

Bastrop Historic Landmark Commission Agenda

Bastrop City Hall City Council Chambers

1311 Chestnut Street

Bastrop, TX 78602

(512) 332-8800



November 05, 2025

Agenda - Historic Landmark Commission at 6:00 PM

Bastrop Historic Landmark Commission meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

1. CALL TO ORDER

2. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. Anyone in attendance wishing to address the Board/Commission must complete a citizen comment form and give the completed form to the Board/Commission Secretary prior to the start of the Board/Commission meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, the Board/Commission cannot discuss issues raised or make any decision at this time. Instead, the Board/Commission is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to the City Manager for research and possible future action. Profanity, physical or other threats are not allowed and may subject the speaker to loss of the time for comment, and if disruptive to the conduct of business, could result in removal of the speaker.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

[3A.](#) Consider and act to approve the meeting minutes from August 20, 2025, Historic Landmark Commission Regular Meeting.

Submitted by: Alondra Macias, Planner I

[3B.](#) Consider and act on a recommendation to the Planning and Zoning Commission and the City Council to amend the Historic Landmark Preservation Ordinance and adopt as Article 9, within Chapter 14 of the Bastrop Code of Ordinances.

Submitted by: Brittany Epling, Senior Planner

- 3C. Consider and act on a Certificate of Appropriateness for 0.3440 acres of Building Block 9 West of Water Street, also known as the Bastrop County Museum & Visitor Center, located at 904 Main Street, to install a new band sign. This property is designated as a Contributing Structure to the Bastrop Commercial National Register District.

Submitted by: Alondra Macias, Planner I

4. UPDATES

- 4A. Discussion about designated homes that need to be locally designated.
- 4B. Discussion on homes that are in disrepair.

5. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: Wednesday, October 29, 2025 at 9:00 a.m. and remained posted for at least two hours after said meeting was convened.

/s/Nicole Peterson
Nicole Peterson, Development Coordinator



Historic Landmark Commission STAFF REPORT

MEETING DATE: November 5, 2025

TITLE:

Consider and act to approve the meeting minutes from August 20, 2025, Historic Landmark Commission Regular Meeting.

AGENDA ITEM SUBMITTED BY:

Alondra Macias, Planner I

ATTACHMENTS:

- August 20, 2025, Meeting Minutes

HISTORIC LANDMARK COMMISSION

MEETING MINUTES

August 20, 2025

The City of Bastrop Historic Landmark Commission met on Wednesday, August 20, 2025, at 6:00 PM in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. CALL TO ORDER

The Chair called the meeting to order at 6:00 PM.

Commissioners:

Samuel Bennett	Present
Lisa Laky, Vice-Chair	Present
Susan Long	Absent
Blake Kaiser, Chair	Present
Gary Moss	Present
Janean Whitten	Present – Arrived at 6:04 pm
Cheryl Long	Present – Arrived at 6:06 pm

City Council Liaison:

Cynthia Meyer	Present
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Staff:

Alondra Macias	Present
Nicole Peterson	Present
James E. Cowey	Absent

2. CITIZEN COMMENTS

There were no citizen comments.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- 3A. Consider and act to approve the meeting minutes from the May 16, 2025, Historic Landmark Commission Regular Meeting.

Nicole Peterson, Development Coordinator

Commissioner Gary Moss made a motion to approve the meeting minutes from the August 20, 2025, Historic Landmark Commission Regular Meeting. Commissioner Lisa Lakey seconded the motion. The motion passed unanimously.

- 3B. Consider and act on a Certificate of Appropriateness for 0.11 acres of Building Block 8 West of Water Street, also known as the Erhard Building, located at 1006 Main Street, to install a new sign, designated as a Contributing Structure to the Bastrop Commercial National Register District.

HISTORIC LANDMARK COMMISSION

MEETING MINUTES

August 20, 2025

Presented by Alondra Macias, Planner I

Commissioner Gary Moss made a motion to approve the Certificate of Appropriateness for 0.11 acres of Building Block 8 West of Water Street, also known as the Erhard Building, located at 1006 Main Street, to install a new sign, designated as a Contributing Structure to the Bastrop Commercial National Register District. Commissioner Cheryl Long second the motion with the amendment to include the modification as discussed in the meeting. The motion passed unanimously.

4. UPDATES

4A. Update on May Meeting

Alondra Macias informed the Commissioners that the May meeting complied with the time requirements set forth by the Open Meetings Act.

The Commissioners held a discussion regarding the Historic Houses that are in need of maintenance or are at risk of demolition by neglect.

5. ADJOURNMENT

A motion was made to adjourn the meeting at 6:20 PM and the meeting was adjourned.

Blake Kaiser
Commission Chair

Lisa Laky
Commission Vice-Chair

CHAPTER 9: HISTORIC LANDMARK PRESERVATION & THE IREDELL DISTRICT



Item 3B.

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ARTICLE 9.1 GENERAL

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SEC. 9.1.001 PURPOSE AND INTENT

(a) The City Council hereby declares that as a matter of public policy the protection, enhancement, and perpetuation of sites, landmarks or districts of historical and cultural importance, and significance is necessary to promote the economic, cultural, educational, and general welfare of the public. It is recognized that the City represents the unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural, and cultural resources that constitute their heritage. This article is intended to:

- (1) Protect and enhance the landmarks, which represent distinctive elements of the City's historic, architectural, and cultural heritage;
- (2) Foster civic pride in the accomplishments of the past;
- (3) Protect and enhance the City's attractiveness to visitors, thereby supporting and stimulating the economy;

- (4) Insure the harmonious, orderly, and efficient growth and Development of the City;
- (5) Promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within the City;
- (6) Encourage stabilization, Restoration, and improvements of such properties and their values.

SEC. 9.1.002 HISTORIC LANDMARK COMMISSION

(a) The commission shall consist of 7 members, residents of the City, to be appointed by the mayor with approval by the City Council as follows; every effort will be made to find professionals who meet the criteria below:

- (1) 1 shall be an architect, city planner, or representative of a design profession;
- (2) 1 shall be a representative elected by the Bastrop County Historical Society;
- (3) 1 shall be a licensed real estate professional;
- (4) 1 shall be an owner of an historic Commercial Structure or property;

- (5) 1 shall be an owner of an historic Residential Structure or property;
- (6) 1 shall be a member from the Planning & Zoning Commission;
- (7) 1 shall be a general resident of the City. However, if specified professionals above cannot be appointed, City Council will consider other types of professionals.
- (b) All Historic Landmark Commission members, regardless of background, shall have a known and demonstrated interest, competence, or knowledge in historic Preservation within the City.
- (c) Historic Landmark Commission members shall serve for a term of 3 years, with the exception of the member who is serving on the Historic Landmark Commission as the Planning & Zoning Commission representative, and that member shall serve for a term that is concurrent with that member's Planning & Zoning Commission term.
- (d) Attendance requirements for the Historic Landmark Commission members are set forth in section 1.02.002(b).
- (e) The commission shall be empowered to:

- (1) Approve or disapprove Certificates of Appropriateness, Demolition or Removal of historic Structures, and economic hardship applications.
- (2) Conduct surveys and maintain an Inventory of significant historic, architectural, and cultural landmarks.
- (3) Make recommendations to the City Council on the designation of historic landmarks, Historic Districts, Contributing and non-Contributing Structures.
- (4) Make recommendations for properties to the National Register of Historic Places.
- (5) Increase public awareness of the value of historic, cultural, and architectural Preservation by developing and participating in public education programs.
- (6) To assist the City Council in the adoption of Design Guidelines for the exteriors of historic landmarks, properties located inside of Historic Districts, and Contributing and non-Contributing Structures, to address architectural and general design elements of Structures, including acceptable materials for Construction; appropriate architectural character, scale, and detail; acceptable appurtenances or

Additions to new or existing Structures; and acceptable textures and ornamentation.

(7) Prepare and submit annually to the City Council a report summarizing the work completed during the previous year.

(8) To perform any other functions requested by City Council.

(f) The Historic Landmark Commission shall meet at least monthly, if business is at hand. Special meetings may be called at any time by the Chair, or on the written request of any 2 commission members.

SEC. 9.1.003 APPOINTMENT OF HISTORIC PRESERVATION OFFICER

(a) The City's Director of Planning & Development or other City staff designated by the City Manager shall serve as Historic Preservation Officer. This officer shall have as a principal duty the administration of this article and the coordination of the City's various efforts and programs that further historic Preservation.

ARTICLE 9.2 CATEGORIES OF PRESERVATION

SEC. 9.2.001 ESTABLISHMENT OF PRESERVATION

(a) There shall be 2 categories of Preservation for historically, culturally, architecturally or archaeologically significant properties in the City, as follows:

(1) Historic landmarks;

(2) Local Historic Districts, which may contain historic landmarks and Contributing Structures or Sites; and non-Contributing Structures or Sites.

SEC. 9.2.002 CRITERIA FOR HISTORIC LANDMARK STATUS

(a) A Structure or Site is considered a local Historic Landmark if it is designated as a Recorded Texas Historic Landmark or State Archeological Landmark, or is included on the National Register of Historic Places.

(b) A Structure or Site also may be designated by the City as a Historic Landmark if it meets 2 or more of the criteria set out below.

(1) Possesses significance in history, architecture, archeology, or culture;

- (2) Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history;
- (3) Is associated with the lives of persons significant in our past;
- (4) Embodies the distinctive characteristics of a type, period, or method of Construction;
- (5) Represents the work of a master designer, builder, or craftsman; or
- (6) Represents an established and familiar visual feature of the City.

SEC. 9.2.003 PROCESS FOR DESIGNATION OF HISTORIC LANDMARKS

- (a) Owners of property being considered for designation as a Historic Landmark shall be notified prior to the Historic Landmark Commission hearing on the recommended designation. The Historic Landmark Commission shall provide notice to property owners within 200 feet of the property and conduct a public hearing.
- (b) After consideration by the Historic Landmark Commission, a recommendation regarding designations shall be submitted the City Council to consider the designations of a Historic

Landmark. The adoption of the landmark shall be through a resolution.

- (c) Upon designation of a Historic Landmark, the City Council shall cause the designation to be noted as follows:

- (1) Recorded in the official real property records of Bastrop County.
- (2) Designated on the historic resource map of the City.
- (3) Provide the property owner with a plaque and require the installation indicating the designation of the landmark as a City Historic Landmark.

SEC. 9.2.004 PROCESS FOR REMOVAL OF HISTORIC LANDMARKS DESIGNATION

- (a) Designated historic landmarks shall retain such designation until such time as the City Council, upon receipt of an Application from the owner, approves the withdrawal. The procedures for a Removal of designation of a Historic Landmark shall follow the same process as the designation process.

(b) Criteria for approving Removal:

- (1) The original criteria that was met to receive the designation is no longer applicable for reasons not attributable to the acts or omissions of the owner or occupant.
- (2) The Site or Structure has been rendered unreasonably irreparably altered by an Act of God
- (3) The required majority for City Council approval for Removal of designation shall be two-thirds of the full membership

SEC. 9.2.005 CRITERIA FOR CREATION OF HISTORIC LANDMARKS

- (a) An area of the City may be considered for designation as a Historic District if it:
 - (1) Contains properties and an environmental setting which meet 1 or more of the criteria for designation of a Historic Landmark; or,
 - (2) Constitutes a distinct section of the City that possesses a unique historical, architectural, archeological or cultural significance.

