

A U S T I N C I T Y C O U N C I L

AGENDA

Thursday, June 22, 2006

128PH

Back

**Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION**

Subject: Conduct a public hearing and approve an ordinance amending Chapters 25-2 and 25-11 of the City Code relating to Historic Districts and structures. (Recommended by Planning Commission and Zoning and Platting Commission.)

Additional Backup Material

(click to open)

- ☐ Recommendations
- ☐ Task Force Report
- ☐ Ordinance

For More Information: Steve Sadowsky, 974-6454



CITY OF AUSTIN
HISTORIC PRESERVATION TASK FORCE
REPORT TO CITY COUNCIL

JUNE 22, 2006

Betty Baker, Chair
Jerry Harris, Vice-Chair
Keith Jackson
Tere O'Connell
John Philip Donisi
Charles Betts
Joseph Martinez
David West, *ex-officio*

Prepared by Steve Sadowsky
Historic Preservation Office
Neighborhood Planning and Zoning Department

INTRODUCTION

The City Council of Austin, Texas established the Historic Preservation Task Force on October 6, 2003 (Ordinance No. 030925-51) and reconvened the Task Force on August 18, 2005 with the charge to:

1. Consider possible Code revisions in order to expedite the historical landmark designation process
2. Review any drafts or proposals for local historic districts
3. Consider whether owner opposition to a historical landmark designation should be treated in a different manner from owner-requested designations
4. Review the proper criteria under which a property may be designated historic
5. Present to Council any other recommendations regarding the historical landmark designation process that receives a quorum vote from the Task Force

The Task Force had 14 scheduled meetings during the course of their charge:

August 31, 2005	September 7, 2005
September 13, 2005 (cancelled)	September 14, 2005
September 21, 2005	October 5, 2005
October 19, 2005	November 9, 2005 (cancelled)
November 30, 2005	December 12, 2005
January 16, 2006	February 8, 2006 (cancelled)
February 28, 2006 (cancelled)	March 5, 2006

Each meeting was set at 5:30 p.m. in One Texas Center. The agendas for each meeting were posted in accordance with ordinance and on the City website to encourage public participation in the Task Force's discussions and reviews.

The Task Force makes the following recommendations for changes to the City's historic preservation program:

A. LOCAL HISTORIC DISTRICTS

1. Require demonstration that at least 60% of the property owners within a proposed local historic district support designation of the district at the time that the nomination is placed upon the agenda of both the Historic Landmark Commission and City Council.
(Modification of the prior Task Force recommendation to require a demonstration that at least 51% of the property owners within a local historic district support designation).

2. Allow staff 28 days to review a local historic district nomination for completeness and 45 days for the applicant to correct any deficiencies, or the application will lapse.

3. Recommend that the boundaries of a local historic district should follow the boundaries of an original subdivision, but establish that the minimum size of a local historic district is one block-face, and a local historic district must be contiguous.

4. Require that at least 51% of the principal buildings within the proposed local historic district contribute to its historic character at the time the nomination is certified complete by the City Historic Preservation Office.

5. Provide that an appeal of a denial of a Certificate of Appropriateness from the Historic Landmark Commission be presented to the appropriate land use commission, and then may be further appealed to Council.

6. Approve the nomination form, instructions, and research guides for completing local historic district nominations.

7. Require that the local historic district nomination document ownership and occupancy histories at intervals of no more than 5 years of the representative buildings within the district, including at least 25% of the contributing buildings in the district.

8. Code sections 25-2-355 and 25-2-352 should be clarified to distinguish between the designation criteria for a historic landmark and the designation criteria for a historic district.

9. Provide for increased penalties for un-permitted actions in local historic districts, including illegal demolitions, relocations, and architectural modifications to contributing buildings.

B. OWNER-OPPOSITION HISTORIC ZONING CASES

1. Require a $\frac{2}{3}$ vote of the filled seats on the Historic Landmark Commission to move an owner-opposition case forward to the land use commission and Council.

C. STAFF REVIEW OF CERTAIN PROJECTS

1. Staff should review applications for remodel permits within National Register and local historic districts to prevent their misuse as a demolition permit.

2. Staff should review and be given the authority to administratively approve applications for minor building permits in National Register historic districts, similar to the authority granted staff for building permits in local historic districts.

3. Building and remodel permit applications should require the applicant to answer questions relating to the scope of the project to help prevent demolition and architectural modifications to buildings in National Register and local historic districts, such as:

- a. Will the project require the demolition of any exterior walls. If so, the project requires a demolition permit.
- b. Will the project replace exterior siding, windows, doors, or other architectural features of a house within a National Register or local historic district? If so, the project requires review by the City Historic Preservation Office and/or the Historic Landmark Commission.

HISTORIC TASK FORCE RECOMMENDATIONS STAFF REPORT

On August 18, 2005, the City Council re-convened the Historic Preservation Task Force to review processes and forms for local historic districts and make recommendations regarding processes of the Historic Landmark Commission and the City Historic Preservation Office.

