

# HISTORIC LANDMARK PROGRAM POLICY RECOMMENDATIONS



HERITAGE  
SOCIETY OF  
AUSTIN

January 26, 2011

## INTRODUCTION

The Heritage Society of Austin (HSA) has actively engaged in the current review of the City's Historic Landmark Program and has developed a set of recommendations that we believe will make substantive improvements to it.

In preparing these recommendations, HSA representatives attended meetings of the Historic Landmark Commission's Operations Committee, and reviewed information from a number of other sources. We went back to the founding documents and official reports to see what City leaders had prescribed for the program over the years. The opening words of the Austin City Code relate the purpose of the Historic Landmark Program as follows:

*Historic Landmark Preservation Declaration of Policy*

*The City Council hereby finds and declares as a matter of public policy that the protection, enhancement, preservation and use of historic landmarks is a public necessity and is required in the interest of the culture, prosperity, education and general welfare of the people. Sec. 45-43 Austin City Code (See background for entire section)*

We reviewed the 1981 City of Austin Preservation Plan, which was based on a lengthy study with many recommendations that seem as fresh today as they did 30 years ago, but which have never been implemented. Among those were the strong recommendations for conducting a comprehensive survey of the City's cultural resources, hiring of adequate professional staff for administering the program and increasing programmatic emphasis on neighborhood preservation through local historic districts. Over the years the Heritage Society of Austin has repeatedly called for those actions as essential to developing a successful preservation program.

Our Historic Landmark Program recommendations include administrative changes to assure that the process of designating and managing Historic Landmarks is careful and thorough; we also recommend adjustments to the tax incentive structure that will continue to encourage preservation while assuring that the effect on ad valorem tax income is limited to a very minimal percentage of revenues.

## RECOMMENDATIONS

### Landmarks Program Administration

1. Revise the current application format to provide a checklist that indicates inclusion or non-availability of all pertinent information regarding the potential landmark structure or site. Require that all applications be fully complete, with express authority given to the Historic Preservation Officer or Historic Landmark Commission to reject incomplete applications.
2. Revise the criteria for Landmark Designations to ensure that designated properties meet the Designation Criteria established by the National Register of Historic Places, as managed by the National Parks Service under the direction of the Secretary of the Interior (See Appendix C.)
3. Recognize that revisions to the landmark incentive structure and to the administration of the Landmarks Program, as identified here, should effectively serve to limit the number of owner-initiated residential landmark designations without the need for an annual cap in the number of designations; however, after a period of two years to test this assumption, if the number of cases is deemed problematic, consider setting an annual limit of 24 owner initiated cases, excluding properties located in the Homestead Preservation District.
4. Strengthen the annual inspection to provide meaningful and comprehensive review and enforcement of each landmark for compliance with applicable criteria and maintenance requirements.
5. Add a fee to the annual Application for Historic or Archeological Site Property Tax Exemption to cover the cost of inspection, review and enforcement; dedicate fees from these and all other Preservation Program applications to an Enterprise Fund to provide additional resources to the Historic Landmark Program.
6. Ensure that reviews of applications for Certificates of Appropriateness are based solely on the established Secretary of Interior's Standards for Treatment of Historic Properties and applicable design standards for Local Historic Districts.
7. Ensure compliance with the Texas Historical Commission's requirements to maintain Certified Local Government status for the City of Austin.
8. Affiliate the City Landmarks Program with the National Alliance of Preservation Commissions and require staff and commission members to participate annually in the NAPC-approved professional training (or comparable training opportunities) and to adhere to NAPC's Code of Ethics for Commissioners and staff.

