

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda


 X Resolution or Ordinance (Blue) X *Waiver of First Requested*
 X Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: August 8, 2016 (B of T) Date: August 18, 2016

TITLE: Historic Preservation Commission; Certified Local Government
Application Request

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Historic Preservation Commission transmits for your consideration its recommendation regarding the above-referenced application request. This request is based on discussions held over the course of three regularly scheduled Commission meetings.

1. A Resolution authorizing the filing of an application for Certified Local Government status in regard to Historic Preservation.
2. An Ordinance amending Title III., Chapter 32, Sections 32.076(A) of the Lombard Village Code in regard to the Lombard Historic Preservation Commission.

So these matters can be concurrently considered, staff recommends a waiver of first reading of the companion ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____


Finance Director X _____ Date _____

Village Manager X _____ Date _____



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development 

DATE: August 18, 2016

SUBJECT: **Historic Preservation Commission;
Certified Local Government Application Request**

Please find the following items for Village Board consideration as part of the August 18, 2016 Board meeting:

1. Summary Referral Letter
2. A Resolution authorizing the filing of an application for Certified Local Government status in regard to Historic Preservation.
3. Application Letter
4. An Ordinance amending Title III., Chapter 32, Sections 32.076(A) of the Lombard Village Code in regard to the Lombard Historic Preservation Commission. (The Illinois Historic Preservation Agency requires that Historic Preservation Commission meet a minimum of four times per year for the CLG program. Section 32.076 of the Lombard Zoning Code for Article VI. Lombard Historic Preservation Commission states "The Commission shall meet as provided in its rules, but not less than semi-annually." Therefore the code needs to be adjusted for this requirement in addition to reflect the Commission's long standing schedule of meeting quarterly and as stated in their by-laws under Article V. Meetings.)

Please place this resolution and ordinance on the August 18, 2016 Board of Trustees agenda. So these matters can be concurrently considered, staff recommends a waiver of first reading of the companion ordinance.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

August 18, 2016

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
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"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: Certified Local Government Application Request

Dear President and Trustees:

Your Historic Preservation Commission transmits for your consideration its recommendation regarding the above-referenced application request. This request is based on discussions held over the course of three regularly scheduled Commission meetings.

SUMMARY OF BENEFITS

Chairperson Schneider and Commissioner Poskocil attended the National Alliance of Preservation Commissions Workshop held in January and a Chicago Suburban Preservation Alliance meeting held in May. The Certified Local Government (CLG) program was discussed at both events.

It has been determined that local governments are influential in historic preservation, and the CLG program provides support by offering technical assistance, awarding grants (currently 70% federal with 30% local funds), and coordinating a network of participating communities. In addition, when preservation ordinances are certified by the State Historic Preservation Office, local governments may participate in state and federal incentive programs.

Specific incentives include properties located in certified historic districts can qualify for the 20 percent income tax credit. Certification also extends the Property Tax Assessment Freeze benefit to local landmark and residences within local districts. The program can freeze the assessed value of historic owner-occupied, principal residences for a period of eight years, followed by a four year period during which the property's assessed value steps up to an amount based upon its current market value. This results in twelve years of reduced property taxes. The program requires that the cost of the rehabilitation equals a minimum of 25% of a property's fair cash value and the application must be submitted within two years of the project completion. Therefore, this program would only apply to projects underway or in the future.

RESEARCH OF OTHER COMMUNITIES

Commissioner Zabela contacted Barrington, Berwyn and St. Charles. Staff contacted Downers Grove, Glen Ellyn, Hinsdale, Lemont and Plainfield. The overall experience of being a CLG was reported to be positive according to all eight of the communities interviewed. Minimal staff time is required to prepare the required annual report and estimated to take approximately 2-10 hours depending on the level of activity. CLG activities do not require time separate from typical historic preservation duties. Downers Grove provided a copy of their resolution and application for reference.

PAST ACTIONS IN 2016

- January 19: the topic was discussed and further research was requested for the next scheduled meeting;
- April 19: voted to further study the CLG program;
- July 19: the Commissioners voted unanimously to recommend applying for the Certified Local Government program.

