.** A. An applicant who desires to appeal a decision of the HPC shall file an appeal with the council within thirty days after the decision of the HPC in a manner provided by Butte-Silver Bow Ordinance.

B. The council shall consider the purposes of this section in rendering its decision. (Ord. 06-12 § 14, 2007)

**2.64.150 Appropriations.** The council is authorized to make appropriations to the HPC necessary for the expenses of the operation of the HPC and may make additional amounts available as necessary for the acquisition, restoration, preservation, operation and management of historic properties. (Ord. 06-12 § 15, 2007)

**2.64.160 Public safety exclusion.** None of the provisions of this chapter shall be construed to prevent any action of construction, alteration or demolition necessary to correct or abate the unsafe or dangerous condition(s) of any historic property, or part thereof, where such condition has been declared unsafe or dangerous by the council, building department, health department or the fire department and where the proposed actions have been declared necessary by such authorities to correct the said condition; provided, however, that only such work as is necessary to correct the unsafe or dangerous condition may be performed pursuant to this section. In the event any historic property shall be damaged by fire or other calamity to such an extent that it cannot be reasonably repaired and restored, as determined by the building department or fire department, it may be removed in conformity with normal permit procedures and applicable laws. (Ord. 06-12 § 16, 2007)

**2.64.170 Enforcement and penalties.** The following civil and criminal penalties may be imposed upon those persons, firms or corporations found to have violated requirements or prohibitions contained within this chapter.

A. Civil Penalty:

1. Any person who constructs, alters, relocates or demolishes any locally registered property in violation of this chapter or who causes any locally registered property to be constructed, altered, relocated or demolished in violation of this chapter shall be required to return the locally registered property to its appearance or setting prior to the violation. Any action to enforce this provision shall be brought by the city-county. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.

2. If demolition of a historic property occurs without a certificate of appropriateness, then any permits on subject property, with the exception of a permit to restore the historic property as set forth above, will be denied for a period of three years.

**B. Criminal Penalty:**

1. Any person or entity who constructs, alters, relocates or demolishes any locally registered property in violation of this chapter or who causes any locally registered property to be constructed, altered, relocated or demolished in violation of this chapter shall be guilty of a misdemeanor, and each shall be deemed guilty of a separate violation for each day during which any violation hereof is committed. Upon conviction, each violation shall be punishable by a fine not to exceed one thousand dollars. (Ord. 06-12 § 17, 2007)

**2.64.180 Severability clause.** If any section, subsection, sentence, clause, phrase or word of this chapter is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter and the remainder of this chapter will remain in force and effect. (Ord. 06-12 § 18, 2007)

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## Appendix D

### Guidelines for Historic Building Inspections and Mothballing

## Evaluation of Historic Buildings and Structures

Prepared by: James Kujawa

A complete evaluation is mandatory for all county owned buildings or structures or for buildings or structures that the county may take possession of. Evaluation of buildings or structures privately owned shall be strongly encouraged.

### Preliminary Condition Survey

#### 1. Location, history and Ownership

- Identify and record the building or structure location. This can include the postal address if it exists, GIS coordinates, GEOCODE, longitude & latitude (for future wind and earthquake analysis); or, reference directions to a nearby bench mark.
- Identify the current owner(s) and get their physical location and contact information.
- Research the history and use of the building. Document the location of any existing design or permit documents. Note if other evaluations or design work had been done by other design professionals. Obtain copies if available (there may be costs involved).

#### 2. Structural Documentation (not analysis); record the physical attributes:

- Identify the Structure type(s), i.e.:wood, unreinforced masonry, wood with masonry veneer, concrete frame with infill masonry, steel frame with masonry walls, steel frame with curtain walls, etc.
- Record the number of floors. Account for basements, subbasements, crawlspaces, tunnels and attics.
- Measure and record the rough dimensions and determine the square footage of the floors. Account for offsets and setbacks. Measure and record the floor heights.
- Record any connections, attachments, bridges or tunnels to other buildings or structures.
- Measure and record a schedule of the number and types of doors and windows. Show their locations on a plan sketch.
- Photograph the structure. Take specific photographs to highlight unusual building components.

