

Sec. __. Designation of Historic Districts or Historic Landmarks.

(a) *Historic Districts*

Historic District zoning designation. The City Council may, from time to time, after receiving a recommendation either for or against such designation by the Historic Preservation Board and Planning and Zoning Commission, designate certain areas in the City as historic districts, and define, amend, or eliminate the boundaries of same. Such districts shall bear the words “historic overlay” in their zoning designation. Such designation and the requirements thereof shall be in addition to any other zoning district designation or requirement established in the City’s zoning ordinance and in this article. All zoning maps shall reflect the historic district by the letters “HO” as a suffix to the use designated. This area shall encompass the area shown on the map adopted herewith and on file in the office of the Historic Preservation Officer, as may be amended from time to time.

(b) *Historic Landmarks*

Historic landmark designation. Individual historic sites may be designated only upon the request of the property owner. Following an owner’s application, the Historic Preservation Board shall make a recommendation for or against such designation to the City Council which may designate certain buildings, sites, structures and objects as Historic Landmarks. Each such property or Resource shall bear the words “historic landmark” (HL) in its zoning designation. Such designation shall indicate that such property/Resource is subject to the terms of this article. Provided, however, with regard to site plans, uses, setback and other development and/or building regulations, such property shall be governed by its zoning district. In no event shall a residential or commercial property be designated a historic landmark without the consent of the property owner.

(c) *Criteria*

1. *Historic district criteria.* In making the designation of an area as a historic district, the City Council shall affirmatively find that the area has one or more of the following characteristics:
 - a. Possesses significance in history, architecture, archeology and/or culture.
 - b. Is associated with events that made a significant contribution to the broad patterns of local, regional, state and /or national history.
 - c. Is associated with the lives of persons significant in our past.
 - d. Embodies the distinctive characteristic of a type, period and/or method of construction.
 - e. Represents the work of a master designer, builder and/or craftsman;
 - f. Represents an established and familiar visual of the City.

2. *Historic landmark criteria.* In making the designation of a place as a historic landmark, the City Council shall follow the criteria set forth in the historic district criteria subsection of this section as the same relate to an individual property, part of a property or Resource thereof.

Sec. __. Certificate of Appropriateness.

- (a) Any person performing any work which requires a building permit for exterior alteration, restoration, reconstruction, new construction or moving or demolition of a Landmark or property within a Historic District visible from a public right-of-way or an adjacent property must first obtain a Certificate of Appropriateness from the Board.
- (b) Provided the application sought to be approved qualifies as an Insignificant Alteration, an administrative Certificate of Appropriateness may be issued by the Historic Preservation Officer as an administrative approval without review by the Board.

Insignificant alterations include ordinary repair and maintenance which is repairs, replacement or repainting using the same design and color and the same, or update, similar materials which match the original material as closely as possible, and which does not require structural alteration, and the following exterior alterations:

1. Replacement of a non-historic door with one in keeping with the character and era in which the building was built;
 2. Removal of extraneous non-historic features such as burglar bars, awnings, inappropriate shutters and the like;
 3. Removal on non-historic siding to expose historic siding materials;
 4. Removal of in-kind roofing and replacement with original material;
 5. Changes to paint colors on previously painted surfaces;
 6. Demolition of non-historic accessory structure or addition that is made of non-historic materials.
- (c) Signage receiving a Certificate of Appropriateness whether from the Board or Historic Preservation Officer shall still need a permit to ensure it meets the City of Brenham Sign Ordinance.

Sec. __. Criteria for approval of a Certificate of Appropriateness.

In considering an application for Certificate of Appropriateness or an Administrative Certificate of Appropriateness, the Commission and Historic Preservation Officer shall be guided by any adopted design guidelines, and where applicable, the following from The Secretary of the Interior's Standards for Rehabilitation of Historic Buildings. Any adopted design guidelines and Secretary of the Interior's Standards shall be made available to the public through the office of the Historic Preservation Officer and on the City's website. The guidelines and standards adopted by this Ordinance are not intended to apply to the design, construction, and aesthetics of the interiors of buildings and structures.

- (a) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, object, or site and its environment.
- (b) The distinguishing original qualities or character of a historic building, structure, object, or Historic Property of any kind and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (c) All buildings, structures, objects and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
- (d) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be retained wherever possible.
- (f) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (g) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (h) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.

- (i) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.
- (j) Whenever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

New construction in historic districts. The Board will review all new construction plans within historic districts in order to ensure visual compatibility with the surrounding buildings and environment in relation to design, height, gross volume, massing, scale, proportion, and setback.

Signage shall conform to the general historic, cultural and architectural character of the historic district or landmark and the City of Brenham Sign Ordinance.

Sec. __. Certificate of Appropriateness application procedures.

- (a) Prior to the commencement of any work requiring a Certificate of Appropriateness, the owner or the owner's representative shall file an application and supporting materials for such certificate, and one (1) complete copy of the application and supporting materials, with the Historic Preservation Officer, who shall forward one (1) copy of the application and supporting materials to the City's Building Official or his designee.

The property owner or the owner's representative shall consult with the Historic Preservation Officer prior to submission of the application with regard to the applicable standards and guidelines for the property.

- (b) The application shall contain:

1. Name and signature of applicant and property owner.
2. Mailing address, phone number and email address of applicant and address, phone number and email address of property owner.
3. The location and photographs of the existing conditions of the property and adjacent properties (historical photographs will be helpful).
4. A detailed description of the nature of the proposed work.
5. Elevation drawings of the proposed changes, preferably, in color.
6. Samples of materials to be used, including paint color chips that will be used.

7. If the proposal includes signs or lettering, a scaled drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, the method of illumination (if any) and a plan showing the sign's location on the property.
 8. Any circumstances or conditions concerning the property or financial hardship which may affect compliance with the article.
 9. Any other information that the Historic Preservation Officer may deem reasonable and necessary.
- (c) No building permit shall be issued for such proposed work until a Certificate of Appropriateness has been issued by the Board or, upon appeal, to the City Council pursuant to subsection (f) herein. The Certificate of Appropriateness required by this section shall be in addition to and not in lieu of any building permit that may be required by another ordinance or regulations of the City.
 - (d) The Board shall review the application at a regularly scheduled, or specially called meeting within forty (40) days from the date that the application was received. The Board may hold any additional meetings needed within sixty (60) days of the application. Should the Board not take action within the 60-day period, the Certificate of Appropriateness shall be deemed automatically approved.
 - (e) If the Historic Preservation Officer determines that the application is for an Insignificant Alteration, he/she may, within fourteen (14) days, approve the application. *The Secretary of the Interior's Standards for Rehabilitation* will be used in assessing the application.
 - (f) All decisions of the Board and Historic Preservation Officer shall be in writing. Decisions shall state findings pertaining to the approval, denial, or modification of the application. A copy shall be sent to the applicant, and a copy attached to the building permit for public inspection.
 - (g) A certificate will expire 12 months after its issuance but will continue as long as work is not discontinued for a period of 12 months, in which a case a new certificate is required.
 - (h) Certificates of Appropriateness may be issued for distinct and separate phases of an ongoing project.
 - (i) An appeal may be made by the applicant in accordance with the provisions of Section ___ herein.