

ORDINANCE NO. 3986

**AN ORDINANCE AMENDING TITLE 13, CHAPTER 1 OF THE RIVER
FOREST VILLAGE CODE REGARDING HISTORIC PRESERVATION
REGULATIONS**

WHEREAS, movements and shifts of population, and changes in residential, commercial, 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 River Forest (the “Village”) and for the welfare of the citizens of the Village; and

WHEREAS, to help ensure the preservation and continued utilization of the above, and pursuant to Section 11-13-1 of the Illinois Municipal Code (65 ILCS 5/11-13-1), Division 11-48.2 of the Illinois Municipal Code (65 ILCS 5/11-48.2-1, *et seq.*), and the Illinois Historic Preservation Act (20 ILCS 3410/1, *et seq.*), the President and Board of the Trustees desire to amend the River Forest Village Code regarding historic preservation regulations; and

WHEREAS, the President and Board of Trustees of the Village have determined that it is in the best interest of the public’s health, safety, and welfare to amend the River Forest Village Code provisions regarding historic preservation.

BE IT ORDAINED by the President and Board of Trustees of the Village of River Forest, Cook County, Illinois, as follows:

SECTION 1: Title 13, Chapter 1, entitled “Historic Preservation Regulations,” is hereby amended, and shall read in its entirety as follows:

TITLE 13 - HISTORIC PRESERVATION

Chapter 1

HISTORIC PRESERVATION REGULATIONS

Title 13: Historic Preservation – Table of Contents

13-1-1: Scope, Purposes and Goals – pg. 2

13-1-2: Definitions – pg. 3

13-1-3: Historic Preservation Commission – pg. 5

13-1-4: Applications For Approval of a Local Landmark – pg. 7

13-1-5: Withdrawal Of Property Designation – pg. 8

13-1-6: Certificate Of Appropriateness – pg. 9

13-1-7: Work Subject to Commission Review – pg. 11

13-1-8: Procedures for Commission Review – pg. 12

Primary Structures – pg. 13

Accessory Structures – pg. 12

13-1-9: Recording And Notice – pg. 15

13-1-10: Appeals – pg. 16

13-1-11: Penalty – pg. 16

13-1-12: Procedures To Obtain Certificate of Appropriateness In

Flow Chart Format – pg. 27

Exhibit B(Certificate of Appropriateness Application Requirements) – pg. 34

Landmark Processes – pg. 35

13-1-1 : SCOPE, PURPOSES AND GOALS:

A. Purposes And Goals:

1. To identify, preserve and enhance the distinctive character, history and architectural heritage of the Village;
2. To conserve, protect, and improve the value of properties throughout the Village;
3. To enhance the attractiveness of the Village to residents, visitors, tourists, and shoppers and thereby support business and commerce in the Village and provide economic benefits to the Village;
4. To foster civic pride in the accomplishments of the past as manifested in properties, structures, improvements and areas of historical and architectural significance within the Village;
5. To maintain and update a register of areas, properties, structures, sites and objects of historical or architectural significance;
6. To allow for appropriate renewal and modernization of the Village's building stock; and
7. To foster and encourage preservation, restoration and continued utilization of these areas, properties, structures, sites and objects valued by the Village and its residents as significant to the Village history, culture and architecture.

- B. No property shall be subject to any restriction or regulation as a Local Landmark as set forth in Section 13-1-6 of this Chapter unless it has been submitted to the Commission for approval by an owner (or by the Commission with approval of the owner) and approved as a Local Landmark. Upon designation as such by the Commission, the subject property shall remain a Local Landmark unless withdrawn in accordance with Section 13-1-5 of this Chapter.

13-1-2 : DEFINITIONS:

ALTERATION: Any act or process that changes one or more of the exterior architectural features of a structure.

ARCHITECTURALLY SIGNIFICANT:

- A. A designated structure designed by or associated with an architect, builder or architectural firm whose work is recognized by the Commission as Significant. A structure which is an example of a particular style in terms of detail, material or workmanship, and which possesses a high degree of integrity, having undergone little or no alteration since its original construction.
- B. A designated structure which is one of a contiguous grouping of such structures having a sense of cohesiveness expressed through a similarity of characteristics of a style, period or method of construction and representing the architectural significance of the whole group.

