

Types of Historic Designations REVISED

There are SIX types of historic designations for individual buildings and sites and TWO types of historic designations for areas or neighborhoods, called Historic Districts.

The SIX types of historic designations for individual buildings and sites are:

- 1) A Local Historic Preservation Ordinance designation such as City of Houston Landmark (designated by Houston City Council)
- 2) A Local Historic Preservation Ordinance designation such as City of Houston Protected Landmark (designated by Houston City Council)
- 3) National Register of Historic Places (designated by National Park Service through the Texas Historical Commission or Local State Historical Commission)
- 4) Recorded Texas Historical Landmark (designated by State of Texas - administered by the Harris County Historical Commission)
- 5) State Archaeological Landmark (designated by State of Texas – designated and administered by the Texas Historical Commission)
- 6) Texas Centennial Site (designated by State of Texas - administered by the Texas Historical Commission)

City of Houston Landmark

1) City of Houston Landmark - The City of Houston under its Historic Preservation Ordinance adopted by City Council in March 1995 can designate a Landmark. A City of Houston Landmark is any building, structure, object or site designated by Houston City Council for its historical, cultural, architectural or archaeological significance in the city, state, nation or region. To qualify, it must be at least 50 years of age or older, the application must be initiated by the property owner OR the Houston Archaeological and Historical Commission (HAHC) and it must meet at least one of the eight criteria for designation in the ordinance as follows:

1. Possess character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation
2. Location of a significant local, state or national event
3. Identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state or nation
4. Exemplify a particular architectural style or building type important to the city
5. Best remaining examples of an architectural style or building type in a neighborhood
6. Identified as the work of a person or group whose work has influenced the heritage of the city, state or nation
7. Specific evidence exists that unique archaeological resources are present
8. Has value as a significant element of community sentiment or public pride

The Houston Archaeological and Historical Commission (HAHC), appointed by City Council, reviews the application for Landmark designation and holds a public hearing, then makes a recommendation to the Houston Planning Commission, which also holds a public hearing and makes a recommendation to City Council, and only City Council designates. All work to the exterior of a Landmark is subject to a Certificate of Appropriateness (COA) which must be reviewed by and issued by the HAHC. If the HAHC denies a COA, then a 90-day waiver COA is issued and the owner may proceed with inappropriate activity at that time, even demolition. There is no protection for any Landmark denied a COA after 90 days nor are there any Property Tax Exemptions for a property which has been denied a COA. (See BENEFITS - Property Tax Exemptions below)

City of Houston Protected Landmark

2) [City of Houston Protected Landmark - The City of Houston under its Historic Preservation Ordinance which was amended by City Council in August 2005 can designate a Protected Landmark.](#) A City of Houston Protected Landmark is any building, structure, object or site designated by Houston City Council for its historical, cultural, architectural or archaeological significance in the city, state, nation or region. To qualify, it must be at least 50 years of age or older, the application must be initiated by the property owner and to qualify for designation,

Must be individually listed in the National Register of Historic Places

OR

has been designated as a “contributing structure” to a National Register Historic District

OR

has been designated as a Recorded Texas Historical Landmark or State Archaeological Site

OR

satisfies at least three (3) of the criteria contained in Section 33-224, Houston Code of Ordinances for Protected Landmark designation as follows:

1. Possess character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation
2. Location of a significant local, state or national event
3. Identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state or nation
4. Exemplify a particular architectural style or building type important to the city
5. Best remaining examples of an architectural style or building type in a neighborhood
6. Identified as the work of a person or group whose work has influenced the heritage of the city, state or nation
7. Specific evidence exists that unique archaeological resources are present

8. Has value as a significant element of community sentiment or public pride

The Houston Archaeological and Historical Commission (HAHC), appointed by City Council, reviews the application for Protected Landmark designation and holds a public hearing, then makes a recommendation to the Houston Planning Commission, which also holds a public hearing and makes a recommendation to City Council, and only City Council designates. All work to the exterior of a Protected Landmark is subject to a Certificate of Appropriateness (COA) which must be reviewed by and issued by the HAHC. If the HAHC denies a COA, then the owner may NOT proceed with inappropriate activity, even demolition and the Protected Landmark is NOT subject to the 90 day waiver certificate as is the Landmark. Nor will a property owner qualify for any Property Tax Exemptions for a Protected Landmark which has been denied a COA.

BENEFITS - PROPERTY TAX EXEMPTIONS:

However, if a property owner seeks a tax exemption from the City of Houston for work to a Landmark or a Protected Landmark, or "contributing" or "potentially contributing" building within a city designated historic district, to qualify, the owner must NOT be denied a COA for any exterior work. Nor will the owner qualify for other benefits from the city, including a discount on permit fees for work approved by the HAHC.

City Council also adopted a City of Houston Tax Exemption Ordinance in March 1995 as an incentive to preserve historic sites under the Historic Preservation Ordinance. The ordinance was amended in March 2001 and now provides that:

1. Property, whether it is residential or commercial, must be a designated landmark and/or Protected Landmark or a "contributing" or "potentially contributing" site in a designated historic district to qualify.
2. Applicant must perform renovations equal to at least 50% of the assessed taxable value of the structure. Land value not included.
3. The qualifying renovations must contribute to preservation of the historic elements, and in the case of a "potentially contributing structure" within an Historic District, the renovations must reverse incompatible elements, that MUST be approved by Certificate of Appropriateness issued by the HAHC.
4. If qualifying expenditures are between 50%-100% of base value (structure only, not land), the exemption amount is equal to the amount of expenditures. If qualifying expenditures are over 100% of base value (structure only, not land), the exemption is 100% (structure only).
6. Exemption period is for 15 years and is transferrable.

The Tax Exemption Ordinance was amended, however, in June 2007, to provide that if appropriate exterior work was performed within five years (preceding) the actual designation by City Council of an individual building or an historic building within a designated historic district, then the property may also qualify for the 15 year tax exemption. In addition, if expenditures for exterior work have already been completed and those expenditures are part or all of the required minimum expenditure to qualify for the tax exemption, then the building or historic district must also meet criteria for designation and be designated. Subsequently, the HAHC must approve the exterior work and issue a COA for the appropriate work, before qualifying for the tax exemption.

The Tax Exemption amendment passed by City Council in June 2007 also provided for Tax relief for **significant historic structures**. To qualify, the building must be at least 50 years of age or older, **and** if the structure was originally built as a residence, it must be used for commercial purposes; or if a residence, it must now contain more than four units; **and** the structure must also have been designated as a Protected Landmark; **and**

the structure must have been designated as a Recorded Texas Historical Landmark

OR individually listed in the National Register of Historic Places,

OR has been referenced as having historic significance in an authoritative survey conducted by a non-profit or governmental agency (including the HAHC).

Each **significant historic structure** that meets the criteria must **also** obtain a 75% approval of the members of the HAHC present at a regularly scheduled meeting to receive the Tax Exemption. The HAHC shall review the applications for tax relief for **significant historic structures** on an annual basis to determine whether the eligibility standards as outlined above, are met. The exemption granted by City Council, upon recommendation of the HAHC, shall exempt the **significant historic structure** from ALL city ad valorem taxation for both the improvements and the land. However, the exemption is capped at \$30,000 per **significant historic structure** per year.

Furthermore, of the Landmarks and Protected Landmarks that have been designated by City Council, many are also designated individually as a National Register site or Recorded Texas Historical Landmark and/or as “contributing” structures in several National Register of Historic Places Historic Districts as well. To date, City Council has designated 208 Landmarks of which 41 are also designated Protected Landmarks.

