



UDC Amendment Request Application for Internal Parties

(City of San Antonio Departments)

Part 1. Applicant Information

Name: Shanon Miller Organization (if applicable): Office of Historic Preservation

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Signature: 
(Include title if representing a governmental agency or public/private organization)

Date: 1.31.22

Part 2. Basis for Update (check only one)

- Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC
(Note: Clarification amendments should not change or alter the intent or meaning of existing UDC provisions)
- Editing change that does not alter the impact of the provisions being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinance, statutes or case law
- Completed Rule Interpretation Determination (RID)
- Requested by the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, resolution or signature of the chairperson is required)
- City of San Antonio Staff Amendment

Part 3. Reason(s) for Update (check all that apply)

- Modify procedures and standards for workability and administrative efficiency
- Eliminate unnecessary development costs
- Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design
- See Part 4 (if none of the provided choices in this section apply, please discuss the reasons for the proposed update in Part 4)

Part 4. Summary of Proposed Update with Suggested Text (see application instructions)

35-803 HDRC. See attached.

UDC 2021 Proposed Amendment

Amendment 20-6**Applicant:** Office of Historic Preservation**Amendment Title** – ‘Sec. 35-803. – Historic and Design Review Commission.’**Amendment Language:**

ARTICLE VIII - ADMINISTRATIVE AGENCIES

Sec. 35-803. - Historic and Design Review Commission.

1. Established and Composition. The historic and design review commission is hereby established. The historic and design review commission shall consist of eleven (11) members and eleven (11) alternate members to be appointed by the mayor and city council. The mayor and city council shall each appoint one (1) member and one (1) alternate member to the commission. All members and alternate members must be residents of the City of San Antonio.
2. Duties and Functions. Members including alternate members shall serve to assist in an advisory capacity to the City of San Antonio office of historic preservation and other appropriate heads of municipal departments, in accordance with Section 49 of the City Charter, and to the city manager. The commission shall have no authority to bind the City of San Antonio by contract or otherwise. The commission shall have the following duties and functions:
 1. To conduct an ongoing inventory to identify historically, culturally, architecturally, and archaeologically significant buildings, objects, sites, structures, public art and design enhancements, and areas that exemplify the cultural, social, economic, political, archaeological, or architectural history of the city, state, or nation;
 2. To investigate and recommend through the city zoning commission the designation of areas having special historic, cultural, architectural, or archaeological value as historic districts; and buildings, objects, sites, structures, or clusters having special historic, cultural, architectural, or archaeological value as exceptional or significant landmarks;
 3. To hold public hearings and to review applications for construction, reconstruction, alteration, relocation, renovation, landscaping, or demolition affecting proposed or designated landmarks or buildings, objects, sites, signs, public art and design enhancements, or structures in the Riverwalk area, historic districts, and public property and rights-of-way and recommend issuance or denial of certificates of appropriateness for such actions;
 4. To recommend and adopt specific design guidelines for the restoration, rehabilitation, alteration, construction, reconstruction, or relocation of landmarks, or buildings, objects, sites and structures within historic districts, in the Riverwalk area, on public property, or in the public right-of-way;

