

## **RESOLUTION NO.**

**WHEREAS**, the City has an interest in preserving structures and sites of historic significance; and

**WHEREAS**, because of the significant community benefit that accrues when historical structures are preserved, the City provides a tax exemption for properties designated as historically or archeologically significant sites in need of tax relief to encourage their preservation pursuant to Section 11.24(2) of the Tax Code; and

**WHEREAS**, the designation of a property as a historic landmark involves an evaluation of the amount of land necessary for the use and access of the historic building; and

**WHEREAS**, the City has an interest in maintaining the historic landmark as originally designated;

**WHEREAS**, the rapid rate of development in the City has the potential to threaten historic sites; and

**WHEREAS**, in those rare examples when the City Council grants permission to remove a historic zoning designation from a site, the City should be compensated for the tax relief that the owner enjoyed as a result of the historic designation; and

**WHEREAS**, Section 11-1-28(C) of the City Code states that an additional tax resulting from a rezoning under this section may be calculated for not less than one taxable year and not more than three taxable years when a property is rezoned by the council to remove an “H” historic designation; and

**WHEREAS**, in a recent case before Council the agent for the property offered to refund more of the exempted tax dollars but the City was unable to accept this amount; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Manager is directed to initiate a code amendment to Section 11-1-28(C) changing the maximum number of years for which additional taxes may be collected from three years to the fullest extent the law allows prior to the date of historic designation removal.

**BE IT FURTHER RESOLVED:**

The City Manager is further directed to explore the possibility of collecting interest on the total amount of additional taxes collected as well as additional contributions to support historic preservation.

The matter should return to Council no later than January 1, 2018.

**ADOPTED:** \_\_\_\_\_, 2017

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk