

PUBLIC NOTICE

**City of Lockhart
Historical Preservation Commission
5:30 p.m. Wednesday, May 6, 2020
Municipal Building – Glosserman Room
308 West San Antonio Street**

AGENDA

COMMISSION MEMBER AUDIO CONFERENCE PARTICIPATION

One or more members of the Lockhart Historical Preservation Commission may participate in a meeting remotely. The member of the Commission presiding over the meeting will be physically present at the above public location. Audio conference equipment providing two-way audio communication with each member participating remotely will be made available, and each portion of the meeting held by audio conference that is required to be open to the public can be heard by the public at the location specified.

CITIZEN AUDIO CONFERENCE PARTICIPATION

- Call-in number: 1-408-418-9388. Attendee Access Code: 626-304-323#.
- Citizens wishing to listen or participate must call in prior to the start of the meeting, and should identify themselves. Attendees may call in to listen only, if desired.
- Those wishing to speak will be called upon to address the Commission.
- Historical Commission agenda packets can be viewed online at www.lockhart-tx.org starting two days prior to the meeting. Navigate from the Departments tab at the top of the page to Development Services – Meeting Minutes/Schedules (on left side) – Agendas & Minutes – Historical Preservation Agendas & Minutes – Agenda Packets.

1. Call meeting to order.
2. Election of Officers for 2020.
3. Citizen comments not related to an agenda item.
4. Consider the minutes of the April 1, 2020 meeting.
5. Discuss a Pre-Approved rear door replacement for the property located at 101 South Main Street, administratively approved by Staff on April 17, 2020 (CFA-20-03).
6. Consider a recommendation to the City Council for amendments to Chapter 28, *Historic Districts and Landmarks*, to include: (1) A new provision for allowed absences (Section 28-3(g)); (2) Elimination of the requirement for Commission discussion on Pre-Approved signs and other building features after administrative approval by Staff (Section 28-11(c)); (3) Elimination of the Certificate for Alteration requirement for signs not visible from a public street and indoor signs visible through a window from a public street (Section 28-11(d)); and (4) Deletion or modification of the Biennial Review Process (Section 28-26).
7. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
8. Adjournment.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas at 12:30 p.m. on the 30th day of April, 2020.

City of Lockhart
Historical Preservation Commission
April 1, 2020

MINUTES

Members Present: John Lairsen, Rick Thomson, Ronda Reagan, Kathy McCormick, Ron Faulstich

Member Absent: Belinda Gillis

Staff Present: Yvette Aguado, Kevin Waller, Dan Gibson

Public Present: Alexandra Worthington (applicant, Agenda Item (4))

1. Call meeting to order. Chair Lairsen called the meeting to order at 5:30 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the minutes of the March 25, 2020 meeting.

Vice-Chair Reagan expressed confusion regarding the proposed location of the blade sign for the new Quirky Bird business at 112 North Main Street and a recently approved canopy that could impact the sign's location.

Commissioner McCormick requested clarification on the minutes received in the mail and the revised minutes received afterward.

Planning Staff Dan Gibson explained that under advisement of the City Attorney, the minutes were revised to delete the vote of a Commission member that was made via telephone. The Historic Districts and Landmarks Ordinance specifies that a majority of Commission members is based upon those present at the meeting, and not the full Commission.

Vice-Chair Reagan moved to approve the minutes as amended by Staff on March 31, 2020. Commissioner Thomson seconded, and the motion passed by a vote of 5-0.

4. CFA-20-02. Consider a request by Alexandra Worthington of The 1898, LLC d.b.a. Little Trouble, for approval of a Certificate for Alteration to allow a neon wall sign for the new Little Trouble business on Part of Lot 1, Block 23, Original Town of Lockhart, zoned CCB (Commercial Central Business District) and located at 101 East San Antonio Street.

