

Memorandum



CITY OF DALLAS

DATE December 2, 2022

TO Honorable Mayor and Members of the City Council

SUBJECT **Responses to Questions from the November 15, 2022 Housing and Homelessness Solutions Committee to An Introduction to Historic Preservation Policy**

On November 15, 2022 the Housing and Homelessness Solutions Committee was briefed on An Introduction to Historic Preservation Policy. The following are answers to the questions received during the briefing.

Question 1: Purpose of the Office of Historic Preservation

The stated purpose of the Office of Historic Preservation is to protect architectural interests and historically significant aspects of the built environment. Why don't we create a new department of Legacy Neighborhoods? Could superimposing this policy that doesn't relate to the current mission damage a long-standing historical preservation program?

Answer: Dallas' City Code does not define or establish the mission or purview of the Office of Historic Preservation. Any understanding of the current mission of the Office of Historic preservation is "de facto" and has not been approved or directed by City Council at any point.

The City Code outlines the powers and duties of the Landmark Commission, the purpose of the historic overlay districts that the Landmark Commission oversees, and the designation criteria for those districts. In these provisions, the City Code makes it clear that the existing system is intended to do much more than just protect historically significant architectural assets.

Among the stated powers and duties of the Landmark Commission are the identification and cataloging of places of cultural significance¹. Among the stated purposes of historic overlay districts are to "strengthen the economy of the city"² and to "stabilize neighborhoods."³ Among the stated designation criteria for historic overlay districts are cultural and ethnic significance, or ability to educate residents about important parts of the City's past.⁴

The Historic Preservation Policy does not intend to impose a new agenda on the existing program. The policy clarifies that existing programs and procedures must be reformed to live up to the purposes and duties outlined in the City ordinance. The Historic Preservation

¹ Dallas City Code § 51A-3.103(c)

² Dallas City Code § 51A-4.501(a)(8)

³ Dallas City Code § 51A-4.501(a)(14)

⁴ Dallas City Code § 51A-4.501(b)

DATE December 2, 2022

SUBJECT **Responses to Questions from the November 15, 2022 Housing and Homelessness Solutions Committee to An Introduction to Historic Preservation Policy**

program has a long history of operating under a “de facto” understanding of its purpose based on broad interpretations of the ordinance. A clear statement of guiding purpose and mission from City Council is necessary to ensure City staff, City Council Members, and appointed commissioners are aligned on the actual mission and purpose of Dallas’ historic preservation program leading into the strategic planning process in 2023 and beyond.

For reference, the sections of Dallas City Code mentioned above are as follows:

Duties of the Landmark Commission, Sec. 51A-3.103c (2)(a):

“identify and catalog places and areas of historical, cultural, architectural, or archeological value along with factual verification of their importance and significance”⁵

Purpose of a Historic Overlay District, Sec. 51A-4.501(a), including:

- 1) to protect, enhance, and perpetuate places and areas which represent distinctive and important elements of the city's historical, cultural, economic, archeological, paleontological, ethnic, political, and architectural history
- 2) to strengthen the economy of the city
- 3) to increase public knowledge and appreciation of the city's past and unique sense of place
- 4) to foster civic and neighborhood pride and a sense of identity
- 5) to promote the enjoyment and use of historic resources by the people of the city
- 7) to create a more livable urban environment
- 14) to stabilize neighborhoods
- 17) to encourage public participation in identifying and preserving historic resources”⁶

Criteria for the Establishment of Historic Overlay Districts, Sec. 51A-4.501(b), including:

- 1) History, heritage, and culture represents the historical development, ethnic heritage, or cultural characteristics of the city, state, or country
- 2) Historic event: location as or association with the site of a significant historic event
- 3) Historic education: represents an era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations⁷

Question 2: Goal of the Historic Preservation Policy and Meaning of Vote

What is the goal of the historic preservation policy? What would City Council be voting on?

⁵ Dallas City Code § 51A-3.103(c)

⁶ Dallas City Code § 51A-4.501(a)

⁷ Dallas City Code § 51A-4.501(b)

DATE December 2, 2022

SUBJECT **Responses to Questions from the November 15, 2022 Housing and Homelessness Solutions Committee to An Introduction to Historic Preservation Policy**

Answer: The goal of the historic preservation policy is to clarify a formal guiding mission and goals for the City’s historic preservation program, aligning stakeholders so that progress can be made on efficiency, inclusivity, and proactivity reforms and recommendations.

Action 6 in the proposed policy (page 10 of the attached proposed policy language) is to “Revise the ordinances governing the Certificates of Appropriateness process to improve efficiency and customer service.” In the past, attempts to revise ordinances to improve efficiency have stalled due to conflicting understandings of the program’s purpose and lack of a clear guiding policy direction from City Council. The proposed policy clarifies the purpose of the City’s historic preservation function, and Action 6 of the proposed policy sets a deadline of June 2023 for City staff to bring revised ordinance language back to the City Council, along with the recommendations of the Landmark Commission and the City Plan Commission. Without the City Council setting this deadline, it is unlikely that urgently necessary reforms can move forward, as these proposed ordinance changes for efficiency and inclusivity can be perpetually held in the public hearing process when no deadline is set.

