

CHAPTER 18

HISTORIC PRESERVATION

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6-18-1: TITLE AND PURPOSE

This Chapter shall be known and may be cited as the “Historic Preservation Chapter”. The purpose of this Chapter is to promote the educational, cultural and economic welfare of the public of the City by preserving and protecting historic sites, streets and neighborhoods which serve as visible reminders of the history and heritage of the City, State and Nation. The provisions of this Chapter are designed to ensure that development in such areas will not be incompatible with the historic heritage of the area and the exterior design of buildings will be in harmony with the historic shrines in the area. (Ord. 1927, 4-1-1996)

6-18-2: DEFINITIONS (Ord. 2191, 11-1-1999)

ALTERATION	Any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to the erection, construction, reconstruction, or removal of any structure.
AREA	A specific geographic division of the City of Dixon
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 in size or capacity of the structure.
BUILDING	Any structure created for the support, shelter or enclosure of persons, animals or property of any kind which is permanently affixed to the land.
CERTIFICATE OF APPROPRIATENESS	A certificate from the Historic Preservation Commission authorizing plans for alterations, construction, removal or demolition of a landmark or size within a designated historic district.
COMMISSION	Dixon Historic Preservation Commission.

COMMISSIONERS	Voting members of the Dixon Historic Preservation Commission
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.
COUNCIL	The City Council of the City of Dixon.
DEMOLITION	Any act or process that destroys in part or in whole a landmark or site within a historic district.
DESIGN GUIDELINE	A standard of appropriated activity that will preserve the historic and architectural character of a structure or area.
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.
HISTORIC DISTRICT	An area designated as a “historic district” by ordinance of the City 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.
LANDMARK	Any building, structure or site which has been designated as a “landmark” by ordinance of the City Council, pursuant to procedures prescribed herein, that if worthy of rehabilitation, restoration, and preservation because of its historic and/or architectural significance to the City of Dixon.
OWNER OF RECORD	The person, corporation, or other legal entity listed as owner on the records of the Lee County Recorder of Deeds.
PLAN COMMISSION	The Plan Commission of the City of Dixon.
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.
REMOVAL	Any relocation of a structure on its site or to another site.
REPAIR	Any change that does not require a building permit, that is not construction, relocation or alteration.
SITE	The location, place or scene of anything constructed, erected or taken place. (Ord. 2892, 9-17-2012)
STRUCTURE	Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground.

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.

6-18-3: COMMISSION

- A. **Composition of Commission:** The Commission shall consist of five (5) voting members, all of whom shall be appointed by the Mayor and approved by the City Council. No less than three (3) members of the Commission shall be residents of the City. (Ord. 2118, 10-5-98)
- B. **Qualifications:** 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.
- C. **Terms:** Members of the Commission shall be appointed for terms of three (3) years. Alternate members shall be appointed to serve in the absence or disqualification of the regular members. Vacancies shall be filled for the unexpired term only. Members shall serve without compensation. (Ord. 2892, 9-17-2012)
- D. **Officers:** Officers of the Commission shall consist of a Chairman, Vice-Chairman, and a Secretary elected by the Commission who shall serve a term of one year and shall be eligible for reelection. The Chairman shall preside over all 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 Commission shall have the following duties: (Ord. 2911, 5-20-2013)
1. Take minutes of each Commission meeting;
 2. Be responsible for publication and distribution of copies of the minutes, reports, and decisions of the Commission to its members;
 3. Give notice as provided herein or by law for all public hearings conducted by the Commission;
 4. Advise the Mayor of vacancies on the Commission and expiring terms of members; and
 5. Prepare and submit to the City Council a complete record of the proceedings before the Commission on any matter requiring Council consideration.
- E. **Meetings:** A quorum shall consist of a majority of the members. All decisions or actions of the Commission shall require a minimum of three (3) affirmative votes of the members. 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 two (2) meetings per year. (Ord. 2892, 9-17-2012)

No member of the 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 Commission. The Chairman, and in his absence the acting chairman, may administer oaths of witnesses. All meetings of the Commission shall be open to the public. The Commission shall keep minutes of its proceedings and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the City Clerk.

