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A Comparative analysis of Southern Nevada municipalities, and their active participation to implement historical preservation

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PREPARING AND SUBMITTING

**A COMPARATIVE ANALYSIS OF SOUTHERN NEVADA MUNICIPALITIES,
AND THEIR ACTIVE PARTICIPATION TO IMPLEMENT HISTORICAL
PRESERVATION**

prepared by

Rhonda M. Reeves

**Bachelor of Science
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A professional paper submitted in partial fulfillment
of the requirements for the degree of

Master of Arts

in

Public Administration

**Greenspun College of Urban Affairs
Department of Public Administration
University of Nevada, Las Vegas
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ABSTRACT

Preparing and Submitting Thesis/Professional Paper

By

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A comparative analysis of southern Nevada municipalities, and their active participation to implement historical preservation is the foundation of research for this paper. The city of Las Vegas and surrounding municipalities have varying preservation programs in place. The distinctions between the municipalities historic preservation programs foster little protection for the historic site itself in most cases. Historic preservationists are actively bringing to the attention of government the importance of preservation, and are seeking more and more action on the part of the government to implement historic preservation mandates and protection.

The federal government funding for historical preservation within states is not available any longer, however tax incentives and grants for historical preservation are still active today. This places the majority of financial burden onto a particular municipality, which partially explains differences among municipality's preservation activism.

This study will come to some conclusions about the historic preservation activities currently taken and recommend further methods to preserve historic character.

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I would like to thank Dr. Vicki Cassman for her insight into historical preservation. She first led me to the City of Las Vegas Historical Preservation Commission meeting held during historical preservation week. This meeting sparked my sincere interest, as well as, introduced me to some of the main players involved in historical preservation. I am truly grateful to Dr. Cassman for getting me started. Dr. Goodall has been very optimistic throughout my doubts and concerns regarding issues surrounding this research. His honest answers and outlook on how to deal with elements of the paper was very helpful. Without warning, I often showed up at Dr. Thompson's office with questions about historical preservation and he graciously talked with me every time. I am truly grateful for all of the assistance I received from professors to professionals in the field with information to share regarding historical preservation. My husband and children have been very understanding and supportive to my endeavors, whom I love dearly, and am truly blessed with their love.

CHAPTER 1 INTRODUCTION

The heritage of a community invokes a sense of history through a famous person having once lived in a certain home, or remnants of how the city began years ago serves as a foundation for life quality within a community, and pride with a government who protects it. Growing urban areas attract developers eager to tear down the old and raise the new. This creates competing interests in a growing society and the challenges translate social problems into legal battles over who will finally own the property. The property takes on more value than the structure to developers wishing to demolish the structure for something new. (Duerksen, Bonderman, 1997)

As will be discussed in more detail later, the purpose of this study is to evaluate the degree of historical preservation priority and action within five southern Nevada municipalities. The comparative nature of this study leads to some conclusions about the role of local government and how this role can be very different from one municipality to another. The federally funded Nevada State Historical Preservation Office (SHPO) is an entity that is meant to comply with section 106 of the National Historical Preservation Act of 1966 in terms of overseeing federally funded development involving the possible destruction of historically significant property. The local government of individual municipalities must be responsible for this role when development is occurring with private funds for the historical protection of their city. The degree of local government historical preservation priority and activity in this regard is the nature of this study.

Historical architecture is a treasure, and certainly worth renovating to preserve. However, the cost of renovation, in the effort to preserve a historical site, is sometimes difficult for a property owner to endure. The local government needs to step in and assist

the owner, in good faith, who is working to preserve a historical site. Incentive programs include teaching the owner how and when to apply for historical preservation grants, providing eminent domain protection, and supplying funds towards meeting compliance with the city, state and federal registry of historical landmarks. For the owner who would rather sell the property and historical structure, there must be an alternate plan of incentives for the salvation of the historical site. The land and structure could be sold with the understanding that the site is historical, and thus would mandate many zoning ordinances onto the property. The owner may choose to donate the structure to a museum or non-profit organization providing the receiver pays all moving expenses for the structure to be moved to another property.

Often the historical significant homes are located near the center of town close to a downtown area, which has become increasingly commercial. Consequently, the land value increases significantly and the structure value plummets. This is quite an incentive for many owners to sell their property at commercial prices; however, the increased commercial activity downgrades quiet neighborhood integrity.

Another option for historic site homeowners is to learn what incentives are available to historic property owners. Some public developers and planners will choose to maintain the architecture and landscaping of the historical property to preserve the integrity of a neighborhood and city. A variety of incentives still exist today for compliance to zoning regulations, despite the fact that federal funding for historical preservation has been completely cut. Grant funding sources, tax incentives and local government incentives to protect historical landmarks from eminent domain help to promote historical preservation.

In 1981, President Reagan slashed all historic preservation federal funding that was provided to states, however he created the 1981 Economic Recovery Tax Act. Rehabilitated registered landmarks were provided some federal incentive for historic preservation through this legislation. The Act changed sections of the income tax code affecting real estate, and most significantly the provisions affecting the appropriate useful life for a real estate investment, such as provisions governing accelerated depreciation. When the incentive program was drafted, a review standard for evaluating renovation proposals included compliance with the U.S. Secretary of the Interior's standards for rehabilitation. This was meant to ensure that the renovation encouraged did not destroy significant historic or architectural features of a building. (Duerksen, Bonderman, 1997)

Grant funding from state, federal or non-profit agencies provides incentives to homeowners and non-profit organizations that practice historic preservation. Grant funding is provided to people who show that their property is registered on a local, state or federal register of historical sites. The zoning ordinances are applied to properties registered onto the local, state or federal historical register. These regulations often mimic what is required by the grant sponsors for such properties to qualify for grant funding.

The multiple municipalities within southern Nevada differ with regard to their interest or lack of, in historical preservation. The city of North Las Vegas, the city of Henderson and the city of Boulder City, along with the city of Las Vegas, and Clark County, which holds pocket jurisdiction areas throughout Las Vegas, are the municipalities that will be compared in this study. The active programs, as well as, the incentives for historical preservation are examined with the concept that active legal

protection of historical sites from the government is what will maintain integrity and beauty within communities.

HISTORICAL BACKGROUND

Historical preservationists have been and still are the foundation for efforts in historical preservation. In the mid 1800 American preservationists were actively trying to save homes and various sites that were concerned with famous people, not so much for the architectural beauty. The only way that a building or site would be saved from destruction was if the preservationist had enough money to purchase the site outright. (Duerksen, Bonderman 1983)

State and local governments only occasionally, and after much cajoling, became involved in preservation disputes by appropriating funds to purchase threatened buildings. (Duerksen, Bonderman, 1983) The U.S. Congress entered the preservation picture some years later when it began buying Civil War battlefield sites as memorials. (Duerksen, Bonderman, 1983) This action gave rise to the first significant preservation-related litigation, *United States v. Gettysburg Electric Railway Co.* Decided by the Supreme Court in 1896, this case involved the condemnation of private property for the creation of a national battle field memorial at Gettysburg. The railway claimed that the condemnation was not for a valid "public purpose" as that principle was understood in constitutional law and, accordingly, was beyond the power of the federal government. The court rejected that narrow view, concluding that the preservation of an important monument to the country's past was indeed a proper purpose. The Supreme Court recognized that preservation of a historic site was within the government's power, at least when the purchase of property was at issue. This is the first example of the Federal

Government taking interest in historical preservation, and recognizing its value. (Duerksen, Bonderman 1983)

The National Historic Preservation Act of 1966 gave authority to the National Park Service to designate privately owned cultural resources as significant, and to subsidize their rehabilitation through grants-in-aid. The act's authorization of federal grants to the states resulted in the creation of state preservation offices to work cooperatively with federal preservation efforts. Another federal agency, the Advisory council on Historic Preservation was created by the act to consult with federal agencies regarding the possible effects of their actions (permits, grants, and so forth) on historic properties and to advise the Congress on preservation policy. Completing the expanding federal preservation picture was the National Historic Preservation Act's broad definition of historic resources of federal interest. No longer were only nationally significant properties to be designated as historic. Instead, the act defined the national patrimony as resources of significance to Americans at the local and state, as well as, national level. The National Historic Preservation Act immediately became the basic federal statute for historic preservation, and it remains to today. (Duerksen, Bonderman 1983)

The National Historic Preservation Act's preservation program is dependent on a number of discretionary factors, such as appropriations to implement the act. The acts implementing regulations, to be issued by the Department of the Interior and the Advisory Council on Historic Preservation, can also be redrafted by each administration to reflect its own policies. (Duerksen, Bonderman 1983)

The Advisory Council on Historic Preservation is a small, independent federal agency created by the National Historic Preservation Act to advise other federal agencies

on the effects agency actions may have on historic properties and to advise the president and Congress on preservation issues. The council consists of 19 members: 6 federal agency heads, the architect of the capitol, 1 governor, 1 mayor, the president of the National Conference of State Historic Preservation Officers, the chairman of the National Trust for Historic Preservation, 4 preservation experts, and 4 members of the general public. The Advisory Council on Historic Preservation's effectiveness is limited by its makeup, funding, and legal authority, and thus should not be perceived as the preservation equivalent of the U.S. Environmental Protection Agency. The council is a collegial body, some members of which are political appointees; proposals of the federal agencies may not always be criticized. This fundamentally weakens the protective role of the council. In addition, budgetary limitations have curtailed the number of times the full council actually meets. On the other hand, the council does raise preservation as a concern of federal agencies, holds agency actions affecting historic resources up to the public light, and often secures the preservation of cultural resources through its mediation efforts. (Duerksen, Bonderman 1983)

The State Historic Preservation Office was another important development in the 1970s. The State Historic Preservation Officers originally provided for in the National Historic Preservation Act as State Liaison Officers to administer National Park Service historic preservation matching grants, and became increasingly consolidated and professional during the 1970s, and gradually clarified their relationships with the National Park Service. They formed the National Conference of State Historic Preservation Officers to represent their interests in Washington. Despite the struggles of the 1980s, the State Historic Preservation Officers were able to exercise a good deal of

initiative and develop their programs in new and positive directions. The Advisory Council for Historic Preservation had also survived. (King, 1998) Now more than ever the State Historic Preservation Office is imperative to the survival of historic preservation.

The State Historic Preservation office duties include:

- Compiling and maintain a statewide survey and inventory of historic properties
- Implementing a statewide historic preservation plan
- Administering federal assistance to the state grants-in-aid program;
- Aiding in federal, state, and local governments in carrying out their historic preservation duties;
- Identifying, nominating, and processing eligible properties for listing on the National Register;
- Working with the secretary of the interior, the Advisory Council on Historic Preservation, and federal and state agencies to ensure that historic properties are considered throughout planning and development;
- Serving as an information, education, training, and technical source for federal and state historic preservation programs; and
- Helping develop local programs for certification pursuant to qualification criteria contained in the National Historic Preservation Act.

(King, 1998)

The State Historic Preservation Office administers federal assistance, and must generally engage in short and long term preservation planning and aid federal agencies and local governments in carrying out their preservation duties. The primary duty is the certification of local governments done by the State Historic Preservation Office. To be certified by the state, local governments must enforce a state or local program for designating and protecting historic properties. They must establish a qualified historic preservation review commission, and maintain a system for survey and inventory of historic properties. Provisions for public participation in the local historic preservation program must be available, including the National Register nomination process; also they must satisfactorily perform responsibilities designated to them under the National Historic Preservation Act. Any local government that has been certified or is "making efforts to become so certified" is eligible to receive a minimum of 10 percent of the federal historic preservation funds allocated to the state for its preservation programs and projects. All funds pass through the State Historic Preservation Office, which determines the specific allotments. The National Historic Preservation Act also provides for participation of a Certified Local Government in the National Register nomination process. (Duerksen, Bonderman 1983)

President Reagan took office in 1981 and immediately slashed preservation funding to the bone. The Advisory Council on Historic Preservation, which oversees implementation of the National Historic Preservation Act, took substantial budget cuts. Funding for state preservation programs was also reduced dramatically. Preservation was now de-federalized and while the federal government would still play an important role, if preservation were to be effective it would be done locally. The Reagan administration

did however, provide a ray of hope in that the 1981 Economic Recovery Tax Act for rehabilitating Register landmarks, which provided some incentive for historic preservation and renovation. (Duerksen, Bonderman 1983) However, this act applied to owners not dwelling in the historical structure and structures that permitted public access. There has not been, nor is there any tax incentive mandated to the private dweller of historic property.

The Economic Recovery Tax Act changed sections of the income tax code affecting real estate. The most significant changes are to the provisions affecting the appropriate useful life for a real estate investment and provisions governing accelerated depreciation. A very substantial property tax incentive available only to major renovation projects may cause more historic buildings to be saved. When an incentive program is drafted, some review standard for evaluating renovation proposals should be included. To qualify for the income tax incentives provided by the Economic Recovery Tax Act of 1981, rehabilitation must be reviewed for compliance with the (U.S.) secretary of the interior's standards for rehabilitation. This feature ensures that the renovation encouraged by the incentive does not destroy significant historic or architectural features of the building.

Regulatory powers came under consideration in the early 1900s. Government land use control regulatory powers were accepted to control noxious uses, such as slaughterhouses, tanneries, gunpowder manufacturers and the like. The issue that is not clear is whether or not government regulation could be extended to limit use in a privately owned structure that might not be inherently obnoxious. Could regulations be

used to restrict the height of buildings or forbid their demolition, particularly where compensation was not paid to an owner? (Duerksen, Bonderman, 1983)

The other primary issue raised in early zoning and preservation cases was, in essence, an economic one. How stringent could a regulation be before it overburdened a landowner, thereby amounting to what lawyers call an unconstitutional “taking” of property? The Fifth Amendment to the Constitution, which applies to the federal government directly and to state and local governments through the Fourteenth Amendment, provides that property shall not be “taken” by the government without the payment of “just compensation”. (Duerksen, Bonderman, 1983)

Zoning ordinance regulations, which allowed or disallowed a person to use their private property home as a commercial business, went to litigation. The court held that the burden imposed on the property owner, by limiting the use of his property, was permissible without compensation. The same burden was imposed on all other nearby property owners and, because of the benefits, better light, less noise, and so forth, the use limitation applied to all property owners. Thus, this burden was considered to be nondiscriminatory and reasonable. (Duerksen, Bonderman, 1983)

The rationale for the ordinances had to apply to an area, not a single structure, and was consistent with the notion of mutuality of burden and benefit. Regulations may be enacted to prevent residential buildings from being taller than three stories tall, but the ordinance applied to all, and not only to some. There is hesitancy to approve aesthetic regulation. Although many of the statutes and ordinances referred to historic and architectural considerations, these factors were rarely used as the primary legal basis for the legislation. (Duerksen, Bonderman, 1983) Table 1- Federal HP Laws.

TABLE I

FEDERAL LAWS GOVERNING HISTORICAL PRESERVATION

Historic Sites Act of 1935 Be it enacted by the Senate and House of
Representatives of the United States of America in Congress assembled,
That is hereby declared that it is a national policy to preserve for public
use historic sites, buildings and objects of national significance for the
inspiration and benefit of the people of the United States.

Addendum to Historic Sites Act of 1935 from National Historic Preservation Act
of 1966 as amended, (Public Law 102-575)

National Historic Preservation Act of 1966, as amended through 1992

An ACT To establish a program for the preservation of additional historic
properties throughout the nation, and for other purposes.

Title I

National Register of Historic Places, expansion and maintenance,

National Historic Landmarks, designation

State Historic Preservation Programs

Participation of certified local governments in National Register
nominations

Indian Tribes may assume State Historic Preservation Officer Functions

Grants to States, National Trust, Indian Tribes, Micronesia, Marshall
Islands, and Palu

Federal Agencies' responsibility to preserve and use historic buildings

Title II

Advisory Council on Historic Preservation, membership

Quorum

International Centre for the Study of the Preservation and Restoration of

Cultural property authorization

Regulations for Section 106; local government participation

Title III

Definitions

Authority to expend funds for purposes of this Act

Confidentiality of the location of sensitive historic resources

Transmittal of regulations to congressional committees

Effect of Congressional inaction

Title IV

National initiative to coordinate and promote research, distributes information, and provides training about preservation skills and technologies.

Establish a National Center for Preservation Technology and Training

Addendum

National Historic Preservation Act Amendment of 1980, Public Law 96-515, December 12, 1980, 94 Stat. 3000

This addendum contains related legislative provisions enacted in the National Historic Preservation Act Amendments of 1980 but that are not part of the National Historic Preservation Act.

Addendum 3

The Secretary of the Interior, in consultation with the Advisory Council, shall seek to ensure that historic properties preserved under the National Historic Preservation Act fully reflect the historical experience of this nation.

OTHER LAWS THAT GOVERN NATIONAL HISTORICAL PRESERVATION

Section 1a of the National Park Service Organic Act, Additional Areas for National Park System (16 U.S.C. 1a-5)

Section 9 of the Mining in the National Parks Act of 1976 5

Section 303 of the Amended Department of Transportation Act 18

National Environmental Policy Act of 1969 19

Amtrak Improvement Act of 1974 20

Public Buildings Cooperative Use Act of 1976 22

Laws Governing Federal Preservation Tax Incentives

Section 47 of the Internal Revenue Code 16 (Rehabilitation Credit)

Section 107(h) of the Internal Revenue Code of 1986 17 (Qualified Conservation Contributions)

(Taken from Federal Historic Preservation Laws, U.S. Department of the Interior, National Park Service, Cultural Resources Programs, 1993)

PURPOSE OF THIS STUDY

The study of historical and cultural preservation needs more attention in Southern Nevada. The city of Las Vegas is young in comparison to the New England parts of the country. Las Vegas with its known sinful nature is not a priority to preserve for many skeptics. The uniqueness of Las Vegas and its growth due to the gaming industry is the very reason historic preservation should be strong, despite the city's youth. The Southern Nevada municipalities surrounding Las Vegas are also vital in preserving the said heritage of the area. Clark County land parcels are scattered within the Las Vegas Valley. The legislation and councils that work outside of the City of Las Vegas have varying ordinances compared to those of the city. North Las Vegas, Henderson, and Boulder City are actively involved with varying degrees of initiative toward historic preservation. The purpose of this study is to evaluate the degree of historical preservation priority and action within five southern Nevada municipalities. The municipalities consist of the City of Las Vegas, Clark County, the City of North Las Vegas, Henderson, and Boulder City. Each of these municipalities contains individual historical significance for which preservation could play a role in maintaining the integrity thereof through the preservation of historical landmarks. The five southern Nevada municipalities are unique due to the historical significance of how they became administratively recognized.

After WWII the El Rancho casino blocked the municipal drive to extend the city of Las Vegas southward. The resort's victory forever changed the political landscape for the city of Las Vegas. Sahara Avenue became the northernmost end of the city of Las Vegas for which much of its annexation momentum was stalled. Between 1950 and 1970,

thanks largely to annexation, southern cities grew by 224 percent and western ones by an impressive 68 percent. Las Vegas, on the other hand, having failed to snare any of the emerging Strip suburbs to the south, had to content itself with minor annexations to the west and northwest. (Moehring, 1989)

The city's relative failure to expand its borders created a political vacuum, which the suburbs ultimately filled. Instead of one city government for the entire metropolitan area, four city governments and one county government have administered government functions. (Moehring, 1989) The fragmentation of government functions with respect to historical preservation is the comparative analysis for this professional paper. The hesitancy to mandate aesthetic legislation from each of the municipalities with respect to historically significant property or cultural resources is the primary reason for each local government's weak efforts in historic preservation. One could only speculate the differences that might be possible if there were only one local government mandating changes rather than five local governments each mandating their own individual jurisdiction. The state government historical preservation office oversees programs with the state of Nevada, and is intended by the federal government to provide grant incentives and work toward assuring that all cities in the state comply with section 106 of the Historical Preservation Act of 1966. The federal and state program will be evaluated in this study to come to some conclusions as to whether or not the programs in place are really a strong enough incentive to promote historical preservation as mandated by the federal government. The purpose of the study is to provide some conclusions about the integrity of the system as it works today in the five local governments, and what changes might be considered in order to improve legislating historical preservation efforts.

RESEARCH QUESTION

Is all historically significant property within the southern Nevada valley protected under historical preservation statutes? The Las Vegas valley and vicinity has been the fastest growing area in the nation for over ten years running, which beckons developers to build in order to meet the demand for new buildings and homes. Land value skyrockets and old structures still sitting on this now valuable land must be demolished to make room for the new buildings proposed. Do regional planning and development departments of local governments have to recognize the historical significance of a particular property or structure prior to development planning? Are the developers allowed to demolish structures that are found on the State and Federal Historic Registers?

There are a great number of players in historical preservation with regard to local government and preservation activities initiated by citizens, non-profit organizations, and government museums and offices. The five municipalities of Southern Nevada included in this study are the city of Las Vegas, North Las Vegas, Clark County, Henderson and Boulder City. Each of the five local governments are discussed distinctly with regard to preservation activities ongoing in each. The five municipalities have distinct local government programs that legislate certain mandates within their own jurisdiction. Whether each municipality mandates an ordinance with regard to historic preservation or not will be discussed. Preservation efforts within each municipality is the main theme of this research with recognition that the inherent variations within the local government structure will bring about differences on how historical preservation is handled with respect to phenomenal growth in Southern Nevada.

SIGNIFICANCE OF THIS STUDY

Developing companies located in Southern Nevada are becoming quite powerful in their rights to lobby for legislation to benefit their own interests. The need for historic preservation law to enter the local court system is evident. The Federal Government, which enacted laws governing national historic preservation programs, must work directly with states to provide incentives to implement historical preservation toward local measures. The challenge of southern Nevada remains within the multiple municipalities who govern the region. The State can attempt to provide incentives, however each municipality may exhibit a different priority toward historical preservation versus development. A strong significance to this study is to determine whether or not multiple governing bodies over one metropolitan area can contribute to political fragmentation and inefficiency with regard to historical preservation. This point is significant, but does not stand as the research question alone. The research question is to determine if historic preservation activities are actually saving historical landmarks. The route to saving a historically significant site is often through government intervention, but not always is the case. The research is not meant to determine the efficiency of a fragmented government system in itself, but however the standpoint of government involvement on historical preservation plays a vital role on the success of preservation.

CHAPTER 2 LITERATURE REVIEW

Historical preservation in its most broad context has published tremendous amounts of material. The more limited variety of historical preservation material is what has been published with regard to the state of Nevada. The region of southern Nevada published material directly related to historical preservation is miniscule. This professional paper is written strictly on southern Nevada municipality governments and their role in historic preservation. This literature review will give some idea as to what some of the historic preservation material's emphasis lies on the local, state and national scene.

Cultural Heritage Conservation in the American South Benita J. Howell, Editor is a book published by the Southern Anthropological Society Proceedings, No. 23 Mary W. Helms, and Series Editor 1990. This book is looking at historic preservation efforts and making comparisons to cultural conservation. The cultural conservation is primarily the conservation of important artifacts and documents that may illustrate an area's history and cultural diversity. The activities striving for cultural conservation are similar to those of historic preservation in terms of funding sources for preservation activities. A non-profit association is usually at the local government's door urging that preservation be a part of government funding decisions for the better of a society. The case studies in this book include Mississippi, Tennessee, South Carolina, Kentucky, North Carolina, and other American South locations.

The Politics of Land Use Planning, Zoning, and the Private Developer by R. Robert Linowes, Don T. Allensworth is a book written on the political power that influences land use decisions. There is no direct mention of historic preservation. There

is information about the power of a citizen's association. The citizen associations are referred to as the "invisible power of suburban politics". This book is valuable to the study of historic preservation to link what is important to urban planning and development and preservation. The book almost states arguments that could be used against preservationists working to prevent destruction of a historically significant home. The book also discusses types of planning such as functional planning, comprehensive planning, the effects of planning policy and planning politics. Although historical preservation is not mentioned specifically, there is plenty of information valuable to any person involved in preservation areas.

