

Effective date: September 25, 2007

6/1/2007

60-O-07

AN ORDINANCE

**Amending Subsection 2-9-3(G) of the Evanston City Code,
"Powers and Duties" of the Preservation Commission**

WHEREAS, applications for Planned Developments, Special Uses, and Major Zoning variances in historic districts or landmark properties must be reviewed by the Preservation Commission, Zoning Board of Appeals and/or Plan Commission before reaching the Planning and Development Committee of the City Council; and

WHEREAS, review by the Preservation Commission, Zoning Board of Appeals and/or Plan Commission can be time-consuming; and

WHEREAS, allowing applicants to present their applications to more than one of said public bodies simultaneously at joint meetings could expedite the legally-required review process; and

WHEREAS, joint meetings of said public bodies could allow affected citizens to voice their concerns to public officials more efficiently; and

WHEREAS, at its March 20, 2007 meeting, the Preservation Commission appointed a committee to review the Preservation Ordinance to recommend amendments thereof to the Planning and Development Committee of the City Council; and

WHEREAS, at its May 15, 2007 meeting, the committee recommended amending Section 2-9-3 (G) of the Preservation Ordinance to empower the Commission to hold joint meetings with the Plan Commission or Zoning Board of Appeals to consider applications for Planned Developments, Special Uses, and/or Major Zoning Variances in historic districts or on landmark properties; and

WHEREAS, at its May 15, 2007 meeting, the Preservation Commission adopted the committee's recommendations; and

WHEREAS, at its June 11, 2007 meeting, the Planning and Development Committee of the City Council adopted the recommendation of the Plan Commission and recommended City Council approval thereof; and

WHEREAS, at its June 25, 2007 meeting, the City Council considered and adopted the recommendations of the Plan Commission and the Planning and Development Committee,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That Subsection 2-9-3 (G) of the Evanston City Code of 1979, as amended, be and it hereby is, further amended, to read as follows:

2-9-3: EVANSTON PRESERVATION COMMISSION:

(G) Powers and Duties: The Commission shall have the following powers and duties:

1. To conduct an ongoing survey to identify historically, culturally, architecturally and archaeologically significant areas, properties, structures, sites and objects.

2. To investigate and make recommendations to the Council or its duly authorized committee concerning the adoption of ordinances designating areas, properties, structures, sites and objects as landmarks and districts.
3. To keep a register of all areas, properties, structures, sites and objects that have been designated as landmarks or districts, including all information required as part of each designation.
4. To create an appropriate system of plaques for identification of individual landmarks and make recommendations for the design and implementation of specific marking of streets and routes leading from one landmark or district to another.
5. To advise and assist owners of landmarks and properties, structures, sites or objects within districts on technical aspects of preservation, renovation, rehabilitation and reuse, and for procedures for listing in other registers of significant areas, properties, structures, sites and objects, including the National Register of Historic Places.
6. To nominate areas, properties, structures, sites and objects to the National Register of Historic Places and to the Illinois Register of Historic Places and to guide owners in the processes of nominating their properties to the National Register of Historic Places and the Illinois Register of Historic Places.
7. To participate in the "certified local government" program of the National Historic Preservation Act, as amended, and the Illinois Historic Preservation Agency; and carry out any responsibilities delegated to the Commission under that program, including review and comment on any National Register nominations submitted to the Commission upon request of the Council, attendance at informational and educational programs sponsored by the Illinois Historic Preservation Agency, and preparation of an annual report of the activities of the Commission.
8. To inform and educate the citizens of Evanston concerning the historic, cultural, architectural and archaeological heritage of the City by publishing appropriate maps, newsletters, brochures and pamphlets, and by sponsoring programs and seminars.
9. To prepare and distribute application forms for the review of proposed alterations, constructions, demolitions or relocations; to hold meetings and public hearings to review applications for certificates of appropriateness affecting proposed or designated landmarks and districts; to approve or disapprove the issuance of certificates of appropriateness; and to submit written findings regarding any project that is the subject of an appeal from a Commission decision to the Council or its duly authorized committee.