## Incentives for Preservation

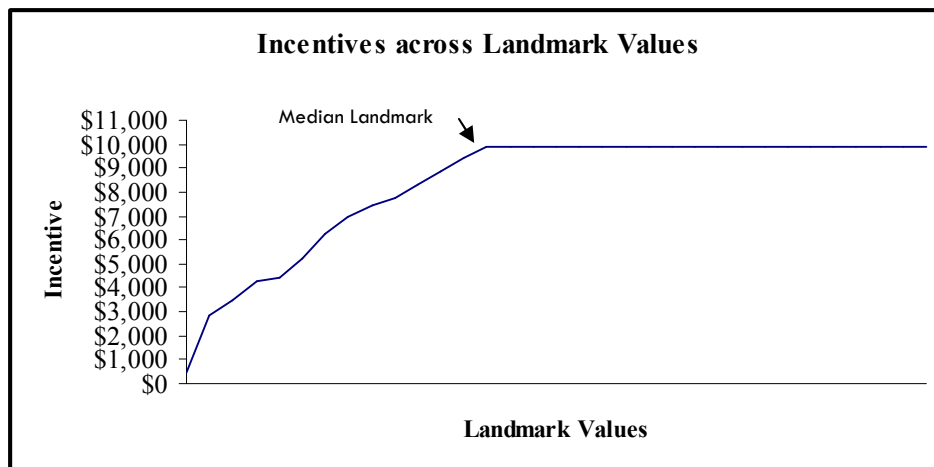
1. Revise the formula for tax incentives to cap the maximum abatement at the amount offered for the average assessed value of all residential landmarks (approximately \$750,000). Apply formula to the combined assessed values of land and improvements of owner-occupied residential landmarks designated after a certain date.

### Formula for Implementation of Cap

Owner-Occupied Landmark Value	Quantity	Abatement	Total
\$1 -749,000	173	Avg. \$5,000	\$865,000
\$750,000 +	117	\$10,000	\$1,170,000
			\$2,035,000

### Estimated Maximum Effect of Proposed Cap by Jurisdiction

Taxing Entities	City of Austin	Travis County	AISD	Central Health	ACC	Total Abatement Impact
Percentage of Total Abatement	27%	27%	36%	4%	6%	100%
Proposed Participation Impact	\$549,450	\$549,450	\$732,600	\$81,400	\$122,100	\$2,035,000
Current Participation Impact	\$1,050,000	\$1,100,000	\$1,690,000	\$173,530	\$249,000	\$4,262,530



2. Offer an additional incentive for rehabilitation equal to that offered by the Local Historic District program (at non-Homestead Preservation District levels).

**Owner-occupied landmarks would become eligible for the rehabilitation incentive currently offered at Sec. 11-1-81 et seq (freeze on total added-value for a qualified rehabilitation to a landmark for 7 years, provided that the owner spends at least 25% of improvement value on the rehabilitation).**

3. Conduct a review of the incentive program automatically if the total impact on ad valorem tax revenues reaches one-half of one percent of the total annual ad valorem tax revenues of any taxing jurisdiction.
4. Choose the effective date of implementation from one of the following options:
  - a. June 10, 2010, identified as the date of City Council's resolution directing the Historic Landmark Commission to review the existing Landmark Program; OR
  - b. The effective date of Council-adopted revisions to the Historic Landmark incentive structure; OR
  - c. January 1, 2010, identified as the date after which City Council began to advise applicants explicitly that they might not receive the same incentives as prior applicants.
5. Continue the current incentive structure for all landmarks designated on or before the effective date identified above, but transition into the new incentive structure upon a transfer of ownership. Allow owners of currently-designated residential landmarks to opt into the new incentive program
6. Maintain the existing incentive structure for commercial properties that are designated landmarks.

## CONCLUSION

**While we believe the [Landmark Program Administration](#) changes must be made, it must be underscored that the [Incentives for Preservation](#) are wholly dependent on the commitment from all taxing jurisdictions that each will continue participation in the landmark incentive program.**

The Heritage Society of Austin strongly believes in the economic and social value of preservation to this community. Each taxing jurisdictions' prior commitment and dedication to historic landmarks demonstrated that they shared this value. The Heritage Society of Austin encourages adoption of these recommendations that will result in a Preservation Program for

the benefit of all citizens of Austin as well as all taxing jurisdictions. This step is the first and most immediate priority to ensure that a viable landmark program continues to preserve and protect Austin and Travis County's historic assets, heritage, and cultural legacy for future generations.

The Heritage Society further commits its organization to work with other preservation groups and supporters to establish a private fund to provide financial assistance to those in need to assist in filing fees and research for landmark and Local Historic District applications, as well as establishing a proactive outreach effort to underserved areas, such as the Homestead Preservation District, to extend the benefits of historic preservation.

## RATIONALE FOR RECOMMENDATIONS

### Landmarks Program Administration

**Section 1** is intended to improve and streamline the historic landmark application intake process and provide additional clarity for applicants and agents as to what must be included. Currently the Historic Preservation Officer receives incomplete applications or applications with insufficient information necessary for the case to proceed. This causes unnecessary staff burdens and periodically results in cases appearing before the Historic Landmark Commission without necessary documentation.