Similarly, without City Council adopting “de jure” goals and mission for historic preservation, the City cannot conduct an effective community engagement or strategic planning process in 2023. For more on this point, please refer to the answer for Question 3.

The following goals proposed by the Policy are aligned with the purposes as listed in the City ordinance, and with the goals and values already adopted by the City Council under the Racial Equity Plan and the Economic Development Policy. These goals will be revised and built upon with community input throughout the strategic planning process in 2023, much as the Economic Development Policy was built out during its implementation period this year.

City Council would be voting to adopt the following draft goals and mission for the Office of Historic Preservation outlined on page 4 of the proposed policy:

- **Equity:** Broaden the City role from policing renovation of historic properties to proactive preservation of at-risk cultural heritage and historic resources, particularly in historically marginalized communities.
- **Identify and address barriers to access:**
 - The City of Dallas must be able to formally acknowledge the historical significance of landmarks and districts that gain their significance from a variety of cultures, ethnicities, races, spiritualities, sexual orientations, or other unique identities. Designation criteria must be inclusive.
 - Designation and approvals processes must be accessible and navigable for all residents.
 - Designation as a historically and culturally significant district should not place undue burden on residents in historically marginalized communities.

DATE December 2, 2022

SUBJECT **Responses to Questions from the November 15, 2022 Housing and Homelessness Solutions Committee to An Introduction to Historic Preservation Policy**

Instead, it should create opportunities for community and cultural development.

- **Inclusion:** Create a variety of vehicles for Dallas residents, particularly those from historically marginalized communities, to weigh in on decisions that impact their lives and neighborhoods.
 - In particular, the identification of historically significant assets and prioritization of features to be preserved should arise out of the broadest possible engagement with stakeholder communities.
 - Provide accessible community education opportunities that allow residents to fully utilize resources offered by the Office of Historic Preservation and partnering departments.
- **Customer Service:** Increase predictability and efficiency for property owners.

The recommendations of the Policy echo those of the 2015 Downtown Dallas Historic Preservation Task Force, which were presented to City Council in a June 3, 2015 briefing:

- **Assess Staffing:** Broaden staff capabilities and review staff priorities to foster efficiency.
 - Existing staff positions could be re-allocated to focus on public education and new planning initiatives.
 - Move the Preservation Tax Abatement to the Office of Economic Development.
 - Identify ways to expedite landmark designations, file certificates of appropriateness, filed inquiries from the public.
- **Planning:** Create interdepartmental forum to shift the focus of the Historic Preservation Program from regulation to influence by including planning as a main activity.
 - New partnerships are needed... partners might include Current Planning, City Design Studio, Economic Development, Public Works, Streets, Parks and Recreation, Code Enforcement, City Attorney's Office
- **Preservation Plan:** Prepare and adopt a new preservation Plan for Dallas.
 - An updated Preservation Plan is needed to address the historic fabric of the entire city as well as the Historic Preservation Program and its policies.⁸

Question 3: Why not do more community engagement before bringing the Policy to the City Council?

Answer: Since 2020, the City has been conducting many separate planning and engagement processes, including those for the Racial Equity Plan, Economic Development Plan, ForwardDallas, and the Housing Plan. Community members who participated, or are currently participating in those processes, emphasized the importance of engagement being done meaningfully, not symbolically. Community leaders have

⁸ Downtown Dallas Historic Preservation Task Force: [Report of Findings and Recommendations](#), April 1, 2015.

DATE December 2, 2022

SUBJECT **Responses to Questions from the November 15, 2022 Housing and Homelessness Solutions Committee to An Introduction to Historic Preservation Policy**

expressed frustration to City staff about the repetitive nature of overlapping engagement efforts from various departments, and the difficulty of seeing actual progress being made on the issues they are being engaged on. The team working on the Historic Preservation reform effort has taken this feedback seriously and has designed the proposed Historic Preservation Policy to lay the groundwork for a productive engagement process for the 2023 Historic Preservation Plan that is conducted in line with community engagement best practices.

The team is developing an engagement strategy for the proposed Historic Preservation Plan that can include:

- A budget to conduct meetings and provide food and childcare at in-person events.
- Guidelines for establishing an inclusive Resident Advisory Committee to guide the planning process:
 - Any Dallas resident will be able to apply for Advisory Committee membership through an open application process.
 - This Committee will value both the expertise of lived experience and the expertise of education and professional experience.
 - This Committee will include representation from both designated Landmark Historic Districts and currently undesignated neighborhoods of historic and cultural significance.
 - This Committee will recruit representation from leaders in the Dallas preservation landscape, including Preservation Dallas, the Dallas Mexican American Historical League, Remembering Black Dallas, the Dallas Asian American Historical Society, RAYO Planning, and others.
 - The Resident Advisory Committee will collaborate with staff on the design and distribution of all engagement materials, including surveys, presentations, and workshops, ensuring that the process is relevant and accessible to all Dallas residents.
- A schedule of in-person workshops in each currently designated Landmark Historic District and in neighborhoods identified by the Resident Advisory Committee as in need of preservation assistance.
- Surveys of residents of existing Landmark Historic Districts and of other at-risk neighborhoods to identify benefits and challenges of existing regulatory systems, and what additional tools might be needed.
- An ambassador program (also open to application from the public) to extend the reach of the engagement campaign and increase capacity for on-the-ground presence at community meetings and door-knocking in neighborhoods largely affected by preservation efforts or the lack thereof.

