

Historic Preservation Ordinance Meeting Thursday, October 22, 2020

Present

Deanna Alfred
Susan Cantey
Katie Bush
Tina Henderson
John Hermann
Clint Kolby
Jim Moser
Cayte Neil
Ed Owens
Tami Redshaw
Mary Thornhill

City Staff

Stephanie Doland
Jennifer Eckermann
Nancy Joiner
Shauna Laauwe

1. **Welcome and Introductions** - Jennifer Eckermann, Director of Tourism and Marketing, welcomed everyone. Each attendee introduced themselves and shared their interest in preserving Brenham's history through a preservation ordinance.
2. **History of Downtown Brenham in Photographs and Preservation Efforts**– During lunch, Eckermann showed Birdseye view maps of early Brenham in the late 1800s. She also explained Sanborn Fire Insurance maps that give detailed information about businesses and buildings over time, beginning in 1876, every 6-8 years through 1920. This helped the company determine how much insurance to charge the community. Photographs were shown of what the streets looked like downtown over the years from horse and buggy days, and from dirt streets to paving that happened in 1922-1923. In the photos, you could see that buildings started to show their age in the 1950s and 1960s. Property owners began modernizing buildings by removing architectural features or adding aluminum cladding that often hid features, but were later found to still be under the metal. Many businesses were moving from downtown during that time. In the early 1980s and again in the late 1990's, the City of Brenham committed to joining the Main Street program to revitalize the downtown area. Eckermann also shared photos of buildings that are no longer there, due to fire or neglect. Downtown Brenham was named a National Register District in 2004, and she shared that an attempt to get an

Historic Preservation Ordinance passed at P&Z failed due to a lack of consensus. Eckermann showed photos of buildings that are no longer there, due to fire or neglect. She said the first attempt at an ordinance only included the downtown district, but that this time, there is a desire to add the ability to recognize and designate Local Landmarks.

3. **What exactly is an ordinance, and how is one developed** – Stephanie Doland, Development Services Director, stated that an ordinance is a local law, and to get started, you need to do the following
 - a. Collect peoples input
 - b. Establish a committee to research and draft
 - c. Then collect stakeholder input
 - d. Make revisions
 - e. Offer a draft for review
 - f. Submit to P & Z and to City Council for approvals.
 - g. She presented 10 Basic Elements of a Preservation Ordinance. These ten basic elements are what every community preservation ordinance should be written to include.
 - i. **Statement of purpose.** Clearly state the ordinance's public purpose
 - ii. **Definitions.** Include easy-to-understand explanations for technical terms to avoid confusion over concepts that might not be easily understood.
 - iii. **Creation of a preservation commission.** Explain the commission's position within the government, the number of members, member qualifications, their terms of office, and the number of members required for a quorum.
 - iv. **Powers and duties of the commission.** Write out everything the preservation commission will have the authority to do. Outline the nature of the commission's decisions, whether required or recommended.
 - v. **Criteria for designating historic properties (districts and landmarks).** Establish objective and relevant criteria for designating districts and landmarks. Local governments have used similar criteria to those used for listing in the National Register.
 - vi. **Procedures for historic landmark and district designation.** Explain who can nominate properties for designation; how and when affected property owners are notified; how many public hearings there are, who must approve designations and the timetable for these actions.
 - vii. **Procedures and standards for reviewing alterations and demolitions.** Articulate what types of changes are subject to review by the commission. Fully explain the standards, guidelines, and process of review.

- viii. **How and when to determine economic hardship.** This portion of the ordinance is its "safety valve." It sets forth the process and criteria to be used in determining whether an ordinance imposes economic hardship on an owner.
 - ix. **Penalties.** Ordinances must be enforced to be effective.
 - x. **Appeal process.** Most ordinances spell out a process for appealing decisions rendered by the commission or governing body. An appeals provision helps ensure that a citizen's right to due process is not diminished. Communities seeking to establish historic preservation ordinances should consult their city attorney before proceeding because, while authority to enact such laws exists in every state, individual differences necessitate general legal oversight.
 - h. The packet has a comparison of 3 ordinances, showing all ordinances are not the same, along with a copy of the proposed 2009 Historic Preservation Ordinances.
4. **Plan for public input.** Before it goes to Planning & Zoning or City Council, we need to have public input through the process. Constant Contact emails have been determined as the vehicle that may be the most effective way to communicate with the public. It seems the best way to include links for videos, and links to documents for public questions/comments. It could be informative, and educational, sharing old photographs, history, along with notes from the previous meeting, and the topic for the next meeting. The first email will go out next week.
5. **Timeline discussion and future meetings.** It was decided to take the ordinance process a section at a time at each meeting. We will talk about the Purpose section of an ordinance at the next meeting. It was decided to hold monthly committee meetings on the 4th Tuesday of each month at 11:30 am in the Bullock Ballroom.
6. **Homework.** Each committee member received examples of the Purpose element of a Historic Preservation Ordinance, and committee members were asked to review the samples prior to the next meeting.
7. **Comments.**
- a. It was asked how long would this process take to complete. It would most likely take close to a year to complete. If there is interest by some members to review portions that are of a particular interest to them, a subcommittee may meet between meetings to make draft suggestions on those sections. Possibly look at subcommittees to work on sections also. Once the draft is complete, it will go to
 - i. Main Street Board – to make recommendation to P&Z and City Council for approval.
 - ii. P&Z makes recommendations to City Council
 - iii. City Council has final approval. This recommendation/approval process could take up to 2 months.
 - b. The first email sent out should talk about the benefits of a Historic Preservation Ordinance for our town. Give people a link to videos, pictures, and have bullet

points because most people do not want to read, and you may lose them. Also, link other community videos by committee member Mary Thornhill so that the community can see how other property owners and cities have handled a Historic Preservation Ordinance.

8. **The next meeting will be Tuesday, November 24, at 11:30 in the Bullock Ballroom.**