The Challenge to Our Cultural Heritage Why Preserve the Past? Edited by Yudhishtir Raj Isar Smithsonian Institution Press 1984 is a book evaluating the "collision course between preservation and modernization." This book takes a perspective of historical preservation in a variety of countries. The book also applies some attention to the differences to underdeveloped versus industrial cities and the emphasis on preservation attitudes and actions. The book was sponsored by the Smithsonian Institution, the U.S. Committee of the International Council on Monuments and Sites (US/ICOMOS), and the U.S. National Trust for Historic Preservation organized a conference for journalists entitled "The Challenge to Our Cultural Heritage: Why Preserve the Past?" (Raj Isar, 1984) The guidance was to inform American journalists of the preservation movement or lack of across many countries, in hopes of educating the public in issues of historical preservation.

Historic Preservation Inventory and Planning Guidelines City of Las Vegas prepared by Charles Hall Page & Associates, Inc. May 31, 1978 is a comprehensive

inventory of the City's cultural resources which include archaeological, architectural, and historical features. The book also features duties and guidelines of historic preservation general goals and policy considerations, programs, plans and procedures. The very well organized book is very comprehensive showing the preservation activities as they relate to planning and resource inventory in the city of Las Vegas.

A Cultural Resource Evaluation in Clark County, Nevada Part 1 Cultural Resource Overview by F.R. Hauck, D.G. Weder, L.Drollinger, and A. McDonald prepared under the Bureau of Land Management Archeological-Environmental Research Corporation August 1979 is written primarily to summarize the past and current cultural resource research. The environmental background is established along with physiography, geology, elevation, general climate, vegetation zones and paleo-environment. The book recognizes that historic sites are of considerable interest to local inhabitants and tourists. However, the sites are subjected to accelerated deterioration and vandalism. The author felt that because the history of Clark County spans a relatively brief period, most historical sites are well documented and therefore little research is necessary. (Hauck, Weder, Drollinger and McDonald, 1979) This lack of research interest spoke volumes about the attitude of Clark County towards historical preservation.

Cultural Resources of Central Las Vegas prepared by Kim Geary, Jane P. Kowalewski, Frank Wright Nevada Historical Society 1985 funded by Nevada Division of Historic Preservation and Archeology is written to identify important historic and cultural resources of central Las Vegas. The project focused on buildings built prior to 1935 and includes a photo of all properties illustrated. (Geary, Kowalewski, Wright 1985) This book is still used today in the City of Las Vegas Planning and Development

office of Historical Preservation. It provides a referral to properties and a pictorial reference, which aids the Historical Preservation Officer in conducting evaluation of what properties will sit before the historical commission for review. This is a three volume set of books that illustrates architecture, historic pattern, association with historically significant persons, and archaeological resources throughout a specified area of the Las Vegas Valley.

Protection of Mankind's Cultural Heritage Sites and Monuments published in 1970 by the *United Nations Educational, Scientific and Cultural Organization* gives the mission of the United Nation toward historic sites and monuments. The book discusses legal protection, scientific co-operation, and cultural tourism and monument preservation in a variety of locations. The United Nations is not an element of study for this professional paper, but does show international significance to the protection of historic resources.

Interpreting Our Heritage by *Freeman Tilden* 1967 is a book written to open the minds of the reader as to the importance of parks, museums and historic places. The book is geared toward educating the public, and showing the reader how to educate the public about history and its value. This is not a preservation issues book, however it is valuable to the context of education and the recognition of beauty.

The Conservation of Cultural Property Museums and Monuments with special reference to tropical conditions prepared by *UNESCO* in co-operation with the International Centre for the Study of the Preservation and Restoration of Cultural Property, Rome, Italy. This book provides a summary of the significance of cultural property and ties in a definition, value, legislation, conservation, restoration and keeping

records with respect to goals of preservation. The climate and microclimate section discusses cultural interests of early civilizations, early climate, and vegetation, soil and human occupation. Finally the book discusses elements of tropical climates and the molds that develop on cultural property of various materials. This book is guided toward the restoration of cultural resources for museum display and the challenges of preservation for historic items that must stay on their original site. The book is completely about historical preservation of varying types, but not altogether directly related to this professional paper.

Anthropology in Historic Preservation Caring for Culture's Clutter by Thomas F. King, Patricia Parker Hickman, and Gary Berg Academic Press, New York, 1977. This book provides a definition of historic properties, historic preservation, cultural resources and social impacts. The history of historic preservation in America is outlined showing elements of preservation surveys, predictive surveys for regional planning and the future of preservation. The archeological and Historic Preservation Act plays a vital role in the foundation set by the federal government to implement and fund historical preservation. The emphasis of this book is looking at the government involvement with regard to archeological historical preservation. This paper is not geared toward archeological preservation specifically, but is looking for all government roles in historical preservation.

With Heritage So Rich National Trust for Historical Preservation with a special committee on Historic Preservation United States Conference of Mayors Albert Rains, Chairman Laurance G. Henderson, Director The Preservation Press 1983. This book is a reprint of the original version that depicts many salvaged historic sites that still remain a

source of history and beauty around the United States. There is also a sense of accomplishment from leaders in historical preservation that the pictorial illustrations of the historical landmarks are still around. The history of historical preservation is covered in the first chapter while the rest of the book is pictures, and short stories as to the significance of each site documented.

Preserving the Built Heritage Tools for Implementation by J. Mark Schuster with John de Monchaux and Charles A. Riley II, editors 1997 Salzburg Seminar. This book is about the government action that must take place for preservation to be successful. There is a discussion about “The Pros and Cons of Regulation” and ways in which to encourage preservation. The government action in this book is guided toward the federal government and state government, but is not trying to explain local government roles. This book is a valuable resource for this paper in the federal and state government roles in general, however local government is the primary area of concern for research in the effort to discuss preservation activities.

Livable Cities A Grass-Roots Guide to Rebuilding Urban America by Robert Cassidy 1980 is a book that describes the dynamics of neighborhood decline. The main focus of the book is on ways in which to organize a community from the bottom up to establish revitalization and methodology and on ways to develop a neighborhood plan, planning, investment strategies and special considerations involved such as historic preservation. The historic information takes case studies and shows how historic valued property adds to the assets that a community should capitalize on. Funds can be sought out from local historic associations to help fund restoration and maintain neighborhoods unique architectural or historical heritage.

A Handbook on Historic Preservation Law 1983 edited by Christopher J. Duerksen and prepared by Stephen N. Dennis is a book written to be a reference source for practicing historical preservation law. There is a wonderful legal history of preservation activities within the federal government and their interactions with states with respect to historical preservation law. The remaining chapters follow a case study format showing cases and their impact on historical preservation. The premise of the book is to urge historical preservation law to be practiced more widely, for the authors feel that this is the key to promoting historical preservation on all levels of government.

Science and Ecosystem Management in the National Parks by William L. Halvorson and Gary E. Davis, Editors 1996 is about the research and management of national parks across the United States. The Sierra Nevada National Park is a case study within this book. The laws pertaining to Nevada and National Park preservation activities are the reason for reading this case study. There is also another case study dealing with "water rights and Devil's Hole Pupfish at Death Valley National Monument" which is geared toward preservation and legislation. The book does not mention historic preservation, however the activities described are forms of preservation for which the legal side of the issue may relate to this paper.

Urban Public Policy Historical Modes and Methods Edited by Martin V. Melosi 1993 contains case study material on planning strategies since 1945, and the effects of federal policy and evolutionary changes in housing and effects of American War have had on housing. "Heritage preservation in a comparative perspective" is what relates this book to this paper. This particular case study looks at urban preservation outcomes in America and compares these to the same in Australia and Europe that preserve ancient

artifacts successfully for the most part. The difference is in attitude of the people, for artifacts of history seldom surround Americans. Some have said you must go to Europe to find real history. The question remains, however, that if America does not preserve what heritage remains then how will the past ever be celebrated or remembered?

The Living City How America's Cities are Being Revitalized by Thinking Small in a Big Way by Roberta Brandes Gratz 1994 this is a book about conserving, preserving, renewing, rebuilding, and rejuvenating cities. This is also a book about renewing neighborhoods and small towns and downtown business districts, a book about change appropriate, beneficial and enduring. (Gratz, 1994) The author states that the book was never meant to be about historic preservation, however the aspects of planning, preserving and economics play a role in historical preservation. Written are case studies, some of which are about streets themselves, having value and old areas flourish anew. This is an important part of historical preservation in the recognition for urban planners to consider the value of what is there versus tearing down everything to replace with something new.

Who Owns the Past? Papers from the annual symposium of the Australian Academy of the Humanities Edited by Isabel McBryde discusses the difficulties of establishing a national history within a land of nine hundred ethnic groups. The historical usage of art objects or the custodianship of Aboriginal Sites is also discussed. The chapter "Law and the Cultural Heritage" is the center of interest with respect for this paper. The chapter outlines the newness of preservation of artifacts and property in that the law is not yet equipped to handle such thorny situations. The question is proposed about persons that are privately in possession of elemental historical artifacts who may

wish to veto the publication or study of such rare antiquities. The law is just beginning to recognize the value of memorials, or historical monuments, sites and natural history, but legislation is weak in this arena and non-existent for the proposed question of private ownership of historically significant artifacts. This information is important and displays in a different light the weakness of historic preservation law and the future of preservation possibilities.

In the Past Lane Historical Perspectives on American Culture and a second book *the Mystic Chords of Memory* 1991 both written by Michael Kammen 1997 are books that describe “perceptions of culture and public life”. These talk about the will of culture among so many in America and the unwillingness to preserve art and culture. The author states that “Newt Gingrich insisted in a two-page essay in *Time* magazine that “removing cultural funding from the federal budget ultimately will improve the arts in the country”. (Kammen, 1997) The discussion plays a role in the possible reasons for ambiguity in Americans to fight for preservation, and why preservation efforts are so much for so little.

Economic Perspectives on Cultural Heritage Edited by Michael Hutter and Ilde Rizzo 1997 discusses the elements of cultural heritage. The evaluation of, optimizing the use of and the value of cultural heritage is the theme of the book and tying these into economic criteria. The preservation policies, built heritage preservation and the conservation of monuments are all found within the case studies. Preservation is often discussed in several terms with respect to what it is that you are attempting to save. The book is not historical preservation in the local sense of establishing a memory piece of

cultural history, but however is valuable to determine the elements of and case study findings of the development of preservation and its economic foundations.

Historical and Philosophical Issues in the Conservation of Cultural Heritage Readings in Conservation Edited by Nicholas Stanley Price, M. Kirby Talley Jr. and Alessandra Melucco Vaccaro 1996 discusses the emergence of modern conservation theory. The book also reviews historical perspective of historic preservation in the light of philosophy, criteria and guidelines. Restoration and Anti-restoration talks about the protection of ancient buildings and other kinds of antiquity restoration. This book is based on the topic of art and education through memory of the old. The cultural heritage conservation involves museum objects, archival collections, archeological monuments and sites as well as historic buildings and cities. Historic preservation for the purpose of this paper is limited to historic buildings deemed historic by age and sometimes historically significant criteria directly connected to the building.

The American Mosaic Preserving a Nation's Heritage Edited by Robert E. Stripe and Antionette J. Lee 1997 is written on the historic preservation "system and how it works". There are four chapters describing what is preserved and why, along with a look into the future. The book is a reference book that does not take a specific case and follow it through, but however illustrates what establishments exist and how each player in historical preservation (primarily government players) have a specific task to enact historical preservation. This reference is invaluable to this paper for the information contained within for federal government legislation and federally assisted associations working for historical preservation, and is important to comprehensively show the big picture of historical preservation, while still discussing local activities.

CHAPTER 3 DEFINITION OF TERMS

The definition of historical preservation can vary from one person or association to another. The word preservation – in the broadest sense, being equivalent in some cultures to conservation or restoration – can be considered, from this point of view, as expressing the modern way of maintaining living contact with cultural works of the past. (Philippot, 1996)

For the purposes of this paper, I have chosen the definition or vision established by the Nevada State Historic Preservation Office (SHPO). The Nevada State Historic Preservation Office has established a vision of what historical preservation consists of: “We envision a Nevada in which an educated and caring citizenry respects traditional lifeways and works to protect Nevada’s archaeological heritage. We see Nevada as a place where historic properties are preserved, interpreted and reused for their economic and intrinsic values and for future generations to appreciate.” (Baldrice, 1995) The National Trust for Historic Preservation was chartered by Congress in 1949, and is also funded as a nonprofit organization. Their mission in terms of historical preservation is “The dedication to protecting the irreplaceable and fighting to save historic buildings and the neighborhoods and landscapes they anchor”.

The Getty Conservation Institute is committed to the preservation of cultural heritage worldwide, seeking to further scientific knowledge and professional practice in the field of conservation and to raise public awareness of conservation’s importance. Through fieldwork, research, training, and the exchange of information, the Institute addresses the conservation needs of museum objects and archival collections,

archeological monuments and sites, and historic buildings and cities. (Price, Talley, Vacaro, 1996)

The Constitution of the United Nations Educational, Scientific and Cultural Organization *Article I. Purposes and functions* 1. The purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations. 2. To realize this purpose the Organization will: ...c. Maintain, increase and diffuse knowledge; by assuring the conservation and protection of the world's inheritance of books, works of art and monuments or history and science, and recommending to the nations concerned the necessary international conventions... (UNESCO, 1970)

The term “cultural property”, coined to meet the need for designation that would include almost all kinds of material objects associated with cultural traditions, is gradually coming into common usage. (Daifuku, 1968)

The realm of historical preservation on the whole is vast. Sites such as historic buildings, ghost towns, trails, bridges, or prehistoric villages are historically significant in Nevada historical preservation, and will serve as the foundation for this study.

CHAPTER 4 HISTORICAL PRESERVATION PLAYERS AND THEIR ROLES

Not all players are mentioned, for the number far exceeds the capacity of this report, however there are key roles played by people who set goals and priorities in historical preservation within a variety of sectors. The three levels of government, federal, state and local play a paramount role in the success of historical preservation, and citizens funding and working within non-profit organizations are the grass-roots efforts that generally bring to the attention of government historical preservation issues.

Written within the historical perspective section of this report the role of the federal government is depicted. The National Historic Preservation Act of 1966 played a pivotal role in the funding and enactment of historical preservation as a recognized quality of life issue. The limits of permitted preservation activity are defined by the overall framework of the federal and state constitutions and by the legislative enactments of the U.S. Congress, the state legislatures and local governing boards. Of increasing importance since 1966 have been the regulations drafted by non-elected federal and state civil service employees. All of these, including constitutions, legislation and administrative regulations, are subject to the scrutiny of federal and state courts. Other sources of authority include executive orders and rulings of the attorney general and/or other lawyers. (Stipe, Lee, 1997)

Federal legislation since 1966 has had several major thrusts: (1) the creation of an expanded national registry or official list of cultural resources; (2) the creation of a system of direct and indirect subsidies to assist the owners of historic properties and to engage preservation interests as major players in the private real estate market; (3) the

creation of an extensive network of professional preservation activity at the state level; (4) the establishment of federal agencies and processes to review and mitigate the potentially harmful effects of federal and federally sponsored activities on cultural resources; and (5) the establishment of other related programs in the fields of environmental review, housing, transportation and archaeology. (Stipe, Lee, 1997)

State legislated preservation programs are sovereign units of government, each state has the potential to be exactly what it wishes to be and, if need be, differs in both substance and extent from other state programs. The state government historic preservation programs have been lodged at the cabinet level or just under it. Directors of state agencies are usually appointed by the governor, as is the case in Nevada. (Stipe, Lee, 1997) In addition to operating statewide programs, the states also authorize local governments to undertake their own historic preservation programs. A few states authorize cities or counties to pass historic district or landmark regulations, either through a direct delegation of the state's police power or through home-rule charters. Some authorize the expenditure of local funds for preservation activities or make state funds available for this purpose. (Stipe, Lee, 1997)

Local legislation is independent and there is no way to account for the amount of local government spending on preservation activities. Cities have often been willing to sacrifice important historic buildings for a new civic center, for more municipal parking or a new city hall. Here a distinction may be drawn between what a city is legally authorized to do, on the one hand, and what it is politically willing to do on the other. This has given rise to the assertion that what happens in state capitals and in Washington

is not much help from a preservation standpoint unless there is strong political support at the local level. (Stipe, Lee, 1997)

The actors in historical preservation can be grouped into several categories, most of which exist at all three levels of government. In general they can be categorized as (1) official bodies created by law to administer particular programs, (2) quasi-public organizations with a public purpose, usually receiving some form of direct government subsidy, (3) specialized preservation organizations, (4) professional interest organizations, and (5) subject-oriented groups. (Stipe, Lee, 1997)

The National Park Service within the Department of the Interior holds the principal mission to establish standards and guidelines for the implementation of a national preservation program in partnership with the states. The National Register, The Secretary of the Interior's Standards for Rehabilitation and the standards for planning and archaeology represent, for all practical purposes, the essentials of acceptable preservation practice throughout the country. (Stipe, Lee, 1997)

The Advisory Council on Historic Preservation is a mandate stemming from Section 106 of the Preservation Act of 1966 with policy and leadership responsibilities assigned to it by Congress. The staff of the Advisory Council has generally the same professional makeup as that of the Park Service, but is somewhat small in number. Their efforts are valuable contributions to preservation, especially from their joint efforts with the National Park Service, which does not regard historical preservation as its primary mission. (Stipe, Lee, 1997)

The National Endowment for the Arts is a branch of the National Endowment for the Arts and Humanities, created by Congress in 1965 for the purpose of providing

federal subsidies for arts and humanities projects. Hundreds of its projects have directly or indirectly supported preservation. (Stipe, Lee, 1997)

The United States Committee of the International Council on Monuments and Sites (US/ICOMOS) is essentially private but funded in part by the government in recognition of their public purposes and objectives. The council is comprised of preservation professionals and provides advisory support and technical services. There is a cooperative agreement with the National Park Service. (Stipe, Lee, 1997)

The largest non-governmental organization is the National Trust for Historic Preservation, chartered by Congress in 1949 to facilitate public participation in the preservation movement. This organization receives annual funds from the U.S. Congress, but is primarily funded privately. It owns and operates relatively few museums, but instead concentrates on publications and organizational services to members and member organizations and is governed by a Board of Trustees. (Stipe, Lee, 1997)

The largest statewide historic preservation organization in Nevada is the State Historic Preservation Office (SHPO). Mandated by Congress in 1966 it is regarded as the leader of the movement in individual states. (Stipe, Lee, 1997)

Table II is a list of national, and Nevada State associations that are actively pursuing preservation activities. Just a few of the many preservation organizations that exist today are listed in Table II. (The national list of private preservation organizations, professional list and personal promotion list for historical preservation are provided by Stipe and Lee, 1997 *The American Mosaic*)

TABLE II
LIST OF PRESERVATION ORGANIZATIONS

(This is a partial list)

Preservation Action

Americans for Historic Preservation

The National Conference of State Historic Preservation Officers

The National Council of Preservation Executives

The National Center for Preservation Law

The National Alliance of Preservation Commissions

Partners for Livable Places

Individual Professional members that are involved in Preservation:

American Institute of Architects

Society of Architectural Historians

Association for Preservation Technology

Society for American Archeology

American Society of Landscape Architects

American Historical Association

National Council on Public History

American Association of State and Local History

Organizations meant to promote personal interests in preservation:

Victorian Society of America

Friends of Cast Iron Architecture

Friends of Terra Cotta

Society for Commercial Archeology

Society for Industrial Archeology

Vernacular Architecture Forum

Continued – National list of private preservation organizations

League of Historic American Theatres

Nevada State preservation associations:

Nevada State Cultural Commission

Nevada Division of Historical Preservation and Archeology

Historic Preservation Commission, City of Las Vegas

Junior League of Las Vegas

Preservation Association of Clark County

Clark County Museum Guild

Boulder City Historical Association

Las Vegas History Foundation

Southern Nevada Railway Historical Society

The city of Henderson will soon have a formal association

Friends of Kyle Ranch

Nevada Archaeological Association

Comstock Historic District

Board of Museums and History

Moulin Rouge Project

Nevada State Museum

Clark County Heritage Museum

CHAPTER 5 HOW PRESERVATION BEGINS

Thanks to the mandates by the federal government historical preservation is a vital part of the American dream. There is a quality of life issue at stake and it is often the responsibility of the owner of a historical site to note its existence. There are a few incentives for doing so, which will be discussed further in detail.

The Federal Government maintains a list of national inventory of historic properties on the National Register of Historic Places. The National Register is maintained by the National Park Service and currently contains more than 47,000 listings representing more than 750,000 properties deemed to be significant in American History, architecture, archaeology, engineering and culture. (Stipe, Lee, 1997) The criteria for entry in the National Register as developed by the National Park Service are comprehensive: The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and: (1) that are associated with events that have made a significant contribution to the broad patterns of our history; or (2) that are associated with the lives of persons significant in our past; or (3) 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 (4) that have yielded, or may be likely to yield, information important in prehistory or history. (Stipe, Lee, 1997) The National Park Service further amplified these basic criteria with additional "Criteria Considerations". (Stipe, Lee, 1997) They contain a subset of

exclusions and are best conveyed simply by quoting them in their entirety: Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that meet the criteria or if they fall within the following categories: (1) A religious property deriving primary significance from architectural or artistic distinction or historical importance; or (2) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic figure or event; or (3) A birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or (4) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or (5) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner is part of a restoration master plan, and when no other building or structure with the same association has survived; or (6) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or (7) A property achieving significance within the past 50 years if it is of exceptional importance. (Stipe, Lee, 1997)

The State Historic Preservation Office in Nevada handles requests for admission onto the Nevada register, as well as being the organization that also forwards applications

for submission onto the National Register of Historic Places. The State Historic Preservation Office is approved by the Secretary of the Interior before the States nominate historic properties to the National Register. The State Historic Preservation Officer prepares and implements a comprehensive Statewide Historic Preservation Plan, administers the State program of Federal assistance for historic preservation within the State, conducts a statewide survey of historic properties, and cooperates with Federal, State and local officials and others to assure that historic properties are taken into consideration at all levels of planning and development. The State Historic Preservation Officer also provides public information, education and training, and technical assistance relating to the Federal and State Historic Preservation Programs. (National Park Service, 1999)

The state of Nevada also maintains a register of historic resources within Nevada, which is administered through the State Historic Preservation Office. The criteria for admission onto the Nevada State register of historical resources matches those required for admission onto the national register of historical sites. The Nevada State Historic Preservation Office creates a *Nevada Historic Preservation Plan* in effort to set a vision and goals guideline for the state of Nevada in preservation efforts. The Preservation Plan done by the SHPO office of every state is mandated by the National Historic Preservation Act and is funded by a matching federal grant. The staff creating this document consists of a historian, an architectural historian, two archaeologists, a planner, a grant's analyst, and a marker program coordinator. (Baldrice, 1995) Table III will outline these goals:

TABLE III

SHPO GOALS FOR NEVADA HISTORICAL PRESERVATION

Goal 1: Increase Opportunities for Public Education and Public Involvement in Historic Preservation

- Objectives:
- I Use volunteers
 - II Develop stewardship program
 - III Develop school curriculum
 - IV Sponsor interns
 - V Train Native Americans
 - VI Promote Nevada's heritage
 - VII Increase number of archaeological awareness/preservation weeks programs
 - VIII Publicize preservation successes
 - IX Re-establish Nevada Historical Marker Program
 - X Communicate results of preservation activities
 - XI Hold workshops

Goal 2: Improve Coordination and Communication among Preservation, Archaeological, Museum and Historical Society Organizations

- Objectives:
- I Develop mailing list
 - II Create opportunities to interact
 - III Co-sponsor statewide heritage conference

Goal 3: Increase Funding for Historic Preservation

- I Support state legislation

- II Seek private industry funding
- III Seek additional federal funds
- IV Develop new preservation incentives
- V Provide information on incentives
- VI Explore creative sources of funding
- VII Apply for grants
- VIII Support ISTEAs grants for historic preservation projects
- IX Develop incentives at local government level

**Goal 4: Expand the Abilities of Local Government to Protect and
Manage Nevada's Historic Resources**

- Objectives:
- I Develop local plans and ordinances
 - II Encourage local government participation in the CLG
Program
 - III Integrate historic properties protection into local public
policy
 - IV Protect historic properties through local designation

Goal 5: Ensure that Information on Nevada's Heritage is Readily Accessible

- Objectives:
- I Maintain archaeological inventories
 - II Increase number of archaeological sites in computer
database
 - III Develop and use new software
 - IV Computerize architectural and historic inventory

- V Prepare and make planning information available to those whom need it
- VI Provide preservation information to the public
- VII Prepare synthesis of data

Goal 6: Strengthen Legal Tools for Protecting and Managing Historic Properties

- Objectives:
- I Enforce existing laws
 - II Educate public on laws
 - III Support adoption of tougher laws
 - IV Work with local organization to develop preservation strategies

Goal 7: Encourage and Assist Federal Agencies in Fulfilling Their Historic Preservation Responsibilities

- Objectives:
- I Develop agreements to expedite the review process
 - II Develop and implement streamlined procedures
 - III Assist agencies in National Register nominations

Goal 8: Identify and Evaluate Nevada's Historic Properties

- Objectives:
- I Continue surveys
 - II Provide direction in surveys
 - III Continue up-dating historic preservation planning documents

Goal 9: Recognize the Importance of Nevada's Historic Properties

- Objectives:
- I Continue nominating properties to the National register
 - II Continue nominating properties to the State Register

- III Assist public in preparing nominations
- IV Assist tribes in preparing nominations

Goal 10: Encourage Professional Development and the Publication of Reports

- Objectives:
- I Publish results of preservation work
 - II Promote continuing education of professionals

The Nevada State Historic Preservation Office within The 1995 Nevada Historic Preservation Plan provides this chart. The author is Alice Baldrice *Deputy State Historic Preservation Officer*.

