

ROUNDUP DOWNTOWN PRESERVATION PLAN



FIG. 1 - PHOTO BY LESLEE FORAN

PREPARED JANUARY 2018 BY



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Resolution # 1086

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROUNDUP, MONTANA TO ADOPT THE ROUNDUP DOWNTOWN PRESERVATION PLAN.

WHEREAS, On December 20, 2016 the City of Roundup adopted the City of Roundup Growth Policy to guide the general policy and pattern of development of the City of Roundup pursuant to Montana Code Annotated Title 76, Chapter 1, Part 601 et seq; and

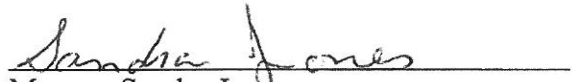
WHEREAS, the City's Growth Policy recommended actions to develop a downtown master plan and corresponding historic preservation plan; and

WHEREAS, the City Council of the City of Roundup, Montana adopted the 2018 Downtown Master Plan at its March 2018 meeting; and

WHEREAS, upon review, the Roundup Downtown Preservation Plan Steering Committee, at its December 2017 meeting recommending approval of the Roundup Downtown Preservation Plan and its goals, policies, and strategies.

NOW, THEREFORE, BE IT RESOLVED by the City of Roundup City Council, after considering the feedback of the City of Roundup Planning Board and public testimony, to adopt a Resolution to adopt the Roundup Historic Preservation Plan, and to pursue the goals, objectives, and policies therein.

PASSED, APPROVED AND ADOPTED this 6th day of March, 2018.


Mayor - Sandra Jones

ATTEST:

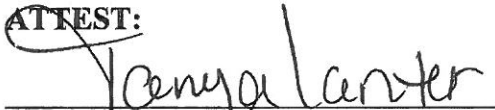

Clerk/Treasurer - Tanya Lanter

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ACKNOWLEDGEMENTS

High Plains Architects would like to thank the following people and organizations for their contributions and assistance in the development of this **Downtown Historic Preservation Plan for the City of Roundup, Montana;**

The **Downtown Master Plan Steering Committee** for your guidance, and desire to make Roundup the best “small” town in Montana. The gifting of your time and efforts to help bring the Roundup Downtown Preservation Plan to fruition are to be commended.

Roundup City Council for your initiative, community leadership, and dedication to the city of Roundup, its people, and its future. The productive and pro-active management and promotion of Roundup’s many assets are never done. Your tireless efforts are appreciated.

The **citizens of Roundup** for graciously offering your input and positive feedback during the multiple community comment sessions. Your continued participation, support and desire to constantly improve your community is essential. We sincerely hope you see your hopes and efforts reflected within.

Land Solutions Inc. for your keen, diligent, thorough approach and the generous team effort put forth to ensure the cohesive success of both the Downtown Master Plan and the Downtown Historic Preservation Plan.

The **Musselshell Valley Historical Museum** for its wealth of knowledge and appreciation for preserving the history that forged the City of Roundup. From meadows to mines, the charge you are tasked with is never-ending and we are forever grateful.

INTRODUCTION

The Roundup Downtown Preservation Plan is intended to serve as a guide for the City of Roundup, Montana to aid in establishing a Downtown Historic District at both the local and national levels. An established historic district is a vital first step in the preservation, and restoration of the character and integrity of Roundup's downtown. A healthy and vibrant downtown is an essential component to any thriving town or city. It is the heart of a community and having well-preserved buildings is essential to ensuring that heart is healthy and beating strong.

This preservation plan is also meant to be interpreted in conjunction with the 2018 Roundup Downtown Master Plan prepared by Land Solutions Inc. The Downtown Preservation Plan's goals, policies, and strategies have been developed to align with the efforts of the 2018 Downtown Master Plan creating viable opportunities and avenues for the future success and growth of the Roundup community.

For clarification purposes, it is important to note the difference between a National Register listed historic district and a locally recognized historic district.

- *National Register listing is primarily an honor, meaning that a property has been researched and evaluated according to established procedures and determined to be worthy of preservation for its historical value. The listing of a historic building or property in the National Register **DOES NOT** obligate or restrict a private owner in any way **UNLESS** the owner seeks a federal benefit such as a grant or tax credit. See **Action Item B** in the "Implementation & Action Items" section.*
- *Local Historic district designation is a type of zoning that applies to entire neighborhoods or other areas that include many historic properties. The zoning provides controls on the appearance of existing and proposed buildings. Designation is an honor, meaning the community believes the architecture, history, and character of the area are worthy of recognition and protection. Historic district zoning can help to improve property values by stabilizing and enhancing the neighborhood's character, and it benefits property owners by protecting them from inappropriate changes by other owners that might destroy the special qualities of the neighborhood. Local historic district designation has no effect on local property taxes for property owners within the designated district. See **"10 Benefits of Establishing a Local Historic District"** in the "Implementation & Action Items" section.*
- *For a private owner, the chief practical benefit of National Register listing is eligibility for a 20% federal investment tax credit and a 5% State of Montana tax credit that can be claimed against the qualifying costs of a certified rehabilitation of an **INCOME-PRODUCING** historic building.*
- *In the state of Montana, an owner of a contributing property [within a historic district] listed in the National Register is eligible for both the federal and state tax credits providing the proposed rehabilitation is income-producing. See **"Federal & State Historic Tax Credits"** in the "Implementation & Action Items" section.*



HISTORIC SUMMARY OF ROUNDUP / DOWNTOWN

The town of Roundup, Montana and the Musselshell Valley is steeped in a rich railroad, livestock and coal mining history. As early as 1875, there were an estimated 10,000 head of cattle in the Musselshell Valley including the introduction of sheep shortly thereafter. This rapid influx of stock in the region resulted in the establishment of roundup associations. The roundup associations were formed as a cooperative system to manage the grazing of cattle on the open range¹. These roundups were such an integral part of the region's economy and lifestyle that the city of Roundup derived its name from them.

By 1907, the Milwaukee {rail}Road and four major coal mines superseded cattle ranching as the primary economic forces in the valley. Roundup, given its ample coal reserves, was a strategic hub for the Milwaukee Road. Their trains, previously hauling coal from Iowa and their mines in Illinois, could now carry more cargo (predominantly livestock and passengers) requiring less coal in tow. The Milwaukee Road and coal industry were the main catalysts in establishing the town of Roundup and its official incorporation in March of 1909¹. By 1912, the mining industry's rapid growth led to the Bull Mountain Coal Field becoming the second leading coal producer in the state of Montana².

Downtown Roundup developed in kind with the increased demand for new buildings and businesses. The Grand Hotel, Roundup Record, Maverick Bar, F.M. Wall Mercantile, Newton Meat Market, and Republic Coal Company offices were just a few of the early establishments in the downtown area. The construction of the Opera House in 1909 symbolized Roundup's coming of age¹. This was also the year that the city enacted an ordinance making wood frame buildings illegal in the downtown area, specifically Main Street from Railroad Avenue to 4th Avenue³. Roundup's two sawmills,



FIG. 2 – MINE #3, ROUNDUP, MT



FIG. 3 – MILWAUKEE ROAD BOXCAR



FIG. 4 - MAIN ST., ROUNDUP, MT

sandstone quarry, and brick and concrete block manufacturing plant were already in place to satisfy the spike in demand for these materials. Major city improvements promptly followed suit and by 1912, Roundup had an electrical system, a city water system, and a majority of downtown concrete sidewalks in place ¹.

The Musselshell River, another key resource to Roundup's development, continues to sustain the agricultural and mining industries in the valley while enticing and playing host to present-day recreationists and avid fishermen. It is thought to have been named by Lewis and Clark for the freshwater mussels lining the riverbanks ⁴. The Musselshell River forms the city's southern border and acted as a natural buffer between the coal mines and the townsite development. Today, Roundup's Heritage Trail and River Walk afford locals and tourists alike, scenic vistas and ample wildlife viewing opportunities. It also serves as a beautiful backdrop to Roundup's Musselshell County Fairgrounds and Mills Memorial Field further solidifying its importance as a vital community asset for Roundup and its development ⁵.



FIG. 5 – MUSSELHELL RIVER SOUTH OF ROUNDUP



FIG. 6 – MUSSELHELL RIVER NEAR LAVINA, PHOTO BY JOHN WARNER

VISION & OBJECTIVES

Vision

The vision of this Downtown Preservation Plan is to equip the City of Roundup to preserve its unique heritage, to maintain and enhance the visual character of Downtown, and to guide development in a way consistent with that visual character. This plan is designed to work in conjunction with the 2018 Roundup Downtown Master Plan to help Downtown Roundup become ***“a safe, inviting, walkable downtown.”***

Objectives

- Establish a Downtown Historic District
- Identify contributing buildings worthy of preservation / rehabilitation and non-contributing buildings within the proposed historic district
- Establish goals, policies, and strategies to guide Roundup with future decisions that may impact the historic resources of Downtown Roundup
- Utilize this preservation plan to inform the development of a local preservation ordinance
- Look into establishing a tax increment financing district in the downtown area to provide funds for redevelopment
- Provide resources and guidance to aid in pursuing National Register Listing certification
- Coordinate efforts with the 2018 Roundup Downtown Master Plan

DEVELOPMENT STANDARDS

Secretary of the Interior Standards for Rehabilitation (SOIS)

Rehabilitation projects must meet the following Standards, as interpreted by the National Park Service, to qualify as "certified rehabilitations" eligible for the 20% rehabilitation tax credit. The Standards are applied to projects in a reasonable manner, taking into consideration economic and technical feasibility. The Standards apply to historic buildings of all periods, styles, types, materials, and sizes. They apply to both the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The Guidelines assist in applying the Standards to rehabilitation projects in general; consequently, they are not meant to give case-specific advice or address exceptions or rare instances. For example, they cannot tell a building owner which features of an historic building are important in defining the historic character and must be preserved or which features could be altered, if necessary, for the new use. Careful case-by-case decision-making is best accomplished by seeking assistance from qualified historic preservation professionals in the planning stage of the project. Such professionals include architects, architectural historians,

historians, archeologists, and others who are skilled in the preservation, rehabilitation, and restoration of historic properties.

The *Guidelines on Sustainability for Rehabilitating Historic Buildings* stress the inherent sustainability of historic buildings and offer specific guidance on “recommended” rehabilitation treatments and “not recommended” treatments, which could negatively impact a building’s historic character.

nps.gov/tps/standards/rehabilitation.htm

F.R.E.S.H. Infill Design

The F.R.E.S.H. philosophy, as developed by the staff of the Colorado Historical Society, is method to remember and explain the most basic components of proper contextual infill design. The following is an excerpt (as it pertains to Roundup) from the Castle Rock, Colorado Historic Preservation Plan⁶ outlining the F.R.E.S.H. philosophy and its concepts. This effective tool is well suited for the City of Roundup and is a solid, simple approach to inform and aid in the drafting of Roundup’s preservation ordinance and guide any future downtown development.

Protecting the historic character within a historic district is paramount. An improperly designed infill building could compromise the character of an area and detract from its historic neighbors. A design standard is a mandatory requirement that must be followed when designing a building. Design standards should not be overly burdensome to property owners and must not stifle creativity. The F.R.E.S.H. infill design philosophy includes and illustrates all of the elements necessary to ensure contextually sensitive infill buildings.

F.R.E.S.H. is an acronym meaning:

F = Footprint	Collectively, these components can help shape compatible buildings for
R = Roof	historic downtowns. F.R.E.S.H. concepts encourage new and creative
E = Envelope	design, while safeguarding the context and integrity of their historic
S = Skin	neighbors.
H = Holes	

FOOTPRINT

The footprint is the outside dimension of a building which describes the amount of space it occupies on the ground. This figure is usually expressed in square footage. A one-story building measuring 50 feet by 20 feet has a 1,000 square foot footprint. In historic downtowns, footprints are usually comparable in size. New construction in older areas sometimes creates incompatible footprints, either much larger or much smaller than adjacent properties. This awkward relationship between the buildings can create unpleasant aesthetic conditions and adversely affect the integrity of the older structures, as the new construction may consume multiple lots or overshadow neighbors. To resolve these issues, F.R.E.S.H. infill projects have footprints which are compatible with surrounding structures, sharing similarity both in lot coverage and structure location relative to the lot lines. Figure 7 illustrates the footprint of Roundup’s Arcade Bar (outlined in orange) as compared to the non-typical footprint of the neighboring building to the north (outlined in green).



FIG. 7 – INCOMPATIBLE FOOTPRINTS

ROOF

Roof sizes and shapes vary widely. Buildings built for similar purposes within the same time period tend to be roofed with the same material and built with similar profiles. For example, hipped roofs may be used almost exclusively in a neighborhood developed over a five to ten year span, and commercial buildings on a historic main street may all have the same low-slope roof system. The introduction of a roof form with a different size and shape may be incongruent with the context of adjacent buildings. F.R.E.S.H. emphasizes the construction of new buildings with roofs that are compatible with their neighbors in scale and form. New and old roofs should be similar in pitch, complexity, and orientation to maintain visual character, especially in historic districts. Figure 8 illustrates the incongruent gable roof of 26 Main Street and the low-slope roof of the Roundup Record building typical in downtown Roundup.



FIG. 8 – INCOMPATIBLE ROOF TYPES

ENVELOPE

The outer shell of a building is referred to as its envelope. The envelope is comprised of those elements that separate the building from natural elements and create its visual impression, namely, the exterior walls and roof. The envelope is the first thing many people see when they look at a building, consequently, if infill buildings look out of place the envelope is often to blame. If an envelope is too large, substantially taller or longer than adjacent buildings, the infill building overwhelms other buildings in the area. F.R.E.S.H. design concepts suggest that the envelope should be similar in projections, bulk, height, and height-to-width ratio as existing buildings.

SKIN

A building's skin is its outer surface material, such as brick, stone, concrete, wood or steel cladding, and large glass storefront systems. A building's skin has a profound visual impact, therefore, inappropriate skin can create a significant discrepancy between new buildings and existing structures, even when other F.R.E.S.H. design concepts are incorporated. To avoid striking visual incongruity, new buildings should be clad in materials that are visually and physically similar to surrounding buildings.

HOLES

The pattern of doors and windows in a building's exterior is referred to as "holes" in the F.R.E.S.H. acronym. F.R.E.S.H. design concepts recommend that the doors, windows, and other openings should imitate the style and pattern used on surrounding structures. The openings of a new structure should be compatible to those of its neighbors as measured by the solid to void ratio, the ratio between a building's walls (the solid) and the openings in the walls (the void). 101 Main Street (Figure 9), though an established, contributing building in downtown Roundup, illustrates the replacement and infill of an original storefront with multiple window types and styles not consistent or similar to even its own second story windows nor the storefronts of neighboring downtown buildings of similar age, style, and construction.



FIG. 9 - INCOMPATIBLE WINDOW TYPES & STYLES

PROPOSED HISTORIC DISTRICT DESIGNATION

Area & Description

The proposed Downtown Historic District boundary encompasses the depot to the southeast on Railroad Avenue East and includes the east and west sides (1/2 block depth to the alleys) of Main Street from Railroad Avenue East at the southern boundary, north to 4th Avenue. At 4th Avenue, the boundary terminates at the west side of Main Street but continues north on the east side of Main Street through 5th Avenue East to include the County Courthouse to the north between 5th and 6th Avenues East. Refer to Appendix A to view a map of the proposed Roundup Downtown Historic District boundaries.



FIG. 10 – MILWAUKEE ROAD DEPOT, ROUNDUP, MT, CA 1918

A majority of the contributing properties within the proposed Downtown Historic District are concentrated at the southern end between Railroad Avenue East and 3rd Avenue. Thirty-one resources have initially been identified as potential contributing properties. Refer to Appendix C, Contributing Building Inventory. Approximately one third of these contributing properties have under-utilized or vacant second stories. Refer to Appendix D for an evaluation on available second story space. Structures on the east side of Main Street between 1st and 3rd Avenue are situated on a slope revealing walkout basement levels at the alley. Sidewalk vaults occur on three of the contributing buildings (two have vaults on the north façade, one with a vault on the south façade) allowing for rare daylighting and access to the basement levels at the exterior.

Primary facades are predominantly brick of varying color and height. Cornices range from semi-ornate with decorative corbels to simple relief banding combined with brick geometric patterning in the frieze.



FIG. 11 – BRICKWORK, ROUNDUP, MT, 2017

Multiple under-utilized or vacant lots have been identified within the proposed Downtown Historic District. Refer to Appendices B and D for photo maps and a coordinating inventory of these lots. Appendix D illustrates the potential square footage available for mixed-use second-story downtown housing should any future redevelopment occur. Empty Lot #6, pictured at right (located on Photo Map 3), is three lots - a combination of two under-utilized lots and one vacant lot. The building's setback and non-typical footprint are an example of an unnecessary detraction from traditional zero-lot-line siting and full-depth lot coverage. These voids and subtractions create an uncomfortable and fragmented streetscape.



