

## **Historic Preservation Ordinances in Geneva** *In chronological order*

1. **Ordinance 82-11**                    Establishment of Historical Preservation Commission. *Approved February 15, 1982.* This ordinance did the following:
  - Created the Historical Preservation Commission (advisory)
  - Defined the HPC's composition, terms of office, organization, election of officers, rules, and meetings.
  - Defined standards and jurisdiction and authority of HPC.
  
2. **Ordinance 87-15**                    An Ordinance Establishing a Historic District Pursuant to Ordinance 82-11 (Establishment of Historical Preservation Commission) Adopted by the City Council of the City of Geneva, Kane County, Illinois, on February 15, 1982. *Approved February 16, 1987.*
  - Designated the local Geneva Historic District using the existing boundaries of the two districts listed on the National Register of Historic Places.
  
3. **Ordinance 88-68**                    An Ordinance Creating An Advisory Commission on Historic Preservation. *Approved November 21, 1988.* An update of the 1982 ordinance in which the commission remains advisory, but definitions and procedures are further clarified and the review standards are spelled out.
  - Identified definitions applicable to HPC and its actions.
  - Defined HPC's composition, terms of office, organization, election of officers, rules, and meetings.
  - Defined HPC's jurisdiction and authority.
  - Identified the advisory review process.
  - Defined the HPC's review standards.
  
4. **Ordinance 94-11**                    An Ordinance Amending Article XIX of Chapter 2 of the Geneva Municipal Code (Historic Preservation). *Approved February 22, 1994.*
  - Updated the 1988 ordinance and strengthened HPC's review authority – giving HPC binding permit review.
  - Clarifies definitions and procedures for review.
  - Clarifies procedures for landmark and historic district designation.
  
5. **Ordinance 95-60**                    An Ordinance Amending Article XIX of Chapter 2 of the Geneva Municipal Code (Historic Preservation). *Approved October 16, 1995.*
  - Established the criteria that HPC uses in its review of building permit applications – using the Secretary of the Interior's Standards.

## ORDINANCE NO. 82-11

### ESTABLISHMENT OF HISTORICAL PRESERVATION COMMISSION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENEVA, KANE COUNTY, ILLINOIS, as follows:

Section 1. Purpose. The purpose of this Ordinance is to promote the educational, cultural, and economic welfare of the public of the City by preserving and protecting historic structures, sites, monuments, streets, and neighborhoods, which serve as visible reminders of the history and cultural heritage of the City. Furthermore, it is the purpose of this Ordinance to strengthen the economy of the City by stabilizing and improving property values in historic areas and to encourage new buildings and developments that will be harmonious with the existing historic buildings and neighborhoods.

Section 2. Definitions.

- A. An historic district is any area which includes or encompasses such historic sites, landmarks, buildings, signs, appurtenances, structures, or objects as the Commission may determine to be appropriate for historic preservation. Such designated district or districts need not be a single enclosed area, nor do the areas or sites have to be contiguous to constitute a district.
- B. Exterior features shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the color, kind, and texture of the building material and the type and style of all windows, doors, light fixtures, signs, other appurtenant fixtures, and other natural features such as trees and shrubbery.
- C. Person in charge shall mean owners or mortgagees in possession.

Section 3. Historical Preservation Commission. There is hereby created and established an Historical Preservation Commission which shall consist of no less than three (3) or more than five (5) members who are residents of the City, who shall be appointed by the Mayor, with the advice and consent of the City Council.

Section 4. Composition of Commission. The Mayor shall select members of the Commission from:

- A. The local historical society.
- B. Such members of the community at large which have demonstrated an interest in historic preservation.

Section 5. Terms of Office.

- A. Members of the Commission shall serve overlapping terms of initially: one member shall be appointed for a term of one year; one or two members shall be appointed for a term of two years; one or two members shall be appointed for a term of three years.
- B. Members may be reappointed for consecutive terms.
- C. Members of the Commission shall serve without pay, but may be reimbursed by the City for necessary expenses incurred in connection with their duties, as approved by the City Council.
- D. The Mayor of the City of Geneva, concurred in by the City Council, shall have the power to remove any member of said Commission for cause including excessive nonattendance.

Section 6. Organization; Officers; Rules; Meetings.

- A. At their first meeting, the appointed Commissioners shall elect officers who shall serve for terms of one year.
- B. The Commission may establish any rules necessary for the orderly conduct of its business.
- C. All meetings of the Commission shall be open to the public.
- D. The commission shall keep a record, which shall be open to public view, of its resolutions, proceedings, and actions.
- E. The Building Commissioner of the City of Geneva shall act as a non-voting, ex-officio liaison to the Commission.
- F. The Commission shall review all requests for building permit applications, sign permit applications and variations and exceptions to the Zoning Ordinance within the Historic District within ten (10) days of receipt of such request from the Building Commissioner, and shall make their recommendations upon such requests within five (5) days after said review.
- G. The Commission shall give written notice of all meetings to all persons in charge of the property in question.

Section 7. Establishment of Historic Districts.

- A. Historic Districts shall be established by Ordinance.
- B. Before the establishment of an historic district, the Historical Preservation Commission shall conduct studies and research and make a report on the historical significance of the exteriors of buildings, structures, features, sites, objects, and surroundings in the City. The Commission's report shall contain recommendations concerning the areas to be included in the proposed historic districts.
- C. Copies of the report shall be transmitted for review and recommendation to the Plan Commission of the City of Geneva for their review and recommendation to the City Council in accordance with the procedures

Section 8. Jurisdiction and Authority of the Historical Preservation Commission. The Historical Preservation Commission shall act as an advisory body to the public, the Plan Commission, Zoning Board of Appeals, and the City Council of the City of Geneva. The scope of authority of said Commission shall be as follows:

- A. To advise either the Plan Commission for matters under Article XVII of the Geneva Municipal Code and Articles XIII and XIV of the Geneva Zoning Ordinance, or the Zoning Board of Appeals for matters under Article XII of the Geneva Zoning Ordinance, or the City Council for matters under Article IV of the Geneva Municipal Code as the case may be, on alterations of structures within any historic district.
- B. To review variation and appeal requests for real property located within any historic district and to make an advisory recommendation thereon to the Zoning Board of Appeals.
- C. To review requests for amendments or addition to this Ordinance, and proposed changes to the Community Development Guide relating to any established historic districts and to make advisory recommendations to the Plan Commission thereon.
- D. To review building permit request and sign permit requests relating to real property located within any established historic districts and to advise either the person in charge, the Building Commissioner, Zoning Board of Appeals, or the City Council, as the case may be.
- E. To initiate, review, and make advisory recommendations to the Plan Commission and the City Council for nominations to the National Register for inclusion in any historic district.
- F. To encourage the continuing education of the citizens of the City of Geneva with respect to the historic and architectural heritage of the City.

