



Legislation Text

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Agenda Information Sheet

DEPARTMENT: Legal

CM/ ACM: Anita Burgess

Date: July 29, 2014

SUBJECT

Hold a discussion and provide staff with direction regarding the creation of an ad hoc City Council Committee to interface with the Historic Landmark Commission and review the operations, procedures, powers, duties, policies and regulations related to Historic Landmark Preservation and Historic Districts in the City of Denton, Texas.

BACKGROUND

On April 4, during the Historic Landmark Commission (HLC) work session Councilman Roden presented a proposal to create a Council Committee to explore policies and vision for Historic Preservation in the City. The Council Committee would open lines of communications between the HLC and Council and create collaboration on how to best address HLC issues.

During the work session, the HLC presented several policies they believed warranted consideration for discussion by the Council Committee. The topics proposed for discussion included: aesthetic issues associated with the use of Solar Energy within Historic Districts; creation of a downtown overlay district; adopt elements of strategic planning and establish annual goals as part of the Preservation Plan update; increase inventory of landmark and historic structures; develop economic incentives for historic preservation; and balancing historic preservation interests with Economic Development.

Councilman Roden also discussed the potential use of a citizen committee of stakeholders, as needed, on the implementation of Historic Preservation initiatives. The citizen committee could be created to participate on a specific issue or several issues. The citizen's committee would also be part of public education campaign to better communicate historic preservation initiatives to the community.

The HLC expressed some concern with the creation of an additional Council Committee on Historic Preservation despite the identified benefits. The concern arises from the belief that the creation of another Council Committee adds another layer of governance between the HLC and City Council and may increase the potential for conflicts. Moreover, the use of a citizens committee may pose problems due to their potential lack of knowledge of historic preservation initiatives and local efforts to expand historic preservation.

On April 15, 2014, the City Council was briefed during work session on several items (Exhibit 1). Over the past year, the HLC has dealt with broad issues that overlap with city wide policies, goals, and objectives. The HLC has expressed their desire to expand their role in the review of properties on the downtown square which

are a part of the National Registry of Historic Places (Exhibit 2) and not a local designation. This was also communicated in an Informal Staff Report to the City Council in June 2013 (Exhibit 3). Subsequently, the HLC has been developing for implementation an historic overlay district for the downtown to identify historic properties and historic elements of the downtown that should be preserved.

More recently, the HLC reviewed a request for the installation of solar panels on historic structures that was subsequently denied. The basis for the denial was HLC concerns about the location of the solar panel on the section of the roof visible from public view. In addition, the HLC was concerned that there are inadequate design guidelines for installation of solar panels in historic designated areas of the City and approval of the request could set precedent with no established guidelines. Staff has been meeting with the neighborhood to develop policies for solar panels that will develop into a DDC amendment. This issue highlights the need for an update to the HLC Ordinance as the City Strategic Plan notes the preservation and maintenance of historic structures and culture in Denton as a goal, as does the City Sustainability Plan that notes to improve the energy efficiency of existing homes and buildings as a goal. The creation of a Council Committee to explore policies and vision for Historic Preservation would provide policy guidance and leadership on the noted subjects to align these outcomes with citywide goals.

The Historic Landmark Commission (HLC) was created in April 1980, by Ordinance No. 80-030 (Exhibit 4) to, among other things, protect, enhance and perpetuate historic landmarks which represent or reflect distinctive and important elements of the City's and state's architectural, archaeological, cultural, social, economic, ethnic and political history and to develop appropriate settings for such places. The enabling language also includes the composition of the nine member committee and states that the HLC shall include at least one representative from each of the following organizations or professions:

County Historical Commission
The County Bar Association
A Certified Public Accountant
A registered Accountant
An owner of real property in the City

For some time the structure of the HLC has not met this requirement. As staff has continued their interaction with the HLC it has become apparent that updates and amendments to the Denton Development Code (DDC) are warranted to ensure that the DDC aligns with the goals and objectives of the HLC and the vision and direction of the City Council.

OPTIONS

1. Move forward with the creation of a City Council Committee on Historic Preservation.
2. Refrain from creating a City Council Committee on Historic Preservations.
3. Postpone action on the creation of a City Council Committee on Historic Preservation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

April 15, 2014 - City Council Work Session

EXHIBITS

1. April 15, 2014, Agenda Information Sheet

2. Downtown Square National Registry of Historic Places
3. June 2013 - Informal Staff Report
4. Ordinance No. 80-030

Prepared by and respectfully submitted:
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