

CITY OF AUSTIN PLANNING DEVELOPMENT AND REVIEW DEPARTMENT

GENERAL OVERVIEW

Late Backup

Historic zoning is a zoning overlay which is added to the base zoning of a specific tract of land (for example CBD-H denotes Central Business District-Historic Zoning). To qualify for City Historic Landmark status, a property must meet one or more (but typically five or more) of the local historic criteria (see criteria below). Applicants need to submit historical documentation demonstrating how the property meets these criteria (see attached submittal requirements).

The City Historic Landmark Commission reviews all applications for City Historic Landmark designation, with the Austin City Council making final decisions on these designations. Please note that at least (3) months is typically required to process a City Historic Landmark designation through the City Council from the time a complete application is received.

Once designated, all proposed exterior site and building changes (other than routine maintenance) to a historically zoned tract require advance review and approval by the City Historic Landmark Commission. A copy of the Historic Landmark Commission's review standards is available from the City Historic Preservation Office. City Historic Landmark properties in good repair and in full compliance with the City historic review requirements are eligible to apply annually for a historic property tax exemption. For information on the historic zoning process, refer to Chapter 25-2 of the City Land Development Code.

WHERE TO APPLY:

Applications may be submitted at the receptionist's desk, 5th floor, One Texas Center, 505 Barton Springs Road by appointment. Phone (512) 974-6454 or (512) 974-2890 for an appointment. To ensure that the application is complete, an advance review by the City Historic Preservation Office is recommended (512) 974-2890.

TIME FRAME FOR PROCESSING HISTORIC ZONING CASES:

Each historic zoning case is reviewed by the Historic Landmark Commission at a regularly scheduled meeting of the Commission approximately four to six weeks after receipt of application. The Historic Landmark Commission meets once a month, typically on the 4th Monday of each month. The case is then heard by either the Zoning and Platting Commission or the Planning Commission approximately three weeks after the Historic Landmark Commission hearing, and then by the City Council approximately six weeks later.

SUBMITTAL REQUIREMENTS:

Refer to Instructions and Submittal Checklist. Complete Application Forms, supplemental materials, and Affidavits.

THE FOLLOWING CITY HISTORIC LANDMARK CRITERIA ARE CONSIDERED WHEN REVIEWING A CITY HISTORIC LANDMARK APPLICATION:

1. Character, interest or value, as part of the development, heritage or cultural characteristics of the City of Austin, State of Texas, or the United States.
2. Recognition as a Recorded Texas Historic Landmark, a National Historic Landmark, or entered into the National Register of Historic Places.
3. Embodiment of distinguishing characteristics of an architectural type or specimen.
4. Identification as the work of an architect or master builder whose individual work has influenced the development of the city.
5. Embodiment of elements of architectural design, detail, materials, or craftsmanship which represent a significant architectural innovation.
6. Relationship to other distinctive buildings, sites, or areas which are eligible for preservation according to a plan based on architectural, historic, or cultural motif.
7. Portrayal of the environment of a group of people in an area of history characterized by a distinctive architectural style.
8. Archaeological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.
9. Exemplification of the cultural, economic, social, ethnic, or historical heritage of the City, State, or the United States.
10. Location as the site of a significant historic event.
11. Identification with a person or persons who significantly contributed to the culture and development of the City, State or United States.
12. A building or structure that, because of its location, has become of value to a neighborhood, community area, or the city.
13. Value as an aspect of community sentiment or public pride.

HOW TO OBTAIN INFORMATION:

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Contact the City Historic Preservation Office in the Transportation, Planning and Sustainability Department if you have questions concerning an Historic Zoning application. The Historic Preservation Officer will serve as liaison between you and the City of Austin and function as your main point of contact. Once your application has been submitted, any questions, problems, conflicts, etc., should be directed to the Historic Preservation Officer at (512) 974-6454.

APPOINTMENTS:

Appointments should be made if you wish to see the City Historic Preservation Officer or other staff.

ETHICS AND FINANCIAL DISCLOSURE INFORMATION:

If you or your agent/representative were a City employee or City official within the past 24 months, you may be subject to the Ethics and Financial Disclosure Ordinance (860717-X). Additional information is available from the City Clerk.

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STEP-BY-STEP APPLICATION INSTRUCTIONS

All applications must include: A. Application Form, B. Tax Maps, C. Tax Certificate, D. Submittal Verification and Inspection Authorization Form, E. Acknowledgement Form, and F. Historical Documentation. All information must be complete before an application form can be accepted and processed. Please note that fees are required for owner-initiated historic zoning cases [contact City Intake Office at (512) 974-2681 or (512) 974-2689 for fee information].