National Register of Historic Places

3) The National Register of Historic Places is a federal program of the National Park Service and administered locally in each state, and in our case the Texas Historical Commission which in coordination with the National Park Service, lists sites in the National Register which is national recognition of a property's historical or architectural significance and denotes that it is worthy of preservation. [Buildings](#), [sites](#), [objects](#), and [structures](#) are eligible for this designation if they are at least 50 years old and meet established criteria. Eligible properties must have maintained their historic integrity and must meet at least one of the following four criteria at the local, state, or national levels of significance:

- A. The property is associated with significant historical trends or events.
- B. The property is associated with the lives of significant persons.
- C. The property represents distinctive design or construction.
- D. The property has potential to reveal important archeological data.

Certain properties are not ordinarily considered for listing in the National Register. These include cemeteries, birthplaces or graves of historical figures, buildings or structures moved from their original locations, reconstructed buildings, properties primarily commemorative in nature, buildings or structures that have had unsympathetic or inappropriate modifications and properties that may have achieved significance within the last 50 years.

There is no oversight regarding work or demolition to a NR site. If work is inappropriate or the building is demolished, the only result may be delisting of the site as National

Register designated. In cases where Federal funds are used in any manner that would negatively impact an NR site, the Texas Historical Commission must be consulted but their recommendations are not binding. A number of buildings in Houston, listed on the NR, have been altered inappropriately or demolished.

The NR program provides an incentive for historic preservation and allows for a Federal Tax Credit but it is ONLY eligible for INCOME PRODUCING projects and those listed in the NR and before work is begun, including both interior as well as exterior, the work must be approved by the Texas Historical Commission and the National Park Service. Also these certified projects are eligible for an exemption from sales tax paid for labor during construction through the State of Texas Comptroller.

4) Recorded Texas Historical Landmark (RTHL) is a property judged to be historically and architecturally significant. The Texas Historical Commission (THC) awards RTHL designation to buildings at least 50 years old that are judged worthy of preservation for their architectural and historical associations. RTHL is a legal designation and comes with a measure of protection; it is the highest honor the state can bestow on a historic structure, and the designation is required for this type of marker. **Purchase and display of a historical marker is a required component of the RTHL designation process.** Owners of RTHL-designated structures must give the THC 60 days notice before any alterations are made to the exterior of the structure. Unsympathetic changes to these properties may result in removal of the designation and historical marker. To nominate a property, the owner's consent is required.

Criteria for RTHL designation is as follows:

Age: Buildings or other historic structures may be eligible for RTHL designation upon reaching 50 years of age. In some cases, structures older than 50 years that have been altered may be eligible, if those alterations occurred at least 50 years ago and took place during a significant period of the structure's history.

Historical significance: It is the responsibility of the applicant to establish, through written and photographic documentation, the historical significance of a structure.

Architectural integrity: In reviewing applications for RTHL designation, the THC considers not only the historic persons or events associated with a structure, but also the architectural integrity of the building or structure. The structure should maintain its appearance from its period of historical significance and should be an exemplary model of preservation. In no case can a structure be considered for the RTHL designation if it has been moved in the past 50 years or if artificial (aluminum, vinyl, asbestos, etc.) siding has been applied to its exterior within the preceding 50 years which covers and/or alters its historic architectural materials or features.

State Archaeological Landmark

5) State Archeological Landmark is designated by the Texas Historical Commission (THC) and receive legal protection under the [Antiquities Code of Texas](#). Listing in the [National Register of Historic Places](#) is a prerequisite for State Archeological Landmark designation of a building. State Archeological Landmark designation stipulates that the property cannot be removed, altered, damaged, salvaged or excavated without a permit from the THC. This designation encourages preservation and ensures that resources that cannot be preserved are at least properly documented.

The designation of State Archeological Landmarks on private land is recorded in the county deed records and is conveyed with the property when sold. The property owner's written consent is required.

Texas Centennial Site

6) Texas Centennial Site was a site designated during the Texas Centennial in 1936. Many sites were designated and marked by the State of Texas in celebration of the 100 year founding of the State of Texas. There is no protection for this type of designation.

