

STATE AND FEDERAL HISTORIC DESIGNATIONS AND MARKERS

Public historic designations provide official government recognition of historic sites with a range of benefits for promoting preservation. A historic designation, depending on the type of designation, may help guide visitors and educate the public about places of historical significance, qualify property owners for grant funding or tax breaks, provide guidelines for renovations, or even limit or stop redevelopment of the site. At the same time, several of the designations are limited in scope or voluntary in that the property owner can choose to opt out of the designation or even choose to demolish a historic structure. A designation does not require a property owner to open up the site to the public.

There are four key types of government designations available at the federal and state level for historic sites in Texas (see the next section for information on local historic designations). A property may hold one or multiple designations:

- National Register of Historic Places
- National Historic Landmark
- Recorded Texas Historic Landmark
- State Antiquities Landmark

Sites available for historic designation include a wide range of properties, ranging from different types of buildings and other structures to parks and battlefields. To be eligible for listing, sites must meet certain statutory criteria generally based on the site's historical, architectural, archaeological, or cultural significance. The site must also go through a formal application process.

1 National Register of Historic Places

Overview: Overseen by the National Park Service, a listing in the National Register of Historic Places provides national recognition of a site's historical, architectural, cultural, or archaeological significance. Buildings and other structures, sites, objects, and districts are eligible for this designation. There are more than 95,000 properties listed in the National Register,² with more than 3,000 of these properties located in Texas.

For a property to qualify, it must meet at least one of the following four criteria:³

- **Event:** The property is associated with events that have made a significant contribution to the "broad patterns" of our history.
- **Person:** The property is associated with the lives of persons significant in our past.



- **Design/Construction:** The property embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master; possesses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.
- **Information Potential:** The site has yielded, or may be likely to yield, information important in history or prehistory.

A property must also retain its integrity. For historic properties, that means the property conveys its historical significance through several or all of the following aspects of the property: location, setting, design, materials, workmanship, feeling, and association.⁴

Preservation benefits:

Listing a property on the National Register is primarily educational in nature — the listing does not restrict owners from demolishing or altering their property. However, if federal money or a federal permitting process is involved in a project impacting a property listed on the National Register, Section 106 of the National Historic Preservation Act of 1966 and other statutory protections may be triggered, which can lead to restrictions on demolitions or other changes to the property. The federal agency involved in the project impacting the historic site must also report to the Advisory Council on Historic Preservation, which then weighs in on whether the federal action will have an adverse effect on the historic site. A national register listing also opens up opportunities for heritage tourism, technical assistance with preservation, and federal and private preservation grants, and may qualify the property for federal historic preservation tax incentives (discussed further below).



Reedy Chapel AME Church, Galveston

BY JIM EVANS

How to apply: In Texas, nominations are made through the Texas Historical Commission, which will notify the affected property owners and local government and solicit public comments. Nominations are typically made with the help of a historic preservation consultant. Before submitting the nomination, an applicant should first contact the Texas Historical Commission to discuss the application process.

Examples: Examples of historic sites with ties to African American heritage in Texas that are listed on the National Register include the Reedy Chapel-AME Church in Galveston, Freedmen's Town Historic District in Houston, the Allen Chapel African Methodist Episcopal Church in Fort Worth, the Juanita J. Craft Civil Rights House in Dallas, the Booker T. Washington Emancipation Proclamation Park in Mexia, the Hopewell-Rosenwald School in Bastrop County, and the 10th Street Historic District in Dallas.

2 National Historic Landmarks

Overview: National Historic Landmarks (NHLs)—a much narrower group of properties than those on the National Register (2,600+ vs 95,000+ properties)—are properties with an exceptionally high historic significance. As with the National Register, the NHL designation is overseen by the National Park Service. Properties that have been designated as NHLs are automatically listed in the National Register of Historic Places, if not already listed.

To qualify as an NHL, a property must be of national significance, according to one or more of six criteria listed in the NHL regulations,⁵ and retain, to a high degree, the physical features that made up its historic character and appearance. The NHL program uses the same seven aspects of historical integrity as the National Register program to evaluate properties (location, setting, design, materials, workmanship, feeling, and association), but NHLs must retain them to a higher degree.⁶

Preservation benefits: Similar to a listing on the National Register of Historic Places, except that some sources of funding give higher priority for NHLs, and government agencies are more likely to prioritize the preservation of a site with an NHL designation, given the official recognition of its heightened national significance.

