

Frequently Asked Questions

About Historic Conservation Districts

Q. What is a historic conservation district?

A. Conservation districts are usually residential neighborhoods, with certain identifiable attributes embodied in architecture, urban design, and history. These districts are created as an overlay-zoning tool used to preserve neighborhood character. Conservation districts can be used to protect neighborhoods that may not qualify for historic district status but have significant architectural, historic merit and a distinct character.

Q. What is the difference between a historic district and a conservation district?

A. Historic Districts (HD) are areas in which historic buildings and their settings are protected by public review. Historic district ordinances are local laws that are adopted by communities using powers granted by the state. Historic districts comprise the city's significant historic and architectural resources. Inclusion in a historic district signifies that a property contributes to an ensemble that is worth protecting by virtue of its historic importance or architectural quality. Historic districts deserve special protection because they enhance our shared quality of life. Historic Conservation Districts (HCD) are an area which have groups of buildings that are architecturally and historically distinctive. The establishment of a HCD recognizes the particular design and architectural qualities of special neighborhoods and encourages their protection and maintenance for the benefit of the entire city. The guidelines for an HCD is usually less stringent than those for a HD.

Q. How does a conservation district ordinance protect a neighborhood?

A. The ordinance accomplishes this purpose by regulating new construction, major alterations or additions to existing buildings and demolition. Each neighborhood applying for conservation district status would be responsible for drafting design guidelines to address the unique needs and attributes of the area.

Q. Why does the proposed ordinance allow for fines up to \$2,000 per day for violations?

A. The fine is the same for all zoning violations in the city. Any time that a ruling is created that people cannot do something, the only way to enforce it is to create a way to enforce it. The key words here are “up to”—that doesn’t mean that every violation would be charged the maximum allowable fine.

Q. Is the fine the same in the Historic Oak/Hickory district?

A. Yes

Q. Has anyone ever been fined in the historic district for breaking zoning violations related to the historic district zoning ordinance?

A. No

Q. Why is the ordinance restrictive?

A. If everyone in the district were allowed to comply voluntarily with the design guidelines, there really would be no reason to have a conservation district. The area would depend on everyone to “do the right thing.”

Q. Why isn’t there anything in the ordinance about demolitions or moving structures into or out of the district?

A. Each district will address these concerns in their design guidelines.

Q. If we become a Historic Conservation District, will the local government or my neighbors tell me what I can and can’t do to my house?

A. Each neighborhood will have its own design guidelines. Each property, new or existing, must comply with the guidelines agreed upon by their neighborhood. As guidelines are created, neighbors will have the opportunity to participate in the process and offer their opinions. As a general rule, anything visible from the street (not including general maintenance) or anything that would require a building permit from the city would require a Certificate Of Appropriateness.

Q. What are design guidelines?

A. Design guidelines assist property owners with new construction or rehabilitation of their homes. The guidelines will be written by each neighborhood applying for a conservation district. They will outline the approach to certain design issues. For example, the guidelines might address how far a building should be from the street or a maximum height (commercial or residential). Guidelines may also address inappropriate approaches, such as building a glass and steel structure in the midst of a neighborhood that consists of wooden bungalows.

Q. Why have design guidelines?

A. The guidelines outline an approach to design that will help sustain the character of the historic structures in a district. The intent is to provide information that property owners may use in making decisions about their property. The guidelines also provide the Historic Landmark Commission a basis for making informed, consistent recommendations. Protecting the conservation district's character and history is the main function of the guidelines. The guidelines represent a partnership among property owners in the district. When owners invest in the rehabilitation or construction of property, they like to know that their investment will be protected. Application of the guidelines is one part of that economic protection.

Q. What is a Certificate of Appropriateness (COA)?

A. A COA is a simple one-page form that the owner of a building fills out prior to major exterior renovations. It assures the Historic Landmark Commission and the Conservation 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.

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

A. You should attend neighborhood 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 conservation 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. Will I get a tax break?

A. Just being in a conservation district does not provide a specific tax exemption. If you receive a local historic designation on your home, you are eligible for a 50% exemption on your city taxes for 15 years. This is the same process for homes in a historic district.

Q. If I'm in a district and want to remodel my house, what steps should I take?

A. 1. Consult your district's guidelines to see if your repairs fall under general maintenance. If so, you do not need to proceed to step 2, just begin your project.
2. If your remodel/renovation is a major project you need to fill out the one-page Certificate of Appropriateness and turn it into the City of Denton's Historic Preservation Officer (the Historic Landmark Commission meets the second Monday of the month. To ensure a timely public hearing, please have the COA turned in by the first Monday of the month).
3. Attend the HLC meeting. If the COA is approved or approved with changes, secure the proper building permits and begin your project. If the COA is denied, you can work with your neighborhood design committee and HLC to modify your plans until they meet the guidelines. If you do not want to modify your plans, you may appeal any HLC decision to the City Council.

Q. Why does Denton need a conservation district ordinance?

A. As new neighborhoods are developed in Denton, regulations dictate the type of buildings, size, setbacks, and materials that may be used, giving them a flavor or character of their own. Older neighborhoods were not built with these protections. One benefit of conservation districts is to provide older neighborhoods with similar protections. This ordinance will give older neighborhoods the opportunity to preserve their character and historic integrity and ensure new construction fits the architectural characteristics of the area.