

# **A Future for the Past**

**A Comprehensive Plan for  
Historic Preservation in Tennessee**

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## **Part I: Introduction**

The pace of social, economic, and environmental change in the modern world is such that even when the change is on the whole positive for the quality and conditions of life, it sometimes threatens to overwhelm efforts to avoid or minimize the harmful effects that such rapid change can also cause. Included among these harmful effects are the destruction of historic buildings, sites, and landscapes. Others may include traffic congestion, inadequate public services, overcrowded schools, crime, and higher taxes. Such concerns are best addressed in a coordinated fashion and this realization indicates the usefulness of planning as a tool for coping with such matters. A plan for historic preservation is a part of this need for planning. A plan can serve to guide efforts of all those agencies and individuals who collectively are trying to preserve the historic environment of our state. It can also encourage the coordination of those efforts with other growth management concerns and planning efforts.

As the state agency primarily responsible for the stewardship of historic resources in the State of Tennessee, the Tennessee Historical Commission has taken the lead in efforts to develop a comprehensive plan for historic preservation in the state. The development of such a plan is also a requirement of the provisions of the National Historic Preservation Act of 1966. Tennessee's first plan for historic preservation was produced in 1970 in response to the passage of that legislation. By the mid 1980's that plan was outdated and in 1986 a new plan was developed and adopted. In 1996 that plan was, in turn, superceded by a new plan which was completed in that year. The 1996 plan was a departure from previous plans in that its methodology was based on conventional community planning models and was developed with a much larger degree of public involvement. This current plan is a revision of the 1996 plan and is based on the same planning concepts. The revision contains updated information and revised goals and objectives but is not radically different from the 1996 plan. The process by which the 1996 plan was created and on which this plan is based is described in the document "Historic Preservation Planning Process". (Appendix A)

The most significant new information contained in this plan is in the area of public opinion and in an analysis of the importance of historic preservation to Tennessee's economy. As a part of the development of the 1996, plan the Tennessee Historical Commission attempted for the first time to gauge public opinions and attitudes on historic preservation and related issues. A survey was conducted by distributing to the public some 20,000 survey questionnaires. The results of this survey were reported in the 1996 plan. As a part of this revision an attempt was made to gauge public opinion in a more scientific manner. Accordingly the Office of Communication Research at Middle Tennessee State University's College of Mass Communication was contacted and asked if some questions on these subjects could be included in one of the two statewide polling efforts which it conducts each year. They agreed to the inclusion of ten questions in the poll which they would conduct in the fall of 2001. The general subject of that poll was to be issues of community planning and growth and the questions on preservation would fit well with those issues.

Tragically, the events of September 11, 2001 interfered with that plan and the poll instead focused more on issues of terrorism and national security. Though the questions on preservation were included in the poll they were not reported as a part of the general results since they no longer related as well to the other issues which were explored in the poll. The results were provided, however, to the Tennessee Historical Commission and are reported in this plan.

The other area of important new information relates to the question of historic preservation and the economy. In 2002, the City of Memphis, with the assistance of a Historic Preservation Fund grant provided through the Tennessee Historical Commission, retained the Center for Urban Policy Research at Rutgers University to conduct a study of the economic impacts of historic preservation in Memphis. The results of this study were published in the spring of 2003 and are incorporated in this revised plan along with updates of statistics reported in the earlier versions of this plan.

Other sections of the plan which have been substantially revised or updated with new statistics and facts are the sections on the social, economic, and political environment of the state and the legal environment for historic preservation. The passage of some significant statewide planning legislation since the completion of the last plan has been a potentially very significant legal development. As the plan indicates, however, the degree of actual efficacy of the plans and processes established through this legislation, both in the general area of community planning and growth management, as well as specifically in the field of historic preservation, are still hanging in the balance.

The general public as well as specific constituencies of the Tennessee Historical Commission have assisted in the preparation of this plan. The work to revise the plan began with a public presentation at the spring 2002 conference of the Tennessee Preservation Trust. Specific advice was requested on the matter of needed revisions to the vision statement of the 1996 plan as well as the goals and objectives described in that iteration of the plan. This same invitation was issued to the general public through the Historical Commission's Website.

A draft of the plan narrative and revised goals and objectives were ready by the late summer of 2003 and the public was invited to comment. This invitation was posted on the THC's website and in addition targeted mailings were made to over 300 persons who had filled out the public opinion questionnaire in 1995. Copies of the draft plan were also mailed to members of the state legislature and to members of the Historical Commission and the State Review Board. This final draft of the plan has taken in to account all public comments received through these various forums.

Planning is a way of setting priorities and of measuring progress. The heart of a plan is therefore the identification of the ultimate goal or vision which the plan is striving to achieve. The most important part of a plan is the statement of this goal or vision and the steps needed to reach it.

This visions and the goals and objectives to bring it to reality are contained in Part IV. The vision, the goals, and the objectives must be based on a consensus of the principal stakeholders and others who will implement the plan and in turn it must serve to communicate those value and goals to others who are not stakeholders but may become so. In the case of historic preservation both the consensus building process and the plan itself can heighten awareness, among both the general public and among opinion leaders and decision makers, about the value of protecting historic resources in terms of the benefits to be derived and the value placed on such efforts by constituents. The intent of this plan is therefore to communicate this message as well as to serve as a guide for steps to achieve the vision. The THC hopes that this plan will serve both of these purposes.

## **Part II. The Social, Legal, and Economic Environment for Historic Preservation in Tennessee**

### **A. Social and Economic Trends**

In the years since the 1990 census, Tennessee has experienced unprecedented growth, with no counties showing a decline in population in the 2000 census. Tennessee's booming population has not continued to shift as rapidly as before from solely rural areas to urban ones but the state has seen slightly more uniform growth. Urban cities and smaller towns have both seen reinvestment and former rural rings surrounding metropolitan areas have become suburban neighborhoods, shopping malls, and fast food establishments. The 1990 census showed that Tennessee was continuing a long-term trend from a rural to an urban state with the rural-urban mix in Tennessee at that time being 39.1 percent rural and 60.9 percent urban. In 2000 the trend has continued with the corresponding figures being 36.4 percent rural and 63.6 percent urban. From 1990 to 2000 the population of the state increased by 16.7% compared to 6% from 1980 to 1990. The actual increase was from 4.87 million to 5.68 million.

The largest increases in population during the decade of the 1990's occurred in those counties surrounding Nashville (Davidson County) and Memphis (Shelby County). Tennessee's rural counties experienced modest amounts of population growth which reversed, in some cases, a years long period of decline. The rate of growth nevertheless varied greatly across Tennessee. Several once rural towns located on the outer rings of metropolitan areas experienced many of the problems and benefits associated with growth, while small towns in rural counties experienced smaller amounts of growth. After the devastating declines in population in some rural areas during the 1980s, however, many towns are still only at or even below their 1980 census figures. For example, Red Boiling Springs in Macon County experienced a decline in population of 22.8% during the 1980's, but while the 2000 census shows that the population of the county as a whole is up 28.2 percent with 20,386 residents, the increase in population in Red Boiling Springs only

brings its population up to 1,100 residents, less than that of 1980. Similarly, Pikeville, in Bledsoe County, grew to 1,866 residents in 1998, still less than the 1980 population of 2,085. Thus, though the populations of small towns are now seeing growth and stabilization rather than decline, many historic resources in rural cities and counties are still likely to be vacant, underutilized, and in danger of demolition by neglect.

Tennessee has become more ethnically diverse since the 1990 census, and like differences in the rate of population growth, the degree of diversity is varied throughout the state. African-Americans continue to be the largest minority group in Tennessee and now make up 16.4 percent of the state's population, up slightly from 16.0 percent in 1990. Shelby County has the largest proportion of African-American citizens with the African-American population larger than the white population by 1.3 percent, whereas, in Knox County, African-American persons make up only 8.6 percent of the population. The Asian population in Tennessee has increased slightly, moving from 0.6 percent of the population to 1.0 percent. The most pronounced change in the ethnic mix of Tennessee is the rapid increase in the Hispanic or Latino population. Persons of Hispanic or Latino origin now make up 2.2 percent of the State's population, making a significant jump from only 0.7 percent in the 1990 Census, a better than three-fold increase. Davidson County has been particularly affected and now holds the state's largest Hispanic population with 26,091 Hispanic residents. As parts of Tennessee become more ethnically diverse, preservationists will have to continue to find ways to include the state's minority populations in historic preservation activities.

The average income and poverty figures also vary greatly in different parts of the state. The areas of greatest growth, which are typically the counties surrounding urban areas, have the highest household incomes. For example, the median household money income for Williamson County, the fastest growing county in the state, nearly doubles the statewide median household money income at \$63,959. Tipton County, growing in population by 36.5 percent due to its' proximity to Memphis, has a median household income of \$32,845, just above the statewide median of \$32,047. One of the slowest growing counties, Hancock, experienced the smallest amount of growth among Tennessee's counties, with only a 0.7 percent rate of growth from 1990 to 2000. The thinly populated county has a median income of only \$18,529, which is \$13,500 below the statewide median, and, at 29.1 percent, a very high rate of persons living in poverty. The

differences between Hancock and Williamson Counties, starkly illustrate the fact that segments of Tennessee are growing, prosperous, and urban (or suburban) and other parts are growing only slowly and are usually poor and rural. The greatest challenge for the rapidly growing part of the state will continue to be growth management, while the slower growing portions need tools and policies to accelerate the rate of economic growth. For both segments of the state, preservationists will also have to seek attractive new ways to invest in historic resources, so that citizens will have viable options to battle poor planning, suburban sprawl, neglect, and the casual or careless demolition of historic properties. Both segments could benefit economically by investing in historic resources wisely, conserving them and the material resources they represent, as well of making maximum use of existing infrastructure.

The economy, along with the population, has grown greatly during the last decade creating 20 years of substantial growth and the longest period of economic expansion in memory. In the past twenty years, Tennessee's total output has increased dramatically. Two measures of this are the figures for bank deposits and the growth of state tax revenues. Total deposits insured by commercial banks in the state increased from \$39.87 billion in 1990 to \$75.82 billion in 1998 and state tax revenues increased from 4 billion in 1990 to 7.19 billion in 1999. Personal income of Tennesseans increased during the same period from 82.2 billion to \$133 billion in 1999. As well as becoming more populous, during the decade of the 1990's Tennessee became considerably wealthier.

This growth in the wealth of the state and the increase in tax revenues, though substantial, was still nevertheless insufficient to meet the needs for governmental services and by 2001 the State of Tennessee found itself in a severe fiscal crisis and facing the unappealing choice of a significant increase in taxes or drastic cutbacks in state programs. Tennessee's primary reliance for revenue is on the sales tax and because of its inherent inelasticity, the growth of the service economy which is largely untaxed, and the rapid growth of internet sales, this method of raising revenue was unable to support the increasing demand for state services. Most state expenditures are accounted for by four categories of programs and these are the areas which have likewise absorbed the increases in revenue which have occurred. These four areas are: education, healthcare, welfare, and highway construction. The amount spent on education in Tennessee has more than tripled during the decade of the nineties to \$5.5 billion in 2000. The amount spent on

health care has ballooned to more than \$4.5 billion and public welfare leapt from receiving 21.3 percent of the budget (\$1.67 billion) in 1990 to 30.92 percent of the budget (\$5.2 billion) in 2000. Expenditures on programs for the protection of natural and cultural resources in Tennessee continued to be almost miniscule by comparison at slightly more than 2.07 per cent of state expenditures in 2000. This small amount of dollars primarily went to natural resource programs including the operation of state parks. The amount allocated for cultural resource preservation is estimated at less than .001% of state expenditures or on a per capita basis less than 25 cents per state resident. Figures on state revenues and expenditures for fiscal year 2000 can be seen in Table 1.

Tennessee **State Government Finances: 2000**

(Amounts in thousands. Per capita amounts in dollars. Revised September 2002)

Item	Amount	Percent	Per Capita
	1	2	3
Population (thousands, April 1, 2000)	5,689	(X)	(X)
Personal income (millions, calendar year 1999)	150,344	(X)	(X)
<b>Total Revenue</b>	<b>18,969,875</b>	<b>100.00</b>	<b>3,334.48</b>
General revenue	15,928,464	83.97	2,799.87
Intergovernmental revenue	6,120,698	32.27	1,075.88
Taxes	7,739,590	40.80	1,360.45
General sales	4,446,160	23.44	781.54
Selective sales	1,359,164	7.16	238.91
License taxes	898,509	4.74	157.94
Individual income tax	180,278	0.95	31.69
Corporate income tax	613,924	3.24	107.91
Other taxes	241,555	1.27	42.46
Current charges	1,367,520	7.21	240.38
Miscellaneous general revenue	700,656	3.69	123.16
Utility revenue	-	-	-
Liquor store revenue	-	-	-
Insurance trust revenue	3,041,411	16.03	534.61
<b>Total expenditure</b>	<b>16,853,438</b>	<b>100.00</b>	<b>2,962.46</b>
Intergovernmental expenditure	4,364,404	25.90	767.17
Direct expenditure	12,489,034	74.10	2,195.30
Current operation	9,392,164	55.73	1,650.93
Capital outlay	1,480,523	8.78	260.24
Insurance benefits and repayments	1,027,419	6.10	180.60
Assistance and subsidies	398,458	2.36	70.04
Interest on debt	190,470	1.13	33.48
Exhibit: Salaries and wages	2,464,411	14.62	433.19
<b>Total expenditure</b>	<b>16,853,438</b>	<b>100.00</b>	<b>2,962.46</b>
General expenditure	15,821,917	93.88	2,781.14
Intergovernmental expenditure	4,364,404	25.90	767.17
Direct expenditure	11,457,513	67.98	2,013.98
General expenditures, by function			
Education	5,512,784	32.71	969.03
Public welfare	5,211,056	30.92	915.99
Hospitals	366,739	2.18	64.46
Health	633,691	3.76	111.39
Highways	1,501,301	8.91	263.90
Police protection	118,178	0.70	20.77
Correction	449,107	2.66	78.94
Natural resources	228,869	1.36	40.23
Parks and recreation	119,325	0.71	20.97
Government administration	456,678	2.71	80.27
Interest on general debt	190,470	1.13	33.48
Other and unallocable	1,033,719	6.13	181.70
Utility expenditure	4,102	0.02	0.72
Liquor store expenditure	-	-	-
Insurance trust expenditure	1,027,419	6.10	180.60
Debt at end of fiscal year	3,292,314	100.00	578.72
Cash and security holdings	29,017,820	100.00	5,100.69

Abbreviations and symbols: - zero or rounds to zero; (NA) not available; (X) not applicable  
 Population source: U. S. Census Bureau, Population Division, released December 28, 2000  
 Personal income source: Survey of Current Business (October 2000) BEA, released September 12, 2000  
 Source: U.S. Census Bureau, Governments Division  
 Created: November 21 2002  
 Last Revised: November 21 2002

Table 1

While facing this fiscal crisis, which began in the best economic times of recent memory, Tennessee also had to cope with sharply slowing economic conditions in the general economy of the United States. 2001 began with a steadily slowing economy which was accelerated by the consequences of the World Trade Center bombing and the subsequent war on terrorism upon which the country embarked. During 2002, the Tennessee economy struggled to engineer strong, broad-based growth. At the present time, uncertainty still clouds the state's prospects for long term economic growth though at the end of 2003 the nation and state appear to be on the verge of a recovery from the economic downturn. Previous predictions, based on historic trends, were that the state's gross state product (GST) would grow at a rate of 3.6 per annum over a forecast period between 2000-2009. However, while this was a rate above many other states, on a per capita basis Tennessee was still expected to trail the U.S. average. Furthermore, predictions were that Tennessee's per capita income would in 2009 still be at only 94.9% of the national average. Even more pessimistically, more recent projections (2003) are that the state's per capita income will by 2011 amount to even less than that ratio at only a little more than 90% of the national average. This rate of growth could be improved by increased investment in Tennessee's human capital to enhance the educational system and by improvement of the state's infrastructure. With no permanent solution to the state's fiscal predicament in sight, however, it is by no means certain that such investments can or will be made.

