

## Houston Heights Historic Districts Design Guidelines

### Recommendations resulting from Public Hearing comments.

Item	Document Section	Comment	Discussion	Staff Recommendations	HAHC Decision
<b>Comments provided by the Public</b>					
1	Section 1, page 8	<ul style="list-style-type: none"> <li>Expand the context area to have a minimum of 50% of the structures in the context area identified as contributing.</li> </ul>	Section 33-201 gives the Commission the ability to expand the context area if they find that unusual and compelling circumstances exist. Nothing in the Design Guidelines removes that authority.	No change.	Accept Staff Recommendation.
2	Section 4, pp. 13-18	<ul style="list-style-type: none"> <li>Allow owners to replace windows as needed</li> <li>Allow owners to replace windows damaged 50% or more</li> <li>Allow owners to replace SASHES ONLY on windows (keep orig. frame and trim)</li> </ul>	<p>Windows are important character-defining features on historic structures. Their craftsmanship and old growth materials cannot be simply replicated today. As such these important features should be retained, if possible. New windows are permitted to be installed in additions and new construction. If a window is deemed to be damaged beyond repair, a new window may be installed.</p> <p>The evaluation of window damage is complex and may not necessarily be quantifiable. Windows are constructed from many components, each which have different impacts to the integrity and character of the historic material. As such, identifying when a window is damage beyond repair should be based on a case-by-case basis with the applicant, staff, and commission.</p>	Remove the formula for considering when windows can be replaced from the design guidelines.	Accept Staff Recommendation.
3	Section 5, Page 5, 6, 16	<ul style="list-style-type: none"> <li>Allow camelbacks</li> <li>Allow second-story additions (i.e. build atop existing home)</li> </ul>	Rooftop additions, often called Camelbacks, are allowed by these guidelines. See Section 6, Pages 16, 18. These drawing show appropriate and inappropriate rooftop additions.	No change.	Accept Staff Recommendation.

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4	Section 5; Page 5, 6, 15, 16	<ul style="list-style-type: none"> <li>Ridge/eave heights should take into account context area heights and finished floor heights</li> </ul>	<p>The context area helps identify and define what characterizes were historically found on structures in the nearby vicinity (in this case, the block and opposing blockface).</p> <p>Section 33-201 gives the Commission the ability to expand the context area if they find that unusual and compelling circumstances exist. Nothing in the Design Guidelines removes that authority. Nothing in the Design Guidelines removes that authority.</p>	No change.	Accept Staff Recommendation.
5	Section 5, Page 5, 6, 16	<ul style="list-style-type: none"> <li>Increase Plate Height</li> </ul>	<p>Plate height is the distance between the subfloor of a building to the top of the framed wall; in other words, it is the height of one “floor” of the building. The most common type of house in the district is a Craftsman bungalow, with a smaller number of modest Queen Anne houses. While Queen Anne houses are more vertically oriented than bungalows, a review of recent applications for COAs, which require the reporting of plate heights, shown that a 9' first-floor plate height is common across both styles, with no first-floor plate heights above 11'.</p> <p>The design guidelines set a plate height of 10' for the first floor and 9' for the second floor (which is traditionally less tall). However, the plate heights of an addition can match those of an existing house (or be lower), no matter how tall.</p> <p>Furthermore, higher ceilings are easily obtained in second floors by “tucking the height into the eaves.”</p>	<p>Maintain the 10' first-floor 9' second-floor limitation.</p> <p>Add language in the design guidelines to encourage the use of coffered ceilings to obtain the higher second-floor ceiling while maintaining the 9' plate height.</p>	<p>Maintain the 10' first-floor 9' second-floor limitation.</p> <p>Remove language in design guidelines that mentioned tucking the ceiling into the eaves. Deemed interior work and out of scope.</p>