5. To recommend and adopt policy documents and guides that are in keeping with any formally adopted design guidelines or standards;
 6. To recommend guidelines for signage, street furniture, appurtenances, advertising devices, landscaping, monuments and works of art for each historic district, each landmark, the Riverwalk area, and for public property and public rights-of-way;
 7. To hold public hearings and to review applications for ad valorem tax exemption for residential and commercial buildings and structures which have historical significance and are in need of tax relief to encourage their preservation and rehabilitation; to certify the facts governing eligibility, along with the commission's recommendation, to the Bexar Appraisal District, for approval or disapproval of the application for exemption; upon receipt of a sworn statement of completion, to investigate the building or structure to determine whether the restoration or rehabilitation has been substantially completed as required for certification, and to notify the Bexar Appraisal District in writing if verification of completion is favorable;
 8. To review and make recommendations concerning proposed tax increment districts and special assessment districts that would affect proposed or designated landmarks or historic districts;
 9. To testify through the chairman or vice chairman before all boards and commissions on any matter affecting historically, culturally, architecturally, or archaeologically exceptional, or significant areas, buildings, objects, sites, structures, clusters, historic districts, property located in the Riverwalk area, or public property;
 10. To review all proposed National Register nominations within the City of San Antonio upon recommendation of the city's historic preservation officer;
 11. To inform and educate the citizens of San Antonio concerning the historical, cultural, architectural, and archaeological heritage of the city;
 12. To recommend conferral of recognition upon the owners of landmarks or buildings, objects, sites or structures within historic districts by means of certificates, plaques, or markers;
 13. To review periodically the zoning ordinance of the City of San Antonio and to recommend any amendments appropriate for the preservation and protection of landmarks or buildings, objects, sites and structures within historic districts, in the Riverwalk area, on public property, or in the public right-of-way;
 14. To create committees of persons from among its membership to meet at times other than regular commission meetings, to consider specified categories of applications; and to make recommendations to the full commission; and
 15. To prepare and submit annually to the city council a report summarizing the work of the commission during the previous calendar year which has been adopted by the commission.
 16. To hold public hearings and review and make recommendations on applications for new development or redevelopment on property zoned "D" Downtown Zoning District, in accordance with the Downtown Design Guide in Appendix G of this chapter (35-G101).
3. Composition and Qualifications. In appointing members and alternate members to the commission, the mayor and city council shall make appointments that are sensitive to the preservation and development goals of the city and complete the category representation

set forth below to enable the city to retain compliance as a certified local government under the rules incorporating the provisions of the U.S. Historic Preservation Act of 1966, as amended, and Title 13, Texas Historic Commission, chapter 15, so that all members shall have a demonstrated "interest, competence, or knowledge in historic preservation."

- i. Preference shall be given to the following disciplines or backgrounds: preservation related professions defined by the National Park Service (Architecture, History, Architectural History, Planning, Prehistoric and Historic Archaeology, Folklore, Cultural Anthropology, Curation, Conservation, and Landscape Architecture.); real estate; economic development; law; and engineering.
- ii. Members of the commission shall represent the general ethnic and gender makeup of the community. All board and commission members serve at the pleasure of the city council and may be removed from office at the discretion of the city council without cause, such removal to be evidenced by passage of an ordinance.

2. Terms of Office. Commission members, including alternates shall be appointed for a term of office of two (2) years. The term of office for each member and alternate member will run concurrently with the terms of office of the city council that appoints each member. Any vacancy shall be filled for the remainder of the term by city council.
3. Attendance. Any member of the commission who is absent from three consecutive regular meetings of the commission or whose attendance at regularly scheduled meetings falls below fifty percent on an annual basis from the appointment date may be removed from the commission and replaced by the alternate member without any further action by the City Council. Additionally, if member is absent from six or more regular meetings during a twelve month period he or she may be removed from the Commission.
3. Continuing Education. Members, including alternates of the commission are expected to continue to demonstrate an interest in historic preservation through participation in meetings, workshops, and conferences related to historic preservation. Each commission member and alternate member shall attend a related educational event each year. The historic preservation officer will provide at least one training opportunity per year, which will satisfy this requirement. Each commission member and alternate member shall be thoroughly familiar with the Unified Development Code Article VI, the State Enabling Legislation, and the adopted historic district design guidelines.
4. Election of Officers. In January of each year, or the first available meeting thereafter, members of the commission shall elect a chair and vice chair from among its members. On the day of the election of officers, the chair shall turn the meeting over to the historic preservation officer who will accept nominations from the membership for chair and vice chair. Officers must receive a majority vote of the commission members. The term of office shall begin the day of the election. Should the chair or vice chair resign or not be reappointed prior to the end of the term of office, a special election shall be held at the next meeting after such vacancy to fill the position(s) for the remainder of the term. The chair and vice chair shall serve for a one-year term, but no person shall serve more than two consecutive city council appointed terms in the same office.

