



CITY OF SAN ANTONIO
OFFICE OF HISTORIC PRESERVATION

Fifty Questions About Historic District Designation

Community Questions and Comments

The following Q&A is the result of the Conversations in Preservation public meeting held on September 17, 2014, in Mahncke Park. Information regarding the historic district designation process has been updated to reflect the most recently-approved district creation process (2015).

If you have any additional questions or need clarification on an item, please contact us at info@sapreservation.com or 210-207-0035.

PROCESS OF BECOMING A HISTORIC DISTRICT

Source: Unified Development Code Sec. 35-605. Designation Process for Historic Districts

1. Explain UDC 35-605

This refers to the Unified Development Code, the Municipal Code of the City of San Antonio. The UDC is a set of laws. The UDC Chapter 35, Article VI, Section 35-605 outlines the Designation Process for Historic Districts. This process was most recently updated in October of 2015. The current process can be viewed online [here](#).

2. What is the whole process?

Under the current historic district historic designation process, any property owner within a proposed district may file an application for historic designation. Applications are valid for one year. Once the City receives an application for an eligible historic district, the City conducts an informational meeting for all owners in the potential historic district. The City must collect verifiable support from at least 51% of the property owners in the proposed boundaries in order to initiate the public hearing process. Once the threshold is met, the City sends notices to all property owners in the proposed district at least 30 days in advance of the public hearing at the Historic and Design Review Commission (HDRC). After the HDRC hearing, the petition goes to the Zoning Commission and then to the Mayor and City Council for consideration. At each hearing, City staff provides all comments received either in writing or at a previous public hearing for consideration. Ultimately, historic designation is a zoning change (overlay, not a change in use), which is a decision under the purview of the Mayor and City Council exclusively.

3. Who sets the boundaries?

When an application for a historic district is submitted, the proposed boundaries are included in the request. The OHP must concur that the proposed boundaries are eligible for historic designation before conducting the first informational meeting.

4. Why are boundaries gerrymandered to designate affected areas rather than considering the whole neighborhood?

The boundaries of a proposed historic district are recommended by the applicant that submits the application for historic district designation. OHP staff then reviews the application and proposed boundary to determine if the boundary is eligible. OHP staff may make recommendations for changes based on visual surveys made by staff. Through discussions with each other, neighbors may also redraw the proposed boundaries.

5. What is the role of OHP in involving the citizens in the entire process?

The OHP is required to host at least one public meeting for property owners within the proposed boundary to provide information about potential historic district designation. OHP verifies the written support and opposition and provides all comments received to the HDRC, the Zoning Commission and to City Council. OHP staff is also available by phone or email to answer any questions about historic designation or the designation process.

6. How long is it before another application can be submitted if the 1st application expires?

There is no mandatory waiting period required to submit another application. An application, once submitted, is valid for one year from the date it is determined to be complete.

HISTORIC DESIGNATION

7. What makes an area or district qualified for “historic designation”?

8. What are the requirements to be considered “Historic”?

In order to be considered “historic” (either as an individual landmark or a local historic district), the property or area must meet at least three (3) of sixteen (16) eligibility criteria. The criteria are identified in the UDC Chapter 35, Article VI, Section 35-607(b). Generally speaking, the designation criteria are associated with historic, cultural, architectural importance and integrity (intactness).

9. Why would residents want to be designated historic?

The main reason that residents may want to become a historic district is to help protect the existing character and architecture of their neighborhood from demolition or from inappropriate alterations that could take away from the historic look and feel of the area. Historic district designation is not about preventing change or stopping time, but it is about ensuring that future changes are compatible and done in a way that do not undermine what it is about the area that makes it important and special.

The City of San Antonio also offers tax incentives for owner-occupied residences in new historic districts and for properties that are substantially rehabilitated.

10. And why wouldn't they?

The primary point of opposition is best characterized as a property rights argument. People often state they don't want someone telling them what they can do with their property.

Sometimes there is resistance to historic designation because of fears of things like gentrification or rising taxes.