F: Powers and Duties: The Commission shall have the following 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;
3. To investigate and recommend to the Plan Commission and to the City Council the adoption of ordinances designating properties or structures having special historic, community, or architectural values as “historic landmarks”;
4. To investigate and recommend to the Plan Commission and to the City Council procedures to protect properties or structures having special historic, community, or architectural value;
5. To determine an appropriate system of markers and make recommendations for the design and implementation of specific markings of properties or structures which have special historic, community, or architectural value;
6. To advise property owners 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;
7. To inform and educate the citizens of Dixon concerning the historic and architectural heritage of the City by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars;
8. To accept and administer on behalf of the City, upon designation by the City Council, such gifts, grants and money as may be appropriate for the purpose of this Chapter;
9. To call upon available City staff members as well as other experts for technical advice;
10. To testify before all boards and commissions, including the Plan Commission and the Zoning Board of Appeals, on any matter affecting historically and architecturally significant properties;
11. To review proposed zoning amendments, applications for special use permits, or application for zoning variances that affect proposed or designated landmarks in historic districts. The City Council shall refer applications for special use or zoning variances to the Commission for comment prior to the date of the hearing by the Plan Commission or Zoning Board of Appeals; and
12. To periodically review the Dixon Zoning ordinance and to recommend to the Plan Commission and the City Council any amendments appropriate for the protection and continued use of historically or architecturally significant properties. (Ord. 1927, 4-1-1996)

6-18-4: NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS

Nominations shall be made to the Commission on a form prepared by it and may be submitted by a member of the Commission, owner of record of the nominated property or structure, the City Council, or any other person or organization. (Ord. 1927, 4-1-1996)

6-18-5: CRITERIA FOR CONSIDERATION OF NOMINATION

The Commission shall, upon such investigation as it deems necessary, make a determination if the nominated property, structures, or area meets one or more of the following criteria:

- A. Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City, County of Lee, State of Illinois or the United States of America;
- B. Its location as a site is a significant City, County, State or National event. (Ord. 2892, 9-17-2012)
- C. Its identification with a person or persons who significantly contributed to the development of the City, County, State, or the Nation;
- D. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
- E. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the City, County, State, or the Nation;
- F. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
- G. Its embodiment of design elements that make it structurally or architecturally innovative;
- H. Its unique location or singular physical characteristics that make it an established or familiar visual feature;
- I. 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; and/or
- J. Its suitability for preservation or restoration.

Any structure, property, or area that meets one or more of the above criteria must also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration. (Ord. 1927, 4-1-1996)

6-18-6: REPORT AND RECOMMENDATION OF COMMISSION

The Commission shall within forty five (45) days of receipt of a completed nomination in proper form adopt a resolution evidencing if the nominated landmark or historic district meets the criteria for designation set forth in Section 6-18-5 of this Chapter. The resolution shall be accompanied by a report to the Plan Commission containing the following information: (Ord. 2892, 9-17-2012)

- A. Explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation;
- B. Explanation of the integrity or lack of integrity of the nominated landmark or historic district;
- C. In the case of a nominated landmark found to meet the criteria for designation:
 - 1. The significant exterior architectural features of the nominated landmark that should be protected;

2. 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 Section 6-18-11 of this Chapter.
- D. In the case of a nominated historic district found to meet the criteria for designation:
1. The types of significant exterior architectural features of the structure within the nominated district that should be protected;
 2. The types of alterations and demolitions that should be reviewed for appropriateness pursuant to the provisions of Section 6-18-11 of this Chapter.
- E. Proposed design guidelines for applying the criteria for review of certificates of appropriateness to the nominated landmark or historic district;
- F. The relationship of the nominated landmark or historic district to the ongoing effort of the Commission to identify and nominate all potential areas and structures that meet the criteria for designation;
- G. Recommendations as to appropriate permitted uses, special uses, height and area regulations, minimum dwelling size, floor area, sign regulations, and parking regulations necessary or appropriate to the preservation of the nominated landmark or historic district; and
- H. A map showing the location of the nominated landmark and the boundaries of the nominated historic district. (Ord. 1927, 401-1996)

6-18-7: NOTIFICATION OF NOMINATION

The Plan Commission shall schedule a public hearing on the nomination within thirty (30) days following receipt of a report and recommendation from the Commission that a nominated landmark or historic district does or does not meet the criteria for designation. Notice of the date, time, place, and purpose of the public hearing and a copy of the completed nomination form shall be sent by regular mail to the owner (s) of record and to the nominators, as well as to property owners adjoining the nominated landmark or historic district at least fifteen (15) days prior to the date of the hearing. Notice shall also be published in a newspaper having general circulation in the City. The notice shall state the street address and legal description of a nominated landmark and the boundaries of a nominated historic district. (Ord. 1927, 4-1-1996)

6-18-8: PUBLIC HEARING

Oral or written testimony concerning the significance of the nominated landmark or historic district shall be taken at the public hearing from any person concerning the nomination. The Commission may present expert testimony or present its own evidence regarding the compliance of the nominated landmark or historic district. The owner of any nominated landmark or of any property within a nominated preservation district shall be allowed reasonable opportunity to present evidence regarding 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. (Ord. 1927, 4-1-1996)

