KENDALL COUNTY
HISTORIC PRESERVATION COMMISSION
111 West Fox Street • Room 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179
AGENDA

July 17, 2013 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Whitney French (Chair); Peter Bochek, Ken Boyer, Fred Dickson, Ken Donart, Michael Garrigan, Richard Scheffrahn (Vice-Chair), Stephenie Todd, Jeff Wehrli (CB Representative) and Angela Zubko (PBZ liaison)

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of minutes from the June 19, 2013 meeting

CHAIRMAN'S REPORT

NEW BUSINESS
1. Discuss special meeting to review reconnaissance survey at Homestead B & B
2. Officers slate- Chair, Vice Chair and Secretary for August election
3. Vote to purchase old Kendall County Atlas'

OLD BUSINESS
1. Discuss participation in Kendall County Fair
2. Ordinance review- comparison between model and current
3. Project Tracking sheet – discuss adjustments and select next steps for meeting 2013 goals
4. Review of 2013 Budget
5. 5 Year Plan – Discuss template and process
6. Discussion on public outreach event
7. Update from Ms. Todd to landmark the Misner Blacksmith Shop

PUBLIC COMMENT

ADJOURNMENT: Next meeting on August 21, 2013
KENDALL COUNTY
HISTORIC PRESERVATION COMMISSION
111 West Fox Street, Room 209 & 210, Yorkville, IL 60560
Meeting minutes of June 19, 2013
(Unofficial until approved)

CALL TO ORDER
The meeting was called to order by Chairman Whitney French at 7:05 p.m.

ROLL CALL
Present were: Peter Bochek, Ken Boyer, Ken Donart, Michael Garrigan, Whitney French, Richard Scheffrahn and Stephanie Todd
Also present were: Senior Planner Angela Zubko
Members in the audience: None
Absent: Fred Dickson and Jeff Wehrli (CB Representative)

APPROVAL OF AGENDA
Ken Donart made a motion to approve the agenda as written, Michael Garrigan seconded the motion. All agreed and the agenda was approved.

APPROVAL OF MINUTES
Ken Donart made a motion to approve the minutes as written from March 20, 2013. Michael Garrigan seconded the motion. All agreed and the minutes were approved.

CHAIRMAN’S REPORT
1. Illinois Association of Historic Preservation Commission and Landmarks Illinois will be hosting Illinois’ Statewide Preservation Conference, June 27-29, 2013 in Evanston, Illinois. $90/member- Ms. French asked if anyone is available to attend as we have money to pay for admission. Planner Zubko stated she is no longer permitted to attend. Ms. Todd stated she is still thinking about coming. Planner Zubko stated she received today the magazine for the national historic preservation conference.
2. Plainfield Historic Society Tour of Plano- Ms. French stated she met with Mary Kay Sergo and about 25 people and they toured historic sites in Plano. This was a direct result of our group meeting with all the historic preservation members. Ms. French suggested hosting a meeting at the bed and breakfast-

NEW BUSINESS
1. Discuss participation in Kendall County Fair- the Commission will participate again in the fair with the display case with the maps. The group talked about asking other groups to participate and help man the booth. Ms. Todd suggested doing a write-ups on some significant buildings and their history including who lived there. She suggested doing 3 or 4 write-ups. Ms. French suggested doing something about ‘lost to the wrecking ball’ types of stories. ACTION: Ms. Todd will do at least one write up to review next week. ACTION: Planner Zubko will email out the sign-up sheet to the members and other historic preservation commissions. Whitney French made a motion to submit a $125 check Historic Preservation Meeting Minutes 6.19.13
to participate in the fair. Ken Boyer seconded the motion. **ACTION:** All were in favor and Planner Zubko will submit the application.

**OLD BUSINESS**

1. Project Tracking sheet- discuss adjustments and select next steps for meeting 2013 goals- Ms. French went over the action item list that was in the packet and showed everyone how she’s been tracking it. **ACTION:** next meeting we will add to the agenda the model ordinance, ours and 21 changes.

2. Review of 2013 Budget- Ms. French wanted to review the budget **ACTION:** Planner Zubko will email everyone to see if they need a renewal of memberships. Mr. Garrigan suggested spending down some of the budget by having a paid speaker to meet our public outreach goals. Ms. Todd suggested a professional brochure, money going towards tombstones to soldiers that never got one, preserving the books in the annex building. Mr. Garrigan suggested Doug Farr as a speaker. **ACTION:** Ms. French will put together a new budget to include 1 big presentation. **ACTION:** Ms. French and Mr. Garrigan will work together to contact Doug Farr about doing a presentation in Kendall County. **ACTION:** Planner Zubko will put together a project plan to acquire old Kendall County Atlas books possibly on cd.

3. 5 year plan- Discuss template and process- **ACTION:** Ms. French will email out the excel spreadsheet of the Powers and Authorities that are in the ordinance. To build a 5 year plan Ms. French took each of the 24 powers and authorities and assigned previous items discussed at commission meetings, completed and partially completed projects and commitments from our ordinance and added columns to indicate the year we hope to complete them. **ACTION:** The Commission will take a look at this and suggest when they think we should accomplish these tasks and what are we missing on this list. Ms. Todd suggested talking about a 5 year plan as the whole meeting with no other business to discuss and possibly even have a facilitator.

4. Update from Ms. Todd to landmark the Misner Blacksmith Shop- this is in Newark so an intergovernmental agreement would need to be written up. **ACTION:** Ms. Todd will set up a date to meet with them about landmarking the blacksmith shop and an intergovernmental agreement.

5. Review reconnaissance survey- schedule special meeting to review- No time left to discuss this at this time.

**PUBLIC COMMENT**

There was no public comment at this time

**ADJOURNMENT- Next meeting July 17, 2013**

Peter Bocek made a motion to adjourn, seconded by Michael Garrigan, all agreed. Chairman French adjourned the meeting at 8:32 pm.

Submitted by,
Angela L. Zubko, Recording Secretary & Senior Planner
1870 ATLAS OF KENDALL COUNTY ILLINOIS IL - History Genealogy Maps Book on CD

Seller information
vr2010(3955) ★★★
99.6% Positive feedback

Save this seller
See other items

Have one to sell? Sell it yourself!

Description

Seller assumes all responsibility for this listing

Item specifics
Format: CD/DVD-ROM

Vintage Reproductions 2010

Add this store to favorites:
Search Store

FREE SHIPPING WHEN YOU BUY 2 See all eligible items

1903 Atlas of Kendall County Illinois - IL Plat Book Maps Book on CD

Description

Seller assumes all responsibility for this listing
Last updated on Jul 10, 2013 17:11:24 PDT View all revisions

Item specifics

Format: CD/DVD-ROM
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Folding Screen
1 panel 4x3
2 panels 3x3

Church Table
with skirt

Folding Screen
covered in same fabric as table skirt
All Commission members,

As we discussed at our last meeting, we will be participating in the Kendall County fair in early August and there was consensus it would be appropriate to make some improvements to our booth display. Attached is a photograph of the display (Booth display – KCHPC.jpg). We discussed how we might incorporate a more engaging story as well as how we might resolve the pamphlet display capabilities. With the fair just over a month away, I want to offer the following suggestions for your consideration:

1. Remove the lower sign and provide rack card storage along the front of the existing display (we could start with 2 of these providing for 6 – 24 adjustable pockets, but three would fit should we eventually wish to expand it). Cost approximately $130.

2. Stephenie has some lovely write ups on properties in the area, similar to the one attached (Jas Cornell House.pdf). If we add one of the following three titles a) LOST b) THREATENED C) SAVED to the heading of these one page biographies and number them, we can tie them to a pin on the maps and people can locate the existing structures or the places where these structures once stood. We could have up to 20 of these one page, graphically pleasing sheets under the 2 x 8 plexiglass.

3. Stephenie would like us to consider an altogether new design for the booth. She has drawn up the attached (Booth Suggestion.pdf), but to my knowledge has not figured a cost.

We cannot vote to approve any expenditures until the next meeting which is 2 weeks before the fair, but I think it would be appropriate for each of you to individually email Angela with your preliminary preferences for each of the numbered items above and any other comment you may have regarding this year’s fair so we can align ourselves to proceed expeditiously after the next meeting.
The Lewis B. Judson House was built sometime between 1842 when he purchased the site from Walter and Lavanye Loucks and 1852 when it appears in the 1859 Map of Kendall County (copy on the left). It has been estimated that the residence was constructed in the mid to late 1840s. Judson was a civic minded man who served his village as Trustee, and Justice of the Peace. He developed his farm into residential subdivisions and was a partner in rebuilding Oswego’s downtown after the fire of 1867.

Lewis B. Judson and Levi Arnold are credited with having laid out the village of Oswego and naming it Hudson. He was one of the four lot owners who voted to change the name to Oswego. He donated the land for the first burying ground in Oswego and for the Congregational church. He opened the Oswego Township Cemetery when the above mentioned burying ground was taken for Loucks and Judson’s Addition. When the Village of Oswego incorporated in 1852, Judson served as one of the very first Trustees. He was one of the Kendall County directors of the Ottawa, Oswego & Fox River Rail Road and was vice president of the first Kendall agricultural society. His son, 2nd Lt. and Adjutant Joseph W. Judson served in the Civil War as an officer of the 34th U.S. Colored Troops.

Lewis B. Judson made his fortune in real estate development and insurance. He subsequently added four subdivisions to the original Village of Oswego. The house and historic barns were razed in 2006.
James Cornell erected this classic Kendall County Greek Revival home sometime between 1838 when he dissolved his business partnership with Rufus Duryea and married Marian Howe, (daughter of Titus Howe who build the first dam in what is now Yorkville) and 1842 when he was elected Sheriff of Kendall County, an office he held for three terms between 1842 and 1848. His tenure as Sheriff was marked by several very significant events: the auction of the only slave sold in Kendall County and the capture of Ansel Rider, indicted for the first murder to have been committed in the young county. Some accounts credit Cornell with giving Yorkville its name, others claim it was hotel keeper Solomon Heustis.

When Cornell died in 1895 at the age of 87 years, his funeral was held in this house. He is buried in Oak Grove Cemetery, Bristol Township.

A demolition permit was taken out in 2008. The damage you see today is consistent with other historic homes burned by local fire departments.
SAMPLE
"CERTIFIED LOCAL GOVERNMENT"
HISTORIC PRESERVATION ORDINANCE

VILLAGE OF ANYTOWN

Many Illinois communities have adopted historic preservation ordinances to ensure the protection of local resources. These ordinances are as varied as the communities themselves, but most of the effective ordinances share common components. These components were incorporated by the Illinois Historic Preservation Agency (which is Illinois' State Historic Preservation Office) into the basic ordinance requirements for participation in the Certified Local Government (CLG) and the Property Tax Assessment Freeze programs. (For more detailed information, please refer to Section 20a of the CLG regulations, Certification and Transfer of Local Share of Historic Preservation Fund Allocation).

The following is a sample ordinance that meets the State Historic Preservation Office's requirements as specified in the CLG regulations. It includes highlights of the different parts of the ordinance, as well as explanations of what a community should consider when developing an ordinance. Communities that are interested in adopting a historic preservation ordinance should keep in mind that the ordinance should be tailored to meet the community's needs. The explanatory footnotes that appear at the bottom of some pages do not need to be included in a ratified ordinance. For other examples of historic preservation ordinances, please contact:

MIKE WARD OR CATHERINE O'CONNOR
ILLINOIS HISTORIC PRESERVATION AGENCY
1 OLD STATE CAPITOL PLAZA
SPRINGFIELD, ILLINOIS 62701
217 785-4512
HISTORIC PRESERVATION ORDINANCE

OF

ANYTOWN, ILLINOIS

WHEREAS, movements and shifts of population and the changes in residential, commercial and industrial uses and customs threaten the destruction of areas, places, structures, works of art, and other objects having special historic, community, architectural or aesthetic importance, interest, or value and whose preservation and continued utilization are necessary and desirable for the enjoyment and beauty of the Village of Anytown and for the welfare of the citizens of Anytown; and

WHEREAS, the authority for these purposes is found in the Illinois Historic Areas Preservation Act, Chapter 65, Section 5/11-13.1 and 5/11-48.2 et. seq. of the Illinois Compiled Statutes1 that have granted powers to the Mayor and Village Council of the Village of Anytown to provide for official landmark designation by ordinance of areas, places, buildings, structures, and other objects having a special, historical, community or aesthetic interest or value, and in connection with such areas so designated by ordinance to impose regulations governing the construction, alteration, demolition and use, and to adopt other additional measures appropriate for their preservation, protection, enhancement, rehabilitation, reconstruction, perpetuation or use; and

WHEREAS, the Village of Anytown contains many structures and areas that embody a sense of time and place unique to the Village or which exemplify or reflect the cultural, social, economic, political or architectural history of the nation, the State of Illinois, or the Village; and

WHEREAS, the protection of the historic and architectural character and resources of the Village of Anytown is necessary for the promotion of its economic development and

1 Enabling Legislation provides the legal basis for the local preservation program and should always be cited.
NOW, THEREFORE, be it ordained by the Village Council of the Village of Anytown, Who County, Illinois:

HISTORIC PRESERVATION
The purpose of this ordinance\(^2\) is to promote the protection, enhancement, perpetuation, and use of improvements of special character or historical interest or value in the interest of the health, prosperity, safety, and welfare of the people of the Village of Anytown by:

1. Providing a mechanism to identify and preserve the historic and architectural characteristics of Anytown which represents elements of the Village's cultural, social, economic, political and architectural history;
2. To promote civic pride in the beauty and noble accomplishments of the past as represented in Anytown's landmarks and historic districts;
3. Stabilizing and improving the economic vitality and value of Anytown's landmarks and historic areas;
4. Protecting and enhancing the attractiveness of the Village to have buyers, visitors and shoppers and thereby supporting business, commerce, industry, and providing economic benefit to the Village;
5. Fostering and encouraging preservation, restoration of structures, areas, and neighborhoods and thereby preventing future urban blight.

