

# LOCAL HISTORIC LANDMARKS AND DISTRICTS

## 1 Local historic landmarks

Many Texas cities across the state have adopted ordinances for local designations of historic landmarks. These designations typically involve the addition of a historic zoning overlay to the property, under Chapter 211 of the Texas Local Government Code. With the overlay, city approval is required for any demolition or exterior modifications to a historic landmark, with modifications reviewed to ensure they are appropriate for preserving the historical integrity of the building or site. Properties designated as a local historic landmark or located in a local historic district may also be eligible for discounts on building permit fees and city tax exemptions (see discussion below).

Cities may adopt their own local criteria for what qualifies as a historic landmark. To help guide cities in crafting their historic landmark ordinances, the Texas Historic Commission has created a model preservation ordinance, which is available on the Commission's website.<sup>22</sup> The criteria that cities use when evaluating buildings are typically similar to the criteria utilized by the National Register of Historic Places, while also taking into consideration how the building or site exemplifies the cultural or historical heritage of the city or a particular community within the city.

**How to apply:** Either the property owner or a third party may apply with the city for a local historic landmark designation. Under state law, an owner's consent to the designation is not required, but if consent is not obtained, the designation must be approved by at least three-fourths of the city's zoning, planning, or historical commission, as well as three-fourths vote of the city council. Some cities, such as the City of Houston, require the consent of the property owner. Under state law, properties owned by religious organizations also require consent of the owner.

**Examples:** Local historic landmark sites with ties to African American heritage include: Rutherford B. H. Yates House in Houston, Juanita Craft House in Dallas, Connelly-Yerwood House in Austin, Old African American Baptist Church in San Marcos, and Mt. Olive Missionary Baptist Church in Galveston.



BY RUTHERFORD B. H. YATES MUSEUM  
Rutherford B. H. Yates House, Houston

## African American Cultural Heritage Councils

A number of counties in Texas have created special advisory councils—called African American Heritage Councils or Commissions—to support the county's historical commission in identifying, recognizing, and preserving African American cultural heritage in the county. Counties with an African American Heritage Council include:

- Travis County African American Cultural Heritage Commission
- Harris County African American Cultural Heritage Council
- San Jacinto County African American Heritage Council

In addition, the Prairie View African American Cultural Heritage Commission is the first city-sponsored commission created in the state to promote the protection of African American historical and cultural resources.

For information and support in starting up a local African American Heritage Council, contact [info@preserveblacktexas.org](mailto:info@preserveblacktexas.org).

## 2 Local historic districts

Cities in Texas also have the authority under Chapter 211 of the Texas Local Government Code to create local historic districts. A historic district is a collection of buildings or other historic resources within a definable geographic area (such as a block or entire neighborhood) that, as a whole, convey a sense of history. The properties in the district that contribute to the overall historic character of the district are classified as “contributing,” while the buildings that do not contribute to the historic character are considered to be “non-contributing.”

A local historic district is governed by preservation guidelines and design standards adopted by the city, which provide direction for property owners, architects, builders, and city officials in determining what types of changes to properties in the district are allowable. The standards also govern new construction in the district.

New construction, demolitions, and alterations to contributing structures in a local historic district are typically subject to review and approval by the city’s historic preservation office. Several cities also require approval from the historic preservation office for alterations to non-contributing structures in the district.

In order for a historic district to be created, the owners must consent to the designation or else the designation must be approved by (1) three-fourths vote of the city council; and (2) three-fourths vote of the zoning, planning, or historical commission for the municipality.<sup>23</sup> If a parcel in the proposed district is owned by a religious organization, the organization must consent to the designation.<sup>24</sup> The governing law also sets forth information that the municipality must provide to each property owner in the proposed district.

**Examples:** Local historic districts with ties to African American heritage include: Tenth Street Historic District (Dallas), Wheatley Place Historic District (Dallas), Starkweather Historic District



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The Sweet Home Baptist Church in the Clarksville Historic District of Austin, Texas

### Governmental entities with oversight over historic preservation

#### National Park Service:

Administers the National Register of Historic Places and the National Historic Landmark designations. Provides technical assistance to properties with a national historic designation.

#### Texas Historical Commission:

Administers the designations for Recorded Texas Historic Landmarks, Texas Historic Cemeteries, and State Antiquities Landmarks, as well as the Texas Historical Marker Program and Untold Marker Program.

#### City Historic Landmark

**Commissions:** A quasi-judicial body that makes decisions regarding application permits for the demolition or alterations to historic structures in the city. The commissions may also play an active role in reviewing applications for city preservation grants as well as promoting historic preservation activities in the city. The members of a city historical commission are appointed by the city council.

#### County Historical Commissions

**(CHCs):** CHCs provide initial review of Recorded Texas Historic Landmark designations for the Texas Historical Commission. Many CHCs provide a broad range of additional services to support the preservation of historic and cultural resources in the county. The members of a CHC are appointed by the county commissioner’s court. The contact list for county historical commissions in Texas is available on the Texas Historical Commission website.<sup>44</sup>