How to apply: Anyone may nominate a property for National Historic Landmark designation, beginning with a letter of inquiry to the National Park Service.⁷ Qualifying for an NHL designation is a high bar to meet, and a property must go through a lengthy nomination process, which typically takes two to six years.



BY TONY WEBSTER, LICENSED UNDER [CC BY-SA 2.0](https://creativecommons.org/licenses/by-sa/2.0/)

Edmund Pettus Bridge – National Historic Landmark



BY JET LOWE, PUBLIC DOMAIN

Bethel Baptist Church, Birmingham, Alabama

Examples: Texas is home to approximately 50 of the 2,600+ NHLs, including the Alamo, King Ranch in South Texas, and Fort Concho in San Angelo. The Black Past website maintains a list of NHL properties across the country with a strong connection to African American heritage.⁸ These sites include the Bethel Baptist Church in Birmingham, the Beale Street District in Memphis, and the John Coltrane House in Philadelphia.

3 Recorded Texas Historic Landmarks

Overview: A Recorded Texas Historic Landmark (RTHL) is a designation conveyed to buildings, structures, and objects by the Texas Historical Commission for properties with both architectural and historical significance in Texas.⁹ To be eligible for an RTHL designation, the property owner must consent to the nomination, and the property must meet all of the following conditions:

- **Age:** The building or other structure must be at least 50 years old.
- **Historical Significance:** The property is associated with events that have made a significant contribution to history or with the lives of persons significant to our past.
- **Architectural Significance:** The property embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master; possesses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.
- **Integrity:** A structure must be in a good repair and should maintain its appearance from the structure's period of historical significance. A structure is ineligible if it has been moved in the past 50 years or if artificial siding applied to its exterior within the preceding 50 years covers or alters the structure's historic architectural materials or features.

For burial grounds with historical significance, the Texas Historical Commission can issue a Historic Texas Cemetery designation. For more information on the preservation of African American cemeteries in Texas, see the publication, "Protecting and Preserving African American Cemeteries in Texas."¹⁰

Preservation benefits: Once a property is designated as an RTHL, the designation runs with the land and remains in effect for future owners. Anyone planning exterior alterations to the structure, other than normal maintenance, must notify the Texas Historical Commission as least 60 days in advance, which may require an additional 30-day waiting period before the alterations are made. The Texas Historical Commission has no review authority over most interior changes unless the proposed changes have the potential to affect the exterior of the structure. Notably, after these time limits have passed, a property with an RTHL designation can still be demolished or modified without the consent of the THC, with the risk of then losing its Historic Landmark status.

An RTHL designation comes with a number of additional preservation benefits, including a listing in the Texas Historic Sites Atlas and eligibility for state preservation grant funds and technical preservation assistance through the Texas Historical Commission.

How to apply: Applications to nominate a property for an RTHL designation are available from the Texas Historical Commission and must first be submitted for approval to the county historical commission where the structure is located.¹¹ The Texas Historical Commission will not accept an RTHL application without the approval of the county historical commission, except in rare cases of a direct appeal.¹²



BY CRISTIAN SORTO, LICENSED UNDER [CC BY-SA 4.0](https://creativecommons.org/licenses/by-sa/4.0/)

Antioch Missionary Baptist Church (Houston)

Examples: Examples of African American heritage sites with a Recorded Texas Historic Landmark include the Jamison Building in Texarkana, the Antioch Missionary Baptist Church in Houston, the Lockhart Vocational High School in Lockhart, and the Dr. A. H. A. and Ruby Jones House in Texarkana.

4 State Antiquities Landmarks

Overview: State Antiquities Landmarks (SALs) receive the highest level of state legal protection for historic sites in Texas. SAL designations are made by the Texas Historical Commission for sites with “sufficient archeological, scientific, or historical significance to scientific study, interest, or public representation of the aboriginal or historical past of Texas.”¹³ SALs are often, but not always, publicly-owned properties.