DEFINITIONS\(^3\)
Unless specifically defined below, words or phrases in this ordinance shall be interpreted giving them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application.

1. *Alteration* - Any act or process that changes one or more of the exterior architectural features

\(^2\) The statement of purpose should include the reasons for the establishment of the ordinance.

\(^3\) Use definitions of terms to explain the language in the ordinance.
of a structure, including, but not limited to the erection, construction, reconstruction, or removal of any structure.

2. **Area** - A specific geographic division of the Village of Anytown.

3. **Addition** - Any act or process which changes one or more of the "exterior architectural features" of a structure designated for preservation by adding to, joining with or increasing the size or capacity of the structure.

4. **Building** - Any structure created for the support, shelter or enclosure of persons, animals or property of any kind and which is permanently affixed to the land.

5. **Certificate of Appropriateness** - A certificate from the Historic Preservation Commission authorizing plans for alterations, construction, removal or demolition of a landmark or site within a designated historic district.

6. **Commission** - Anytown Historic Preservation Commission

7. **Commissioners** - Voting members of the Anytown Historic Preservation Commission

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


10. **Demolition** - Any act or process that destroys in part or in whole a landmark or site within a historic district.

11. **Design Guideline** - A standard of appropriated activity that will preserve the historic and architectural character of a structure or area.

12. **Exterior Architectural Appearance** - The architectural and general composition of the exterior of a structure, including, but not limited to the kind, color, and the texture of the building material and the type, design and character. of all windows, doors, light fixtures, signs, and appurtenant elements ..

13. **Historic District** - An area designated as a "historic district by ordinance of the Village Council and which may contain within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district.
14. **Landmark** - Any building, structure or site which has been designated as a "landmark" by ordinance of the Village Council, pursuant to procedures prescribed herein, that is worthy of rehabilitation, restoration, and preservation because it its historic and/or architectural significance to the Village of Anytown.

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

16. **Rehabilitation** - The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values.

17. **Removal** - Any relocation of a structure on its site or to another site.

18. **Repair** - Any change that does not require a building permit or that is not construction, relocation or alteration.

19. **Structure** - Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing, buildings, fences, gazebos, advertising signs, bill boards, backstops for tennis courts, radio and television antennae, including supporting towers, swimming pools, satellite dishes, solar panels and wind generation.

20. **Structural Change** - Any change or repair in the supporting members of a building, structure, roof or exterior walls which would expand the building in height, width or bulk of the building.

**COMPOSITION OF HISTORIC PRESERVATION COMMISSION**

The Anytown Historic Preservation Commission shall consist of seven (7) voting members,\(^4\) residents of the Village of Anytown, appointed by the Mayor and approved by the Village Council.

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\(^4\) The size of the commission often varies from 5 to 15. Keep in mind the availability of preservation professionals and committed volunteers when deciding on the number of members. A minimum of 5 members is recommended to allow for adequate community representation.
QUALIFICATIONS ⁵
The members shall be appointed on the basis of expertise, experience or interest in the area of architectural history, building construction or engineering, finance historical and architectural preservation, neighborhood organizing or real estate.

TERMS ⁶
Members of the Commission shall be appointed for terms of three (3) years. Of those members first taking office, two (2) shall be appointed for one (1) year, three (3) for two (2) years, and two (2) for three (3) years. No members shall serve more than two (2) successive three-year terms. Alternate members shall be appointed to serve in the absence of or disqualification of the regular members. Vacancies shall be filled for the inexperienced term only. Members shall serve without compensation.

OFFICERS
Officers shall consist of a chairman, vice-chairman, and a secretary elected by the Preservation Commission who shall be serve a term of one (1) year and shall be eligible for re-election, but no members shall serve as an officer for more than two (2) consecutive years. The chairman shall preside over meetings. In the absence of the chairman, the vice-chairman shall perform the duties of the chairman. If both are absent, a temporary chairman shall be elected by those present. The secretary to the Preservation Commission shall have the following duties:

1. Take minutes of each Preservation Commission meeting;
2. Be responsible for publication and distribution of copies of the minutes, reports, and decisions of the Preservation commission to the members of the Preservation Commission;
3. Give notice as provided herein or by law for all public hearings conducted by the Preservation Commission;

⁵ Wherever possible, commission members should show a demonstrated interest in preservation (i.e. member of National Trust, rehabilitating their own historic home, etc.). Some ordinances specify required representation (architect, realtor, etc.). However, be careful not to lock yourself into a required position if the pool of potential members is limited.

⁶ Stagger terms to allow for continuity in the composition of the commission.
4. Advise the Mayor of vacancies on the Preservation Commission and expiring terms of members; and
5. Prepare and submit to the Village Council a complete record of the proceedings before the Preservation Commission on any matter requiring Council consideration.

MEETINGS
A quorum shall consist of a majority of the members. All decisions or actions of the Historic Preservation Commission shall be made by a majority vote of those members present and voting at any meeting where a quorum exists. Meetings shall be held at regularly scheduled times to be established by resolution of the Commission at the beginning of each calendar year or at any time upon the call of the Chairman. There shall be a minimum of four (4) meetings per year. No member of the Historic Preservation commission shall vote on any matter that may materially or apparently affect the property, income or business interest of that member. No action shall be taken by the Commission that could in any manner deprive or restrict the owner of property in its use, modification, maintenance, disposition, or demolition until such owner shall first have had the opportunity to be heard at public meeting of the Preservation Commission, as provided herein. The Chairman, and in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Preservation Commission shall be open to the public. The Preservation Commission keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records if its examinations and other official actions, all of which shall be immediately filed in the office of the Preservation Commission and shall be a public record.

POWERS AND DUTIES

1) To adopt its own procedural regulations;
2. To conduct an ongoing survey to identify historically and architecturally significant properties, structures and areas;

7 State the responsibilities of the commission. Use the powers enumerated in the enabling legislation.
3) To investigate and recommend to the Village Council the adoption of ordinances designating properties or structures having special historic, community, or architectural value as "landmarks";

4) To investigate and recommend to the Village Council the adoption of ordinances designating properties or structures having special historic, community or architectural value as "historic districts";

5) To keep a register of all properties and structures that have been designated as landmarks or historic districts, including all information required for each designation;

6) To determine an appropriate system of markers and make recommendations for the design and implementation of specific markings of the streets and routes leading from one landmark or historic district to another;

7) To advise owners of landmarks and property or structures within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the State or National Register of Historic Places;

8) To inform and educate the citizens of Anytown concerning the historic and architectural heritage of the village by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars;

9) To hold public hearings and to review applications for construction, alteration, removal, or demolition affecting proposed or designated landmarks or structures or historic districts and issue or deny Certificates of Appropriateness for such actions. Applicants shall be required to submit plans, drawings, elevations, specifications, and other information as may be necessary to make decisions;

10) To develop specific guidelines for the alteration, demolition, construction, or removal of landmarks of property and structures within historic districts;

11) To review proposed zoning amendments, applications for special use permits or variances that affect proposed or designated landmarks and historic districts. Such review shall be made prior to the date of the hearing by the Village Planning Commission or the Zoning Board of Appeals;

12) To administer on the behalf of the Village of Anytown any property or full or partial interest in real property, including a conservation right as that term is used in Chapter
30, paragraph 401, et.seq., Illinois Revised Statutes, which the village may have or accept as a gift or otherwise, upon designation by the Village Council;

13) To accept and administer on behalf of the Village of Anytown, upon designation by the Village Council, such gifts, grants and money as may be appropriate for the purpose of this ordinance;

14) To call upon available village staff members as well as other experts for technical advise;

15) To testify before all boards and commissions, including the Village Planning Commission and the Zoning Board of Appeals, on any matter affecting historically and architecturally significant property and landmarks;

16) To periodically review the Anytown Zoning Ordinance and to recommend to the Village Planning Commission and the Village Council any amendments appropriate for the protection and continued use of landmarks or property and structures within historic districts.

SURVEYS AND RESEARCH

The Historic Preservation Commission shall undertake an ongoing survey and research effort in the Village of Anytown to identify neighborhoods, areas, sites, structures, and objects that have historic, community, architectural, or aesthetic importance, interest, or value. As part of the survey, the Historic Preservation Commission shall review and evaluate any prior surveys and studies by any unit of government or private organization and compile appropriate descriptions, facts, and photographs. The Historic Preservation Commission shall identify potential landmarks and adopt procedures to nominate them in groups based upon the following criteria:

1) The potential landmarks in one identifiable neighborhood or district geographical area of the Village of Anytown;

2) The potential landmarks associated with a particular person, event, or historical period;

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8 Survey is an essential part of a commission's duties. Commissions can use surveys to develop designations, publications, preservation plans, etc.
3) The potential landmarks of a particular architectural style or school, or of a particular architect, engineer, builder, designer or craftsman;

4) Such other criteria as may be adopted by the Preservation Commission to assure systematic survey and nomination of all potential landmarks within the Village of Anytown.

CRITERIA FOR THE RECOMMENDATION OF LANDMARK DESIGNATION

Nominations shall be made to the Historic Preservation Commission on a form provided by the Commission. A filing fee may be required.

The Commission shall, upon investigation as it deems necessary, make a preliminary determination as to whether a property, structure, or area possesses the integrity of design, workmanship, materials, location, setting and feeling and meets one or more of the following criteria:

1) Significant value as part of the historic, heritage or cultural characteristics of the community, county, state or nation;

2) Its identification with a person or persons who significantly contributed to the development of the community, county, state or county;

3) Representative of the distinguishing characteristics of architecture inherently valuable for the study of a period, type, method of construction or use of indigenous materials;

4) Notable work of a master builder, designer, architect or artist whose individual work has influenced the development of the community, county, state or country;

5) Its unique location or singular physical characteristics that make it an established or familiar visual feature;

6) Its character as a particularly fine or unique example of a utilitarian structure, including but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance;

7) Area that has yielded or may be likely to yield, information important in history or prehistory.

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9 List the criteria which you feel will reflect what is historically or architecturally significant in your community.
A preliminary determination as to whether a property, structure, or area meets one or more of the foregoing criteria shall be made within fifteen (15) days of filing of a nomination with the Commission.

APPLICATIONS FOR LANDMARKS AND HISTORIC DISTRICTS NOMINATIONS

Any person, group of persons or association, may apply to the Anytown Historic Preservation Commission for the designation of a Landmark or a Historic District.\textsuperscript{10} Applications for a nomination shall be filed at the Planning Office. Persons wishing guidance or advice prior to completing an application may contact the Staff of the Planning Commission. At a minimum, the application shall include the following:

For a Landmark:

1) The name and address of the property owner.
2) The legal description and common street address of the property.
3) A written statement describing the property and setting forth reasons in support of the proposed designation ....
4) Documentation that the property owner has been notified or consents to the application for designation.
5) A list of significant exterior architectural features that should be protected.
6) An overall site plan and photographs of the landmark. The plan shall also include a front, side, and rear elevation drawing.

For a Historic District:

1) The names and addresses of the property owners.
2) A map delineating the boundaries of the area to be designated.
3) A written statement describing the area and properties within the historic district and setting forth reasons in support of the proposed designation.
4) A list and photographs of significant exterior architectural features of all properties in the district that should be protected.

\textsuperscript{10} State those persons who can nominate properties and the information that is needed to do so.
LANDMARK DESIGNATION PROCEDURES

The Commission shall schedule a public hearing within sixty (60) days after the filing of an application to the Planning Department.

1) Any person, group of persons or association, including, but not limited to the Anytown Historic Preservation Commission, may request a Historic Landmark designation for any structure, building or site within the boundaries of the Village of Anytown which may have historic or architectural significance as defined by the Ordinance. The Planning Department shall supply, upon request, the application forms. Completed forms shall be submitted to the Planning Department which shall be forwarded to the Commission for their consideration.

2) Notice of date, time, place and purpose of the public hearing shall be sent by mail to owner(s) of record and to the nominator(s) as well as to the adjoining property owners, not less than fifteen (15) nor more than thirty (30) days prior to the date of the hearing. A public hearing notice also shall be published in a newspaper having general circulation in the Village of Anytown. The notice shall state the location of the property and a statement summarizing how the proposed landmark meets the criteria set forth in Subsection B under Criteria for Landmark Designation.

3) Upon receipt of the application, the secretary of the Commission shall schedule a public hearing, to be held within forty-five (45) days after preliminary approval of application.

4) During the public hearing, the Commission shall review and evaluate the application according to the criteria established by ordinance.

5) If the Historic Preservation Commission finds at the time that the application merits further consideration, then the Commission may table the request until its next regularly scheduled meeting.