### 3. Risk Analysis

- Evaluate the condition of the roof: document the type and age if possible, note any areas of sags due to failed structural members, note evidence of ponding, note any tears or holes in the roofing materials or separation from parapets, note cupping on shingles, or broken shingles if tiled, note evidence and document the locations of water damage on floors below, note serviceability of scuppers or roof drains.
- Identify any broken window and note their location on a floor plan.
- Note the locations and conditions of all entrances and whether or not they can be secured from transient entrance.
- Evaluate the condition of the building envelope: identify areas and items that could injure the public; i.e., loose bricks, spalling concrete, fire escapes coming loose from the building, old downspouts pulling away from the walls, failing parapets or ornamentation. Note any inherent structural problems due to the structure type, i.e., a brick veneer over wood frame building where the bricks are losing connectivity and pulling away from the wall.
- Evaluate the condition of the interior structure: check the framing of the building and note the location of any broken or failing structural members, note the conditions of the flooring and whether or not there is floor damage or buckling due to water infiltration, note the condition of interior walls, identify cracks in bricks or plaster that may indicate a failing foundation, note the condition of iron or steel members and the condition of rivets or connectors.
- Evaluate the building foundation: identify and locate any cracks in concrete foundations resulting from settlement or water damage, note any voids and the condition of mortar in rubble stone foundations, identify entrance locations and note if they are secure, note any wall penetrations and identify their purpose and condition.
- Evaluate any interior footings supporting structural load bearing members, identify their location and condition and any issues with connectivity.
- Identify the locations of all utilities: gas, water, sewer, electrical meters and panels, and, communication hubs; and note whether or not they have been disconnected. Note any damages from failed water or sewer lines.
- Note the condition of stairways, elevators and escalators.

- Identify trash and debris locations, pigeon dropping, or other animal related issues such as cat habitation or dead animals, infestations, or evidence of transient use. Identify any fire hazards or evidence of past fires within the building.
- Identify any environmental hazards within the building: asbestos on heating pipes or in old boilers, lead paint issues, evaluate dust for heavy metal contaminants, evidence of pigeon or rodent droppings, evidence of drug labs.
- Evaluate the surrounding property for hazards: debris, junk, open mine shafts, hazardous materials, transient use.

#### 4. Mothballing Procedures

- Clean up the building: remove debris, animal droppings, old window shades or curtains, anything flammable or that can be easily used by transients to start heating fires, remove any broken window glass (leave the frames).
- Based upon structural deficiencies identified in the risk analysis, repair or stabilize the deficiencies.
- Disconnect utilities at the curb: shut off water supply, remove meter box, remove gas meter
- Cover accessible and broken windows with ½" plywood using screws that require special driver tips that cannot be removed with common screw drivers. All windows that face the street or can be viewed must be painted such that the plywood resembles a window. Any window that can provide access to pigeons must be boarded.
- Access doors in the rear or sides must be secured and covered with plywood to prevent entrance of transients.
- A main access door must be securely locked, with a key kept available so that potential purchasers can view the building.
- Display windows in good shape should not be boarded. Broken display windows should be replaced, not boarded.
- Weak or unstable stairways should be shored or removed. Access to elevators or elevator shafts should be boarded over or blocked.
- Motion alarms, with external power sources, should be installed in the building.
- Periodic inspections should be scheduled so that building officials or contract engineers can evaluate the building security and any subsequent deterioration.

## 5. Marketing and Presentation

- Assemble a detailed report of the information obtained during the building evaluation to give to potential developers.
- Make the building look as though it is occupied, not abandoned. Boarded up windows facing the street should be painted to make them look as though they were actual windows. Display windows should have displays in them: perhaps documenting the history and availability of the property for development, and the contact information of the seller. Clean or paint the building.
- Actively market the buildings: have them listed on real estate web sites or create a County real-estate web site, similar to government surplus property web sites.



