



Historic Preservation Commission Regular Meeting

Dripping Springs City Hall

511 Mercer Street - Dripping Springs, Texas

Thursday, July 02, 2026, at 4:00 PM

AGENDA

CALL TO ORDER & ROLL CALL

Commission Members

Dean Erickson, Chair
Ashley Bobel, Vice Chair
Delbert Bassett
Pamela Weinhammer
Steve Mallett
Richard Moore
Gwyn Sommerfeld

Staff, Consultants, & Appointed/Elected Officials

City Administrator Michelle Fischer
City Attorney Aniz Alani
Planning Director Tory Carpenter
Senior Planner Sara Varvarigos
City Secretary Diana Boone

PRESENTATION OF CITIZENS

A member of the public that wishes to address the Commission on any issue, regardless of whether it is posted on this agenda, may do so during Presentation of Citizens. It is the request of the Commission that individuals wishing to speak on agenda items with a public hearing hold their comments until the item is being considered. Individuals are allowed two (2) minutes each to speak regarding issues not on the agenda and two (2) minutes per item on the agenda and may not cede or pool time. Those requiring the assistance of a translator will be allowed additional time to speak. Individuals are not required to sign in; however, it is encouraged. Individuals that wish to share documents with the Commission must present the documents to the City Secretary or City Attorney providing at least eight (8) copies; if eight (8) copies are not provided, the Commission will receive the documents the following day. Audio Video presentations will not be accepted during Presentation of Citizens. By law no action shall be taken during Presentation of Citizens; however, the Chair may provide a statement of specific factual information, recitation of existing policy, or direction or referral to staff.

MINUTES

- 1. Consider approval of the June 4, 2026 Historic Preservation Commission regular meeting minutes.**

BUSINESS AGENDA

2. **Discussion and possible action on the Historic Preservation Commission's Fiscal Year 2027 Budget recommendation.** *Steve Mallett and Richard Moore, Committee Members*

3. **Workshop to facilitate discussion on a proposed Concept Plan for 505 and 519 Old Fitzhugh Road, i.e. "the Old Fitz Social Club", which includes a restaurant, casitas, outdoor recreational space, warm and cold plunge pools, enclosed pickle ball courts, and a retail shop.** *Applicant: James McCormick on behalf of D&A Companies.*
 - a. Applicant Presentation
 - b. Staff and HPC feedback on preliminary Concept Plan

4. **Workshop to facilitate the Historic Preservation Commission's review of a Draft Historic District Design Guidelines document.**

5. **Discussion and possible action on proposed amendments to the City of Dripping Springs' Historic Preservation Ordinance and Historic District Ordinance.**

CLOSED SESSION

The Commission has the right to adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss any matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation With Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), 551.0761 (Deliberation Regarding Critical Infrastructure Facility), and 551.087 (Deliberation Regarding Economic Development Negotiations), and 551.089 (Deliberation Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.

UPCOMING MEETINGS

Historic Preservation Commission Meetings

August 6, 2026 at 4:00 p.m.

September 3, 2026 at 4:00 p.m.

October 1, 2026 at 4:00 p.m.

City Council Meetings

July 7, 2026 at 6:00 p.m.

July 14, 2026 (Special Meeting) at 5:30 p.m.

July 21, 2026 at 6:00 p.m.

August 4, 2026 at 6:00 p.m.

August 11, 2026 (Special Meeting) at 5:30 p.m.

August 18, 2026 at 6:00 p.m.

ADJOURN

TEXAS OPEN MEETINGS ACT PUBLIC NOTIFICATION OF MEETING

I certify that this public meeting is posted in accordance with Texas Government Code Chapter 551, Open Meetings. This meeting agenda is posted on the bulletin board at the City of Dripping Springs City Hall, located at 511 Mercer Street, and on the City website at, www.cityofdrippingsprings.com, on June 24, 2026 at 4:00 PM.

Diana Boone, City Secretary

This facility is wheelchair accessible. Accessible parking spaces are available. Requests for auxiliary aids and services must be made 48 hours prior to this meeting by calling (512) 858-4725.



Historic Preservation Commission Regular Meeting

Dripping Springs City Hall

511 Mercer Street - Dripping Springs, Texas

Thursday, June 04, 2026, at 4:00 PM

DRAFT MINUTES

CALL TO ORDER & ROLL CALL

With a quorum of commissioners present, Chair Erickson called the meeting to order at 4:02 p.m.

Commission Members

Dean Erickson, Chair
 Ashley Bobel, Vice Chair
 Delbert Bassett
 Pamela Weinhammer
 Steve Mallett
 Richard Moore (*arrived at 4:04*)
 Gwyn Sommerfeld (*arrived at 4:04*)

Staff, Consultants, & Appointed/Elected Officials

City Administrator Michelle Fischer
 City Attorney Aniz Alani
 Planning Director Tory Carpenter
 Senior Planner Sara Varvarigos
 City Secretary Diana Boone
 Paralegal Operations Specialist Elliana Chon

PRESENTATION OF CITIZENS

A member of the public that wishes to address the Commission on any issue, regardless of whether it is posted on this agenda, may do so during Presentation of Citizens. It is the request of the Commission that individuals wishing to speak on agenda items with a public hearing hold their comments until the item is being considered. Individuals are allowed two (2) minutes each to speak regarding issues not on the agenda and two (2) minutes per item on the agenda and may not cede or pool time. Those requiring the assistance of a translator will be allowed additional time to speak. Individuals are not required to sign in; however, it is encouraged. Individuals that wish to share documents with the Commission must present the documents to the City Secretary or City Attorney providing at least eight (8) copies; if eight (8) copies are not provided, the Commission will receive the documents the following day. Audio Video presentations will not be accepted during Presentation of Citizens. By law no action shall be taken during Presentation of Citizens; however, the Chair may provide a statement of specific factual information, recitation of existing policy, or direction or referral to staff.

No one spoke during Presentation of Citizens.

MINUTES

1. **Consider approval of the May 7, 2026 Historic Preservation Commission regular meeting minutes.**

A motion was made by Commissioner Mallett and seconded by Vice Chair Bobel, to approve the May 7, 2026 meeting minutes. The motion carried unanimously 5 to 0.

BUSINESS AGENDA

Commissioners Moore and Sommerfeld arrived after item 1.

2. **Public hearing, discussion, and possible action on COA 2026-003: a Certificate of Appropriateness for a shed to office conversion located at 766 Old Fitzhugh Rd in the Old Fitzhugh Historic District. Applicant: Haley Hunt, Haus of Jayne.**

- a. Applicant Presentation

Applicant was not present.

- b. Staff Report

Senior Planner Sara Varvarigos presented and recommended approval of the Certificate of Appropriateness for the shed to office conversion with the condition that the following proposed colors are used: Alabaster for the main body of the building and Tricorn Black for the door, fascia, and trim.

- c. Public Hearing

No one spoke during the Public Hearing.

- d. COA 2026-003

A motion was made by Vice Chair Bobel and seconded by commissioner Sommerfeld, to approve the Certificate of Appropriateness with the staff recommended conditions.

3. **Workshop to facilitate the Historic Preservation Commission's review of proposed amendments to the City of Dripping Springs' Historic Preservation Ordinance and Historic District Ordinance. The Commission will provide additional input about proposed amendments to Chapter 30, Exhibit A, Section 4, Divisions 2 and 3, and Chapter 30, Exhibit E, Zoning Use Regulations Charts, of the City's Code of Ordinances to City Staff.**

No action was taken.

- a. Staff Presentation on additional updates to Draft Ordinance revisions

Senior Planner Sara Varvarigos presented.

b. Commission feedback on proposed updates

The commission discussed the possibility that, due to limited parking in the Hays District, businesses establish shared parking agreements to accommodate neighboring businesses during designated days and times, with the understanding that this may require walkways for safety prior to implementation.

Commissioners suggested that staff use “town center” instead of “village center” in the ordinance language.

The commission recommended that signage in the Historic District not require a variance, and that certain types of signs be eligible for administrative approval or a Certificate of Appropriateness instead of a variance.

CLOSED SESSION

The Commission has the right to adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss any matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation With Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), 551.0761 (Deliberation Regarding Critical Infrastructure Facility), and 551.087 (Deliberation Regarding Economic Development Negotiations), and 551.089 (Deliberation Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.

The Commission did not meet in Closed Session.

ADJOURN

Chair Erickson adjourned the meeting at 5:22 p.m.



To: Historic Preservation Commission
From: Sara Varvarigos, AICP – Senior Planner
Date: July 2, 2026
RE: Preliminary feedback on “Old Fitz Social Club” Concept for 505 and 519 Old Fitzhugh

I. Overview

On May 7, the City met with representatives from D&A Companies to discuss a preliminary concept plan for the properties located at 505 and 519 Old Fitzhugh Rd.

The D&A Companies team is soliciting feedback on the preliminary concept plan during a Historic Preservation Commission Workshop on July 2, 2026. The preliminary “Old Fitz Concept Plan” includes:

- The Smokehouse Restaurant to be located at 505 Old Fitzhugh
- Pro Shop Retail Store to be located at 519 Old Fitzhugh
- Court Werks Enclosed Racket Sports Facilities to be located behind 519 Old Fitzhugh
- The Springs Bathhouse Health Club Spa to be located behind 505 Old Fitzhugh
- Casitas at the Springs Boutique Hotel to be located behind 505 Old Fitzhugh

A summary of staff feedback on the preliminary concept plans is provided below:

Smokehouse Restaurant at 505 Old Fitzhugh— Existing Low Preservation Priority Structure. Applicant is proposing to demolish the existing structure and preserve the existing historic hearth. A new smokehouse restaurant will be built around the existing historic hearth.