ACCESSORY STRUCTURE: Any structure which is located on the same lot as a principal building or use and is customarily incidental and subordinate to a principal building or use such as garages, detached garages, coach houses, stables, or similar buildings.

ARCHITECTURAL REVIEW SUBCOMMITTEE: A subcommittee consisting of two (2) members of the Historic Preservation Commission, authorized to review and make determinations on all applications for Certificates of Appropriateness, excluding those pertaining to the final determination regarding a proposed demolition of Principal Structures or Accessory Structures located on properties designated as Significant or as Local Landmarks which are determined to require review by the full Commission. The subcommittee shall also have the authority to make decisions regarding window replacements, repairs, and other minor alterations that do not substantially affect the historic or architectural character of the structure. Said subcommittee shall be empowered to act on behalf of the full Commission in the event that no meeting of the full Commission is scheduled to occur within thirty (30) days of the Village's receipt of an application in accordance with the requirements of this ordinance.

CERTIFICATE OF APPROPRIATENESS: A certificate issued by the Commission authorizing plans for the alteration, renovation, or remodeling of any Street Facade, the demolition of a property, or otherwise certifying compliance with the requirements of this Chapter.

COMMISSION: The River Forest Historic Preservation Commission.

DEMOLITION: The razing or destruction, whether entirely or in significant part of a building, structure, site or object. Demolition includes the removal of a building, structure or object from its site or the removal or destruction of a façade or surface. Additionally, demolition by neglect occurs when an owner fails to make necessary repairs allowing a protected building or structure to deteriorate.

DIRECTOR: The Director of the Illinois Historic Preservation Agency or successor.

HISTORIC DISTRICT: The River Forest Historic District that appears on the National Register of Historic Places or any other area designated in the future by the Commission and

approved as historic by the Village Board.

HISTORICALLY SIGNIFICANT:

- A. A designated building, structure, area or monument associated with the life or activities of a person or persons who have contributed significantly to or participated significantly in the history or historic events of the nation, State of Illinois, or Village of River Forest.
- B. A designated building, structure, area or monument associated with a historic event having significance to the nation, State of Illinois or Village of River Forest.

IMPROVEMENT: Any building, structure, fence, parking facility or other object affixed, attached to, erected or installed on real property.

LOCAL LANDMARK: Any property found by the Commission to be either Historically Significant or Architecturally Significant and which has been submitted by an owner (or by the Commission with approval of the owner) for certification and approved pursuant to Section 13-1-8-D of this Chapter.

NEW CONSTRUCTION: The process of building a structure on vacant land.

OWNER: All owners of record of the subject property. In the case of a land trust, all beneficial owners. In the case of a corporation, any officer of the corporation. No lien holder shall be considered an owner based solely upon the lien. In the case of a deceased or disabled owner, the legal representative shall be considered the owner.

PRINCIPAL STRUCTURE: A structure, or group of structures, in which is conducted a principal use of the lot on which the structure is located, including situations where more than one principal structure exists on a lot. As regulated in zoning districts, a principal structure

contains a principally permitted use.

RECONSTRUCTION: The process of replacing or rebuilding all or part of an existing structure that has been damaged, demolished or destroyed.

REHABILITATION: The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use.

RESTORATION: The process of repair or alteration of an existing structure which recaptures or replicates historical features which may have deteriorated or been replaced.

SIGNIFICANT PROPERTY: Any designated structure found by the Commission to be Historically Significant or Architecturally Significant.

STREET FACADE: Any building surface which can be seen from any street or sidewalk which is adjacent to the subject property. In determining what can be "seen", any obstruction from landscaping or fencing shall not be considered. If any part of a surface falls within this definition, the entire surface of that building feature shall be considered as a "Street Facade". A building may have more than one Street Façade.

STRUCTURE: Anything constructed or erected which requires permanent location on or in the ground.