Respectfully,

VILLAGE OF LOMBARD

Rita Schneider, Chairperson
Lombard Historic Preservation Commission

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING
THE FILING OF AN APPLICATION FOR
CERTIFIED LOCAL GOVERNMENT STATUS
IN REGARD TO HISTORIC PRESERVATION**

WHEREAS, the President and Board of Trustees (the "Village Board") of the Village of Lombard (the "Village") have heretofore adopted Title III., Chapter 32, Sections 32.075 through 32.079 of the Lombard Village Code (the "Historic Preservation Ordinance"); and

WHEREAS, the Certified Local Government Program, which was established by the National Historic Preservation Act Amendments of 1980, provides municipalities and counties with the opportunity to participate as partners in State and Federal historic preservation activities; and

WHEREAS, in general, to become a Certified Local Government, a municipality must:

- (i) have a historic preservation ordinance;
- (ii) establish a historic preservation review commission;
- (iii) have a historic preservation plan, which includes goals and objectives;
- (iv) have an active local survey program to identify historic properties; and
- (v) provide for public participation in regard to the historic preservation program;

and

WHEREAS, the Lombard Historic Preservation Commission has recommended that the Village apply for Certified Local Government status under the Certified Local Government Program; and,

WHEREAS, the Board of Trustees of the Village has determined that it is in the best interests of the Village to make an application for Certified Local Government status pursuant to the Certified Local Government Program, as said status will provide the Village with the following benefits:

- (i) having an active role in the National Register of Historic Places review process;
- (ii) eligibility for matching grant funds to assist in the implementation of historic preservation programs;
- (iii) technical assistance from the Illinois Historic Preservation Agency; and
- (iv) resident eligibility in the Property Tax Assessment Freeze Program;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Village staff are hereby directed to work with the Lombard Historic Preservation Commission to submit the proper application materials to the Illinois Historic Preservation Agency, to obtain Certified Local Government status for the Village, pursuant to the Certified Local Government Program, including, but not limited to, the following:

- A. A written assurance by the Village President that the Village fulfills the requirements for Certified Local Government status, as attached hereto as Exhibit A and made part hereof;
- B. A copy of the Village’s Historic Preservation Ordinance;
- C. A listing of areas designated as historic properties under the Village’s Historic Preservation Ordinance, together with statements of the historical significance of the properties and maps indicating their locations;
- D. Resumes for each member of the Lombard Historic Preservation Commission, including, where appropriate, credentials or member expertise in fields related to historic preservation; and
- E. A copy of the Village’s Historic Preservation Plan, if available, or a statement describing the local preservation program, including survey, designation and protection activities.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval, as provided by law.

ADOPTED this ____ day of _____, 2016, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this ____ day of _____, 2016.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Exhibit A

REQUIREMENTS FOR CERTIFICATION OF LOCAL GOVERNMENTS

Exhibit A

REQUIREMENTS FOR CERTIFICATION OF LOCAL GOVERNMENTS

- a. The local government shall enforce appropriate state and local legislation for the designation and protection of historic properties. There shall be a local ordinance with provisions for the following:
 1. Authorization of historic preservation under the Historic Preservation Areas Act (65 ILCS 5/11-48.2-1), the Illinois Zoning Act (65 ILCS 5/11-13-1), the Home Rule section of the Illinois Constitution (Section 6(a) Article VII), or the County Historic Preservation Act (55 ILCS 5/5-30001),
 2. A statement of purpose,
 3. Establishment of a historic preservation review commission and a grant of powers to it,
 4. Criteria for designation of structures or districts,
 5. A process for designation of structures or districts,
 6. Definition of actions that merit review by the historic preservation review commission,
 7. Standards and criteria for review of actions in the jurisdiction of the historic preservation review commission,
 8. Procedural due process, and
 9. Substantial achievement of the purpose of preserving and rehabilitating buildings of historic significance.

- b. The local government shall have an adequate and qualified historic preservation review commission established by local ordinance.
 1. The commission shall have no fewer than five members.
 2. Commission members shall be among professionals in the disciplines of history, architectural history, architecture, historic architecture, planning, archaeology, real estate, historic preservation or related field to the extent

that such professionals are available in the community and may include other persons who have demonstrated special interest, knowledge, or experience in architecture, history, neighborhood preservation, or related disciplines. The local government may be certified without representation from these types of disciplines, provided that it can demonstrate that it has made a reasonable effort to fill these positions. All commission members shall have a demonstrated interest, competence, or knowledge in historic preservation.

