

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2013-012 Historic Landmark Commission Public Hearing Deadlines

Proposed Language: See attached draft ordinance.

Staff Recommendation: Staff recommends this amendment.

Background: Initiated by Planning Commission on April 16, 2013

Description:

Pursuant to 25-11-213(f), The Historic Landmark Commission must hold a public hearing on an application for a building, demolition or relocation permit within 45 days after the receipt of a complete application by the City Historic Preservation Office.

The Historic Landmark Commission recommends the following change to 25-11-213(F):

“The Commission shall hold a public hearing upon an application described in Subsection (D) within 60 days of receipt of a complete application.”

The Commission recommends increasing the time period for placing an application on its agenda for public hearing to avoid situations where public notice cannot be generated in time for the public hearing, and the Commission would have to schedule a specially-called meeting to hear the application or risk releasing the application without a public hearing.

The Commission has been required to hold a specially-called meeting for applications which fall within the 45- and 60-day deadline period in order to satisfy Code requirements for public notice of the public hearing on an application. The Commission recommends this pro-active approach to dealing with the potential problem, especially in months where the Commission’s meeting is not at its normal interval due to a holiday such as Memorial Day, Thanksgiving, or Christmas.

Staff does not foresee any potential negative issues with revising the 45-day period on which an application must be placed upon the Commission’s agenda to 60 days, and recommends the proposed Code change to avoid holding specially-called public hearings to address applications which cannot be placed on the immediate Commission agenda due to the time needed to generate notice of the public hearing to interested parties.

Board and Commission Actions

February 25, 2013: Approved by the Historic Landmark Commission on a 4-0 vote with Commissioners Rosato, Leary and Myers absent.

April 23, 2013: Unanimously approved by the Planning Commission on a 9-0 vote.

City Council Action

City Council: A public hearing has been set for August 29, 2013.

Ordinance Number:

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