13-1-3 : HISTORIC PRESERVATION COMMISSION:

- A. Appointment; Membership: The Commission shall consist of seven members appointed by the Village President with the advice and consent of the Village Board of Trustees. The Chair shall be a member and shall be designated by the Village President with the advice and consent of the Village Board of Trustees. Each member shall serve

a four-year term, provided, however, three members of the initial Commission shall serve two-year terms with their successive terms being four years until their successor is appointed and qualified. Individuals appointed to the Commission shall be residents of the Village. The Chair shall have experience or training in building or landscape architecture, construction, land use planning, real estate law, studying/documenting Village history or be a licensed real estate broker. Other Commission members need not have these qualifications, however, individuals with such qualifications shall be given preference.

B. Powers And Duties: The Commission shall have the following powers and authorities:

1. Develop its own rules of procedure and criteria for review. In the absence of procedural rules, the Commission shall conduct its business, as nearly as practicable, in accordance with "Robert's Rules Of Order";
2. Periodically and with prior Village Board approval cause a survey to be conducted of structures, buildings, sites, and areas in the Village in order to list those properties which are found to be Significant(The "Survey"). If the Commission finds that a property should be added to the original Significant Properties list, dated June 15, 2013, written notice of the intent to add the property to the Significant Property list shall be sent to the owner of record at least fourteen (14) days prior to the date on which the property is added to the Significant Properties list. The owner receiving such notice shall be asked to provide written acknowledgement of receipt of the intent to add the property to the Significant Properties list, however, the failure of the owner to receive, or acknowledge receipt of, the notice described herein, shall not result in the removal of the property from the Significant Properties list. The updated list shall be forwarded to the Village Board for final receipt and approval;
3. Keep a register of all buildings that have been identified as Significant Properties or

Local Landmarks, including all information pertinent to such designation;

4. Provide information regarding: a) physical and financial aspects of preservation, renovation, rehabilitation, and reuse, including information about incentives (including tax freeze) that may be available and possible designation under this Chapter; and b) procedures for inclusion on the state or National Register of Historic Places;
5. Inform and educate the residents of the Village, Village boards/commissions and Village staff concerning preservation issues and the Village's historic and architectural heritage;
6. Hold public hearings, review applications, conduct prehearing conferences, and make findings and recommendations regarding all matters subject to this Chapter;
7. Request technical advice and assistance from Village staff members and to retain specialists or consultants when authorized by the Village Board or Village Administrator;
8. Advise and make recommendations to other Village boards and commissions on matters before those bodies regarding historic preservation;
9. When requested by the Village Board, review the zoning code and this Chapter and recommend any amendments appropriate for the protection and continued use of structures, buildings, or sites within the Village;
10. Issue, deny, or condition Certificates of Appropriateness for alterations or demolition delay, and approve or deny applications for Local Landmark status.

11. Recommend to the Village Board such changes in the boundaries of the Historic District or establishment of additional historic districts as may be deemed appropriate;
12. Perform such advisory reviews of proposed construction as may be required by Section 13-1-7 of this Chapter;
13. Perform such other functions within the scope of this Chapter as directed by the Village Board;
14. Establish specific criteria for identifying Significant Properties, which criteria shall be subject to approval by the Village Board.
15. The Commission, on its own initiative, may file a petition with the Building Department requesting that the Village require the correction of defects or the completion of repairs to any designated Local Landmark, or to any building, structure, or improvement associated with a Local Landmark, as necessary to ensure that such Local Landmark is preserved and protected in accordance with the purpose and intent of this ordinance.
16. Work with the Oak Park Area Association of Realtors (and/or the real estate listing broker, if any), Landmarks Illinois, the National Trust for Historic Preservation and other interested historic or preservation organizations to publicize the availability of properties listed on the Village's survey of Architecturally or Historically Significant Properties, as well as Local Landmarks, which are available for purchase; and
17. Take such actions as are necessary to seek and maintain Certified Local Government status (established by the National Historic Preservation Act Amendments of 1980, 16 U.S.C. § 470, *et seq.*, as amended) including, without limitation, requiring: (a)

annual attendance by a Commission representative at least one informational or educational meeting per year as approved by the Director; (b) an annual report of the Commission's activities to be presented to the Director; and (c) monitoring and notifying the Director of any proposed major alteration or actual/proposed demolition of any structure listed on the Illinois Register of Historic Places or the National Register of Historic Places.