1. Chair and Vice Chair. The chair shall preside over all meetings of the commission. The vice chair shall preside in the absence or at the request of the chair. An additional presiding officer pro-tem may be selected by the commission members to preside over meetings in the absence of both the chair and vice chair.
2. Secretary. The historic preservation officer or his or her representative shall act as secretary of the commission and shall attend and keep minutes of all meetings, acting in an advisory capacity and participating fully in commission discussions but having no right to vote. The minutes shall show pertinent facts presented during discussion, and the vote of each member on each decision of the Commission, or if absent or failing to vote, indicating that fact.
5. Commission Meetings. Regular meetings shall be held on the first and third Wednesday of each month at 3:00 p.m, unless otherwise rescheduled by the Commission. Meetings falling on an official City of San Antonio holiday shall be held the following Friday, unless otherwise rescheduled by the Commission. Special meetings may be called by the chair, or upon request by the historic preservation officer, when a matter requires urgent consideration. All meetings of the commission shall be open to the public and shall provide notice in accordance with the Texas Open Meetings Act.
 1. Quorum. A quorum of the commission shall require six (6) members or alternate members present, except in the case to recommend designate a property as a local historic landmark over owner objection, which shall be nine (9) members or alternate members. The affirmative votes of a majority of the members present is required for action, except in the case of an application for demolition which shall require a two-thirds (2/3) majority of the members present for a recommendation of approval, and in the case to designate a property as a local historic landmark where the property owner does not consent to designation, which shall require a three-fourths (3/4) vote of the commission to recommend approval of designation.
 2. Motions. Any motion by a member shall require a second. After a motion has been made and duly seconded, discussion of the motion may be held for a reasonable time. Discussion shall terminate whenever a member shall call for a vote upon the question or whenever the chair shall so rule. Except when considering an application for demolition, landmark designation, or a question of procedure or qualification, when a motion to approve, deny, or approve with conditions fails to pass with the requisite number of votes, such outcome shall be deemed to be the approval of a motion to reconsider the question, and an automatic continuance to the next regularly scheduled meeting of the commission. If the commission has continued an item at two (2) consecutive meetings, such action shall be deemed to be a negative recommendation. This section shall apply only when an application has been heard and the chair calls for motions, and so long as no subsequent motions on the application are made.
 3. Procedures. The commission shall conduct public hearings in accordance with Section 35-404 Public Hearings Procedures. Any person or persons may appear at a public hearing and submit evidence, either individually or as a representative. Each person who appears at a public hearing shall state, for the record, his or her name, address, and if appearing on behalf of an organization or group, the name and mailing address of the organization or group. The order of proceedings shall be as follows:

- i. The applicable director or appropriate staff member shall present a description of the proposed development and a written or oral recommendation. The recommendation shall address each factor required by this chapter to be considered prior to action or approval on the development permit.
 - ii. The property owner or authorized representative (applicant) shall be provided the opportunity to present any information that the applicant deems appropriate. The applicant shall have a total of 12 minutes to present such information unless additional time is granted by the presiding Chair.
 - iii. A person providing public comment on an item shall have a total of three minutes. Speakers may yield their full time to another speaker as determined by the Chair.
 - iv. The applicable city department director or other staff member may respond to any statement made by the applicant or any public comment.
 - v. The applicant may respond to any testimony or evidence presented by the staff or public and shall have a maximum of 3 minutes to respond to such testimony unless additional time is granted by the presiding Chair.
 - vi. At any point, members including alternate members conducting the public hearing may ask questions of the applicant, staff or public.
 - vii. The chair shall have the discretion to extend or limit the time of each speaker for due cause.
 - viii. The chair shall rule whenever any question of procedure or qualification may be raised at a commission meeting. A member may move to overrule the chair's decision which may be done only by a majority vote of the members present.
4. Voting. Voting on all matters may be by voice vote provided that a roll call vote shall be taken upon demand of any member.
5. Conflict of Interest. No member of the commission shall vote or participate as a member in any matter that materially affects the property, income, or business interest of that member or in which the member holds a substantial interest. Such member shall refrain from all discussions of the matter with other commissioners, not be present when the matter is considered, not vote on the matter, and file all required written recusal documents prior to consideration of the item.
6. Final Decision. All Certificates of Appropriateness shall be mailed to the applicant or his or her agent within 10 days of the date of the decision.
7. Any question of order or procedure not covered by these rules shall be decided according to the latest edition of Robert's Rules of Order, insofar as they may be applicable.
6. Press and Statements. Releases and statements to the public and press in the name of the Commission shall be made only by the chair, and must be made in accordance with the City of San Antonio's Communication Policy.
7. Work/Study Session. The commission may hold work or study sessions. These may be called by the chair, vice chair or the historic preservation officer by giving at least seventy-two hours written public notice, or may be scheduled by a majority of the Commission at