Section 9. Standards to be Applied by the Historic Preservation Commission. In making advisory recommendations to the appropriate body of the City of Geneva, as well as the person in charge of the subject property, the Historical Preservation Commission shall be governed in part by the following architectural guidelines and standards:

- A. The every reasonable effort be made to provide minimum, compatible alterations to the existing building and its environment.
- B. That rehabilitation work will not destroy the distinguishing qualities or character of the subject property or its environment. That the removal or alteration of any historic material or architectural features be held to a minimum and that any such proposed work preserve, highlight, or enhance the historic or architectural character of the subject building and the historic district.
- C. To encourage new construction or improvements or rehabilitation work which will be visually compatible with other buildings and places within the historic district and which will have a positive effect upon and harmonize with the aesthetic, cultural, or historic nature of the subject building and historic district.
- D. That architectural details and materials will be incorporated as necessary in order to adequately blend new construction with the old and to preserve and enhance the inherent character of the historic district.
- E. That the deteriorated architectural features be repaired rather than replaced, wherever possible. Further, that in the event that replacement is necessary, new materials will match the materials being replaced in composition, design, color, texture, and other visual attributes.
- F. To recognize that many changes to buildings and environments which have taken place during the past years are evidence, in themselves, of the history of the building and the neighborhood. Such changes may in themselves have significance and should be recognized and respected as such.
- G. To recognize that all buildings are products of their own time. Alterations to create an appearance inconsistent with the actual character of the building should be discouraged.
- H. Wherever possible, new additions or alterations to buildings should be done in such a manner that if such new additions or alterations were to be removed in the future, the integrity of the original building would be unimpaired.
- I. Contemporary design for new buildings in an historic district and additions to existing buildings or landscaping in such districts should not be discouraged if such design is compatible with the size, scale, color, material, and character of the historic district, subject building, or its environment.

Section 10. Ordinary Maintenance Allowed: Public Safety. Nothing contained in this Ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior feature in an historic district which does not involve change in the design, material, color, or other appearance thereof. Moreover, nothing contained in this Ordinance shall prevent the construction, reconstruction, alteration, restoration, or demolition of any such feature which the Building Commissioner shall certify is required by the public safety because of an unsafe or dangerous condition.

Section 11. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 12. This Ordinance shall become effective from and after its passage as in accordance with law.

PASSED by the City Council of the City of Geneva, Kane county, Illinois this 15<sup>th</sup> day of February, 1982.

AYES: 9 NAYS: 0 ABSENT: 1 ABSTAINING: 0 HOLDING OFFICE: 10

APPROVED by me as Mayor of the City of Geneva, Kane County, Illinois, this 15<sup>th</sup> day of February, 1982.

Signed by Mayor Ed Crane

Attested by the City Clerk, Roberta Harper

ORDINANCE NO. 87-15

AN ORDINANCE ESTABLISHING A HISTORIC DISTRICT PURSUANT TO ORDINANCE 82-11 (ESTABLISHMENT OF HISTORICAL PRESERVATION COMMISSION) ADOPTED BY THE CITY COUNCIL OF THE CITY OF GENEVA, KANE COUNTY, ILLINOIS, ON FEBRUARY 15, 1982

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WHEREAS, the City Council of the City of Geneva, Kane County, Illinois, adopted Ordinance 82-11, Establishment of Historical Preservation Commission, on February 15, 1982, in order to promote the educational, cultural and economic welfare of the citizens of the City by preserving and protecting historic structures, sites, monuments, streets and neighborhoods of the community, and to further stabilize and improve the property values of historic areas within the community, as well as encouraging new construction of buildings and developments to be harmonious with existing historic buildings and neighborhoods; and

WHEREAS, said Ordinance established an Historical Preservation Commission, which Commission has recommended to the Plan Commission of the City of Geneva the establishment of an historic district, which encompasses the same area as the existing National Register Historic Districts; and

WHEREAS, the Geneva Plan Commission has received requests of the Geneva Historical Preservation Commission to establish said local historic district in accordance with Section 2-526 of the Geneva Municipal Code and a Public Hearing was held on February 9, 1987, at 7:30 p.m., in the Geneva City Hall, 22 South First Street, Geneva, Illinois, pursuant to Notice published in the Geneva Chronicle on January 23, 1987, at which time all interested parties were invited to attend and to comment upon the creation of said local historic district; and

WHEREAS, the City Council finds that it is the best interest of the City of Geneva to establish said local historic district, pursuant to the terms of Ordinance 82-11 of the City of Geneva.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENEVA, KANE COUNTY, ILLINOIS, as follows:

SECTION 1: That pursuant to Ordinance 82-11, Establishment of Historical Preservation Commission, and the terms thereof, the following described area is hereby designated a local historic district, pursuant to and based upon the report submitted and on file with the City Clerk of the Historical Preservation Commission of the City of Geneva. Said district is described by the following boundaries:

On the North, the Southerly right of way line of Stevens Street from the Fox River to the Easterly right of way line of the former Chicago and Northwestern Transportation Company spur track. On the East, the Easterly shore line of the Fox River. On the South, the Northerly boundary line of the Chicago and Northwestern Transportation Company main line. On the West, the Easterly boundary of the former Chicago and Northwestern Transportation Company spur track lying West of Seventh Street and Seventh Street extended North and South.

SECTION 2: That this Ordinance shall become effective from and after its passage as in accordance with law.

SECTION 3: The City Clerk is hereby authorized and directed to publish said Ordinance in a newspaper of general circulation within the City.

PASSED by the City Council of the City of Geneva, Kane County, Illinois, this 16<sup>th</sup> day of February, 1987.

AYES: 9    NAYS: 0    ABSENT: 1    ABSTAINING: 0    HOLDING OFFICE: 10

APPROVED by me as Mayor of the City of Geneva, Kane County, Illinois, this 16<sup>th</sup> day of February, 1987.

Signed by Mayor Richard Lewis

Attested by the City Clerk

## ORDINANCE 88-68

### AN ORDINANCE CREATING AN ADVISORY COMMISSION ON HISTORIC PRESERVATION

BE IT ORDAINED by the City Council of the City of Geneva, Kane County, Illinois, as follows:

Section 1: That Article XXI of Chapter 2 (Historic Preservation Commission) of the Geneva Municipal Code be and the same is repealed.