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6	Section 5, Page 9	<ul style="list-style-type: none"> <li>Remove lot coverage restriction entirely</li> <li>See additional research into Lot Coverage</li> <li>Increase lot coverage requirement</li> <li>Using both FAR and Lot Coverage is too restrictive</li> </ul>	<p>Combined with the FAR (see comments below), Lot Coverage provides a necessary measure to ensure that structures meet the criteria as set forth in the Code of Ordinances.</p> <p>The Lot Coverage requirements meets the level of community acceptance as identified in the Visual Preference Survey.</p> <p>The design guidelines consultants used the Compatible Design Survey (published in the Strategy Paper) to identify the point where Lot Coverage tipped from compatible to incompatible. The consultants then increased the resulting recommended Lot Coverage for the typical 6,600 square foot by 2 points (e.g., from 0.38 to 0.40) and adjusted the Lot Coverage limits for lots of smaller or larger sizes to assure that, on even the smallest lots, a functional house can be built, and on very large lots, the building will still be compatible with neighboring contributing structures.</p>	No change.	Accept Staff Recommendation.
7	Section 5, Page 11	<ul style="list-style-type: none"> <li>Clarify that setback provision applies only to lots 50' or wider</li> <li>Cumulative side setback should be no greater than 10 ft. for homes &gt;35 ft. wide; on other properties guidelines should adhere to min. setback allowed by Ch. 42</li> </ul>	<p>The Guidelines make no exception for lots less than 50 feet wide. The minimum side setbacks required may be onerous for smaller lots.</p> <p>Depending on the type of street the lot abuts, Chapter 42 requirements may be even more restrictive than the Design Guidelines are.</p>	Allow lots that are under 35 feet wide to have a minimum side setbacks of 3 feet.	Accept Staff Recommendation.

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Item	Document Section	Comment	Discussion	Staff Recommendations	HAHC Decision
8		<ul style="list-style-type: none"> <li>• Decrease cumulative side set back to 8' for 1- and 2-story homes</li> <li>• Decrease setback to 10' for multi-story homes</li> <li>• Decrease side setbacks to 3'</li> <li>• Decrease Side Setbacks to 4'</li> </ul>	<p>In the Compatible Design Survey, respondents were asked to indicate the extent to which they agreed or disagreed with the statement, "A large house next door diminishes privacy in neighbors' back yards." In Houston Heights East and West, at least 2/3 of respondents agreed with this statement; in Houston Heights Historic District South, 50% agreed, 31% disagreed, and the remainder were undecided. In response to the concerns expressed by the community and quantified by the survey, the design guidelines consultants recommend a slightly larger minimum side setback than is allowed by building code.</p> <p>The slightly larger side setback for two-story houses moves the building mass toward the center of the property, away from the property line, and mitigates the looming effect described by concerned property owners.</p>	No change.	Accept Staff Recommendation.
9		<ul style="list-style-type: none"> <li>• Allow garages to have lesser setbacks</li> <li>• Exception to 5' garage setback for detached single-story garage</li> </ul>	<p>The Design Guidelines require that detached garages be placed at the back of the lot. This placement reduces the negative effect a 1 or 2-story garage has on its neighbor.</p>	<p>Add this language: 1-story garages with the front wall set no more than 33' from back of lot may have a 3' side setback. 2-story garages with the front wall set no more than 33' from back of lot may have a 5' side setback.</p>	Accept Staff Recommendation.

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Item	Document Section	Comment	Discussion	Staff Recommendations	HAHC Decision
10	Section 5, Page 12-13	<ul style="list-style-type: none"> <li>• Allow larger homes</li> <li>• FAR is overly burdensome and restrictive</li> <li>• FAR: 50% for 4000-5000; 48% for 5000-6600; 45% for 6600+ lots</li> <li>• Increase FAR</li> <li>• Increase FAR to 50% for all lots</li> <li>• Increase FAR to 53% for 6000-6999 square foot house</li> <li>• Increase FAR to minimum of 0.6</li> <li>• See additional research into FAR</li> </ul>	<p>The historic preservation ordinance requires that new construction and additions be compatible with contributing buildings in the Context area in terms of size, scale and massing. An analysis of GIS data for the three Houston Heights Historic Districts shows that the typical contributing buildings in these three districts are between 1,000–1,500 square feet in size. Houses originally built on double lots, which measured 13,200 square feet, were typically no more than 2,500 square feet in size.</p> <p>The design guidelines consultants used data from the Compatible Design Survey (published in the Strategy Paper) to identify the point where FAR tipped from compatible to incompatible. The consultants then increased the resulting recommended FAR for the typical 6,600 square foot by 2 points (e.g., from 0.42 to 0.44) and adjusted FAR limits for lots of smaller or larger sizes to assure that, on even the smallest lots, a functional house can be built, and on very large lots, the building will still be compatible with neighboring contributing structures.</p>	No change.	Staff Recommendation on FAR percentages. Edit language to exempt dormers. New language as follows: Excluded: All attic space, with or without dormers, with a provision that the roof pitch (within 1 degree (up or down) is typical for the contact area. Remove references to dormer inclusion (page 7-8)
11		<ul style="list-style-type: none"> <li>• Exclude porches from FAR size limit</li> </ul>	Open porches are excluded from the FAR calculations. Enclosed porches with walls are included because they contribute to the structure's visual mass.	No change.	Accept Staff Recommendation.
12		<ul style="list-style-type: none"> <li>• Guidelines should reflect FAR previously allowed (be consistent with existing)</li> </ul>	The Historic Preservation Ordinance has never previously used FAR.	No change.	Accept Staff Recommendation.