Other economic trends of a more general nature include the prediction that the growth of the finance, insurance, real estate, services, and mining sectors will outpace the growth of the GSP, while the construction, agriculture, manufacturing, and government sectors will most likely trail the rest of the state economy. Tennessee's unemployment rate is forecast to increase gradually in the next years even after recovery from the recession.

The construction industry, which boomed phenomenally during the 90's is predicted to slow in this decade. Construction of new houses, primarily in the bedroom communities surrounding Davidson and Shelby counties, has outstripped the growth of population in the state. The vacancy rate has remained stable from 1990 to 2000, although hundreds of thousands of new homes have been constructed for a full market. Thus it would appear that an eventual slowing is inevitable, unless the rate of population increase accelerates even further. However, it may be that in the most rapidly growing parts of the state citizen concern over the rapid rate of growth

will work against this possibility.

In summary, Tennessee today is a state that has very significant differences among regions as far as economic and social conditions are concerned. The problems vary from city to city, and solutions for problems like health care, land use, unemployment, and traffic congestion will also vary among different areas of the state. Yet it appears that in all areas of the state there is a lack of public resources to deal with the troubles brought by the significant amount of new growth the state has gained in the past ten years. An increase in historic preservation related activities could provide positive alternatives to typical sprawl development, increase inner-city revitalization, and stimulate the statewide economy by providing jobs. If Tennessee continues to grow at the current rate (population is expected to reach 6.5 million by 2020) the result will likely continue be inadequate revenue to meet the needs and desires of the citizens of Tennessee.

## **B. State Government Programs and Activities**

The Tennessee Historical Commission is the primary agent of state government in the area of history and historic preservation. As compared with similar state agencies in the Southeast as well as throughout the nation, it is a small agency with a full-time professional staff of only eleven persons, not including the director. The mission of the Tennessee Historical Commission is to “Record, preserve, interpret, and publicize events, persons, sites, structures, and objects significant to the history of the state and to enhance the public’s knowledge and awareness of Tennessee history and the importance of preserving it.” The Tennessee Historical Commission and its activities are authorized under sections 4-11-101 through 4-11-306 of the Tennessee Code Annotated. For the benefit of the State and its citizens the Commission also carries out activities and programs authorized under Federal legislation, namely the “National Historic Preservation Act” (NHPA). It carries out these programs under the direction and authority of the State Historic Preservation Officer, an official appointed by the Governor to administer the Act. Presently the Commission’s Executive Director serves as Deputy State Historic Preservation Officer and has day-to-day operational authority over the program. The Commissioner of the Department of Environment and Conservation serves as State Historic Preservation Officer.

### National Historic Preservation Act Programs carried out by the Tennessee Historical Commission Staff

#### Planning

One of the first activities of the Historical Commission under the mandate of the NHPA was the production of a State Plan for Historic Preservation. The plan was completed in 1970 and was based on the processes and programs of the NHPA. A new plan was developed in 1986 which was based on a planning model devised by the National Park Service which was known as the Resource Protection Planning Process or RP3. A third plan was developed in 1996 based on a new planning model derived from community planning precepts which stress a high degree of public involvement. The approach to the preparation of this plan was described in a document titled Historic Preservation Planning Process (Appendix A). This current document is an update to the plan of 1996. It does not represent a new model or approach but is a update based on a reexamination of those issues and conditions which guided the development of the previous plan and which may have changed during the past five years.

#### Survey

The foundation of most historic preservation efforts is the survey and inventory program. The first listed responsibility of the State Historic Preservation Officer in Section 101 of the National Historic Preservation Act is to “direct and conduct a comprehensive statewide survey of historic properties and maintain inventories of such properties.” Knowledge of where historic properties are and of why they are significant is a necessary component of any plan or process for preserving

them. This is just as true today as it was in 1966. What was not recognized in 1966 was just how large an undertaking such a survey would be. In 1966 it was probably believed that such a survey would result in the recording of several hundred to a few thousand properties and could be completed in a few years. There was no realization of the range or number of properties which would eventually be considered to be potentially "historic". Nor was the concept of the inventory as a data base which established context for the evaluation of properties fully developed. All of these factors have combined with the result that the survey process is one which, rather than an activity which can be completed and done with, is one which will be ongoing and may never be fully complete in a definitive manner. The survey can be completed in the sense that an adequate baseline of data on properties that are "historic" at a certain point in time can be assembled. However, even this achievement will require a much greater investment of resources than is being made at the present time. At the present rate of progress on the survey it will be years before it reaches this stage of "completion". In urban areas where historic preservation agencies and programs exist and are actively pursuing the completion of the survey in concert and with the aid of the THC this point may be reached within a few years. In rural areas of the state where such agencies do not exist the survey may not be completed until well into the 21st century, if ever.

The Historical Commission began its survey efforts in the early 1970's with a small scale approach. Under this approach a number of areas were surveyed but the surveys were not comprehensive. Generally what was recorded was what local historians were already aware of. By the mid-1970's the inadequacy of this approach was recognized and a more comprehensive approach was designed. This approach was initiated in 1977 with a partial survey of Warren County conducted by THC staff. This approach was intended to be comprehensive and was conducted by recording every property within the county which appeared in the opinion of the surveyors to have been built prior to 1900. The methodology was to use USGS topographic maps and to drive every passable road in the county and visually inspect every structure. Those which met the criteria were recorded photographically and a survey form was filled out to record architectural and historic information. The location of the property was marked on the topographic map and properties were identified by a discrete inventory number. Locational data was then transferred to permanent maps in the office. With some few modifications the methodology developed in the Warren County Survey has been followed in all survey projects since.

The advantage of this system is that it is comprehensive and it minimizes judgments which must be made in the field by surveyors who may be inexperienced in recognizing historic structures. By surveying everything which appears to be at least fifty years old, very little should be overlooked because a surveyor failed to recognize a structure as historic. The comprehensive data base which results provides a superb contextual basis for deciding which properties in an area are significant, and it results in an archive of architectural data which will be available for research when the structures which are recorded no longer exist. There are disadvantages as well, the principal one being that it increases the magnitude of the task of completing the survey.

Another problem is that much of what is recorded does not warrant National Register status and effort thus is expended recording properties which will never be considered "worthy of preservation". In spite of this the THC feels that the advantages of the system outweigh the disadvantages and expects to continue this approach to the survey.

The above described methodology applies to architectural/historic survey. Archeological survey is approached differently. Archaeological survey, especially for prehistoric sites, requires a more intensive level of effort than historical/architectural survey. This is primarily due to the difficulty of recognizing the existence of sites since the actual resources are usually below ground and may require test excavations to positively identify. Because of this a comprehensive survey for prehistoric sites is not feasible, implying that an approach which can be used to develop predictive models for the probable location of sites is the most effective method of proceeding. Archeological survey, which is conducted by the State Division of Archeology is carried out by assembling data to predict possible location of sites and then following up with field work to verify the prediction.

The nature of historic site archaeological survey combines aspects of both prehistoric survey methodology and historic/architectural survey. Like prehistoric sites, the resources are in many cases below ground and hidden from view. However, unlike prehistoric site archaeology, documentary sources are available and can be researched and used to develop the historic context studies. These study units may be represented by extant structures, as well as below-ground resources. The assumption, however, is that an historic site archaeological survey is one in which most of the resources will be below ground. Like prehistoric site survey it is best carried out on a thematic basis which uses historic context research to identify probable site locations. Research is used to direct and target survey efforts and the survey provides information necessary to refine and complete the study unit. Using this method a number of survey/study unit combined projects have been carried out, including ones for historic pottery-making, the iron industry of the Western Highland Rim, gun-making, and military encampments and battlefields connected with the Civil War in all three divisions of the state.

Under this methodology approximately 78% of the area of the state has been surveyed for historic structures. A much smaller portion has been surveyed for archeological sites. Based on current estimates of around 200,000 for the total number of structures which meet the survey criteria, approximately 71%, or around 142,000, eligible structures have been surveyed. A county by county breakdown of the state of completion of the historic/architectural survey is shown in Figure 2. There is no estimate of the percent of completion of archeological sites survey because the total universe of sites is so difficult to predict. Probably less than 2% of the state area has been field checked for archeological sites. There are at present approximately 20,000 sites recorded in the Division of Archeology's site files.



obtained through a TEA-21 enhancement grant from the Tennessee Department of Transportation to accomplish this and to also make the survey data available to the public on the internet.

Survey data is also stored on microfilm and is available through the State Library and Archives as well as in the offices of the THC. As counties are completed the records are sent to the Library and Archives for microfilming. The photographs and negatives are stored permanently at the THC offices but after microfilming the paper field survey forms are offered to local historical societies. If there are no takers they are destroyed as there is not space to store them after they are microfilmed.

The above applies only to the survey for architectural/historical properties. Archeological site survey data is maintained by the Tennessee Division of Archeology. The files are maintained in paper format and information is also maintained in an electronic database. The information is only available by personally examining the site files at the offices of the Division. The Division is presently, however, seeking funding to upgrade its electronic database by adding information, primarily geographic data, and possibly making it available over the internet.

#### National Register of Historic Places

Section 101 of the National Historic Preservation Act authorized the Secretary of Interior to establish the National Register of Historic Places. It is composed of "districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture". The National Register of Historic Places is best described as the nation's official list of historic resources which have been studied and found to be of such significance that their preservation is in the national interest.

Properties are nominated to the National Register of Historic Places by the State Historic Preservation Officer. Nomination forms are prepared by the staff of the THC and by property owners and paid consultants. The first properties were nominated to the National Register in 1966. In November of 2001 there were 1,831 listings in the National Register from Tennessee including a total of 36,160 contributing properties. Nominations are generated from individual owners, neighborhood associations, local historical societies or preservation organizations, local governments, and from the staff of the THC. Nominations prepared by the THC staff are usually based on completed surveys or on other planning studies, however, much of staff time is spent working with property owners and others who are preparing nominations. Even more so than in the case of survey, the lack of staff and funding hampers a consistent and organized approach to the goal of nominating all eligible properties to the National Register of Historic Places. To deal with this the THC promotes the use of grant funds to produce nominations. This approach addresses the problem of lack of staff but suffers from the same drawback as the survey program

in that the need for local sponsors to provide match makes it difficult to target efforts to areas where other considerations might indicate the need was greater.

Information on properties listed on the National Register of Historic Places is retained in Washington by the National Park Service. (Information on properties which are listed on the National Register of Historic Places can be accessed on the NPS web site, [www.cr.nps.gov/nr/.](http://www.cr.nps.gov/nr/)) The THC also retains these records and information is entered into the HARMS system. Because all incentive and protective programs depend on National Register listing or eligibility the NR program is the hub of all other preservation programs, especially those which are connected or authorized by the NHPA. The National Register program is in turn highly dependent on the Survey and Inventory Program. In 1994, legislation was passed by the state legislature which provided that properties listed on the National Register of Historic Places would also simultaneously be listed on a Tennessee Register of Historic Places. There are no benefits or protections which accrue from listing on the Tennessee Register of Historic Places.

#### Section 106 (Review and Compliance)

Section 106 of the National Historic Preservation Act states that any federal agency which provides assistance or licenses any undertaking shall “take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register” and shall afford the Advisory Council on Historic Preservation a “reasonable opportunity to comment with regard to such undertaking.” The Advisory Council on Historic Preservation has issued regulations codified in 36 CFR, Part 800 which specify the procedures which federal agencies are to follow in carrying out their responsibilities under the provisions of this section. To facilitate processing Section 106 cases, 36 CFR 800 provides for federal agency consultation with the State Historic Preservation Officer (SHPO) to reduce the number of cases that require consideration by the Advisory Council on Historic Preservation. Thus a significant portion of Section 106 review responsibilities in Tennessee are transferred to the THC staff.

In carrying out its role in this process the staff of the THC reviews an average of 2,500 federal undertakings each year. Most of these do not affect historic properties. In those cases in which it is determined that the project will have adverse effects to historic properties memoranda of agreement are negotiated to, if possible, avoid, minimize, or mitigate those effects. The Review and Compliance program has been highly successful in preventing the inadvertent destruction of historic properties from activities of the Federal government.

#### Preservation Tax Incentives

Under the Tax Reform Act of 1976 incentives for the restoration and reuse of historic buildings were placed in the US tax code for the first time. These incentives were enhanced dramatically

under the "Economic Recovery Tax Act of 1981". The incentives were changed again in the tax legislation of 1986 but this time the changes were less favorable. They are, however, still highly advantageous under the proper circumstances. Figures for the amount of investment in historic properties generated as a result of this program are reported below in Part F., "The Economic Importance of Historic Preservation."

To qualify for the incentives developers must obtain certification that their building qualifies under the terms of the Act. This generally means that the building must be listed on the National Register either individually or as part of a district. Certification must also be obtained that the rehabilitation work which is done meets standards which are imposed to assure that the historic qualities of the building are preserved in the process of rehabilitation. Applications to obtain these certifications are submitted to the THC and forwarded with comments and recommendations to the National Park Service which issues or denies the requested certification. As the preliminary point of contact for an historic building owner or developer, the THC serves as a critical liaison between the developer and the NPS. The agency serves to inform and explain program requirements and standards to developers and in turn can explain special situations, problems, and concerns to the NPS which may be difficult to understand from a distance.

#### Acquisition and Development Grants

Section 101 (e) (1) of the NHPA authorized a program of matching grants to the States for carrying out the purposes of the act. These funds are allocated to the states to assist them in carrying out the programs established by the Act and to award as subgrants to third parties. One category of grants awarded under this authority is grants for the acquisition or restoration of properties which are listed on the National Register of Historic Places, usually called Acquisition and Development (A&D) projects. Because of the importance of completing the survey most of the grant funds which are allocated to Tennessee are targeted to survey projects, however, a portion of the funds which are available are set aside for Acquisition and Development Grants. These grants have frequently proven to be the means by which restoration projects were initiated which in turn were the catalyst for expanded awareness and support of preservation within a community. With the present level of funding the program does not have the impact that it once had. At present only a few grants of this type can be awarded each year.

