

# Landmark initiation and appeals

**Landmark Commission**  
**September 4, 2018**

**Mark Doty, Chief Planner**  
**Sustainable Development and**  
**Construction Department**  
**City of Dallas**



# Current Historic Designation Initiation process

- Property owner(s) through a zoning change application or;
- One (1) Landmark Commissioner, three (3) City Plan Commissioners, or five (5) City Council members can request an item be placed on the agenda for considering of authorization of a public hearing.
  - A notification letter is sent to the property owner at least 10 days prior to the public hearing to initiate.



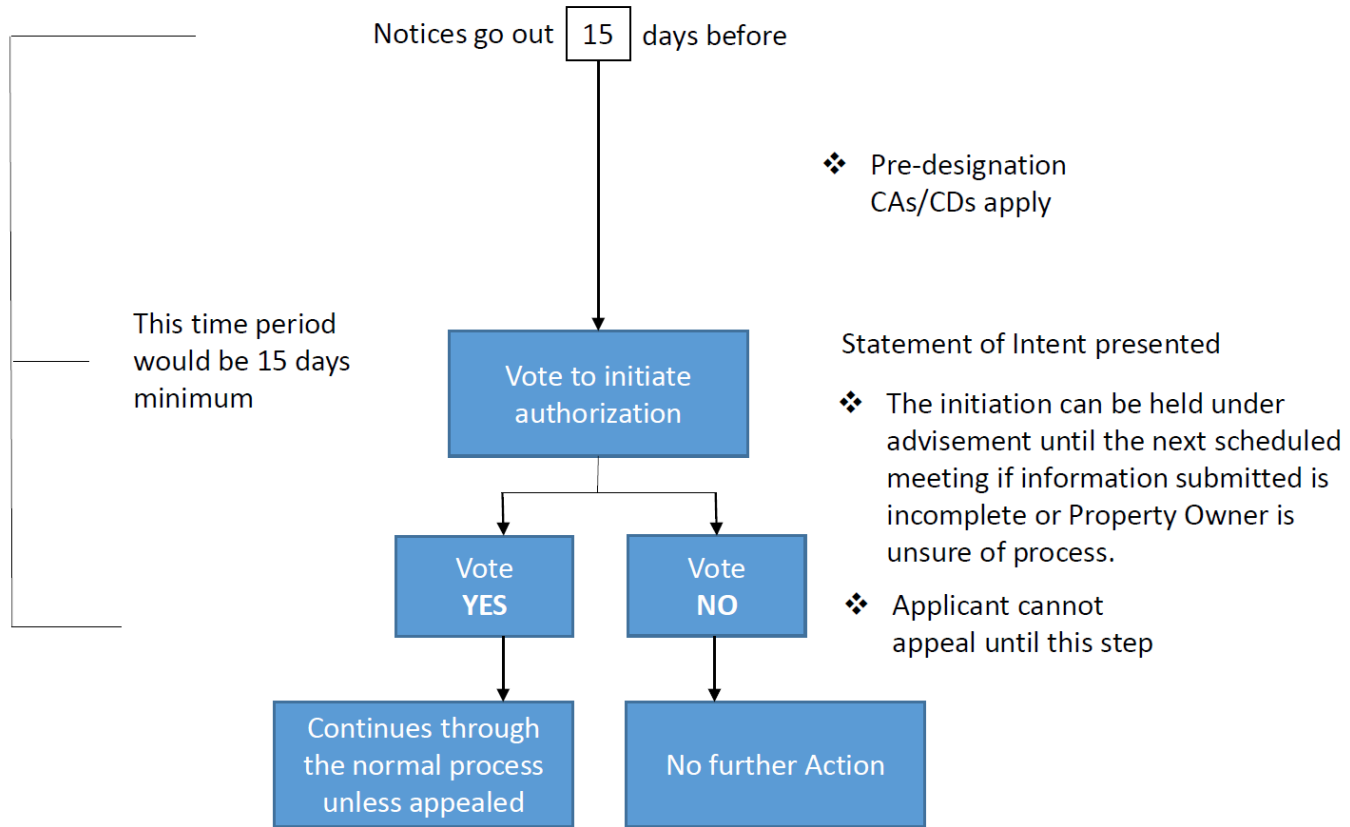
# Proposed Historic Designation Initiation process

- Property owner(s) through a zoning change application or;
- One (1) Landmark Commissioner for an individual structure or three (3) Landmark Commissioners for a district or expansion of an existing district, three (3) City Plan Commissioners, or five (5) City Council members can request an item be placed on the agenda for considering of authorization of a public hearing.
  - A notification letter is sent to the property owner at least 15 days prior to the public hearing to initiate.
    - The notification letter will include; process timeline, purpose of initial meeting, etc.



