

## **HISTORIC RESOURCES COMMISSION BY-LAWS**

### **Article I Establishment**

**Section 1.** The name of this board shall be the Historic Resources Commission as provided for in Chapters 3117.01 through 3117.11 of the Columbus City Code.

**Section 2.** The Historic Resources Commission was established by Ordinance No. 2638-80 adopted by the Council of the City of Columbus, Ohio November 3, 1980.

### **Article II Purpose**

The object of the HRC shall be to provide a formal process for the conservation of historic and cultural resources and to promote the visual and aesthetic character, diversity and interest of the City of Columbus as provided for in Chapters 3117.01 through 3117.11 of the Columbus City Code.

### **Article III Membership**

**Section 1.** \*\*\*\* The HRC shall consist of seven (7) members appointed by the Mayor of the City of Columbus with the concurrence of Council and shall serve without compensation. Those appointees shall include two (2) architects, and one (1) representative of the Columbus Landmarks Foundation. Recommended membership may include, but shall not be limited to, architects, contractors, carpenters, engineers, archeologists, architectural or public historians, developers, business owners, lawyers or bankers. To the greatest extent possible members should at a minimum either own, rent or have a business in a property listed on the Columbus Register of Historic Properties or in a designated historic district. All members shall have, to the highest extent practicable, knowledge of issues and opportunities involved in historic preservation as provided for in Chapters 3117.01 through 3117.11 of the Columbus City Code.

**Section 2.** \*\*\*\* Initially two (2) members will be appointed to serve for a term of one (1) year, two (2) members will be appointed to serve for a term of two (2) years, and three (3) members will be appointed to serve for a term of three (3) years. All subsequent terms shall be for a period of three (3) years. Vacancies caused by death, resignation or otherwise, shall be filled for the unexpired term in the same manner as original appointments are made.

**Section 3.** Any member desiring to resign shall submit his or her resignation in writing to the Mayor.

**Section 4.** Absence without cause from four (4) consecutive meetings shall be deemed to create a vacancy in that membership term and shall be reported to the Mayor.

**Section 5.** Any vacancies caused by resignation, death, disqualification or other means shall be filled for the unexpired term in the same manner as the original appointment.

**Section 6.** Upon the creation of any vacancy, the Commission will notify the Mayor immediately of the vacancy and encourage him to fill it within sixty (60) days.

**\*\*Section 7.** No Commission member shall vote or participate in discussion on any item which he or she has a conflict of interest. Members will notify the Chairperson when they have a conflict of interest.

## **Article IV Officers**

**\*\*Section 1.** The officers of the Historic Resources Commission shall be a Chairperson, a ViceChairperson, and Secretary. These officers shall perform the duties prescribed by these By-laws and by the parliamentary authority adopted by the Commission. The Historic Preservation Officer and Recording Secretary shall be provided by the Jobs Development Department and shall not be members of the Commission.

**Section 2.** The Chairperson shall preside at all meetings of the Commission, shall appoint any committee, standing or ad hoc, and be an ex-officio member thereof, and shall have a vote on all issues. The Chairperson shall also have the authority to act as spokesperson for the Commission.

**Section 3.** The Vice-Chairperson shall assume the duties of the Chairperson in the absence of that officer. The Vice-Chairperson shall also be considered the Chairperson-Elect.

**Section 4.** The Secretary shall assume the duties of Chairperson in the absence of the Chairperson and Vice-Chairperson. The Secretary shall also oversee all record keeping procedures of the Commission.

**Section 5.** As soon as convenient after members have been appointed and approved, and annually thereafter at the regular meeting held on the third Thursday in March, a nominating committee of three shall be appointed by the Chairperson to nominate a candidate for each office to be filled at the regular meeting in May. The nominating committee shall report at the Regular meeting in April. Before the election at the meeting in May, additional nominations from the floor shall be permitted.

**Section 6.** The officers shall be elected by majority vote to serve for one (1) year or until their successors are elected, and their term of office shall begin at the close of the regular meeting at which they are elected.

**Section 7.** No member shall be eligible to serve more than two consecutive terms in the same office or serve more than one office at the same time.

## **\*\* Article V Committees**

**Section 1.** Officers of the Historic Resources Commission shall constitute the Executive Committee. The Executive Committee shall have general supervision of the affairs of the HRC between its regular meetings. The Committee shall be subject to the orders of the HRC and none of its acts shall conflict with an action of the HRC.