## Appendix E

### Sources of Financial Support for Historic Preservation

## Sources of Financial Support for Historic Preservation

- *Federal Historic Preservation Tax Credit Program.* This tax credit is available for rehabilitating an income-producing building. This dollar-for-dollar federal income tax credit is equal to 20% of the construction costs and may be used by the building owner or sold to a tax credit investor(<http://www.nps.gov/tps/tax-incentives.htm><http://mhs.mt.gov/shpo/histarch.asp>).
- *10% Federal Rehabilitation Tax Credit.* This tax credit is available for rehabilitating an income-producing, non-residential building built before 1936. This credit is not for properties listed on the National Register of Historic places or in local landmark districts. This dollar-for-dollar federal income tax credit equals 10% of the construction costs (<http://www.nps.gov/tps/tax-incentives.htm><http://mhs.mt.gov/shpo/histarch.asp>).
- *Montana Historic Preservation Tax Credit Program.* Income-producing certified historic properties automatically receive 5% state tax credit if the property qualifies for the 20% federal credit.
- *Syndication of Tax Credits.* Frequently individuals, non-profits, and other organizations cannot make use of the federal or state preservation or low income housing tax credits, because they have insufficient tax liability. It is possible to syndicate the credits by forming a limited partnership, such as a Limited Liability Corporation (LLC), with corporate partners who can take advantage of the tax credits. In such cases the corporate partner pays cents on the dollar (usually around \$0.80) to the partner doing the rehabilitation work, thus allowing the property owner to recover a substantial amount of the costs of the project (an attorney or CPA should be contacted for more information on this).
- *National Trust Community Investment Funds.* This program specializes in the investment of capital in projects that are eligible for federal and state rehabilitation tax credits and New Markets Tax Credits (described below). Eligible projects must generate at least \$650,000 in tax credits and have a total development cost of at least \$3.5 million. Eligible partners are developers, non-profits, and local governments (<http://www.preservationnation.org/resources/find-funding/>).
- *National Trust Small Deal Fund.* The Small Deal Fund is a partnership of the National Trust Community Investment Corporation and Tax Credit Capital, LLC. It invests in smaller historic rehabilitation projects that generate at least \$200,000 in tax credits and that have a total development cost of at least approximately \$1.2 million. Eligible partners are developers, non-profits, and local governments. Eligible projects include commercial properties, cultural and non-profit properties, and mixed-use properties(<http://www.preservationnation.org/resources/find-funding/>).
- *Tax Benefits for Historic Preservation Easements.* An historic preservation easement is a voluntary legal agreement, typically in the form of a deed, that permanently protects an historic property. Through the easement, a property owner places restrictions on the development of or changes to the historic property, then transfers these restrictions to a preservation or conservation organization. A historic property owner who donates an easement may be eligible for tax benefits, such as a federal income tax

deduction(<http://www.nps.gov/tps/tax-incentives/taxdocs/easements-historic-properties.pdf>).

- Other financial incentives for historic preservation include grants available to not-for-profit organizations and municipalities:
- *Citizens for Preservation and Revitalization Grants*. CPR is a local not-for-profit organization that provides educational and public awareness programs related to historic preservation in Butte. It also provides small assistance grants to homeowners for specified historic property maintenance and rehabilitation projects.
- *Home Depot Foundation*. Grants of up to \$5,000 are available to not-for-profit organizations using volunteers to improve the physical health of their communities. Grants are given in the form of The Home Depot gift cards for the purchase of tools, materials, or services ([www.homedepotfoundation.org](http://www.homedepotfoundation.org)).
- *The National Trust for Historic Preservation Funds*. Grants through this fund encourage preservation at the local level by providing seed money for preservation projects(<http://www.preservationnation.org/resources/find-funding/preservation-funds-guidelines-eligibility.html>).
- *The American Architecture Foundation's Accent on Architecture Grants*. These grants assist local, non-profit organizations in producing innovative design-education programs for children (<http://www.archfoundation.org/2011/11/11/accent-on-architecture-grants/>).
- *Community Development Block Grants (CDBG)*. The CDBG program works to ensure decent affordable housing, to provide services to the most vulnerable in our communities, and to create jobs through the expansion and retention of businesses. Funds may be used for activities such as the acquisition of real property, rehabilitation of non-residential structures, and construction of public facilities and improvements([http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/communitydevelopment/programs](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/programs)).
- *Johanna Favrot Fund for Historic Preservation*. The fund aims to save historic environments in order to foster an appreciation of our nation's diverse cultural heritage and to preserve and revitalize the livability of the nation's communities. Grants range from \$2,500 to \$10,000 (<http://www.preservationnation.org/resources/find-funding/special-funds/johanna-favrot-fund.html#.UrDj1KW-C-I>).
- *Save America's Treasures Grant Program*. Administered by the National Park Service, this program is one of the largest and most successful grant programs for the protection of our nation's endangered and irreplaceable cultural heritage. Grants are available for preservation and/or conservation work on nationally significant intellectual and cultural artifacts and historic structures and sites. Grants are awarded to federal, state, local, and tribal government entities and to non-profit organizations through a competitive matching-grant program (<http://www.nps.gov/history/hps/treasures/>).
- *Montana Tourism Infrastructure Investment Program Grants (TIIP)*. The purpose of these grants is to create and improve Montana's tourism-related facilities so they strengthen the state's appeal as a visitor destination and provide quality visitor experiences. The grants help Montana non-profit organizations create new tourism

facilities, enhance existing ones, purchase tourism-related equipment, and preserve Montana's historical and cultural treasures (<http://www.travelmontana.mt.gov/forms/>).

- *Montana Community Transportation Enhancement Program (CTEP)*. The CTEP is a Montana program that funds transportation-related projects designed to strengthen the cultural, aesthetic, and environmental aspects of the state's intermodal transportation system. The CTEP allows for the implementation of a variety of non-traditional projects(<http://www.mdt.mt.gov/business/ctep/>).
- In addition to tax credits and grants, there are specific loan programs to promote historic preservation:
  - *National Trust for Historic Preservation*. The National Trust for Historic Preservation funds loans used to acquire and/or rehabilitate historic buildings, establish revolving or re-lending programs, or otherwise help protect threatened National Historic Landmarks. Eligible properties must be listed in a local, state, or national historic register, either individually or as a contributing element of a certified historic district. Eligible borrowers include local, regional, or state governments; community-based or preservation non-profits; revitalization organizations or developers working in certified Main Street communities; and for-profit developers of older or historic buildings(<http://www.preservationnation.org/resources/find-funding/>).
  - *New Market Tax Credits*. With these loans, small business owners expand operations and create jobs, and cities add safe, affordable housing. This program often supports or augments funding for historic preservation related projects ([http://www.crfusa.com/how\\_crf\\_works](http://www.crfusa.com/how_crf_works)).

Other funding programs include the following. More information on these programs is available from Butte-Silver Bow Planning Department

Programs to be Administered by County Authority (to be established)

- ARCO Redevelopment Trust Account

Programs Administered by the Butte Local Development Corporation:

- USDA Intermediary Relending Program Loan Funds
- Community Development Block Grant Loan Fund
- Community Development Financial Institution Fund
- Montana State Small Business Credit Initiative Program
- Butte-Silver Bow Tax Increment Financing Industrial District Program

Programs Administered by the Montana Department of Commerce:

- Board of Investment, Big Sky Economic Development Trust Fund
- Micro-business Finance Program
- Montana's Endangered Industrial Architecture Grant
- Urban Revitalization Grants and Loans