Planning Staff Kevin Waller explained that the applicant proposes to install a neon sign to be mounted to the wall above the stairwell leading down to the business, measuring seven feet long by three feet tall, and orange in color. It will be made of a neon glass tubing material and will be anchored into the wall's mortar joints with glass tube supports. Mr. Waller added that the proposed sign was not of a scale or design that would detract from the character of the Courthouse Square, and is located in an area with other existing neon signage. He utilized a PowerPoint presentation, answered Commissioners' questions, and stated that Staff recommended approval.

Commissioner Faulstich suggested that the sign be mounted high enough to minimize safety issues associated with high voltage.

Applicant Alexandra Worthington, 701 Campbell Street, explained that the sign will be located within a sealed framework and would be placed in a location inaccessible to tampering.

Vice-Chair Reagan asked if the sign would be centered under the arched window, as that would be a good location for mounting. Reagan also asked about the sign's black background shown in Staff's PowerPoint.

Alexandra responded that there will be no such background, and that it was simply a result of Staff's PowerPoint rendering.

Vice-Chair Reagan asked about the proposed routing of the electrical cord.

Ms. Worthington explained that she had not discussed the sign's electrical power with the contractor, but would ensure that no new holes were drilled into the brick, and that a conduit would not be run down the building wall.

Vice-Chair Reagan stated that the electrical cord would have to go through the mortar and not the brick.

Chair Lairsen stated that if the sign were located above the lower portion of the stairwell leading to the business, it would be difficult for the sign to be tampered with.

Discussion continued about the location of the sign and the definition of a sealed sign.

Vice-Chair Reagan moved to approve CFA-20-02 as presented. Commissioner Faulstich seconded, and the motion passed by a vote of 5-0.

5. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.

Mr. Waller stated that today was the application deadline for the April 15 meeting, and that no applications had been formally submitted. Waller added that he is still in communications with the owners of the Barrio House and El Patio businesses at 207 East Market Street. Each business has applications submitted for signage, but the applications require revisions that have yet to be made. Waller stated that he will once again attempt to reach out to the businesses, and will notify the Commission if the applications are ready for the April 15 meeting.

Commissioner McCormick asked about the status of newly-appointed Commissioner Belinda Gillis.

Mr. Waller reported that according to the City Secretary, Ms. Gillis is a business owner in the downtown historic district. Waller has only been able to make limited contact, by email.

Commissioner Faulstich stated that Gillis' family had multiple businesses in town, including downtown.

Vice-Chair Reagan stated that although Ms. Gillis' father owns a downtown property, Ms. Gillis does not. Reagan stated that the Historic Districts and Landmarks Ordinance specifically states that Commission members, where applicable, must be a property owner in the downtown historic district.

Mr. Waller stated that he researched property ownership records and did not locate Ms. Gillis' name for a downtown property, but instead an LLC.

Chair Lairsen suggested that Staff research Ms. Gillis' qualifications further according to the Ordinance guidelines in order to ensure her eligibility to serve on the Commission.

Commissioner McCormick stated that it is the City Council's responsibility, not the Commission's, to determine member eligibility.

Chair Lairsen asked Vice-Chair Reagan if she is officially challenging the eligibility of Ms. Gillis.

Vice-Chair Reagan stated that she is challenging Gillis' eligibility, because Reagan wants to ensure that Gillis is qualified as a historic district property owner, architect, builder, or realtor. Reagan added that Commissioner Thompson was aware of and had suggested an eligible individual, a realtor, to be considered for the Commission.

Chair Lairsen stated that Staff will conduct further research and report back to the Commission.

6. Adjournment.

Commissioner Faulstich moved to adjourn the meeting, and Commissioner McCormick seconded. The motion passed by a vote of 5-0, and the meeting adjourned at 6:06 p.m.