6) A Certificate of Appropriateness shall be required for alteration, construction, removal

\[11\] Clearly state the procedures for designating historic properties. Illinois enabling legislation does not require owner consent for local designations. Designation should be based upon meeting the criteria; however, in this "nonbinding" ordinance property-owner consent is required.

\[12\] Be sure to allow the Commission and staff enough time to consider and process the nomination.

\[13\] Allow for public participation and due process when considering nominations and reviewing permits. Persons affected by designation must have the opportunity to state their opinion.
A Certificate of Appropriateness (COA) issued by the Commission shall be required before a building permit, moving permit, or demolition permit is issued for any designated historic landmark or any building, structure, or site or part thereof in the historic district. A COA is required if the building, structure or site will be altered, extended, or repaired in such a manner as to produce a major change in the exterior appearance of such building or structure. Such major changes include, but are not limited to: 17

1) Major changes by addition, alteration, maintenance, reconstruction, rehabilitation, renovation or repair;
2) Any new construction and demolition in whole or in part requiring a permit from the Village of Anytown;
3) Moving a building;
4) Any construction, alteration, demolition, or removal affecting a significant exterior architectural feature as specified in the ordinance designating the landmark or historic district.

An exception to the COA shall be made if the applicant shows to the Commission that a failure to grant the permit will cause an imminent threat to life, health, or property.

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Every application for a demolition permit or a building permit, including plans and specifications, shall be forwarded by the Planning Department to the Historic Preservation Commission within fifteen (15) days following receipt of the application by the Planning Department. The application for issuance of a COA must include: 18

1) Street address of the property involved.
2) Legal description of the property involved.
3) Brief description of the present improvements situated on the property.

but are not required to follow them, and binding, in which the property owner must conform to, the commission's recommendations. This ordinance is an example of a binding review.

17 State the actions which merit the commission's review.
18 Explain what is needed from the applicant.
or demolition of a proposed landmark from the date when the nomination form is presented to the Commission until the final disposition of the request.

A decision shall be made within thirty (30) days following the date of the closing of the public hearing.

1) Following the public hearing, the Secretary of the Commission shall prepare the Commission's evaluation, recommendation and all available information for submission to the Village Council within thirty (30) days.

2) If the Commission decides that the landmark should be designated, it shall do so by a resolution passed by a majority of the Commission.

3) The owner(s) of record shall be notified promptly by a letter containing information of the Commission's decision.

4) A simple majority vote by the Village Council is necessary for approval of a landmark designation. If the Village Council approves the application for a designation, a notice will be sent to the property owner, the Planning Department, the Building Inspector, the Village Clerk's office, and recorded with the County Recorder of Deeds. If the Village Council denies the petition, no petitioner or applicant can file for ninety (90) days to the Secretary of the Commission.

5) Buildings designated as Historic Landmarks shall be subject to issuance of Certificates of Appropriateness.

CRITERIA FOR HISTORIC DISTRICT DESIGNATION

Nominations shall be made to the Historic Preservation Commission on a form provided by the Commission. A filing fee may be required. The following criteria shall be utilized by the Anytown Historic Commission in determining the designation of Historic Districts:

1) The Historic District contains one or more landmarks along with such other buildings, places or areas within its definable geographic boundaries which, while not of such historic significance to be designated as landmarks, nevertheless contribute to the

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14 Landmarks and Historic Districts should be designated by ordinance, otherwise the commission will have no legal authority to protect them.
overall visual characteristics of the landmark or landmarks located in such District;

2) A significant number of structures meeting any of the standards of Subsection B under Landmark Designation Criteria;

3) Establishing a sense of time and place unique to the Village of Anytown; and/or;

4) Exemplifying or reflecting the cultural, social, economic, political or architectural history of the nation, the state, or the community.

A preliminary determination as to whether a district or an area meets one or more of the foregoing criteria shall be made within sixty (60) days of the filing of a nomination with the Commission.

HISTORIC DISTRICT DESIGNATION PROCEDURES

The following procedure shall be used for the preliminary determination regarding the designation of historic districts:

1) Any person, group of persons, or association, including but not limited to the Anytown Historic Commission, may present to the commission a petition requesting that a defined geographic area be designated as an Historic District. The Planning Department shall supply, upon request, the application forms. Completed forms shall be submitted to the Planning Department which shall forward them to the Commission for their consideration;

2) The petition shall contain the names of no less than 51% of the property owners.\textsuperscript{15} Or, if lease holders, with a five (5) years or longer leasehold interest, are signatories to the petition then the petition shall contain no less than 51% of the property owners and/or leaseholders;

3) Notice of date, time, place and purpose of the public hearing shall be sent by mail to owner(s) of record and to the nominator(s) as well as to the adjoining property owners, not less than fifteen (15) nor more than thirty (30) days prior to the date of the hearing. Public notice also shall be published in a newspaper having general circulation in the

\textsuperscript{15} Designation should be based upon meeting the criteria only. If you decide to include such a provision, be sure to use a reasonable percentage for approval.
Village of Anytown. The notice shall state the location of the property and a statement summarizing how the proposed landmark meets the criteria set forth in Subsection B under Criteria for Historic Designation;

4) Upon receipt of the application, the Secretary of the Commission shall schedule a public hearing to be held within thirty (30) days from after preliminary approval of application;

5) During the public hearing the Commission shall review and evaluate the application according to the criteria established by ordinance;

6) If the Historic Preservation Commission finds at the time that the application merits further consideration, then the Commission may table the request until its next regular scheduled meeting.

7) Within thirty (30) days following the public hearing, the Commission shall make a final decision on designation and prepare the Commission's evaluation, recommendation, and all available information for submission to the Village Council.

a) If the Commission decides that the proposed historic district should be designated, it shall do so by a resolution passed by a majority of the Commission.

b) The owner(s) of record shall be notified promptly by a letter containing information of the Commission's decision.

c) A simple majority vote by the Village Council is necessary for approval of a historic preservation designation. If the Village Council approves, the application for a designation, a notice will be sent to the property owner, the Planning Department, the Building Inspector, the Village Clerk's office, and recorded with the County Recorder of Deeds that the area has been designated as such and that buildings located within the boundaries of the historic district shall be subject to issuance of Certificate of Appropriateness. If the Village Council denies the petition, no petitioner can file for ninety (90) days to the Secretary of the Commission.

CERTIFICATE OF APPROPRIATENESS ¹⁶

¹⁶ Commissions should develop procedures for reviewing any proposed changes to locally designated properties to ensure that the landmarks and structures within historic districts receive some protection. The two types of review are advisory, in which the property owner receives the commission's recommendations on any proposed alterations.
A Certificate of Appropriateness (COA) issued by the Commission shall be required before a building permit, moving permit, or demolition permit is issued for any designated historic landmark or any building, structure, or site or part thereof in the historic district. A COA is required if the building, structure or site will be altered, extended, or repaired in such a manner as to produce a major change in the exterior appearance of such building or structure. Such major changes include, but are not limited to:

1) Major changes by addition, alteration, maintenance, reconstruction, rehabilitation, renovation or repair;
2) Any new construction and demolition in whole or in part requiring a permit from the Village of Anytown;
3) Moving a building;
4) Any construction, alteration, demolition, or removal affecting a significant exterior architectural feature as specified in the ordinance designating the landmark or historic district.

An exception to the COA shall be made if the applicant shows to the Commission that a failure to grant the permit will cause an imminent threat to life, health, or property.

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Every application for a demolition permit or a building permit, including plans and specifications, shall be forwarded by the Planning Department to the Historic Preservation Commission within fifteen (15) days following receipt of the application by the Planning Department. The application for issuance of a COA must include:

1) Street address of the property involved.
2) Legal description of the property involved.
3) Brief description of the present improvements situated on the property.

but are not required to follow them, and binding, in which the property owner must conform to, the commission’s recommendations. This ordinance is an example of a binding review.

17 State the actions which merit the commission's review.
18 Explain what is needed from the applicant.
4) A detailed description of the construction, alteration, demolition, or use proposed together with any architectural drawings or sketches if those services have been utilized by the applicant and if not, a sufficient description of the construction, alteration, demolition and use to enable anyone to determine what final appearance and use of the real estate will be.

5) Owner's name.

6) Developer's name, if different than owner.

7) Architect's name.

8) Payment of the filing fee.¹⁹

STANDARDS FOR CERTIFICATES OF APPROPRIATENESS

In making a determination whether to approve or deny an application for a COA; the Anytown Historic Preservation Commission shall be guided by the Secretary of the Interior's "Standards for Rehabilitation", as follows: ²⁰

1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site environment;

2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided;

3) Each property shall be recognized as a physical record of its time, place, and use.

4) Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken;

5) Most properties change overtime; those changes that have acquired historic significance in their own right shall be retained and preserved;

6) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity;

7) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new

¹⁹ Local governments can set their own fees.
²⁰ The "Standards" are a nationally accepted set of criteria for the proper rehabilitation of historic properties.
feature shall match the old in design, color, texture, and other visual qualities, and, where possible materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence;

8) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of the structures, if appropriate, shall be undertaken using the gentlest means possible;

9) Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken;

10) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment;

11) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**DESIGN GUIDELINES**  

Design guidelines for applying the criteria for review of Certificates of Appropriateness shall at a minimum, consider the following architectural criteria:

1) **Height** - the height of any proposed alteration or construction should be compatible with the style and character of the landmark and with surrounding structures in a historic district;

2) **Proportions of windows and doors** - The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark;

3) **Relationship of Building Masses and Spaces** - The relationship of a structure

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21 Commissions may wish to adopt additional guidelines that are tailored to address local preservation concerns.
within a historic district to the open space between it and adjoining structures should be compatible;

4) Roof Shape - The design of the roof, fascia, and cornice should be compatible with the architectural style and character of the landmark;

5) Landscaping - Landscaping should be compatible with the architectural character and appearance of the landmark;

6) Scale - The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in a historic district;

7) Directional Expression - Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures;

8) The direction expression of a landmark after alteration, construction, or partial demolition should be compatible with its original architectural style and character;

9) Architectural Details - Architectural details including types of materials, colors, and textures should be treated so as to make landmark compatible with its original architectural style and character of a landmark or historic district;

10) New structures in a Historic District shall be compatible with the architectural styles and design in said districts;

HEARING ON COA APPLICATIONS 22

Applications for a Certificate of Appropriateness are available from the Planning Department. Such applications shall be completed and submitted to the Planning Department which shall be forwarded to the Anytown Historic Preservation Commission. The Commission shall schedule a public meeting for consideration of the application within fifteen (15) days of receipt of application. 23 A public notice for consideration of the application shall be made not less than

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22 State the procedures of the design review process.

23 Be sure to include provisions for procedural due process.
fifteen (15) days nor more than thirty (30) days before hearing, in a newspaper of general circulation published in the Village of Anytown.

If the Historic Preservation Commission finds at the time that the application merits further consideration, then the Commission may table the request until its next regularly scheduled meeting.

ISSUANCE OF A CERTIFICATE OF APPROPRIATENESS

The Anytown Historic Preservation Commission shall notify the applicants of their decision within five (5) days after the public meeting. Upon approval of the application, the Commission shall direct the Planning Department to issue signed COA to the applicant with copies forwarded to the Building Inspector.

A COA shall be invalid if changes in the plans review by the Commission are necessary in obtaining a building permit or if the building permit issued for the same work becomes invalid. The Certificate of Appropriateness remains valid for the same period of validity as the building permit (one year).

DENIAL OF A CERTIFICATE OF APPROPRIATENESS

In the event of denial of an application for a COA, the Commission shall notify the applicant in writing of the disapproval and the reasons therefore and shall recommend changes, if any, in the proposed action that would cause the Commission to reconsider its denial.

Within fifteen (15) days of receipt of the notification of disapproval, the applicant may resubmit an amended application for a COA that takes into consideration the recommendations of the Historic Preservation Commission. The application shall be considered to be withdrawn if no written modification on request for public hearing is received. Within fifteen (15) days of receipt of a written modified COA, the Commission must either issue the COA or hold a hearing.\footnote{This is an example of the strongest protection for historic resources. There are other measures that commissions can take, such as delaying the issuance of a certificate. Some communities opt to have the applicants of denied COAs appeal to the courts and not the Village Council.} The process for the resubmission of a modified COA is as follows:

\footnote{This is an example of the strongest protection for historic resources. There are other measures that commissions can take, such as delaying the issuance of a certificate. Some communities opt to have the applicants of denied COAs appeal to the courts and not the Village Council.}
1) The Anytown Historic Preservation Commission shall select a reasonable time and place for the hearing of the appeal and give due notice thereof to the applicant by mailing notice of the hearing: Said mailing is to be made at least ten (10) days prior to the date of the hearing.

2) Notice of the time and place of such public hearing shall be published at least once, not less than fifteen (15) days nor more than thirty (30) days before the hearing, in a newspaper of general circulation published in the Village of Anytown.

3) The Chairperson shall conduct the hearing and the Anytown Historic Preservation Commission and the applicant shall have the right to introduce evidence and cross examine witnesses. A recorded or written transcript of the hearing shall be made and kept.

4) The Commission shall vote, announce its decision, make its recommendation, and notify the Planning Department and the applicant within five (5) days after the conclusion of the public hearing, unless the time is extended by mutual agreement between the Commission and the applicant.

5) In the event of a denial of appeal by the Anytown Preservation Commission, the applicant may appeal the decision of the Village Council, whose decision in this matter shall be final subject only to judicial review as provided bylaw.

CERTIFICATE OF ECONOMIC HARDSHIP 25

Notwithstanding any of the provisions of the ordinance to the contrary, the Commission may issue a Certificate of Economic Hardship to allow the performance of work for which a Certificate of Appropriateness has been denied.