The Nevada SHPO office plays a vital role in establishing the guidelines set by the National Historical Preservation Act of 1966 of the federal government. The powers of SHPO are not necessarily sovereign over individual municipalities' local government structure. The local government is what makes or breaks the success of preservation activities. The government's role for the preservation of cultural heritage falls into three planes: (1) legislation that provides legal protection of the common good represented by the cultural heritage against shortsighted private interests; (2) an overall strategy that includes heritage concerns in social, economic, and physical development plans at national, regional, and local levels; (3) actual ownership and operation of important sites and monuments that cannot be sustained by the private sector, either because private demand for these resources does not exist, or because the private sector is unable to deal with specific conservation cases. (Schuster, deMonchaux, Riley II, 1997)

Preservation needs to be better integrated into the local land use planning and development mechanism. The future preservation of buildings and landscapes will depend greatly on land use decisions, which in point of time come before preservation decisions. Preservationists must be more actively involved in the comprehensive planning process, integrating preservation concerns into that process. Integration of preservation with other city hall functions, such as building inspections, public works, school administration and housing authorities, are critical to preservationists in the long run. Developing a comprehensive program requires that preservationists look beyond simple building preservation. (Stipe, Lee, 1997)

The success of historical preservation involves a variety of ideals for which evaluation of what exists must be compared to. This derives some "measure" of success.

CHAPTER 6 METHODOLOGY

Success of historical preservation is measured by the activity of historical preservation with reflection to the goals written by the Nevada State Historical Preservation Office outlined on Table III. The five southern Nevada municipalities are individually governed but share one large metropolitan area within the southern Nevada valley. The five municipalities are the city of Las Vegas, North Las Vegas, Clark County government, city of Henderson, and Boulder City.

Success as a measure of historical preservation for the purpose of this report will include the variables of: (I) local government involvement in historical preservation issues; (II) a municipalities reaction to the general overall activity of non-profit historical preservation group who are not confined to lobbying for support in any particular municipality; (III) The level of state and federal preservation funding provided to each municipality; (IV) Federal restrictions on administration of historical preservation programs through SHPO, whether or not there is too much or not enough federal or state involvement, and how might changes in the administration inhibit or implement growth in historical preservation.

The hypothesis derived from this model of research would be that the current level of federal funding for historical preservation is not enough. There is not enough incentive for local governments to be active in historical preservation, nor does it seem to be their intent to determine the public's opinion on the importance of historical preservation.

The validity of this research is based on what can be inferred or generalized to hold true in another similar situation.

The methodology of research for preservation activity was conducted on an interview basis. The persons chosen to interview had some particular background in historical preservation and information with respect to a particular municipality or project within a municipality. The persons interviewed include:

- Alice Baldrice Deputy State Historic Preservation Officer for Nevada SHPO
- Marc Castagnola City of Las Vegas Historical Preservation Officer
- Cathie Kelly Member of Preservation Association of Clark County, also
Historic Preservation Commission, City of Las Vegas
- Joan Kershner Lead Librarian of James Dickinson Library of Henderson
- Andrew Kirk History professor at UNLV teaching historical preservation
- Mark Rysdyski Museum Administrator of the Clark County Museum
- Phyllis Martin Currently on board of directors for Friends of Kyle Ranch
- Elizabeth Warren Former president of Preservation Association of Clark County
- Frank Wright Historian with extensive background in historical preservation

The comparative analysis of government action from one municipality, with regard to its “success” in the area of historical preservation, to another is the determinant factor of preservation and its direct dependence on government action. The comparison of government involvement in cultural and social issues will be limited to historical preservation. The federal-state participation envisioned by the Preservation Act of 1966 is the foundation of historic preservation activities mandated onto each state. There is a direct dependence on the success of historical preservation placed onto the government either local, state or federal. The local government is the most important of these to actually prevent the destruction of structure or property in the name of development.

CHAPTER 7 FINDINGS OF THE STUDY

Las Vegas is recognized as the most livable large city in America. The tremendous growth to the city seems to imply that this is true. The local government has experienced great diversity due to the city's growth, and the boom is not expected to slow for several years. The characteristic of booming growth is true for all municipalities in this research with the possible exception of Boulder City, which mandates building permit restrictions within the city to purposely limit growth.

On September 9, 1998 the United States Department of the Interior, National Parks Service granted the City of Las Vegas Certified Local Government status. The program is a cost-effective local, state and federal partnership that provides funding to participant cities. Funds are appropriated annually by the U. S. Congress and distributed from the Historic Preservation Fund, which is administered by the National Park Service (NPS) and State Historic Preservation Offices (SHPOs) in each state. The National Park Service established broad regulations and standards for participation in the CLG Program; however, states have wide latitude to tailor these to the special characteristics of their local governments. (NPS, NCSHPO, 1995) The allotment received by the State of Nevada is approximately \$334,000.00 per year from the federal Historic Preservation Fund. There are currently four cities in the State of Nevada that are categorized as Certified Local Government cities active in historical preservation, with Las Vegas being one of them. The Nevada State Historic Preservation Office disperses ten percent of the allotment to CLG cities. The four cities must share the ten- percent and is not necessarily divided evenly between the four Clogs. Other benefits to being a CLG city is eligibility to receive grants and technical assistance from the State Historic Preservation Office. CLG

grants support a wide range of projects, including building reuse and feasibility studies, design guidelines and conservation district ordinances, and many kinds of public education. (NPS, NCSHPO, 1995) The status as CLG also grants the City power to review and approve the nomination of properties to the National Register of Historic Places – a list of sites recommended for preservation. These properties can also receive federal grants to help maintain and restore their historic character. (Douglass, 1998)

The requirements for becoming a Certified Local Government Program include the following: (I) Enforce appropriate legislation for the designation and protection of historic properties. (II) Establish and maintain a qualified historic preservation commission. (III) Maintain a system for identifying historic properties. (IV) Provide for public participation in the local historic preservation program. (V) Perform other agreed upon functions delegated to it by its State Historic Preservation Officer. Incorporating and expanding upon these minimum federal requirements, each SHPO develops its own procedures (approved by the NPS) for certifying local governments. The kinds of legislation that local governments seeking certification must enact and enforce (for example, a local historic preservation ordinance); the expertise and background of members to serve on the local historic preservation commission; the frequency with which the commission meets; and methods necessary to satisfy the requirement for public participation in the local preservation program. (NPS, NCSHPO, 1995) Chapter 19A.06 of the Las Vegas Zoning Code H Historic Designation documents the city of Las Vegas' rules of intent for establishing CLG status. This document is located in the Appendix.

The city ordinance of the Las Vegas Zoning Code H Historic Designation successfully designated the City of Las Vegas as a Certified Local Government Program.

In addition to the establishment of a historical commission and historical preservation officer the ordinance describes the designation of landmarks, historic properties and historic districts. Once designation occurs the historic property register is established for the purpose of listing the landmarks, historic properties, and historic districts. The state and federal registers are thematic with respect to private historic property. The city of Las Vegas Planning and Development however recognizes that private property registered on the local City of Las Vegas Register of Historic Property will have protection from eminent domain. The Las Vegas Historic Preservation Officer must recommend the property to the local register and it must meet guidelines to become a locally registered property. These guidelines are listed under section I Designation of Landmarks, Historic Properties and Historic Districts within the Las Vegas Zoning Code Chapter 19A.06 in the appendix of this report.

Once a property is established on the City of Las Vegas register of historic landmarks, the criteria for maintaining the property's integrity established by the City of Las Vegas must be stringently followed by the property owner. Design guidelines are established in the ordinance and are intended to address exterior features and characteristics. The document Las Vegas High School Historic District Design Guidelines for Development Draft 4 May 12, 1999 located within the appendix of this report provides an example of the intricate design guidelines established by the city for the owners of historic properties to follow. This document is a draft copy and is not the current standard level, for upon receipt of this copy the City of Las Vegas were still establishing the design guidelines. Several drafts of this document have likely surpassed

this document and this draft should not be used as the final document of authority. The enclosed draft 4 is given as an example only of design guidelines.

The city of Las Vegas has answered the requirements of the Certified Local Government program for establishing a comprehensive ordinance regarding historical property. The local government has also provided the commission and historical preservation officer to serve for the establishment of being a Certified Local Government. In addition to addressing the above requirements the city of Las Vegas is working to establish the Las Vegas High School Historic District. The Las Vegas High School is one of the nation's few Mayan-Revival Art Deco structures. The historic district around the high school is filled with dozens of houses dating to the earliest periods of community development. (James, 1998) Las Vegas High School Historic District Design Guidelines for Development May 12, 1999 written by the Division of Comprehensive Planning Department of Planning and Development City of Las Vegas, Nevada within this appendix depicts the location of the historic district and design guidelines for property owners (as mentioned above).

The natural springs brought early settlers to southern Nevada, an attractive resource in the midst of a desert. In 1905, the railroad established Las Vegas as a stop. The railroad platted a townsite, built cottages, and founded a real community. Because of the distance to Pioche, the Lincoln County seat to the north, Las Vegas petitioned the state legislature for the creation of Clark County. Las Vegas became the seat of government in 1909. (James, 1998)

CLARK COUNTY

Clark County, named after William A. Clark an U.S. Senator from Montana, was organized in 1909 from the southern half of Lincoln County and covered the southernmost region of the state. Now the most populated county in Nevada it far exceeds the total number of residents in the rest of the state. (James, 1998) Clark County government is unique in that there are patches of Clark County jurisdiction scattered throughout the southern Nevada valley. The cities located in southern Nevada govern individually within their city limits. The remainder of land is Clark County south of the Lincoln County border.

Clark County government is the largest government entity in southern Nevada. County government not a Certified Local Government under the State Historic Preservation Office. Clark County does not have a historical preservation ordinance or a historical preservation commission within the planning and development office. Properties within Clark County listed on the state of Nevada or Federal register of historic sites are not protected or recognized by the County government as special. Should federal or county government wish to develop on Clark County property, the State Historic Preservation Office would then be allowed to step in to evaluate the development when historic properties must be demolished by the government in order to build. If a private builder wishes to develop over privately owned historic property and the owner wishes to sell, there is no government entity to step in to evaluate methods possible to save the historic structure or property. The private builder may develop despite the loss of historic property. There are no protective measures established by County government with regard to eminent domain proceedings. The eminent domain

will remain in effect for historically registered private properties. The state and federal register for private property is considered honorific, and without local government involvement the properties are unprotected from destruction or significant deterioration.

The Clark County Heritage Museum owned by Clark County Department of Parks and Recreation is located in the city of Henderson and serves as the only active third party in the interest of historical preservation. Although the Museum Administrator, Mark Ryzdyski, does not consider the efforts of the museum the direct establishment of historical preservation however, within the priority of preserving cultural heritage it has ultimately benefited historical preservation by having what is known as Heritage Street. Heritage Street is a collection of five homes and one print shop just adjacent to the museum's Union Pacific Railroad Depot. The print shop depicts an introduction of printing history that existed in turn-of-the-century Southern Nevada (1890s-1910). The building imposes a false front common as a western trademark. The homes are representative of an early decade in history. The Beckley House was built in 1912. The Giles/Barcus House represents the 1920s. The Babcock and Wilcox House represents the 1930s. The Townsite House represents the 1940s. The Heritage House although built in the 1930s was refurbished internally in the style of the 1950s. This was done to represent the 1950's since the Babcock and Wilcox House was already established.

The funding for acquiring the above homes and refurbishment of such came from a variety of sources. This is one way in which the historical preservation citizen associations play a role on behalf of preservation. Refurbishment to the Heritage House was funded by the Southern Nevada Historical Society, Preservation Association of Clark County (which has no direct involvement with Clark County Government, just the name),

the Clark County Museum Guild (which is a support group of the Clark County Heritage Museum), and the State of Nevada 125th Anniversary Committee. The Junior League of Las Vegas provided generous funding on behalf of The Beckley House. The Clark County Department of Parks and Recreation and The Clark County Museum Guild provided fund raising for the move of the Giles/Barcus House, the move and interior decoration of the Townsite House, and the move of the Museum Ghost Town buildings.

The establishment of Heritage Street has provided a ray of hope for an act of historical preservation under the Clark County Parks and Recreation Department government. The museum owns 30 acres of land for which much expansion will take place in the future. Heritage Street II is under plan currently and Mr. Ryzdyski would like to work towards getting one of the original railroad cottages (which are currently being torn down to make room for County Court Houses), an old school house, and an original chapel. The structures meeting the criteria for the needs of the museum may be saved if funding can be raised to move the structure to the museum property. Often the owner of the structure voluntarily donates the structure to the museum.

The Heritage Museum of Clark County is funded with operational expenses only from the Parks and Recreation Department. The project budget must come from grant funding for which the administrator must estimate and apply for. One grantor is The State Historic Preservation Office (SHPO) who recognizes the preservation efforts of the museum and annually approves grants to the museum for various projects. The SHPO serves as staff to the Commission for Cultural Affairs, which provides \$2 million dollars in grants annually. These fund the rehabilitation of historic buildings to be used as cultural centers. (James, 1998)

NORTH LAS VEGAS

North Las Vegas occupies the northern central part of the Valley. The City of North Las Vegas does not have a single private property listed on the State or Federal Register of historic landmarks. The only property that is listed on the Federal Register of historical places is the government owned Kiel Ranch. The North Las Vegas government has no historical preservation activity within the local planning and development department. There is no ordinance governing any historical preservation activity. The activity of historical preservation could only be found in the establishment of The Friends of Kiel Ranch. A brief history of Kiel Ranch will be noted with respect that this almost failed example of historical preservation for North Las Vegas is all that exists for the sake of public record. The site is protected under the Federal Register of historic places because it is registered and owned by a government entity.

In 1976 the Kiel Ranch was purchased by the North Las Vegas Bicentennial Committee and presented to the City of North Las Vegas. In preparation for a bicentennial celebration, dozens of individuals were mobilized to clean up the site, protect the adobe structure and rehabilitate the Park Mansion. Under the supervision of professionals, volunteers from Archeo Nevada collected some 7,000 archeological items that are presently stored at the Harry Reid Center for Environmental Studies at UNLV. The attention to the site diminished. In 1988 North Las Vegas undertook a Historic American Building Survey for evaluating all buildings on site, in which deteriorating buildings were demolished and the city sold 22 of the 27 acres for industrial development. (The Historic American Buildings Survey Kiel Ranch North Las Vegas, Nevada HABS No. NV-19 is located in the appendix of this report.) The adobe, park

mansion, and dollhouse located on the remaining five acres of land were not demolished. What had historically been a 240-acre ranch in the mid-1800s was now only five acres. (Martin, 1999)

The park mansion burned in 1992 leaving the adobe and dollhouse the only two structures remaining on the ranch. The Nevada Cultural Commission, Historic Preservation, awarded North Las Vegas a grant for \$67,000 for partial funding of the rehabilitation of the historic adobe building in 1998. Further grants are being sought for future projects. The timely appropriation to complete the final scope of work for the Kiel Ranch Historic Site will ensure that this cultural interpretive center is ready for public use early into the new millennium, perhaps as early as the fall of 2000. The site will be fenced, not open as a public park, but available by reservation to school groups, college and university classes, and for special use groups (such as guided, paid tours) for a user fee. (Martin, 1999)

The friends of Kiel Ranch Historic Site is a non-profit association working on preserving what is left of the Kiel Ranch, and turning it into a cultural resource center for the community. Their mission is “preserving our past for those of our future”, is becoming more widely recognized and a teacher at the Craig Elementary GATE (gifted and talented education) class promotes the schools involvement with the Kiel Ranch. The children were asked to write the “top ten reasons Kiel Ranch should be saved and attended a City Council meeting”. (Thompson, 1999) The future of Kiel Ranch is becoming brighter every day as citizens become involved with the preservation of the site. These activities toward historical preservation in the city of North Las Vegas are positive for the future of preservation.

HENDERSON

The city of Henderson is situated between Boulder City and Las Vegas. The city, as it now exists, includes the two original townsite of Basic and Pittman, plus its annexations. Pittman is the oldest having been first settled in 1929, while Basic Townsite was settled in 1941, with the annexations all being post-war additions. The settlement of Pittman dates back to the days of the Boulder Dam construction when it was known as Midway City. In those days, Pittman was the scene of many tents and temporary buildings. After the dam was completed in February 1935, the construction workers moved away, leaving Pittman in a declining state. It was not until World War II, when the Basic Magnesium Plant was built, that Pittman again was full with residents. The town was granted a Post Office and its name was changed from Midway City to Pittman in honor of the late U.S. Senator Key Pittman. (Henderson-nevada.com, 1999)

At the end of World War II in 1945, the plant was declared surplus with the Federal Government ready to dismantle it completely and sell for scrap. The Colorado River Commission purchased the plant for \$24 million then sold it to private industry. This returned jobs to the area and thus residents. The original houses created to provide housing for the employees of the sprawling mile-long magnesium plant were sold to the residents, and new ones were built. The population climbed from almost 5,000 in the 1950 census to over 12,000 by January 1955. On June 8, 1953, the original townsite and the town of Pittman with some contiguous areas were incorporated to become the City of Henderson. In 1955 the city covered an area of some 13 square miles. In 1963, Congress enacted Public Law 88-73 directing the Secretary of the Interior to convey, through

purchase to the City of Henderson, approximately 16,000 acres of raw land. This land has been put to beneficial use through development of residential, commercial, and industrial uses. Today the area covers 80 square miles, has a population of approximately 159,000 and is the third largest city in the State of Nevada. (Henderson-nevada.com)

Despite the history of Henderson, there are no properties currently listed on any historic register for the State of Nevada or Federal Government. There is currently no local government activity that even hints at historical preservation. The federal government mandates the historic structures or sites must be at least fifty years old. The likelihood is that there would not be very many structures designated for preservation at this time.

There are individuals currently working to become a non-profit historical preservation association to address issues in Henderson. These persons are collectively gathering information about the historical development of Henderson and have decided on six properties that they would like to see designated as historic and steps taken to provide protection to these properties. This can be done by educating the owners of the properties and working with the local government to work toward involvement by means of complying with section 106 of the Historical Preservation Act of 1966, and by giving consideration to historical properties as a part of urban and development planning.

The City of Henderson Redevelopment Agency works to facilitate the rehabilitation and development of the inner core of the City. (Henderson-nevada.com, 1999) The Redevelopment Agency might be a place to begin the education and implementation of historical preservation for Henderson.

BOULDER CITY

The City of Boulder City is best known as the city that was created for the construction of Hoover Dam. Boulder City housed over 4,000 workers during the construction of the Dam, which lasted from 1931 to 1935. More than 1,500 permanent and temporary buildings were built to accommodate the needs of the construction workers, including over a thousand homes, a dozen dormitories, four churches, tourist centers, trade facilities, a grade school, theater, and recreation hall. Once the Dam was completed, the federal government changed the basic function of the city to headquarters of several government agencies involved in the Dam's water and power operations. The City was supervised and regulated by the Bureau of Reclamation and all land in the around the City was owned by the federal government. Through the 1940s, Boulder City's development centered on government related activities. Additional federal agencies established operations in the city, including the power operators responsible for the distribution of electricity from the dam. The city prospered as a regional government center, as well as a pleasant civic-oriented community. (Bvnhist.html, 1999)

In 1958, the federal government passed the Boulder City Act (P.L. 85-900) and established an independent municipal government, the City of Boulder City. Under the Act, the federal government turned over the existing townsite, approximately 33 square miles of land, and the utility system to the residents. The City Charter, approved by the residents, prohibits gaming, which makes Boulder City unique as the only city in Nevada where gaming is illegal. In 1979, the citizens of the City passed a referendum and instituted a controlled growth ordinance. This controlled growth ordinance was enacted in response to the rapid growth of the City and to preserve the utility systems. Due to

this unique ordinance, the City limits the number of residential and hotel/motel building permits issued each year to control the rate of growth ordinance, the growth of the community has been limited to less than 3% per year. (Bcnvhist.html, 1999)

Boulder City has several properties listed on the National Register of Historic Places. The Nevada Hwy., Avenue L, Date, and 5th Street, in Boulder City, roughly bound the Boulder City Historic District. The Boulder Dam Hotel, at 1305 Arizona Street, Boulder City, has been registered since 7/13/82. The owner of the Boulder Dam Hotel actively applies for grant funding from the Commission on Cultural Affairs and the State Historical Preservation Office for projected upgrades and renovation projects to maintain the hotel and its historic significance. The owner, as well, heads the Boulder City Historical Association.

The Community Development Director John Hoole is currently working to pass an ordinance to protect the Boulder City Historic District. The ordinance was presented to council and amendments to the ordinance passed the council vote, so Mr. Hoole is continuing his work. The ordinance relates to community redevelopment establishment within the historic district. The intention of the ordinance is not clear. When speaking with Mr. Hoole he never stated that the city was striving for Certified Local Government Status with the Nevada State Historical Preservation Office (SHPO). Mrs. Baldrice, Deputy SHPO Officer, stated that she felt the ordinance proposed in Boulder City would result in Boulder City government becoming a Certified Local Government for historical preservation. A copy of the ordinance was not made available to me for this research. The contents of the ordinance are unknown; however, evaluating the intent of the local government exemplifies the fact that protection for the Historic District is underway.

CHAPTER 8 SUMMARY

The first criterion as a measure for a level of success in historical preservation is the local government's involvement in enacting incentives for historical preservation. The fact that preservation is dependent on government involvement is a dependent variable that establishes the local government role. The local government role interacts with the State Historical Preservation Office (SHPO) who reports to the Federal Government. Nevada SHPO implements Federal guidelines, and also establishes Nevada State guidelines for incentives to be brought to the attention of local governments within the state. The vision and goals statement written by Nevada SHPO (listed on Table III) involve the optimum level of local involvement for effective historical preservation. To follow is a summary of the local government activity within each municipality.

The City of Las Vegas has complied with the Nevada State Historic Preservation Office (SHPO) with respect to the incentives provided for insuring the protection of historic sites. Las Vegas is the only city in this study that has successfully created and passed an ordinance. The City of Las Vegas Planning and Development Office houses the first Historic Preservation Officer in Southern Nevada, and has also created the Las Vegas Historical Commission. Goal four of The 1995 Nevada Historic Preservation Plan written by Alice M. Baldrice of the Nevada State Historic Preservation Office states that "Questionnaires and meetings revealed an understanding that new or strengthened local ordinances are needed to preserve historic buildings and archaeological sites in urban areas." This criterion has been met by the city of Las Vegas.