The Historic Preservation Task Force met through March, 2006, and recommended the following amendments to the Land Development Code:

1. Section 25-2-242(5) requiring a petition of the owners of at least 60% of the land within a proposed local historic district to initiate rezoning of the property;
2. Section 25-2-352(B) requiring that 51% of the structures within a local historic district must be contributing at the time the nomination is placed on the agenda of the Historic Landmark Commission, but not at the time the case is heard by Council;
3. Section 25-2-353(B) requiring that at least 25% of the contributing buildings within a local historic district must be documented with ownership and occupancy histories in no less than 5 year intervals);
4. Section 25-2-355(A) clarifying the criteria for designation of a historic landmark and a historic area combining district;
5. Section 25-11-214(c) authorizing the Historic Landmark Commission to review applications for remodel permits which affect the exterior of a building within a National Register Historic District;

The Task Force also recommended new Code provisions relating to the following:

- (a) the minimum size of a local historic district;
- (b) the process for appeal of the denial of a Certificate of Appropriateness by the Historic Landmark Commission;
- (c) establishing that a vote of three-quarters of the filled seats on the Historic Landmark Commission is necessary to recommend historic zoning over the wishes of the property owner;
- (d) establish that the Historic Preservation Officer shall review a local historic district nomination for completeness and shall notify the applicant within 28 days after the filing date of any additional information necessary for the agenda to be placed on the agenda of the Historic Landmark Commission;
- (e) establish that the Historic Preservation Officer may administratively approve certain minor projects in National Register Historic Districts.



CITY OF AUSTIN

HISTORIC PRESERVATION TASK FORCE

REPORT TO CITY COUNCIL

MAY 18, 2006

Betty Baker, Chair
Jerry Harris, Vice-Chair
Keith Jackson
Tere O'Connell
John Philip Donisi
Charles Betts
Joseph Martinez
David West, *ex-officio*

Prepared by Steve Sadowsky
Historic Preservation Office
Neighborhood Planning and Zoning Department

INTRODUCTION

The City Council of Austin, Texas established the Historic Preservation Task Force on October 6, 2003 (Ordinance No. 030925-51) and reconvened the Task Force on August 18, 2005 with the charge to:

1. Consider possible Code revisions in order to expedite the historical landmark designation process
2. Review any drafts or proposals for local historic districts
3. Consider whether owner opposition to a historical landmark designation should be treated in a different manner from owner-requested designations
4. Review the proper criteria under which a property may be designated historic
5. Present to Council any other recommendations regarding the historical landmark designation process that receives a quorum vote from the Task Force

The Task Force had 14 scheduled meetings during the course of their charge:

August 31, 2005	September 7, 2005
September 13, 2005 (cancelled)	September 14, 2005
September 21, 2005	October 5, 2005
October 19, 2005	November 9, 2005 (cancelled)
November 30, 2005	December 12, 2005
January 16, 2006	February 8, 2006 (cancelled)
February 28, 2006 (cancelled)	March 5, 2006

Each meeting was set at 5:30 p.m. in One Texas Center. The agendas for each meeting were posted in accordance with ordinance and on the City website to encourage public participation in the Task Force's discussions and reviews.

The Task Force makes the following recommendations for changes to the City's historic preservation program:

A. LOCAL HISTORIC DISTRICTS

1. Require demonstration that at least 60% of the property owners within a proposed local historic district support designation of the district at the time that the nomination is placed upon the agenda of both the Historic Landmark Commission and City Council.
(Modification of the prior Task Force recommendation to require a demonstration that at least 51% of the property owners within a local historic district support designation).

2. Staff should review and be given the authority to administratively approve applications for minor building permits in National Register historic districts, similar to the authority granted staff for building permits in local historic districts.

3. Building and remodel permit applications should require the applicant to answer questions relating to the scope of the project to help prevent demolition and architectural modifications to buildings in National Register and local historic districts, such as:

- a. Will the project require the demolition of any exterior walls. If so, the project requires a demolition permit.
- b. Will the project replace exterior siding, windows, doors, or other architectural features of a house within a National Register or local historic district? If so, the project requires review by the City Historic Preservation Office and/or the Historic Landmark Commission.



LOCAL HISTORIC DISTRICTS

NOMINATION FORM AND INFORMATION PACKET

CITY OF AUSTIN LOCAL HISTORIC DISTRICTS

THE NOMINATION PROCESS

1. Submit the completed nomination form with all required supporting documentation to the City Historic Preservation Office, 505 Barton Springs Road. The City Historic Preservation Office will review the nomination and notify the applicant within 28 days if additional information is necessary to complete the nomination. The applicant will then have 45 days to submit the missing information for the nomination. When the City Historic Preservation Office notifies the applicant that the nomination is complete, present the nomination to the City Intake Office along with the required fees (\$165 notification fee, payable to the City of Austin). The City Intake Office will not accept a nomination for a local historic district without certification by the City Historic Preservation Office that the nomination is complete and ready for filing.
2. Complete nominations are reviewed by the Historic Landmark Commission, the appropriate land use commission (Planning or Zoning and Platting) and City Council. Each commission makes a recommendation to City Council to approve or deny designation of a local historic district. Commission and Council meetings are public hearings; property owners and other interested parties have this opportunity to provide comments regarding designation of the historic district. All property owners and registered neighborhood associations within the proposed historic district will be mailed notice of public hearings relating to designation of the district at least 10 days prior to the hearing date.
3. Designation of the district occurs only after approval by City Council. Upon approval of the district, all properties within the district will have the zoning suffix (HD) applied to the base zoning classification (i.e., SF-3-HD).
4. Following designation, the Historic Landmark Commission will review demolition, relocation, and building permit applications for exterior or site modifications to contributing buildings and all new construction within the district in accordance with the District Preservation Plan adopted for the district by the City Council.

DEFINITIONS

LOCAL HISTORIC DISTRICT

A local historic district is a geographically- or thematically-definable area, possessing a significant concentration of buildings, structures, or objects united by their history and architecture. At least 51% of the principal buildings within a district must contribute to its historic character, and at least 60% of the property owners within the district must consent to its establishment before City Council can designate the area as a local historic district.

