

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES AND UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE III, *BOARDS, COMMISSIONS, COMMITTEES*, OF CHAPTER 2, *ADMINISTRATION*, OF THE MUNICIPAL CODE OF ORDINANCES AND ARTICLE 02, *DEVELOPMENT REVIEW AUTHORITY*, OF THE UNIFIED DEVELOPMENT CODE (UDC) AS DEPCITED IN *EXHIBITS 'A' & 'B'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, an amendment to the City of Rockwall's Municipal Code of Ordinances and the Unified Development Code [*Ordinance No. 20-02*] has been initiated by the City Council of the City of Rockwall to amend Article III, *Boards, Commissions, Committees*, of Chapter 2, *Administration*, of the Municipal Code of Ordinances and Article 02, *Development Review Authority*, of the Unified Development Code [*Ordinance No. 20-02*]; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Municipal Code of Ordinances and the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That Article III, *Boards, Commissions, Committees*, of Chapter 2, *Administration*, of the Municipal Code of Ordinances of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

**SECTION 2.** That Article 02, *Development Review Authority*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'B'* of this ordinance;

**SECTION 3.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 4.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Municipal Code of Ordinances and/or Unified Development Code [*Ordinance No. 20-02*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 5.** That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS  
THE 7<sup>TH</sup> DAY OF NOVEMBER, 2022.

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

*1<sup>st</sup> Reading:* October 17, 2022

*2<sup>nd</sup> Reading:* November 7, 2022

### DIVISION 3. HISTORIC PRESERVATION ADVISORY BOARD

#### SECTION 2-79. MEMBERSHIP

There is hereby created a Historic Preservation Advisory Board (HPAB) which shall serve as an advisory body to the City Council. Such board shall consist of seven (7) members to be appointed by the City Council.

#### SECTION 2-80. TERM OF OFFICE; QUALIFICATIONS.

- (1) Term of Office. The members shall be appointed for a term of two (2) years with staggered terms and shall be removable by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term, the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed.
- (2) Qualification. All board members, regardless of background, shall have a known and demonstrated interest, competence of knowledge of historic preservation within the City. All members must be residents of the City of Rockwall.

#### SECTION 2-81. DUTIES.

The duties of the Historic Preservation Advisory Board (HPAB) are as follows:

- (1) Provide professional recommendations to the City Council and Planning and Zoning Commission as required, regarding site plans, building alternatives, and building plans proposed within the City Historic Overlay (HOV) District. The Historic Preservation Advisory Board (HPAB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission or City Council. The Historic Preservation Advisory Board (HPAB) shall prepare a written assessment of the proposed project regarding compliance with approved guidelines for development within the district, and its applicability in preserving and enhancing the history and culture of the district.
- (2) Research, document and maintain in the official files of the City detailed information regarding the original construction and architecture of the district.
- (3) Develop and maintain guidelines regarding development and redevelopment within the district including architectural design, materials selections, building styles and other pertinent design considerations. The proposed guidelines shall be submitted to the Planning and Zoning Commission and City Council for approval.
- (4) Adopt rules and procedures as necessary to provide for the orderly conduct of board meetings.
- (5) Recommend the boundaries of historic districts.
- (6) Increase public awareness of the value of historic, cultural, and architectural preservation by encouraging and participating in public education programs developed by the historic preservation office.
- (7) Provide recommendations to the Planning and Zoning Commission and City Council concerning the historic preservation impact of proposed, announced or commenced actions by federal, state or local authorities that affect streets, alleys, publicly-maintained utilities and any other public spaces, areas, improvements, other features or zoning within, around or through any district.