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Item	Document Section	Comment	Discussion	Staff Recommendations	HAHC Decision
13		<ul style="list-style-type: none"> <li>Do not include garage square footage in FAR</li> <li>Increase garage exemption</li> <li>Increase garage exemption to 528 sq. ft.</li> <li>Increase garage exemption to 650 sq. ft.</li> <li>Remove garage apartments from FAR calculation entirely</li> </ul>	<p>A two-car garage measures, at a minimum, 20' x 20', or 400 square feet. This exemption, which was suggested by members of the community, enables property owners to maintain a detached (and, therefore, historically compatible) garage. A more modern garage size is 22' x 24'. This modest increase in the exemption to 528 square feet is more in line with garages built today.</p> <p>Note, this exemption amount does not limit the size of the garage, only the amount of square feet that can be exempted from the FAR calculation.</p>	Increase exemption of detached garages to 528 square feet (as well as up to 528 square feet of a second floor on that detached garage).	Accept Staff Recommendation.
14		<ul style="list-style-type: none"> <li>Correct drawing p. 5-16 for maximum finished floor height A</li> </ul>	The dimension labeled A represents the height of the pier, not the finished floor.	Correct the drawing.	No vote required.

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15	Section 5, Pages 14, 18	<ul style="list-style-type: none"> <li>• Alternatives to inset requirements: 1 ft. or other</li> <li>• Alternatives to inset requirements: offsets, smaller insets, or material changes</li> <li>• Eliminate inset requirements</li> <li>• Find alternatives to inset requirements</li> <li>• Remove "Side Wall Lengths and Insets" entirely: MATERIAL CHANGES</li> <li>• Remove side wall inset rules</li> <li>• See additional research into side wall insets</li> <li>• Side wall insets: Allow a bump out and maximum 12" inset</li> </ul>	<p>The sidewall inset enables a building form to appear similar in massing and scale to neighboring contributing structures, as seen from the street, while allowing for a longer side wall length than is found in contributing houses. An inset is used, rather than an outset, to create the appearance of a traditionally scaled side wall with a clear ending point. A "bump out" would not have the same visual effect and would, instead, increase the appearance of building mass and scale, having the opposite result of a sidewall inset.</p>	No change.	Accept Staff Recommendation.

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16	Section 5, Page 16	<ul style="list-style-type: none"> <li>• Increase Finished Floor Height to 36".</li> <li>• Increase Finished Floor Height to 36" or 38"</li> <li>• Increase Finished Floor Height to 43"</li> <li>• Increase Finished Floor Height to 43"</li> </ul>	<p>An analysis of 408 contributing houses in the three Heights districts reveal that average and median finished-floor heights were 27", measured at the front porch, with the lowest being 9" above grade and more than 2/3 having finished-floor heights of 30" or less.</p> <p>Upon consultation with builders and Commissioners it was determined that the height needed to achieve a minimum 18" crawlspace was 30.25", rounded up to 32" to use the nominal dimensions of lumber.</p>	<p>Increase the maximum finish floor height to 36".</p> <p>Add language that the measurement is taken from the front of the house.</p> <p>Work with Houston Public Works to identify a consistent reference point from which the measurement should be taken.</p>	<p>Increase the maximum finish floor height to 36" at natural grade.</p> <p>Add language that the measurement is taken from the front of the house.</p>
17	Section 6, Page 12	<ul style="list-style-type: none"> <li>• Grant permission for remodels to use new wood-frame, efficient, dual-pane windows</li> </ul>	<p>The Code of Ordinances states that for additions and alterations, newly installed windows may be of a different material than the original windows.</p>	<p>No change.</p>	<p>Accept Staff Recommendation.</p>
18	Section 7, Page 4	<ul style="list-style-type: none"> <li>• Footprint preservation unnecessary</li> <li>• Differentiation" should not be goal of guidelines</li> </ul>	<p>Differentiation is an important concept in Historic Preservation.</p> <p>Furthermore, to meet the code, additions and alterations should be done in a manner that, if removed, would leave the essential form and integrity intact. Differentiation, by retaining essential form of the house (footprint), meets this goal.</p>	<p>No change.</p>	<p>Accept Staff Recommendation.</p>