A local historic district is a zoning overlay, which sets forth special regulations for historic areas of the city in a district preservation plan. A district preservation plan contains design standards, which will be applied by the Historic Landmark Commission in reviewing new construction as well as additions to existing buildings.

CONTRIBUTING

A contributing property is one which

- Is at least 50 years old, and
- Was built during the period of significance of the district, and
- Retains sufficient integrity of materials and design to convey its historic appearance.

NON-CONTRIBUTING

A non-contributing property is one which

- Is less than 50 years old, or
- Has had architectural modifications to the extent that it has lost its historic appearance.

Evaluations of which buildings are contributing to the historic district must be prepared by a historic preservation professional.

DISTRICT BOUNDARIES

A historic district must have defined and justifiable boundaries. District boundaries should be drawn in accordance with original subdivision lines, and must encompass at least one block-face as a minimum size for the district. The district boundaries should reflect the common history and architecture of the district, so may include more than one subdivision if there exists a common history. At least 51% of the principal buildings within the district must be deemed contributing to its historic character.

BUILDING

A building is the principal building on the property; for residential properties, the principal building is the house; for commercial properties, the principal building is the commercial building. Outbuildings (such as sheds, garages, garage apartments, etc.) should be considered in the survey and inventory of the building within the district, but are not counted as principal buildings for determining whether at least 51% of the buildings contribute to the historic character of the district.

CITY OF AUSTIN LOCAL HISTORIC DISTRICTS

GENERAL RESEARCH GUIDE

1. COLLECT MAPS

A. SUBDIVISION MAPS

Begin thinking about the boundaries of the proposed local historic district as the same as the original subdivision of the area. Obtain the plat map for the subdivision at the Austin History Center (9th and Guadalupe) or the Travis County Clerk's Office (5501 Airport Boulevard). Compare the map to current conditions to see if the original subdivision boundaries would qualify as a local historic district.

B. TAX MAPS

Tax maps are available from the City Map Sales Office (505 Barton Springs Road) or the Travis Central Appraisal District (8314 Cross Park Drive), and should show ALL of the properties within the proposed historic district. The tax maps are the basis for providing the required notification to property owners.

C. SANBORN FIRE INSURANCE MAPS

The Sanborn Fire Insurance Map Company produced maps of Austin in 1885, 1889, 1894, 1900, 1922, 1935, and 1959-1962. The Austin History Center (9th and Guadalupe) and the Barker Center for the Study of American History (UT) have the Sanborn maps on microfilm. You can also access the Sanborn maps on the Internet through the Austin Public Library website with a valid library card.

Sanborn maps help document the development of the district. The maps show the footprint of each building standing when the map was drawn and the density of settlement as the area developed. *Example:* The 1922 map of Eva Street between Elizabeth and Monroe in South Austin shows three houses on the west side of the street and no houses on the east side. The 1935 map shows three houses on the east side of Eva between Elizabeth and Monroe that were therefore built between 1922 and 1935. The maps show whether a building is one or two stories, wood-frame or masonry, a dwelling or a store, and the location of outbuildings on the property. The maps also show the configuration of the buildings, helping to date additions, or if an earlier house was demolished to construct the current house. Only the central part of Austin was covered by the maps prior to 1900; the 1922 map only shows some outlying residential sections, not the central part of the city. The first truly comprehensive Sanborn map was produced in 1935.

2. RESEARCH THE HISTORIC DISTRICT

By definition, a local historic district protects, enhances, and preserves "areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance." Researching the development, social, and architectural history of the district establishes its significance and historic context. The questions your research should focus on answering are:

- When was the area first developed?
- What are the names of the subdivisions in the area? When, and by whom were they platted? What are the neighboring subdivisions, and how do they relate in history and architecture to your subdivision?
- According to the Sanborn maps and/or City building permits (only for construction after 1937), when and where were the first buildings constructed in the subdivision? When did the greatest period(s) of growth occur in the district? What buildings reflect that growth?
- According to City directory and/or deed research, who were the residents of the district? Did the social, ethnic, racial, or economic character of the district change over time? How does the architecture of the district reflect the history of the district?

Your research will provide the information necessary for the individual building histories and the narrative relating the historical significance of the district.

3. BUILDING SURVEY

The survey and inventory gathers the data necessary for developing the design standards for new construction within the district, as well as establishing the architectural significance of the district.

Become familiar with the survey form before beginning the survey. Be sure that everyone working on the survey has the same understanding of what is required and can recognize the architectural details called for in the survey form. PLEASE – do not trespass on private property to conduct the survey.

4. DEFINITION OF STYLE

Architectural style guidebooks are available at the Austin Public Library, and include A Field Guide to American Houses by Virginia and Lee McAlester (New York: Alfred A. Knopf, 1990), Identifying American Architecture by John J.-G. Blumenthal (Nashville: American Association for State and Local History, 1981), A Field Guide to American Architecture by Carole Rifkind (New York: New American Library, 1980), American Vernacular Design by Herbert Gottfried and Jan Jennings (Ames: Iowa State University Press, 1988), among others.

CITY OF AUSTIN LOCAL HISTORIC DISTRICTS

STEP-BY-STEP INSTRUCTIONS FOR COMPLETING THE NOMINATION FORM

I. NAME OF DISTRICT

Choose a name that reflects the history of the district, from the subdivision or streets which compose the district. The City Historic Preservation Office can assist in naming a historic district.

II. GEOGRAPHICAL DESCRIPTION

Provide a general geographical description of the district boundaries. *Example:* "From the northeast corner of 8th and Nueces, east along 8th Street to Guadalupe, south along Guadalupe Street to 6th Street, west along 6th Street to Nueces Street, and north along Nueces to 8th Street." State the acreage of the district.

Defining the boundaries of the district: Start with the original subdivision, and see if it qualifies for designation. Look at adjacent subdivisions to determine the historic pattern of development in the area. Modify the boundaries of the district to exclude portions of the original subdivision or add adjacent subdivisions if there is sufficient unity of architecture and history to justify establishment of the district as a single entity with design standards based upon the architectural features which define the historic character of the district. Provide a brief explanation of the reason any part of the original subdivision was excluded from the historic district in the narrative History of the District (Appendix B) of the nomination. District boundaries must be contiguous. In no case can a district be smaller than one block-face.

III. PROPERTIES WITHIN THE DISTRICT

Fill in this information in the Nomination Form after completing the survey and inventory of all the buildings within the proposed district. Determine the total number of buildings within the district, the number and percentage of those buildings which contribute to the historic character of the district (at least 51% must be contributing), and the number of contributing buildings which are residential, commercial, public and parks/public landscapes to give a general idea of the makeup of the district. Identify today's use of the building in your tally, i.e., if a law office operates out of a house, then the building would be considered commercial rather than residential. Tally the number of non-contributing properties by property type.

IV. PERIODS OF SIGNIFICANCE

Describe the periods of significance in the development of the district. Begin with the earliest development within the district and describe the periods of greatest construction activity within the district. *Example:* The earliest subdivision within the district was platted in 1897, a few houses were built before World War I, and then the land was divided into smaller lots. A second period of building activity occurred from 1921 to 1928. The majority of the houses within the district were built during before 1928, with only sporadic building until 1948, when a third building boom occurred, lasting until 1950. Although a couple of houses were built after 1950, the period of significance for this district would be 1897-1928 and 1948-50, reflecting the two major periods of development in the district.

V. DISTRICT MAPS (APPENDIX A)

Obtain the tax maps covering the district and at least 300 feet from the boundaries of the district. Delineate the boundaries of the historic district on the tax map. Provide an additional map showing the following information:

- A. The boundaries of the historic district;
- B. The boundaries of any original subdivisions included within the district (attach the plats or maps of the subdivisions identified); and
- C. The location of each building in the district with a designation of whether the building is contributing or non-contributing to the district, and a key tying the map to the survey card for the property.

VI. HISTORY OF THE DISTRICT (APPENDIX B)

In a concisely-written narrative, relate the history of the district, from the time it was first developed to the present. The narrative must be detailed enough to establish the historical and architectural significance of the district, with references to individuals prominent in its development.

Identify the subdivisions within the district, the date they were platted, and the patterns and dates of settlement within the district. Include the plat book references for each subdivision within the district. Reference the building histories (see No. 7 below), Sanborn maps, and other resources evidencing the architectural and social history of the district. Provide an explanation of the district boundaries, noting the subdivisions included in the district, and an explanation for the exclusion of any areas of the original subdivisions in delineating the boundaries of the district.

Detail the social history of the district, with references to the architecture which represents certain periods of development and settlement. Collect information from city directories, newspapers, oral histories, and other publications at the Austin History Center or other research facilities. Example: Rainey Street was originally a neighborhood of European and Anglo craftsmen and skilled laborers; the earliest houses on the street are relatively large, indicating the prosperity of the area in its first phase of development. Several bungalows and smaller cottages were built in the 1920s and 1930s, when the neighborhood underwent a change from majority owner-occupants to majority renters. Hispanic families began moving into the area after World War II; the neighborhood became predominantly Hispanic by 1960. In the period following World War II, a majority of the Hispanic families on the street rented their houses. After 1960, the majority of the Hispanic families owned their homes.

Identify all known architects and builders active in the construction of buildings within the district, with a list of the buildings associated with them.

Include a bibliography of all sources consulted. Footnotes are not necessary.

VII. INVENTORY OF PROPERTIES (APPENDIX C)

Provide a list of all of the properties within the district by street addresses in alphabetical order. The inventory list must contain:

- A. Address, legal description, and current owner's name and address
- B. Construction date of the building
- C. Architectural style of the building
- D. Determination of whether the building is contributing or non-contributing to the district.

VIII. SURVEY SHEETS AND PHOTOGRAPHS (APPENDIX D)

Provide a completed survey sheet and photograph (see below) for every building within the district, whether contributing or non-contributing. Complete a survey card (detailed architectural description) only for the contributing building within the district. Secondary buildings, such as garage apartments, may be included on the same survey form as the principal building, but must be described and photographed in sufficient detail to determine whether it is contributing to the historic character of the district.

The SURVEY SHEET includes the following information:

- A. Address of the property and the map key number showing its location on the district map.
- B. Photograph of the property (see below)
- C. Description of alterations to the building
- D. Significant persons associated with the property
- E. The architect or builder associated with the property.

The SURVEY CARD includes a description of the building, including style, materials, height, fences, walls, and secondary buildings. This information will assist in the development of the design standards for the district.

When you prepare the survey for submission with the nomination, print the survey form on heavy paper (65 lb.) to support the weight of the affixed photograph.

Photographs

Accompany each survey form with a clear photograph of the principal building and all outbuildings and landscape features on the property. Note the roll and frame number or compact disk file number on the survey form for every photograph of the property. Photographs should be 3 ½ x 5 or 4 x 6 and may be 35 mm. or digital, if printed on photographic paper. Affix an oblique (front façade and side elevation) view of each principal building to the survey form. Affix additional photographs to an addendum to the survey form as needed, noting the subject and reference number of each photograph. Provide a detail photograph of any notable architectural features, alterations, outbuildings, and landscape features in the addendum. *Example:* A house has notable gingerbread detailing on the porch, modern aluminum windows, a modern addition to the side, and a wire fence at the sidewalk. Document these features in the addendum if they are not adequately shown in the main photograph. The compilation of this information guides the decision as to whether the house is contributing to the district and helps in the development of district design standards. Do not trespass on private property when photographing the buildings in the district.