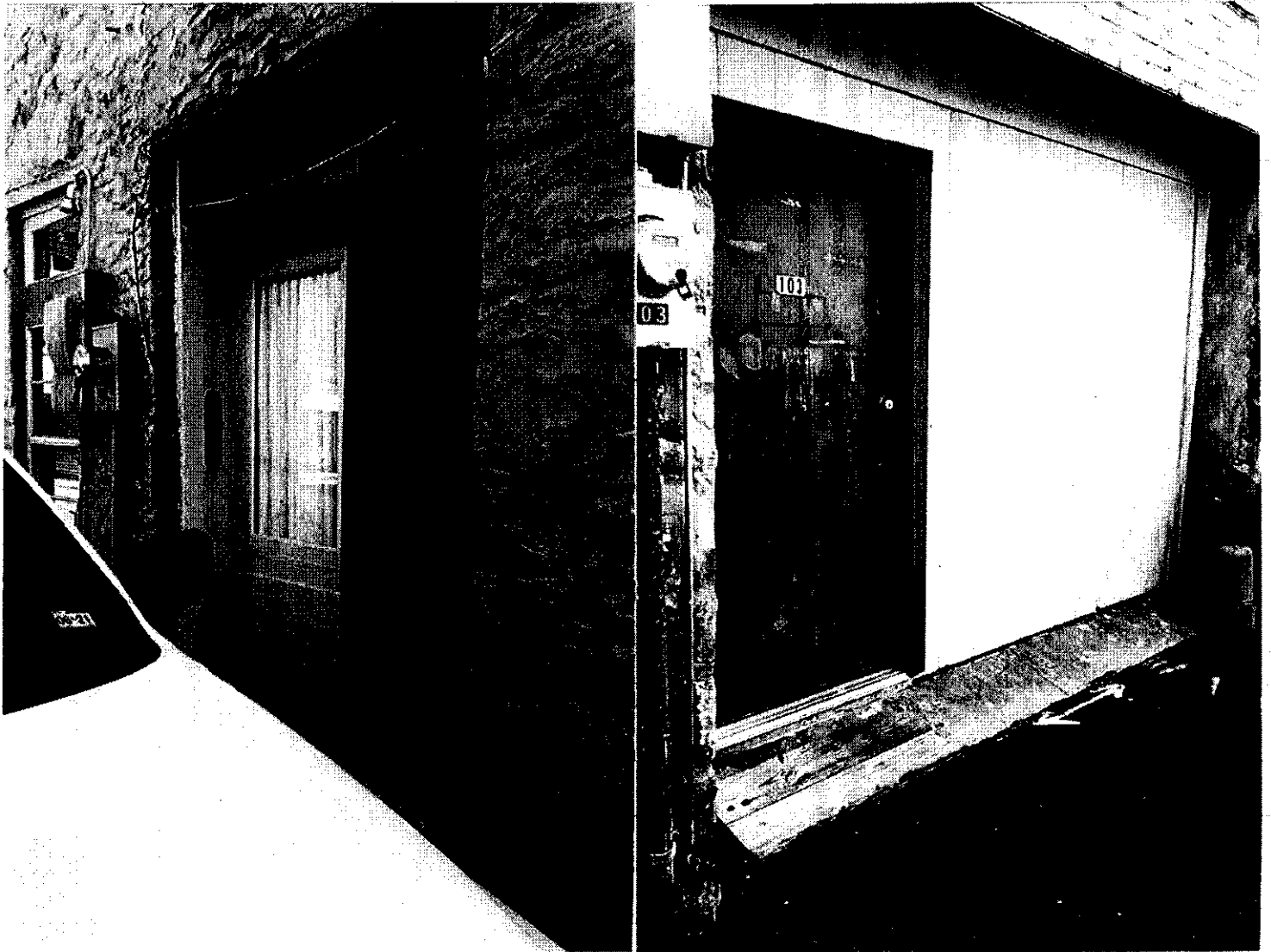
Approved: _____
(date)

