

ARTICLE III - DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS

1. Surveys and Research. The Preservation Commission shall undertake an ongoing survey 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 survey, the 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 Commission shall make an effort to systematically identify potential landmarks and districts and adopt procedures to nominate them 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 may prepare a "Historic Landmark and District Preservation Plan."
 - b) Any such Preservation Plan shall be presented to the Will County Land Use Department for consideration and recommendation to the County Board for inclusion in the Will 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. The Preservation Commission or any person may propose landmarks or preservation districts for designation by the County Board by filing a nomination for any property or properties and structures located in an unincorporated area within the geographical boundaries of Will County and those municipalities as provided for by statute. Nomination forms shall be filed with the Will County Land Use Department.

Such forms shall be provided by the Commission and, when submitted, shall include or be accompanied by all of the following information:

- a) The name and address, as shown on the tax assessor's rolls of the owner of record of the nominated property.
 - 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) In nominating an area for designation as an preservation 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) There shall be no fee for submitting a nomination form to the Commission for designation of a historic landmark or preservation district.
4. Criteria for Consideration of Nomination. The Commission may recommend to the County Board the designation of landmarks and preservation districts, where not more than fifty percent (50%) of the property owners whose property is located within the boundaries of the proposed district object to designation, when after a thorough investigation results in a determination that a property, structure or 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 of Will, State of Illinois or the Nation;
- c) Its location is a site of a significant local, County, State, or National event;
- d) It is identified with a person or persons who significantly contributed to the development of the local community, County of Will, State of Illinois, or the Nation;
- e) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
- f) 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, County of Will, State of Illinois, or the Nation;
- g) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
- h) It embodies design elements that make it structurally or architecturally innovative;
- i) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;
- j) It has character which is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;
- k) It is suitable for preservation or restoration;
- l) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.
- m) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance. In the event a property, structure, or an area is found to be of such significant character and quality where it is determined that its designation as a landmark or preservation district is in the overall best interest of the general welfare, any person may nominate and the Commission may recommend to the County Board such appropriate designation.

5. Initial Report and Recommendation of Preservation Commission. The Preservation Commission shall within fourteen (14) calendar days from receipt of a completed application for designation cause to be written an initial recommendation and report stating whether the nominated landmark or preservation 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 preservation district as it relates to the criteria for designation;
- b) A description of the integrity or lack of integrity of the nominated landmark or preservation district;
- c) In the case of a nominated landmark found to meet the criteria for designation:
 - i) A description of the significant exterior architectural features of the nominated landmark that should be protected;
 - ii) A description of the types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit, that should be reviewed for appropriateness pursuant to the provisions of Article IV, Sections 2(c) through 2(d) of this Ordinance;
- d) In the case of a nominated preservation district found to meet the criteria for designation:
 - i) A description of the types of significant exterior architectural features of the structures within the nominated preservation district that should be protected;
 - ii) A description of the types of alterations and demolitions that should be reviewed for appropriateness pursuant to the provisions of Article IV, Sections 2(c) through 2(d) of this Ordinance;
- e) The relationship of the nominated landmark or preservation district to the ongoing effort of the Preservation Commission to identify and nominate all potential areas and structures that meet the criteria for designation;

- f) A map showing the location of the nominated landmark and the boundaries of the nominated preservation district. The recommendation and report shall be available to the public in the office of the Will County Land Use 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 and a copy of the completed nomination form shall be sent by certified mail to the owner(s) of record and to the nominators, as well as by regular mail to property owners adjoining the nominated landmark or preservation district as 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 and the boundaries of a nominated preservation 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 from any person or organization 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 preservation district relative to compliance with criteria for consideration set forth above in Section 4 of this Article. The owner of any nominated landmark or of any property within a nominated preservation district shall be allowed reasonable opportunity to present evidence regarding historic, archaeological, architectural or scenic significance and shall be afforded the right of representation by counsel and reasonable opportunity to cross-examine expert witnesses. The hearing shall be closed upon completion of testimony.
8. Recommendation of Preservation Commission. Within 60 days following close of the public hearing, the Commission shall make its determination upon the evidence whether the proposed landmark or preservation district does or does not meet the criteria for designation. A recommendation to the County Board regarding the proposed landmark or preservation 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 preservation 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 preservation district should be designated, shall review the report and recommendations of the Preservation Commission. 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 or preservation district by ordinance; or (b) refer the report and recommendation back to the Preservation Commission with suggestions for revisions stating its reason for such action.

Upon return of the report and recommendation to the Commission, the Committee shall review the County Board action resubmission therein finding within forty-five (45) days of the County Board meeting. The County Board shall designate or not designate the landmark or preservation district at the next regularly scheduled County Board meeting. If the County Board fails to act on the Preservation Commission recommendation within sixty (60) days the recommendation of the Preservation Commission shall be deemed approved.

10. Resubmission of Application. Resubmission of any application for landmark or preservation district designation may be made not sooner than ninety (90) days of County Board action. 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 or preservation district, shall be sent by regular mail to all persons of record, including but not limited to each owner of record of a landmark or property within a preservation district and to owners of adjacent and immediately surrounding properties affected by a Certificate of Appropriateness. Further, as soon as is reasonably possible, the County Executive shall cause to be notified the Will County Land Use Department, the Recorder of Deeds, the County Clerk, and the Will 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 preservation districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the office of the Will County Land Use Department and at the same location and in the same manner as any County zoning map.
13. Appeals. Adoption of an ordinance designating a landmark or preservation district by the Will County Board shall be a final action reviewable under Section 3-101 of the Illinois Administrative Review Law.
14. Interim Code. No building permit shall be issued by the Building Officer for alteration, construction, demolition, or removal of a nominated landmark or of any property or structure within a nominated preservation district from the date of the meeting of the Preservation Commission at which a completed nomination form is first presented 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. In no event shall the delay be for more than one hundred twenty (120) days.
15. Marking by Attachment of a Plaque. Each designated landmark, landmark site and preservation district may be marked by an appropriate plaque carrying a brief description and account of the historical significance of the property.
16. Amendment and 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.
17. Transfer of Jurisdictional Control. Should a designated landmark, landmark site or preservation district be incorporated into a municipality with a preservation ordinance, that municipality's preservation ordinance shall govern. If a municipality annexes a designated landmark, landmark site or preservation district and does not have a preservation ordinance, the County's preservation ordinance will continue to govern.