

**CHAPTER 18****HISTORIC PRESERVATION CODE**

**18-1-1 PURPOSE AND SCOPE.** A community survives and improves by capitalizing on its assets and attributes. Community improvement is necessary and important. The public interest and well being require that guidelines and controls are used not to inhibit or constrain improvement, but rather to shape and channel such activity to the benefit of the community.

In a rapidly changing world, the stability of a small town can be used to its advantage. Griggsville can meet the needs of the future and provide a basis for long range planning by identifying, from both the past and the present to illuminate the passageway to the future.

A principal asset of the City is the duly recognized and registered Historic District. The district represents a large portion of the City's corporate limits. The major part of the business district is included in the Historic District, tying it and various aspects of the residential portion of the district together as a homogeneous unit.

The City has distinctive features in architecture, craftsmanship, landscape design, and relevant social and economic history. This Chapter provides a means for protecting, preserving, and perpetuating these qualities and is designed to encourage property owners to view their property with the character of the community in mind. It encourages sensitive treatment of the historical qualities of the property by owners in their choices of materials and procedures and standards of workmanship. The Chapter provides a framework, the effect of which will be to capitalize on the major assets of the City, its people, sites, and structures, and which will result in an enrichment of the quality of the community for business, commerce, residence, education and visiting.

It is the purpose of this Chapter to provide the procedures and guidelines for the preservation, enhancement, and perpetuation of the Historic District, the landmarks within and without the District, and the overall character and quality which they give to the City, as separate entities and as an integral part of the community.

**18-1-2 DEFINITIONS.** Unless specifically defined below, words or phrases in this Chapter shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Chapter its most reasonable application.

(A) **Alteration.** Any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.

(B) **Area.** A specific geographic division of the City of Griggsville.

(C) **Advisory Committee Members.** Members of the Griggsville Historic Preservation Advisory Committee.

(D) **Construction.** The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

(E) **Council.** The City Council of the City of Griggsville, Illinois.

(F) **Demolition.** Any act or process that destroys in part or in whole a landmark or a structure within a historic district.

(G) **Design Guideline.** A standard of appropriate activity that will preserve the historic and architectural character of a structure or area.

(H) **Exterior Architectural Appearance.** The architectural character and general composition of the exterior of a structure, including, but not limited to, the kind and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and architectural details.

(I) **Historic District.** An area designated as a "historic district" by ordinance of the City Council and which may contain within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall

visual characteristics of the landmark or landmarks located within the historic district and any area which has

been designated a "Historic Preservation District" in compliance with the provisions of this Chapter or has been designated by the U.S. Secretary of Interior on the National Register of Historic Sites and Places prior to the adoption of this Chapter.

(J) **Landmark.** A property or structure designated as a "landmark" by ordinance of the City Council, pursuant to procedures prescribed herein, that is worthy of rehabilitation, restoration, and preservation because of its historic and/or architectural significance to the City, or has been designated as a landmark by the U.S. Secretary of Interior on the National Register of Historic Sites and Places prior to the adoption of this Chapter.

(K) **Owner of Record.** The person, corporation, or other legal entity listed as owner on the records of the County Recorder of Deeds.

(L) **Advisory Committee.** The Griggsville Historic Preservation Advisory Committee.

(M) **Removal.** Any relocation of a structure on its site or to another site.

(N) **Repair.** Any change that is not construction, removal, or alteration.

(O) **Structure.** Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing, buildings, fences, gazebos, advertising signs, billboards, backstops for tennis courts, radio and television antennas, including support towers, and swimming pools.

**18-1-3 HISTORIC PRESERVATION ADVISORY COMMITTEE.**

(A) **Established.** There is hereby established the Historic Preservation Advisory Committee (HPAC) of the City of Griggsville. The HPAC shall consist of **five (5) members** appointed by the Mayor and confirmed by the City Council. Members shall serve respectively for the following terms: **one (1) for one (1) year, two (2) for two (2) years, and two (2) for three (3) years.** Said initial terms to be determined by lot. The successors to the initial members shall serve for a term of **three (3) years.**

(B) **Appointment.** Persons appointed to the HPAC shall be residents and/or property owners of the City of Griggsville who exhibit knowledge of the history of Griggsville and/or an interest in historic preservation. Vacancies on the HPAC shall be filled for the unexpired term of the member leaving the Advisory Committee. Members may be removed by the Mayor and City Council for cause presented in writing to the member. The member so removed may request a public hearing on the reasons for removal.

(C) **Officers.** Members of the Advisory Committee shall elect a chairman, vice-chairman, and secretary. Officers shall serve for a term of **one (1) year** and may be re-elected, but no person may serve as chairman for more than **two (2) consecutive years.**

(D) **Meetings.** Immediately following their appointment, members of the Advisory Committee shall meet, organize, and elect officers, and adopt rules and regulations for the conduct of the Advisory Committee's business consistent with City ordinances and the laws of the State of Illinois. A quorum shall consist of **three (3) members** of the Advisory Committee. A concurring vote of a majority of those members present and constituting quorum is necessary to render a decision on any matter on which the Advisory Committee is authorized to act. The Advisory Committee shall keep written records of its proceedings and all meetings shall be conducted in accordance with the Open Meeting Act of the State of Illinois.

The Advisory Committee shall file an annual report with the Mayor and City Council setting forth its transactions and recommendations.

Members shall serve without compensation.

**18-1-4 RESPONSIBILITIES AND AUTHORITY.** Subject to the laws of the State of Illinois and the ordinance of the City, the Historic Preservation Advisory Committee shall have and may exercise the following authority and responsibilities.

(A) To assist persons interested in Historic Preservation by the following:

- (1) To act in an advisory capacity in review of plans and specifications for alterations.

- (2) To develop an educational program of technical information and assistance for contractors, tradesmen, craftsmen, property owners, and others.
- (3) Public maps, newsletters, brochures, and pamphlets and present programs and seminars to inform and educate the public concerning the historic and architectural heritage of the City.
- (4) Develop and maintain a library of informative material.
- (5) Maintain a file of available architects, historians, contractors, preservationists, and other resource persons.
- (6) Provide information and assistance relevant to designation of landmarks and historic districts.
- (B) To develop specific design guidelines for the alteration, demolition, construction, or removal of landmarks or property and structures within historic districts.
- (C) To review proposed zoning amendments, applications for special use permits, or applications for zoning variances that affect proposed or designated landmarks and historic districts.
- (D) To develop a preservation policy to be included in the General Plan of the City and to recommend it to the Planning and Zoning Commission and to the City Council.
- (E) To periodically review the Griggsville Zoning Code, and to recommend to the Planning and Zoning Commission and to the City Council any amendments appropriate for the protection and continued use of landmarks or property and structures within historic districts.
- (F) To determine an appropriate system of design of markers for designated landmarks and historic districts.
- (G) To accept gifts, grants, and money as may be appropriate for the purposes of this Code. Such funds may be expended to carry out the powers and duties of the Advisory Committee subject to the appropriation of said funds by the City Council.
- (H) To request technical advice and assistance from City staff members and to retain specialists or consultants and to appoint citizen advisory committees as required from time to time. Specialists or consultants shall be retained only upon express authority of the City Council.
- (I) To conduct a survey of Griggsville properties, structures, and area as to identify those with architectural, historical and social significance.
- (J) To recommend that the City Council designate certain structures or properties as landmarks.
- (K) To recommend that the City Council designate certain places or areas as historic districts.
- (L) To keep a register of all properties and structures that have been designated as landmarks or historic districts, including all information required for each designation.
- (M) To obtain a "Certified Local Government" status for the City pursuant to the Department of Interior's standards so as to take advantage of financial and other assistance which may become available through the Department and other sources.
- (N) To obtain certification of this Chapter with the Illinois office of Preservation Services of the Illinois Department of the Interior, so as to qualify Historic Structures under this Chapter as Historic Structures under the "Tax Reform Act of 1976", Section 2124, or other legislation subsequently passed into law by the Congress of the United States.
- (O) To adopt, publish, and make available bylaws for the conduct of Advisory Committee meetings not inconsistent with "Administrative Review Act of 1945", Chapter 735 et seq. of the Illinois Compiled Statutes.

**18-1-5      NOMINATION/DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS.** Nominations (for designation of landmarks and historic districts) shall be made to the Historic Preservation Advisory Committee on a form prepared by it and may be submitted by a member of the common owner of record of the nominated property, the City Council, or any other person or organization.

Upon receipt of a completed nomination, the Advisory Committee shall schedule a public hearing on the question of the proposed designation setting forth a date, time, and place, and causing written

notice to be given to the owner of record and other persons having a legal or equitable interest in the property proposed for designation. The Secretary shall cause notice to be published in the newspaper of general circulation in the City setting forth the nature of the hearing, the property involved, and the date, time, and place of the scheduled hearing. Such public hearing shall be scheduled not sooner than **seven (7)** nor more than **fifteen (15) days** from the receipt of the application form.

At the public hearing, the Advisory Committee shall afford the opportunity to any person present to present their views pertinent to the proposed designation. The Advisory Committee may adjourn said public hearing without further public notice.

The Advisory Committee shall review all information presented to it and shall adopt by resolution within **thirty (30) days** of the last public hearing considering the proposed designation a recommendation that the nominated landmark or district does or does not meet the criteria for designation as prescribed within. The resolution shall be accompanied by a report which shall contain the following information.

- (A) Explanation of the significance or lack of significance as it relates to the criteria for designation.
- (B) Explanation of the integrity or lack of integrity of the nominated landmark or district.
- (C) In the case of a nominated landmark found to meet the criteria for designation:
  - (1) The significant exterior architectural feature(s) of the nominated landmark that should be protected.
- (D) In the case of a nominated historic district found to meet the criteria for designation:
  - (1) The types of significant architectural features of the structures within the nominated historic district which should be protected.
- (E) Any other pertinent comments related to the nomination of the landmark or district.