The TWO types of historic designations for areas or neighborhoods, called historic districts, are:

- 1) City of Houston Historic District – (designated by Houston City Council)
- 2) National Register of Historic Places Historic District - (National Park Service through the Texas Historical Commission).

1) City of Houston Historic District

Under Local Historic Preservation Ordinance, such as The City of Houston under its Historic Preservation Ordinance adopted by City Council in March 1995 can designate an Historic District. A City of Houston Historic District is any area designated by Houston City Council that possesses a significant concentration, linkage or continuity of buildings, structures, objects or sites united by historical, cultural, architectural or archaeological significance to the city, state, nation or region. Included would be those buildings, structures, objects or sites identified as 50 years of age or older. The area must contain at least 51% buildings that are 50 years of age or older and are classified as "contributing" and "potentially contributing." A contributing building is a building that has its architectural integrity intact. A potentially contributing building is one whose architectural integrity has been altered, but alterations can be reversed so that it is contributing. All buildings less than 50 years of age or younger are classified as "non-contributing." All work to the exterior of buildings located in the historic district are subject to a certificate of appropriateness (COA) which must be reviewed by and issued by the HAHC. If the HAHC denies a COA, then a 90-day waiver COA is issued and the owner may proceed with inappropriate activity at that time. However, a COA is not required for demolition of a non-contributing building in a historic district, but if the building is replaced with new construction, then the owner must apply for a COA. There is no protection for any property denied a COA after 90 days. However, if a property owner seeks a tax exemption from the city of Houston for work to a "contributing" or "potentially contributing" building in an historic district, to qualify, the owner must NOT be denied a COA for any exterior work.

To qualify for historic district designation, the majority (51%) of the buildings within the designated area must be at least 50 years of age or older, and the application must be initiated by 51% of the property owners who own at least 51% of the land area OR the application may be initiated by the Houston Archaeological and Historical Commission (HAHC) and the historic district must meet at least one of the eight criteria in the ordinance as follows:

1. Possess character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation
2. Location of a significant local, state or national event
3. Identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state or nation
4. Exemplify a particular architectural style or building type important to the city

5. Best remaining examples of an architectural style or building type in a neighborhood
6. Identified as the work of a person or group whose work has influenced the heritage of the city, state or nation
7. Specific evidence exists that unique archaeological resources are present
8. Has value as a significant element of community sentiment or public pride

The HAHC reviews the application for Historic District designation and holds a public hearing, then makes a recommendation to the Houston Planning Commission, which also holds a public hearing and makes a recommendation to City Council, and only City Council designates.

SEE: BENEFITS – PROPERTY TAX EXEMPTIONS ABOVE: City Council also adopted a City of Houston Tax Exemption Ordinance in March 1995 as an incentive to preserve historic sites under the Historic Preservation Ordinance. The ordinance was amended in March 2001 and now provides that:

NOTE: The qualifying renovations must contribute to preservation of the historic elements, and in the case of a "potentially contributing structure" within an Historic District, the renovations must reverse incompatible elements, that MUST be approved by Certificate of Appropriateness issued by the HAHC.

To date Houston City Council has designated 21 Historic Districts in Houston, a few examples being: Courtlandt Place, Main Street/Market Square, Old Sixth Ward, Westmoreland, Avondale East, West Eleventh Place, Norhill Historic Districts, Houston Heights East, West and South and Broadacres Historic District