13-1-4 : APPLICATIONS FOR APPROVAL OF A LOCAL LANDMARK:

- A. Applications for approval as a Local Landmark shall be filed in writing with the Village Administrator and must be submitted by the property owner. An application for designation of a Local Landmark may not be filed by a third party, except when the Historic Preservation Commission acts at the direction of the property owner.
1. The name of the address owner and contact information including a designation of an e-mail address where the Applicant may be served with any official notice related to the Application
 2. The legal description and common street address of the property
 3. If the Commission has not previously identified the property as Historically or Architecturally Significant, a written statement describing the structure, building, or site and setting forth reasons in support of the proposed designation, including a list of significant exterior architectural features that should be protected.
 4. Written documentation and evidence acceptable to the Village Administrator and the Commission establishing that the applicant is the current owner.
 5. A site plan, photographs, and front, side and rear elevations.
 6. Such other relevant information as may be requested by the Village Administrator or the Commission.
- B. Once a completed application, in compliance with the requirements of this ordinance, has been received, the Commission shall review the application under the guidelines set forth in section 13-1-8-D and determine, in its discretion, if the application does or does

not meet the requirements of the definition of a Local Landmark; and the Commission may either grant or deny designation of Local Landmark status, as applicable. In the event the subject property is listed on any national or state registry of Historic, Landmark or Architecturally Significant Properties, the Commission may consider such listing as prima facie evidence that the requirements for designation as a Local Landmark have been met.

13-1-5 : WITHDRAWAL OF PROPERTY DESIGNATION:

- A. A previous finding that a property has been designated as a Local Landmark or a Significant Property may be withdrawn by the Commission upon the request of: (i) a member of the Commission after prior written notice to the owner, or (ii) the owner, under any of the following conditions:
 - 1. The structure, building, site, or area has ceased to meet the criteria for designation because the qualities which caused it to be originally designated have been lost or destroyed;
 - 2. Additional information shows that the structure, building, site, or area does not possess sufficient significance to meet the designation criteria;
 - 3. The original designation was clearly in error; or
 - 4. There was a material misstatement of fact or prejudicial procedural error in the designation process.
- B. An application for the withdrawal of property designation shall be filed with the Village Administrator in writing and shall include the following:
 - 1. Name and address of the owner; and written documentation or other evidence

acceptable to the Village Administrator or Commission establishing that the applicant is the current owner.

2. The legal description and common street address for the property;
3. A site plan, photographs and front, side and rear elevations;
4. A written explanation describing in detail why one or more of the conditions contained in Subsection A of this section has been met with respect to the property in question;
5. Such other relevant information as may be requested by the Village Administrator or as the Commission may require.

13-1-6 : CERTIFICATE OF APPROPRIATENESS:

A. Certificate Required: No repair, rehabilitation, reconstruction, restoration, improvement or signage, to or on a Street Facade of a Significant Property or Local Landmark, shall be done without the prior issuance of a Certificate of Appropriateness and compliance with Sections 13-1-7-A, 13-1-7-B, and 13-1-7-C. No demolition of a Significant Property as designated on the Significant Properties list shall be done without either: (i) the prior issuance of a Certificate of Appropriateness; (ii) the expiration of a certificate of demolition delay issued by the Commission pursuant to Section 13-1-7-D of this Chapter; or (iii) the Village Board's reversal, on appeal, of the Commission's withholding of a Certificate of Appropriateness pursuant to Section 13-1-10 of this Chapter. No demolition of a Local Landmark shall occur unless a Certificate of Appropriateness has been issued or the Village Board has reversed the Commission's denial on appeal.