**Section 2.** The Architectural Guidelines Committee shall be responsible for making recommendations on Architectural design issues that affect historic properties, groups and districts designated as listed in the Columbus Register of Historic Properties. The specific duties of the Committee shall be as follows:

- A. The Committee shall, with the assistance of the Historic Preservation Officer, develop, modify, or approve architectural guidelines for each historic property, group or district designated as listed in the Columbus Register of Historic Properties.

- B. The Committee may view the premises and obtain additional information on properties for which a Certificate of Appropriateness has been applied and make a recommendation to the HRC based on their findings.
- C. The Committee shall, with the assistance of the Historic Preservation Officer, develop policy statements on general design issues and materials which promote an understanding of the Commission and its responsibilities.
- D. The Committee may make recommendations to the HRC on applying for grants to support committee activities.
- E. The Committee shall act as a negotiator on behalf of the HRC with property owners who have been denied a Certificate of Appropriateness and preservation organizations during the 105 day negotiating period.

The Architectural Guidelines Committee shall be subject to the orders of the HRC and none of its acts shall conflict with any action taken by the HRC. The Committee and its Chairperson shall be appointed by the Commission Chairperson.

**Section 3.** The Site Selection Committee shall oversee the survey and nomination of historic properties. The specific duties of the Committee shall be as follows:

- A. The Committee shall, with the assistance of the Historic Preservation Officer, prioritize the designation of historic districts, groups and properties as listed properties in the Columbus Register of Historic Properties.
- B. The Committee shall, with the assistance of the Historic Preservation Officer, prioritize historic resource surveys and nominations to the National Register of Historic Places.
- C. The Committee shall review all nominations to the Columbus Register of Historic Properties and make recommendations to the HRC about their eligibility for the Register.
- D. The Committee may make recommendations to the HRC on applying for grants to support historic resource surveys, nominations to the Columbus Register of Historic Properties, and National Register of Historic Places.
- E. The Committee may work with the Historic Preservation Officer to prepare educational material on properties listed in the Columbus Register of Historic Properties and Columbus historic resources, as well as material which promotes an understanding of the Commission and its responsibilities.
- F. The Site Selection Committee will review all nominations to the National Register of Historic Places from the City of Columbus and make recommendations to the Ohio Historical Society concerning the nominations. In the event the City becomes a Certified Local Government, the Committee will make recommendations concerning the nominations to the Mayor of Columbus. All recommendations will be subject to full HRC approval.

The Site Selection Committee shall be subject to the orders of the HRC, and none of its acts shall conflict with any action taken by the HRC. The Committee and its Chairperson shall be appointed by the Commission Chairperson.

## **Article VI Meetings**

**Section 1.** The following procedures shall be followed by the Commission in the conducting of meetings.

- A.** Regular meetings of the Commission shall be held on the third Thursday of each month at 6:15 p.m. \*\*\*in 109 North Front Street.\*\*\* Meetings will not be held on a holiday, the day before a holiday, the day after a holiday, or on an election day.
- B.** \*\*\*Historic Resources Commission Business Meetings shall be held one week prior to the regular monthly commission meeting, and conducted in accordance with the Open Meetings Act (R. C. 121.22). The Historic Resources Commission Business Meetings shall be held at 109 North Front Street at 12:00 noon on the Thursday before the regular commission meeting unless otherwise announced by the Chairman or City Historic Preservation Office Staff and published at least one (1) week in advance of the Business Meeting.
- C.** \*\*Public Hearings for the designation of historic properties, groups and districts for the Columbus Register may be held in said areas, provided notice of the hearing location must be provided in the City Bulletin and to affected property owners.
- D.** \*\*Special meetings may be called by the Chairperson or by the written request of five members of the Commission. The purpose of the meetings shall be stated in the call. Except in cases of emergency, at least three days notice shall be given by the Secretary of the HRC to each Commission member and to the City Clerk.
- E.** Consistent with Columbus City Code section 3119.07, the Commission shall take official action only by a majority of the members voting on the question on the table during a public meeting at which there is a quorum. A quorum exists when a majority of the members appointed to and serving on the Commission are present at the meeting. When a quorum is lacking, no business can be acted on other than to adjourn a meeting.
- F.** \*\*All meetings for the review of Certificates of Appropriateness and nominations to the Columbus Register of Historic Properties of the Commission shall be open to the public. The order of business at regular meetings shall be as follows:
  - 1.** The Secretary shall have a roll call.
  - 2.** The Chairperson will ask for amendments to and approval of the minutes of the previous meeting.
  - 3.** The Chairperson of the Commission will call upon the Committee Chairpersons to make their reports.
  - 4.** The Commission will then consider applications for Certificates of Appropriateness according to the procedures outlined in Section 2. Applications which have been

previously denied or which have been tabled will be considered first, followed by newly submitted applications.