Section 2: That Chapter 2 of the Geneva Municipal Code be amended by adding Article XIX as follows:

#### ARTICLE XIX. ADVISORY COMMISSION ON HISTORIC PRESERVATION

##### SECTION 2-460: PURPOSE

The purpose of this article is to promote the educational, cultural, and economic welfare of the public of the city by encouraging the preservation and adaptive re-use of historic structures that are examples of the history and cultural heritage of the City. Furthermore, it is the purpose of this article to protect, define, and enhance sites, monuments, locations, structures and neighborhoods that are significant in the history of the City by encouraging new construction and redevelopment that will be compatible in terms of scale, building materials, site design and exterior features.

##### SECTION 2-461: DEFINITIONS

- A. **HISTORIC DISTRICT.** Any area established by City ordinance which includes or encompasses such historic sites, landmarks, buildings, signs, appurtenances, structures, or objects as may be determined as appropriate for historic preservation. Such designated district or districts need not be a single enclosed area, nor do the areas or sites have to be contiguous to constitute a district. For the purposes of this Article the following Historic District has been established:
1. The area bounded by, on the North, the Southerly right of way line of Stevens Street from the Fox River to the Easterly right of way line of the former Chicago and Northwestern Transportation Company spur track. On the East, the Easterly shore line of the Fox River. On the South, the Northerly boundary line of the Chicago and Northwestern Transportation Company main line. On the West, the Easterly boundary of the former Chicago and Northwestern Transportation Company spur track lying West of Seventh Street and Seventh Street extended North and South. Said District having been established by Ordinance Number 87-15 passed by the City Council of the City of Geneva, Kane County, Illinois, on February 16, 1987.
- B. **ADVISORY COMMISSION ON HISTORIC PRESERVATION.** A commission as established under Section 2-462 herein with the jurisdiction and authority granted under this article.
- C. **HISTORIC LANDMARK.** A historic landmark or historical landmark is any site (including significant trees or other plant life located thereon), building, or structure of particular historic or aesthetic significance to the City, the State, or the Nation. Landmarks include sites, buildings, or structures where cultural, political, spiritual, economic, social, or artistic history of the community, state or nation is reflected or exemplified or which are identified with historic personages or with important events in local, state, or national history, or which embody the distinguishing characteristics of an architectural specimen, inherently valuable for representation of a period, style or method of construction, or a notable work of construction, or a notable work of a master designer or architect whose individual genius influenced his age.
- D. **EXTERIOR FEATURES.** Exterior features shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the color, kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs, other appurtenant fixtures and other natural features such as trees and shrubbery.
- E. **PERSON IN CHARGE.** Owner(s) of record or mortgagees in possession or person designated by the above.

##### SECTION 2-462: ADVISORY COMMISSION ON HISTORIC PRESERVATION ESTABLISHED

Pursuant to the authority granted by Chapter 24, Section 13-1, et seq., of the Illinois Revised Statutes, 1987, as amended, there is hereby created and established an Advisory Commission on Historic Preservation which shall consist of seven members, six (6) members of which who are residents of the City of Geneva, plus the Director of Economic development for the City, and such members shall have demonstrated an interest in historic preservation and the purposes of this article. Members of the commission shall be appointed by the mayor with the advice and consent of the City Council.

#### SECTION 2-463: COMPOSITION OF THE COMMISSION

In the process of selecting persons for appointment to the Commission, the mayor shall attempt to attain the following Commission composition:

- 1 member of the Board of Directors of the Geneva Historical Society
- 1 licensed architect
- 1 practicing attorney
- 2 citizens from the community at large
- 1 licensed real estate broker

#### SECTION 2-464: TERMS OF OFFICE, COMPENSATION, REMOVAL

- A. Terms of office of members of the Commission shall be 3 years. Members of the Commission shall serve overlapping terms of initially: 2 members appointed for one year, 2 members appointed for 2 years, 2 members appointed for 3 years.
- B. Members may be reappointed for consecutive terms.
- C. Members of the Commission shall serve without pay, but may be reimbursed by the City for necessary expenses incurred in conjunction with their duties, as approved in advance by the City Council.
- D. The Mayor, with the advice and consent of the City Council, shall have the power to remove any member of said Commission for cause including excessive non-attendance at Commission meetings.

#### SECTION 2-465: ORGANIZATION, OFFICERS, RULES, MEETINGS

- A. At its first meeting, the appointed commissioners shall elect officers who shall serve for terms of one year.
- B. The Commission may establish any rules necessary for the orderly conduct of its business which are not inconsistent with the provisions of this Article.
- C. All meeting of the Commission shall be open to the public as in accordance with the Illinois Open Meetings Act, as amended.
- D. The Commission shall keep a record, which shall be open to public view, of its resolutions, proceedings, and actions. The minutes of each meeting shall be provided to the Development Committee and City Council.
- E. The Commission shall give written notice of all meetings to all persons in charge of any property in question.
- F. The Commission shall provide an annual written report of its activities to the City Council by May 1 of each year.

#### SECTION 2-466: HISTORIC DISTRICTS AND LANDMARKS

Historic districts and landmarks shall be established by ordinance of the City Council and shall be shown on the Zoning Map of the City.

Before the establishment of a historic district, the Commission shall conduct studies and research and make a report on the historic significance of the exteriors of buildings, structures, features, sites, objects, and surroundings in the City. The Commission's report shall contain recommendations concerning the areas to be included in the historic district(s) and the recommended action needed to reasonably protect and enhance the character of the structure or district.

Copies of the report shall be transmitted to the Plan Commission for their review and recommendation to the City Council in accordance with the procedures of the Zoning Ordinance (Appendix D of the Geneva Municipal Code).

#### SECTION 2-467: JURISDICTION AND AUTHORITY

The scope of the Commission's authority shall be as follows:

- A. To act as an advisory body to individuals seeking to construct new buildings or redevelop existing buildings and/or areas and sites within the Historic District(s) established by the City Council.
- B. To advise individuals as to the significance of historic structures or sites, and recommend style, color, building materials or exterior features that will be compatible with the Historic District.
- C. To respond to the request of the City's Director of Economic Development for comments regarding changes, amendments, or zoning variances to the City's Development Policy Guide or Zoning Ordinance and then only as such is pertinent to the City's Historic District(s).
- D. To review applications for building permits, demolition permits, or sign permits relating to public or private real property located within a Historic district, including public property which does not require a permit, and to advise the person in charge of the architectural features, style, color, building materials, and general site design that will enhance the proposed redevelopment or new construction in terms of its historic character or its relationship to the District.

- E. To initiate, review and make advisory recommendations through the City Council's Development Committee to the Plan Commission and the City Council for nominations of property to the National Register or the designation of local landmarks within the corporate boundaries.
- F. To develop programs with the advice and consent of the City Council to encourage the continuing education of the citizens of the City of Geneva with respect to the historic heritage of the City.

**SECTION 2-468: ADVISORY REVIEW PROCESS**

- A. The advisory review process of the Commission for construction and rehabilitation projects within Historic Districts shall be as follows:
  - 1. Upon receipt of a Building or Sign Permit application for any property within a Historic District, the Building Commissioner shall notify the person in charge of said property that such plans will be reviewed by the Commission for advisory comments on the design, and shall forward any exterior elevation plan and detail drawing to the Commission.
  - 2. Within 10 days of receipt of said plan or drawing, not less than 4 members of the Commission shall visit the property site and provide the person in charge with a written advisory recommendation as to the design, and materials of the exterior features of the proposed building or sign. No advisory recommendation shall be made unless a quorum of the Commission has visited the site. In the event no recommendation is made or less than a quorum has visited the site, it shall be deemed that the Commission has made a favorable recommendation.
- B. The advisory review process of the Commission for redevelopment plans and amendments or variations of the Zoning Ordinance for property within the Historic District shall be as follows:
  - 1. Upon receipt of an application for a zoning amendment or a zoning variance, or whenever the Plan Commission considers formulating redevelopment policy recommendations for areas within a Historic District, the Director of Economic Development shall, as necessary, request comments from the Commission.
  - 2. Within 10 days of receipt of notice concerning zoning amendments or variances, not less than 4 members of the Commission shall visit the site and provide a written advisory comment to the Plan Commission or Zoning Board of Appeals, as the case may be, describing advisory recommendations for yard setbacks, landscaping and building scale to enhance the proposed project relative to character of the District. No advisory recommendation shall be made unless a quorum of the Commission has visited the site. In the event no recommendation is made or less than a quorum has visited the site, it shall be deemed that the Commission has made a favorable recommendation.
  - 3. Within 30 days of receipt of a request for comments regarding the formulation of redevelopment policies within the District, the Commission shall provide written advisory comments to the City Council's Development Committee or the Plan Commission, as the case may be, concerning historic features, structures, and sites that may be affected, and the Commission's recommendations concerning the most effective means of achieving the City's redevelopment objectives within the District.
  - 4. In matters of policy, the advisory recommendations of the Commission must be made exclusively to said Development Committee or the Plan Commission.

**SECTION 2-469: REVIEW STANDARDS**

In making advisory recommendations to the Director of Economic Development, the Plan Commission, the Development Committee, or the person in charge of the subject property the Commission shall be governed by the following review standards:

- A. 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 to use a property for its originally intended purpose.
- B. The distinguishing original qualities or character of a building, structure or the site and its environment shall not be destroyed. The removal or alteration of any historic materials or distinctive architectural features should be avoided when possible.
- C. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
- D. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site, and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- E. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.

- F. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications 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.
- G. 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.
- H. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.
- I. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhoods or environment.
- J. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

SECTION 2-470: ORDINARY MAINTENANCE ALLOWED, PUBLIC SAFETY

Nothing contained in this article shall be construed to prevent the ordinary maintenance or repair of any exterior feature in a Historic District which does not involve change in the design, material, color, or other appearance thereof. Moreover, nothing contained in this article shall prevent the construction, reconstruction, alteration, restoration, or demolition of any such feature which the Building Commissioner shall certify is required by the public safety because of an unsafe or dangerous condition.

Section 3: Effective Date

That this Ordinance shall become effective from and after its passage and approval in accordance with law.

PRESENTED to the City Council of the City of Geneva, Kane County, Illinois, this 21<sup>st</sup> day of November, 1988.

PASSED by the City Council of the City of Geneva, Kane County, Illinois, this 21<sup>st</sup> day of November, 1988.

APPROVED by the Mayor of the City of Geneva, Kane County, Illinois, this 21<sup>st</sup> day of November, 1988.

Mayor: Signed Mayor Richard Lewis

Attest: City Clerk

COUNCIL VOTE:

AYES: 10 NAYS: 0 ABSENT: 0 ABSTAINING: 0 HOLDING OFFICE: 10

ARTICLE XIX (19). COMMISSION ON HISTORIC PRESERVATION  
GENEVA MUNICIPAL CODE

ORDINANCE 94-11

**Sec. 2-460. Purpose.**

The purpose of this article is to promote the educational, cultural, and economic welfare of the public of the city by insuring the preservation of historic structures that define the history and cultural heritage of the city. Furthermore, it is the purpose of this article to strengthen the economy of the city by protecting, defining, and enhancing sites, monuments, locations, structures and neighborhoods that are significant in the history of the city by insuring new construction, redevelopment and adaptive re-use that are compatible in terms of scale, building materials, site design and exterior features. (Ord. No. 94-11, SS 2, 2-22-94)

**Sec. 2-461. Definitions.**

ALTERATION:	Any act or process which changes one or more of the "exterior features" of the property and improvements which have been designated for preservation under this chapter.
COMMISSION:	A commission as established under Section 2-462 herein with the jurisdiction and authority granted under this article.
CONSTRUCTION:	Any act or process which requires a building permit.
DEMOLITION:	Any act or process-which destroys or removes, in whole or in part, an improvement which has been designated for preservation under this chapter. For the purposes of this article demolition requires a permit.
EXTERIOR FEATURES:	Exterior features shall include the architectural style, general design and general arrangement of the exterior of a building or other structure, including the color, kind, and texture of the building material and the type and style of all windows, doors, light fixtures, signs, other appurtenant fixtures and other natural features such as trees and shrubbery.
IMPROVEMENT:	Any building, structure, work of art, parking facility, fence, gate, wall or other object constituting a physical addition to real property, or any part of such addition.
HISTORIC DISTRICT:	<p>Any area established by city ordinance which includes or encompasses such historic sites, landmarks, buildings, signs, appurtenances, structures, or objects as may be determined as appropriate for historic preservation. Such designated district or districts need not be a single enclosed area nor do the areas or sites have to be contiguous to constitute a district. For the purposes of this article the following Historic District has been established but not limited to:</p> <p>The area bounded by: On the North, the Southerly right of way line of Stevens Street from the Fox River to the easterly right of way line of the former Chicago and Northwestern Transportation Company spur track, on the East, the Easterly shore line of the Fox River, on the South, the Northerly boundary line of the Chicago and Northwestern Transportation Company main line, on the West, the Easterly boundary of the former Chicago and Northwestern Transportation Company spur track lying West of Seventh Street and Seventh Street extended North and South. Said District having been established by Ordinance Number 87-15 passed by the City Council of the City of Geneva, Kane County, Illinois, on February 16, 1987.</p>

**HISTORIC LANDMARK:**

A historic landmark or historical landmark is any site (including significant trees or other plant life located thereon), building, or structure of particular historic or aesthetic significance to the City, the State or the Nation. Landmarks include sites, buildings, or structures where cultural, political, spiritual, economic, educational, social, or artistic history of the community, state or nation is reflected or exemplified or which are identified with historic personages or with important events in local, state or national history, or which embody the distinguishing characteristics of an architectural specimen, inherently valuable for representation of a period, style or method of construction, or a notable work of construction, or a notable work of a master designer or architect whose individual genius influenced his age.

**ORDINARY REPAIRS AND MAINTENANCE:**

Any work done on or replacement of any part of an improvement for which a permit issued by the Building Department is not required by law. The purpose and effect of such work or replacement is generally to correct any deterioration or decay of or damage to such improvement or any part thereof and to restore the same, as nearly as may be practicable, to its condition prior to the occurrence of such deterioration, decay or damage.

**PERSON IN CHARGE:**

Owner(s) of record. (Ord. No. 94-11, SS 2, 2-22-94)

**Sec. 2-462. Commission on Historic Preservation Established.**

Pursuant to the authority granted by Chapter 24, Section 48.2. 1-7, et seq., of the Illinois Revised Statutes, 1989, as amended, there is hereby created and established a Commission on Historic Preservation which shall consist of seven members, all of which are residents of the City of Geneva, and such members shall have demonstrated an interest in historic preservation and the purposes of this article. Members of the Commission, including the Commission Chairman and Vice Chairman, shall be appointed by the Mayor with the advice and consent of the City Council. (Ord. No. 94-11, SS 2, 2-22-94)

**Sec. 2-463. Composition of the Commission.**

All voting members of the Commission shall be residents of the City and shall be appointed on the basis of demonstrated expertise, experience or interest in the areas of archeology, architecture, art, building construction, engineering, finance, historical and architectural preservation, history, law, planning or real estate. Representatives from each of the various city departments shall serve, ex officio, as nonvoting members of the Commission when required. (Ord. No. 94-11, SS 2, 2-22-94)

**Sec. 2-464. Terms of office; Compensation; Removal.**

- (a) Terms of office of members of the Commission shall be three (3) years. Members of the Commission shall serve overlapping terms of initially: Three (3) members appointed for one year, two (2) members appointed for two (2) years, two (2) members appointed for three (3) years.
- (b) Members may be re-appointed for consecutive terms.
- (c) Members of the Commission shall serve without pay, but may be reimbursed by the City for necessary expenses incurred in conjunction with their duties, as approved in advance by the City Council.
- (d) The Mayor, with the advice and consent of the City Council, shall have the power to remove any member of said Commission for cause including excessive non-attendance at Commission meetings. (Ord. No. 94-11, SS 2, 2-22-94)

**Sec. 2-465. Organization; Officers; Rules; Meetings.**

- (a) The Commission may establish such rules as are necessary for the orderly conduct of its business which are not inconsistent with the provisions of this Article and any such rules established shall be in writing.
- (b) All meetings of the commission shall be open to the public as in accordance with the Illinois Open Meetings Act, as amended.

- (c) The Commission shall keep a record, which shall be open to public view, of its resolutions, proceedings, and actions. The minutes of each meeting shall be provided to the Development Committee and the City Council.
- (d) The Commission shall give written notice of all meetings to all persons in charge of any property in question. (Ord. No. 94-11, SS 2, 2-22-94)

**Sec. 2-466. Jurisdiction; Authority.**

- (a) The scope of the Commission's authority shall be as follows:
  - (1) To advise individuals seeking to construct new buildings or redevelop existing buildings and/or areas and sites within the Historic District(s) established by the City Council.
  - (2) To educate individuals as to the significance of historic structures or sites, and recommend style, color, building materials or exterior features that will be compatible with the Historic District.
  - (3) To respond to the request of the Director of Planning for comments regarding changes, amendments, or variances to the City's Development Policy Guide or Zoning ordinance and then only as such is pertinent to the City's Historic District(s).
  - (4) To review applications for building permits, demolition permits, or sign permits relating to public or private real property designated as a Landmark or located within a Historic District, including public property *which does not* require a permit, and to advise the person in charge of the architectural features, style, color, building materials, and general site design that will enhance the proposed redevelopment or new construction in terms of its historic character or its relationship to the District.
  - (5) To maintain a system for the survey and inventory of historic places.
  - (6) To initiate, review and to make recommendations to the City Council for the nominations of property to the National Register or the designation of local landmarks within the corporate authorities.
  - (7) To develop programs with the advice and consent of the City Council to encourage the continuing education of the citizens of the City of Geneva with respect to the historic heritage of the City.
  - (8) To make recommendations to the City Council for the designation of landmarks and historical districts within the corporate limits of the City of Geneva in accordance with the procedures and standards hereinafter set forth'.
  - (9) To keep a register of all property and improvements *which have* been designated for preservation under this Chapter. This register shall include the information required of each designation, along with the appropriate maps.
  - (10) To provide financial and technical information to the owners of property and improvements which have been designated for preservation.
  - (11) To retain such specialists as may be required from time to time upon approval by the City Council.
  - (12) To cooperate with other City departments and commissions on matters affecting the property and improvements which have been designated for preservation.
  - (13) To recommend the City's acquisition by donation, purchase or eminent domain of a fee or lesser interest in designated property and improvements, including but not limited to easements, covenants and leasehold interests; and to reconstruct, maintain, operate or transfer such property so acquired, all in accordance with the purposes, procedures and standards set forth herein.
  - (14) To induce by contract or other consideration the creation of covenants or restrictions binding on land.
  - (15) To receive funds on behalf of the City from federal, state and private sources for deposit in a separate account of the City to be referred to as the preservation fund, which funds shall only be loaned or expended by the Commission with approval of the City Council for such purposes as are herein set forth; and in the event the Commission shall be dissolved, then any amounts remaining in said fund shall be applied by the City Council to further the purposes of this chapter. If any amounts remain in said fund after a period of one year following the Commission's dissolution, then

such funds may be supplied by the City Council for such general corporate purposes, as it may deem appropriate.

