

## **Frequently Asked Questions about Historic Districts**

Historic buildings are examples of architectural design, craftsmanship, and past ways of life. They give towns and countryside a distinctive character. They are limited in numbers and irreplaceable. The intention of historic districts and designation is to control, in the public interest, proposals that would affect the character or the setting of listed buildings.

### **Q: What is the difference between being placed on the National Register of Historic Places and living in an historic district?**

A: The National Register District identifies significant properties and districts for general planning; designates historic areas based on uniform national criteria; makes federal tax breaks available to property owners; qualifies property owners for special state and federal grants for preservation; does not prevent the demolition of historic buildings.

Local historic districts protect a community's historic properties through a design review process; provides no tax incentive for preservation purposes unless its through a local tax incentive program; requires local review and approval before a building permit is issued; provides a review process for demolitions within the district.

### **Q: How would property owners be affected by living in a district?**

A: If a property owner wants to make major improvements to their property -- whether it's building an addition, enclosing a porch or changing the style of roof -- the proposal would have to go before the historic preservation committee for approval.

### **Q: How would the districts impact developers?**

A: Developers would be required to go before the Historic Landmark Commission for a Certificate of Appropriateness (COA) before vacant lots could be developed. The main purpose for the review would be to make sure the new structures are comparable in size and design to existing buildings in the district. So while the districts won't prohibit new development, it will require an additional level of review before a project can begin. It will also require that new construction be consistent with the look of the neighborhood. It also can protect mature landscaping by preventing the removal of large trees without going through HLC review.

### **Q: What do supporters say?**

A: Supporters defend the districts, claiming that without them, development will continue to compromise the lifestyle that everyone loves. They also argue that the districts and future guidelines will give property owners added assurance that developers won't be able to come in and build something that would reduce their property values.

**Q: What do opponents say?**

A: Opponents say historic districts will strip property owners of their rights and add just another level of bureaucracy to an already cumbersome development process. Another reason cited is the loss of individual freedom to do what they want with their own property. Also sometimes questioned is the decision-making authority granted to an appointed, rather than elected board, as well as the burden of the application process itself.

**Q. If you live in a local historic district, what changes to your home must be approved by the HLC?**

A. Exterior changes substantially visible from the street, including renovations, additions and teardowns. Interior changes do not need approval. The Denton Historic Landmark Commission reviews such exterior changes to make sure they are compatible and appropriate to the district.

**Q. Do you have to change your home to meet the new standards?**

A. No.

**Q. Does the HLC approve all projects requiring review under the city's historic district ordinance?**

A. No. The commission board reviews major projects, while minor ones may be approved solely by the commission staff, provided the projects are in keeping with commission policy. The staff handles about half the applications the commission receives. Nonetheless, the staff may refer any minor change to the commission board for any reason. A minor project the staff believes should be denied is automatically referred to the board. The staff can't deny applications, only the commission can.

**Q. How long do such approvals generally take?**

A. Minor ones that can be handled by the staff take five days or fewer, in most cases. Major changes, which require commission board approval, generally take at least 30 days. That's because the commission board meets once a month, and a homeowner's application for approval must be received by the commission the week prior to the meeting. HLC meets the second Monday of each month, and the meetings are open to the public.

**Q. What are considered "minor" and "major" changes?**

A. Minor projects include: ordinary maintenance which stabilizes deteriorated or damaged architectural features and does not change design, material, color or outward appearance. Major projects, which require approval by HLC, include: exterior paint color changes, new construction, visible additions, demolition, the relocation of existing buildings, setbacks, accessory buildings, placement of HVAC compressors in front yards, major tree removal, paving, enclosure of existing porches, removal or addition of a chimney substantially visible from the street, substitute siding and trim (no vinyl, aluminum, other metal or masonite siding is allowed in a local historic district.), garages, accessory buildings substantially visible from the street, and fences.

**Q. What materials do homeowners have to provide when they are requesting project approval from the historic district commission?**

A. At minimum, a Certificate of Appropriateness and detailed drawings, pictures or a site plan. Applying for approval of most major projects also requires one or more of the materials listed below. Meeting with the commission staff will guide the homeowner guidance on what materials are needed:

1. Detailed plans, with dimensions, showing existing and proposed conditions.
2. Indication on plans of demolition.
3. Indication on plans of removal of trees, addition of patio walls, tool sheds or fountains.
4. Description and/or samples of building materials and paint colors.
5. Photographs of site and existing building.

