

## **Sec. 125-85 –HCD Historic Conservation Overlay District**

---

The Historic Conservation –HC Overlay District is confirmed and continued. Historic Conservation Over Districts may be created or added-to as provided in this section.

Criteria for including area in an –HC Overlay District (by creation or addition) are as follows:

- a. The included area must be a geographically definable area possessing significant concentration, linkage or continuity of buildings, structures, sites, areas or lands that are united by architectural, historical, or cultural importance or significance.
- b. The included are must meet three or more of the following criteria:
  1. It has character, interest or value as part of the development, heritage or cultural characteristics of the City, the state, or the United States.
  2. It includes one or more Texas Historic Landmark, National Historic Landmarks or places entered into the National Register of Historic Places.
  3. It includes distinguishing characteristics of an architectural type or specimen.
  4. It is identified with the work of an architect or master builder who influenced the development of the City.
  5. It includes elements of design, detail, materials or craftsmanship that represent a significant innovation.
  6. It has a close relationship to distinctive buildings, sites or areas that can be preserved under a plan based on architectural, historic, or cultural motif.
  7. It portrays the environment of a group of people in an area characterized by a distinctive architectural style.
  8. It exemplifies the cultural, economic, social, ethnic, or historical heritage of the City, state or nation.
  9. It includes the location of a significant historical event.
  10. It is identified with a person or persons who significantly contributed to the culture and development of the City, state or nation.
  11. It contributes significantly to community identity, spirit, or pride.

The Historic Commission shall consider an application for including area in an –HC Overlay District if it contains:

- c. a report to the commission containing the following information:
  - 1. a list of representative buildings and places within the included area and a description of the significance of each one;
  - 2. a map clearly showing the boundaries of the included area and the locations of the representative buildings and places (identified by a number or letter);
  - 3. a written description, with photographs, of each representative building and place, including color, condition, architectural style, date of construction (if known), builder and architect (if known), the chain of uses and ownership, materials, construction techniques, recognition by governmental agencies (for architecturally or historic significance), cultural importance or value (if made the basis of the application), any proposed restrictions upon use or construction, and anticipated effects on public facilities (including utilities, streets, and other public improvements, existing or proposed); and
- d. all applicable fees; and
- e. a petition signed by 100% of the number of owners of parcels of land lying wholly or partly within the included area (other than streets). For this purpose, parcels and owners are determined by the most current records of the central appraisal district at the time of filing. To be effective, the signature of an owner must be affixed in the same form and manner as would be required for a deed conveying the whole parcel (and more than one signature may be required).

Applications must be filed with the Historic Commission. The Commission may also consider creating or adding to an –HC Overlay District on its own motion or at the request of the Council. The Commission shall apply the criteria listed in this section and make a recommendation to the Planning & Zoning Commission, which shall handle the recommendation as a proposed amendment to this Ordinance (refer to Section 125-49). A recommendation from the Historic Commission to create or add-to an –HC Overlay District shall include a draft ordinance with:

- a. a description of the boundaries of the included area;
- b. findings that the area meets the criteria prescribed by this section; and
- c. a recommended preservation plan (or any changes to an existing plan).

A preservation plan must include:

- e. a classification of existing occupancies and structures and their effects upon the character, safety, economic and physical impact of the district;

- f. necessary amendments to existing regulations (e.g., regulations affecting occupancies, signs, parking, setbacks or yards, curbs, driveways, sidewalks, trees, etc.);
- g. architectural regulations to guide the issuance of certificates of appropriateness, including, as appropriate, regulations of materials, architectural character and style, appurtenances (e.g., gables, parapets, balconies, dormers), accessories and fixtures (e.g., lights, canopies, exterior details, signs, banners, flags and projections, fences), textures and ornamentation, paint colors, types of paint, and other characteristics that could affect the character of the district;
- h. provisions for health and safety regulations (affecting, e.g., accessibility, wiring, fire walls, fire sprinklers, flammability, fire escapes, entrances, exits, etc.); and
- i. provisions for buildings or places which lack historical, architectural, or cultural importance or value.

Creating or adding-to an –HC Overlay District requires an ordinance with:

- a. a description of the boundaries of the included area;
- b. findings that the area meets the criteria prescribed by this section; and
- c. a recommended preservation plan (or any changes to an existing plan).

## Preservation Plan for the League City Townsite – HC Overlay District

*Effect of this Plan.* Compliance with this Preservation Plan and the other provisions of this Ordinance is required, whether a certificate of appropriateness is required or not. It shall be unlawful for any person to construct, alter, occupy, own, rent (as lessor or lessee) or use any structure, building or place in this District, unless the structure, building or place complies with this Preservation Plan and the other provisions of this Ordinance.

**a. Existing occupancies and structures** and their effects are classified as follows:

A mixture of residential and commercial uses within walking distance, cottage style retail and office; including plazas, parks and nature open spaces. A suburban village development with majestic oak trees and landscaping developed in a street grid pattern, walkable and bike friendly.

This classification shall be an integral part of the City's system for the survey and inventory of historic properties.

**b. Amendments to existing regulations** are as follows:

1. *Parking.* The Zoning Board of Adjustment may issue a special exception to relax parking regulations in this District, to the extent necessary to preserve or protect an historic building or place (or large tree). Relaxation may include the use of off-site spaces, leased spaces, tandem spaces, shared spaces, on-street spaces, etc.

2. *Sidewalks* are not required in this District, except adjacent to non-residential occupancies. The historic preservation officer may approve alternate sidewalk designs and materials (including flexible pavement and crushed stone) to the extent necessary to preserve or protect an historic building or place (or large tree).

3. *Curbs and gutters* are not required in this District, except along major arterials or thoroughfares.

4. *Platting decisions* affecting property in this District shall not be made until the proposed decision is referred to the Historic Commission for review and comment.

5. *Interpretations and variances.* All City officials, boards and commissions are authorized and encouraged to: (i) interpret and apply other ordinances, rules and regulations liberally to minimize conflicts with this Preservation Plan and to preserve and protect historic buildings and places, (ii) consider the need to preserve or protect an historic building or place as grounds for "hardship," whenever a hardship is required for an exception or variance, subject to applicable state law.

**c. Architectural regulations** to guide the issuance of certificates of appropriateness are the *League City Historic District Design & Materials Guidelines*, originally adopted by City Council by Resolution No. 2008-53, December 9, 2008, and hereby readopted and incorporated into this Ordinance by reference. Such regulations apply to other structures and places, even if no certificate of appropriateness is required.

**d. Health and safety regulations** shall apply within this District, but subject to the provisions of Section "b" of this Plan. Also, city officials, boards and commissions are authorized and encouraged to seek and approve creative and alternative means of compliance with health and safety regulations, to the extent necessary to preserve or protect historic buildings and places.

**e. Buildings or places which lack historical, architectural, or cultural importance or value** must comply with the provisions of this Preservation Plan. However, all city officials, boards and commissions are authorized and encouraged to: (i) interpret this Preservation Plan liberally in connection with buildings or places which lack historical, architectural or cultural importance or value, with the objective of achieving compatibility with properties nearby and to preserve and protect the integrity of the overall District, and (ii) consider the circumstances of such buildings or places in connection with any requested exception or variance from the provisions of this Preservation Plan.