Applicants claiming economic hardship shall be required to apply to the Redevelopment Division to determine eligibility for rehabilitation assistance. The eligibility for and availability

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25 This process enables the Commission to determine whether the property owner will lose all reasonable use of the property if the Certificate of Appropriateness is denied. It is an important finding when claims of a "taking of private property without just compensation." (US Constitution) are made.
of financial aid shall be considered by the Commission in making its decision;

An applicant for a Certificate of Economic Hardship may submit any or all of the following information in order to assist the Commission in making its determination on the application:

1) The amount paid for the property, the date of purchase and the party from whom purchased (including a description of the relationship, if any, between the owner and the person from whom the property was purchased);
2) The assessed value of the land and improvements thereon according to the two most recent assessments;
3) Real estate taxes for the previous two years;
4) Remaining balance on mortgage, if any, and annual debt service, if any, for the previous two years;
5) All appraisals obtained within the previous two years by the owner or applicant in connection with this purchase, financing or ownership of the property;
6) Any listing of the property for sale or rent, price asked and offers received, if any;
7) Any consideration by the owner as to profitable adaptive uses for the property;
8) If the property is income-producing, the annual gross income from the property for the previous two years, itemized operating and maintenance expenses for the previous two years, and annual cash flow before and after debt service, if any during the same period;
9) Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture or other;
10) Any other information, including the income-tax bracket of the owner, applicant, or principal investors in the property, reasonably necessary for a determination as to whether the property can be reasonably used or yield a reasonable return to present or future owners;
If the Commission finds that without approval of the proposed work, the property owner cannot obtain a reasonable economic return therefrom, then the application shall be delayed for a period not to exceed three (3) months. During this period of delay, the Commission shall investigate plans and make recommendations to the Village Council to allow for a reasonably beneficial use or a reasonable economic return, or to otherwise preserve the subject property. Such plans and recommendations may include, but not be limited to:

1) A relaxation of the provisions of the ordinance; and/or
2) A reduction in real property taxes; and/or
3) Financial assistance; and/or
4) Building code modifications; and/or;
5) Changes in zoning regulations.

If by the end of this three (3)-month period, the Commission has found that without approval of the proposed work, the property cannot be put to a reasonable beneficial use or the owner cannot obtain a reasonable economic return therefrom, then the Commission shall issue a Certificate of Economic Hardship approving the proposed work. If the Commission finds otherwise, it shall deny the application for a Certificate of Economic Hardship.

**APPEALS**

When a Certificate of Appropriateness or a Certificate of Economic Hardship is approved or denied for either a landmark or a structure within a historic district, the applicant or any interested party may, within thirty (30) days, appeal the Commission's decision to the Village Council. The Council may receive comments on the contents of the record but no new matter may be considered by the Council. The Village Council may affirm the decision or recommend changes by a majority vote of the Council after due consideration of the facts contained in the record submitted to the Council by the Commission. The Council may overturn the Commission's decision by a majority vote of a quorum of the Council. If the Council decides that a Certificate of Economic Hardship should be issued, the Secretary shall notify the applicant and the Inspection Division within seven (7) days of the Council's decision and the Inspection Division then shall issue the permit within fifteen (15) days.
If the Council concurs with the Commission's decision not to issue a Certificate of Economic Hardship, the Secretary shall notify the applicant and the Inspection Division within seven (7) days.

**NATURAL DESTRUCTION OR DEMOLITION**

In the case of partial or complete natural destruction or demolition of a site within a Historic Preservation District or of a landmark, the owner will be required to obtain a Certificate of Appropriateness from the Commission prior to reconstruction. Although exact duplication of the previous structure may not be required, the exterior design of the property shall be in harmony with:

1) The exterior design of the structure prior to damage, and
2) The character of the Historic Preservation District.

**FEES AND PENALTIES**

The Preservation Commission may establish an appropriate system of processing fees for the review of nominations and COAs. Any person who undertakes or causes an alteration, construction, demolition, or removal of any nominated or designated landmark or property within a nominated or designated landmark or designated historic district without a COA shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars ($50) nor more than five hundred dollars ($500). Every day such violation shall continue to exist shall constitute a separate violation. The Preservation Commission may institute any appropriate action or proceeding in the name of the Village of Anytown to enjoin, correct, or abate any violation of this ordinance.

**PUBLICATION**

A full, true, and complete copy of this ordinance shall be published once within thirty (30) days after adoption in pamphlet form by authority of the Village Council.

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26 These are recommended to ensure that the ordinance is upheld.
EFFECTIVE DATE

All ordinances, resolutions and orders, or parts thereof, in conflict herewith, be and the same are hereby repealed and this ordinance be in full force and effect immediately and forthwith upon its adoption, approval and publication as provided by law.

PASSED by the Village Council, Village of Anytown, this 1st day of January, 2005.
ARTICLE I

PURPOSES, DEFINITIONS AND GENERAL PROVISIONS

1. PURPOSES & INTENT
The purposes and intent of this Ordinance are as follows:

A) To identify, designate, protect, preserve, and encourage the restoration, rehabilitation, and adaptation for continued use of those properties and structures which represent or reflect the historic, cultural, artistic, social, economic, ethnic or political heritage of the United States of America, State of Illinois, or Kendall County or which may be representative of an architectural or engineering type inherently valuable for the study of style, period, craftsmanship, method of construction or use of indigenous materials;

B) To safeguard the County’s historic, aesthetic and cultural heritage as embodied and reflected in such structures and landscape features;

C) To stabilize and improve the economic vitality and value of designated landmarks and historic districts in particular and of the County in general;

D) To foster civic pride in the beauty and noble accomplishments of the past in order that both the pride and the accomplishments themselves may be passed on to future generations;

E) To protect and enhance the County’s attractions for tourists and visitors as well as to support and provide stimulus to business and industry;

F) To strengthen the economy of the County;

G) To promote the use of historic districts and landmarks for the education, pleasure, and welfare of the citizens of Kendall County and;

H) To educate the general public, government officials and real estate interests about the value of historic preservation to the economy, and long-term quality of life for those who live and work in the County.

2. DEFINITIONS
For the purposes of this Ordinance, certain words, phrases, and terms shall have the following meanings:

A) Alteration: Any act or process that changes one or more historic, architectural, or physical features of an area, site, landscape, place, and/or structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure; the expansion or significant modification of agricultural activities;
surface mining; and clearing, grading or other modification of an area, site or landscape that changes its current or natural condition.

B) Architectural Significance: Embodying the distinctive characteristics of a type, period, style or method of construction or use of indigenous materials, or representing the work of an important builder, designer, architect, engineer, or craftsman who has contributed to the development of the community, County, State or Nation.

C) Archaeological Significance: Importance as an area, site, place or landscape that has yielded or is likely to yield information concerning past patterns of human settlement, or artifacts or information concerning previous cultures in Illinois or previous periods of the present culture. Areas, sites or landscapes of archaeological significance may include, but are not limited to, aboriginal mounds, forts, earthworks, burial grounds, historic or prehistoric ruins, locations of villages, mine excavations or tailing.

D) Building: Any structure designed or constructed for residential, commercial, industrial, agricultural or other use.

E) Certificate of Appropriateness: A certificate issued by a Preservation Commission indicating its approval of plans for alteration, construction, demolition, or removal affecting a nominated or designated landmark or property within a nominated or designated historic district.

F) Certificate of Economic Hardship: A certificate issued by the Preservation Commission authorizing an alteration, construction, removal or demolition even though a Certificate of Appropriateness has previously been denied or may be denied.

G) Commissioners: Members of the Preservation Commission.

H) Conservation Right: A term that includes easements, covenants, deed restrictions or any other type of less than full fee simple interest as that term is defined in Illinois Revised Statutes, Section 1 of "An Act relating to conservation rights in real property," approved September 12, 1977, as amended.

I) Construction: The act of adding an addition to a structure or the erection of a new principal or accessory structure on a lot or property.

J) Demolition: Any act or process which destroys in part or in whole a landmark or a building or structure within a historic district.

K) Demolition by Neglect: Neglect in the maintenance of any landmark and/or building or structure within a preservation district resulting in the deterioration of that building to the extent that it creates a hazardous or unsafe condition as determined by the Kendall County Building and Zoning Department or the
Kendall County Department of Health.

L) **Design Criteria:** Standards of appropriate activity that will preserve the historic, architectural, scenic or aesthetic character of a landmark or historic district.

M) **Development Rights:** The development rights of a landmark or of a property within a historic district as defined in Section 11-48.2-1A of the Illinois Municipal Code.

N) **Development Rights Bank:** A reserve for the deposit of development rights as defined in Section 11-48.2-1A of the Illinois Municipal Code.

O) **Exterior Architectural Appearance:** The architectural character and general composition of the exterior of a building or structure, including but not limited to the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs and appurtenant elements.

P) **Historic Significance:** Character, interest or value as part of the development, heritage, or culture of the community, County, State or Nation; or as the location of an important local, County, State or national event; or through identification with a person or persons who made important contributions to the development of the community, County, State or Nation.

Q) **Landmark:** A property or structure designated as a "Landmark" by ordinance of the County Board, pursuant to procedures prescribed herein, which is worthy of rehabilitation, restoration, or preservation because of its historic, scenic, or architectural significance.

R) **Landscape:** A natural feature or group of natural features such as, but not limited to: valleys, rivers, lakes, marshes, swamps, forests, woods, or hills; or a combination of natural features and buildings, structures, objects, cultivated fields, or orchards in a precomminantly rural setting.

S) **Object:** Any tangible items, including any items of personal property, including, but not limited to: wagons, boats, and farm machinery that may be easily moved or removed from real estate property.

T) **Owner:** The person or corporation or other legal entity in whose name or names the property appears on the records of the County Recorder of Deeds.

U) **Historic District:** An area designated as a "historic district" by ordinance of the County Board and which may contain within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties, areas, sites, landscapes or structures, while not of such historic, architectural or scenic significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the district.
V) Removal: Any relocation of a structure, object or artifact on its site or to another site.

W) Repair: Any change that is not construction, alteration, demolition, or removal and is necessary or useful for continuing normal maintenance.

X) Scenic Significance: Importance as a result of appearance or character that remains relatively unchanged from and embodies the essential appearance related to a culture from an earlier historic or prehistoric period; or as a result of a unique location, appearance, or physical character that creates an established or familiar vista or visual feature; or as a geologic or natural feature associated with the development, heritage, or culture of the community, County, State, or Nation.

Y) Site: The traditional, documented or legendary location of an event, occurrence, action, or structure significant in the life or lives of a person, persons, group, or tribe, including but not limited to cemeteries, burial grounds, campsites, battlefields, settlements, estates, gardens, groves, river crossings, routes, trails, caves, quarries, mines, or significant trees or other plant life.

Z) Structure: Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground including (but without limiting the generality of the foregoing) barns, smokehouses, advertising signs, billboards, backstrops for tennis courts, bridges, fences, pergolas, gazebos, radio and television antennae, solar collectors, microwave antennae including supporting towers, roads, ruins or remnants (including foundations), swimming pools or walkways.

AA) Survey: The systematic gathering of information on the architectural, historic, scenic, and archaeological significance of buildings, sites, structures, areas, or landscapes through visual assessment in the field and historical research, for the purpose of identifying landmarks or districts worthy of preservation.

3. GENERAL PROVISIONS
The following are general provisions propounded to make more clear matters relative to scope and jurisdiction of this Ordinance.

A) No provision herein shall supersede the powers of other local legislative or regulatory bodies or relieve any property owner from complying with the requirements of any other state statute or code or ordinance of Kendall County or individual municipal ordinances or regulations, and any permit or license required there under shall be required in addition to any Certificate of Appropriateness or Economic Hardship which may be required hereunder; provided, however, that where a Certificate of Appropriateness or Economic Hardship is required, no such other permit or license shall be issued by any other agency under the jurisdiction of the Kendall County Board before a certificate has been issued by the
Commission as herein provided.

B) The use of property and improvements which have been designated under this Ordinance shall be governed by the Kendall County Zoning Ordinance, as amended.

G) If any particular section of this Ordinance is declared to be unconstitutional or void, only the particular section is affected, and all other sections of this Ordinance shall remain in full force and effect.

H) For purposes of remedying emergency conditions determined to be dangerous to life, health or property, the Commission may waive the procedures set forth herein and grant immediate approval for a Certificate of Appropriateness. The Commission shall state its reasons in writing for such approval.

I) No member of the Preservation Commission shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member.

ARTICLE II

THE HISTORIC PRESERVATION COMMISSION

1. ORGANIZATION

A) Appointment. The Kendall County Board shall by ordinance appoint members to the Kendall County Preservation Commission from names submitted by the County Board Chair.

B) Composition. The Preservation Commission shall consist of nine (9) members. All members shall be residents of Kendall County. The County Board Chair shall nominate to the Preservation Commission at least one (1) attorney, one (1) historian or architectural historian, one (1) architect/engineer, and one (1) real estate professional knowledgeable in historic preservation; the other members shall be persons with a demonstrated interest in archaeology, Kendall County history, architecture, engineering, preservation and/or the preservation of community character. Commission vacancies shall be posted in a newspaper of general circulation within the county and on the county internet website. No more than three (3) members shall be from the same township. In addition to the nine (9) voting members, the County Board may appoint one of their members or staff to serve as an ex-officio, non-voting member of the Commission and liaison to the County Board.

