

# **CODE OF THE CITY OF SPRINGFIELD, MASSACHUSETTS**

## **CH. 49 – HISTORIC PRESERVATION**

### **ARTICLE I**

#### **Introduction**

##### **§ 49-1. Intent and purpose.**

This chapter is enacted for the purpose of preserving and protecting significant buildings and sites within the City of Springfield that constitute or reflect distinctive features of the City's architectural, cultural, economic, political, or social history, and to limit the detrimental effect to the City of demolition, or inappropriate additions and/or alterations to such buildings or sites. By preserving and protecting significant buildings, streetscapes, neighborhoods, and sites, this chapter promotes public welfare by making the City a more attractive and desirable place in which to live and work.

##### **§ 49-2. Definitions.**

As used in this chapter, the following terms shall have the following meanings:

**ALTERATION.** Any structural change, rearrangement, addition or demolition to a building or structure, excluding normal maintenance and repair activities.

**APPLICANT.** Any person or entity that files an application under this chapter.

**APPLICATION.** A form provided by the City completed by an applicant with the required information under this chapter.

**BUILDING.** Any combination of materials forming a shelter for persons, animals, or property.

**BUILDING COMMISSIONER.** The person occupying the office of Building Commissioner or otherwise authorized to process building applications and issue building permits.

**CITY.** The City of Springfield.

**COMMISSION.** The Springfield Historical Commission.

**DEMOLITION.** Any act of pulling down, destroying, removing, dismantling, or razing a building or site or commencing the work of total or substantial destruction with the intent of completing the same.

**DEMOLITION PERMIT.** The permit issued by the Building Commissioner for demolition of a building or site, excluding a permit issued solely for the demolition of the interior of a building.

**HISTORIC BUILDING OR SITE.** Any building or site that is located in an historic district, or that is not located in an historic district but has otherwise been deemed by the Commission to have historic significance.

**HISTORIC DISTRICTS ACT.** MGL Chapter 40C, as amended by Chapter 359 of the Acts of 1971, and MGL c. 40, § 8D.

**HISTORIC SIGNIFICANCE.** See § 49-10 below.

**LOCAL HISTORIC DISTRICT.** Either a single property containing an historic building, or group of buildings adjacent to one another or in near proximity to one another, or historic site as designated by the Commission in accordance with this chapter.

**NATIONAL REGISTER.** The National Register of Historic Places as maintained by the U.S. National Park Service in accordance with the National Historic Preservation Act of 1966.

**NONCONTRIBUTING STRUCTURE.** Any structure that 1) does not contribute to the historic character of the district, as identified in the officially adopted report; 2) was constructed at least 75 years ago; and 3) any ancillary building that does not satisfy the Historic Significance qualifications under §49-10 (e.g. ancillary buildings constructed with pressure treated wood, pre-fabricated structures, etc.).

**PREFERABLY PRESERVED BUILDING OR SITE.** Any building or site within the City which is 75 years old or older, as recorded by the Assessor, or any building which is listed on, or is within a district listed on the National Register or the State Register.

**SITE.** A property containing a structure or object other than a building.

**STATE REGISTER.** The State Register of Historic Places as maintained by the Historical Commission of the Commonwealth of Massachusetts.

**STOP WORK ORDER.** A documented order delivered to the landowner and/or tenant by Staff advising that a violation of this ordinance has occurred.

**STRUCTURE.** A combination of materials assembled at a fixed location to give support or shelter, which includes BUILDING, framework, retaining wall, platform, fence, flagpole, towers, antennas, satellite dishes, decks and porches.

**VIOLATION.** The act of starting, or having completed, development that would otherwise need a certificate or approval from the Commission in accordance with ordinance, or the act of contravening the provisions of this ordinance.

#### **§49-3. Conflicts with the Historic Districts Act.**

Nothing in this chapter shall be deemed to conflict with the provisions of the Historic Districts Act. If any of the provisions of this chapter conflict with the Historic Districts Act, then the Historic Districts Act shall prevail.

