

Section 1.5.5.1 - Establishment and Expansion of Local Historic Districts

- (a) *General Procedures* . Except as provided in this Section, a petition to establish or expand a historic (HD) zoning district (see Chapter 4) shall be processed and decided in accordance with the procedures governing a petition for an overlay zoning district under Division 2 of this Article 5.
- (b) *Recommendation of Historic Preservation Commission* . Before the establishment of a historic zoning district, the Historic Preservation Commission shall carry out the following activities:
 - (1) The Historic Preservation Commission shall cause a report to be prepared that identifies the historic significance of the exteriors of buildings, structures, features, sites, objects and surroundings in the area of the proposed district. This report shall reflect the current characteristics of the area of the proposed new district or expansion of an existing district. The report shall contain the Historic Preservation Commission's recommendations on the area to be included in the proposed historic zoning district(s). The recommendation shall take into account the following factors:
 - a. Historical, architectural and cultural significance of the site(s);
 - b. Suitability for preservation or restoration;
 - c. Educational value; and
 - d. Satisfaction of criteria established for inclusion of the site(s) and/or district in the National Register of Historic Places.
 - (2) Upon completion, the initial report and recommendations of the Historic Preservation Commission shall be delivered to the Planning and Zoning Commission and to the State Historical Commission for review.
 - (3) The Historic Preservation Commission shall hold a public hearing on the establishment of the proposed district and shall provide:
 - a. The hearing shall be held at least 30 days after the transmittal of the report to the Planning and Zoning Commission and to the State Historical Commission and prior to the Planning and Zoning Commission's consideration.
 - b. Written notice of the public hearing will be mailed to the owners of all properties to be included in the district and published in a newspaper of general circulation in the City, in accordance with the legislative and personal notice provisions of Article 3, Division 2 of this Chapter 1.
 - (4) After the public hearing, the Historic Preservation Commission shall submit its final report and recommendations on the establishment of the historic zoning district to the Planning and Zoning Commission, which action shall constitute the initiation of the petition to establish the landmark, if no other petition has been filed to designate the landmark.
 - (5) Subsequent to the Planning and Zoning Commission's action, the final report, including the proposed ordinance and the recommendations of both commissions, shall be forwarded to the City Council for action. The ordinance shall provide for a suitable sign or marker on or near the property indicating that the property has been so designated, and shall set forth any restrictions on development or utilization of the landmark. One copy of the ordinance shall be filed in the office of the county clerk of the county in which the property is located.
- (c) *Planning and Zoning Commission and Council Consideration*.
 - (1) The Planning and Zoning Commission shall not schedule a public hearing on the establishment of a historic zoning district until it receives the final report and recommendations of the Historic Preservation Commission.
 - (2) The Planning and Zoning Commission in making its recommendations and the City Council in deciding the petition for establishment of an historic district shall take into consideration the report and recommendations of the Historic Preservation Commission.

(Ord. No. 2006-45, § 5, 9-19-06; Ord. No. 2009-73, § 6, 12-1-09)