

ASSESSING VISUAL EFFECTS ON HISTORIC PROPERTIES

I. POLICY AND ISSUES

INTRODUCTION

Communication towers, additions constructed on historic buildings, highways, and other types of construction introduced to a landscape may cause adverse effects to the landscape and surrounding properties in a variety of ways, including visually. Adverse visual effects can be caused by a change in aesthetic values or by obstruction of views. In regard to a historic property, adverse visual effects are those that diminish the property's integrity, which negatively affects its historic significance and hence its eligibility for listing in the National Register of Historic Places.

Within a variety of review processes, the State Historic Preservation Office evaluates and assesses the effects a project may have on historic properties. Some effects, such as demolition of a historic property or disturbance of an archaeological site, can be easily evaluated and determined as being adverse. However, assessing the impact of visual effects is not so easily accomplished and may require more in depth evaluation and discussion.

These issues and guidelines were developed by the Delaware State Historic Preservation Office (DE SHPO) to provide guidance for assessing visual effects on historic properties in Delaware. The guidelines also act as inner-office guidance for the DE SHPO to help evaluate effects and support determinations. These guidelines are intended to be used in the review of Section 106 projects, preservation incentive projects, among others. Regional and local review boards and officials can also use the guidelines.

PURPOSE

The purpose of the policy, issues, and guidelines is to provide guidance for DE SHPO staff, agencies, applicants, and others in assessing the visual effects on historic properties. The policy and issues section explain the policy of the DE SHPO and the issues of assessing visual effects and will begin to substantiate evaluations to the extent possible. The guidance section will provide general approaches and a list of required materials to help assess visual effects.

POLICY

It is the policy of the DE SHPO to advise agencies, applicants, and others to avoid adverse visual effects on historic properties whenever feasible, or if avoidance is not possible, to minimize those effects through project alternatives, or mitigate effects through recordation, landscape treatments, and other means.

DEFINITIONS

Adverse Effect – Section 106 regulations (36 CFR § 800) define an adverse effect as one that occurs when an undertaking may alter, directly or indirectly, any of the characteristics of a

historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative (36 CFR § 800.5(a)(1)). One example of an adverse effect is the introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features (36 CFR § 800.5(a)(2)(v));

Additionally, the Secretary of the Interior's Standards for Rehabilitation states that to protect the historic integrity of a historic property and its environment, and therefore prevent an adverse effect, its historic character shall be retained and new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features.

Adverse Visual Effect – occurs when the undertaking's visual impact has a negative effect on the historic property as determined through the aesthetic effects and obstructive effects outlined below [See Evaluation and Guidelines to Determine Visual Impacts].

Aesthetic effect – occurs when there is an effect on the perceived beauty of a place or structure. Adverse aesthetic effects on historic properties are those that impair the character or quality of a historic property, and thus cause a diminishment of the enjoyment and appreciation of the property.

Historic Property – Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the National Register of Historic Places (36CFR § 800.16(1)).

Landscape – Natural and manmade environment.

Obstructive effect – occurs when the proposed project obstructs any part of a historically significant property or scenic view from the viewpoint of the historic property. Adverse obstructive effects on historic properties are those that obstruct in whole or part of the property and that cause a diminishment of the property's historic character.

Scenic Resources – consist of natural and manmade features and include wetlands, bays, waterways, forests, open land, rural areas, historic architecture, archaeology sites, urban areas, among other cultural, natural, and manmade features.

Scenic View – for purposes of this document, a scenic view is the individual or collection of scenic resources that are visually and aesthetically valued and that contribute to a historic property's significance. The scenic view should be identified in the evaluation.

Viewshed – area that is visible from a specified location or locations.

Visual effect – visual effect is present when the proposed object is viewable from a historic property. A visual effect may be beneficial or adverse and may affect the historic property in an aesthetic or obstructive manner. The determination that a visual effect exists does not automatically imply that the effect is adverse.

ISSUES OF VISUAL EFFECTS AND HISTORIC PROPERTIES

Due to the fact that visual effects cannot be measured and may not harm the elements of a historic property in a physical manner, assessing visual effects on historic properties can be difficult and is subjective. A historic property is affected when its historic significance and integrity has been diminished. Therefore, determining how a project harms a property's historic significance and integrity is essential to the assessment.

Subjectivity

The introduction of a new feature to a landscape can create visual effects, which may be positive or negative. The assessment of visual effects is subjective. Attempting to apply a set of quantitative rules for assessment is impossible because of the subjectivity and the differences between each project and property; though quantitative and qualitative data may be useful in describing the nature of the effect. In assessing the visual effects for historic properties, the criteria for significance and the aspects of integrity are factors that require evaluation and provide a fairly qualitative method for determining visual effects on historic properties.

Historic Significance and Integrity

Historic properties convey their significance through their integrity. The aspects of integrity are: location, design, setting, materials, workmanship, feeling, and association. During review of projects taking place on or near a historic property, consideration of the criteria in which the property was determined historically significant and evaluation of whether the introduction of the new feature will adversely affect the property's integrity aspects are critical.

Simply being visible from the historic property may not cause an adverse effect. Therefore, whether or not the new feature is located on the historic property, it is necessary to evaluate the changes and alterations the new feature will introduce, physically and visually, to the historic property. In addition, the changes the project may cause to the total landscape are important factors in assessing the historic property's relationship to its setting, which may include the property's surrounding features and open space.

ADVERSE VISUAL EFFECTS

In general, a project can result in an adverse visual effect to a landscape if it:

1. Creates a demonstrable negative *aesthetic effect* by diminishing the existing visual aesthetics through 1) elimination of open space or a scenic view, or 2) through introduction of a visual element that is incompatible, out of scale, in great contrast, or out of character with the surrounding area and the aesthetics or character; or

2. Creates an *obstructive effect* by 1) blocking or intruding into a scenic view; 2) blocking a significant feature of the scenic view; 3) blocking another listed historic property viewed from the subject historic property; or 4) providing a visual element that would detract from a scenic view or historic property.

A project results in an adverse visual effect to a historic property if the aesthetic or obstructive effects diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association, which are characteristics that qualify the property for inclusion in or eligibility for the National Register of Historic Places.

Aesthetic Effects on Historic Properties

Whether a project is located on or near a historic property, it can change the visual appreciation of a landscape and possibly diminish a property's historic integrity. Adverse aesthetic effects are determined on a case by case basis considering the following factors:

1. Property's historic significance. It is necessary to understand the property's historic significance and integrity in order to evaluate the project's effects on the property's eligibility for listing in the National Register of Historic Places.
2. The existing visual features at the project location (located off the historic property). The alteration of the features at the project location, including open space, can affect the view from the historic property and possibly the location, feeling, setting, and association of the historic property. This includes the amount or proportion of existing features or elements that would be removed, altered, or demolished and that contribute to the visual character or image of the neighborhood, community, or localized area that is viewed from the historic property, and that which affects the historic property's integrity.
3. The existing visual features of the historic property. The alterations caused to the historic property and its resources can affect the view of the historic property and possibly the location, feeling, setting, and association of the historic property. This includes the amount or proportion of existing features or elements that would be removed, altered, or demolished and that contribute to the visual character or image of the property, neighborhood, community, or localized area with which the property is associated. In addition, the physical changes could affect the historic property's design, workmanship, and materials.
4. The compatibility of the proposed project. Whether in an open space or a developed area, the compatibility of the project is important to the character of the project location and surrounding area, including historic properties. The character of the existing landscape and architectural features should be the basis for determining the appropriate characteristics of the proposed project. The compatibility of the project is determined by:
 - a. mass – the arrangement of the project's spaces;
 - b. scale and proportion – the size and proportion of the project to the surrounding structures and features ;

- c. height – sometimes it may be necessary that a project height extend beyond that of the surrounding buildings and other features within view of the project. It is important that the height of the project does not cause the line of sight to move so far up that the surrounding features are out of view, thereby detracting from the original view;
- d. shadows;
- e. color;
- f. the degree to which the project would contribute to the area’s aesthetic value;
- g. the degree of contrast, or lack thereof, between the project and the background, surrounding scenery, or neighborhood; and
- h. the amount of open space.

Obstructive Effects on Historic Properties

Whether a project is located on or near a historic property, it can block the historic property from being viewed or block a view seen from the historic property; thereby possibly diminishing the property’s integrity. Determination of adverse obstructive effects shall be made on a case by case basis considering the following factors:

1. Property’s historic significance. It is necessary to understand the property’s historic significance and integrity in order to evaluate the project’s effects on the property’s eligibility for listing in the National Register of Historic Places.
2. Nature and quality of the view from the historic property. This includes such features as natural topography, settings, man-made or natural features of visual interest, and historic properties seen from the historic property and that which contribute to the historic property’s significance and integrity.
3. Extent of obstruction. This includes total blockage, partial interruption, or diminishment of a person’s enjoyment and appreciation of a scenic view or listed historic property viewed from the historic property, and that affects the integrity of the historic property.
4. Obstruction of a historic property. The project might obstruct the historic property from being viewed from the project site or other area. If the historic property is visually appreciated from surrounding viewpoints, obstructing its view may affect its feeling, setting, location, or association.