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# Conservation Districts FAQ

February 13, 2023



**PLANNING &  
DEVELOPMENT  
DEPARTMENT**

## **What is a Conservation District?**

A Conservation District is an area supported by property owners and designated by City Council in which certain development standards are established for the purpose of preserving and protecting community character and recognizing its heritage. The established standards are tailored to each district according to the area's character and needs, based on extensive community input.

## **What elements of a community's character can a Conservation District regulate?**

The current proposal for Houston's Conservation Districts includes the following list of attributes.

A district may include some or all of these standards:

- Building height or number of stories
- Building size and massing (general shape and form of the structure)
- Front-facing building features
- Lot size and coverage
- Front and side building setbacks
- Off-street parking and yard parking
- Roof line and pitch
- Paving and hardscape covering
- General site planning (location of primary and secondary structures)
- Architectural style and detailing
- Building materials
- Garage entrance location
- Fences and walls
- Building relocation and demolitions
- Alterations to existing structures

## **What type of community is appropriate for a Conservation District designation?**

Conservation Districts may be appropriate for neighborhoods that have an established character, architectural or cultural importance, but lack deed restrictions and private covenants that preserve and protect that character. A Conservation District is appropriate for communities that are historic in nature but lack significant original historic materials.

## **How do Conservation Districts benefit property owners?**

A Conservation District offers property owners another option to protect their community's character and recognize an area's heritage and cultural significance. It allows the existing property owners to identify the important aspects of their community and provides guidance for others wishing to develop properties sympathetic to the existing fabric and character of the neighborhood.

Another key benefit to property owners is, with inclusion in a Conservation District, the State of Texas Historic Preservation Office (SHPO) is alerted that an area may be eligible for listing on the National Register. Such recognition increases the opportunity to utilize state and federal tax credits for improvements to contributing structures in the district. It also might trigger increased review when

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federal funding is being used in the community. For example, properties in Conservation Districts may receive significant increases in disaster relief funding managed by the State of Texas General Land Office (GLO). Currently, the GLO is offering up to \$200,000 rehabilitations for contributing homes in National Register eligible neighborhoods, compared with \$65,000 in other areas.

### **How is a Conservation District created?**

Based on input from communities, the Houston Office of Preservation (HOP) will identify potential Conservation District areas. The HOP will work closely with property owners to determine potential community support and identify the character traits the community wants to preserve. With the proposed standards determined, the HOP will host at least one additional meeting to present it to the public.

After the final public meeting, a survey form is mailed to owners of all property in the proposed district. If 51% or more of the property owners respond in favor of creating the district, the application may move forward to HAHC for consideration. If 51% of the entire areas is not achieved, the area may be reduced to obtain the 51%. In this case an additional meeting with property owners is required.

After notice and a public hearing on the proposed district, the HAHC may recommend approval of the district to City Council. City Council will also hold a public hearing on the proposed district and consider a district-specific ordinance with standards applicable in that district. **Unless there is 100% support from property owners, 75% of the City Council members must approve the creation of the district.**

### **How are votes counted to obtain the 51%?**

For each lot (also called a tract), the owner gets one vote. A tract is defined as a contiguous parcel of land under common ownership. Fifty-one percent of the owners of those tracts must affirmatively vote yes. If a property owner does not respond, that property is counted as a “no” vote.

For example, if an area contains 100 tracts and 60 tracts respond, at least 51 of those responses must be “yes” for that Conservation District to be sent to the Commission for a public hearing. If only 40 tracts respond “yes”, the boundaries may be reduced so that the 40 tracts constitute 51% and another public meeting must be held prior to sending the district to the Commission.

### **How long does the process to create a district take and what happens to my property in the meantime?**

From the point of initiating the district through to City Council approval, it takes approximately six months. During this time, the HOP is working with the community to create the standards that will be used in the potential district, as well as conducting the survey to determine the level of property owner support. A series of public meetings are held in the community and a public hearing must be held at both the HAHC and City Council. Afterward, the City Council may consider an ordinance creating the district.

### **What happens to property after the district is created?**

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Alterations subject to the Conservation District standards will be reviewed by staff through the normal building permit process. If demolitions are included in district's scope, requests for demolition will be referred to the HAHC.

**How will potential buyers know if a district is being considered or has been created?**

Property owners in a proposed district will be informed by mail and can pass that information to potential buyers. Also, before mailing notice to property owners, the Planning Department will post the boundaries on the [City's interactive mapping tool](#). Once a district is created, the Planning & Development Department will file the ordinance in the county property records.

**What triggers a hold in permitting?**

Once boundaries for a proposed district are established, meeting the 51% consent of property owners, the director will place a hold in the permitting system to allow full consideration of the proposed district by all owners.

**How far along does a project have to be in the permitting system (and plats) for it to be grandfathered?**

If a property owner has applied with the city for a permit for development of a lot or tract, the property owner, under the regulations in place at the time of their application, is vested and the regulations do not apply.