The government of Clark County has no ordinance nor is working toward creating any kind of ordinance. What exists in Clark County that is practicing a form of historical

preservation is the Heritage Museum of Clark County. The creation of Heritage Street with the salvation of certain homes has prevented these buildings from being destroyed. This involvement of historical preservation is unique in comparison to the other municipalities. Las Vegas is working towards preserving a home in its original habitat, however, if the efforts fail there is little hope for that structure to be salvaged unless moved to another site by either the Museum or some other entity interested in the structure. Property value in the downtown area of Las Vegas near the new Clark County Government Building is a perfect example of old structures being removed or demolished to allow for new development of the area. Development is hungering for this area location because the property value has risen dramatically. No longer is the worth of a historic structure reason for not using the valuable land for something new. The staunch historical preservationist considers a structure moved from its original site a failure for historical preservation. The federal Government will not permit a structure moved from its original site to be placed onto the Federal Register of Historical Places, because it is felt that the integrity of the building without the original location is not historical anymore. Although this ideal is not always realized, the activity of historical preservation is taking place in Clark County government through the local Museum. The disadvantage of this scenario is the tremendous loss to historical property that is taking place in Clark County, because the structure despite its significance will not have a guarantee to go to the museum. The Museum will only accept what will fill their need for an educational and entertaining element to the Museum. Due to the structures at the Museum not qualifying for admission onto the State or Federal Register of Historical Places, their future lies in the hands of the museum solely.

North Las Vegas government has no ordinance nor is working to establish any kind of ordinance toward historical preservation. There are no properties privately owned that are registered on the State or Federal Register of Historic Places. The local government owns the Kiel Ranch and efforts are currently underway to preserve what is left of the ranch. There are only two structures remaining and five acres out of twenty-seven despite the archeological significance the property holds. The element of local government involvement has not been very effective. There is hope that this new trend to save the remaining five acres will continue.

Henderson is a newer municipality with probably fewer structures over fifty years old. The history of Henderson is unique, and the government of Henderson prides itself on the phenomenal growth. Henderson provides to its residents a very impressive booklet titled Henderson 1998 Economic and Demographic Overview. This booklet, contained within a packet of three booklets, published by the City of Henderson gives information regarding the trends in population, development, employers and land use issues. The booklet-titled City of Henderson New Resident Guide contains information regarding various sources of information for a new resident. Recreational activities, parks and recreation, cultural events in Henderson, senior services and Henderson Convention Center activities, museum information and a bird viewing preserve are all discussed in the new residents guide, but not a mention of historical preservation. In fact, none of the three booklets mention historical preservation as a local government interest or cultural interest. This is because there is no local government interest in historical preservation. The Henderson government donated thirty acres of land to the Heritage Museum of Clark County. A very noteworthy and generous thing to do on behalf of Henderson Officials.

Boulder City is showing a great deal of local government interest by working to approve an ordinance to save the Boulder City Historic District. Hoover Dam and the construction of housing for the workers building Hoover Dam bring a rich history to Boulder City. Much of Boulder City is historic and the combination of working to save a district combined with the growth limitation ordinance has ultimately saved a number of historic locations because the growth variable is not present at the tremendous rate all other municipalities are dealing with.

The second criteria for success are the non-profit entities that play a major role in lobbying for certain historical preservation activities to take place. Mr. Frank Wright deserves a great deal of recognition for the creation of the Las Vegas Historical Commission whose efforts were instrumental in making the Commission a reality. In 1981, Mayor Ron Lurie selected Mr. Wright to conduct investigations into the needs of the city with respect to historical preservation. Mr. Wright essentially began the Las Vegas Historical Commission with recommendation of rights and duties to be implemented within the Commission. It was not, however, until 1997 that the city of Las Vegas passed the ordinance, hired the local Historical Preservation Officer, and became a Certified Local Government under SHPO. The efforts initiated by non-profit entities and Mr. Wright had an impact on the city of Las Vegas for Mayor Ron Lurie to take initiative toward investigating the needs of the city, and make some decisions as to what priorities will take precedence.

Clark County Museum Guild works on behalf of the interests of the cultural artifact priorities of the Heritage Museum of Clark County, however has achieved noteworthy goals in their effort and funding for historical preservation. There are

historical preservation associations that work collectively with the Clark County Museum Guild when a common interest can be lobbied for. The success of historical preservation outside associations overall is not very good in Clark County. The only avenue is the use of the Museum for moving a historic structure to, if the funding to do so can be made available. The museum and/or the non-profit entities must purchase the historic structure and move the structure to another piece of land for its salvation. This is exactly how historical preservation began in this country around mid 1800's. This alternative is what exists in lieu of local government involvement.

The only North Las Vegas non-profit association found is the Friends of Kyle Ranch. There are a few other non-profit agencies that work throughout the valley without boundaries of any particular municipality, but without delving into hundreds of case study work for each non-profit association, it is clearly understood that Friends of Kyle Ranch is the non-profit association working for historical preservation currently in North Las Vegas. The efforts of the Friends of Kyle Ranch have promoted recognition to the Ranch. Local schools are teaching students about archeology and historical preservation. The Ranch will ultimately provide an important step for historical preservation in its acknowledgement and education. This may lead to more efforts on the part of non-profit associations for historical preservation to lobby for and bring to public attention the need for preservation in other areas or sites within North Las Vegas.

Henderson is growing at a tremendous rate and the future is dim for a handful of historical sites located within Henderson. There is currently a non-profit association working to become established as such for historical preservation in Henderson. The members of the small association have extensive background in historical preservation.

The goal currently is to bring to the attention of the Henderson council a list of six properties deemed historical by the association and request recognition from the council for them. The goal is to gain recognition for the historic properties with the economic planning and development department so that future strategies will take into consideration their historical significance.

The owner of the Boulder Dam Hotel is the President of the Boulder City Museum and Historical Association. The association was formed in 1980 with four hundred charter members. At the first meeting Bob Ferraro was elected president and has held the position since. The focal point of the early organizational meetings was to celebrate Boulder City's 50th birthday and then Hoover Dam's 50th anniversary. The association activities seem to be limited to the welfare of the Boulder City Museum. This is mentioned for research into the activities of the association when dealing with historical preservation came up with nothing. The document History of the Boulder City/ Hoover Dam Museum located on the web interchangeably refers to the association as the hotel association. The Boulder Dam Hotel is the current location of the museum. The Boulder Dam Hotel is a beautiful structure with historical significance, however a museum infers education through artifact which denotes cultural resource preservation, while still very important, is not the topic of this research, and is therefore dismissed as historical preservation activity.

The Historic District Preservation Plan Study Committee is a part of the local government system described as a temporary committee that is working towards creating a Historic Preservation Plan for the community. The temporary committee would not answer the criterion for ongoing non-profit association involvement.

The third criterion revolves around the state and federal preservation funding or incentive programs that are in place to promote the success of historical preservation. There is a variety of funding sources. Often non-profit associations offer a great deal of funding for historical preservation projects. The National Trust for Historical Preservation is a quasi-federal and non-profit funded organization. There are regional offices for the National Trust for Historical Preservation that oversees a number of states within each region for historical preservation activity. This entity, although, partially funded by the Federal Government, will not be within the scope of funding for this research.

Las Vegas is in the greatest position for receiving federal dollars. The establishment of the Certified Local Government program brings in annual funding for the city that no other municipality in southern Nevada receives. The city government also spends a great deal of money to pay the salary of the Historical Preservation Officer, and likely to overhead expenses for the secretarial needs of the Historical Commission, and procedural cost to use the Commission. The Commission members themselves perform their duties without compensation. What is not beneficial to the city of Las Vegas is the lack of ownership of a cultural public center for historical preservation, which allows for such to apply to the Nevada State Historical Preservation Office (SHPO) for grant funding to support the center. Las Vegas government plays a more official role in the effort to save or maintain structures generally owned by private dwellers. Private owners of historically significant structures cannot apply for grants from SHPO, because of the requirement of public access onto the site. The local

government is in a position that promotes benefits to the private dweller, but has little benefit to the local government in terms of funding for the work being done.

Clark County government is possibly in a greater position for grant funding from the Nevada State Historical Preservation Office (SHPO). The Heritage Museum of Clark County receives annual funding from SHPO for projects ongoing at the Museum. The Museum provides preservation activity on the government level, without government funding whatsoever from Clark County. Clark County pays for overhead expenses and that is all. The Heritage Museum must seek funding from other sources, such as non-profit associations, for capital and project funds. The city of Henderson donated thirty acres of land where the Museum is located. The Clark County government is funding the overhead of the Museum, but there is no direct funding for the benefit of historical preservation.

North Las Vegas is the owner of the Kiel Ranch. The funding source for the Ranch is unknown. The Friends of Kyle Ranch is a non-profit association and caretaker of the Ranch, and likely the main funding supporter for projects ongoing within Kyle Ranch. Grant money from SHPO will likely become a supporter of the Ranch due to the public access that will be a part of the Kyle Ranch.

Henderson does not qualify for state or federal funding for historical preservation due to the lack of historical preservation activity. The donation of land to the Heritage Museum inadvertently served to house historical structures. However, the museum is controlled under the government of Clark County.

Boulder City has not yet become a Certified Local Government program, and the Nevada State Historical Preservation (SHPO) funds for such will not fund the

government. The government may however, receive state and/or federal funding for salvation projects within the Historic District of Boulder City once the ordinance is passed. The Boulder Dam Hotel receives annual grant funding from SHPO for projects ongoing within the Hotel. This is the extent of state and federal funding to the City of Boulder.

The fourth criterion deals with the level of federal and/or state restrictions placed onto the administration of historical preservation practiced at the local level. Is there too much government or not enough? The Historical Preservation Act of 1966 was intended to promote historical preservation and guidelines for establishment of historical protection initiated. The states are required by the Act to maintain a State Historic Preservation Office and fulfill the duties thereof. The local government is where the action is with respect to saving history within each community. Is the ideal of the federal government to save historically significant landmarks being realized? This report cannot answer that for other areas of the country, but for Southern Nevada, the findings seem to be “no”.

Las Vegas is a CLG and works to promote historical preservation with local and state government funding. The private citizen receives protection from eminent domain as described by the city for adhering to the zoning ordinance guidelines for structural and landscape design standards. If the historical property is sold to another private citizen who intends to dwell at the historic site, a contract agreement must be signed with the understanding that this new owner will also abide by the ordinance. Should a developer want to purchase historical property with the intent to demolish the structure, there is a 180 day hold placed onto the property by the city of Las Vegas in order for the Historical

Commission to evaluate the consequences of that action. Las Vegas government within the ordinance (located in Appendix A) initiates these rules. The state government applauds the efforts of Las Vegas to implement historical preservation measures. The city of Las Vegas is using the guidelines of the federal and state government to create the criteria necessary for property owners to be listed on the City of Las Vegas Register of Historic Places. Those listed on the Las Vegas City Register are protected from eminent domain, whereas the State and Federal Registers are considered thematic and do not necessarily promote protection from demolition. If a private individual or corporation wishes to purchase another business located within a historically significant building, there are no protective measures from preventing the new owner from demolishing the historic structure. If a government entity wishes to purchase the business located within the historic structure, the mandates of the Historical Preservation Act of 1966 require the State Historical Preservation Office to investigate such undertakings.

Clark County exemplifies is a perfect example of how business buildings owned by private industry can be so easily demolished by another privately owned business or corporation when one considers the number of casinos that have been imploded to make room for new developments. The Sands, Hacienda, Landmark, El Rancho, Aladdin, Dunes and the destruction of Bugsy's vault located at the Flamingo Hotel and Casino are some examples of history being reduced to rubble. The famous Las Vegas Boulevard is located in Clark County. The Clark County government, having no interest in historical preservation, permits this kind of activity by not having any ordinance or enforcement at the government level to question such activity. The fact that the Clark County government is not enticed by the funding of state or federal historical preservation

incentives permits such destruction of history to take place. The city of Las Vegas may have held a better chance of protecting some of the mentioned properties had they been located in the city of Las Vegas jurisdiction. The likelihood is still slim, because the properties would need to be listed on the local register of historically significant properties in order for the city Historical Preservation Commission to intervene with the destruction of the property. At most the city of Las Vegas could do legally, in the case of the property being listed on the local register, would be to place a 180 day hold on the demolition of the property, and possibly use the press to bring to public attention the intentions of the new owner. This may promote citizen action to keep the structure as it stands, or reveal a community that does not care.

The fact that Clark County, North Las Vegas, and Henderson do not seem to have any interest in funding historical preservation may be due to the quantity of rules of engagement to become a local Certified Local Government with the Nevada State Historical Preservation Office (SHPO). The requirements for a local property to be listed onto the federal, or state register are complicated, and require study to understand. The local government is under pressure from the state and federal entities to mimic the same guidelines and standards for property designation and protection. The local governments are urged to follow set guidelines and the amount of funding available for compliance may be an impediment rather than an incentive. This fact remains true for Boulder City as well. The expenditures far outweigh the funding from state and federal sources to local governments, which then in turn, becomes a disincentive to the local government to bother with doing the right thing for culture and education.

CHAPTER 9 RECOMMENDATIONS AND CONCLUSION

The local government is at the threshold of making ethical decisions and determining what priorities will take precedence on the local government funding initiatives. The incentives in place do not encourage enough incentive for private local governments to spend money on historical preservation. The private dweller of a historical home and property are burdened with zoning ordinance compliance established to preserve the site and the sale of the property transfers the compliance to the new owner for registered historic properties located on the Las Vegas City Register. North Las Vegas, Clark County and Henderson care nothing about the historical structures, nor is there government interaction to assist in the preservation of any particular property. Boulder City government is responsive to the protective measures to save the historic district. Although it is not clear what the role of the non-profit historical preservation association's agenda and goals, the government is providing some initiative in Boulder City. More involvement in historical preservation by the local government in Boulder City is still needed for protection of other historical landmarks not found within the historical district.

The fault with the system is the incentives made available to owners of historical property that have the ability to open the site to the public for purposes of cultural history and education. The 1981 Tax Incentive Program was created by former President Reagan when fund slashing for historical preservation was being done in Washington, D.C. Again business's are the only entities that qualify for the tax relief, or grant incentives to promote historical preservation.

There is a strong need for the private citizen to enjoy some protection for maintaining a historical site. The government's administrative legalities to get a property registered and for the person to follow design guideline standards established by the government to maintain the property are without government incentives. The state and federal government cannot provide any real protection for the property from destruction because the thematic designation of the property cannot override any local government decision to take a property by eminent domain.

The private citizen does not receive government grants or tax incentives for the maintenance of the property as would a public access entity. The private citizen is more likely to own a historical home and may need assistance to maintain the historic property. If tax and grant incentives were available, it would create more demand for historical properties, thus increasing their value. The thick rules of standard design guidelines and applications to register the properties might be more likely to be completed if such incentives were available. This would be the foundation of historic preservation.

In terms of Southern Nevada, the efforts toward historic preservation have yet to bear fruit on the part of the local governments. The steps thus far are very important and further initiative must continue to realize historic preservation. Las Vegas and Clark County have very different steps that are used to preserve historic properties. A combination of the two programs would be of great benefit. The Heritage Museum of Clark County has the ability to save structures, when funding is available, and the particular structure meets the goals of the Museum. Las Vegas ordinance and Historical Preservation Commission work more directly with saving a structure, and maintaining it within its original location. As mentioned before, maintaining a structure within its

historical context of location, landscaping and architecture is optimum for the acceptance of the site on the federal and state register of historical landmarks, and is the primary goal of historic preservationists when the efforts of the City of Las Vegas fail to prevent the destruction of a historically significant site for the private dweller, the only hope left is moving the structure. Often non-profit associations can buy the structure or receive the structure as a donation and pay the expense to move the building to another property. A non-profit association qualifies as public entity with public access to the site and therefore qualifies for grant funds from the state government for maintaining the historical site. If Las Vegas had a historical preservation museum as a place to put historically significant homes there would ultimately bring about the salvation of more property. If Clark County originated a historical preservation ordinance and became a Certified Local Government as well as maintained their existing museum, then more properties maintained on site would be saved from destruction. Clark County is a vital government entity for the salvation of historically significant gaming casinos. The Flamingo Hilton has tremendous historical significance to the valley, and it remains completely unprotected from destruction for this property sits in Clark County jurisdiction. The same would be true if the Flamingo Hilton were located in North Las Vegas, Henderson, or Boulder City.

Clark County, North Las Vegas and Henderson have not a promising future in terms of getting the local government to step in and involve them with historical preservation. The goals and visions of The 1995 Nevada Historic Preservation Plan written by The Nevada State Historical Preservation Office needs to be the foundation of every city in the state to do what is necessary to facilitate historical preservation. The

city of Las Vegas is appropriating the funds necessary to make a start in the direction of historical preservation and is the leader in working to reach some kind of goal with regard to preservation.

The hypothesis of this paper has proven to be true in that the current level of government funding is not enough incentive for local governments to do the right thing. One could argue that it is not the Federal Governments role to entice local governments into doing things such as this; however, historical preservation is a nationwide mandate for which the supreme court has ruled in favor of preserving memorials, such as the federal government's purchase of the Gettysburg Memorial, and working to save historically significant structures within our society.

The United States as a whole is striving to educate the populations about the significance of historical preservation. European countries with extensive history are truly the example the United States should follow to work toward protecting history within our country, and thus promote public knowledge of our American history.

Southern Nevada is a small piece of the United States and its cities are more recently incorporated than most around the country, but Southern Nevada holds a great deal of historical significance. Development is blinding some of the municipalities as to the possibilities of losing such important foundations. Let this not be the fate of Nevada.

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APPENDIX

DECEMBER 17, 1997

ZONING ORDINANCE

CHAPTER 19A.06.090
H HISTORIC DESIGNATION



HISTORIC PRESERVATION OFFICE
CITY OF LAS VEGAS

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A. Findings

The City Council of the City of Las Vegas finds and declares that the spirit and direction of the City of Las Vegas are founded upon and reflected in its historical past, and that the historic and cultural foundations of the City should be preserved as a living part of its community life and development in order to give a sense of identity and orientation to the people of the City.

B. Purpose and Intent

The intent of this Subchapter is to promote the public welfare by providing protection for significant properties and archaeological sites which represent important aspects of the City's heritage; to enhance the character of the community by taking such properties and sites into account during development; and to assist owners in the preservation and restoration of their properties. This Subchapter is intended to balance two competing interests: the value to the community of these significant properties and sites, and the rights of the property owners whose interests are at stake. The designation of any property, district or site pursuant to this Subchapter shall be an overlay designation and shall not inhibit existing or potential uses permitted by this Title.

C. Historic Preservation Commission - Established

The Las Vegas Historic Preservation Commission (HPC) is hereby established. The principal role of the HPC is to act in an advisory capacity to the Planning Commission and the City Council in all matters concerning historic preservation. The HPC shall make recommendations to the Planning Commission regarding designation of Landmarks, Historic Properties and Historic Districts. Other actions of the HPC as set forth below shall be final, with appeal to the City Council as described in Section M of this Subchapter.

D. Historic Preservation Commission - Membership

The HPC shall consist of eleven voting members who are appointed by the City Council, and two ex-officio members.

1. Each voting member must have a demonstrated interest in or knowledge of:
 - a) the history of the City of Las Vegas, and
 - b) design, architecture, real estate and other matters relevant to judging the economic and cultural value of particular historic preservation activities.
2. The term of each voting member is four years.
3. Voting members may be reappointed, but may not serve more than two complete, consecutive terms, including as one term the unexpired portion of any term to which a member is appointed to fill a vacancy.
4. Members serve at the pleasure of, and may be removed by, the City Council, including for failure to attend meetings regularly.
5. Members shall serve without compensation.

E. Historic Preservation Commission - Qualifications

The membership of the HPC shall be as follows:

1. One member must be experienced in architecture (such as an architect, art historian or historic preservation architect).
2. One member must be experienced in urban design or planning (such as an urban designer, planner or landscape architect).
3. One member must be experienced in building construction (such as a building contractor or structural engineer).
4. One member must be experienced in the real estate profession (such as a real estate developer, appraiser or broker).
5. One member must be representative of a recognized local historic preservation association or historic preservation interest group.
6. One member must be experienced in Nevada history (such as an historian or archeologist).

7. Five members must be citizens at-large; provided, however, that when one or more areas have been designated as "Historic Districts" pursuant to this Subchapter, one of the "at-large" positions shall pertain to each such Historic District and shall be filled by a person who owns property and resides within the Historic District. If more than five Historic Districts have been designated as such pursuant to this Subchapter, the City Council shall determine which five of the Historic Districts are to be represented on the HPC.
8. The Director of Planning and Development, or the Director's designee, shall serve as an ex-officio member, with no vote except as otherwise provided in this Subchapter.
9. The Director of the Nevada State Museum and Historical Society, or other designee of the State Historic Preservation Office (SHPO), shall serve as an ex-officio member, with no vote except as otherwise provided in this Subchapter.

F. Historic Preservation Commission - Organization

1. The HPC shall elect, from within its own membership, a chair, vice-chair and such other officers as it deems useful, and shall adopt such bylaws and rules of procedure consistent with this Subchapter as the Commission deems necessary.
2. The Department of Planning and Development shall provide administrative and clerical support for the HPC.
3. Regular and special meetings of the HPC shall be held as set forth in the bylaws and as necessitated by the Commission's volume of business. If no meeting has been scheduled to occur within forty days after the Chairman has been notified by the Secretary of business requiring action by the HPC, the Chairman shall call a special meeting to be held within that period.
4. The HPC shall maintain written minutes and records sufficient to inform the public of its business, and shall report its business to the City Council as the Council from time to time may request.
5. Six members of the HPC constitute a quorum thereof for the purpose of conducting business. A majority vote of those present and voting shall be necessary to approve any item of business.
6. In the event that a quorum is not available for the conduct of business, an ex-officio member or the Historic Preservation Officer (or any combination thereof) may vote, but only concerning matters on the consent agenda and only to the extent necessary to create or maintain a quorum.

G. Historic Preservation Commission - Powers, Etc.

The powers, duties and activities of the HPC include the following:

1. Reviewing applications for the designation of Landmarks, Historic Properties and Historic Districts, and making recommendations to the Planning Commission concerning those applications. The review shall be in accordance with Section (I) of this Subchapter.
2. Reviewing and making decisions concerning applications for the proposed construction, alteration, demolition or removal of any structure associated with a Landmark or Historic Property, or located on property within an Historic District. The review and decisionmaking process shall be in accordance with Sections (K) and (L) of this Subchapter
3. Making recommendations to the City Council concerning the use of public or private funds to promote the preservation properties and districts within the City, including the acquisition of property or interests in property.
4. Recommending appropriate changes to the General Plan and to local development regulations in order to promote the purposes of this Subchapter.
5. Cooperating with owners of property to formulate appropriate design guidelines for alteration and construction within Historic Districts.
6. Initiating and conducting detailed studies and surveys of properties, structures, and areas within the City to assess their potential for designation in order to formulate an Historic Preservation Plan for the City.
7. Developing and participating in public information activities in order to increase public awareness of the value of historic preservation.
8. Performing such other functions as will encourage or further the interests of historic preservation.

H. Historic Preservation Officer

The Director of Planning and Development shall appoint an Historic Preservation Officer (HPO), who must have a demonstrated interest in historic preservation and be a qualified professional in one or more pertinent fields such as architecture, urban design, archaeology, cultural geography, landscape architecture or land use planning. The duties of the HPO shall include:

1. Serving as Secretary to the HPC, facilitating its efforts and, with other City staff as necessary, providing administrative support.
2. Accepting applications under Subsections (1) and (2) of Section (G).
3. Acting as intermediary between the HPC and City departments.
4. Providing technical and background information to the HPC and the public, as required.
5. Acting as the approval authority concerning applications for the proposed construction, alteration, demolition or removal of structures associated with a Landmark, Historic Property or Historic District, when the proposed work is, in the HPO's judgment, minor in nature and impact or the need to act immediately is necessary to protect life or property. The review and decisionmaking process shall be in accordance with Sections (K) and (L) of this Subchapter.
6. Reporting to the HPC any action taken pursuant to Subsection (5) of this Section.
7. Preparing annual written reports of HPC activities to be submitted to the State Historic Preservation Office (SHPO) and made available to the public. The reports should include, at a minimum, the minutes of meetings and attendance records of members; current résumés of members; and a listing of items reviewed, decisions rendered and other projects and activities undertaken.
8. Maintaining the Las Vegas Historic Property Register.