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19		<ul style="list-style-type: none"> <li>Expand the context area to have a minimum of 50% of the structures in the context area identified as contributing.</li> </ul>	Section 33-201 gives the Commission the ability to expand the Context area if they find that unusual and compelling circumstances exist. Nothing in the Design Guidelines removes that authority.	No change.	Accept Staff Recommendation.
20	Entire document	<ul style="list-style-type: none"> <li>Decrease number of pages in guidelines to 4-5 pages</li> </ul>	The document is quite large. Part of that is because the Code of ordinances requires the guidelines to include an inventory for each of the districts. However, the primary cause of the number of pages is to provide the most detailed information possible to customers, the Commission and staff.	No change.	Accept Staff Recommendation.
21		<ul style="list-style-type: none"> <li>Historic regulations are too restrictive</li> <li>Lack of data analysis used in formulation of guidelines</li> <li>Simplify and made "looser" for development; different methodology</li> </ul>	As created by City Council, historic districts seek to provide property owners with surety that the historic character of their neighborhood will be maintained. One of the way the City does this is by establishing rules for making changes to historic structures. These guidelines illustrate how the historic preservation ordinance is interpreted in the three Heights historic districts. The guidelines are primarily based on data collected by the design guidelines consultants and provided by property owner in the three districts.	No change.	Accept Staff Recommendation.
22		<ul style="list-style-type: none"> <li>Support document as drafted and presented.</li> </ul>	Support the consensus opinion of the residents of the 3 Heights Districts: The Guidelines were written according to citizen input via public process (e.g. surveys, workshops, meetings). Citizens were told this would be a public process and the Guidelines would be the product of said process. Maintaining integrity in this process is essential. Homeowners, builders, architects, et al. need guidelines to help them understand how the Ordinance applies to these Districts.	See this document for recommended changes.	No vote required.

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23		<ul style="list-style-type: none"> <li>City staff should be flexible in dealing with developers in these neighborhoods</li> </ul>	Staff believes they provide excellent customer services and provide as much flexibility as allowed by the Code of Ordinances. These guidelines will improve customer/staff communication by providing clear and consistent guidance.	No change.	Accept Staff Recommendation.
24		<ul style="list-style-type: none"> <li>Heights South has not approved by vote the establishment of de facto zoning</li> </ul>	The Houston Heights historic District South is the most recently designated of the three districts, designated in June 2011 with support from 51% of the property owners, representing 51% of the land area.	No change.	Accept Staff Recommendation. No vote required.
25		<ul style="list-style-type: none"> <li>Impose steep daily fines for homes not meeting neighborhood standards</li> </ul>	The Planning Department is proposing a change to the Code of Ordinances that would provide more enforcement ability. The changes should be presented to City Council within a month or two.	Ordinance changes in process.	Accept Staff Recommendation. No vote required.
26		<ul style="list-style-type: none"> <li>Impose strict daily fines for time limits exceeded</li> </ul>	This is already addressed in the ordinance and is out of the scope of the design guidelines.	No change.	Accept Staff Recommendation. No vote required.
27		<ul style="list-style-type: none"> <li>Impose time limits for new construction and remodels</li> </ul>	Once a COA is granted, it is valid for two years. This means that a project must be permitted before two years has lapsed or a renewal will need to be approved by the HAHC. Once construction is started, the project is bound by the rules of the Permitting Center and Code Enforcement.	No change.	Accept Staff Recommendation. No vote required.