FIG. 12 - VACANT LOT 6 AS SEEN ON PHOTO MAP 3

Selective reclamation and infill of such lots fosters a more complete and unified Main Street. Though it may be necessary to retain some of the lots in their current state or use, those remaining are to be considered strategic opportunities for appropriate infill and new construction. Any new and potential infill should conform to the F.R.E.S.H. Infill Design approach and the recommendations outlined in the 2018 Downtown Master Plan with emphasis on Part 3 - Market Analysis. The ideal goal is sensitive and intelligent infill and/or reclamation that fills a gap in Roundup's economy, provides a service not currently available, or preferably accomplishes both.

Period of Significance 1907-1940

The Musselshell Valley saw the arrival of the Milwaukee Road in 1907. An advance team of miners and equipment was sent to establish coal mines in the area that would come to be known as Roundup, Montana. The coal mines were a dedicated resource for the railroad's western advancement and led to the construction of the first buildings in Roundup.

Due to the rapid mining growth and influx of miners, merchants and settlers, 1908 resulted in a significant commercial construction boom on Roundup's Main Street¹. The influx of settlers was so rapid that the Roundup Record estimated "... all available land within 25 miles of Roundup [would] be filed on in a few months¹¹." Excluding outlying mining camps and residential construction, Roundup's Main Street (specifically the southern two thirds of the proposed Downtown Historic District) took shape within the year. Downtown Buildings constructed in 1908 include but are not limited to:

<i>Grand & European Hotels</i>	<i>Russell [boarding] House</i>
<i>Newton Meat Market</i>	<i>Roundup Bakery & Lunchroom</i>
<i>Maverick Bar (original)</i>	<i>Eagle Saloon</i>
<i>Exchange Saloon</i>	<i>Schrump Mercantile</i>
<i>Boston Store</i>	<i>H.E. Marshall's</i>
<i>F.M. Wall Mercantile</i>	<i>Roundup Drug & Jewelry Company</i>
<i>Republic Pharmacy</i>	<i>Roundup Record (newspaper)</i>
<i>First National Bank</i>	<i>Republic Coal Company office</i>

Located just off Main Street, the Milwaukee Road Depot, also completed in 1908¹, forms the southeastern portion of the proposed Downtown Historic District. Additional "Off-Main" resources constructed in 1908 adding to the boom include:

<i>American Steam Laundry</i>	<i>Roundup Hospital</i>
<i>Roundup School</i>	<i>Gravel Pit for Concrete Production</i>
<i>Steen Sandstone Quarry</i>	<i>Brick & Concrete Block manufacturing plant</i>
<i>(2) Sawmills</i>	<i>Newton Lumber Company</i>

Several new mines were opened and developed in the Roundup area in the 1920's and 1930's. This was in direct contrast to a "...downward trend in coal consumption nationwide ⁷." The economy boost resulting from these new mines bolstered a substantial commercial construction expansion of Main Street northward. As seen in Appendix 'C', roughly a third of the assumed contributing properties / resources were constructed during this period. They include:

<i>Maverick Bar (new)</i>	<i>Musselshell Valley Equipment</i>
<i>Citizen's State Bank</i>	<i>119 Main Street</i>
<i>Keg Casino & Bar</i>	<i>231 Main Street</i>
<i>239 Main Street</i>	<i>245 Main Street</i>
<i>247 Main Street</i>	<i>301 Main Street</i>

The 1930's and 1940's "mining camp exodus" saw many miners and families relocate from the outlying mine camps into the city of Roundup in favor of improved utilities (specifically indoor bathrooms) and proximity to goods and services. The unique condition associated with this influx is not tied to new construction but rather the relocation of existing mining camp houses as well as many homes from the Melstone area. Approximately 60 homes were relocated to Roundup during this time. Once relocated, the trend was to add on to these modest homes, specifically adding a room or two and front and rear porches to accommodate for growing families and a shortage of adequate housing. This unique growth in Roundup led to the need for, and construction of, a new Musselshell County Courthouse currently situated in the northeast corner of the proposed Downtown Historic District.

Contributing / National Register Listed Properties

At this time, there are currently no National Register listed properties within the proposed Downtown Historic District. The Roundup Central School and St. Benedict's Catholic School (now housing the Musselshell Valley Historical Museum) are currently the only listed resources on the National Register of Historic Places in Roundup. Roundup Central School has been approved for a historic rehabilitation project that will create much needed housing for the City of Roundup. The proposed historic rehabilitation gives the historic building a new lease on life and a new purpose in the community.

Both buildings are community fixtures and, given their proximity to Main Street, are considered to be vital linkages to the proposed Downtown Historic District (refer to Implementation Actions A.5, C.3 of the 2018 Roundup Downtown Master Plan).

Providing the proposed historic district is approved by the Steering Committee and the City Council of Roundup, downtown property and business owners will play a vital role in ensuring the success of the historic district designation process. Their input, participation, and support are essential to the redevelopment, vitality, and continued economic growth of the City of Roundup.



FIG. 13 - ROUNDUP CENTRAL SCHOOL CA 1921



FIG. 14 - MUSSELSHELL VALLEY HISTORICAL MUSEUM

The following information from the National Park Service briefly describes the federal “historic designation” process and some of the benefits available to National Register listed properties.

“Historic designation is a governmental process to identify and create listings of certified historic resources on a local, state or national level. Depending on the level of designation, there are varying benefits and protections available to the property owners.”

“Established in 1966, the National Register of Historic Places is the official list of the nation’s historic and cultural resources. Properties listed are significant and worthy of preservation because of an event or person, and architect or style of architecture represented, or the site has made a significant contribution the broad patterns or our history.

*The list is maintained by the Secretary of the Interior, and it contains individual properties or larger districts. National Register listing provides several benefits including: 1) recognition that the resource is nationally significant, 2) protection under the “Section 106 Review” process for all federally funded projects, which is designed to minimize the likelihood that federal funds would damage a nationally recognized property, 3) eligibility to receive 20 percent tax credits on rehabilitation projects for income-producing properties or charitable deduction for an easement on the façade of the building, and 4) qualification for available grant and loan funding. Listing on the National Register **DOES NOT** protect the property from alterations or demolition.”*

Refer to [Appendix F](#), “A Citizen's Guide to Protecting Historic Places: Local Preservation Ordinances” for a more in-depth summary on how to better protect a historic property.



Approximately 31 buildings and/or structures within the proposed Downtown Historic District boundaries have been identified as contributing properties. They are assumed to be contributing properties based on the established Period of Significance, the year in which they were constructed, historic character, current condition, etc. See Appendices B and C for Photo Maps by Block and a corresponding inventory of possible contributing buildings and/or structures.

GOALS / POLICIES / STRATEGIES

PRESERVATION IN ACTION

This section will serve as a practical guide to effective historic preservation in Roundup. The goals align with priorities identified by the 2018 Roundup Downtown Master Plan, specifically: to highlight the assets of the community; to protect the visual character of downtown; to restore, or renovate dilapidated and/or historic commercial buildings, provide opportunities for new second floor housing ¹²; and ensure that “historic buildings are proudly preserved and utilized as stores, restaurants, and second-story accommodations” (2018 Roundup Downtown Master Plan, Vision Statement, page 11).

The goals outline four areas to focus preservation efforts. Policies are statements that give practical dimension to the goals and can serve as a reference for decisions the town makes in the future related to its historic and cultural resources. The strategies accompanying each policy detail specific action items that will equip the town to both promote and perform historic preservation.

GOAL 1

To preserve the character and heritage of Downtown Roundup by historical designation of those buildings, and structures that reflect significant elements of the town’s history.

POLICY 1.1 – Identify and inventory all historic resources within the City of Roundup’s proposed Downtown Historic District by conducting a historic survey.

Strategy 1.1.1 – Leverage town funds with available grants to survey all properties within the proposed Downtown Historic District. Refer to the 1983 Historical Resources Survey¹ and update any information pertaining to buildings and properties within the proposed district accordingly.

POLICY 1.2 – Downtown Roundup maintains a high degree of context and concentration of historic resources (buildings, structures, etc.) and should be preserved as a whole through the designation of a historic district. Significant historic resources within the downtown area shall be recognized and celebrated by pursuing National Register listing. Resources are eligible for listing on the National Register if they are historically significant and retain a high degree of integrity, either existing or after restoration.

Strategy 1.2.1 – Create a Roundup Historic Preservation Board (5 or 7 members) to establish and develop a new Historic Preservation Ordinance and coordinate historic preservation efforts between property owners, the City of Roundup, civic organizations, the state government, and the broader community.

Strategy 1.2.2 – Adopt and administer a Historic Preservation Ordinance. The ordinance should ensure that only truly significant resources receive protection. Structures or sites should meet multiple designation criteria. Refer to Appendix G, Section 27-505 of the Billings Historic Preservation Ordinance for an example of the standards for local review and designation. National Park Service criteria for evaluation as determined by the U.S. Department of the Interior are as follows:

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

Criteria A. *That are associated with events that have made a significant contribution to the broad patterns of our history; or*

Criteria B. *That are associated with the lives of significant persons in our past; or*

Criteria C. *That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or*

Criteria D. *That have yielded or may be likely to yield, information important in history or prehistory.*

nps.gov/nr/publications/bulletins/nrb15/nrb15_2.htm

Strategy 1.2.3 – Establish a procedure for the formation of historic districts, detailed in the Historic Preservation Ordinance. Work with owners of properties to establish a Downtown Historic District. Refer to “10 BENEFITS OF ESTABLISHING A LOCAL HISTORIC DISTRICT” in the “Incentives” section.

Strategy 1.2.4 – Create a public resource to help property owners and developers understand the National Register certification process. Designate a Historic Preservation Board member to serve as a point of contact for Historic Preservation Certification applications and inquiries pertaining to historic preservation.

Strategy 1.2.5 – Support and coordinate with efforts to renovate the historic Central School and link it to Downtown. Refer to and utilize the methods set forth in the 2018 Roundup Downtown Master Plan (developed by Land Solutions Inc.) and adopted on _____ - _____ - 2018.

POLICY 1.3 – The city shall focus its preservation efforts and resources on properties built or established between 1900 and 1940.

Strategy 1.3.1 – Refer to Appendix C, Contributing Building Inventory to view a list of resources (buildings, structures, etc.) assumed to qualify as contributing properties within the proposed Downtown Historic District.

POLICY 1.4 – Public dollars shall not be used to cause the demolition of a property deemed to be historically significant and/or eligible for the national register if a physically and financially feasible alternative exists.

Strategy 1.4.1 – The Historic Preservation Ordinance shall include a specific provision addressing this policy.

POLICY 1.5 – Alternatives to demolition of buildings to accommodate private or public-sector proposals must be considered for structures either found to be historically significant through a historic survey inventory or otherwise deemed to be eligible for the national register. Examples of alternatives, in order of descending preference, include:

- Redesigning the project to minimize the impact, if physically and financially feasible;
- Incorporating the structure or site into the overall design of a project;
- Encouraging adaptive re-use of the structure or site;
- Relocating the structure(s) on the property;
- Relocating the structure(s) on another property with similar context;
- Relocating the structure(s) to an historic park;
- Encouraging and permitting salvage of the structure and/or significant architectural features;
- Documentation (pictures and text) of the site prior to demolition.

Strategy 1.5.1 – The Historic Preservation Ordinance shall include a specific provision determining an adequate amount of time to evaluate alternatives to demolition.

Strategy 1.5.2 – The Historic Preservation Ordinance shall prohibit demolition and/ or relocation of historically designated buildings prior to the issuance of a building permit for new development.

Strategy 1.5.3 – The Historic Preservation Ordinance shall include provisions requiring owners or developers to submit an affidavit demonstrating proof of construction financing prior to demolition or relocation of historically designated buildings or objects to ensure that structures are not prematurely compromised if funding or other approvals are not obtained.

POLICY 1.6 – Contributing properties within an established historic district and/or properties listed on the national register shall not be demolished or relocated, unless economic or physical hardship is demonstrated.

Strategy 1.6.1 – The Historic Preservation Ordinance shall define hardship criteria for designated structures.

POLICY 1.7 – Structures or sites that have been identified as noncontributing to the city's history shall be allowed to be demolished without public review.

Strategy 1.7.1 – The city shall develop and maintain a list of contributing and noncontributing structures within the Downtown area. A copy of such list will be on file with the Building Department for reference during review of all demolition permits.

GOAL 2

Ensure new development preserves or enhances the character of Downtown.

POLICY 2.1 – Revise zoning in the Downtown area so it is not a deterrent to preservation.

Strategy 2.1.1 – Consult the 2018 Roundup Downtown Master Plan to determine key areas for re-zoning Downtown. Amend the Zoning Regulations to update uses by right and uses by special review.

Strategy 2.1.2 – Establish a Historic District Overlay Zone in the Downtown area that allows mixed-use zoning.

Strategy 2.1.3 – Update the zoning ordinance to include more intensive landscape requirements for infill and renovation projects in the downtown area. Zoning requirements should be sensitive to existing building renovation, recognizing the zero-lot line position of most downtown historic buildings and make exceptions accordingly.

Strategy 2.1.4 – Revise the zoning ordinance concerning off-street parking requirements within the Central Business District and proposed Downtown Historic District. It is recommended that the current required 1.5 spaces per dwelling unit for Apartments be amended to '0' spaces per dwelling unit. Main Street historic buildings are largely zero lot line buildings. Allow parking for dwelling units within the proposed Downtown Historic District to be off-alley behind buildings and on-street. See Article XIX, Section 28-566. of the Code of Ordinances for the City of Roundup.

Strategy 2.1.5 – Revise the city ordinance to eliminate the requirement that the minimum size of a residential dwelling unit be 700 square feet.

POLICY 2.2 – Infill development within established historic districts or adjacent to individually designated structures shall be designed to respect the context and design of their neighboring structures.

Strategy 2.2.1 – Develop design standards for Downtown based upon the F.R.E.S.H. design concepts for proper infill design (See VI. Development Standards, B. F.R.E.S.H. Infill Design). Design standards should include build-to lines, etc.

Strategy 2.2.2 – The Historic Preservation Ordinance shall require design approval by the Roundup Historic Preservation Board for all projects within designated historic district prior to the issuance of a permit.

POLICY 2.3 – Civic projects must not destroy or detract from the historic fabric of the Downtown area.

Strategy 2.3.1 – Coordinate between the 2018 Downtown Master Plan – Part 4 - Main Street Parking and Street Design (pages 41 – 43), the City of Roundup, and the Montana Department of Transportation to ensure that the proposed redesign of Main Street does not adversely impact identified historic resources. See also Action C.4 in the Implementation section of the 2018 Downtown Master Plan.

GOAL 3

Develop and provide incentives for the preservation, restoration and adaptive re-use of historic properties.

POLICY 3.1 – Coordinate with Snowy Mountain Development Corporation, Montana State Preservation Office, Montana Historical Society, and public entities to develop and provide incentives to encourage and foster preservation, restoration and adaptive re-use of historic properties.

See “Technical Assistance Bank” in the “Implementation & Action Items” section and Appendix H for various grant, funding, and business development resources and organizations.

Strategy 3.1.1 – Establish a Tax Increment Financing (TIF) District in Downtown Roundup that includes the historic district in its entirety (at a minimum). See “Tax Increment Financing (TIF) District” in the “Implementation & Action Items” section. See also Action E.5 in the Implementation section of the 2018 Downtown Master Plan (page 71).

Strategy 3.1.2 – Designate city staff as a point of contact that will assist property owners with grant applications, building permits, and other improvement options.

Strategy 3.1.3 – Develop comprehensive incentive packages utilizing existing programs and grant-matching to encourage property owners to restore building facades. See also the 2018 Downtown Master Plan – Part 5 – Implementation – Action B.2 (page 58).

Strategy 3.1.4 – Explore and implement innovative incentives such as property tax abatement programs, permit fee reductions, or other appropriate incentive programs.

Strategy 3.1.5 – Work with Musselshell County or private institutions to implement joint programs, such as property tax abatements and low-interest loans or revolving loan fund for historic districts.

GOAL 4

Promote the city's history to foster public support, appreciation and understanding of historic resources through public education and partnerships.

POLICY 4.1 – Partner with local businesses, public entities, service organizations, and schools to provide information and educational resources related to the city's history and historic resources.

Strategy 4.1.1 - Work with local newspapers and other media outlets to feature stories about historic preservation, successful renovation projects and increase overall awareness of the history of Roundup.

Strategy 4.1.2 – Educate the public on the economic benefits and incentives of historic preservation.

Strategy 4.1.3 - Work with the Chamber of Commerce to promote Roundup as a heritage tourism destination.

POLICY 4.2 - Develop, support and promote methods to educate and communicate local history to residents and visitors.

Strategy 4.2.1 – Create a comprehensive signage program throughout the community for buildings, sites, and trails. Refer to the Planning and Design section (pages 39, 40, 47) of the 2018 Downtown Master Plan in regards to Function, Streetscape and Amenities, and Design Guidelines.