**Exhibit 'A'**  
*Article III, Boards, Commissions, Committees, of  
Chapter 2, Administration, of the Municipal Code of Ordinances*

- (8) Make recommendations to the City for the employment of staff and professional consultants as necessary to carry out the duties of the HPAB.
- (9) Review and act on the designation of landmarks and the delineation of districts, which shall be ratified by the City Council.
- (10) Recommend and confer recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.
- (11) Review and recommend to City Council and other applicable City Boards and Commissions all proposed changes to the Unified Development Code (UDC), building code, general plan or other adopted policies of the City that may affect the purpose of the Article.
- (12) Conduct public hearings and provide comment on buildings, objects, sites, structures, and districts for nomination to the National Register of Historic Places to the Texas Historic Commission. Such recommendations shall be guided by the criteria established in the National Historic Preservation Act of 1966, as amended.
- (13) Implement and maintain a system of survey or inventory of significant historic, architectural, and cultural landmarks and all properties located within designated districts located in the City. Such information shall be maintained securely, made accessible to the public and should be updated at least every ten (10) years.
- (14) Monitor and report to the Texas Historical Commission all actions affecting any recorded Texas historic landmark, state archaeological landmark, national register property and any locally designated landmark, as deemed necessary.
- (15) Create sub-committees from among its membership and delegate to these committees' responsibilities to carry out the purposes of this Article.
- (16) Maintain written meeting minutes which are recorded by staff and demonstrate all actions taken by the HPAB and the reasons for taking such actions.
- (17) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.
- (18) Review and act on all Certificates of Appropriateness (COA) applications for compliance with adopted design guidelines pursuant to this Article.
- (19) Review and act on all appeals on action taken by the Historic Preservation Officer (HPO) regarding the administrative review of Certificates of Appropriateness (COA) applications for compliance with adopted design guidelines pursuant to this Article.
- (20) Develop, prepare and adopt specific design guidelines which shall be ratified by the City Council, for use in the review of all Certificates of Appropriateness (COA) applications.
- (21) Prepare and submit annually to the City Council a report summarizing budget costs, goals and objectives and work completed during the previous year, as well as anticipated budgetary requests.
- (22) Provide recommendations to the City concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and districts within the City.
- (23) Recommend to City Council the acquisition of endangered landmarks by demolition where its preservation is essential to the purpose of this Article and where private preservation is not feasible.

**Exhibit 'A'**  
*Article III, Boards, Commissions, Committees, of  
Chapter 2, Administration, of the Municipal Code of Ordinances*

- (24) Propose incentive program(s) to City Council for local property owners of historic landmarks or within local districts.
- (25) Review and act on all city preservation-related incentive program applications involving work on landmarks and districts for compliance with adopted design guidelines pursuant to this Article.
- (26) Accept on behalf of the City government donations of preservation easements and development rights as well as any other gift of value for the purpose of historic preservation, subject to the approval of City Council.

**SECTION 2-82. OFFICERS.**

The Historic Preservation Advisory Board (HPAB) shall elect a chairman and vice-chairman at the first meeting in August or at the first meeting thereafter for a term of one (1) year. The Historic Preservation Officer (HPO) shall be secretary of the Historic Preservation Advisory Board (HPAB) and an ex-officio member.

**SECTION 2-83. VOTING.**

Each member in attendance shall have a vote on plans submitted to the Historic Preservation Advisory Board (HPAB) with that vote reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Historic Preservation Advisory Board (HPAB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration. Meetings of the Historic Preservation Advisory Board (HPAB) shall be called as needed by the Historic Preservation Officer.

**SECTION 2-84. ATTENDANCE.**

If a member has three (3) consecutive absences that are not excused by the Historic Preservation Advisory Board (HPAB), or is absent from more than 25% of the meetings, he or she may be removed from the Historic Preservation Advisory Board (HPAB); however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the Historic Preservation Advisory Board (HPAB).

**DIVISION 4. ARCHITECTURAL REVIEW BOARD**

**SECTION 2-85. MEMBERSHIP.**

There is hereby created an Architectural Review Board (ARB) which shall serve as an advisory body to the Planning and Zoning Commission. Such board shall consist of seven (7) members to be appointed by the City Council after recommendation of the Planning and Zoning Commission.