5. The Commission will then consider any nominations to the Columbus Register of Historic Properties.
  6. The Chairperson will then call upon the Historic Preservation Officer or Commission members to present any old business before the HRC.
  7. The Chairperson may then call upon the Historic Preservation Officer or Commission members to present any new business before the HRC.
  8. The Chairperson may then open the floor to presentations by any individuals or representatives of any official commission or department of the City, any state agency, or any neighborhood, historical, preservation, or business organization as directed by the Chairperson. To be recognized said individuals or representatives, must state their name, affiliation, and subject. Presentations shall be limited to ten minutes unless prior arrangements are made with the Executive Committee.
- F. The Chairperson may reasonably modify the order of business at any Commission meeting.

**Section 2.** \*\*To present on application for a Certificate of Appropriateness, any party may appear in person or by agent or attorney at the meeting. The order of business for consideration of applications for Certificates of Appropriateness shall be as follows.

- A. The Chairperson or such person as he or she shall direct, shall give a preliminary statement concerning the application.
- B. The applicant shall present the statements in support of his or her application.
- C. Any speakers, in supporting the granting of the application, shall present statements in favor of the applicant.
- D. Persons opposed to granting the application shall present the statements against the application.
- E. The Secretary will then read any written statements, either for or against the issuance of a certificate, submitted to the HRC by any government agency, organization or individual.
- F. Statements or arguments submitted by any official commission, or department of the City, any state agency, or any local historical, preservation, neighborhood, or business association shall be presented as directed by the Chairperson.
- G. Persons wishing to question any of the speakers or respond to any of the statements made pertaining to the application may do so as directed by the Chairperson.
- H. The Chairperson, or such person as he or she shall direct, shall summarize the evidence which has been presented, giving all parties an opportunity to comment or make corrections; and

- I. The Commission shall thereafter proceed to deliberate whether to grant the application or to deny it.

The Commission may, in its discretion, have the Architectural Guidelines Committee view the premises and obtain additional facts concerning any application before arriving at a decision. All decisions of the Commission shall be supported by appropriate findings of fact, and, where necessary to effectuate the purposes of the ordinance, shall be accompanied by such conditions and/or recommendations as it may determine to be reasonable under the circumstances.

**Section 3.** \*\*The following procedures shall be followed at public hearings for the consideration of historic properties, groups and districts for designation as listed properties in the Columbus Register of Historic Properties.

- A. The Historic Preservation Officer, a member of the Site Selection Committee or a sponsor of the proposed listing, will make a slide presentation on how the property, group or district meets the Columbus Register criteria.
- B. Any speakers in favor of the listing shall present statements in support of it.
- C. Any speakers opposed to the listing will present statements in opposition to it.
- D. The Secretary will then read any statements by an individual, any commission, or any department of the City, any state agency or any preservation, historical, neighborhood, or business group.
- E. Persons wishing to question any of the earlier speakers or respond to statements pertaining to the listing may do so as directed by the Chairperson.
- F. The Chairperson, or such person as he or she directs, will summarize the comments which have been made, giving all parties the opportunity to comment or make corrections.
- G. The Commission will then deliberate and vote whether or not to recommend that the property, group, or district be designated as a listed property on the Columbus Register by the Columbus City Council.

**Section 4.** \*The Chairperson may call a public hearing for discussion of alternatives to denied Certificates of Appropriateness and case reports. The order for such hearings shall be as follows:

- A. The Chairperson, or his or her designee, shall summarize HRC actions taken in denying the Certificate of Appropriateness or Case Report.
- B. The applicant will be called upon to make statements in favor of the Case Report or denied Certificate of Appropriateness.
- C. The presentation of alternatives to the denied Certificate of Appropriateness or Case Report may then be made by any interested individual, city commission, department of the City of Columbus, or any state agency, or any historic, preservation, neighborhood or business group.

- D. The Chairperson will then open the floor to a general discussion of the denied Certificate of Appropriateness or Case Report. The Chairperson will adjourn the hearing when there is no more discussion, the proceedings become unruly or unconstructive.

**Section 5.** The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern the HRC in all cases where they are applicable and in which they are not inconsistent with these By-Laws, special rules of order the HRC may adopt, and the Columbus City Code.