**Section 2** suggests that the criteria (see appendix C) may need to be applied more rigorously by the Landmark Commission.

**Section 3** addresses the concerns from City Council and staff regarding the number of applications forthcoming, the workload for staff and the Historic Landmark Commission as well as concerns about budgetary impacts. Preservation professionals strongly oppose limits on the number of cases, believing that if a property is worthy it should proceed through the landmark process. The changes already enacted by Council added to those advocated in this report are likely to result in fewer people applying for Landmark Designation. Thus the recommendation has been made not to limit the number of cases but to provide for a period of review to determine the effect of those changes on the number of applications.

**Section 4** addresses concerns that certain landmarks are not being maintained to the level required to retain eligibility for the tax incentive. If a landmark is not being maintained, it should not be eligible for incentives until it meets criteria. Further, staffing limitations that have adversely impacted the annual inspection cycle might be addressed by number 5.

**Section 5** creates a source of funding for inspections referenced in Section 4 as well as other resources for the Historic Preservation Office. This is a fee charged to owners of landmark properties with their annual application for certification for the incentive. The income from it will benefit the operation of the program, and an enterprise fund is the most transparent and accountable vehicle for handling the funds.

**Section 6** addresses concerns that certain modifications to landmarks have not been in accordance with the Secretary of Interior’s Standards for Treatment of Historic Properties and applicable design standards for Local Historic Districts and have compromised the historic integrity of the subject landmark.

**Section 7** is included to guarantee that the City of Austin performs necessary reporting to remain eligible for federal funding for historic preservation. The Certified Local Government (CLG) Program is a local, state and federal government partnership for historic preservation. It is designed to help cities and counties develop high standards of preservation to protect a wide range of important historic properties—from ornate courthouses to working-class neighborhoods. Local governments that participate in the CLG Program act independently to develop and maintain a successful preservation program. The Texas Historical Commission administers the program at the state level and the National Park Service is the responsible federal agency. Among other benefits, Certified Local Government (CLG) grants provide funding to participating city and county governments to develop and sustain an effective local preservation program critical to preserving local historic resources. These grants can be used for local historic preservation projects, including surveys of historic properties/districts, preparation of nominations to the National Register of Historic Places and other community-based preservation projects.

**Section 8** ensures that both City staff and Commission members receive sufficient and ongoing training. This was called for in the 1981 Preservation Plan but has not been systematically implemented.

**Incentives for Preservation**

**Section 1** creates a taxing mechanism that is fiscally constrained. The example cited using 2009 figures would result in a maximum gross incentive of \$9,893.17, with all taxing entities participating, applicable to all owner occupied residential landmarks valued at or more than \$751,862. This structure benefits landmarks at the lower end of the appraisal spectrum while limiting benefits to higher-value properties. It uses a uniform formula that can be applied across all taxing jurisdictions. The proposed formula would apply to properties receiving landmark designation after the effective date chosen for implementation.

**Section 2** creates a rehabilitation incentive in order to encourage rehabilitation of potential and designated landmark properties.

<b>Local Historic District Rehabilitation Incentive</b>				
LHD Property	Required Investment of Pre-Restoration Value of Structure	Required Exterior Improvement Investment	Abatement period	Frequency Abatement Offered
Residential	25%	5%	7 years	10 years
Commercial	40%	5%	10 years	15 years
Revitalization Area – Residential	10%	5%	10 years	15 years
Revitalization Area - Commercial	30%	5%	10 years	15 years

**Section 3** provides for a review of the revised incentive structure fiscal impact if the gross incentives reach 0.50% of the ad valorem tax collections.

**Section 4** offers a range of viable choices for the date of implementation.

**Section 5** provides for the grandfathering of incentives for of all owner-occupied residential landmarks. Owners acquired or improved landmarks based on the incentive program in place at the time, and should have the assurance that the existing incentive structure will continue. Future landmark owners, either through purchase or designation of a landmark after the effective date, would fall into the new incentive structure. The provision is made that the sale of an existing landmark would not shift that property into the new incentive structure in the case of a less than “arms’ length” transaction such as a divorce or inheritance, in order to avoid forcing a sale as a result of the increase in taxes. Current residential Landmark owners may elect to forego the present tax incentive and enter the new program in order to obtain the rehabilitation benefit.

**Section 6** excludes commercial landmark properties from the changes to the incentive program..

## HERITAGE SOCIETY PROCESS

The Heritage Society of Austin ad hoc Policy Working Group is comprised of preservation architects, architectural historians, planners, landmark owners and those in real estate, finance and law. The breadth of knowledge within the group enabled thorough and spirited discussions over the course of many meetings since September 2010. Stakeholders, policy makers and public officials provided additional input throughout the process. Iterations of the policy recommendations were filtered and vetted before this report was prepared. An initial summary of the main points was widely circulated.

The Heritage Society of Austin recognized that while the incentive structure drew public attention and concern, a more thorough review of the Historic Landmark Program was warranted. Critics and supporters alike identified weaknesses in the program and its execution, not the least of which is its woefully understaffed and underfunded status. Thus the Heritage Society’s Policy Working Group approached the program using a two-tiered methodology. We began by recommending actions to improve the administration of the program because we believe that strengthening the program itself would mitigate many concerns being raised. We then addressed the incentive structure to create budgetary certainties for the participating taxing entities in the future, while protecting those who have invested based upon the current incentive structure.

## APPENDIX A: STATE OF THE PROGRAM

### History of Austin's Landmark Incentive Program

The State of Texas has long recognized and encouraged local governments to participate in preservation programs as a community or public good. As evidence of this value, The Constitution of 1876 authorized the exemption from taxation for and the obligation of the government to preserve Texas' historical heritage. The first session of the Texas Legislature following the adoption of the Constitution of 1876 created a specific department to address history and preservation.<sup>1</sup> The governmental interest in preservation was affirmed in the Legislature's action in 1909 of establishing the Library and Historical Commission, and in 1957 by the creation of the Texas State Historical Survey Committee.<sup>2</sup> The 1957 action specifically "declared to be the public policy and public interest of the State of Texas to . . . preserve . . . locations of historical archeological , educational, . . . sites within the jurisdiction of the State or Texas." The State has long recognized that the public good is furthered, and that the whole public receives a benefit from tax benefits provided for preservation of landmarks.<sup>3</sup>

In 1977, the Texas Legislature enacted a constitutional amendment and enabling legislation to provide specific authorization for local governmental entities to provide tax incentives to encourage historic preservation. This Constitutional Amendment was sponsored by Sen. Lloyd Doggett and Rep. Sarah Weddington, both of Austin.<sup>4</sup> The enabling legislation was sponsored by Sen. Doggett and Rep. Ron Bird of San Antonio.<sup>5</sup> The Constitutional Amendment (styled as "Amendment 4") was presented to the voters on November 8, 1977, and was overwhelmingly approved. The supplemental information provided with S.J.R 5 spoke directly of the participation of counties and school districts in providing tax incentives.<sup>6</sup>