C) Terms. Terms of the initial members shall be staggered so that three serve for one year; three for two years; and three for three years. Successors to initial members shall serve for three year terms. All ex officio members shall serve the
term of their elected or appointed office. All members shall serve until their successors are appointed. Vacancies shall be filled by the Kendall County Board from names submitted by the County Board Chair.

D) Officers. One of the appointed members shall be named Chair at the time of appointment and Vice-Chair and Secretary shall be elected by the Preservation Commission. The Chair shall preside over meetings. In the absence of the Chair, the Vice-Chair shall perform the duties of the Chair. If both the Chair and the Vice-Chair are absent, a temporary Chair shall be elected by those present. The Chair shall ensure that the following duties are performed.

i) That minutes are taken of each Preservation Commission meeting;

ii) That copies of the minutes, reports, and decisions of the Preservation Commission be published and distributed to the members of the Preservation Commission.

iii) The Kendall County Board Chair is advised of vacancies on the Preservation Commission and expiring terms of members; and

iv) That there be prepared and submitted to the Kendall County Board a complete record of the proceedings before the Preservation Commission on any matters requiring County Board consideration. The Kendall County Planning, Building & Zoning Department shall be the official keeper of the records.

E) Rules and Procedures. The Historic Preservation Commission shall have the authority to develop and adopt rules and procedures necessary to carry out its functions under the provisions of this Ordinance.

F) Meetings. Meetings of the Preservation Commission shall be held no less than monthly, except in those months when no business is pending, and shall be held at such times and places within the County as the Commission shall decide. All meetings of the Commission shall be open to the public, shall follow all provisions of the Open Meetings Act and shall adhere to Robert's Rules of Order. The Commission shall keep minutes of its proceedings, showing a vote of each member upon every question, or if absent or failing to vote, and shall also keep records of its official actions. Such minutes and records shall be open to the public for inspection at offices of the Kendall County Planning, Building & Zoning Department.

G) Quorum. A quorum shall consist of five (5) members. The transaction of business shall be made by a majority vote of those members in attendance while a quorum is present, except that the adoption, modification or rescission of any rule or part thereof shall require the affirmative vote of five (5) members.
H) Compensation. The members shall serve without compensation, but they shall be reimbursed for their expenses necessarily incurred in the performance of their duties as such and approved by the Director of the Planning, Building & Zoning Department, and if funds are available in the Historic Preservation Commission’s reserves.

I) Annual Report. The Commission shall submit an annual report of its activities to the Kendall County Board.

2. POWERS & AUTHORITIES
The Preservation Commission shall have the following powers and authority.

A) To conduct an ongoing survey of the County to identify buildings, structures, areas, sites and landscapes that are of historic, archaeological, architectural, or scenic significance, and, therefore, potential landmarks or historic districts;

B) To hold public hearings and recommend to the County Board the designation of landmarks or historic districts;

C) To compile information concerning and prepare descriptions of the landmarks and historic districts identified and recommended for designation and the characteristics that meet the standards for designation;

D) To prepare, keep current, and publish a map or maps showing the locations and exact boundaries of proposed and designated landmarks and historic districts and, if the Commission so chooses, the locations and boundaries of designated state or federal landmarks or districts;

E) To keep a register of all designated landmarks and historic districts;

F) To establish an appropriate system of markers or plaques for all designated landmarks, historic districts, and for streets, roads, trails, and highways leading from one landmark or historic district to another and to confer recognition upon the owners of landmarks or property within historic districts by means of certificates, plaques, or markers;

G) To nominate, with owners’ consent, landmarks and historic districts to any state or federal registers of historic places;

H) To advise and assist owners of landmarks and property within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on any state or federal register of historic places;

I) To inform and educate the citizens of the County concerning the historic, archaeological, architectural, or scenic heritage of the County by publishing
appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars;

J) To hold public hearings and to review applications for construction, alteration, removal, or demolition affecting landmarks or property within historic districts and issue or deny Certificates of Appropriateness for such actions;

K) To consider applications for Certificates of Economic Hardship that would allow the performance of work for which a Certificate of Appropriateness has previously been denied;

L) To develop specific criteria and guidelines for the proper alteration, construction, demolition, or removal of landmarks, or of property within historic districts;

M) To review proposed amendments to zoning regulations and map amendments, applications for special uses or applications for zoning variations that affect any and all landmarks or historic districts. Proposed zoning amendments, applications for special use, or zoning variations that affect any landmark or historic district as defined in this ordinance or any application for demolition of any structure which is more than 50 years old shall be reviewed by support staff and forwarded to the Preservation Commission for review within seven (7) working days.

N) To administer on behalf of the County Board any property, or full or partial interest in real property, including a conservation right, by approval of the County Board;

O) To accept and administer on behalf of the County Board gifts, grants, money or other personal property as may be appropriate for the purpose of this Ordinance. Such money may be expended for publishing maps and brochures, for hiring staff or consultants or performing otherwise appropriate functions for the purpose of carrying out the duties and powers of the Preservation Commission and the purposes of this Ordinance.

P) To administer any system established by the County Board for the transfer of development rights;

Q) To call upon available County agencies and staff as well as other experts for technical advice; costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget;

R) To retain specialists or consultants, or to appoint citizen, neighborhood or area advisory committees, as may be required, costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget;

S) To testify before all boards, commissions, committees and municipalities on
any matter affecting potential or designated landmarks or historic districts;

T) To periodically review any County Land resource management plan and to develop a preservation component in any comprehensive plan of the County and to recommend it to the Regional Plan Commission, the Planning, Building & Zoning Committee and the County Board;

U) To periodically consult the County zoning administrator, review any County zoning ordinance and building code, and to recommend to the County Board any amendments appropriate for the protection and continued use of landmarks or property within historic districts;

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

W) To recommend to the County Board the adoption of intergovernmental agreements between the County Board and Kendall County municipalities that allow for the nomination and designation by the County Board of individual landmarks and historic districts within incorporated areas and that afford the protection of landmarks and historic districts through the provisions of this Article, and

X) To periodically monitor designated landmarks and preservation districts for demolition by neglect and to refer negligent cases to the appropriate county agency for enforcement.

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**ARTICLE III**

**DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS**

1. INVESTIGATION & RESEARCH
   The Preservation Commission shall undertake an ongoing investigation and research effort in the County to identify areas, sites, structures, and objects that have historic, cultural, community, architectural or aesthetic importance, interest, or value. As part of the investigation, the Commission shall review and evaluate any prior surveys and studies by any unit of government, private organization or individual and compile appropriate descriptions, facts, and photographs.

   The Commission shall make an effort to systematically identify potential landmarks and districts and adopt procedures to nominate them individually or in groups based upon the following criteria:

   a) The potential landmarks or districts in one township or distinct geographical area of the County;
b) The potential landmarks associated with a particular person, event, or historical period;

c) The potential landmarks of a particular architectural style or school, or of a particular architect, engineer, builder, designer, or craftsman; or of a particular building material.

d) Such other criteria as may be adopted by the Preservation Commission to assure systematic survey and nomination of all potential landmarks within the County;

2. PRESERVATION PLAN

A) The Historic Preservation Commission shall, through the aforesaid surveys and research, so as to become thoroughly familiarized with buildings, structures, objects, sites, districts, areas and lands within the County which may be eligible for designation as historic landmarks or districts, prepare a "Historic Landmark and District Preservation Plan."

B) The Preservation Plan shall be presented to the Kendall County Planning, Building & Zoning Department for consideration and recommendation to the County Board for possible inclusion in the Kendall County Land Resource Management Plan as amended. From time to time, the Commission shall review the Plan and insert in the Historic Preservation Commission minutes a report of such review and take appropriate action on any amendments to the Plan deemed necessary.

3. NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS

A.) Landmarks

The Preservation Commission or any person may propose landmarks for designation by the County Board by filing a nomination including written proof of owner consent, for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for landmarks or historic districts shall include or be accompanied by the following information:

a) The name and address, as shown on the tax assessor's rolls, of the owners of record of the property proposed for designation and a notarized signed statement of consent of the owner.

b) The Permanent Index Number (PIN), legal description, and common
street address of the property proposed for designation.

c) A map delineating the boundaries and location of the property proposed for designation.

d) A written statement describing the property and setting forth reasons in support of the proposed designation.

e) If nominating an area for designation as a historic district, a list enumerating all properties and improvements previously designated, or currently pending designation, as a landmark by this Commission or listed on any state or federal registers of historic places.

f) The County Board reserves the right to set appropriate fees for administering this ordinance.

B.) Historic Districts
The Preservation Commission or any person may propose historic districts for designation by the County Board by filing a nomination including written proof of owners’ consent, for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for historic districts shall include or be accompanied by the following information:

a) The names and addresses, as shown on the tax assessor's rolls, of the owner of record of the property proposed for designation and a notarized signed statement of consent of 100% of the owners

b) The Permanent Index Numbers (PIN), legal descriptions, and common street addresses of the properties proposed for designation.

c) A map delineating the boundaries and location of the properties proposed for designation.

d) A written statement describing the properties and setting forth reasons in support of the proposed designation.

e) If nominating an area for designation as a historic district, a list enumerating all properties and improvements previously designated, or currently pending designation, as a landmark by this Commission or listed on any state or federal registers of historic places.
f) The County Board reserves the right to set appropriate fees for administering this ordinance.

4. CRITERIA FOR DESIGNATION

A.) Landmarks

The Commission may recommend to the County Board the designation of landmarks upon written proof of owner consent. In addition to property owner consent, landmarks shall only be recommended for designation when a thorough investigation results in a determination that the property, structure, improvement or area so recommended meets one (1) or more of the following criteria:

A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;

J) It is suitable for preservation or restoration;

K) It is included in the National Register of Historic Places and/or the Illinois
Register of Historic Places.

L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

B.) Historic Districts
The Commission may recommend to the County Board the designation of Historic Districts upon written proof of 100% of property owners' consent whose property is located within the boundaries of the proposed district. In addition to owners' consent, Historic Districts shall only be recommended for designation when a thorough investigation results in a determination that the properties, structure, improvement or area so recommended meets one (1) or more of the following criteria:

A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;
J) It is suitable for preservation or restoration;

K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

5. INITIAL REPORT & RECOMMENDATION OF PRESERVATION COMMISSION
The Preservation Commission shall, within thirty (30) calendar days from receipt of a completed application for designation, cause to be written an initial recommendation and report stating whether the nominated landmark, historic district does or does not meet the criteria for designation as provided for in Article III, Section 4 herein. The report shall contain the following information:

A) An explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation;

B) A description of the integrity or lack of integrity of the nominated landmark or historic district;

C) A map showing the location of the nominated landmark or the boundaries of the nominated historic district.

In addition, in the case of a nominated landmark found to meet the criteria for designation, the report shall include:

A) A description of the significant exterior architectural features of the nominated landmark that should be protected;

In the case of a nominated historic district found to meet the criteria for designation the report shall include:

A) A list of addresses and Permanent Index Numbers showing which properties are contributing and which are non-contributing;

B) A description of the types of significant exterior architectural features of the structures within the nominated district that should be protected;

In the case of a nominated landmark or historic district the recommendation and report shall be available to the public in the office of the County Planning, Building & Zoning Department.
6. NOTIFICATION OF NOMINATION
The Preservation Commission shall, within thirty (30) days from completion of the initial report and recommendation as described above in Article III, Section 5, cause to be scheduled a public hearing on the nomination. Notice of the date, time, place and purpose of the public hearing shall be sent by certified mail to the owner(s) of record and to the nominators at least fifteen (15) days prior to the date of the hearing. Such notice shall also be published in a newspaper having general circulation in the area surrounding the nominated property or district at least fifteen (15) days prior to the date of the hearing. All notices shall state the street, address and Permanent Index Number or legal description of a nominated landmark or the boundaries of a nominated historic district.

7. HEARING
A public hearing shall be scheduled, and notification made thereof, pursuant to Article III, Section 6, above. Oral or written testimony shall be taken at the public hearing concerning the nomination. The Preservation Commission may solicit expert testimony or present its own evidence regarding the historic, archaeological, or scenic significance of a proposed landmark or of any property within a proposed historic district relative to compliance with criteria for consideration set forth above in Section 4 of this Article. The hearing shall be closed upon completion of testimony.

8. RECOMMENDATION OF PRESERVATION COMMISSION
Within thirty (30) days following the close of the public hearing, the Commission shall make its determination upon the evidence whether the proposed landmark or historic district does or does not meet the criteria for designation. A recommendation to the County Board regarding the proposed landmark or historic district shall be passed by resolution of the Preservation Commission. This recommendation shall be accompanied by a report stating the findings of the Preservation Commission concerning the historic, archaeological, architectural or scenic significance of the proposed landmark or historic district. The Preservation Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

9. DESIGNATION
The County Board, upon a recommendation from the Preservation Commission that the proposed landmark or historic district should be designated, shall review the report and recommendations of the Preservation Commission.

For individual landmarks applications, the County Board, after reviewing the report and recommendation, shall, within sixty (60) days from receipt of the recommendation of the Preservation Commission, take one of the following steps:

A) Designate the landmark by ordinance; or

B) Refer the report and recommendation back to the Preservation Commission with suggestions for revisions, stating its reason for such action.
C) Reject the nomination application.