- (16) To recommend the issuance of revenue bonds by the corporate authorities.
- (17) To cooperate with other governmental bodies or agencies and not-for-profit organizations with purposes similar to those set forth in this Chapter. (Ord. No. 94-11, SS 2, 2-22-94)

#### **Sec. 2-467. Historic Districts and Landmarks**

Historic Districts and Landmarks shall be established by ordinance of the city council in accordance with the procedures of Appendix D of the Geneva Municipal Code (Zoning ordinance). Historic Districts and Landmarks shall be shown on the Zoning Map of the City and included as a part of Appendix D of the Geneva Municipal Code.

Before the establishment of a Historic District or designation of a Landmark the Commission shall conduct studies and research and make a report on the historic significance of the exteriors of buildings, structures, features, sites, objects, and surroundings in the City. The Commission's report shall contain recommendations concerning the areas to be included in the Historic District(s) and the recommended action needed to reasonably protect and enhance the character of the structure or district.

When making such a report, the Commission shall consider the following in reviewing property and improvements for designation as Historical Districts:

- (1) Any of the standards listed in section 2-468, Paragraph (b).
- (2) Homogeneity of architectural design or dates of construction throughout the area.
- (3) Identifiability, with clear and distinctive boundaries.
- (4) Repetition of distinguishing architectural or land use characteristics throughout the area.

Copies of the report shall be transmitted to the Plan Commission for a public hearing and recommendation to the city council in accordance with the procedures of Appendix D of the Geneva Municipal Code. (Ord. No. 94-11, SS 2, 2-22-94)

#### **Sec. 2-468. Designation of Landmarks.**

(a) Procedure:

- (1) Any person, group or persons or association, or the Historic Preservation Commission on its own initiative, may request landmark designation for any improvement or site which is located within the corporate limits of the city and which may have historic significance as set forth in the criteria for evaluation. No such person, group of persons or association, nor the Commission, shall be required to obtain the consent of the owner of the improvement or site prior to filing the application for landmark designation, nor shall the owner's consent be required as a condition of designation itself.

The application for landmark designation shall be in writing and shall contain such information and be in such form, as the Commission shall, by rule, prescribe from time to time. Forms required for landmark designation shall be supplied by the Building Commissioner, upon request.

Any structure already on the National Register of Historic Sites shall be a designated landmark, subject to a public hearing.

- (2) The application for landmark designation shall be filed with the Building Commissioner. Within five (5) working days of filing, the Building Commissioner shall transmit the application to the Commission for review and public hearing.
- (3) Within sixty (60) days after filing of the application for landmark designation, the Commission shall hold a public hearing on the question of proposed landmark designation.
- (4) Prior to the public hearing on the application for landmark designation, the Commission shall conduct a study of the improvement or site proposed for landmark designation and make a report containing preliminary findings on the historic, architectural and aesthetic significance of the improvement.

- (5) Notice of the public hearing shall be published in a newspaper of general circulation within the City of Geneva, Kane County, Illinois not less than fifteen (15) days or more than thirty (30) days in advance of the date of the hearing. The notice shall identify the applicant, property owners, property affected and shall describe the proposed amendment.

The Building Commissioner shall direct the erection of at least one sign upon the property that is the subject of the public hearing at least ten (10) days in advance of the date of the public hearing and shall include the date, time and place of such hearing.

The applicant shall provide a list to the Building Commissioner, along with addressed envelopes with return receipts (certified mail), of the owner of the subject property and the owners of record of all properties situated either 250 feet (excluding rights of way) from the property that is the subject of the public hearing or two lots-deep, whichever is the greater distance, and the Building Commissioner shall mail to said owners a written notice of the public hearing not less than ten (10) days prior to the hearing.

The Building Commissioner shall make every reasonable effort to comply with the notice provisions set forth in this paragraph. Failure to comply with any of the notice provisions, except for the publishing of the legal notice in the newspaper and the notice to the owner of the subject property, shall not render any amendment invalid.

- (6) The public hearing shall be conducted by the Historic Preservation Commission and a record of such proceedings shall be preserved in such manner as the Commission shall, by rule, prescribe from time to time.
- (7) The Commission shall make written findings of fact and shall submit same, together with its recommendations, to the City Council within sixty (60) days of receipt by the Commission of the application for landmark designation.
- (8) Within one hundred twenty (120) days of the filing of the application, the City Council shall grant or deny the application for landmark designation. If the City Council approves the application for landmark designation, a notice of the designation will be sent by the City Clerk to the applicant and the owner of the improvement and a copy of the ordinance effectuating the designation shall be recorded with the appropriate County Recorder of Deeds and with the appropriate Township Assessor.
- (9) The person, group of persons or association submitting the application for landmark designation, excluding the Commission when acting on its own initiative, shall bear all costs of and pay all fees required in connection with said application. All fees shall be set by ordinance enacted by the City Council.
- (10) During the period beginning with the filing of an application for landmark designation and ending with the final action of the City Council granting or denying said application, no exterior architectural feature of any improvement or any site which is the subject of an application for landmark designation may undergo alternation, construction, demolition or removal if such alternation, construction, demolition or removal would be subject to the issuance of a determination of appropriateness after designation. Nothing in this paragraph shall operate to bar ordinary repair and maintenance or any work that is necessary to prevent or correct an imminently dangerous or hazardous condition.
- (11) Landmarks shall be designated by ordinance. Once an improvement has been designated as a landmark no exterior architectural feature of said designated landmark may undergo alteration, construction, demolition or removal if such alteration, construction, demolition or removal would be subject to the issuance of a determination of appropriateness under the provision of the Article. Nothing in this paragraph shall operate to bar ordinary repair and maintenance or any work that is necessary to prevent or correct imminently dangerous or hazardous condition.
- (12) In the event that an application for landmark designation is denied by the City Council, or the application is withdrawn after the public hearing, no application for landmark designation of the same improvement shall be made within twelve (12) months of the date of the denial or withdrawal, unless the owner consents to such application and designation.