#### Local Government Assistance Program (Certified Local Governments)

Amendments to the National Historic Preservation Act passed in 1980 added provisions to Section 101 (c) (1) under which local governments can participate with State Historic Preservation Officers in certain aspects of the program provided the local government has established and operates a preservation program which meets certain criteria. A local government which is certified as meeting these criteria, which basically require the local government to have adopted a historic preservation zoning ordinance, is authorized to participate by reviewing and commenting on all

National Register nominations within its jurisdiction. This participation is mandatory, other responsibilities may be delegated to local governments under agreements which may be negotiated between the SHPO and a Certified Local Government (CLG). With this program as a foundation the THC has initiated a broad effort to provide technical assistance and support to local governments which have established local historic preservation programs or are attempting to do so. Under this program, approximately thirty-five local governments were provided with some degree of technical advice, assistance, and support during the previous fiscal year. This assistance has included workshops and training for historic zoning commissions, assistance in writing historic preservation ordinances, assistance with development of design review guidelines, and advice and assistance with grant applications. As of July 1, 2001, there were over fifty local governments (county or municipal) which had adopted historic preservation zoning ordinances. Of these, twenty-three had been certified under the terms of the NHPA cited above; a twenty-fourth was certified in October 2001.

Though priority is given to governments which are certified or are attempting to become certified, to the limits of the staff's ability assistance is provided to all local governments which request it. Further information concerning local government preservation programs is included in Section C., "Local Government Programs and Activities."

#### Tennessee Historical Commission Programs and Activities Authorized and Carried out under State Legislation

##### State Properties Review Process

In 1988 the State legislature passed Public Chapter 699, "An Act Relative to the preservation of state property which is significant in history, architecture or culture...." The provisions of this act establish a review process to allow the THC to review plans of state agencies to demolish, alter, or transfer state property which "is or may be of historical, architectural, or cultural significance." Comments are then transmitted to the State Building Commission which has final decision-making authority.

##### Historic Sites

One of the major initiatives of the of the Tennessee Historical Commission when it was reconstituted and revitalized in the 1940's was the historic sites program. Over the years several sites have been acquired for the purpose of preservation and interpretation to the public as historic house museums. Though the purchase of some of these sites predates the establishment of the THC the Commission today serves as an coordinating and/or oversight agency for most of them. In all cases the sites are actually operated by local volunteer organizations at substantial savings to the state which provides a small annual grant to assist with maintenance and operating costs. In some cases the state has also funded major restoration projects and major

maintenance needs but the bulk of funding for operations and minor maintenance is raised by local operating organizations through admissions or other fund raising activities. At the present time there are 15 sites which are owned, supported, or under the oversight of the Tennessee Historical Commission. Many persons, both Tennesseans and out-of-state visitors, gain their first exposure to history and to the value and importance of preserving historic structures from visiting a historic site or museum. The importance of history and historic buildings as a draw to tourism is increasingly recognized and these sites play a pivotal role in this aspect of historic preservation. This importance is also discussed further in Section F., "The Economic Importance of Historic Preservation."

#### Historical Markers

One of the most highly visible programs of the THC is the Historical Markers Program. This program, which began in the 1950's, has erected over 1500 markers commemorating and marking the locations of sites, persons, and events significant in Tennessee history. This program has been affected by budget cuts and by inflation in the cost of markers so that only a few new markers may now be erected each year. Many markers previously erected are missing and the Commission's budget for replacement markers is also small. The Commission has published a guide to markers which is available from the Commission and other vendors. A separate publication is available for historic markers for African-Americans. The markers program is an effective means of introducing highway travelers to Tennessee history.

#### Tennessee Wars Commission

During the 1994 session of the Tennessee General Assembly legislation was passed to establish the "Tennessee Wars Commission". The Tennessee Historical Commission was designated to also serve as the Tennessee Wars Commission. The duties of the Wars Commission are to "coordinate planning, preservation, and promotion of the structures, buildings, sites and battlefields of Tennessee associated with the American Revolution and the War Between the States". Subsequent legislation added the French and Indian War, the War of 1812, the Mexican war, and the Spanish-American War to those for which the Commission should have concern. Because of the overwhelming impact of the Civil War and the large number of sites associated with that conflict in the state, most efforts of the Wars Commission have been directed toward the preservation of sites associated with the War Between the States. Working with the State Division of Archeology, the commission has completed a survey of all three grant divisions of the state of sites associated with the military conflict. The report of this survey has not yet been published but should be out within a year or two. Other accomplishments of this program has been the completion of a statewide plan for Civil War Site Preservation and the fostering of a statewide non-profit organization for the preservation of Civil War sites.

As important adjunct to the Wars Commission's programs for the preservation of Civil War related sites is the establishment of the National Heritage Area on the Civil War in Tennessee. The Wars Commission has worked with the Center for Historic Preservation at Middle Tennessee State University to implement this program which was authorized by Congressional legislation passed in 1994. The Heritage Area was fully established with the approval of a Compact between the U. S. Department of Interior and the State of Tennessee in March of 2001. The purpose of the Heritage Area is to interpret, preserve, enhance, and promote the story and resources of Tennessee's Civil War era through a collaborative effort involving a wide range of partnerships and cooperative endeavors. It is hoped and expected that the programs and projects of the heritage area program will be an important means by which the goals of the Wars Commission Statewide plan can be pursued.

#### Publications

The THC's publications program involves two primary components. One is the provision of assistance through grants to other agencies, i.e., historical societies, universities, etc., for various publications relating to Tennessee History. Ongoing projects of this type include a yearly grant to the regional and statewide historical societies for the publication of their journals and grants for the presidential papers projects of the three Tennessee Presidents. In addition to this grant program, the Commission has itself published some historical reference works. These include the Biographical Directory of the Tennessee General Assembly, and the Messages of the Governors of the State of Tennessee.

The Commission publishes a three-times-yearly newsletter, called The Courier, which is one of the oldest publications of its type in the United States, having begun in 1964. It contains news of the Commission's activities, other news of historical interest, and feature articles. The Courier currently has a circulation in excess of 9,500.

### **C. Local Governments and Historic Preservation**

Under state enabling legislation first passed in 1965 and amended in 1982, local county and municipal governments may adopt legislation to establish special historic districts or zones and to regulate the construction, repair, alteration, rehabilitation, relocation, and demolition of buildings within such districts. This legislation, codified in *Tennessee Code Annotated*, Title 13, Chapter 7, Part 4, forms the foundation for most of the historic preservation activities of local governments in Tennessee. This legislation allows local governments, if they so desire, to provide the strongest possible protection for historic properties. Across Tennessee, over fifty local jurisdictions have adopted historic preservation zoning ordinances and have established commissions to review and regulate development and construction in the designated districts.

The origins of Tennessee's local government preservation efforts are diverse. Like other preservation efforts, in some places the first local government preservation ordinances were an aftermath or in reaction to local efforts, often unsuccessful, to save a particular structure. In other cases, local preservation programs grew out of downtown revitalization efforts. In perhaps the largest number of cases, however, historic preservation zoning has been instigated by neighborhood groups anxious to protect their neighborhoods and the investments they have made in their homes from devaluation created by inappropriate development. In some locales, historic preservation has been a caused championed by long-time residents who were dismayed by the pace of social and economic change. Just as often, however, it has been newcomers to the community who have led preservation efforts. These newcomers frequently have an appreciation for the appeal of a community's architectural legacy that is lacking in longtime residents, and an awareness of the potential benefits which can be realized from preserving that legacy from experiences in other places. However, preservation efforts sponsored by newcomers who may be considered "outsiders" may be counter productive if not joined in by longtime residents.

It is evident that there are a wide range of conditions and circumstances surrounding preservation efforts at the local level. Likewise, the problems that must be overcome to make these programs successful are apt to be diverse. Consequently, a wide range of options should be considered when assisting local communities in determining what methods will help them meet their preservation goals.

Most of the Tennessee communities that have historic preservation zoning ordinances in place have adopted or substantially revised them in the past twenty years. The state enabling legislation for historic preservation zoning was revised in 1982 to include much more specific requirements. Most local ordinances in existence today comply with the requirements of the current enabling legislation; however, some do not, still being modeled on the original 1965 legislation.

Local government programs for historic preservation are an area of growth in the state's preservation movement. Many of these programs, especially the newer ones, are in great need of technical assistance and advice. Especially in smaller towns and rural areas expertise and knowledge do not meet the desire and enthusiasm of the preservation activists in the community. There is a critical need for a reliable support system for these programs and local governments rely on a range of sources for technical advice and information. This sometimes results in inconsistent or conflicting advice and recommendations. There is a need for all sources of information to provide consistent advice, and for those offices and agencies that receive questions regarding historic preservation and historic zoning to continually receive training and information in a consistent manner.

Often, historic preservation ordinances are adopted without thought or preparation in the community and there are unrealistic expectations of what can be accomplished, or of what threats the legislation can successfully address. There is sometimes a lack of understanding of the public support for historic preservation zoning and a lack of appreciation of how a poorly administered ordinance and program can erode this support. In some cases, historic preservation zoning is adopted by a city administration to placate an influential minority and there is no real commitment to the program; in others, historic preservation ordinances are adopted with no real enforcement procedures or with appeal processes in conflict with the appeal process outlined in the state enabling legislation or other deficiencies. Programs without full and strong support of the city government easily flounder when controversies arise or when there is a perception that historic preservation is a narrow interest. Conscious of their fundamental weakness, when decisions are overturned or simply not enforced, Historic Zoning Commissions may fear to take strong and decisive action even when in the best interest of the community and in preservation and never fully realize their potential.

In 1980, the Certified Local Government program was established, through amendments to the National Historic Preservation Act. This program mandates that the State Historic Preservation Office certify local government historic preservation programs that meet certain standards. With the goal of assisting as many local governments as possible to achieve certification, as well as improving their effectiveness, the Tennessee Historical Commission has developed a program of general technical assistance and advice to local communities which have passed or wish to pass a historic preservation zoning ordinance, and that have become or wish to become a Certified Local Government (CLG).

To become a CLG, a local government (city, town, or county) must have a historic zoning ordinance and historic zoning commission in place in accordance with the state enabling legislation and must have a paid staff member responsible for overseeing the commission's activities. Usually this is someone in the planning or codes department, although Memphis, Nashville, Franklin, Knoxville, and Chattanooga have full-time staff persons that oversee the historic preservation program. The CLG program forms a partnership between the local government and the State Historic Preservation Office, and the CLG's receive priority in technical assistance from the SHPO as well as the eligibility to apply for grants from the SHPO. Twenty-eight towns, cities, and counties in Tennessee have been certified as of December, 2003, and several other communities have expressed interest in the program. Those municipalities which have become Certified Local Governments are: Bolivar, Chattanooga, Clarksville, Collierville, Columbia, Covington, Franklin, Gainesboro, Gallatin, Greeneville, Harriman, Jackson, Johnson City, Jonesborough, Kingsport, Knoxville, Madison County, Martin, Memphis, Montgomery County, Nashville-Davidson County, Rogersville, Shelbyville, and Sparta.

For historic zoning commissions and programs to be effective and have a real impact on the development and growth of their communities they must work closely with other programs of local government, especially those which likewise effect the community's appearance and the direction of its growth, such as local planning commissions. Communities with local government preservation programs should undertake periodic surveys of their historic resources and preservation planning at the local level systematically, and integrate the preservation plan for these historic resources into the larger community plan. Unfortunately, there is generally very little interaction between those in the community involved with land use planning and the Historic Zoning Commissions outside of the major cities of Memphis, Nashville, Chattanooga,

Knoxville, Jackson, and Johnson City. There is a need to ensure that local government preservation programs are integrated with local government planning efforts but in many places there is an even greater need to improve the basic planning functions of local governments themselves. Local government preservation programs must be a part of a general community effort to plan for and manage its growth in a way that is best for a community, taking into account all of its needs, problems, and goals. Public Chapter 1101, the Growth Policy Act, passed in 1998 and discussed in detail in Section E., may offer an opportunity to more closely coordinate the planning and historic preservation functions of local governments in Tennessee.

#### D. Historic Preservation and the Non-Profit Sector

The success of historic preservation as a movement depends on the active and organized support and involvement of the private sector. Government agencies will not and cannot be effective alone. Private sector involvement in historic preservation is principally through the avenue of the private non-profit association or society formed by citizens who have organized to coordinate and focus their energies. This method of civic activism through the formation of voluntary associations has a distinguished history in America. Since the earliest days of the republic, Americans have been pursuing social goals through the activities of voluntary associations. In fact, one of the oldest types of social institution in the country is the historical society. The oldest such society in Tennessee is the East Tennessee Historical Society, founded in 1834. The Tennessee Historical Society and the West Tennessee Historical Society are of similar antiquity, tracing their roots to 1849 and 1857 respectively. Though the primary interest of these organizations remains in the publication of a written record of historic events and persons, they are also interested in the preservation of historic structures.

In the twentieth century, organizations formed with the preservation of historic structures as their primary goal. On the national level, the founding of the National Trust for Historic Preservation in 1949 inspired the creation of many similar local groups. The Association for the Preservation of Tennessee Antiquities (APTA) was the first organization in Tennessee specifically founded with historic preservation as its primary mission. APTA and its local chapters have been active in preserving, restoring, and interpreting individual historic properties as museums since 1951 in such homes as Glenmore Mansion, Belle Meade Plantation, and the Woodruff-Fontaine House. More than just preserving the structures, APTA places particular importance on the interior of their house museums, incorporating authentic furnishings and domestic items. APTA has saved fifteen historic buildings in Tennessee since its inception.

The Tennessee Heritage Alliance formed in 1983 to coordinate on a statewide level the pursuit of preservation interests but lacked the funding to be fully effective. Following a decline in activity, interested citizens joined efforts and revitalized the organization under a new name, the Tennessee Preservation Trust (TPT). With its re-birth, the organization dedicated itself to promoting and protecting the state's diverse historic resources by including people from different backgrounds, educational levels, occupations, races, and ages. Departing from the precedent set by its predecessor, TPT joined with the National Trust for Historic Preservation in its Statewide Initiatives Program. This program is a three-year contract, whereby the National Trust offers financial and technical assistance as the state organization develops. The National Trust for Historic Preservation has identified statewide preservation organizations as the "backbone of preservation" and of great value in increasing and maintaining the "force, reliability, and stability of the preservation movement." The National Trust also regrettably has found that most statewide organizations merely "run in place" with just enough strength and vitality to maintain their existence. They are most commonly composed of "committed, caring, dedicated people" who

have been unable to gain the level of support and strength necessary to make a real impact. The Statewide Initiatives Program attempts to confront and counter these pitfalls for state historic preservation associations by nurturing their development.

TPT has thus far overcome many of the hurdles that impeded its progression to a self-sustaining, financially viable, and politically powerful organization. An Executive Director has been hired and a permanent office in Nashville, Tennessee, has been established. TPT has attempted to raise awareness of the need for preservation by such methods as selecting each year "Ten in Tennessee," a list of the ten most endangered historic sites in the state. To increase the education of preservationists and to foster a network of local preservation groups and individuals, the TPT holds an annual conference with symposiums on different projects and issues that Tennesseans face in the pursuit of historic preservation. In 2002, the topics ranged from heritage education to masonry preservation to grant-writing. While the TPT is still receiving financial support from the National Trust for Historic Preservation, it has taken steps to achieve financial independence. Aside from its 350-member annual dues, TPT holds the "Toast of Tennessee" fundraiser, which involves a wine-tasting and historic tour. Finally, TPT displayed true political activism and lobbying strength in 2002 when it joined with a coalition of preservationists and municipal groups to strike down anti-preservation legislation. Tennessee House of Representatives Bill 3107 would have allowed properties pending local historic zoning status to be subject only to pre-existing zoning ordinances. In effect, this legislation could have permitted the demolition of historic properties. The coalition of preservationists and municipal groups, including TPT, effectively campaigned to kill the legislation while it was in the House Calendar and Rules Committee. Through all the activities in which TPT initiates and participates, it has endeavored to develop into independent maturity.

A preservation organization that is still in its infancy is the Tennessee Civil War Preservation Association (TCWPA). The mission of this non-profit association is the protection, preservation, and interpretation of Tennessee's surviving Civil War resources. TCWPA hopes to acquire and preserve unprotected property throughout the state, thus fulfilling a vital role for Civil War preservation. It is difficult for state and federal agencies to make land acquisitions for battlefield preservation because they cannot act as quickly as circumstances may require. Frequently, such acquisitions take eight months to one year to complete. TCWPA with its non-profit status could act quickly and decisively to hold these properties until state and federal monies are attained. Amassing the funds necessary to purchase these lands, however, will be a problem for this new organization. Currently, TCWPA has hired a part-time Executive Director with the aid of a grant from the Tennessee Wars Commission, which should lend it greater stability. The association also created the Robert A. (Bob) Ragland Award to recognize individuals, organizations, or agencies that notably contribute to the preservation of historic Civil War resources in Tennessee. The driving force behind the award is to encourage further participation in Civil War preservation efforts. TCWPA, though only a fledgling organization,

operates under the expectation that it will play a more influential role in the preservation of Civil War sites in Tennessee in the years to come.

In addition to these statewide or regional organizations there exist numerous local organizations with similar goals. Most of these groups are organized on a countywide basis and call themselves historical societies. Their primary interest is local history and genealogy; but some maintain a local history museum. There are presently 83 such organizations of which the Historical Commission has knowledge. An additional 26 organizations have historic preservation as their primary aim. These organizations, usually located in the larger towns or cities of the state, focus their efforts on either downtown or neighborhood preservation and revitalization. Also, 24 "Main Street" organizations, formerly guided by the Tennessee Main Street Association, still exist. Unfortunately, this statewide organization folded due to lack of funding. Currently, the Tennessee Historical Commission stores their files.

From a survey conducted of local historical groups for the 1996 plan, the following statistics were compiled. The 49 questionnaires which were returned came from a number of different types of organizations, including:

- 18 historical societies
- 8 local history museums
- 5 historic houses
- 5 historic preservation organizations
- 5 "Main Street" or downtown associations
- 5 Other organizations (cultural centers, DAR, etc.)
- 3 Genealogists or Genealogical Societies.

The stated mission of these organizations was varied and often included more than one area of interest. The survey offered six different options to help define the purpose of these organizations. The responses indicated that of the 49 organizations 39 were involved with historic preservation, 36 with local history, 19 with genealogy, 13 with the stewardship of historic buildings, 9 with the preservation of neighborhoods, and 7 with other activities (such as folk festivals and downtown revitalizations). These answers indicate that local historic organizations are involved in a milieu of different activities either related to history or preservation, serving many functions in their local communities. Most counties and cities do not have the capacity to develop separate organizations for historic preservation, local history, neighborhood preservation, etc. Therefore, it is perfectly reasonable to discover a genealogical society participating in historic preservation or a local history museum participating in genealogy. The results suggest that preservationists and the public should not be misled by the titles of these organizations, as their activities are much broader than indicated by their name.

Membership within these local organizations ranged from a low of 15 for the Henry County Genealogy Society to a high of 850 for the Heritage Foundation of Franklin and Williamson County. The total number of members in all of the organizations responding to the survey was 12,839. Adding to this number the memberships of the statewide organizations

mentioned earlier (2,700 for the Tennessee Historical Society, 2,600 for the APTA, 2,000 for the East Tennessee Historical Society, 514 for the West Tennessee Historical Society, and 350 for Tennessee Preservation Trust) produces a total membership of 21,003 Tennesseans involved in historical groups. As noted, a sizable number of organizations did not respond to the survey. Though many may be inactive or no longer in existence, the organizations that did not respond would obviously increase the total membership of 21,003.

At the present time there is a project undertaken by the Tennessee State Historian, Mr. Walter Durham, to conduct a more comprehensive assessment of groups and institutions in the state with an interest in history and preservation. When this report is available it will be a valuable resource in harnessing the energy of these groups as well as document the depth and breadth of interest among Tennesseans in the history of their state.

Since the 1996 plan a new organization has been formed in the state which has opened up new possibilities to pursue the preservation of historic properties in concert with other conservation and environmental goals. This organization is the Land Trust for Tennessee. Formed in 1999, the Land Trust protects Tennessee's natural and historic landscapes and sites through donations of conservation easements that protect important land resources. Including the Land Trust for Tennessee, the Land Trust Alliance, an umbrella organization for land trusts, lists some 20 operating land trust organizations in Tennessee. These range across the state from the Wolf River Conservancy in Shelby County to the Foothills Land Conservancy in Blount County. This growing aspect of the conservation and preservation movement should be thought of as a pillar of increasing importance to the preservation movement with much potential for cooperative efforts.

There are also non-profit organizations whose primary interest is archeology. Though not as numerous as historical societies there are several in existence which are active. Among these are the Memphis Archaeological and Geological Society, the Tennessee River Archaeological Society, the Jackson Archaeological Society, the Dickson County Archaeological Society, the Mid-Cumberland Archaeological Society, the Cumberland River Archaeological Society, the Tennessee Ancient Sites Conservancy, and the Kingston Archaeological Society. These organization typically are interested in sharing information and promoting interest in the study of the cultures and artifacts of pre-historic peoples in their area. They have a varying number of members and levels of activity. There is some linkage maintained among them through the work of the Tennessee Division of Archeology and the Department of Anthropology at Middle Tennessee State University. MTSU maintains a website (<http://www.mtsu.edu/~kesmith/TNARCHNET/archpage.htm>) which contains links to those organizations which have their own websites. As is the case with historical societies and the like an effort to obtain and maintain more current and complete information of these organizations would be a worthy endeavor.

In summary, there is a large and fairly diverse private sector component at work in the fields of history and preservation in Tennessee. The indications are, however, that

communication between the groups is often sparse and sporadic. There is a need for some agency or mechanism to facilitate and encourage the networking and coordination of these groups to share ideas, cooperate on projects, and lend mutual support. The resources available to historical groups are scarce enough that collaboration becomes necessary for mutual survival. The Tennessee Preservation Trust is admirably attempting to fill this role through its annual conference, regional receptions, and annual publication of the State Preservation Directory. As TPT grows in strength, it will hopefully be able to fully energize and mobilize local preservation groups. This is the key to any successful plan for historic preservation in the state. Assistance and support must be provided for the efforts of private sector preservation organizations. To begin this process a much more intensive survey, perhaps conducted in person or over the phone, to determine more precisely their needs, interest, and strengths should be initiated.

## E. The Legal Environment for Historic Preservation

The legal context for historic preservation in Tennessee involves legislation in three areas: land use planning, protection of historic properties, and financial assistance or other incentives for the preservation of historic properties. References to protection of Tennessee's historic and cultural resources are scattered throughout the Tennessee Code Annotated. The laws are administered primarily by the Tennessee Historical Commission, the Division of Archaeology, local historical commissions, and historic zoning commissions.

### Planning Legislation

In 1989 the Tennessee General Assembly passed a resolution requesting that the Office of Local Government of the State Comptroller undertake a study of the state's service delivery and planning agencies to determine, among other things, the extent to which both service delivery and comprehensive planning could be improved. This report, published in April of 1991 by the Office of State Comptroller under the title Planning and Service Delivery in Tennessee summarized the problems and shortcomings of the present state of land-use planning in the following words:

1. Although state law allows local government to do comprehensive planning, planning is not required. There are no minimum state standards that must be followed. There is no systematic, comprehensive statement of planning toward growth management goals, nor statutes requiring reports of progress or success.
2. State and local governments frequently react to problems as they occur rather than planning for the future.
3. There are no incentives for state and local government to conduct assessments of strategic needs or problems; to put priorities on them; to issue specific plans to eliminate, reduce, or resolve them.
4. Statewide infrastructure needs far exceed the resources available to the state and local governments; methodologies to collect data on infrastructure needs are not uniform and may produce inaccurate reporting.
5. These issues frequently cross political boundaries and responsibilities of individual units of government.

Based on these findings the report reached the following conclusion.

Tennessee's planning structure is not adequate to provide informed, coordinated strategies that will promote positive results and limit negative ones. As a result, state and local governments probably are not using their resources as effectively as they could and problems become more difficult to solve because responsibility is not clearly assigned. State and federal agencies, development districts, and local planning commissions all perform planning functions, but there is no established means of coordination among them....

Because of fragmentation in many parts of the public sector, problems often reach crisis proportions before they are addressed; needed data information are

not available to make decisions; and, service providers compete for scarce resources instead of finding ways to improve their joint effectiveness...

The report suggests that while land-use planning has historically been the domain of local governments, in some parts of the country states are playing a stronger role in growth management because of rapid economic growth and a renewed interest in protecting the environment. The report cites the states of Maine, Vermont, Rhode Island, Delaware, Florida, and Georgia as states in which state government has assumed a stronger and more assertive role in land-use planning under newly passed state-wide land-use planning legislation.

The findings of the State Comptroller's report coincided with a spate of notorious annexation disputes in several parts of the State. Since the end of World War II, Tennessee has faced a staggering amount of urbanization and suburbanization. Currently, Tennessee is the 14<sup>th</sup> fastest growing state in the United States and has the 4<sup>th</sup> highest rate of land development (according to the 2000 Census and 1997 Natural Resources Inventory, respectively). It is largely suburban areas that were sources of conflict between city and county governments. New growth was stimulated on the urban periphery where land value and development were cheaper. Cities coveted the annexation of these urban fringes while those fringes and sometimes the county governments resisted. The annexation disputes of the late 1990's were a direct symptom of these growth patterns. Small communities of less than 225 sought incorporation for themselves and resisted annexation by larger cities. State legislation was passed in two separate instances to allow the incorporation of these "tiny towns," but the Tennessee Supreme Court ruled both these measures unconstitutional.

As a result of these annexation disputes and the State Comptroller's report, growth policy issues rose to the forefront of public and legislative attention. In response, the Tennessee Legislature passed an advanced piece of growth legislation in 1998 called the Growth Policy Act, or PC1101 according to its Tennessee Code Annotated designation. PC1101 prescribed five goals that the legislature intended for the law to accomplish. These were:

1. To eliminate annexation or incorporation out of fear.
2. To establish incentives to annex or incorporate where appropriate.
3. To more closely match the timing of development to the provision of public services.
4. To stabilize each county's education funding base and establish an incentive for each county legislative body to be more interested in education matters.
5. To minimize urban sprawl.

Unfortunately, goals are often different from accomplishments. Despite the progressive language of the legislation, cities and counties were only required to submit a county map outlining anticipated development boundaries over the next twenty years. Very few counties and cities exceeded the minimum requirements, outlining only their county map instead of developing a true plan for growth. On the maps, cities created urban growth area boundaries that expanded their corporate limits (UGB); counties created planned growth area boundaries (PGA) for areas of

anticipated development and rural area boundaries (RA). As specified in the legislation, the urban growth area designations were reserved for high-density development in cities, planned growth areas for moderate-density development in the counties, and rural areas to preserve farmland, forests, wildlife areas, etc.

In reality, a number of counties made little effort to stem urban sprawl and growth development in their maps. This trend was particularly prominent in the southeastern part of the state. Counties such as Marion, Hamilton, Bradley, Monroe, McMinn, Rhea, Roane, Loudon, and Sevier generally outlined judicious urban growth boundaries for cities but reserved almost all remaining territory in the county as planned growth areas and left little in the way of rural areas to preserve Tennessee's landscape and heritage. The submitted county maps are pro-development to the point of absurdity. Sevier County currently places the Great Smoky Mountains National Park within its PGA, and Monroe County places sections of Cherokee National Forest within its PGA. Undoubtedly, the motivation on the part of the counties was to retain as much freedom as possible in future growth and development. Does this mean that "moderate-density development" will be coming to the Smokies and Cherokee? It is not likely, but such actions, contrary to the spirit of PC1101, reveal the legislation's weakness in relying solely on local governments for implementation.

Besides providing a blueprint for future development in Tennessee, PC1101 is also relevant to historic preservation in two other respects: annexation and conservation. Annexation has long been the fuel for urban sprawl and new development, which can threaten historical resources outside cities. PC1101 makes it easy for cities to expand within their UGBs. They can annex by any statutory method at their disposal. On the other hand, if a city wants to annex territory outside its UGB, this can only be accomplished by a referendum or by amending the UGB, which would require public meetings and the agreement of the county coordinating committee. Furthermore, cities may not issue extra-territorial zoning or planning regulations outside their UGB, limiting their authority to the confines of their UGBs. These annexation and zoning restrictions should make it more difficult for cities to expand beyond their UGB, hopefully offering some protection to historical properties on the fringes of urban development.

The other direct impact of PC1101 on historic preservation is a statement in the legislation that requires growth plans to conserve natural and cultural resources. Section 8 of Public Chapter 1101 states that "the goals and objectives of a growth plan include the need to (subsection 5) conserve features of significant statewide or regional architectural, cultural, historical, or archaeological interest." The significance of this statement has not yet been fully realized or tested. When the growth plans were created, there was no agency established to enforce the above provision. Therefore, the counties and municipalities could ignore the "need to conserve" historic features without facing consequences. There may be still be room for interpretation of the above provision and possible litigation if desired. This complicated issue is best explained with an example. Suppose that a Civil War battlefield site significant to state

history was included in a city's UGB or in a county's PGA. A local citizens group attempting to preserve the property could argue that the city and/or the county neglected their duties under the legislation as written in Section 8 of PC1101. The governing bodies failed in their plan's objectives to account for significant historical and archaeological features by including the battlefield in their UGB or PGA. The citizens group could then propose that the battlefield property be re-examined as an RA, which would hopefully give the property greater protection from development. This argument using Section 8 is merely an untried interpretation of the law that would require further scrutiny by an attorney familiar with PC1101, but for those groups seeking to preserve historic resources with no other means at their disposal, PC1101 may offer recourse. Since PC1101 is legislation related to land-use planning, it does not provide direct protection to historic properties. However, general planning legislation which sets the policy and goals for how a community wishes to grow can be enormously important both in preparing the ground for more explicit protective measures as well as directing growth so as to that, in general, it is less threatening to historic properties. The continuing implementation of the provisions of PC-1101 is something that preservationist must watch and be prepared to participate in as the future unfolds.