3. There shall be no minimum number of any type of professional member required on the Commission, but additional expertise may be obtained as necessary from consultants or advisors.
 4. When a professional in the discipline of history, architectural history, architecture, or archaeology is not represented in the Commission membership, the Commission shall seek expertise in the pertinent area when considering National Register nominations and other actions that will affect properties which are normally evaluated by a professional in such discipline. This expertise may be obtained through consulting or other methods provided that the State Historic Preservation Officer has approved the consultant or other methods.
 5. Terms of office shall be staggered.
 6. Commission meetings shall be held at regular intervals at least four times each year.
 7. The commission shall be represented at at least one informational or educational meeting per year, approved by the State Historic Preservation Officer, pertaining to the work and functions of the commission or to historic preservation.
 8. The commission shall transmit an annual report of its activities to the State Historic Preservation Officer. Such reports shall include, at a minimum, the number of cases reviewed, new designations made, progress on survey activities, resumes for new commission members, attendance records, and documentation for the educational and informational meetings referenced in 7 above. Reports shall be submitted within sixty days after the end of the fiscal year for the local government or portion of the fiscal year in the first year of the establishment of the commission.
 9. The commission shall monitor and notify the State Historic Preservation Officer of any actual or proposed demolition or actual or proposed major alteration affecting any property in its jurisdiction listed in the Illinois Register of Historic Places or the National Register of Historic Places. The State Historic Preservation Officer shall provide updated listings of both registers to the commission and chief elected local official.
 10. The responsibilities of the Commission shall be complementary to and carried out in coordination with the responsibilities of the State Historic Preservation Officer pursuant to federal law and regulations.
- c. The local government shall maintain a system for the survey and inventory of historic properties.

1. The local government shall initiate or continue a process for survey and inventory approved by the State Historic Preservation Officer for properties within the local jurisdiction in a manner that is consistent with statewide comprehensive historic preservation planning and other appropriate planning processes.
 2. All inventory material shall be maintained securely and shall be accessible to the public.
 3. All inventory material shall be updated periodically to reflect changes, alterations, and demolitions.
 4. There shall be a building by building survey and inventory for each designated historic district.
 5. Survey and inventory efforts including the format of the complementary to those of the state.
 6. The State Historic Preservation Officer shall provide technical assistance for developing the survey.
- d. The local government shall provide for adequate public participation in the local historic preservation program, including the process of nominating properties to the National Register of Historic Places.
1. All meetings shall fulfill the responsibilities of the Illinois Open Meetings Act (5 ILCS 120).
 2. Careful minutes shall be kept of all actions of the commission including the reasons for making decisions and must be kept on file and available to the public.
- e. The local government shall satisfactorily perform the responsibilities in subsections a-d of this section and those specifically designated to it by the State Historic Preservation Officer.
1. The local government may assume additional responsibilities if mutually agreed between the local government and the State Historic Preservation Officer.
 2. The State Historic Preservation Officer shall have a reasonable opportunity to review all records and materials pertinent to the implementation of this rule.



VILLAGE OF LOMBARD

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September 9, 2016

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
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Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
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Ms. Rachel Leibowitz
State Historic Preservation Officer
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield, IL 62701

Dear Ms. Leibowitz:

The Village of Lombard hereby submits its application to become a Certified Local Government as provided for in the National Historic Preservation Act as amended.

The Village of Lombard local government has satisfied the minimum requirements for certification as spelled out in the Illinois' Procedures for the Certified Local Government Program. Accompanying this letter are all the documents as requested on the application for certification. Should you need any additional materials or have any questions, please contact Tami Urish, Planner I at urisht@villageoflombard.org or 630-620-5967.

Sincerely,
VILLAGE OF LOMBARD

Keith T. Giagnorio
President

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE III., CHAPTER 32,
SECTIONS 32.075(C) AND 32.076(A) OF
THE LOMBARD VILLAGE CODE IN REGARD TO
THE LOMBARD HISTORIC PRESERVATION COMMISSION**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title III., Chapter 32, Section 32.075(C) of the Lombard Village Code is amended to read in its entirety as follows:

“(C) Appointments shall be for a period of four (4) years, with five (5) members being appointed in January of odd-numbered years (when the four (4) year terms expire), and six (6) members being appointed in January of even-numbered years (when the four (4) year terms expire). All appointments made hereunder shall continue until a successor appointment has been duly made.”

SECTION 2: That Title III., Chapter 32, Section 32.076(A) of the Lombard Village Code is amended to read in its entirety as follows:

“(A) The Lombard Historic Preservation Commission shall meet as provided in its rules, but not less than once per quarter each year.”

SECTION 3: That this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Passed on first reading this _____ day of _____, 2016.

First reading waived by action of the Board of Trustees this ____ day of _____, 2016.

Passed on second reading this _____ day of _____, 2016,
pursuant to a roll call vote as follows.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2016.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk