8-200 HISTORIC DESIGNATION

A. Sites, structures, and areas that have been determined to be either architecturally, historically, archaeologically, or culturally significant may be designated as a Historic District. The regulations for historic districts are intended to preserve and protect historic, culturally or architecturally worthy buildings, structures, sites, and neighborhoods. For all zoning districts which contain the historic district prefix designation, the regulations for both the zoning district and the historic designation shall apply. Whenever there is a conflict between the regulations of the historic designation and the zoning district, the more restrictive regulations shall apply.

B. In determining the historical district, site or area, one or more of the following criteria shall be considered:

1. Character, interest or value as part of the development, heritage or cultural characteristics of the City, state or nation.
2. Location as the site of an historical event.
3. Structure with a distinguishing architectural type.
4. Relationship to other distinctive buildings, sites, districts or structures which are historically significant.
5. Unique location of singular physical characteristics representing an established and familiar visual feature or a neighborhood, community, the City or this region.
6. Identification with a person who has significantly contributed to the development or culture of the City, state or nation.

C. The Historic Landmark Preservation Committee shall recommend that certain sites, districts, areas, buildings or structures be designated as historical districts, sites or areas, and shall delineate the boundaries thereof. Such recommendation shall be submitted to the Planning and Zoning Commission and to the City Council. Such request for historical designation shall be acted upon by the Planning and Zoning Commission and the City Council as prescribed by Section 21-100. The prefix "H" shall indicate on the Zoning District Map the zoning designation of those areas, sites, districts, buildings or structures which are designated as historical districts. Such designation shall be in addition to any other zoning classification established for such site.

D. The Historic Landmark Preservation Committee shall be composed of nine (9) members. There should be one member from each of the following: an institution authorized to make home loans, a real estate agent, a representative of the Texarkana Museums System, with the remaining members to be named at the discretion of the City Council. Meetings of the Historic Landmark Preservation Committee shall be at the call of the Chairman and at such times as the Committee shall determine. All meetings shall be open to the public. The Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, or indicating absentee or failure to vote. Records of examinations and other official actions shall be kept and filed immediately in the office of the Community Redevelopment and Grants and shall be public record. The Committee should include the following committees: 1) guidelines and standards review, 2) community involvement and marketing, 3) expansion, preservation, and revitalization. Each Committee member shall serve on at least one committee. Ex Officio

members of the Committee shall include the CEO/City Manager, the Executive Director of Community Redevelopment and Grants, and the Marketing and Communications Manager. The members of the Committee shall select a chairman, a vice chairman and a secretary. Five members shall constitute a quorum. (Amended Ord. #144-09)

E. No person shall construct, reconstruct, alter, change, restore, remove, or demolish any exterior architectural feature of a building or structure or develop, construct, relocate, or demolish any building or structure with a Historic Designation or within a Historic Overlay District in the City of Texarkana, Texas without first obtaining a Certificate of Appropriateness. Exterior architectural features include the kind, color and basic texture of all exterior building materials and such features as windows, doors, lights, and signs.

An application for a Certificate of Appropriateness shall be made by the owner of the subject property and filed with the Director of Planning on the City's official form. The Director of Planning shall determine the completeness of an application for a Certificate of Appropriateness. Incomplete or applications not in compliance with building codes or other ordinances shall be returned to the applicant for completion and compliance. The Director of Planning shall within seven (7) days refer a completed application to the Historic Landmark Preservation Committee.

The Historic Landmark Preservation Committee shall hold a public hearing on an application for a Certificate of Appropriateness within thirty (30) days of their receipt of the application. Notice of application for a Certificate of Appropriateness shall be posted at the project site such that it is visible from the public right-of-way, including contact information and meeting date. If the Historic Landmark Preservation Committee does not take action within thirteen (30) days of receipt of a completed application, a Certificate of Appropriateness shall be deemed issued by the Committee.

At the public hearing, the Historic Landmark Preservation Committee shall investigate and approve or disapprove an application for a Certificate of Appropriateness by a majority vote. A written report regarding the decision should be prepared by the Director of Planning within five (5) days after the public hearing.

Upon approval of an application, the Building Official shall be authorized to issue any necessary permits following the City's standard process. Should an application be disapproved, a copy of the written report stating the reasons for disapproval shall be mailed to the applicant with notice of their right to appeal the decision to the Zoning Board of Adjustment.