#### Protection Legislation

In 1990 the state legislature called for a study to be done of the state's methods of protecting publicly owned resources including "national and state parks, national landmarks, state wildlife management areas, state forests, state-owned property listed or eligible for listing on the National Register of Historic Places, and state-owned property designated as part of a State Scenic River or State Scenic Trail." This report, also published by the State Comptroller in 1991 under the title Protecting Tennessee's Natural and Cultural Resources reached the following conclusion:

Tennessee has less stringent laws and policies for protecting environmentally sensitive properties than many other states. As a result, these areas may be in greater danger than if located in other states. Of the 50 states, Tennessee is one of only 16 that do not have a State Environmental Policy Act. Such acts vary in their requirements, but parallel the National Environmental Policy Act to a great extent. In many states, these laws require assessment of environmental impacts for projects using state funds.

There is very little in the way of protective legislation specifically for historic properties at the state level. There are laws that give protection to cemeteries, which can serve as a safeguard for archeological sites containing human burials. There are laws that are intended to protect state-owned historic properties, including archeological sites, from actions of the state itself. However, there is no review of state-funded projects which might affect privately owned historic properties. Such laws exist in many other states and usually parallel section 106 of the National Historic Preservation Act as the laws referred to in the above quote parallel the National Environmental Policy Act. There is state enabling legislation that allows local jurisdictions to enact protective legislation for historic properties. Many communities have done so in the form of historic zoning

as described in Section C, "Local Governments and Historic Preservation". There has been no change in this situation since the report was issued.

#### Financial and Other Incentives

The third category of legislation relevant to the preservation of historic properties establishes a funding source, financial incentives, or other incentives for preservation efforts. Again, Tennessee is not found in the top tier of states as far as such programs are concerned. There are laws that offer incentives through tax abatement for open space preservation and laws which make possible the donation of easements on property, including historic property. Regrettably though, Tennessee has no effective incentive programs to encourage historic preservation or assist property owners who wish to preserve their historic properties for the benefit of the public and future generations. One of the impediments to preservation efforts is the state constitution, which classifies property excepted from property taxes into categories that do not appear to include historic preservation purposes. Another difficulty is the absence of a state income tax, which precludes any system of tax credits or deductions such as exist in federal law. The only available method by which assistance for historic preservation purposes may be provided under present law comes from direct subsidies or assistance. This method, however, is hampered by a lack of funds.

There are three possible sources of public funding for preservation purposes at the present time. One of these is through the regular appropriations and budgeting process of the state legislature. The Tennessee Historical Commission has grant making authority and by the terms of its authorizing legislation is the state agency which is to be responsible for the administration of funds "made available from public sources for historical purposes." The Commission at one time had a respectable grants budget but for more than twenty years has had very little funds for grants after a series of drastic budget cuts in the early 1980's which have never been restored. At the present time projects and programs for historic preservation purposes receive any state assistance directly from the state legislature and depend on the vagaries of the political process. Any planned or systematic approach is impossible under such a system. Under the administration of Governor Lamar Alexander a series of regular appropriations were made for several years in the mid-1980's for the acquisition of natural and cultural areas, including historic sites. These appropriations have ceased, however, and the fund called the "Safe Growth Natural and Cultural Areas Acquisition Fund" has been depleted.

There is one dedicated source of revenue in Tennessee for the preservation of environmentally sensitive areas. This is the Natural Resources Trust Fund. This fund, established in 1985, receives the proceeds from sales of state-owned property, revenues collected for the extraction of minerals from state property, bequests, grants, contributions, and appropriations designated for receipt into the trust fund, and investment income. The corpus of the trust fund cannot be spent for any purpose. The interest, however, may be appropriated for acquisition of land and water; for development of outdoor recreation facilities that serve the

general public; for other capital projects for the conservation of air, land, and water resources; for the acquisition or preservation of historic or archaeological properties; or for 50-50 matching grants or other financial assistance to any county or municipal government for similar purposes. With the amount presently in the Trust Fund and only the interest available for expenditure, the prospect is that the fund will not in the foreseeable future generate sufficient sums of money to serve the purposes for which it was established. At the present time the funds available from this source have been allocated to the completion of the Cumberland Trail, which crosses the state from north to south along the Cumberland Plateau.

Regarding the funding situation for the preservation of natural and cultural resources the Comptroller's report, Protecting Tennessee's Natural and Cultural Resources, reached the following conclusion:

Lack of funds and a slow acquisition process are two major impediments that must be overcome if the state is to improve the protection of public natural and cultural resources...[and]...cooperative relationships among public and private entities may need to be strengthened.

The report further advised:

...To establish a steady revenue source for the protection of their public natural and cultural resources other states use a variety of different taxes and fees including real estate taxes, proceeds from timber sales, royalties on sand and gravel, severance taxes, and **lotteries**.

In 1991 these suggestions bore fruit with the passage of legislation to levy a four-cent increase in the Real Estate Transfer Tax. The revenue generated from this tax is available for grants to local governments for public recreation projects, for state lands acquisition, and for some kinds of pollution control. From 1992 through 2000, there was over \$22 million allocated from this fund and approximately \$7.6 million was available for 2001. Funding for the program has been larger than anticipated, due to the increase in real estate transactions brought about by the state's phenomenal growth during the decade of the 90's. Most of the funds have gone to parks, recreation, and trails but there have been significant allocations from the State Lands Acquisition Fund for the purchase of Civil War battlefields. The use of the funds has been curtailed by the state's fiscal crisis and most of the funds are now being applied to other uses such as the maintenance of State Parks. The law is still on the books, however, and hopefully the funds will someday again be applied to the purposes for which the law was passed.

## **F. The Economic Importance of Historic Preservation**

When Congress passed the National Historic Preservation Act in 1966, they defined the purpose of the act, declaring, “the spirit and direction of the Nation are founded upon and reflected in its national heritage.” This noble idea, that the history of America and its struggles informs and directs how we think and act today, has inspired the preservation movement, which associates these historical reflections with places in our modern landscape. However, in this era of diminishing resources and increasing demands for services at all levels of government, a noble idea is not sufficient in and of itself to sustain a pursuit. Public supported programs must move beyond impalpable ideals for the sake of their own existence. Historic preservation must demonstrate an economic justification in order to preserve its own existence in these trying times.

Fortunately for those who believe in historic preservation as an intrinsic good, there exists economic justification for its pursuit. In fact, now that more data has been compiled, historic preservationists can substantiate the claim that historic preservation has wide-ranging and positive economic impacts for both the state and the nation. This conclusion should not be too surprising. Historic preservation by its very nature is intimately bound to real estate, which is one of the fundamental pillars of wealth and production. The choices that individuals and businesses make in preserving historic properties imply that they place a particular value on that real estate precisely because of its historic qualities. This value manifests itself in construction expenditures for historic rehabilitation, in accelerated rates of appreciation for historic property values, and in the demonstrated appeal of historic properties as a component of what has come to be called “heritage tourism.”

### Historic Rehabilitation

The physical act of restoring historic properties is not only the first step in preservation but also the first measurable impact of preservation on the economy. Due to their very nature, historic properties require expenditures in materials and labor for their restoration and maintenance. When historic structures are rehabilitated, capital is invested which might be spent on new construction. The eagerness of businesses and individuals to invest their money in preservation is an outward and visible sign of the inward and intangible value that they place on historic properties. It also indicates the belief that dollars invested in historic properties have the potential to yield a better rate of return than dollars invested in new construction.

One measure of the economic effect of owner investment in historic structures (primarily residential), can be derived from information on the number and value of building permits issued during 2002 in locally zoned historic districts. These figures were compiled from data in reports submitted to the Tennessee Historical Commission by Certified Local Governments in the state. (See Part II, Section C for a discussion of Certified Local Governments). This information includes figures on buildings that are listed on the National Register of Historic Places and those that are included in a locally designated historic district. These figures are shown in the table below.

## Residential Rehabilitation in Tennessee

City	Districts	Local Permits	Register	Permits
Chattanooga	98	\$3,260,142	31	\$3,560,193
Clarksville	13	N/A	5	N/A
Collierville	13	\$418,000	2	\$25,500
Greeneville	5	\$340,000	8	\$1,476,200
Jackson	4	\$5,000	N/A	N/A
Johnson City	3	\$55,000	24	\$385,606
Jonesborough				
Kingsport	13	N/A	N/A	N/A
Knoxville	101	N/A	N/A	N/A
Martin	6	\$75,400	0	0
Memphis	125	\$9,262,556	1,157	\$14,489,770
Nashville	130	\$8,611,000	472	N/A
Rogersville	63	\$356,000	2	\$255,000
Sparta	1	N/A	N/A	N/A
Shelbyville	1	N/A	N/A	N/A
TOTAL				

Because the majority of locally designated historic districts are residential in nature, this data provides an approximate indication of the scale of investment in owner-occupied historic residences. Including buildings in historic districts of multiple properties, in Tennessee there were 36,582 properties on the National Register of Historic Places as of October 2002. A reasonable estimate is that at least 75% of these are houses. The above figures, anecdotal evidence, and casual observation are sufficient to realize that a sizable portion of these are undergoing or have undergone restoration by their owners. Indeed many nominations to the National Register originate with owners who seek recognition and validation for the pride that they feel in their restored historic properties. Even a casual reflection on the above facts and figures is sufficient to indicate that the impact statewide of expenditures by homeowners on historic properties is large and that the potential for such expenditures is enormous. To realize this potential it will be necessary to complete the work of identifying and designating historic properties in Tennessee. Considered in economic terms, identifying and designating historic properties is a form of marketing. If the economic potential of historic preservation in Tennessee is to be realized it must be marketed.

Until recently, other than the partial data such as is cited above, information on economic activity generated by historic building rehabilitation has not been available. Several studies have now been done, however, which remedy this deficiency. One such study was initiated by the Memphis Landmarks Commission with grant assistance from the Tennessee Historical Commission and is entitled, The Economic Impact of Historic Preservation in Memphis, Tennessee. Economic analysts at Rutgers University's Center for Urban Policy Research used a sophisticated regional economic model adapted from one originally developed for the National Park Service and titled the Preservation Economic Impact Model (PEIM). PEIM examines not only the direct economic impact of historic preservation rehabilitation, such as labor and building supplies, but it also measures multiplier effects (example: the money spent by the mill to produce the lumber purchased by the contractor). The study was also able to assess separately the impacts on both the local and national economies from preservation activities in Memphis.

As determined by the study the estimated economic activity generated by historic rehabilitation in Memphis alone was astonishing. In 2001, it produced 423 new jobs in Memphis and resulted in \$14.5 million in income (total wages, salaries, and proprietor's income). Historic preservation in Memphis benefited the State of Tennessee by contributing \$19.2 million to the gross state product. The State of Tennessee, Shelby county, and the City of Memphis collected \$1.9 million in taxes as a result of this economic activity.

The estimated national impact of historic rehabilitation in Memphis was equally impressive. In 2001, the United States gained 840 new jobs, which resulted in \$27.1 million in income. Historic preservation in Memphis generated \$37.5 million for the gross domestic product. The Federal Government obtained \$5.0 million in taxes. The economic benefits for both the nation and the City of Memphis were widespread, impacting jobs, construction, services, and retail industries.

The information on residential rehabilitation and on historic rehabilitation in Memphis makes it apparent that historic preservation stimulates economic activity. The statistics suggest that historic rehabilitation leads to job growth, income growth, and tax growth. None of this growth would have been realized if individual homeowners and businesses had not chosen to invest their money in historic properties. It is likely also that it would not have occurred had programs to designate historic properties and promote (market) their preservation not been in existence.

#### Property Value Of Historic Buildings

One aspect of historic preservation which has been the subject of debate is the question of the consequences of historic designation on property values. The designation of historic property can occur at the national, state, or local levels. Those impacted by the designation are the individuals and businesses that own the properties. Listing on the National Register of Historic Places and local historic zoning measures may help preserve historic properties but may

be perceived as restricting the freedom of an owner to develop or use their property as they choose. Though National Register listing, in fact, does not restrict an owner's rights to the use or development of his property the perception exists in the minds of some that it may. Historic zoning does place restrictions on how and whether a historic property may be developed or used and restrictions on how properties may be rehabilitated or redeveloped can irk some who feel that their rights as owners should not be encumbered. Historic designation can thus be a negative factor in the minds of these people and would presumably, at least for them, adversely affect its value.

The debate over the economic impact of such designation stems from these two contrasting ideals. The proponents of historic property designation argue that homeowners realize economic gains because of the increased prestige of historically designated properties, the increased protection from inappropriate development or alterations which damage the quality and character of adjacent properties, and the financial incentives, such as tax credits, that may come with designation. Opponents of historic property designation assert that regulatory costs and restrictions on rehabilitation (from preservation tax credits and local zoning), as well as development constraints lead to extraneous expenses and the devaluation of the property by restricting its "highest and best" use. Both sides of the debate can find isolated examples to fuel their arguments, yet both often lack a more holistic portrait of the market reaction to historic zoning designation.

In Tennessee two studies have been conducted to put these contentious opinions into clearer perspective. The Knoxville-Knox County Metropolitan Planning Commission, again with grant assistance from the THC, conducted the first study which was published in August, 1996. The study compared three neighborhoods in close proximity to each other and with similar geography, history, and size. Local historic zoning affected one of the areas, the Fourth and Gill neighborhood; National Register designation affected another area, Old North Knoxville; and one neighborhood, Oakwood-Lincoln Park, had received no historic designation of any kind. In a four-year period, both of the designated historic areas demonstrated a greater increase in sales price per square foot than the undesignated Oakwood-Lincoln Park. An analysis of building permits from 1992-1995 also revealed that the value of permits in Old North Knoxville was less than the amount reported for Oakwood-Lincoln Park. Therefore, rehabilitation under local historic designation proved less expensive than the undesignated area, which would appear to undercut the argument that houses under historic designation face more expensive repairs due to regulation. The Knoxville-Knox County Metropolitan Planning Commission concluded that local and historic designation were economically beneficial to the community, providing increased value for home investors, protection of investment in rehabilitation costs, and a strengthened tax base for the city.

The majority of economic studies published throughout the United States have concluded that designation typically has a neutral or beneficial impact on property values and rarely a negative influence. The study conducted for the City of Memphis concluded the same. The authors of the study painstakingly researched 11 different communities, pairing ten of the

communities based on similar housing stock, size, history, etc. Half of these ten were designated either as a local historic landmark district or as a National Register historic district, while the other half held no designation. The table below matches up the neighborhoods involved in the study, though the eleventh neighborhood stands alone, as a large portion of the neighborhood was redeveloped on lots where historic homes were lost three decades ago. The neighborhoods also span the range of house prices from highly valued neighborhoods like Central Gardens and Chickasaw Gardens to more modestly priced neighborhoods like Shadowlawn and Annesdale-Rozelle. By including the whole spectrum, the results are less likely to be skewed by extreme prices on either end.