SEC. 9.2.006 PROCESS FOR THE DESIGNATION OF LOCAL HISTORIC DISTRICT

- (a) These provisions pertaining to the designation of local Historic Districts constitute a part of the official Zoning Map of the City.
- (b) Upon recommendation of the Historic Landmark Commission and the Planning & Zoning Commission, the City Council may establish, after following all required legal procedures, 1 or more Historic Districts. The Historic Landmark Commission shall prepare, or cause to be prepared, and adopt, Design Guidelines for each individual district, including Standards for new and/or Infill Construction. If there is more than 1 district, and the Historic Landmark Commission finds that Design Guidelines for 1 district are appropriate for another district, they may adopt the same guidelines.
- (c) An Inventory of all Contributing and non-Contributing Structures located within a Historic District to be prepared and the record of the status of each Structure within each Historic District shall be maintained in City records.
- (d) Owners of property located within an area considered for designation as a local Historic District shall be notified prior to the public hearing(s) on the recommended

designation. The adoption of a local district will be processed according to the same procedures required for a zoning amendment. At the public hearing(s), owners, interested parties, and technical experts may present testimony or documentary evidence that will become part of a record regarding the historic, architectural, or cultural importance of the proposed local Historic District.

(e) Upon designation of a local historic district, the City Council shall cause the designation to be recorded as follows:

- (1) Recorded in the official real property records of Bastrop County,
- (2) Designated on the historic resource map of the City.
- (f) Designated Historic Districts shall retain such designation until such time as the City Council, upon receipt of an Application and formal request made by at least 51% of the owners of real property located within the Historic District petitions for Removal. The procedures for a Removal of designation of a local Historic District shall follow the same process as the designation process.

(1) Criteria for approving Removal.

- A. The original criteria that was met to receive the designation is no longer applicable for reasons not attributable to the acts or omissions of the owner or occupant.
- B. The Site or Structure has been rendered unreasonably irreparably altered by an Act of God.
- (g) The required majority for City Council approval for Removal of designation shall be 2/3 of the full membership.
- (h) Any existing Structure or Site designated as a significant landmark or a Historic Landmark under Ordinance No. 2007-30 are specifically saved from repeal and shall retain such designation until such time that those designated landmarks are redesignated in accordance with the processes and procedures under this article. As soon as practical following adoption of this article, the City shall begin the process to designate any landmarks deemed appropriate for consideration as historic landmarks in accordance with the processes and procedures contained within this article.

SEC. 9.2.007 RELATIONSHIP OF DESIGNATIONS TO PLACE TYPES

- (a) If there is any conflict between the Design Guidelines and any provision of Place Type Zoning, the most restrictive regulation shall apply.
- (b) If there is any conflict between the provisions of this section and any other provision of the Place Type Zoning, the most restrictive regulation shall apply, in the absence of a specific directive to the contrary.

SEC. 9.2.008 EXISTING HISTORIC DISTRICTS

(a) Bastrop Commercial District - National Register District

- (1) This district was certified as part of the National Register of Historic Places by the National Park Service on December 22, 1978. The district has identified Structures that are Contributing, Compatible and Intrusions to the district, which is outlined in Figure 9.2.006A.
- (2) All properties within the district are required to receive a Certificate of Appropriateness per Section 14.03.003.

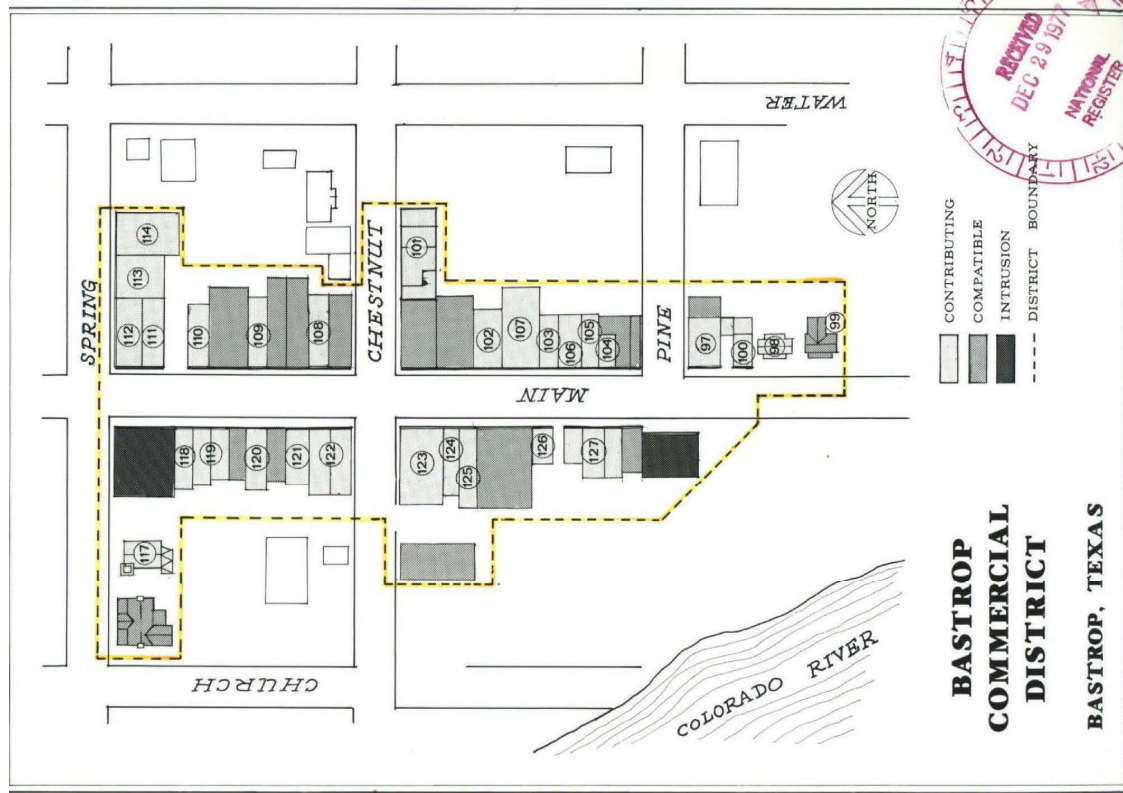


FIGURE 9.2.008 A

(c) Iredell Historic District – locally designated district

This district was adopted as a local district by City Council on XX. The district encompasses the Farm Lots and Building Blocks that established a unique Development Pattern, which possesses a significant in history, provided a significant contribution to the local pattern and represents an established and familiar visual feature of the City that is the basis of the Bastrop Building Block (B3) Code. The boundaries are outlined in Figure 9.2.006B.

Temporarily Suspended March 28, 2023

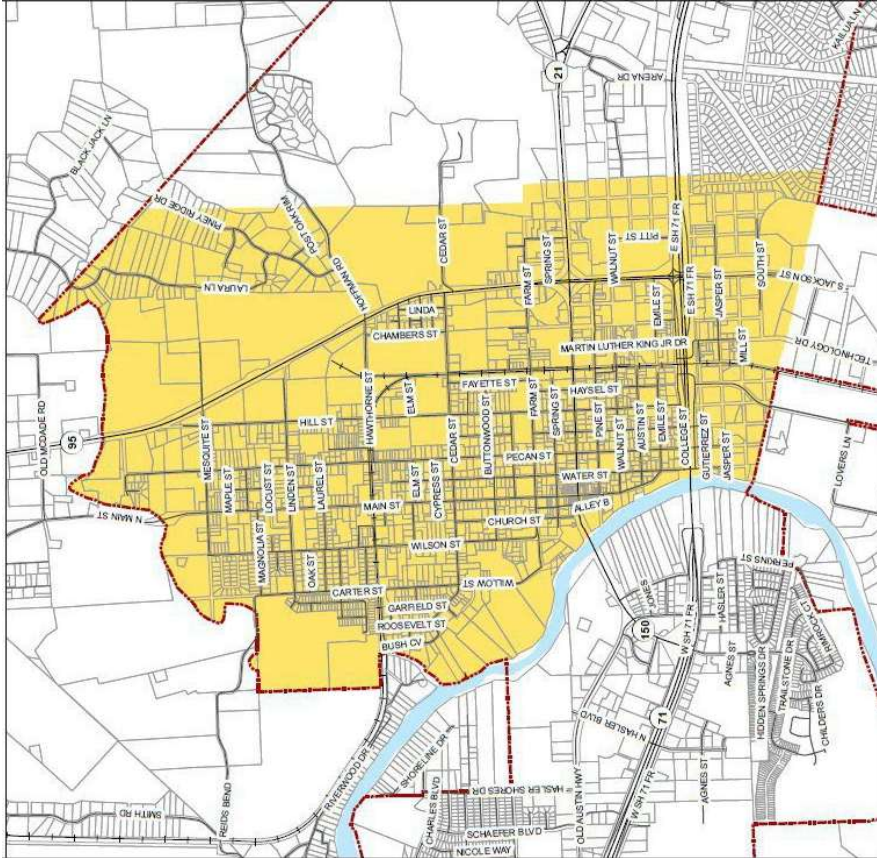


FIGURE 9.2.008 B

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ARTICLE 9.3 CERTIFICATE OF APPROPRIATENESS
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SEC. 9.3.001 REQUIREMENT FOR CERTIFICATE OF APPROPRIATENESS

(a) No person, firm, corporation or other organization shall carry out any Project that includes the Construction, Reconstruction, alteration, Restoration, Rehabilitation, Relocation or Demolition of any local, state, or national Historic Landmark or any structure, Site, or Sign within a Historic District, nor shall any person make any material change to any structural exterior elements or architectural features visible from a public right-of-way which affect the appearance and cohesiveness of any local, state, or national Historic Landmark or any structure or Site within a Historic District without prior approval of a Certificate of Appropriateness.

SEC. 9.3.002 CERTIFICATE OF APPROPRIATENESS EXEMPTIONS

(a) Certificate of Appropriateness shall not be required for the following:

(1) Ordinary Maintenance, as defined in this article.

(2) Interior Construction or Alterations provided the Alterations do not alter the exterior wall of the Building.

- (3) New, modifications or Removal of existing awnings, canopies, exterior paint color or exterior Lighting that are attached to a P3 or P4 Structure provided the Alterations do not alter the exterior wall of a Building designated as a Historic Landmark.
- (4) Demolition of a Building or Structure that the Building Official has declared a dangerous Structure in accordance with article 3.12 of this article, as amended, or determined that Demolition is necessary for the preservation of the public health, safety and welfare.
- A. Should the Building Official declare a Building a dangerous Structure or determine that Demolition is necessary for the preservation of public health, safety and welfare, the Building Official shall coordinate with the Historic Preservation Officer and property owner to identify historic and significant architectural features that are unique to the Building or Structure, era or district and that may be salvaged.
- B. The Historic Preservation Officer shall create a record of the Building or Structure to be demolished through archival-quality photo- documentation, drawings, and other information

similar to those required by the Historic American Buildings Survey. The list of identified historic and significant architectural features to be salvaged shall also be made part of this record.

- (5) New fence, railing or wall that is consistent with the Historic District's characteristics and applicable guidelines.
- (6) Site landscape Alterations and other hardscape features provided that these do not alter a Building or Structure designated as a Historic Landmark or that is a Contributing historic Structure to the Historic District.

**SEC. 9.3.003 CERTIFICATE OF APPROPRIATENESS
APPLICATION PROCEDURE**

- (a) When a Certificate of Appropriateness is required, no work can begin before the Historic Preservation Officer or the Historic Landmark Commission has first issued a Certificate of Appropriateness. The Certificate of Appropriateness shall be in addition to and not in lieu of any permits required (i.e. Building, Sign, alcohol, etc.). The Building Official cannot approve any Application for a Sign or building permit to a Structure and/or Site that requires, but does not have a Certificate of Appropriateness.

- (b) The owner or owner's agent shall file an Application, as provided by the City, for such a certificate. The Application shall contain at a minimum:

- (1) Application fee as established in appendix A—Fee Schedule;
- (2) Contact information for the Applicant and/or owner;
- (3) A detailed description of all proposed work;
- (4) Location and photographs of existing conditions;
- (5) Elevation drawings, photographs, or illustrations of the proposed changes;
- (6) Samples of materials to be used;
- (7) If the proposal includes Signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination (if any), and a plan showing the Sign's location on the property;
- (8) Any other information that the City may deem necessary in order to visualize the proposed work; and

- (9) The Historic Preservation Officer shall review the submission and determine if the Application is complete. If the Application does not meet the requirements to be approved administratively, the Application will be forward to the Historic Landmark Commission for consideration at their next available meeting agenda.

SEC. 9.3.004 ADMINISTRATIVE APPROVAL OF A CERTIFICATE OF APPROPRIATENESS

- (a) Certificate of Appropriateness may qualify for Administrative Approval by the Historic Preservation Officer if the proposed Project meets all of the following conditions:

- (1) The property is not located in a national Historic District;
- (2) All of the material Standards identified in the Pattern Book are met;
- (3) The proposed Structure or Site is not designated as a local, state, or national Historic Landmark.

- (b) The Historic Preservation Officer may elect to present a Certificate of Appropriateness to the Historic Landmark Commission for review and consideration.

- (c) If the Historic Preservation Officer does not approve a Certificate of Appropriateness, the Application may be forwarded to the Historic Landmark Commission for review and consideration at the request of the Applicant.

SEC. 9.3.005 HISTORIC LANDMARK COMMISSION APPROVAL OF CERTIFICATE OF APPROPRIATENESS

- (a) The Commission shall review an Application for a Certificate of Appropriateness at a regularly scheduled or special meeting within 45 days from the date the Application is deemed administratively complete for review, at which time an opportunity will be provided for the Applicant to be heard. The Historic Landmark Commission shall approve, deny, or approve with conditions or modifications the permit, within 30 days after the review meeting, provided however, both review and action may occur at the same meeting. In the event the Historic Landmark Commission does not act within 60 days from the date the Application is deemed administratively complete for review, a permit will be deemed approved.
- (b) All decisions of the Historic Landmark Commission shall be in writing. The Historic Landmark Commission's decision shall state its findings pertaining to the approval, denial, or modification of the Application. A copy shall be

provided to the Applicant and a copy shall be maintained in the files of the Planning and Development Department and distributed to other appropriate City departments.

(c) An Applicant for a Certificate of Appropriateness who is dissatisfied with the action of the Historic Landmark Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to Appeal the determination to the City Council. The Applicant has 15 calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be placed on the next available City Council agenda. To be considered, the Appeal shall set forth in writing the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

(d) A Certificate of Appropriateness shall expire 2 years from the date of approval if the proposed scope of work has not been completed. If a building permit for approved work has been issued, the Certificate of Appropriateness will expire 2 years from the permit issue date. The Commission, upon determination of a reasonable need, may authorize 1 extension of an additional 6 months to

obtain a building permit for the work in which the Certificate of Appropriateness was approved upon showing of just cause by the Applicant.

SEC. 9.3-006 CRITERIA FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS (COA)

(a) In considering an Application for a Certificate of Appropriateness (COA), the Historic Landmark Commission shall be guided by any locally adopted design Standards, and where applicable, the following from the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings. Any adopted design Standards and Secretary of the Interior's Standards shall be made to the property owners of historic landmarks.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal Alteration of the Building, Structure, object, or Site and its environment.
- (2) The distinguishing original qualities or character of a Building, Structure, object, or Site and its environment shall not be destroyed. The Removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

- (3) All buildings, Structures, objects, and Sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.
- (4) Changes that may have taken place in the course of time are evidence of the history and Development of a Building, Structure, object, or Site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize, a Building, Structure, object, or Site shall be kept to the greatest extent practical.
- (6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs

or the availability of different architectural elements from other Building or Structures.

- (7) The surface cleaning of Structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (8) For building materials, architecture standards, architectural details, massing for a variety of building types, see the Pattern Book.
- (9) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any Project.
- (10) Contemporary design for Alterations and Additions to existing properties shall not be discouraged when such Alterations and Additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, color, material, and character of the property, neighborhood, or environment.
- (11) Wherever possible, new Additions or Alterations to buildings, Structures, objects, or Sites shall be done in

such a manner that if such Additions or Alterations were to be removed in the future, the essential form and integrity of the Building, Structure, object, or Site would be unimpaired.

SEC. 9.3.007 CONSIDERATION OF PREVIOUSLY DENIED APPLICATION

- (a) A new Application for a Certificate of Appropriateness for a structure or Site that was previously denied a similar Certificate of Appropriateness shall not be considered if the Historic Landmark Commission or the City Council, on appeal, for the structure or Site within 1 year from the date of the final decision. If there has been a substantial change in the conditions affecting the structure or Site or the proposed Project is substantially different from the previous Application, the City may find that are sufficient to Warrant consideration prior to the 1 year period.

SEC. 9.3.008 ENFORCEMENT

- (a) All work performed pursuant to a Certificate of Appropriateness issued under this article shall conform to any conditions or requirements included therein. It shall be the duty of the building inspector or their designee to inspect periodically any such work to assure compliance. In the event work is not being performed in accordance with the Certificate of Appropriateness, the Building Official or their designee shall issue a stop-work

order, and all work shall immediately cease. No further work shall be undertaken on the Project as long as a stop-work order is in effect.

- (b) A stop-work order may be lifted following submission and approval of plans for corrective action or work, or other plans to bring the Project into compliance with the conditions or requirements of the Certificate of Appropriateness or other approvals.

ARTICLE 9.4 COA REQUIRED FOR DEMOLITION OR RELOCATION

SEC. 9.4.001 COA FOR DEMOLITION OR RELOCATION REQUIRED

- (a) A permit for Demolition, Removal, or Relocation for any local, state, or national Historic Landmark or any structure or Site within a Historic District shall not be granted by the City without the review and approval of a Certificate of Appropriateness by the Historic Landmark Commission in accordance with the provisions of this article.

SEC. 9.4.002 PROCEDURE FOR COA FOR DEMOLITION

- (a) An Application for a Certificate of Appropriateness shall contain the following minimum information:

- (1) Application fee as established in appendix A—Fee Schedule;
 - (2) Owner and agent contact information;
 - (3) A detailed description of the reason the proposed Demolition is necessary;
 - (4) Location of the proposed Demolition;
 - (5) Evidence of the existing conditions of the property which justify the need for Demolition;
 - (6) A detailed description of the methods of Demolition including the process and procedure for Removal of all debris and how surrounding properties will be protected during the Demolition process;
 - (7) Any other information that the City may deem necessary in order to determine the need for the proposed Demolition.
- (b) The Commission shall hold a public hearing on the Application within 45 days after the date a complete Application is Filed with the City. The Applicant, property owner, and all property owners located within two hundred 200 feet of the property proposed to be
- demolished shall be mailed a written notice 10 days prior to the hearing.
- (c) When considering the Certificate of Appropriateness for Demolition, the Historic Landmark Commission shall consider the following:
- (1) The historic value of the Structures or Site;
 - (2) The state of repair of the Structures or Site;
 - (3) The existing and potential usefulness, including the economic usefulness, of the Structures, buildings or objects on the Lot, parcel or Site;
 - (4) The reasons for preserving the Structures, buildings or objects on the Lot, parcel or Site;
 - (5) The character of the neighborhood; and
 - (6) Any other factors the Historic Landmark Commission deems appropriate when considering the proposed Demolition.
- (d) When considering the Certificate of Appropriateness for Relocation, the Historic Landmark Commission shall consider the following:

- (1)The style of Construction and compatibility with the local Historic District;
 - (2)The historic value and structural state of the Structure;
 - (3)The historic value of the Site;
 - (4)The reasons for preserving the Structure on an alternate Site;
 - (5)The character of the neighborhood;
 - (6)Any other factors the Historic Landmark Commission deems appropriate when considering the proposed Demolition.
- (e) If the Historic Landmark Commission determines, that the evidence supports the Demolition, Removal or Relocation of the Structure or if the Historic Landmark Commission determines that the interest of preserving historic values will not be adversely affected by such Demolition, Removal or Relocation that the interest of preserving historical values can best be served by the Removal of the Structures, buildings or objects, it shall issue a Certificate of Appropriateness for Demolition of the Structures or Site.

- (f) If no action has been taken by the Historic Landmark Commission within 60 days of original receipt by the Historic Landmark Commission of the Application, the Certificate of Appropriateness for Demolition shall be deemed approved by the Historic Landmark Commission.
- (g) Any Applicant who is dissatisfied with the action of the Historic Landmark Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to Appeal the determination to the City Council. The Applicant has 15 calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be placed on the next available City Council agenda. To be considered, the Appeal shall set forth the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

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**ARTICLE 9.5 FAILURE TO MAINTAIN RESULTING IN
DEMOLITION BY NEGLECT**
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SEC. 9.5.001 STATE OF DEMOLITION BY NEGLECT

(a) No owner or person, firm, corporation or other organization with an interest in real property that is designated as a Historic Landmark, a Structure or Site that has been certified, registered or designated by any federal, state or other authorized body/entity as having historical significance, or any Structure or Site that is located within a local Historic District, shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Historic Landmark Commission, produce a detrimental effect upon the character of a Historic Landmark, the district as a whole, or the life and character of the property itself. Examples of such deterioration include:

- (1) Deterioration of exterior walls or other vertical supports.
- (2) Deterioration of roofs or other horizontal members.
- (3) Deterioration of exterior chimneys.

- (4) Deterioration or crumbling of exterior stucco or mortar.
- (5) Ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors.
- (6) Deterioration of any feature creating a hazardous condition which could lead to the claim that Demolition is necessary for the public safety.