Provide photographs showing representative streetscapes and alleys of the district to illustrate typical public views, and to convey a sense of the scale and density of buildings and street features (trees, streetlights, benches, etc.). Streetscape photographs should be no larger than 8 x 10, and clearly labeled on the back identifying the view shown in the photograph, the direction of the photograph, and the place where the photograph was taken. *Example:* "View of the west side of the 2100 block of Newton Street, looking north, June, 2006."

IX. BUILDING HISTORIES (APPENDIX E)

Provide ownership and occupancy histories in no fewer than 5-year intervals of at least 25% of the contributing buildings in the district to present the history of the district through individual buildings. Choose a combination of the prominent and representative buildings within the district to show the social history of the district, and include this information in your narrative history of the district.

Ownership histories: The ownership history of the building will be told through the deed records at the Travis County Clerk's Office, 5501 Airport Boulevard. Begin with the current owner and work back

to the owner at the time the building was constructed. Look at the deed transfers, the original deed (from the developer to the first owner of the house, and any mechanic's liens to identify when the house was constructed and any additions to it. Early deeds may also contain deed restrictions, including prohibitions of certain types of buildings, required set-backs, orientation of the house to the street, prohibitions on sales to or occupancy by certain groups, etc.

Occupancy histories: The occupancy history of the building can be researched through city directories at the Austin History Center, 9th and Guadalupe. Begin with the most current year directory and work back in no more than 5-year intervals until the address no longer appears in the directories. Find the occupant's name in the address section of the directory (which will also tell if the occupant was the owner or a tenant of the building), then look that person's name up in the main section of the directory to find the names of family members and their occupations. Check biographical files at the Austin History Center to see if there is additional information about the residents of the buildings. Check the cemetery interment records at the Austin History Center to see if any of the residents were buried in city cemeteries. Find their date of death and look for obituaries in the Austin newspaper archives at the History Center. The History Center also has several on-line databases which can provide further information about the people who lived in the house to help you write the full story of the district. Check to see if there are architectural plans at the Austin History Center of the UT Architectural Archives in Battle Hall. Check to see if there are historic photographs of the building at the Austin History Center. This information will provide the justification for designation of the historic district and greater understanding of its social history.

X. CHARACTER-DEFINING FEATURES AND ARCHITECTURAL INTEGRITY (APPENDIX F)

Identify and describe the architectural styles which characterize the contributing residential and commercial buildings in the district, and the periods of construction of those styles within the district. *Example:* Travis Heights contains a notable number of Tudor Revival and Spanish Colonial Revival houses built from the 1910s through the 1940s, 1920s Craftsman bungalows, and 1930s vernacular cottages. Note the location of particularly good examples of each style. Illustrate the materials with representative photographs.

Describe the criteria used to determine whether buildings in the district are contributing or non-contributing to the district (architectural integrity). Buildings may be non-contributing to the district because of their age (less than 50 years old) or because of architectural modifications which have compromised their historic appearance. Examples of architectural modifications include non-original siding materials, window replacements, additions which have materially altered the historic appearance of the building, converted garages, etc. The determination of whether a building is contributing or non-contributing and the criteria used for evaluation should be prepared by a historic preservation professional.

XI. DISTRICT PRESERVATION PLAN (APPENDIX G)

A. ARCHITECTURAL COMPOSITION OF THE DISTRICT

Fill in this information with data collected from the survey and inventory of the district and after a determination of which buildings contribute to the historic character of the district. Describe the architectural features of the contributing residential and commercial buildings to provide the information necessary to develop design standards for the district.

B. BUILDING LOCATIONS AND LANDSCAPE FEATURES

Describe the locations of buildings within the district; specifically, their setback from the street, building heights, presence of driveways, outbuildings such as garage apartments, detached garages, etc., fences, walls, street lighting, sidewalks, and other landscape features for use in adopting setback and design standards for new construction within the district.

C. DESIGN STANDARDS

Using the architectural information compiled from the survey of the district, craft design standards for new construction within the district. The design standards should address both additions to existing buildings as well as totally new construction. Each district will have a unique set of design standards.

Design standards include considerations of:

1. Building height and number of stories for additions and new construction
2. Height, placement, and materials of building additions
3. Appropriate (and inappropriate) exterior materials, (walls, roofs, windows, chimneys, etc.)
4. Exterior building components, such as porches, carports, outbuildings, etc.
5. Existing and proposed landscaping and trees
6. Setbacks - for front and side yards
7. Appropriate materials and height of walls and fences
8. Location, height, materials, and scale of garage apartments and other secondary buildings
9. Location of garage doors, if the garage is attached to the principal structure
10. Driveway materials and configurations
11. Public amenities, such as sidewalks, street furniture, street lighting, bus stops, etc.

The Historic Landmark Commission will use the District Design Standards in determining whether to grant a Certificate of Appropriateness for building additions and new construction within the district.

Illustrate the Design Standards with representative photographs or graphics.

XII. DEMONSTRATION OF OWNER SUPPORT (APPENDIX H)

Provide the signed petition or letters of at least 60% of the property owners demonstrating their support for creation of the historic district. The petition or letters must be signed by the property owner and include the address of the subject property or properties.



CITY OF AUSTIN HISTORIC DISTRICT NOMINATION FORM

I. DISTRICT NAME

II. GEOGRAPHICAL DESCRIPTION (General description of the district boundaries):

III. PROPERTIES WITHIN THE DISTRICT

TOTAL: _____

CONTRIBUTING

TOTAL NUMBER: _____ % _____

RESIDENTIAL: _____ % _____

COMMERCIAL: _____ % _____

PUBLIC: _____ % _____

PARKS/PUBLIC LANDSCAPES: _____

NON-CONTRIBUTING

TOTAL NUMBER: _____ % _____

RESIDENTIAL: _____ % _____

COMMERCIAL: _____ % _____

PUBLIC: _____ % _____

PARKS/PUBLIC LANDSCAPES: _____

IV. PERIODS OF SIGNIFICANCE

Contributing properties within the district were built between:

NOMINATION SUBMITTED BY:

Name: _____

Company Name: _____
(if applicable)

Address: _____

Telephone: _____ FAX: _____

E-mail: _____

NEIGHBORHOOD ASSOCIATION REPRESENTATIVE:

Neighborhood Association: _____

Name: _____

Address: _____

Telephone: _____ FAX: _____

E-mail: _____

FOR COMMISSION USE ONLY

On this _____ day of _____, 20____, the Historic Landmark Commission:

_____ Approved the nomination as presented

_____ Denied the nomination

_____ Requested additional information as follows:

Chair, Historic Landmark Commission

APPENDICES

Please see the Step-by-Step Instructions for the appendices.

- A. DISTRICT MAPS**
- B. HISTORY OF THE DISTRICT**
- C. INVENTORY OF PROPERTIES (see attached)**
- D. SURVEY SHEETS AND PHOTOGRAPHS (see attached)**
- E. BUILDING HISTORIES (see attached guide)**
- F. CHARACTER DEFINING FEATURES AND ARCHITECTURAL INTEGRITY
(see attached)**
- G. DISTRICT PRESERVATION PLAN (see attached information about design
standards)**
- H. DEMONSTRATION OF OWNER SUPPORT**

LOCAL HISTORIC DISTRICT NOMINATION FORM
APPENDIX C
INVENTORY FORM

[illegible]

**LOCAL HISTORIC DISTRICTS
APPENDIX D
SURVEY FORM**

HISTORIC DISTRICT

HISTORIC STRUCTURES SURVEY

ADDRESS: _____ CONTRIBUTING: _____
MAP KEY NUMBER: _____ NON-CONTRIBUTING: _____
If non-contributing, state why: _____
PHOTO Roll _____ Frame(s) _____
DATE OF CONSTRUCTION: _____ Estimated _____ Factual _____
ORIGINAL LOCATION? Yes No
If no, original location, if known: _____ Date moved _____

(PHOTO)

Stylistic Influence(s) _____

Architect/BUILDER _____

Historic Use _____ Current Use _____

List and Date of Architectural Modifications _____

Significant Persons Associated with Building and Date(s) of Association _____

Other historical designations

_____ National Register of Historic Places (individual) _____ Recorded Texas Historic Landmark
_____ National Register of Historic Places (district) _____ City of Austin Historic Landmark

Survey performed by: _____ Date: _____

Determination of contributing/non-contributing made by: _____
COMPLETE THIS SHEET FOR ALL PROPERTIES WITHIN THE DISTRICT. COMPLETE THE
ARCHITECTURAL DETAILS SHEET FOR ALL CONTRIBUTING PROPERTIES.

BUILDING INFORMATION (CONTRIBUTING BUILDINGS ONLY)

_____ Number of stories

PLAN

_____ Square or rectangular
_____ L-Plan or Asymmetrical

FOUNDATION

_____ Pier and beam (raised above grade)
_____ Slab

EXTERIOR WALLS

_____ Wood
_____ Stucco
_____ Stone
_____ Brick
_____ Synthetic siding _____ (type)

ROOF TYPE

_____ Gable
_____ Hipped
_____ Flat
_____ Gambrel
_____ Dormers _____ (type)
_____ Other _____ (type)

_____ Exposed rafter ends
_____ Brackets

ROOF MATERIALS

_____ Composition shingles
_____ Tile
_____ Metal
_____ Other _____ (type)

WINDOWS

_____ Wood or vinyl clad sash
_____ Aluminum sash
_____ Steel
_____ Decorative screens

WINDOW CONFIGURATION

_____ 1/1 Double Hung
_____ Multi-lite Double Hung ___ over ___
_____ Picture Window
_____ Steel Casement
_____ Wood Casement

Notes: _____

DOOR FEATURES

_____ Panel(s) _____ number
_____ Glazing _____ single lite
_____ _____ multi-lite
_____ Transom
_____ Sidelights

Notes: _____

FRONT PORCH

_____ None
_____ Full-width
_____ Partial-width
_____ Inset
_____ Wraparound

PORCH ROOF

_____ Gabled
_____ Hipped
_____ Shed

PORCH POSTS

_____ Full height
_____ On piers _____ (pier material)
_____ Turned wood
_____ Square wood
_____ Wrought Iron
_____ Metal

PORCH RAILINGS

_____ None
_____ Turned wood
_____ Square wood
_____ Metal

LANDSCAPE FEATURES

_____ Fence
_____ (material)
_____ (height)
_____ Wall
_____ (material)
_____ (height)
_____ Other _____

OUTBUILDINGS

_____ Detached single-story garage
_____ Garage apartment (2-story)
_____ Wall material
_____ Roof material
_____ Roof type

_____ Other _____

DRIVEWAY MATERIALS AND CONFIGURATION

LOCAL HISTORIC DISTRICTS

APPENDIX E

BUILDING HISTORIES

OWNERSHIP HISTORY

Give the names of the Grantor and the Grantee, the date of recordation of the transfer, a note of whether the transfer included a subdivision of the original tract or more than one tract, and the deed volume and page from the records of the Travis County Clerk.