- B. Exemption: Certificates of Appropriateness shall not be required in connection with compliance with an order or permit issued by either the Director of Public Works or the Village Administrator, or his/her designee, to correct an immediate health or safety problem(including, by way of example and not limitation, storm damage); provided that such order expressly exempts the project from Certificate of Appropriateness procedures and that such order or permit is made subject to appropriate conditions to advance the purposes and goals of this Chapter.
- C. Requirements for An Application for a Certificate of Appropriateness: Any person or entity required to obtain a Certificate of Appropriateness shall submit a formal application compliant with Section 13-1-6-A as a precondition to filing for any building permit or commencing any work. The application for a Certificate of Appropriateness shall include the required items listed in Exhibit A.
- D. Construction Standards:
1. The distinguishing original qualities or character of a structure or site and its environment shall not be destroyed.
 2. All structures, sites, and areas should be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance than the true age of the property are not permitted.
 3. Changes that may have taken place in the course of time and which have acquired significance in their own right shall be recognized and respected when dealing with a specific architectural period.
 4. Distinctive stylistic features or examples of skilled craftsmanship that characterize a structure, site or area shall be maintained.

5. Deteriorated architectural features shall preferably be repaired rather than replaced. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities.
 6. Repair or replacement of missing architectural features shall be based on accurate duplications of features substantiated by historic, physical, or pictorial evidence, or expert opinion.
 7. Demolition of a Local Landmark shall not be permitted if a structure is economically viable in its present condition or could be economically viable after completion of commercially reasonable alterations, even if demolition would permit a more profitable use of such site.
- E. Design Standards: The height, adjacent open space, directional expression, roof type, roof shape, architectural details, landscaping, accessory structures and paving shall be consistent with the original structure.
- F. Additional Provisions: Applicable standards and requirements set forth in the zoning and building codes are to be applied in addition to those set forth in this Section.
- G. Economic Hardship: Any of the requirements of Subsection D or E of this Section or Section 13-1-8 may be waived by the Commission if the applicant shows by clear and convincing evidence, and if the Commission finds that any of the following conditions exist:
1. The applicant's economic circumstances and the condition of the subject property present a substantial hardship; or

2. Compliance with the requirement(s) is commercially unreasonable and is not essential to achieve the purposes and goals set forth in Section 13-1-1 of this Chapter. The normal escalation of construction or land acquisition costs within the Village, per se, shall not be deemed a hardship or create commercially unreasonable circumstances.

Personal financial information submitted for consideration pursuant to this Subsection shall be considered confidential and shall be disclosed at a public hearing only to the extent necessary for a complete discussion of the issues. Personal financial records, statements and tax returns shall be withheld from public disclosure pursuant to Section 7(1)(b) of the Illinois Freedom of Information Act, 5 ILCS 140/1, *et seq.*, as amended.

13-1-7 : WORK SUBJECT TO COMMISSION REVIEW:

- A. No repair, rehabilitation, reconstruction, restoration, improvement, or signage affecting more than twenty percent of any individual Street Façade of a Local Landmark or Significant Property shall begin, nor shall a building permit be applied for or be issued, until the Commission is notified of the proposed work, including its scope, and the conditions of Subsection B are met. The twenty percent shall be calculated on the total linear footage of any individual Street Façade, and work may not be divided into multiple projects to evade this threshold.
- B. The Commission shall have thirty days from submission of a completed application meeting the requirements of this ordinance, including the materials required under Section 13-1-6-C, to review the proposed work. Applications involving window replacement may be reviewed by the Architectural Review Subcommittee, which shall complete its review within seven days of submission of a completed application. The

Commission shall provide written recommendations, which for Significant Properties and/or Local Landmarks under Section 13-1-7(A) are advisory only and not binding and the work may proceed once the recommendations are received or after thirty days following a submission of a complete application, whichever comes first.

- C. Upon request by an owner or the Commission, and prior to filing for a building permit, the Commission shall schedule a meeting (which the owner or a representative must attend) to consider and discuss proposed work regarding items covered by Section 13-1-7(A) of this Chapter. Such meetings shall not be subject to the requirements of Section 13-1-8 of this Chapter.
- D. Demolition of a Significant Property as designated on the Significant Properties list shall be delayed as follows:
 - 1. Properties Not Zoned PRI: The demolition of a Significant Property, as designated on the Significant Properties list, that is not zoned in the PRI Public, Recreational, and Institutional District shall be delayed at the direction and discretion of the Commission for a period of not more than 9 months following the Commission's final decision after a public hearing regarding the issuance of a Certificate of Appropriateness for such proposed demolition is held pursuant to subsect 13-1-8-C of this chapter.
 - 2. Properties Zoned PRI: The demolition of a Significant Property, as designated on the Significant Properties list, that is zoned in the PRI Public, Recreational, and Institutional District shall be delayed at the direction and discretion of the Commission for a period of not more than twelve (12) months following the Commission's final decision after a public hearing regarding the issuance of a Certificate of Appropriateness for such proposed demolition is held pursuant to subsect 13-1-8-C of this chapter.
- E. Demolition of a Local Landmark: The demolition of a property designated as a Local Landmark shall not be subject to a delay period, as the Commission's determination