11. Why is 50 years the “average age” to go Historic?

Fifty years of age is the national standard for something to generally be considered eligible for inclusion in the National Register of Historic Places, the official list of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering and culture. This was established in 1966 and many state and local (city) governments have adopted this as the norm. However, in San Antonio, the Unified Development Code (UDC) stipulates that properties can be eligible for historic designation if they are at least 25-years of age.

12. How do I know if I am in a Historic District boundary?

All properties within a designated historic district are identified with an “H” for “Historic District” in their zoning code on the City’s GIS mapping system. This is available to access online at: <https://gis.sanantonio.gov/PDS/onestop/index.html>. Many historic districts are also identified by brown street signs bearing the name of the historic district. These signs are not required, but neighborhoods can opt to raise funds to have them produced and installed by the City.

13. How is UDC and RIO different from Historic?

The Unified Development Code (UDC) is the piece of legislation that regulates development throughout the City. Historic designation and design review is included in the UDC. The UDC also includes the River Improvement Overlay (RIO) regulations.

The River Improvement Overlay (RIO) is a series of zoning overlays spanning the length of the San Antonio River. An overlay is like another layer of protection. Its primary purpose is to protect the significant public investment in the San Antonio River Walk through high quality urban design. The RIO addresses scale, setback, river access, paving materials, and other urban design elements. It is not related to historic designation.

Historic Designation is also a zoning overlay. Its purpose is to protect the historic character of a district. Historic district designation is about protecting what is there and ensuring that the historic buildings, landscape elements, and other unique historic features of the neighborhood will be retained for future generations.

14. What is the difference/interplay between Conservation District and Historical Designation? What does historic do that NCD cannot or does not do to protect the neighborhood? HD vs. Con.(?) / extra burdens above NCD?

Local historic districts (LHDs) are different from Neighborhood Conservation Districts (NCDs) in that the focus of an LHD is on maintaining existing historic structures and protecting against hasty demolition to prevent the loss of significant buildings and homes. This is managed through a design review process for proposed changes to the outside of buildings and properties. The design review for exterior changes helps to maintain historically

important elements (such as materials and design) and preserve the look and feel of historic neighborhoods or areas.

In a local historic district, there is a more comprehensive design review process than in an NCD. This includes free assistance from professional experts to applicants in the early stages of planning a project both through our staff as well as through the Design Review Committee (a sub-committee of the HDRC). The design *guidelines* used in the review process are flexible and adaptable to the unique characteristics of each individual historic structure and neighborhood. Additionally, although there are instances in which a design review (by the HDRC) is needed, the vast majority of proposed exterior changes can be approved by staff, in most cases, on the same day.

Neighborhood Conservation Districts (NCDs), on the other hand, focus on regulating new development as well as changes to existing structures to help maintain the existing character of the neighborhood. This is managed through rigid design *standards* and requirements that are created by the neighborhood. Deviations from these standards require approval by the City's Board of Adjustment.

15. If the city can't administrate NCD effectively, why bother adding another layer of city to my life?

Historic Designation is not an additional layer to the NCD. If a neighborhood that is currently an NCD chooses to become a historic district, the requirements of the NCD are removed. As stated in the previous question, historic designation actually allows for more flexibility, though it does require a design review process. The designations are also handled by two different City departments.

16. Is there a middle ground between historic designation and neighborhood conservation district?

Currently, our Code does not include a designation type that would fall between a historic overlay and a neighborhood conservation district.

17. Will historic designation prevent commercial or high rise encroachment?

Local historic designation provides for a design review for both alterations to existing structures as well as new construction. If new construction were to be planned within a historic district there are guidelines in place to ensure that it would be in keeping with the character, which can include height, of the surrounding neighborhood. Care would be given to construct a new building that would not overshadow the historic resources. For commercial properties to be developed, if the property were not currently zoned for commercial use, it would require a zoning change through the City's Zoning staff and City Council.