No application for the same project shall be considered within one (1) year of the disapproval of the application by the Historic Landmark Preservation Committee. The applicant may submit a design for an entirely new project or a revised design that substantially responds to the reasons for denial as set forth by the Committee at any time.

Ordinary Maintenance and Repair shall be exempt from the requirement of a Certificate of Appropriateness. The Director of Planning shall be responsible for making a determination

whether or not any given project constitutes Ordinary Maintenance and Repair and shall report such projects periodically to the Historic Landmark Preservation Committee.

Ordinary Maintenance and Repair is any work, the sole purpose and effect of which is to correct deterioration, decay or damage which does not result in a change in the existing appearance and materials of a property. Examples include minor repairs to windows and doors; repairing walkways or drives; roofing, foundation, or chimney work when no substantial change in appearance occurs. Ordinary Maintenance and Repair also includes in-kind repair and replacement. Ordinary Maintenance and Repair must be compatible with the Development Standards of the Historic District in which it is performed.

The following general review criteria shall be met in issuing any Certificate of Appropriateness: the proposed work complies with the Development Standards and Preservation Criteria for the District; the integrity of an individual historic structure is preserved; new buildings or additions are designed to be compatible with surrounding historic properties; and the overall character of the District is protected. (Amended Ord. #138-05)

F. In accordance with state law, the City Council finds that all structures located within designated Historic Residential Overlay Districts are historically significant and entitled to tax relief in order to encourage historic preservation. The City shall exempt 10 % of the assessed value of a structure, including the land necessary for access to and use of the structure, from annual City ad valorem taxation. In order to receive this tax exemption, the structure must have been located within a designated Historic Residential Overlay District on the first day of January of the applicable tax year and must be designated as the owner's homestead for the applicable tax year. (Amended Ord. #315-06)

G. The Highland Park – Bingham Park Historic Residential Overlay District is hereby established. The purpose and intent of the Highland Park – Bingham Park Historic Residential Overlay District is to provide for the protection of the aesthetic and visual character of this historic residential neighborhood. The neighborhood consists of homes built between 1903 and 1935 and includes Arts and Crafts, Prairie, and Cottage style homes. The neighborhood also includes the boyhood home of Ross Perot and the home of Wright Patman.

The Highland Park – Bingham Park Historic Residential Overlay District shall include all property on Wood Street between West 25th Street and West 29th Street and all property on Olive Street between West 23rd Street and West 29th Street. Additionally, the District shall include residences fronting on West 29th Street between the intersections of Wood Street and Olive Street. An official map of the Highland Park – Bingham Park Historic Residential Overlay District shall be kept on file in the Planning and Zoning Department and the boundaries of the Highland Park – Bingham Park Historic Residential Overlay District shall be shown on the City's Official Zoning Map.

Development Standards and Preservation Criteria for the Highland Park – Bingham Park Historic Residential Overlay District are hereby adopted as an official attachment to the zoning ordinance. A violation of any provision contained within the Development Standards and Preservation Criteria for the District is a violation of the zoning ordinance. Copies of the

Development Standards and Preservation Criteria for the Highland Park – Bingham Park Historic Residential Overlay District shall be available in the office of the Director of Planning.

No person shall construct, reconstruct, alter, change, restore, remove, or demolish any exterior architectural feature of a building or structure or develop, construct, relocate, or demolish any building or structure within the District without first obtaining a Certificate of Appropriateness. All new development and changes to existing development located within the District, except for ordinary maintenance and repair, shall be reviewed in accordance with the Development Standards and Preservation Criteria for the Highland Park – Bingham Park Historic Residential Overlay District by the Historic Landmark Preservation Committee pursuant to section E above.

The Development Standards and Preservation Criteria for this Overlay District control in the event of a conflict with the requirements for the underlying zoning district or other ordinances. Except, this section does not apply to life safety codes such as building or fire codes. If a proposed development or change in an external feature will not be visible from a public right-of-way once the project is completed, the Committee may waive review of the project.

G1. The Highland Park – Bingham Park Historic Residential Overlay District shall also hereby include all property on Walnut Street between West 25th Street and West 29th Street.