any previous meeting, provided that no deliberation or vote shall take place regarding the work or study session.

8. Commission Committees. Committees and subcommittees of the commission, which shall be approved by a majority vote of the commission. The chair may create task forces related to specific issues which do not need to be approved by the commission. The chair shall appoint members to committees, subcommittees, and task forces with the advice and consent of a majority vote of the commission.

1. Membership of committees, subcommittees and task forces shall be established annually by vote of the commission. At least two members of the commission and two alternate members must be appointed to each committee, but in no event shall the membership number total a quorum of the commission or a quorum of the Compliance and Technical Advisory Board. At least two members or alternate members of the commission must be present to conduct business. A written report with comments shall be submitted back to the commission at the next scheduled meeting. Vacancies on the committees may be filled by appointment of the Chair until the next regularly scheduled commission meeting at which the committee appointments can be placed on the agenda for a vote by the commission.

2. All committees shall submit a committee report to the commission at its next regular meeting. A summary of committee comments and meeting notes shall be filed in the office of the city historic preservation officer and shall be a public record.

3. The following standing committees shall be established and shall meet as required by vote of the commission or at the request of the historic preservation officer or the chair:.

A. Design Review Committee. The Design Review Committee shall provide feedback to applicants prior to full submittal or shall consider items referred to the committee. The Design Review Committee will meet on a reoccurring basis as to be set by the Chair. It shall also hold on-site meetings when referred by the Commission.

B. Designations and Demolitions Committee. The Designations and Demolitions Committee shall work with staff to provide feedback on applications for demolition of a landmark, referred citywide demolitions, pending a finding of historic significance, pending historic district designation, and designation initiatives

C. Any other committees created in the future shall provide purpose and guidelines to the historic preservation officer and commission for review and approval.

9. Commission Compliance and Technical Advisory Board

1. Creation of the Compliance and Technical Advisory Board. The Compliance and Technical Advisory Board (CTAB) is hereby created. CTAB shall consist of the (11) alternate members appointed by the mayor and city council. Members shall be residents of the City of San Antonio and may serve as an alternate member to the historic and design review commission for their council district.

2. Duties and Functions. Members shall serve to assist in an advisory capacity to the City of San Antonio, make site visits related to repair and replacement materials, evaluate compliance cases and post-work approvals, and review OHP policy

documents and historic design guidelines. Additionally, members shall perform duties and functions, described in 35-803 (b).

3. Terms of Office. All members shall be appointed for a term of office of two (2) years. The term of office for each member will run concurrently with the terms of office of the city council that appoints each member.

4. Composition and Qualifications. The CTAB shall meet the composition and qualification requirements established for the HDRC in this section.

5. Quorum. A quorum of the Compliance and Technical Advisory Board shall consist of six (6) members. No final action shall be taken on any matter except pursuant to a majority vote of the members present.

6. The Compliance and Technical Advisory Board will observe the following:

A. CTAB shall conduct meetings once per month (Fourth Fridays at 9:00 am) to evaluate compliance cases and requests to replace original architectural components such as doors, windows, and porches; and may recommend approval or denial of COA requests. Additional special meetings may be called by the chair or by the historic preservation officer, when a matter requires urgent consideration. All meetings shall be open to the public in accordance with the Texas Open Meetings Act. The place, day and/or hour of meetings may be changed by vote of the commission at any regular meeting. Notice of such action shall be provided in accordance with the Texas Open Meetings Act. Meeting minutes shall be filed in the office of the city historic preservation officer and shall be a public record. The minutes shall show pertinent facts presented during discussion, and the vote of each member on each decision of the Commission, or if absent or failing to vote, indicating that fact.

B. The CTAB membership shall elect a chair and vice from its own membership who shall serve for a one-year term, but no person shall serve as chairman for more than two (2) consecutive terms. On the day of the election of officers, the chair shall turn the meeting over to historic preservation officer, who will accept nominations from the membership for chair and vice chair. Officers must receive a majority vote of the CTAB. The term of office shall begin the day of the election. An additional presiding officer pro-tem may be selected by the membership to preside over meetings in place of the chair and vice-chair.

C. The CTAB shall follow all other procedures as established for the Commission.

~~(a) **Appointment.** The historic and design review commission is hereby established. The historic and design review commission shall consist of eleven (11) members who reside in the City of San Antonio and are appointed by the city council.~~

~~(b) **Duties and Functions.** The commission shall serve to assist in an advisory capacity to the City of San Antonio directors of parks and recreation, planning and community development, development services, code enforcement services, public works, arts and cultural affairs, office of historic preservation and other appropriate heads of municipal departments, in accordance with Section 49 of the City Charter, and to the city manager. The commission shall have no authority to bind the City of San Antonio by contract or otherwise. The commission shall have the following duties and functions:~~

~~(1) To conduct an ongoing inventory to identify historically, culturally, architecturally, and archaeologically significant buildings, objects, sites, structures, public art and design enhancements, and areas that exemplify the cultural, social, economic, political, archaeological, or architectural history of the city, state, or nation;~~

- ~~(2) To investigate and recommend through the city zoning commission the designation of areas having special historic, cultural, architectural, or archaeological value as historic districts; and buildings, objects, sites, structures, or clusters having special historic, cultural, architectural, or archaeological value as exceptional or significant landmarks;~~
- ~~(3) To hold public hearings and to review applications for construction, reconstruction, alteration, relocation, renovation, landscaping, or demolition affecting proposed or designated landmarks or buildings, objects, sites, signs, public art and design enhancements, or structures in the Riverwalk area, historic districts, and public property and rights-of-way and recommend issuance or denial of certificates of appropriateness for such actions;~~
- ~~(4) To recommend specific design guidelines for the restoration, rehabilitation, alteration, construction, reconstruction, or relocation of landmarks, or buildings, objects, sites and structures within historic districts, in the Riverwalk area, on public property, or in the public right-of-way;~~
- ~~(5) To recommend guidelines for signage, street furniture, appurtenances, advertising devices, landscaping, monuments and works of art for each historic district, each landmark, the Riverwalk area, and for public property and public rights-of-way;~~
- ~~(6) To hold public hearings and to review applications for ad valorem tax exemption for residential and commercial buildings and structures which have historical significance and are in need of tax relief to encourage their preservation and rehabilitation; to certify the facts governing eligibility, along with the commission's recommendation, to the Bexar Appraisal District, for approval or disapproval of the application for exemption; upon receipt of a sworn statement of completion, to investigate the building or structure to determine whether the restoration or rehabilitation has been substantially completed as required for certification, and to notify the Bexar Appraisal District in writing if verification of completion is favorable;~~
- ~~(7) To review and make recommendations concerning proposed tax increment districts and special assessment districts that would affect proposed or designated landmarks or historic districts;~~
- ~~(8) To testify through the chairman or vice chairman before all boards and commissions on any matter affecting historically, culturally, architecturally, or archaeologically exceptional, or significant areas, buildings, objects, sites, structures, clusters, historic districts, property located in the Riverwalk area, or public property;~~
- ~~(9) To review all proposed National Register nominations within the City of San Antonio upon recommendation of the city's historic preservation officer;~~
- ~~(10) To inform and educate the citizens of San Antonio concerning the historical, cultural, architectural, and archaeological heritage of the city;~~
- ~~(11) To recommend conferral of recognition upon the owners of landmarks or buildings, objects, sites or structures within historic districts by means of certificates, plaques, or markers;~~
- ~~(12) To review periodically the zoning ordinance of the City of San Antonio and to recommend any amendments appropriate for the preservation and protection of landmarks or buildings, objects, sites and structures within historic districts, in the Riverwalk area, on public property, or in the public right-of-way;~~
- ~~(13) To create committees of no more than four (4) persons from among its membership to meet at times other than regular commission meetings, to consider specified categories of applications; and to make recommendations to the full commission; and~~
- ~~(14) To prepare and submit annually to the city council a report summarizing the work of the commission during the previous calendar year which has been adopted by the commission.~~
- ~~(15) To hold public hearings and review and make recommendations on applications for new development or redevelopment on property zoned "D" Downtown Zoning District, in accordance with the Downtown Design Guide in Appendix G of this chapter (35-G101).~~
- ~~(c) **Composition and Qualifications.** In appointing members of the commission, the city council shall make appointments that are sensitive to the preservation and development goals of the city and will enable the city to retain compliance as a certified local government under the rules incorporating the provisions of the U.S. Historic Preservation Act of 1966, as amended, and Title 13, Texas Historic Commission, chapter 15, so that all members shall have a demonstrated "interest, competence, or knowledge in historic preservation."~~
- ~~(1) **Composition.** Composition shall be from three (3) categories of members from the following disciplines or backgrounds:—~~

- ~~A. One (1) representative shall be selected from each of the following disciplines: architecture (licensed in the State of Texas), history, architectural history, archaeology, and planning. Memberships from these five (5) disciplines are required in order to achieve compliance with the U.S. Historic Preservation Act, as well as applicable Texas law.~~
- ~~B. One (1) representative from each of the following disciplines: landscape architecture (licensed in the State of Texas), and a professional in the field of public art or art history. Membership from these two (2) disciplines are required to provide design expertise related to the Riverwalk and public art.~~
- ~~C. Four (4) individuals in business/professional categories which shall include disciplines and backgrounds in real estate/commercial development, economic development, law, banking or accounting, or civil engineering and in a general category which shall include experience or background in urban design, visual arts, public art, neighborhood representation, or design enhancements, or who shall be a citizen-at-large.~~

~~Members of the commission shall represent the general ethnic and gender makeup of the community. All board and commission members serve at the pleasure of the city council and may be removed from office at the discretion of the city council without cause, such removal to be evidenced by passage of an ordinance.~~

- ~~(2) Appointment. The mayor and city council will each appoint one (1) member of the commission to complete category representation.~~
- ~~(3) Terms of Members. Members are appointed for a term of office of two (2) years. The term of office for each board or commission member will run concurrently with the terms of office of the city council that appoints each member. Any vacancy shall be filled for the remainder of the term by the city council.~~
- ~~(d) **Chairman and Vice Chairman.** Members of the commission shall elect a chairman and vice chairman from among those members who have served at least one (1) year as commission members. The chairman and vice chairman shall serve for a one-year term, but no person shall serve more than two (2) consecutive city council appointed terms in the same office. The chairman shall preside over all meetings of the commission. The vice chairman shall preside in the absence or at the request of the chairman. An additional presiding officer pro-tem may be selected by the commission members to preside over meetings in the absence of both the chairman and vice chairman.~~
- ~~(e) **Election of Officers.** Election of commission officers shall occur in January of each year. On the day of the election of officers, the chairman shall turn the meeting over to the historic preservation officer who will accept nominations from the membership for chairman and vice chairman. Officers must receive a majority vote of the commission members. The term of office shall begin the day of the election. Should the chair or vice chair resign or not be reappointed prior to the end of the term of office, a special election shall be held at the next meeting after such vacancy to fill the position(s) for the remainder of the term.~~
- ~~(f) **Secretary.** The historic preservation officer or his or her representative shall act as secretary of the commission and shall attend and keep minutes of all meetings, acting in an advisory capacity and participating fully in commission discussions but having no right to vote.~~
- ~~(g) **Meetings of the Commission.** The commission shall hold each regular meeting on the basis of not less than once each month, and more frequently if necessary, at a regularly scheduled time with advance notice posted according to the Texas Open Meetings Act. Additional special meetings may be called by the chairman, or upon written request to the historic preservation officer signed by a majority of the members, when a matter requires urgent consideration of the commission. All meetings of the commission shall be open to the public in accordance with the Texas Open Meetings Act. The place, day and/or hour of meetings may be changed by vote of the commission at any regular meeting. Notice of such action shall be provided in accordance with the Texas Open Meetings Act. Minutes of the commission's proceedings showing the vote shall be filed in the office of the city historic preservation officer and shall be a public record.~~