Question 4: Technical Work (Certificates of Appropriateness) versus Policy

Should technical work and policy be kept separate? I.e., should the Certificate of Appropriateness process be seen as separate from the policy work of historic preservation? If we want to add this layer of neighborhood and culture should it be seen separately?

DATE December 2, 2022

SUBJECT **Responses to Questions from the November 15, 2022 Housing and Homelessness Solutions Committee to An Introduction to Historic Preservation Policy**

Answer: Office of Historic Preservation staff currently spend over 95% of their time preparing paperwork for a technical process (the Certificate of Appropriateness process). It is essential that City Council adopt a policy that clearly states that the mission of historic preservation in Dallas is not preparing paperwork for Certificates of Appropriateness. The allocation of resources in Dallas, especially staff time, should be aligned with City Council's priorities. In this case, the alignment of City goals and resource allocation could be improved with the creation of a policy governing historic preservation, followed by the development of revisions to current practices through strategic planning process. Additionally, as outlined in Question 1, attention to neighborhood stabilization and the preservation of culture are already stated purposes of the historic preservation program as outlined in City ordinance.

Question 5: How will this reduce demolitions of historically significant buildings and neighborhoods?

Answer: Sec. 51A-4.501(h): "Certificate for demolition or removal" would be reviewed as part of the ordinance revision outlined in Action 6 (page 10) of the proposed policy. Like the Certificate of Appropriateness, this is a process held by the Landmark Commission, with the support of City staff, that historically has not reliably prevented the demolition of significant structures.

Requested public hearings to review the demolition delay ordinance have largely been put on hold since 2017 due to lack of staff capacity.⁹ These are vital planning efforts that affect underserved communities of color in Dallas and should be prioritized.

Additionally, as the code currently stands, the demolition review process only applies to structures in designated landmark historic districts, which do not include many of the City's culturally and historically significant neighborhoods now at the highest risk of displacement and demolition due to either gentrification or disinvestment. This issue reiterates the importance of having a policy that directs the Office of Historic Preservation to collaborate with other City departments on developing a new designation and set of tools that achieve the purpose for historic overlay districts established in Sec. 51A-4.501(a): to stabilize neighborhoods.

Question 6: Why Legacy Neighborhoods

How did the idea for Legacy Neighborhoods come about? How does one become designated?

Answer: Other cities have specific tools and programs that are designed to preserve what is unique about their City. What makes Dallas unique is our neighborhoods and their culture, and we do not have tools to preserve them. The suggestion of Legacy

⁹ A public hearing regarding the Tenth Street Historic District was held on April 14, 2022. Two other requested public hearings regarding criteria in the demolition delay ordinance have been put on hold due to lack of staff capacity.

DATE December 2, 2022

SUBJECT **Responses to Questions from the November 15, 2022 Housing and Homelessness Solutions Committee to An Introduction to Historic Preservation Policy**

Neighborhoods comes from an acknowledgement that historically disadvantaged neighborhoods and the City at large has suffered because the current preservation system is not effectively preventing demolition, displacement, and the erasure of culture and community. Additionally, some of the City's most culturally significant places and spaces exist within neighborhoods that would not qualify for Landmark Historic District designation and/or consist primarily of residents that cannot afford the financial burden that accompanies the architectural regulation of being designated a Landmark Historic District.

The process of designating a Legacy Neighborhood and the accompanying programming offered would be designed collaboratively with community members during the strategic planning and engagement process in 2023 to ensure that:

- Designation would not be imposed upon neighborhoods that do not want it.
- Extensive community education efforts would precede designation, ensuring that residents understand the benefits of designation and the resources that would be provided after designation.
- Designation applications, processes, and regulations would not create undue financial or regulatory burdens on historically marginalized neighborhoods.

Question 7: Why Equity: Who determined that the “north star” of this policy would be equity?

Answer: The City Council determined that the north star of this policy would be equity when they adopted the Racial Equity Plan. Through the adoption of the Racial Equity Plan, the City Council charged City staff with addressing and achieving progress measures for the Office of Historic Preservation, including measures around improving diversity and inclusivity in preservation structures, and creating tools to protect places that were not tied to property value.¹⁰ For more on the proposed Historic Preservation Policy's alignment with the Racial Equity Plan, see pages 2 and 3 of the attached policy.

Question 8: Who is the team that has been working on this effort: There is reliance on the expertise and the knowledge of the commissioners. Can you tell us the makeup of the team that has been working on this? Who has a background in historic preservation?

Answer: The team working on this effort is comprised of Native Dallasites, transplants, and national experts with backgrounds in historic preservation, community engagement, equitable real estate development, and equity-focused public policy. The City staff team has been led by City Manager Broadnax and Assistant City Manager Al-Ghafry, with the assistance of the Office of Historic Preservation staff members.

¹⁰ 2022-2023 [Racial Equity Plan](#), City of Dallas, 107-108.