#### **§49-4. Severability.**

In case any section, paragraph, or part of this chapter is, for any reason, declared invalid or unconstitutional by any court, every other section, paragraph, and part shall continue in full force and effect.

#### **§49-5. Enforcement.**

A. Upon discovering a violation of this ordinance, the City official charged with overseeing this ordinance and/or staffing the Commission shall issue a Stop Work Order to the landowner and/or tenant relating to the violation advising that all unauthorized work shall stop until the proper approvals have been obtained. A Stop Work Order shall contain the following information

- (1) A written description of the violation;
- (2) Pictures of the Violation;
- (3) Pictures of the conditions prior to the violation (if available); and
- (4) The underlying District's guidelines.

B. Upon responding, the City official charged with overseeing this ordinance shall schedule a hearing with

the Commission, which shall be conducted in accordance with Historic Districts Act and this ordinance.

- C. Should the offender fail to comply with and/or fail to follow-up to a Stop Work Order, penalties may be levied in accordance with §49-6.

**§49-6. Penalties.**

Whoever violates any of the provisions of this chapter shall be punished by a fine of not less than ten dollars nor more than five hundred dollars. Each day during any portion of which a violation continues to exist shall constitute a separate offense.

For minor violations, which include, but are not limited to: the installation of a fence, flagpole, or other minor structure, a fine not to exceed fifty dollars will be levied against offenders whom do not comply with stop work orders. Within one week, should the offender refuse to comply after the first levied fine, a fine not to exceed one-hundred fifty dollars may be levied. Within one week of the second levied fine, should the offender refuse to comply, the maximum fine of five hundred dollars may be levied each day thereafter.

For major violations, which include, but are not limited to: the unauthorized construction of an addition, the unauthorized replacement of windows, and other unauthorized modification of the exterior, a fine not to exceed one hundred fifty dollars will be levied against offenders whom do not comply with stop work orders. Within one week, should the offender refuse to comply with the first levied fine, a fine not to exceed three-hundred fifty dollars may be levied. Within one week of the second levied fine, should the offender refuse to comply, the maximum fine of five hundred dollars may be levied each day thereafter.

**[END OF ARTICLE I]**

## **ARTICLE II**

### **Historical Commission**

#### **§ 49-7. Establishment; membership.**

- A. There is established under the provisions of the Historic Districts Act, a Springfield Historical Commission to be governed by and operated in accordance with the provisions relative thereto of the General Laws or any special act or amendment thereto.
- B. The Commission shall consist of seven regular members to be appointed by the Mayor subject to the confirmation of the City Council, including one member from two nominees submitted by the Springfield Historical Society or, in absence thereof, from the Society for the Preservation of New England Antiquities; one member from two nominees submitted by the chapter of the American Institute of Architects covering the City; one member from two nominees submitted by the City Board of Realtors; and one member from two nominees submitted by the Springfield Preservation Trust, Inc.
- C. Selecting the remaining three members from among the following professions: a lawyer; a landscape architect; a banker; and a public relations specialist; or, in the absence of any one or more of the aforementioned, a person or persons interested in historic preservation is recommended.
- D. Each such member of the Commission shall be a resident of the City and any such member removing their residence from said City shall be considered thereby to have resigned their membership in the Commission. The members of said Commission shall also include one or more residents of or owners of property in a local historic district administered by said Commission. When the Commission is first established, two members shall be appointed for a term of one year; two shall be appointed for a term of two years; and three shall be appointed for a term of three years. At the expiration of the respective terms of the first appointees, the Mayor shall appoint a successor for each office for a term of three years or until a successor is appointed and qualified. In the event a vacancy occurs, it shall be filled in the same manner as that of an original appointment for the unexpired term.
- E. There shall also be four alternate members to be appointed by the Mayor subject to confirmation by the City Council, who need not be from nominees of organizations entitled to nominate members, but shall be residents of the City. In case of the absence, inability to act or unwillingness to act because of conflict of interest or self-interest on the part of a member of the Commission, their place shall be taken by an alternate member designated by the Chairman.
- F. Each member and alternate shall continue in office after the expiration of his term until their successor is duly appointed and qualified. All members shall serve without compensation. The Commission shall elect annually a Chairman and Vice Chairman from its own number and a Secretary from within or without its number.