- **Staff Feedback:** The existing structure is in poor condition, with a non-historic façade and a low preservation priority. However, staff will require a COA application with the detailed elevations and materials of the proposed new building for further consideration of the demolition request. Ensure that building is below maximum 5,000 SF footprint and maximum 2,500 SF massing increments, in addition to following Old Fitzhugh Historic District guidelines for building width (building widths may not exceed forty-five (45) feet along Old Fitzhugh Road) and materials. Staff will require an individual COA application with detailed elevations and materials for further consideration of 505 Old Fitzhugh building demolition and new building.

Pro Shop Retail Store at 519 Old Fitzhugh— Existing High Preservation Priority Structure. Applicant is proposing to re clad the front and side facades with natural wood planks and a building addition to the back. A conceptual elevation is attached. The addition is highlighted in yellow to illustrate where the new building will be placed. The addition is attached to the back of the building, where there is a clearing in the trees.

- Staff Feedback: Building widths may not exceed forty-five (45) feet along Old Fitzhugh Road. Staff recommends the preservation of all existing wood planks in good condition, and replacement of rotted existing planks with new wooden planks of the same material and size. The color of the of the new building should be close to the existing white color, although wood stained accents for porches and trims may be considered appropriate. Staff will require an individual COA application with detailed elevations and materials for further consideration of 519 Old Fitzhugh building updates and building addition.

Court Werks Enclosed Racket Sports Facilities to be located behind 519 Old Fitzhugh. The proposed preliminary racquet sports facility design features a blend of natural limestone and wood cladding.

- Staff Feedback: Preliminary concept appears to align with guidelines for buildings to maintain historic native stone or wood for all outer walls (minimum of 75% of net square footage). However, primary wooden structures in the Old Fitzhugh Historic District consistently feature painted facades. Staff recommends that the applicants propose a paint color scheme for the main body of the buildings, with wood-stained accents to be more aligned with the overall esthetic of the Old Fitzhugh District. Porches and trims shall be constructed of wood. Roofs shall be sloped metal roofs or 30-year composition shingles of a type or finish approved by the City of Dripping Springs. Staff will require an individual COA application with detailed elevations and materials for further consideration of enclosed racket sports buildings.

The Springs Bathhouse Health Club Spa —to be located behind 505 Old Fitzhugh. Appears to feature stone walls with a glass entrance, and a sloped standing seam metal roof with wood truss supports.

- Staff Overall appearance is rustic and appears to be appropriate for the Old Fitzhugh District. Staff will require an individual COA application with detailed elevations and materials for further consideration of the Bathhouse.

Casitas at the Springs Boutique Hotel —to be located behind 505 Old Fitzhugh. Appears to feature stone and glass walls, with asphalt roof and wood porches and posts.

- Staff Feedback: Clarify if glass wall on first floor above the porch canopies will be located on the front or rear façade of the casitas. The floor-to-ceiling glass walls would not be appropriate for facades facing Old Fitzhugh, although they may be considered appropriate for rear-facing facades. Staff considers that a native stone façade with glass windows above the porch canopy would be more appropriate for the rustic esthetic of the Old Fitzhugh district. Staff will require an individual COA application with detailed elevations and materials for further consideration of the Casitas.

Trees. A site plan overlaid onto an aerial image is attached. Per applicant, a significant number of trees on the property are affected by oak wilt.

- Staff Feedback: A Tree Survey and Preservation and Mitigation report prepared by a Certified Arborist will be required to move forward with the proposed removal of any Heritage (18" DBH) and Standard trees on site (8" to 17.99" DBH). Trees removed that are not dead or dying will have to be replaced and/or mitigated for.

Parking and Sidewalks. Preliminary Concept Site plan aims to align with the Old Fitzhugh Road construction plans, integrating a crosswalk, benches, and landscape area, as well as a shared use path that connects Old Fitzhugh Rd through the property and to the Heritage Oak trail beyond. Site Plan also provides 129 on-site and 9 on street parking spaces for a total of 138 spaces.

- Staff Feedback: Pedestrian connections are favorable. Proposed onsite parking along the sides of the property should be placed so that they begin behind the front yard building lines along Old Fitzhugh Rd, per Historic District Guidelines.



Program	Area	Parking Count	Parking Ratio
Restaurant	(2) 2,500 sf structures 5,000 sf total	42	1 space per 3 seats (125 seats planned)
Boutique Hotel	(18) 400 sf casistas 7,200 sf total	27	1.5 per room
Bathhouse Health Club/Spa	(3) structures 3,000 sf total	20	1 per 150 sf
Racket Sports	(3) 5,000 sf structures 15,000 sf total	24	4 per court
Pro Shop	(1) 1,500 sf structure	8	1 per 200 sf
Total	31,700 sf	121	

Parking Provided
 On Site 129
 On Street 9
Total 138



Old Fitz SOCIAL CLUB

A Modern Hill Country Club
Dripping Springs, TX



The Commons

A "third space" open to the public to gather, play lawn sports, and enjoy light F&B fare



Casitas at The Springs

Boutique hotel rooms walking distance from Downtown Dripping Springs



The Smokehouse

120-seat indoor/outdoor family friendly open fire restaurant with a dance hall



Connected Trails

Walking and biking trail connecting Old Fitzhugh Road to the Heritage subdivision and the high school beyond

Item 3.

The Springs

Bathhouse featuring hot and cold plunges, swimming pool, lockers and showers



Court Werks

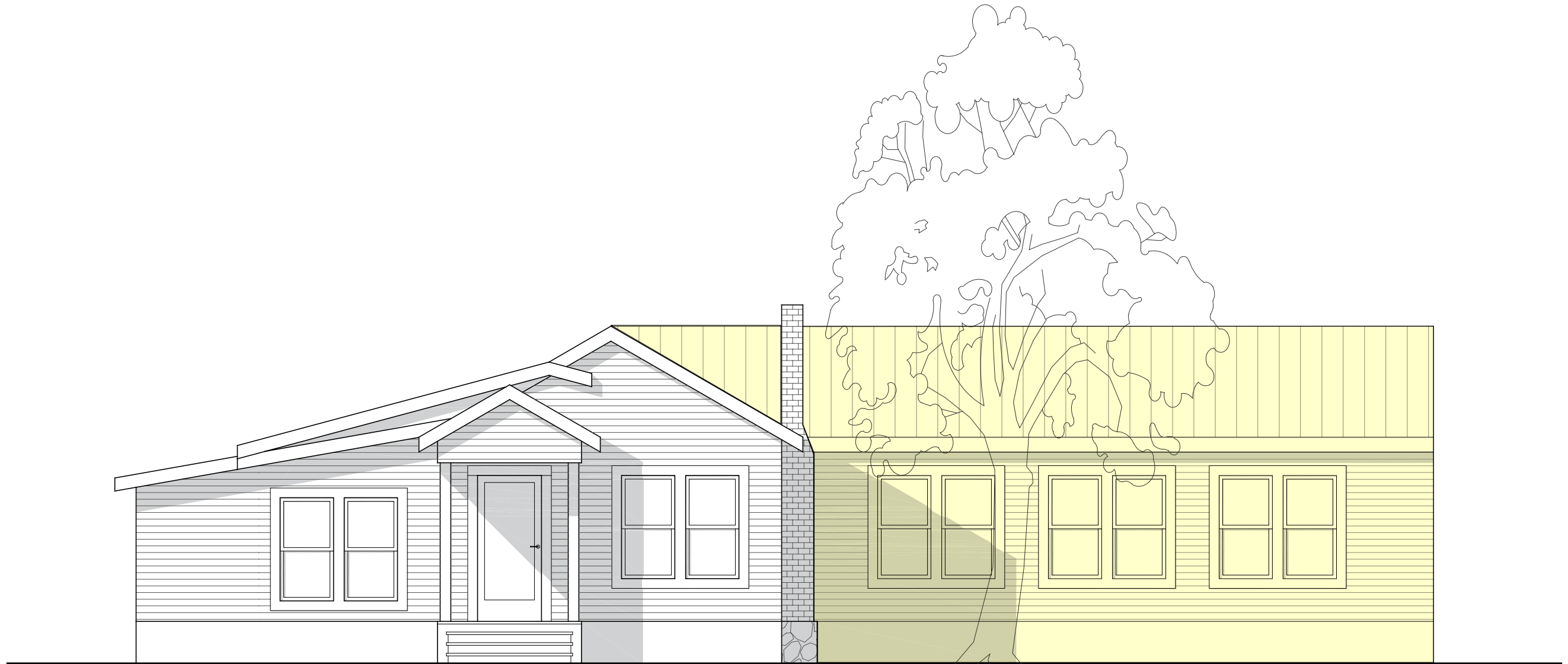
Enclosed racquet sports with classes and tournament events



Pro Shop

Curated sports gear and lifestyle shop utilizing existing historic building of high value







CITY OF DRIPPING SPRINGS HISTORIC DISTRICTS & DEVELOPMENT AND DESIGN GUIDELINES

1) PURPOSE AND INTENT OF DESIGN GUIDELINES

The City of Dripping Springs (CODS) has three historic districts that imbue the city with a unique sense of place and charm. The Mercer Street, Old Fitzhugh Road, and Hays Street Historic Districts are distinguishable by their landscapes, form and design characteristics. The City has surveyed the historic resources within these districts, and adopted a Vision and Historic Preservation Ordinance to support their preservation.