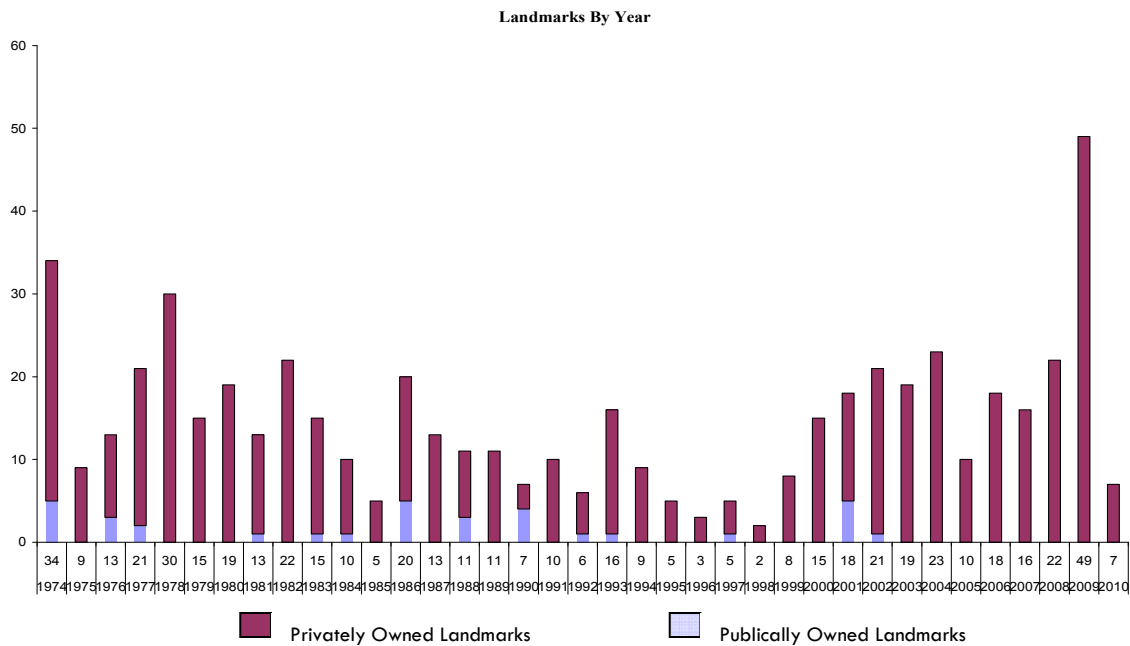
In 1974, the City of Austin and its citizens recognized that Austin was fast losing its historic resources. One needs only to look to the Austin History Center's archives to see how much of Austin's irreplaceable historic buildings had already been lost. Long after many peer cities had established landmark provisions in their codes, the City of Austin at last adopted an historic landmark ordinance. In that first year, 34 properties were landmarked, many of which were threatened with demolition. However, after this initial wave of cases, there was little interest by owners in seeking landmark designation. The two factors that influenced this decision were and continue to be the cost of restoration and of maintenance of historic properties and the imposition of a series of restrictions on the landmarked property, unlike those imposed on similarly zoned properties that are not landmarked. Due to these factors, Austin continued to lose significant structures while the Central Business District and adjacent historic neighborhoods continued to decline. In 1978, to address these myriad concerns and provide incentives for designations, the City adopted property tax incentives as enabled by the Legislature and the citizens of Texas. Travis County, the Austin Independent School District and later Austin Community College agreed to participate in the incentive program because

they recognized the benefits of historic preservation. Many years later, the newly established Health Care District also joined in the program.

Although many other peer cities had chosen a variety of tools, such as rehabilitation credits and local historic districts, Austin chose tax incentives as its singular tool for historic preservation. It would be nearly 30 years before the City added these other preservation options in addition to the existing incentive program. Preservation incentives vary from state to state because of each state’s unique tax structures. Texas is dependent on its property tax structure to derive any financial incentives.

### Issues Leading to Landmark Program Review

As noted above, 1974 was the first year of the landmark program, and 1978 was the year incentives were included with landmark designation. In 2009, one agent submitted 27 landmark cases, all located in affluent West Austin neighborhoods. That agent actively recruited clients and filed cases on a contingency fee basis. As a result, the City Council adopted a prohibition against landmark applications that are prepared for a contingency fee.



The average number of landmark designations over the life of the program has been 16 per year with a variance of +/- 8. The statistical anomalies are the years 1974, 1978 and 2009.

Amid public concerns over the City of Austin’s Historic Landmark Program, on June 10, 2010, the Austin City Council directed the Historic Landmark Commission to begin a review of its Historic Landmark Program. Concurrently, on June 8, 2010, the Travis County Commissioners Court charged its Local Tax Policy Working Group to review the tax policy regarding the

County's participation in the historic tax incentive program. Austin Mayor Lee Leffingwell asked all taxing jurisdictions contributing to the landmarks incentives to hold in abeyance any action until the City's review was complete. Despite this urging, Austin Community College and the Austin Independent School District voted not to include historic incentives in their 2011 budgets.

**Current Incentive Impact for FY 2010 on Each Taxing Jurisdiction**

<b>Jurisdiction</b>	<b>Incentive</b>	<b>% of Budget</b>
City of Austin	\$1,050,000	0.16%
AISSD *	\$1,690,000	0.17% <sup>1</sup>
Travis County	\$1,100,000	0.16%
Travis County Healthcare	\$173,530	
ACC	\$249,000	0.11%

Note 1. Does not reflect recapture

It is important to note that the removal of the incentive by AISSD yielded only \$95,000 for District operations because of the statewide school funding equalization requirement formula referred to as "recapture," e.g. Robin Hood. Both the gross amount of the property tax incentive as well as its impact on each jurisdiction's budget is miniscule. Their contribution is more than offset by the value that historic preservation brings to the community.

