

Ordinance 2022-04

An Ordinance to Amend Sections of Title 12 Historic Preservation and Protection

WHEREAS, the City has adopted Title 12 concerning Historic Preservation and Protection.

WHEREAS, the ordinance sets forth the membership of the Historic Preservation Commission must contain an architect or architect historian, one regional or local historian and a contractor;

WHEREAS, it can be difficult to find eligible residents to serve on the Commission because of the specific requirements;

WHEREAS, there should be such professionals on the Commission to the extent they are available in the community;

WHEREAS, Indiana Code authorizes the City to adopt by ordinance a process to establish a Local Historic District in two phases and the City finds it is in the best interest of the City to authorize this two-phase approach;

WHEREAS, the Historic Preservation Commission considered the proposed ordinance amendments at its February 28, 2022 meeting and recommended that the Common Council adopt the ordinance as presented;

NOW, THEREFORE, BE IT ORDAINED, of the Common Council of the City of Lafayette, Indiana as follows:

1. Section 12.01.030(B) is hereby amended to change the voting members qualifications and as amended shall read as follows:

12.01.030 - Historic Preservation Commission establishment and organization.

B. The Commission shall consist of nine voting members which must be residents of the City. The voting members shall be appointed by the Mayor subject to the approval of the City Council and should include professionals in the disciplines of architectural history, planning, and other disciplines related to historic preservation to the extent those professionals are available and residents of the City. Nonvoting, advisory member(s) may be appointed to the Commission by the Mayor with approval by the City Council. Commission members shall serve without compensation, except for reasonable expenses incurred in the performance of their duties.

2. Section 12.01.050 is hereby amended to add a new subsection authorizing a two-phase approach to the establishment of Local Historic District and as amended shall read as follows:

12.01.050 Local Historic Districts, Conservation Districts and Guidelines

A. All recommendations for the establishment of a local historic district (LHD) shall be in the form of a written report and must be based on criteria outlined in this section. A recommendation for establishing an LHD may be initiated from either of the following two sources:

1. Based on its survey, the Commission may draw and submit LHD maps to the City Council for approval.

2. Owners of real property wishing to establish an LHD which includes their property may petition the Commission to consider drawing and submitting a map or maps of said property to the City Council for its approval. The Commission may establish in its rules criteria to be met before it considers a petition.

B. The Commission may recommend, and the City Council may provide, that the establishment of an LHD occurs in two phases. Under the first phase, called a Conservation District, a Certificate of Appropriateness is required for the following activities: the demolition of any building; the moving of any building; and any new construction of a principle building or accessory building, or structure subject to view from a public way.

1. The first phase shall last three years;

2. At the end of the first phase, upon the expiration of the three-year period, the Conservation District shall become an LHD, subject to subsection (3); and

3. The Conservation District may continue past the three-year term, thereby avoiding the designation of an LHD, if a majority of property owners in the district object to the Commission, in writing, to the elevation to an LHD. Said objections must be received by the Commission not earlier than one hundred eighty days or later than sixty days before the adoption of the Conservation District.

C. In order to establish an LHD or Conservation District, the Commission shall first prepare a map describing the district in accordance with the following:

1. The map shall be based on a survey conducted by the Commission which identifies historic buildings, structures and sites located within the City.

2. A district may be limited to the boundaries of a property containing a single building, structure or site.

D. The Commission shall classify and designate on the map all buildings, structures, and sites within each historic district described on the map. Buildings,

structures, and sites shall be classified as historic or non-historic. Historic buildings, structures and sites must possess identified historic or architectural merit of a degree warranting their preservation. The Commission shall further classify and designate all buildings and structures within a property district as follows:

1. Outstanding;
2. Notable; or
3. Contributing

Non-historic buildings, structures and sites are those not classified on the map as historic.

E. Before a district is established and building classifications take effect, the map setting forth the district's boundaries and building classifications must be submitted to, and approved in an ordinance, by the City Council.

F. The map establishing the boundaries of an LHD or Conservation District must be recorded in the Office of the Tippecanoe County Recorder.

3. This Ordinance shall become effective upon passage and approval of the Mayor.

ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette, Indiana this 4th day of April, 2022.

Perry E. Brown, President

ATTEST:

CINDY MURRAY, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on this 4th day of April, 2022.

CINDY MURRAY, City Clerk

This Ordinance approved and signed by me on this 4th day of April, 2022.

TONY ROSWARSKI, Mayor

ATTEST:

CINDY MURRAY, City Clerk

Sponsored by: Kevin Klinker