DATE December 2, 2022

SUBJECT **Responses to Questions from the November 15, 2022 Housing and Homelessness Solutions Committee to An Introduction to Historic Preservation Policy**

The consultant team from HR&A Advisors includes:

- Andrea Batista Schlesinger, Partner, a nationally renowned expert in policy and institutional reform for racial equity and community engagement driven initiatives to guide transitions in local government.
- Jeff Hebert, President, is a national expert in the areas of redevelopment, equitable and inclusionary growth, and economic development. He spent almost a decade in leadership in New Orleans city government, advocating for equitable historic preservation aligned with the City's climate adaptation and economic development goals.
- Derek Fleming, Senior Advisor, specializes in the preservation and equitable economic development of Freedmen's Towns and other historically and culturally significant neighborhoods. He has worked extensively on the preservation and equitable development of the Overtown neighborhood in Miami.
- Nina Bennet, a Principal based in Dallas, is an experienced consultant advising local government to improve service delivery and efficiency, and align operations with public priorities.
- Aaron Abelson, a Principal based in Dallas, has led transformative public-private partnership efforts to preserve and improve public resources in Dallas and beyond.
- Kas Tebbetts, an Analyst and a Dallas native, has designed community engagement strategies for the City of Baltimore, programs for neighborhood history nonprofits and museums, and has contributed to historic preservation initiatives at Preservation Dallas, the City of Plano, and the Dallas Holocaust and Human Rights Museum.
- Thomas Simpson, Director, previously worked with buildingcommunityWorkshop in Dallas for over five years, where he led the development of the POP City Map, the first comprehensive neighborhood map of Dallas and collected hundreds of individual interviews with residents to help populate the "Know Your Neighborhood" map, a directory of Dallas neighborhood information including local history and stories.

Should you have any questions please contact me at 214-670-1875 or by email at Majed.Al-Ghafry@dallas.gov.



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Assistant City Manager

Attached: Draft Proposed Historic Preservation Policy

- c: T.C. Broadnax, City Manager
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Mark Swann, City Auditor
Billerae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizzor Tolbert, Deputy City Manager
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Dr. Robert Perez, Assistant City Manager
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Directors and Assistant Directors

City of Dallas
DRAFT PROPOSED
Historic Preservation Policy

December 1, 2022

Table of Contents

Introduction: Why a Historic Preservation Policy	2
History and Context.....	2
The Role of Historic Preservation Amidst Shifting City Priorities.....	2
Reimagining Historic Preservation to Advance Racial Equity.....	3
Mission and Vision	4
Policy Goals.....	4
Historic and Cultural Preservation Mission.....	4
Strategies for Equity and Inclusion	5
Inclusive Landmark and Historic District Designation Criteria.....	5
Action 1: Develop cultural context statements for historically marginalized communities across Dallas.	
Action 2: Ensure that criteria for landmark commissioner appointment and historic district and landmark designation are inclusive and reflective of the City's values as laid out in the Dallas City Charter and Racial Equity Plan.	
Action 3: Create a new historic district designation better adapted to historically marginalized communities.	
Preventing Cultural Displacement.....	7
Action 4: Give residents of “Legacy Neighborhoods” assistance accessing existing City programs that: allow residents to remain in place, support the economic vitality of their communities, preserve culture and support creative placemaking, leverage environmental sustainability initiatives for affordability, health, and longevity.	
Action 5: Use data to drive efficiency and impact.	
Strategies for Efficient, Effective, and Inclusive Service	10
Improving Efficiency.....	10
Action 6: Revise the ordinances governing the Certificates of Appropriateness process to improve efficiency and customer service.	
Action 7: Conduct updated Citywide historic resources surveys, with particular attention to rapidly changing neighborhoods.	
Action 8: Write a Strategic Plan for Historic and Cultural Preservation in the City of Dallas.	
Improving Accessibility.....	12
Action 9: Develop a streamlined, user-friendly digital platform that increases process transparency and automation.	
Action 10: Improve public education and empowerment offerings.	

Introduction: Why a Historic Preservation Policy

City of Dallas – An Innovator in Historic Preservation

Historic preservation in Dallas began with neighborhood self-determination when Swiss Avenue residents advocated for the designation of the City's first historic district in 1973. For decades, Dallas' residents have fought massive development pressures for the preservation of their neighborhoods' histories. The preservation community has built a foundation for progressive work by making Dallas a place where history is recognized as an important asset that contributes to economic development and residents' quality of life.

However, the field is shifting to recognize that preservation of history and culture requires preservation of communities, not just buildings. Fighting the displacement of historically significant and marginalized communities -- is essential if Dallas wants to continue to be at the forefront of neighborhood-driven preservation. Increased access and inclusion in preservation decision making, along with increased diversity in the decision makers, will be essential. This policy aims to build on Dallas' strong history of neighborhood-based historic preservation, creating opportunities for further innovation, equity, and inclusion that will make Dallas a leader in the field.

The Role of the Historic Preservation Policy Amidst Shifting City Priorities

Through the adoption of the Racial Equity Plan in August 2022, the City of Dallas demonstrated its commitment to prioritize racial equity and to better serve historically marginalized communities. The City's commitment to racial equity appears not only in the Racial Equity Plan, but also the Equitable Economic Development Policy. By implementing this Historic Preservation Policy, the City will work towards goals and actions outlined in both the Racial Equity Plan and the Economic Development Plan.

The Racial Equity Plan directly outlines progress measures for the Office of Historic Preservation (outlined below) under the REP's economic development strategic priority.