SEC. 9.5.002 DEMOLITION BY NEGLECT HEARING PROCEDURE

- (a) Upon notification to the Historic Landmark Commission of such a state of disrepair, the Historic Landmark Commission shall notify the owner in writing, informing the owner of the violation and the specifics of the alleged deterioration, requesting that the owner appear before the Historic Landmark Commission for determination of the existence of detrimental deterioration.
- (b) If, after a public hearing before the Historic Landmark Commission, the Historic Landmark Commission determines that the deterioration has produced a detrimental effect as described in subsection A of this section, the owner shall cure the deterioration by Restoration or other appropriate actions within a reasonable period of time as determined by the Historic Landmark Commission but in no case longer than 180

calendar days from the determination by the Historic Landmark Commission. The owner must comply with all requirements of requesting a Certificate of Appropriateness from the Historic Landmark Commission. Failure of the owner to cure the deterioration within the time specified by the Historic Landmark Commission shall cause the property owner to be subject to penalties as defined in section 14.03.009, which may be assessed civilly or in municipal court.

- (c) Any Applicant who is dissatisfied with the action of the Historic Landmark Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to Appeal the determination to the City Council. The Applicant has 15 calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be placed on the next available City Council agenda. To be considered, the Appeal shall set forth the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

ARTICLE 9.6 INCENTIVES FOR HISTORIC LANDMARKS

SEC. 9.6.001 CONTINUATION OF EXISTING INCENTIVES

- (a) All properties previously granted an incentive (refund of City taxes) under section 14.03.002 of the Bastrop Code of Ordinances as of the date of ordinance no. 2018-03 shall be eligible to maintain the incentive and are specifically saved from repeal; however, the City Council may modify or end the program at any time at the City's discretion. A list of all properties subject to the incentive, along with the determination of what historic elements are to be included in the valuation of the incentive, shall be maintained on file in the City's Historic Preservation Officer's and the City Secretary's office.

SEC. 9.6.002 NEW APPLICATIONS FOR INCENTIVES

- (a) To encourage historic Preservation, the City may offer an incentive to owners of local historic landmarks to encourage the stabilization, Rehabilitation and renovation of properties designated as historic landmarks. The incentives may include:
 - (1) Historic landmark marker. Owners of qualifying historic landmarks will be presented with an official Historic Landmark marker to designate the Structure, with the cost of the marker borne by the City.

- (2) Property tax refund. Owners of qualifying historic landmarks may be eligible for a refund of a portion of their City property taxes, provided under paragraph (c) below.
- (b) An owner seeking inclusion in the incentive program shall submit an Application to the Historic Preservation Officer to determine whether the property meets the criteria for a local Historic Landmark. Incentives will be granted upon the favorable recommendation of the Historic Landmark Commission and approval by the City Council.

SEC. 9.6.003 CALCULATION FOR REFUND INCENTIVES

- (a) The amount of the refund shall be based on a uniform percentage of the assessed value of the Contributing Structures, determined by the City Council, each budget year, which can be financed by the amount of general funds appropriated for such refunds. Refunds shall be based on the assessed value of the historic improvements only and shall exclude the value of the underlying land or any noncontributing Structures. Refunds will be based on taxes paid in full by July 31. Eligibility for such refund shall require compliance with all requirements of this article.

SEC. 9.6.004 REQUIRED MAINTENANCE STANDARDS

- (a) To be eligible to receive the annual refund, all buildings and the exterior premise of a Historic Landmark property shall be properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the following minimum Standards:
- (1) *Roof.* The roof shall not have any missing or broken shingles, significant buckling, warping, or peeling of the surface and must be clear of vegetation. There shall be no Signs of decay, dry rot or structural integrity issues in the roof structure.
 - (2) *Exterior walls.* The exterior walls shall not have any missing boards, bricks or other materials. No Signs of cracks, dry rot or decay should be evident. Except for materials that have been designed to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained to be kept clean and free of flaking, loose, or peeling paint or covering.
 - (3) *Foundations.* The foundation shall not have any significant cracking, shifting, or erosion. For pier and beam foundations, skirting should be in good

condition and have no missing sections. The foundation shall be in good condition and not have missing foundation supports or Signs of sagging.

(4) *Exterior doors.* Doors shall be maintained to be structurally sound, fit within frames to be weatherproof, and have hardware that is in good condition.

(5) *Windows.* Windows shall be fully supplied with window glass, which is glazed and is without cracks or broken panes, shall have sashes in good condition, which fit within the frames, and maintained to exclude adverse weather elements from entering the Structure.

(6) *Porches.* Every porch shall be maintained to be free of missing, defective, rotting or deteriorated foundations, supports, floors and steps, to be safe to use and kept in sound condition and in good repair.

(7) *Stairways.* Stairways shall be maintained free of rotted or deteriorated supports. Handrails and/or railings shall be firmly fastened and maintained in good conditions.

(8) *Accessory Structures.* All Structures accessory to the dwellings, including detached garages, shall be maintained to be structurally sound, neatly maintained and in good repair.

(9) *Fences and walls.* If any fence, retaining wall, or similar Structure is not found to be in a good state of structural repair, it shall be removed, replaced or repaired as required.

(10) *Landscaping.* All landscaping shall be maintained in a presentable appearance. Any landscaping or vegetation that is causing damage to the Structure must be removed.

(11) *Decorative features.* Any other decorative elements of the Site shall be maintained in good repair with property anchorage and in a safe condition.

(b) If a Historic Landmark property has been determined by the Historic Preservation Officer, the Building Official, and Code Enforcement Official to be inadequately maintained, the property owner will be notified in writing and given 30 days to correct the deficiencies. If the repairs are not completed and Standards are not met, the incentive will not be paid. An aggrieved property owner may Appeal that determination to the City Council.

SEC. 9.6.005 LOSS OF INCENTIVES

(a) No owner, owner's agents, contractors and/or representatives shall alter or totally or partially destroy any Historic Landmark subject to incentives under this section without first obtaining a Certificate of Appropriateness or Demolition permit in accordance with the terms of this article. If a Historic Landmark subject to incentives is altered or totally or partially destroyed without a Certificate of Appropriateness, the owner shall be required to restore the Structure to its original state, within a reasonable period of time as established by the Historic Landmark Commission but in no case longer than 180 calendar days from the date of any notice of violation provided to the property owner. No incentives will apply during the time that the owner is restoring the property. Failure to restore the historical landmark to its pre-destruction condition shall subject the owner to the penalties set forth in this article and the owner shall:

- (1) No longer be entitled to the incentives set forth herein; and
- (2) Immediately remit to the City monies in an amount equal to the total city tax revenues that were refunded in the current and prior years because of the

incentives, plus interest calculated at an annual rate as established by the then-current Texas Private Prompt Payment Act.

If an owner has obtained a Certificate of Appropriateness for Demolition or Relocation under section 14.03.004, then the incentive for the Structure will cease immediately upon the Demolition or Relocation, but no remittance of past refunds is required.

SEC. 9.6.006 TRANSFERABILITY OF INCENTIVES

The benefits of the incentive program relating to historic Structures under this section are transferable and run with the property.

ARTICLE 9.7 ECONOMIC HARDSHIP

SEC. 9.7.001 ECONOMIC HARDSHIP APPLICATION PROCEDURE

- (a) After receiving written notification from the Historic Landmark Commission of the denial of a Certificate of Appropriateness, or an Application to demolish, an Applicant may commence the hardship process. No building permit or Demolition permit shall be issued unless the Historic Landmark Commission makes a finding that hardship exists.

(b) When a claim of economic hardship is made due to the effect of this article, the owner must prove that:

(1) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;

(2) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and

(3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

(c) The Applicant shall consult in good faith with the Historic Landmark Commission, local Preservation groups and interested parties in a diligent effort to seek an alternative that will result in Preservation of the property. Such efforts must be shown to the Historic Landmark Commission.

(d) The commission shall hold a public hearing on the Application within 60 days from the date the Application is received by either the building inspector or the Preservation Officer. Following the hearing, the Historic Landmark Commission has 30 days in which to prepare a written recommendation to the building inspector or other official. In the event that the Historic Landmark

Commission does not act within 90 days of the receipt of the Application, a permit may be granted by the building inspector.

(e) All decisions of the Historic Landmark Commission shall be in writing. A copy shall be sent to the Applicant by certified mail and a copy filed with the City clerk's office for public inspection. The commission's decision shall state the reasons for granting or denying the hardship Application.

(f) An Applicant submitting a hardship Application who is dissatisfied with the decision of the Historic Landmark Commission relating to the approval or denial of such Application shall have the right to Appeal the Historic Landmark Commission's decision to the City Council. The Applicant has fifteen (15) calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be placed on the next available City Council agenda. To be considered, the Appeal shall set forth the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

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ARTICLE 9.8 PENALTIES
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Any person, firm, association of persons, corporation or other organization violating the provisions of this article shall be deemed to be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed the amount set out in appendix A—Fee Schedule, article A14.01 of the Bastrop Code of Ordinances. Each day that a violation continues shall be deemed a separate and distinct offense. Violations of this article may be enforced civilly and/or in municipal court, at the City's discretion.



STAFF REPORT

MEETING DATE: November 5, 2025

TITLE:

Consider and act on a recommendation to the Planning and Zoning Commission and the City Council to amend the Historic Landmark Preservation Ordinance and adopt as Article 9, within Chapter 14 of the Bastrop Code of Ordinances.

STAFF REPRESENTATIVE:

Brittany Epling, Senior Planner

BACKGROUND/HISTORY:

The City of Bastrop currently regulates historic properties, demolition, and exterior alterations within locally designated historic areas, sites, and structures through the Historic Landmark Preservation Ordinance contained in the Bastrop Building Block (B3) Code, adopted in 2019. The B3 Code established the Historic Landmark Commission, outlined criteria and procedures for local landmark designation, and incorporated the B3 Pattern Book to guide compatible architecture and site design within the historic district and the City.

The City is in the process of replacing the B3 Code with a new, comprehensive Bastrop Development Code. The intent of the Bastrop Development Code is to return to a more traditional, Euclidean-style zoning structure while keeping key policy goals from the B3 Code, such as protecting Bastrop's historic character, fiscal sustainability, and geographic sensitivity. An Overlay for Downtown Bastrop will be adopted as a part of the new Development code to retain some of the desirable form-based standards in the Bastrop core. Under this transition, if approved, the B3 Code will be fully repealed upon adoption of the new Bastrop Development Code, and all applicable regulations will be relocated and updated into the new code.

As part of that effort, the City's Historic Preservation Ordinance (HPO) would be transferred out of the B3 Code and placed into the new Bastrop Development Code as its own Article. The goal is continuity: to carry forward the existing preservation standards so they remain in effect, with only limited updates needed for clarity, consistency, and compliance with state preservation best practices.

Those limited updates include:

- Updating terminology to reflect current best practice and the Texas Historical Commission's Certified Local Government (CLG) program language, including renaming the ordinance itself from "Historic Landmark Preservation" to "Historic Preservation Ordinance," and renaming the "Historic Landmark Commission" to the "Historic Preservation Commission."
- Updating the criteria for local historic landmark designation to align with the standards used by the Texas Historical Commission and Secretary of the Interior's Standards.