Upon return of the report and recommendation to the Commission, the Commission shall review and prepare new findings within forty-five (45) days of the County Board’s original decision. The County Board shall designate or not designate the landmark at the next regularly scheduled County Board meeting.

10. RESUBMISSION OF APPLICATION
Resubmission of any application for landmark or historic district designation may be made no sooner than ninety (90) days after County Board action on the nomination. Not more than one re-submission may be made within a twelve (12) month period.

11. NOTICE OF DESIGNATION
Notice of the action of the County Board, including a copy of the ordinance designating the landmark, historic district shall be sent by regular mail to all owners of record, including but not limited to each owner of record of a landmark or property within a historic district. Further, as soon as is reasonably possible, the County Board Chair shall cause to be notified the Kendall County Planning, Building & Zoning Department, the Recorder of Deeds, the County Clerk, and the Kendall County Collector by forwarding to each a copy of the designation ordinance. The Recorder of Deeds shall ensure that the designation be recorded on all directly affected parcels.

12. PUBLICATION OF MAP
A map showing the location of all designated landmarks and historic districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the Kendall County Planning, Building & Zoning office, the same location and in the same manner as any County zoning map.

13. APPEALS
Adoption of an ordinance designating a landmark or historic district by the Kendall County Board shall be a final action reviewable under Section 3-101 of the Illinois Administrative Review Law.

14. INTERIM CODE
No building, zoning, site development, access, utility or other permit shall be issued by the Planning, Building & Zoning Department, the Highway Department or other County department without a Certificate of Appropriateness being issued in accordance with Article IV Section 2 for alteration, construction, demolition, or removal of a nominated landmark or the alteration of any physical feature of a property or structure within a nominated historic district from the date the nomination form is received by the County office until the final disposition of the nomination by the County Board unless such alteration, removal, or demolition is necessary for public health, welfare, or safety.

15. MARKING BY ATTACHMENT OF A PLAQUE
Each designated landmark or historic district may be marked by an appropriate plaque
carrying a brief description and account of the historic significance of the property. The plaque shall be provided by the County at the expense of the property owner.

16. AMENDMENT & RESCISSION OF DESIGNATION
The County Board, upon recommendation of the Preservation Commission, may amend or rescind designation by the same procedure and according to the same standards and considerations set forth for designation. No amendment or rescission shall be made to a designation of a landmark or historic district based solely on a change in owner’s consent.

17. TRANSFER OF JURISDICTIONAL CONTROL
Should a designated landmark or historic district be incorporated into a municipality with a preservation ordinance, that municipality's preservation ordinance shall govern. If a municipality annexes a designated landmark or historic district and does not have a preservation ordinance, the County's preservation ordinance will continue to govern.

ARTICLE IV
ALTERATION, CONSTRUCTION, DEMOLITION, AND MAINTENANCE

1. SCOPE
Work on property and improvements so designated pursuant to this ordinance shall be regulated as follows:

A) Landmarks: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures which have been designated under this ordinance as landmarks, except as shall be approved by a Certificate of Appropriateness.

B) Historic districts: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures located within an area which is designated under this ordinance as a historic district, except as shall be approved by a Certificate of Appropriateness.

2. CERTIFICATE OF APPROPRIATENESS

A) A Certificate of Appropriateness from the Preservation Commission established pursuant to this Ordinance shall be required before any significant alteration, construction, demolition or removal that affects pending or designated landmarks or historic districts is undertaken. Such a certificate is required for all such actions from the date a nomination form is submitted to the Preservation Commission.
B) Applications for Certificates of Appropriateness.

i) Every application submitted to the Kendall County Planning, Building & Zoning Department for a permit wherein the applicant represents and/or delineates plans to commence any action as immediately described above in subsection (A) affecting any such property, improvements or areas therein described, shall be forwarded by the Director of Planning, Building and Zoning to a representative or representatives of the Preservation Commission, within five (5) business days following the receipt of said application by the Planning, Building & Zoning Department.

The Planning, Building & Zoning Department shall not issue the building or demolition permit until a Certificate of Appropriateness has been issued by the Preservation Commission. Any applicant may request a meeting with the Preservation Commission before the application is sent by the Director of Planning, Building and Zoning to the Preservation Commission or during the review of the application.

ii) Application for review of construction, alteration, demolition, or removal not requiring a building permit for which a Certificate of Appropriateness is required shall be made on a form prepared by the Preservation Commission and available at the office of Kendall County Planning, Building & Zoning Department. The Preservation Commission may schedule, provide notice and conduct a public hearing concerning the application in the manner previously described in Article III, Section 6 and 7.

iii) If a public hearing is not scheduled, the Commission may consider the completed application at its next regular meeting and may grant a Certificate of Appropriateness at that time. The Commission may further designate support staff to be responsible for reviewing routine applications for Certificates of Appropriateness when the proposed work is clearly appropriate and in accordance with the criteria set forth in Article IV, Sections 2(c) and (d) below, and the purposes of this Ordinance.

iv) The Commission may seek technical advice from outside its members on any application for a Certificate of Appropriateness. The applicant and each commissioner shall receive a copy of the consultant's written opinion at least seven (7) days before a determination is to be made on the application. The costs for this technical advice will be paid by petitioner unless included as part of the annual approved budget for the Commission.

v) The Commission shall act promptly and in a reasonable manner in its judgment of plans for new construction or for alteration, removal, or demolition of structures in historic districts that have little historic value, except where such construction, alteration, removal, or demolition would
seriously impair the historic or architectural value of surrounding structures or the surrounding area.

C) Design Guidelines. The Commission shall consider the following factors in reviewing applications for Certificates of Appropriateness:

i) **Height**: The height of any proposed alteration or construction should be compatible with the style and character of the landmark and with surrounding structures in a historic district.

ii) **Proportions of Windows and Doors**: The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark and with surrounding structures within a historic district.

iii) **Relationship of Building Masses and Spaces**: The relationship of a structure within a historic district to open space between it and adjoining structures should be compatible or similar to relationships commonly found between similar structures in the district.

iv) **Roof Shape**: The design of the roof should be compatible with the architectural style and character of the landmark and surrounding structures which are similar in design in a historic district.

v) **Landscaping**: Landscaping should be compatible with the architectural character and appearance of the landmark and of surrounding structures and landscapes in historic districts.

vi) **Scale**: The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in a historic district.

vii) **Directional Expression**: Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures or of its stylistic design. The directional expression of a landmark after any alteration, construction, or partial demolition should be compatible with its original architectural style and character.

viii) **Architectural Details**: Architectural details, including materials and textures, should be treated so as to make a landmark compatible with its original architectural style or character.

D) Standards for Review. The Commission, in considering the appropriateness of any alteration, demolition, new construction, or removal to any property or
structures designated or pending designation as a landmark, or any area
designated or pending designation as a historic district, shall be guided by the
following general standards and any design guidelines in the ordinance
designating the landmark or historic district as well as conformance to applicable
zoning classification, height, and area limitation:

i) 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.

ii) The distinguishing original qualities or character of a building,
structure, site, and its environment shall not be destroyed. The removal or
alteration of any historic material or distinctive architectural feature
should be avoided whenever possible.

iii) All buildings, structures, and sites shall be recognized as products of
their time. Alterations that have no historical basis or that seek to create an
earlier/later appearance shall be discouraged.

iv) Changes that 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.

v) Distinctive stylistic features or examples of skilled craftsmanship that
characterize a building, structure, or site shall be treated with sensitivity.

vi) 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 duplication of
features substantiated by historic, physical, or pictorial evidence, rather
than on conjectural designs or the availability of different architectural
elements from other buildings or structures.

vii) The surface cleaning of structures shall be undertaken with the utmost
care and consideration. Sandblasting and other cleaning methods that will
damage the historic building materials shall not be undertaken.

viii) Every reasonable effort shall be made to protect and preserve
archaeological resources affected by or adjacent to any project.

ix) 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.

x) Wherever possible, new additions or alterations to structures should 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 not be impaired.

E) Determination by Preservation Commission. Within fifteen (15) business days after support staff review, or from the date of the regular meeting, or from the close of a public hearing concerning an application for a Certificate of Appropriateness, or within such further time as the applicant for said certificate (and/or permit) approves in writing, the Commission shall determine whether:

i) The proposed construction, alteration, demolition, removal or other modification will be appropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be issued; or

ii) Such proposed modification is inappropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be denied.

Written notice of the approval or denial of the application for a Certificate of Appropriateness shall be provided the applicant, sent by certified mail with return receipt requested, and to the Kendall County Planning, Building & Zoning Department within seven (7) days (Saturdays, Sundays, and legal holidays excluded) following the determination and shall be accompanied by a Certificate of Appropriateness in the case of an approval.

F) Denial of Certificate of Appropriateness. A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The Preservation Commission shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Preservation Commission to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the difference(s) between the applicant and the Commission. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Preservation Commission.

G) Decision Binding on Planning, Building & Zoning Department. The Director of the Kendall County Planning, Building & Zoning Department shall be bound by the determination of the Commission and approve, if in conformance with other provisions of the Building Code, or disapprove any application for the proposed construction, alteration, removal of an exterior architectural feature, or
demolition of any building or structure in a historic district or any landmark in accordance with said determination.

H) Failure of Commission to Review Application in a Timely Manner. Failure of the Commission to act upon an application for Certificate of Appropriateness within ninety (90) days shall constitute approval and no other evidence shall be needed. This time limit may be waived only by mutual consent of the applicant and the Commission.

I) Demolitions. Pursuant to Article IV, Sections 2(c) and (d) above, the Preservation Commission may deny any application for a Certificate of Appropriateness where demolition is proposed upon a finding that such proposed action will adversely affect the historic, archeological, architectural, or scenic significance of a landmark or historic district. Upon receipt of an application for a Certificate of Appropriateness for demolition, the Preservation Commission shall as soon as possible make a determination, supported by written findings, whether one or more of the following criteria are met:

i) The structure or visual resource is of such interest or quality that it would reasonably meet national, state or local criteria for designation as an historic or architectural landmark.

ii) The structure or visual resource is of such unusual or uncommon design, texture or materials that it could not be reproduced, or could be reproduced only with great difficulty and expense.

iii) Retention of the structure or visual resource would aid substantially in preserving and protecting another structure or visual resource which meets criteria (i) or (ii) hereinabove.

Where the Preservation Commission determines that one or more of these criteria are met, no Certificate of Appropriateness shall be issued and the application shall be denied.

If a demolition permit is issued, the Preservation Commission shall require the applicant to submit for review and consideration post-demolition plans which shall include drawings and sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of any and all improvements incorporated in such plans.

J) Compliance with Certificate. A Certificate of Appropriateness will become void if:

i) If there is any change in the scope of work pursuant to the approved application subsequent to the issuance of the Certificate; or
ii) If twelve (12) months have elapsed after issuance of the Certificate and no building permit has been issued.

K) Appeals. A denial of a Certificate of Appropriateness is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said Administrative Review Law and all amendments and modifications thereof, and the rules adopted thereto.

3. ECONOMIC HARDSHIP

A) The Preservation Commission may issue a Certificate of Economic Hardship upon determination that the failure to issue a Certificate of Appropriateness has denied, or will deny the owner of a landmark or of a property within a historic district all reasonable use of, or return on, the property. Application for a Certificate of Economic Hardship shall be made on a form and in the manner as prescribed by the Preservation Commission. The Preservation Commission may schedule a public hearing concerning the application and provide notice in the same manner as prescribed in Article III, Section 6, of this Ordinance and conduct the hearing in the same manner as prescribed in Article III, Section 7, of this Ordinance.

B) The Preservation Commission may solicit expert testimony and the applicant for a Certificate of Economic Hardship shall submit all of the following information in order to assist the Preservation Commission in its determination on the application:

i) An estimate of the cost of the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Preservation Commission for changes necessary for the issuance of a Certificate of Appropriateness;

ii) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;

iii) Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the Preservation Commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use;

iv) In the case of a proposed demolition, an estimate from a person or entity experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;
v) Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, of any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer;

vi) If the property is income-producing, the annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;

vii) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years;

viii) Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years;

ix) Assessed value of the property according to the two (2) most recent assessments;

x) Real estate taxes for the previous two (2) years;

xi) Form of ownership or operation of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or other.

xii) Any other information, including the income tax bracket of the owner, applicant, or principal investors in the property considered necessary by the Preservation Commission to make a determination as to whether the property does yield or may yield a reasonable return to the owners.

C) Determination of Economic Hardship. Within sixty (60) days from receiving a request for a Certificate of Economic Hardship, the Commission, upon a determination that the denial of a Certificate of Appropriateness has denied, or will deny the owner of a landmark or of a property within a historic district all reasonable use of or return on the property, may undertake one of the following actions:

i) Offer the owner of the property reasonable financing, tax or other incentives sufficient to allow a reasonable use of, or return on, the property; or

ii) Offer to purchase the property at a reasonable price or institute eminent domain proceedings pursuant to Article VII of the Illinois Code of Civil Procedure; or
iii) Issue a Certificate of Appropriateness for the proposed construction, alteration, demolition or removal.

Written notice of the determination shall be provided in the same manner as required by Article IV, Section 2(e) of this Ordinance. This time limit may be waived only by mutual consent of the applicant and the Commission.

D) Appeals. A denial of a Certificate of Economic Hardship is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said law and all amendments and modifications thereof, and the rules adopted thereto.

4. MAINTENANCE OF HISTORIC PROPERTIES
Nothing in this Article shall be construed to prevent the ordinary maintenance of any exterior elements of a property or structures designated or nominated as a landmark or located within a designated or nominated historic district.

5. PUBLIC SAFETY EXCLUSION
None of the provisions of this ordinance shall be construed to prevent any measures of construction, alteration, or demolition necessary to correct or abate the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Director, Kendall County Planning, Building & Zoning Department, the Kendall County Health Department or any Fire Protection District and where the proposed measures have been declared necessary, by such department or departments to correct the said condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section.

In the event any structure or other feature shall be damaged by fire or other calamity, or by Act of Nature or by the public enemy, to such an extent that, in the opinion of the aforesaid department or departments, it cannot reasonably be repaired and restored, it may be removed in conformity with normal permit procedures and applicable laws.

6. DEMOLITION BY NEGLECT
It is the intent of this section to preserve from deliberate or inadvertent neglect the features of landmarks and contributing buildings and structures within designated historic districts.

Periodically, the Commission shall, in conjunction with its ongoing survey operations, survey the exterior of each designated landmark and each property within a historic district to ensure that the property is not suffering from demolition by neglect, as defined in the ordinance. The Commission's Secretary shall document the performance of each annual neglect survey.

Any owner who fails to maintain their building or structure in compliance with this section shall be subject to remedial procedures. Upon a finding by the Commission that a
historic landmark or a contributing building or structure within a historic district is threatened by demolition by neglect, the Commission shall:

(a) Notify the County Board so that they or the appropriate county agency will require the owner to repair all conditions contributing to demolition by neglect.

(b) If the owner does not make repairs within a reasonable period of time the County Board or their agents may make such repairs as are necessary to prevent demolition by neglect. The costs of such work shall be charged to the owner, and may be levied as a special assessment or lien against the property.

ARTICLE V
ENFORCEMENT, PENALTIES AND EQUITABLE RELIEF

1. ENFORCEMENT
The Kendall County Planning, Building & Zoning Department shall give written notification, sent by certified mail, return receipt, postage prepaid requested, of any violation of this Ordinance to the owner of record, lessor, the trustee, or other legally responsible party for such property, stating in such notification that they have inspected the property and have found it in violation of this Ordinance. They shall state in the notification, in clear precise terms, a description or explanation of the violation. The property owner of record, trustee, lessor, or legally responsible party shall have thirty (30) days from the date he receives the notice in which to correct such violation or to give satisfactory evidence that he has taken steps that will lead to correcting such violation within a stated period of time, which time must be agreeable to the Planning, Building & Zoning Department as being fair and reasonable.

Upon petition of the Preservation Commission, the Circuit Court for Kendall County may restrain and/or enjoin any construction, removal, alteration, or demolition in violation of this Act and may order the removal in whole or part of any exterior architectural feature existing in violation of this Ordinance and may further order such reconstruction as may be necessary or desirable to redress any alteration or demolition in said violation.

2. PENALTIES
Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any provisions of this Ordinance, shall be subject to a fine of not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500.00) for each offense. Each day a violation is permitted to exist after notification thereof shall constitute a separate offense.

In the case of an unauthorized demolition of a landmark or any property within a designated preservation district, the Kendall County Building and Zoning Department will refuse to issue a building permit for the subject property for a period of five (5) years after the date of demolition.

The owner or tenant of any building, structure, or land, and any architect, planner,
surveyor, engineer, realtor, attorney, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation.

3. EQUITABLE RELIEF
In addition to other remedies provided by law, Kendall County may institute any appropriate action or proceeding to prevent, restrain, abate or correct a violation of this Ordinance, including, but not limited to, requiring the restoration of property and improvements to its appearance prior to the violation.
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<tr>
<th></th>
<th>Goals</th>
<th>Action Items</th>
<th>Lead Contact</th>
<th>% of Completion</th>
<th>Comments</th>
<th>Open Date</th>
<th>Closed Date</th>
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<td>Execute defined steps outlined below</td>
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<td>Choose focus and measurable goals for each P/A</td>
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<td>Determine steps to accomplish each goal</td>
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<td>2</td>
<td>Complete Reconnaissance Survey of Bristol Township</td>
<td>Accumulate and study existing Reconnaissance Survey Procedure guidance</td>
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<td>Review and update reconnaissance survey procedure</td>
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<td>Solicit commission members and volunteers to survey</td>
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<td>Provide tools necessary to complete tasks</td>
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<td>Assign deadlines to information collection</td>
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<td>Review and select high priority candidates for further study</td>
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<td>Identify Highest Priority Targets in Oswego Township</td>
<td>Finalize desirable characteristics and method for defining highest priorities</td>
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<td>Review existing data and photos and apply methodology</td>
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<td>Determine, among high priorities, if additional study is needed</td>
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<td>Identify Highest Priority Targets in Na-au-say Township</td>
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<td>Identify Highest Priority Targets in Steward Township</td>
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<td>3</td>
<td>Designate First Landmark</td>
<td>Complete Guidelines / Standards /Application</td>
<td>Richard</td>
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<td>Define Plaque Program and Plaque Design</td>
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<td>Identify Landmark property in the county (Farnsworth House)</td>
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<td>Research for historical significance</td>
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<td>Develop handout summary of benefits and process</td>
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<td>Contact owner and explain value of Landmark Status</td>
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<td>Owner, with assistance of commission if needed, completes application</td>
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<td>Commission reviews application (see Flow Chart - Timeline for LA process)</td>
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<td>Present Recommendation to County Board</td>
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<td>Order, receive, install and publicize Plaque</td>
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2013 Project Tracker

7/11/2013
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<th>Goals</th>
<th>Action Items</th>
<th>Lead Contact</th>
<th>% of Completion</th>
<th>Comments</th>
<th>Open Date</th>
<th>Closed Date</th>
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</table>
| 3 Designate Second Landmark | Identify Landmark property in the county (Farmsworth House)  
Research for historical significance  
Develop handout summary of benefits and process  
Contact owner and explain value of Landmark Status  
Owner, with assistance of commission if needed, completes application  
Commission reviews application (see Flow Chart -Timeline for LA process)  
Present Recommendation to County Board  
If accepted - Order, receive, install and publicize Plaque | | | | | |
| 4 Acquire Certified Local Government Status | Research steps and requirements for obtaining certification  
Review ordinance, make necessary modifications to qualify for CLG  
Educate County Board on advantages of CLG (primarily financial)  
Request ordinance amendment approval from board  
Make application to SHPO for CLG status  
Identify funding and support needs and apply for grants | | | | | |
| 5 Education and Outreach | Identify highest priority education issues for commission  
Acquire educational materials and/or invite lecturers speak at meetings  
Identify two public outreach opportunities and select dates  
Plan public outreach #1 (printed material, PR, location, invitation list, etc.)  
Plan public outreach #2 (printed material, PR, location, invitation list, etc.)  
Execute public Outreach #1  
Execute Public Outreach #2  
Define communication plan for County Board  
Compile materials for County Board presentations  
Identify changes to HPC section of County website  
Enact changes to website | | | | | |
| 6 Intergovernmental Agreement | Develop a template agreement as a starting point  
Review template with legal  
Determine first community with valid landmark  
Secure Kendall County board approval  
Set meeting with community leaders  
Execute agreement | | | | | |
| 0 Administrative responsibilities | Election of Officers  
Recruitment of commissioners  
Budget development and Review  
Annual review and modifications to Kendall County Historic Preservation Ordinance  
Mission Statement Development and periodic review  
Organizations, membership and conference attendance | | | | | |
# 2013 KC HPC Budget

## Budget Allocation

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**Total Expenses** $ (1,200.00)

| Balance                          | $ -       | $ (195.00) | $ (1,005.00) | $ (1,200.00) |

7/11/2013
2013

Kendall County Historic Preservation Commission

[Type the author name]

[PRESERVATION PLAN]
Aligning and Prioritizing the actions of the Kendall County Historic Preservation Commission to help achieve the goals of the Kendall County Board and designating action items to preserve the historic resources of Kendall County
INTRODUCTION

Historic properties have a way of disappearing. They quietly fall prey to demolition, neglect, or renovations that alter them beyond recognition. Building by building, site by site, the evidence of a community's heritage can gradually be lost through private and public action and inaction, taking with it much of the community's character, individuality, and vitality.

Like any limited resource, historic properties need careful planning and management to ensure their survival for current and future generations. They are subject to the complex pressures and issues of modern society, and often their preservation appears to be at odds with the immediate needs for affordable housing, economic revitalization, employment, education, and so on.

Remarkably, though, the preservation of our heritage is not a mere luxury. It actually helps combat the very problems that plague our communities by stabilizing neighborhoods, providing affordable housing, lowering crime, stimulating private investment, bringing people and businesses back downtown, attracting tourists, and strengthening community pride.

There are numerous ways a community can work to preserve its historic properties. A few include: a historic preservation ordinance or resolution, zoning, demolition moratoria, downtown revitalization programs, local economic incentives, promoting the federal rehabilitation tax credit (especially in combination with the low-income housing tax credit), and public education programs. The best approach is to use a combination of tools, specially chosen and integrated to suit local needs.

A historic preservation plan is a statement of the community's goals for its historic properties and the actions it will take to reach those goals. It is most effective when it is a component of a community's master plan and is coordinated with other policies for housing, economic development, transportation, agriculture, tourism and natural resources and archeology.

The plan at its best, however, is more than a written document. It should be a continuous process that brings together citizens and interest groups and helps them identify where their diverse goals complement historic preservation and how they can work together to preserve their local heritage.

OR

Why Historic Preservation?

The history of a community contributes to its personality. Preserving the history of a place through its historic properties gives a community its unique character. Historic preservation provides a link to the roots of the community and its people. It provides economic development opportunities in tourism and construction related jobs for repair and rehabilitation. Overall, historic preservation adds to the quality of life making for a more livable community.
Historic preservation is beneficial to the community in the following ways:

- Culturally a community is richer for having the tangible presence of past eras and historic styles.
- Economically a community benefits from increased property values and tax revenues when historic buildings are protected and made the focal point of revitalization and when the community is attractive to visitors seeking heritage tourism opportunities.
- Socially a community benefits when citizens take pride in its history and mutual concern for the protection of the historic building fabric.
- Developmentally a community benefits from having a concerted and well defined planning approach for the protection of historic buildings while accommodating healthy growth.
- Environmentally a community benefits when historic buildings are recycled (restored, rehabilitated) rather than demolished and disposed of in the community landfill.
- Educationally a community benefits through teaching local heritage and the understanding of the past and the resultant cultural respect by its citizens.

**Why Preservation Planning?**

Historic preservation efforts can be influenced by local, state, and national social, political, economic, legal and other factors. These influences can come from private enterprises or public agencies. Successful preservation planning recognizes these influences and utilizes a process for resolving conflicts from various interest groups and reaching consensus within the community.

Historic preservation planning is important for the following reasons:

A. To clearly state goals of preservation in the community.
B. To let residents know in advance how the community wants to grow and what the community wants to protect.
C. To assure consistency between various government policies that affect the community's historic resources.
D. To educate and inform citizens about their heritage and its value to the community.
E. To create an agenda for preservation activities and to create a way to measure progress in protecting historic resources.
F. To comprehensively address issues relating to tourism, zoning, traffic patterns, development patterns, and design that affect historic preservation.
G. To encourage economic development through the preservation of historic resources.
H. To strengthen the political understanding of and support for historic preservation policies.

A. How to use this document
B. Participants in authoring this document
   A. Add Commission members names here
MISSION OF THE KENDALL COUNTY HISTORIC PRESERVATION COMMISSION (HPC)

To identify, designate, protect, preserve and encourage the restoration, rehabilitation and adaptation for continued use of those properties and structures which represent or reflect their historic, cultural, artistic, social, economic, ethnic or political heritage of the USA, State and County or which represent an architectural or engineering type inherently valuable for the study, style, period, craftsmanship, method of construction or use of indigenous materials.

There should be a paragraph which clearly summarizes the KCHPC overall service as providing expertise and resources in an advisory capacity to the county board, to conduct hearings and make recommendations to those in the position to grant or deny approvals and to act on behalf of the stated objectives of the board to assist them in the goals of the LRMP.

KENDALL COUNTY'S LAND RESOURCE MANAGEMENT PLAN (LRMP)

The following excerpt is extracted from SECTION ONE of Kendall County's 2011 Land Resource Management Plan.

A comprehensive plan is a vision of the future; it is essentially an end-state toward which the municipality or county works. The plan builds the rationale for and illustrates the most appropriate use of land within the jurisdiction, and depicts the facilities and services necessary to support the development of those land uses. Comprehensive plans anticipate that the county and municipalities will adopt the appropriate decisions, fund the appropriate programs, and install the appropriate facilities that will implement the plan. Most plans do not propose how to take appropriate actions, who should take them, or when they should be taken.

The County wishes to adopt a plan that can be implemented. It has chosen to prepare a Land Resource Management Plan (LRMP) with a structure that leads to successful implementation. The Illinois Local Land Resource Management Planning Act, P. A. 84-865 is the enabling act that allows the County this method of planning. The LRMP has a comprehensive planning process as an essential element. In addition, the LRMP also has a parallel framework for the physical and functional characteristics of the county, while instituting strategic decision making. It is important to note that local incorporated municipalities have jurisdiction over land use and zoning decisions within their corporate boundaries (WF – including historic preservation). Kendall County only has zoning authority over unincorporated areas. However, one of the clear goals of the LRMP process is to promote coordinated planning. (WF and one of the goals of the KCHPC is to offer its resources to those municipalities that do not currently have a preservation authority through the implementation of Intergovernmental agreements).
The strategic side or management side of the process is intended to be parallel to the planning process. In planning, goals and objectives guide the comprehensive plan. In management, goals and objectives guide the strategic plan. These two paths are not independent. There must be substantial agreement and overlap between the plan and reasonable actions to implement that plan.

