



# Wylie City Council

## AGENDA REPORT

Department: Planning  
Prepared By: Renae' Ollie

Account Code: \_\_\_\_\_

### Subject

Consider, and act upon, Ordinance No. 2022-46, amending Wylie's Code of Ordinances, Ordinance No. 2021-17, as amended, amending Chapter 58 (Historical Preservation), Article I (General) and Article II (Landmarks).

### Recommendation

Motion to recommend approval as presented, and to designate the Historical Review Commission as the entity with exclusive authority to approve the designations of properties as local historic landmarks and the inclusion of properties in a local historic district.

### Discussion

The Historic Review Commission held a series of work sessions to discuss proposed updates to Chapter 58 Landmarks of the Code of Ordinances to consider enhancing the current Landmarks section. The subject section was last amended in 1990. The attached draft is presented as recommended by the HRC at its March 24, 2022 meeting.

Summary of amendments include:

- Creating definitions as well as changes to bring the ordinance more in line with established goals of the HRC
- Removed wording regarding perpetual monthly basis and replaced with a purpose statement
- Established criteria to set landmark designations
- Established a section to outline an ordinary maintenance clause
- Alternative parking and loading for properties with landmark designations

The purpose of designating a local historic landmark is to bring attention to the general public of places of importance and protect the historic resource from inappropriate changes or demolition. In addition, such landmarks will help reinforce the city's mission statement of "*Honoring our past; Embracing our present; Planning our future.*"

Guidance for landmark designation shall be in accordance with Local Government Code Chapter 211, whereby section 211.0165 outlines the necessary steps and grants authority to the municipality. Before a structure or land can be designated as a local historic landmark, the property owner must consent. If the property owner does not consent, approval by at least a three-fourths majority vote of the City Council and Planning and Zoning Commission, or HRC is required. (Sec. 58-22)

In accordance with LGC Ch. 211.0165(a-1) when a property owner does not consent, the municipality shall designate the Planning and Zoning Commission or the Historical Review Commission as the entity with exclusive authority to approve the designations of properties as local historic landmarks and the inclusion of properties in a local historic district. The exclusive authority to the Commission is granted only when a property owner does not consent to their property being designated as a local landmark.

**Responsibility of the City:**

The municipality must provide the property owner a statement that describes the impact that a historic designation of the owner's property may have on the owner and the owner's property. Consideration of incentives or tax abatement on City portion of taxes for properties with a designated landmark.

**Responsibility of the property owners:**

All property owners with a designated landmark have the responsibility as any property owner within the City to maintain their property to minimum standards, which include the structural soundness of the building, deteriorated roofing or siding materials, broken windows, maintaining porches and balconies, and keeping the yard free of debris.

Approval from the HRC and City Council is required prior to any exterior work beginning on a property with a designated landmark.

**Financial Summary/Strategic Goals**

Ties in with the City's mission statement: Honoring our past; Embracing our present; Planning our Future.