- Adding a 60-day stay requirement for demolition of historically significant structures, to create a formal review window for potential alternatives to demolition.
- Correcting minor language and typographical issues for clarity and enforceability.

Because the proposed Bastrop Development Code would replace the B3 Code in its entirety, the historic preservation regulations must be adopted into the Code of Ordinances to ensure preservation protections continue without interruption.

In addition, once the new Bastrop Development Code is adopted, the existing B3 Pattern Book and architectural guidelines will no longer live in an active code document. The Historic Preservation Commission will need to take action, either to (1) adopt new/more current historic district design and architectural guidelines, or (2) formally adopt the existing B3 Pattern Book as the City's historic design guidelines moving forward. That step will ensure there is a clear set of design expectations for exterior changes, new construction, and infill within the historic district after the transition to the new Development Code.

ITEM DETAILS:

1. Request

- Staff is requesting that the Historic Landmark Commission recommend approval to the Planning & Zoning Commission and to the City Council of the following:
 - Relocating the City's Historic Preservation Ordinance from the current B3 Code into the new proposed Bastrop Development Code, which will be located with Chapter 14 of the Bastrop Code of Ordinances.
 - Adopting the updated language and terminology described below.
 - Renaming the Historic Landmark Commission to the Historic Preservation Commission going forward to match the language of the Texas Historical Commission guidelines.

2. Transfer into the Bastrop Development Code

- The Historic Preservation Ordinance (HPO) will become an article within the new Bastrop Development Code and live under Chapter 14 of the Code of Ordinances.
- Substantive policies, review procedures, and protections from the current B3 Code are generally carried forward "as is," rather than replaced or rewritten.
- Adoption of the Bastrop Development Code will repeal and replace the B3 Code; therefore, this transfer is necessary to avoid any lapse in the City's historic protections.

3. Proposed Updates to the Ordinance

- **Title / Terminology Updates**
 - Change the name of the ordinance from "Historic Landmark Preservation" to "Historic Preservation Ordinance."
 - Change the name of the review body from "Historic Landmark Commission" to "Historic Preservation Commission."

- Update references throughout the ordinance so that terminology is consistent with the new Bastrop Development Code.

- **Alignment with Texas Historical Commission / CLG Standards**

- Update and clarify the criteria for local historic landmark designation to match the Texas Historical Commission's standards for historic significance and integrity.
- Clean up minor language so that the ordinance remains consistent with Certified Local Government (CLG) expectations for designation, review authority, and process to ensure we are following best practices and in case the City ever decides to apply for the CLG program.

- **Demolition Review / 60-Day Stay**

- Add a 60-day stay of demolition for properties determined to have historic significance.
- The stay period is intended to provide time for evaluation of alternatives to demolition, documentation of the structure, or voluntary revisions to the request before irreversible loss occurs.

- **Minor Edits**

- Correct typographical and formatting issues.
- Clarify procedural language (for example, how recommendations are forwarded and how final decisions are made).

4. **Design / Architectural Guidelines**

- The ordinance requires that there be adopted design and architectural guidelines to help protect the character of Bastrop's historic resources.
- With the retirement of the B3 Code, those guidelines (the B3 Pattern Book) will not automatically carry forward unless they are separately adopted.
- The Historic Preservation Commission will need to take action, either to:
 - adopt new updated historic design/architectural guidelines, **or**
 - formally adopt the existing B3 Pattern Book as the City's design guideline document for the historic district.
- That step will ensure continued guidance for exterior alterations, new construction, signage, materials, massing, and other visual elements in the historic district.

5. **Next Steps in the Adoption Process**

- Historic Landmark Commission (this meeting): Consider the proposed ordinance transfer and text updates, and issue a recommendation.
- Planning & Zoning Commission: Consider the Historic Landmark Commission's recommendation and forward a recommendation to City Council.
- City Council: Consider and act on adoption of the Historic Preservation Ordinance within the new Bastrop Development Code, concurrent with or in advance of final adoption of the overall Bastrop Development Code.

RECOMMENDATION:

Consider and act on a recommendation to the Planning and Zoning Commission to amend the Historic Landmark Preservation Ordinance and adopt as Article 9, within Chapter 14 of the Bastrop Code of Ordinances and consider what design guidelines the Historic Landmark Commission would like to adopt under this ordinance.

ATTACHMENTS:

- Attachment 1 – Existing Historic Landmark Preservation Ordinance within B3 Code
- Attachment 2 – Article 9 of Proposed Chapter 14, Titled Bastrop Development Code: Historic Preservation Ordinance (with edits in red)

ARTICLE 9 HISTORIC PRESERVATION ORDINANCE

Sec. 14.09.001 Purpose and Intent.

A. The City Council declares that the protection, enhancement, and preservation of sites, landmarks, and districts of historical, architectural, and cultural significance is a matter of public policy and essential to promoting the economic, educational, cultural, and general welfare of the community. The City recognizes that its character is shaped by a unique convergence of time, place, and people, resulting in valuable historic and cultural resources that reflect the heritage and identity of its citizens. This article is enacted to:

- 1) Protect and enhance the landmarks, which represent distinctive elements of the City's historic, architectural, and cultural heritage;
- 2) Foster civic pride in the accomplishments of the past;
- 3) Protect and enhance the City's attractiveness to visitors, thereby supporting and stimulating the economy;
- 4) Insure the harmonious, orderly, and efficient growth and Development of the City;
- 5) Promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within the City;
- 6) Encourage stabilization, restoration, and improvements of such properties and their values.

Sec. 14.09.002 Historic Preservation Commission.

A. The Commission shall consist of seven (7) members, residents of the City, to be appointed by the mayor with approval by the City Council as follows; every effort will be made to find professionals who meet the criteria below:

- 1) One shall be an architect, city planner, or representative of a design profession;
- 2) One shall be a representative elected by the Bastrop County Historical Society;
- 3) One shall be a licensed real estate professional;
- 4) One shall be an owner of a historic Commercial Structure or property;
- 5) One shall be an owner of an historic Residential Structure or property;
- 6) One shall be a member from the Planning & Zoning Commission;
- 7) One shall be a general resident of the City.

B. All Historic Landmark Commission members, regardless of background, shall have a known and demonstrated interest, competence, or knowledge in historic Preservation within the City.

- C. Historic Landmark Commission members shall serve for a term of 3 years, except for the member who is serving on the Historic Landmark Commission as the Planning & Zoning Commission representative, and that member shall serve for a term that is concurrent with that member's Planning & Zoning Commission term.
- D. Attendance requirements for the Historic Landmark Commission members are set forth in Section 1.02.002(b) of the Code of Ordinances.
- E. The commission shall be empowered to:
 - 1) Approve or disapprove Certificates of Appropriateness, Demolition or Removal of historic Structures, and economic hardship applications.
 - 2) Conduct surveys and maintain an Inventory of significant historic, architectural, and cultural landmarks.
 - 3) Make recommendations to the City Council on the designation of historic landmarks, Historic Districts, Contributing and non-Contributing Structures.
 - 4) Make recommendations for properties to the National Register of Historic Places.
 - 5) Increase public awareness of the value of historic, cultural, and architectural Preservation by developing and participating in public education programs.
 - 6) To assist the City Council in the adoption of Design Guidelines for the exteriors of historic landmarks, properties located inside of Historic Districts, and Contributing and non- Contributing Structures, to address architectural and general design elements of Structures, including acceptable materials for Construction; appropriate architectural character, scale, and detail; acceptable appurtenances or additions to new or existing Structures; and acceptable textures and ornamentation.
 - 7) Prepare and submit annually to the City Council a report summarizing the work completed during the previous year.
 - 8) To perform any other functions requested by City Council.
- F. The Historic Landmark Commission shall meet at least monthly, if business is at hand. Special meetings may be called at any time by the Chair, or on the written request of any two commission members.

Sec. 14.09.003 Appointment of Historic Preservation Officer.

- A. The City's Director of Planning & Development or other City staff designated by the City Manager shall serve as Historic Preservation Officer. This officer shall have as a principal duty the administration of this article and the coordination of the City's various efforts and programs that further historic Preservation.

Sec. 14.09.004 Categories of Preservation.

- A. Establishment of Preservation. There shall be two categories of Preservation for historically, culturally, architecturally or archaeologically significant properties in the City, as follows:
 - 1) Historic landmarks;
 - 2) Local Historic Districts, which may contain historic landmarks and Contributing Structures or Sites; and non-Contributing Structures or Sites.

B. Criteria for Historic Landmark Status

- 1) A structure or site is considered a local Historic Landmark if it is designated as a Recorded Texas Historic Landmark or State Archeological Landmark, or it is included on the National Register of Historic Places.
- 2) A Structure or Site may also may be designated by the City as a Historic Landmark if it is (generally) at least 50 years old and has maintained its historic character, and meets one or more of the criteria set out below:
 - a) Is associated with important events that have contributed significantly to the broad pattern of our history.
 - b) Is associated with the lives of persons significant in our past;
 - c) Embodies the distinctive characteristics of a type, period, or method of construction; or represents the work of a master; or possess high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.
 - d) Have yielded, or may be likely to yield, information important to our history.

Sec. 14.09.005 Process for Designation of Historic Landmarks.

- A. Properties already listed as a Recorded Texas Historic Landmark or State Archeological Landmark, or already included on the National Register of Historic Places, shall automatically be deemed a local Historic Landmark in the City of Bastrop, and are subject to the requirements of this Ordinance.
- B. Owners of property being considered for designation as a Historic Landmark shall be notified prior to the Historic Landmark Commission hearing on the recommended designation. The Historic Landmark Commission shall provide notice to property owners within 200 feet of the property X days and conduct a public hearing.
- C. After consideration by the Historic Landmark Commission, a recommendation regarding designations shall be submitted to the City Council to consider the designations of a Historic Landmark. The adoption of the landmark shall be through a resolution.
- D. Upon designation of a Historic Landmark, the City Council shall cause the designation to be noted as follows:
 - E. Recorded in the official real property records of Bastrop County.
 - F. Designated on the historic resource map of the City.
 - G. Provide the property owner with a plaque and require the installation indicating the designation of the landmark as a City Historic Landmark.

Sec. 14.09.006 Process for Removal of Historic Landmark Designation.

- A. Designated historic landmarks shall retain such designation until such time as the City Council, upon receipt of an Application from the owner, approves the withdrawal. The procedures for a Removal of designation of a Historic Landmark shall follow the same process as the designation process.
- B. Criteria for Approving Removal:
 - 1) The original criteria that was met to receive the designation is no longer applicable for reasons not attributable to the acts or omissions of the owner or occupant.
 - 2) The Site or Structure has been rendered unreasonably irreparably altered by an Act of God.
 - 3) The required majority for City Council approval for Removal of designation shall be two-thirds of the full membership.

Sec. 14.09.007 Criteria for Creation of Historic Districts.

- A. An area of the City may be considered for designation as a Historic District if it:
 - 1) Contains properties and an environmental setting which meet one or more of the criteria for designation of a Historic Landmark; or,
 - 2) Constitutes a distinct section of the City that possesses a unique historical, architectural, archeological or cultural significance.

