



CERTIFICATE OF DESIGN CONSISTENCY APPLICATION AND CHECKLIST

ACCORDING DENTON DEVELOPMENT CODE SECTION 4.10.1, THE PURPOSE OF THE DENTON SQUARE DISTRICT (DSD) IS TO PRESERVE historic resources and build upon the image of the Square as the historic, vibrant, small-town heart of a growing city by establishing Design Standards for new construction, certain exterior renovations, and demolition of property in The Denton Square that serve to protect and enhance the historic character of the area, preserve property values, and encourage high-quality, sustainable, pedestrian-friendly development.

OVERALL INTENT

1. Encourage creativity and architectural diversity, while ensuring that the overall historic character of the Denton Square is protected.
2. Encourage and support the preservation of historically significant buildings.
3. Support building designs and the use of design elements in new or renovated buildings that maintain and continue the established historic design patterns found in adjacent or adjoining buildings, which contribute to the district's unique sense of place.
4. Support the use of materials which protect structural integrity and preserve building longevity, while also maintaining the historic character of the Square through their similarity in appearance, quality, and type to the prevalent materials in use in adjacent buildings and/or in the district.
5. Promote urban vitality and livability that welcomes residents and visitors of all ages by fostering a sense of community.
6. Consider the importance of maintaining property values and supporting new and existing businesses in the Denton Square District.
7. Encourage the integration of art into public and private development.

The Denton Square District procedures and design standards for approval follow the regulations outlined in DDC Sections 4.10.6 and 4.10.7. This checklist is intended to assist in the preparation of a Certificate of Design Consistency for review in verifying a proposed projects' design consistency with the Denton Square District.

***Failure of the applicant to provide required information will result in the application not being processed. ***



Project Information:

Project Name _____

Property Address _____

Parcel ID #: _____

Street(s) affected façade(s) front on: _____

Applicant/Agent/Artist Information:

Name/Company: _____

Address: _____

Telephone/Email:

Property Owner Information:

Name/Company: _____

Address: _____

Telephone/Email:

Engineer Information (if applicable):

Name/Company: _____

Address: _____

Telephone/Email:



Surveyor Information:

Name/Company: _____

Address: _____

Email/Telephone: _____

1 REQUIRED FOR ALL PROJECTS:

- 1.1 Provide a copy of the [Denton Development Application](#)
- 1.2 Provide a copy of the City of Denton’s [Owner Authorization Form](#)
- 1.3 **Project Narrative:** Providing sufficient detail to explain the purpose and scope of the project. Should include explanation of why project meets the definition of the project type marked by applicant below. If building materials not listed in the Standards are proposed, provide justification for why such material(s) meet the intent of the applicable section. Additional information may be required depending on the type of project proposed (see sections below).
- 1.4 **Location Map:** Should show the location of the property proposed for development in relation to existing streets and adjoining properties. Should clearly indicate the specific building and façade(s) affected by the project.
- 1.5 **Photographs:** Images of the current conditions of all areas which would be affected by the proposal.
- 1.6 Establish whether the property is a “Contributing Property” to the Denton County Courthouse Square National Register District. Use the map (below) located in this document.
 - a. Yes, my property is a “Contributing Property” (dark gray)
 - b. No, my property is not a “Contributing Property”
- 1.7 All drawings will be drawn to a scale no smaller than 1” = 100’ unless otherwise approved by the Planning Director.
- 1.8 Ensure all plans, including all labels, are clear and legible.
 - a. **Associated Fee(s):** as listed on the [Development Review Fee Schedule](#).
- 1.9 Additional items required based upon project type. See **Pages 5-9** for details.

Denton County Courthouse Square Historic District – Denton, Texas





2 PROPOSED PROJECT TYPE (CHECK WHICH TYPE APPLIES)

- 2.1 Ordinary Maintenance: The process of stabilizing deteriorated or damaged architectural feature (including but not limited to roofing, windows, columns, and siding), and will include any work that does not constitute a change in design, material, or outward appearance, and include in-kind replacement or repair
- 2.2 Minor Exterior Alteration: The installation of or alteration to awnings, fences, gutters and downspouts; lighting fixtures; and restoration of original architectural features that constitute a change from existing conditions.
- 2.3 Major Alteration: Redevelopment, reconstruction, alteration, change, or restoration of the exterior of a building that exceeds the definition of “ordinary maintenance or minor alteration,” construction of a new building or an addition to an existing building, demolition of an existing building or façade, or construction or reconstruction of a parking lot.
- 2.4 Mural and/or Sign: Installation of a new mural or sign.