EXAMPLE

(House located on Lot 2, Capitol View, built ca. 1914):

James Sprague to William Barnett
Lots 2 and 3, Capitol View
October 22, 1913
Vol. 2498, Page 63.

William Barnett and Faye Barnett to Henry Houghton
Lot 2, Capitol View
January 13, 1926
Vol. 4012, Page 711.

Proceed to the present.

OCCUPANCY HISTORY

(From City directories at the Austin History Center)

EXAMPLE:

Current occupants:

2008 Robert and Donna Bradshaw, owners
 Robert: Mechanic, South Point Nissan
 Donna: Nurse, Brackenridge Hospital

2001 David and Jessica Flores, renters
 David: Accountant
 Jessica: No occupation listed

1996 Martin Baker, owner
 Retired

1991 Martin and Lillian Baker, owners
 Martin: Retired
 Lillian: Saleswoman, Yaring's

Work back through the City Directories in no greater than 5-year intervals until the address no longer appears. Be very careful when using early directories, as the house numbers may have changed over time as development on the street occurred. Check the cross-street listings to make sure you are in the correct block, and Sanborn maps to recognize the history of construction on the street. Sanborn maps will also provide the address in use at the time the map was made.

LOCAL HISTORIC DISTRICTS
APPENDIX F
CHARACTER-DEFINING FEATURES AND ARCHITECTURAL INTEGRITY

**LOCAL HISTORIC DISTRICTS
ARCHITECTURAL COMPOSITION OF THE DISTRICT
(CONTRIBUTING BUILDINGS ONLY)**

1. SINGLE FAMILY RESIDENCES

- A. STORIES:** How many stories are the contributing houses in the district (one-story, two-story, more than two stories)?
-

- B. PRINCIPAL MATERIALS:** What are the principal materials of the contributing buildings?

1. EXTERIOR WALLS

2. ROOFS

3. WINDOWS

- C. ROOF FORMS:** What roof types define the architectural character of contributing houses in the district (gabled, hipped, flat)?
-

- D. ADDITIONS:** Describe the height (number of stories), placement on the house (rear, side, etc.), and compatibility with the historic character of the house (materials, window patterns, etc.) of additions which complement the contributing status of the house.
-

- E. PORCHES:** Describe the size (full- or partial-width) and materials of front porches on contributing residential buildings in the district, and whether front porches are a significant architectural feature of the houses in the district.
-

- F. SETBACKS:** What is the typical distance from the curb to the face of the house, and the space between houses within the district?
-

2. RESIDENTIAL OUTBUILDINGS AND GARAGE APARTMENTS

Are garage apartments an architectural feature which defines the character of the district?
Describe the location on the property, principal exterior materials and roof types of contributing garage apartments.

3. APARTMENT BUILDINGS

Describe the number of stories and principal exterior materials of apartment buildings which contribute to the historical character of the district.

4. WALLS/FENCES/LANDSCAPE FEATURES

Describe the height, materials, and placement of walls, fences, and other landscape features which define the historical and architectural character of the district.

5. COMMERCIAL BUILDINGS

- A. STORIES:** How many stories are the contributing commercial buildings in the district (one-story, two-story, more than two stories)?

- B. PRINCIPAL MATERIALS:** What are the principal materials of the contributing commercial buildings?

- 1. EXTERIOR WALLS**

- 2. ROOFS**

- 3. WINDOWS**

- C. **ROOF FORMS:** What roof types define the architectural character of contributing commercial buildings in the district (gabled, hipped, flat)?

6. **SIGNS**

- A. What types of signs define the architectural character of contributing commercial buildings in the district (flush-mounted, awning, window, projecting)?

-
- B. What type of lighting is used on signs on contributing commercial buildings in the district (indirect, back-lit, neon, etc.)?

7. **CONTRIBUTING EDUCATIONAL/INSTITUTIONAL BUILDINGS**

Describe the location, number of stories, and exterior materials of educational or institutional buildings which contribute to the architectural character of the district.

8. **CONTRIBUTING PARKS/PUBLIC LANDSCAPES**

Describe the location and features of parks and public landscapes in the district which contribute to the architectural character of the district.

9. **SITE AND LANDSCAPE FEATURES**

Describe the sidewalks, driveway types, on-street parking configurations, street furniture, street lighting, and tree canopy which exemplify the district.

LOCAL HISTORIC DISTRICTS

APPENDIX G

DISTRICT PRESERVATION PLAN

DESIGN STANDARDS

Design standards promote new construction which is sympathetic to the historic character of the district. Design standards:

1. Preserve and enhance the historic character and heritage of Austin;
2. Protect investment in rehabilitation and restoration of historic structures in local historic districts;
3. Improve the quality of design and site planning in local historic districts;
4. Rehabilitate structures within historic districts and areas wherever possible;
5. Maintain an interesting and commercially-viable downtown area;
6. Increase densification in inner city neighborhoods, where appropriate, without losing the historic character of these areas; and
7. Promote well designed new construction on non-contributing lots.

The Standards for each District are developed by first understanding the physical elements of the historic buildings that define the character of the District. Next, the Standards should prescribe the manner in which historic buildings may be modified to accommodate the changing needs of the users. Finally, the Standards define the characteristics of new construction within the District.

