

STAFF REPORT



SUBJECT: Consider Proposed Historic District Ordinance

On September 17, 2024, the Development Services Committee voted to assign the proposed ordinance to the Planning and Zoning Commission for a Public Hearing and subsequent recommendation to City Council.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

RECOMMENDATION:

Community members have approached staff with an interest in establishing an ordinance that would require the issuance of a certificate of appropriateness before any work is performed for exterior facades of buildings within the district. Staff have been working closely with these community members to draft an ordinance that meets these desires. Historic District ordinances are common across the Nation and widely vary in the degree of regulation. Local Government Code Chapter 211 provides the authority for the adoption of such ordinances.

The proposed ordinance highlights include:

1. Authorized by Ch 211 of LGC
2. Purpose is to protect historic, architectural and cultural heritage
3. Creates a Historic Commission of five members with duties such as:
 - a. Recommend to Council the district and resources
 - b. Administer the program
 - c. Approve or deny Certificates of Appropriateness – requiring at least 3 votes of the Commission
 - d. Deem a building as Demolition by Neglect
4. Any person making modifications (including demolitions) to historic buildings/resources or the exterior of street facing facades of any building within the Historic Preservation District must APPLY and obtain a Certificate of Appropriateness before work may be authorized.
5. The Commission must act within 30 days, or it is referred to Council.
6. The Commission’s decision can also be appealed to Council.
7. Work being performed without a COA or not in compliance with the approved COA is subject to a Stop Work Order by the City.
8. Ordinary Maintenance and Repair is not prohibited.
9. It is an offence to violate the provisions of the ordinance – if so adopted.
10. The proposed guidelines do establish a vacant building registration requirement.

The Planning and Zoning Commission convened on October 16, 2024, and by a vote of 6:1, recommended the City Council reject the proposed ordinance.

ALTERNATIVES

1. Accept the recommendation of the Planning and Zoning Commission and reject the proposed ordinance.
2. Adopt the proposed ordinance.