<i>Neighborhoods in Which Property Values Were Measured</i>	Historically Designated Neighborhoods	Undesignated Neighborhoods
<i>Group 1</i>	Hein Park (National Register District)	Red Acres
<i>Group 2</i>	East Buntyn (National Register District)	Joffre
<i>Group 3</i>	Shadowlawn (National Register District)	Longview Heights
<i>Group 4</i>	Central Gardens (Local Landmarks District)	Chickasaw Gardens
<i>Group 5</i>	Annesdale-Snowden (Local Landmarks District)	Annesdale-Rozelle
<i>Group 6</i>	Evergreen (Local Landmarks District)	

The economic study conducted by Rutgers concluded that historic designation means a higher average value, a higher value in comparison to similar homes, and a greater return on investment. When averaging the appraised values for houses in historic districts, the value was \$161,007, whereas, the average appraised value of the properties in the undesignated districts amounted to \$153,536. This is approximately a \$7,500 higher average value for the historic districts. Of more importance to most homeowners is how much properties appreciate in value. Historically designated districts brought a greater return to investment than the control districts. Between 1998 and 2002, property values climbed 27.2% in historic districts but only 18.6% in the non-designated neighborhoods. This is a 46% difference in the relative rate of increase between historically designated districts and the other, similar but undesignated, districts.

In a third type of analysis, using “multivariate regression analysis” to control for differences between properties, such as square-footage or differing amenities such as more bathrooms or a garage, the authors of the study were able to measure with a reasonable degree of assurance how much a home’s “historic nature” factors into its value. Astonishingly, it was discovered that historic properties have values that are 23% higher than properties with similar features in non-designated neighborhoods. Thus, at least in Memphis, Tennessee it can be stated that when all the other factors such as number of bathrooms, square footage, and age of a home are the same, historically designated houses will typically be worth 23% more.

While some property owners may continue to oppose preservation efforts which include regulatory restrictions, the data in these studies supports the position that historic preservation designation will increase the value of the designated property at a rate above the average for undesignated property or for the general community. The findings in Tennessee do not stand alone. Other studies initiated in nearby states such as South Carolina, Georgia, and Alabama have reported similar findings. In fact, the majority of economic studies which have been published throughout the United States conclude that designation typically has a neutral or beneficial impact on property values and rarely a negative influence. The mounting evidence from Tennessee and other places validates the positive economic impact of historic designation on property owners.

#### Preservation Tax Credits

Investment decisions are influenced by many factors, conspicuous among these influences are the consequences of different forms of taxation. Since taxes were devised, besides their primary purpose of raising governmental revenue, they have been used to subsidize or favor certain activities and to discourage others. With the complexity of today’s various forms of taxation, tax considerations are often a major determinant in directing the flow of investment dollars. In 1976, supporters of historic preservation were successful in having certain incentives written into the U. S. tax code to encourage investment in historic buildings. These incentives, which allowed a 60-month amortization of rehabilitation expenses, more nearly equalized investment in historic buildings with the tax advantages already enjoyed by some other forms of real estate investment. In 1981 the passage of the Economic

Recovery Tax Act further enhanced tax incentives for historic preservation by substituting a direct tax credit of 25% of the rehabilitation costs for the 60-month amortization. The incentives were rendered somewhat less advantageous by provisions of the Tax Reform Act of 1986, which lowered the tax credit from 25% to 20%. Provisions governing the administration of these programs require persons who wish to take advantage of them to obtain certifications from the National Park Service (NPS) to qualify them as eligible for the incentives. Applications called "Historic Preservation Certification Applications" (HPCAs) must be submitted to the NPS through the State Historic Preservation Officer. Analysis of the effectiveness of historic preservation tax incentives is based on the information provided in these applications.

Since 1976 the Tennessee Historical Commission has maintained records on HPCAs. This data shows that not only has historic preservation been a major focus of real estate investment across the state over the past 26 years but also that businesses have reaped millions of dollars in benefits from the tax incentive program. According to these records, as of 2002, a total of 628 projects have been submitted for preliminary approval since the passage of the first tax incentives for historic preservation. These projects had a total estimated cost of \$724 million.

These figures are estimates for projects submitted for preliminary approval. Procedures require that, when completed, projects must be submitted for final approval. Of the total of 628 projects submitted for preliminary approval, 397 have been submitted for final approval with final figures for the cost of the project provided. This amount totaled \$445 million. As might be expected, the largest proportion of these projects has taken place in the more urban communities of the state. Of the 397 projects which have been completed and submitted for final certification, 91, with a total value of \$184 million were in Shelby County (Memphis); 91, with a total value of \$119 million were in Davidson County (Nashville); 38, with a total value of \$70.8 million were in Hamilton County (Chattanooga); and 62, with a total value of \$46.5 million were in Knox County (Knoxville).

In spite of this concentration of projects in urban areas however, there were a sizable number of projects located in more rural areas of the state. Projects submitted for final approval and located outside one of the four largest cities totaled 115 and had a total value of \$24.7 million. Williamson County, an affluent suburban county south of Nashville that was formerly one of the state's most successful Main Street programs, had the largest number of projects outside the big four cities. 25 projects were initiated there. Giles County had ten projects, while Robertson County and Sumner County had eight projects each. A total of 37 counties (excluding the four most urbanized counties) had at least one project, including some very small and highly rural counties such as Bledsoe, Henry, and Jackson. The average size of projects in these rural counties was well below the average of projects in the urban counties, however, these statistics indicate that investments in historic buildings leveraged by the Preservation Tax Incentives have had an economic impact that is significant and includes most areas of the state.

Statistics on tax incentive projects can also be analyzed to examine the effect produced by changes in federal law. From 1976-1982 when the incentive was the sixty-month amortization, projects with a total value of \$69.1 million were submitted for preliminary review. After passage of the Economic Recovery Act in 1981, tax credits were given for 25% of the cost of rehabilitation. The total value of projects submitted for review was \$258 million. In 1986 the reimbursement in the form of tax credits was reduced to 20%. Under this law from 1987 to 2002, the total value of projects submitted for preliminary certification was \$397 million. Since the length of time for which the laws were active varied, it is easiest to compare the impact of the legislation by taking the yearly average of the above totals. Under amortization, the weakest incentive, the average value of total projects per year was \$11.5 million. Under the 25% tax credit, the strongest incentive, the average value per year was \$51.6 million. Under the 20% tax credit, the current incentive, the average value per year was \$24.8 million. Clearly tax consequences are a major influence on the amount of money invested in historic buildings just as they are on other kinds of investments.

#### Heritage Tourism

The economic importance of historic properties has grown with the increasing popularity of "heritage tourism." In Tennessee, tourism is the state's second largest industry, generating nearly \$10 billion in 2000. The unique flavor of a particular region, state, or locality oftentimes creates the marketing advantage that is necessary to compete for tourism dollars. Nothing is more unique to a location than its history, and if that history is of widespread interest, then a location has the potential to become an important tourist destination. However, heritage tourism can only take root where historic preservation has prepared the ground. The fundamental appeal of these tourist destinations lies in historic properties, which depict and exemplify their unique history. Metaphorically speaking, historic preservation is the sea in which the fish of heritage tourism swim.

Many states are now realizing the importance of heritage tourism and are working on partnerships to foster its development. One of the primary reasons for developing heritage tourism has been the realization that heritage tourists spend almost twice as much money while on vacation as do other travelers. According to a TravelScope Survey conducted by the Travel Industry Association of America, historic and cultural tourists spent on average \$615 per trip compared to \$425 per trip for all travelers. The increased expenditures are a result of the inclination of historic tourists to take longer trips to multiple destinations, spend more money, and stay more often in commercial lodging.

Tennessee has benefited from the increased spending of these heritage tourists. Based on a publication entitled Tennessee Travel Barometer produced by the Travel Industry Association of America in 2002, the proportion of visitors to historic places and museums has steadily increased over the last few years, from 11% of all travelers in 1999 to 12% in 2000 to 13% in 2001. Historic sites and museums have become so popular to visitors that it is second only to shopping in traveler activity. Assuming that the sample study is representative of the entire population, travelers to Tennessee valued historic sites

and museums more than national and state parks, cultural festivals, amusement parks, nightlife/clubs, and sporting events. With the increase in heritage tourism over the last few years, the state has also seen a steady increase in spending by travelers, up an average of \$35 per family in just the last year.

More evidence of the economic gain generated by heritage tourism has been gathered by the study sponsored by the Memphis Landmarks Commission (previously referenced). Using the PEIM that produced the figures for historic rehabilitation, the Rutgers Center for Urban Policy Research estimated the direct economic impact of heritage tourism on the city of Memphis, as well as the multiplier effects. For the year 2000, direct heritage attributed expenditures (the share of total traveler disbursements that is specifically heritage-associated) by Memphis heritage travelers was estimated to be \$105.2 million. These expenditures produced 1,481 jobs for Memphis; \$38.0 million in income; \$63.5 million in gross state product; \$19.8 million in taxes (including \$10.9 million in state-local taxes); and annual in-state wealth creation of about \$54.7 million. According to the results of the study, there is even more good news for Memphis. While the city already has a high percentage of heritage tourists, approximately 17% of all travelers, the industry is projected to grow even larger with baby boomers, who have a demonstrated attraction to heritage tourism. These figures show that the “buzz” around heritage tourism is more than just marketing hype. There is substantial gain to be found in heritage tourism, and consequently in the historic preservation which sustains it.

Heritage tourism can be an effective tool in smaller communities just as well as urban centers like Memphis. Byrdstown-Pickett County is an example of how a smaller town benefits from heritage tourism. Visitors primarily travel to the county because of its proximity to Dale Hollow Lake. There were 850,000 visitors to Pickett County in 2001, making tourism the top economic generator. Considering that the population of Pickett County is approximately 5,000, the number of tourists is quite astounding. While recreation at Dale Hollow Lake is the biggest draw for the county, the local chamber of commerce is leading a new effort to expand heritage tourism. From a purely economic perspective, such a move is advantageous because most tourists on vacation come to an area not just for a single attraction. They like to have the option to see and do many things and, as has already been established, visiting historical places is a popular phenomenon. The heritage tourism campaign in Pickett County is also driven by a desire to attract more historical/museum tourists who tend to spend more money. While these economic considerations are important, they do not adequately capture the entire motivation behind heritage tourism development. By exploring the history of the county and bringing areas of local importance to the forefront, the citizens of the county learn more about their community and celebrate their heritage. These efforts can also spur new interest in historic preservation. Byrdstown is in the process of restoring one of the older, historic homes in the community to serve as a welcome center and museum. Thus, even smaller, non-urban counties can benefit from heritage tourism in the form of increased economic stimulus, community awareness, and historic preservation.

## Conclusion

Like art or other cultural resources, the aesthetic, inspirational, and emotional values of historic properties are directly related to their economic value. The more historic properties are cherished and preserved, the higher their economic value. Tennessee is rich in historic properties. Actions to preserve, protect, and promote them are in the state's economic self-interest. Once again, the study in Memphis can be used to illustrate this point. Memphis benefited from \$133.6 million in historic preservation expenditures. Such figures make it difficult to dismiss the economic value that consumers place on historic preservation. Memphis gained all this economic wealth because people were willing to spend money on a piece of history. As for the statement that it economically behooves the state to preserve, protect, and promote historic properties, the proof is in the \$12.9 million in state and local taxes collected from historic preservation expenditures in Memphis. For fiscal year 2002-2003, the state of Tennessee allocated \$1.3 million for the Tennessee Historical Commission. This represents only ten percent of the tax revenue generated by historic preservation in Memphis alone.

Historic preservationists and economists now have data showing that historic preservation generates economic growth. The new challenge that preservationists face is the dissemination of this information to policy makers and to the public. Dollars and other resources put into preservation are an investment and not an expense. Lingering perceptions to the contrary must be altered. The valuable information in these studies provides the wherewithal to do this if it is properly used.

### Part III. Historic Preservation and Public Opinion

In 1995 the Tennessee Historical Commission attempted for the first time to measure the level of public support for the preservation of historic properties and general public attitudes regarding historic preservation and related issues as a part of the development of the 1996 revision of the statewide comprehensive preservation plan. The results of that effort were reported in A Future for the Past: A Comprehensive Plan for Historic Preservation in Tennessee. The findings of this survey were summarized in the 1996 plan as follows:

In summary, the following general conclusions appear to be warranted regarding public attitudes and values toward historic preservation. First, it appears that there are variations of some significance among the different areas of the state which appear to be related to the rate of social and economic change which is being experienced. The support for preservation as a goal and for pro-active measures to achieve it are strongest in areas where the pace of change has been most rapid. The support is strong elsewhere but not quite at the same level of intensity or feeling. It is clear, however, that there is in all areas of the state a strong core of public support for the preservation of historic properties as an important and worthwhile public goal. This support is based on an emotional attachment to historic properties as contributors to a sense of place and community identity, to their value as connections to the past and a sense of history, and to an appreciation of their aesthetic and economic value. Third there appears to be a strong belief in the ability of communities through sincere effort, competent officials devoted to the public good, and an educated and involved citizenry, to achieve the goal of preservation of historic properties without unduly restricting private rights and prerogatives, sacrificing other needed accomplishments, or engaging in endless public disputes and controversies. Finally, the public expects a strong leadership role from both state and local governments in efforts to preserve historic properties and manage the growth and development of communities rather than the more normal response of waiting until there is a crisis or an overwhelming public demand before acting. In regard to this expectation, it is important to note the fact that, from the results of this survey, elected officials, though also in favor of preservation precepts and ideals are less strongly committed to such attitudes than the average respondent to this survey. . . .

The 1995 survey was designed and carried out by the historical commission staff as a fairly wide-ranging effort to gauge not only general public sentiment and attitudes concerning historic preservation and related matters but also to weigh opinion on matters of priorities for different types of preservation efforts and programs. The survey was in the form of a four page questionnaire which was distributed widely by a variety of means. In addition to mass mailings through the Commission's newsletter specific groups and individuals were targeted. Among these were local historic zoning commission members, members of the Tennessee Historical Commission, members of the State Legislature, media leaders, professional organizations, and local officials. Including those distributed with the newsletter approximately 20,000 were distributed and a total of 589 were returned. This survey was not conducted, of course, according to the scientific standards for public opinion surveying but the Historical Commission felt that in spite of that fact the results were valuable as a good indication of the thinking of many Tennesseans on these matters.

As a part of the current update to the preservation plan the historical commission wanted to follow up the original survey with one which was conducted along scientific principles. Accordingly, the Office of Communications Research (OCR) of Middle Tennessee State University was contacted and asked if questions on historic preservation could be included in the Middle Tennessee Poll to be conducted in the fall of 2001. The Middle Tennessee Poll's mission is to provide independent, non-partisan, and unbiased public opinion data regarding major social, political, and ethical issues affecting Tennessee. Surveys are conducted twice yearly under the direction of faculty specialists in public opinion research in accordance with scientifically validated polling standards. Students serve as poll interviewers as an integral part of their training in mass communication. Mr. Robert Wyatt, the Director of the Office of Communications Research, agreed to this request and eleven questions on historic preservation issues were included among the topics of the poll that was conducted in October and the early part of November of 2001. Originally the general topic of the poll was to be on issues of community development and related quality of life issues but because of the events of September 11, 2001 the topic of the poll was changed to focus mainly on issues of terrorism and national security. Because of this the poll results on historic preservation were somewhat overshadowed when the results were released by the OCR to the general public. The reporting of the results in this document will be the first time that the poll's findings on historic preservation have been broadly disseminated.