**SECTION 2-86. TERM OF OFFICE; QUALIFICATIONS.**

- (1) Term of Office. The members shall be appointed for a term of two (2) years with staggered terms and shall be removable for cause by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed.
- (2) Qualification. At least one (1) member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.

**Exhibit 'A'**  
*Article III, Boards, Commissions, Committees, of  
Chapter 2, Administration, of the Municipal Code of Ordinances*

**SECTION 2-87. DUTIES.**

The purpose of the Architectural Review Board (ARB) is to provide professional recommendations to the Planning and Zoning Commission and the Director of Planning and Zoning regarding site plans and building elevations submitted within any zoning district as may be required. Meetings of the Architectural Review Board (ARB) shall be called as needed. The Architectural Review Board (ARB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission. The review shall evaluate compatibility with existing topography, scenic corridors and landscaping, and with the goals and objectives established in the applicable Overlay District and/or Planned Development (PD) District, the Comprehensive Plan and applicable provisions of the urban design guidelines. The Architectural Review Board (ARB) shall make recommendations on design changes based on its professional experience and knowledge. The Planning and Zoning Commission shall consider the Architectural Review Board's (ARB's) recommendations in its deliberation of the proposed development. The Planning and Zoning Commission may include recommended changes in the proposed building elevations and site plan based upon the recommendations of the Architectural Review Board (ARB) in its recommendation to the City Council, if applicable.

**SECTION 2-88. OFFICERS.**

The Architectural Review Board (ARB) shall elect a chairman and vice-chairman at the first meeting in August or at the first meeting thereafter for a term of one (1) year. The Director of Planning and Zoning shall be secretary of the Architectural Review Board (ARB) and an ex-officio member.

**SECTION 2-89. VOTING.**

Each member in attendance shall have a vote on plans submitted to the Architectural Review Board (ARB) with that vote being reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Architectural Review Board (ARB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration.

**SECTION 2-90. ATTENDANCE.**

If a member has three (3) consecutive absences that are not excused by the Architectural Review Board (ARB), or is absent from more than 25% of the meetings, he may be removed from the Architectural Review Board (ARB); however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the Architectural Review Board (ARB).

**SECTION 2-91 – 2-99. RESERVED.**

**Exhibit 'B'**  
*Article 02, Development Review Authority, of the  
Unified Development Code (UDC)*

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## SECTION 05 | HISTORIC PRESERVATION ADVISORY BOARD

### SUBSECTION 05.01: ORGANIZATION

For requirements concerning the Historic Preservation Advisory Board see Division 3, Historic Preservation Advisory Board, of Article III, Boards, Commissions, Committees, of Chapter 2, Administration, of the Municipal Code of Ordinances.

~~(A) **Membership.** There is hereby created a Historic Preservation Advisory Board (HPAB) which shall serve as an advisory body to the City Council. Such board shall consist of seven (7) members to be appointed by the City Council.~~

~~(B) **Term of Office; Qualifications.** The members shall be appointed for a term of two (2) years with staggered terms and shall be removable by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term, the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed. The membership shall include:~~

- ~~(1) An architect, planner or representative of a design profession;~~
- ~~(2) A member of the Rockwall County Historical Foundation;~~
- ~~(3) A general contractor;~~
- ~~(4) An owner of property within a historic district;~~
- ~~(5) Three (3) citizens of Rockwall interested in historic preservation.~~

~~(C) All board members, regardless of background, shall have a known and demonstrated interest, competence or knowledge of historic preservation within the City. All members must be residents of Rockwall County.~~

~~(D) **Duties.** The duties of the Historic Preservation Advisory Board (HPAB) are as follows:~~