(b) Standards for designation of Landmarks: The Historic Preservation commission shall not recommend nor the City Council grant a designation of a landmark unless it shall make findings based upon the evidence presented to it in each-specific case that the proposed landmark meets the following requirements:

- (1) That it is located within the corporate boundaries of the City; and
- (2) That it is over thirty (30) years old, in whole or in part; and
- (3) That one or more of the following conditions exists:
  - a. That it may identify with an historic personage or with important events in national, State or local history;
  - b. That it may embody the distinguishing characteristics of an architectural type inherently valuable for a study of a period, style, method of construction, or use of indigenous materials or craftsmanship;
  - c. That it may represent the notable work of a master builder, designer or architect whose individual genius influences an era;
  - d. That it may be an improvement embodying all or part of the above characteristics, which is subject to encroachment of detrimental influences;
  - e. That it may be an improvement of historic, architectural, or cultural significance which is threatened with demolition by public or private action;
- (4) That it possess integrity of design, materials, workmanship, setting, location, feeling and association; and
- (5) That it embodies such other qualities and characteristics as in the judgment of the Commission should be considered for the designation of a landmark. (Ord. No. 94-11, SS 2, 2-22-94)

**Sec. 2.469. Designation of Historic Preservation Districts.**

(a) Procedure:

- (1) Any person, group of persons or association, or the commission, on its own initiative, may request historic preservation district designation for any geographic area within the corporate limits of the city which may have historic significance as set forth in the criteria for evaluation. No such person, group of persons or association, nor the commission, shall be required to obtain the consent of the property owners within the proposed historic preservation district prior to filing the application for designation of said district, nor shall the owners' consent be required as a condition of designation itself.
- (2) Each application for designation of an historic preservation district shall contain the following information:
  - a. A map delineating the boundaries of the area proposed for designation.
  - b. A written statement setting forth the character of the area and reasons ' for which the proposed area should be designated as an historic preservation district.
  - c. Drawings or pictures of significant structures, sites or improvements within the designated area, including information as to age, condition, and use of each.
  - d. Such other information as the Historic Preservation Commission may, by rules, prescribe from time to time.

Forms required for designation of historic preservation districts shall be supplied by the Building Commissioner, upon request.

The application for designation of an historic preservation district shall be filed with the Building Commissioner, who shall promptly review the application to determine that it is complete. Within five (5) working days of filing, the Building commissioner shall transmit the complete application to the Commission for review and public hearing.

- (3) Within sixty (60) days after filing of the application for designation of an historic preservation district, the Commission shall hold a public hearing on the question of proposed designation.
- (4) Prior to the public hearing on the application for designation of an historic preservation district, the Commission shall conduct a study of the area proposed for designation as an historic preservation district and make a report containing preliminary findings on the historic, architectural and aesthetic significance of the improvement.
- (5) Notice of the public hearing shall be published in a newspaper of general circulation within the City of Geneva, Kane County, Illinois not less than fifteen (15) days or more than thirty (30) days in advance of the date of the hearing. The notice shall identify the application, property owners, property affected and shall describe the proposed amendment.

The Building Commissioner shall direct the erection of at least one sign upon the property that is the subject of the public hearing at least ten (10) days in advance of the date of the public hearing and shall include the date, time and place of such hearing, a description of the matter to be heard or considered, and an address or location of the subject property.

The applicant shall provide a list to the Building Commissioner, along with addressed envelopes with return receipts (certified mail) of the owner's of record of all properties within the proposed district which is the subject of the public hearing, and the Building Commissioner shall mail to said owners a written notice of the public hearing not less than ten (10) days prior to the hearing.

The Building Commissioner shall make every reasonable effort to comply with the notice provisions set forth in this paragraph. Failure to comply with any of the notice provision except for the publishing of the legal notice in the newspaper shall not render any amendment invalid.

- (6) The public hearing shall be conducted by the Historic Preservation Commission and a record of such proceedings shall be preserved in such a manner as the Commission shall, by rule, prescribe from time to time.
- (7) The Commission shall make written findings of fact and shall submit same, together with its recommendations, to the City Council within sixty (60) days of receipt by the Commission of the application for designation of an historic preservation district. If the Commission recommends designation, a legal description of the proposed district, provided at the expense of the applicants, shall be forwarded to the Council with the Commission's recommendations and findings.
- (8) The Commission may recommend, or the Council may decide without requiring further application, notice or hearing, that the area to be designated an historic preservation district be smaller than the area proposed in the application, provided that such smaller district be located entirely within the area originally proposed.
- (9) Within one hundred twenty (120) days of the filing of the application, the City Council shall grant or deny the application for designation of an historic preservation district. If the City Council approves the application for designation of an historic preservation district, notice of the designation will be sent by the city clerk to the applicant and to all owners of record of real property within the district, and a copy of the ordinance effectuating the designation shall be recorded with the Kane County-Recorder of Deeds and with the Geneva Township Assessor.
- (10) The person, group of persons or association submitting the application for historic preservation district designation, excluding the Commission when acting on its own initiative, shall bear all costs of and pay all fees required in connection with said application. All fees shall be set by ordinance enacted by the City Council.
- (11) During the period beginning with the filing of an application for designation of an historic preservation district, and ending with the final action of the city council granting or denying said application, no exterior architectural feature of any improvement which is located in the proposed historic preservation district may undergo alteration, construction, demolition or removal if such alteration, construction, demolition or removal would be subject to a determination of appropriateness after designation. Nothing in this paragraph shall operate to bar ordinary maintenance or any work that is necessary to prevent or correct an imminently dangerous or hazardous condition. .
- (12) Historic preservation districts shall be designated by ordinance. Once an Historic District has been designated no exterior architectural feature of a building or structure within such district may undergo alteration, construction, demolition or removal if such alternation, construction, demolition

or removal would be subject to the issuance of a determination of appropriateness under the provisions of the Article. Nothing in this paragraph shall operate to bar ordinary repair and maintenance or any work that is necessary to prevent or correct an imminently dangerous or hazardous condition.

- (13) In the event that an application for designation of an historic preservation district is denied by the City Council or is withdrawn prior to public hearing, no application for designation of an historic preservation district, including any portion of the same area, shall be made within twelve (12) months of the date of denial or withdrawal of the application, unless all owners within the proposed historic preservation district consent to such renewed application and designation.