Please refer to the checklists below to fulfill the additional requirements relevant to your proposed project request:

3 ADDITIONAL ITEMS REQUIRED FOR ORDINARY MAINTENANCE REQUESTS

- 3.1 Additional Project Narrative Requirements: Should include explanation of why maintenance is necessary and how proposed maintenance will not diminish durability, structural integrity, or historic character of the building element(s) in question.
- 3.2 Current image(s) of building element(s) proposed to be repaired or replaced in-kind, clearly showing the current condition of such building elements.
- 3.3 Accurate drawings to scale of proposed maintenance. Should identify existing and proposed building materials and show enough of the affected building to clarify the impact of the proposed maintenance. Staff may direct applicant to depict a greater extent of the building if initial submittal is determined to be inadequate.
- 3.4 Samples or detailed product descriptions and images of proposed repair or replacement materials.

4 ADDITIONAL ITEMS REQUIRED FOR MINOR EXTERIOR ALTERATION REQUESTS

- 4.1 Additional Project Narrative Requirements: Should include explanation of how the proposed alteration will not diminish the durability, structural integrity, or historic character of the building proposed to be altered.
- 4.2 Images:
 - a. Current image(s) of building element(s) proposed to be altered, clearly showing the current condition of such building elements.
 - b. Current image of subject building with adjoining buildings on each side to provide context for proposed alteration.
- 4.3 Accurate drawings to scale of proposed minor alteration. Should depict appearance of property as it exists today, as well as appearance with proposed alteration(s) included. Drawings and details must show the proposed work in relation to the structure proposed to be altered. Materials existing and proposed should be identified. Staff may direct applicant to depict a greater extent of the building, or to include additional details, if necessary to capture effect of proposed alteration. *If new light fixture(s) are proposed which do not comply with DDC Section 7.11, but which are permitted in the Square District per Section 4.10.7.F, include depiction and manufacturer specification sheet for proposed light fixture(s).*



5 ADDITIONAL ITEMS REQUIRED FOR MAJOR EXTERIOR ALTERATION REQUESTS:

- 5.1 Additional Project Narrative Requirements: Should include explanation of the purpose of the major alteration and how the proposed alteration will not diminish the durability, structural integrity, or historic character of the building proposed to be altered. Should specifically explain how project meets the Purpose and Overall Intent of the Denton Square District (seen on Page 1).
- 5.2 Images:
 - a. Current images of building element(s) proposed to be altered.
 - b. Current image of subject building with adjoining buildings on each side to provide context for proposed alteration.
- 5.3 Accurate drawings to scale of proposed major alteration. Should depict appearance of property as it exists today, as well as appearance with proposed alteration(s) included. Drawings and details must show the proposed work in relation to the structure proposed to be altered. Materials existing and proposed should be identified. Staff may direct applicant to depict a greater extent of the building, or to include additional details, if necessary to capture effect of proposed alteration. *If new light fixture(s) are proposed which do not comply with DDC Section 7.11, but which are permitted in the Square District per Section 4.10.7.F, include depiction and manufacturer specification sheet for proposed light fixture(s).*

6 ADDITIONAL ITEMS REQUIRED FOR MAJOR ALTERATION – FAÇADE OR BUILDING DEMOLITION REQUESTS:

- 6.1 Additional Project Narrative Requirements: Should explain how the proposed demolition will not detract from the historic character of the Square or from the property value of adjacent buildings.
- 6.2 Documentation to establish that demolition will not damage adjacent buildings
- 6.3 Post-Demolition Reconstruction Plan:
 - a. Complete architectural drawings, to scale, of proposed replacement building or façade, or, in cases where an underlying façade will be the replacement façade, a rendering of the expected appearance of the underlying façade, including any restoration work.
 - b. If applicable, Site Plan for proposed replacement structure (see “New Building Construction” Request)
 - c. Provide a draft Guarantee Agreement for review. A Guarantee Agreement is between the owner and the city and demonstrates the owner’s intent and financial ability to carry out the reconstruction plan. Agreement must include:
 - d. Covenant to construct proposed structure by a specific date in accordance with the architectural drawings approved by the city through the CDC process
 - e. Performance or payment bond, letter of credit, escrow agreement, cash deposit, or other arrangement approved by the Planning Director, to ensure construction of the proposed replacement structure
 - f. I understand that approval of agreement as to form is required to be granted by the Denton City Attorney