## **Article VII Duties**

The Historic Resources Commission shall have the following duties as provided for in Chapters 3117.01 through 3117.11 of the Columbus City Code:

- A. The Commission shall conduct a survey of all properties which may be eligible for designation as Listed Properties and make recommendation to Council for the designation as Listed Properties.
- B. The Commission shall maintain a Columbus Register of Historic Properties.
- C. The Commission may nominate, in a manner consistent with Federal and State Regulations, Listed Properties with approval of Council, and may review nominations to the National Register of Historic Places and make recommendations to City Council concerning the nomination.
- D. The Commission shall have the authority to issue Certificates of Appropriateness.
- E. The Commission shall have the designation of Listed Properties recorded in the Official Records.

## **\*\* Article VIII General Matters Pertaining to the Rules of Certificates of Appropriateness and Case Reports**

**Section 1.** An application for a Certificate of Appropriateness for exterior alternations, new construction, demolition or other material change to a Listed Property must be completed and properly filed ten (10) days before the next regularly scheduled meeting of the HRC, as provided for in Chapters 3117.01 and 3117.07 of the Columbus City Code. The Commission will only consider completed applications. Applicants must do the following to have a complete application.

- A. Complete an "Application For Certificate of Appropriateness" form, as exists at the approval of these bylaws. The HRC may amend said form, but only after publication in the City Register and a thirty (30) day grace period has expired for old applications. In the application, the applicant must provide the following information in a concise but thorough manner, as provided in Chapters 3117.01, 3117.07 and 3117.08 of the Columbus City Code.
  - 1. A description of the proposed change and how it will alter the Listed Property.
  - 2. A discussion of how the changes are compatible with the historical and architectural character of the individual building it pertains to and the designated property, group or district of which it is a part.

3. A discussion of the necessity of the change for complying with city codes or governmental orders, if applicable.
4. A discussion of the necessity of the change to allow the Listed Property to be marketable for low to moderate income people, if applicable.
5. A discussion of the necessity of the change to make the Listed Property handicapped accessible, if applicable.
6. A discussion of the necessity of the change to make the Listed Property marketable or usable by the applicant.

**B. Provide three (3) copies of the following documents:**

1. Architectural drawings of the listed property including a site plan, elevations, detail drawings, and floor plans (only if the listed property is designated in the Columbus Register for its interior significance), or in lieu of architectural drawings, written specifications which are determined to be specific by the Commission or a committee designated by the Commission. The only requirement for the drawings is that they be done to scale and be legible.
2. Any documents that support the application.
3. Product literature on any significant building materials to be used in making the change.

**C. Provide the following:**

1. A set of 3" X 5" color photographs or 35mm slides showing all elevations of the Listed Property, detail shots, and adjoining properties.
2. A sample of any significant building materials to be used in making the change.
3. An application for a Certificate of Appropriateness.

**Section 2.** An application for a Certificate of Appropriateness and Case Report for demolition must be completed and properly filed ten (10) days before the next regularly scheduled meeting of the Commission. Nuisance Abatement orders may be submitted in lieu of a case report, as provided for in Chapters 3117.01, 3117.07, and 3117.08 of the Columbus City code. The Commission will only consider complete applications. The applicant must do the following to have a complete application and case report.

**A. Complete an "Application for Certificate of Appropriateness" form as exists at the passage of these bylaws. The form may be changed after the passage of these bylaws.**

The new application must be published in the City Register and a thirty (30) day grace period. The application and the supporting documentation mentioned in this section shall constitute a "case report". In the application, the applicant must provide the following information.

1. The reason why the property was designated as a Listed Property



2. An examination of alternatives to demolition.
3. A discussion of the adaptability to uses that effectively utilize the spaces and take advantage of the Listed Property.
4. An explanation of why the structure cannot continue to be used for its present purpose or be adaptively reused for a new purpose.
5. An explanation why the owner of the property cannot make a reasonable and acceptable economic return by using the historic structure in question, or in the case of a nonprofit organization, why the buildings can no longer be used for their present purposes. Supporting documents must be cited in the explanation.
6. Information on the structural soundness of the listed building in question and citations of supporting evidence.
7. An explanation of whether or not the city has issued condemnation orders on the Listed Building. Copies of the condemnation orders must be provided.

**B.** The applicant must provide three (3) copies of the following:

1. Architectural drawings of the building to be constructed on the Listed Property including site plan, elevations, and detail drawings. The only requirement of the drawings is that they be done to scale and be legible.
2. Any document that supports the case report.
3. The case report.