regarding the issuance or denial of a Certificate of Appropriateness for such proposed demolition shall be final.

13-1-8 : PROCEDURES FOR COMMISSION REVIEW:

- A. Applications for Principal Structures: The following procedures shall apply to applications, excluding demolitions (see section 13-1-8-C), that involve a Principal Structure located on a Significant Property or Local Landmark: Applications that trigger Commission review by affecting more than 20 percent of any individual Street Façade may first be reviewed for completeness by the Commission's Architectural Review Subcommittee or at the Commission's next regularly scheduled meeting and do not require a public hearing. Once an application is deemed complete in accordance with the requirements of Section 13-1-6-C, the Commission shall make a final determination at its next scheduled meeting, held within thirty days of the application having been determined complete. If no meeting is scheduled within that period, the Architectural Review Subcommittee shall make the final determination for applications other than those involving proposed demolition. Any application denied without a public hearing shall be set for a public hearing at the applicant's request, in accordance with Section 13-1-8-C.
- B. Applications for Accessory Structures: The following procedures apply to applications involving Accessory Structures located on Significant Properties or Local Landmarks, including garages, coach houses, stables or similar buildings:
 - 1. Such applications may first be reviewed for completeness by the Commission's Architectural Review Subcommittee or the Commission at the next regularly scheduled meeting and such review does not require a public hearing. During this phase of review, the Commission or the Architectural Review Subcommittee may determine that the application is deemed complete in accordance with the requirements of this Ordinance and further consideration or involvement by the

Commission is unwarranted when the structure proposed for alteration or demolition is determined to lack significant architectural, historical, or cultural merit and the proposed alteration or demolition may proceed. Such determination shall be made within 14 days of the submittal of a completed application and be based on the following factors:

- a. Whether the Structure is located on a Significant Property.
 - b. Whether the Village's Architectural Survey includes comments or information regarding such accessory structure.
 - c. The date of construction of the structure (A building permit can serve as basic evidence of this.)
 - d. The extent to which the Accessory Structure is similar in design, construction or materials to the Principal Structure on such Significant Property.
2. If the Commission or the Architectural Review Subcommittee determines that an Accessory Structure warrants full Commission review, the application shall proceed in accordance with the procedures set forth in Sections 13-1-8-A in the case of an application excluding demolition and 13-1-8-C in the case of an application for demolition.
- C. Procedures: Public Hearings regarding applications for proposed demolition of Principal Structure(s) or Accessory Structures(s) located on a Significant Property or a Local Landmark shall be heard in accordance with the following procedures: Within sixty days after an application for a Certificate of Appropriateness for demolition has been deemed complete by the Commission in accordance with the requirements of this ordinance, or if requested by the applicant pursuant to Section 13-1-8(A) of this Chapter, a public hearing shall be held by the Commission. Notice of such public hearing, summarizing the application, shall be published by Village Staff at least fifteen days (and not more than thirty days) in advance of such public hearing in a newspaper of general circulation in the Village. Said notice shall be sent via U.S. certified mail, return receipt requested by the applicant to all owners of property within five hundred feet of the subject property at least fifteen days in advance of such public hearing. An

affidavit regarding proof of mailing of the notice shall be provided by the applicant to the Village prior to the commencement of the public hearing. The Village shall, at the applicant's cost, post a sign in front of the subject building so as to be readily visible from the frontage street at least fifteen days in advance of such public hearing which shall contain the following information: (a) in the case of a proposed demolition requiring a Certificate of Appropriateness, as described in Subsection 13-1- 6(A), capitalized words: "APPLICATION FOR DEMOLITION PERMIT"; (b) date, time and location of the hearing; (c) property address; (d) name and address of the applicant, if not the owner of the property; (e) name and address of the owner of the property; and (f) statement that all interested persons will be heard, that written comments may be submitted in advance if such interested person is unable to attend the hearing, as well as information detailing where to obtain copies of the application and meeting agenda.