The elimination of the incentives created significant, unanticipated hardships on both landmark property owners and, where applicable, tenants. Acquisitions, improvements and restoration efforts in many cases had been predicated on the application of the historic property tax incentives. Furthermore, with AISSD and ACC's withdrawal from the program, landmark owners began to consider the removal of landmark designation on their properties, threatening decades of historic preservation effort and the historic character that makes Austin unique. To address these rapidly moving events, the Heritage Society of Austin established an Ad Hoc Policy Working Group to work with the City of Austin's Historic Landmark Commission on recommendations for the Historic Landmark Program.

## APPENDIX B: ECONOMIC IMPACT OF PRESERVATION

A 1999 Rutgers University study commissioned by the Texas Historical Commission, estimated that preservation generates more than \$1.4 billion in annual economic activity statewide, which very conservatively translates to \$140 million of economic activity annually in the Austin area alone.<sup>7</sup> Although specific studies are limited on the subject, news accounts suggest that business location decisions are increasingly being made based on the quality of place – Google’s decision to come to Austin and locate in the historic Scarborough Building and Patagonia’s first Texas location in the historic W.B. Smith Building highlights the role preservation plays in economic development.<sup>8</sup> Preservation is a key component of the iconic Austin “brand” – contributing to its economic viability and storied quality of life.<sup>9</sup>

Empirical evidence from studies using both Difference on Difference and Hedonic modeling methods suggest that landmark designation alone may positively affect properties so designated by 5% to 20%.<sup>10</sup> This might constitute as much as \$135 million in additional taxable value for our landmarks. Furthermore, economists note what is referred to as the “spillover effect.” This refers to the positive effect or externality landmarking has on adjacent properties.<sup>11</sup> A San Diego study estimates that the spillover effect on neighboring property values due to the presence of a landmark results in an increase of \$1.8 million in taxable property values. To wit:

The results presented in this paper suggest that the loss in property tax revenue (due to the minimum of a 40% landmark tax abatement under California law) is more than compensated for by a general increase in the property value of other houses in the neighborhood. The value associated with the proximity of a historically significant house in the neighborhood varies with distance. For distances up to 250 feet, a historical house adds 3.7% to a house’s value with this amount decreasing to 1.6% for distances of 250 feet to 500 feet.

Referring to the Getty Institute report, it recognizes a multiplier effect of 1.2 suggesting that for every dollar invested, \$1.20 is returned. Thus, the various taxing jurisdictions’ negligible investment in terms of the incentives they offer by participating in the Landmark program have generated a positive return by virtue of the increased taxable value of landmarks and adjacent properties.

### **Historic preservation invites reinvestment by stabilizing declining or static neighborhoods**

The preservation or adaptive reuse of existing historic properties often produces a catalyst effect – investment by one property owner spurs similar investment by neighboring property owners. This “inward investment” has been recognized as a strategy that promotes a community’s ‘triple bottom line’ of economic, environmental, and social returns on investment.<sup>12</sup> Preservation’s economic impact on neighborhoods is demonstrated by the consistency of the findings – property values appreciate at rates greater than the local market overall and faster than non-designated neighborhoods.<sup>13</sup>

The Hobby Center for Public Policy of the University of Houston conducted a study of comparative property values from 2001 to 2010 in neighborhoods designated as historic districts and similar areas that were not so designated. They concluded that historic districts held their value more consistently during downturns and increased in value overall.<sup>18</sup>

### **Historic preservation provides jobs and educational opportunities that benefit all our citizens**

An effective preservation program creates local, skilled jobs – 20% more jobs than new construction – especially valuable in an economic downturn.<sup>14</sup> Renovation and rehabilitation of historic structures is more labor-intensive than building a new one, and requires more skilled labor than new construction, commanding higher wages. Materials for renovation and rehabilitation of historic structures tend to be purchased locally, so sales taxes benefit the local jurisdictions.<sup>15</sup> Adaptive reuse and restoration of existing historic buildings saves embodied energy while contributing to the sense of place, which is necessary for a place-based economy and encourages green employment.<sup>16</sup> The local return on investment of an active and effective preservation program comes in wages paid to a skilled and specialized workforce, the long-term increase in property values and taxes, increased hotel occupancy taxes (locally supporting the cultural arts and preservation) and sales taxes from those drawn to Austin, and other related economic activity.