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28		<ul style="list-style-type: none"> <li>• Include standard appeals process for variance request</li> </ul>	<p>This comment appears to be discussing two different topics.</p> <p>An appeals process has been part of the COA process since 2010. Previously, appeals went to the Planning Commission. After the 2015 revisions, a special Appeals Board was created. There is no form and there is no fee.</p> <p>There is no separate variance request within the preservation ordinance. Any applicant may request approval of a COA application, even if it does not meet the requirement of the Code of Ordinances or Design Guidelines. There is no form and there is no fee.</p>	No change.	Out of scope. No vote required.
29		<ul style="list-style-type: none"> <li>• Historic regulations are too restrictive</li> </ul>	Historic districts are opt-in districts requested by property owners and approved by City Council. They provide property owners with security that the character will be maintained by providing a	No change.	Accept Staff Recommendation. No vote required.
30		<ul style="list-style-type: none"> <li>• Restrict pools/consider part of FAR</li> <li>• Ban all chain link fences</li> </ul>	Neither pools or fences are regulated by the Historic Preservation Ordinance.	No change.	Accept Staff Recommendation. No vote required.
31		<ul style="list-style-type: none"> <li>• Change the location and time and public hearing held on May 17, 2018</li> </ul>	The previous public hearing was held in a time a place that stakeholders are familiar with; staff was concerned that changing the time and/or place would cause confusion. In addition, staff believed the Council Chambers were superior to another location because of the ability to record the hearing and broadcast it live	No change.	Accept Staff Recommendation. No vote required.
32		<ul style="list-style-type: none"> <li>• Honor and enforce deed restrictions</li> </ul>	In most cases, the city does not enforce private deed restrictions. That is a function of a neighborhood association. In instances where the Department is made aware of a violation to deed restrictions it works with the City Attorney's office to find solutions.	No change.	Accept Staff Recommendation. No vote required.

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33		<ul style="list-style-type: none"> <li>Reinstate the 90-day tear-down rule</li> </ul>	The 90-day waiver period was removed by City Council in the 2010 revisions to the Code of Ordinances.	No change.	Accept Staff Recommendation. No vote required.
34		<ul style="list-style-type: none"> <li>Work with HCAD to appraise historic properties differently</li> </ul>	Some cities work closely with the appraisal districts to ensure that historic properties are assessed in ways that align with the additional restrictions on the properties.	The Planning Department will research how other Texas cities handle this and will report back to the Commission.	Accept Staff Recommendation. No vote required.
<b>Comments provided by Planning &amp; Development Department staff</b>					
35	Section 1, Page 2	<ul style="list-style-type: none"> <li>Allow the HAHC to use their judgement on projects that may meet the intention of the code of ordinances, but may not meet all the measurable standards.</li> </ul>	<p>The text is currently written:</p> <p>This document contains both measurable standards and qualitative guidelines. The measurable standards apply to the construction of additions and new buildings; <b>these requirements must be met in order to obtain a COA.</b> Measurable standards refer to minimum or maximum dimensions (or a range) and explain how to take those measurements.</p>	Discuss with the City Attorney to determine the best language to provide clear instructions while allowing for Commission judgement.	Accept Staff Recommendation.
36	Entire document	<ul style="list-style-type: none"> <li>Correct miscellaneous errors</li> </ul>	The document has some typographical errors, mis-labeled graphics and other mistakes that have no bearing on the substance of the document.	The Department seeks permission to address these non-substantial errors.	Accept Staff Recommendation. No vote required.

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Item	Document Section	Comment	Discussion	Staff Recommendations	HAHC Decision
37	Section 5, Page 15		Eave heights should to be altered due to the finished floor height being increased to 36".	No change.	Accept Staff Recommendation.
38	Section 1, Page 2		<p><b>The text is currently written:</b></p> <p>This document contains both measurable standards and qualitative guidelines. The measurable standards apply to the construction of additions and new buildings; <b>these requirements must be met in order to obtain a COA.</b> Measurable standards refer to minimum or maximum dimensions (or a range) and explain how to take those measurements.</p> <p><b>Change to the following based on consultation with City Attorney:</b></p> <ul style="list-style-type: none"> <li>Design guidelines are used in historic communities all over the United States. Upon adoption by City Council they become requirements that must be used by the HAHC in addition to the standards in the historic preservation ordinance in making their decisions. Like the historic preservation ordinance, design guidelines do not require property owners to make changes to their buildings. Together, these tools regulate what changes can be made, and how, in order to preserve the overall character of a historic district.</li> <li>This document contains both measurable standards and qualitative guidelines. The measurable standards apply to the construction of additions and new buildings; these requirements must be met to obtain a COA. Measurable standards refer to minimum or maximum dimensions (or a range) and explain how to take those measurements.</li> </ul> <p>The qualitative guidelines encompass the more aesthetic elements of a design and are, taking into account the circumstances of a particular property and the work that is being proposed.</p>	Change the language based on discussions with the City Attorney to provide clear instructions while allowing for Commission judgement.	Accept Staff Recommendation.
39	Section 5, Page 12-13		Exempt 264 SF of one-story attached garages on a one-story house		Accept