The poll was conducted by telephone from Oct. 22 through Nov. 2, 2001, by the Office of Communication Research at Middle Tennessee State University. Communication Research faculty were responsible for the questionnaire, sampling method, and results. Trained students interviewed 614 people age 18 or older chosen at random from across Tennessee. The poll has an estimated error margin of  $\pm 4\%$  at the 95% level of confidence. Theoretically, this means that a sample of this size should produce a statistical portrait of the population accurate within four percentage points 95 out of 100 times, though the divergence is often less. Error margins are greater for sample subgroups. Other factors, such as question wording, also affect the outcome of a survey. The valid percentages for all responses and the exact wording of the questions are given in Appendix B. Complete results for all questions contained in the 2001 Fall Poll can be seen at the website for the Middle Tennessee Poll, [http://www.mtsusurveygroup.org/mtpoll/f2001/f2001\\_index.html](http://www.mtsusurveygroup.org/mtpoll/f2001/f2001_index.html).

In brief, the polling data can be summarized as follows:

- 85% of respondents believe that historic buildings are assets to a community and not obstructions.
- 55% of respondents would like to live or work in an historic building, if given the opportunity.
- 77% believe that historic preservation should receive governmental financial support
- 87% believe that historic buildings contribute to a desirable living environment.

- 53% believe that a community should be able to exercise some controls over private property to preserve historic properties but 43% are opposed to this.
- 25% of respondents think that historic buildings may be a hindrance to growth and progress in a community.
- 93% of respondents believe that both historic preservation and economic growth can be enjoyed with proper management and planning.
- 59% do not believe that the rapid growth of Tennessee is threatening the quality of life but 37% think that it is.
- 53% think that abandonment and neglect are a greater threat to historic buildings than growth but 42% believe that growth is the more serious threat.
- 90% think that historic buildings may generate economic growth.
- 92% believe that historic buildings are important to preserve as an aspect of our heritage and culture irrespective of any economic considerations.

This survey, though conducted with a more scientifically valid sample, was not analyzed in terms of regional differences or other variations. Nor did it attempt to address issues such as the relative importance attached to historic preservation with respect to other public needs and issues. A closer look at the results are quite revealing. Several conclusions can be drawn. First, as was also found in the 1995 survey, there appears to be an overwhelming public sentiment in favor of historic preservation as a good thing which can and should be pursued as a public goal by the community and the state in general. Six of the eleven questions recorded lopsided majorities in favor of the preservation ethic. Perhaps more useful information can be gathered from the other questions, however. The questions on the threat from rapid growth and from abandonment and neglect are, again, almost certainly reflective of the differing rates of growth and economic advancement in different areas of the state. Perhaps the most important finding is the narrow split between those who think that a community's right to preserve its history and determine the nature of its future growth and appearance are more important than a individual's right to do as he or she wishes with private property. This narrow split is a indication that in Tennessee the use of regulatory tools to accomplish historic preservation will continue to encounter significant opposition. The countering or softening of this opposition will need to be a focus of preservation efforts if the regulatory tool is to be as effective as it has been in other places. Another aspect of the survey which points to an area where improvements could be made is in the question regarding the public perception of historic buildings as desirable places to live or work. The figure of 55% is significant considering that conventional wisdom would suggest a general preference for "newness" and the notion that an old house would require more maintenance than many persons would want to spend time or money on. Nevertheless, there is room for improvement in this area and efforts to promote historic buildings as possessing qualities and characteristics which make them distinctive and desirable might be beneficial to the goals of historic preservation. Finally, the 25% who believe that historic preservation can hinder

progress and needed improvements, though a minority, are of concern. Efforts to combat this idea, that historic preservation vs. growth is a zero sum game where one must lose if the other wins, must be made.

In summary, it can be said that the overall findings of this poll on historic preservation opinions make the following points:

1. The results of the previous “unscientific” polling were largely born out in this more statistically valid sample and indicate a large public sentiment in favor of the preservation of historic sites and buildings.
2. The polling clearly points to several issues and questions which can and should be the focus of educational and advocacy efforts.
3. Polling is an a very useful tool in developing a plan for anything, such as preservation, which is a matter of crafting public policy and more should be done by agencies charged with that responsibility.

## **Part IV-Goals and Objectives**

### **VISION**

This vision is for a future in which historic buildings, sites, landscapes, and neighborhoods are valued as assets which contribute to the spiritual, intellectual, aesthetic, and economic well-being of the community; a social and political environment in which governments, institutions, organizations, and individuals can act on this ethic by working effectively to preserve, protect and integrate historic properties into community life and fabric; processes, mechanisms tools and agencies through which growth, change, and development can be managed and balanced with preservation and other environmental concerns without needless and costly conflicts or the sacrifice of other important community goals and values.

### **GOALS AND OBJECTIVES**

Goal 1. Mobilize well-directed and effective public support for the preservation of historic resources as an important public goal.

Objective 1. Increase public awareness of historic preservation programs, issues, and values.

Objective 2. Develop a program of heritage education in the state.

Objective 3. Develop information for use by other agencies and groups to use in promoting preservation.

Objective 4. Develop a network of preservation representatives in all areas of the state.

Goal 2. Administer the programs of the National Historic Preservation Act in Tennessee so that the legislative intent is realized.

Objective 1. Carry out the programs and mandates of the National Historic Preservation Act in accordance with all regulations and standards and in such manner that the achievement of programmatic goals is facilitated to the greatest possible extent.

Objective 2. Identify, record and nominate to the National and Tennessee Registers of Historic Places all properties in the state meeting NR criteria so that plans and provisions may be made for their preservation.

Objective 3. Protect and develop NR listed and eligible properties by identifying threats and proposing mitigation measures and promoting and encouraging their restoration and reuse.

Objective 4. Assist through the means made available under the NHPA and related legislation other agencies, groups, and individuals that are attempting to preserve and protect historic properties.

Objective 5. Develop and implement a comprehensive statewide historic preservation plan which is appropriate for the circumstances and conditions of the State.

Goal 3. Assist and encourage local governments to establish and administer effective programs to identify and protect historic resources.

Objective 1. Develop a program for educating local governments regarding the implementation of historic preservation.

Objective 2. Work with local government preservation programs to enable them to achieve CLG status.

Objective 3. Develop a local government preservation network.

Goal 4. Establish an effective network of private preservation organizations which work together to promote, advocate and achieve the protection and preservation of Tennessee's historic resources.

Objective 1. Support and strengthen an effective statewide non-profit preservation organization.

Objective 2. Support and improve the annual statewide preservation conference.

Objective 3. Develop a program for educating and assisting private preservation organization.

Objective 4. Develop and maintain an up-to-date information base of local heritage organizations.

Goal 5. Secure the enactment of laws and other legal mechanisms which protect or enable others to protect historic resources through effective land use planning and growth management techniques; review of governmental actions which may affect historic properties; and the provision of financial and other incentives and aids for preservation activities.

Objective 1. Establish a network of groups and organizations interested in providing better land use and growth management in the state.

Objective 2. Strengthen the state "106" law and other environmental protection laws.

Objective 3. Establish a reliable and adequate source of revenue for cultural and natural resource preservation.

## **Part V. Implementation**

As stated in the title, this plan is a comprehensive plan. It is designed to focus the efforts of all those who are endeavoring to preserve the cultural heritage of the state as embodied in its historic properties and archeological sites. As such it can not be implemented by one entity but must encompass the efforts of all. The Tennessee Historical Commission will, however, take the lead in implementing the plan. The plan will serve as the primary guiding principle for setting policy and planning annual activities and programs for the Historical Commission, especially those activities carried out under the umbrella of the National Historic Preservation Act. The plan will provide the framework for the annual work program for those activities. In preparing this annual work program the plan itself will be revisited and reviewed each year and revisions will be made as needed. It is expected that new strategies will be adopted and revised as old ones either become outmoded or achieve their aims. Objectives, too, may be revised as some are achieved. In 2008 a full scale review of the plan and its efficacy will initiate work on a major revision of the plan to be completed by 2010.

In addition to serving as the basis for annual programs and activities of the Historical Commission the plan will serve as the foundation for efforts to raise the visibility of historic preservation as a public issue. Particularly the portions of the plan which relate to public opinion and to the economic importance of historic preservation can be used as tools in this endeavor. Other parts of the plan can serve this purpose as well. In the public feedback which was received when the draft of the plan was circulated for public comment a frequent response was that the narrative portion of the plan was very informative concerning activities of both governmental entities and private institutions of which the reviewer was previously not aware. It may turn out that the greatest utility of the plan will be found in its use as an educational tool. Its use in this fashion may prove also to be the most effective way of implementing the plan. To facilitate this the Historical Commission hopes to publish a summary of the plan in brochure or booklet form for widespread publication and use. The document will focus on the most salient facts from the narrative portion of the plan and on the goals and objectives.

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## Appendix A

### Historic Preservation Planning Process (1994)

(includes sub-appendices A & B)

TENNESSEE HISTORICAL COMMISSION\STATE HISTORIC PRESERVATION  
OFFICE

**HISTORIC PRESERVATION PLANNING PROCESS**

**APRIL, 1994**

## **PREAMBLE**

The Tennessee Historical Commission (THC) is engaged in the development of a Comprehensive Statewide Historic Preservation Plan. The purpose of this plan is to outline goals, objectives and methods for the preservation of historic properties which are based on the circumstances, needs, and desires of the state and its citizens. For this purpose the staff of the THC has outlined a process and specific actions to be taken. This document describes the process and lays out a tentative schedule for the development of the plan.

## PLANNING A FUTURE FOR THE PAST

The pace of social, economic, and environmental change as we approach the 21st century sometimes seems to defy efforts to avoid or even minimize the harmful effects that can result from such rapid change. Included among these harmful effects is the destruction of historic buildings, sites, and landscapes. Others may include traffic congestion, inadequate public services, overcrowded schools, crime, and higher taxes. The belief that all such concerns must be addressed in coordination has brought about the realization of a need for a comprehensive plan for historic preservation. Such a plan can serve to guide efforts of all those agencies and individuals who collectively are trying to preserve the historic environment of our state but can also encourage the coordination of those efforts with other growth management concerns.

As the state agency primarily responsible for the stewardship of historic resources in the State of Tennessee the Tennessee Historical Commission is taking the lead in an effort to develop a such a comprehensive plan for historic preservation in the state. It is our intention to have this plan completed by September of 1995.

The idea of a statewide plan for historic preservation is not entirely new. There have been two previous plans devised since the Tennessee Historical Commission began administering the programs created by the National Historic Preservation Act more than 25 years ago. These plans were more narrowly focused however and served mainly as operating plans for the State Historic Preservation Office. What is new about the present planning effort is the breadth of the intended scope and the degree to which we hope to engage the general public in the composition of the plan.

Any type of planning is a way of setting priorities. It must therefore begin with building consensus among interested and affected parties on fundamental values and on the ultimate goals toward which the plan will direct efforts. When completed the plan must serve to communicate this consensus. In the case of historic preservation both the consensus building process and the plan itself should heighten awareness, especially among decision makers, about the importance of protecting historic resources both in terms of the benefits to be derived from such activities and in terms of the value placed on such efforts by constituents. At the heart of any plan there must be communicated a

clear and compelling vision of what can be achieved and this vision must be solidly based on the desires of those whom the plan will affect. To produce a plan which will achieve these results the THC has decided on a process which will encompass four separate steps or phases.

#### Phase 1--Creating a "Vision" for Historic Preservation:

If a statewide preservation plan is to be based on the circumstances of the state those circumstances must first be fully understood. To begin the planning process, data on the social, political, economic trends and other factors which constitute the context for historic preservation activities will be gathered, presented, and analyzed. Current historic preservation efforts and activities in the state, encompassing state and local government programs as well as private efforts will also be critically reported and analyzed. An assessment will be made of the quantity and quality of information regarding historic properties which is available to guide preservation decision-making, including the comprehensive survey, National Register listings, and historic context research. The legal context and foundation for historic preservation in the state will also be examined and the potential economic impact of preservation activities will be gauged. All of these research efforts will be undertaken by THC staff with data from sources such as the State Planning Office, the Department of Economic and Community Development, and the historic property inventory and database, National Register files, and historic context studies maintained by the THC. The reports resulting from this research will be integral parts of the completed plan.

A critical component of research into conditions and circumstances which will influence the future of historic preservation in Tennessee will be an attempt to gauge for the first time the fundamental attitudes, feelings, values, and opinions of the people of the state regarding historic preservation and the entire concept of growth management and related public policy issues generally. For this purpose a public opinion questionnaire has been devised (Appendix A) which will be circulated as widely as possible. This survey, it is hoped, will provide a clear and convincing picture of public attitudes and desires and help to define a "vision" for the future of historic preservation which is realistic and conforms to the values and concerns of the state's citizens. In addition to bulk mailings to individuals on THC mailing lists, specific groups or their representatives will be targeted. These will include: local historic zoning commission members; members of the Tennessee Historical Commission; members of the State Legislature, media leaders, I.E., publishers and editors, professional organizations, and local governmental officials. Though this will not be a scientific survey it is hoped that the size and breadth of the sample will validate the findings

and provide for the first time a measure of the bedrock support of Tennesseans for historic preservation.

These findings and the results of the other research will be presented in a preliminary draft of the planning document. The highlight of this document will be a statement of a "vision" for historic preservation in Tennessee. That is, a statement, in broad terms, of how and whether the tangible remains of Tennessee's historic built environment should be preserved and integrated into the future development of the state. This "vision" will be based both on the data and information gathered from the staff research and on the expressed opinions of the people of the state. It will thus combine an idealistic approach with a realistic appraisal of what is actually possible under existing circumstances.

This first phase of plan development should be completed by June 30, 1994.

#### Phase 2--Goals and Objectives

The second phase of plan development will be the development of goals and objectives designed to move toward the vision which has been expressed. In this phase the gap between the existing conditions which have been described and the vision of what might be will be examined with the aim of discovering the steps which must be taken to advance from present conditions to the ideal future. The formulation of goals and objectives will also involve public input and will begin with the circulation for public consumption and comment of a summary of the first phase of work. Public advice regarding specific goals and objectives which can lead to the realization of the "vision" will be solicited. This input will be obtained from a narrower range of participants selected from among those who responded to the first survey. Based on these responses goals and objectives will be drafted. These goals and objectives will tie together the "vision" and the actions which will be described in the implementation plan. Draft goals and objectives will be presented for a final round of public comment, probably through a series of public hearings, prior to their adoption. This phase of plan development should be completed by September 30, 1994.