7 ADDITIONAL ITEMS REQUIRED FOR NEW BUILDING CONSTRUCTION REQUESTS:

- 7.1 Additional Project Narrative Requirements: Should discuss how the new building will maintain or enhance the historic character of the Square.
- 7.2 Depiction of expected appearance of proposed building, including detailed depictions of adjoining buildings.
- 7.3 Provide a copy of the City of Denton’s Zoning Compliance Plan Checklist, [available online](#).



- 7.4 Temporary Construction Fencing plan, including depiction of the location, height, and material of the proposed fencing, as well as any decorative elements. *Fencing must meet the standards of DDC Section 4.10.7.L.3.*
- 7.5 If applicable, plans and legal documentation to establish that new building can be attached to adjoining building(s) without causing damage.

8 ADDITIONAL ITEMS REQUIRED FOR NEW MURAL AND/OR SIGN REQUESTS:

- 8.1 Additional Project Narrative Requirements: Should address the requirements that murals in the Denton Square District must:
 - a. Be compatible with the architectural and aesthetic components of the building or other structure on which it is installed, and
 - b. Not detract from the character of the district, and not be detrimental to the public health, safety, and welfare.
- 8.2 Current image of subject building with adjoining buildings on each side to provide context for location of proposed mural or sign.
- 8.3 Photograph, painting, or digital image depicting proposed sign or mural. Should be substantially similar to what is put in place, with only minor, non-substantive modifications in final product.
- 8.4 Building elevation to scale showing size and location of mural or sign on proposed building.
 - a. For all murals, identify the type of façade material to which mural will be applied.
 - b. If mural on separate panel is proposed, depict and label (if necessary) how panel will be mounted on the wall
 - c. For murals on facades facing the Square Proper, label the elevation with the area in square feet of façade on which mural will be installed and the percentage of the facade area to be covered by the proposed mural.

ALL SIGNS, INCLUDING MURALS WILL ALSO REQUIRE A SIGN PERMIT AND THAT APPROVAL OF A CERTIFICATE OF DESIGN CONSISTENCY APPLICATION FOR A NEW MURAL AND/OR SIGN DOES NOT CONSTITUTE APPROVAL OF A SIGN PERMIT.

9 ADDITIONAL ITEMS THAT MAY BE REQUIRED FOR A “CONTRIBUTING PROPERTY”

- 9.1 Additional Project Narrative Requirements: Address why any proposed removal, replacement, or repair of historic materials, architectural features, facades, or building, or any proposed exterior addition to an existing Contributing Property building will meet, and will not violate, the Purpose and Overall Intent of the Denton Square District (see Page 1).
- 9.2 Physical or documentary evidence to establish that proposed new window openings in an existing facade are similar in number, style, and placement to window openings which existed in the Denton Courthouse National Register District during the Period of Significance, per DDC Section 4.10.7.K.4.
- 9.3 If the proposed project calls for the demolition of the Contributing Property or its facade, please see the Contributing Property Demolition Checklist Beginning on **Page 8** of this document.



CONTRIBUTING PROPERTY DEMOLITION CHECKLIST

This checklist may be required as part of the completion of the **Certificate of Design Consistency Checklist and Application**. Proposed Demolition of Building or Façade of Contributing Property, Post-Demolition Reconstruction Plan should include the additional required documents for one (1) of the Demolition Options below:

1 DEMOLITION OPTION A: IF PROPOSING TO REPLACE EXISTING HISTORIC STRUCTURE/FAÇADE WITH ONE MORE COMPATIBLE WITH THE HISTORIC CHARACTER OF THE SQUARE, PROVIDE THE FOLLOWING DOCUMENTATION

- 1.1 Records depicting the original construction of the structure or its appearance and condition during the Period of Significance of the National Register District (Period of Significance: 1882-1949), including drawings, pictures, or written descriptions.
- 1.2 Records depicting the current condition of the structure, including drawings, pictures, or written descriptions.
- 1.3 Any conditions proposed to be placed voluntarily on the new structure that would mitigate the loss of the existing building or façade.
- 1.4 Any additional documentation determined by the Director to be necessary to establish the compatibility of the proposed replacement.