Strategy 4.1.1 – Create a Downtown area walking tour and brochure that links historic properties downtown to the story of Roundup. See also Action F.2 in the Implementation section of the 2018 Downtown Master Plan.

IMPLEMENTATION & ACTION ITEMS

District Creation – National Park Service (NPS) Nomination

Creating historic districts is an essential component of all preservation plans. The district creation process, in most cases, necessitates a historical resources survey to inform district boundary selections and to identify the resources, buildings, sites, etc. to be contained within the proposed district. The City of Roundup's 1983 Historical Resources Survey is a thorough and sufficient account of Roundup's existing historical assets. The survey provides the necessary groundwork for establishing the proposed Roundup Downtown Historic District and any additional districts the City of Roundup may decide to pursue in the future.

The boundaries of the proposed Roundup Downtown Historic District, as outlined in the "Proposed Historic District Designation" description, are based on information obtained from the 1983 Historical Resources Survey, on-site documentation, steering committee guidance, coordination with the 2018 Roundup Downtown Master Plan, and community feedback.

Refer to Appendix E - Historic District Nomination 'C' from the 1983 Roundup Historic Resources Survey. This nomination pertains to the "commercial district" or a portion of the current proposed Roundup Downtown Historic District. This nomination does not meet current nomination standards and should be viewed as a basic resource only.

National Park Service Nomination Forms for the National Register of Historic Places can be obtained via the National Park Service website at nps.gov/nr/publications/forms.htm. Consult with Montana's State Historic Preservation Office (SHPO) prior to beginning the nomination process for additional recommendations and guidance ([Montana SHPO, 406.444.7715](tel:406.444.7715)).

Preservation Ordinance

Local ordinances provide the most significant protection for historic places, even more so than listing in the National Register of Historic Places. This is because actions taken on a historic property by a private owner fall under local, not federal, jurisdiction for land-use. Similar to zoning ordinances, a historic preservation ordinance gives the local government the right to review planned development, renovation, or demolition within a defined district to ensure such land uses are in the public's best interest and are consistent with community goals, such as preserving local history.

Montana Code Annotated Title 7, Chapter 5, Part 42 explains the limits of a municipal ordinance, the powers of local government and mayors in relation to an ordinance, and the permissible penalties for violating an ordinance. Title 7, Chapter 5, Part 1 provides a procedure for the adoption of local ordinances. An ordinance enacted for the purpose of historic preservation should have a detailed definitions section, a clear statement of the criteria for designating historic properties and districts, a section defining reviewable actions and procedures for carrying them out, a section defining "economic hardship" and "demolition by neglect" to prevent property owners from pre-emptively demolishing historic structures, and sections detailing penalties and appeals. Establishing a commission such as a Historic Preservation Board to administer the ordinance is vital to its success. The ordinance should clearly state the powers and duties of said commission, as well as define the requirements for membership and service terms of commission members.

Additional resources include, "A Citizen's Guide to Protecting Historic Places: Local Preservation Ordinances" ([Appendix F](#)), as well as the full text of the Billings Historic Preservation Ordinance ([Appendix G](#)). These documents can be used for reference as the City of Roundup drafts its own historic preservation ordinance.

Technical Assistance Bank

Snowy Mountain Development Corporation (SMDC) is a non-profit organization that provides project planning and funding assistance to local government entities (cities, towns, counties) and other non-profit organizations.



Grants and loans are available to finance project needs through a variety of state agencies including: Montana Department of Agriculture, Montana Department of Transportation, Montana Department of Commerce, and much more.

In addition to state grant programs, federal grant funding can also be obtained through agencies such as USDA Rural Development.

Projects that qualify for funding include engineering and feasibility studies; growth plans; pre-disaster mitigation plans; capital improvements such as buildings, water/sewer systems, and other infrastructure needs; equipment; vehicles; etc.

SMDC also offers assistance with many aspects of business development. [They] can provide you with the tools and resources you need to move forward.

In addition to technical assistance, SMDC offers help with grant opportunities including funding for feasibility studies, workforce training, and business expansion. SMDC also manages various loan funds that are available to qualifying businesses in conjunction with traditional financing sources.

Periodically, SMDC schedules workshops and public meetings to address issues of interest to area businesses. ⁸

Tax Increment Financing (TIF) District

The following excerpt from “An Elected Official's Guide to Tax Increment Financing” ⁹ gives a brief overview of the process and its effectiveness as a redevelopment tool.

[Tax increment financing is a financial tool widely used by local governments to promote economic development and redevelopment. The TIF process splits tax revenue generated from properties within the TIF district into two components:

- Base revenues – This is the amount available before the TIF district is established; base revenues are shared among a mix of local governments that have the power to assess property taxes: schools, cities, counties, and special districts.
- Incremental revenues – These new revenues in excess of the base revenues are generated by development projects. Represented by the triangular area in Figure 4, these dollars are allocated to the government that sponsors the TIF project. Although some states permit counties to use tax increment financing, in most cases the sponsoring government is a municipality.

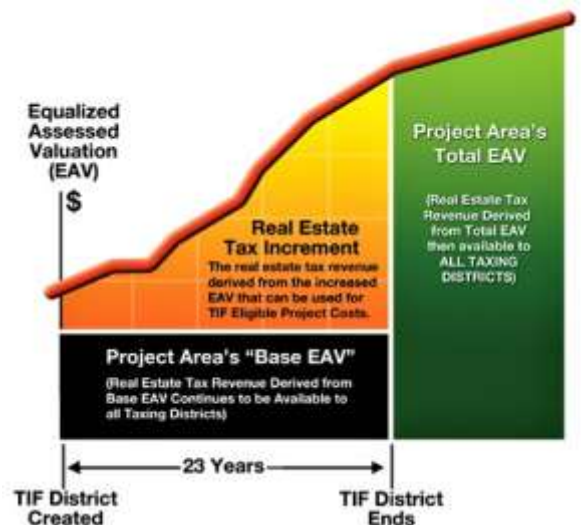


FIG. 15 – TIF INFO-GRAPHIC

By giving exclusive use of incremental revenues to the sponsoring government, the successful tax increment financing process generates a revenue stream to underwrite projects within the TIF district and to provide development subsidies to encourage growth.] ⁹

A survey by the International City/County Management Association ¹⁰ (ICMA) illustrates that local governments claim the most common goals for creating a TIF district are, in order: (1) the attraction of new business, (2) downtown redevelopment, and (3) retention or expansion of businesses already in place.

Incentives

Historic Tax Credits – Federal & State

The following is a brief explanation from the National Park Service on federal tax incentives for preserving historic properties followed by historic tax credit incentives information from the Montana Historical Society offered by the State of Montana.

The Federal Historic Preservation Tax Incentives program encourages private sector investment in the rehabilitation and re-use of historic buildings. It creates jobs and is one of the nation's most successful and cost-effective community revitalization programs. It has leveraged over \$84 billion in private investment to preserve 42,293 historic properties since 1976. The National Park Service and the Internal Revenue Service administer the program in partnership with State Historic Preservation Offices.

A 20% income tax credit is available for the rehabilitation of historic, **income-producing** buildings that are determined by the Secretary of the Interior, through the National Park Service, to be "certified historic structures." The State Historic Preservation Offices and the National Park Service review the rehabilitation work to ensure that it complies with the Secretary's Standards for Rehabilitation. The Internal Revenue Service defines qualified rehabilitation expenses [this typically includes cost of rehabilitation, permitting, utilities paid during construction and any professional fees, etc.] on which the credit may be taken. Owner-occupied residential properties **do not** qualify for the federal rehabilitation tax credit.

Each year, Technical Preservation Services approves approximately 1200 projects, leveraging nearly \$6 billion annually in private investment in the rehabilitation of historic buildings across the country.

PLEASE NOTE that Public Law No: 115-97 (December 22, 2017) amends the Internal Revenue Code to reduce tax rates and modify policies, credits, and deductions for individuals and businesses. Section 13402 modifies the 20% Historic Rehabilitation Tax Credit and provides certain transition rules. These and other changes to the Internal Revenue Code may affect a taxpayer's ability to use the 20% tax credit.

nps.gov/tps/tax-incentives.htm

Montana's income tax credit is equal to 25% of the amount an owner claims under the Federal program. [This equates to an additional 5% of the overall qualifying costs of rehabilitation. This means there is potentially a combined (federal and state) 25% historic tax credit available. Therefore, a 1 million-dollar (\$1,000,000) rehabilitation project is potentially eligible for two-hundred and fifty thousand dollars (\$250,000) in tax credits.] Those wishing to claim the state credit must first be certified for credits under the Federal program.

Since 1990, these programs have leveraged \$48.8 million in private investment towards Montana's historic buildings, earning property owners \$9.7 million in Federal credits and \$2.4 million in state. While owners realize immediate tax benefits, Montana sees real benefits through job creation, increased property values, and an improved tax base.

mhs.mt.gov/Portals/11/shpo/docs/Incentives.pdf

10 BENEFITS OF ESTABLISHING A LOCAL HISTORIC DISTRICT

December 8, 2015

Preservation Tips and Tools

By: Julia Rocchi

So you've decided you want to establish a local historic district and have considered where its boundaries should be. Now comes perhaps the hardest part: getting your community to buy into the idea.

Shaping local sentiment and opinions is a complex task, and planning a local historic district is no exception. While the preservation community understands and appreciates its benefits, it's not guaranteed everybody will feel as enthusiastic about it. What's more, all the local stakeholders—homeowners, government officials, merchants, and property owners—will endorse, change, or reject proposals depending on how well they understand the issues involved.

So it's up to the district advocates to make a clear and compelling case for the advantages of a local historic district. Not only will it increase community awareness, but it can also help avoid controversy later by building consensus now.

Here are 10 points to share with your community stakeholders that outline the benefits of establishing a local historic district in your area.

1. Local districts protect the investments of owners and residents of historic

properties. Insensitive or poorly planned development can make an area less attractive to investors and homebuyers, and thus undermine property value. In contrast, historic district designation encourages people to buy and rehabilitate properties because they know their investment is protected over time.

2. Properties within local historic districts appreciate at rates greater than the local market overall as well as faster than similar, non-designated neighborhoods. Findings on this point are consistent across the country. Moreover, recent analysis shows that historic districts are also less vulnerable to market volatility from interest rate fluctuations and economic downturns.

3. Local districts encourage better quality design. In this case, better design equals a greater sense of cohesiveness, more innovative use of materials, and greater public appeal—all of which are shown to occur more often within designated districts than non-designated ones.

4. Local districts help the environment. Historic districts encourage communities to retain and use their existing resources in established neighborhoods. This reduces the need for cars, cuts back on pollution and congestion, and eliminates landfill waste.

5. Local districts are energy-efficient. Many older buildings were designed with energy conservation in mind, taking advantage of natural light, cross-ventilation, and climate-appropriate materials. Preservation commissions are also increasingly improving their design guidelines to make it easier for historic building owners to use renewable-energy technologies.

6. Historic districts are a vehicle for education. They are a tangible link to the past and a way to bring meaning to history and to people's lives. They preserve the original character of buildings and streets, while welcoming growth and innovation within those spaces. They are a living, active record of communities and their residents.

7. Historic districts can positively impact the local economy through tourism. An aesthetically cohesive and well-promoted district can be a community's most important attraction. According to a 2009 report, 78% of all U.S. leisure travelers are cultural and/or heritage travelers

who spent, on average, \$994 on their most recent trips—compared to \$611 spent by non-cultural and heritage travelers.

8. Protecting local historic districts can enhance business recruitment potential. Vibrant commercial cores and charming neighborhoods with character attract new business and quality industry. Companies continually relocate to communities that offer their workers a higher quality of life, which successful preservation programs and stable districts enhance.

9. Local districts provide social and psychological benefits. People living in historic districts enjoy the comfort of a human-scale environment (a mix of aesthetics and functionality that fit the average person's dimensions and capabilities); the opportunity to live and work in attractive surroundings; a recognizable and walkable neighborhood; and the galvanizing effect of community-based group action.

10. Local districts give communities a voice in their future. By participating in the designation process, citizens can help direct their communities' path. Making these decisions together in a structured way—rather than behind closed doors or without public comment—gives everyone involved a sense of empowerment and confidence.

The better you can articulate the benefits of a local historic district, the more easily you'll attract and retain supporters.

savingplaces.org/stories/10-on-tuesday-10-benefits-of-establishing-a-local-historic-district#.WgIIOWhSyUI

Rehabilitation vs. New Construction

There will always be those who argue that new construction is a better alternative to renovating and / or rehabilitating a historic building. Admittedly, there may be rare cases where this holds true but time and time again, historic rehabilitations prove to be a far superior choice to new construction. Many statements can be made to attest to this but facts tend to be more persuasive. The following are just a sampling of facts from the Montana Historic Preservation Plan²⁰ (2013-2017) backing historic rehabilitation versus new construction.

- *Rehabilitation creates new jobs during construction and later in new offices, shops, restaurants, and tourism activities. Studies show that a million-dollar rehabilitation project creates five to nine more construction jobs than a million-dollar new construction project.*
- *Revitalized buildings and historic districts attract new businesses, tourists, and visitors, stimulating retail sales and increasing sales tax revenue.*
- *Historic buildings often reflect the image of high-quality goods and services, small-town intimacy, reliability, stability, and*
- *Historic buildings create a sense of place and community, a recognized ingredient in a high quality of life.*
- *Rehabilitation is environmentally responsible; it conserves more than it consumes or tosses in the landfill and requires far less energy than demolition and new construction. Reusing old buildings saves demolition costs.*
- *Rehabilitation is labor intensive and is not as influenced by rising costs of materials as new construction.*
- *Rehabilitation often uses local labor, keeping salary dollars in the community. A million-dollar rehabilitation project will keep \$120,000 more in a community than an equivalent new construction project.*
- *Rehabilitation can take place in stages.*
- *Rehabilitation returns buildings to the tax rolls and raises property tax revenues.*
- *Tax dollars are further saved through reuse of buildings served by in-place public utilities, transportation, and other public services.*

- *Historic district designation often increases property values and rehabilitated buildings command higher rental and sales prices because of their prestige value.*
- *Retaining an existing building saves the need to purchase high-cost urban land.*
- *Historic building stock is the key to historic Main Street efforts and downtown revitalization. Studies show that heritage tourism is the fastest growing sector (80%) and that restored downtown shopping areas are preferred (49%)*

mhs.mt.gov/Portals/11/shpo/docs/HistPresPlan.pdf

Preservation Resources

The following are invaluable resources when undertaking any preservation project be it district designation and development, National Register certification, and/or historic rehabilitation.

Montana State Historic Preservation Office

From historic preservation to research and photo archives, the State Historic Preservation Office (SHPO) and the Montana Historical Society work with Montanans to promote the preservation of the state's historic and cultural resources. SHPO is the frontline filter for all National Register certifications and possesses an abundance of resources, sample nominations, advice and guidance throughout the nomination process. The Montana State Historic Preservation Office's diligent review process is necessary to ensure all recommendations to the National Park Service meet or exceed standard requirements.

As added support, the Montana Historical Society, as the official state archives, is a wealth of research information for anyone interested in preparing a National Register certification nomination.

Pete Brown – Historic Architecture Specialist 406.444.7718

mhs.mt.gov/Shpo

National Park Service Preservation Briefs

Preservation Briefs provide guidance on preserving, rehabilitating, and restoring historic buildings. These NPS Publications help historic building owners recognize and resolve common problems prior to work. The briefs are especially useful to Historic Preservation Tax Incentives Program applicants because they recommend methods and approaches for rehabilitating historic buildings that are consistent with their historic character.

Specific briefs recommended for review as an introduction into NPS expectations for National Register certification are:

- Brief 2 – Repointing Mortar Joints
- Brief 6 – Dangers of Abrasive Cleaning
- Brief 9 – The Repair of Historic Wooden Windows
- Brief 11 – Rehabilitating Historic Storefronts
- Brief 18 – Rehabilitating Interiors in Historic Buildings
- Brief 32 – Making Historic Properties Accessible

These specific briefs, and others, apply to a majority of the contributing properties in the proposed Roundup Downtown Historic District. Derived from decades of rehabilitation projects nationwide, these briefs contain specific instructions, recommendations, and outline acceptable processes and expectations.

A complete list of available briefs, including those mentioned above, can be found on the National Park Service website: nps.gov/tps/how-to-preserve/briefs.htm.