18. Concern: If dilapidated/un-repairable—not able to be demolished under historic

Demolition is possible in historic districts. There are times when properties within historic districts are beyond the scope of repair, and demolition may be the only option. For demolitions of contributing properties in historic districts, an owner must either show unreasonable economic hardship or loss of significance, meaning that the property has lost

the elements that made it historically important. According to the City Code, demolition should always be the remedy of last resort. Demolition is irreversible and must be considered with caution, particularly for historic properties, which are a finite resource.

19. What does the city gain if my neighborhood or other districts get historic designation?

If a neighborhood becomes a historic district the city gains the benefit of helping to preserve the unique character and history of our city. Studies show that cities that have preserved their distinct history have a higher quality of life because of economic, environmental and cultural benefits. Some studies which provide information on the benefits of historic designation include:

<http://www.preservation.org/rypkema.htm>

http://my.preservationnation.org/site/DocServer/Economic_Benefits_of_HP_April_2011.pdf?docID=9023

<http://www.preservationnation.org/who-we-are/press-center/press-releases/2014/older-smaller-buildings-are.html>

<http://www.preservationnation.org/information-center/sustainable-communities/green-lab/oldersmallerbetter/>

20. Concern: Houses becoming neglected, vacant, dilapidated etc. if not protected/preserved.

City Council recently adopted a Vacant Building Registration Pilot Program that will require vacant buildings to be maintained to minimum standards. The program will launch in January 2015. While the program may expand in the future, property registration is currently only required for properties located within the Central Business District, Historic Districts and Landmarks, and 1/2 mile from active military bases. More information on the program is available at: <http://www.sanantonio.gov/vacantbuilding>.

21. Easy accessibility to city staff (OHP) should be addressed (a specific neighborhood representative)

An OHP *Planner on Duty* can be reached during normal business hours (7:45am – 4:30pm) either in person or by calling 210-215-9276. Each Historic District / designated area is assigned an HDRC Case Manager who serves as a liaison between the neighborhood and the HDRC. The Case Manager will keep neighborhood representatives informed of large projects, violations and other concerns.

22. If I live in a bungalow and my neighbor tears down his bungalow and builds a multistory mansion, what systems are in place to protect me from my neighbor? Are there any? Would historic designation help me?

Yes! Infill construction is governed by Chapter 4 of the Historic Design Guidelines. The Guidelines are intended to ensure that new construction is cohesive with the existing fabric of the neighborhood. Furthermore, the HDRC approval process allows for public input for these types of projects. Application details and submitted materials are made publicly available online prior to the HDRC hearing.

23. If 99% are approved why not use email or streamline the process?

24. Concern: The necessity of going to the office for a COA?

We accept, and encourage, Administrative Certificate of Appropriateness applications by e-mail.

25. Property use (coffee house) vs. appearance (restored house)?

Historic Designation does not affect property use.

PROPERTY INFORMATION

26. Will being an historic district make property taxes go up?

Historic designation does not affect property taxes. Property taxes are affected by market value. The relationship between historic districts and non-historic in San Antonio is currently being studied and results will be presented under separate cover.

27. What can neighbors do to protect their neighborhood if we do not have historic district status?

Participation in the public process is an important first step, but the strongest protection comes from regulatory controls such as zoning and zoning overlays.

28. Why should the city be able to control what I can do with my property?

Even without historic designation, the city has requirements that all property owners are expected to comply with, including obtaining permits for property improvements. The San Antonio Property Maintenance Code also applies to all occupied buildings in San Antonio. Building codes and design standards are adopted to ensure a safe environment and to protect the character of the community.

29. If HDRC is rejecting 40% of the requests, how can it be 90% approvals?

HDRC does not reject 40% of requests. This is not an accurate statement. On occasion, an applicant must resubmit plans, but the approval rating by OHP administrative staff review and HDRC combined is consistently at 99%.

30. Who on city staff believes this methodology of historic designation is the best iteration of the ordinance?

OHP staff is charged with administering the relevant sections of the Unified Development Code.

31. Are standards the same in every historic district?

Yes, the same processes and guidelines apply to all historic districts.