This document supports the implementation of the City's Vision and Historic Preservation Ordinance by :

1. Outlining the City of Dripping Springs's processes for maintenance, exterior updates, or new development in the Mercer Street, Old Fitzhugh Road, and Hays Street Historic Districts (and/or Historic Landmarks)
2. Illustrating the City's Vision and Design Guidelines of each historic district

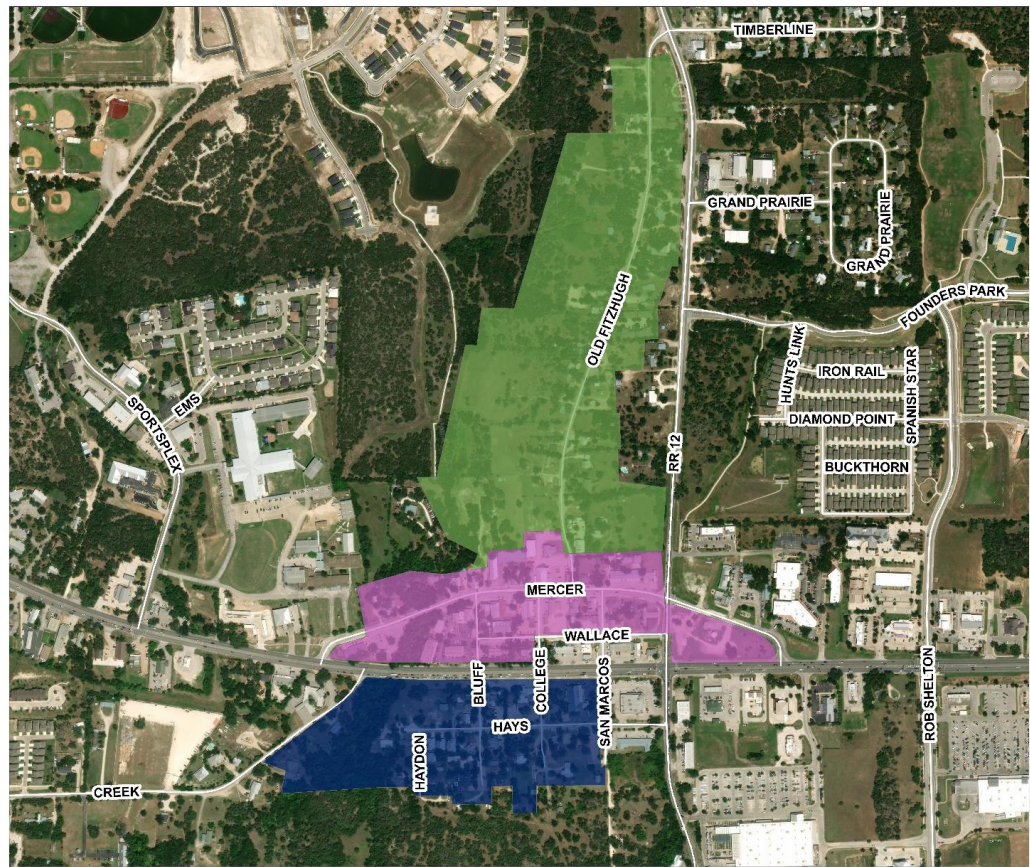
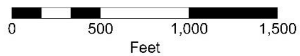
The Design Guidelines are organized by Historic District, with additional content for those Historic Landmarks not located within the boundaries of the Historic Districts. The Design Guidelines are meant to be used by Historic District and Historic Landmark property owners, development professionals, and the Historic Preservation Commission (HPC) for guidance on ordinary maintenance, updates requiring a Certificate of Appropriateness and a Site Concept Plan, and permitted land uses.



Location Map

Legend

- Historic Districts
- Hays Street
- Mercer Street
- Old Fitzhugh Road
- Roads



2) PERMITTING PROCESSES FOR MAINTAINING, UPDATING, AND DEVELOPING PROPERTIES IN THE HISTORIC DISTRICTS AND HISTORIC LANDMARKS

a) Verifying Permitted Land Uses and Zoning

As a first step, verify property zoning, preservation priority, and landmark status prior to undertaking any work or plans for a property located in an Historic District (or a Historic Landmark):

- i) The zoning determines permitted land uses, building setbacks, maximum building heights and massing, and impervious cover limits, etc.
- ii) The historic preservation priority and landmark status will determine the appropriate design guidelines to follow.

b) Permitting Requirements by Types of Improvement

The following table outlines the permitting requirements for various types of improvements, and whether Certificates of Appropriateness (COAs) are required. COAs can be approved administratively or by the HPC, depending on the extent of the improvement.

TYPE OF IMPROVEMENT PROPOSED	TYPE OF PERMIT REQUIRED					
	No COA or Permit	Zoning Verification	Administrative COA	HPC COA	Building Permit	Site Development Permit
Regular Maintenance	<input checked="" type="checkbox"/>					
Exterior Paint Color Updates			<input checked="" type="checkbox"/>			
Exterior Lighting Changes			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	*If adding new exterior parking + lights
Window Replacements facing a public ROW			<input checked="" type="checkbox"/>			
Exterior Door Replacements facing ROW			<input checked="" type="checkbox"/>			
Moving, enlarging, or adding new windows and exterior doors facing a public ROW				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Modifying exterior walls, or building additions and expansions		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

TYPE OF IMPROVEMENT PROPOSED	TYPE OF PERMIT REQUIRED					
	No COA or Permit	Zoning Verification	Administrative COA	HPC COA	Building Permit	Site Development Permit
Roof replacements that change the height, profile, color, or roof material		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Moving, adding, or replacing porches, porticoes, and balconies facing a public ROW or alley		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Building Demolitions				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Demolition with proposed replacement building				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
New parking, sidewalks, and driveways		<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>
Landscape updates requiring irrigation systems, grading of site, or tree removal					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Demolition of existing fence				<input checked="" type="checkbox"/>		
New fence facing public ROW or alley		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Signs		<input checked="" type="checkbox"/>	Maybe required		<input checked="" type="checkbox"/>	

Commented [AA1]: City may require replacement-building approval, permit sequencing, demolition/replacement agreement, recorded covenant, construction deadlines, site stabilization, and financial security before demolition permit release.

- **Regular Maintenance** items listed below don't require a permit or a Certificate of Appropriateness:
 1. Repainting exterior surfaces using existing paint colors;
 2. Replacement of a non-historic door with one in keeping with the character and era in which the home was built, or painting the door a color from approved design guidelines color palette;
 3. Removal of extraneous non-historic features such as burglar bars, awnings, non-original shutters and the like;
 4. Slight modification to exterior steps, walkways, or stairways using same material or that which matches the original material as closely as possible;

5. Addition of louvers and vents if placed in an existing opening with no other exterior alteration needed;
6. Replacement of existing roofing with new roofing that is of consistent material, height, color, and style as original roofing material;
7. Installation of temporary features to protect, weatherize, or stabilize a historic resource subject to formal approval within a reasonable time (including temporary weatherproofing material, framing, bracing, or blocks); and
8. Installation of mechanical units, electrical or plumbing facilities or fixtures, antennas, rooftop HVAC, and mechanical or communication equipment that is not visible from the public right-of-way and results in no modifications to the historic resource.

Refer to Historic District and/or Historic Landmark Guidelines for best practices for regular maintenance.

- **Paint Color** changes require a Certificate of Appropriateness. Refer to the Historic District Guidelines for your district for approved paint color schemes and palettes.
- **Painting previously unpainted stone or masonry.** Prohibited unless expressly approved by COA. Applicant must show extraordinary circumstances and consistency with the ordinance/design guidelines.
- **New Exterior Lighting** requires Site Plan Concept review, compliance with Lighting Ordinance, a Certificate of Appropriateness, and a building permit.
- **Replacing Existing Historic Windows and Exterior Doors facing a public right of way** requires a Certificate of Appropriateness. **Moving, enlarging, or adding windows and exterior doors facing a public right of way** or alley requires a Certificate of Appropriateness and a building permit.
- **Building Updates**, such as modifying exterior walls, or building additions and expansions require zoning verification, Site Plan Concept review, a Certificate of Appropriateness, and a building permit.

- **Building Demolition or Relocation** for any historic landmark or property within an historic district, including secondary buildings and landscape features, requires a Certificate of Appropriateness and a building permit.
- **Demolition with Replacement Construction.** If an applicant proposes to demolish a historic landmark, historic resource, or property in a historic district and replace it with a new building, the City may require additional safeguards before demolition begins. These safeguards may include approval of the replacement building, issuance of required permits for the replacement building, a demolition and replacement agreement, a recorded covenant that binds future owners, construction deadlines, site-stabilization requirements, and financial security. The City may withhold release of the demolition permit until these safeguards are complete.
- **Roof Replacement** that changes the height, profile, color, or material of the roof requires zoning verification, a Certificate of Appropriateness, and a building permit. Roof replacement that does not change the appearance of a structure from the right-of-way or public alley only requires a building permit.
- **Porch and Balcony** updates that move, add, or replace porches, porticoes, and balconies facing a public right-of-way or alley requires zoning verification, Certificate of Appropriateness, and a building permit.
- **New Parking, Sidewalks, and Driveways** require zoning verification, Site Plan Concept Review, and verification of compliance with Transportation Plan and ongoing transportation and roadway updates.
- **Landscape** updates that require the installation of irrigation systems, grading of site, or tree removal require Site Plan Concept review and irrigation, tree removal, and COA permits.
- **Landscaping and Tree Preservation** Ordinance must be respected. Heritage trees greater than 18" DBH shall be preserved. Protected trees with 8" DBH or greater shall be preserved at a minimum of 40%, and mitigation shall be required for trees that are removed in accordance with section 28.006 of the Ordinance.

- **Fences** Demolition of existing historic fences requires a COA. New fences along a front or side yard require zoning verification and a Certificate of Appropriateness. Refer to your Historic District Guidelines for best practices for landscaping and fencing.
- **Signs** in the Historic Districts require zoning verification, sign permit, and may require a Certificate of Appropriateness, as needed.

c) Steps to Obtain a Certificate of Appropriateness

(1) Verify the Zoning, Historic Resource Survey Preservation Priority Rating of your Historic Resource and the Design Guidelines associated with your Historic District. Zoning, Historic Resource Survey Preservation Priority Rating, and Historic District information can be found here: [City of Dripping Springs Planning Department Map](#) [Old Fitzhugh Road Inventory Table](#), [Mercer Street Inventory Table](#), [Hays Street Inventory Table](#). Historic District Design Guidelines can be found in Chapter 3.