### **Historic Preservation is a sound public program for sustainability and environmental protection**

Historic preservation reinforces sustainability and smart growth, lowers greenhouse gases, improves water quality, saves raw land, lowers demand and need for landfill space, produces more healthy and walkable communities, and makes better use of existing infrastructure.<sup>17</sup> The City of Austin's preservation program is a national leader in supporting sustainability, with a requirement that each local historic district plan be submitted to Austin Energy's Green Builder program for review and comment prior to action. The City of Austin, as part of its 'zero waste initiative', has recently initiated an effort to link the cost of a demolition permit to the materials generated, including financial incentives for applicants to recycle and divert demolition debris. A quarter of a million homes are demolished annually in the United States, generating up to 160 million tons of debris, 60% of which is disposed in landfills.<sup>18</sup> According to the U.S. Environmental Protection Agency, demolition debris accounts for approximately 24% of the waste disposed in the nation's landfills, making its reduction – and the need for additional landfill space – of community concern.

### **Societal Impacts of Preservation**

According to *Economics and Heritage Conservation: A Meeting Organized by the Getty Conservation Institute*, published in December 1998, "The ultimate concern is that economists and economic practices insufficiently appreciate the wide range of values of cultural heritage. This, therefore, feeds the political resistance to providing the necessary finances for the preservation of cultural heritage, with the consequence that commercial activities take over." Continuing, "among policy makers and advocates of subsidies during the last twenty years or

so, they (studies) appear to indicate that expenditures on heritage goods have economic returns (see also, for example, Vaughan 1984; Myerscough 1988; van Puffelen 1987).”

One of the most devastating public policy programs in the history of city planning was the urban renewal movement in the mid-twentieth century. Eminent domain was used to erase large swaths of inner-city neighborhoods, mostly inhabited by racial minorities, and replace them with public housing developments. After massive social unrest followed, that approach was repudiated by urban planners in the 1960s and 1970s, and the emphasis has since been on neighborhood rehabilitation and preservation.

The National Trust for Historic Preservation has led in efforts to inspire protection of neighborhood cultural identities through preservation of housing and designation of historic zones. Sound preservation practices have been instrumental in neighborhood revitalization that is effective in preserving cultural and social patterns that contribute to the richness of a city’s character and sense of place. That dynamism is also an economic benefit for small and locally-owned businesses.

### **Local Implications**

Although Travis County, AISD and ACC do not directly benefit from sales and hotel occupancy taxes as the City of Austin does, all taxing entities rely on the same property tax base. Stronger sales and occupancy tax collections are indicative of the relative economic strength of the market. Implicit with stronger markets come higher property values. Historic preservation contributes directly to higher property values and all jurisdictions benefit as the tax base grows. For a minimal investment by the various taxing jurisdictions, the equivalent of approximately 00.16% of budgeted expenditures for FY2011, all jurisdictions can benefit from continuing their participation in the program.

## APPENDIX C: CRITERIA FOR LANDMARK DESIGNATION

### CURRENT CITY OF AUSTIN HISTORIC LANDMARK DESIGNATION CRITERIA

To be designated a City of Austin Historic Landmark, a property must:

- Be at least 50 years old, unless it possesses exceptional importance as defined by National Register Bulletin 22, National Park Service (1996); and
- Retain sufficient integrity of materials and design to convey its historic appearance; and
- Be individually listed in the National Register of Historic Places, designated a Recorded Texas Historic Landmark, State Archeological Landmark, or National Historic Landmark, OR
- Be significant in at least two of the following categories:

#### A. ARCHITECTURE

The property:

- Embodies the distinguishing characteristics of a recognized architectural style, type, or method of construction; or
- Represents technological innovation in design and/or construction; or
- Contains features representing ethnic or folk art, architecture or construction; or
- Represents a rare example of an architectural style; or
- Serves as a representative example of the work of an architect, builder, or artisan who significantly contributed to the development of the city, state, or nation.

#### B. HISTORICAL ASSOCIATIONS

The property:

- Has significant associations with persons, groups, institutions, businesses, or events of historical importance which contributed to the history of the city, state or nation; or
- Represents a significant portrayal of the environment of a group of people in an historic time.