The criteria for historic buildings and sites to qualify as an SAL are similar to the criteria for Texas Recorded Historic Landmarks, except that buildings or other structure must also be listed on the National Register of Historic Places or be a contributing property within a national historic district.¹⁴ Archeological sites do not have this requirement. Once a site is designated as an SAL, the designation is recorded in the county deed records and continues with the property when it is sold.

Preservation benefits: Sites with an SAL designation receive protection under the Texas Antiquities Code.¹⁵ The owner must receive permission from the THC, via a permit, before conducting work that could alter the site. Permit applications that are denied by the THC staff may be appealed to the Antiquities Advisory Board. Buildings designated as SALs are also listed in the Texas Historic Sites Atlas, although information about designated archeological sites is not available to the general public to protect the sites from vandalism and destruction.

How to apply: Public agencies or any group or individual may nominate public land for an SAL designation by first reaching out to the State Antiquities Landmark program contact with the Texas Historical Commission¹⁶ and then submitting a nomination to the Texas Historical Commission. Privately-owned property may only be nominated by the property owner.

Examples: Examples of State Antiquities Landmarks include the Caldwell County Courthouse, the Freedman’s Cemetery in Dallas, and Woolridge Square in Austin.



BY NICOLAS HENDERSON, LICENSED UNDER [CC BY-NC-SA 4.0](https://creativecommons.org/licenses/by-nc-sa/4.0/)

Freedman's Cemetery, Dallas, Texas Historical Marker

5 Texas Historical Marker and Undertold Marker Programs

Overview: The Texas Historical Commission administers the Texas Historical Marker Program, which places a distinctive plaque or sign at eligible properties emblazoned with an image of the state of Texas, along with educational information about the site.¹⁷ The Marker Program includes three types of markers: (1) Recorded Texas Historic Landmarks (required for properties that are on the Recorded Texas Historic Landmark register), (2) subject matter markers; and (3) Historic Texas Cemetery markers (for sites with a Texas Historic Cemetery designation).

The Commission also offers an Undertold Marker program to address “historical gaps, promote diversity of topics, and proactively document significant underrepresented subjects of untold stories.” The Texas Historical Commission provides a list of topics that score well in the Undertold Program.¹⁸

Most sites with a subject marker are for historical events dating back at least 50 years, although historical events may be marked after 30 years, and individuals may be recognized in a marker if they have been deceased at least 10 years. The Texas Historical Commission may award a waiver of these time requirements for topics of overwhelming state or national importance.

The purchase price for a new marker ranges from \$700 to \$1,875, depending on the size and type of marker,¹⁹ although funding may be available to offset the cost of the marker. For example, the Dallas County Historical Commission has funded several Undertold History Markers in the county.

Benefits: Subject markers (when not coupled with a Recorded Texas Historic Landmark or State Antiquity Landmark designation) are primarily educational in nature, showcasing aspects of history (such as events or people) that are important to a community or region. A subject marker by itself does not impose any legal restrictions on the site where the marker is located.

How to apply: To apply for a subject matter marker, contact your county historical commission chair. An application must be approved by the property owner and then county historical commission. Applications for a subject marker cost \$100 and are available on the THC website for each type of marker.²⁰ The application process can take from 12-18 months from submission of the application to dedication of the marker.

Applications for an Undertold Marker are also available on the Texas Historical Commission website²¹ and may be submitted directly to the Texas Historical Commission at Markers@thc.texas.gov during the application period for the program, which typically runs from November 1 to December 15th. Check the THC’s website for the latest deadlines. There is no application fee for an Undertold Marker.

Examples: Examples of African American heritage sites with subject markers in Texas include: Emancipation Park in Houston, Lincoln Center in College Station, and Marian Anderson High School in Madisonville. Examples of African American heritage sites participating in the Undertold Marker Program include: Houston’s First Sit-in, 10th Street Historic District Freedman’s Town in Dallas, and The Drag: Huntsville’s African American Business District.



BY QUESTERMARK, LICENSED UNDER [CC BY 2.0](https://creativecommons.org/licenses/by/2.0/)

Tenth Street Historic District
Freedmen's Town TxHM