6-18-9: DETERMINATION BY PLAN COMMISSION

Within thirty (30) days following close of the public hearing, the Plan Commission shall make a determination upon the evidence whether the nominated landmark or historic district does or does not meet the criteria for designation. Such a determination shall be passed by resolution of the Plan Commission and shall be accompanied by a record stating the finding of the Plan Commission concerning the relationship between the criteria for designation in Section 6-18-5 of this Chapter. (Ord. 1927, 4-1-1996)

6-18-10: ACTION BY CITY COUNCIL

A copy of the resolution and report of Plan Commission shall be sent to the City Council. The City Council shall, within sixty (60) days after receiving said report, either accept or reject the recommendation of the Plan Commission. A majority vote of the City Council shall be necessary for approval for the nominated landmark or historic district to receive a historic preservation designation. If the City Council approves said designation, a notice will be sent to the property owner (s) and the Plan Commission, and the City Clerk shall record with the County Recorder of Deeds a copy of the ordinance evidencing that the area has been designated as such and that buildings located within the boundaries of the historic district shall be subject to the provisions of this Chapter of this Code. (Ord. 1927, 4-1-1996)

6-18-11: COUNCIL APPROVAL FOR CERTAIN DEVELOPMENTS

Application for building permits in any historical district must be approved by the City Council as to the appropriateness of exterior architectural features which are subject to public view from a public street or way before such permit may be issued by the Building Official. (Ord. 2191, 11-1-99)

6-18-12: PROCESSING OF APPLICATIONS

When an application for a building permit or a permit to erect a sign in a historical district is filed, it shall immediately be referred to the City Clerk, who shall place it upon the agenda for the next regular meeting of the City Council and give notice thereof to the Mayor.

The Council shall refer the application to the Commission for its recommendations.

After the City Council has received the recommendations of the Commission, the Council shall take action on the recommendations.

The Council may affirm, reject or modify the recommendations of the Commission, or may continue the matter to another date.

If the Commission fails to submit its recommendation to the Council within forty five (45) days from the date of the application, the Council shall proceed to take action on the application, unless the delay has been agreed to by the applicant.

In considering the appropriateness of applications, the Commission and the City Council shall consider the general design, arrangement, texture, material, color and other features of the building, structure or sign and the relation of such factors to buildings in the immediate area. Neither the Commission nor the Council shall consider detailed design, interior arrangement or building features not subject to public view. The Commission shall make its recommendations to the City Council on its decisions solely for the purpose of avoiding developments which are

incongruous with the historical landmark or historical district in the surrounding areas, or which detract from their value and dignity. (Ord. 2892, 9-17-2012)

If the Commission recommends a disapproval of an application or if the Council disapproves an application despite a favorable recommendation by the Commission, the Commission or Council, as the case may be, shall state the reasons therefor in writing to the applicant. (Ord. 1927, 4-1-1996)

6-18-13: PERMITTED USES

The following are permitted uses in historical districts:

- A. Uses enumerated in the ordinance establishing the historical district.
- B. Uses permitted in the area prior to its designation as a historical district. (Ord. 1927, 4-1-1996)

6-18-14: (Rep. Ord. 2191, 11-1-99)

6-18-15: SPECIFIC HISTORICAL DISTRICT DESIGNATED

A. REAGAN HOME HISTORIC DISTRICT

Property to be included within the Historical District is described as follows:

1. The North Half (1/2) of Lot Three (3) and the South Half of Lot Two (2) in Block One Hundred Three (103) of the Original Town (now City) of Dixon, Lee County, Illinois.

AND

The South two-thirds (2/3) of Lot Four (4) in Block One Hundred Three (103), excepting therefrom the easterly six (6) feet of said Lot Four (4) in the original Town (now City) of Dixon, Lee County, Illinois. (Ord. 2892, 9-17-2012)

2. The Westerly Ninety feet of the Southerly One Half of Lot Three (3) in Block 103 in the Town (now City) of Dixon, Lee County, Illinois.

Said Reagan Home Historic District shall include the Ronald Reagan Home, the Reagan Home Information Center, and parking facilities.

B. SOUTH CENTRAL SCHOOL HISTORIC DISTRICT

Property to be included within the South Central Historic District is described as follows:

1. Lots Three (3), Four (4) and Five (5) in Block fifty five (55) in the Town (now City) of Dixon, all in Lee County, Illinois, and more commonly known as South Central School, 207 W. 5th Street, Dixon, Illinois.

Said South Central School Historic District shall include a museum, parking facilities and classrooms to reflect the era when former President Ronald Reagan attended school at South Central School and any other ancillary uses in compliance with this Chapter.