Essentially, the planning process delineates "where we should go" over the ten-year time-frame of the Plan, while the management process proposes "how we can get there." The goals and objectives prepared for the Kendall County LRMP show how the planning goals are oriented toward a physical end state in the relationship between land-uses and the supporting public support systems. The management goals were prepared to give direction to fundamental government and private actions that will build that physical end-state relationship.

HISTORIC PRESERVATION COMMISSION’S SUPPORT OF THE LRMP

Kendall County’s LRMP is divided into TEN SECTIONS. The KCHPC examined Sections THREE, FOUR and FIVE to focus on assisting the County Board in meeting its stated goals. The relevant preservation topics from each of these sections are reiterated below followed by the KCHPC activity that aligns with each relevant objective.

LRMP - SECTION THREE - PLANNING GOALS AND OBJECTIVES

A) Natural Resources – (3) Energy Conservation

GOAL: An Energy wise and energy efficient county

OBJECTIVE D - Encourage energy efficiency in site planning and building design

Preservation is naturally aligned with meeting the objective of energy efficiency. Historic districts are viable, environmentally-friendly communities. Most are pedestrian oriented neighborhoods with an abundance of green space and a building density that efficiently uses land and resources. Historic structures are inherently "green." Many older buildings were constructed with locally available materials and used energy efficient design and construction techniques. The traditional design of older buildings often includes such features as passive heating and cooling as well as siting and building orientation sensitive to environmental and topographical factors.

Through the preservation of existing materials of historic structures, the "embodied energy" – that energy which was used to construct them – is conserved. By maintaining existing materials and adapting them with low impact energy technologies, historic structures and neighborhoods can stand as models of environmental stewardship.
through their dramatic reduction of energy use, material resources, and waste associated with new construction.

B) Archeological, Cultural and Historic Places

GOAL: The preservation of the County’s cultural heritage and scenic character.

OBJECTIVE A: Identify and conserve historically significant structures, areas, and open spaces.

The Historic Preservation Commission will continue to conduct a survey and assemble a database connected to the county GIS to identify buildings, structures, areas, sites and landscapes that are of historic, archeological, architectural or scenic significance and therefore, potential landmarks or historic districts. (See details of survey process in next section)

OBJECTIVE B: Carefully control urban development and countryside conditions so as not to conflict with the scale and character of nearby historic homes, landmarks and sites.

In an effort to assist in the county’s preservation goals, the HPC will periodically review any Kendall County Comprehensive plan (LRMP) or its amendments and assist in the development of a preservation component for that plan. KCHPC will advise the Regional Plan Commission, the Planning, Building and Zoning Committee and the County Board.

The KCHPC will create a “Historic Landmark and District Preservation Plan.” The Plan shall be presented to the KC PBZ Department for consideration and recommendation to the County Board for inclusion in the LRMP.

KCHPC will then hold public hearings and recommend to the KCB the designation of landmarks and historic districts as appropriate. The recommendation will be done in accordance with the prescribed direction documented in Ordinance #xx

OBJECTIVE C: Increase awareness of the history and culture upon which Kendall County is built.
The HPC will inform and educate the citizens of Kendall County concerning the historic, archeological, architectural or scenic heritage of the County by publishing appropriate maps, newsletters, brochure and pamphlets and by holding public hearings, programs and seminars.

OBJECTIVE D: Preserve the importance and function of existing central business districts

The HPC will advise and assist owners of landmarks and properties within potential or designated historic districts on physical and financial aspects of preservation, renovation, rehabilitation and reuse and on procedures for inclusion on any local, state or federal register of historic places. The HPC will advise and assist communities and areas in creating historic districts that seek to improve their unique identity and preserve its historic character.

C) Economy of the Area

GOAL: A strong base of agriculture, commerce and industry that provide a broad range of job opportunities, a healthy tax base and improved quality of services to county residents.

OBJECTIVE E: Promote the revitalization of existing retail and commercial areas

D) Urban Development

GOAL: A pattern of compact contiguous urban development, countryside residential and agricultural environments in a natural equilibrium that enhances the quality of personal and community life.

OBJECTIVE B: Establish a pattern of development that supports a sense of community.

OBJECTIVE C: Promote a revitalized central business district as the central focus of each community.
F) Housing

GOAL: Management of the quantity, quality, location and rate of housing development to insure the efficient use and conservation of the County’s natural and public resources

OBJECTIVE 2: Continue to improve deteriorating residential areas, and assure safe, healthy, and attractive communities through preventive maintenance and appropriate reinvestment that can include the County’s weatherization program.

LRMP - SECTION FOUR - MANAGEMENT GOALS AND OBJECTIVES

A) Planning

GOAL: A system of county wide, comprehensive, functional and target area planning in support of municipal, township and other agency planning efforts, which supports decision making for county wide land resource management and the management of change

OBJECTIVE 1: Anticipate change and provide decision-makers with insight on alternatives and consequences.

B) Regulatory Techniques

GOAL: Regulation and enforcement techniques necessary to protect the public health property, the natural environment and the aesthetic value of the county including zoning, subdivision, storm water management, signage, building and other development standards

OBJECTIVE 5: Incorporate environmental design criteria and performance standards in development controls to protect natural, scenic, historic, and environmental areas and minimize adverse impacts. The proposed County-Wide Storm water Authority and plan/ordinance will incorporate many such standards.

OBJECTIVE 6: Require that all development preserve significant natural features such as vegetation, wildlife, waterways, floodplains, wetlands, woodlands, and scenic vistas.

The HPC will periodically review the Kendall County comprehensive plan or its amendment to assist in the development of a preservation component for that comprehensive plan. The HPC will support the
F) Governmental Cooperation

GOAL: A mutually supportive, non-adversarial team of municipal, township, school, park, county and other governments working toward the benefit of everyone in Kendall County (Intergov agreements)

OBJECTIVE 2: Need to pick the one that best aligns with our goal of intergovernmental agreements and representation or offer of services to the preservation interests of a community within Kendall County.

Discuss intergovernmental agreements

H) Education and Involvement

GOAL: An informed population actively participating in public decision regarding the use of land and the future of Kendall County

OBJECTIVE 1: Educate the Public and municipal agencies of threats to environmental conditions within Kendall County and potential impacts through a coordinated effort between the County Planning, Building and Zoning Department, Health Department, Forest Preserve District and other county agencies. (Should we ask that the Preservation Commission be added to this list?)

Add our response to meeting this objective

OBJECTIVE 4: Maintain a strong public hearing process for county, township and local review of development proposals with notice to residents and surrounding government agencies that provide adequate and timely information about proposed development and potential impacts during the decision making process.

Add our response to meeting this objective

OBJECTIVE 6: Continue to promote recycling to reduce waste and reduce the need for additional landfill capacity.

Add our response to meeting this objective

I) Information

GOAL: Data collected, maintained and managed as a central data base regarding property conditions and the environment of the county accessible by county and municipal agencies and private individuals.
OBJECTIVE 1: Maintain up-to-date and easily accessible records of information regarding land use conditions, environmental conditions, jurisdictional boundaries, public facility capacities and local and regional land use plans. Such information is currently available to the public on the internet at http://gis.co.kendall.il.us.

LRMP - SECTION FIVE – LAND RESOURCE AND MANAGEMENT AREA POLICIES

OVERLAY Areas – should we suggest the addition of defined historic districts and eventually scenic highways as potential overlay areas in this section?

The LRMP is based on the following Planning Policies for Urbanized Communities:

11. Encourage the preservation and enhancement of historic and cultural sites and structures within urbanized communities

The HPC will continue to survey, evaluate and document Kendall County's historic and cultural resources. The HPC will advise and assist communities in the development of historic districts that will improve the the unique identity of historic urbanized areas.

The LRMP is based on the following Planning Policies for Rural Settlements:

5. Preserve and enhance places of cultural or historic significance in preservation districts or sites, whether within municipal boundaries or in unincorporated lands.

The HPC will periodically review the Kendall County comprehensive plan or its amendment to assist in the development of a preservation component for that comprehensive plan. The HPC will support the preservation component to the Regional Plan Commission, the Planning Building and Zoning Committee and the County Board.

The LRMP is based on the following Management Policies for Rural Settlements:

d. The County and rural communities may enter into intergovernmental agreements, with the County providing planning, building, and zoning support to the rural community with appropriate reimbursement.
The HPC will engage communities within the county and offer to develop intergovernmental agreements that will allow the community, the commission and the County Board to act in concert to landmark and protect the historic components within those communities.

The LRMP is based on the following Planning Policies for Agriculture:

5. Preserve and enhance places of cultural or historic significance to the rural landscape.

The County will assist in the preservation of the agricultural economy in Kendall County through the Farmland Preservation Committee.

Does this actually exist?

The LRMP is based on the following Planning Policies for the entire County:

7. Encourage the growth of the tourism industry by reinforcing the viability of the county’s historic, open space, and recreation resources, especially along the Fox River and within state and county parks and forest preserves.

The HPC believes that civic pride and community character are directly affected by its historic resources. The Commission will strive to protect the unique amenities the county has to offer and will lend its expertise to all tourism interests, working with the AACVB, FPD, Conservation Foundation and private individuals and businesses which offer tourism related services to visitors.

8. Encourage preservation of Kendall County history for public education and enjoyment.

The HPC will inform and educate the citizens of Kendall County concerning historic, archeological, architectural or scenic heritage of the county through its public outreach programming which will include enhancing county maps to reflect locations of historic resources, creating and distributing newsletters, brochures and pamphlets and by holding public hearings and public programs.

9. Discourage non-essential changes to scenic and historic roads that traverse scenic or historic areas.
The HPC will assist the county in recognizing threats to areas of scenic beauty and potential risks to historic properties brought about by development or neglect.

The LRMP is based on the following Management Policies for the entire County:

o. The County has established an historic preservation commission to protect and enhance historic buildings and sites within incorporated and unincorporated sections of the County. The commission has established and will maintain a registry of buildings, sites, districts and places on the National Register of Historic places, and those properties that may be of local historic significance but not yet on the Register. The Commission will work closely with state and municipal agencies to promote and coordinate historic preservation in Kendall County.

The HPC will advise and assist the owners of historically significant property within potential or designated historic districts, potential or designated landmarks, and potential or designated National Register candidates. The HPC will educate the citizens of the county on physical and financial aspects of preservation, renovation, rehabilitation and reuse, the procedures for inclusion on any federal, state or local historic registry and the value and process for establishing historic districts.

p. The County’s Historic Preservation Commission will research the historic significance of each property proposed for its local historic registry. Once approved, it may install permanent historic notes in an appropriate and visible location. The County will work with school districts, the Kendall County Historical Society and recreation agencies to encourage an increase in the historic literacy of Kendall County.

The HPC will recommend and review applications for landmark status within the county and any municipality with whom there is an intergovernmental agreement. The Commission will hold public hearings in accordance with the procedures outlined in the Historic Preservation Ordinance and will, upon conclusion, make a recommendation to the county board for their consideration and vote.
q. The County and municipalities must pay special attention to the siting and development of new uses in proximity to historical or cultural sites to increase the attractiveness of that area for recreation and tourism.

The HPC will assemble recommendations to establish historic districts, identify scenic areas and confirm archeologically or culturally significant sites and will compile this data for inclusion on the County’s GIS mapping system.

HISTORIC PRESERVATION COMMISSION PROJECTS

Ordinance 2006-067 outlines the 24 powers and authorities of the HPC. Over the past seven years, several projects were started, some completed. This list aligns those projects with the power/authority under which they fall. An estimate of completion date is provided as well.

Our defined highest priority goals for 2013:

1. Develop a five year Historic Preservation Plan

2. Continue to perform a reconnaissance survey and link preliminary data to the County’s GIS and identify structures with highest potential significance for possible landmark nomination (2013 Goal to Complete Bristol Township)

3. Nominate and secure County Board support for 2 landmark designations

4. Apply for Certified Local Government status for Kendall County to provide an opportunity for subgrants for owners of historic properties and potential tax benefits for owners of commercial landmarks.

5. Continually enhance the commission’s understanding of historic preservation and educate the public and private county citizens about the economic advantage, quality of life and community character enrichments offered through preservation by participating in a minimum of two countywide events in 2013.

6. Develop and be prepared to execute an intergovernmental agreement with a community that contains potentially significant historic properties or districts which does not currently have an historic preservation commission or methodology for recognizing their significant structures

C) Aligning our ordinance to our activities
   a. Describe projects completed to date
   b. Outline ongoing projects and the timeline for their completion, aligned with our powers and authorities (See excel spreadsheet currently being discussed as 5 yr temp)
   c. Describe more detail about the projects to be completed in 2014 (?)

D) Recommendations (Changes to the process?)
a. The KCHP commission would like to be notified when changes are proposed to the following county documents/processes so the Commission might lend their expertise in the form of recommendations.
   i. The LRMP/Comprehensive Plan for the county
   ii. Historic Preservation related building codes
b. Proposed changes to Ordinance
c. Benefits of the CLG application

E) Conclusion
   a. 