2) National Register of Historic Places Historic District

The National Register of Historic Places Historic District designation is a federal program of the National Park Service and administered locally in each state, and in our case the Texas Historical Commission which in coordination with the National Park Service, lists historic districts in the National Register which is national recognition of an area's historical or architectural significance and denotes that it is worthy of preservation. Historic Districts are eligible for this designation if they are at least 50 years old and meet established criteria. There is also a designation called Multiple Resource Area (MRA) of the National Register Program which includes Municipalities of less than 50,000 people in population, and there are individual listings in the National Register within their boundaries. Eligible properties must be at least 50 years old, and must maintain their historic integrity. There are only two classifications of buildings in a NR historic district, contributing and non-contributing. Contributing buildings are the ones that have their architectural integrity intact. All other buildings are classified as "non-contributing," including the ones which are 50 years of age or older and whose architectural integrity has been altered, which could be reversed, as well as all buildings less than 50 years of age or younger. Since many historic buildings lose architectural integrity due to inappropriate alterations, which are NOT reviewed or monitored in a National Register Historic District, resulting in many areas not qualifying for NR designation since that is the case. Also areas can lose their NR status if too many alterations occur to the contributing buildings. A NR Historic District to qualify for designation must meet at least one of the following four criteria at the local, state, or national levels of significance:

- A. The property is associated with significant historical trends or events.
- B. The property is associated with the lives of significant persons.
- C. The property represents distinctive design or construction.
- D. The property has potential to reveal important archeological data.

There is no oversight regarding work or demolition to a contributing site in a NR Historic District. If work is inappropriate or the building is demolished, the only result may be delisting of the site as National Register designated or the loss of designation as an NR Historic District. In cases where Federal funds are used that would negatively impact an NR Historic District, or one determined as eligible for listing, the Texas Historical Commission must be consulted but their recommendations are not binding although highly encouraged to be followed. A number of historic districts in Houston designated as a NR Historic District, have lost a large number of "contributing buildings" through demolition or inappropriate alterations, including Freedman's Town, San Felipe Courts (Allen Parkway Village), Old Sixth Ward, Independence Heights, Main Street/Market Square and Westmoreland.

The NR program provides an incentive for historic preservation and allows for a Federal Tax Credit but it is ONLY eligible for INCOME PRODUCING projects and those listed in the NR and before work is begun, including both interior as well as exterior, the work must be approved by the Texas Historical Commission and the National Park Service. Also these certified projects are eligible for an exemption from sales tax paid for labor during construction through the State of Texas Comptroller.

To date 10 National Register Historic Districts and one Multiple Resource Area (MRA) have been designated in Houston including: Old Sixth Ward, Freedman's Town, San Felipe Courts (Allen Parkway Village), Main Street/Market Square, Courtlandt Place, Broadacres, Westmoreland, West Eleventh Place, Independence Heights, Boulevard Oaks, and the Multiple Resource Area of Houston Heights.

The National Register Historic Districts of Courtlandt Place, Main Street/Market Square, Westmoreland, West Eleventh Place, Old Sixth Ward and Broadacres are also designated as City of Houston Historic Districts, and the boundaries of both types of historic districts are the same. However, the City of Houston's Old Sixth Ward Historic District, the first NR designated historic district in Houston, is smaller than the City of Houston Historic District because one-fourth (1/4) of the original NR historic district (eastern portion) had been demolished at the time of the city's designation due to lack of oversight by the NR program. On the other hand, the entire Westmoreland Addition was designated as a City of Houston Historic District while the NR historic district excludes the southwestern portion (1/4) of the original neighborhood. Since that area had suffered too many alterations to its historic buildings and had lost architectural integrity, it did not qualify to be included in the NR historic district designation. Since these alterations can be reversed as the result of the education and oversight under the City of Houston's Historic Preservation Ordinance, when the HAHC approves a COA, and since the City of Houston's historic district designation also allows for designations of "potentially contributing" sites, eventually the architectural integrity can be returned to areas such as this, and the Westmoreland NR historic district designation can be amended to include this areas at a later date.

Furthermore, of the Landmarks and Protected Landmarks that have been designated by City Council, many are also designated and listed individually in the National Register of Historic Places, and/or Recorded Texas Historic

Landmark and/or designated as “contributing” structures in one of the National Register of Historic Places Historic Districts

Compiled by Randy Pace – 10/6/2021