- D. Hearing Procedures for the application for a Local Landmark Designation: Within 30 days after a complete application for a Local Landmark designation is properly filed in accordance with the requirements of this ordinance a public hearing shall be held by the Commission. Notice of such public hearing, summarizing the application, shall be published by Village Staff at least fifteen days (and not more than thirty days) in advance of such public hearing in a newspaper of general circulation in the Village. Said notice shall be sent via U.S. mail, to all owners of property within 500 feet of the subject property at least fifteen days in advance of such public hearing. An affidavit regarding proof of mailing of the notice shall be provided by the applicant to the Village prior to the commencement of the public hearing. The Village shall, at the applicant's cost, post a sign in front of the subject building so as to be readily visible from the frontage street at least fifteen days in advance of such public hearing which shall contain the following information: (i) capitalized words: "APPLICATION FOR LOCAL LANDMARK DESIGNATION"; (ii) date, time and location of the hearing; (iii) property address; (iv) name and address of the applicant, if not the owner of the property; (v) name and address of the owner of the property; and (vi) statement that all interested persons will

be heard, that written comments may be submitted in advance if such interested person is unable to attend the hearing, as well as information detailing where to obtain copies of the application and meeting agenda.

- E. Findings by the Commission: The Commission shall review all evidence and (as applicable), shall determine whether the proposed alteration or demolition of a Significant Property or Local Landmark would be detrimental to the historical, architectural or cultural resources of the Village and the Commission may either:
- a. Approve, approve with conditions, or deny a Certificate of Appropriateness for proposed alterations to a Significant Property or Local Landmark.
 - b. Approve or deny a Certificate of Appropriateness for the demolition of a Significant Property, with any denial subject to a demolition delay of not more than nine months following the final decision from the Commission for properties not zoned Public, Recreational, and Institutional(PRI) and not more than twelve months following the final decision from the Commission for properties that are zoned PRI.
 - c. Grant or deny a Certificate of Appropriateness for the demolition of a Local Landmark, which the determination shall be final and not subject to a demolition delay.
- F. The applicant may present evidence of economic hardship during the public hearing. In any of such events, the Commission shall render a written decision within fifteen (15) days following the completion of a public hearing, and cause the decision to be served upon the applicant.
- G. Reconsideration: An applicant whose application is denied may request reconsideration of the Commission's withholding of a Certificate of Appropriateness by filing a written request within thirty days after the decision is rendered; provided, however, that the Commission shall reconsider an application only if substantial new evidence or information regarding the subject property is provided, including a claim of economic

hardship as set forth in Section 13-1-6(G) of this Chapter, if not previously presented during the public hearing. Such request for reconsideration shall be subject to the provisions of Section 13-1-8-C of this Chapter, except that the signage shall read, "APPLICATION FOR RECONSIDERATION" Once an application has been denied upon reconsideration, no further applications involving substantially the same relief under this Chapter for any structure, building, site, or area may be filed for one year.

H. The owner of a Local Landmark or Significant Property as designated on the Significant Properties list shall, from and after the filing of an application for a Certificate of Appropriateness for the proposed demolition of such Local Landmark or Significant Property and until the earlier of (i) the expiration of such demolition delay period (regarding a Significant Property); or (ii) the decision of the Village Board (following an appeal) to reverse the Commission's decision to withhold a Certificate of Appropriateness for the proposed demolition, meet with the Commission in order to consider and discuss such proposal, as well as explore potential preservation solutions including finding a prospective owner to purchase, preserve, rehabilitate or restore the property (or such other reasonable alternative to demolition). Such meetings shall be scheduled by the Commission and may be conducted by the Architectural Review Subcommittee and do not require a public hearing.