Design standards should address:

1. Building height and number of stories for additions and new construction
2. Height, placement, and materials of building additions
3. Appropriate (and inappropriate) exterior materials (walls, roof, chimney, windows, etc.)
4. Exterior building components, such as porches, carports, etc.
5. Existing and proposed landscaping and trees
6. Setbacks (front and side)
7. Appropriate materials and height of walls and fences
8. Location, height, materials, and scale of garage apartments and other secondary buildings.
9. Location of garage doors, if the garage is attached to the principal structure.
10. Driveway materials and configuration
11. Public amenities, such as sidewalks, street furniture, street lighting, bus stops, etc.

Attach illustrated (with photographs or graphics) design standards for new additions and new construction.

STANDARDS FOR CONTRIBUTING BUILDINGS

The character defining features of the Local Historic District are to be preserved and maintained in order to protect the historic character of the area. At a minimum, these requirements should be met within the Standards for Contributing Properties within the District:

1. Individual exterior building elements and examples of skilled craftsmanship that define the historic character of the buildings (as described above) shall be maintained and preserved. When elements are deteriorated, they should be repaired or replaced to match the original element.

2. Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. Do not create a false sense of history by adding conjectural features, features from other properties, or by combining features that never existed together historically.
3. New additions to contributing buildings should not destroy or overwhelm the historic or architectural character of the original building, and shall not obscure the front facade of the building.
4. New additions should be representative of current design conventions to the extent prescribed herein, and should not create a false sense of historic development.
5. Cleaning and repair techniques will be undertaken using the most effective but least disruptive means possible. Cleaning or repair treatments that cause damage to historic materials will not be used. Sandblasting is not permitted.
6. New additions to contributing buildings should be constructed in a manner that if such addition or alteration were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.
7. Contributing buildings should be used for their originally intended use or a new use that does not require the destruction of character defining features of the property.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTERS 25-2 AND 25-11 OF THE CITY CODE RELATING TO HISTORIC DISTRICTS AND STRUCTURES.

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

PART 1. Section 25-2-242 (*Initiation Of Zoning Or Rezoning*) of the City Code is amended to read:

§ 25-2-242 INITIATION OF ZONING OR REZONING.

Zoning or rezoning of property may be initiated by the:

- (1) Council;
- (2) Land Use Commission;
- (3) record owner;
- (4) Historic Landmark Commission, if the property is, or is proposed to be, designated as a historic landmark (H) combining district or a historic area (HD) combining district; or
- (5) for a proposed historic area (HD) combining district, petition of the owners of at least 60 ~~[50]~~ percent of the land in the proposed district.

PART 2. Section 25-2-352 (*Historic Designation Criteria*) of the City Code is amended to amend Subsections (B) and (D) and add Subsection (E) to read:

- (B) The council may designate an area as a historic area (HD) combining district if at least 51 percent of the principal structures within the proposed district are contributing structures when the historic preservation officer certifies that the zoning or rezoning application is complete.
- (D) Except as limited by Subsection (E), the [The] council may reduce the boundary of an existing historic area (HD) combining district if:
 - (1) the structure to be excluded does not contribute to the historic character of the district;
 - (2) excluding the structure or area will not cause physical, historical, architectural, archeological, or cultural degradation of the district; or

- (3) a reasonable use of the structure that allows the exterior to remain in its original style does not exist.

(E) The minimum size for a historic area (HD) combining district is one block face.

PART 3. Section 25-2-353 (*Application Requirements*) of the City Code is amended to read:

§ 25-2-353 APPLICATION REQUIREMENTS.

- (A) An application to designate a structure or site as a historic landmark (H) combining district or an area as a historic area (HD) combining district must demonstrate that the structure, site, or area satisfies the criteria for designation and include the information required by administrative rule.
- (B) An application for a historic area (HD) combining district must include:
- (1) an inventory of the principal structures included in the proposed district and an evaluation of whether each structure qualifies as a contributing structure; and
 - (2) occupancy and ownership histories of 25 percent or more of the contributing structures at intervals of not less than five years.
- (C) An evaluation under Subsection (B)(1) [~~this subsection~~] must be made by a person who meets the Secretary of the Interior's professional standards for expertise in "history" or "architectural history" as described in Code of Federal Regulations Title 36, Chapter I, Part 61 (*Procedures For State, Tribal, And Local Government Historic Preservation Programs*).

PART 4. Section 25-2-355 (*Historic Landmark Commission Review*) of the City Code is amended add Subsection (C) to read:

- (C) The affirmative vote of three-fourths of the members of the Historic Landmark Commission is required to recommend zoning or rezoning property as a historic landmark (H) combining district if a notice owner of the property files a written statement protesting the zoning or rezoning.

PART 5. Section 25-11-247 (*Appeal*) of the City Code is amended to read:

§ 25-11-247 APPEAL.

- (A) An interested party may appeal an action of the commission under Section 25-11-243 (*Action On A Certificate Of Appropriateness*) or Section 25-11-244

(Action On A Certificate Of Demolition Or Removal), or an action of the building official under Section 25-11-245 (Issuance Of Certificate By Building Official) to the land use commission [council].

(B) A decision by the land use commission on an appeal may be appealed to the council.

(C) Except as provided by Subsection (D) [(B)], an appeal must be made in accordance with the appeal procedures in Chapter 25-1, Article 7, Division 1 (Appeals).

(D) [(B)] This subsection applies only to an appeal of the issuance of a certificate of demolition or a certificate of removal.

(1) An interested party may file an appeal not later than the 60th day after the date of the decision.

(2) While an appeal is pending under this subsection, the building official may not issue a permit for the demolition or removal of the landmark.

PART 6. This ordinance takes effect on _____, 2006.

PASSED AND APPROVED

_____, 2006

§
§
§

Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk