

# What is HARC?

The Historic and Architectural Review Commission - better known simply as HARC - was created around 2002 by city council to fulfill a specific purpose.

It was during this time that nationally acclaimed urban planner, Winter & Company, helped the city create a Master Plan for the Downtown Overlay District. New laws were passed to govern how the downtown area would develop, and HARC was created to administer these laws, by issuing or denying approval for significant remodeling or construction within this area.

Every new development or enhanced historic building that we love in Georgetown's downtown area has been overseen by HARC to make sure the result extends the historic feel of the area, and is friendly to pedestrians.

Many cities across America have bodies such as HARC, some of them even called by the same name. Most of the cities in our region with significant growth and investment have similar bodies, and this includes Austin and San Antonio. The purpose is the same in all cases, namely to oversee the development of historic or master-planned areas.

Not every town is successful in enforcing its design standards. This is always a struggle, and developers are always eager to build, and eager to blame the local oversight body for being too stringent in enforcing codes. In Georgetown, as in all cities, HARC is always under attack. The first motion by city council to abolish HARC was in 2006. This was defeated, but only - and always - because of citizen support for HARC.

## Without HARC, it can get real ugly

What can happen when a city doesn't enforce its design standards? Austin gives us the answer with its downtown Sixth Street. Winter & Company developed similar design codes for Austin, but they were overruled by political pressures. Now the street is a money-maker for a few businesses at night, and by day is a wasteland. The ugly scar that is Sixth Street now presents Austin with a huge problem as it tries to improve the livability of its downtown.

The tragedy of Sixth Street can happen to Georgetown. It's no mystery how this happens. Our Design Guidelines exist precisely to make sure this kind of mistake doesn't happen. Some cities are decades ahead of us in terms of their urban design plans, while others are behind us. But all of us are following essentially the same path, and in each case it is possible to look at cities that managed to stay the course against fierce developer pressure, and also to see the failures in those cities that succumbed to the pressures.

In 2011, the Old Town Overlay District was added to HARC's jurisdiction. While HARC does act to protect and preserve Old Town's history to the extent that it can, HARC doesn't currently have power over new construction in Old Town. There is discussion to give this power to HARC, and also to extend the Overlay protection to other historic enclaves that were missed when the Overlays were created.

By contrast, HARC has always had power over new development in the Downtown Overlay. This is the area that gives rise to the most disputes, since this is where development profitability generates most

incentive to skirt the rules. In the last four years, only three HARC rulings have been brought to city council for appeal. All three of them were commercial developments. In two cases, city council upheld HARC's decision. But times are now changing, and challenging.

In the most recent appeal in late 2018, the Wish Well House event center was approved by council despite being in violation of several important design standards. This was troubling to the many citizens and experts who came out to give testimony to city council. On the same evening, city council also launched the initiative to take ruling power away from HARC.

## HARC with no teeth

Currently, HARC is one of the few boards that act to make rulings on cases, rather than being a recommending body. There is an appeals process to city council following a HARC denial. Now council is seeking to turn HARC into merely a recommending body.

What's crucial to know is that HARC was deliberately created as an independent body, to be free from political influence. For almost two decades, against all attacks, and through the support of concerned citizens, Georgetown has managed to maintain HARC's independence. We have managed to honor the intent of previous city councils, advisory boards, consulting firms and the overwhelming popular will.

HARC acts to administer the laws of the town as they apply to a proposed development. The attacks against HARC have actually always been attacks against the laws themselves. HARC will go to great lengths to approve a project, but ultimately has no power to circumvent the laws. City council however, can go around the laws - breaking the laws, in effect, without actually changing them. And there is no way to challenge a city council decision, short of the courts.

All the failures of urban design in all the cities always come through the political process that seeks to circumvent the design standards.

After the Wish Well House experience, it seems quite possible that the current council could finally remove HARC's independent power, despite the overwhelming support for HARC that has been shown by townspeople and experts. Even the council's two advisory boards have now recommended against this policy. At this writing, the issue is in doubt.

Ultimately, only the support of the people can preserve the Downtown and Old Town areas and ensure their intelligent growth. HARC's vital work gives the whole city something to be proud of, as Georgetown becomes increasingly attractive as a regional destination, and as a great example of historic urban design.