

# Resource Team Report for Northampton, Massachusetts

National Main Street Center  
National Trust for Historic Preservation

Acknowledgements:

This report is the result of observations and recommendations of the NMSC Resource Panel which met in Northampton, Massachusetts, October 12-15, 1981. Panel members were:

Charles Gardner, President, State Street Council, Inc. of Chicago, IL. Mr. Gardner is executive officer of the management and promotional organization responsible for the State Street Mall area in Chicago. Before joining the State Street Council, Mr. Gardner was a Senior Marketing Vice President of Sears, Roebuck and Company. He is a Certified Industrial Developer, and consults in retail development and management practices.

Richard Hangen, Vanasse-Hangen Associates, Inc. of Boston, traffic planning and engineering consultants. Mr. Hangen is a professional traffic engineer whose firm works principally with private-sector clients.

Carolyn Howell, assistant director, Massachusetts Main Street Program, Executive Office of Communities and Development. Ms. Howell is also writer/editor of the Massachusetts Main Street Newsletter.

Frances Hundt, urban designers with Venturi, Rauch, and Scott Brown, Architects and Planners of Philadelphia, PA. Mrs. Hundt has been involved in major preservation/economic development studies for downtown areas in Jim Thorpe, PA., and Princeton, NJ.

Tom Moriarity, program associate, National Main Street Center, National Trust for Historic Preservation, panel leader. Mr. Moriarity was a Main Street project manager in Madison, Indiana, one of the three original Main Street demonstration communities.

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## INTRODUCTION

When the Main Street communities were selected for the Massachusetts program by the Executive Office of Communities and Development, similarities as well as some major differences between them were immediately evident. All of them have much to offer in architectural quality, but considering relative levels of economic and physical decline, Northampton clearly emerges as the city in the healthiest condition.

The Main Street Project has approached downtown revitalization in a comprehensive way, stressing the need for centralized management of the four components--organization, promotion, design, and economic restructuring, and Northampton has had considerable success in each of four areas.

### Organization

The private sector organizational structure of the downtown has been improved through the efforts of the Downtown Business Association within the Chamber of Commerce, and the Northampton Development Corporation which has undertaken the Hotel Northampton renovation project. On the public side, city government has taken a major role in long range planning, application for and administration of grants, cooperation on projects like the hotel, and sponsorship of the project manager's position in City Hall.

### Promotion

Although we did not see evidence of a broad promotional program for the downtown at the time of the Resource Panel, the subsequent creation of a year-long calendar of events, holidays and special sales is a good beginning. The tourists who visit Northampton are attracted principally by activities at area colleges or the fall foliage. They provide a substantial amount of visitor income to the downtown, and while there may be a hotel room shortage now, the completion of the Hotel Northampton renovation should fill the gap, allowing room for expansion of the local tourist economy.

### Design

Northampton has a collection of beautiful downtown buildings of all sorts, placed in a setting that other places would envy. The downtown is neat, well-kept, and attractive. With a few exceptions, downtown Northampton possesses most of the visual design qualities that create an outstanding physical context.

### Economic Restructuring

Restructuring of the downtown economy was already well underway before the Main Street Project began. Apartment and office conversions on upper floors have been constructed in response to the local and regional market demand, and the results are outstanding both in quality and quantity; 95% occupancy of upper floors leaves little room for improvement. The retail and services mix has broadened considerably in the

last 8-10 years with dozens of new restaurants, specialty shops and offices locating in the central business district. Northampton is becoming the entertainment center of the region, with its cultural events and theaters, and the clubs, restaurants and coffee shops that help create a lively nightlife downtown.

With all of these positive attributes, it might be asked why Northampton needs a Main Street Project. The downtown is crowded both in the daytime and at night. Stores are making money, and the primary trade area has a stable economic base in the colleges and universities nearby. But Northampton does need a downtown project for two reasons: first of all, despite all of the accomplishments in the four areas mentioned above, there has never been an overall, comprehensive program that tied together the interests of the city government, developers, downtown property owners and merchants. Unless such an approach is developed, it will be difficult to maintain the quality and standards of past successes. Everyone should be aware of the direction that downtown is taking and should share in the process of carrying out mutually beneficial efforts. Second, as aesthetically pleasing and economically sound as Northampton is now, there are a few areas for improvement that could enhance the downtown area even more, and help it to reach its full potential as a commercial center.

With this in mind, it should be said that while many other Main Street communities will require a great deal of work to revitalize their downtowns, Northampton is already vital. We see the Main Street Project's role as refining the town's already good existing conditions, rather than trying to recreate lost qualities.

In earlier discussions with local leaders, it was determined that Northampton wanted assistance from the Resource Team in three areas:

- urban design issues, principally analyzing the gateways to downtown; this topic was addressed by Francis Hundt
- traffic circulation problems which were analyzed by Richard Hangen
- downtown commercial sector analysis, with special attention to improving management and marketing approaches; this was undertaken by Charles Gardner.

Their observations and recommended courses of action are outlined in this report.

Throughout the Resource Panel visit we were aware of differences in opinion about Northampton that manifested themselves in several ways. Some merchants indicated that there is a lack of cooperation between the established retailers who have been in business downtown for years and the newer "upstart" businesses who have changed the nature of the downtown with their fashionable specialty shops and restaurants. Others suggested that Northampton is a city with a split personality; one side is intellectual and academic and more closely affiliated with area colleges and universities; while

the other side is the "working class" whose families left farming in the area and worked in the factories, printing shops and other industries that encouraged the city's earlier prosperity. One resident said that there are two separate lifestyles in Northampton--the young and the old--and that they cannot readily mix.

It was our impression that these diverse views indicate a broader condition--that of change and transition. Northampton is going through some "growing pains" whereby the old way of doing things will naturally give way to newer approaches. We did not see this change as one of radical proportion or of genuine conflict between the different groups affected by it. If anything, the willingness of residents to have and express concern about the future of the downtown is an asset rather than a liability. It was clear in our discussions that, however far apart opinions might have been, the motive for everyone was a sincere caring attitude about Northampton's rare mix of buildings, setting, and creative energy which combine to create a remarkable quality of life. This concerned attitude is essential since it encourages involvement in the resolution of issues; towns that are lacking in either concern or involvement have serious problems. We believe the presence of both in Northampton assures that downtown will come out of this period of transition stronger than ever before.

#### URBAN DESIGN ISSUES

The overall visual image of Northampton is very good. The fine architecture and picturesque street layout create a very pleasing downtown area. There are no serious design problems affecting the downtown; therefore no drastic actions are necessary to improve it. The challenge for the designer and planner then is to make only those recommendations that will enhance Northampton while blending into the background. A heavy-handed approach would not only be inappropriate, it could also destroy the very qualities that make the downtown a visually interesting and vibrant place.

The recommendations which follow address two tasks: an evaluation of the gateways into downtown Northampton from the south Via Conz and Old South Streets with suggestions for improving them, and an examination of the "back" of Main Street, the rear of the buildings visible from the parking area between Old South and Pleasant Streets and suggestions for ways to improve the connection to Main. The consistent purpose in all of these recommendations is to suggest "fine-tuning" improvements rather than radical change, and ideas that can actually be carried out rather than plans that cannot be easily realized.

##### Gateways To Main Street

The "gateway" streets to the Main Street area can serve two important purposes. Functionally they should identify a route of arrival that is clear and understandable, and give a sense of the destination--the downtown. Aesthetically these gateway

streets should reinforce the image of Northampton's beautiful downtown area and reflect its significance as the heart of the city. To explain the psychological importance of this transition to visitors, Frances Hundt drew the following analogy:

"Imagine that you are on the way to what you have heard is a magnificent house, one you have never visited before. To get to the house you proceed up a long, untended driveway that is lined with weeds and overgrown banks. There are cracks in the road and the trees are neglected. You begin to wonder if you are really going to the right place. You arrive, not at the front but at the service entrance. Finally continuing around, you arrive at the front of a lovely gracious place, but the effort getting there was not a good preparation for the final destination."

This description parallels the transition from other areas of the city into downtown Northampton in several ways."

Entrance from the Freeway: Most visitors begin their arrival sequence to Northampton when they exit Route 91 from the South and follow Route 5 into town. For those who have not been into Northampton before, this intersection does not give a clear picture of what is in the downtown. At the time of the Resource Panel, one sign at the exit ramp advertised a nearby shopping mall and another promoted the Northampton Hotel. Nothing else announced the proximity of downtown.