- ~~(h) **Meeting Procedures.** The commission shall observe the following procedures:~~
 - ~~(1) Any motion by a member shall require a second. After a motion has been made and duly seconded, discussion of the motion may be held for a reasonable time. Discussion by members or by opponents or proponents of a question before the commission shall terminate whenever a member shall call for a vote upon the question or whenever the chairman shall so rule.~~
 - ~~(2) Whenever any question of procedure or qualification may be raised at a commission meeting, the chairman shall rule thereon. A member may move to overrule the chairman's decision which may be done by a majority vote of the members present.~~

- ~~(3) Voting on all matters may be by voice vote provided that a roll call vote shall be taken upon demand of any member.~~
- ~~(4) Releases and statements to the public and press in the name of the commission shall be made only by the presiding officer and in accordance with the Texas Open Records Act.~~
- ~~(5) Any question of order or procedure not covered by these rules shall be decided according to the latest edition of Robert's Rules of Order, insofar as they may be applicable.~~
- ~~(i) **Meetings of Commission Committees.** All decisions of committees shall be submitted to the commission at its next regular meeting. Any applicant who is dissatisfied with a recommendation by a committee shall have the right to appeal to the full commission at its next regularly scheduled meeting. Minutes of committee proceedings showing the vote shall be filed in the office of the city historic preservation officer and shall be a public record.~~
- ~~(j) **Quorum.**~~
- ~~(1) A quorum of the commission shall require six (6) members present. The affirmative votes of a majority of the members present is required for action, except in the case of an application for demolition which shall require a two-thirds (2/3) majority of the members present for a recommendation of approval.~~
- ~~(2) Except when considering an application for demolition or a question of procedure or qualification, when a motion to approve, deny, or approve with conditions fails to pass with the requisite number of five votes, such outcome shall be deemed to be the approval of a motion to reconsider the question, and an automatic continuance to the next regularly scheduled meeting of the commission. If the commission has continued an item at two (2) consecutive meetings, such action, at the option of the applicant, shall be deemed to be a negative recommendation.~~
- ~~(3) Subpart (2) shall apply only when an application has been heard and the chair calls for motions, and so long as no subsequent motions on the application are made.~~
- ~~(k) **Conflicts of Interest.** No member of the commission shall vote or participate as a member in any matter that materially affects the property, income, or business interest of that member or in which the member holds a substantial interest. Such member shall refrain from all discussions of the matter with other commissioners, not be present when the matter is considered, not vote on the matter, and file all required written recusal documents prior to consideration of the item.~~
- (Ord. No. 98697 §§ 1 and 6) (Ord. No. 2007-05-30-0593, § 2, 5-30-07)(Ord. No. 2009-01-15-0001, § 2, 1-15-09) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2010-11-18-0985, § 2, 11-18-10) (Ord. No. 2014-04-03-0206, § 6, 4-3-14)(Ord. No. [2015-12-17-1077](#), § 2, 12-17-15)