**C.** The applicant must supply the following:

1. A set of 3" X 5" color photographs or 35mm slides showing the listed property and adjoining properties.

**Section 3.** The Historic Preservation Officer will have an agenda for the regular meeting prepared five (5) days in advance. Said agenda will be available in the offices of the City of Columbus, Jobs Development Department, Economic Development Division and will be mailed to anyone who requests one.

**Section 4.** In reviewing applications for Certificates of Appropriateness, the Commission shall use the *Secretary of the Interior's Standards for Rehabilitation*. The HRC may also use design guidelines developed by the Architectural Guidelines Committee and approved by the Commission.

**Section 5.** In the event that the Commission denies a Certificate, it will present its reasons for doing so to the applicant orally at the time of denial, and in writing. The chairman shall instruct the Architectural Guidelines Committee to attempt to work out a compromise during the 105 day delay period. The Committee, through the HRC chairman, may request that a public hearing be held to discuss compromises and alternatives.

**Article IX General Matters Pertaining to Historic Resource Surveys, Designation of Properties in the Columbus Register of Historic Properties and Nominations to the National Register of Historic Places**

**Section 1.** The Site Selection Committee will prioritize all efforts of the HRC and Historic Preservation Officer to conduct historic surveys and to prepare nominations to the Columbus and National Register. In doing so, the Committee will use the following criteria:

- A. Interest in the survey or nomination on the part of neighborhood historical, preservation, or business organizations, city departments or developers.
- B. The ability of the survey or nomination to protect endangered resources.
- C. The economic development potential of a resource and the ability of the survey or nomination to enhance this potential.
- D. The ability of a nomination to make the Columbus and National Registers coincide.

**Section 2.** Any individual or organization may submit nominations to the Columbus Register of Historic Properties. It is strongly suggested that all nominations be prepared in conjunction with the Historic Preservation Officer and site Selection Committee. The Officer and Committee must review and make recommendations on all nominations to the Columbus Register. However, no nomination will be kept from consideration by the HRC.

**Section 3.** After receiving the recommendation of the Site Selection Committee, the HRC will vote whether or not to proceed with the nomination. If the Commission votes to proceed with the nomination, affected property owners will be notified by mail of the pending designation, notices will be published in the City Bulletin, and a public hearing will be held. At the public hearing the HRC will vote whether or not to recommend designation of the property group or district, per 3117.01 through 3117.11 of the Columbus City Code.

## **Article X**

### **Amendment of by-Laws**

These By-Laws may be amended at any regular meeting of the HRC by a two-thirds vote of the full Commission, provided that the amendment has been submitted in writing at the previous regular meeting, and notice of the pendency of such proposal was given at least ten (10) days prior to such vote by publication in the City Bulletin and by letter to each member of the Commission.

## **Article XI**

These By-Laws shall take effect the tenth day after promulgation in the City Bulletin. The staff is directed to certify and file a true and exact copy hereof with the City Clerk and the Planning Administrator or the City of Columbus upon adoption.

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Adopted by the Historic Resources Commission by a vote of 9 Yeas and 0 Nays this 19<sup>th</sup> day of November, 1981.

Henry L. Hunker  
Chairperson Historic Resources Commission

Amended by the Historic Resources Commission by a vote of 10 Yeas and 0 Nays this 15<sup>th</sup> day of September, 1983. (Amendment Underlined)

Judith Lee Kitchen  
Chairperson Historic Resources Commission

Page

Amended by the Historic Resources Commission (by a vote) of 9 Yeas and 0 Nays this 17<sup>th</sup> day of May, 1984. (Amendment noted with asterisk)

Judith Lee Kitchen

Chairperson Historic Resources Commission

Amended by the Historic Resources Commission by a vote of 8 Yeas and 0 Nays this 20<sup>th</sup> day of March, 1986. (Amendment noted with double asterisks)

R. Scott Warner

Chairperson, Historic Resources Commission

Amended by the Historic Resources Commission by a vote of 5 Yeas and 0 Nays this 19<sup>th</sup> day of August, 2004. (Amendment noted with triple asterisks.)

Steven Shinn

Chairperson, Historic Resources Commission

Amended by the City of Columbus this 5<sup>th</sup> day of April, 1999. (Amendment noted with quadruple asterisks.)

Steven Shinn

Chairperson, Historic Resources Commission

Amended by the City of Columbus this 15<sup>th</sup> day of June, 2023, to update the quorum language to reflect City Code and make consistent amongst Commissions.

Joe McCabe

Chairperson, Historic Resources Commission