10. To consider applications for certificates of economic hardship; to hold meetings and public hearings to review applications for certificates of economic hardship affecting proposed or designated landmarks and districts; to approve or disapprove the issuance of certificates of economic hardship and to submit written findings regarding any project that is the subject of an appeal from a Commission decision to the Council or its duly authorized committee.
11. To review applications for certificates of special merit; to hold meetings and public hearings to review applications for certificates of special merit affecting proposed or designated landmarks and districts; and to submit written findings regarding any project that is the subject of an application for a certificate of special merit to the Council or its duly authorized committee.
12. To consider applications for subdivision, re-subdivision or consolidation of areas, properties or sites affecting proposed or designated landmarks and districts; to hold meetings and public hearings to review such applications; and to make advisory recommendations to the Council or its duly authorized committee regarding such applications.
13. To review applications for planned developments, major zoning variances, and special uses that affect the exterior of designated landmark structures or structures in historic districts and that are visible from the public way; to hold meetings and public hearings and/or joint meetings and public hearings with the Plan Commission and/or Zoning Board of Appeals to review applications for planned developments, major zoning variances, and special uses affecting proposed or designated landmarks and districts; and to make advisory recommendations to the Zoning Board of Appeals, Plan Commission and/or the Council or its duly authorized committee regarding the planned development, major zoning variance, or special use application.
14. To develop a description of critical features for review of alteration, construction or relocation of landmarks or properties, structures, or objects in districts consistent with the Secretary of Interior's "Standards for Rehabilitation of Historic Properties", as amended.
15. To review proposed planned development applications, zoning amendments, applications for conditional uses, applications for zoning variances, or applications for fences that affect proposed or designated landmarks and districts.
16. To administer, on behalf of the City, any property or full or partial interest in property, including preservation or conservation easements, that the City may have or accept as a gift or otherwise, upon authorization and approval by the Council.

17. To accept and administer on behalf of the City such gifts, grants and money as may be appropriate for the purposes of this Chapter, upon authorization and approval by the Council.
18. To call upon available City staff members as well as other experts for technical advice.
19. To testify before all boards and commissions, including the Plan Commission and the Zoning Board of Appeals, on any matter affecting historically, culturally, architecturally or archaeologically significant areas, sites, structures and objects.
20. To confer recognition upon the owners of landmarks or properties, structures, sites, or objects within districts or other historic preservation efforts by means of certificates, plaques, markers or awards.
21. To assist in the development, review or amendment of a preservation component in the Comprehensive General Plan of the City.
22. To periodically review the Zoning Ordinance of the City, and to make recommendations to the Council concerning any amendments appropriate for the protection and continued use of landmarks or properties, structures, sites or objects within districts.
23. To review and comment to the appropriate department or agency concerning City projects or activities affecting landmarks or districts or areas, properties, structures, sites or objects eligible for designation as landmarks or districts.
24. To provide by rules for circumstances under which the City Manager or his/her designee may issue certificates of appropriateness for certain routine kinds of work applications without formal review and approval by the Commission itself.
25. To prepare a list of areas, properties, structures, sites or objects eligible for designation as a landmark or district.
26. To adopt its own procedural regulations.
27. To file a petition with the Community Development Department requesting that the Community Development Department proceed to take action against any owner of record or any other appropriate person or persons in connection with a landmark or property, structure, site or object within a district that is reasonably believed to be in violation of the Building Code of the City.

28. To consider applications for signs affecting proposed or designated landmarks and districts; to hold meetings and public hearings to review such applications; and to make advisory recommendations to the Sign Review and Appeals Board regarding such applications.

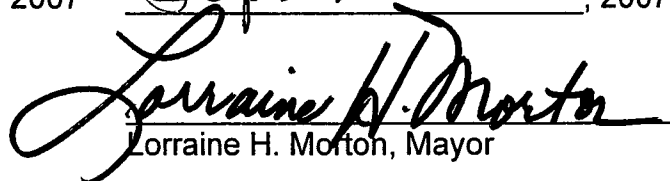
29. To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to implementation of the purposes of this Chapter.

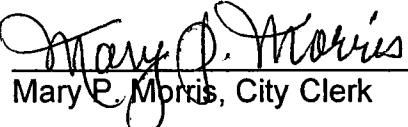
SECTION 2: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications thereof.

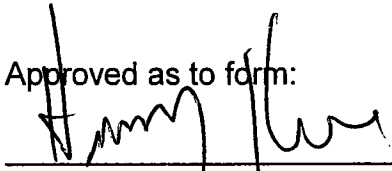
SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: August 13, 2007 Approved:
Adopted: September 10, 2007 September 11, 2007


Lorraine H. Morton, Mayor

Attest:

Mary P. Morris, City Clerk

Approved as to form:

Corporation Counsel