(2) Request a predevelopment meeting with the Planning Department to discuss proposed improvements. Proposed improvements should comply with the zoning, preservation priority, and historic district guidelines associated with the historic resource. Reach out to the Planning Department for additional information and guidance relating to your proposed design.

(3) Fill out Certificate of Appropriateness Form and prepare a complete application package with supporting documents. Supporting documents should include:

- (a) Name, address, and telephone number of the applicant (and property owner(s), if different), detailed description of proposed work with a concept site plan, and a description of how the proposed work will be in character with the architectural or historical aspect of the structure or site and the applicable zoning requirements;
- (b) Location and photographs of the property and adjacent properties;
- (c) Site Plan Concept, if available.
- (d) Elevation drawings of the proposed changes, if available;
- (e) Samples of materials to be used;

- (f) If the proposal includes signs or lettering that will be placed directly on a historic building, a sign permit application in conformance with the Sign Ordinance (Chapter 26 of this code), a description of materials to be used, method of illumination (if any), and a plan showing the sign's location on the property;
- (g) The intended and desired starting date and completion date of the changes to be made;
- (h) Color chips of the colors which will be used on the structure;

(4) A demolition or relocation application may require additional information, including current photographs, a condition assessment or structural report, alternatives to demolition or relocation, a reuse or rehabilitation analysis, replacement-building plans if replacement construction is proposed, a demolition and construction schedule, a site-stabilization plan, proposed mitigation or salvage measures, and any financial security, covenant, or demolition/replacement agreement required by the City.

(4) Submit a complete application package to the Planning Department.

- (a) Updates that require administrative approval of a Certificate of Appropriateness can be submitted anytime and a complete administrative COA application will be approved, approved with conditions, or denied by the Historic Preservation Officer within 15 business days.
- (b) Updates that require Historic Preservation Commission approval of a Certificate of Appropriateness must be submitted according to HPC submission calendar. Unless the application qualifies for administrative approval, the Commission will review the application at a regularly scheduled meeting within 60 days after the application is deemed complete. The commission will approve, approve with conditions, approve with modifications, or deny the application within 45 days after the meeting at which the application is reviewed, unless the applicant agrees in writing to more time. If the Commission does not act within 90 days after the application is deemed complete, the application is approved by operation of law unless the applicant agrees in writing to more time or the delay is caused by the applicant's failure to provide required information.

(5) Obtain Certificate of Appropriateness and other Necessary Permits

- (a) If approved, the Certificate of Appropriateness will be issued by the Historic Preservation Officer or their designee. Applicant must apply for and obtain approval for any additional required permits (building, site development plan, sign, etc.) before beginning the COA improvements.
- (b) If a COA is denied, an applicant dissatisfied with the action of the HPC relating to the issuance or denial of a Certificate of Appropriateness shall have the right to appeal to the City Council within 30 days after receipt of notification of such action. The City Council shall conduct a hearing within 30 days of receipt of a written letter of appeal. The City Council shall give notice of the hearing to the applicant by mail. The City Council shall make its decision within 30 days of the hearing. If the HPC unanimously recommends denial, approval by the City Council shall require an affirmative vote by a two-thirds majority of those present and voting.

3.1 HISTORIC DISTRICT DESIGN GUIDELINES- MERCER STREET HISTORIC DISTRICT

The Mercer Street Historic District was the first historic designated by the City of Dripping Springs, capturing the original “Main Street” that developed around the landmark springs for which the town was named. A blend of commercial, residential, and institutional structures built during the city’s development in the mid-nineteenth to mid-twentieth century

still stands today, having been preserved through the years and rehabilitated by new generations of owners. In 2013, twenty-one properties within the Historic District were listed in the National Register of Historic Places.

Architectural styles include National Folk (Resource M34A), Folk Victorian (Resource M3A), Classical Revival (Resource M17A), One-Part Commercial Block (Resources M12 and M29) Craftsman/Vernacular Craftsman (Resources M5), and Minimal Traditional (Resources M10A). Regardless of style, a majority of existing historic-age resources are 1-story, with low-pitched roofs and simple massing. Most historic-age resources have roofs covered with corrugated or standing-seam metal. Many historic-age resources utilize native limestone as a main cladding material (such as Resources M10A).



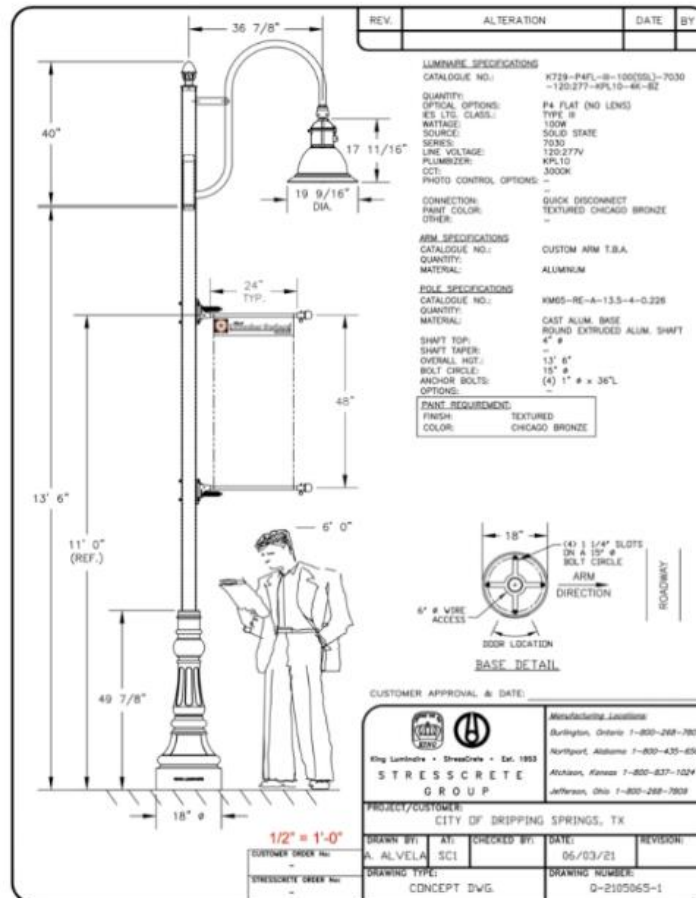
Refer to [Mercer Historic Resource Inventory table](#) of existing design and architectural styles for more information.

- a) *Vision for the Mercer Street Historic District*
 - i) Period of significance (1855-1975)
 - ii) Historic “Main Street” character & prioritizing pedestrian activities
 - iii) Preservation, rehabilitation, revitalization
 - iv) Permitted and prohibited land uses

b) Design Standards for the Mercer Street Historic District




- i) Paint color schemes. Painting of masonry and stone is prohibited. Paint schemes for other types of exterior finishes can be selected from the approved paint color schemes identified for Historic Resources.


ii) Lighting. Pedestrian lighting in the Mercer District is shown to the right.

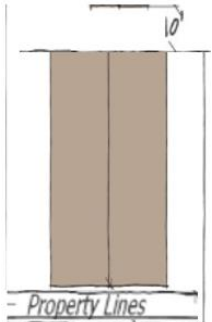






Mercer Street Lighting

iii) Standards for new buildings and reconstruction

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Building Height. The maximum allowable building height in the Mercer Street Historic District is limited to two (2) or two and a half (2.5) stories, not to exceed forty (40) feet.</p>	
<p>Building Width. Building widths may not exceed forty (40) feet or must include articulation at a maximum of 40-foot increments.</p>	
<p>Building Footprint. The maximum allowable building footprint in the Mercer Street Historic District is 10,000 square feet for a contiguous building footprint, with maximum massing increments of 2,500 square feet.</p>	<p>Max 2,500 SQ.FT MASSING INCREMENT</p> 

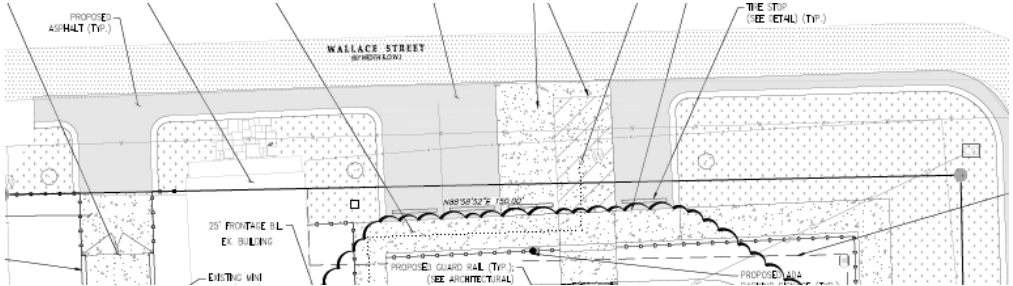
<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Front Yard Setbacks. If the property fronts a public right of way where there is at least five (5) feet of unobstructed sidewalk space between the front building line and the corresponding roadway, there shall be a zero (0) foot minimum front yard setback.</p>	 <p>Min. 5 FT SIDEWALK</p>
<p>Side Yard Setbacks. The minimum side yard setback is zero (0) feet if there is an approved fire wall.</p>	<p>0 FT SY SETBACK IF FIREWALL</p> 

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Rear Yard Setbacks. The minimum rear yard setback is ten (10) feet.</p>	
<p>Building Orientation. Primary building entry shall be oriented toward the street of the building's address.</p>	
<p>Building Facade Materials. Buildings shall maintain historic native stone or wood for all outer walls (minimum of 75% of net square footage). Porches and trims shall be constructed of wood.</p>	

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Porches. All primary building entrances along Mercer Street shall be covered by an awning or porch, that will extend across a minimum of 50% of the building façade.</p>	
<p>Roofs. Roofs shall be flat parapets or sloped metal roofs (standing seam or other approved type & finish).</p>	

- iv) Parking, sidewalks, and driveways
 - Parking. For commercial uses in the Mercer Street Historic District, minimum on-site parking shall be seventy-five (75) percent of the minimum requirement of Section 5.A Development Standards and Land Use Regulations, Off-street Parking and Loading. On-site parking shall be located to the

rear of the building. Off-site parking and street parking may also be permitted.



v) Landscaping and fencing

Fences and Landscaping. Historic walls, gates, fences, outbuildings, cisterns, objects, and notable landscape features shall be preserved. Trees over 8 inches diameter breast height will be replaced, and heritage trees over 18 inches diameter breast height shall be preserved. Landscape plantings shall comply with the CODS Native Plant List.



Plant Palette:
Paseo Grasses & Native Plants



Turk's Cap
Malvaviscus arboreus



Cedar Sage
Salvia roemeriana



Texas Lantana
Lantana urticoides



Lindheimer Muhly
Muhlenbergia lindheimeri



Gayfeather - Texas Blazing Star
Liatris punctata



Damianita
Chrysantha mexicana



Gregg's Mistflower
Conoclinium greggii

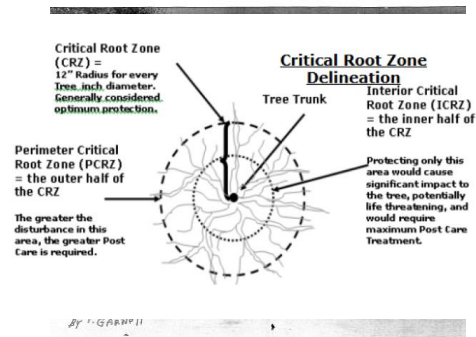
City of Dripping Springs
TIRZ Priority Projects

Mercer Street Paseo
Concept Plan

Draft - 260130 / K

vi) Signs. Signs will be evaluated based on their potential impact to the historic resource if they are attached to the structure.

Landscaping and Tree Preservation
Ordinance must be respected. Heritage trees greater than 18"DBH shall be preserved. Protected trees with 8" DBH or greater shall be preserved at a minimum of 40%, and mitigation shall be required for trees that are removed in accordance with section 28.006 of the Ordinance.



3.2 Old Fitzhugh Road Historic District Design Guidelines

The Old Fitzhugh Road Historic District area historically consisted of scattered homes and small-scale subsistence farms and ranches. As transportation networks improved in the early decades of the twentieth century, numerous new residences were constructed along the roadway, many of which utilized local construction materials such as lumber and native limestone. A majority of these early homes were humble bungalows, some with modest Craftsman style details. In the mid-century, homes in the district incorporated more modern materials and forms typical of the post-war era, including Minimal Traditional and Ranch styles.

Architectural styles include National Folk (ex. Resource 36A), Folk Victorian (Resource 31A), Stylized Craftsman (Resource 33A), Vernacular Craftsman (ex. Resource 11A) and Minimal Traditional (ex. Resource 9), and Ranch. Regardless of style, a majority of existing historic-age resources are 1-story, or at most a very low 1½-story, with low-pitched roofs and simple massing. Most historic-age resources have roofs covered with corrugated or standing-seam metal. Many historic-age resources utilize native limestone either as a main cladding material (such as Resources 22A, 23A, and 27A) or as decorative features such as chimneys, accent walls, water tables, and foundations (as on Resources 5A, 10, 12, 15, 28). Most historic-age resources are also relatively plain with modest or no decorative detailing. Resource 14, which stands out as one of the most stylized buildings in the district, was relocated to the district c. 1970, likely from Austin. Refer to [Old Fitzhugh Road Inventory Table](#) of existing design and architectural styles for more information.





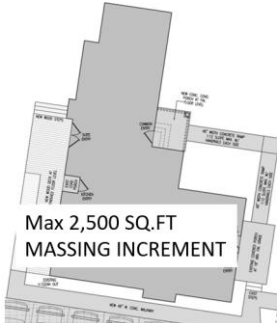
a) *Vision for the Old Fitzhugh Road Historic District*

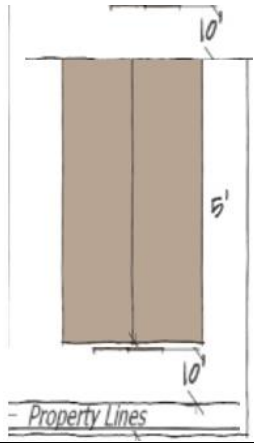

- i) Period of significance (1890-1970)
- ii) Historic farmsteads, rustic character, and eclectic businesses
- iii) Adaptive re-use, rehabilitaton, landscape preservation
- iv) Permitted and prohibited land uses




b) *Design Standards for the Old Fitzhugh Road Historic District*

- i) Paint color schemes. Painting of masonry and stone is prohibited. Paint schemes for other types of exterior finishes may be selected from approved paint color palettes whenever appropriate.
- i) Lighting. Pedestrian street lighting in Old Fitzhugh District will be replica of Mercer District lighting.
- ii) Standards for new buildings and reconstruction

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Building Height. The maximum allowable building height in the Old Fitzhugh Road Historic District is limited to two (2) or two and a half (2.5) stories (not to exceed forty (40) feet), which is the height of the tallest building within the viewshed of the District (the Old Dripping Springs Academy building located in the adjacent Mercer Street Historic District).</p>	

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Building Width. Building widths may not exceed forty-five (45) feet along Old Fitzhugh Road. Building widths may not exceed sixty (60 feet) along RR 12. Buildings must include articulation at a maximum of 45-foot increments.</p>	
<p>Building Footprint. The maximum allowable building footprint in the Old Fitzhugh Road Historic District is 5,000 square feet for a contiguous building footprint, with maximum massing increments of 2,500 square feet.</p>	

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Front and Rear Yard Setbacks. The minimum front and rear yard setback is ten (10) feet. The minimum side yard setback is five (5) feet.</p>	
<p>Building Orientation. Primary building entry shall be oriented toward the street of the building's address.</p>	

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Building Facade Materials. Buildings shall maintain historic native stone or wood for all outer walls (minimum of 75% of net square footage). Porches and trims shall be constructed of wood.</p>	
<p>Porches. All primary building entrances facing Old Fitzhugh Road or RR 12 shall be covered by an awning or porch, that will extend across a minimum of 50% of the building façade.</p>	
<p>Roofs. Roofs shall be sloped metal roofs or 30-year composition shingles of a type or finish approved by the City of Dripping Springs.</p>	
<p>Parking. On-site parking shall be located to the rear of the building. Limited parking in the front yard may also be</p>	

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
permitted, however, existing trees must be protected and preserved.	
Landscaping and Tree Preservation. Patios, decks, courtyards, and gardens should be located to reduce visual impacts on the historic neighborhood streetscape when practical and consistent with the design guidelines.. Historic walls, gates, fences, outbuildings, cisterns, objects, and notable landscape features shall be preserved. Trees over 8 inches diameter breast height will be replaced, and heritage trees over 18 inches diameter breast height shall be preserved. Landscape plantings shall comply with the CODS Native Plant List.	Refer to Mercer Street Historic District Chapter for more information about Landscaping and Trees.
Sidewalks	Eight feet wide sidewalks are required, whenever feasible, for Historic District properties with frontage along Old Fitzhugh Rd and/or RR12.
Signs	Refer to Mercer Street Historic District Chapter for more information about signs.

3.3 Hays Street Historic District Design Guidelines

From 1881 to 1911, Chapman expanded the town of Dripping Springs, platting almost all of the present-day Hays Street Historic District. Land south of Hays Street and west of Bluff Street contained agricultural homesteads. The Austin-Fredericksburg Road (roughly present-day Mercer Street) was the main commercial core of the community. The character of this district is defined mainly by twentieth century, single family dwellings with informal yards, quaint landscaping features and mature trees.





Architectural styles in the Hays Historic District include Folk Victorian (Resource H13A), Greek Revival (Resource H18), Craftsman/Vernacular Craftsman (Resources H4A, H4B), and Minimal Traditional (H15A). Refer to [Hays Street Inventory Table](#) for more information.