I. Designation of Landmarks, Historic Properties and Historic Districts

1. An individual property, building, structure or archeological site may be designated as a Landmark or Historic Property if it qualifies under Paragraph (a), (b) or (c) below:
 - a. It meets the criteria for listing on the State or National Register of Historic Places.
 - b. It is determined to be of exceptional significance and expresses a distinctive character because:
 - I. A significant portion of it is at least fifty (50) years old;
 - II. It is reflective of the City's cultural, social, political or economic past; and

III. Either:

- A) It is associated with a person or event significant in local, state or national history; or
 - B) It represents an established and familiar visual feature of an area of the City because of its location or singular physical appearance.
- c. It is less than fifty (50) years old, but is an integral and critical part of an Historic District or demonstrates exceptional importance by meeting or exceeding the other criteria described in Paragraph (a) or Paragraph (b) of this Subsection. This type of structure or property is eligible for classification as a Landmark. At such time as it becomes fifty years old, it will automatically be reclassified as an Historic Property.
2. An area may be designated as an Historic District if:
- a. The area:
 - I. Includes a substantial concentration of properties, buildings or structures which individually meet the criteria in Subsection (1) of this Section, as well as other properties, buildings or structures which contribute generally to the overall distinctive character of the area and are united historically or visually by plan or physical development;
 - II. Is bounded by documented historic boundaries such as early roadways, canals, subdivision plats or property lines, or by boundaries which coincide with logical physical or manmade features and reflect recognized neighborhood or area boundaries; and
 - III. Includes non-contributing properties or vacant parcels only to the extent necessary to establish appropriate, logical or convenient boundaries.
 - or,
 - b. The area includes or is composed of one or more archeological sites.
3. Designation Process:
- a. The designation of a Landmark, Historic Property or Historic District may be made upon application by the owner of any property proposed to be designated or included in such designation, or by an authorized representative of the City. Application shall be made to the HPO on such form(s) as may be established for the purpose, and the application shall be accompanied by such fee(s) as may be established by the City Council.

- b. An application for designation shall also be accompanied by:
 - I. A vicinity ownership map showing all parcels which are adjacent to, include or surround the property proposed to be designated within a radius of three hundred (300) feet of the external boundaries of the property. Each such parcel shall be numbered so as to correspond to the ownership/tenant list described in Subparagraph II of this Paragraph below.
 - II. A typed or legibly printed list, compiled from an authoritative source, containing the names, mailing addresses and zip codes of the following, along with the corresponding identifying numbers referred to in Subparagraph I of this Paragraph above:
 - A) The owners of all parcels described in Subparagraph I of this Paragraph above; and
 - B) Any tenants of the parcels described in Subparagraph I of this Paragraph above, to the extent their names and addresses can practically be obtained.
 - III. An accurate legal description and Assessor's Parcel Number (APN) for all parcels proposed for designation.
 - IV. A written description of the manner in which the property proposed for designation is eligible and appropriate for designation under this Section.
- c. Upon receipt of a complete application package, the HPO shall schedule the application for a public hearing on the next available agenda of the HPC. Upon the request of the applicant, a special meeting may be called at the discretion of the Chair of the HPC, or by at least four (4) voting members of the HPC.
- d. In connection with the HPC's consideration of the application, the HPO shall compile and provide to the HPC a complete report concerning the property proposed for designation. The report shall address the location, condition, age, significance and integrity of historic features; identify potential contributing and non-contributing properties; provide other relevant information; and include a recommendation concerning the application and the basis therefor.
- e. Based upon its consideration of the HPO's report concerning an application, along with any evidence or input offered at the public hearing, the HPC shall evaluate the application with reference to the applicable criteria set forth in Subsections (1) and (2) of this Section and make a recommendation to the Planning Commission. A recommendation for approval may include any

conditions the HPC deems appropriate in order to implement the provisions and intent of this Subchapter.

- f. Except as otherwise provided in this Subchapter, the standards for consideration and action on an application by the HPC shall also apply to subsequent action by the Planning Commission and City Council, and the procedures for subsequent action on an application by the Planning Commission and City Council shall be consistent with the rezoning procedures described in Subchapter 19A.18.120 of the Zoning Code.
- g. A recommendation by the HPC for approval of a designation under this Subchapter shall be void if the designation has not been approved by the City Council within one (1) year after the HPC's recommendation.

4. Public Notification Concerning Designation Applications:

At least fifteen (15) calendar days before the HPC holds a public hearing on an application for designation, the Planning and Development Department shall:

- a. Mail written notice of the date, time and place of the hearing, along with a summary of the application, to the persons whose names and addresses are provided by the applicant pursuant to Subsection 3 of this Subchapter. Such notice is complete upon mailing. The HPC may delay a hearing for additional notification if it appears that the applicant or the City did not use reasonable diligence in providing a notification list or in mailing notice.
- b. Post notice of the hearing, visible from a public way and clearly legible, containing the date, time, and place of the hearing, and a summary of the application. For a Landmark or Historic Property application, the notice shall, wherever possible, be placed adjacent to the public right-of-way. For an Historic District, the notice shall, wherever possible, be placed at no fewer than four (4) conspicuous locations either within or at the external boundaries of the area. The posting of any such notice is complete upon initial posting.
- c. Publish notice of the date, time and place of the hearing, along with a summary of the application, in a newspaper of general circulation within the City.

5. Planning Commission and City Council Action:

- a. Upon receipt of a recommendation from the HPC concerning a designation, the Planning Commission shall hold a public hearing to consider the application. If the date and time of the Planning Commission hearing are announced at the HPC hearing concerning the designation, no additional notification is required. Otherwise, notification for such hearing shall be as described in Subsection (4) of this Section, above. Following the public hearing, the Planning Commission may do any of the following:

- I. Adopt the recommendation of the HPC and forward that recommendation to the City Council;
 - II. Modify the recommendation of the HPC and forward that recommendation to the City Council as modified;
 - III. Recommend denial of the application to the City Council; or
 - IV. Remand the request to the HPC for further proceedings.
- b. Upon receipt of a recommendation from the Planning Commission concerning a designation, the City Council shall hold a public hearing to consider the application. If the date and time of the City Council hearing are announced at the Planning Commission hearing concerning the designation, no additional notification is required. Otherwise, notification for such hearing shall be as described in Subsection (4) of this Section, above. Notwithstanding any other provision of this Paragraph (b), the designation of an Historic District must be done in accordance with NRS 384.005. Following the public hearing, the City Council may do any of the following:
- I. Approve the designation in accordance with the recommendation of the Planning Commission;
 - II. Modify the recommendation of the Planning Commission and approve the designation in accordance with the modifications;
 - III. Deny the application; or
 - IV. Remand the application to the Planning Commission or the HPC for further proceedings.
- c. In the case of an application for designation of an Historic District, if the owners of twenty (20) percent or more of the area of the parcels included in the proposed district and those which are adjacent thereto protest the proposed designation in writing, the designation shall not become effective except by the favorable vote of three-fourths (3/4) of the entire membership of the City Council. If any member of the City Council is unable to vote on an application because of conflict of interest, the required number of favorable votes to approve the designation shall be three-fourths (3/4) of the remaining membership of the Council, but in no event shall the required number of votes be less than a majority of the entire membership of the Council. For purposes of this Paragraph (c):
- I. A parcel is "adjacent" to the proposed district if it is not separated from the boundary of the proposed district by a public right-of-way and is within one hundred fifty (150) feet of the boundary.

- II. A parcel is "adjacent" to the proposed district if it is separated from the boundary of the proposed district by a public right-of-way and is within one hundred fifty (150) feet of the frontage of the intervening right-of-way.
 - III. In calculating "area" for protest purposes, the area of an "adjacent" parcel shall be deemed to include only the area located within the one hundred fifty (150) foot distances referred to in this Paragraph (c).
 - IV. A written protest is effective only if it is filed with the City Clerk prior to or at the time of the public hearing before the City Council.
6. Effect of Designation:
- a. The designation of a Landmark, Historic Property or Historic District shall be indicated by the "H" symbol on the zoning maps of the City. The use and development of property affected by a designation shall be governed by this Subchapter and applicable Design Guidelines adopted thereunder, as well as by the regulations pertaining to the underlying zoning classification(s) for the property, other provisions of the Zoning Code, the City's subdivision regulations and the General Plan.
 - b. After the designation of an Historic District, and in order to preserve and enhance the distinctive character of that District, the HPC shall, after opportunity for input from property owners within the District, recommend for adoption by the City Council Design Guidelines to apply to alterations of contributing properties and to all new construction within the District.
 - I. Design Guidelines are intended to address exterior features and characteristics only, such as building materials, massing, scale and proportion of openings and other features, orientation and relative position of buildings and landscape character, as well as specific aspects such as roof forms, textures, color theme, character of signage, window and door types, and other details relative to architectural styles evident in the District.
 - II. Design Guidelines generally will not regulate maximum building height, maximum lot coverage, minimum setbacks, required landscaping, required parking, allowable signs, or other development aspects addressed elsewhere in the Zoning Code, except when compatibility with existing historical patterns requires specific design guidelines.
 - III. Following designation of an Historic District, but before Design Guidelines can be established for the District, the HPC may require that development in the District conform to such established or recognized standards as the HPC deems appropriate.

7. Removal of designations established under this Subchapter shall be in accordance with the procedure set forth for designation.
8. No nomination for designation or removal of designation under this Subchapter shall be acted upon within one year after any previous such nomination.

J. Historic Property Register

The Las Vegas Historic Property Register is hereby established for the purpose of listing the Landmarks, Historic Properties, and Historic Districts designated under the provisions of this Subchapter. The Register, as it may be amended from time to time, shall serve as the official record of all such designations and shall be maintained by the HPO. Copies of the Register shall be made available for public inspection in the offices of the Planning and Development Department and the City Clerk.

K. Guidelines, Standards, and Process for Review of Alteration or New Construction

1. Whenever it is proposed to alter, remodel, build, or otherwise develop or landscape property that is designated as a Landmark or Historic Property, or that is located within a designated Historic District, and a building permit or other development or zoning permit is required for such work, the applicant must first obtain the approval of the HPC in accordance with this Subchapter. In the case of proposed work which, in the HPO's judgment, is minor in nature and impact, the HPO shall be the approval authority. Approval pursuant to this Section indicates conformance with the provisions and intent of this Subchapter only and does not constitute or imply approval by any City department or other approval authority having jurisdiction.
2. In order to obtain review pursuant to this Section, the applicant must submit to the HPO the following:
 - a. An application, on such form(s) as may be established for the purpose;
 - b. Such fee(s) as may be established by the City Council for the application;
 - c. Drawings, to approximate scale, of the site plan, floor plan(s) and elevations of the proposed work of improvement, indicating materials and color scheme;
 - d. If signage is part of the proposed work, drawings, to approximate scale, showing the size and location of proposed signage, type of lettering to be

used and indication of color and type of illumination, if any; and

- e. Other information which the applicant deems appropriate or which the HPO may reasonably deem necessary in connection with the review of the application.
3. An application for review under this Section, when deemed complete, shall be acted upon within a reasonable period of time. In the case of an application to be considered by the HPC as the approval authority, the application shall be included on the next available agenda.
 4. The approval authority shall consider the application with reference to the objectives of this Subchapter. The approval authority may deny an application upon determining any of the following:
 - a. That proposed work on any portion of a Landmark or Historic Property will not be compatible with the recognized distinctive character of the overall property.
 - b. That proposed work on any portion of a contributing property within an Historic District will not be compatible with the recognized distinctive character of the property itself, with the character of the entire District, or with the Design Guidelines that have been adopted for the District.
 - c. That major new construction proposed for non-contributing properties within an Historic District will not be compatible with the recognized distinctive character of the entire District or with the Design Guidelines that have been adopted for the District. For purposes of this Paragraph, new construction is "major" if such construction, including general landscape character, equals or exceeds twenty-five percent (25%) of the land area of a parcel without a building or of the building ground floor area of a parcel with a building, at the time of the property's identification as non-contributing.
 - d. That, in cases where Federal funds, in the form of grants, tax incentives or other programs, are to be employed, directly or indirectly, in financing the proposed work, the work will not comply with the Standards for the Treatment of Historic Properties, as promulgated by the U.S. Secretary of the Interior.
 5. The approval authority may approve, conditionally approve or deny an application, or continue consideration thereof for further study. The HPO shall provide the applicant with notice of action taken, along with an explanation of any reasons therefor and conditions attached thereto.
 6. An approval pursuant to this Section shall be valid for a period of one year, unless otherwise specified in the approval.

L. Demolition and Removal

1. Whenever it is proposed to demolish or remove a structure or feature constituting or associated with a Landmark or Historic Property, or one that is located within a designated Historic District, and a demolition or other permit or approval is required for such work, the applicant must first obtain the approval of the HPC in accordance with this Subchapter. In the case of proposed work which, in the HPO's judgment, is minor in nature and impact, or is necessary immediately in order to protect life or property, the HPO shall be the approval authority. Approval pursuant to this Section indicates conformance with the provisions and intent of this Subchapter only and does not constitute or imply approval by any City department or other approval authority having jurisdiction.
2. In order to obtain review pursuant to this Section, the applicant must submit to the HPO the following:
 - a. An application, on such form(s) as may be established for the purpose;
 - b. Such fee(s) as may be established by the City Council for the application;
 - c. Photographs of the property depicting its current appearance;
 - d. A preliminary plan of redevelopment for the parcel indicating an intended use that is in compliance with the General Plan, existing or proposed zoning, other applicable regulations, and Section (K) of this Subchapter;
 - e. If economic hardship relief is requested, documentation in support of the request; and
 - f. Other information which the applicant deems appropriate or which the HPO may reasonably deem necessary in connection with the review of the application.
3. An application for review under this Section, when deemed complete, shall be acted upon within a reasonable period of time. In the case of an application to be considered by the HPC as the approval authority, the application shall be included on the next available agenda.
4. The approval authority shall consider the application with reference to the objectives of this Subchapter. The approval authority may deny an application upon determining either of the following:
 - a. That the structure or feature proposed for demolition or removal is of historic or architectural value or significance and contributes to the distinctive character of the property;

- b. That loss of the structure or feature would adversely affect the integrity or diminish the distinctive character of an Historic District.
- 5. The approval authority may approve, conditionally approve or deny an application, or continue consideration thereof for further study. The HPO shall provide the applicant with notice of action taken, along with an explanation of any reasons therefor and conditions attached thereto.
- 6. Economic Hardship:
 - a. An application for demolition or removal may be accompanied by a request for economic hardship relief, which, if granted, allows demolition or removal which otherwise would not be permitted.
 - b. Economic hardship relief may be granted by the approval authority as follows:
 - I. In the case of income producing property, when the applicant demonstrates that requiring the property to retain the features that contribute to its distinctive character, whether the property is left in its present condition or is rehabilitated by the owner or a potential buyer, will not permit the owner a reasonable rate of return.
 - II. In the case of non-income producing property, when the applicant demonstrates that the property has no reasonable use as a single-family dwelling or for an institutional use in its present condition, or if rehabilitated, either by the current owner or a potential buyer.
 - c. For purposes of Paragraph (b) above:
 - I. Non-income producing property consists of owner-occupied single-family dwellings and non-income producing institutional properties; and
 - II. Income producing property consists of all other properties.
 - d. Economic hardship relief is not available to an owner who has:
 - I. Engaged in willful or negligent acts destructive to the property;
 - II. Purchased the property for substantially more than the market value;
 - III. Failed to perform ordinary maintenance and repair; or
 - IV. Where applicable, failed to diligently solicit and retain tenants or provide normal tenant improvements.

7. An approval pursuant to this Section shall be valid for a period of one year, unless otherwise specified in the approval.
8. If an application for demolition or removal is denied by the HPC, the City may deny a permit for such activity for up to one hundred and eighty (180) days from the date on which the application was denied. It is unlawful to demolish or remove a structure or feature which is subject to this Section (L) without a permit to do so under this Subchapter and other applicable ordinances.
 - a. During the period of restraint on demolition or removal, the HPC and HPO will endeavor to secure whatever assistance may be feasible to effect the preservation of the property, including economic assistance, acquisition, purchase of a preservation easement; or location of a buyer who, upon purchase at terms agreeable to the owner, will enter into a preservation covenant with the City for a period of a least five (5) years.
 - b. If the HPC or HPO is unable to secure such assistance within the period of restraint, the proposed demolition or removal will be allowed, subject to the issuance of appropriate permits by the Building Official.
9. If the Building Official finds that a designated property is an imminent hazard to life or property and, after consultation with the HPO and the SHPO, determines that repairs or relocation would not be appropriate or feasible, the HPO shall approve the necessary demolition or removal, subject to issuance of appropriate permits by the Building Official.

M. Appeal and Review

1. The applicant for an approval under Section (K) or Section (L) or this Subchapter may appeal any decision of the HPC to the City Council by filing written notice of appeal with the City Clerk within ten (10) working days after the date of the HPC's action. The appeal must be accompanied by the fee, if any, which has been established by the City Council.
2. In addition, with respect to any approval by the HPC of an application under Section (K) or Section (L) of this Subchapter, the Director of Planning and Development or any member of the City Council may file a request for review within that 10-day period.
3. The City Clerk shall set the date for a public hearing on the appeal or review, and notice of the hearing shall be published in a newspaper of general circulation at least seven (7) days before the hearing.

H. Maintenance and Repair

1. The owner is responsible for ordinary maintenance and repair of a designated property. Such maintenance and repair may be performed without specific approval from the HPO or the HPC if such maintenance or repair does not significantly alter the features which contribute to the distinctive character of such a designated property.
2. The owner of a designated property shall not permit the property to fall into a state of disrepair so as to result in the deterioration of any significant exterior feature which would have a detrimental effect on the distinctive character of the property itself or that of an Historic District in which the property is located.
3. Examples of deterioration which the owner of the designated property is responsible under this Section to prevent include, but are not limited to, the following:
 - a. Excessive erosion, reverse drainage, and other preventable site conditions which may adversely affect significant buildings and structures;
 - b. Loss of structural integrity due to deterioration of footings, load-bearing walls or columns, beams, trusses, or other support members;
 - c. Weathering or damage to exterior elements such as wall and roof surfaces, chimneys, balustrades, doors, windows, and other architectural features;
 - d. Loss of weather-tightness or security due to any of the above;
 - e. Deterioration resulting in a hazardous condition which would warrant demolition in the interest of public safety.
4. In order to avoid demolition necessitated by the failure to prevent any deterioration described in Subsection (3) of this Section, the City may effect repairs to a Landmark, Historic Property, or contributing property within an Historic District and assess the cost of such repairs to the property in the same manner and with the same effect as is available for the abatement of nuisances in Section 9.04.080 et seq.
5. For purposes of evaluating deterioration under this Section, the condition of the property at the time of its designation shall be the standard of reference.
6. Enforcement of this Section shall be the responsibility of the City Manager or designee.

O. Incentives

It is the intent of the City that Landmarks, Historic Properties and properties within an Historic District be beneficial to their respective owners, as well as to the community. In addition to the intangible benefits of owning a property recognized as an important community resource, other potential benefits can be made available by the City. The HPO and the HPC are authorized, when possible and appropriate, to provide such owners with the following:

1. Assistance in locating potential sources of financial assistance and tax credits;
2. Assistance in preparing grant applications and seeking potential third party sponsorship;
3. Technical information and referrals;
4. Assistance in locating buyers and sellers;
5. Assistance, through the Neighborhood Services Department, in the formulation and operation of a neighborhood association;
6. Assistance in obtaining other benefits as may become available through the City or other sources.

P. Violations

1. It is unlawful for any person to construct, alter, demolish, remove or fail to maintain a structure, property or portion thereof in violation of this Subchapter.
2. In addition to and independent of a misdemeanor prosecution for violations under this Subchapter, the City may pursue any available civil remedy to enforce compliance.
3. In connection with any criminal prosecution or civil remedy, the person responsible for a violation may be required to restore a structure or property to its condition just previous to the violation.

Q. Definitions

For purposes of this Subchapter, the following terms have the meanings ascribed to them:

Alteration: Any aesthetic, architectural, mechanical, or structural change or addition to the exterior surface of any significant part of a designated property.

Approval authority: The HPC or the HPO, as indicated in this Subchapter.

Archeological Site: A site that has yielded, or exhibits the promise of yielding, information important in the understanding of human prehistory or history. Such information may consist of evidence of past human life, habitation, or activity, as well as material remains.

Compatibility: A pleasing visual relationship between elements of a property, building, or structure, or among properties, buildings, and structures, or with their surroundings. Aspects of compatibility may include, but are not limited to, proportion, rhythm, detail, texture, material, reflectance, and architectural style.

Contributing Property: A classification applied to an individual property within a designated Historic District, signifying that the property contributes generally to the distinctive character of the District; or an archeological site.

Demolition: The act or process that destroys a structure or feature associated with a designated property.

Designated Property: Any property which has been classified as a Landmark, Historic Property, or a contributing property within an Historic District.

Distinctive Character: The distinguishing architectural and aesthetic characteristics of a Landmark or Historic Property, or those generally found throughout an Historic District, which fulfill the criteria for designation.

HPC: The Historic Preservation Commission.

HPO: The Historic Preservation Officer.

Historic District: A designation, in the form of overlay zoning, applied to all properties within an area with defined boundaries, as a result of formal adoption by the City Council, which expresses a distinctive character worthy of preservation.

Historic Preservation Plan: A document, formally adopted by the City Council, containing goals and policies directing historic preservation activity within the City.

Historic Property: A designation, in the form of overlay zoning, applied to an individual property, as a result of formal adoption by the City Council, which expresses a distinctive character worthy of preservation; or an archeological site.

Landmark: A designation applied to an individual property as a result of formal action by the City Council in accordance with Subchapter 19A.06.090.

Non-Contributing Property: A classification applied to an individual property located within a designated Historic District, signifying that the property does not contribute to the distinctive character of the District.

Ordinary Maintenance and Repair: Regular or usual care, upkeep, repair or replacement of any portion of an existing property, building or structure in order to maintain a safe, sanitary and stable condition.

Owner: The person(s) listed in the property records of Clark County as having fee ownership of an individual parcel or property.

Preservation Covenant: A recorded deed restriction which requires the preservation of a property for an agreed-upon period of time.

Preservation Easement: A non-possessory interest in real property which creates rights and obligations related to the preservation of the distinctive character of that property or a portion thereof.

Property: One or more structures or other improvements, or an archaeological site, associated with a particular parcel or location.

SHPO: State Historic Preservation Office.

Significant: With reference to a property, building or structure, means having aesthetic, architectural or historical qualities of critical importance to its consideration in connection with the designation of property under this Subchapter.

DIVISION OF COMPREHENSIVE PLANNING
DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF LAS VEGAS, NEVADA

**LAS VEGAS HIGH SCHOOL
HISTORIC DISTRICT
DESIGN GUIDELINES FOR DEVELOPMENT**

DRAFT

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May 12, 1999

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APPENDIX

Secretary of the Interior Design Standards for Rehabilitation

I. INTRODUCTION

Erected in 1930, the financial commitment to build Las Vegas High School reflected the voter's optimism in the City's potential for growth and its commitment for excellence in both architecture and education. Las Vegas' new high school was designed in the new Art Deco style with "Aztec Modern" details. Soon after the neighborhood south of the high school was completed with single family residences, homes of professionals and prosperous citizens. The neighborhood was the town's residential heart well into the 1950s.

The dominant architectural styles of the neighborhood are Spanish/Mission Revival and Tudor Revival, and a Ranch adaptation of the California Bungalow. Many of Las Vegas's most active civic leaders and famous citizens lived there, within a few blocks of each other and included: Eva Adams, Berkeley Bunker, Prosper Goumond, Robert B. Griffith, Albert S. Henderson, Dr. Jack Cherry, A. Lacey Worswick, and Ms. Clark Gable.

Today, the families are largely gone, replaced as professional firms now anchor the neighborhood. However, most of the fabric has been carefully preserved and the residential flavor is not much different than that in the 1940s. For a City that continually reshapes itself, this preservation effort is to be appreciated, cherished and sustained.

II. PURPOSE AND INTENT

These guidelines were established by the City of Las Vegas and the residents of the Las Vegas High School Historic District to encourage, through private and public investment, the continued evolution of the neighborhood as a cohesive, functional and aesthetic whole. The ensuing guidelines contain standards to address the major components of the physical development of the area.

All new development and property upgrading within the boundaries of the Las Vegas High School Historic District must comply with these Guidelines in order to receive a building permit. These Guidelines complement Title 19A, and will be used by the City as a basis for review and evaluation of projects submitted.

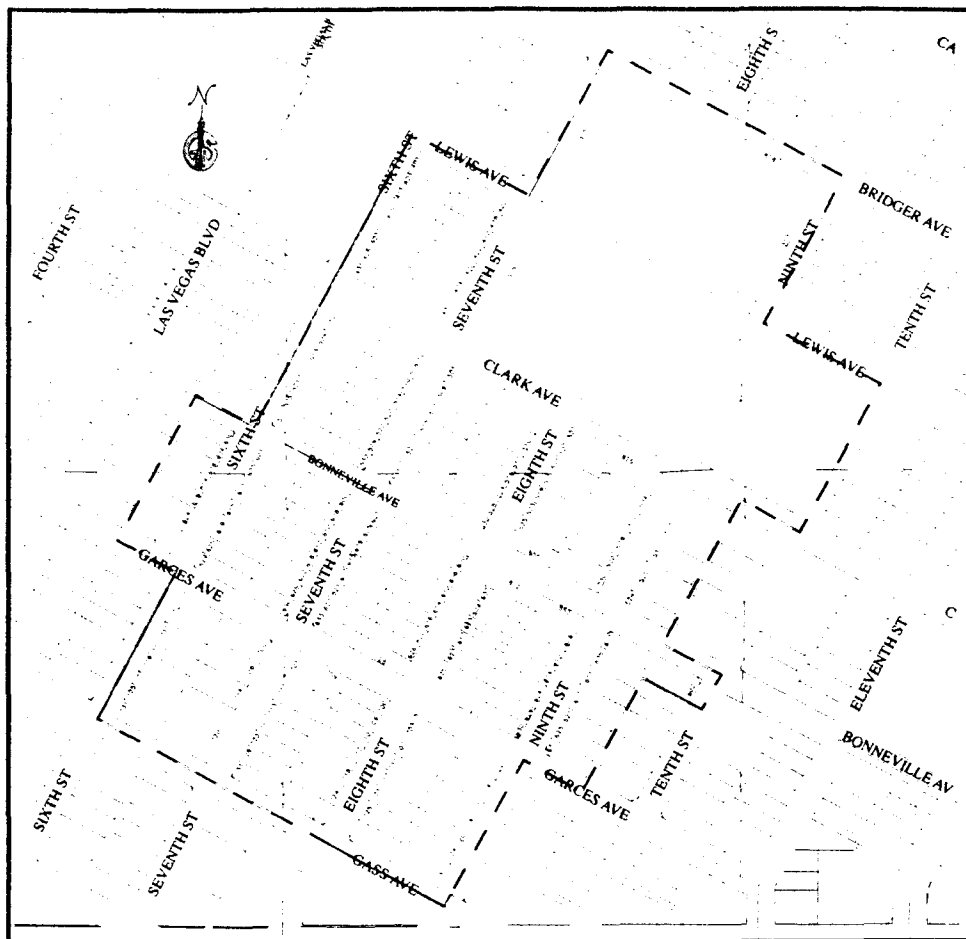
The intent is to provide the City and District residents with the opportunity to participate in the efforts to retain those architectural and community features which are essential to the preservation of the neighborhood character.

The specific purposes for creating the Las Vegas High School Historical District are:

- To enhance property value.
- To protect desirable and unique physical features of the neighborhood.
- To prevent blighting caused by intensive development, inappropriate renovation and redevelopment.
- To provide for the continued economic vitality of the neighborhood.
- To provide a focus for necessary capital improvement.

III. BOUNDARIES

Located South of the Las Vegas High School, the Historic District encompasses about twelve City blocks and is generally bounded by the Las Vegas High School building and Lewis Avenue to the North, Sixth Street to the West, Gass Avenue to the South, and Ninth Street to the East.



IV. DEVELOPMENT STANDARDS

A. Maximum Lot Coverage

One of the major characteristics of this residential district is the small parcel size, about 50'-0" x 140'-0" in average, with one-story single family homes. This development pattern should be maintained to comply with the intent of the Las Vegas Zoning Code P-R classification (Title 19A, Chapter 08.050.C-1a). However, in order to accommodate an influx of new businesses, the assemblage of two or more adjoining lots may be feasible in the following manner:

1. No more than two original lots can be assembled to accommodate a single structure.
2. Where more than two original lots are assembled, no less than two distinctively separated and independent structures shall be erected.
3. Where two or more major structures are erected side-by-side on a single property, the minimum building separation on any side shall be twice the standard interior setback.
4. The maximum lot coverage on any lot, is defined by the percentage of lot area covered by all buildings and structures after the areas required for dedicated public right-of-way is subtracted. The maximum lot coverage for the District is:

Residential use	Office use (P-R)	
All construction/modification	New construction	Modification/Addition ¹
50%	30%	50%

- ¹. Modification/Addition to an existing structure shall retain 50% of the original structure, including 100% of the existing front elevation plus 80% of the existing side elevation abutting a street right-of-way when the structure is located on a corner lot. Any greater impact on the front and side elevation, in the case of a corner lot, shall be defined as a "new construction" for the purpose of calculating the maximum lot coverage.

B. Maximum Building Height

The building height is measured from the grade at the front base of building to the top of the roof. The top of the roof means the ridge line or the highest point of any architectural element concealing rooftop elements.

The maximum building height shall be as follow:

1. Any building or structure shall not exceed one story or twenty-five feet.
2. Any building or structure shall not exceed two stories or thirty-five feet if both the following conditions are met:
 - a) The width of the lot is no less than eighty feet; and,
 - b) The second story gross floor area, including "open to below" areas, is no more than 75% of the ground floor gross area.

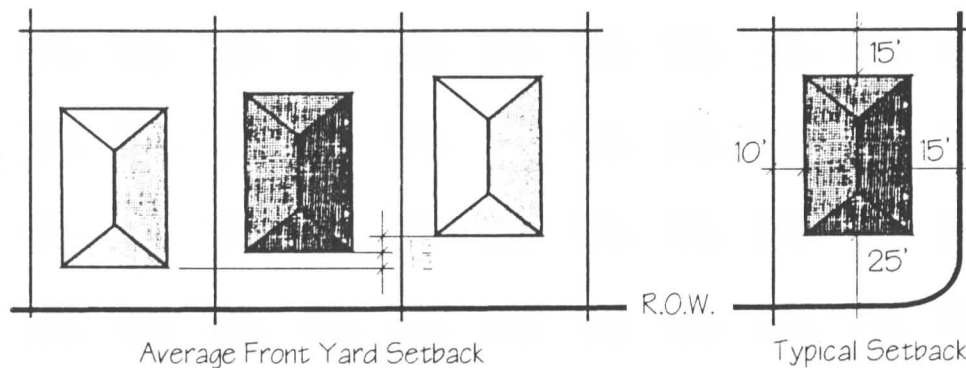
C. Setbacks

The original historic residential character of the District is predominantly defined by the visual qualities of its structures and their relationship to the street. Distinctive houses are set back from attractive front yard with visible entries at the end of a simple path. Side-walk framed with landscape and mature street trees continue the traditional pattern of neighborhood features.

To ensure the preservation of this character-defining aspect, following are the required setbacks that shall be applied within the District. All setbacks shall be measured from the right-of-way line, when abutting a public right-of-way, and from the center line of the property line when adjacent to a private property.

Front Yard	Side Yard		Back Yard
	Interior	Corner Lot	
Average of the front yards immediately adjacent on either side ¹	10 feet	15 feet	15 feet

- ¹. When any or both the adjacent lots are vacant, the front yard setback for the absent structures shall be set at 25 feet.



D. Parking

1. On-site parking requirements

All existing, converted, expanded, or new construction shall provide off-street parking in accordance with the requirements and standards of Title 19A, Chapter 10, of the City of Las Vegas Zoning Code.

- a) One motorcycle parking area may be provided for all uses, except residential, and may substitute for one regular vehicle parking. Additional motorcycle parking shall be provided at the rate of one motorcycle space for each twenty-five vehicle spaces and shall not substitute for regular vehicle spaces.
- b) Motorcycle spaces shall be a minimum of four and one-half feet in width and seven feet in length.

2. Variances

Parking variances may be applied for specific conditions as defined by Title 19A, Chapter 18.070 of the City of Las Vegas Zoning Code. However, due to the limited on-street parking capacity of the Historic District, all of the following conditions have to be met when applying for a parking variance:

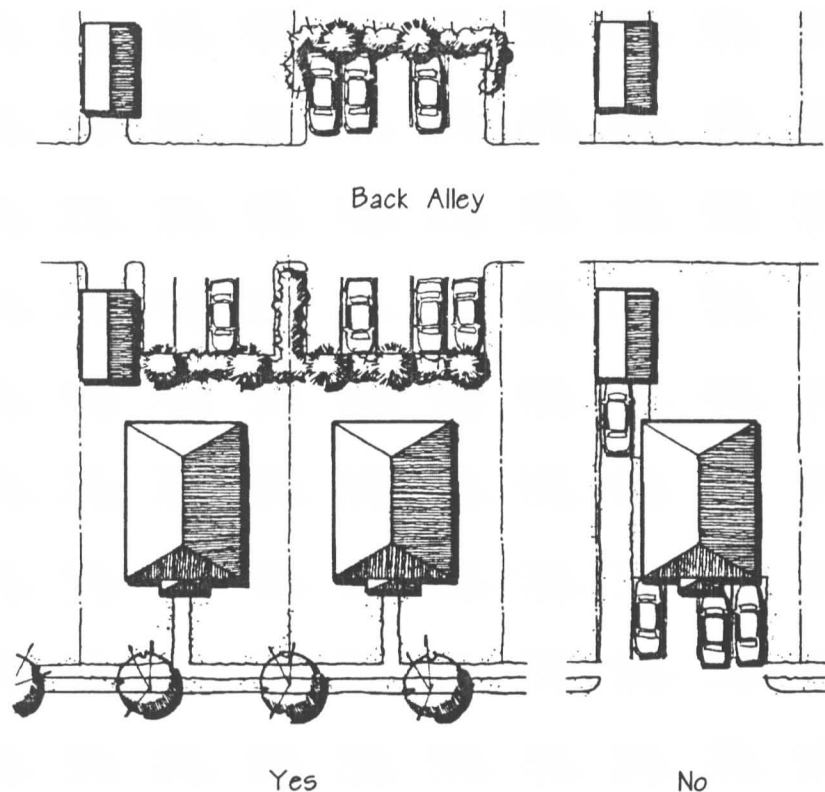
- a) A variance in parking requirement shall not exceed 20% maximum of the total required parking; and,
- b) A single payment in lieu shall be made to the City, of an amount determined by the City Public Works Department, for each parking space for which a variance has been granted; and,
- c) No refund of payment shall be made when there is a change to a use or floor area requiring less parking; and,
- d) Such payment in lieu shall be made in one lump sum prior to the first issuance of a building permit and/or a business license.

3. Design Standards

The location and size of garages and parking areas have an enormous impact on the appearance of a house and on the neighborhood and the ability to retain its historic character. The traditional setting of parking in this District has a one-car garage located in the back yard with access either from the back alley or from the main street with a 9'-0" wide ribbon driveways.

- a) In order to maintain the residential character of the District, front yard and side yard parking is prohibited.

- b) Existing front yard ribbon driveway shall not be used for parking, and may be retained only to provide access to an existing garage structure located in the back yard. This driveway and curb cut shall be removed and landscaped accordingly when the associated garage is no longer existing in its integrity or no longer used in that function.
- c) All access to the on-site parking area must be from the back alley.
- d) The elimination of side property walls, in the back yard, in order to facilitate the consolidation of parking areas between two or more adjacent properties is encouraged.



- e) When covered parking is provided, the structure shall be treated as an integral part of the main structure, whether attached or free standing, and be architecturally compatible in material and color with the remainder of the development. Unfinished metal cover structure are prohibited.
- f) Any accessory structures (garage, parking cover, ...), except for trash enclosure, located in the back yard shall be built no less than three feet away from the side lot line.

E. Landscape, Walls and Fences

Landscaping on private property will help to maintain and unify the traditional appearance of the original residential neighborhood, minimize the visual impact of newer construction, and provide shade and visual amenities to the pedestrian and others travelling through the area.

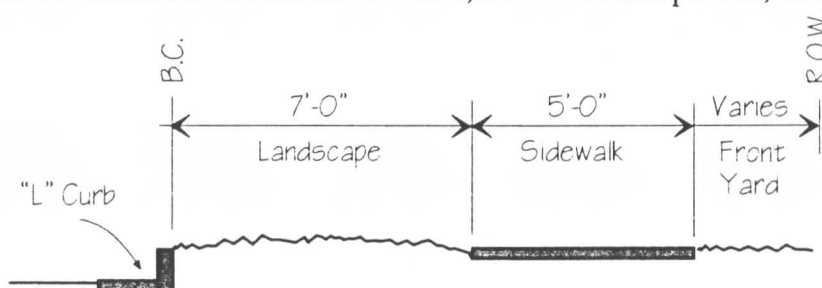
1. Front Yard Landscaping

Front and side yards shall be landscaped in the following manner:

- a) No less than 75% of the entire landscape area shall be turf. A water resistant turf such as a Fescue blend or hybridized blend is the recommended material. Common Bermuda grass types are not permitted.
- b) No more than 25% of the entire landscape area may be planted with shrubs and/or accent grass material. Selection of plant materials should be based on their year-round interest, with consideration given to spring flower, branching patterns, plant form, texture and shape. Plant material shall be drought tolerant and be maintained in excellent health and appearance at all time.
- c) At least one twenty-four inch box tree shall be planted within the yard for each 750 Sqf. of landscape area. Trees should be tolerant to urban conditions as well as resistant to diseases and insect infestation. Deciduous trees that will grow to form a large canopy are recommended.
- d) In order to avoid over watering, a sub-surface irrigation system is encouraged for the lawn area. However, a drip irrigation system is required for the shrubs/accent plants and trees.
- e) Walls and fences are prohibited in the front yard area.

2. Right-of-way Landscaping

The right-of-way shall be improved according to the City Public Works Department requirements and shall include an "L" curb, a 7'-0" landscape area, and a 5'-0" sidewalk.



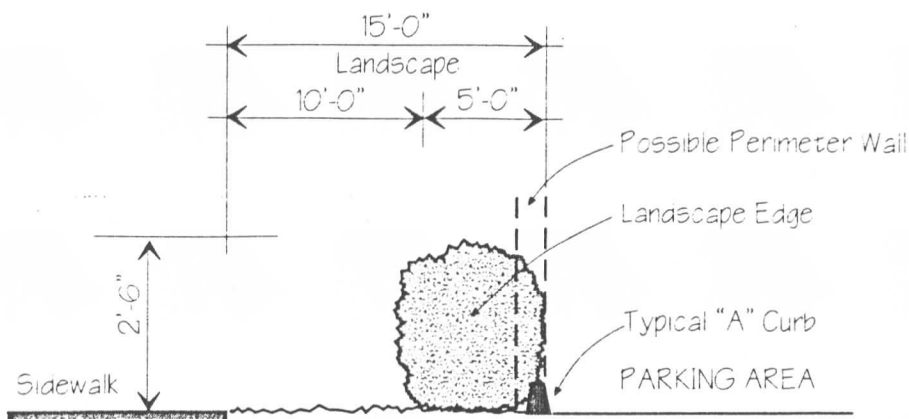
- a) Any area between the front yard property line and the edge of the sidewalk shall be landscaped consistently with the front yard landscape. This area shall be included in the area calculation for determining the minimum number of front yard trees and lawn area.
- b) The area between the "L" curb and the sidewalk shall be landscaped in the following manner:
 - i. Turf shall be used as a ground cover similarly to the front yard turf.
 - ii. One thirty-six inch box Rio Grande Ash (*Fraxinus Velutina*) tree shall be planted every twenty feet on center in the middle of the landscape planter.
 - iii. In order to avoid over watering and water run-off over the sidewalk, a sub-surface irrigation system is encouraged for the lawn area. However, a drip irrigation system is required for the trees.

3. Parking Landscaping

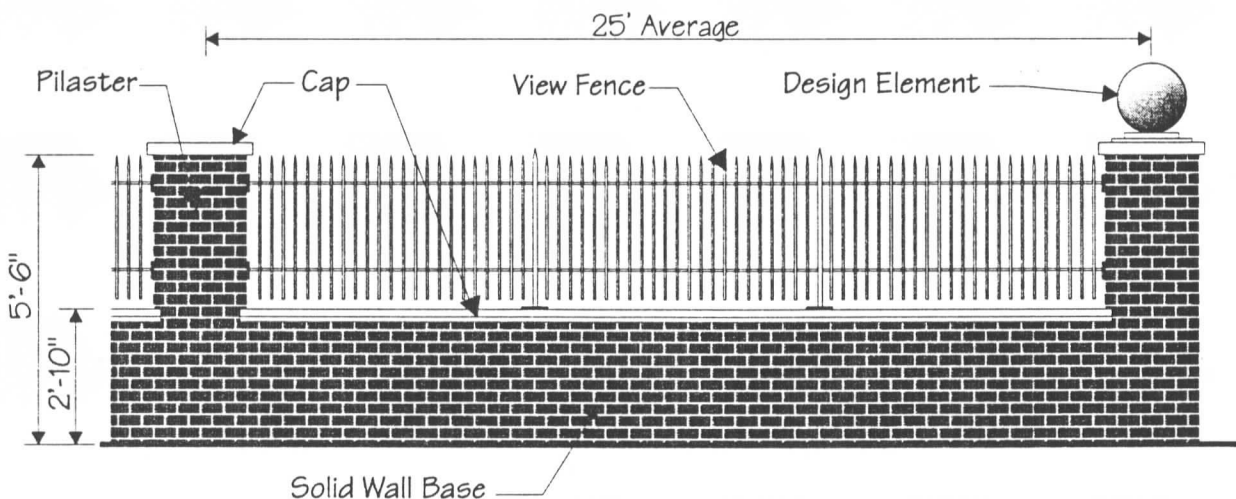
Parking, while a necessary part of all commercial business, if not well designed and landscaped, can detract from the appearance of the adjacent buildings. However, even minimal but effective landscaping can make these areas an asset. Due to the small parcel size of the District properties and the need to meet the parking demand, the following minimum landscape shall be followed:

- a) Parking lot directly adjacent to and located in the back yard of a structure on an interior lot:
 - i. Provide one twenty-four inch box tree for every 10 uncovered parking spaces. Trees shall be evenly distributed throughout the parking lot to provide a uniform shade coverage. Deciduous canopy trees are the recommended material.
 - ii. Trees must be installed in a planter no less than 5'-0" x 5'-0".
- b) Parking lot directly adjacent to and located in the back yard of a structure on a corner lot:
 - i. Provide the interior lot landscape requirement; and,
 - ii. Provide a 15'-0" perimeter landscape adjacent to the public street right-of-way to obscure views from streets. This area may be designed with a landscape berm to further screen the parking lot.
 - iii. This landscape area shall be an extension of and be landscape according to the Front Yard criteria.

- iv. A continuous row of shrubs shall be planted within 5'-0" of the parking area line. These shrubs shall form a consistent and dense landscape edge at least 2'-6" tall at the time of installation.



- v. A perimeter wall may be constructed at the back of the landscape edge. The perimeter wall shall be designed with a combination of a 2'-10" maximum height solid base made of decorative material, and a 2'-8" maximum height decorative wrought iron fence between pilasters. Masonry pilaster shall not exceed 5'-6" in total height, and shall be constructed at each corner and again at every 25'-0" average interval. The perimeter wall shall be architecturally compatible in material and color with the remainder of the development.



c) Back alley condition:

- i. No landscape is required along the property line adjacent to the back alley.
- ii. A perimeter wall may be constructed, if needed, along the property line adjacent to the back alley. The perimeter wall shall be designed with a combination of a 2'-10" maximum height solid base made of decorative material, and a 3'-2" maximum height decorative wrought iron fence between pilasters. Masonry pilaster, shall not exceed 6'-0" in total height.

d) Independent parking lot:

If off-site parking is determined to be necessary, parking lot non-contiguous from the business they served shall comply with the City of Las Vegas Landscape, Wall & Buffer Standards. In addition, a 15'-0" landscape setback with a 2'-6" tall landscape edge within 5'-0" of the parking area line, as described above, shall be installed on all four sides of the lot. Perimeter walls and fences are prohibited around large surface parking lots.

V. ARCHITECTURAL STANDARDS

A. Prevalent Architectural Styles

No single architectural style predominates in the Las Vegas High School District. However, Spanish/Mission Revival, Tudor Revival, and Ranch styles are the most prevalent in the area contributing to its visual cohesiveness and used to determine the boundaries of the District. These three architectural styles define the single family, single story residential characteristics of the neighborhood.

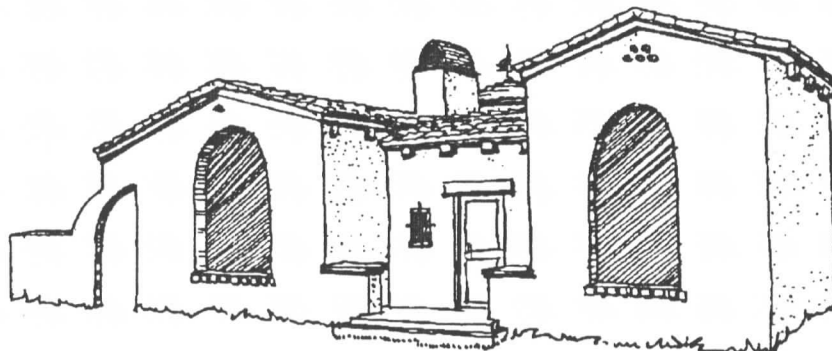
Any new construction, alteration or renovation shall maintain the residential character of the neighborhood required by the P-R classification of the Las Vegas Zoning Code (Title 19A, Chapter 08.050.C-1a) and must be architecturally compatible with one of the original styles to preserve the integrity of this Historic District.

The Secretary of the Interior Standards for Rehabilitation (see Appendix) may also need to be considered in a reasonable manner, if federal tax incentives or funding programs are involved.

1. Elements of style

- a) The **Spanish/Mission Revival** style has strong Hispanic heritage for its inspiration. The style, advocated by several California architects in the late 1880s and early 1890s, gained real popularity when it was adopted by the Santa Fe, Union Pacific, and Southern Pacific railways for the design of station and resort hotels.

In the 20th century it became widespread as a residential architectural form that exemplified the regional heritage of the southwest. This style is one or two story asymmetrical usually built around a patio. A gabled roof that is low pitched with exposed timber eaves is usually covered with red tile. Architectural elements include curved parapets, arched and quatrefoil windows, wrought-iron railings and porches. Exterior treatment is a white smooth finish stucco that may incorporate decorative ceramic tile insets.



- b) The **Tudor Revival** style, based on late Medieval English, became popular in the West after WWI as part of the period revival interest in romantic architectural forms. Buildings are one or two story and emphasizes a steeply pitched, dominating front-facing gables. Another typical characteristic of the Tudor style is the ornamental false half-timbering elements of the facade. The windows are commonly tall and narrow with multiple leaded glass lights or panes. Architectural elements includes massive chimney pots, irregular brick or stone pattern designs, and wrought-iron railings. Exterior cladding can be a brick/masonry veneer or smooth finish stucco.



- c) The **Ranch** style is a western form of residential building originated in California in the mid-1930s but became popular as a reflection of changes in American lifestyle and culture in the 1950s and 1960s. In the district this style is dominated by one story asymmetrical shapes with low pitched roofs covered by wood shingles. There is usually a moderate to wide overhang. Traditional detailing include decorative iron or wood porch supports, and decorative shutters. Porches are partially enclosed and are an extension of the roof over the entry area. Both wooden and brick wall cladding are used.



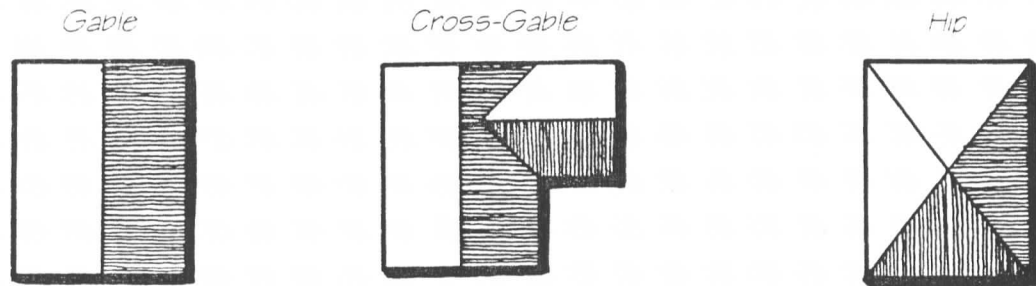
B. Roofs

The roof shape, material and special features are one of the most important aspect of defining the building's overall architectural style. All three major architectural styles of the neighborhood, Spanish/Mission Revival, Tudor Revival, and Ranch participate in defining a rich horizontal articulation of the streetscape.

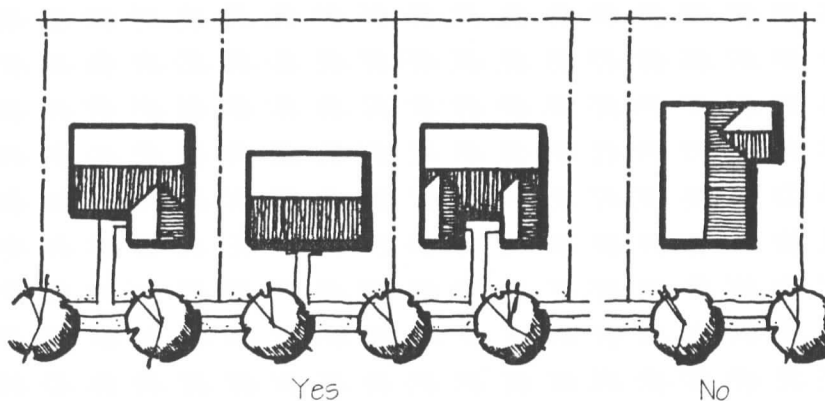
Roof design shall adhere to the following characteristic elements.

1. Characteristic Elements

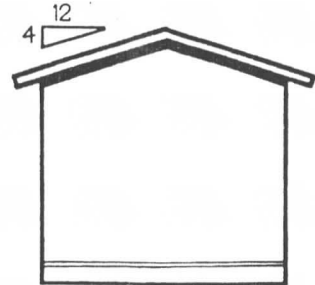
- a) Gable roofs are more prevalent than hip roofs and are a common feature to all three major architectural styles. Gable and combination of cross-gable are encouraged.



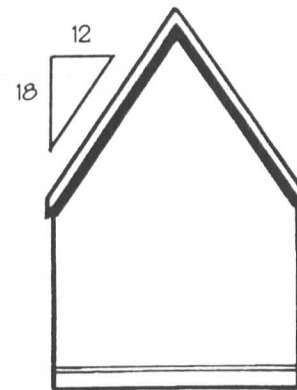
- b) The largest slope area of the roof is typically parallel to the street. It indicates the orientation of the house and where the front door is to be expected.



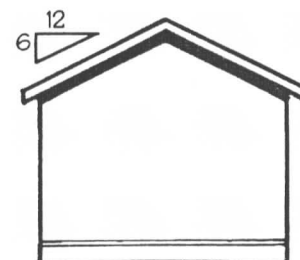
- c) The Spanish/Mission Revival roof generally has shallow slopes with variation of heights that can include turrets, flat areas, and covered patio or porches. The roof is covered with red half-round terra cotta tiles.



- d) A primary characteristic of the Tudor Revival style is the high steep pitched roof. It is covered with wood shingles, color coordinated with the decorative half-timbering of the facade.



- e) The Ranch roof construction has a simple medium slope made of dark brown wood shingle. The roof extends on the front over a porch for the entire length of the house.



C. Exterior Materials and Colors

Materials are directly related to the style and period of the building. For example, most Mission/Spanish Revival building have stucco as their exterior material, and Tudor Revival houses combine various surface materials as well as detailing in the exterior walls.

Original cladding materials should be retained and repaired when at all feasible. Although many materials are available that seem to match historic materials, extreme care must be taken when altering or replacing original cladding materials. Important details such as trims, masonry patterns, board patterns and the like should be retained and repaired whenever possible. Many times these elements are a reflection of the craft and quality of the time and are difficult to replace or duplicate.

New construction needs to be compatible with historic styles already present. The type of building is a major factor in determining an appropriate cladding material. Authentic materials such as wood shiplap or clapboard siding are recommended for styles which have wood siding as their historical precedent.

Contemporary materials such as textured plywood, simulated board siding panels or vinyl product shall not be used to replicate historic board siding. When using stone, the shape, size, color, texture and style of placement shall match the visual qualities of historical stone masonry. The use of brick tile or artificial cultured stone is not appropriate in historic projects and is discouraged.

The use of stucco plastering shall also match the texture and color of existing application. Coarse and very rough stucco are typical of newer, more modern construction technique and shall not be applied in historic neighborhoods. White paint should be used with careful consideration of its glare and effect on surrounding buildings. Large areas of intense white color should be avoided.

1. Characteristic Elements:

- a) Typical exterior cladding of Spanish/Mission Revival building is a very smooth stucco with a sand finish. The main field color is usually a light off-white, sand color. Accent elements such as wood and glazed tile can be found at key location on the elevations along with elaborate stucco detailing. Wrought-iron railings and exposed timber eaves are other characteristics of this style.

- b) Tudor Revival buildings have very distinctive false half-timbering under very steeply pitched roofs. Smooth stucco or brick fill the gaps and the remaining of the elevation. While the stucco can be of a very light color, the timber details are painted with dark tone or accent color. Decorative chimney pots, irregular brick pattern designs, and hand-forged wrought iron details, all contribute to distinguish the Tudor style.
- c) Both painted wood and brick cladding are the distinctive element of the Ranch buildings. Wooden porch support and railing and broad eaves with exposed timber are the few ornamentations of this style. A large variety of light color with darker trim or accent can be appropriate for the Ranch.

D. Front Doors

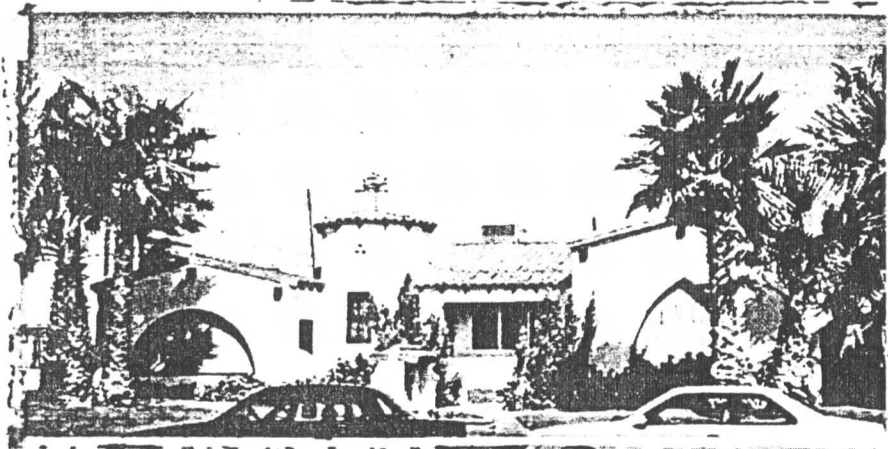
Front doors are an important design element of any building. Their location and style contribute to overall building character and frequently act to define the character of the streetscape. The specific style of the new building will determine the appropriate design characteristics of the doors to be used. As doors and entries make strong design statements for any building, the appropriate balance, proportion, rhythm, scale and emphasis must all be considered when determining the design of doors.

Original doors, are one of the most easily repaired elements of a building, and should be retained whenever possible. They are generally constructed of high quality materials, have design characteristics which are unavailable in today's market and can be easily removed from the building for repairs. If original doors can not be retained, they should be reconstructed in their original style.

1. Characteristic Elements

- a) The most common element to any style building in the District is the front elevation location of the entry door. This element of style shall be maintained. Entry door shall be located on the front elevation, shall be clearly visible and unobstructed from view when approaching the building.
- b) A side yard walking path shall link the back yard parking area to the main entry front door. No back or side door main access shall be permitted except for service and/or security exit.
- c) When replacement is necessary, the original shall be matched in color, size, material, design, ornamentation and configuration. The original trim and surround molding should be retained intact or duplicated when a door is replaced.
- d) Aluminum door frame with sliding or automatic opening shall not be used.
- e) The use of highly ornamented or carved doors is discouraged. Likewise, entry sidelights or transom windows should be appropriate to the building style.

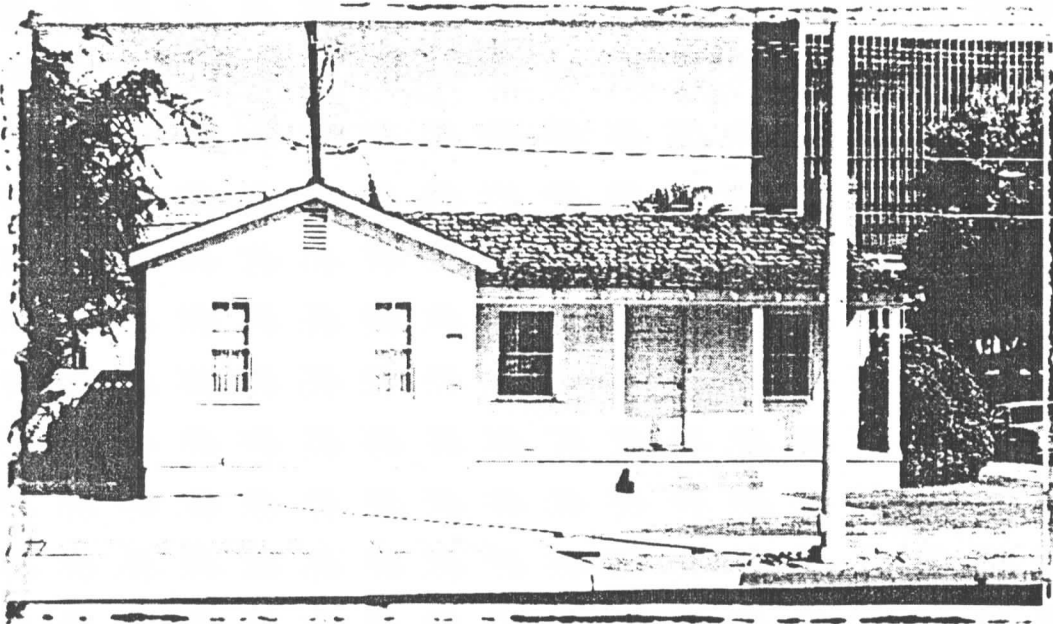
- f) The typical main entry of a Spanish/Mission Revival house is usually located at the back of an outdoor patio where a water feature is often found, or under a porched entry. This theme provides a shaded, cool and casual experience when approaching the door.



- g) In Tudor Revival style, the front door is typically located on a landing, just a couple of steps above ground. The door may also be further accentuated by placing it at the center of a small forward extension of the building. A curved door top or wood half timbering are typical design elements.



- h) Ranch style entry door is under the front porch and may be offset to one side. Plain and simple wood door with broad wood trim are typical.



E. Windows and Openings

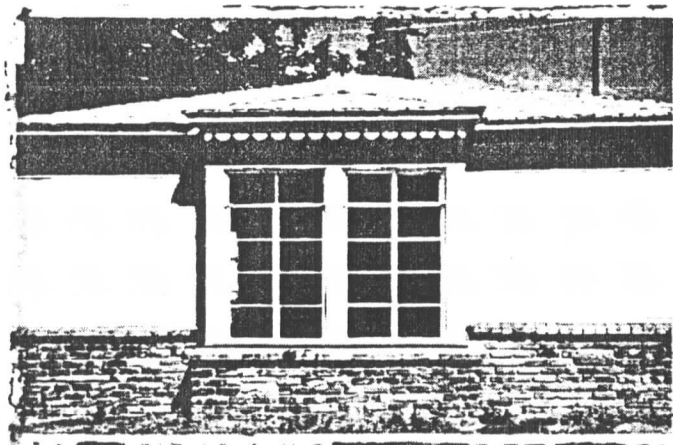
The rhythm and arrangement of the windows and other openings should reflect the style of the building design and the predominant patterns found in existing buildings of the area.

The ratio of the total surface area of openings to the total wall surface of new buildings should reflect that of original constructions in the neighborhood. The most important consideration in new openings is similar to the proportions of the existing opening.

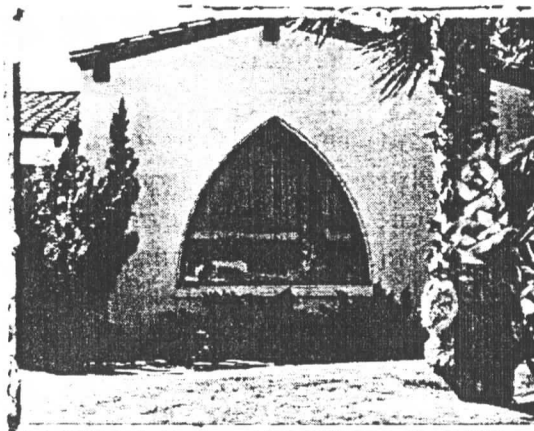
1. Characteristic Elements

- a) Typically, the simpler the building, the simpler the windows. However, the same window configuration can appear completely different when proportions are changed or when the trim is of a different material or shape. The most common window type is the double hung. These windows have clear glass panes with occasional stained glass elements. There are wood or metal casements, and fixed windows.
- b) The use of smoked, mirrored or tinted glass is not appropriate and shall not be used.

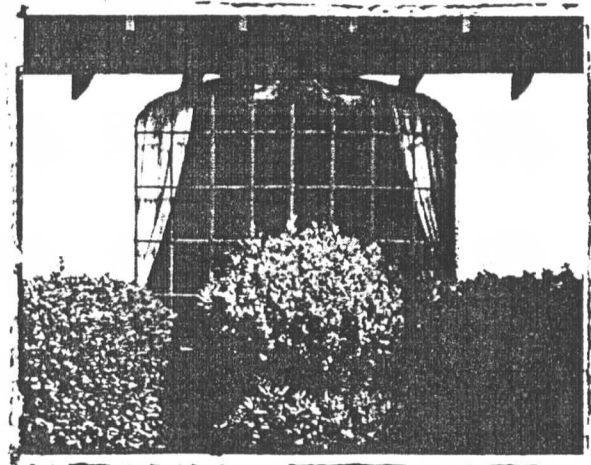
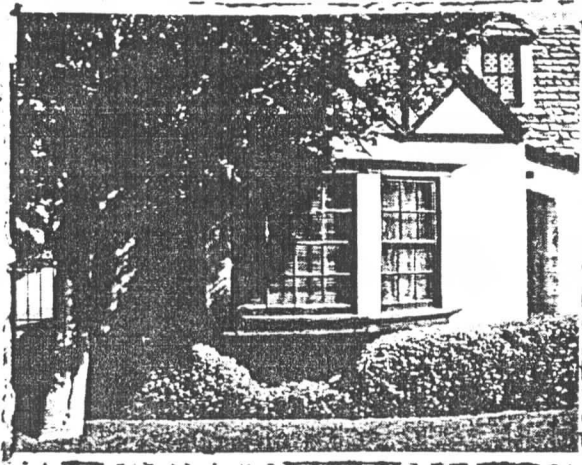
- c) Vinyl and aluminum slider or fixed window are obviously out of character in this neighborhood and shall not be used. The thin center divider makes the window look like one large horizontal pane. When the trim is left off, the window has no depth on the elevation. These window connote less quality and cheaper cost.
- d) Flush window with the face of the elevation is another modern construction detail that detracts from the traditional residential character. All window frames shall be appropriately recessed, with visible window elements such as sill, header and jamb.
- e) Large broad horizontal "picture" window without divisions in the glazing patterns are probably the most unsympathetic modification to a house. They do not relate to the historic upright proportions and shall not be incorporated in design modifications. The grouping of two vertical windows together is more representative of a traditional style.



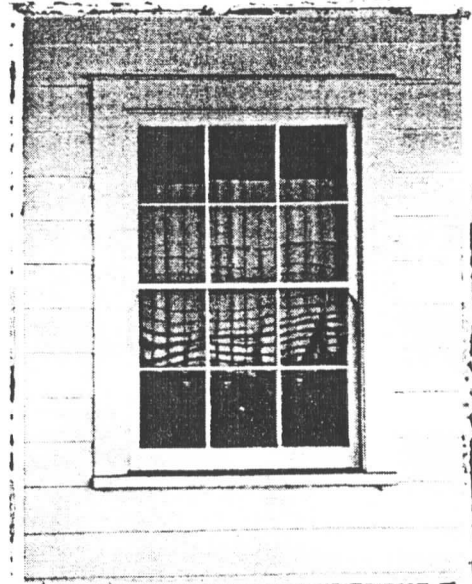
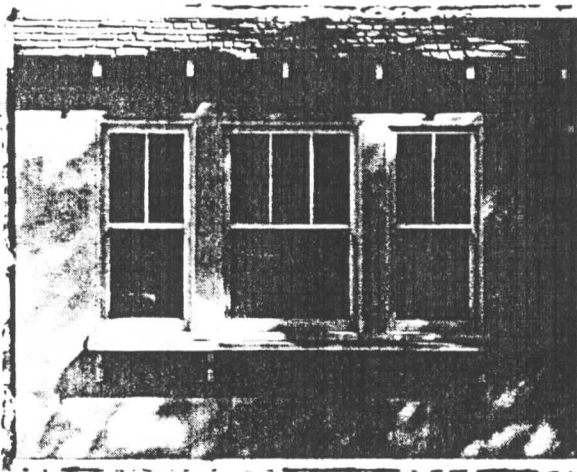
- f) The Spanish/Mission Revival usually has one large vertical fixed window with quatrefoil pattern dividers on the main elevation. Smaller accent, and double hung window can be found on all other elevations. Rounded arches are common to this style, as well as wood and metal casings.



- g) Tudor Revival style houses typically have tall and narrow openings with multiple panes. Brick window sill and header are also very common to this style.



- h) Wood is the principal characteristic of the early Ranch style. Double hung one-over-one light or multi-over-one light windows are found on the front and rear of the house with limited openings on the side elevations. Large window casing and broad sills are also typical elements.



F. Signs

Appropriate signage needs to be accommodated in the neighborhood because of the conversion of the residential buildings to other commercial uses. However, signs need to be in a style compatible with the original residential nature of the District.

All signs must have an appearance, color, size, texture and design which conform to the historic character of the neighborhood. Additionally, the location and/or method of attachment of the sign will be considered.

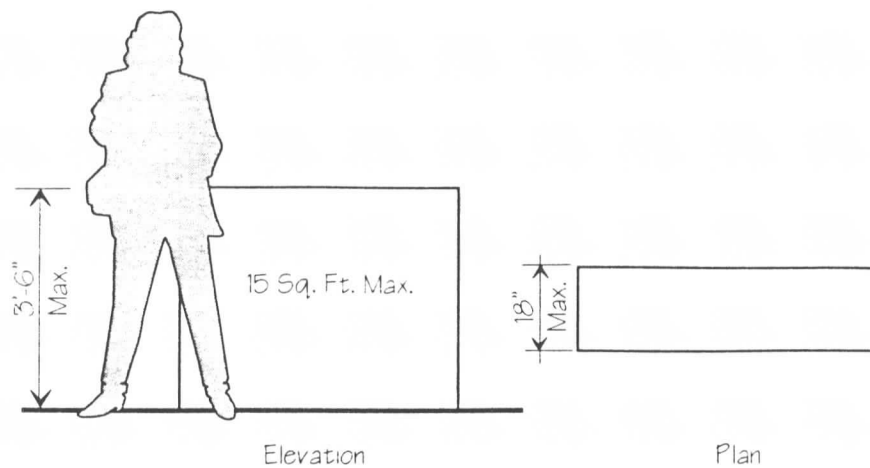
1. Signs permitted in the District (sign designation definition per Title 19A of the Las Vegas Zoning Code):

- a) Wall Signs: Not permitted.

Wall signs are not permitted within the District and include, but are not limited to, window signs temporary or permanent, painted signs, company logos, and roof signs.

b) Monument Signs: Limited.

- i. Maximum area per sign: 15 square feet.
- ii. Maximum number: One monument sign per parcel.
- iii. Maximum Height: Three feet six inches (3'-6").
- iv. Minimum setback: Five feet (5'-0"). In addition, all signs shall be set back from any driveway or street intersection so as not to create a sight restriction.
- v. Additional Standards: The sign must be compatible in design, construction material, color and texture to the architectural style of the building it advertises.
- vi. Illumination: Not permitted
- vii. Certificate: A certificate is required.



c) Freestanding Ground Signs: Not permitted.

d) Building Markers: Limited.

- i. Maximum area per sign: Four square feet.
- ii. Maximum number: One wall marker per building.
- iii. Additional Standards: Building markers are limited to an indication of the name of a building, a date and incidental information about its construction, and record of listing on the National or local Register of Historical Places. The sign shall be cut into a masonry surface or made of bronze or other permanent material.
- iv. Illumination: Not permitted
- v. Certificate: A certificate is required.

G. Exterior Lighting

During the historic period, exterior lighting was provided to illuminate entry and porch areas. Contemporary uses and security needs have expanded the desire for exterior lighting in the area. Modern technology has made it readily available and relatively inexpensive.

The design of exterior lighting involves two elements: the fixture, and the illumination pattern produced by the fixture. As with most historic details, lighting fixtures were designed to complement the design of the structure. Both elements need to be considered to ensure that the lighting is appropriate with the era of the building. The illumination pattern should be functional, but not intrusive on neighbors.

1. Design Characteristics:

- a) The placement of light fixtures and the associated illumination patterns to historic properties shall be undertaken with sensitivity to the property and its neighbors. Original lighting fixtures and illumination patterns shall be retained when at all possible, or duplicated.
- b) Exterior lighting in new construction needs to be sensitively designed. Lighting fixtures shall reflect the style and design of the new building. The illumination pattern of the lighting shall not intrude, but shall complement the building and its surroundings.
- c) The predominant lighting for a property shall be limited to building entrances. Overall ambient lighting of buildings is not permitted.
- d) Parking area lighting shall complement the building architecture and style. New fixtures, which provide outdoor flood lighting will not be permitted.

H. Satellite Dishes and Antennas

Satellite dishes and antennas are incongruous landscape features in a residential historic neighborhood. The size, color, texture and location of the dishes and antennas all contribute to its impact.

1. To lessen the impact of such installations, large satellite dishes, communication antennas, cellular towers, and other large similar devices are prohibited.
2. Small dishes, of eighteen inches or less in diameter, shall be placed in the least visible location on the property. They shall be integrated in the architecture of the building and screened from view by solid construction. When located on the ground, fencing and a screen of plant shall also be provided to lessen the visual impact of the installation.

APPENDIX

Secretary of the Interior Standards for Rehabilitation

The following Standards are to be applied to specific Federally funded rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

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 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 an 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 archaeological 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.

As stated in the definition, the treatment rehabilitation assumes that at least some repair or alteration of the historic building will be needed in order to provide for an efficient contemporary use; however, these repairs and alterations must not damage or destroy materials, features or finishes that are important in defining the building's historic character. For example, certain treatments - if improperly applied - may cause or accelerate physical deterioration of an historic building. This can include using improper repointing or exterior masonry cleaning techniques, or introducing insulation that damages historic fabric. In almost all of these situations, use of these materials and treatments will result in a project that does not meet the Standards. Similarly, exterior additions that duplicate the form, material and detailing of the structure to the extent that they compromise the historic character of the structure will fail to meet the Standards.

HISTORIC AMERICAN BUILDINGS SURVEY
KIEL RANCH
NORTH LAS VEGAS, NEVADA
HABS NO. NV-19

Location: North side of Carey Avenue, between Losee Road and Commerce Street, 200 West Carey Avenue, Parcel #100-330-012 (Latitude 36°12'11.5" Longitude 115°8'9.4"). See Appendix A for legal description.

Dates of Construction:

- A. White House (1911)
- B. Adobe Structure (circa 1856--1872)
- C. Remnant House (unknown)
- D. Foreman's House (1924)
- E. Doll House (circa 1939--1940)
- F. Brown House (1912)
- G. Cinderblock Duplex (1939)
- H. Wooden Duplex (1939)
- I. Livestock Shed (unknown)
- J. Other Structures (modern era)

Present Owner: City of North Las Vegas
2200 Civic Center Drive
North Las Vegas, Nevada 89030

Present Use: Unimproved historic site. The City Council has approved a concept development plan to rehabilitate the White House and to preserve the Adobe Structure and Dollhouse on a three to five acre historic park. The remaining deteriorated structures are scheduled for demolition after completion of the historic recordation. Remaining acreage will be developed for industrial uses. Revenues from the sale and/or lease of the land will assist in rehabilitation of the White House and development of the historic park.

Significance: The Kiel Ranch, established as an "Indian Farm" in 1856 by The Church of Jesus Christ of Latter-day Saints (LDS) missionaries, has reflected the life and times of the Las Vegas Valley, as shown by the following benchmark dates:

1884--Conrad Kiel files original land patent
1901--Sold by Kiel heirs to railroad
1911--John Park purchases and builds mansion
1924--Park sells to industrialist Edward Taylor
1926--1953--Taylor Ranch rented and leased out
1939--Edwin Losee leases for Boulderado Dude Ranch
1953--James Losee purchases to continue dude ranch
1961--Losee sells to developers
1974--Purchased by North Las Vegas
Bicentennial Committee
1976--Donated to City of North Las Vegas

Historian: Phyllis T. Martin
Office of Economic Development
City of North Las Vegas
May, 1988

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City of North Las Vegas

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INTRODUCTION

Kiel Ranch (alternately spelled "Kyle") is a 25.59 acre site located on the north side of Carey Avenue, just west of Losee Road in North Las Vegas, Nevada. The historical significance of the site to the Las Vegas Valley was recognized in 1974 by the City of North Las Vegas Bicentennial Committee. The Committee purchased the ranch in November, 1974, from the Regal Development Company and presented it to the City of North Las Vegas on July 4, 1976, in honor of the nation's 200th birthday. The ranch was entered on the National Register of Historic Places on October 6, 1975.

The City of North Las Vegas has identified a pressing need to evaluate the site. Several of the older buildings have deteriorated to the point of posing a potential risk to public safety, and have been recommended by City inspectors for demolition. Prior to taking any actions which may significantly alter the structures or the site, the City has elected to conduct a Historic American Building Survey Recordation.

HISTORICAL BACKGROUND

Kiel Ranch is located in the 50-mile wide Las Vegas Valley, approximately a mile-and-a-half north of the Las Vegas Ranch, where the historic "Mormon Fort" is located.¹ Prior to the coming of the White Man, the Paiute and Western Shoshone had considered the lands of Nevada, Arizona and Utah their own for generations.²

One of the earliest records of the White Man is in 1829, when the Antonio Armijo Caravan from Santa Fe crossed Southern Nevada on their way to California.³ From 1855 to 1858, The Church of Jesus Christ of Latter-day Saints (LDS) missionaries built a fort, cleared land for cultivation, grew crops and mined lead in the nearby mountains.⁴ From 1850 to 1863, the Las Vegas Valley was part of New Mexico, although the archives of the area have no records of the valley during that time.⁵ In 1863, when the Arizona Territory was created, the Las Vegas Valley was included as a part of Mojave County, Arizona, until December 2, 1865, when Pah-Ute County, Arizona was created. Nevada had become a state in 1864, but it was not until 1866 that Congress passed an act enabling the State of Nevada to acquire Pah-Ute County. In January of 1867, the Nevada legislature passed a resolution accepting Southern Nevada.⁶ The Valley was a part of Lincoln County for over 40 years, from 1867 until 1909, when it became "Clark" County.

During the LDS period (1855--1858), the Kiel Ranch was first settled by the Native Americans under the guidance of the brethren, on Christmas Day, 1855:

In the afternoon, President Bringhurst and Smoot went out and located the Indian farm for the coming season on a little stream 2 miles north of the fort.⁷

The 30 missionaries who had been called to serve at the Las Vegas mission were dedicated in their resolve to teach and "civilize" the Lamanites (Native Americans) and baptized 57 of their numbers during their three year mission.⁸ Various references in the LDS journals indicate that there were between 30--50 Lamanites (depending on the weather, food supply and nomadic habits) camped near the fort at any one time, willing and eager to work for food and provisions, although, the brethren lamented not having enough food to employ them all.

The journal entry for Saturday, January 19, 1856 indicates:

In the afternoon, according to previous appointment, President Bringhurst and a few of the brethren, accompanied the chief PATSEARUMP or Joshua and some other Indians, over to the small creek one and a half miles north of Las Vegas, and laid out some lots for the beginning of an Indian farm. The land was very good and the Indians were much pleased.¹⁰

Over the next two years, the missionaries experienced varying degrees of success in their relations with the Native Americans, with theft of food and livestock by the natives as one of the brethren's primary problems. The missionaries were raising grain, corn, squash and grapes during this period. During 1856, the LDS missionaries farmed over 15 acres on the Indian Farm (later to become the Kiel Ranch) for the Lamanites, laid off an adobe yard at the Indian Farm (September 21, 1856) and established a school for the children at the Las Vegas Mission.¹¹

Finally, after surviving the vagaries of theft and weather, the brethren and Lamanites harvested 40 acres of corn and wheat. Brother Jacob Hamlin wrote, on September 10, 1858, "that the brethren and Indians on Las Vegas had raised forty acres of corn and wheat, but that the mountain Indians had come down and stolen the whole of it."¹²

Coupled with the fact that lead deposits in nearby areas were considered to be too low in yield to be worthwhile developing, the theft of their year-long labors in the fields must have been the last straw for the missionaries:

At a special conference held by the missionaries at Santa Clara on Sunday, September 26, 1858, it was decided that the Las Vegas and Muddy Mission should be dropped for the time being.

The missionaries were called in from the Muddy and Las Vegas Missions on account of the thieving disposition of the Indians at those places.¹³

Three years later, in an article in the Deseret News dated April 3, 1861, published under the caption "The Las Vegas Silver Mines," more than 100 miners were reported at Las Vegas, and it is during this period (1860's), that Octavius Gass, from Mansfield, Ohio, first came to the Las Vegas Valley.¹⁴

The Las Vegas Ranch was offered for sale in an advertisement of Our Dixie Times, published in St. George, Utah on April 15, 1868, ten years after it had been abandoned by the LDS missionaries:

The ranch is 52 miles from the Colorado River. The distance to Callville is 53 miles, the upper settlements on the Muddy 57 miles, Eldorado Canyon 55 miles, Mojave City 120 miles, and Hardyville 114 miles. There is excellent sawing timber in the Charleston Mountains about 25 miles distant. The soil is black, rich loam and will produce any kind of vegetables; there is water to irrigate 400 acres of small grain and range for 3000 head of cattle. O. D. Gass, proprietor.¹⁵

Octavius Gass is reported by author Stanley Paher to have first come to mine at Eldorado Canyon, some 55 miles from Las Vegas, in 1853, and again in 1862; "But during 1865 he relocated at the abandoned Mormon fort in the middle of the Las Vegas Valley."¹⁶

In 1870, the Las Vegas Precinct, Lincoln County, had five registered voters. In 1882, Archibald Stewart took his family to manage the Las Vegas Ranch which he had acquired in 1880 from Gass through default on a loan made in 1879 for \$5,000 in gold.¹⁷

According to Paher, "when Stewart arrived at his ranch, Conrad Kiel still owned a ranch two miles to the northwest. Two years later, in the summer of 1884, Stewart was killed there in a controversial shooting. Three written sources agree that a Las Vegas Ranch employee named (Schyler) Henry shot Stewart near the main ranch house of the Kiel Ranch."¹⁸

Elizabeth Warren, local historian who has an extensive collection on the local history of the Kiel family, reports that the Lincoln County Assessment Rolls for 1882 show that Conrad Kiel owned the Kiel Ranch in 1882 (December 31, 1882, pp. 70--71), although the land patent wasn't filed until 1884. Apparently, Kiel lived with Gass in 1882, until Stewart came to take over his claim. Warren also reports that the Lincoln County Census Taker showed Conrad Kiel lived with Gass at the Las Vegas Ranch in 1875.

According to author Ralph Roske, "On July 13, 1884, at 2:00 p.m., Stewart rode to the nearby Kiel Ranch, which had been started at the site of the Old Indian Farm of 1855. Owner Conrad Kiel had known Gass in Mansfield, Ohio, and had joined him out west. After employment at the Gass Ranch, he had, probably at Gass's suggestion in the 1870s or 1880s, taken over the best vacant water hole and fertile land in the valley. It may be that Kiel had never liked Stewart because he had foreclosed on Kiel's friend, O. D. Gass."¹⁹

The Kiel Ranch maintained a rather shady reputation in the years following the Stewart killing. In writing of the life and times of Helen J. Stewart, Archibald's wife, author Carrie Miller Townley relates:

If Parish enjoyed the reputation of a gunslinger, the reputation of the Kiel Ranch was not much better. It was not uncommon for a rough crowd to congregate there. On December 1, 1894, a man named Gibbons was maimed when the side of his face was shot off during a quarrel over a card game by two men with a price on their heads, Gay and Butcher. Henry Hudson Lee, long time resident of Lincoln County and one-time county recorder, remembered that Jack Longstreet, another gunslinger residing in Lincoln County, was known to hang out frequently at the Kiels. According to Lee, the Kiel family did not enjoy a good reputation; people did not speak well of them.²⁰

On August 11, 1884, Schyler Henry and Conrad Kiel were brought before a Lincoln County Grand Jury about the killing of Archibald Stewart. Since there were no impartial eyewitnesses to the killing, neither Henry nor Kiel were indicted, the general feeling being that since Stewart went after Henry, Henry acted in self-defense.²¹

Conrad Kiel died in 1894, at the age of 85. Warren reports that Edwin had come to the area in 1877. Conrad Kiel's wife, who apparently always lived in Mansfield, Ohio, died in 1899. A year later, in 1900, Edwin's brother, William, came to the ranch, possibly to look after the interests of the other heirs:

On the morning of October 11, [1900]
Frank and Will Stewart drove to the Kiel
Ranch to buy some tobacco and to inform
Ed Kiel that some wagon wheels had arrived
at the railroad station in Manvel. Upon
arriving, they found the front and back
doors of the house open. Through the
doors they saw a man lying on the kitchen
floor. It was Ed Kiel, a pistol lay near
his right hand. Investigating further,
they found William Kiel lying about
thirty feet away across a ditch, his body
partly submerged in the water. A double-²³
barreled shotgun was lying near his feet.

So ended the history of the Kiel family in the Las Vegas Valley. A coroner's jury agreed that Ed Kiel had killed his brother, William, and then committed suicide. At the time of the death of the Kiel brothers, the estate "consisted of one horse, ten head of cattle, some farm implements, sundry store goods, 50 acres of improved agricultural land, and 190 acres of unimproved desert land."²⁴ Warren reports that the coroner's inquest stated clearly that Ed Kiel was lying on the ground behind the kitchen. Warren also states that the Kiels operated a general store on the ranch, but that the post office was at the Las Vegas Ranch (1893).²⁵

Through the years there have been many "stories" that the Kiel brothers were murdered by the Stewarts in revenge for the killing of their father, but such was never proven. In coming to the conclusion that it had been a murder/suicide, the grand jury interpreted the facts as best they could: an unloaded shotgun was found beside William Kiel, who had three gunshot wounds. Ed Kiel had died from a gunshot wound above the right eye. A pistol with four shots recently fired was found beside Ed, thus the jury concluded Ed Kiel had shot his brother three times and then committed suicide.²⁶

In the mid-1970s, when the City of North Las Vegas took possession of the Kiel Ranch, University of Nevada Las Vegas experts exhumed five bodies buried on a nearby portion of the original ranch which was still owned by Regal Development Company (Conrad Kiel, died January, 1894; Mary Latimer, died March, 1894; Edwin and William Kiel, died October, 1900; and an unidentified stillborn infant).²⁷

The following proposed sequence of events were reconstructed by author Ralph Roske based on the newly available forensic evidence from the university experts:

As Edwin Kiel came out of his ranch house--perhaps in response to a call from someone he knew--he was shot, almost in execution style, from behind. This bullet exited from the front rather than the rear, as noted by the coroner's jury. It was a .44- or .45-caliber revolver that took Edwin Kiel's life. His brother William, hearing the shot, ran up, only to be gunned down by at least two shots from a shotgun. The first shot, fired as he ran toward his murderers (there seems to have been at least two involved), hit his right arm as he threw it up reflexively to ward off a blast to his face. A second blast from the shotgun hit William in the head from a different angle.²⁸

In 1901, the Kiel heirs sold the ranch to the Utah, Nevada and California Railroad Co. The Las Vegas Land & Water Co., a subsidiary of the railroad, later sold it in 1911 to John S. Park, who opened the First State Bank of Las Vegas in April, 1905. As a working ranch, "many fruits and vegetables were grown on the Old Kiel Ranch and 'hawked' in the streets and stores of the new settlement, Las Vegas, in the first years of its existence. One early inhabitant's remembrance of Las Vegas was of the large and tasty sweet potatoes grown on the Kiel Ranch."²⁹

The Las Vegas Ranch was held on option by the railroad from 1901 until 1904, when it was sold by Helen Stewart. During the years that the railroad construction was underway (approximately 1902--1904), "the workers sought refuge in the shade at the Kyle (sic) Ranch, . . . where they mingled with prospectors who came in to water their animals."³⁰

The Bullfrog mining district, 120 miles northwest of Las Vegas, near the modern town of Beatty, contributed to the economy of the Las Vegas Valley, providing ready consumers for the produce and beef grown on the ranches as well as freight hauled from the

railhead in Las Vegas to the booming mining camps.³¹ The gold camp of Delamar, just 100 miles to the north, was the largest town at the time, with a population of over 1,000 people.³²

In describing how festive gatherings of the valley pioneers relieved the isolation and boredom, Townley reports that in July, 1894, 50 people "gathered at the Yount Ranch, home of the Harsha Whites, for three days to celebrate the Fourth of July." The settlers came from as far away as one hundred miles.³³ In 1905, in just 11 years, one railroad and a few gold and silver mining towns later, "Las Vegas had about 1500 people who lived in the McWilliams townsite or along Las Vegas Creek in pitched tents, according to the Los Angeles Times."³⁴

Prior to the railroad auction in May of 1905, newcomers to the area could purchase small, inexpensive lots from another enterprising newcomer. In 1904, engineer and surveyor J. T. McWilliams purchased and surveyed 80 acres which he advertised as the "Original Las Vegas Townsite." McWilliams sold land with a low down payment and liberal time payments.

The first train through the valley ran from Salt Lake City on February 5, 1905, and arrived in Los Angeles on February 7.³⁶ On May 15 and 16, 1905, the Las Vegas Land and Water Company, a subsidiary of the San Pedro, Los Angeles & Salt Lake Railroad and the parent Union Pacific Railroad, auctioned off lots in the "Clark townsite" which included an area between Stewart and Garces Avenues and Fifth and Main Streets.³⁷

From a humble beginning, in temporary quarters in Kuhn's mercantile store in May, 1905, the First State Bank "would later become an important part of First Interstate Bank of Nevada."³⁸ John S. Park was manager of the First State Bank for over 20 years. Park's first home was built in town at Fourth and Fremont in 1905. On January 20, 1911, just six years after he had built his first home in town, Park purchased the Kiel Ranch from the Las Vegas Land and Water Company and announced the building of his mansion at the ranch on February 11, 1911.³⁹ Referred to locally as the "White House," the Park mansion is reported to have been one of the first homes "outside the newly-formed town of Las Vegas to have electricity."⁴⁰ In 1926, Park built a second home in town, at 700 E. Charleston Blvd., similar to the White House (Building "A") he had earlier built at Kiel.⁴¹

Clark County officially came into being on July 1, 1909, separating from the unwieldy Lincoln County. The County Seat was also moved in 1909 from Pioche to Las Vegas. In January, 1910, a major setback was experienced by the railroad when nearly a hundred miles of track were washed out from Moapa to Caliente. The population of the area shrank during the months the track was being

repaired, so that the 1910 census showed only 800 residents.⁴²

On March 16, 1911 Nevada Governor Tasker Oddie signed the legislation incorporating the town of Las Vegas, with a mayor and a board of four commissioners as the governing body.⁴³ Throughout the following years, Las Vegas remained "an unimposing desert town surrounded by vast wastes and emptiness."⁴⁴ But new life came into the valley when President Hoover signed the initial appropriation bill on July 3, 1930, for the Boulder Canyon Project Act, for this meant new jobs and a more diversified economy for the residents of the Las Vegas Valley.⁴⁵

The Kiel Ranch was purchased by industrialist Edward M. Taylor in 1924.⁴⁶ Taylor died at the ranch on December 10, 1926, leaving title to his Pennsylvania decedents, who rented out the residences on the ranch from 1926 to 1939. Frank and Zelda Allen, a farming family from Alamo, had moved from the old Stewart Ranch to the Kiel, and apparently lived there during the 15 years it was known as the Taylor Ranch.⁴⁷ "A house, generally known as the Green House [Building "D"], had been built for them near to the reservoir toward the back of the ranch. The Allens raised grain, alfalfa, fruit and vegetables in the well-watered fields and orchards."⁴⁸

The George Craig family, at the invitation of the Taylors, moved from Philadelphia to Kiel Ranch in 1929. Bill Craig, who lived on the ranch as a boy, remembered "the rambling Brown House had four bedrooms and a stove in the living room that was the only source of heat in the winter. Around the house grew lush lilac bushes . . . and two peachcot trees in front of the house . . ."⁴⁹

"From Five Points, where there was a little store, you reached the ranch by the old Tonopah cutoff, a dirt road that ran past the ranch. After the underpass, there was a gate to what we called the back road into the ranch, and that road was lined with poplars." Lombardy poplars also lined the irrigation ditches and giant cottonwoods surrounded the large reservoir.⁵⁰

From 1929 until 1931, Roy and Nellie Martin lived in the Park Mansion while their new home was being readied in town. "Mrs. Nellie Martin, a lovely accomplished woman, was a delightful hostess and an accomplished pianist. The old mellow piano Dr. Martin had acquired for her was moved to the Kyle (sic) Ranch and the big house echoed with music. Elsie Roscoe Thomas, a skilled violinist, and Alta Ham, who had a charming singing voice, gave recitals and concerts. Bridge parties, teas and elegant dinners were regular events. Anyone included in the Las Vegas Social Register of the day visited Kyle (sic) Ranch."⁵¹

In 1936, Harry and Grace Read moved into the Allen House (Building "D"); Frank and Zelda Allen were living in the White House (Building "A"), Gerald and Cecile Crowe were occupying the Brown House (Building "F") and world-champion bulldogger Dave Campbell and his wife Ann lived in the adobe structure (Building "B").⁵²

In a personal interview about the days she lived on the ranch, Grace Read (Read City Drugstore) reported that "Dave Campbell was responsible for the roping arena. He needed it to keep in practice and his wife used to time him." And on Sundays, "all the local rodeo enthusiasts would gather and put on quite an exciting show for the ranch residents and their Sunday guests."⁵³

In 1931, residents of the North Town area formed a town board under the Clark County Commission. A great deal of debate took place over the naming of the new township, with "North Las Vegas" winning out over "Vegas Verdes." 1932 saw a federal post office and voting precinct established for "North Las Vegas."⁵⁴

In 1939, another era for the Kiel Ranch began when Edwin Losee leased the ranch from the Taylors and named it the Boulderado Dude Ranch. According to Georgia Lewis, Losee began an extensive remodeling and building project:

Bathroom facilities were put into the ancient adobe, and the cellar below it, which had been used as a winery, was made into another tiny guest room. Even an old storeroom at the back of the "Brown House" (or Willow House) was imaginatively converted into a tiny house called Spring Wheel Cottage. This was directly opposite a colorful water wheel Losee put up in the creek which still bubbled through the ranch.

Two new buildings, both duplexes, were added to the ranch and named Sunrise Cottages. One was built of white brick. The other, made of wood, was converted from an old schoolhouse that Losee had bought for \$900.⁵⁵

During its transition into a dude ranch, Kiel took on an air of glamour not seen before or since. With the liberal Nevada divorce laws of the 1940's, the rich and famous now had a discreet hideaway while they established the minimal residency requirements:

Guests were wealthy and, generally, seeking to untie the marriage knot. Cornelius Vanderbilt, industrialist E.E. Harriman, famed psychiatrist

Dr. Lawson Lowrey, columnist Art Hoppe, Alden Hatch, the writer, film stars George Montgomery, Mickey Rooney and Martha Vickers, movie director M. Jerosi, actress and writer Ilka Chase were just a few of the celebrities. As the fame of the Boulderado grew several European noblemen signed the guest register. The Losees coped admirably with this heterogeneous group of people, although life at the ranch was constantly frenetic. Bett and Catt, charming hostesses, listened sympathetically to the troubles of the guests. But they also saw that the Boulderado offered a constant round of activities to keep the guests from dwelling on their divorce woes.

Outings to the Valley of Fire, Mount Charleston and to Lake Mead were offered. Evenings at Strip shows, moonlight rides, picnics and barbecues at the pool, swim parties and contests, badminton, horseshoe pitching, ping-pong, archery and of course horseback riding were daily events.⁵⁶

The glamour of those years didn't last, however, with the rapid construction of hotel/casinos that were able to provide even more privacy, wrapped in the glitz and glitter of ever-bigger and better establishments (El Rancho, 1941; The Last Frontier, 1942; Golden Nugget, 1946; Eldorado Club, 1946; Flamingo, 1947; Players Club, 1947; Club Bingo, 1947; Thunderbird, 1948; Desert Inn, 1950). Also, the 1950's saw more liberalization of divorce laws throughout the United States.

In 1940, Clark County had a population of 16,144; in 1950 it had grown to 48,289 (127,016 in 1960; 273,288 in 1970; 461,816 in 1980). On May 16, 1946, the City of North Las Vegas incorporated as a unique and separate entity, with a population of 2,875 and an area of 2.5 square miles.⁵⁷ In its first year of operation, the city had a budget of \$57,000 and nine employees. By 1950, the population had increased to 3,875 (18,422 in 1960; 36,216 in 1970; 42,739 in 1980).⁵⁸ By 1988, at the time of this recordation, the size of the City of North Las Vegas has grown from the original 2.5 miles to 54.11 square miles.

In the mid-1950's, the Losees sold the Boulderado Ranch (Kiel Ranch) to developers, with parts of the 200+ acres being sold off piece-by-bit until the remaining 25.59 acre plot and structures were purchased in 1974 by the North Las Vegas Bicentennial Committee. The Kiel Ranch was presented to the City of North Las Vegas

by the committee on July 4, 1976, to mark the 200th anniversary of the nation's legal creation.⁵⁹

The history and use of the Kiel Ranch has reflected the history of the Las Vegas Valley--established as a Lamanite (Native American) Farm under the guidance of the LDS missionaries; then taken over by pioneer Conrad Kiel and his sons; after mysterious murders, sold to the railroad; sold by the railroad to a banker who cultivated the already fertile fields for produce; sold to an industrialist who died on the ranch; rented out to locals and farmed by the absentee heirs/landlords for several years; leased and then sold to the Losees who developed the site as a "dude" ranch for divorce-seekers; then purchased by developers who sold off most of the original 240 acres for both industrial and residential development. Today, the remaining 25-acre tract of the Kiel Ranch is surrounded--to the north and south by industrial buildings, to the east by industrial buildings, roads, a railroad and a freeway (Interstate-15), and to the west by a residential development.

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