

## Attachment I

### Ordinance 64689

**SECTION EIGHTEEN. Petition filing requirements - Historic District Designation.** An area may be submitted for designation as a Historic District in the following manner: A petition shall be filed in the Office of the Preservation Board on such forms and in such manner as the Preservation Board may prescribe. Such petition may be initiated by the Preservation Board or any member thereof, or by the alderman within whose ward the proposed district is situated or by the Owners of ten percent or more of the square footage area (measured on the ground, exclusive of streets and alleys) included within the proposed district. The staff of the Cultural Resources Office shall cooperate with the petitioner in the preparation of the petition and shall, upon the petitioner's request, furnish data, reports, maps, graphics and other information and assistance necessary for the preparation of such petition. Each such petition shall include but not be limited to:

- A. A general location map and legal description of the proposed Historic District by metes and bounds or other legal description that readily identifies the area;
- B. A statement documenting the area's historic, architectural, cultural, archaeological or aesthetic significance, together with an architectural survey map that evaluates the significance of each Improvement and/or topographic feature within the proposed Historic District. The statement shall describe the current economic condition of the proposed Historic District and shall describe the advantages to residents and to the City which may be anticipated as a consequence of designation;
- C. A plat at a scale of not more than 300 feet to the inch indicating the existing uses of all properties within the proposed Historic District;
- D. A general plan for the area indicating all planned or proposed (public or private) restoration, development and demolition within the proposed Historic District;
- E. Proposed Historic District standards to be applied within the district including, but not limited to, Design and Construction Standards for building facades, setbacks, height, scale, material, color and texture, trim, roof design and landscaping; standards for the design details of all fences, streets and drives, street furniture, signs and landscape materials; and standards for demolition of Improvements within the district;
- F. A statement of amendments (if any) to the existing zoning classification and boundaries necessary to conform to the proposed plan.

**SECTION NINETEEN. Distribution and review of petition - Historic District Designation.**

A. Within five days after a petition for designation of a Historic District has been filed as provided in Section Eighteen, the Preservation Board shall transmit to the Planning Commission and to the Board of Public Service copies of the petition together with all exhibits and documents appurtenant thereto.

B. Within forty five (45) days after such transmittal, the Planning Commission and the Board of Public Service shall review the petition and shall transmit to the Preservation Board such advice and recommendations as they may deem appropriate and as shall describe the degree to which the petition advances the physical development of the City.

C. If the Planning Commission, after conducting a public hearing on the petition, notifies the Preservation Board that it disapproves the petition, the Preservation Board shall terminate its proceedings on the petition.

#### SECTION TWENTY. Public hearing on petition - Historic District Designation.

Within ninety (90) days after the filing of the petition, the Preservation Board shall hold a public hearing regarding the petition for designation.

#### SECTION TWENTY-ONE. Notice of public hearing - Historic District Designation.

A. The Preservation Board shall give public notice of such hearing at least fifteen (15) days prior to the date of the hearing by publication of notice in a daily newspaper of general circulation in the City. At least ten (10) days prior to the public hearing, the Preservation Board shall cause a placard containing the words, "Proposed Historic District In This Block" to be printed in large type and erected at each end of every block in which a district is proposed. Such placards shall also have prominently displayed and firmly attached thereto a copy of the notice which appears in the daily newspaper.

B. To the extent practicable, the Preservation Board may mail written notice of such hearing to the Owner of each property located within the proposed Historic District at least fifteen (15) days prior to the date of hearing. For this purpose, the Preservation Board may consult the current City tax lists or other current and readily available City lists of property Owners, and notice deposited in the United States mail to the person or persons listed as the Owner or taxpayer in any such records at the address listed in such records shall be deemed notice to the Owner for purposes of compliance with this subsection. The failure to give or receive notice pursuant to this subsection shall not affect the validity of the Preservation Board's proceedings.

C. The notices for publication and mailing shall contain a clear description of the location of the area proposed for designation as a Historic District, and a statement of the purpose, date, time and place of the hearing and that property Owners affected thereby, or others interested therein, may appear at such hearing to be heard.

**SECTION TWENTY-TWO. Expression of views by interested parties - Historic District Designation. All interested parties shall be afforded at the public hearing a reasonable opportunity to express their views respecting the proposed district.**

**SECTION TWENTY-THREE. Determination - Historic District Designation.**

**A. After review and consideration of the petition, recommendations of the Board of Public Service and the Planning Commission and comments received from property Owners and other interested parties, the Preservation Board shall:**

- 1. Approve the petition as submitted; or**
- 2. Approve the petition with such modifications or conditions as the Preservation Board shall deem appropriate; or**
- 3. Disapprove the petition.**

**B. Such determination shall be in writing and shall be made within sixty (60) days after the public hearing on the petition unless the Preservation Board shall vote to extend such time period to permit additional studies or reports to be completed or for other good and proper cause. The Preservation Board shall promptly notify the petitioner, the mayor, the Planning Commission, the Board of Public Service and the clerk of the Board of Aldermen of the Preservation Board's determination.**

**SECTION TWENTY-FOUR. Preparation of Historic District Designation bill upon approval of petition.**

**In the event of approval of a petition for designation of a Historic District, the Preservation Board shall cause to be prepared an historic district designation bill with a Historic District plan for the proposed district for consideration by the Board of Aldermen. The bill shall include, but not be limited to, the elements of the petition as described in Section Eighteen. The Historic District plan shall contain Historic District Standards for the regulation of construction and alteration of Exterior Architectural Features within the Historic District and shall provide for the preservation of the significant features or characteristics of the area which are the basis for the Historic District designation. Within forty five (45) days after the Preservation Board's approval of the petition, a copy of such designation bill together with the Historic District plan shall be transmitted to the petitioner, the clerk of the Board of Aldermen, the Planning Commission and the mayor.**

**SECTION TWENTY-FIVE. Procedure upon disapproval of petition - Historic District Designation. In the event of disapproval of a petition, the Preservation Board shall state the reasons therefor and possible alternatives thereto and shall forward a copy thereof to the petitioner, the mayor, the Planning Commission, the Board of Public Service and the clerk of the Board of Aldermen.**

SECTION TWENTY-SIX. Historic District Designation bill Notice of pendency.

After an Historic District designation bill is introduced in the Board of Aldermen and assigned to the board's appropriate standing committee, such bill shall not be voted on by the board until a public hearing is held by that committee. At least fifteen (15) days prior to the public hearing, the committee shall require the clerk of the Board of Aldermen to cause to be published in a daily newspaper of general circulation in the City, a notice of the pendency of said bill. The notice shall contain a clear description of the location of the area proposed for designation as a Historic District, and the date, time, and place of the hearing at which property Owners affected thereby, or others interested therein, may appear before the aforesaid standing committee to be heard. At least ten days prior to the public hearing, the clerk of the Board of Aldermen shall cause a placard containing the words "Proposed Historic District In This Block" to be printed in large type and erected at each end of every block in which a district is proposed. Such placards shall also have prominently displayed and firmly attached thereto a copy of the notice which appears in the daily newspapers.

SECTION TWENTY-SEVEN. Historic District Designation bill Copy filing.

On passage by the Board of Aldermen and approval by the mayor of a Historic District designation bill, the clerk of the Board of Aldermen shall forthwith file a copy of the Historic District plan with the register and a copy of the ordinance with the recorder of deeds. The Preservation Board shall retain on file in its office a true copy of the Historic District plan as approved by such ordinance, including the Historic District standards for such Historic District, and shall transmit a true copy of the Historic District plan with standards to the Building Commissioner and the Planning and Urban Design Agency.

SECTION TWENTY-EIGHT. Revision of historic district standards.

Not less frequently than every five years after enactment of an Historic District designation ordinance, the Preservation Board shall review and, if appropriate, recommend to the Planning Commission and Board of Aldermen revisions of the Historic District standards included in the ordinance for the regulation of construction and alteration of Exterior Architectural Features within the particular Historic District, but such revised standards shall not become effective until and unless approved by the Planning Commission and by ordinance. Such recommended revisions shall take into account changes in circumstances or conditions of or affecting the Historic District, the intent of this ordinance, and the significant features and characteristics of the district that were the basis of the original Historic District designation. The Preservation Board shall have the authority to adopt supplemental guidelines to explain, illustrate and implement the Historic District standards, provided that such guidelines shall be consistent with the Historic District designation ordinance, the Historic District plan and Historic District standards for such district.