32. If 99% of the 1450 applications are approved doesn't that mean that 1435 applicants wasted their time going to request an administrative Certificate of Approval or waiting 14-28 day before going to HDRC?

No. Many successful applications are submitted after consultation and assistance from OHP staff or one of two standing committees of the HDRC. Others are successful due to

consultation and consistency with the adopted design guidelines. The design guidelines have served to lend consistency and predictability to the design review process.

33. Does the 99% include re-submittals?

Yes. Approximately 2% of all HDRC applications are postponed or resubmitted after HDRC review. Many times, an application is revised based on feedback received at the public hearing. It is uncommon for the HDRC to delay action on a request more than once. In fact, the UDC requires that the HDRC make a decision within 60 days of receipt of a completed application.

34. Is it true that there is a \$500 fee/fine if you do not get a COA application approval?

Yes. A \$500 post-work application fee is assessed for starting work without a C of A.

35. What are the guidelines for sustainability? i.e. solar, rain harvest

The Historic Design Guidelines include recommendations on designing and increasing energy efficiency of a historic building. Chapter 1, Section 12, includes information on retrofitting existing structures to make them more energy efficient and Chapter 3, Section 6, includes information on other elements such as solar panel or cistern installations. In general, when these elements are located on the side or rear of a house they may qualify for administrative approval.

36. Are there landscape restrictions? What are they? What are the limitations to changing the landscape?

Most landscaping requires a Certificate of Appropriateness, however in most cases it can be approved administratively.

The Historic Design Guidelines offer guidance for appropriate landscaping in historic districts. OHP staff does not review specific plant species, but property owners are encouraged to select from native and xeric species listed in [Appendix E](#) of the Unified Development Code. Routine maintenance and minor replanting is not reviewed.

According to Section 35-611 of the Unified Development Code, replacing paved areas with sod or other landscaping, 50% or less square feet of front yard replacement, sprinkler system installations, back yard landscaping, xeriscaping where not removing character defining elements, and new plantings in keeping with the character of the neighborhood and other minor landscaping changes are eligible for administrative approval.

37. Can I change my duplex to a single family home under historic?

Historic designation does not affect how your property is used. There are two types of zoning attached to a property: base zoning and overlay zoning. The base zoning on the property is what regulates the use of a property (i.e. R-4 Residential or C-2 Commercial). For more information on zoning requirements please contact the Development Services Department.

38. What additional restrictions are enforced concerning exterior changes/modifications solely by reason of historical designation?

Most modifications require a building permit, regardless of designation.

39. What are the fees associated with Admin. Certificate of Appropriateness?

There is no fee for Administrative Certificate of Appropriateness Applications for residential or commercial properties.

40. How much time does it take to have my project approved by OHP?

Administrative approvals can be completed within minutes if the applicant visits our office, or within the same day if submitted by email. If a project requires HDRC approval it may take approximately 3-4 weeks from the time an application is submitted to the time a written Certificate of Appropriateness is issued. However, most projects reviewed by HDRC are also required by the Development Services Department to go through plan review in order to receive building permits which already extends the timeline.

41. I currently have vinyl siding on my house. If it gets damaged can I repair it or will I have to remove it?

You can repair the vinyl siding.

42. If you want to paint your house the same color do you need a Certificate of Appropriateness?

Yes. This can be handled by staff approval and conducted by e-mail.

43. Are there any standards of quality for repairs or renovations? (i.e. 402 Queen Anne)

Yes. The Historic Design Guidelines were adopted by City Council in 2012 and apply to all properties with historic designation. Chapter 2 of the Guidelines specifically addresses Exterior Maintenance and Alterations and was crafted to ensure that repair and renovation projects are appropriate and compatible for the property. Generally, the Guidelines recommend in-kind replacement of deteriorated materials (i.e. a wood siding may not be replaced by vinyl siding, etc.)

44. How does "Historic" add value for the homeowner?

Historic district designation provides value to a homeowner because it helps to ensure that changes that take place in the surrounding neighborhood will be in keeping with the character of the neighborhood and will not take away from the historic integrity or importance of both individual properties as well as the district as a whole. It provides protection against a neighbor constructing something very out of place and inappropriate within the district that might compromise the neighboring properties.

Historic district designation also provides for a reduction in city property taxes for all owner-occupied residences within new historic districts. This is good for up to 10 years provided

the owner remains in the house, and can be extended for an additional 5 years if the owner remains. Historic district designation also allows for tax incentives for substantial rehabilitation of both residential and commercial property.

45. Any numbers on the resale being affected?

Although historic designation in itself may not increase the re-sale value of a property, historic districts tend to become desirable locations which may then increase the resale value. A study by the New York City Independent Budget Office found that the sale prices on single family homes, duplex and triplex per square foot within historic districts were higher than in nearby neighborhoods studied since 1975. A study of 25,975 single family homes sold in Phoenix, AZ, in 2005, showed that historic designation increased the average marketable sales price of a house by 31% or more than \$100,000. A study in Mesa, AZ, comparing house market value changes between 1997-2004 in the Mesa Evergreen National Register District compared to those in two comparable, undesignated neighborhoods identified a 26% increase in resale value in houses that were in the district.

46. Windows—info on process—neighbor help

According to the Historic Design Guidelines, Chapter 2, Section 6, windows are often character defining features that should be preserved if possible. When windows are deteriorated beyond repair they should be replaced in kind to match existing in material, style, profile, etc. If windows have been previously replaced, new replacement windows that match the originals as close as possible can be approved administratively. If windows are deteriorated beyond repair, staff can approve an in-kind replacement that matches the material, size and profile of the existing windows. If windows are original to the structure and not deteriorated beyond repair, the request will be forwarded to the Historic and Design Review Commission for a recommendation.

According to a report produced by the Preservation Green Lab, a project of the National Trust for Historic Preservation, retrofit measures can achieve performance results comparable to new replacement windows, and almost every retrofit option offers a better return on investment than replacement windows. If energy efficiency is a concern, staff is always available to go over any of the less invasive options available to retrofit your windows.

47. Metal---option for roofs

According to the Historic Design Guidelines, Chapter 2, Section 3, new metal roofs should be used on structures that historically had a metal roof or where a metal roof is appropriate for the style or construction period. New metal roofs should meet the requirements outlined in the Checklist for Metal Roofs which includes using panels that are 18-21" wide, seams no taller than 2" high, matching the historic roof color or using standard galvalume, and using a crimped ridge or low-profile ridge cap with no ridge vent. Replacing an existing metal roof with a new metal roof that meets the specifications above can be approved administratively by staff. Changes in roofing materials will be forwarded to the HDRC for approval. If you need help identifying the architectural style of your house, more information is available in the Historic Design Guidelines, Chapter 7.

48. Concern: Preservations vs. Restorations who decides the difference?

Preservation refers to sustaining the existing historic integrity (intactness) and significance of a property. Restoration refers to accurately returning a historic property to an appearance that it had during a particular period of time. This can be done by replicating or putting back missing features or removing later alterations. Rehabilitation is the process of converting a property to a state of utility through repair or alteration. Rehabilitation allows for a contemporary use while preserving important, character-defining features that are significant historically, architecturally, or culturally. There are not many true “restorations” done to historic buildings, except perhaps to some historic museums. Rehabilitation is the term that most frequently applies to work done to properties in historic districts.

49. Concern: Higher cost of repairs/upgrades

When properly maintained, historic materials can last for many decades compared to modern materials that have an average lifespan of 10-25 years. Although in some cases the initial cost of the repairs may be higher, historic materials are generally more durable and longer lasting than modern materials and may be more cost efficient in the long term. In addition, the majority of historic building components can be disassembled and if one piece is damaged or deteriorated, it can be repaired or replaced without replacing the entire component.

50. Can OHP help research historicizing alternatives to fit your house even if not designated historic? How? Walk-in? Appointment?

Yes. We always welcome questions and can give advice to homeowners and those interested in historic preservation regardless of the status of their property. Appointments are recommended.