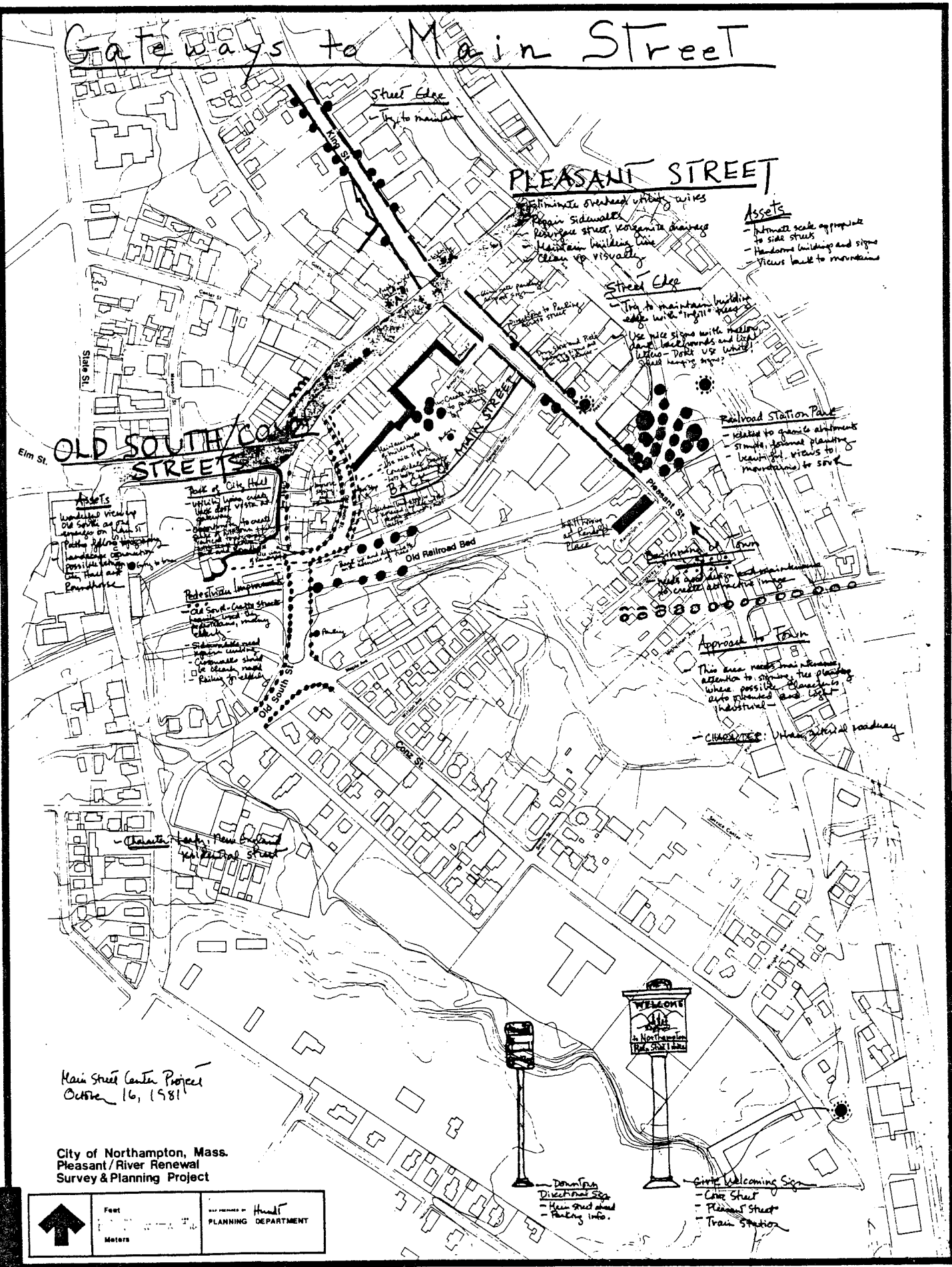
There are several ways to improve this situation. Ideally, if the billboards were removed and some selective tree cutting were done, a dramatic vista to the Holyoke Mountains would be opened up, giving a sense of Northampton's setting as part of the transition from Route 91 into the downtown. A smaller, well-designed sign should be placed further around the exit ramp to welcome visitors and direct them into the downtown.

A second alternative would be to work with the Hotel Northampton to use its billboard to promote the hotel in its larger setting. Frances Hundt suggested that the billboard could be a pictorial view of the hotel prominently placed within the downtown; the downtown view should be nestled into its hillside setting, a bird's-eye perspective that was popular in many 19th century town maps.

If neither of these alternatives is possible, at least a representational marker directing people to downtown Northampton should be placed. The marker is described later in this report, (see Appendix A) and should be consistent with others used in the downtown area.

Approach from the North: Driving south along I-91, visitors are afforded a view of Northampton before they reach the exit. This beautiful glimpse gives a sense of the special context as a "city in the hills," and a prelude to what they will see when they arrive. This clear impression of destination is a positive asset, and should be weighed in future considerations of new development along the route.

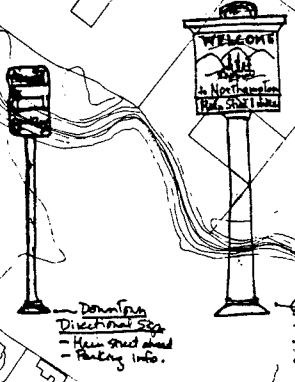
# Gateways to Main Street



Main Street Center Project  
October 16, 1981

City of Northampton, Mass.  
Pleasant/River Renewal  
Survey & Planning Project

↑	Feet		Prepared by: <b>Hunt</b> PLANNING DEPARTMENT
	Meters		



Directional Sign  
- Main Street ahead  
- Pleasant Info.

City Welcome Sign  
- Love Street  
- Pleasant Street  
- Train Station



Pleasant Street: Pleasant Street is the principal entrance corridor into the downtown and also is the major commercial street next to Main Street. If the entire route is considered from I-91 to King Street and on into downtown Northampton, Pleasant Street proceeds in identifiable stages, from arterial highway to commercial strip to semi-industrial/auto-oriented commercial to the nineteenth-century brick commercial buildings adjacent to Main. This changing character should be used to better reflect and introduce the qualities of the downtown area as the visitor gets closer to the central business district. Perceptually and functionally, Pleasant Street should remain a changing, but still intimate, side street which serves as a complementary alternative commercial area when compared to Main Street. These different (but highly complementary) characteristics of narrow vs. broad streets, and "secondary" vs. "primary" retail/professional activities should not be ignored or diminished. Rather, they should be viewed as assets in the planning process for encouraging re-use, rehabilitation and public improvements. These complementary qualities add dimension and variety to the downtown.

#### Assets of the Pleasant Street Corridor

- Good sound buildings, generally well-maintained, near the CBD. Their uses are diverse and because rental rates are lower than on Main Street, they provide a vital "incubator" commercial area for new business that cannot otherwise afford the higher overhead of Main Street locations.
- The narrow intimate scale of the street and sidewalks appropriate as a contrast to Main Street helps to establish the character of a secondary commercial street.
- A variety of signs that are well designed and maintained are present, particularly closer to downtown.
- A handsome vista of the mountains is visible to the east.
- There is no serious traffic congestion; at midday, traffic volume is only moderate.

#### Problems on Pleasant Street

- There is a cluttered confusion of public directional signs. At the I-91 exit, the route to downtown is not well marked. Near the intersection at Main Street there is a confusing mass of highway signs directing the driver toward Easthampton and Holyoke; there is also a lack of parking lot directional signs on the street.
- There is no "advance warning" and no clear indication that the visitor has arrived at Main Street, the heart of town. Although the institutional buildings across the street are imposing in size and detail, they are not

well marked nor are they lighted at night to attract motorists' attention. The Hotel Northampton is much more prominent, leading the eye beyond Main. While it does serve as a visual terminus for Pleasant Street, it also creates the possibility that a visitor will drive across Main without ever realizing that the downtown is there.

- Overhead wires in the vicinity of downtown give a "back street" appearance to Pleasant Street, making the street seem more narrow and less appealing than it really is.
- The area of transition on lower Pleasant Street, where the light industrial buildings merge with brick commercial structures, is poorly maintained, both buildings and right-of-way, and presents a shabby image for the principal access route to Northampton.

#### Recommendations for Pleasant Street

These suggestions are small-scaled and intended to improve visitor orientation and visual appeal of the Pleasant Street corridor.

1. Signs are needed to alert visitors and to help create a phased approach to downtown. "Welcome" signs should be placed at key points on the way to town: at the Interstate exit, at the intersection of Pleasant and Conz Streets and one block from Main on Pleasant Street. These welcoming and informational signs should be distinctive in design in order to reinforce the quality image of Northampton (see section on Signs, Appendix A) for a suggested design example.
2. Lower Pleasant Street: There is nothing wrong with the function of lower Pleasant Street as an automobile oriented commercial area; if anything, its different character serves to emphasize the beauty and pedestrian oriented nature of both Pleasant and Main Streets in the CBD. However, lower Pleasant need not be as shabby and unattractive as it now appears. A clean-up/fix-up campaign for the area should be undertaken and should stress landscaping and improvement of right-of-way and parking areas along that section of the corridor, clean-up and repainting of neglected buildings, and improvement of the quality of the area's signs.

Trees: To relieve the drabness of lower Pleasant Street, trees should be planted wherever possible--in yards, vacant lots and on the building side of sidewalks. These trees should be large and canopy-shaped to soften the man-made character of the street and to provide leafy shade and texture during the warmer months. The Resource Team suggested Norway Maples along the sidewalks, and sugar maples in yards. While these tree varieties would be appropriate in growth rate, shape, texture, and

particularly drama of a fall foliage, other varieties with similar characteristics would also be acceptable. The city may wish to call a meeting of property owners to discuss such a tree planting program. By having property owners buy and plant trees cooperatively through the city, the individual cost would be lower and city government would not have to bear the cost of the landscaping.

3. Upper Pleasant Street: The section of Pleasant described here begins just below the old Railroad Station at the point where the street bends. Two opportunities for improvement exist there on the raised areas that were the banks of the Railroad Bridge. At the time of the Resource Panel visit this high ground was overgrown and used as a pedestrian walkway, but at the top there are beautiful views of the mountains toward the south. If these two raised banks were landscaped, they could be used by more people and serve as a symbolic "marker" to indicate the approach to the downtown. On the opposite side of the street, a prime site exists for infill housing opposite Randolph Place. The location is underutilized considering its proximity to downtown and the strong market for housing.

Trees: Along this inner corridor closest to the downtown, trees should be planted where gaps occur in the buildings and in front of buildings set back from the sidewalk in order to reinforce the line of the block front. While the building line/sidewalk relationship is tight in this area, it loosens again beyond the Hotel Northampton, broadening into a highway. Tree planting would be very helpful along this portion of the street to more clearly define a sense of town identity for Northampton in the blocks north of the Hotel.

4. Burying Utility Wires: The city should seek opportunities to place utility wires underground wherever possible. By adopting this as a goal and coordinating the management of public works projects, burying wires can be done in conjunction with other improvements. For example, the planned improvements to the sewer system should provide an opportunity to bury the cables as well as resurface the street and repair the curb and sidewalks.
5. Lighting: To draw the attention of motorists at night, the institutional buildings on the north side of Main at Pleasant Street should be specially lighted during the evening hours.
6. Highway Signs: There are too many highway directional signs near the southeast corner of the Main and Pleasant Street intersection. Repetitive or unnecessary signs should be removed, and the overall number of signs reduced.