### Phase 3--Implementation plan

The final phase of plan development will be the implementation plan. Since the plan is intended to be comprehensive and to encompass all of the players on the preservation stage, much of the implementation will of necessity depend on the efforts of parties other than the THC. This is potentially a flaw in the basic viability of the plan and special efforts will be necessary if the plan is to be effectively implemented. It is not possible to describe in detail at this point what the full extent of these efforts might be. Much of this will depend on the contents of the plan itself. The implementation plan must be based on an examination of the goals and objectives to determine what methods and agencies will be the most effective tools of implementation. For those components of the plan which can and will be carried out by the State Historic Preservation Office the implementation will be incorporated into the management and strategic planning process which already exists. The stated goals of this process will be revised if necessary and correlated with the goals of the comprehensive plan and yearly objectives and strategies will be set which lead toward these goals. Thus the strategic and operational planning process of the State Historic Preservation Office will become the means to implement those parts of the comprehensive plan which the State Historic Preservation Office must carry out. The public participation process which has been instrumental in the production of the plan will it is hoped lay the groundwork for the involvement of other agencies and individuals in the implementation of the plan. The completed plan will be presented to the public and those entities which can best pursue the goals and objectives which are outside the mission of the State Historic Preservation Office will be encouraged to become active partners in implementing the plan. Lines of communication which have been established during the process of developing the plan will be maintained and made use of to communicate and coordinate the various activities of the agencies and institutions which will implement those parts of the plan that are outside the mission or capabilities of the State Historic Preservation Office.

### Phase 4--Revisions and updates

As previously stated it is our intent to have this plan completed and in use by September of 1995. As the implementation of the plan will thenceforth be coordinated and in part carried out through our existing annual strategic and operational planning process, an annual assessment of progress toward carrying out the plan will be incorporated into that activity. Minor shifts and adjustments can therefore be made on an annual basis. A formal and complete assessment of the plan and its need for updating and revision will be conducted after five years, I.E., by the year 2000. This assessment will be conducted by the staff

preliminarily and the resulting report will be circulated for public comment and advice. The results of this public comment will be incorporated into an interim report and any necessary mid-course corrections in the plan will be made. The plan itself is intended to be a ten-year plan and by the year 2005 work will begin on a entirely new plan, which will be based on what will by that time doubtless be an entirely new set of circumstances. Work on this plan will begin by again gathering and analyzing data on these new circumstances probably in a similar fashion as with the plan currently under development. Public opinion will again be measured to detect changes which may have occurred. Doubtless changes in circumstances and the lessons learned during the development of this plan will suggest changes in the methods of development of a new plan but it is expected that the elements of information gathering and public input will continue to be the foundations of the plan.

## Appendix A

(Historic Preservation Planning Process)

### Public Opinion Survey for Comprehensive Statewide Historic Preservation Plan

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#### Public Opinion Survey for Comprehensive Preservation Plan

The Tennessee Historical Commission is developing a comprehensive plan for historic preservation in the state as part of its responsibilities under mandates of the National Historic Preservation Act. As a part of this effort we are conducting a survey of public values and ideals regarding historic preservation and related issues. The results of this survey, it is hoped, will enable us to gain an understanding of public attitudes and desires and to develop a "vision" for the future of historic preservation that is realistic and conforms to the values and concerns of the state's citizens. This "vision" will form the foundation for the plan. We ask that you take a few minutes to complete the questionnaire and return it to our office.

1. Historic preservation is an important public goal which deserves governmental effort and support.

1	2	3	4	5
strongly agree	somewhat agree	no opinion	somewhat disagree	strongly disagree

2. An appreciation and understanding of the past is an important component of the mental, emotional, and physical well-being of an individual or a community.

1	2	3	4	5
strongly agree	somewhat agree	no opinion	somewhat disagree	strongly disagree

3. The preservation of historic buildings, neighborhoods, landscapes and archeological sites makes an important contribution to understanding and appreciating the past.

1	2	3	4	5
strongly agree	somewhat agree	no opinion	somewhat disagree	strongly disagree

4. The aesthetic qualities of historic buildings and landscapes are valuable contributions to a desirable living environment for human beings.

1 strongly agree	2 somewhat agree	3 no opinion	4 somewhat disagree	5 strongly disagree
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5. Individuals should have a right to do as they please with their private property even if their actions are detrimental to the community or contrary to its desires.

1 strongly agree	2 somewhat agree	3 no opinion	4 somewhat disagree	5 strongly disagree
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6. Growth and economic development are greatly needed in my community and should not be slowed or restricted for historic preservation concerns.

1 strongly agree	2 somewhat agree	3 no opinion	4 somewhat disagree	5 strongly disagree
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7. With proper planning and reasonable regulations historic preservation and growth and economic development need not be incompatible.

1 strongly agree	2 somewhat agree	3 no opinion	4 somewhat disagree	5 strongly disagree
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8. Rapid growth and inappropriate development are threatening the quality of life in my community.

1 strongly agree	2 somewhat agree	3 no opinion	4 somewhat disagree	5 strongly disagree
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9. Abandonment and neglect caused by a declining economy and population are a more serious problem and a greater threat to historic properties in my community than over development.

1	2	3	4	5
strongly agree	somewhat agree	no opinion	somewhat disagree	strongly disagree

10. All buildings, including "historic" ones, should be replaced if they have become obsolete.

1	2	3	4	5
strongly agree	somewhat agree	no opinion	somewhat disagree	strongly disagree

11. It is wasteful to demolish buildings which could be rehabilitated merely because they are old or in poor condition.

1	2	3	4	5
strongly agree	somewhat agree	no opinion	somewhat disagree	strongly disagree

12. Historic properties are economic assets which may generate economic growth and development if preserved and properly managed for this purpose.

1	2	3	4	5
strongly agree	somewhat agree	no opinion	somewhat disagree	strongly disagree

13. I am more likely to vote for a candidate for public office whom I believe to be a supporter of historic preservation.

1	2	3	4	5
strongly agree	somewhat agree	no opinion	somewhat disagree	strongly disagree

14. Please rank by numbering the following activities and functions in the order which you think they would be the most productive and useful for state government, local government, and private individuals and organizations to perform in pursuing the goal of preserving historic properties. Place an X by any activity or function which you feel should not be undertaken at all by an agency.

	state	local	private
regulation	—	—	—
financial incentives and subsidies	—	—	—
collecting and maintaining information on historic properties in the state	—	—	—
education	—	—	—
advocacy	—	—	—
technical assistance and advice	—	—	—
acquisition and ownership of historic properties	—	—	—
other (specify below)	—	—	—
_____			

15. Please rank from one to five the following public needs and concerns with one (1) representing the highest priority.

- \_\_\_education/public schools
- \_\_\_economic development/jobs
- \_\_\_clean air/clean water
- \_\_\_public health/medical care
- \_\_\_domestic security/public safety
- \_\_\_protection of the natural environment
- \_\_\_historic preservation
- \_\_\_welfare/poverty programs
- \_\_\_endangered species protection/biological diversity
- \_\_\_scientific research/space exploration
- \_\_\_national security/defense
- \_\_\_public works/roads, bridges, airports, waterways, etc.

Would you like to continue to be involved in the state historic preservation planning process? \_\_\_\_\_ yes \_\_\_\_\_ no

If yes, please include name and address.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

State

\_\_\_\_\_  
Zip

Please include the following information about yourself even if you do not wish to include your name and address.

County of Residence \_\_\_\_\_

Do you belong to a historical or archeological society, a preservation organization, or a neighborhood association?

Yes No (circle)

Are you an elected official at any level of government?

Yes No

If so, specify Federal State Local

Are you an appointed official (Example: Historic Zoning or Planning Commission member) at any level of government?

Yes No

If so, specify. Federal State Local

Are you ever involved with historic preservation issues as any part of your profession or trade? (Examples: architect, contractor, developer, consultant, planner)

Yes No

Do you personally know of historic buildings or archeological sites in your community which, in your opinion, have been needlessly destroyed or otherwise lost within the last two years.

Yes            No

how many?        \_\_\_\_\_

Comments

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13. Please rank the following activities and functions in the order which you think they would be the most productive and useful for state government to perform in pursuing the goal of preserving historic properties. Place an X by any activity or function which you feel should not be undertaken at all by this agency.

regulation \_\_\_\_\_  
financial incentives and subsidies \_\_\_\_\_  
collecting information on historic properties \_\_\_\_\_  
education \_\_\_\_\_  
advocacy \_\_\_\_\_  
technical assistance and advice \_\_\_\_\_  
acquisition and ownership of historic properties \_\_\_\_\_  
other (specify) \_\_\_\_\_

14. Please rank the following activities and functions in the order which you think they would be the most productive and useful for local government to perform in pursuing the goal of preserving historic properties. Place an X by any activity or function which you feel should not be undertaken at all by this agency.

regulation \_\_\_\_\_  
financial incentives and subsidies \_\_\_\_\_  
collecting information on historic properties \_\_\_\_\_  
education \_\_\_\_\_  
advocacy \_\_\_\_\_  
technical assistance and advice \_\_\_\_\_  
acquisition and ownership of historic properties \_\_\_\_\_  
other (specify) \_\_\_\_\_

15. Please rank the following activities and functions in the order which you think they would be the most productive and useful for private individuals and organizations to perform in pursuing the goal of preserving historic properties. Place an X by any activity or function which you feel should not be undertaken at all by this agency.

- regulation \_\_\_\_\_
- financial incentives and subsidies \_\_\_\_\_
- collecting information on historic properties \_\_\_\_\_
- education \_\_\_\_\_
- advocacy \_\_\_\_\_
- technical assistance and advice \_\_\_\_\_
- acquisition and ownership of historic properties \_\_\_\_\_
- other (specify) \_\_\_\_\_

Appendix B  
(Historic Preservation Planning Process)

Outline for Comprehensive Statewide Historic Preservation Plan

Tennessee Statewide Comprehensive Historic Preservation Plan

Outline

February, 1994

- I. Introduction--description of what the plan is and why and how it has been developed.
- II. Presentation of background information and analysis
  - A. Description and analysis of current conditions.
    1. Social, political, and economic trends in state, IE. context for historic preservation.
    2. Historic preservation programs and activities in the state.
      - a. Introduction--history of historic preservation in Tennessee. (include discussion of previous state plans).
      - b. State government programs for historic preservation.
        - i. Survey and Planning programs
          - 1) Historic property surveys and inventory
          - 2) National Register
          - 3) Historic context research and development
          - 4) Preservation planning
        - ii. Protection and Development
          - 1) Section 106 review
          - 2) ITC program
          - 3) A&D grants

- 4) State properties review
- 5) Local government assistance program
- 6) Historic sites program
- iii. Education and Interpretation
  - 1) Historical Markers
  - 2) Publications Program
  - 3) Personality of the Year
- c. Local government programs
  - i. Historic preservation zoning
- d. Private programs, efforts and organizations
- e. Legal context for historic preservation in Tennessee
- f. Economic impact of historic preservation

B. Public opinion survey

- 1. Report of results of public opinion questionnaire on public attitudes, values, and concerns regarding historic preservation and related issues.

C. Summary of findings and statement of a "vision" for the future of historic preservation in Tennessee.

III. Goals and Objectives--A summary of the results of the first phase of plan development will be circulated for public comment to confirm the viability of the "vision" and to obtain input on specific goals and objectives. After analysis a draft of goals and objectives will be produced.

IV. Implementation plan

- A. State Programs
- B. Local Government Programs

C. Private Sector Programs

V. Schedule and procedures for revisions and updates

VI. Bibliography

## Appendix B

### Historic Preservation Polling Results

The poll was conducted by telephone from Oct. 22 through Nov. 2, 2001, by the Office of Communication Research at Middle Tennessee State University. Communication Research faculty were responsible for the questionnaire, sampling method, and results. Trained students interviewed 614 people age 18 or older chosen at random from across Tennessee. The poll has an estimated error margin of  $\pm 4\%$  at the 95% level of confidence. Theoretically, this means that a sample of this size should produce a statistical portrait of the population accurate within four percentage points 95 out of 100 times, though the divergence is often less. Error margins are greater for sample subgroups. Other factors, such as question wording, also affect the outcome of a survey. Complete results, including questions on other topics, can be seen at the Middle Tennessee Poll Website, [http://www.mtsusurveygroup.org/mtpoll/f2001/f2001\\_index.html](http://www.mtsusurveygroup.org/mtpoll/f2001/f2001_index.html)

The sample varied somewhat from estimates for age and race proportions derived from 1999 U.S. Census Bureau figures for Tennessee residents age 18 and older. This is because certain demographic groups are difficult to contact. The data was thus weighted to more closely match Census estimates. Here are relevant weights and percentages:

	<i>Census</i>	<i>Sample</i>	<i>Weight</i>	<i>Result</i>
<b>Age:</b>				
<b>18-34</b>	31.3%	36.2%	0.86	31.4%
<b>35-49</b>	31.4%	29.9%	1.05	32.0%
<b>50-64</b>	20.9%	22.8%	0.92	21.4%
<b>65+</b>	16.4%	11.1%	1.48	15.2%
	100.0%	100.0%		100.0%
<b>Race:</b>				
<b>White</b>	82.9%	84.0%	0.99	83.7%
<b>Black</b>	14.9%	9.8%	1.53	14.1%
<b>Other</b>	2.1%	6.2%	0.34	2.2%
	100.0%	100.0%		100.0%
<b>Gender:</b>				
<b>Male</b>	47.3%	44.5%	1.16	47.4%
<b>Female</b>	52.7%	55.5%	0.95	52.6%
	100.0%	100.0%		100.0%

The questions on historic preservation which were included in the poll were these:

“Please tell me which of the following statements comes closest to your point of view. Most of the historic buildings in my community are an asset and should be preserved whenever possible or Most of the historic buildings in my community are obstructions to progress.”

1 Most are assets/should be preserved	85.3%
2 Most are obstructions to progress	11.4%
x Refused	NA
r No opinion	3.4%

“Do you think you would like to live or work in a historic building or would you prefer one which was newly constructed?”

1 Would like to live in a historic building	55.1%
2 Would prefer a new building	39.1%
x Refused	NA
r No opinion	5.8%

“Now, we would like to know whether you agree or disagree with the following statements about historic preservation.”

“Do you agree or disagree that historic preservation deserves financial support from government?”

1 Agree	77.3%
2 Disagree	20.0%
X Refused	NA
R Don't know	2.6%

“Historic buildings are a valuable contribution to a desirable living environment.”

1 Agree	86.7%
2 Disagree	10.6%
X Refused	NA
R Don't know	2.7%

“Individuals should have a right to do as they please with their property even if that means destroying things of historic value.”

1 Agree	43.0%
2 Disagree	53.9%
X Refused	NA
R Don't know	3.1%

“A concern for historic preservation will prevent or hinder needed growth and development in my community.”

1 Agree	25.0%
2 Disagree	70.8%
X Refused	NA
R Don't know	4.1%

“With proper planning, we can have both growth and preserve historic buildings.”

1 Agree	93.7%
2 Disagree	3.5%
X Refused	NA
R Don't know	2.8%

“Rapid growth is threatening the quality of life in my community.”

1 Agree	37.1%
2 Disagree	59.4%
X Refused	NA
R Don't know	3.5%

“Abandonment and neglect are a more serious threat to historic buildings in my community than growth is.”

1 Agree	53.6%
2 Disagree	42.0%
X Refused	NA
R Don't know	4.4%

“Historic properties may generate economic growth when they are preserved and properly managed.”

1 Agree	90.1%
2 Disagree	6.1%
X Refused	NA
R Don't know	3.7%

“Historic properties should be preserved because they are an important part of our country's history and heritage.”

1 Agree	92.3%
2 Disagree	3.5%
X Refused	NA
R Don't know	4.2%