## Appendix F

Butte-Silver Bow Comprehensive Historic Preservation Plan

Implementation Matrix for Action Items

Action Item		Priority	Year 1	Year 2	Year 3	Year 4	Year 5
Administrative Goal	A1 Improve Compliance with all Federal, State, and Local Regulations and Ordinances	1	[Bar spanning Year 1 to Year 5]				
	A2 Establish the Governing Authority for the ARCO Redevelopment Trust Account	1	[Bar in Year 1]				
	A3 Establish an Independent Historic Preservation Organization (IHPO) to Implement Butte-Silver Bow CHPP			[Bar spanning Year 1 to Year 2]			
	A4 Adopt the Draft Butte-Silver Bow Historic Preservation Ordinance	1	[Bar in Year 1]				
	A5 Enforce City-County Codes	2	[Bar spanning Year 1 to Year 5]				
	A6 Adopt International Existing Building Code	2	[Bar in Year 1]				
	A7 Establish Clear Binding Reference to CHPP in all Pertinent City-County Policies and Programs	2		[Bar in Year 1]			
	A8 Conduct Annual Reviews of CHPP Implementation	1		[Bar in Year 2]	[Bar in Year 3]	[Bar in Year 4]	[Bar in Year 5]
Inventory Goal	B1 Conduct Updated Inventory of the Butte-Anaconda National Historic Landmark District and other National Register Properties <sup>1</sup>	3		[Bar spanning Year 2 to Year 3]			
	B2 Develop Plan to Continue Inventory and Evaluations of Historic Properties in Silver Bow County <sup>2</sup>	4			[Bar spanning Year 3 to Year 4]		
	B3 Develop Standardized Guidelines for Inventory, Documentation, and Preservation of Ghost Signs	2		[Bar spanning Year 2 to Year 3]			

<sup>1</sup> Begin within 9 months of forming the IHPO (Task A3).

<sup>2</sup> Begin within 7 months of forming the IHPO (Task A3).

Action Item		Priority	Year 1	Year 2	Year 3	Year 4	Year 5
Management Goal	C1 Create a Program for Action: Butte-Silver Bow Historic Preservation	2		■			
	C2 Define and Prioritize Areas for Initial Historic Preservation Projects <sup>3</sup>	3				■	■
	C3 Integrate Standards for Historic Preservation within Framework of New URA District <sup>4</sup>	2			■	■	
	C4 Formalize Support for the Heritage Tourism/Copperway Gateway Corridor Program in Butte <sup>5</sup>	2			■	■	
	C5 Create Model Program: Integration of Historic Preservation in Design, Technology, and Trades <sup>6</sup>	4					■
	C6 Formalize Support for the Creation of the Butte Heritage Tourism Association	2		■			
	C7 Support a National Park Service Feasibility Study for the Establishment of a NPS Butte Heritage Area <sup>7</sup>	1		Action Completed			
Incentives and Benefits Goal	D1 Fund and Implement a Comprehensive Historic Structures Marketing Plan for the Butte-Anaconda National Historic Landmark <sup>8</sup>	2		■	■		
	D2 Produce Detailed List of Financial Tools for Historic Preservation in Silver Bow County <sup>9</sup>	2	■				

<sup>3</sup> Begin within 9 months of forming the IHPO (Task A3).

<sup>4</sup> Begin within 4 months of forming the IHPO (Task A3).

<sup>5</sup> Begin within 6 months of forming the Heritage Tourism Association (Task C7).

<sup>6</sup> Begin within 12 months of forming the IHPO (Task A3).

<sup>7</sup> This action item has been accomplished by the CHPP Ad Hoc Committee but is stated here to formalize support.

<sup>8</sup> Begin within 12 months of forming the IHPO (Task A3).

<sup>9</sup> Begin within 12 months of forming the IHPO (Task A3).