

## MEMORANDUM

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**TO:** Heritage Preservation Commission  
**FROM:** Lisa Steiner, Senior City Planner, (612) 673-3950  
**DATE:** September 13, 2016  
**SUBJECT:** Proposed Preservation Ordinance Text Amendment: Commission Membership

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Council Member Bender has introduced an ordinance to amend the preservation regulations governing Heritage Preservation Commission membership. The current regulations, found in [Section 599.120](#) of the Code of Ordinances, limit commissioners to serving a maximum of three full terms consecutively. However, commissioners are allowed to reapply for appointment after missing one full term. The regulations also specify the interviewers of applicants for appointment to the commission. These limitations have been in place since the heritage preservation chapter was adopted in 2001.

The proposed amendment would eliminate the consecutive term limit currently dictated by the code as well as eliminate the prescribed interviewers. These regulations are unique to the Heritage Preservation Commission; neither the City Planning Commission nor the Zoning Board of Adjustment have the limitations of consecutive terms served or the specifications of interviewers.

Staff is seeking feedback from the HPC regarding the proposed amendment. Draft text is attached with staff's initial recommendations. Staff will bring forward a proposed text amendment and a public hearing will be held before the Heritage Preservation Commission.

**ORDINANCE**  
**By Bender**

**Amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation: Heritage Preservation Regulations.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 599.120 of the above-entitled ordinance be amended to read as follows:

**599.120. Heritage preservation commission.** (a) *Establishment.* The heritage preservation commission is established pursuant to the authority granted by Minnesota Statutes sections 138.71 through 138.75, Minnesota Historic District Act of 1971, and Minnesota Statutes section 471.193, Municipal Heritage Preservation. The commission shall perform its duties and exercise its powers as provided therein.

(b) *Jurisdiction and authority.* The commission shall have the following powers and duties in connection with the administration of this chapter:

- (1) To interpret and administer the provisions of this chapter.
- (2) To adopt and administer rules and regulations relating to the administration of this chapter.
- (3) To direct the commencement of designation studies.
- (4) To hear and make recommendations to the city council on the proposed designation of landmarks and historic districts.
- (5) To hear and decide applications for certificate of appropriateness.
- (6) To hear and decide applications for demolition of historic resources.
- (7) To hear and decide appeals from decisions of the planning director, building official or other official.
- (8) To hear and make recommendations to the city council on proposed historic variances.
- (9) To hear and make recommendations to the city council on proposed transfers of development rights.
- (10) To adopt design guidelines for landmarks, historic districts, and conservation districts, and to revise design guidelines as necessary.
- (11) To make recommendations to the city council on proposed amendments to this chapter.
- (12) To inform and educate the citizens of Minneapolis concerning the historical, cultural, architectural, archaeological or engineering heritage of the city.
- (13) To seek and identify incentives to encourage both public and private investments in preserving the city's landmarks, historic districts and historic resources.

(14) To make recommendations to the city council that designated properties or historic resources be acquired by purchase, gift or by eminent domain.

(15) To take such other actions as are reasonable and necessary for the administration and enforcement of this chapter.

(16) To review and make recommendations to the city council on proposed conservation district establishment, amendment, and repeal.

(17) To hear and decide applications for conservation certificate public hearing reviews.

(c) *Commission membership.* The commission shall consist of ten (10) members, each of whom shall reside in Minneapolis. Members shall be persons with demonstrated interest, knowledge, ability or expertise in historic preservation, neighborhood revitalization, archaeology, urban planning, history or architecture. One (1) shall be the representative of the mayor. If available, at least two (2) shall be registered architects, at least one (1) shall be a licensed real estate agent or appraiser, at least one (1) shall reside in or own a landmark or property in an historic district, and if available at least one (1) shall be a member of the Hennepin History Museum. All appointments, except the mayor's representative, shall be made by the city council and all appointments shall follow the open appointments process contained in section 14.180 of the Minneapolis Code of Ordinances, and as provided in the rules and procedures of the commission. ~~Applicants for appointment to the commission shall be interviewed by a committee of the planning director and one (1) member of the commission who shall recommend applicants to the city council.~~ Members shall serve for a term of three (3) years, and shall be appointed as the terms of the present members of the commission expire. ~~No member shall serve more than three (3) full terms consecutively. Any member may reapply for appointment after missing one (1) full term.~~

(d) *Public hearings.* The commission shall schedule public hearings not less than once per month. Such public hearings shall be noticed and conducted pursuant to the provisions of section 599.170.

(e) *Rules and procedures.* The commission shall adopt policies and procedures for the conduct of its meetings, the processing of applications, appointments to the commission and any other purposes considered necessary for its proper functioning, and shall select or appoint officers as it deems necessary. Such policies and procedures shall be consistent with this chapter.

(f) *Compensation.* Members of the commission shall be paid at the rate of fifty dollars (\$50.00) for each ~~public~~ **official** meeting attended with a limitation of four (4) meetings per month.