- ~~(1) Provide professional recommendations to the City Council and Planning and Zoning Commission as required, regarding site plans, building alternatives, and building plans proposed within the City Historic Overlay (HOV) District. The Historic Preservation Advisory Board (HPAB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission or City Council. The Historic Preservation Advisory Board (HPAB) shall prepare a written assessment of the proposed project regarding compliance with approved guidelines for development within the district, and its applicability in preserving and enhancing the history and culture of the district.~~
- ~~(2) Research, document and maintain in the official files of the City detailed information regarding the original construction and architecture of the district.~~
- ~~(3) Develop and maintain guidelines regarding development and redevelopment within the district including architectural design, materials selections, building styles and other pertinent design considerations. The proposed guidelines shall be submitted to~~

~~the Planning and Zoning Commission and City Council for approval.~~

- ~~(4) Adopt rules and procedures as necessary to provide for the orderly conduct of board meetings.~~
- ~~(5) Recommend the boundaries of historic districts.~~
- ~~(6) Increase public awareness of the value of historic, cultural, and architectural preservation by encouraging and participating in public education programs developed by the historic preservation office.~~
- ~~(7) Provide recommendations to the Planning and Zoning Commission and City Council concerning the historic preservation impact of proposed, announced or commenced actions by federal, state or local authorities that affect streets, alleys, publicly maintained utilities and any other public spaces, areas, improvements, other features or zoning within, around or through any district.~~
- ~~(8) Make recommendations to the City for the employment of staff and professional consultants as necessary to carry out the duties of the HPAB.~~
- ~~(9) Review and act on the designation of landmarks and the delineation of districts, which shall be ratified by the City Council.~~
- ~~(10) Recommend and confer recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.~~
- ~~(11) Review and recommend to City Council and other applicable City Boards and Commissions all proposed changes to the Unified Development Code (UDC), building code, general plan or other adopted policies of the City that may affect the purpose of the Article.~~
- ~~(12) Conduct public hearings and provide comment on buildings, objects, sites, structures, and districts for nomination to the National Register of Historic Places to the Texas Historic Commission. Such recommendations shall be guided by the criteria established in the National Historic Preservation Act of 1966, as amended.~~
- ~~(13) Implement and maintain a system of survey or inventory of significant historic, architectural, and cultural landmarks and all properties located within designated districts located in the City. Such information shall be maintained securely, made accessible to the public and should be updated at least every ten (10) years.~~
- ~~(14) Monitor and report to the Texas Historical Commission all actions affecting any recorded Texas historic landmark, state archaeological landmark, national register property and any locally designated landmark, as deemed necessary.~~
- ~~(15) Create sub-committees from among its membership and delegate to these committees' responsibilities to carry out the purposes of this Article.~~
- ~~(16) Maintain written meeting minutes which are recorded by staff and demonstrate all actions taken by the HPAB and the reasons for taking such actions.~~





- ~~(17) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs.~~
- ~~(18) Review and act on all Certificates of Appropriateness (COA) applications for compliance with adopted design guidelines pursuant to this Article.~~
- ~~(19) Review and act on all appeals on action taken by the Historic Preservation Officer (HPO) regarding the administrative review of Certificates of Appropriateness (COA) applications for compliance with adopted design guidelines pursuant to this Article.~~
- ~~(20) Develop, prepare and adopt specific design guidelines which shall be ratified by the City Council, for use in the review of all Certificates of Appropriateness (COA) applications.~~
- ~~(21) Prepare and submit annually to the City Council a report summarizing budget costs, goals and objectives and work completed during the previous year, as well as anticipated budgetary requests.~~
- ~~(22) Provide recommendations to the City concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and districts within the City.~~
- ~~(23) Recommend to City Council the acquisition of endangered landmarks by demolition where its preservation is essential to the purpose of this Article and where private preservation is not feasible.~~
- ~~(24) Propose incentive program(s) to City Council for local property owners of historic landmarks or within local districts.~~
- ~~(25) Review and act on all city preservation related incentive program applications involving work on landmarks and districts for compliance with adopted design guidelines pursuant to this Article.~~
- ~~(26) Accept on behalf of the City government donations of preservation easements and development rights as well as any other gift of value for the purpose of historic preservation, subject to the approval of City Council.~~
- ~~(E) Officers. The Historic Preservation Advisory Board (HPAB) shall elect a chairman and vice chairman at the first meeting in August or at the first meeting thereafter for a term of one (1) year. The Historic Preservation Officer (HPO) shall be secretary of the Historic Preservation Advisory Board (HPAB) and an ex-officio member.~~
- ~~(F) Voting: Meetings. Each member in attendance shall have a vote on plans submitted to the Historic Preservation Advisory Board (HPAB) with that vote reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Historic Preservation Advisory Board (HPAB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration. Meetings of the Historic Preservation Advisory Board (HPAB) shall be called as needed by the Historic Preservation Officer.~~
- ~~(G) Attendance. If a member has three (3) consecutive absences that are not excused by the Historic Preservation Advisory Board (HPAB), or is absent from more than 25% of the meetings, he or she may be removed from the Historic Preservation Advisory Board~~

