

Division 12.500 - Landmark Commission

SEC. 12.501 - GENERAL POWERS

- A. **Generally.** The Landmark Commission works to protect, enhance and promote landmarks and districts of historical importance in the city. The Landmark Commission shall have final decision-making authority in some decisions, and in others shall make recommendations to City Council and/or the Planning Commission.
- B. **Qualifications** All regular members shall be appointed by City Council to serve in a specified position as designated below. City Council shall appoint regular members to serve in Positions 1 through 7. City Council shall appoint the ex-officio to Position 8. City Council shall appoint alternates who fulfill the requirements of Positions 1 through 4. The alternates shall not be owners from the same historic zoning district. The designated positions shall be:

Position 1. An owner of a commercial building or commercial business located in a historic zoning district or an owner of a residential condominium in the Strand/Mechanic Historic District;

Position 2. An owner of a residential historic structure located in a historic zoning overlay or historic district;

Position 3. An owner of a historic structure located in a historic zoning overlay or historic district.

Position 4. An owner of a historic structure located in a historic zoning overlay or historic district, or an owner of a structure located in a neighborhood conservation district;

Position 5. A practicing Design Professional, including but not limited to: an architect, a landscape architect, an engineer, or an interior designer;

Position 6. Any resident of the City of Galveston, including within a Neighborhood Conservation District or historic zoning overlay or historic district;

Position 7. Any resident of the City of Galveston, including within a Neighborhood Conservation District or historic zoning overlay or historic district; and,

Position 8. A member of City Council, who shall be non-voting on the Commission.

In addition to meeting the requirements of the appointed position, all regular members and alternates shall have a demonstrated interest or competence in, or knowledge of historic preservation.

- C. **Decisions.** The Landmark Commission shall have the following powers:
1. *Review and Decision.* The Landmark Commission shall review and decide the following types of development related applications, except for those which are handled administratively by the Historic Preservation Officer as provided through the administrative approval provisions in the City's adopted Historic Design Standards:
 - a. Certificates of appropriateness where required in accordance with these regulations, including for proposed demolition of structures.
 - b. Signs within a historic overlay district.
 - c. Appeals from administrative decisions regarding design plans and certificates of zoning compliance for the demolition, relocation, new construction or an alteration or addition to the street façade of an existing building or structure within a designated Neighborhood Conservation District (NCD).

- d. Determination of claims of economic hardship by applicants following denial of a certificate of appropriateness.
 - e. Moving a Galveston Landmark from the location where it was designated.
 - f. Any other actions specifically assigned by these regulations.
2. *Review and Recommendation.* The Landmark Commission shall review and make a recommendation for the following types of applications:
- a. To the Planning Commission and City Council for creation and/or amendment of historic overlay districts; and designation of Galveston Landmarks and Neighborhood Conservation Districts (NCDs).
 - b. To the Planning Commission for permanent licenses to use (LTU) City rights-of-way, when the request is within a historic overlay district, as provided in Chapter 32-5 of the City Code of Ordinances.
 - c. To the Planning Commission and Council for abandonment of any City street right-of-way or real property interest in a historic overlay district.
 - d. Any other review and recommendation responsibilities specifically assigned by these regulations.

D. **Other Powers.** The Landmark Commission may also:

1. Initiate zoning map amendments to designate a Galveston Landmark, historic overlay district or Neighborhood Conservation District (NCD).
2. Develop, adopt and amend design standards consistent with the *United States Secretary of the Interior's Standards for Rehabilitation* to be used by the Landmark Commission.
3. Exercise its authority, under Texas Local Government Code Section 214.00111, to review a substandard building that is subject to potential corrective action by the City to determine if the building can be rehabilitated and receive a national, State or municipal historic designation.
4. File appropriate documents in the real property records of Galveston County.
5. Conduct surveys and provide information to enable the City to compile and maintain the "Galveston Landmark Register of Historic Places," which provides an inventory of significant historic, architectural and cultural landmarks located within the City.
6. Confer recognition upon the owners of Galveston Landmarks, including through the issuance of certificates, plaques or markers.
7. Testify before City boards and commissions on matters affecting historically, culturally or architecturally significant areas, building, sites, objects, structures or historic districts.
8. Provide comments to the State Historic Preservation Officer (SHPO) regarding designation on the National Register of Historic Places within the City.
9. Inform and educate the citizens of Galveston concerning the historical, cultural and architectural heritage of the City.
10. Periodically review the City's zoning regulations and Historic Design Standards and recommend to Council amendments the Landmark Commission deems appropriate for the continued preservation and protection of landmarks, buildings, objects, sites, structures and historic districts.
11. Submit an annual report to Council summarizing the Landmark Commission's previous year of work, on a yearly timetable established by the Commission in conjunction with the Historic Preservation Officer.

12. Apprise Council of, and make recommendations pertaining to, the availability of State, Federal or other funds that can be used to promote the preservation of landmarks and historic districts within the City.
13. Provide comments to the Historic Preservation Officer about zoning changes and other issues affecting historic resources.
14. Coordinate plans and programs of the Landmark Commission with City departments and other City boards through the Historic Preservation Officer.

([Ord. No. 15-019, § 2, 3-5-15](#))