A resolution recommending the designation of property as a landmark or historic district shall be presented to the City Council at its next regularly scheduled meeting. In the event the Advisory Committee declines to recommend that certain property be designated as a landmark or historic district, the Secretary shall so notify the applicant within **five (5) days** of the decision of the Advisory Committee.

All recommendations of the Advisory Committee shall be filed with the Plan Commission of the City and made available to persons requesting same in writing.

The City Council shall act upon the recommendation of the Advisory Committee within **thirty (30) days** of the date that such recommendation is submitted to it. Approval of the Advisory Committee's recommendation shall be by majority vote. No recommendation of the Advisory Committee shall be denied except by a concurring vote of not fewer than **four (4) members** of the City Council. Upon designation by ordinance, such building, place, or area shall be afforded the protection of this Chapter as administered by the Advisory Committee.

An applicant whose request for landmark or historic district designation is denied by the City Council may request reconsideration by the Council if substantial new evidence or information regarding the nominated landmark or district is secured.

No building/demolition permits shall be issued which affect a nominated landmark or structure in a historic district after application has been filed with the Advisory Committee.

**18-1-6 CRITERIA FOR EVALUATION OF NOMINATED LANDMARKS AND DISTRICTS.** The Historic Preservation Advisory Committee shall review nominations for local landmark and historic district designation based on the following criteria. Any structure, property, or area which retains the integrity and spirit of the original design shall also fulfill at least **one (1)** of the following criteria to be considered for listing as a local district or landmark.

- (A) The structure(s) is/are an exceptional example of a historic or vernacular style or one of few remaining in the City.

(B) The structure(s) embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant.



(C) The structure(s) is an outstanding or the only known example of work by a locally well known architect or master builder.

(D) The structure(s) or site(s) has known historic significance because it is the property most closely associated with the life or activities of a person or persons who significantly contributed to the development of the community.

(E) The structure(s) or site(s) has known historic significance because it is the property most closely associated with a notable historic event.

(F) The structure(s) is of a type or is associated with a use once common but now rare and/or its character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, farmhouses, gas stations, or other commercial structures with a high level of integrity or architectural significance.

(G) By virtue of its location or activities held there, the structure(s) or site(s) is a current or former focal point of life in the City. (Its unique location or singular characteristics make it an established or familiar visual feature.)

(H) The structure(s) has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the community, county, or state.

**18-1-7      ALTERATIONS.**

(A) No person shall perform any alteration, construction, demolition, or removal or in any way effect the exterior architectural appearance of any landmark, or any property within the historic district without first submitting plans and specifications for the work under consideration to the Historic Preservation Advisory Committee for review. Any recommendation of the Committee is advisory. No building permit shall be issued pursuant to **Chapter 6**, nor shall any work be initiated under the exemption of **Chapter 6** until this Section is complied with.

(B) In the case of a proposed demolition, the Advisory Committee may recommend to the City Council that a moratorium be established for the purposes of investigation the effects of and alternatives to the proposed demolition.

(C) **Standards for Review of Application.** In considering an application for an Alteration Permit, the Preservation Committee shall be guided by the following general standards based on the Secretary of Interior's Guidelines.

- (1) Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment, or a use a property for its originally intended purpose.
- (2) Any work should not destroy the distinguishing qualities or character of the property and its environment. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) All buildings, structures, and sites should be recognized as products of their own time. Alterations to create an appearance inconsistent with the actual character of the property would be discouraged.
- (4) Many changes to buildings and environments which have taken place in the course of time are evidence of the history of the building and the neighborhood. These changes may have developed significance in their own right, and this significance should be recognized and respected.
- (5) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be preserved.
- (6) Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic physical or pictorial evidence, rather

than on conjectural designs or the availability of different architectural elements from other buildings or structures.

- (7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (8) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to the project.
- (9) Design for new construction, alterations and additions to existing properties shall not be discouraged when such design does not destroy significant historical, architectural, or cultural material and when such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

**18-1-8      MAINTENANCE AND SAFETY.** Nothing in this Chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the historic district or on the landmark site which does not involve a change in design, material, or the outward appearance thereof; nor to prevent any alteration or demolition which is required by public safety because of an unsafe or dangerous condition. (e.g. exterior painting is not an "architectural change".)

**18-1-9      ZONING.** Whenever an application for a zoning map amendment, variation, or special use permit (including a modification or renewal thereof) is submitted to the Plan Commission for property within a designated historic district, or which is a landmark site, then a notice of any public hearing to be held on the application by the Plan Commission shall be sent to the Historic Preservation Advisory Committee. Such notice shall be the same as that sent to owners of property adjacent to that for which the application was filed. The Historic Preservation Advisory Committee shall have the status of legal objector, at the time of public hearing, and may submit its comments to the Plan Commission, which shall consider such comments, decisions, or recommendation on the application.

**18-1-10      AMENDMENTS.** This Chapter may be amended, changed, altered, or repealed only by a majority vote of the entire Council and only after a public hearing held pursuant to notice published not less than **fifteen (15) days** prior to said hearing.

**(Ord. No. 1988-89-3; 01-18-89)**