



CITY OF SAN ANTONIO OFFICE OF HISTORIC PRESERVATION

HISTORIC & DESIGN REVIEW COMMISSION (HDRC) RULES OF PROCEDURE SAN ANTONIO, TEXAS May 2015

ARTICLE I: HISTORIC COMMISSION

- A Name of Historic and Design Review Commission
The name of the Historic and Design Review Commission shall be the San Antonio, Texas, Historic and Design Review Commission, hereinafter referred to as the Commission.
- B Office of the Commission
The principal office of the Commission shall be the Office of Historic Preservation, located at the Cliff Morton Development and Business Services Center, 1901 S. Alamo, San Antonio, TX 78204, or as that office is moved.

Planning and Community Development staff will also forward applications for infill development in the Downtown area to the Commission as necessary per the adopted Downtown Design Guide. That office is located at 1400 S. Flores, San Antonio, TX 78204.

ARTICLE II: PURPOSES AND GENERAL POWERS

- A Applicable Legislation
The purposes and general powers of the Commission shall encompass those purposes and powers specified in:
1. Applicable State regulations as applied to Rules and Procedures for Certified Local Governments under the Texas Administrative Code.
 2. Applicable sections of the San Antonio Unified Development Code, including, but not limited to Article VI, Article VIII Section 35-803, any other relevant sections of the UDC and Ordinance 2009-03-19-0205.
 3. Chapter 2 (Administration), Article IX (Boards and Commission Rules), of the Code of Ordinances of the City of San Antonio
 4. Any regulations, rules, bylaws, and policies adopted and enunciated from time to time by the Commission.
 5. Applicable regulations, rules, and policies adopted and enunciated from time to time by the San Antonio City Council.
- B Responsibilities and Duties
Duties and functions. The Commission shall serve to assist in an advisory capacity to the City Manager and other appropriate departments including the Office of Historic Preservation, Development Services Department, Department of Planning and Community Development, Parks and Recreation, Transportation and Capital Improvements Department and Department for Culture and Creative

Development, in accordance with Section 49 of the City Charter, and. The Commission shall have no authority to bind the City of San Antonio by contract or otherwise.

The Commission shall have the following duties and functions:

1. To conduct an ongoing inventory to identify historically, culturally, architecturally, and archaeologically significant buildings, objects, sites, structures, public art and design enhancements, and areas that exemplify the cultural, social, economic, political, archaeological, or architectural history of the city, state, or nation;
2. To investigate and recommend through the city zoning Commission the designation of areas having special historic, cultural, architectural, or archaeological value as historic districts; and buildings, objects, sites, structures, or clusters having special historic, cultural, architectural, or archaeological value as exceptional or significant landmarks;
3. To hold public hearings and to review applications for construction, reconstruction, alteration, relocation, renovation, landscaping, or demolition affecting proposed or designated landmarks or buildings, objects, sites, signs, public art and design enhancements, or structures in the Riverwalk area, historic districts, and public property and rights-of-way and recommend issuance or denial of certificates of appropriateness for such actions;
4. To recommend specific design guidelines for the restoration, rehabilitation, alteration, construction, reconstruction, or relocation of landmarks, or buildings, objects, sites and structures within historic districts, in the Riverwalk area, on public property, or in the public right-of-way;
5. To recommend guidelines for signage, street furniture, appurtenances, advertising devices, landscaping, monuments and works of art for each historic district, each landmark, in the Riverwalk area, and for public property and public rights-of-way;
6. To hold public hearings and to review applications for ad valorem tax exemption for residential and commercial buildings and structures which have historical significance and are in need of tax relief to encourage their preservation and rehabilitation; to certify the facts governing eligibility, along with the Commission's recommendation, to the Bexar Appraisal District, for approval or disapproval of the application for exemption; upon receipt of a sworn statement of completion, to investigate the building or structure to determine whether the restoration or rehabilitation has been substantially completed as required for certification, and to notify the Bexar Appraisal District in writing if verification of completion is favorable;
7. To review and make recommendations concerning proposed tax increment districts and special assessment districts that would affect proposed or designated landmarks or historic districts;
8. To testify through the chairman or vice chairman before all boards and Commissions on any matter affecting historically, culturally, architecturally, or archaeologically exceptional, or significant areas, buildings, objects, sites, structures, clusters, historic districts, property located in the River walk area, or public property;

9. To review all proposed National Register nominations within the City of San Antonio upon recommendation of the city's historic preservation officer;
10. To inform and educate the citizens of San Antonio concerning the historical, cultural, architectural, and archaeological heritage of the city;
11. To recommend conferral of recognition upon the owners of landmarks or buildings, objects, sites or structures within historic districts by means of certificates, plaques, or markers;
12. To review periodically the zoning ordinance of the City of San Antonio and to recommend any amendments appropriate for the preservation and protection of landmarks or buildings, objects, sites and structures within historic districts, in the Riverwalk area, on public property, or in the public right-of-way;
13. To create committees of no more than five (5) persons from among its membership to meet at times other than regular Commission meetings, to consider specified categories of applications; and to make recommendations to the full Commission; and
14. To prepare and submit annually to the city council a report summarizing the work of the Commission during the previous calendar year which has been adopted by the Commission.

