

## H. Historic Preservation Commission

### 2.47. General.

The historic preservation commission (also referred to as HPC) shall function according to the following criteria.

### 2.48. Creation.

- (a) Membership; organization; meetings : There is hereby created a commission to be known as the city historic preservation commission. The commission members shall serve without pay. The commission shall consist of seven members to be appointed by majority vote of the city council.
- (1) All commission members shall have a demonstrated outstanding interest in the historic traditions of the city and experience in the preservation of the historic character of the city.
  - (2) The city council shall endeavor, to the extent reasonably available, to appoint members from the following categories:
    - (A) Architect, planner or design professional;
    - (B) Historian;
    - (C) Licensed real estate broker or appraiser;
    - (D) Attorney at law;
    - (E) Owner of a landmark property or property in a historic district;
    - (F) Member of the Hays County Historical Society;
    - (G) Archaeologist;
    - (H) Geographer;
    - (I) Anthropologist; and/or
    - (J) Member of the planning and zoning commission.
  - (3) To the extent possible, the city council shall endeavor to appoint to the commission residents, business owners or property owners from within the city limits or extraterritorial jurisdiction. The commission as a whole shall represent the ethnic makeup of the city to the extent possible.
  - (4) Commission members shall serve for a term of two years, with the exception that the initial term of three members shall be one year. The terms shall expire in June. Commission members may be removed by the city council for cause.
  - (5) The chair and vice-chair of the commission shall be elected by and from the members of the commission and shall serve for a period of one year.
  - (6) The commission shall meet at least monthly, if business is at hand. Special meetings may be called at any time by the chair or on the request of any two commission members. All meetings shall be held in conformance with the Texas Open Meetings Act, Texas Government Code chapter 551.
  - (7) A quorum for the transaction of business shall consist of a simple majority of the membership.

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- (8) Commission members unable to attend any meeting shall notify the chairperson as soon as possible, in order to assure a quorum will be present. Any member of the commission absent for three regular consecutive meetings or four regular meetings during the preceding twelve-month period of the commission, without having obtained leave of absence at a regular meeting, unless prevented by sickness, shall be deemed to have automatically vacated his or her office.

## **2.49. Powers and duties.**

The commission shall be empowered to:

- (1) Make recommendations for employment of staff and professional consultants as necessary to carry out the duties of the commission;
- (2) Prepare rules and procedures as necessary to carry out the business of the commission, which shall be ratified by the city council;
- (3) Adopt criteria for the designation of historic, architectural, and cultural landmarks and the delineation of historic districts, which shall be ratified by the city council;
- (4) Conduct surveys and maintain an inventory of significant historic, architectural, and cultural landmarks and all properties located in historic districts within the city;
- (5) Recommend the designation of resources by the city council as landmarks and historic districts;
- (6) Create committees and delegate to these committees' responsibilities to carry out the purposes of this article;
- (7) Maintain written minutes which record all proceedings and actions taken by the commission;
- (8) Recommend conferral of recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers;
- (9) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs;
- (10) Make recommendations to the city council concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and historic districts within the city;
- (11) Approve or disapprove of applications for certificates of appropriateness pursuant to this article;
- (12) Prepare specific design guidelines to be enacted by the city council for the review of landmarks and districts;
- (13) Recommend the acquisition of a landmark structure by the city where its preservation is essential to the purpose of this article and where private preservation is not feasible;
- (14) Propose tax abatement programs for landmark districts;
- (15) Accept on behalf of the city the donation of preservation easements and development rights as well as any other gift of value for the purpose of historic preservation, subject to the approval of the city council;
- (16) Evaluate concept site plans in accordance with all historic district zoning requirements for proposed construction, other than ordinary repairs or maintenance for which the cumulative cost of construction is less than \$10,000.00, in the historic districts as part of the certificates of appropriateness review;
- (17) Conduct reviews of applications for alternative exterior design standards and consider the alternative exterior design standards for issuance or denial.

(Ordinance 2020-26, adopted 6/9/20)