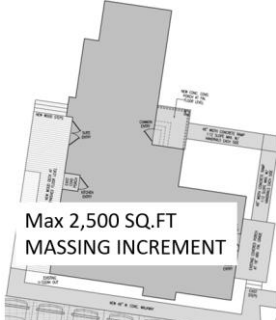
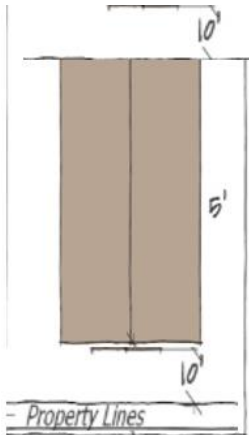
- a) *Vision for Hays Street Historic District*
 - i) Period of significance: 1855-1976
 - ii) Historic neighborhood scale and character




- iii) Adaptive reuse and sensitive infill, tree preservation
- iv) Permitted and prohibited land uses


b) *Design Standards for Hays Street Historic District*

- i) Paint color schemes. Painting of masonry and stone is prohibited. Paint schemes for other types of exterior finishes can be selected from approved paint palettes as appropriate.
- ii) Lighting
- iii) Standards for new buildings and reconstruction

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Building Height. The maximum allowable building height in the Hays Street Historic District is limited to one and a half (1.5) to two (2) stories, not to exceed forty (40) feet.</p>	 <p>Max 40 FT</p>
<p>Building Width. Building widths may not exceed forty (40) feet along Hays Street. Building widths may not exceed sixty (60 feet) along US 290. Buildings must include articulation at a maximum of 40-foot increments.</p>	 <p>Max 40 FT</p>

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Building Footprint. The maximum allowable building footprint in the Historic District is 5,000 square feet for a contiguous building footprint, with maximum massing increments of 3,500 square feet.</p>	 <p>Max 2,500 SQ.FT MASSING INCREMENT</p>
<p>Front and Rear Yard Setbacks. The minimum front and rear yard setback is ten (10) feet. The minimum side yard setback is five (5) feet.</p>	 <p>10' 5' 10' - Property Lines</p>

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Building Orientation. Primary building entry shall be oriented toward the street of the building's address.</p>	
<p>Building Facade materials. At least seventy-five percent (75%) of net exterior wall square footage must be historic native stone or wood. Porches and trim must be wood or another material approved as compatible through the COA process..</p>	
<p>Porches. All primary building entrances shall be covered by an awning or porch, that will extend across a minimum of 50% of the building façade.</p>	

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
<p>Roofs. Roofs shall be sloped metal roofs or 30-year composition shingles of a type or finish approved by the City of Dripping Springs.</p>	
<p>Parking. Development Standards and Land Use Regulations, Off-street Parking and Loading. On-site parking shall be located to the rear of the building. Limited parking in the front yard may also be permitted, however, existing trees must be protected and preserved.</p>	<p>Refer to Mercer Street Historic District Chapter for more information about parking.</p>
<p>Landscaping and Tree Preservation. Patios, decks, courtyards and gardens must be located at the rear of properties along Old Fitzhugh Road. Historic walls, gates, fences, outbuildings, cisterns, objects, and notable landscape features shall be preserved. Trees greater than eight (8) inches diameter at breast height must be preserved or replaced as required by the City Code. Heritage trees greater than eighteen (18) inches diameter at breast height must be preserved unless removal is approved under applicable City regulations. Landscape plantings shall comply with the CODS Native Plant List.</p>	<p>Refer to Mercer Street Historic District Chapter for more information about Landscaping and Trees.</p>

<i>Design Standards for Buildings and Lots</i>	<i>Dimensions</i>
Sidewalks	Five feet wide sidewalks are required, whenever feasible, for properties in the Hays Street Historic District.
Signs	Refer to Mercer Street Historic District Chapter for more information about signs.

- 2) Guidelines for Historic Landmarks not Located in the Historic Districts
- 3) Appendix- Paint scheme palettes for historic resources

Contents

- SECTION 4. OVERLAY DISTRICTS 1
- Division 2. Historic Preservation 1**
- Sec. 4.2.1. Short Title..... 1
- Sec. 4.2.2. Purpose 1
- Sec. 4.2.3. When This Division Applies 1
- Sec. 4.2.4. Applicant’s Responsibility 2
- Sec. 4.2.5. Rules for Reading This Division and Definitions..... 2
- Sec. 4.2.6. Historic Preservation Officer 4
- Sec. 4.2.7. Historic Preservation Commission..... 5
- Sec. 4.2.8. How Historic Landmarks and Historic Districts Are Designated 5
- Sec. 4.2.9. Criteria for Designation 6
- Sec. 4.2.10. Design Guidelines and Incentives 6
- Sec. 4.2.11. When a Certificate of Appropriateness Is Required 7
- Sec. 4.2.12. Work That Does Not Require a COA..... 8
- Sec. 4.2.13. How the City Reviews a COA Application..... 9
- Sec. 4.2.14. COA Application Steps and Deadlines 9
- Sec. 4.2.15. Administrative COA for Minor Work 12
- Sec. 4.2.16. Alternative Exterior Design Standards 13
- Sec. 4.2.17. Demolition or Relocation..... 13
- Sec. 4.2.18. Economic Hardship..... 15
- Sec. 4.2.19. Inspections and Stop-Work Orders 17
- Sec. 4.2.20. Demolition by Neglect 17
- Sec. 4.2.21. Fees 18
- Sec. 4.2.22. Enforcement and Penalties..... 18

SECTION 4. OVERLAY DISTRICTS

Division 2. Historic Preservation

Sec. 4.2.1. Short Title

This division may be cited as the **Historic Preservation Ordinance**.

Sec. 4.2.2. Purpose

- (a) This division protects the City's historic buildings, sites, structures, objects, landscapes, landmarks, and historic districts.
- (b) The City Council finds that historic preservation benefits the public by protecting community character, supporting education and civic pride, encouraging reinvestment, and promoting the City's cultural and economic welfare.
- (c) This division is intended to do the following:
 - (1) Protect places that reflect the City's history, architecture, archeology, culture, and community identity;
 - (2) Encourage maintenance, repair, rehabilitation, and adaptive reuse of historic properties;
 - (3) Help new construction and exterior changes fit the character of historic districts;
 - (4) Provide a clear review process for property owners and applicants;
 - (5) Protect the City's attractiveness to residents, visitors, and businesses;
and
 - (6) Support orderly growth while preserving important historic resources.

Sec. 4.2.3. When This Division Applies

- (a) This division applies to historic landmarks, historic resources, and properties located in a historic district.
- (b) A certificate of appropriateness is required when this division requires City review before work begins.

- (c) The certificate of appropriateness requirements apply to the following:
 - (1) A designated historic landmark;
 - (2) A property located in a historic district; and
 - (3) A building, structure, object, site, landscape feature, or other improvement listed as a historic resource in the most recently approved City historic resource survey or applicable historic district resource survey.
- (d) Ordinary repairs and maintenance do not require a certificate of appropriateness unless the work includes a change that this division requires the City to review.
- (e) A certificate of appropriateness does not replace any other permit or approval required by the City Code.
- (f) If this division conflicts with another City rule, the more restrictive rule controls unless state or federal law requires a different result.

Sec. 4.2.4. Applicant's Responsibility

An applicant must show that the application meets this division, the applicable historic district standards, and any applicable design guidelines.

Sec. 4.2.5. Rules for Reading This Division and Definitions

- (a) Words defined in this section have the meanings stated in this section.
- (b) Words not defined in this section have the meanings given in the City Code.
- (c) Words not defined in this section or elsewhere in the City Code have their ordinary meaning.
- (d) The words "shall" and "must" mean that something is required.
- (e) The word "may" means that something is allowed but not required.
- (f) The word "should" means that something is recommended unless another part of this division makes it mandatory.
- (g) In this division, the following terms have the meanings stated below:

- (1) **Administrative Certificate of Appropriateness or Administrative COA** means a certificate of appropriateness approved by the Historic Preservation Officer without a full Commission hearing.
- (2) **Alteration** means a physical change to the outside of a building, structure, object, site, landscape feature, or other improvement.
- (3) **Applicant** means a property owner or a person authorized by the property owner to file an application.
- (4) **Building** means a structure used or intended for shelter, occupancy, housing, or enclosure.
- (5) **Certificate of Appropriateness or COA** means written City approval for specific work covered by this division.
- (6) **City** means the City of Dripping Springs, Texas.
- (7) **City Council** means the City Council of the City of Dripping Springs, Texas.
- (8) **Commission** means the Historic Preservation Commission.
- (9) **Concept site plan** means a drawing that shows the general layout of a proposed project and the information needed to review it.
- (10) **Design guidelines** means the historic district development and design guidelines adopted by the City Council, as amended.
- (11) **Historic district** means an area designated by ordinance as a historic overlay district.
- (12) **Exterior feature** means an outside feature of a property, including walls, windows, doors, porches, roofs, materials, paint colors, signs, lights, fences, sidewalks, driveways, parking areas, and landscape features.
- (13) **Historic landmark** means an individual building, structure, object, site, or landscape feature designated by ordinance as historic.
- (14) **Historic Preservation Officer or Officer** means the person appointed to administer this division, or that person's designee.

- (15) **Historic resource** or **resource** means a building, structure, object, site, landscape feature, or other improvement identified as a historic resource in an approved City historic resource survey.
- (16) **Historic Resource Survey** means a City-approved survey that identifies and evaluates historic resources.
- (17) **Ordinary repairs and maintenance** means work that prevents or fixes deterioration without changing the exterior design, appearance, size, location, or historic materials of the property.
- (18) **Person** means an individual, organization, business entity, trust, association, partnership, company, government entity, or other legal entity.
- (19) **Preservation priority rating** means the high, medium, or low rating assigned to a resource in an approved City historic resource survey.
- (20) **Public right-of-way** or **ROW** means a public street, alley, sidewalk, trail, or other public right-of-way.

Sec. 4.2.6. Historic Preservation Officer

- (a) The Mayor shall appoint a qualified City official, staff person, or appropriate resident to serve as the Historic Preservation Officer.
- (b) The Officer shall administer this division.
- (c) The Officer shall help applicants understand the review process.
- (d) The Officer may approve, approve with conditions, or deny applications that are eligible for administrative review.
- (e) The Officer shall advise the Commission on matters submitted to the Commission.
- (f) The Officer shall coordinate the City's preservation work with public agencies and preservation organizations.
- (g) The Officer shall maintain or help maintain City records for historic landmarks, historic districts, historic resources, COAs, administrative COAs, and historic resource surveys.

Sec. 4.2.7. Historic Preservation Commission

- (a) The Commission has the powers and duties assigned by the City Code.
- (b) Under this division, the Commission reviews and acts on designation requests, COA applications, demolition and relocation requests, hardship requests, appeals from administrative decisions, and other historic preservation matters.