Conz/Old South Streets: The character of both Conz and Old South streets differs from the more industrial/automobile oriented Pleasant Street Corridor. Both approaches into town reinforce the atmosphere of a beautiful New England setting, with grassy

lawns and canopies of trees lining the streets. This residential character changes at the immediate approach to downtown when the "back of Main Street" becomes visible at the intersection of Conz and Old South. Rounding the bend in the road, drivers see a dramatic rear bank of buildings on Main between Old South and Pleasant Streets. This view clearly establishes that one is approaching "downtown" and that the center of activity lies just on the other side.

Both streets carry heavy pedestrian traffic as well. Many of those pedestrians are elderly, coming from surrounding neighborhoods and the Joseph McDonald House. Thus, the relationship between cars and people is more critical here than at other major entries into the downtown.

#### Assets of the Conz/Old South Streets Corridor

- The very attractive "New England town" atmosphere created by the lawns and houses in the residential areas of each street.
- The dramatic arrival at Main Street due to the grade change and the configuration of the back of the commercial blocks.
- Good sense of the hillside topography of Northampton created by curving approach routes and changing elevations.

#### Problems along Conz/Old South Streets

- Lack of adequate directional signs to lead visitors into the downtown, and particularly to direct them into public parking lots.
- A treacherous point of conflict between vehicles and pedestrians at the intersection of Old South Street, Crafts Avenue, and Hampton Avenue.
- Poor maintenance and lack of pedestrian amenities (particularly sidewalks and curbs) just below Main.
- Visual clutter caused by overhanging utility wires crossing Crafts Avenue and along the potentially beautiful hillside below City Hall near the Roundhouse.

### Recommendations

1. Place parking lot signs more conspicuously to direct motorists into park. A suggested design for the signs is in the appendix.
2. Create separation between pedestrian and vehicular areas with curb and sidewalk installations between the McDonald House and Main Street (see Traffic Improvements section). A handrail should be installed along the steepest parts of the sidewalk to help elderly pedestrians climb the Crafts Avenue hill up to Main Street.
3. Improve the area behind City Hall to take full advantage of the grade change. Landscaping this area will help to create a critical link between City Hall, Pulaski Park beside Memorial Hall, and the proposed Roundhouse development.

The "BACK OF MAIN STREET": As an urban design element in Northampton, the area behind the block between Old South and Pleasant Streets is highly significant. Visually, the dramatic wall of buildings creates a terminus for the vast open space of the parking lot and a symbolic notice that the motorist has arrived downtown. Functionally however, because this wall is unbroken and at-grade is about twelve feet lower than the Main Street side, the parking lot becomes a parallel circulation area without a discernable connection to Main Street. This is a major factor that discourages easy customer access from the large parking lot south of Main Street off Brewster Court into the downtown businesses. It is not possible to enter most of them through the rear of the building, and even an entrance as logical as Thorne's is not as "attractive" (in the sense of drawing people effectively) as it should be.

This area is certain to change both functionally and visually. The relocation of the Peter Pan Bus Station and possible erection of the proposed Garden Center store would alter both the accessibility and efficiency of the parking areas.

### Assets of the Back of Main Street

- The scale and height of the building wall perceptually reduce the vastness of the parking lot; it does not seem as large as it is because the eye is drawn to the mass of structures.
- The buildings individually offer real potential for improvement and architectural interest through better maintenance. They are appealing in their materials and detailing.
- The opportunity exists through reorganization of circulation patterns to create a strong secondary circulation and activity area in the lot. At present it is an accidental (and rather confusing) secondary route for through traffic.

### Problems

- There is a lack of owner cooperation between the property owners of the various parcels that make up the lot. Better coordination of both available space and future expenditures is needed.
- The parking areas in the lot are unrelated, largely disorganized, poorly marked, and in several spots badly maintained.
- The rear of the buildings have not been maintained as well as have the Main Street facades. Although this is a secondary area, it is still part of the face of Main Street. Store signs are not effectively used to identify the businesses in the buildings.
- Trash collection receptacles are too conspicuous. Centralized dumpsters and screened collection areas would help.
- The electrical transformer near the rear entrance of Thorne's Marketplace detracts from the store's appearance and should be relocated.
- The lot is essentially a "sea of asphalt" and should be broken up and softened by extensive tree planting and carefully placed landscaping.

### Recommendations for the Back of Main Street

Many of the following recommendations are based on ideas in the 1981 Martin and Mullin study of parking areas and circulation routes downtown. The study is particularly well thought out in its pedestrian circulation analysis and phasing of the stages of implementation. We strongly recommend that the city examine the study as a planning tool for implementation.

1. Initiate a concerted effort to persuade building owners to clean up the areas behind their buildings and repair and repaint the buildings themselves.
2. Consolidate garbage collection areas and screen the dumpsters through fencing and landscaping.
3. Reorganization and redesign of the parking lot should not create a second "street" that would encourage high speed auto traffic to pass through. The through-link from Armory Street to Old South should be designed to encourage pedestrians, not cars; any vehicles on the lot should be slow-moving with parking as the objective, not shooting through the lot to by-pass Main Street.
4. We believe that the proposed Garden Center project could be a real asset to the parking lot area, but recommend that it be located on the south edge of the lot. Ideally the structure should orient itself principally toward the street, with limited duplication of vehicle circulation adjacent to the larger lot. A building constructed in the center with parking

would not reinforce the effective use of Hampton Avenue, and is likely to prevent the maximum efficiency of the overall parking area. The side of the building facing the interior of the lot could work well as a pedestrian-oriented commercial structure with outdoor plants and other displays drawing customers from the center of the parking area.

5. More landscaping is needed on the parking lot to improve pedestrian amenity, break up the expanse of the lot, and make a visual connection to the undeveloped land near the Roundhouse. These trees should be of a broad-canopied deciduous variety like the Norway Maple and should be large enough to be significantly noticeable. A few large trees located in the lot would be better than planting a large number of small spindly trees that would have little visual impact. Though the overall impression should be one of informality, we suggest that the pedestrian link to Pleasant Street along Armory be reinforced by creating a vista with a row of trees planted among the spaces along the circulation route. It is possible that several parking spaces may need to be sacrificed, but the improved appearance justifies the loss. The trees would provide a welcome intermediary scale element between the pedestrians and the buildings.

The relationship with the Roundhouse development should also be carried through the landscaping. Ideally parking for the Roundhouse should be kept away from the building so that a clear view (softened by plantings) is possible from Old South and the parking lot. Trees help pedestrians understand that a vehicular area like a parking lot is intended for people too. This "pedestrian connection" will make their time on the parking lot less harsh, and would integrate the lot visually into its setting. To complete the concept, a more formal line of trees should be planted on the north side of the lot along Hampton Avenue and along the other street edges to delineate and visually enclose the lot.

#### General Recommendations

Priorities for Improvement: The following are short-term priority items for improvement; responsibility for carrying them out belongs in the public sector.

1. Improve intersections and sidewalks where conflicts occur between pedestrians and vehicles; sidewalks should also be improved to increase pedestrian safety, enjoyment (landscaping) and particularly for the elderly (proper surface paving materials, handrails where necessary).
2. Coordinate efforts to improve sidewalk areas on Pleasant Street in conjunction with street paving and the sewer improvement project.

3. Exercise proper land-use controls so that when the Peter Pan Bus Company station is relocated, it is not replaced by a new use that will generate heavy automobile traffic at that intersection.
4. Carry out a coordinated plan for design and placement of a range of "public" signs--civic, directional, parking and interpretive (see Appendix A).

#### Downtown Design Suggestions

1. Raised planters should not be used. Generally difficult to maintain, they are usually poorly designed, made of materials that are not durable, and are natural garbage collectors.
2. Railroad ties are not part of the formal vocabulary of the city and their use should be avoided in the heart of downtown. The obvious exception where they would be acceptable is the area next to the Railroad trestle.
3. Trees can be used to create pools of shade for pedestrians, to reinforce the building line when a gap exists in a row, and to soften the expanse of parking areas and delineate their edges. Too often, planting plans for commercial streets adopt a rigid, overly formalized scheme that becomes uninteresting in its lack of variety. By all means, plant street trees, but remember to be selective in placement and variety and plant large enough trees so that they can be seen and enjoyed. Spindly saplings (less than fifteen feet tall) will not really add much to the atmosphere of downtown for ten to fifteen years.
4. While banners can add a great splash of color and movement for special occasions and festivals, they can look overly commercialized and tatty if left up year round. Part of their value is that of a temporary addition to downtown. They should look bright and new, or not be used at all.
5. Promote the use of an appropriate range of colors for downtown's painted commercial buildings based on historical paint colors of the late nineteenth century. Hues that are rich and muted generally are most suitable. Unpainted masonry walls should not be painted since painting creates a continuing maintenance responsibility in the future; but if a wall surface is to be painted, a color should be chosen which corresponds to the stone or masonry it covers. Dark shades and warm hues conform to the rich colors applied to 19th century commercial and institutional architecture. Trim colors should usually be versions of the color of the wall surface or similar to it in value. Typically, each combination of colors represents a wall color and two trim colors, using the major trim color for larger architectural elements like doors, window frames and



architectural elements like doors, window frames and cornices. The minor trim color should be used for small details such as window sash and ornamental highlights. Primary colors may be appropriate for certain signs, but are not in keeping with the architectural styles of most buildings in Northampton. An excellent resource for specific color combinations for trim and wall surfaces is the book, Exterior Decoration: Victorian Colors for Victorian Houses, published in 1976 by the Athenaeum of Philadelphia. The colors recommended in the book are historically researched and offer a good selection of authentic color schemes appropriate for Northampton.

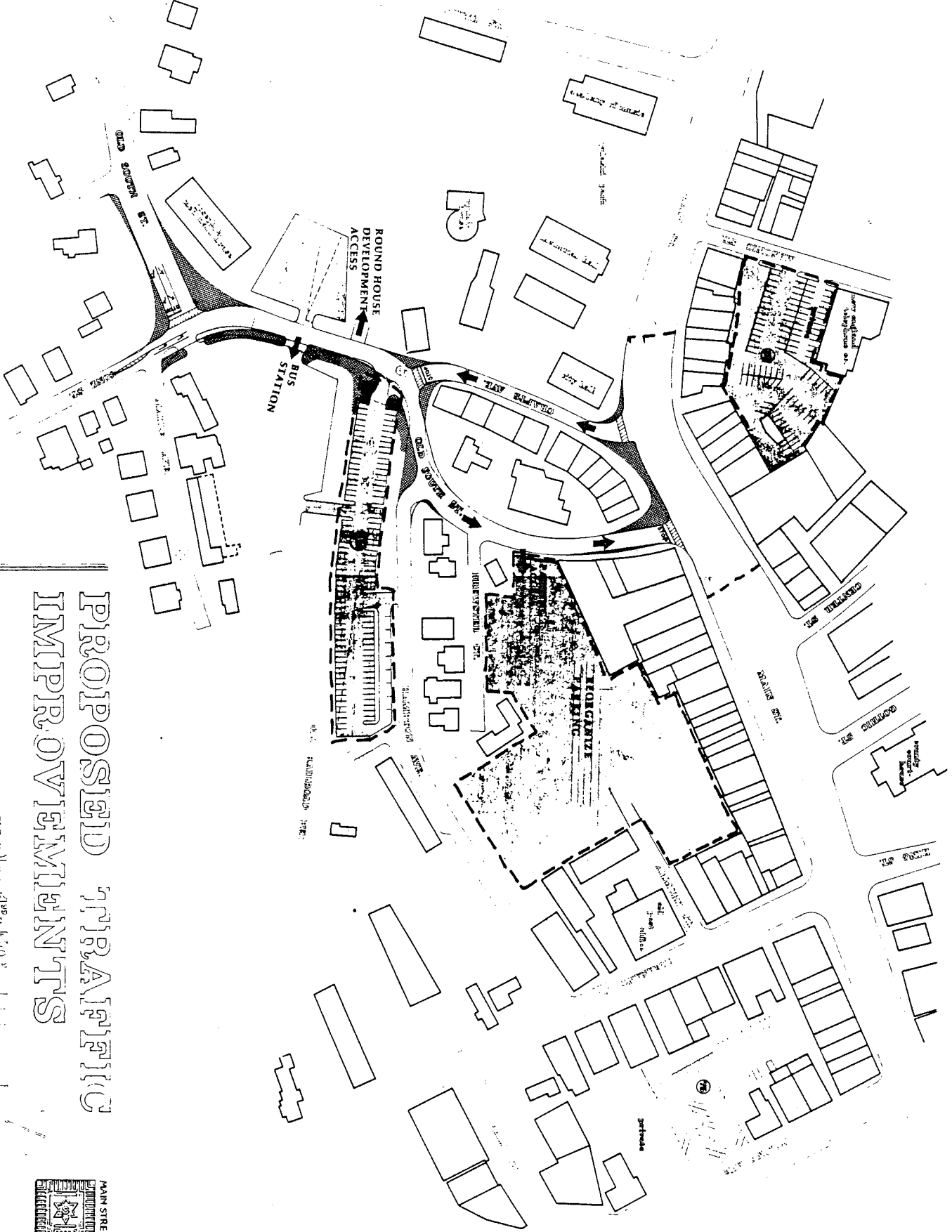
### TRAFFIC IMPROVEMENTS

Northampton has a remarkable number of pedestrians. Many factors have created the conditions: the proximity of Smith College and other colleges in the region, nearby housing for elderly people who may not have cars, as well as the unusual density of housing in and around the downtown. All of the factors bring activity and people to the central business district throughout the daytime business hours and into the evening. Because so many people are there, it is understandable that a number of conflict points exist between pedestrians and vehicles.

The traffic patterns on Northampton's major downtown commercial streets are confusing; it is not clear to drivers what their options are because too many options exist. This confusion can be largely eliminated through the proposed traffic improvements suggested by Richard Hagen. Extension of curb lines and widening of sidewalks at key points will increase the areas that are obviously for pedestrians, and will reduce the amount of space that is now street surface. By delineating the traffic lanes better, the number of options for cars will be reduced and they will slow down; anticipation of their movements will be easier for pedestrians and the overall level of conflict will be lessened.

This clarification of traffic routes, called "channelization", can offer a relatively low cost means of improving the downtown's efficiency and safety for both vehicles and people. Specific suggestions are listed below (see map for locations):

- The very wide intersection of Old South and Conz Street causes problems for elderly persons trying to cross over to the Minit Mart. We recommend that the shape of the corner be changed by constructing a large curb extension on each side of Old South. A 90 degree corner is much safer for cars and pedestrians, and the narrower street would be easier for residents of McDonald House to cross. The crosswalk should be clearly marked, like those painted so effectively last year on Main Street.
- Traffic lanes should also be marked to establish right-turn and left-turn only lanes inbound on Old South. In addition, a left-turn only lane should be created to allow cars to turn from Conz Street onto Old South.



# PROPOSED TRAFFIC IMPROVEMENTS

Scale: 1" = 50'

Northampton, Massachusetts  
 Office of Planning & Development  
 Consultant  
 Richard Hansen



- We propose that Old South/Conz Street from Maple Avenue to Hampton Avenue be re-shaped to smooth some of the curves and to create right angle intersections at streets or at curb cuts into parking lots. As discussed during the Resource Team visit, this proposal might serve as a basis for the Board of Public Works to plan projects over the next few years.
- From the traffic management standpoint the regional bus station is in a bad location. The station should be moved to another site equally convenient to the downtown, but should have a more efficient relationship to the street, its parking area, and the bus routes than does the current location.
- Crafts Avenue should be "bent" to turn to a full 90 degree corner at its intersection with Old South Street, and a stop sign should be placed there.
- Old South and Crafts Avenue should be made into a one-way traffic loop, with Old South serving as the connecting street up to Main, and Crafts Avenue becoming one-way away from Main Street. This would remove one entry onto Main and would make circulation more efficient.
- A curb extension should also be constructed to create a 90 degree corner at Hampton Avenue to clarify the driver's direction there.

#### RETAILING AND MANAGEMENT OVERVIEW

Northampton has already completed many tasks that are necessary to achieve visible revitalization. Main Street looks good: most storefronts and signs are attractive and appropriate to the city's image, street trees are healthy and large enough to enhance the downtown atmosphere, sidewalks have recently been repaired with brick edging and vacancies in the retail area are almost non-existent. Main Street is crowded and lively and appears to be economically strong, competing well with nearby retail centers and shopping malls. Perhaps of most importance is the fact that the upper floors are in productive use as retail space, offices, and housing. City government and the general population have shown a firm grasp of the important contribution of the central business district to the local tax base and overall economic vitality of the community.

Northampton is a downtown in transition. As Chuck Gardner said, "It is partly coming and partly going." This explains to a degree the subtle differences in attitude between established merchants who have been in business in Northampton for decades and the newer businesses which have added so much excitement and variety to the downtown over the last six or seven years. It should be remembered that both groups have the same goal--to create a positive economic environment--and must work together to achieve it. Such an environment will draw more people, more traffic, and a better balance of goods and services.

Many downtown revitalization efforts have failed because the communities did not provide proper management after the initial burst of activity. The successes so far in Northampton have greatly improved the appearance and assortment of goods and services available downtown. But to continue that level of success a new approach is needed, one that is synergistic rather than crisis-oriented.

To date excellent results have been achieved through hard work and good luck, but it would appear that the volunteers who have organized and carried out efforts to date have effectively taken things as far as they can. To strengthen the economy and assure the long term success of the downtown revitalization effort, a more structured organizational framework and management entity will be required.

A professional downtown manager is essential to coordinate the marketing and promotion of the revitalized central business district. Such professional assistance will be needed over time by the local Main Street program both to implement a series of short-term projects and to develop a long-term strategy for management of the downtown. It was clear in the interviews conducted during the Resource Panel visit that many local business people are both aware of the need and willing to pay for it. Preferably, the person should be hired by a private sector group rather than City Hall (the Downtown Business Association operating through the Greater Northampton Chamber of Commerce and the Northampton Development Corporation are potential sponsoring groups. This shift from city hall to the private sector could well be the logical continuation of the Project Manager position already established. We would not see this as supplanting the Main Street project manager. Rather it continues and expands the manager's role while relieving the city government of bearing the entire financial responsibility. While the city has assumed its role as the catalyst, the future of downtown Northampton and its management should not rest on the city government beyond the first few years. It will be time for the private sector to take up its share of the effort and see that it continues.

The first order of business is to establish a comprehensive data base for a designated downtown area. A thorough knowledge of present consumer habits and demands will provide a better understanding of potential customers for the immediate future and for the next twenty years. Much of the necessary information was collected by the Project for Public Spaces during its work for the National Main Street Center in 1980 (results are contained in the PPS film and handbook "What Do People Do Downtown?", and by the local project Manager, Joan Weigel through the Annual Downtown Data System (ADDS).

To understand the future market Northampton should know:

- What is the current customer base?
- Who is shopping downtown now?
- Where do they live?

- How do they get there?
- What services do they use downtown?
- What is the average sale in dollars and is it increasing or decreasing?

Age, education, lifestyle, and attitudes about social, cultural and educational pursuits will dictate the direction of the future. For example, if the shopper base is aging and if it appears that the trend will continue, businesses like children's clothing stores and bridal shops should not be a target for recruitment activities.

The downtown manager would then use this information to develop market tools to assist existing businesses and potential downtown investors. Identification of unrepresented or under-represented categories of retail businesses can then be effectively integrated into a recruitment program designed to create a better balance in merchandise and more competitive pricing.

To raise the necessary funding for this kind of management assistance the city could establish a special assessment district. Property owners within a clearly specified area can then tax themselves and use the funds in the district for mutually agreeable purposes. This self-assessed tax is needed to pay for management of a specific area to retain and improve its special quality for the benefit of all the businesses located there. Since enabling legislation would be required to create such a district in Northampton, Mr. Gardner has provided two examples: the enabling legislation from the State of Illinois (see Appendix B), and the ordinance establishing the assessment district on State Street in Chicago as a reference (See Appendix C). The Chicago ordinance might be adapted for use in Northampton for budget planning and as a basis for a structure for collection of funds.

These assessment districts support a management entity rather than a control entity and should be directed toward administration of those functions which will be of benefit to all--joint promotions, special downtown events, advertising campaigns centered around the CBD, coordination of store hours, and monitoring of results. Assessment District funds have often been used to provide physical improvements of an area as well. The rate of assessment is usually a fixed surcharge on the equalized assessed valuation and since those affected agree to tax themselves, the approach does not require citywide approval for changes within the designated area. The system is progressive in that, as general business conditions (and property assessments) improve the income to the district fund increases as well, it allows success to build success.

#### Small Business Development and Financing

Small businesses contribute jobs, innovation and healthy competition to the local economy. Nationally, the small business sector accounts for over 50% of the private employment base and generates 60-70% of all new private sector jobs. In a community like Northampton with its social, cultural, academic and economic diversity, this base is invaluable to the continuing vitality of the downtown.

High interest rates during the past few years have caused serious problems in capital formation for new business starts, even in Northampton. The high cost of long-term, or even short-term debt service for expansion, construction of new facilities, inventory, or purchase of equipment has caused a credit gap that has slowed small business growth. The problem is not directly attributable to local financial institutions; they pay a high cost to borrow the money they in turn lend out.

It is therefore recommended that a certified development company be established in Northampton. A certified development company allows private lenders to meet the more common difficulties of long-term credit in a period of high interest rates through Small Business Administration-supported loans. This favorable loan rate structure is based on subordinate SBA second mortgage financing carried in 100% SBA guaranteed debentures, enabling local banks to reduce the cost of making loan money available.

The development company could be chartered as either a non-profit, or a profit-making company; in our view the for-profit approach would lend itself best to Northampton. This new structure would complement the efforts of the Northampton Development Corporation. The Northampton Development Corporation could also be certified to provide permanent financing through the SBA 503 Program, but would still have to rely on local banks to contribute 10 percent of the total.

#### Summary

It was apparent that the two major concerns of those interviewed about downtown Northampton were:

- the need for management of current resources (physical, fiscal, and human)
- the need for a structured organization that will continue the progress already underway

The following recommendations are ranked in priority order:

1. Review the possibility of establishing a Special Assessment Area to provide ongoing management for the downtown and marketing and promotion funds. The legislation in Appendix B and Appendix C may offer suggestions for a program in downtown Northampton.
2. Provide the services of a professional downtown manager to assist the Northampton Main Street Project. Since the downtown is 80% the size of Hampshire Mall and about 40% of the size of Holyoke Mall, and is competing against both, it is ill considered to expect the CBD to function effectively without a similar management component that can focus on marketing, promotion and physical development.

3. Form a Certified Development Company to specifically address opportunities within the CBD. The boundaries of the area could be established from the historic district survey, or could be delineated by the CARD area boundaries.
4. Carry out the following list of suggestions. Though they are smaller in scope, they would add an important dimension to the downtown.
  - a. The city should not cut back on maintenance funds for the streets, sidewalks and improvements in the CBD. The area needs more maintenance, not less.
  - b. New trash containers are needed.
  - c. A stronger activity and event schedule for downtown should place special emphasis on the total offering of goods and services there, not just individual stores. To capitalize on the unique qualities of downtown (something the neighboring malls cannot offer), it is more effective to sponsor a few (2 or 3) major promotions each year, rather than a large number of poorly organized sales. Remember that every promotion should be memorable, and should "sell" the entire downtown as a good place to shop.
  - d. Add more bicycle racks.
  - e. More benches are needed along the sidewalks. Northampton has such a large number of pedestrians that more places to sit are easily justified.
  - f. Use banners or flags along Main and the secondary downtown streets on special occasions to add color, movement, and a temporary change in the atmosphere.
  - g. Use the plaza areas created at street corners by the channelization recommendations as gathering places for street activity during promotional events with food and craft vendors, refreshments or street performers.

APPENDIX A:

A Sign Design for Downtown Northampton

(Extracted from Sign Guidelines for Jim Thorpe, PA, a plan developed by Venturi, Rauch, and Scott Brown, by Frances Hundt)

A. Store Signs and Graphics

The quality of the commercial street is not necessarily enhanced by limiting the size, quantity or variety of signs; signs as counterpoint and rhythm can enrich the analogous and contrasting sets of order in the street, if they are sympathetic to the whole. For instance, a very large fascia sign is more appropriate than a smaller back-lit plastic sign whose brightness, through contrast, makes the patina of the old building look drab. Back-lit plastic signs, which look cold and unfriendly, are to be discouraged. Generally, we recommend signs with light or gold letters on darker, rich and mellow backgrounds analogous to the walls and trim of the buildings.

Projecting signs hanging over the sidewalk perpendicular to the facade were typical of pre-automobile pedestrian-scale Victorian advertising. Painted flat signs in the shapes of the products they advertise and suspended over the street provide an authentic Victorian era vitality to the street scene. Existing signs of this nature should be repaired.

Neon signs composed of simple outline letters surrounded by a decorative shape have a timeless appeal and provide a soft-lit color-enriched message which doesn't overwhelm the Victorian context. Illuminated signs in general, and particularly on streets like Main or Pleasant, belong behind store windows rather than on facades. Behind the window they are protected and their light at night adds to the warmth and friendliness of the street. On the facade they can make buildings and painted signs look shabby.

Crudely carved, and/or "branded" wooden signs should be avoided.

Signs on awnings are almost always suitable, if well maintained.

All of these "civic" signs must be differentiated from other types, U.S. highway routing signs and markers on the one hand, and commercial signs and billboards on the other. The character and image they should portray, whether between these two extremes or based on a totally different spectrum, pose a nice problem to the designer.

In another sense, however, civic signs must answer to the same legibility criteria as all other signs. They must be readable and their content must be comprehensible at the distance and speed and within the field of vision from which they are intended to be seen.



Furthermore, they must make sense as a system: the civic welcoming sign on Route 91 (see illustration which follows), must suggest an overall, enticing image of Northampton--but without confusing details. Signs at the entrance to downtown should indicate general locations of major attractions and parking areas; signs near a chosen attraction should locate parking nearby; other directional signs should clearly indicate the site or the attraction; interpretive markers should give information, and other "civic" signs, should tell visitors what goods and services may be acquired, and walking distance from their cars or the attraction (this helps to spread the benefits of tourism).

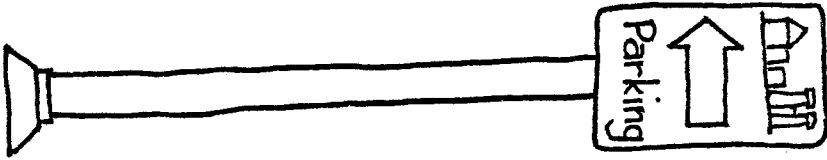
To achieve such consistency within a sign system, the total communication placement pattern for Northampton should first be planned on maps of the city.

For the consistency to be apparent and the system usable on the streets, careful consideration must be given to the character of each type of sign. One sign type, the parking signs, should be differentiated from the others. This sign gives down-to-earth, practical information. It should resemble a highway marker sign in character, although not in color, and all parking signs should be adapted from the Federal Highway manual, or may be similar to the illustration enclosed. The sign developed for Northampton with yellow letters on a blue background is perfectly suitable.

To suggest the character suitable to other types of public signs in the Historic District, we have designed one civic sign, and one directional sign which could be used for parking lot identification.

To distinguish them from their commercial and Department of Transportation competitors, Northampton public signs should be "pretty" rather than "blatant", and "atmospheric" rather than "functional" (though they must function well too). Their silhouettes should be unusual and aggressively Victorian, picking up motifs from the District's Victorian buildings, and in the case of historic markers might actually imitate the silhouettes of the buildings they describe.

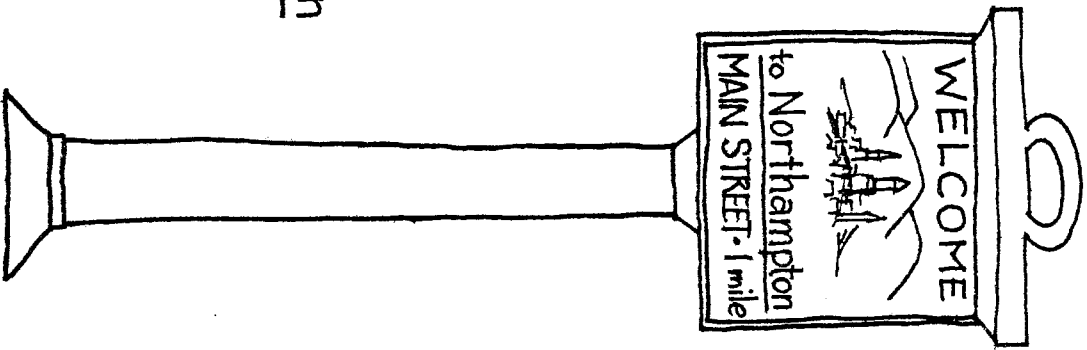
Public signs should contain emblems, symbols, and images associated with Northampton and its early history. Colored photographic reproductions of visitor attractions can serve as background to signs directing visitors to them--so long as the directional message reads well against the photograph. These signs should not have the dark grounds and bright lettering we recommend for commercial storefront signs in the District, nor the contrasting primary colors set against white of modern graphics. The colors of Northampton public signs should be bright and warm, like Victorian stained glass windows, and their lettering should be dark enough to have effective contrast for readability.



Downtown  
Directional Sign

Place at:

- Entries to Downtown
- Parking



Civic Welcoming Sign

Place at:

- Konz Street
- Pleasant Street
- Train Station

APPENDIX B

Illinois Enabling Legislation for Special Service Districts

SPECIAL SERVICE AREAS—LEVY OF TAXES [NEW]

1301. Municipalities or counties providing special services—Application

§ 1. In any case in which a municipality or county exercises the power granted in Part (6) of Section 7 of Article VII, or in Part (2), paragraph L of Section 6 of Article VII, of the Constitution to provide special services, a tax to provide such special service or provide for the payment of debt incurred therewith shall be levied or imposed in accordance with this Act. P.A. 78-901, § 1, eff. Sept. 21, 1973.

Title of Act:

An Act to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties. P.A. 78-901, approved and eff. Sept. 21, 1973.

Law Review Commentaries

Home rule. Kurt P. Froehlich, 1975, 63 Ill. Bar J. 320.

Home rule in Illinois. Richard A. Michael and Jerry E. Norton, 1978 Law Forum 559.

Library References

Municipal Corporations ¶412. C.J.S. Municipal Corporations § 1802 et seq.

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Validity 1/2

1/2. Validity

Fact that enabling legislation that authorized ordinance creating special service area provided for taxation of both real estate and personal property did not render the legislation discriminatory and violative of due process or equal protection on the ground that personal property would not be benefited merely by being in certain location, such as within confines of special service area, so that taxation would result without any corresponding benefit. *Ciaccio v. City of Elgin*, 1980, 40 Ill.Dec. 877, 85 Ill.App.3d 507, 407 N.E.2d 108.

Mere alleged excess of additional taxes payable over additional services received would not render city's scheme of taxation irrational and unconstitutional. *Coryn v. City of Moline*, 1978, 15 Ill.Dec. 776, 71 Ill.2d 194, 374 N.E.2d 211.

1. Construction and application

Under Special Services Act (this paragraph and subsequent paragraphs), term "special services" for which additional taxes could be imposed would be construed as coextensive with term as used in constitutional provision prohibiting legislature from limiting power of home rule units to create "special services" areas. *Coryn v. City of Moline*, 1978, 15 Ill.Dec. 776, 71 Ill.2d 194, 374 N.E.2d 211.

If project reasonably could be expected by home-rule unit to make area taxed, in particular, a better place in which to reside or to conduct business, it would qualify as a "special service" even though it also might redound to benefit of remainder of home rule unit. *Id.*

Taxes imposed upon property within special services area need not directly correspond to monetary value of benefits received; under equal protection and due process clauses of Constitutions of Illinois and United States, there need only be rational basis for taxing a given area for a given "special service." *Id.*

Power of home-rule units to impose additional taxes upon areas for provision of "special services" encompassed power to impose additional taxes to fund building and maintenance of shopping mall, despite involvement of substantial assets. *Id.*

Potential impact of proposed shopping mall upon city as a whole would not prohibit its treatment as a special service to special service area of city. *Id.*

Methods for financing a sewerage system under ch. 34, § 3101 are not limited to those provided in that act and, therefore, county could properly provide a sewerage system under that statute and yet pay for its construction and maintenance under the Special Services Act (this paragraph and subsequent paragraphs). *Andrews v. Madison County*, 1977, 12 Ill.Dec. 35, 54 Ill.App.3d 343, 369 N.E.2d 532.

In determining whether a nonhome rule county is empowered to provide and pay for a sanitary sewerage system under this paragraph alone and whether such county's powers are more limited than those of home rule units with respect to special services, prime objective of court is to ascertain and give effect to the intentions of the legislature and the framers of the Constitution. *Id.*

In construing laws imposing taxes, a strict or narrow rule of construction is to be employed, and in case of doubt as to meaning or application of laws or ordinances imposing taxes, they will be construed most strongly and narrowly against governmental unit imposing the tax. *Hiken Furniture Co. v. City of Belleville*, 1977, 11 Ill.Dec. 353, 53 Ill.App.3d 306, 368 N.E.2d 961.

When counties and municipalities impose additional taxes on areas for the provision of special services to those areas, the burden of

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taxation is to be borne by property benefitted by special service, and the initial determination of benefit must of necessity be made by governmental entity involved. *Id.*

Where city ordinance created special service area which was defined by describing a rectangular geographic area and excepting therefrom all properties used exclusively for residential purposes and three named industrial properties, so that total exclusions and exceptions from service area resulted in irregularly shaped geographic area, tax imposed by such ordinance was spread uniformly on contiguous property within area, and city's exclusion of residential and industrial property from service area was reasonable, since creation of "semi-mall" in area would increase public use of retail stores and other business in such area, and ordinance, which was enacted pursuant to statutory procedure, was valid. *Id.*

Property benefitted by creation of special service area should bear the burden of cost of the special service received. *Id.*

The grant to municipalities and counties of the power to impose ad valorem taxes on limited areas within boundaries of governmental

unit was a departure from the requirement of uniformity in ad valorem property taxation, and it was intended that units of general local governments should have power to furnish special services and improvements to limited areas within geographical boundaries and to impose taxes only on those areas that benefit from service furnished or improvement received. *Id.*

The definition of "special services" appearing in ¶ 1302 of this chapter, relating to taxing of special service areas, must be construed to allow home rule units to use the tax to finance matters that pertain to their governmental affairs, however, non-home rule counties and municipalities may only use the tax to support their exercise of their statutory powers. 1975 Op.Atty.Gen. No. S-951.

Chapter 34, ¶ 419.1, authorizes county to provide emergency ambulance service and if the service is to be provided only in a contiguous area within the boundaries of the county, a special service area tax may be levied in accordance with ¶ 1301 et seq. of this chapter. *Id.*

1302. Special service area—Definition

§ 2. When used in this Act:

"Special Service Area" means a contiguous area within a municipality or county in which special governmental services are provided in addition to those services provided generally throughout the municipality or county, the cost of said special services to be paid from revenues collected from taxes levied or imposed upon property within that area.

"Special Services" means all forms of services pertaining to the government and affairs of the municipality or county, including but not limited to improvements permissible under Article 9 of the Illinois Municipal Code.<sup>1</sup>

P.A. 78-901, § 2, eff. Sept. 21, 1973. Amended by P.A. 80-881, § 1, eff. Oct. 1, 1977.

<sup>1</sup> Chapter 24, ¶ 9-1-1 et seq.

Library References

Municipal Corporations ¶ 450(1).  
C.J.S. Municipal Corporations § 1359 et seq.  
Words and Phrases (Perm.Ed.)

1. Construction and application

Continuation of state taxing policy, of exempting churches and certain other organizations, to a special service area created by municipal ordinance was not violation of due process. *Ciacco v. City of Elgin*, 1980, 40 Ill.Dec. 877, 85 Ill.App.3d 507, 407 N.E.2d 108.

Local units of government are not completely free to gerrymander the boundaries of special service areas to maximize revenues, without regard to whether there is a rational relationship between the property taxed and the property served, and evidence of such fraudulent procedures might justify invocation of court's equity jurisdiction. *Coryn v. City of Moline*, 1978, 15 Ill.Dec. 776, 71 Ill.2d 194, 374 N.E.2d 211.

The provision of sewers is a "special service" for purposes of this paragraph. *Andrews v. Madison County*, 1977, 12 Ill.Dec. 36, 64 Ill. App.3d 848, 369 N.E.2d 532.

County board has power to create a special service area that does not include a particular area of land that was part of proposed special service area. 1976 Op.Atty.Gen. No. S-1145.

Phrase "in addition to those services provided generally throughout the municipality or county" refers not to services different in kind from those provided county at large but refers rather to services to residents who feel that their share of county-wide resources is inadequate to provide all the services they need or desire. 1976 Op.Atty.Gen. No. S-1144.

"Special services area" as defined in this paragraph may include less than all the unincorporated territory of a county. *Id.*

Furnishing of additional police protection to a portion of the unincorporated area of a non-home rule county qualifies as a service "pertaining to the government and affairs of the county" within meaning of this paragraph. *Id.*

The definition of "special services" appearing in this paragraph must be construed to allow home rule units to use the tax to finance matters that pertain to their governmental affairs, however, non-home rule counties and municipalities may only use the tax to support their exercise of their statutory powers. 1975 Op.Atty.Gen. No. S-951.

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1303. Governing body of special service area

§ 3. The corporate authorities of the municipality or county shall be the governing body of the special service area.  
P.A. 78-901, § 3, eff. Sept. 21, 1973.

1304. Rate or amount of tax—First levy—Notice and hearing—Levy thereafter—Increase of period or rates

§ 4. Taxes may be levied or imposed by the municipality or county in the special service area at a rate or amount of tax sufficient to produce revenues required to provide such special services; provided, however, that if the tax is upon property, all taxable personal property may be excluded from such taxation at the option of the municipality or county. Prior to the first levy of taxes in such special service area notice shall be given and hearing shall be held pursuant to the provisions of Sections 5 and 6.<sup>1</sup> For purposes of this Section the notice shall include:

- (1) The time and place of hearing;
- (2) The boundaries of the area by legal description and by street location, where possible;

(3) A notification that all interested persons owning real estate or taxable personalty located within the special service area will be given an opportunity to be heard at the hearing regarding such tax levy and an opportunity to file objections to the amount of the tax levy if the tax is a tax upon such property; and

(4) The maximum rate of taxes to be extended in any year and may include a maximum number of years said taxes will be levied.

After the first levy, taxes may be extended against the special service area for the services specified without additional hearings, provided said taxes shall not exceed the rate specified in the notice and if a maximum number of years is specified in the notice, the taxes shall not be extended for a longer period. Tax rates may be increased and the period specified may be extended, provided notice is given and new public hearings are held in accordance with Sections 5 and 6.  
P.A. 78-901, § 4, eff. Sept. 21, 1973. Amended by P.A. 80-881, § 1, eff. Oct. 1, 1977.

<sup>1</sup> Paragraphs 1305 and 1306 of this chapter.

P.A. 80-881 inserted the proviso at the end of the first sentence of the first paragraph.

Library References

Municipal Corporations ⇨ 458.  
C.J.S. Municipal Corporations § 1406 et seq.

1. In general

Under this paragraph and ¶ 1307 of this chapter which pertain to creation of special service areas and which state only that notice sent taxpayers must include maximum rate of taxes to be levied in one year and maximum amount of bonds proposed to be issued, maximum period of time for retiring of bonds, and maximum interest rate bonds will bear, city's notice concerning issuance of bonds and levy of taxes did not have to include statement concerning purpose to which taxes would be put, number of bonds to be issued, or interest rate.

Schwarzbach v. City of Highland Park, 1980, 88 Ill.Dec. 87, 82 Ill.App.3d 807, 403 N.E.2d 102

Notice, which was directed at all persons owning "taxable property in the area" and not persons "owning real estate or taxable personalty" as specified by this paragraph and ¶ 1307 of this chapter, and which could have avoided possibility of confusion by clearly stating that creation of special service area for city's central business district would first be subject of objection and that there then would be further opportunity to object to bonding provision and tax levy, was not appropriate to combined proceedings that both formed special service area and purported to advise extent of owners' and electors' obligations, and city was therefore properly enjoined from issuing bonds or levying taxes without holding further hearings. Id.

1305. Establishment of special service area—Ordinance—Notice—Hearing

§ 5. Prior to or within 60 days after the adoption of the ordinance proposing the establishment of a special service area the municipality or county shall fix a time and a place for a public hearing. Notice of the hearing shall be given by publication and mailing. Notice by publication shall be given by publication at least once not less than 15 days prior to the hearing in a newspaper of general circulation within the municipality or county. Notice by mailing shall be given by depositing said notice in the United States mails addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land lying within the special service area. Said notice shall be mailed not less than 10 days

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prior to the time set for the public hearing. In the event taxes for the last preceding year were not paid, the notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of said property.  
P.A. 78-901, § 5, eff. Sept. 21, 1973.

### Library References

Municipal Corporations ¶ 449.  
C.J.S. Municipal Corporations § 1391.

#### 1. In general

Violation of Open Meetings Act (ch. 102, ¶ 41 et seq.) did not per se invalidate city ordinance enacted at meeting to establish special service area. *Ciacco v. City of Elgin*, 1980, 40 Ill.Dec. 877, 85 Ill.App.3d 507, 407 N.E.2d 108.

That city clerk did not file ordinance with county clerk on September 20th as required by this paragraph but filed it on September 21st, the next day, while ordinance authorizing levy of taxes had been filed on September 20th as required, did not affect validity of ordinance. *Id.*

Though some members of citizens' advisory committee might have had personal motives in recommending certain boundary lines for special service area, establishment of such fact would not serve to invalidate action of city council in enacting ordinance creating such area, absent evidence of fraud or corruption involving the city council, and trial court correctly denied opportunity to question assistant manager of community development for city regarding possible personal interests of some of the advisory committee members in drawing the special service area boundaries. *Id.*

Impermissible or fraudulent gerrymandering in creation of special service area district was not shown by fact that shape of proposed district was not entirely regular and that it might have been design of city to avoid defeat on proposal to create district by including exempt churches and other organizations which would be exempt from special service area levy and thus would not be likely to be included in percentage of record owners or electors objecting. *Id.*

In action to contest ordinance creating special service area, opinion of plaintiffs' expert that certain properties would not be benefited by special service area was advisory only as to trier of fact, and, in any case, ordinance was not impermissibly discriminatory merely because some properties would be immediately benefited more than others. *Id.*

### 1306. Protests and objections

§ 6. At the public hearing held hereunder any interested person affected by the proposed special service area may file with the municipal clerk or county clerk, as the case may be, written objections to and may be heard orally in respect to any issues embodied in the notice. The municipality or county shall hear and determine all protests and objections at the hearing and the hearing may be adjourned to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of its adjournment.

P.A. 78-901, § 6, eff. Sept. 21, 1973.

Where real estate tax payers received notice required by legislation enabling ordinance creating special service district, they would not be heard to complain that personal property owners were assertedly prejudiced by lack of notice. *Id.*

Error made by city in designating boundaries of proposed special service area in published notice was not of such magnitude as to invalidate notice and ordinance, where it did not appear that any interested person was unjustly deprived of notice or seriously misled by the error. *Id.*

Plaintiffs' contention of "gerrymandering" in creating special service district by municipal ordinance did not amount to allegation in complaint or brief that exemptions of religious and charitable institutions from special service area tax violated equal protection and due process, and constitutional question would not be heard for first time on appeal. *Id.*

Before tax becomes irrevocably fixed as charge upon property, property owner must have opportunity to be heard and notice of that opportunity appropriate to circumstances, and thus property owner is entitled to notice which can be plainly understood in sense that it conveys information appropriate to form taxpayer's decision to object or refrain from objecting. *Schwarzbach v. City of Highland Park*, 1980, 38 Ill.Dec. 87, 82 Ill.App.3d 807, 403 N.E.2d 102.

Despite fact that county sent some notices of creation of special service area and issuance of bonds to be retired by additional ad valorem property taxes to financial institutions which were presumably mortgagees without any cross-reference to owners of record and despite fact that the number of notices sent may have fallen short of the 6,920 owners of record subsequently computed by the county clerk, notice afforded was sufficient to pass due process muster. *Andrews v. Madison County*, 1977, 12 Ill.Dec. 35, 54 Ill.App.3d 343, 369 N.E.2d 532.

Although it is not necessary to hold hearing on proposed special service area within area proposed to be included in such special service area, hearing must be held at place reasonably convenient to those taxpayers who would be affected by the proposed special service area. 1978 Op.Atty.Gen. No. 9-1145.

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Note 1

1. In general

Power of county to hear and determine protests and objections to a proposed special service area is exercised by the county board. 1976 Op. Atty. Gen. No. S-1145.

Majority of county board members, constituting a quorum, must be present at public hearing to determine protests and objections to a proposed special service area, as must a county clerk or one of his deputies to keep record of the proceedings. Id.

1307. Bonds

§ 7. Bonds secured by the full faith and credit of the area included in the special service area may be issued for providing said special services. Bonds, when so issued, shall be retired by the levy of taxes in addition to the taxes specified in Section 4 hereof<sup>1</sup> against the property included in the area as provided in the ordinance authorizing the issuance of the bonds or by the imposition of another tax within the special service area. Prior to the issuance of such bonds, notice shall be given and a hearing shall be held pursuant to the provisions of Sections 5 and 6 hereof.<sup>2</sup> For purposes of this Section a notice shall include:

- (1) The time and place of hearing;
- (2) The boundaries of the area by legal description and by street location, where possible;
- (3) A notification that all interested persons owning real estate or taxable personalty located within the special service area will be given an opportunity to be heard at the hearing regarding the issuance of such bonds and an opportunity to file objections to the issuance of such bonds if the tax to retire such bonds is to be a tax upon such property; and
- (4) The maximum amount of bonds proposed to be issued, the maximum period of time over which said bonds shall be retired, and the maximum interest rate said bonds shall bear.

Any bonds issued shall not exceed the number of bonds, the interest rate and the period of extension set forth in the notice, unless an additional hearing is held. P.A. 78-901, § 7, eff. Sept. 21, 1973.

<sup>1</sup> Paragraph 1304 of this chapter.

<sup>2</sup> Paragraphs 1305 and 1306 of this chapter.

Library References

Municipal Corporations ¶910.  
C.J.S. Municipal Corporations §§ 1905, 1906.

1. In general

Notice, which was directed at all persons owning "taxable property in the area" and not persons "owning real estate or taxable personalty" as specified by this paragraph and ¶ 1304 of this chapter, and which could have avoided possibility of confusion by clearly stating that creation of special service area for city's central business district would first be subject of objection and that there then would be further opportunity to object to bonding provision and tax levy, was not appropriate to combined proceedings that both formed special service area and purported to advise extent of owners' and electors' obligations, and city was

therefore properly enjoined from issuing bonds or levying taxes without holding further hearings. *Schwarzbach v. City of Highland Park*, 1980, 38 Ill. Dec. 87, 82 Ill. App.3d 807, 403 N.E.2d 102.

Under this paragraph and ¶ 1304 of this chapter which pertain to creation of special service areas and which state only that notice sent taxpayers must include maximum rate of taxes to be levied in one year and maximum amount of bonds proposed to be issued, maximum period of time for retiring of bonds, and maximum interest rate bonds will bear, city's notice concerning issuance of bonds and levy of taxes did not have to include statement concerning purpose to which taxes would be put, number of bonds to be issued or interest rate. Id.

1308. Boundaries of special service area—Enlargement

§ 8. Boundaries of a special service area may be enlarged, but only after hearing and notice as provided in Sections 5 and 6<sup>1</sup>, said notice to be served in the original area of the special service area and in any areas proposed to be added to the special service area, except where the property being added represents less than 5% of the assessed valuation of the entire original area, as determined by the clerk of the county wherein the land is located, then the notice by mailing requirement of Section 5 shall be limited only to the area to be added and not to the original special service area. The property added to the area shall be subject to all taxes levied therein after such property becomes a part of the area and shall become additional security for bonded indebtedness outstanding at the time the property is added to the area. P.A. 78-901, § 8, eff. Sept. 21, 1973. Amended by P.A. 78-1079, § 1, eff. July 25, 1974; P.A. 81-819, § 1, eff. Jan. 1, 1980.

<sup>1</sup> Paragraphs 1306 and 1306 of this chapter.

REVENUE

120 ¶ 1310

Section 4 of P.A. 78-1079 provided:  
"This amendatory Act takes effect upon its becoming a law."

P.A. 78-1079 substituted the word "and" for "a" preceding the words "notice as provided in Sections 5 and 6".

P.A. 81-819 inserted the exception relating to notice where property being added represents less than 5% of the assessed valuation of the entire original area.

Library References  
Municipal Corporations ¶ 450.  
C.J.S. Municipal Corporations § 1359.

1309. Petition by 51% of electors of area—Objection to district, enlargement of district, tax, etc.—Subsequent proposals

§ 9. If a petition signed by at least 51% of the electors residing within the special service area and by at least 51% of the owners of record of the land included within the boundaries of the special service area is filed with the municipal clerk or county clerk, as the case may be, within 60 days following the final adjournment of the public hearing objecting to the creation of the special service district, the enlargement thereof, the levy or imposition of a tax or the issuance of bonds for the provision of special services to the area, or to a proposed increase in the tax rate, no such district may be created, enlarged, or tax may be levied or imposed nor the rate increased, or no such bonds may be issued. The subject matter of said petition shall not be proposed relative to any signatories of said petition within the next two years. P.A. 78-901, § 9, eff. Sept. 21, 1973. Amended by P.A. 80-996, § 1, eff. Jan. 1, 1978.

Section 2 of P.A. 80-996, approved Sept. 22, 1977, provided:  
"This amendatory Act takes effect January 1, 1978."

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1/2. Validity  
Municipalities may create and finance necessary local improvements as special service areas without showing special benefit to property taxed as required under local improvement procedures; lesser procedural safeguards can be said not to offend due process in view of veto power given objectors by this paragraph. Schwarzbach v. City of Highland Park, 1980, 38 Ill.Dec. 87, 82 Ill.App.3d 807, 403 N.E.2d 102.

Procedure provided by this paragraph for veto of creation of special service area does not deny due process or equal protection of laws to owner of property located within proposed special service area nor does it constitute an invalid delegation of taxing power. Coryn v. City of Moline, 1978, 15 Ill.Dec. 776, 71 Ill.2d 194, 374 N.E.2d 211.

1. Construction and application  
Amendment of Cities and Villages Act (ch. 24, ¶ 1-1-1 et seq.) to require registration as qualification for voting on annexation petition

was not applicable to other municipal propositions such as objection to creation of special service area, and controlling statute was ch. 46, ¶ 3-1 providing for vote by every person having resided in state and election district 30 days next preceding election, if of age of 18 or more years and citizen. Ciacco v. City of Elgin, 1980, 40 Ill.Dec. 877, 85 Ill.App.3d 507, 407 N.E.2d 108.

Finding of trial court that petition objecting to special service area created by city ordinance had been signed by more than 51 percent of "electors" was sustained by evidence. Id.

Trial court correctly included as "owners of record" who could object to special service area, in order to invalidate ordinance creating it, recorded fee owners, contract purchasers and fee owners whose rights of possession and control were recorded and land trustees, and court correctly excluded beneficiaries of land trusts. Id.

Paragraph of the Special Services Act (¶ 1301 et seq. of this chapter) that provides that a special services project is defeated if a petition of at least 51 percent of both owners of record and electors within the service area is filed within 30 days of the adjournment of the public hearing was not constitutionally infirm. Andrews v. Madison County, 1977, 12 Ill.Dec. 35, 54 Ill.App.3d 343, 369 N.E.2d 532.

1310. Extension of taxes

§ 10. If a property tax is levied the tax shall be extended by the county clerk in the special service area in the manner provided by the Revenue Act of 1939<sup>1</sup> based on assessed values as established pursuant to the Revenue Act of 1939. In such case, the municipality or county shall file a certified copy of the ordinance creating the special service area, including an accurate map thereof, with the county clerk. In addition, the corporate authorities shall file a certified copy of each ordinance levying taxes in the special service area on or before the third Tuesday of September of each year and shall file a certified copy of any ordinance authorizing the issuance of bonds and providing for a property tax levy therein by December 31 of the year of the first levy. P.A. 78-901, § 10, eff. Sept. 21, 1973.

<sup>1</sup> Paragraph 482 et seq. of this chapter.



APPENDIX C

STATE STREET MALL ORDINANCE,  
CITY OF CHICAGO

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

Section 1. FINDINGS. The City Council of the City of Chicago finds that on July 7, 1977, a special service area was established pursuant to the provisions of "An Act to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties" (Ill. Revised Stat. Chapter 120 S.1301, et seq.), in and for that part of the City of Chicago which is within the area bounded by Wacker Drive on the north, Congress Street on the south and fronting on State Street on both East and West sides, for the purpose of furnishing special services in and for such area, such special service area being designated as "City of Chicago Special Service Area Number One"; that the ordinance creating such Special Service Area Number One, in addition to authorizing the issuance of certain bonds, authorized the levy of annual taxes on all taxable property within said Area for the payment of the cost of furnishing special maintenance services in and for said Area, provided that such special annual tax shall be limited in amount so that the total of such annual maintenance tax will not exceed the lesser of one-quarter of one percent ( $1/4$  of 1%) of the equalized assessed valuation of taxable property within said Area or an amount equal to forty percent (40%) of the sum budgeted for expenditures for the calendar year after deducting miscellaneous income; that the Ordinance creating such Special Service Area Number One provided for the appointment of the State Street Mall Commission for the purpose of recommending to the Mayor and to the City Council a yearly budget based upon the cost of providing special services in and for such special service area and further to advise the Mayor and the City Council regarding the special maintenance taxes to be levied against property within such special service area; that the State Street Mall Commission has been duly appointed and qualified and has heretofore prepared and filed in the Office of the Mayor of the City of Chicago and with the City Council its recommendations for a yearly budget to meet the special services required to be furnished in said Special Service Area Number One for the fiscal year commencing January 1, 1982 and has further advised the Mayor and the City Council concerning the annual special maintenance taxes necessary to be levied in said Special Service Area Number One for the year 1981 for the purpose of providing funds necessary to provide such special services.

SECTION 2. APPROPRIATIONS. There is hereby appropriated, the following sums in the amounts and for the purposes necessary to provide the special services in and for Special Service Area Number One, which said special services are unique to said Area and are in addition to municipal services provided to the City as a whole, the estimated amounts of miscellaneous income and the amounts required to be raised by the levy of taxes against all taxable property within said Special Service Area, indicated as follows:

FOR THE FISCAL YEAR BEGINNING JANUARY 1, 1982  
AND ENDING DECEMBER 31, 1982

EXPENDITURES

For personal services, contractual services, and commodities related to the operation and maintenance of the State Street Mall	\$1,105,000
Other charges and capital outlay related to the operation and maintenance of the State Street Mall	109,000
For loss of tax in the process of collection (1%)	<u>3,806</u>
TOTAL	\$1,217,806

SOURCES OF FUNDS

Tax levy	\$380,581
City share of expense of maintenance and operation of the State Street Mall	737,225
Surplus [net current assets]	<u>100,000</u>
TOTAL	\$1,217,806

SECTION 3. LEVY OF TAXES. There be and there is hereby levied pursuant to the provisions of Article VII, Sections 6(a) and 6(l) of the Constitution of the State of Illinois and pursuant to the provisions of "An Act to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties" (Ill. Revised Stat. Chapter 120, S. 1301, et seq.), and pursuant to the provisions of an ordinance adopted

on July 7, 1977, establishing the "City of Chicago Special Service Area Number One, the sum of \$(first year budget figure), as a special tax for the year 1981 against all taxable property situated within that part of the City of Chicago which is subject to taxation and which is situated within the City of Chicago Special Service Area Number One.

SECTION 4. FILING. That the City Clerk is hereby ordered and directed to file in the Office of the County Clerk of Cook County, Illinois, no later than the third Tuesday in September, 1981, a certified copy of this Ordinance and the County Clerk shall thereafter extend for collection together with all other taxes to be levied by the City of Chicago, the special tax herein provided for, such special tax to be extended for collection by the County Clerk for the year 1981 against all the taxable property within the territory situated within the City of Chicago Special Service Area Number One, the amount of such special taxes herein levied to be in addition to and in excess of all other taxes to be levied and extended against all taxable property within said Special Service District and such special tax shall not exceed the lesser of one-fourth of one percent ( $1/4$  of 1%) of the total equalized assessed valuation of all taxable property within said Special Service Area Number One or an amount equal to forty percent (40%) of the amount herein budgeted and appropriated for expenditures for the calendar year commencing January 1, 1982, after deducting from such appropriations all items of miscellaneous income estimated to be received during such fiscal year.

SECTION 5. PUBLICATION. This Ordinance shall be published by the City Clerk, in pamphlet form, by preparing at least 100 copies thereof, which copies are to be made available in his office for public inspection and distribution to members of the public who may wish to avail themselves of a copy of this Ordinance. This Ordinance shall be in full force and effect upon its publication as herein and as by law provided.

## NATIONAL MAIN STREET CENTER

The National Main Street Center, a special demonstration program of the National Trust for Historic Preservation, grew out of the successful Main Street pilot project of the Trust's Midwest Regional Office. From 1977-80, the Trust worked in three communities--Hot Springs, South Dakota; Madison, Indiana; and Galesburg, Illinois--to show that economic revitalization of small cities can be accomplished effectively within the context of historic preservation. Based upon this experience, the National Main Street Center is now working with six states--Colorado, Georgia, Massachusetts, North Carolina, Pennsylvania and Texas--to create model state strategies to support local downtown revitalization efforts in small cities of 50,000 or under. Working with statewide coordinators and local project managers in each of 30 small towns, the Center will provide training, technical assistance, shared information on efforts within the project network, and linkage to public and private financial opportunities throughout the three-year duration of the project.

## NATIONAL TRUST FOR HISTORIC PRESERVATION

The National Trust for Historic Preservation is the national advocate for the preservation of America's architectural and historical resources. Through six regional offices and its Washington headquarters, the National Trust provides advisory services, sponsors conferences and special projects, makes grants and loans and administers several museum properties. The Trust seeks to strengthen local and regional organizations with shared goals, to heighten public awareness of America's heritage and to foster policy action compatible with the preservation ethic.