I. Successive Applications:

1. Second Applications Without New Grounds Barred: Whenever any application filed pursuant to this Chapter has been finally denied on its merits, a second application seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought unless in the opinion of the Village Administrator and the Village Attorney there is substantial new evidence available or a mistake of law or fact significantly affected the prior denial.

2. New Grounds To Be Stated: Any such second application shall include a detailed statement of the grounds justifying consideration of such application.
 3. Summary Denial with or Without Hearing: Any such second application may be denied summarily, and without hearing, on a finding that no grounds appear that warrant a new hearing. In any case where such application is set for hearing, the applicant shall be required to establish grounds warranting reconsideration of the merits of its application prior to being allowed to offer any evidence on the merits. Unless such grounds are established, the application may be summarily dismissed for such failure.
- J. Burden Of Proof: The burden of proving each requirement for the relief sought shall remain with the applicant throughout all proceedings.

13-1-9 : RECORDING AND NOTICE:

- A. Immediately upon approval of the subject property as a Local Landmark, the applicant shall file a memorandum of such approval with the Cook County Recorder of Deeds. The memorandum shall state that the property is subject to the River Forest historic preservation ordinance, has been certified as a Local Landmark, and shall provide the address and telephone number of the Village to request further information. A file stamped copy of the memorandum shall be provided to the Village Administrator.
- B. All sale contracts for properties designated as Local Landmarks shall contain a rider in substantially the following form, signed by the buyer and seller:

The Village of River Forest Board of Trustees adopted a Historic Preservation Regulations Ordinance in Chapter 13-1 of the River Forest Village Code. Those seeking to purchase property in River Forest should be aware of this Ordinance, a copy of which is available for review at the River Forest Village

Hall, separate and apart from the Village's Zoning Ordinance and Building Codes.

13-1-10 : APPEALS:

- A. All decisions and findings by the Commission pursuant to Subsection 13-1-4 through 13-1-8 of this Chapter shall be served on the owner forthwith and may be appealed to the Village Board by the owner. Any appeal shall be filed not later than thirty days following service. The appeal shall be filed with the Village Administrator in writing and shall contain the following:
 - 1. A caption reading "appeal of" giving the name and address of the applicant;
 - 2. A brief description of the specific order, decision or determination being appealed;
 - 3. A statement of the relief sought;
 - 4. The reasons why such relief should be granted.
- B. The Village Administrator shall cause the appeal to be set for hearing before the Village Board within sixty days of receipt of the notice and shall immediately notify the appellant and all persons requesting such information, in writing, of the date, time and location of the hearing.
- C. The Village Board shall consider only the evidence presented to the Commission, its decision and findings, and the arguments of interested parties. The Village Board shall render a written decision within fifteen days following the completion of a public hearing, and cause the decision to be served on the applicant.
- D. Any decision of the Village Board shall be final. Any decision or finding of the

Commission pursuant to this Chapter shall become final if no appeal is taken pursuant to Subsection A of this Section. No permit regulated by the provisions of this Chapter shall issue, nor shall any rights vest therein, until the decision of the Commission or appeal to the Village Board is final.

13-1-11 : PENALTY:

Any person or entity which violates this Chapter shall be guilty of a petty offense and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than seven hundred fifty dollars. Every day such violation shall continue to exist shall constitute a separate violation. In addition to such penalties, the Village may institute any appropriate action or proceeding to enjoin, correct or abate any violation of this Chapter.

SECTION 2: That all ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

SECTION 3: Except as to the Code amendments set forth above in this Ordinance, all

Chapters and Sections of the River Forest Village Code, as amended, shall remain in full force and effect.

SECTION 4: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 5: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

and publication in pamphlet form as provided by law.

PASSED on a roll call vote of the Corporate Authorities on the 20th day of July, 2026.

AYES: Trustees Bachner, Gillis, Vazquez, Breman, Keskitalo, O'Connell

NAYS: 0

APPROVED by me this 20th day of July, 2026



Village President

APPROVED and FILED in my office this 20th day of July, 2026 and
published in pamphlet form in the Village of River Forest, Cook County, Illinois.

ATTEST:



Village Clerk