Yvette Aguado, Recording Secretary

John Lairsen, Chair

Bill McNeal Bldg
101 S. Main
Back Door Replace

Spellerberg Bldg
103 S. Main
Match out centered





(512) 398-3461 • FAX (512) 398-5103
P. O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

April 17, 2020

Oran Venable
P.O. Box 491
Lockhart, TX 78644
venableinspector@sbcglobal.net

Dear Mr. Venable:

Following review of your proposed rear door replacement for the property located at 101 South Main Street within the Historic District, our department has determined that the project qualifies as a "Pre-Approved" Certificate for Alteration by the Historical Preservation Commission (Section 28-11(c)(3)). Pursuant to Section 28-11(c), the pre-approved Certificate for Alteration must be placed on the agenda of the next Commission meeting for discussion. Although the application has been pre-approved, the Commission is able to ask questions and provide guidance towards successful project completion. The meeting will be held on Wednesday, May 6, 2020, at 5:30 p.m. in the Glosserman Room of City Hall. Please plan to attend the meeting, or have a representative attend, to answer any questions of the Commission. Following the meeting, the next step in the process will be to obtain a Building Permit. Please contact our office at (512) 398-3461 at that time for assistance.

If you have any questions, please contact me by phone at the number above, Extension 240, or by email at kwaller@lockhart-tx.org.

Sincerely,

Kevin Waller
Historical Preservation Officer
Assistant City Planner

Cc: Dan Gibson, City Planner
Shane Mondin, Building Official
Bill McNeal, Property Owner (willwall@hwtx.com)



- PRE-APPROVED -

CERTIFICATE FOR ALTERATION APPLICATION

DATE RECEIVED: <u>4/17/20</u>	DATE APPROVED: <u>4/17/20</u>	CERTIFICATE NUMBER: <u>CFA-20-03</u>
<small>NOTE: An approved Certificate For Alteration (CFA) is required by City Code for all signage, construction, alteration, or modification of property designated as Historic, if such activities will change the architecture, design, finishes or outward appearance of a building, structure, object, site, or area as viewed from the exterior. (Ord. 93-19, Sec. 11 and 12). A City Sign Permit and/or City Building Permit may also be required by the City Code.</small>		
ONLY FULLY COMPLETED APPLICATIONS WILL BE ACCEPTED		

Applicant <u>Oran Venable</u>	Property Owner <u>Bill Mc Neal</u>
Mailing Address <u>P.O. Box 491</u> <u>Lockhart Tx</u>	Mailing Address <u>4013 Summercross Hwy</u> <u>Luling TX 78648</u>
Telephone <u>512-844-4370</u>	Telephone <u>830-875-3317</u>
Person Doing Work <u>Mike Venable</u>	Estimated Cost <u>900.00</u>
Property Legal Description <u>O.T. Lockhart Block 19, Lot PT4</u>	
Property Street Address <u>101 S. Main St</u>	<u>78644</u>
Property City Zoning Designations <u>Commercial CCB</u>	Location Map Attached <u> </u>

PHOTOS ARE REQUIRED SHOWING ALL THE AREAS TO BE AFFECTED BY THE WORK DESCRIBED:
Include photos of. Area of Work Full Elevation Showing Area Affected and/or Site

Description of Proposed Work
<u>Remove existing break doors & Replace with</u>
<u>a single commercial door to open out</u>
<u>Frame & Trim to remain in place. Room</u>
<u>to be saved in building for later</u>
<u>restoration.</u>
<u>Door to be identical to next door</u>
<u>103 S Main</u>
Please - Attach Scope of Work Questionnaire <input type="checkbox"/> Attach Sketches/Illustrations <input type="checkbox"/> Are Detailed Plans Available? <input type="checkbox"/>

REQUIRED SIGNATURES: Before me the undersigned authority, on this day appeared and solemnly swears, that the statements above and attached concerning the above-described property are true and that (s)he is authorized to act as an agent in procuring the certificate requested.

Applicant Signature: <u>Oran Venable</u>	Date: <u>4.14.2020</u>
Property Owner Signature: <u>Boy Pardo</u>	Date: <u>4.14.2020</u>
Historical Preservation Officer Approval: <u>Ann W...</u>	Date: <u>4/17/20</u>
Historical Preservation Commission: <u>N/A</u>	Date: <u> </u>

A Certificate For Alteration is valid for a period concurrent with the Building Permit granted for the proposed work, or a period not to exceed 18 months.

Prop. mgr.

Property owner's emailed authorization is attached.

PRE-APPROVED
CERTIFICATE FOR ALTERATION
SCOPE OF WORK QUESTIONNAIRE

Certificate No. CFA-20-03
 Page 2 of Reviewed KW

The following questions must be answered and the form completed by the applicant for a Certificate For Alteration. This questionnaire shall be attached to any application for Certificate For Alteration. The Lockhart Historical Preservation Officer shall independently verify all information provided on the application and the attached questionnaires. The Lockhart Historical Preservation Officer shall review the application and this questionnaire in an expeditious manner and notify the applicant of the outcome of the review. The Lockhart Historical Preservation Officer may approve the Certificate For Alteration prior to a commission hearing, based upon adequacy of the information provided and verification of the scope of work. Additional information may be needed to complete the application and review process. Final review and action on the application for Certificate For Alteration by the Lockhart Historical Preservation Commission at a properly scheduled public hearing may be required. Any required explanations to answers given shall be in writing and attached.

Yes	No	Verified	Scope Of Work Questions
Section One			
X		KW	1. Is this application for construction or alteration on or at a property which is in a Historic District or a designated Historic Landmark? What is its zoning designation? <u>CCB</u> HL? <u>H?</u> <u>X</u>
✓		KW	2. Is this application for any construction or alteration work that is NOT described or defined as ordinary maintenance of a historic property? Is it more than limited "Ordinary Maintenance"?
X		KW	3. Will the construction or alteration covered by this application include any work visible from the exterior of the property?
	X	KW	4. Will the construction or alteration covered by this application remove or, physically change any structural elements of the property? (i.e. Interior or exterior: load bearing walls, columns, posts, foundations, footings, etc.)
Section Two			
	X	KW	1. Is the construction or alteration covered by this application considered an emergency repair of sudden, accidental or unforeseen property damage? When did damage occur? <u>Over Time</u>
X		KW	2. Is the construction or alteration covered by this application considered necessary to correct a circumstance that endangers a building, business, owner, or the public?
✓		KW	3. Is the construction or alteration covered by this application considered permanent, to be in place more than 90 days? (A temporary construction or alteration is required to be removed within 90 days and the property is to be returned to the original or agreed upon condition.) <u>X</u> <u>New door would be replaced w/old door at such time as property is sold (there are no plans for this.)</u>
	✓	KW	4. Has a permit been issued for any of the proposed work? Date: _____ Permit No. _____ Has any work actually started? <u>NO</u> Describe: _____
Section Three			
	✓	KW	1. Will the construction or alteration covered by this application make a physical change to any design elements, features or finishes visible from the exterior of the property?
X		KW	2. Will the construction or alteration covered by this application repair or replace an element of the building or property with a material different from the original material of that element?
	X	KW	3. Will the construction or alteration covered by this application include painting exterior surfaces that have not been previously painted?
X		KW	4. Does the construction or alteration covered by this application include demolition or removal of any part or element of the property visible from the exterior of the property?
X		KW	5. Will the construction or alteration covered by this application make any change in the appearance of the property as viewed from the exterior of the property?

The undersigned owner or authorized agent attests that the statements made above and on any attached explanations are true and agrees that this Scope Of Work Questionnaire and any attachments shall become a part of the application and the Certificate For Alteration cited and will be the limit of construction and/or alteration work undertaken. Further, construction will not start prior to authorization by the approval of the Certificate For Alteration.