~~(HPAB); however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the Historic Preservation Advisory Board (HPAB).~~

SUBSECTION 05.02: DESIGNATION OF LANDMARKS IN THE CITY

- ~~(A) The Historic Preservation Advisory Board (HPAB) may recommend to the Planning and Zoning Commission and the City Council that certain properties be *landmark districts* and that specific areas be designated as *historic districts* as provided for in [Subsection 06.03, Historic Overlay \(HO\) District, of Article 05, District Development Standards](#).~~

SUBSECTION 05.03: CERTIFICATES OF APPROPRIATENESS (COA)

~~For requirements concerning Certificates of Appropriateness (COA) see [Section 06, Certificates of Appropriateness \(COA\), of Article 11, Development Applications and Review Procedures](#).~~

SECTION 06 | ARCHITECTURAL REVIEW BOARD

SUBSECTION 06.01: ORGANIZATION

~~For requirements concerning the Architectural Review Board see [Division 4, Architectural Review Board, of Article III, Boards, Commissions, Committees, of Chapter 2, Administration, of the Municipal Code of Ordinances](#).~~

~~SUBSECTION 06.01: CREATED~~

~~There is hereby created an Architectural Review Board (ARB) which shall serve as an advisory body to the Planning and Zoning Commission. Such board shall consist of seven (7) members to be appointed by the City Council after recommendation of the Planning and Zoning Commission.~~

SUBSECTION 06.02: TERMS OF OFFICE; QUALIFICATIONS

- ~~(A) Term. The members shall be appointed for a term of two (2) years with staggered terms and shall be removable for cause by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed.~~
- ~~(B) Qualifications. At least one (1) member shall be a registered architect in the State of Texas. Other members are chosen for qualifications and training in related fields such as landscape architecture, interior or exterior design, municipal planning, municipal government and other professions with related disciplines or civic interest.~~
- ~~(C) Attendance. If a member has three (3) consecutive absences that are not excused by the Architectural Review Board (ARB), or is absent from more than 25% of the meetings, he may be removed from the Architectural Review Board (ARB); however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the Architectural Review Board (ARB).~~

SUBSECTION 06.03: DUTIES



~~The purpose of the Architectural Review Board (ARB) is to provide professional recommendations to the Planning and Zoning Commission and the Director of Planning and Zoning regarding site plans and building elevations submitted within any zoning district as may be required. Meetings of the Architectural Review Board (ARB) shall be called as needed. The Architectural Review Board (ARB) shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission. The review shall evaluate compatibility with existing topography, scenic corridors and landscaping, and with the goals and objectives established in the applicable Overlay District and/or Planned Development (PD) District, the Comprehensive Plan and applicable provisions of the urban design guidelines. The Architectural Review Board (ARB) shall make recommendations on design changes based on its professional experience and knowledge. The Planning and Zoning Commission shall consider the Architectural Review Board's (ARB's) recommendations in its deliberation of the proposed development. The Planning and Zoning Commission may include recommended changes in the proposed building elevations and site plan based upon the recommendations of the Architectural Review Board (ARB) in its recommendation to the City Council, if applicable.~~