(b) Standards for Designation of Historic Districts:

The Commission shall not recommend nor the city Council grant a designation of and historic preservation district unless it shall make findings based upon the evidence presented to it in each specific case that the proposed historic preservation district meets the following requirements:

- (1) That the proposed area is located within the corporate boundaries of the City; and
- (2) That the proposed area possesses integrity of design, materials, workmanship, setting, location, feeling and association; and
- (3) That one or more of the following conditions exists:
  - a. That the proposed area may exemplify the broad cultural, political, economic, or social history of the nation, state or community; or
  - b. That the proposed area may identify with an historic personage or with important events in national, State or local history; or
  - c. That the proposed area may embody the distinguishing characteristics of an architectural type inherently valuable for a study of a period, style, method of construction, or use of indigenous materials or craftsmanship; or
  - d. That the proposed area may represent the notable work of a master builder, designer or architect whose individual genius influences an era; or
  - e. That some architectural or land use characteristics are represented throughout the area in a manner which distinguishes the proposed area from the rest of the city; or
  - f. That the proposed area embodies such other qualities and characteristics as in the judgment of the Commission should be considered for the designation of an historic preservation district. (Ord. No. 94-111 SS 21 2-22-94)

**Sec. 2-470. Construction Plan Review Process.**

(a) Procedure:

- (1) Upon receipt of an application for a building, demolition, or sign permit as required under the provision of the Geneva Municipal Code for any improvement within an Historic District or any site or building designated as a Landmark, the Building Commissioner shall notify the person in charge of said property that such plans will be reviewed by the Commission subject to the provisions of this Article.
- (2) Within ten (10) days of receipt of said plan or drawing, the Commission shall hold a public meeting and provide the person in charge of the property and the Building Commissioner with a written determination as to the appropriateness of the design, materials, and exterior features of the proposed building or sign. No determination shall be made unless a quorum of the Commission has visited the site.
- (3) The Commission's determination of appropriateness shall be in writing and shall include findings of fact in support thereof. Such determination may be an approval, modification, or disapproval of the applicant's request. The Building Commissioner shall forward copies of the determination to the applicant and the owner of the subject property. Such determinations by the Commission shall be binding except as provided in Section 2-470(5).

- (4) The Commission may not make any determination which conflicts with the provisions of Appendix c (Subdivision Control Ordinance), or Appendix D (Zoning Ordinance) of the Geneva Municipal Code.
- (5) If the Commission fails to grant approval of the applicant's request, or if the applicant objects to the Commission's determination, then the applicant may request, in writing, to the Building Commissioner that an appeal of the Commission's decision be made to the City Council. Both the applicant and the Commission have the right to be heard at the appeal.

Within thirty (30) days after such an appeal is made, the City Council shall, by Resolution, affirm or reverse the Commission's determination according to the applicable standards set forth in this Article. In accordance with said standards, the City Council may also modify the commission's determination. A reversal or modification of the Commission's determination shall be approved by a vote of two-thirds (2/3) of the aldermen of the City Council holding office. (Ord. No. 94-11, SS 2, 2-22-94)

**Sec. 2-471. Subdivision, Planning and Zoning Review Process.**

(a) Procedure:

- (1) On receipt of a petition for (1) approval of a preliminary plat for a subdivision or planned development, (2) a zoning map amendment or (3) a variation of the Zoning ordinance or Subdivision Control Ordinance for any property within a historic district, the Director of Planning shall notify the person in charge of said property that such petition will be reviewed by the Commission subject to the provisions of this Article.
- (2) Within thirty (30) days of notice of a petition concerning zoning amendments or variances, the Commission shall hold a public meeting and provide written comments to the Plan Commission or Zoning Board of Appeals, as the case may be, describing recommendations to enhance the proposed project relative to character of the District, including yard setbacks, landscaping and building scale. No comments shall be made unless a quorum of the Commission has visited the site.
- (3) Within thirty (30) days of notice of a petition concerning a subdivision or a planned development; or a request for comments regarding a revision of development policies within the District, the Commission shall hold a public meeting and provide written comments to the City Council or the Plan Commission, as the case may be, concerning historic features, structures, and sites that may be affected, and the commission's recommendations concerning the most effective means of achieving the City's development objectives within the District.
- (4) In the case of a subdivision or planned development the Commission's recommendations relating to the character of the development, yard setbacks, landscaping and building scale shall be made at the time of development review as outlined in paragraph three (3) above. No additional commission review shall be required at the time of building permit for any improvement within said subdivision or planned development which has since been approved by the City Council, provided, however, that said improvement is consistent with the approved plans.
- (5) In matters affecting development policy, the recommendations of the Commission must be made to said Development Committee or the Plan Commission. (Ord. No. 94-11, SS 2, 2-22-94)

**Sec. 2-472. Review Standards.**

In making recommendations to the Director of Planning, the Building Commissioner, the Zoning Board of Appeals, the Plan Commission, the City Council, or the person in charge of the subject property, the Commission shall be governed by the following review standards:

- (1) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment or to use a property for its originally intended purpose.
- (2) The original distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

- (3) All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
- (4) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.
- (6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications 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 least destructive 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 any project.
- (9) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible, with the size, scale, color, material, and character of the property, neighborhood or environment.
- (10) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired. (Ord. No. 94-11, SS 2, 2-22-94)
- (11) In addition to the foregoing, the Commission may apply the review standards as further set forth in The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, as amended. (Ord. No. 95-60, SS 1, 10-16-95).

**Sec. 2-473. Ordinary Maintenance Allowed; Public Safety.**

Nothing contained in this article shall be construed to prevent the ordinary maintenance or repair of any exterior feature in a Historic District which does not involve change in the design, material, color, or other appearance thereof.

ORDINANCE NO. 95-60

AN ORDINANCE AMENDING ARTICLE XIX  
OF CHAPTER 2  
OF THE GENERAL MUNICIPAL CODE  
(Historic Preservation)

BE IT ORDAINED by the City Council of the City of Geneva, Kane County, Illinois, as follows:

Section 1: That Article XIX of Chapter 2 (Historic Preservation Commission) of the Geneva Municipal Code be and the same be amended by adding the following paragraph:

Sec. 2-472. Review Standards.

- (11) In addition to the foregoing, the Commission may apply the review standards as further set forth in The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, as amended.

Section 2: Effective Date

That this ordinance shall become effective from and after its passage and approval in accordance with law. Publication of this ordinance is hereby authorized to be in pamphlet form.

PRESENTED to the City Council of the City of Geneva, Kane County, Illinois, this 16<sup>th</sup> day of October, 1995.

PASSED by the City Council of the City of Geneva, Kane County, Illinois, this 16<sup>th</sup> day of October, 1995.

APPROVED BY the Mayor of the City of Geneva, Kane County, Illinois, this 16<sup>th</sup> day of October, 1995.

Signed by Mayor

Attested by City Clerk

COUNCIL VOTE:

Ayes: 8 Nays: 0 Absent: 2 Abstaining: 0 Holding Office 10