Applicant Signature: Oran Venable Date: 4-7-20

Verified By: Kerin Walker Date: 4/17/20 Action: Approval Date: 4/17/20

101 S. Main

From: will wall (willwall@hwtx.com)

To: kwaller@lockhart-tex.org

Cc: venableinspector@sbcglobal.net

Date: Thursday, April 16, 2020, 10:30 AM CDT

I am the owner of the building at 101 S. Main in Lockhart. I approve of the plan of Oran Venable to replace the back doors of the structure. Let me know if you need any further information.

TO: Lockhart Historical Preservation Commission
FROM: Kevin Waller, Assistant City Planner
SUBJECT: Agenda Item # 6, Text Amendments
DATE: April 30, 2020

City of Lockhart
MEMO

Agenda Item #6 for the upcoming May 6, 2020 Commission meeting pertains to recommended text amendments to the City Council for your consideration. Both strikethrough and clean versions of the proposed amendments to Chapter 28, *Historic Districts and Landmarks*, are attached. The amendments are to the following four sections:

- 1) Section 28-3(g): A new subsection (g) was added, with the previous subsection (g) becoming subsection (h), and so forth. It addresses the removal of Commission members after a specified number of absences, which the Commission had requested to include as an amendment.
- 2) Section 28-11(c): This section is amended to remove the requirement that a pre-approved certificate for alteration be placed on the agenda of the Commission for discussion after administrative approval by planning staff.
- 3) Section 28-11(d): This section is amended to add signs not visible from a public street and indoor signs visible through a window from a public street among those signs not subject to a certificate for alteration. However, signs that are painted or affixed to the inside of the window glass are regulated by the Sign Ordinance, and still require a certificate for alteration.
- 4) Section 28-26: This section is proposed for either removal, or modification of, the requirement for the Biennial Review Process.

STRIKETHROUGH VERSION

Chapter 28. HISTORIC DISTRICTS AND LANDMARKS

Sec. 28-3. Historical preservation commission.

(g) Commission members may be removed as provided in chapter 2, article IV of the Code of Ordinances. The absence by a member at three consecutive regular meetings of the commission, or a total of five regular meetings of the commission in a calendar year, shall be deemed to create a vacancy on the commission.

~~(g)~~ (h) Vacancies on the commission shall be filled by the city council within 30 days of vacancy for the unexpired term of the vacancy.

~~(h)~~ (i) The commission shall meet at least monthly, if there is a case to be heard or if other commission business is at hand. Special meetings may be called at any time by the mayor, the chairman, or on the written request of any two commission members. All meetings shall be held in conformance with the Texas Open Meetings Act (V.T.C.A., Government Code ch. 551).

~~(i)~~ (j) A quorum for the transaction of business shall consist of not less than a majority of the full voting membership. All issues shall be decided by a simple majority vote of the commission members present.

~~(j)~~ (k) The historical preservation officer shall be a nonvoting, ex officio member of the commission and shall attend all commission meetings.

Sec. 28-11. Certificate for alteration for historic landmarks or historic districts.

(c) A certificate for alteration (CFA) may be "pre-approved" for the following construction activities and work. Any qualifying activities and work pre-approved by the commission shall be listed and described in a "Pre-Approved Certificate for Alteration Guideline" developed by the commission, maintained and published by the city. An application for a CFA for any construction or activity that is determined "pre-approved" shall be made by the owner as provided in subsection [28-12\(a\)](#) prior to conducting the work. The historical preservation officer (HPO) shall promptly review the application and determine if the construction or activity complies with the "pre-approved" criteria. The HPO has the authority to approve the CFA only for construction or activities, which qualify as "pre-approved". Any construction activity that qualifies as pre-approved as determined by the HPO does not require any further approval of the commission, ~~but~~ and may proceed according to normal city policies and procedures. ~~After acceptance and approval of a "pre-approved" CFA, the HPO shall place the pre-approved CFA on the next agenda of the commission for discussion.~~ Any "pre-approved" construction or activity shall not involve the drilling, cutting, covering or painting of virgin or unpainted masonry or removal of same. Types of alterations included in the Pre-Approved Certificate for Alteration Guideline follow:

- (1) Signs as provided for in "Pre-Approved Certificate for Alteration Guideline", signs that do not alter, damage or obscure a building's architectural design, historic fabric or appearance as otherwise provided in subsection [28-11\(a\)](#) are "pre-approved". No sign may be painted on a previously unpainted masonry wall. Business signs suspended from canopies over the public sidewalk or attached to the exterior of buildings may be "pre-approved", as provided in "Pre-Approved Certificate for Alteration Guideline". All signs shall comply with [chapter 46](#) "Signs". Signs that are exempt and do not require a CFA include: Temporary banners suspended over streets and temporary signs on public rights-of-way or public property advertising noncommercial special events and festivities as provided in [chapter 46](#), subsection [46-7\(15\)](#); and banner signs on private property as provided in [chapter 46](#), subsection [46-10\(g\)](#).
- (2) Window replacement may be "pre-approved" only as provided in the "Pre-Approved Certificate for Alteration Guideline". Generally, the replacement of existing windows with historically appropriate designed painted wood single or 2-over-2 divided-light windows matched to the size of the historic window openings may be "pre-approved". Any other type of window replacement or closure of windows requires CFA approval by the commission as provided in [section 28-12](#).
- (3) Door replacement may be "pre-approved" only as provided in "Pre-Approved Certificate for Alteration Guideline". Generally, the replacement of an existing front entry door with a historically appropriate designed wood door is "pre-approved". Replacement of a side or rear door with exterior grade, solid core, smooth slab doors is "pre-approved". Any other type of entry door replacement requires CFA approval by the commission as provided in [section 28-12](#).
- (4) Awnings and suspended canopies that do not alter, damage or obscure the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#) may be "pre-approved" only as provided in "Pre-Approved Certificate for Alteration Guideline". Generally, a new awning or canopy or the replacement of an awning or canopy qualifies as "pre-approved" when constructed of an aluminum framework with a flame-retardant canvas covering or light-gauge metal tubing with standing seam metal roofing, installed without drilling or alteration to the existing formed masonry (e.g., brick). All CFA applications shall include a detailed design and attachment plan sealed by a professional engineer describing and attesting to all means of attachment and alteration to the building, masonry wall and/or surface. Any other type of new or replacement awning or canopy requires CFA approval by the commission as provided in [section 28-12](#).
- (5) Exterior fire-safety stairs constructed to meet city codes which do not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#), may be "pre-approved" if located on the rear or nonstreet side of a building. The owner, designer and/or contractor are encouraged to meet with the Lockhart Historical Preservation Commission to discuss alternatives in location, placement and design prior to requesting an opinion or directive from the city fire marshal. Installation of exterior fire-safety stairs shall not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#).

(d) A certificate for alteration is not required for the following: banners suspended over streets and temporary signs on public rights-of-way or public property advertising noncommercial special events and festivities as provided in [chapter 46](#), subsection [46-7\(15\)](#), and for banner signs on private property as provided in [chapter 46](#), subsection [46-10\(g\)](#).

- (1) Signs that are not visible from a public street;
- (2) Signs that are indoors and visible through a window from a public street, except for signs painted or affixed to the inside of the window glass;
- (3) Banners suspended over streets;
- (4) Temporary signs on public rights-of-way or public property advertising noncommercial special events and festivities as provided in [chapter 46](#), subsection [46-7\(15\)](#); or
- (5) Banner signs on private property as provided in [chapter 46](#), subsection [46-10\(g\)](#).