National Register of Historic Places Program: Fundamentals

- Nomination Process – Contact your State Historic Preservation Office for research materials, National Register listing materials, and necessary forms and the proper course of action to begin the nomination process.
- How are Properties Evaluated – Age (typically 50 years old at minimum), integrity, and architectural and historical significance.
- National Register Listing Process – Nominations are submitted to the State Historic Preservation Office for review, soliciting of public comment (usually pertaining to district nominations affecting multiple owners), and recommendation for certification to the National Park Service. NPS then reviews the nomination and grants conditional certification, or withholds certification due to requirements for additional information and clarifications. There are three parts to the National Register certification process and each part will undergo the submittal and review process.
- Results & Owner Information – Certification results in public listing on the National Register, encourages preservation through documentation of a property's historic significance, provides opportunities for preservation incentives, potential State tax benefits and grant opportunities, support from the Advisory Council on Historic Preservation (if a Federal agency project may affect a historic property), access to conferences / workshops / and preservation organization networks, and owners have the option to display a bronze plaque distinguishing their property as a National Register of Historic Places listing.
- Listing and Ownership – Under Federal Law, listing of a property places **NO** restrictions on what a non-federal owner may do with their property up to and including demolition unless the property is involved in a project that receives Federal funding. Listing **DOES NOT** lead to public acquisition or require the owner to allow public access. A property **WILL NOT** be listed if an individual owner objects, or where districts are concerned, a majority of property owners object. Listing **DOES NOT** automatically invoke local historic district zoning or local landmark designation.

nps.gov/nr/national_register_fundamentals.htm

Montana Main Street –

The City of Roundup is presently a member of the Montana Main Street Program. The Montana Main Street Program, established in 2005 and currently serving twenty-seven communities across the state, is a collaborative effort between the Community Development Division and the Montana Office of Tourism at the Montana Department of Commerce. The program helps communities strengthen and preserve their historic downtown commercial districts by focusing on economic development, urban revitalization, and historic preservation through long-range planning, organization, design, and promotion.

Using the National Trust Main Street Center Four Point Approach™ to downtown revitalization, the Montana Main Street Program provides a range of services and assistance to communities striving to enhance economic and business vitality while maintaining local historic integrity, quality of life, and sense of place. Such goals are best met by uniting larger community ideas and efforts with program organization, coordination, and resources.

The Montana Main Street program offers technical assistance and expertise to member communities and awards competitive grant funding to communities actively working on downtown revitalization, economic development, and historic preservation.

Tash Wisemiller - Coordinator 406.841.2770

comdev.mt.gov/programs/mainstreet

Certified Local Government (CLG) –

Preservation through Partnership: this is the goal of the Certified Local Government (CLG) Program. Local, State, and Federal governments work together in the Federal Preservation Program to help communities save the irreplaceable historic character of places. Through the certification process, communities make a local commitment to historic preservation. This commitment is key to America's ability to preserve, protect, and increase awareness of our unique cultural heritage found in the built environment across the country.

How

Jointly administered by the National Park Service (NPS) and the State Historic Preservation Offices (SHPOs), each local community works through a certification process to become recognized as a Certified Local Government (CLG). Once certified CLGs become an active partner in the Federal Historic Preservation Program. . Each community gains access to benefits of the program and agrees to follow required Federal and State requirements. The How To Become a CLG page will help you get started.

Why

Community certification opens doors to funding, technical assistance, and other preservation successes.

Kate Hampton – Community Preservation Coordinator 406.444.7742

nps.gov/clg/

City of Roundup Website –

The City of Roundup's website will be most citizens' initial platform for viewing the 2018 Roundup Downtown Masterplan and the Roundup Downtown Preservation Plan once adopted. It also contains pertinent code and permitting information along with links to council meeting dates and minutes, and upcoming community events. See also Action F.4 in the Implementation Section of the 2018 Downtown Master Plan (page 74).

Maintaining the City's website and consistently updating its resources and their ease of availability should be a priority. The current platform is user friendly. Additional items to be considered for inclusion might be:

- A news feed or links to the latest area articles
- A link to the Musselshell County website
- Add the Musselshell Valley Historical Museum to the 'Organizations' section
- A community calendar complete with important meeting and voting dates, community events (rodeos, parades, fundraisers, etc.)
- A downloadable Riverwalk Trail Map
- A complete list of Roundup's parks and their amenities (with photos)
- An updated, professionally produced, promotional video for City of Roundup, highlighting people, businesses, mining history, and the outdoors
- A link to a digital version of Roundup's Historic Walking Tour; or downloadable APP for self-guided tours and audio; or scannable QR codes at each location that link to a brief video description of the location's historical significance

roundupmontana.net/

FOOT NOTES / CITED SOURCES

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11. Roundup Record, April 3, 1908.
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Excerpts / Additional Web Resources:

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Excerpts / Additional Web Resources (continued):

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APPENDICES

A. Proposed Roundup Downtown Historic District Map

B. Downtown Historic District by Block –

Photo Maps & Corresponding Image Sheets

C. Proposed Downtown Historic District Contributing Building Inventory –

East & West Sides of Main Street, Roundup, MT

D. Under-Utilized & Empty Lot / 2nd Story Space Evaluation Sheet –

Potential square footage available for infill and future downtown housing

E. 1983 Survey - Downtown Historic District Nomination ‘C’ –

This nomination is meant as a basic reference only and does not meet the requirements of the current National Park Service nomination process. It is recommended that a new nomination be completed and submitted upon the adoption of the Roundup Downtown Preservation Plan and the Roundup Downtown Historic District boundaries proposed herein.

F. A Citizen’s Guide to Protecting Historic Places: Local Preservation Ordinances –

Smart Growth Tools for Main Street

G. City of Billings Historic Preservation Ordinance

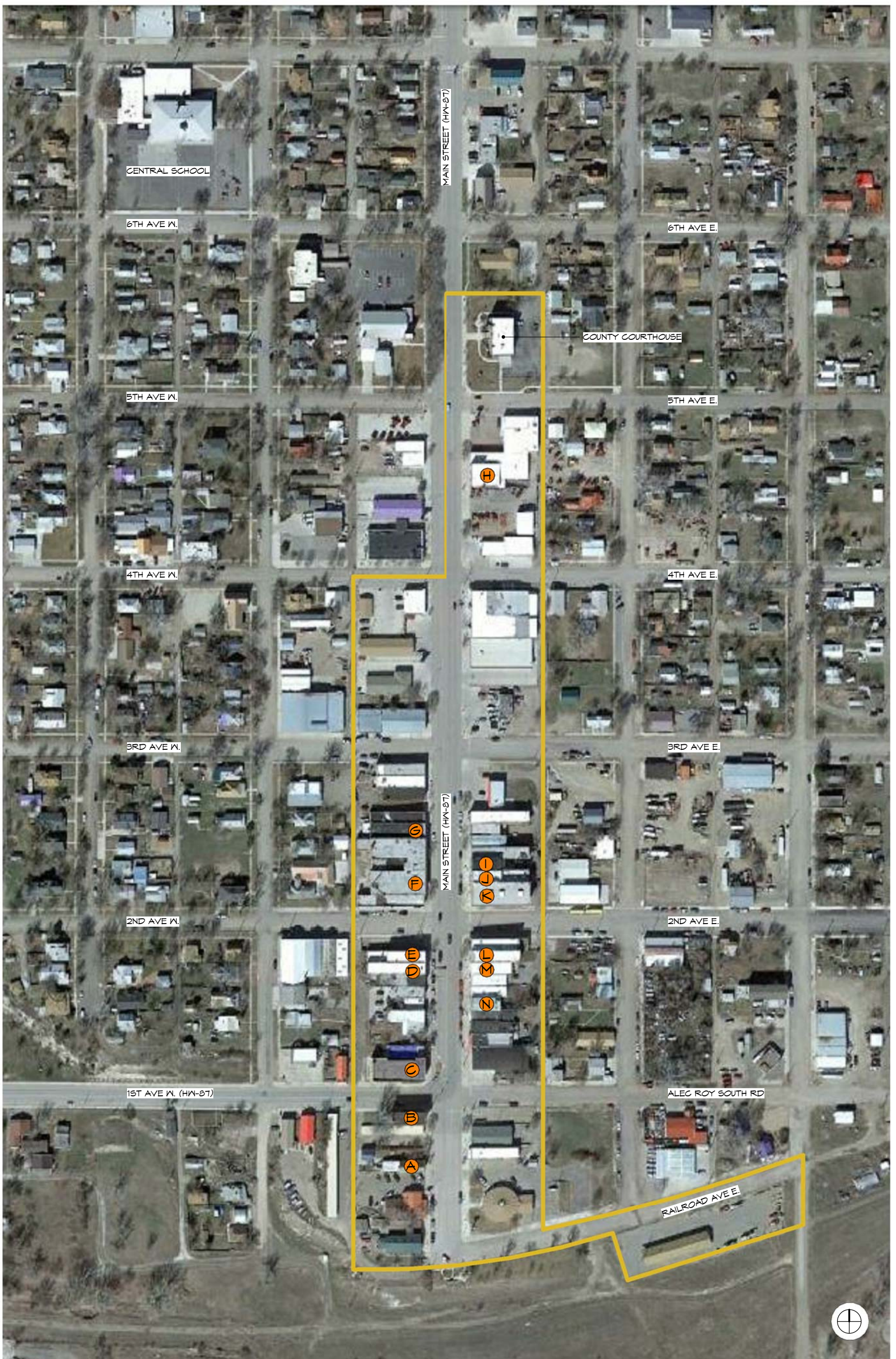
H. Montana Historical Society – Dollars for Historic Preservation –

Grant / Funding Resources

I. Roundup Downtown Preservation Plan Steering Committee Roster

APPENDIX A

PROPOSED ROUNDUP DOWNTOWN HISTORIC DISTRICT MAP



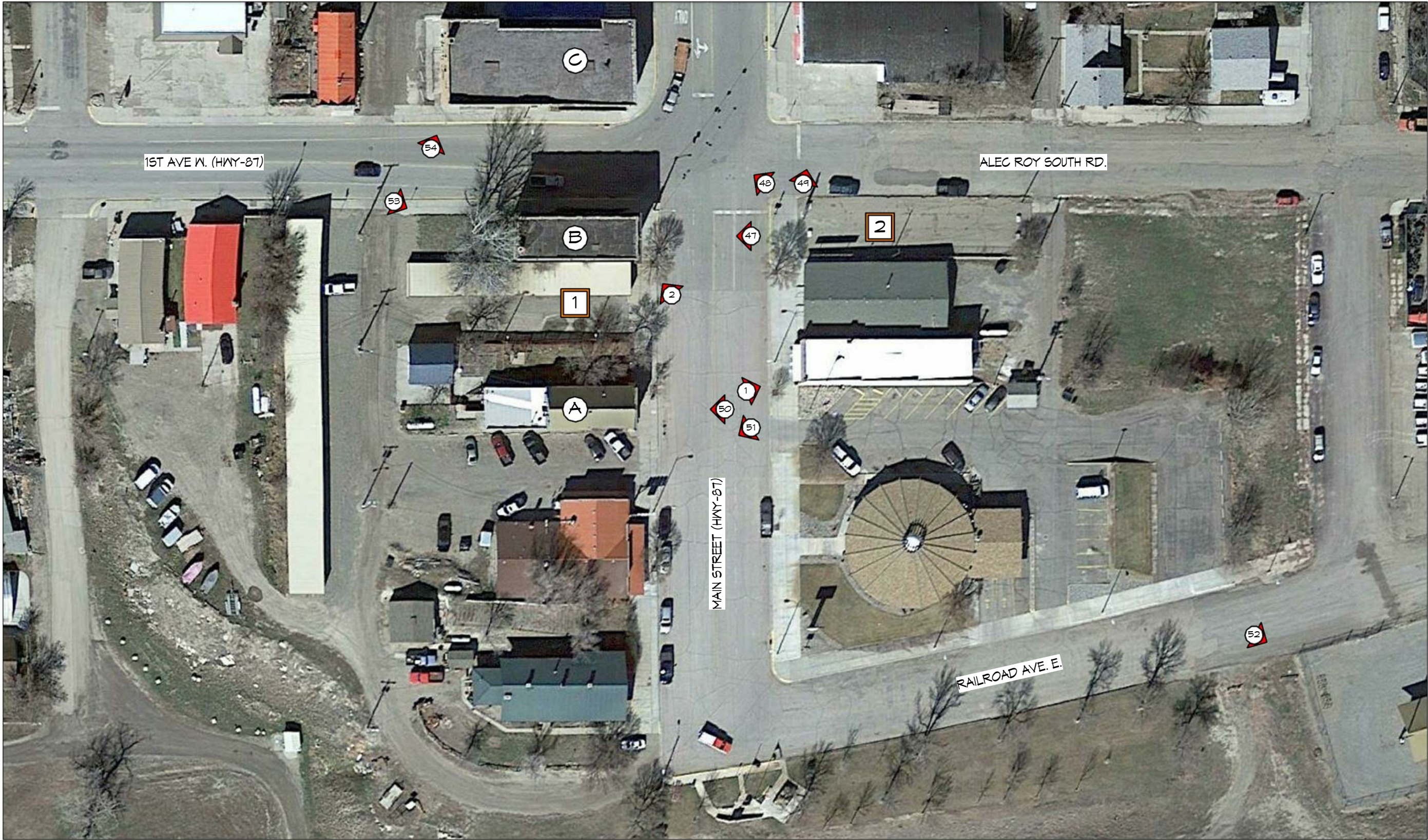
PROPOSED ROUNDUP DOWNTOWN HISTORIC DISTRICT

-  = BUILDINGS WITH POTENTIAL FOR 2ND FLOOR DWELLING UNITS
-  = PROPOSED DOWNTOWN HISTORIC DISTRICT BOUNDARY

APPENDIX B

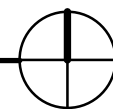
DOWNTOWN HISTORIC DISTRICT BY BLOCK

Photo Maps & Corresponding Image Sheets



1 PHOTO MAP BLOCK 1

PM.1 1" = 60'-0"



- (A) = DESIGNATES BUILDING WITH AN EXISTING 2ND FLOOR
- 10 = DESIGNATES PARKING AND / OR UNDER-UTILIZED LOTS
- 1 = DESIGNATES PHOTO NUMBER AND LOCATION

DRAWING: PHOTO MAP BLOCK 1
PROJECT: ROUNDUP HISTORIC PRESERVATION PLAN
OWNER: CITY OF ROUNDUP, MT

HIGH PLAINS
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2720 Union Ave. • BILLINGS, MT 59103
[www.highplainsarchitects.com](http://highplainsarchitects.com)

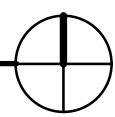


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PROJECT#: 21718
DATE:
REVISED:

PM.1



1 PHOTO MAP BLOCK 2
PM.2 1" = 60'-0"



- (A) = DESIGNATES BUILDING WITH AN EXISTING 2ND FLOOR
- (10) = DESIGNATES PARKING AND / OR UNDER-UTILIZED LOTS
- (1) = DESIGNATES PHOTO NUMBER AND LOCATION

HIGH PLAINS
ARCHITECTS

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P.O. Box 2223 • Billings, MT 59103
[www.highplainsarchitects.com](http://highplainsarchitects.com)

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PROJECT#: 21718
DATE: _____
REVISED: _____

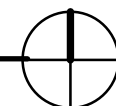
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DRAWING: PHOTO MAP BLOCK 2
PROJECT: ROUNDUP HISTORIC PRESERVATION PLAN
OWNER: CITY OF ROUNDUP, MT



1 PHOTO MAP BLOCK 3

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- (A) = DESIGNATES BUILDING WITH AN EXISTING 2ND FLOOR
- 10 = DESIGNATES PARKING AND / OR UNDER-UTILIZED LOTS
- 1 = DESIGNATES PHOTO NUMBER AND LOCATION

DRAWING: PHOTO MAP BLOCK 3
PROJECT: ROUNDUP HISTORIC PRESERVATION PLAN
OWNER: CITY OF ROUNDUP, MT

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DATE:
REVISED:

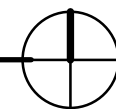
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PHOTO MAP BLOCK 4

PM.4 1" = 60'-0"



- (A) = DESIGNATES BUILDING WITH AN EXISTING 2ND FLOOR
- (10) = DESIGNATES PARKING AND / OR UNDER-UTILIZED LOTS
- (1) = DESIGNATES PHOTO NUMBER AND LOCATION

DRAWING: PHOTO MAP BLOCK 4
PROJECT: ROUNDUP HISTORIC PRESERVATION PLAN
OWNER: CITY OF ROUNDUP, MT

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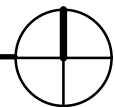


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PROJECT#: 21718
DATE:
REVISED:

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- (A) = DESIGNATES BUILDING WITH AN EXISTING 2ND FLOOR
- (10) = DESIGNATES PARKING AND / OR UNDER-UTILIZED LOTS
- (1) = DESIGNATES PHOTO NUMBER AND LOCATION

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OWNER: CITY OF ROUNDUP, MT

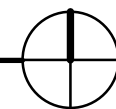
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1 PHOTO MAP BLOCK 6

PM.6 1" = 60'-0"



- = DESIGNATES BUILDING WITH AN EXISTING 2ND FLOOR
- = DESIGNATES PARKING AND / OR UNDER-UTILIZED LOTS
- = DESIGNATES PHOTO NUMBER AND LOCATION

DRAWING: PHOTO MAP BLOCK 6
PROJECT: ROUNDUP HISTORIC PRESERVATION PLAN
OWNER: CITY OF ROUNDUP, MT

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PROJECT#: 21718
DATE:
REVISED:

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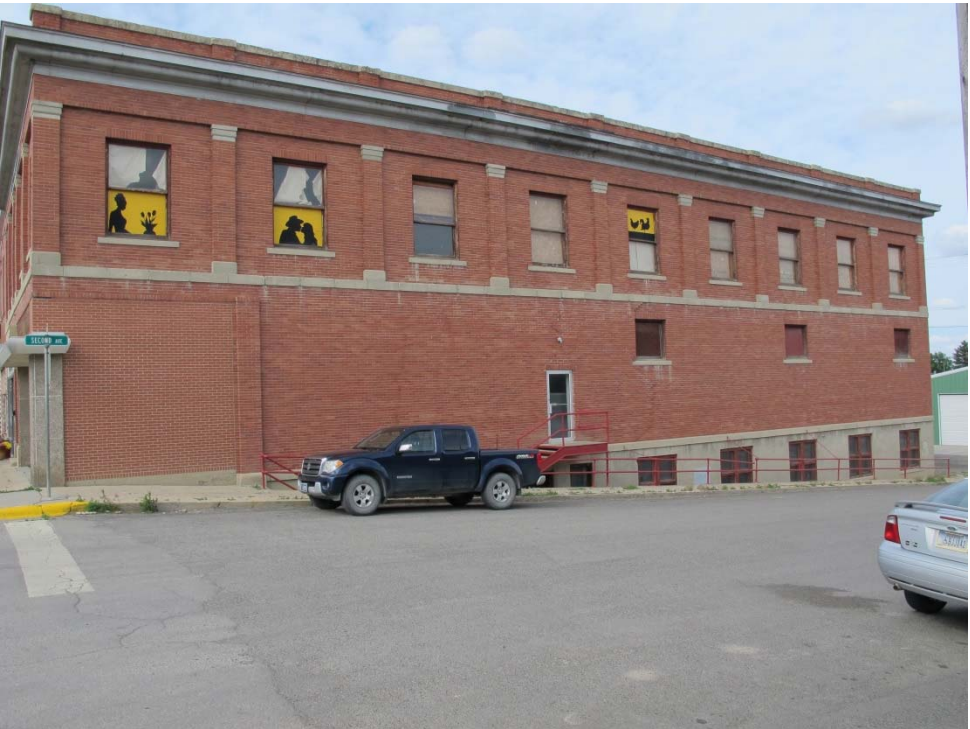
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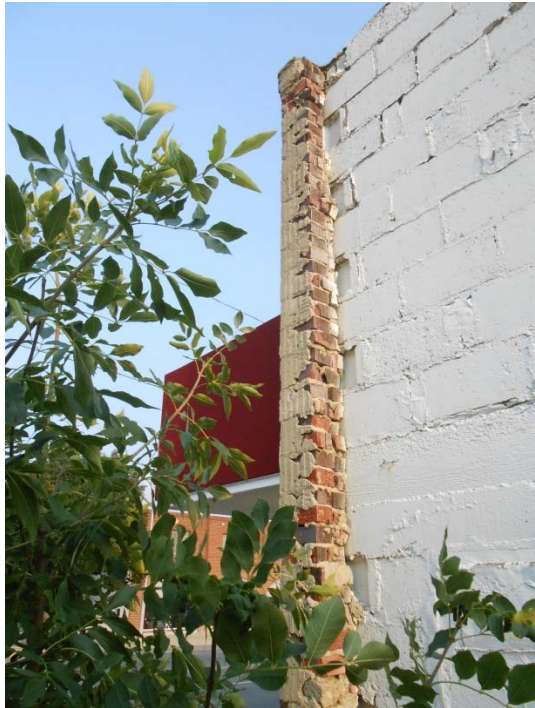
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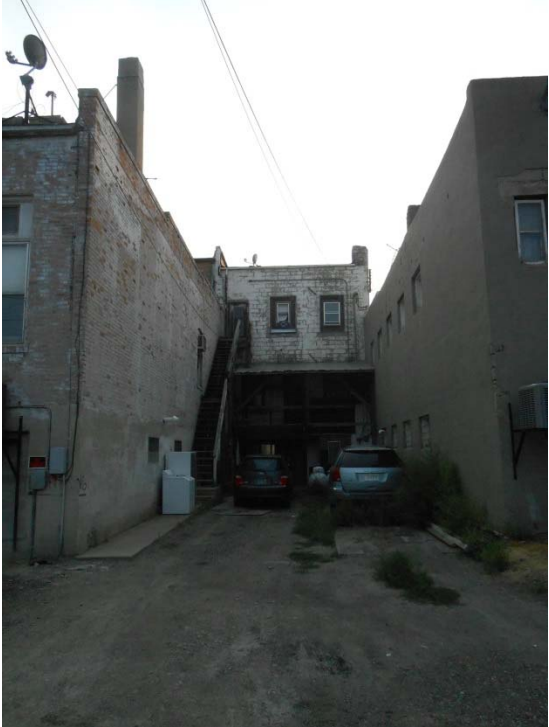
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APPENDIX C

PROPOSED DOWNTOWN HISTORIC DISTRICT

CONTRIBUTING BUILDING INVENTORY

East & West Sides of Main Street, Roundup, MT



CONTRIBUTING BUILDING INVENTORY (EAST SIDE):

Building / Address	2 Story	Year Built	*Contributing	Non-Contributing
Southeast Boundary of Proposed District				
102 Railroad Avenue (Milwaukee Road Depot)		1908	X	
12 Main St. - Wells Fargo Bank		1977		X
24 Main St. - Roundup Record		1918	X	
26 Main St.		1973		X
Empty Lot				
102 Main St. - Fas Break Auto Glass Building		1950		X
114 Main St. - Maverick Bar		1920	X	
Arena Café Building		1910	X	
Youth Peer Center Building		1915	X	
Lot 13, Block 21	X	1910	X	
Lot 14, Block 21		1930		X
136 Main St. - Bull Mountain Trading Co.		1915	X	
Wildlife & Western Museum	X	1915	X	
144 Main St.	X	1909	X	
148 Main St. - Shopko Pharmacy		1910	X	
Pappas & Loucas Block				
210 Main St. - Radio Shack	X	1915	X	
Lot 10, Block 16	X	1915	X	
218 Main St.		1915	X	
220 Main St. - Rain Proof Roofing		1911	X	
226 Main St.		1912	X	
230 Main St. - Arcade Bar		1917	X	
706 Main St.		1955		X
Empty Lot				
304 Main St. (Service Station)		1960		X
318 Main St. - Car Quest Auto Parts		1982		X
342 Main St. - Roundup Hardware		1949		TBD
404 Main St. - Liquor Store 44		1938		X
Empty Lots (2)				
418 Main St. - Musselshell Valley Equipment	X	1925	X	
5th Avenue East - MVE Shop Building		1969		X
506 Main St. - Musselshell County Courthouse	X	1939		TBD
Northeast Boundary of Proposed District				

***NOTE:** These properties are assumed to be contributing properties under National Park Service criteria for national register listing. Contributing properties will undergo further assessment if the proposed Roundup Downtown Historic District is adopted and a district nomination is pursued for listing on the National Register. TBD indicates further research / investigation is required to determine status.



CONTRIBUTING BUILDING INVENTORY (WEST SIDE):

Building / Address	2 Story	Year Built	*Contributing	Non-Contributing
Southwest Boundary of Proposed District				
1 Main St.		1904	X	
9 Main St. - Grand Bar		1971		X
Empty Lot				
31 Main St. - Picchioni's Laundromat	X	1915	TBD	
41 Main St. - Al's Mini Storage		1993		X
Citizen's State Bank Building	X	1920	X	
101 Main St.	X	1915	X	
124-1/2 Main St. - Stockman Bar		1910	TBD	
119 Main St. (Lots 8, 9)		1920	X	
"45's" Building		1910	X	
125 Main St. - Keg Casino				X
131 Main St. - Keg Casino / Bar		1920	TBD	
Wood Clad (2 story)		1910	TBD	
137 & 139 Main St. - Lefler's Antiques Building	X	1911	X	
Roundup Commemorative Garden				
201 Main St. - "The Vault Pizza" Building	X	1914	X	
"Wier Furniture" Building (Lots 8-11)	X	1910	X	
229 Main St. - "Pioneer Café"	X	1910		TBD
231 Main St.		1920	X	
Empty Lot				
239 Main St. - Rosebush Dentist		1925	X	
245 Main St.		1925	X	
247 Main Street - Bull Mountain Chiropractic		1925	X	
301 Main St.		1920	TBD	
Rex's Sports Building (West of 301 @ Alley)		1915	X	
Empty Lot				
"Picchioni Building"		1944		X
333 Main St. - O'Reilly's Auto Parts		1983		X
Empty Lot				
343 Main St. - Prudential Building		1974		X
401 Main St. - 1st Security Bank		1971		X
419 Main St. - Masonic Building		1963		X
Empty Lots (2)				
431 Main St. - Rocky Mountain Hospice Building		1939		X
437 Main St. - Key Insurance Building		1939		X
Empty Lot				
Northwest Boundary of Proposed District				

***NOTE:** See *NOTE on Contributing Building Inventory (East Side).

APPENDIX D

UNDER-UTILIZED & EMPTY LOT / 2ND STORY SPACE EVALUATION SHEET

Potential Square Footage Available for Infill and Future Downtown Housing



ROUNDUP DOWNTOWN HISTORIC PRESERVATION PLAN

Initial Analysis for Under-Utilized and Empty Lots within the Proposed Downtown Historic District yielded 10 key lots that have been identified as currently empty or under-utilized (only partially built on, parking, etc.)

LOT / LOCATION	APPROX. SQUARE FOOTAGE (1 st Floor Commercial / 2 nd Floor)	# POTENTIAL UNITS (Approx. 800 SF EA.)
1. <u>Parking lot / Al's Mini-Storage</u>	6,500 SF 1 st Floor 6,500 SF 2 nd Floor	± 8 Units
2. <u>SE corner lot of 1st & Main St.</u>	3,250 SF 1 st Floor 3,250 SF 2 nd Floor	± 4 Units
3. <u>Lot N. of Stockman Bar</u>	3,250 SF 1 st Floor 3,250 SF 2 nd Floor	± 4 Units
4. <u>Roundup Commemorative Garden</u>	3,250 SF 1 st Floor 3,250 SF 2 nd Floor	± 4 Units
5. <u>Empty lot W. side of Main St., N. of Pioneer Cafe</u>	3,250 SF 1 st Floor 3,250 SF 2 nd Floor	± 4 Units
6. <u>Parking / Gravel lot @ SE corner of 3rd & Main St.</u>	3,900 SF 1 st Floor 3,900 SF 2 nd Floor	± 5 Units
7. <u>Service Station @ NE corner of 3rd & Main St.</u>	13,000 SF 1 st Floor 13,000 SF 2 nd Floor	± 16 Units
8. <u>Parking lot @ Car Quest Auto Parts</u>	3,250 SF 1 st Floor 3,250 SF 2 nd Floor	± 4 Units
9. <u>Parking / Fenced lot @ N. side of O'Reilly Auto</u>	4,000 SF 1 st Floor 4,000 SF 2 nd Floor	± 5 Units
10. <u>Liquor Store 44 S. Side lot</u>	1,950 SF 1 st Floor 1,950 SF 2 nd Floor	± 2 Units
TOTALS:		Potential Retail / Commercial Space
	45,600 SF 1st Floor	
	45,600 SF 2nd Floor	± 57 Potential Units



ROUNDUP DOWNTOWN HISTORIC PRESERVATION PLAN

Initial Analysis for Potential 2nd Floor Downtown Housing:

- There are currently **14 buildings** within the proposed **Downtown Historic District** with **2nd floors** having potential for dwelling units
- The majority of these **14 buildings** would also potentially qualify as contributing structures for the proposed **Downtown Historic District**

BUILDING	APPROX. 2 ND FLOOR SQUARE FOOTAGE	# POTENTIAL UNITS (Approx. 800 SF EA.)
A. Picchioni's Laundromat	1,250 SF	± 1.5 Units
B. Citizen's Bank Building	1,875 SF	± 2 Units
C. 101 Main St.	4,950 SF	± 6 Units
D. 137 Main St.	3,125 SF	± 4 Units
E. 139 Main St.	2,000 SF	± 2.5 Units
F. "Wier Furniture" Building (LT 8-11)	10,725 SF	± 13.5 Units
G. Pioneer Café	2,750 SF	± 3.5 Units
H. Musselshell Valley Equipment (MVE)	3,000 SF	± 3.75 Units
I. Roundup Original Townsite, S13, T08 N, R25 E, Block 016, Lot 010, Lt 10 Blk 16 Rnd Original	1,500 SF	± 2 Units
J. 210 Main St. – Radio Shack Building	1,500 SF	± 2 Units
K. Pappas & Loucas Block	6,000 SF	± 7.5 Units
L. 144 Main St.	2,500 SF	± 3 Units
M. Wildlife & Western Museum (LT 16 BLK 21)	2,000 SF	± 2.5 Units
N. Roundup Original Townsite, S13, T08 N, R25 E, Block 021, Lot 013, Lt 13 Blk 21 Rnd Org	1,500 SF	± 2 Units
TOTALS:	44,675 SF	± 56 Potential Units

APPENDIX E

1983 SURVEY – DOWNTOWN HISTORIC DISTRICT NOMINATION ‘C’

ROUNDUP DOWNTOWN HISTORIC PRESERVATION PLAN

1983 Historic Resources Survey, City of Roundup – Appendix B

HISTORIC DISTRICT NOMINATION C

This is the commercial district of Roundup and has been since the founding of the city in 1908. It is bounded on the north by Third Avenue, on the west by the alley between First Street West and Main Street, on the east by the alley between First Street West and Second Street West, and on the south by Railroad Avenue.

The extant structures represent a cross section of commercial buildings constructed in Roundup between 1908 and 1920, the city's peak period of development. Existing wood frame buildings, most of which were constructed in 1908-09, have lost their integrity through remodeling or deterioration. Examples are the Vienna Cafe (the old Osborn Building), the old European Hotel (Hub Bar), the old Eagle Saloon (Curlee's Appliances) and the Republic Pharmacy (Vicar Drug). Also remaining are concrete block buildings and brick structures with flat or parapet roofs, facades decorated with various colors of brick and inlay patterns and possessing recessed entryways. Some like Blair's Drug Store and the south end of the Wall block originally were wood frame structures; the Newton Building and the Gibb Building have sandstone walls. One-story buildings like O'Neil's dentist office possess excellent integrity. Larger one and two-story masonry buildings such as the Wall block, the Pappas-Loucas block and the Schrupp block, were constructed from 1912 to 1920 and feature massive brick or native stone pilasters, large cornices, entablatures and architraves. Other business blocks were affected through the construction of smaller, identical commercial buildings built side by side, such as the Shearer buildings. Several light industrial structures, such as sandstone and brick automobile garages and the wood frame Midland Coal and Lumber Company lumber warehouse (now Mike's Automotive Repair) are primarily located in the southeast section of the district.

Although the district still possesses structures representative of Roundup's early stages of development, many of the structures associated with the railroad, the mines and the commercial development along Railroad Avenue have disappeared. There also are some intrusive structures in the district. Still, a sufficient number of historical structures remain to convey a sense of past historical associations.

APPENDIX F

A CITIZEN'S GUIDE TO PROTECTING HISTORIC PLACES:

LOCAL PRESERVATION ORDINANCES

Smart Growth Tools for Main Street

A Citizen's Guide to Protecting Historic Places: Local Preservation Ordinances

Smart Growth Tools for Main Street



Charleston, South Carolina

A Citizen's Guide to Protecting Historic Places:

Local Preservation Ordinances

Among the first lessons the preservationist learns is that the legal power to protect historic places lies chiefly with local government. This is a lesson often learned the hard way, for many people assume that the federal government, being the "highest" level of government, is the strongest guardian of historic sites. They assume that if a property is listed on the National Register of Historic Places, it must be protected automatically. This, unfortunately, is not the case. When it comes to historic preservation, the strongest protection is typically found in preservation ordinances enacted by local governments.

Preservation ordinances in the United States date to 1931, when Charleston, S.C., became the first American city to establish a local historic district. Today there are over 2,300 communities with preservation ordinances in place. Big cities and small towns alike have found these laws to be an effective tool in protecting historic places from such undesirable fates as demolition for surface parking lots or deterioration through neglect.

Preservation ordinances are local laws through which owners of historic properties are usually prohibited from demolishing their property, or making major alterations to it,¹ without local government approval. Such restrictions are comparable to the many zoning and housing subdivision regulations in place across the country. While restrictions in preservation ordinances are imposed primarily to protect a community's heritage, they often protect homes and businesses against the devaluing effects of unsightly or inappropriate development on nearby properties.

A preservation ordinance can protect individual landmarks only, entire historic districts, or both landmarks and districts. To ensure that new buildings blend in with their older neighbors, preservation ordinances typically regulate the design of new construction as well as changes to existing structures.

The authority to regulate private property through historic preservation and land-use laws is derived from the states' police powers. Virtually every state has delegated these powers to the local governments in their jurisdictions and empowered them to regulate development affecting historic sites.

Local preservation ordinances vary widely, but they must all comply with five cardinal land-use principles:

1. An ordinance must promote a valid public purpose. That is, it must in some way advance the public health, safety, morals or general welfare.
2. An ordinance must not be so restrictive as to deprive a property owner of all reasonable economic use of his property.
3. An ordinance must honor a citizen's constitutional right to "due process." In other words, fair hearings must be provided and rational procedures must be followed in an ordinance's administration.

4. An ordinance must comply with relevant state laws.
5. An ordinance must apply with equal force to everyone. That's called "equal protection" of the law.

If an ordinance violates any one of these rules, it stands the risk of being invalidated by a court. If it violates the second rule, a court may order the local government to pay a property owner "just compensation" for taking private property in violation of the Fifth Amendment.

The basic constitutionality of historic preservation ordinances was upheld in 1978 by the U.S. Supreme Court and has been reaffirmed several times since.ⁱⁱ In *Penn Central Transportation Co. v. City of New York*,¹ the court settled two important questions. First, it found historic preservation to be a valid public purpose:

Because this Court has recognized, in a number of settings, that States and cities may enact land use restrictions or controls to enhance the quality of life by preserving the character and desirable aesthetic features of a city...appellants do not contest that New York City's objective of preserving structures and areas with special historic, architectural, or cultural significance is an entirely permissible government goal...

The restrictions imposed (by New York's landmark ordinance) are substantially related to the promotion of the general welfare...

Secondly, the court held that New York's ordinance – and by inference, similar ordinances enacted by other cities – had not taken private property in violation of the U.S. Constitution because the ordinance's restrictions left the Penn Central company with a "reasonable beneficial use" of its landmark property. The court punctured the oft-heard argument that property owners are entitled to make the most possible money from their land:

...the submission that [property owners] may establish a "taking" simply by showing that they have been denied the ability to exploit a property interest that they heretofore had believed was available is quite simply untenable.

But local ordinances must do more than pass muster under the federal Constitution; they must also comply with state laws and constitutions. Those drafting these ordinances should obviously check on any relevant requirements imposed by state laws.

With the legal authority for local preservation ordinances now well established in the U.S., the question arises: what should an ordinance look like? Some state historic preservation offices and nonprofit organizations have prepared model ordinances for communities to use as a starting point. If such models are used, however, they should be

¹ 438 U.S. 104 (1978)

adapted to local needs. Ordinance drafters should also look into state case law, for important court decisions affecting local ordinances may have been rendered.

Basic Elements of A Preservation Ordinance

1. Statement of Purpose

An ordinance should clearly state its public purpose. Although historic preservation can be justified for its own sake, many jurisdictions have found it legally and politically prudent to link historic preservation to other community goals as well. That's because some lower courts have ruled that "aesthetic regulation" is not a valid public purpose, but have sanctioned such activities as economic development, heritage education and neighborhood revitalization. Cape May, New Jersey's ordinance includes among its purposes *"to preserve and enhance the environmental quality of neighborhoods, to strengthen the Township's economic base by the stimulation of the tourist industry, to establish and improve property values; to foster economic development; to manage growth..."*

2. Definitions

Technical terms--e.g., "alterations," "demolition by neglect," "environmental settings," and so on --should be clearly defined in the ordinance.

3. Preservation Commissions

Some entity within local government must be charged with administering the ordinance. Usually this is a preservation or design review commission comprised of local citizens. Many ordinances require preservation commissioners to have special expertise in certain disciplines, such as architectural history, architecture, law or real estate, to guard against claims or arbitrary and capricious decision making. Some ordinances call for representation by the city planning board on the commission to ensure that local planning goals are related to historic preservation. The qualifications of commission members as well as their terms of office need to be spelled out.

4. Commission Powers and Duties

Most commissions are charged with the duty to conduct historic surveys, maintain inventories, and keep adequate records of their actions. Their authority over the designation and regulation of historic properties varies, however. Some commissions may only make recommendations to other governmental bodies--e.g., a planning board or city council--whereas others have the final word on whether and how historic properties may be altered. Although a property owner must submit development or rehabilitation plans to a commission with merely advisory powers, he or she need not follow the commission's recommendations. Obviously the more authority vested in the commission, the stronger the protection for historic sites.

Many commissions are empowered with the authority to deny proposals to demolish historic buildings; other may only delay such actions. Despite claims to the contrary, demolition denials do not constitute a "taking" in violation of the U.S. Constitution so long as a property owner has not been denied all reasonable use of his property. Mere reductions in property values due to regulations are not "takings."

5. Criteria for Designating Historic Properties

Objective, relevant criteria should be established for evaluating the historic or architectural worth of a structure. Appropriate criteria include such factors as a building's role in national, state or local history; its association with prominent historical figures; its architectural or engineering excellence; its cultural significance, etc. Although ordinances in a few jurisdictions require an owner's consent before a property may be officially landmarked, this is not recommended. The wishes of an individual property owner are not an objective, relevant criterion. Private individuals are not allowed to veto zoning regulations or other public laws; they should not be allowed to veto historic property designations.ⁱⁱⁱ

6. Procedures for Designating Historic Landmarks and Districts

Ordinances must comply with basic "due process" requirements. Property owners must be given adequate notice and an opportunity to be heard before their property rights are curtailed. Otherwise, an ordinance could be invalidated by a court. The ordinance needs to explain who can nominate properties for historic designation; how and when affected property owners are notified; how many public hearings there are; who must approve designations; and what the timetable for these actions is.

7. Reviewable Actions and Procedures and Standards for Reviewing Them

The ordinance should explain what types of changes--e.g., demolitions, building/landscape alterations, new construction in historic districts--are subject to review. Many ordinances wisely exempt minor repair and maintenance from review. It is also important that alteration or demolition requests be acted upon fairly and in a timely fashion. It is critical for commissions to review such requests according to reasonable standards clearly set forth in the ordinance. The goal is to let property owners know what the rules are. A system perceived to be rational and equitable will go a long way toward avoiding legal problems.

Some cities have incorporated the Secretary of the Interior's Standards for Rehabilitation into their ordinances. Although these standards are a useful set of guiding principles for the federal programs for which they were intended, if used by local preservation commissions, they should be adapted to meet local needs and phrased in appropriate regulatory language.

8. Economic Hardship

All historic preservation ordinances should include a process and standard for evaluating economic hardship claims. Such provisions can act as a safety valve if the ordinance is challenged in court; conversely, their absence can make an ordinance vulnerable to attack. The ordinance should explain the process for obtaining a hardship finding and spell out what information the commission needs to evaluate hardship claims. The timing for reviewing hardship claims is also important. Such claims should be considered only after an application for approval to alter or demolish a structure has been denied, not while properties are still being considered for historic designation or before applications for alterations are acted upon. In effect, economic hardship review is comparable to the variance process under zoning laws.

9. Interim Protection Provisions

Often the mere discussion of historic property designations will prompt property owners fearful of new regulations to seek demolition permits. It is important to provide interim protection for buildings nominated, but not yet officially designated as, local historic landmarks. This allows the local governing body to weigh the merits of specific nominations without witnessing a rash of demolitions. Interim control provisions should be set for a time period and should state the public purpose--e.g., comprehensive planning reasons--for the controls.

10. Demolition by Neglect

Occasionally a landowner will deliberately neglect a historic structure in the hope of obtaining a demolition permit on the ground that the building jeopardizes public safety. Many ordinances include "affirmative maintenance" provisions to prevent this. The Charlottesville, Virginia ordinance states that a property owner shall not permit a structure to deteriorate so badly that it produces a "detrimental effect" on a historic district or landmark. The ordinance also calls for the maintenance of the *"surrounding environment, e.g., fences, gates, sidewalks, steps, signs, accessory structures and landscaping."*

11. Penalties

Ordinances must be enforced if they are to be effective. Penalties for violating the ordinance provisions may include fines (usually levied for each day a violation continues), requirements to restore or pay for willfully damaged landmarks, denial of permission to rebuild on sites where landmarks were illegally demolished, and even jail. The stiffness of the penalty varies with each community depending on the likelihood of non-compliance.

12. Appeals

Even if an ordinance is silent on appeals, a citizen still has the right to challenge a commission's ruling in court. However, it is wise to clarify the appeals process. While

some ordinances make commission decisions appealable only to the courts, others find it easier and less expensive to have boards of zoning appeals or some other administrative body to handle these cases. If the latter course is chosen, it's important to give such bodies clear criteria for considering appeals. Otherwise, they may use political criteria or assume unproven economic hardship on the part of the property owner. Appeal board reviews should be limited to the facts presented to the preservation commission in considering whether a decision was made arbitrarily or capriciously.

Local Innovations

While most local preservation ordinances include the basic elements listed above, many go even further to address common problems in innovative ways. Below are some examples:

- **Automobile Dominance:** Nothing destroys a historic area faster than subservience to the automobile. Seattle's Pioneer Square Historic District Ordinance promotes a pedestrian-friendly environment by banning gas stations, drive-in businesses and surface parking lots. It also limits curb cuts and subjects the few parking garages that are allowed to special design review.
- **Environmental Settings:** The value of a historic structure is greatly diminished if it is surrounded by ugly, incompatible development. The structure's setting should be protected from such development if at all possible. Miami, Florida's ordinance calls for drawing historic district boundaries so as to *"include properties which individually do not contribute to the historic character of the district, but which require regulation in order to control potentially adverse influences on the character and integrity of the district."*
- **Design Guidelines:** Portland, Maine's ordinance contains well-organized and clear guidelines for reviewing new construction in historic districts. Not only does the ordinance provide guidelines for new buildings as individual structures, but it also discusses the relationships between buildings and streets. Leesburg, Virginia has an overlay district to regulate the design of new construction along the highways that lead into the town's historic district.
- **Surface Parking Lots:** To protect historic structures from being demolished for surface parking lots, Atlanta's ordinance requires property owners to provide detailed architectural plans and evidence of financing for new building projects.^{iv} Salt Lake City's ordinance requires demolition permit applications to be accompanied by landscaping plans. The city planning department may obtain performance bonds to ensure that landscaping promised is actually provided.
- **Use of Historic Structures:** Although preservation ordinances typically stay out of land use questions, as national chains and franchises relentlessly homogenize American communities, many preservationists are looking for ways to preserve the small, locally-owned businesses that give each city its unique flavor. The guidelines

of the Pike Place Market Historical District Ordinance in Seattle state that all businesses using the Market are to be operated "*with the owner involved in the daily management. Businesses serving local residents are preferred over those which are primarily tourism-oriented.*" The guidelines encourage local farmers to use the market and discourage fast-food outlets from doing so.

Resources

- *Maintaining Community Character: How to Establish a Local Historic District* (Order No. 2158). Go to www.preservationbooks.org and click on "Historic Districts."
- *Design Review in Historic Districts* (Order No. 2185). Go to www.preservationbooks.org and click on "Historic Districts."
- *A Layperson's Guide to Preservation Law: Federal, State and Local Laws Governing Historic Resource Protection* (Order No. 2199). Go to www.preservationbooks.org and click on "Preservation Law."

* * * *

*This issue paper was prepared by Constance E. Beaumont, State and Local Policy
Director for the National Trust for Historic Preservation.*

ⁱ Most ordinance restrictions are limited to changes affecting the exterior of a structure, leaving property owners free to modify interiors as they wish. However, a few cities have enacted ordinances that regulate changes to historic building interiors, primarily interiors in public or commercial buildings that are open to the public.

ⁱⁱ The U.S. Supreme Court has issued several major land-use rulings since 1978. While these do not focus on historic preservation, it is important to know about them because they may affect preservation. In Keystone Bituminous Coal Assn. v. DeBenedictis (480 U.S. 470 (1987)), the Supreme Court rejected a takings claim against Pennsylvania's land subsidence law. Among other things, the court observed: "Under our system of government, one of the state's primary ways of preserving the public wealth is restricting the uses individuals can make of their property. While each of us is burdened somewhat by such restrictions, we, in turn, benefit greatly from the restrictions that are placed on others." In First English Evangelical Lutheran Church v. County of Los Angeles (482 U.S. 304 (1987)), the court held that the remedy for a temporary regulatory taking is not merely the invalidation of a land use ordinance but just compensation to the property owner for the period during which the taking occurred. And in Nollan v. California Coastal Commission (483 U.S. 825 (1987)), the court said there must be a nexus between the purpose of a land-use regulation and the specific regulation used to achieve that purpose. In other words, the means should further the ends. Significantly, the court did not back away from its Penn Central ruling in any of these decisions. The court has yet to explain how compensation should be determined in a temporary regulatory taking case. See also Agins v. Tiburon, (447 U.S. 255 (1980)), San Diego Gas & Electric Co. v. City of San Diego, (450 U.S. 621 (1981)), Williamson County Regional Planning Commission v. Hamilton Bank, (473 U.S. (1985)), and MacDonald, Sommer & Frates v. County of Yolo (Calif.), (477 U.S. 340 (1986)).

ⁱⁱⁱ Owner consent provisions should also raise legal questions in that they arguably represent a standard-less and thus unconstitutional delegation of police powers to private individuals. As noted in the U.S. Supreme Court's Mugler v. Kansas ruling (123 U.S. 623 (1887)):

[The power to regulate land] must exist somewhere; else society will be at the mercy of the few who, regarding only their own appetites or passions, may be willing to imperil the peace and security of the many, provided only they are permitted to do as they please. Under our system that power is lodged with the legislative branch of government. It belongs to that department to exert what are known as the police powers of the state, and to determine primarily what measures are appropriate or needful for the protection of the public morals, the public health, or the public safety.

For an excellent discussion of the "owner consent" issue, see "Owner Consent Provisions in Historic Preservation Ordinances: Are They Legal?" by Julia Hatch Miller. Preservation Law Reporter. February 191. Volume 10, Number 2.

^{iv} Albany, New York's law, which also conditions the issuance of demolition permits on the approval of new construction, was challenged but upheld in Lemme v. Dolan, 558 N.Y.S. Appellate 2d 991 (A.D. 3 Dept. 1990)

APPENDIX G

CITY OF BILLINGS HISTORIC PRESERVATION ORDINANCE

Article 27-500. HISTORIC PRESERVATION

DIVISION 1. GENERALLY

SEC. 27-501. INTENT.

The intent of this ordinance is to promote the educational, cultural, economic, and general welfare of the community by:

- (1) Providing a mechanism to identify and preserve the distinctive historic architectural characteristics of the City of Billings that represent elements of the city's cultural, social, economic, political, military and architectural history;
- (2) Fostering civic pride in the beauty and noble accomplishments of the past as represented in the City of Billings prehistoric and historic sites and historic districts;
- (3) Conserving and improving the value of property designated as historic sites or within historic districts;
- (4) Protecting and enhancing the attractiveness of the city to home buyers, tourists, visitors, and shoppers, and thereby supporting and promoting business, commerce and industry, and providing economic benefit to the city;
- (5) Fostering and encouraging preservation, restoration, and rehabilitation of structures, areas, and neighborhoods and thereby preventing future urban blight.

SEC. 27-502. DEFINITIONS.

For the purposes of this article, the following definitions apply:

Alteration: Any act or process that changes the exterior architectural appearance of a structure, including, but not limited to, the erection, construction, reconstruction or removal of any structure. Alterations and changes may include, but are not limited to, covering original materials and features, replacing a window, re-pointing brickwork, sandblasting, and the removal of paint by chemical or other means.

Appeal: An applicant may appeal a recommendation of the Yellowstone Historic Preservation Board (YHPB) to the Billings City Council.

Applicant: The owner of record of an Historic Site and/or Local Register property; the lessee thereof with the approval of the owner of record in notarized form; or a person holding a “bona fide” contract to purchase an Historic Site and/or Local Register property.

Area: A specific geographic division of the City of Billings.

Certificate of Appropriateness: A signed and dated document that shall be submitted to the Yellowstone Historic Preservation Board for recommendation of the appropriateness of any new construction, demolition, exterior alteration or change of

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location of an historic site or structure located within a Historic District or designated on the Local Register. This certification is required prior to the issuance of a building permit, demolition permit or sign permit.

City administrator: The city administrator of the City of Billings or his/her designee.

Construction: The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

Council: The city council of the City of Billings.

Demolition: Any act or process that destroys in part or in whole a historic site or a structure within a historic district.

Exterior architectural appearance: The architectural character and general composition of the exterior of a structure, including but not limited to the kind, color, and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs, and appurtenant elements.

Historic district: An area designated as a "historic district" by ordinance of the city council which may contain within definable geographic boundaries one or more historic sites and which may have within its boundaries other properties or structures that, while are not of such historic and/or architectural significance to be designated as historic sites, nevertheless contribute to the overall visual characteristics of the historic site or historic sites located within the historic district.

Historic site: A property or structure designated as a historic site by ordinance of the city council pursuant to procedures prescribed herein, that is worthy of rehabilitation, restoration, and preservation because of its historic and/or architectural significance to the City of Billings.

Local Register: Means a list of properties designated by the City of Billings based on Local Register criteria and procedures, and properties listed to the National Register of Historic Places that have petitioned to be listed to the local register.

National register: National Register of Historic Places. A list, maintained by the US Department of Interior, of sites, properties, objects and districts having local, state or national historical, architectural or cultural significance.

Preservation board: The Yellowstone Historic Preservation Board.

Removal: Any relocation of a structure on its site or to another site.

Repair: Any change not otherwise construed as an alteration, as herein defined, that constitutes replacing broken, worn or damaged materials with like, not necessarily

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identical, materials and is insignificant to the size and condition of the structure or property. Repainting and re-roofing shall be included under this definition of repair.

Structure: Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing, building, fences, gazebos, advertising signs, billboards, backstops for tennis courts, radio and television antennae, including supporting towers, and swimming pools.

SEC. 27-503. HISTORIC PRESERVATION BOARD.

(a) *Members:* The Yellowstone Historic Preservation Board shall consist of nine (9) members with a demonstrated interest, competence, and knowledge in historic preservation. The following five (5) members shall be selected jointly by all signatories to the inter-local agreement establishing the Yellowstone Historic Preservation Board. Each signatory has one (1) vote. In this selection process the simple majority vote will prevail. The board shall include at least three (3) members with professional expertise in the disciplines of history, planning, archaeology, architecture, architectural history, or other historic preservation-related disciplines such as cultural geography or cultural anthropology. The board shall also include two (2) additional members from the following:

One member of the Yellowstone County board of planning;

One member of the Laurel board of planning;

One property owner either residing or owning a business in a historic district or who owns property listed on the National Register of Historic Places;

One member of a city/county preservation society.

The four (4) remaining board members shall be considered "at-large" and shall consist of:

One City of Billings resident appointed by the Billings city council;

One county resident appointed by the Yellowstone County commissioners;

One City of Laurel resident appointed by the Laurel city council;

One Crow Tribal member who lives within the Yellowstone County portion of the Crow Reservation or elsewhere within Yellowstone County appointed by the Crow Tribal council.

(b) *Appointments and terms:* Terms of office for the historic preservation board members shall be for two-year terms and shall be staggered. Upon enactment of this resolution, three (3) members shall be appointed to one-year terms. The following year, all terms shall be for two (2) years.

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(c) *Absences and removal:*

- (1) Each member shall inform the preservation officer at least one (1) day before the meeting of the inability to attend a board or committee meeting. Such an absence shall be considered an excused absence.
- (2) If any member accrues three (3) or more consecutive unexcused absences from regular meetings, notice of which has been given at his/her usual place of work or residences, or by announcement at a meeting attended by him/her, the president may call such absences to the attention of the board which may then recommend to the appointing authority that such member be asked to resign and then another person be appointed to serve out the unexpired term.

(d) *Vacancies:* Vacancies occurring on the board shall be filled within sixty (60) days in the same manner as for the original appointment. This appointment shall be for the remainder of the unexpired term.

(e) *Meetings:* The historic preservation board shall conduct a minimum of one (1) regularly scheduled meeting each month, except that the chairperson may cancel any meeting or schedule special meetings when such meetings are necessary to carry out the provisions of this article.

Special meetings of the board may be called by the chairperson or by two (2) members, upon request to the preservation officer. The preservation officer shall notify members at least two (2) days in an advance of the special meeting.

Meetings shall be open to the public in accordance with the State of Montana Open Meeting Law, and all written or taped minutes, reports and case decisions shall be available to the public.

The historic preservation board shall establish bylaws conforming to the guidelines set forth in the "Certified Local Government Program in Montana."

(f) *Powers and duties:* Yellowstone historic preservation board shall:

- (1) Maintain a system for the survey and inventory of historic and prehistoric properties. The information shall be available to the public.
- (2) Review and participate in all proposed National Register nominations within the City of Laurel, the City of Billings, the Crow Reservation and/or Yellowstone County.
- (3) Encourage public participation while assisting with the enforcement of appropriate state and local legislation concerning historic preservation.
- (4) Submit an annual report to the State Historic Preservation Office describing projects, activities, recommendations and decisions made, projects reviewed, recommendations to the National Register of Historic Places, revised resumes

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of historic preservation board members and member attendance records, and indexed copies of typewritten or tape recorded minutes of all historic preservation board meetings. Copies of the following will be attached to the annual report: inventory forms, survey reports, maps, photographs, and other survey materials or planning documents generated during the preceding year.

- (5) Have at least one (1) member attend at least one (1) training session each year and review any orientation materials provided by the State Historic Preservation Office.
- (6) Review and comment on land use proposals and planning programs related to historic resources, such as municipal improvements, housing and other public programs.
- (7) Consult with city, county, tribal, state and federal agencies on all applications, environmental assessment, environmental impact statements, and other similar documents pertaining to historic districts, historic sites, and landmarks or neighboring properties within the City of Billings and/or Yellowstone County. Comments and recommendations by the historic preservation board will be sent to the Billings city council and the Yellowstone county commissioners.
- (8) Review the local zoning regulations for their applicability to the characteristics of the proposed historic districts, and make appropriate recommendations to the zoning commissions and the boards of adjustment concerning any changes or modifications to the zoning regulations, zoning boundaries, zone change applications, special review applications, or variance applications.
- (9) Make recommendations to the boards of adjustments regarding variance change applications within any historic district.
- (10) Assist with the preparation and adoption of a comprehensive historic preservation plan and assist with the annual updates of said plan.
- (11) Provide information, advice and guidance, upon request by property owners, as to the restoration, rehabilitation, landscaping or maintenance of potentially historic buildings or structures. The historic preservation board may recommend voluntary design guidelines which will be made available to the public for assistance in preservation projects.
- (12) Participate in, promote and conduct public information, education and interpretive programs pertaining to historic potential tax incentives and federal and/or state grants that might be available.
- (13) Provide, in its discretion, quarterly reports to all governing bodies to discuss its activity for the past quarter. Minutes of board meetings and any other information deemed necessary may be appended to the quarterly reports. A copy of the annual report to the State Historic Preservation Office shall be provided to each of the governing bodies.
- (14) Undertake any actions necessary to assure compliance of the preservation board with certified local government requirements.

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- (15) Review and forward a recommendation to the City Administrator or his/her designee on a Certificate of Appropriateness as requested by applicants. The application may be recommended for approval as presented, approval with modifications, denied or delayed as set out in this Article.

SEC. 27-504. HISTORIC PRESERVATION OFFICER.

(a) *Duties:*

- (1) The historic preservation officer shall serve as staff to the historic preservation board.
- (2) The historic preservation officer must have demonstrated interest, competence or knowledge in historic preservation.
- (3) The historic preservation officer will assist with coordinating the local historic preservation programs, help in the development of local surveys, projects and historic preservation planning documents, advise and provide assistance to the historic preservation board, government agencies and the public, and ensure, to the extent practicable, that the duties and responsibilities delegated by this resolution are carried out.
- (4) The historic preservation officer shall be appointed by mutual agreement of the Laurel city council, the Billings city council, the Crow Tribal council and the Yellowstone county commissioners.

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SEC. 27-505. LOCAL REVIEW AND DESIGNATION.

Historic designation on the local registry is the process by which a building, structure, site, or district is recognized as having historic, architectural or archaeological significance. It is the primary means for identifying and protecting Billing's historic resources.

To qualify as a historic site or historic district, the individual properties, structures, sites, or buildings, or groups of properties, structures, sites or buildings must have significant character, interest, or value as part of the historical, cultural, aesthetic, and architectural heritage of the city, county, state or nation. To qualify as a historic site or district, the property or properties must fulfill one (1) or more of the criteria set forth in subsection (1) below and meet the criteria set forth in subsections (2)a. and (2)d. below.

- (1) A building, structure, site, or district will be deemed to have historical or cultural significance if it meets one (1) or more of the following criteria:
 - a. Is associated in a significant way with the life or activities of a major person important in city, county, state, or national history (for example, the homestead of a local founding family);
 - b. Is the site of a historic event with significant effect upon the city, county, state, or nation;
 - c. Is associated in a significant way with a major historic event, whether cultural, economic, social, military, or political;
 - d. Exemplifies the historical, political, cultural, economic, or social trends of the community in history; or
 - e. Is associated in a significant way with a past or a continuing institution which has contributed substantially to the life of the city and/or county.
- (2) A building, structure, site, or district is deemed to have architectural or aesthetic significance if it fulfills one (1) or more of the following criteria; except that to qualify as a historic interior, the interior must meet the criteria contained within subsections (2)b. and (2)d.:
 - a. Portrays the environment in an era of history characterized by one (1) or more distinctive architectural styles;
 - b. Embodies those distinguishing characteristics of an architectural style, period, or method of construction;
 - c. Is a historic or outstanding work of a prominent architect, designer, landscape architect, or builder; or
 - d. Contains elements of design, detail, material, or craftsmanship of outstanding quality or which represented, in its time, a significant innovation or adaption to the environment.
- (3) A building, structure, site, or district will be deemed to have historic significance if, in addition to the previously mentioned criteria in (1) and (2), the building, structure, site, or zone meets historic development standards as defined by and listed in the regulations of and criteria for the National Register of Historic Places

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as prepared by the United States Department of the Interior under the Historic Preservation Act of 1966, as amended. Said regulations, as amended from time to time, are made part of this chapter as if fully set forth herein.

- (4) **Classification of Structures and Buildings.** All historic buildings, structures, archaeological sites, districts, and neighborhoods classified and designated on the local register, will be approved by the city council and be made an overlay to the city and county, zoning maps and land use plans. Such buildings, structures, districts, neighborhoods, and the like will be divided into two (2) classes:
 - a. **Contributing.** Those buildings, structures, archaeological sites, or districts classified as historic shall possess identified historical and architectural merit of a degree warranting their preservation. All buildings, structures, archaeological sites, and the like, listed in the city historic survey, as adopted and approved by the city council and county commission, will be considered worthy of preservation and may be designated as a historic site or a historic district.
 - b. **Noncontributing.** Those buildings and structures within a historic district not listed in the city historic preservation survey, and those buildings and structures determined by the preservation board to be of no contributing value.
- (5) All commercial districts listed in the National Register of Historic Places within the City of Billings automatically become part of the Local Register. Commercial buildings individually listed in the National Register of Historic Places within the City of Billings may petition to become part of the Local Register by request of the owner of record of said National Register property. This petition must be submitted to the Billings City Council.
- (6) Individually listed residential buildings and/or residential districts listed in the National Register of Historic Places within the City of Billings may petition to become part of the Local Register. Individuals may apply on their own behalf. Residential Historic Districts may petition to become part of the local register with a minimum of 2/3 approval by the owner(s) of the properties within the district.

SEC. 27-506. NATIONAL REGISTER OF HISTORIC PLACES; NOMINATION REVIEW.

(a) The preservation board shall review proposed nominations to the National Register of Historic Places submitted by the State Historic Preservation Officer or other sponsor qualified pursuant to United States Department of the Interior regulations. The preservation board will develop or receive the documentation necessary to nominate properties to the National Register of Historic Places. The preservation board shall evaluate, in a timely manner, nomination proposals received for completeness. Should a nomination proposal not be technically complete, the preservation board shall notify the proposal's sponsor, identifying the technical deficiencies in writing, within thirty (30) days of receipt of the nomination proposal. If the nomination proposal is technically

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complete, the preservation board shall place the item on its agenda for the earliest possible regular meeting after notification procedures are complete.

(b) The preservation board shall notify the following of its intention to consider a nomination proposal. In all cases, such notification shall occur at least thirty (30) days but not more than seventy-five (75) days prior to the preservation meeting at which the nomination proposal will be considered.

- (1) Owner(s) of record of the property. The list of owners shall be obtained from official tax records and provided with the nomination application. Where there is more than one (1) owner on the list, each separate owner shall be notified.
- (2) The mayor of the City of Billings. Said local officials shall have thirty (30) days from receipt of notice within which to submit the preservation board a written recommendation supporting or opposing the nomination.
- (3) The State Historic Preservation Officer.

(c) When the preservation board considers a nomination proposal that will impact properties which are normally evaluated by a professional in a specific discipline, and that discipline is not represented on the preservation board, the preservation board shall seek professional expertise in this area before rendering a decision, but failure to obtain such advice shall not invalidate its determination on the proposal.

(d) Nomination proposals shall be considered by the preservation board at a public meeting, and all votes on nomination proposals shall be recorded and made a part of the permanent record of the preservation board meeting. All nomination proposals shall be forwarded, with a record of official action taken by the preservation board and the recommendation of the appropriate local official(s), to the State Historic Preservation Officer within thirty (30) days of the preservation board meeting at which they were considered.

(e) Any person or organization supporting or opposing the nomination of a property to the national register shall be afforded the opportunity to make their views known in writing or in person at meetings of the board. All such correspondence regarding a nomination proposal shall become part of the permanent record and shall be forwarded to the state historic preservation officer. In the case of disapproved nomination proposals, letters of support or comment shall be made a part of the permanent record concerning that proposal, and a list of such letters shall accompany the official copy of the disapproved nomination proposal when it is forwarded to the state historic preservation officer.

(f) Nomination proposals to be considered by the preservation board shall be on file at the Yellowstone county board of planning offices for at least thirty (30) days but not more than seventy-five (75) days prior to the meeting at which they will be considered. A copy shall be made available by mail when requested by the public and shall be made available at a location of reasonable local access, such as a local library, courthouse, or other public place.

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(g) Any person may appeal the decision of the preservation board regarding a proposed nomination by filing a written appeal with the state historic preservation officer within thirty (30) days of the preservation board decision.

(h) In reviewing national register of historic places nomination proposals, the preservation board shall follow the regulations found in 36 C.F.R. Part 60, and as amended from time to time, promulgated by the National Park Service, Department of the Interior under the Historic Preservation Act of 1966, as amended.

SEC. 27-507. DESIGNATION OF HISTORIC DISTRICTS.

- (a) The following area within the city is designated as the Billings Townsite Historic District:

Beginning at the northwest corner of the right-of-way intersection of North 26th Street and 1st Avenue North, located in the original Town of Billings, said point being the point of beginning; thence, southeasterly along the westerly right-of-way line of North 26th Street to the southerly right-of-way line of Montana Avenue, thence northeasterly along said southerly right-of-way line of Montana Avenue 280± feet, thence southeasterly along a bearing perpendicular to the bearing of the southerly right-of-way line of Montana Avenue to the centerline of the Burlington Northern Railroad right-of-way thence northeasterly along said railroad right-of-way line to a point which is the extension of the easterly right-of-way line of North 22nd Street, thence northwesterly along said extension of the easterly right-of-way line of North 22nd Street and along the easterly right-of-way line of North 22nd Street to the northeast corner of the right-of-way intersection of North 22nd Street and 1st Avenue North, thence southwestly along the northerly right-of-way line of 1st Avenue North to the point of beginning. Included within this area, but not limited to it, are Blocks 111, 112, 113 and 114 of the original Town of Billings.

Beginning at the northwest corner of the right-of-way intersection of North 26th Street and Montana Avenue, located in the Original Town of Billings, said point of beginning; thence southwestly to the easterly right-of-way line of North 27th Street and Montana Avenue; thence southeasterly along the eastern right-of-way of North 27th Street to the center line of the Burlington Northern right-of-way, thence northeasterly to the eastern boundary of the existing Billings Townsite Historic District, then following the eastern border of the existing district to the point of beginning.

- (b) The following area within the city is designated as the Billings Old Town Historic District:

Beginning at the east side of North 30th Street mid-block alley entrance, located in the Original Town of Billings, said point of beginning; thence easterly along alley to the northeast corner of the building at 2815 Montana

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Avenue; thence south to the centerline of Montana Avenue; thence turns easterly and continues along the centerline until reaching the intersection of 27th Street and Montana Avenue; thence south to the southern edge of the Burlington Northern right-of-way; thence easterly along said right-of-way to the east side of the building at 2601 Minnesota Avenue; thence south to the centerline of Minnesota Avenue; thence westerly to the intersection of Minnesota Avenue and South 26th Street; thence south to the mid-block alley entrance; thence westerly to the centerline of South 27th Street; thence south to the intersection of South 27th Street and 1st Avenue South; thence westerly along the centerline of 1st Avenue South to the west boundary of the building at 24 South 30th Street; thence north to the northwest boundary of the building at 24 South 30th Street; thence easterly to the centerline of South 30th Street; thence north of the intersection of South 30th Street and Minnesota Avenue centerline; thence easterly along said centerline to the intersection of Minnesota Avenue and South 29th Street; thence north along South 29th Street centerline to the intersection of North 29th Street and Montana Avenue; thence westerly to the intersection of Montana Avenue and North 30th Street; thence north along North 30th street centerline to the point of beginning.

- (c) Existing or additional historic districts may be expanded or created by amendment of this section as provided for under Section 27-1502 of this article. Provision shall be made for public participation in the expansion of existing historic districts or the development of any new historic district.¹

SECS. 27-508--27-510. RESERVED.

DIVISION 2. CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION AND BUILDING PERMITS.

SEC. 27-511. APPROVAL OF BUILDING, EXTERIOR REMODELING AND DEMOLITION PERMITS.

No permit for building, alteration or demolition (excluding permits for interior work) of any building or structure currently listed or part of a district listed on the City of Billings Local Registry shall be granted by the city administrator or his/her designee until the historic preservation board has advised the city administrator or his/her designee concerning the application for a Certificate of Appropriateness pursuant to the procedures and criteria set forth in this article. The board may advise the city administrator to approve the application as presented, approve with modifications, deny or delay based upon advice given by the board and the criteria set forth in Sections 27-514 and 27-515 of this article.

The owner or the owner's agent is responsible for applying for a Certificate of Appropriateness prior to, or concurrently with, any application for building, demolition, or alteration.

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SEC. 27-512. PROCEDURES FOR HISTORIC PRESERVATION BOARD REVIEW AND ADVICE ON A CERTIFICATE OF APPROPRIATENESS.

Procedures shall conform to the following:

- (1) The city administrator shall, immediately upon receipt thereof, submit to the historic preservation board for consideration each complete application for permit for building, (excluding permits for interior work) exterior remodeling or demolition of any structure situated wholly or partially within the historic district. Within ten (10) days after receipt of the application, the board may request that the applicant furnish additional information or drawings concerning the proposed project.
- (2) Within thirty (30) days after receipt by the board of any such application, or thirty (30) days after receipt by the board of any additional information or drawings requested from the applicant, the board shall advise the city administrator whether it recommends approval as presented, approval with modification, denial or delay of the permit. If the board does not advise the city administrator within such thirty-day period it will be deemed conclusive evidence that the board has advised that the application be approved without modification. The foregoing thirty-day period may be extended by the board for an additional thirty-day period upon consent of the applicant.
- (3) Within ten (10) days after the latter of receipt by the historic preservation board of the application or receipt by the board of additional information or drawings requested from the applicant, the board shall set a date for a public hearing on the application.
- (4) Notice of the application and hearing shall be given by:
 - a. Publication of the same in a newspaper of general circulation in the city at least seven (7) days prior to the date set for the hearing;
 - b. Posting the same on the property affected by the application at least fifteen (15) days prior to the date set for the hearing; and
 - c. Mailing the same to the applicant at the address stated on the application at least fifteen (15) days prior to the date set for the hearing.
- (5) The historic preservation board may continue the hearing to a subsequent time. Any person may appear at the hearing and present such evidence or testimony at the board deems relevant to its decision. Following the hearing, the board shall advise the city administrator to approve as presented, approve with modifications, deny or delay the application.
- (6) The historic preservation board's advice with regard to each application and the reasons therefore, shall be in writing, shall be preserved and shall be available for public inspection in the office of the Historic Preservation Officer.

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- (7) The city administrator or his/her designee will notify, by certified mail, return receipt requested to the applicant and/or his/her agent of the final decision.

SEC. 27-513. REVIEW BY COUNCIL.

If, pursuant to this article, the city administrator disapproves an application or approves an application with modifications, the applicant may appeal the decision of the city administrator to the council. The appeal must be perfected by the following procedure:

- (1) The applicant shall file with the city administrator's office within five (5) working days of the date of the administrator's final decision, a request in writing for review by the city council, and the city administrator shall place the matter on the next council agenda following the administrator's decision.
- (2) If the administrator's final decision is contrary to the advice of the board with regard to any application, the decision of the city administrator shall be automatically reviewed by the council and the city administrator shall advise the city clerk, and the matter shall be placed on the next council agenda following the administrator's decision. The council may thereupon convene a public hearing or continue the matter to a public hearing at a more convenient date certain, not more than ten (10) days thereafter.
- (3) The council's decision with regard to any matter appealed to it pursuant to this article shall be based upon the criteria set forth in this article.

SEC. 27-514. DESIGN REVIEW PROTECTION, HISTORIC PRESERVATION GUIDELINES, AND CERTIFICATE OF APPROPRIATENESS.

In considering an application for a Certificate of Appropriateness for a building or demolition permit, the preservation board shall be guided by the Secretary of Interior Standard's for the Treatment of Historic Properties with guidelines for preserving, rehabilitation, restoring and reconstructing historic buildings and the following general standards.

- (1) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.
- (3) All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.
- (4) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment.

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These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

- (5) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity.
- (6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (8) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
- (9) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood, or environment.

SEC. 27-515. DEMOLITIONS.

The preservation board, upon a request for demolition by a property owner, shall consider the following guidelines in evaluating applications for demolition of designated historic sites, or buildings, structures, or appurtenances within designated historic districts:

- (1) Whether the structure is of such interest or quality that it would reasonably fulfill criteria for designation for listing on the national register;
- (2) Whether the structure is of such design, craftsmanship, or material that it could be reproduced only with great difficulty or economically nonviable expense;
- (3) Whether the structure is one of the last remaining examples of its kind in the designated historic district within the city;
- (4) Whether retaining the structure would promote the general welfare of the city by providing an opportunity to study local history, architecture, and design, or by developing an understanding of the importance and value of a particular culture and heritage;
- (5) Whether there are definite plans for immediate reuse of the property if the proposed demolition is carried out, and what effect those plans will have on the character of the surrounding area.

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SEC. 27-516. CRITERIA FOR DEMOLITION PERMITS.

- (1) No application for a permit to demolish a structure located within the Billings Local Register shall be approved unless:
- (2) The Yellowstone Historic Preservation Board with recommendations from the City of Billings Building Official has determined that the structure poses an immediate threat to public safety.
- (3) No disapproval of a permit to demolish shall be in effect for more than six (6) months after the board's recommendation. During such six (6) month period, the historic preservation board may take or encourage the taking of whatever steps seem likely to lead to the structure's preservation. The board may work with the property owner to seek alternative economic uses for the property, may consult with private civic groups, interested private citizens and other public boards or agencies.

SEC. 27-517. INFORMAL OPINIONS.

The historic preservation board may, in its discretion, render informal opinions to any person contemplating application for a permit for building, exterior remodeling or demolition of any structure situated wholly or partially within the historic district. The board will not be bound by its informal opinions.

SEC. 27-518. PUBLIC IMPROVEMENTS.

Any public improvements installed within the historic district shall be compatible with the criteria for approval of permits for building or exterior remodeling set forth in this article to the extent that such installation does not conflict with the requirements of the Manual on Uniform Traffic-Control Devices.

SEC. 27-519. PENALTY.

Violations of this article are designated as municipal infractions and punishable by civil penalties as specified in Section 18-1304.

(Ord. No. 93-4927, § 1, 7-26-93) (Ord. No. 93-4927, § 8, 7-26-93; Ord. No. 94-4970, § 1, 9-26-94)

APPENDIX H

MONTANA HISTORICAL SOCIETY -
DOLLARS FOR HISTORIC PRESERVATION
GRANT / FUNDING RESOURCES

This document identifies grant funders that Montana Historical Society recommends. This is not meant to be a comprehensive list, but rather a starting point. Depending on the details of your project, there may be other grant opportunities available that are not found here. Feel free to give our office a call with any questions.

Thanks and good luck!

Brad Hansen
Grants Contracts Coordinator, SHPO 406-444-7768

Primary Funders

Montana History Foundation: mthistory.org

- Grants for historic preservation, oral histories, artifact conservation, document digitization, museum exhibits, and more. Applicant must have nonprofit status or have a nonprofit fiscal sponsor to be funded.

Montana Arts Council: art.mt.gov/grants_awards_comm_home

- Grants for cultural and aesthetic projects including, but not limited to, the visual, performing, literary and media arts, history, archaeology, folklore, archives, collections, research, historic preservation and the construction or renovation of cultural facilities. Grant funds are derived from the interest earned on the Cultural Trust which comes from Montana's coal tax.

Montana Department of Commerce, Tourism Grants Program: tourism.mt.gov/grants

- Grants for projects that strengthen Montana's economy through the development and enhancement of the state's tourism industry. The grant program offers funding in three categories: tourism digital development, tourism infrastructure, and tourism event paid media advertising.

Montana Department of Transportation, Community Transportation Enhancement Program:
mdt.mt.gov/business/grants.shtml

- Grant funding for pedestrian and bike paths, scenic easements, historic and archaeological sites, historic highway programs, landscaping and community beautification projects.

Montana Historical Society, State Historic Preservation Office: mhs.mt.gov/Shpo

- Annual grant allocations for certified local governments (CLGs) in 16 Montana communities. Programs and projects are administered by local preservation offices. Funds are used to support historic preservation.
- When funding is available, SHPO may sub grant federal dollars to nonprofit organizations on a competitive basis for allowable preservation activities.

Montana Main Street Program: comdev.mt.gov/Programs/MainStreet

- Grants to help Montana Main Street communities strengthen and preserve their historic downtown commercial districts by focusing on economic development, urban revitalization, and historic preservation through long-range planning, organization, design, and promotion.

Montana Preservation Alliance: preservemontana.org/

- Provides assistance to nonprofits who work to save and protect Montana's historic places, traditional landscapes, and cultural heritage. MPA is a statewide, not-for-profit organization dedicated to providing Montanans with the resources necessary to preserve our state's unique history and culture. MPA may act as a fiscal sponsor in situations where one is needed.

Butte Citizens for Preservation and Revitalization, Inc.:

buttecpr.org/services/grants.php

- Grant funding for preservation of historic buildings and façade improvements in Butte, Montana. Butte CPR defines historic buildings as structures built during or before 1950.

Humanities Montana: humanitiesmontana.org/

- Humanities Montana is an independent nonprofit organization that provides grants and programs on history, literature, Native American cultures, and more all over the state of Montana.

Jerry Metcalf Foundation: jerrymetcalfmontana.org/grantguidelines.html

- Montana specific grants for the visual, performing, and literary arts, historical research and preservation, environmental research and conservation, and education and community health. Each spring, the Foundation awards around \$50,000 to selected individuals and organizations. Most grants that have been awarded are between \$1,000 to \$15,000.

Other Grant Funders

Advisory Council on Historic Preservation achp.gov/funding-cultural.html

- An online resource to help identify funding for a wide range of topics that include: historic properties, the arts, humanities, and museum development.

American Association of State and Local History: aaslh.org/

- National association that provides grants and funding for continuing education/training for state and local historians.

Big Sky Economic Development Trust Fund Planning Grant: bstf.mt.gov

- Grants or loans to assist with planning efforts to expand the economy or create jobs. Grants are funded through Montana Department of Commerce.

The Foster Foundation: thefosterfoundation.org/Grants_Guide.asp

- Grants for nonprofit organizations whose programs address one of our four priority issues—human welfare, education, medical research, treatment & care and arts & culture.

Grants.gov: grants.gov/

- The primary resource for all federal grant listings.

Institute for Museum and Library Services: imls.gov/

- National source of grant funding for a wide range of projects that may include museums, libraries, the arts, education, history, dance, design, literature, conservation, etc.

J.J. Kaplan Fund: jmkfund.org/

- Grants for historic preservation. The J.M. Kaplan Fund, a New York City-based family foundation, champions inventive giving that supports transformative social, national, environmental, and cultural causes.

Lowe's Charitable and Educational Foundation: Community Partners:

lowes.com/cd_The+Lowe's+Charitable+and+Educational+Foundation_474741445

- Grants for improving the communities we serve through support of public education and community improvement projects.

MDU Resources Foundation: mdu.com/integrity/foundation

- Grants supporting art and culture, education, health, and community development. MDU was founded in 1924 as a small electric utility serving a handful of farm communities on the border of Montana and North Dakota. Today it is a multibillion-dollar corporation with most of its offices headquartered in Bismarck, North Dakota.

MJ Murdock Charitable Trust: murdock-trust.org/

- Grants for nonprofit organizations that seek to strengthen the region's educational, spiritual, and cultural base in creative and sustainable ways

Montana Community Foundation: mtcf.org

- Grants that benefit Montana communities. By using income generated through permanently endowed funds, Montana Community Foundation funds other nonprofit organizations to help them establish stable incomes and to support their efforts.

Montana Conservation Corps: mtcorps.org/

- Montana Conservation Corps is a nonprofit organization that empowers youth and young adults through hands-on conservation service and education. Volunteers complete conservation projects in local communities, national forests, state and national parks, wildlife refuges and federally designated wilderness areas.

Montana Department of Commerce, Community Development Block

Grants: comdev.mt.gov/Programs/CDBG

- Grants for housing and neighborhood renewal, public facilities, planning grants, and economic development projects for communities with a population fewer than 50,000 residents.

Montana State University: msucommunityresources.org/grantopps.asp

- Grants for community friendly projects in small, underserved, struggling rural communities.

National Endowment for the Arts: arts.gov/grants

- Grants for organizations, individuals, and partnership agreements that include a number of eligible categories. The NEA is the independent federal agency whose funding and support gives Americans the opportunity to participate in the arts, exercise their imaginations, and develop their creative capacities.

National Endowment for the Humanities: neh.gov/grants

- Grants for individuals and organizations that cover multiple eligible categories. The National Endowment for the Humanities is one of the largest funders of humanities programs in the United States.

National Historic Publications and Records Commission: archives.gov/nhprc/

- Grants for projects that promote the preservation and use of historical records collections to broaden understanding of our democracy, history, and culture. This grant program is designed to support archival repositories in preserving and processing primary source materials. The program emphasizes the creation of online tools that facilitate the public discovery of historical records.

The National Trust for Historic Preservation:

forum.savingplaces.org/build/find-funding/grant-seekers

- Grants for protecting significant places representing our diverse cultural experience. NTHP grants are primarily for planning preservation projects, though some special programs focus on preservation planning in particular fields or geographic regions, or allow for the funding of physical preservation work.

Northwester Energy Charitable Giving Program:

app.trueimpact.com/app/proposal_submit.php?id=150

- Grants for education, health and human services, civic and community projects, culture and art projects, and resource conservation.

Preserve America Grants (National Park Service): preserveamerica.gov/

- Currently not funded

Steele Reese Foundation: steele-reese.org/idaho_montana_grant_program

- Grants for rural education, rural human and social services, rural conservation and preservation, rural health, rural arts and humanities. The Steele-Reese Foundation makes grants only to entities operating in the states of Idaho and Montana. For its 2016 funding cycle, the Foundation will be strengthening its focus on those programs operating in the more rural parts of the two states in its service area.

U.S. Department of Commerce, Economic Development Administration: eda.gov/

- Grants that work to fulfill regional economic development strategies designed to accelerate innovation and entrepreneurship and create private sector jobs.

U.S. Department of the Interior: doi.gov/

- Grants for National Historic Landmarks, National Parks, Native American projects, etc. The Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities.

U.S. Department of Agriculture, Rural Development: rd.usda.gov/

- Grants that support essential services such as housing, economic development, health care, first responder services and equipment, and water, electric and communications infrastructure for rural communities. Projects may include historic preservation.

Dennis and Phyllis Washington Foundation: dpwfoundation.org/grants/

- Grants for nonprofit organizations and programs that provide a direct service to economically and socially disadvantaged individuals and families, at-risk or troubled youth, and individuals with special needs.

3 Rivers Communications: 3rivers.net/grants%20%2526%20sponsorships

- Grant funding for rural community events in Montana.

APPENDIX I

ROUNDUP DOWNTOWN PRESERVATION PLAN

STEERING COMMITTEE ROSTER

STEERING COMMITTEE

Downtown Master Plan / Downtown Historic Preservation Plan

Mayor Sandra Jones	(406) 855-1574	roundupmayor@yahoo.com
Office	(406) 323-2804	rmdp@midrivers.com
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Jerry Rangitsch	(406) 323-2802	vandykes@midrivers.com
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Jessica Samuelson	(406) 323-2055	jessicasamuelson@midrivers.com
Gary Toombs	(406) 323-2016	garytoombs@yahoo.com
Bill Edwards	(406) 323-2975	fm88@midrivers.com
Dave Liggett	(406) 323-8018	djl53@ymail.com
Emma Fraser	(406) 323-2127	soilsell@midrivers.com

NOTE* Names shown in bold are also City Council members