Sec. 14.09.008 Process for the Designation of Local Historic District.

- A. These provisions pertaining to the designation of local Historic Districts constitute a part of the official Zoning Map of the City.
- B. Upon recommendation of the Historic Landmark Commission and the Planning & Zoning Commission, the City Council may establish, after following all required legal procedures, one or more Historic Districts. The Historic Landmark Commission shall prepare, or cause to be prepared, and adopt, Design Guidelines for each individual district, including Standards for new and/or Infill Construction. If there is more than one district, and the Historic Landmark Commission finds that Design Guidelines for one district are appropriate for another district, they may adopt the same guidelines.
 - 1) Requirement for approval by three-fourths of Council. If an owner of property in a proposed historic district files a written statement protesting the inclusion of the owner's property in the historic district, a separate affirmative vote of three-fourths of all members of the council is required to include the protesting owner's property in the historic district.

- C. An Inventory of all Contributing and non-Contributing Structures located within a Historic District to be prepared and the record of the status of each Structure within each Historic District shall be maintained in City records.
- D. Owners of property located within an area considered for designation as a local Historic District shall be notified prior to the public hearing(s) on the recommended designation. The adoption of a local district will be processed according to the same procedures required for a zoning amendment. At the public hearing(s), owners, interested parties, and technical experts may present testimony or documentary evidence that will become part of a record regarding the historic, architectural, or cultural importance of the proposed local Historic District.
- E. Upon designation of a local historic district, the City Council shall cause the designation to be recorded as follows:
 - 1) Recorded in the official real property records of Bastrop County,
 - 2) Designated on the historic resource map of the City.
- F. Designated Historic Districts shall retain such designation until such time as the City Council, upon receipt of an Application and formal request made by at least 51% of the owners of real property located within the Historic District petitions for Removal. The procedures for a Removal of designation of a local Historic District shall follow the same process as the designation process.
 - 1) Criteria for approving Removal:
 - a) The original criteria that was met to receive the designation is no longer applicable for reasons not attributable to the acts or omissions of the owner or occupant.
 - b) The site or structure has been rendered unreasonably irreparably altered by an Act of God.
- G. The required majority for City Council approval for Removal of designation shall be 2/3 of the full membership.
- H. Any existing Structure or Site designated as a significant landmark or a Historic Landmark under Ordinance No. 2007-30 are specifically saved from repeal and shall retain such designation until such time that those designated landmarks are redesignated in accordance with the processes and procedures under this article. As soon as practical following adoption of this article, the City shall begin the process to designate any landmarks deemed appropriate for consideration as historic landmarks in accordance with the processes and procedures contained within this article.

Sec. 14.09.009 Relationship of Designations to Zoning.

- A. If there is any conflict between this **Article** or the Design Guidelines adopted by the Historic Preservation Commission, and any provision of the **underlying zoning district**, the most restrictive regulation shall apply.
- B. If there is any conflict between the provisions of this section and any other provision of the **underlying zoning district**, the most restrictive regulation shall apply, in the absence of a specific directive to the contrary.

Sec. 14.09.010 Certificate of Appropriateness.

A. Requirement for Certificate of Appropriateness

- 1) No person, firm, corporation, or organization shall undertake any Project involving the construction, reconstruction, alteration, restoration, rehabilitation, relocation, or demolition of any local, state, or national Historic Landmark—or any structure, site, or sign within a designated Historic District—without first obtaining a Certificate of Appropriateness.
- 2) A Certificate of Appropriateness is also required before making any material change to exterior architectural features or structural elements that are visible from the public right-of-way and that affect the appearance, character, or visual cohesion of any such Landmark, structure, or site.

B. Certificate of Appropriateness Exemptions

- 1) Ordinary Maintenance, as defined in this article.
- 2) Interior Construction or Alterations do not alter the exterior wall of the Building.
- 3) New, modifications or Removal of existing awnings, canopies, exterior paint color or exterior Lighting that are attached to a **residential structure** provided the Alterations do not alter the exterior wall of a Building designated as a Historic Landmark.
- 4) Demolition of a Building or Structure that the Building Official has declared a dangerous Structure **per the Building Code**, or determined that Demolition is necessary for the preservation of the public health, safety and welfare.
 - a) Should the Building Official declare a Building a dangerous Structure or determine that Demolition is necessary for the preservation of public health, safety and welfare, the Building Official shall coordinate with the Historic Preservation Officer and property owner to identify historic and significant architectural features that are unique to the Building or Structure, era or district and that may be salvaged.
 - b) The Historic Preservation Officer shall create a record of the Building or Structure to be demolished through archival-quality photo- documentation, drawings, and other

information similar to those required by the Historic American Buildings Survey. The list of identified historic and significant architectural features to be salvaged shall also be made part of this record.

- 5) New fence, railing or wall that is consistent with the Historic District's characteristics and applicable guidelines.
- 6) Site landscape Alterations and other hardscape features provided that these do not alter a Building or Structure designated as a Historic Landmark or that is a Contributing historic Structure to the Historic District.

C. Replacement blade signs on an existing mount, where all other applicable sign codes are met.

D. Certificate of Appropriateness Application Procedure

- 1) When a Certificate of Appropriateness is required, no work can begin before the Historic Preservation Commission has first issued a Certificate of Appropriateness. The Certificate of Appropriateness shall be in addition to and not in lieu of any permits required (i.e. Building, Sign, alcohol, etc.). The Building Official cannot approve any application for a Sign or building permit to a Structure and/or Site that requires, but does not have a Certificate of Appropriateness.
- 2) The owner or owner's agent shall file an Application, as provided by the City, for such a certificate. The Application shall contain at a minimum:
 - a) Application fee as established in the Master Fee Schedule;
 - b) Contact information for the Applicant and/or owner;
 - c) A detailed description of all proposed work;
 - d) Location and photographs of existing conditions;
 - e) Elevation drawings, photographs, or illustrations of proposed changes;
 - f) Samples of materials to be used;
 - g) If the proposal includes Signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination (if any), and a plan showing the Sign's location on the property;
 - h) Any other information that the City may deem necessary in order to visualize the proposed work; and
 - i) The Historic Preservation Officer shall review the submission and determine if the Application is complete. If the Application does not meet the requirements to be approved

administratively, the Application will be forward to the Historic Landmark Commission for consideration at their next available meeting agenda.

E. Administrative Approval of a Certificate of Appropriateness

- 1) Certificate of Appropriateness may qualify for Administrative Approval by the Historic Preservation Officer if the proposed Project meets all of the following conditions:
 - a) The property is not located in a national Historic District;
 - b) All of the material Standards identified in the design guidelines as adopted by the Historic Preservation Board are met;
 - c) The proposed Structure or Site is not designated as a local, state, or national Historic Landmark.
- 2) The Historic Preservation Officer may elect to present a Certificate of Appropriateness to the Historic Landmark Commission for review and consideration.
- 3) If the Historic Preservation Officer does not approve a Certificate of Appropriateness, the Application may be forwarded to the Historic Landmark Commission for review and consideration at the request of the Applicant.

F. Historic Landmark Commission Approval of Certificate of Appropriateness

- 1) The Commission shall review an application for a Certificate of Appropriateness at a regularly scheduled or special meeting within 45 day from the date the application is deemed administratively complete for review, at which time an opportunity will be provided for the applicant to be heard. The Historic Landmark Commission shall approve, deny, or approve with conditions or modifications the permit, within 30 days after the review meeting, provided however, both review and action may occur at the same meeting. In the event the Historic Landmark Commission does not act within 60 days from the date the application is deemed administratively complete for review, a permit will be deemed approved.
- 2) All decisions of the Historic Landmark Commission shall be in writing. The Historic Landmark Commission's decision shall state its findings pertaining to the approval, denial, or modification of the Application. A copy shall be provided to the Applicant and a copy shall be maintained in the files of the Planning and Development Department and distributed to other appropriate City departments.
- 3) An Applicant for a Certificate of Appropriateness who is dissatisfied with the action of the Historic Landmark Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to Appeal the determination to the City Council. The Applicant has 15 calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be

placed on the next available City Council agenda. To be considered, the Appeal shall set forth in writing the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

- 4) A Certificate of Appropriateness shall expire two years from the date of approval if the proposed scope of work has not been completed. If the building permit for approved work has been issued, the Certificate of Appropriateness will expire two years from the permit issue date. The Commission, upon determination of a reasonable need, may authorize one extension of an additional six months to obtain a building permit for the work in which the Certificate of Appropriateness was approved upon showing of just cause by the Applicant.

G. Criteria for Approval of Certificate of Appropriateness (COA)

- 1) In considering an Application for a Certificate of Appropriateness (COA), the Historic Landmark Commission shall be guided by any locally adopted design standards, and where applicable, the following from the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings. Any adopted design standards and Secretary of the Interior's Standards shall be made to the property owners of historic landmarks.
 - a) Every reasonable effort shall be made to adapt the property in a manner which requires minimal Alteration of the Building, Structure, object, or Site and its environment.
 - b) The distinguishing original qualities or character of a Building, Structure, object, or Site and its environment shall not be destroyed. The Removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
 - c) All buildings, Structures, objects, and Sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.
 - d) Changes that may have taken place in the course of time are evidence of the history and Development of a Building, Structure, object, or Site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
 - e) Distinctive stylistic features or examples of skilled craftsmanship which characterize, a Building, Structure, object, or Site shall be kept to the greatest extent practical.
 - f) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the

material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other Building or Structures.

- g) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- h) For building materials, architecture standards, architectural details, massing for a variety of building types, see the Pattern Book.
- i) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any Project.
- j) Contemporary design for Alterations and Additions to existing properties shall not be discouraged when such Alterations and Additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, color, material, and character of the property, neighborhood, or environment.
- k) Wherever possible, new Additions or Alterations to buildings, Structures, objects, or Sites shall be done in such a manner that if such Additions or Alterations were to be removed in the future, the essential form and integrity of the Building, Structure, object, or Site would be unimpaired.

H. Consideration of Previously Denied Applications

- 1) A new Application for a Certificate of Appropriateness for a structure or Site that was previously denied a similar Certificate of Appropriateness shall not be considered if the Historic Landmark Commission or the City Council, on appeal, for the structure or Site within 1 year from the date of the final decision. If there has been a substantial change in the conditions affecting the structure or Site or the proposed Project is substantially different from the previous Application, the City may find that are sufficient to Warrant consideration prior to the 1 year period.

I. Enforcement

- 1) All work performed pursuant to a Certificate of Appropriateness issued under this article shall conform to any conditions or requirements included therein. It shall be the duty of the building inspector or their designee to inspect periodically any such work to assure compliance. In the event work is not being performed in accordance with the Certificate of Appropriateness, the Building

Official or their designee shall issue a stop-work order, and all work shall immediately cease. No further work shall be undertaken on the Project as long as a stop-work order is in effect.

- 2) A stop-work order may be lifted following submission and approval of plans for corrective action or work, or other plans to bring the Project into compliance with the conditions or requirements of the Certificate of Appropriateness or other approvals.

