

ORDINANCE NO. 129-2020 (PD)

By Council Member Seren

An Ordinance amending Section 143.08 of Chapter 143, "Landmark Commission," of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights; and declaring an emergency.

WHEREAS, on March 4, 2019, by Ordinance No. 11-2019, this Council enacted comprehensive amendments to Chapter 143, "Landmark Commission," to protect and enhance the historic and aesthetic qualities of the City for the enjoyment of the City's residents and visitors alike; and

WHEREAS, the amendments to Chapter 143 furthered the City's historic preservation goals by enabling the Landmark Commission to: safeguard locally designated properties, protect properties as they go through the Landmark designation process, designate local historic districts where more than 50% of property owners consent, and protect designated properties from inappropriate alterations or demolition; and

WHEREAS, the 2017 Cleveland Heights Master Plan includes the goal of promoting the preservation of historic homes and buildings through the establishment of procedures for reviewing alteration and demolition of Landmarks and properties in local Historic Districts; and

WHEREAS, the proposed amendments to Section 143.08 address concerns regarding the implementation of the Landmark Commission's permit referral power, along with the percentage of property owners required to designate or withdraw a district as an historic district.

BE IT ORDAINED by the Council of the City of Cleveland Heights, County of Cuyahoga, State of Ohio, that:

SECTION 1. Section 143.08, "Procedures for Designation of Landmarks and Historic Districts," of Chapter 143, "Landmark Commission," of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is amended to read as follows:

**143.08 PROCEDURES FOR DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS**

The Landmark Commission may adopt a resolution designating a site, building, structure, work of art or similar object in the City of Cleveland Heights as a Landmark or designate any grouping of such places or objects, or combination thereof, as a Historic District, by following the procedures set forth in this section. The Landmark Commission may act on its own initiative or pursuant to a request by an individual, group of individuals, or organization.

- (a) Owner Notification. Notification shall be in accordance with Section 143.06(b).
- (b) ~~In order to protect proposed Landmark properties or Historic Districts during the designation process, the Landmark Commission may adopt a resolution requiring, during the designation process, referral of all applications for permits related to a proposed Landmark or Historic District to the Landmark Commission for review. If the Landmark Commission adopts such a resolution, all such permit applications pending as of the effective date of the resolution and~~

~~all permit applications submitted after said effective date shall be referred to the Landmark Commission for review, and the Landmark Commission shall have the same powers that would apply if the property were an established Landmark or Historic District. The referral and review of such permits shall continue for up to twelve (12) months after the Landmark Commission adopts such a resolution, or until such time as the Landmark Commission approves or rejects the establishment of the Landmark or Historic District, whichever occurs first.~~

SECTION 2. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its content, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Ordinance shall take effect and be in force at the earliest time permitted by law.

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JASON S. STEIN, Mayor  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED: November 16, 2020