

It's real.

MEMORANDUM

To: Mayor Don Keil and Seguin City Council
Steve Parker, City Manager

From: Kyle Kramm, Main Street & CVB Director

Through: Rick Cortes, Assistant City Manager

Subject: Preservation Ordinance Amendments

Date: January 27, 2020

Staff is recommending two amendments to Seguin's Preservation Ordinance which is incorporated within the Unified Development Code. The changes being proposed are increasing the size of the Commission and the designation of landmarks to be in accordance with changes to the state law approved by the Texas Legislature during the last session.

When the City of Seguin was being reviewed by the Texas Historical Commission's Certified Local Government staff, one item that was noted was to ensure that the Commission represented the diversity of the community. One of the ideas discussed was increasing the size of the Commission from 5 to 7 members to allow for more underrepresented voices on the Commission. Additionally, increasing the number of Commissioners, will help ensure quorums for the regular meetings.

Below, please find a summary of the size of preservation commissions from other Texas cities. As you can see Seguin with 5 is one of the smallest commissions.

City	# of Commissioners	City	# of Commissioners
Seguin	5	Austin	11
Arlington	9	Socorro	7
Plano	7	Rio Grande City	7
Mount Vernon	7	Waco	12
Tyler	9	Castroville	7 plus 2 alternates
Galveston	7 plus 2 alternates	Dallas	14 plus 3 alternates
Waxahachie	7	Wichita Falls	9
Round Rock	7	Brownsville	7
Mansfield	7 plus 2 alternates	Paris	7
Belton	5	Longview	7
Georgetown	7 plus 2 alternates	Fort Worth	9 plus 2 alternates
San Marcos	7	Laredo	9

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McAllen	7	New Braunfels	9
Lubbock	11	El Paso	9
Fredericksburg	7 plus 3 alternates	Denton	9
Corpus Christi	11	Mission	7

The second proposed change is to reflect a new law passed by the Texas Legislature in regard to cities designating properties as local landmarks and historic districts. The changes are to the designation of properties without the owner's consent. The new rule has included three separate clauses:

- 1.) A city pursuing designation without an owner's consent must have three-quarters approval of the Preservation Commission, Planning & Zoning Commission and City Council. Additionally, 15 days prior to the first hearing on designation, the City must send a letter to the owner entailing the designation process, any additional regulations to be applied after designation and incentives and tools offered by the City for preservation.
- 2.) No property owned by a religious organization may be designated without their consent.
- 3.) A property owner can withdraw their consent at any time in the designation process.

Staff has adapted these three principles within the attached amended preservation ordinance. Also attached is HB 2469 for your review.

The amendments to the ordinance were recommended for approval by the Historic Preservation & Design Commission and the Seguin Planning & Zoning Commission.