A. APPLICATION FORM - Type or print all information. One copy of the completed application form shall be submitted in which the following items shall be addressed:

1. **Owner:** Please indicate name of current owner. Current owner, or authorized agent, may apply for the zoning change. Initiation of a zoning or rezoning to a historic district may also be made by the Landmark Commission, Planning Commission, or City Council.
2. **Project Name:** Fill in proposed "historic name" of tract. Generally, this should be the last name of the first owner of the historic house/building followed by last names of any owners who occupied the site for at least 30 years (e.g., Bailey-Houston House).
3. **Project Street Address(es):** Indicate the project address or, if not available, the range of addresses for all streets abutting the property. For assistance, contact city addressing staff at 974-2398.
4. **Area to be Rezoned:** The area of the tract(s) for which a zoning change is being requested shall be shown in square feet or acres. If more than one type of zoning is being requested, identify each tract and indicate size and type of zoning being requested.
5. **Existing and Proposed Zoning:** Indicate existing zoning (e.g., SF-3) and use (e.g., residence), as well as proposed zoning (e.g., SF-3-H) and use (e.g., residence). If more than one tract is involved, identify by tract number and corresponding acreage or square footage. Zoning map books are available in the Document Sales Section, One Texas Center, 505 Barton Springs Road, 1st Floor in order to assist with verifying a tract's existing zoning.
6. - 9. **Active Zoning case, Subdivision case, Restrictive Covenant changes, and/or Site Plan Requests:** If there are any pending requests on the property covered by this application, please indicate requested information.
10. **Property Description:** The property description shall accurately describe only that area for which a zoning change is being requested. This description shall be by either lot and block of a recorded subdivision, including plat book and page, or by certified field notes describing only the land area needed for the proposed use(s). If field notes are supplied, the survey map and two copies of field notes are needed using the following format:
 - a) Prepared on 8 1/2 x 11 paper
 - b) Typed in a standard business typeface (Legible)
 - c) Begin with a caption that describes the total tract
 - d) Surveyor's calls included
 - e) End with the words "to the point of beginning"
 - f) Sealed by a registered public surveyor
11. **Deed Reference and tax parcel identification number.** The volume and page numbers of the deed conveying the property to the present owner and the total size of the property conveyed shall be shown. This information is on your deed or is available in the County Clerk's Office, Travis County Courthouse. Tax parcel identification information is available from the Travis County Appraisal District (TCAD) on their web site www.traviscad.org at Walnut Creek Business Park, 8314 Cross Park Drive (U.S. 290 and Cross Park Drive), phone (512) 834-9317.
- 12.-14. **Other Provisions. Combining/Overlay Districts** - If the historic zoning request falls within a zoning combining district (such as a Neighborhood Plan or NP combining area), National Register Historic District or other overlay districts please fill in this information in the space provided. A Traffic Impact Analysis (or TIA) is only required in some cases where the base zoning is also changing. For additional information, contact the the Development Assistance Center at (512) 974-6370.

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15. **Type of Ownership** - If the ownership is other than sole or community property, attach a list of the partners/beneficiaries/principals and their positions.
16. **Owner information** - *Owner information is required. If the owner agrees to be represented by an agent, then please a written authorization for the agent to represent the owner's interests. If there is more than one owner, attach additional owner information to application. Be sure that all signatures are legible and address information is correct.*
17. **Agent Information** - If designated, this will be the Development Review and Inspection Department's primary contact. If the agent changes, your Case Manager should be notified.

B. TAX MAPS - Tax maps are used to obtain property owner names and addresses for notification. Tax maps must be submitted with all zoning applications and shall meet the following requirements:

1. One blueline copy of each of the current tax plats, showing all properties within 300 feet of the tract for which zoning approval is being requested. Include all maps referred to in the 300 feet surrounding the tract. Outline the subject tract in red. (DO NOT SPLICE THE MAPS TOGETHER).

Tax maps are available at the Travis County Appraisal District (TCAD) at Walnut Creek Business Park, 8314 Cross Park Drive (U.S. 290 & Cross Park Drive), phone 834-9317.

2. For projects located outside of Travis County, applicants must submit a list of names and addresses of all property owners located within a 300-foot radius of the subject tract.

C. TAX CERTIFICATE - A Tax Certificate must be submitted with all zoning applications. This certificate may be obtained from the County Tax Office located in the Courthouse Annex (northwest corner of 10th Street and Guadalupe) and should indicate that no taxes are owed on the property.

D. SUBMITTAL CHECK LIST AND INSPECTION AUTHORIZATION FORM – A signed submittal and authorization form should be included.