#### ~~SUBSECTION 06.04: OFFICERS~~

~~The Architectural Review Board (ARB) shall elect a chairman and vice-chairman at the first meeting in August or at the first meeting thereafter for a term of one (1) year. The Director of Planning and Zoning shall be secretary of the Architectural Review Board (ARB) and an ex officio member.~~

#### ~~SUBSECTION 06.05: VOTING~~

~~Each member in attendance shall have a vote on plans submitted to the Architectural Review Board (ARB) with that vote being reported to the Planning and Zoning Commission. Any member professionally or financially involved in matters pending before the Architectural Review Board (ARB) shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration.~~

### SECTION 07 | DIRECTOR OF PLANNING AND ZONING

#### SUBSECTION 07.01: QUALIFICATIONS

- (A) The Director of Planning and Zoning must be a member in good standing of AICP, AIA or PE.
- (B) The Director of Planning and Zoning or his/her designee shall serve as the Zoning Administrator.

#### SUBSECTION 07.02: POWERS AND DUTIES

- (A) The Director of Planning and Zoning shall have the following powers and duties:
  - (1) To make recommendations and provide assistance to the City Council and Planning and Zoning Commission concerning exercise of their responsibilities under the Unified Development Code (UDC);
  - (2) To develop and recommend to the Planning and Zoning Commission, and the City Council, a Comprehensive Plan for

the City or any amendments to the plan and to propose actions to implement the plan;

- (3) To coordinate all planning relating to the City's Comprehensive Plan;
- (4) To submit recommendations to the Planning and Zoning Commission and City Council on request for zoning changes, variances and exceptions;
- (5) To render such administrative decisions as are required of the Director of Planning and Zoning by the Unified Development Code (UDC);
- (6) To perform such other duties as may be prescribed by ordinance or directed by the City Council or Planning and Zoning Commission.

### SECTION 08 | HISTORIC PRESERVATION OFFICER

#### SUBSECTION 08.01: APPOINTMENT

The City Manager shall appoint a qualified staff person, to serve as Historic Preservation Officer (HPO). This officer shall administer the historic preservation provisions of the Unified Development Code (UDC) and advise the Historic Preservation Advisory Board (HPAB) on matters submitted to it.

#### SUBSECTION 08.02: POWER AND DUTIES

In addition to serving as a representative to the Historic Preservation Advisory Board (HPAB), the Historic Preservation Officer (HPO) shall:

- (A) Coordinate the City's preservation activities with those of state and federal agencies and with local, state, and national non-profit preservation organizations.
- (B) Administer the Unified Development Code (UDC) and advise the HPAB on matters submitted to it.
- (C) To maintain and hold open for public inspection all documents and records pertaining to the provisions of this Article.
- (D) Receive and review all applications pursuant to this Article to ensure their completeness.
- (E) Review and act on all Certificates of Appropriateness (COA) applications subject to administrative review pursuant to this Article.
- (F) Review and forward with any recommendations for all applications for a Certificate of Appropriateness (COA) subject to review by the Historic Preservation Advisory Board (HPAB) pursuant to this Article.
- (G) Ensure proper posting and noticing of all Historic Preservation Advisory Board (HPAB) meetings, schedule applications for Historic Preservation Advisory Board (HPAB) review, provide packets to its members prior to the meetings, record meeting minutes and facilitate all Historic Preservation Advisory Board (HPAB) meetings.
- (H) Review and help coordinate the City's preservation and urban design activities with those of local, state and federal agencies and with local, state, and national preservation organizations in the private sector.