## Authorized hearing for INDIVIDUAL STRUCTURES

One LMC members/three CPC/five CC request

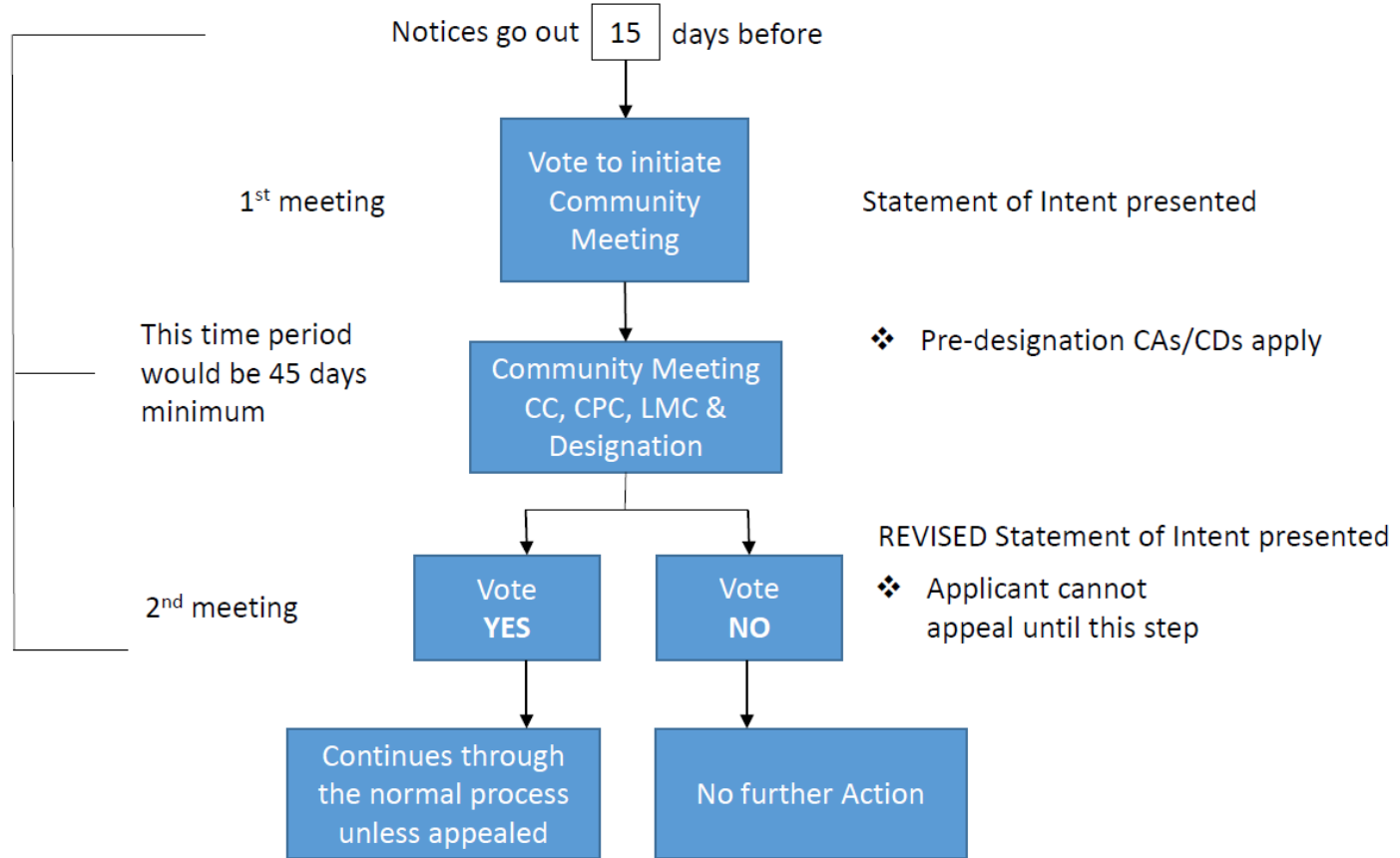


- If appealed – The Statement of Intent is forwarded to City Council for their review.



## Authorized hearing for DISTRICTS OR EXPANSIONS

Three LMC members/three CPC/five CC request



- If appealed – The Statement of Intent is forwarded to City Council for their review.



# Statement of Intent

- Generated by the Landmark Commissioner(s), three City Plan Commissioners, or five City Council members and presented at the first meeting.
- It must contain;
  - List of criteria that the potential district or expansion meets
  - Brief history or description of potential district or expansion
  - Intention of designation
- If the Landmark Commission, City Plan Commission, or City Council feel that sufficient information has been presented in the Statement of Intent, a Community Meeting will be called.
- The information contained in the Statement of Intent would be presented at the Community Meeting.



# Statement of Intent

- After the Community Meeting, if necessary a revised Statement of Intent would be presented to the Landmark Commission, City Plan Commission, or City Council before the vote to initiate the district or expansion.
- It must contain;
  - List of criteria that the potential district or expansion meets
  - Brief history or description of potential district or expansion with any revisions from the Community or Designation Committee
  - Intention of designation
  - Summary of opposition
  - Transcription of the meeting
  - Summary of economic incentives available to the property owners.
    - City of Dallas historic tax exemption
    - TIF
    - Federal or State opportunities



# Current appeal of initiation process

- After the Landmark Commission (LMC) or City Plan Commission (CPC) approves the initiation, the property owner may appeal the initiation to the City Council.
- A written notice to the director within 10 days after the action of the LMC or CPC.
- Staff has 180 days after the appeal to prepare and present a designation report to the City Council.
- Landmark Commission must approve designation report before presentation to City Council.
- Sole issue on appeal is whether the LMC or CPC erred in evaluating the significance of the property based on the criteria.





# Proposed changes to appeal of initiation process

- After the Landmark Commission (LMC) or City Plan Commission (CPC) approves the initiation, the property owner may appeal the initiation to the City Council.
- A written notice to the director within **15** days after the action of the LMC or CPC.
- Staff has **90** days after the appeal to present the **'Statement of Intent'** to the City Council.
- Sole issue on appeal is whether the LMC or CPC erred in evaluating the significance of the property based on the criteria.



# Next Steps

- 8/22/2018 – Committee met to formalize recommendations
- 9/4/2018 – Landmark Commission will vote on the recommendations.
- October 2018 – Recommendations will be presented to both the Mobility Solutions, Infrastructure and Sustainability Committee and Quality of Life, Arts and Culture Council Committees.
- Fall 2018 - Winter/Spring 2019 – Recommendations will begin working through the Code amendment process.



# Questions?