~~Sec. 28-26. — Biennial Review Process.~~

~~In January, 1996, and even-numbered years thereafter, the city council shall evaluate the performance, accomplishments and success of the historic districts and landmarks ordinance, historical preservation commission and the historical preservation officer. The impact of the ordinance on property owners of designated historic districts and historic landmarks shall also be reviewed. The review shall be based upon the statement of purpose in [section 28-1](#). The commission shall prepare a report summarizing the previous two years' work, current status and projected activities. If the council determines that the ordinance should be amended to better respond to the city's needs, the council shall hold a public hearing, take formal citizen comment and amend the ordinance as needed.~~

CLEAN VERSION

Chapter 28. HISTORIC DISTRICTS AND LANDMARKS

Sec. 28-3. Historical preservation commission.

- (g) Commission members may be removed as provided in chapter 2, article IV of the Code of Ordinances. The absence by a member at three consecutive regular meetings of the commission, or a total of five regular meetings of the commission in a calendar year, shall be deemed to create a vacancy on the commission.
- (h) Vacancies on the commission shall be filled by the city council within 30 days of vacancy for the unexpired term of the vacancy.
- (i) The commission shall meet at least monthly, if there is a case to be heard or if other commission business is at hand. Special meetings may be called at any time by the mayor, the chairman, or on the written request of any two commission members. All meetings shall be held in conformance with the Texas Open Meetings Act (V.T.C.A., Government Code ch. 551).
- (j) A quorum for the transaction of business shall consist of not less than a majority of the full voting membership. All issues shall be decided by a simple majority vote of the commission members present.
- (k) The historical preservation officer shall be a nonvoting, ex officio member of the commission and shall attend all commission meetings.

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- (1) Signs as provided for in "Pre-Approved Certificate for Alteration Guideline", signs that do not alter, damage or obscure a building's architectural design, historic fabric or appearance as otherwise provided in subsection [28-11\(a\)](#) are "pre-approved". No sign may be painted on a previously unpainted masonry wall. Business signs suspended from canopies over the public sidewalk or attached to the exterior of buildings may be "pre-approved", as provided in "Pre-Approved Certificate for Alteration Guideline". All signs shall comply with [chapter 46](#) "Signs". Signs that are exempt and do not require a CFA include: Temporary banners suspended over streets and temporary signs on public rights-of-way or public property advertising noncommercial special events and festivities as provided in [chapter 46](#), subsection [46-7\(15\)](#); and banner signs on private property as provided in [chapter 46](#), subsection [46-10\(g\)](#).
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- (4) Awnings and suspended canopies that do not alter, damage or obscure the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#) may be "pre-approved" only as provided in "Pre-Approved Certificate for Alteration Guideline". Generally, a new awning or canopy or the replacement of an awning or canopy qualifies as "pre-approved" when constructed of an aluminum framework with a flame-retardant canvas covering or light-gauge metal tubing with standing seam metal roofing, installed without drilling or alteration to the existing formed masonry (e.g., brick). All CFA applications shall include a detailed design and attachment plan sealed by a professional engineer describing and attesting to all means of attachment and alteration to the building, masonry wall and/or surface. Any other type of new or replacement awning or canopy requires CFA approval by the commission as provided in [section 28-12](#).
- (5) Exterior fire-safety stairs constructed to meet city codes which do not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#), may be "pre-approved" if located on the rear or nonstreet side of a building. The owner, designer and/or contractor are encouraged to meet with the Lockhart Historical Preservation Commission to discuss alternatives in location, placement and design prior to requesting an opinion or directive from the city fire marshal. Installation of exterior fire-safety stairs shall not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#).

(d) A certificate for alteration is not required for the following:

- (1) Signs that are not visible from a public street;
- (2) Signs that are indoors and visible through a window from a public street, except for signs painted or affixed to the inside of the window glass;
- (3) Banners suspended over streets;
- (4) Temporary signs on public rights-of-way or public property advertising noncommercial special events and festivities as provided in chapter 46, subsection 46-7(15); or
- (5) Banner signs on private property as provided in chapter 46, subsection 46-10(g).