

DISTRICT OF COLUMBIA MUNICIPAL REGULATIONS
TITLE 10A HISTORIC PRESERVATION

CHAPTER 7 CERTIFICATION OF HISTORIC BUILDINGS AND STRUCTURES

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700 GENERAL PROVISIONS

The Board shall determine whether buildings or structures contribute to historic districts or landmarks for the purposes of the demolition provisions of the Historic Protection Act (D.C. Official Code § 6-1104(c)). This determination shall be based upon the standards for contributing and non-contributing buildings established by the National Register of Historic Places.

The SHPO shall certify whether buildings or structures contribute to historic districts or landmarks for the purposes of D.C. Zoning Regulations (DCMR Title 11), the Targeted Historic Housing Tax Credit (D.C. Official Code § 47-1806.08), and other purposes as appropriate.

The SHPO may seek the advice and/or consent of the Board on any determination with respect to certification.

The following terms specifically applicable to this chapter are defined in Chapter 99:

- (a) Contributing building, structure, or site;
- (b) Non-Contributing building, structure or site;
- (c) Period of significance;
- (d) Integrity; and
- (e) Location, design, setting, materials, workmanship, feeling and association.

701 METHOD OF EVALUATION

Historic districts and landmarks are identifiable entities that possess and convey historic significance as a whole. To meet the integrity requirement for designation, the preponderance of buildings and structures comprising a district or landmark shall contribute to its historic significance. Most districts nonetheless contain some

buildings or structures that do not contribute to the significance of the district. Some landmark sites may also include buildings or structures that do not contribute to the significance of the landmark.

A building or structure shall be evaluated by comparison with the established historic significance and physical attributes of the overall district or landmark. The determination of whether a building or structure contributes to historic significance shall be based on information such as date of construction, function, associations, and physical characteristics. The determination for an archaeological site shall be based on an analysis of the information potential of the component element.

An addition to a historic building, particularly an addition that is largely self-contained, may be evaluated separately for a determination of significance. An integral element of a building or structure shall not be evaluated separately for this purpose.

A contributing or non-contributing determination made at the time of a historic district or historic landmark designation shall be presumed to retain validity unless a re-evaluation is warranted due to physical change, the availability of new information, or the passage of time since the designation was made.

702 CONTRIBUTING BUILDINGS, STRUCTURES, AND SITES

The following considerations apply when determining whether a property meets the definition of a contributing building, structure, or site:

- (a) A building or structure adds to a district's sense of time and place and historical development by virtue of location, design, setting, materials, workmanship, feeling and association;
- (b) A building or structure adds to the historic associations or historic architectural qualities for which a district is significant because it dates from the period of significance, relates to the documented significance of the district, and possesses historic integrity; and
- (c) An archaeological site adds to the archaeological values for which a property is significant because it was present during the period of significance and is capable of yielding information about the period.

A building, structure, or site may also be determined contributing if it independently meets the criteria for listing in the D.C. Inventory or National Register.

For some historic districts, contributing buildings have been specifically identified at the time of designation. However, the district may include buildings, structures, or sites that have achieved significance since the time of the district's designation. A building constructed in accordance with an approval under the Act may be compatible with a district, but is not a contributing building unless the Board has determined that it meets the criteria in this section.

The same criteria may be applied to historic landmarks.

703 NON-CONTRIBUTING BUILDINGS, STRUCTURES, AND SITES

The following considerations apply when determining whether a property meets the definition of a non-contributing building, structure, or site:

- (a) A building or structure does not add to a district's sense of time and place and historical development if its qualities of location, design, setting, materials, workmanship, feeling and association have been so altered or are so deteriorated that the integrity of the property is irretrievably lost.
- (b) A building or structure does not share the historic associations or historic architectural qualities for which a district is significant if it does not date from the district's period of significance, does not relate to its documented significance, or no longer possesses historic integrity due to changes since the period of the significance.
- (c) An archaeological site does not contribute to the archaeological values for which a district is significant if it postdates the district's period of significance, does not relate to its documented significance, or is no longer capable of yielding important information about the period due to disturbance or other changes.

For districts with a specified period of significance, some buildings or structures may be judged to have achieved significance based on re-evaluation or the passage of time since the district's designation. For districts lacking a specified period of significance, non-contributing buildings shall be identified on a case-by-case basis.

Ordinarily, when considering eligibility for the National Register, buildings that date from the past 50 years do not contribute to the significance of a district unless a strong justification concerning their historical or architectural merit is given, or the documented historical attributes of the district are less than 50 years old.

The same criteria may be applied to historic landmarks.

704 APPLICATION FOR CERTIFICATION

An application for certification of a property as contributing to the character of a historic district or landmark shall be made only by the owner of the property or the owner's authorized agent.

A request for certification shall be initiated by the filing of an application in the form and number as the staff may prescribe. The application shall at a minimum state the address of the property and the purpose for which the request is made, and shall include a photograph or photographs clearly showing the current condition of the property and its setting. The staff may request additional information as may be reasonably

necessary for making a determination.

The filing of an application for a demolition permit shall be considered to incorporate a request for a determination whether the property contributes to the character of a historic landmark or district.

705 CERTIFICATION OF BUILDINGS PROPOSED FOR DEMOLITION

Upon receipt of an application to demolish a building or structure that the Board determined to be non-contributing when it designated the historic district, the staff may certify the building as non-contributing on behalf of the Board and may process the demolition permit accordingly.

Upon receipt of an application to demolish a building or structure that the Board determined to be contributing when it designated the historic district, or the staff has determined to be contributing by applying the criteria in this chapter, or in any other case the staff deems appropriate, the staff shall refer the case to the Board with a recommendation for the Board's final determination in conjunction with the demolition permit application.