ARTICLE III: MEMBERS

In appointing members of the Commission, the city council shall make appointments that are sensitive to the preservation and development goals of the city and will enable the city to retain compliance as a certified local government under the rules incorporating the provisions of the U.S. Historic Preservation Act of 1966, as amended, and Title 13, Texas Historic Commission, chapter 15, specifically 13 TAC 15.6(f)(3)(C), so that all members shall have a demonstrated "interest, competence, or knowledge in historic preservation."

A Composition

Composition shall be from three (3) categories of members from the following disciplines or backgrounds:

1. One (1) representative shall be selected from each of the following disciplines: architecture (licensed in the State of Texas), history, architectural history, archaeology, and planning. Memberships from these five (5) disciplines are required in order to achieve compliance with the U.S. Historic Preservation Act, as well as applicable Texas law.
2. One (1) representative from each of the following disciplines: landscape architecture (licensed in the State of Texas), and a professional in the field of public art or art history. Membership from these two (2) disciplines are required to provide design expertise related to the Riverwalk and public art.
3. Four (4) individuals in business/professional categories which shall include disciplines and backgrounds in real estate/commercial development, economic development, law, banking or accounting, or civil engineering and in a general category which shall include experience or background in urban design, visual arts, public art, neighborhood representation, or design enhancements, or who shall be a citizen-at-large.

In order to be qualified to serve, all applicants for boards and Commissions must be residents of the city, and continue such residency during the term of their appointment, unless such requirement is waived by City Council. Members of the Commission shall represent the general ethnic and gender makeup of the community. All board Commission members serve at the pleasure of the city council and may be removed from office at the discretion of the city council without cause, such removal to be evidenced by passage of an ordinance.

B Appointments

The mayor and city council will each appoint one (1) member of the Commission to complete category representation.

C Terms

Commission members are appointed for a term of office of two (2) years. The term of office for each Commission member will run concurrently with the terms of office of the city council that appoints each member. Any vacancy shall be filled for the remainder of the term by the city council.

D Attendance, Absences, and Vacancies

Any member of the Commission who is absent from three (3) consecutive regular meetings or whose attendance at regularly scheduled meetings falls below fifty (50) percent on an annual basis from the appointment date will be automatically removed from the Commission without any further action by the city council.

Additionally, if a Commissioner is absent from six (6) or more regular meetings during a twelve-month period he or she shall be removed from the Commission. Any vacancies on the Commission shall be filled within sixty (60) days, through nomination by the Mayor or Councilperson with approval by the City Council.

E Continuing Education

Members of the Commission are expected to continue to demonstrate an interest in historic preservation through participation in meetings, workshops, and conferences related to historic preservation. Each Commission member shall attend a related educational event each year. The Historic Preservation Officer will provide at least one training opportunity per year, which will satisfy this requirement. Each member of the Commission shall be thoroughly familiar with the Unified Development Code Article VI, the State Enabling Legislation, and the adopted historic district design guidelines.

ARTICLE IV: COMMITTEES AND SUBCOMMITTEES

- A** The Chair shall recommend committees and subcommittees of the Commission, which shall be approved by a majority vote of the Commission. The chair may create task forces related to specific issues which do not need to be approved by the Commission. The Chair shall appoint members to committees, subcommittees, and task forces with the advice and consent of a majority vote of the Commission.

1. At least two members of the Commission must be appointed to each committee, but in no event shall the attendance number total a quorum. The following standing committees shall be established upon adoption of these rules and shall meet as required by vote of the Commission or at the special request of the Historic Preservation Officer or the Chair:

- Design Review Committee
- Downtown Infill Committee
- Demolitions Committee
- Survey and Designation Committee

At least 2 members of the committee must be present to conduct business, and a written report with a recommendation shall be submitted back to the full Historic and Design Review Commission.

2. Committees and subcommittees can be dissolved by a majority vote of the Commission.
3. At the recommendation of the Historic Preservation Officer, citizen committee members may also be appointed to subcommittees to serve in an advisory role to Commission members. Recommendations for citizen committee members shall be provided and approved by quarterly vote of the Commission.

B Purpose

1. The Design Review Committee shall provide feedback to applicants prior to full submittal or shall consider items referred to the committee. The Design and Demolitions Review Committee will meet on a reoccurring basis as to be set by the chairman. It shall also hold on-site meetings when referred by the Commission.
2. The Downtown Infill Committee shall review projects that fall solely under the jurisdiction of the Downtown Design Guide, provide feedback to applicants prior to an application to the HDRC and provide recommendations to the Commission.
3. The Demolitions Committee shall review requests for demolition for compliance with the UDC. This committee is responsible for hosting meetings on an as-needed basis with stakeholders and other interest groups. Applicants will submit evidence of economic hardship or loss of significance for review of the committee prior to HDRC review.
4. The Survey and Designation Committee shall work with staff to recommend landmarks and districts for possible designation. The may set regular meetings.
5. Any other Committees created in the future shall provide purpose and guidelines to the Historic Preservation Officer and Commission for review and approval.

- C Membership
Membership of committees, subcommittees and task forces shall be established quarterly by vote of the Commission or on an as-needed basis at the recommendation of the Historic Preservation Officer. Vacancies on the Committees may be filled by appointment of the Chair until the next regularly scheduled Commission meeting at which the Committee appointments can be voted on by the Commission.

ARTICLE V: OFFICERS

- A Officers
Members of the Commission shall elect a chairman and vice chairman from among those members who have served at least one (1) year as Commission members. The chairman and vice chairman shall serve for a one-year term, but no person shall serve more than two (2) consecutive city council appointed terms in the same office. The chairman shall preside over all meetings of the Commission. The vice chairman shall preside in the absence or at the request of the chairman. An additional presiding officer pro-tem may be selected by the Commission members to preside over meetings in the absence of both the chairman and vice chairman.
- B Election of Officers
Election of Commission officers shall occur in January of each year. On the day of the election of officers, the chairman shall turn the meeting over to the historic preservation officer who will accept nominations from the membership for chairman and vice chairman. Officers must receive a majority vote of the Commission members. The term of office shall begin the day of the election.
- C Secretary
The Historic Preservation Officer or his or her representative shall act as secretary of the Commission and shall attend and keep minutes of all meetings, including committee meetings.
- D Absences of Officers
Should the Chair not be in attendance at any meeting of the Commission, the Vice-Chair shall conduct the hearing. In the absence of both the Chair and the Vice-Chair, the historic preservation officer will accept nominations from the membership for a temporary Chair to conduct the meeting. These temporary appointments shall be reflected in the minutes.
- E Vacancy of Officers
Should the Chair resign or be unable to continue as the Chair, the members shall elect from among themselves an Acting Chair to serve for the remainder of the term. Should the Vice-Chair resign or be unable to continue as the Vice-Chair, the members shall elect from among themselves an Acting Vice-Chair to serve for the remainder of the term. The election will be held at the next scheduled hearing after the vacancy occurs.

ARTICLE VI: MEETINGS

The Commission shall hold each regular meeting on the basis of not less than once each month, and more frequently if necessary, at a regularly scheduled time with advance notice posted according to the Texas Open Meetings Act.

Additional special meetings may be called. All meetings of the Commission shall be open to the public in accordance with the Texas Open Meetings Act. The place, day and/or hour of meetings may be changed by vote of the Commission at any regular meeting. Notice of such action shall be provided in accordance with the Texas Open Meetings Act. Minutes of the Commission's proceedings showing the vote shall be filed in the office of the city historic preservation officer and shall be a public record.

A Regular Meetings

Commission meetings shall be held on the first and third Wednesday of each month at 3:00 p.m, unless otherwise rescheduled by the Commission. A calendar of scheduled activities will be provided to all Commission members. Meetings falling on an official City of San Antonio holiday shall be held the following Friday at the same time, unless otherwise rescheduled by the Commission

B Special Meetings

Special meetings for any purpose may be held on call by the Chairman, Vice Chairman or the Historic Preservation Officer by giving at least seventy-two (72) hours public written notice of the meeting, or may be scheduled by a majority vote of the Commission at any previous meeting. The Commissioners convening the special meeting shall determine the time and place.

C Motions

Motions will be made according to Robert's Rules of Order.

D Voting

All voting will adhere to Robert's Rules of Order.

E Agenda

All meetings of the Commission shall follow a publicized agenda. The agenda will follow the Unified Development Code Section 35-404 Public Hearings Procedures.

F Order of Business

The Order of Business at Regular Meetings shall be in accordance with the UDC section 35-404 Quasi-Judicial Public Hearing Procedures (2) Conduct of Hearing. Any person or persons may appear at a public hearing and submit evidence, either individually or as a representative. Each person who appears at a public hearing shall state, for the record, his or her name, address, and if appearing on behalf of an organization or group, the name and mailing address of the organization or group. The hearing shall be conducted in accordance with the procedures set forth in this subsection. At any point, members of the body conducting the hearing may ask questions of the applicant, staff or public.

The order of proceedings shall be as follows:

1. The applicable director or appropriate staff member shall present a description of the proposed development and a written or oral recommendation. The recommendation shall address each factor required by this chapter to be considered prior to action or approval on the development permit;
2. The applicant shall present any information that the applicant deems appropriate;
3. Public testimony shall be heard;
 - (a) Those speaking on behalf of the agenda item,
 - (b) Those speaking in opposition of the agenda item.A minimum of 1.5 minutes shall be given to each person desiring to speak for testimony unless extended for due cause by the Chair.
4. The applicable director or other staff member may respond to any statement made by the applicant or any public comment;
5. The applicant may respond to any testimony or evidence presented by the staff or public;
6. The body conducting the hearing shall close the public portion of the hearing and conduct deliberations.

G Procedures

1. Whenever any question of procedure or qualification may be raised at a Commission meeting, the chairman shall rule thereon. A member may move to overrule the chairman's decision which may be done by a majority vote of the members present.
2. Any question of order or procedure not covered by these rules shall be decided according to the latest edition of Robert's Rules of Order, insofar as they may be applicable.

H Quorum

A quorum of the Commission shall require six (6) members present. The affirmative votes of a majority of the members present is required for action on all items except demolition of a landmark or contributing structure. The affirmative votes of two-thirds (2/3) of the members present is required for action on a demolition request for a landmark or a contributing structure.

I Press and Statements

Releases and statements to the public and press in the name of the Commission shall be made only by the Chair, in accordance with the City of San Antonio's Communication Policy .

J Conflicts of Interest

Members shall conduct themselves in accordance with the City's Ethics Code.

Examples of such conduct include, but are not limited to:

1. A member shall disqualify himself from voting whenever he/she finds that he has personal or monetary interest in the property under appeal, or will be directly affected by the decision of the Historic and Design Review Commission.

2. A member who disqualifies himself or abstains from voting on any case shall announce such disqualification or abstention for the public record, prior to the presentation of the case, and shall not take part in the deliberation or voting on the case. Such member shall also remove themselves from the boardroom while the application is being heard. In the event a member does not discover any circumstances requiring his disqualification or abstention until the public hearing, such member shall announce such disqualification or abstention as soon as it is discovered.

K Final Decision

1. All Certificates of Appropriateness shall be emailed or mailed to the applicant or his agent within 10 business days of the date of the decision.
2. Commission actions shall be recorded and maintained by the Office of Historic Preservation as provided for in the Unified Development Code.

L Work/Study Session

The HDRC may convene for the purpose of holding a work study session. This may be called by the Chairman, Vice Chairman or the Historic Preservation Officer by giving at least seventy-two (72) hours written public notice of the meeting, or may be scheduled by a majority of the Commission at any previous meeting, provided that no deliberation or vote shall take place regarding scheduled items.

ARTICLE VII. OFFICIAL RECORDS

A Definition- Official Records

The official records shall include these Rules of Procedure and the minutes or transcripts of the Commission together with all findings, decisions, and other official actions of the Commission.

B Recording of Vote

The Secretary shall keep minutes of the Commission's proceedings, which shall show pertinent facts presented during discussion, the vote of each member on each decision of the Commission, or if absent or failing to vote, indicating that fact.

C Public Record

The official records, filed for Commission action in regular or special meetings, shall be maintained in the Office of Historic Preservation and shall be available to the public during customary working hours.

ARTICLE VIII. AMENDMENTS

A Amendments

These Rules of Procedure may be amended at any regular or special meeting of the Commission by a two-thirds vote. Any such amendment must be submitted to the Historic Preservation Officer by Commission or Staff in writing and presented to the Commission at the next scheduled meeting.

- B No amendment in conflict with the City's Rules for Boards and Commissions shall be approved and added to these Rules of Procedure unless the amendment is approved by the City Council, through the passage of an ordinance.
- C Any changes in local, state and federal rules, regulations or laws applicable to the Historic and Design Review Commission or these Rules of Procedure shall automatically be amend and incorporated into this document.

ADOPTED

Date:

Chairman

ATTESTED:

Historic Preservation Officer