Sec. 14.09.011 COA Required for Demolition or Relocation.

- A. A permit for Demolition, Removal, or Relocation for any local, state, or national Historic Landmark or any structure or Site within a Historic District shall not be granted by the City without the review and approval of a Certificate of Appropriateness by the Historic Landmark Commission in accordance with the provisions of this article.
- B. Stay of demolition. No permit for the demolition of a designated local, state, or national Historic Landmark—or any contributing structure within a Historic District—shall be issued by the City until at least 60 calendar days after the filing of a complete demolition application. The purpose of the 60-day stay is to allow the Historic Preservation Commission and City staff reasonable time to assess the significance of the structure, explore alternatives to demolition (including relocation, adaptive reuse, or incorporation into redevelopment plans), facilitate discussions with the property owner regarding preservation incentives or solutions, and allow time for public input. The 60-day stay applies to partial or total demolition. The 60-day stay shall run concurrently with the review and decision timelines for a Certificate of Appropriateness under Sec. C, and no demolition permit shall be issued until both (1) a Certificate of Appropriateness has been approved or deemed approved, and (2) the 60-day stay period has expired.
- C. Procedure for COA for Demolition
 - 1) An Application for a Certificate of Appropriateness shall contain the following minimum information:
 - a) Application fee as established in appendix A—Fee Schedule;
 - b) Owner and agent contact information;
 - c) A detailed description of the reason the proposed Demolition is necessary;
 - d) Location of the proposed Demolition;
 - e) Evidence of the existing conditions of the property which justify the need for Demolition;
 - f) A detailed description of the methods of Demolition including the process and procedure for Removal of all debris and how surrounding properties will be protected during the Demolition process;

- g) Any other information that the City may deem necessary in order to determine the need for the proposed Demolition.
- 2) The Commission shall hold a public hearing on the Application within 45 days after the date a complete Application is Filed with the City. The Applicant, property owner, and all property owners located within two hundred 200 feet of the property proposed to be demolished shall be mailed a written notice 10 days prior to the hearing.
 - 3) When considering the Certificate of Appropriateness for Demolition, the Historic Landmark Commission shall consider the following:
 - a) The historic value of the Structures or Site;
 - b) The state of repair of the Structures or Site;
 - c) The existing and potential usefulness, including the economic usefulness, of the Structures, buildings or objects on the Lot, parcel or Site;
 - d) The reasons for preserving the Structures, buildings or objects on the Lot, parcel or Site;
 - e) The character of the neighborhood; and
 - f) Any other factors the Historic Landmark Commission deems appropriate when considering the proposed Demolition.
 - 4) When considering the Certificate of Appropriateness for Relocation, the Historic Landmark Commission shall consider the following:
 - a) The style of Construction and compatibility with the local Historic District;
 - b) The historic value and structural state of the Structure;
 - c) The historic value of the Site;
 - d) The reasons for preserving the Structure on an alternate Site;
 - e) The character of the neighborhood;
 - f) Any other factors the Historic Landmark Commission deems appropriate when considering the proposed Demolition.
 - 5) If the Historic Landmark Commission determines, that the evidence supports the Demolition, Removal or Relocation of the Structure or if the Historic Landmark Commission determines that the interest of preserving historic values will not be adversely affected by such Demolition, Removal or Relocation that the interest of preserving historical values can best be served by the Removal of the

Structures, buildings or objects, it shall issue a Certificate of Appropriateness for Demolition of the Structures or Site.

- 6) If no action has been taken by the Historic Preservation Commission within 60 days of the original receipt by the Historic Landmark Commission of the application, the Certificate of Appropriateness for Demolition shall be deemed approved by the Historic Preservation Commission, **provided that no demolition permit may be issued until the 60-day stay required by Sec. B has expired.**
- 7) Any Applicant who is dissatisfied with the action of the Historic Landmark Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to Appeal the determination to the City Council. The Applicant has 15 calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be placed on the next available City Council agenda. To be considered, the Appeal shall set forth the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

Sec. 14.09.012 Failure to Maintain Resulting in Demolition by Neglect.

A. State of Demolition by Neglect

- 1) No owner or person, firm, corporation or other organization with an interest in real property that is designated as a Historic Landmark, a Structure or Site that has been certified, registered or designated by any federal, state or other authorized body/entity as having historical significance, or any Structure or Site that is located within a local Historic District, shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Historic Landmark Commission, produce a detrimental effect upon the character of a Historic Landmark, the district as a whole, or the life and character of the property itself. Examples of such deterioration include:
 - a) Deterioration of exterior walls or other vertical supports.
 - b) Deterioration of roofs or other horizontal members.
 - c) Deterioration of exterior chimneys.
 - d) Deterioration or crumbling of exterior stucco or mortar.
 - e) Ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors.
 - f) Deterioration of any feature creating a hazardous condition which could lead to the claim that Demolition is necessary for the public safety.

B. Demolition by Neglect Hearing Procedure

- 1) Upon notification to the Historic Landmark Commission of such a state of disrepair, the Historic Landmark Commission shall notify the owner in writing, informing the owner of the violation and the specifics of the alleged deterioration, requesting that the owner appear before the Historic Landmark Commission for determination of the existence of detrimental deterioration.
- 2) If, after a public hearing before the Historic Landmark Commission, the Historic Landmark Commission determines that the deterioration has produced a detrimental effect as described in subsection A of this section, the owner shall cure the deterioration by Restoration or other appropriate actions within a reasonable period of time as determined by the Historic Landmark Commission but in no case longer than 180 calendar days from the determination by the Historic Landmark Commission. The owner must comply with all requirements of requesting a Certificate of Appropriateness from the Historic Landmark Commission. Failure of the owner to cure the deterioration within the time specified by the Historic Landmark Commission shall cause the property owner to be subject to penalties as defined in section 14.03.009, which may be assessed civilly or in municipal court.
- 3) Any Applicant who is dissatisfied with the action of the Historic Landmark Commission relating to the issuance or denial of a Certificate of Appropriateness shall have the right to Appeal the determination to the City Council. The Applicant has 15 calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be placed on the next available City Council agenda. To be considered, the Appeal shall set forth the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

Sec. 14.09.013 Incentives for Historic Landmarks.

A. Continuation of Existing Incentives

- 1) All properties previously granted an incentive (refund of City taxes) under section 14.03.002 of the Bastrop Code of Ordinances as of the date of ordinance no. 2018-03 shall be eligible to maintain the incentive and are specifically saved from repeal; however, the City Council may modify or end the program at any time at the City's discretion. A list of all properties subject to the incentive, along with the determination of what historic elements are to be included in the valuation of the incentive, shall be maintained on file in the City's Historic Preservation Officer's and the City Secretary's office.

B. New Applications for Incentives

- 1) To encourage historic Preservation, the City may offer an incentive to owners of local historic landmarks to encourage the stabilization, Rehabilitation and renovation of properties designated as historic landmarks. The incentives may include:
 - a) Historic landmark marker. Owners of qualifying historic landmarks will be presented with an official Historic Landmark marker to designate the Structure, with the cost of the marker borne by the City.
 - b) Property tax refund. Owners of qualifying historic landmarks may be eligible for a refund of a portion of their City property taxes, provided under paragraph (2) below.
- 2) An owner seeking inclusion in the incentive program shall submit an application to the Historic Preservation Officer to determine whether the property meets the criteria for a local Historic Landmark. Incentives will be granted upon the favorable recommendation of the Historic Landmark Commission and approved by the City Council.

C. Calculation for Refund Incentives

- 1) The amount of the refund shall be based on a uniform percentage of the assessed value of the Contributing Structures, determined by the City Council, each budget year, which can be financed by the amount of general funds appropriated for such refunds. Refunds shall be based on the assessed value of the historic improvements only and shall exclude the value of the underlying land or any noncontributing Structures. Refunds will be based on taxes paid in full by July 31. Eligibility for such refund shall require compliance with all requirements of this article.

D. Required Maintenance Standards

- 1) To be eligible to receive the annual refund, all buildings and the exterior premise of a Historic Landmark property shall be properly maintained to achieve a presentable appearance, avoid hazardous conditions, and meet the following minimum Standards:
 - a) Roof. The roof shall not have any missing or broken shingles, significant buckling, warping, or peeling of the surface and must be clear of vegetation. There shall be no Signs of decay, dry rot or structural integrity issues in the roof structure.
 - b) Exterior walls. The exterior walls shall not have any missing boards, bricks or other materials. No Signs of cracks, dry rot or decay should be evident. Except for materials that have been designed to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained to be kept clean and free of flaking, loose, or peeling paint or covering.

- c) Foundations. The foundation shall not have any significant cracking, shifting, or erosion. For pier and beam foundations, skirting should be in good condition and have no missing sections. The foundation shall be in good condition and not have missing foundation supports or Signs of sagging.
 - d) Exterior doors. Doors shall be maintained to be structurally sound, fit within frames to be weatherproof, and have hardware that is in good condition.
 - e) Windows. Windows shall be fully supplied with window glass, which is glazed and is without cracks or broken panes, shall have sashes in good condition, which fit within the frames, and maintained to exclude adverse weather elements from entering the Structure.
 - f) Porches. Every porch shall be maintained to be free of missing, defective, rotting or deteriorated foundations, supports, floors and steps, to be safe to use and kept in sound condition and in good repair.
 - g) Stairways. Stairways shall be maintained free of rotted or deteriorated supports. Handrails and/or railings shall be firmly fastened and maintained in good conditions.
 - h) Accessory Structures. All Structures accessory to the dwellings, including detached garages, shall be maintained to be structurally sound, neatly maintained and in good repair.
 - i) Fences and walls. If any fence, retaining wall, or similar Structure is not found to be in a good state of structural repair, it shall be removed, replaced or repaired as required.
 - j) Landscaping. All landscaping shall be maintained in a presentable appearance. Any landscaping or vegetation that is causing damage to the Structure must be removed.
 - k) Decorative features. Any other decorative elements of the Site shall be maintained in good repair with property anchorage and in a safe condition.
- 2) If a Historic Landmark property has been determined by the Historic Preservation Officer, the Building Official, and Code Enforcement Official to be inadequately maintained, the property owner will be notified in writing and given 30 days to correct the deficiencies. If the repairs are not completed and Standards are not met, the incentive will not be paid. An aggrieved property owner may Appeal that determination to the City Council.

E. Loss of Incentives

- 1) No owner, owner's agents, contractors and/or representatives shall alter or totally or partially destroy any Historic Landmark subject to incentives under this section without first obtaining a Certificate of Appropriateness or Demolition permit in accordance with the terms of this article. If a

Historic Landmark subject to incentives is altered or totally or partially destroyed without a Certificate of Appropriateness, the owner shall be required to restore the Structure to its original state, within a reasonable period of time as established by the Historic Landmark Commission but in no case longer than 180 calendar days from the date of any notice of violation provided to the property owner. No incentives will apply during the time that the owner is restoring the property. Failure to restore the historical landmark to its pre-destruction condition shall subject the owner to the penalties set forth in this article and the owner shall:

- a) No longer be entitled to the incentives set forth herein; and
 - b) Immediately remit to the City monies in an amount equal to the total city tax revenues that were refunded in the current and prior years because of the incentives, plus interest calculated at an annual rate as established by the then-current Texas Private Prompt Payment Act.
- 2) If an owner has obtained a Certificate of Appropriateness for Demolition or Relocation **under Section 14.09.011**, then the incentive for the Structure will cease immediately upon the Demolition or Relocation, but no remittance of past refunds is required.
- 3) Transferability of Incentives
- a) The benefits of the incentive program relating to historic Structures under this section are transferable and run with the property.