#### C. ARCHEOLOGY

- The property has, or is expected to yield significant data concerning the human history or prehistory of the region.

#### D. COMMUNITY VALUE

- The property has a unique location or physical characteristic that represents an established and familiar visual feature of the neighborhood or the city, and contributes to the character or image of the city.

## E. LANDSCAPE FEATURE

- The property is a significant natural or designed landscape or landscape feature with artistic, aesthetic, cultural, or historical value to the city.

## NATIONAL REGISTER DESIGNATION

A property may be separately identified as a landmark in the National Register of Historic Places. The following are the National Register criteria for evaluation:

### Criteria for Evaluation

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- That are associated with events that have made a significant contribution to the broad patterns of our history; or
- That are associated with the lives of significant persons in or past; or
- That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- That have yielded or may be likely to yield, information important in history or prehistory.

See also [http://www.nps.gov/nr/publications/bulletins/nrb15/nrb15\\_2.htm](http://www.nps.gov/nr/publications/bulletins/nrb15/nrb15_2.htm) for further information.

## APPENDIX D: REVISED APPLICATION PACKAGE

### **SUBMITTAL VERIFICATION CHECKLIST for Historic Landmark Designation, City of Austin**

**Application Form (A)**

**Tax Certificate (C)**

**Submittal Verification & Inspection Authorization Forms (D)**

**Acknowledgment Form - Subdivision Plat Note/Deed Restrictions (E)**

**Deed Chronology of Owners (F1)** – include copies of deeds

**Occupancy History** (at 5-year intervals; include occupations/businesses listed in city directories) (F2)

**Site Plan or Survey** of tract with locations of all structures and buildings (F8)

**Indicate Watershed and Neighborhood Association**

**Historical Narrative (F)** (no more than 15 pages with sources in footnotes)

- ❑ **Architectural Description** of buildings (style, features of front façade, orientation to street, materials of exterior finish; see McAlester, *A Field Guide to American Houses*)
- ❑ **Architect:** Information on original architect, builder, contractor and any craftsmen who worked on the structure(s).
- ❑ **Alterations** including dates for all new construction
  - Note interior features which are original/historical if known and include general information about interior restoration efforts (optional).
  - Detail all alterations to exterior façade seen from any surrounding street view, not including paint color; note if brick was painted.
  - Include replacement of windows, doors, roof, siding, skylights or other elements, and additions of any architectural features.
  - Note architect, contractor for recent and past alterations if known.
  - Describe sources and efforts made to contact previous owners as well as descendants/family members of past owners to research past alterations.

- ❑ Chronological narrative and overview of the property's history and development
- ❑ Biographies of owners and occupants, as available (include copies of obituaries, published bios, key clippings)
- ❑ A summary of the primary uses and occupants of property over time, and any important persons or events associated with the site (with full names, birth, marriage and death dates)
- ❑ Justification for meeting specific city historic landmark criteria
- ❑ **Architectural drawings** and elevations, if available (historical and current). If unavailable, describe sources and efforts made to locate historical architectural drawings through the Austin History Center, Alexander Archives, and the Center for American History as well as descendants/family members of past owners/occupants.
- ❑ **Sanborn maps**: submit copies of relevant maps indicating footprint of structures over time; cite year and sheet number for each map

**Photos:**

- ❑ **Historical photograph(s)** of building/property. *If unavailable, describe sources and efforts made to locate historical photographs through the Austin History Center and descendants/family members of present and past owners/occupants*
- ❑ **Recent Photographs**: Color or black and white prints (35 mm and/or digital images) at least 3 1/2 X 5 inches in size showing full exterior views of all elevations, setting, outbuildings, and details of structural and landscape features. Label photographs on the back in pencil and submit loose (un-affixed). Include disk of jpg images.

## BIBLIOGRAPHY

1. 8 Gammel's Laws. pp. 1055, 1061.
2. Arts. 5434-5446, V.T.C.S.; Art. 6145, V.T.C.S.
3. *San Antonio Conservation Society, Inc., v. City of San Antonio*, 455 S.W.2d 743, 746 (Tex. 1970).
4. S.J.R. 5 (65RS).
5. SB 595 (65RS).
6. House Research Organization Amendments Proposed for the November 8, 1977 election; Texas Legislative Council **Analyses of Proposed Constitutional Amendments** for the November 8, 1977 election.
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