

COMMONWEALTH of VIRGINIA
Department of Historic Resources
2801 Kensington Avenue, Richmond, Virginia 23221

National Register of Historic Places

Established under the National Historic Preservation Act of 1966, the national historic preservation program is a partnership between the Federal, State, Tribal and local governments; private organizations; and the public. The Act and its provisions establish the framework within which citizens plan, identify, evaluate, register, and protect significant historic and archeological properties throughout the country. Central to this framework is the National Register of Historic Places—the Nation's official list of cultural resources worthy of preservation, administered by the National Park Service (NPS), Department of the Interior. Properties listed in the Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture.

Historic places are nominated to the National Register by nominating authorities: the State Historic Preservation Officer (SHPO), appointed by the Governor of the State in which the property is located, the Federal Preservation Officer (FPO) for properties under Federal ownership or control, or by the Tribal Historic Preservation Officer (THPO) if the property is on tribal lands. Anyone can prepare a nomination to the National Register, at which time the SHPO, FPO or THPO reviews the proposed nomination, and notifies property owners and local officials of the intent to nominate. Nominations submitted through the States must first be approved by a State Review Board appointed by the Governor before being reviewed by the NPS.

The National Register of Historic Places continues to reflect the desire of Americans, as expressed in the National Historic Preservation Act, that “the historical and cultural foundation of the nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people.”

Virginia Landmarks Register

Also in 1966, the Virginia General Assembly established the Virginia Landmarks Commission, now the Department of Historic Resources (DHR). DHR is the State Historic Preservation Office (SHPO) responsible for managing by the Virginia Landmarks Register, the state's official list of properties important to Virginia's history. The Historic Resources Board (HRB) is responsible for listing properties to the Virginia Landmarks Register just as the State Review Board recommends properties to the National Register. The members of the SRB are appointed by the SHPO and use the same criteria as the National Register to evaluate properties. The same register form is also used for both the Virginia Landmarks Register and the National Register of Historic Places.

Nearly 2300 resources are listed in the Virginia Landmarks Register. This number does not include the tens of thousands of properties within each listed historic district.

Key Points about the National and State Register Process for Property Owners

- Listing in the National and State Registers honors the property by recognizing its importance to its community, State, or the Nation.
- The Federal or State historic property designations do not place restrictions on private property owners.
- Under Federal and State law, private property owners can do anything they wish with their National Register-listed property, provided that no Federal or State license, permit, or funding is involved.
- If a listed property is destroyed, it is removed from the register.
- Owners have no obligation to open their properties to the public, to restore them, or even to maintain them, if they choose not to do so.
- To ensure public participation in the nomination process, property owners and local officials are notified of proposed nominations to the National Register and provided the opportunity to comment. In addition, once a nomination is submitted to the National Park Service another public comment period is published in the *Federal Register*.

Rights of Owners to Comment and/or Object to Listing

The National Preservation Act of 1966, as amended through 1992, states that before a property or district may be included on the National Register or designated as a National Historic Landmark, the owner or owners of such property, or a majority of the owners of the properties within the district in the

- Private property owners may object to the proposed nomination of their property to the National Register. If a majority of private property owners object to a nomination, then the property cannot be listed in the National Register.
- Federal agencies whose projects affect a listed property must give the Advisory Council on Historic Preservation an opportunity to comment on the project and its effects on the property.
- Owners of listed properties may be able to obtain Federal historic preservation funding, when funds are available. In addition, Federal investment tax credits for rehabilitation and other provisions may apply.

Results of Federal and State Listing

Historic Districts and individually listed properties receive a certificate from DHR in recognition of their listing. An attractive official plaque may also be purchased by the owner. Owners of recognized historic properties are also eligible for the Virginia Preservation Easement Program, as well as technical assistance from the staff of DHR. Professional architects, architectural historians, and archaeologists are available to provide technical guidance in the care and maintenance of buildings and sites.

Localities may have laws to encourage the preservation of their historic places. Some local governments have enacted their own identification procedures; some use listing in the National and Virginia Registers as an indicator of historic significance. State and local historic preservation programs often provide some protection against the possible harmful effects of State funded, licensed, or assisted projects. Some provide limited financial assistance to owners in the form of grants, loans, or tax benefits. They may establish other protections for preservation purposes. Programs differ from State to State, and within States; your SHPO or local planning department can provide more information.

Owners of properties listed in the National Register may be eligible for a 20% investment tax credit for the certified rehabilitation of income-producing certified historic structures such as commercial, industrial, or rental residential buildings. Owners of properties listed in the Virginia Landmarks Register may be eligible for a 25% investment tax credit for the certified rehabilitation of income-producing and non-income producing certified historic structures such as commercial, industrial, or rental or non-rental residential buildings. Owners who list a building(s) on both Federal and State lists may pursue both types of investment tax credits.

In addition to honorific recognition, listing in the National Register results in the following consideration in planning for Federal, federally licensed, and federally assisted projects. Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects affecting historic properties either listed in or determined eligible for listing in the National Register. The Advisory Council oversees and ensures the consideration of historic properties in the Federal planning process. Buildings listed on the Virginia Landmarks Register may be considered as part of a state-funded project.

Rights of Owners to Comment and/or Object to Listing

The National Preservation Act of 1966, as amended through 1992, states that before a property or district may be included on the National Register or designated as a National Historic Landmark, the owner or owners of such property, or a majority of the owners of the properties within the district in the case of an historic district, shall be given the opportunity (including a reasonable period of time) to concur in, or object to, the nomination of the property or district for such inclusion or designation. If an owner or owners of a proposed individual listing or a majority of the owners of properties within a proposed district, object to inclusion or designation, the property shall not be included on the National Register or designated as a National Historic Landmark until such objection is withdrawn. The same rule applies to Virginia Landmarks designation (supported by the Code of Virginia).

Each owner or partial owner has one vote regardless of the portion of the property they may own or how many parcels they own within an historic district. Any comments or objections should be sent to the State Historic Preservation Officer at the Department of Historic Resources, 2801 Kensington Avenue, Richmond, Virginia 23221 prior to the scheduled Board meeting listed in the notification letter. Notices of objection must be notarized prior to submission to the SHPO.

Letters of support or objection will be copied to the Historic Resources Board and State Review Board members for review along with the nomination to which they refer. These letters will also be forwarded to the National Park Service upon their review of the nomination.

List of web sites with further and more detailed information

www.cr.nps.gov/	(National Park Service main website)
www.cr.nps.gov/NR/about.htm	(about the National Register)
www.cr.nps.gov/NR/listing.htm	(listing on the National Register)
www.cr.nps.gov/NR/results.htm	(results of listing on the National Register)
www.cr.nps.gov/NR/owners.htm	(owner information)
www.cr.nps.gov/local-law/nhpa1966.htm	(National Historic Preservation Act of 1966)
www.dhr.virginia.gov	(Department of Historic Resources main website)
www.dhr.virginia.gov/registers/register.htm	(national and state register information)
www2.cr.nps.gov/	(Heritage Preservation Services)
www2.cr.nps.gov/tps/tax/index.htm	(about tax credit program)