Sec. 4.2.8. How Historic Landmarks and Historic Districts Are Designated

- (a) The City Council may designate individual historic landmarks and historic districts by ordinance.
- (b) A historic district is shown as an “HO” historic overlay district on the official zoning map.
- (c) A designation request may be started by a property owner, the Commission, or the City Council.
- (d) An individual building or site may not be designated as a historic landmark without the owner’s consent.
- (e) Property owners must receive mailed notice at least ten (10) days before the Commission holds a hearing on a proposed designation or removal of designation.
- (f) At the Commission hearing, owners, interested persons, and experts may submit testimony and documents.
- (g) The Commission may recommend designation if the property or district meets at least one criterion in Sec. 4.2.9.
- (h) After a Commission recommendation, the proposed designation must be sent to the Planning and Zoning Commission within thirty (30) days.
- (i) The Planning and Zoning Commission must hold a hearing within forty-five (45) days after receiving the Commission’s recommendation.
- (j) Notice of the Planning and Zoning Commission hearing must be mailed to property owners within two hundred (200) feet and published in the official local newspaper at least ten (10) days before the hearing.

- (k) The City Council must hold a hearing within forty-five (45) days after receiving the Planning and Zoning Commission's recommendation.
- (l) Notice of the City Council hearing must be mailed to property owners within two hundred (200) feet and published in the official local newspaper at least ten (10) days before the hearing.
- (m) The City may give notice of the City Council hearing at the same time it gives notice of the Planning and Zoning Commission hearing.
- (n) After designation, the City shall record the designation in the appropriate City, county, appraisal district, and zoning map records.

Sec. 4.2.9. Criteria for Designation

A property or district may be designated if it meets one or more of the following criteria:

- (1) It is important to history, architecture, archeology, engineering, culture, or community development;
- (2) It is connected to events that made an important contribution to local, regional, state, or national history;
- (3) It is connected to the lives of important persons;
- (4) It shows the distinctive features of a type, period, style, or method of construction;
- (5) It represents the work of a master designer, builder, architect, engineer, landscape architect, artisan, or craftsperson;
- (6) It is an established and familiar visual feature of the City;
- (7) It has archeological importance or may provide important historic or prehistoric information; or
- (8) It contributes to the character of an existing or proposed historic district.

Sec. 4.2.10. Design Guidelines and Incentives

- (a) The City Council may adopt, amend, or replace historic district design guidelines by ordinance or resolution.

- (b) The Commission and Officer shall use adopted design guidelines when reviewing applications under this division.
- (c) The City shall make the design guidelines available to property owners.
- (d) A design guideline is mandatory only if it is written as a requirement or incorporated into this division or the applicable historic district standards.
- (e) The City Council may approve incentives for historic preservation by ordinance or resolution.
- (f) Incentives may include financial, regulatory, or other benefits approved by the City Council.
- (g) A person who performs work without a required COA or permit is not eligible for historic preservation incentives for the affected property unless eligibility is restored under the applicable incentive program or by City Council action.

Sec. 4.2.11. When a Certificate of Appropriateness Is Required

- (a) A person must obtain a COA before starting any covered work on a historic landmark, historic resource, or property in a historic district.
- (b) Covered work includes construction, reconstruction, exterior alteration, restoration, rehabilitation, relocation, and demolition.
- (c) A person must obtain a COA before making a significant visible exterior change that affects the appearance or character of a historic landmark, historic resource, or property in a historic district.
- (d) Visible exterior changes may include changes to paint colors, lights, windows, doors, sidewalks, fences, signs, parking areas, porches, roofs, exterior materials, and other exterior features visible from a public right-of-way.
- (e) A person may not paint previously unpainted stone or masonry unless the City approves the work by COA.
- (f) The Commission issues COAs unless this division allows the Officer to issue an administrative COA.

- (g) The City may not issue a building permit, site development permit, sign permit, demolition permit, relocation permit, or other permit for work covered by this division until the required COA has been issued.
- (h) Approved work must follow the approved plans and all COA conditions.

Sec. 4.2.12. Work That Does Not Require a COA

- (a) Ordinary repairs and maintenance do not require a COA.
- (b) Ordinary repairs and maintenance include the following work if the work does not change exterior design, appearance, size, location, or historic materials:
 - (1) Repainting exterior surfaces using the existing paint colors;
 - (2) Replacing a non-historic door with a door that fits the character and era of the building;
 - (3) Painting a door with a color from the approved design guideline color palette;
 - (4) Removing non-historic features such as burglar bars, non-original awnings, or non-original shutters;
 - (5) Making slight changes to exterior steps, walkways, or stairways using the same or closely matching materials;
 - (6) Adding louvers or vents within an existing opening when no other exterior change is needed;
 - (7) Replacing roofing with roofing of the same or consistent material, height, color, and style;
 - (8) Installing temporary materials to protect, weatherize, or stabilize a historic resource, subject to City approval within a reasonable time if required; and
 - (9) Installing mechanical, electrical, plumbing, HVAC, antenna, or communication equipment that is not visible from a public right-of-way and does not require modification to a historic resource.

- (c) Even if a COA is not required, the owner must still obtain any other required City permit.

Sec. 4.2.13. How the City Reviews a COA Application

- (a) The Commission or Officer shall review the application using this division, the applicable historic resource survey, any preservation priority rating, applicable historic district standards, and adopted design guidelines.
- (b) The Commission or Officer shall apply the Secretary of the Interior's Standards for Rehabilitation when those standards are relevant.
- (c) The review should focus on whether the proposed work preserves important historic materials and features.
- (d) The review should also consider whether the proposed work is compatible with the property and the surrounding district.
- (e) Compatibility may include height, size, massing, materials, setbacks, orientation, proportion, rhythm, scale, roof form, and site features.
- (f) High-rated resources should receive the strongest protection from alteration and demolition.
- (g) Medium-rated resources should generally be protected from demolition and should maintain or improve important architectural features when possible.
- (h) Low-rated resources may be considered for alteration, relocation, or demolition if the Commission finds that the work will have little or no adverse effect on the district or property.

Sec. 4.2.14. COA Application Steps and Deadlines

- (a) Before starting work that requires a COA, the owner or applicant shall request a predevelopment meeting with the Planning Department.
- (b) The predevelopment meeting should identify the applicable zoning, preservation rating, design guidelines, required permits, and review process.
- (c) After the predevelopment meeting, the applicant shall file a complete application with the Planning Department on a City-approved form.
- (d) The application shall include the following materials unless the Officer waives a requirement because it is not needed:

- (1) Applicant name and contact information;
 - (2) Property owner name and contact information, if different from the applicant;
 - (3) Written owner authorization if the applicant is not the owner;
 - (4) A description of the proposed work;
 - (5) A description of how the proposed work fits the property, district, and applicable zoning requirements;
 - (6) Photographs of the property and nearby properties;
 - (7) A concept site plan if site layout is relevant;
 - (8) Elevation drawings if exterior changes are proposed;
 - (9) Material samples or descriptions;
 - (10) Color chips or color specifications, if colors are proposed;
 - (11) Proposed start and completion dates;
 - (12) Sign information if signs or lettering are proposed;
 - (13) Billing contact information for review fees, if required; and
 - (14) Any other information reasonably needed to evaluate the work.
- (e) The Planning Department or Officer shall determine whether the application is complete.
- (f) If the application is incomplete, the City shall tell the applicant what is missing.
- (g) Unless the application qualifies for administrative approval, the Commission shall review the application at a regular meeting within sixty (60) days after the application is deemed complete.
- (h) The applicant must have an opportunity to be heard at the Commission meeting.

- (i) The Commission shall approve, approve with conditions, approve with modifications, or deny the application within forty-five (45) days after the meeting at which the application is reviewed, unless the applicant agrees in writing to more time.
- (j) If the Commission does not act within ninety (90) days after the application is deemed complete, the application is approved by operation of law unless the applicant agrees in writing to more time or the delay is caused by the applicant's failure to provide required information.
- (k) All decisions must be in writing and must state the reasons for the decision.
- (l) The City shall send the decision to the applicant and keep a copy in the property file.
- (m) A COA expires two (2) years after issuance if the approved work has not started.
- (n) A COA expires three (3) years after issuance if the approved work has not been completed.
- (o) A COA may be extended for up to six (6) months for good cause.
- (p) The City should confirm whether the Officer, Commission, or City Council will approve COA extensions.
- (q) A denied COA application may not be resubmitted for twelve (12) months unless the Officer determines that the new application includes a significant change.
- (r) A COA may be issued for separate phases of a project.
- (s) An applicant may appeal a Commission decision to the City Council by filing a written appeal within thirty (30) days after receiving notice of the decision.
- (t) The City Council shall hold a hearing within thirty (30) days after receiving the appeal.
- (u) The City Council shall decide the appeal within thirty (30) days after the hearing.
- (v) If the Commission unanimously recommends denial, City Council approval requires a two-thirds vote of the City Council members present and voting.

Sec. 4.2.15. Administrative COA for Minor Work

- (a) The administrative COA process allows faster review for minor work that still requires a COA.
- (b) The Officer may approve, approve with conditions, or deny an administrative COA without public notice or a hearing.
- (c) The Officer shall decide a complete administrative COA application within fifteen (15) business days.
- (d) The following work may qualify for an administrative COA if it meets this division and the applicable design guidelines:
 - (1) Changing paint colors on previously painted surfaces using approved color palettes;
 - (2) Changing fabric colors using approved color palettes;
 - (3) Removing paint to expose original masonry;
 - (4) Replacing existing windows or shutters with similar windows or shutters, without changing the size or location of the opening;
 - (5) Replacing exterior historic doors facing a public right-of-way or alley without relocating entry or exit points;
 - (6) Replacing exterior light fixtures facing a public right-of-way or alley;
 - (7) Removing, replacing, or painting a historic fence facing a public right-of-way or alley;
 - (8) Constructing a rear addition under two hundred (200) square feet on a low-rated structure if the addition uses the same non-historic material and keeps the existing roof ridgeline;
 - (9) Constructing ADA ramps, porches, decks, pools, fountains, and similar yard amenities when Commission review is not otherwise required; and
 - (10) Similar work that the Officer determines is comparable in size, visibility, and potential impact.