Sec. 14.09.014 Economic Hardship.

A. Economic Hardship Application Procedure

- 1) After receiving written notification from the Historic Landmark Commission of the denial of a Certificate of Appropriateness, or an Application to demolish, an Applicant may commence the hardship process. No building permit or Demolition permit shall be issued unless the Historic Landmark Commission makes a finding that hardship exists.
- 2) When a claim of economic hardship is made due to the effect of this article, the owner must prove that:
 - a) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
 - b) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and

- c) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.
- 3) The Applicant shall consult in good faith with the Historic Landmark Commission, local Preservation groups and interested parties in a diligent effort to seek an alternative that will result in Preservation of the property. Such efforts must be shown to the Historic Landmark Commission.
- 4) The commission shall hold a public hearing on the Application within 60 days from the date the Application is received by either the building inspector or the Preservation Officer. Following the hearing, the Historic Landmark Commission has 30 days in which to prepare a written recommendation to the building inspector or other official. In the event that the Historic Landmark Commission does not act within 90 days of the receipt of the Application, a permit may be granted by the building inspector.

- 5) All decisions of the Historic Landmark Commission shall be in writing. A copy shall be sent to the Applicant by certified mail and a copy filed with the City clerk's office for public inspection. The commission's decision shall state the reasons for granting or denying the hardship Application.
- 6) An Applicant submitting a hardship Application who is dissatisfied with the decision of the Historic Landmark Commission relating to the approval or denial of such Application shall have the right to Appeal the Historic Landmark Commission's decision to the City Council. The Applicant has fifteen (15) calendar days from date of the Historic Landmark Commission action to file for the Appeal. The Appeal request will be placed on the next available City Council agenda. To be considered, the Appeal shall set forth the grounds for such Appeal and shall provide the City with any pertinent evidence and all related documentation related to the Appeal. The City Council shall use the adopted approval criteria for the Appeal review.

Sec. 14.09.015 Penalties.

- A. Any person, firm, association of persons, corporation or other organization violating the provisions of this article shall be deemed to be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed the amount set out in appendix A—Fee Schedule, article A14.01 of the Bastrop Code of Ordinances. Each day that a violation continues shall be deemed a separate and distinct offense. Violations of this article may be enforced civilly and/or in municipal court, at the City's discretion.



STAFF REPORT

MEETING DATE: November 5, 2025

TITLE:

Consider and act on a Certificate of Appropriateness for 0.3440 acres of Building Block 9 West of Water Street, also known as the Bastrop County Museum & Visitor Center, located at 904 Main Street, to install a new band sign. This property is designated as a Contributing Structure to the Bastrop Commercial National Register District.

STAFF REPRESENTATIVE:

Alondra Macias, Planner I

ITEM DETAILS:

Site Address:	904 Main Street (Attachment 1)
Property Owner:	City of Bastrop
Agent:	Michal Hubbard/Bastrop County Museum & Visitor Center
Current Use:	Commercial/Retail
Existing Zoning:	P-5 Core
Designations:	Contributing Structure - Bastrop Commercial National Register Historic District Places District

BACKGROUND/HISTORY:

The property owner of 904 Main Street is proposing to add a new band sign. The sign is flat cut 0.125 aluminum sign. The sign dimensions are approximately 3 feet in height and 4 feet in width. The sign area is approximately 12 square feet, and the façade width is about feet. The fixtures that will be used to attach the sign to the wall will be hidden by the sign itself.

Existing Conditions:



Proposed Sign:



Wall Section = 7' X 12'

Sign = 4' X 3'

POLICY EXPLANATION:

When a Certificate of Appropriateness is required, no work can begin before the Historic Preservation Officer or the Commission has first issued a Certificate of Appropriateness. The Certificate of Appropriateness shall be in addition to and not in lieu of any permits required (i.e. building, sign, alcohol, etc.). The Building Official cannot approve any application for a sign or building permit to a structure and/or site that requires but does not have a Certificate of Appropriateness.

Criteria of Approval of a Certificate of Appropriateness:

- (1) In considering an application for a Certificate of Appropriateness, the commission shall be guided by any locally adopted design standards, and where applicable, the following from the *Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings*. Any adopted design standards and *Secretary of the Interior's Standards* shall be made to the property owners of historic landmarks.
 - (A) **Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.**
 - (B) **The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.**
 - (C) All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.
 - (D) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
 - (E) Distinctive stylistic features or examples of skilled craftsmanship which characterize, a building, structure, object, or site shall be kept to the greatest extent practical.
 - (F) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other building or structures.
 - (G) **The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.**
 - (H) **Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.**
 - (I) **Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such**

design is compatible with the size, color, material, and character of the property, neighborhood, or environment.

- (J) Wherever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

STAFF RECOMMENDATION:

Take action to approve a Certificate of Appropriateness for 0.3440 acres of Building Block 9 West of Water Street, also known as the Bastrop County Museum & Visitor Center, located at 904 Main Street, to install a new band sign. This property is designated as a Contributing Structure to the Bastrop Commercial National Register District.

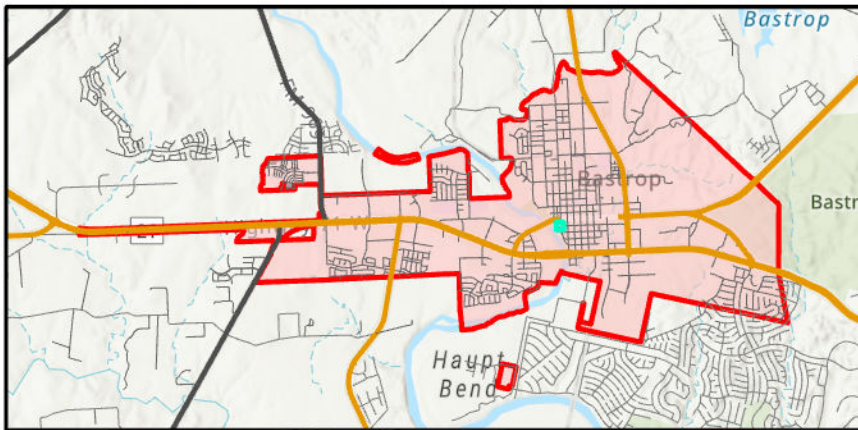
ATTACHMENTS:

- Attachment 1 – Site Location
- Attachment 2 – Project Description Letter
- Attachment 3 – Approval Justification
- Attachment 4 – Existing Building
- Attachment 5 – Proposed Signage Details
- Attachment 6 – Sign Location Example



Attachment 1 Location Map

904 Main Street



10/28/2025

0 30 60 90 120 US Feet

Scale: 1:663

The City of Bastrop, Texas makes no warranties regarding the accuracy or completeness of the information used to compose this map or the data from which it was produced. The map does not purport to depict boundaries between private and public property. This map is general in nature and is not for navigational purposes.

BASTROP COUNTY HISTORICAL SOCIETY

904 MAIN STREET
BASTROP, TEXAS 78602
(512) 303-0057

TO WHOM IT MAY CONCERN:

Bastrop County Museum & Visitor Center has been designated as an official site on the National Historic Trail, "El Camino Real de los Tejas". To publicly recognize this designation, the Visitor Center is proposing to install a sign which denotes the building as the information center for the Trail.

The proposed sign is the official National Historic Trail sign provided by the National Park Service. The sign will identify the Museum & Visitor Center as the area information site for the Trail.

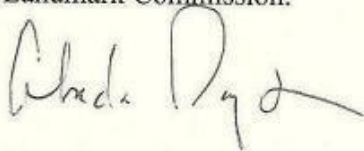
The National Historic Trail sign will be attached to the southwest corner of the building façade, facing Main Street. The sign is constructed of .125 aluminum and is 48 X 36 inches in size.

The building housing the Museum and Visitor Center is in the Downtown Historic District. The building itself has no official designation as an historic structure, though it was used from 1932 until 2009 as the city's fire station, jail, and city hall.

The stucco exterior of the building will not be significantly modified by the installation of the sign, other than the use of fixtures necessary to attach the sign to the wall of the structure, which will be hidden by the sign itself.

As the Bastrop County Historical Society's mission is to preserve and protect our history, the Society, as caretakers of the Museum & Visitor Center, would not take any action which would permanently damage or significantly alter the character of the building.

Thank you for your consideration. We look forward to a favorable recommendation from the Landmark Commission.

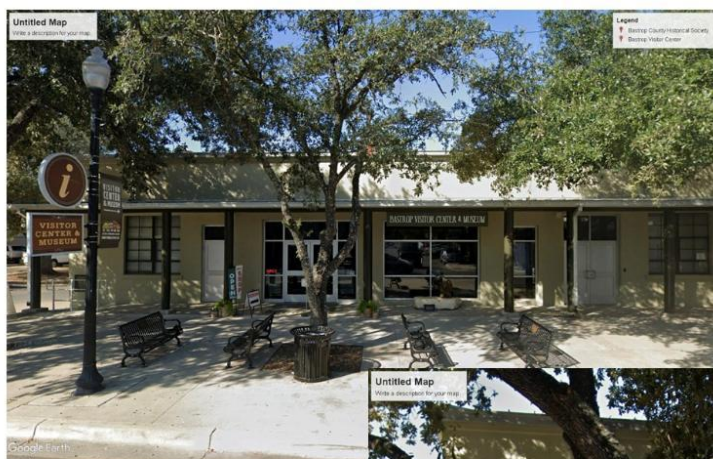


Glenda Dayton
Interim Acting Executive Director,
President, Bastrop County Historical Society Board of Directors
904 Main Street
Bastrop, Texas 78602

Our Mission:
To preserve and promote the history of Bastrop County

HISTORIC GUIDELINES APPROVAL JUSTIFICATION

- No alteration or structural addition of the building is contemplated.
- No destruction or removal of historic architecture or other materials will occur.
- The current historical condition of the building will not be altered, other than the addition of a sign.
- No changes which may have occurred over time will be affected.
- No distinctive stylistic features will be altered.
- There are no deteriorating architectural features to be repaired or cleaned. Signage placement is not an issue for this criterion.
- If the exterior wall site for the proposed signage needs cleaning, only water and mild soap will be used.
- There are no adjacent archeological resources.
- The sign design and color is recognizable as National Park Service in origin. Its addition will be in keeping with the exterior décor of the building as it currently exists.



NHT Sign Location





Dimensions: 48" X 36"

Material: .125 aluminum

Attached to exterior masonry wall



Wall Section = 7' X 12'

Sign = 4' X 3'