Racial Equity Plan Progress Measures for the Office of Historic Preservation Addressed by this Policy:

1. Recommend amendments to the existing Tax Exemption Program or develop a new incentive program aimed at influencing the likelihood that the percentage of resources allocated to historically disadvantaged communities will increase by October 2024.
2. Make a recommendation to City Council to assess City support for historical homes/structures that are not tied to property value.
3. Increase number of historical preservation pieces of collateral, outreach events, education and awareness presentations/ publications, in historically disadvantaged communities provided in English and Spanish from 0 to 3 by May 2025.
4. Make a recommendation to increase the number of residents from historically disadvantaged communities on the Landmark Commission by October 2026.

The goals and programs outlined in this policy are also aligned with the Racial Equity Plan's broader goals around community development, housing, environmental justice, and infrastructure. In particular:

Racial Equity Plan Action Targets Addressed by this Policy:

- **Housing Action Target 3.2:** Deploy anti-displacement strategies in transitioning (e.g. gentrification) to address longstanding inequities by ensuring zoning is inclusive of historically disadvantaged communities to encourage sustainability and thriving opportunities
- **Housing Action Target 3.5:** Address pre-development costs, such as costs of (e.g., rehabilitation) in historically disadvantaged communities.

- **Housing Progress Measure HOU.2:** Develop a strategy for identifying neighborhoods most at risk of gentrification and displacement by December 2023.
- **Community Development Action Target 1.10:** Engage residents through arts and cultural programs funding that fully integrate historically disadvantaged communities into civic life.
- **Environmental Justice Action Target 2.13:** Implement the Brownfield Program to address contaminated sites in historically disadvantaged communities.
- **Infrastructure Action Target 4.2:** Build and improve infrastructure services to support increases in necessary development for residents who have been burdened by floods and high energy utility costs.

This policy reframes the mission and purpose of the Office of Historic Preservation to be proactive, equity-driven, and focused on inclusive historic and cultural preservation. While this policy aligns the Office of Historic Preservation with the City's racial equity priorities and lays the groundwork for progress, the goals outlined within cannot be accomplished without the expertise of the residents living in communities that are at risk of displacement or erasure. Community engagement and empowerment will be an essential part of successful policy implementation.

The implementation of this policy will be followed by a Historic Preservation Strategic Planning process that would likely begin in the Winter of 2023. In that planning process, robust community engagement will be critical to identifying the most effective and innovative solutions to challenges communities face around historic and cultural preservation and displacement.

Reimagining Historic Preservation to Advance Racial Equity

With renewed focus and urgency around equitable economic development, racial equity, and housing affordability, it is imperative that the City once again pioneer a new approach to its historic preservation program, one that takes **a broader and more equitable and inclusive stance on what cultural heritage assets are worthy of preservation.**

An organizational pivot of this magnitude cannot be executed through incremental process reform alone. The City's current historic preservation mechanisms are ill-equipped to navigate non-architectural threats to preservation, such as affordability, gentrification pressures, and limited property owner capacity (fiscal and/or legal) to rehabilitate existing structures. The City needs to reimagine its entire suite of historic preservation systems to ensure alignment with an explicit, equity-centered mission. This policy lays out that mission and specific implementation strategies.

Mission and Vision

Policy Goals

- **Equity:** Shift the City's role from only regulating renovation of historic properties to also proactively preserving at-risk cultural heritage and historic resources, particularly in historically marginalized communities.
- **Identify and address barriers to access:**
 - The City of Dallas must be able to formally acknowledge the historical significance of landmarks and districts that gain their significance from a variety of cultures, ethnicities, races, spiritualities, sexual orientations, or other unique identities. Designation criteria must be inclusive.
 - Designation and approvals processes must be accessible and navigable for all residents.
 - Designation as a historically and culturally significant district should not place undue burden on residents in historically marginalized communities. Instead, it should create opportunities for community and cultural development.
- **Inclusion:** Create a variety of vehicles for Dallas residents, particularly those from historically marginalized communities, to weigh in on decisions that impact their lives and neighborhoods.
 - In particular, the identification of historically significant assets and prioritization of features to be preserved should arise out of the broadest possible engagement with stakeholder communities.
 - Provide accessible community education opportunities that allow residents to fully utilize resources offered by the Office of Historic Preservation and partnering departments.
- **Customer Service:** Increase access and efficiency for residents and property owners.

Historic and Cultural Preservation Mission

Historic preservation is an endeavor to save important parts of communities' pasts in order to enrich their futures. Historic preservation protects places that provide a sense of community and identity through their history and culture.

Dallas' history is more than an asset contained within architecturally significant private properties. The City's history is a dynamic and community-centered public resource that the City has an obligation to protect. The most proactive, equitable way the City can pursue historic preservation is through preserving community, identity, and culture.

Strategies for Equity and Inclusion

Inclusive Landmark and Historic District Designations

Action 1: Develop cultural context statements for historically marginalized communities across Dallas.

Most of Dallas' current historic districts derive their significance from the "Architecture," "Architect or Master Builder," "Historic Context," and "Unique Visual Feature" characteristics.

Other cities pursuing inclusive historic preservation practices have addressed racial and socioeconomic biases in their designation criteria by adding cultural context statements. Cultural context statements provide additional information from experts (community members, preservationists, and historians) that help historic preservation planners identify important places, events, and other types of heritage that are particularly significant in relation to an important theme.¹

As part of the Strategic Planning process, the Office of Historic Preservation should commission the development of cultural context statements on, at minimum, the following three themes:

- Xicanx History and Culture in Dallas
- African American History and Culture in Dallas
- LGBTQ+ History and Culture in Dallas

It is imperative that the decision-makers who have the power to designate districts and landmarks are deeply familiar with the context statements above. Many Dallas residents may not have had the opportunity to learn extensively about the history and culture of marginalized groups, contributing to the cycle of those communities' important places, landmarks, and traditions being overlooked and overwritten.

The context statements should be developed in partnership with community organizations in Dallas who represent the population of focus, in addition to academics, authors, or journalists who have extensively studied the population's history in the region. The most effective context statements include both a narrative history of the theme, and guidance for how places of importance to that theme should be identified in the City in the future.

Action 2: Ensure that criteria for landmark commissioner appointment and historic district and landmark designation are inclusive and reflective of the City's values as laid out in the Racial Equity Plan.

¹ "A historic context statement is a historic preservation planning tool used by federal, state, and local governments to guide the identification, documentation, and evaluation of historic properties associated with a specific theme. Themes can range from the history of city to a style of architecture to a cultural group. Historic context statements are composed of two primary parts: a narrative discussion of the patterns, events, cultural influences, and individuals or groups relevant to the theme; and technical information that serves as a guide for future identification and analysis of historic properties associated with the theme." [Citywide Historic Context Statement for LGBTQ History in San Francisco](#) (2016)

Most of Dallas' current historic districts derive their significance from the "Architecture", "Architect or master builder", "Historic Context", and "Unique visual feature" characteristics.

Similarly, the criteria for Landmark Commissioner selection and appointment prioritizes individuals with "demonstrated knowledge and experience in history, art, architecture, architectural history, urban history, city planning, urban design, historic real estate development, or historic preservation."² Therefore, the majority of appointed landmark commissioners have had significant professional or educational experience in the above fields – many of which have high financial and other barriers to entry. Architecture and urban design, which are known as majority-white and majority-male fields in the United States, are slowly becoming more inclusive; still, recent studies confirm that design education continues to be inaccessible and unwelcoming to Black, Indigenous, and other students, often leading them to ultimately choose other career paths.³ A community member does not have to have a masters degree in architecture, history, planning, or art, to be a successful steward and protector of Dallas' historical assets.

It is important to make structural changes that:

- create more opportunities for people of different professional and educational backgrounds to be part of the Landmark Commission
- define "significance" inclusively, to ensure the protection of structures, landmarks, and communities that are deeply significant to historically marginalized peoples

Specific parts of Sections 51A-3.101 and 51A-4.501 that are recommended for amendment are outlined in Appendix A.

Action 3: Create a new historic district designation better adapted to historically marginalized communities.

Historic designation by city, state, or national entities has historically been a double-edged sword for many communities. Though designation can preserve the architectural character of an area, increase the appreciation rate of property values, and provide opportunities for economic development, it can also create unnecessary burdens for property owners and community members, especially in low-income communities.⁴ Property owners in historically marginalized, typically lower income communities often lack the resources necessary to navigate the lengthy approvals processes for renovations and repairs, and may not be able to afford the materials, designers, lawyers, and other resources necessary to meet standards of appropriateness.

As discussed in Section 3, Action 1: "Develop Cultural Context Statements", current designation criteria and processes are not designed to work for communities with lesser-known histories, smaller houses, and less expendable income to navigate designation and approval processes.

The boldest way to ensure that Dallas' approach to historic preservation is equitable is to create a designation system designed to serve historically marginalized neighborhoods and their needs. The

² The Dallas City Code, [Sec. 51A-3.101](#). Landmark Commission.

³ [NCARB and NOMA Report on Architecture Education Assesses Race-Based Disparities](#), National Council of Architectural Registration Boards, 2022.

⁴ [Benefits of Establishing a Historic District](#), National Trust for Historic Preservation, 2015.

Legacy Neighborhood designation would honor the cultural and historical importance of the neighborhoods that many historically marginalized communities have called home for decades. Some of Dallas' strongest stories of community and culture come from formerly segregated neighborhoods such as Freedmen's towns and barrios, many of which have been lost to urban renewal, redevelopment, and demolition. This designation will ensure that at-risk neighborhoods are prioritized for City resources that can prevent further displacement due to gentrification or disinvestment, in accordance with current federal and state laws. Most importantly, the Legacy Neighborhood designation will not create financial or regulatory burdens for low-income neighborhoods. It will open doors to resources for residents, instead of introducing additional hurdles.

Implementation

The City Manager would be responsible for nominating neighborhoods for the new designation; approval will ultimately fall to City Council. Through their expanded community engagement and empowerment offerings (see Section IV, Action 5), OHP staff will have the opportunity to host workshops and information sessions in potential Legacy Neighborhoods to gauge the community's interest in designation, and (with community support) can then make recommendations to the City Manager.

The designation criteria for legacy neighborhoods and the full outline of the program will be determined through the strategic planning and community engagement process slated for 2023.