2 DEMOLITION OPTION B (FAÇADE ONLY): IF PROPOSING TO REMOVE A FAÇADE WHICH DID NOT EXIST DURING THE PERIOD OF SIGNIFICANCE FOR THE NATIONAL REGISTER DISTRICT (PERIOD OF SIGNIFICANCE: 1882-1949), TO REVEAL AN OLDER FAÇADE UNDERNEATH, WHICH WAS IN EXISTENCE DURING THE PERIOD OF SIGNIFICANCE, PROVIDE THE FOLLOWING DOCUMENTATION

- 2.1 Physical or documentary evidence of existing underlying façade beneath the façade which is proposed for demolition.
- 2.2 Plans and any additional documentation that shows how the existing façade will be deconstructed and removed to not damage the older underlying façade.

3 DEMOLITION OPTION C: IF PROPOSING TO REMOVE AN EXISTING HISTORIC BUILDING/FAÇADE BECAUSE AN UNREASONABLE ECONOMIC HARDSHIP* EXISTS IF APPLICANT IS REQUIRED TO MAINTAIN THE CURRENT BUILDING OR FAÇADE, PROVIDE THE FOLLOWING DOCUMENTS TO ESTABLISH PROOF OF HARDSHIP (DDC SUBSECTION 4.10.8C)

- 3.1 The original purchase price of the Contributing Building;
- 3.2 The name and legal status (e.g., partnership, corporation) of the owner(s);



- 3.3 A signed building assessment report from a licensed engineer or contractor, as to the structural soundness of either the Contributing Building and/or façade of the Contributing Building, including a cost estimate for repairs;
- 3.4 A cost estimate for demolition of the Contributing Building or façade of a Contributing Building;
- 3.5 The past and current use of the Contributing Building;
- 3.6 The assessed value of the property containing the Contributing Building, according to the two most recent tax assessments;
- 3.7 The amount of real estate taxes on the property containing the Contributing Building for the previous two years;
- 3.8 The date of purchase or other acquisition of the property containing the Contributing Building;
- 3.9 Principal balance and interest rate on the current mortgage and the annual debt service on the property containing the Contributing Building, if any, for the previous two years;
- 3.10 All appraisals obtained by the owner or applicant within the previous two years in connection with the owner's purchase, financing or ownership of the property containing the Contributing Building;
- 3.11 Any listing of the property containing the Contributing Building for sale or rent, asking price, and offers received;
- 3.12 Any consideration given by the owner to profitable adaptive uses for the Contributing Building or, in cases when only the removal of the façade is proposed, for profitable adaptive uses that do not require removal of the façade;
- 3.13 Proof that the owner's affirmative obligations to maintain the property containing the Contributing Building make it impossible for the owner to realize a reasonable rate of return on that property;
- 3.14 Additional requirements for an income producing historic property (see **DDC Subsection 4.10.8C.15**);
- 3.15 Annual gross income from the property from the previous two years;
- 3.16 Itemized operating and maintenance expenses from the previous two years;
- 3.17 Annual cash flow, if any, from the previous two years; and
- 3.18 Additional information relevant to a determination of unreasonable economic hardship, as determined and requested by the Director.

CLAIMS OF UNREASONABLE ECONOMIC HARDSHIP BY THE HISTORIC PROPERTY OWNER MUST NOT BE BASED ON CONDITIONS RESULTING FROM THE FOLLOWING:

- Evidence of demolition by neglect or other willful and negligent acts by the owner;
- Purchasing the property for substantially more than market value at the time of purchase;
- Failure to take into account historic properties in the planning and design stage of development or proposed development;
- Failure to perform normal maintenance and repairs;
- Failure to diligently solicit and retain tenants; or
- Failure to provide normal tenant improvements.