**Q. Does the commission have to approve paint colors?**

A. In the Oak-Hickory District, color changes are monitored by HLC.

**Q. What if you want to paint something not traditionally painted, like brick?**

A. Usually only traditionally painted materials can be painted. The painting of unpainted brick or masonry will require commission approval-unless the structure was painted before the district was established or when paint would serve to unify disparate parts of the building.

**Q. What is a Certificate of Appropriateness?**

A. A COA is a simple one-page form that the owner of a building fills out prior to exterior renovations. It assures the Historic Landmark Commission and the Historic District that the changes being made are appropriate and meet the design guidelines established by the district. General maintenance, such as replacing a screen door, painting, or roof repair will not require a COA unless specified in that particular district's guidelines. The COA also provides a record of changes for future generations.

**Q. Do you receive a tax credit for living in a local historic district?**

A. No. However, if the individual home is a designated local historic landmark, you may receive a 50 percent discount on your city taxes for a period of 15 years. The homeowner is responsible for filing a request with the Denton County Appraisal District each year.

**Q. If property owners in a local historic district go ahead with projects without commission approval, what penalties do they face?**

A. The current ordinance allows for fines up to \$2,000 per day. The fine is the same for all zoning violations in the city. The key words here are "up to"—that doesn't mean that every violation would be charged the maximum allowable fine.

**Q. Once a local historic district is established is the designation irrevocable?**

A. No. The city council could remove the designation, just as it can change any zoning decision.

**Q. What if I don't want to be in the district or comply with the design guidelines?**

A. You should attend district planning meetings to see where the proposed boundaries are and participate in the process of defining the design guidelines. However, all houses that are in the final approved district will be required to abide by the guidelines. Potential owners should be informed of the district and its restrictions prior to purchasing a home.

**Q. What if there are a lot of people that don't want to be in the district?**

A. A majority of the neighbors must support the ordinance for it to move forward. If 20% of the neighbors oppose the district, it will require a super majority vote (6-1) from both Planning & Zoning and City Council. If there were a large number of people that are against forming a district, the Historic Landmark Commission would probably suggest more education, redrawing maps, or perhaps something less restrictive, such as a neighborhood association.

**Q. How do local historic districts affect property values?**

A. Nationwide, historic districts usually experience a substantial rise in property values after receiving designation status. While economic benefits are important, the preservation of history is of greater importance.

**Eight Reasons for Creating a Historic District**

Citizens are often faced with justifying why they want a historic district delineated in their hometown. According to an issue of Small Towns Institute, there are several good reasons why historic districts are a necessary and viable force in communities across the country:

**1. To Preserve Architecture**

Buildings significant to the character of the community reveal a great deal about the times of our ancestors. By preserving these buildings a strong sense of history can be saved and a strong foundation is maintained upon which future development can occur.

**2. To Control Change**

People in a historic district can be educated in the proper methods to fix up their buildings; therefore, buildings remain compatible with one another and help to maintain the character in a given area and increase its value.

**3. To channel progress**

Old buildings often must be torn down and new ones erected in their place. How successful this progress is depends upon the compatibility of the new buildings. A historic district can establish standards for new construction in order for it to be compatible with older buildings that may surround it.

**4. To foster community pride**

Community pride evolves from a group effort toward historic preservation. This contribution from many property owners is vital in developing an appreciation for the heritage of a community.

### **5. To preserve environmental beauty**

A sense of beauty is created from appropriate remodeling. Historic district regulations can help to maintain a consistency in the treatment of such buildings, thus creating a sense of aesthetic satisfaction for all those who live and visit the community.

### **6. To increase real estate values**

Preservation of buildings can bring financial benefits to a community by making individual structures and property more valuable and subsequently by increasing the tax base.

### **7. To improve the business community**

Visitors are brought to a community to experience and appreciate its aesthetic qualities. The business community also benefits from an increase in trade.

### **8. To pull together community**

Making preservation work in your community takes a group effort from the local government, service clubs, the historical society, and the citizens. Establishing a historic district requires cooperation and can become a unifying force in the community.

## **Historic and Neighborhood Conservation Districts**

Historic districts are areas where the built environment has remained predominantly intact for at least 50 years or more and represents the unique history, culture, character, or architectural tradition of a community. Development and design is tightly regulated in historic districts to preserve the area's integrity.

Neighborhood conservation districts are designed to preserve the general character of an area, not its historic fabric. The flexibility of neighborhood conservation districts allows them to accommodate a wider variety of building styles and time periods than a historic district. Neighborhood conservation districts are an effective way of preserving unique residential character, emphasizing a neighborhood's cultural attributes, or buffering historic districts as part of new development.