E. ACKNOWLEDGMENT FORM CONCERNING SUBDIVISION PLAT NOTE/DEED RESTRICTIONS - A signed *acknowledgement form is required. The applicant should carefully check records before signing the attached acknowledgement form. Plat notes are shown on the face of the subdivision plat. Plats are available at the City or the County Courthouse. Deed restrictions are recorded at the Courthouse if you do not already have a copy.*

F. HISTORICAL DOCUMENTATION – The applicant needs to submit one full copy of supporting historic documentation for city use (will NOT be returned). All information should be submitted loose or paper-clipped; no stapled, glued or bound documents please. An informational brochure providing additional information on historic research and potential sources of information is available from the City Historic Preservation Office at 974-3530.

- (1) A chronological list of prior owners. This chronology should begin at a minimum with the transaction whereby the owner who is believed or known to have built the first building on the site first acquired some or all of the property. (Deed information available at the Travis County Clerk's Office, Travis County Courthouse, 1000 Guadalupe Street). See attached form F.1.
- (2) A chronological list of occupants/residents/tenants, their occupations, and their dates of occupancy for all years of a building's existence (Usually available from the City Directories in the Austin History Center). See attached form F.2.
- (3) Biographical data on owners and occupants as available. Please copy all information available, including newspaper articles, family records, marriage certificates, etc. For cemeteries, a list of burial names and biographical data on associated personages required. (Contact the Austin History Center for biography files, obituary records, census data, marriage and death records, etc. Other sources include previous occupants/owners or their descendants, company/organization archives, etc.).

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- (4) Information on historically significant events which occurred at the location, if known (see 3. above for research information).
- (5) Black and white prints (35 mm) at least 3 1/2 X 5 inches in size showing full exterior views, including all elevations, setting, outbuildings, and details of structural and landscape features. Also, include three or more slides showing similar views. Photographs should be labelled on the back in pencil and should be submitted loose (un-affixed). Slides are recommended, but not required.
- (6) Information on architect, builder, contractor and any craftsmen who worked on the buildings and structures on the site when available. (See 3. above for possible sources).
- (7) Reproductions (high quality photocopies acceptable) of historical photographs when available (Sources include Austin History Center, previous owners and occupants or their descendants, company/organization archives, etc.).
- (8) A dimensioned site plan or survey showing the tract in question and the location/placement of all buildings/structures on the tract.
- (9) A brief historical narrative (no more than 10 pages) providing:
 - a brief chronology and overview of the property's history and development, including dates for all new construction (houses, outbuildings, wells, etc.) and alterations. (Sources include mechanic's liens, Sanborn Fire Insurance Maps, Austin History Center records, family records, etc.);
 - A summary of the primary uses and occupants of property over time, and any important persons associated with the site (include full names, birth, marriage and death dates);
 - A justification as to which specific city historic landmark criteria the property meets and why.

A brochure providing additional information on how to conduct historic research and potential sources of information is available from the City Historic Preservation Office at 974-3530.

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SUBMITTAL CHECKLIST

- A. Application Form.
- B. Full size tax maps (1"=100') showing properties within 300' of zoning request
- C. Tax certificate or letter from the County Tax office (Not a tax receipt)
- D. Submittal Verification and Inspection Authorization Form.
- E. Acknowledgment Form
- F. Historical Documentation (including Attachment A, B, photographs, historical narrative, and copies of historical information)

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A. APPLICATION FOR HISTORIC ZONING

PROJECT INFORMATION:

DEPARTMENTAL USE ONLY	
APPLICATION DATE: _____	FILE NUMBER(S) _____
TENTATIVE HLC DATE: _____	
TENTATIVE PC or ZAP DATE: _____	
TENTATIVE CC DATE: _____	CITY INITIATED: YES / NO
CASE MANAGER _____	ROLLBACK: YES/NO
APPLICATION ACCEPTED BY: _____	

BASIC PROJECT DATA:

1. OWNER'S NAME: _____	
2. PROJECT NAME: _____	
3. PROJECT STREET ADDRESS (or Range): _____	
ZIP _____	COUNTY: _____
IF PROJECT ADDRESS CANNOT BE DEFINED ABOVE:	
LOCATED _____ FRONTAGE FEET ALONG THE N. S. E. W. (CIRCLE ONE) SIDE OF	
(ROAD NAME PROPERTY FRONTS ONTO), WHICH IS	
APPROXIMATELY _____	DISTANCE FROM ITS
INTERSECTION WITH _____	CROSS STREET.

AREA TO BE REZONED:

4. ACRES _____	(OR)	SQ.FT. _____			
5. ZONING AND LAND USE INFORMATION:					
EXISTING ZONING	EXISTING USE	TRACT# (IF MORE THAN 1)	ACRES / SQ. FT.	PROPOSED USE	PROPOSED ZONING
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

RELATED CURRENT CASES:

6. ACTIVE ZONING CASE? (YES / NO)	FILE NUMBER: _____
7. RESTRICTIVE COVENANT? (YES / NO)	FILE NUMBER: _____
8. SUBDIVISION? (YES / NO)	FILE NUMBER: _____
9. SITE PLAN? (YES / NO)	FILE NUMBER: _____

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PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):

10a. SUBDIVISION REFERENCE: Name: _____
Block(s) _____ Lot(s) _____ Outlot(s) _____
Plat Book: _____ Page _____
Number: _____

10b. METES AND BOUNDS (Attach two copies of certified field notes if subdivision reference is not available or zoning includes partial lots)

DEED REFERENCE CONVEYING PROPERTY TO PRESENT OWNER AND TAX PARCEL I.D.:

11. VOLUME: _____ **PAGE:** _____ **TAX PARCEL I.D. NO.** _____

OTHER PROVISIONS:

12. IS PROPERTY IN A ZONING COMBINING DISTRICT / OVERLAY ZONE? YES / NO

TYPE OF COMBINING DIST/OVERLAY ZONE (NCCD, NP, etc) _____

13. LOCATED IN A LOCAL OR NATIONAL REGISTER HISTORIC DISTRICT? YES / NO

14. IS A TIA REQUIRED? YES / NO (NOT REQUIRED IF BASE ZONING IS NOT CHANGING)

TRIPS PER DAY: _____

TRAFFIC SERIAL ZONE(S): _____

OWNERSHIP TYPE:

15. ☐ SOLE ☐ COMMUNITY PROPERTY ☐ PARTNERSHIP ☐ CORPORATION ☐ TRUST

If ownership is other than sole or community property, list individuals/partners/principals below or attach separate sheet.

OWNER INFORMATION:

16. OWNER CONTACT INFORMATION

SIGNATURE: _____ NAME: _____

FIRM NAME: _____ TELEPHONE NUMBER: _____

STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

EMAIL ADDRESS: _____

AGENT INFORMATION (IF APPLICABLE):

17. AGENT CONTACT INFORMATION

SIGNATURE: _____ NAME: _____

FIRM NAME: _____ TELEPHONE NUMBER: _____

STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

CONTACT PERSON: _____ TELEPHONE NUMBER: _____

EMAIL ADDRESS: _____

DEPARTMENTAL USE ONLY: _____

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**D. SUBMITTAL VERIFICATION
AND INSPECTION AUTHORIZATION**

SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the proper review of this application.

**PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND
INDICATE FIRM REPRESENTED, IF APPLICABLE.**

Signature

Date

Name (Typed or Printed)

Firm (If applicable)

INSPECTION AUTHORIZATION

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

**PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND
INDICATE FIRM REPRESENTED, IF APPLICABLE.**

Signature

Date

Name (Typed or Printed)

Firm (If applicable)

E. ACKNOWLEDGMENT FORM

concerning
Subdivision Plat Notes, Deed Restrictions,
Restrictive Covenants
and / or
Zoning Conditional Overlays

I, _____ have checked for subdivision plat notes, deed restrictions,
(Print name of applicant)

restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions i.e. height, access, screening etc. on this property, located at

(Address or Legal Description)

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of a subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlay information which may apply to this property.

(Applicant's signature)

(Date)

F. 1: Historical Documentation - Deed Chronology

Deed Research for (fill in address) _____

List Deeds chronologically, beginning with earliest transaction first and proceeding through present ownership. The first transaction listed should date at least back to when the original builder of any historic structures on the site first acquired the property (i.e., should pre-date the construction of any buildings/structures on the site). Please use the format delineated below.

For each transaction please include: name of Grantor/Grantee, date of transaction, legal description involved, price, and volume/page number of deed records. If there is a mechanic's lien please copy the entire document.

Example:

Transaction

Vol./Page

John Doe to Mary Smith,
Lots 1-3, Block B, Driving Park Addition
March 13, 1882
\$2500

Vol. 52, pp. 22-60

Mary Smith, estate, to Ingrid Jones
Lots 1-2, Block B, Driving Park Addition
January 12, 1903

Vol. 409, pp. 552-554

(Continue through the present)

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F. 2: Historical Documentation - Occupancy History

Occupancy Research for (fill in address) _____

Using City Directories available at the Austin History Center or other information available, please provide a chronology of all occupants of the property from its construction to the present. For commercial property, please provide residential information on business owner as well.

Year	Occupant Name and Reference	Source
1872-1873	A.S. Roberts, Dry Goods and general groceries provisions, e s Congress b Hickory and Ash Streets A.S. Roberts (Ada), Roberts Dry Goods, r. 610 W. 12 th Street, 2.	City Directories
1877-78	Jones, David W., Wholesale Furniture dealer and carpets, 806 Congress Avenue Jones, David W. (Martha), Furniture Dealer, r. 312 W. 5 th Street, 4.	City Directories

(Continue through the present)