- (e) The exception in subsection (d)(8) does not apply if the property is in the Old Fitzhugh Road Historic District and has frontage on both Old Fitzhugh Road and Ranch Road 12.
- (f) If the Officer denies an administrative COA, the applicant may appeal to the Commission by filing a written appeal with the Planning Department within thirty (30) days after the denial.
- (g) The Commission shall review the appeal at the next practicable Commission meeting.
- (h) The Commission may approve, approve with conditions, deny, or continue the application to a specific later date for stated reasons.
- (i) A Commission decision on an administrative COA appeal may be appealed to the City Council under Sec. 4.2.14.

Sec. 4.2.16. Alternative Exterior Design Standards

- (a) An applicant may request alternative exterior design standards for new construction in a historic district when strict compliance is undesirable or impractical because of site conditions.
- (b) The applicant must submit the request with the COA application.
- (c) The request must explain the alternative standards and why they are needed.
- (d) (d) The alternative standards, taken as a whole, must meet or exceed the purpose of the adopted design guidelines.
- (e) If the applicant asks to reduce or modify one design requirement, the applicant should propose other design features, landscape features, preservation measures, or enhancements to offset the change.
- (f) The Commission shall approve, approve with conditions, or deny the alternative standards as part of the COA review.
- (g) The applicant may appeal the Commission's decision under the COA appeal process.

Sec. 4.2.17. Demolition or Relocation

- (a) A person must obtain a COA before demolishing or relocating a historic landmark or a property in a historic district.

- (b) This requirement includes secondary buildings, outbuildings, objects, and landscape features.
- (c) The application must include the information required for a COA and any additional information needed to evaluate the proposed demolition or relocation.
- (d) Additional information may include photographs, condition reports, structural reports, reuse options, relocation options, alternatives to demolition, and economic information if hardship is claimed.
- (e) The Commission shall consider the following when reviewing demolition or relocation:
 - (1) The historic, architectural, archeological, cultural, and community significance of the resource;
 - (2) The resource's preservation priority rating;
 - (3) The resource's contribution to the historic district or surrounding properties;
 - (4) Whether the resource is structurally unsafe;
 - (5) Whether reasonable alternatives to demolition or relocation exist;
 - (6) Whether the applicant made good-faith efforts to preserve, rehabilitate, stabilize, sell, lease, relocate, or otherwise avoid demolition;
 - (7) The effect of demolition or relocation on the district or property; and
 - (8) Any proposed mitigation, documentation, salvage, interpretation, redevelopment, or replacement plan.
- (f) The Commission may place conditions on approval of demolition or relocation.
- (g) Conditions may include documentation, salvage, relocation efforts, site stabilization, tree protection, redevelopment plan approval, or other measures related to historic preservation.
- (h) The City may take emergency action needed to protect public health and safety.

- (i) In an emergency, the City should consider reasonable preservation alternatives when practicable.
- (j) If an applicant requests approval to demolish a historic landmark, historic resource, or contributing structure and proposes replacement construction, the Commission may condition approval on safeguards that ensure the replacement project is approved, permitted, and diligently pursued.
- (k) The City may withhold release of a demolition permit until the applicant has obtained approval of the replacement building, obtained all required permits for the replacement building, executed any demolition and replacement agreement required by the City, recorded any required covenant or notice in the county real property records, and posted any required financial security.
- (l) A demolition and replacement agreement may require the owner to begin and complete replacement construction by stated deadlines, maintain the site in a safe and clean condition after demolition, comply with approved plans, and ensure that any later owner assumes the obligations before transfer of the property.
- (m) The City may require a demolition and replacement agreement or covenant to run with the land and bind the owner's successors and assigns to the extent allowed by law.
- (n) The City may require financial security, in a form approved by the City Attorney, to secure site stabilization, public-safety measures, required screening, erosion control, and other obligations related to demolition and replacement construction.
- (o) If the owner fails to meet the approved schedule or violates the demolition and replacement agreement, the City may use any remedy available under this division, the agreement, the financial security, the City Code, or law.

Sec. 4.2.18. Economic Hardship

- (a) An applicant may request an economic hardship determination after receiving written notice that a COA or related approval has been denied.
- (b) A permit or COA based on economic hardship may not be issued unless the City finds that economic hardship exists.
- (c) The applicant must prove the following:

- (1) The property cannot earn a reasonable return, even if the return is not the highest possible return;
 - (2) The property cannot reasonably be adapted to another use that would earn a reasonable return; and
 - (3) The applicant has tried and failed to find a buyer interested in acquiring and preserving the property.
- (d) The applicant must work in good faith with the Commission, local preservation groups, and interested persons to look for a preservation alternative.
 - (e) The applicant must document those efforts.
 - (f) The Commission shall hold a public hearing within sixty (60) days after the Officer receives the hardship request.
 - (g) The Commission shall issue a written decision or recommendation within thirty (30) days after the hearing.
 - (h) If the Commission does not act within ninety (90) days after receiving the hardship request, the Officer may issue an economic hardship letter.
 - (i) The written decision must state the reasons for granting or denying hardship.
 - (j) The City shall deliver the decision to the applicant and file a copy with the City Secretary.
 - (k) The applicant may appeal the Commission's hardship decision to the Planning and Zoning Commission within thirty (30) days after receiving notice of the decision.
 - (l) The Planning and Zoning Commission shall hold a hearing within thirty (30) days after receiving the appeal and shall decide the appeal within thirty (30) days after the hearing.
 - (m) If two-thirds of the Commission members present and voting denied the hardship request, Planning and Zoning Commission approval requires a two-thirds vote of the members present and voting.

- (n) The applicant may appeal the Planning and Zoning Commission's decision to the City Council within thirty (30) days after receiving notice of that decision.
- (o) The City Council shall hold a hearing within thirty (30) days after receiving the appeal and shall decide the appeal within thirty (30) days after the hearing.
- (p) If two-thirds of the Planning and Zoning Commission members present and voting denied the hardship appeal, City Council approval requires a two-thirds vote of the City Council members present and voting.

Sec. 4.2.19. Inspections and Stop-Work Orders

- (a) Approved work must follow the approved plans and conditions.
- (b) The Building Official, Officer, or their designee may inspect approved work for compliance.
- (c) The City may issue a stop-work order if work does not follow the approval, approved plans, or this division.
- (d) When a stop-work order is issued, all work covered by the order must stop immediately.
- (e) No further work may occur while the stop-work order is in effect, except work authorized by the City to secure, stabilize, or protect the property.

Sec. 4.2.20. Demolition by Neglect

- (a) An owner or other person with an interest in a historic landmark or property in a historic district may not allow the property to deteriorate so severely that it harms the historic character of the property or district.
- (b) Demolition by neglect may include the following conditions:
 - (1) Deteriorated exterior walls or supports;
 - (2) Deteriorated roofs or horizontal members;
 - (3) Deteriorated chimneys;
 - (4) Crumbling stucco, masonry, or mortar;
 - (5) Failed waterproofing of exterior walls, roofs, or foundations;

- (6) Broken windows or doors; and
 - (7) Deterioration that creates a hazardous condition and may lead to a claim that demolition is needed for public safety.
- (c) The City may require corrective action or use any available enforcement remedy to address demolition by neglect.

Sec. 4.2.21. Fees

- (a) COA application fees are waived unless a property owner violates this division by performing work without a required COA or permit.
- (b) After a violation, the property owner must pay all applicable application fees, permit fees, inspection fees, consulting fees, and other fees established by the City Council.
- (c) The City may require an applicant to reimburse reasonable consulting fees when authorized by the City Code, fee schedule, or City policy.

Sec. 4.2.22. Enforcement and Penalties

- (a) The City may enforce this division as allowed by law.
- (b) A violation of this division is a nuisance.
- (c) A person commits an offense if the person violates this division.
- (d) A person also commits an offense if the person does any of the following without a required COA, administrative COA, or other required approval:
 - (1) Alters an exterior elevation or exterior feature of a historic landmark or historic resource facing a public right-of-way;
 - (2) Alters, demolishes, or removes an exterior feature of a designated historic landmark;
 - (3) Alters, demolishes, or removes an exterior feature of a surveyed resource in a historic district;
 - (4) Changes approved site plans, building plans, or COA conditions without City approval;

- (5) Demolishes or relocates a historic resource, building, structure, outbuilding, object, or landscape feature in a historic district; or
 - (6) Removes a Heritage tree without a required waiver, COA, or other approval.
- (e) Subsection (d)(6) does not apply to a tree that is dead, dying, or struck by lightning if proof is provided to the City before removal or as soon as practicable in an emergency.
 - (f) A person convicted of violating this division may be fined up to two thousand dollars (\$2,000.00) if the violation governs fire safety, zoning, public health, or sanitation.
 - (g) A person convicted of any other violation may be fined up to five hundred dollars (\$500.00).
 - (h) Each day a violation continues is a separate offense.
 - (i) The City may also bring a civil action to enforce this division.
 - (j) Civil remedies may include the following:
 - (1) An injunction to stop a violation;
 - (2) An injunction to require compliance;
 - (3) A civil penalty of up to five hundred dollars (\$500.00) per day when allowed by law;
 - (4) Loss of historic preservation incentives;
 - (5) Recovery of fees, costs, and expenses when allowed by law; and
 - (6) Any other remedy allowed by law.
 - (k) The City's remedies are cumulative, and the City may use any remedy allowed by this division, the City Code, or law.