Preventing Cultural Displacement

The "Legacy Neighborhood" program would utilize partnerships with other City agencies to help residents in legacy neighborhoods access specific City programs that can help them remain in their communities, while supporting the equitable growth of their neighborhoods.

Action 4: Give residents of "Legacy Neighborhoods" aid in accessing existing City programs that:

- allow residents to remain in place
- support the economic vitality of their communities
- preserve culture and support creative placemaking
- leverage environmental sustainability initiatives for affordability, health, and longevity

Existing programs within HOU (the Targeted Rehab Program and ARPA program) already prioritize or are exclusive to several legacy neighborhoods. The Targeted Rehab Program serves West Dallas and Tenth Street, while the ARPA repair funding is reserved for property owners in Joppa, Five Mile, and Tenth Street.

Implementation

OHP should strengthen partnerships with the Office of Economic Development, the Office of Cultural Affairs, the Department of Housing and Neighborhood Revitalization, and the Office of Environmental Quality – all of which have programs (see table below) that can serve as cultural preservation and anti-displacement tools. OHP should work with the above departments to develop systems for legacy neighborhood (LN) residents to be prioritized, in accordance with current federal and state laws, for the programs below through:

1. Expedited application processing for LN residents.

2. A portion of the program budget earmarked for LN residents.
3. Specialized outreach to LN residents.

OHP Staff should develop a Legacy Neighborhoods website page, including a form where residents can answer a few simple questions to determine eligibility and be directed to applicable programs. Ideally, OHP could partner with the above departments to develop a common application that residents could fill out to be approved for multiple programs concurrently.

Successful implementation will require the City to build the Office of Historic Preservation’s capacity to undertake interdepartmental collaboration, new program implementation, and community engagement.

Program design, partnerships, and application criteria would be refined through the strategic planning and community engagement process slated for 2023.

Existing Resources for Legacy Neighborhoods				
	OED	OCA	HOU	OEQS
Anti-Displacement	Food Access Program Infrastructure Improvement Program/Fund		Home Improvement and Preservation Program (HIPP) Community Land Trust Dallas Homebuyers Assistance Program (DHAP) ARPA Repair Funds (only Freedmen’s Towns are eligible: Tenth Street, Joppa, Five Mile) Title and Property Assistance (TAPA)	Minor Plumbing Repair Program (with Dallas Water Utilities) Weatherization Assistance Program (with DCHHS) Low-Income Home Energy Assistance Program (LIHEAP with DCHHS) Environmental Justice Fund
Equitable Economic Development	Community Development Program/Fund Infrastructure Improvement Program/Fund	Public Art Program Arts Activate	Mixed-Income Housing Development Bonus (MIHDB)	
Cultural Preservation + Creative Placemaking		Community Artist Program Cultural Organizations Program		
Sustainability				Brownfields Program Solar Residential Program (with ONCOR) Building Materials Recycling (with DSS)

Action 5: Use data to drive efficiency and impact.

Use indicators such as vacancy rates, demolition rates, property value increases, and rent increases in Legacy Neighborhoods to determine which of the above City programs residents of the community should be prioritized for, in accordance with federal and state laws.

Example: OHP would collaborate with the Office of Housing and Neighborhood Revitalization to ensure that all applicants from Legacy Neighborhoods with vacancy rates over 15% would be prioritized for the Home Improvement and Preservation Program and the Community Development Program/Fund. Further, neighborhood and household metrics could determine if that applicant and their neighborhood should also be prioritized for the Infrastructure Improvement Fund, Low Income Home Energy Assistance Program, etc.

Cultural organizations and artists located in and serving Legacy Neighborhoods could receive special consideration for funding through the Office of Cultural Affairs' existing programs, as cultural preservation is a primary goal of the policy and the Legacy Neighborhood designation.

Implementation:

Develop an easy-to-use matrix that can take data inputs based on property location and return recommendations on which partner programs a resident should be prioritized for.

The matrix can be refined through the strategic planning and community engagement process slated for 2023.

Strategies for Accessible, Efficient, and Effective Service

Improving Efficiency

Action 6: Revise the ordinances governing the Certificates of Appropriateness process to improve efficiency and customer service.

The current Certificates of Appropriateness review process prevents both the Landmark Commission and Office of Historic Preservation staff from being as proactive, innovative, or impactful as they have the potential to be. Currently, OHP staff work exclusively on preparing materials for Landmark Commission hearings, primarily on applications for Certificates of Appropriateness. This leaves the department with no capacity to administer education and empowerment programming, community engagement, or strategic planning that would proactively preserve cultural resources and best serve communities.

Existing ordinances are due for review to ensure that the processes they create are effectively serving today's residents of Dallas. Current processes have led to long wait times and frustration for residents of Landmark Historic Districts, while also preventing the Office from serving Dallas residents that live outside of those districts.

The first step in addressing this issue is modifying the City ordinance language to clearly define the parameters of an efficient review process and the roles of landmark commissioners and OHP Staff in that process.

Implementation:

The City Manager must direct OHP Staff to begin the code amendment process, conducting necessary best-practice research on ordinances governing historic preservation in other cities to draft proposed changes to relevant sections of the Development Code. Particular attention should be given to the ordinances outlining the purview of the Landmark Commission and processes governing Historic Overlay Districts.

To address the urgent need for improved efficiency, these draft changes should complete the City Plan Commission (CPC) and Landmark Commission (LMC) public hearing, review, and recommendation process by Spring of 2023, so that they may come before City Council for approval by Summer of 2023.

Action 7: Conduct updated Citywide historic resources surveys, with particular attention to rapidly changing neighborhoods.

OHP staff encounter continuous efficiency and efficacy challenges due to the lack of up-to-date data on the City's historic resources.

Updated data on historic resources in rapidly changing neighborhoods will improve the efficacy of the demolition delay program in identifying at-risk properties and neighborhoods, ensuring that assets of exceptional significance are preserved.

Implementation:

Solicitation for proposals for survey work should occur *after* full implementation of this policy, including the recommended ordinance changes above. The City should seek vendors with a demonstrated commitment to equity and inclusion in their research and documentation of historic resources.

Action 8: Write a strategic plan for Historic and Cultural Preservation in the City of Dallas.

The Strategic Plan should be focused on the long-term implementation of the mission and goals laid out in this policy.

The Strategic Plan should have a strong focus on:

- A comprehensive community engagement process focused on Legacy Neighborhoods' residents' needs.
 - This should be conducted in collaboration with community engagement for ForwardDallas, to maximize resources, plan alignment, and data collected, while minimizing engagement fatigue.
- Alignment with other City plans and policies, including the Economic Development Policy, Incentives Policy, the Racial Equity Plan, and the Comprehensive Land Use Plan (ForwardDallas).
- New program development aligned with OHP's mission and residents' needs.
- Opportunities for economic development that utilize and preserve cultural capital and historic assets.

Implementation:

Solicitation for proposals for survey work should occur *after* full implementation of this policy, including the recommended ordinance changes above. The City should seek vendors with a strong focus on community engagement, education, and empowerment, and attention to the preservation of culturally and ethnically diverse resources.

Improving Accessibility

Action 9: Develop a streamlined, user-friendly digital platform that increases process transparency and automation.

A crucial first step in clarifying the role of the Office of Historic Preservation to the public and making the Office's services more accessible is establishing a strong web presence. The Office's website should allow users to quickly navigate to the Office's programmatic offerings (Legacy Neighborhoods Resources, Public Workshops, etc.) and regulatory services (certificate of appropriateness application, etc.) Having this information easily accessible and available in multiple languages will increase efficiency by reducing the amount of staff time spent on customer service and resource navigation.

Implementation:

The following changes should be prioritized:

- Update the Office of Historic Preservation’s website with new language consistent with the Office’s mission and role in the larger equitable development and growth of Dallas.
- Develop a page for the Legacy Neighborhoods Program that includes:
 - Information on how to pursue designation for your neighborhood
 - A form to request an information session for community organizations and groups to learn about the program
 - A form for Legacy Neighborhood residents to access resources
- Launch an online application portal that improves processing efficiency for staff and applicants, including automatically generated milestone tracking, status change email updates, and required attachments.

Action 10: Improve public education and empowerment offerings.

Partner with community-based organizations in historic districts and legacy neighborhoods to host regular “Preservation Academy” workshops that provide residents with the tools, trust, and comfort they need to navigate approvals processes and utilize resources that OHP offers. Similar planning Academies and Preservation Academies hosted by City departments have had great success in cities such as San Antonio and Baltimore.⁵

Produce all materials in English and Spanish and have translation services available at all events.

Implementation:

- OHP Staff should convene community engagement counterparts in the Office of Cultural Affairs, the Office of Equity and Inclusion, and Planning and Urban Design to create a list of relevant community-based organizations, with a focus on those located in Legacy Neighborhoods.
- OHP Leadership should create a plan for developing relationships with these new preservation stakeholders in preparation for upcoming planning processes.
- OHP Staff should produce an engaging short Preservation Academy curriculum that can be easily integrated into existing community meetings.
 - All materials, presentations, and brochures should be available in English, Spanish, and any other relevant languages.
 - Translation services should be available at all events.

⁵

[Baltimore Planning Academy](#)

Appendices

Appendix A:

Relevant Ordinance Language for “Action 2: Ensure that criteria for landmark commissioner appointment and historic district and landmark designation are inclusive and reflective of the City’s values as laid out in the Racial Equity Plan.”

Current Landmark Commissioner Criteria, [Sec. 51A-3.101](#):

“All members must have demonstrated experience in historic preservation and outstanding interest in the historic traditions of the city and have knowledge and demonstrated experience in the fields of history, art, architecture, architectural history, urban history, city planning, urban design, historic real estate development, or historic preservation.”⁶

Current Historic District Criteria, [Sec. 51A-4.501](#):

“Establishment of historic overlay districts. A historic overlay district may be established to preserve places and areas of historical, cultural, or architectural importance and significance if the place or area has three or more of the following characteristics:

- (1) History, heritage and culture: Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.
- (2) Historic event: Location as or association with the site of a significant historic event.
- (3) Significant persons: Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.
- (4) Architecture: Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.
- (5) Architect or master builder: Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state, or country.
- (6) Historic context: Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.
- (7) Unique visual feature: Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.

⁶ Dallas City Code, [Section 51A-3.101](#). Landmark Commission.

(8) Archaeological: Archaeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.

(9) National and state recognition: Eligible for or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.

(10) Historic education: Represents an era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.”

DRAFT