#### **§ 49-8. Powers.**

- A. The Commission shall have the power, subject to appropriation or receipt of funds from City Council:
  - (1) To conduct a survey of buildings and sites in the City to determine which are historically significant, and revise detailed listings of historic sites and historic buildings in said City;
  - (2) To devise a system of markers for historic sites and historic buildings, to arrange for the manufacture and installation of such markers, and to arrange care for such markers; and

- (3) To arrange for the preparation and publication of printed matter relating to historic sites and structures of said City, whether for walking tours, general public information or otherwise.
- B. The Commission shall also have the power, in accordance with the provision of the Historic Districts Act to:
  - (1) Propose the establishment of additional local historic districts, change to, or dissolution of existing local historic districts; and
  - (2) To consult with and advise the Planning Board, the City Redevelopment Authority and other departments or agencies of said City in matters concerning historic sites and structures.

**§ 49-9. Meetings; rules and regulations.**

- A. The Commission shall hold its meetings twice a month at a regularly scheduled time and place.
- B. The Commission shall adopt rules of procedure for the purposes of conducting of its business, not inconsistent with the provisions of the Historic Districts Act, or with the provisions of this chapter. The original copy of all such rules and regulations, and all amendments, deletions or additions thereto, shall be filed with the City Clerk.

**[END OF ARTICLE II]**

**ARTICLE III**  
**Responsibilities of the Historic District Commission**

**§ 49-10. Designation of Local Historic Districts.**

A. The Commission may designate local historic districts for any of the following:

- (1) A single preferably preserved building;
- (2) A group of preferably preserved buildings either adjacent to one another or in near proximity to one another; or
- (3) A preferably preserved site.

B. **Applicability.** To be considered for the designation of a local historic district, a building, group of buildings, or site first must be deemed to have historic significance as set forth herein. Any building, group of buildings, or site that is listed on the National Register and/or the State Register shall be deemed to have historic significance.

C. **Single-Building and Districts with Five or Less Properties.**

- (1) Notwithstanding the foregoing or anything to the contrary in this chapter, a single building or district containing five or less properties may not be considered for designation as an historic district unless all primary buildings in the proposed district have been determined to be eligible to be placed on the National Register of Historic Places by the Massachusetts Historical Commission, State Review Board and the United States National Park Service.
- (2) Once the Commission has made a determination of historic significance relating to the buildings in the proposed district, and the Commission has acknowledged its intent to move forward with establishing a proposed district, the applicant may commence with the process of attaining confirmation that building is eligible to be placed on the National Register of Historical Places, as outlined in subsection (1) above.
- (3) Once all primary buildings in the proposed district have been determined to be eligible to be placed on the National Register of Historic Places in accordance with subsections (1) and (2) above, the proposed District can be forwarded to the City Council for their review in accordance with the procedures outlined in § 49-10.G below.

D. **Application for Historic Significance Determination.** An application for determination of historic significance may be made to the Commission by:

- (1) The owner of a preferably preserved building(s) or site; or
- (2) Any City resident, City official, or any non-profit historic preservation organization.

E. **Historic Significance.** For purposes of this chapter, a preferably preserved building or site shall be deemed to have historic significance if the building, group of buildings, or site satisfies more than one of the following criteria:

- (1) Has integrity of location, design, setting, materials, workmanship, and association;
- (2) Is associated with events that have made a contribution to the broad patterns of the City's history;
- (3) Is associated with the lives of person(s) significant in the past;

- (4) Embodies the distinctive characteristics of a type, period or method of construction;
  - (5) Represents a significant and distinguishable entity whose components may lack individual distinction; or
  - (6) Has yielded or may be likely to yield information important in history.
- F. **Report.** Once the Commission has determined such building, group of buildings, or site has historic significance, then the Commission, or a consultant selected by the Commission, shall draft and submit all required reports for designation in accordance with the Historic Districts Act. The cost and expense to the Commission for the preparation and submission of all such reports shall be levied against the applicant. Should the cost of the report exceed one thousand five hundred dollars (\$1,500.00), the Commission shall discuss the cost estimate with the applicant seeking the creation of the district prior to drafting the report to ensure that the applicant wishes to cover the expenditure.
- G. **City Council Approval.** Once the Commission has satisfied all the procedural requirements for designation in the Historic Districts Act, the Commission may recommend the designation of a local historic district along with a set of written guidelines specific to the district to the City Council for legislative review. The City Council shall not adopt a local historic district unless it is in furtherance of:
- (1) Preserving and protecting historic buildings and historic sites within the City that constitute or reflect distinctive features of the architectural, cultural, economic, political, or social history of the City; and
  - (2) Limiting the detrimental effect to the character of the City of demolition or inappropriate additions and/or alterations to such building(s) or site.
- H. Once designated, the historic district and associated guidelines shall be codified in this Chapter 49 and the designation shall be appended to the City's official zoning map.

#### **§ 49-11. Designation of Guidelines**

- A. The Commission may adopt and from time-to-time amend guidelines that:
- (1) Set forth design criteria for one or more exterior features within a particular district;
  - (2) Set forth design criteria for one or more exterior features that apply to multiple districts so long as those districts are specifically stated within said guideline; and
  - (3) Set forth design criteria for one or more exterior features that apply to all districts.
- B. Proposed guidelines or guidelines amendments shall be heard at a duly posted and noticed public hearing, and may be adopted or amended following such hearing.

#### **§ 49-12. Certificates for Alterations, Additions, and New Construction.**

- A. **Applicability.** One of the following certificates is required for either of the following:
- (1) Any exterior alteration, including additions to any existing historic building or site; or
  - (2) New construction to an historic building or site.

No permits shall be issued for either of the above until a certificate of non-applicability, certificate of appropriateness, or certificate of hardship is issued by the Commission.

**B. Certificates of non-applicability.** Upon application of a property owner, the Commission shall issue a certificate of non-applicability for any of the following:

- (1) Ordinary maintenance, repair, or replacement of exterior features;
- (2) Work that is not visible from a public street or park;
- (3) Temporary (non-permanent) signs or structures;
- (4) Terraces, walks, driveways, and sidewalks;
- (5) Storm windows, screens, window air conditioners, and antennae;
- (6) Signs that are no more than one square foot;
- (7) Reconstruction of a building or structure that is substantially similar in exterior design;
- (8) Light fixtures;
- (9) Fencing that does not lie between the front building foundation line and the public way; or
- (10) Demolition of a noncontributing structure, unless subject to the Preferably Preserved Building or Site standards under § 49-13.

**C. Certificates of appropriateness.** Upon application of a property owner, the Commission shall issue a certificate of appropriateness for an alteration or addition to an historic building, or new construction within a local historic district, that satisfies the applicable local historic district guidelines. Where no local historic district guidelines have been adopted as part of a local historic district, the Commission may grant a certificate of appropriateness if the proposed alteration, addition, or new construction satisfies the all of the following, as applicable:

- (1) There will be minimal changes to the defining characteristics and materials of the historic building being altered or added to, or the local historic district in which new construction is proposed.
- (2) The historic character of the historic building will be retained and preserved and there will not be any removal of historic materials or any alteration of features and spaces that characterize a historic building.
- (3) There will be no changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings.
- (4) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic building will be preserved.
- (5) Deteriorated historic features will be repaired rather than replaced and any new features shall match the old features in design, color, texture, and other visual qualities and, where possible, materials.
- (6) The replacement of missing features is substantiated by clear and convincing documentary, physical, or pictorial evidence, including but not limited to detailed architectural plans, cut-sheets,

specifications, or historic photographs.

- (7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used, and the surface cleaning of structures, if appropriate, will be undertaken using the gentlest means possible.
  - (8) Significant archeological resources affected by a project will be protected and preserved, and if such resources must be disturbed, mitigation measures will be undertaken.
  - (9) An addition will be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the historic building.
  - (10) The work will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic building and its environment would be unimpaired.
- D. **Certificates of hardship.** The Commission shall issue a certificate of hardship for exterior alterations or additions to an historic building or site, or new construction within a local historic district, that would not otherwise be deemed appropriate in the local historic district under the criteria set forth above, but which may be necessary due to economic, physical, social, or other special conditions that apply to the individual historic building. An applicant for a certificate of hardship shall provide credible evidence to support its application, which shall include:
- (1) Documentation and/or photographs evidencing the economic, physical, social, or other special conditions justifying the issuance of a certificate of hardship; and
  - (2) A written comparison from a third-party provider of the cost of complying with the requirement and any alternatives proposed by the applicant evidencing that the cost of compliance is so great that it would not be reasonably financially practical considering the value of the property.
- E. **Commission action.** The Commission shall act on an application for a certificate within 60 days, unless the owner of the subject property requests and receives an extension from the Commission. If the Commission does not act within such time, the certificate shall be deemed approved.

#### **§ 49-13. Preferably Preserved Building or Site - Demolition.**

The following procedures apply to all applications for demolition related to any preferably preserved building or site:

A. **Procedure; applicability.**

- (1) Within seven days of receiving a demolition application, the Building Commissioner shall determine whether the building or site to be demolished is a preferably preserved building or site or is a historic building or site. If the building is determined to be a preferably preserved building or site or is an historic building or historic site, then the Building Commissioner shall forward a copy of the application to the Commission. Unless granted an exemption by the Commission (also known as the demolition delay exemption), no demolition permit shall be issued for a historic building or historic site for nine months following receipt of the application.
- (2) The Commission shall, within nine months of receiving the application, determine whether the building should be designated as a local historic district pursuant to this chapter and the Historic Districts Act.

- (3) If the Commission has not designated the building(s) or site(s) as a local historic district within nine months of receiving the application, then the Building Commissioner may issue the demolition permit.
- (4) This chapter shall not apply to any building or site located in any area of the City designated a "Casino Overlay District" pursuant to Section 8.5 of the Springfield Zoning Ordinance and for which the State Gaming Commission has granted a license.
- (5) The Commission shall notify the City Council and the Mayor of any building or site listed individually on the State Register, any building or site it determines to be a contributing part of a district listed on the State Register, or any building or site it determines to be individually eligible for listing on the National Register.

**B. Exemptions.** The Commission, by majority vote of the Commission, may exempt any preferably preserved building or site from the provisions of this chapter upon written request from the applicant. No exemption shall be granted for any building or site that is located within a local historic district. If the Commission fails to act on a request for exemption within 30 days of submission to the Commission, then the exemption is granted. The request shall include:

- (1) The address of the building to be demolished or the site to be removed;
- (2) The owner's name, address, email, and telephone number;
- (3) The reason for requesting a demolition permit; and
- (4) Photograph, drawing, or description of the building or site.

**C. Court ordered demolition; eminent domain; emergency demolition.**

- (1) Nothing in this chapter shall be deemed to inhibit the Law Department's ability to seek and enforce a court demolition order, provided the Law Department and/or the Office of Housing provides the Commission notice upon filing a motion to demolish a building or remove a site not less than 60 days prior to demolition or removal.
- (2) A historic building or historic site subject to eminent domain taking by the City shall be exempt from the provisions of this article so long as it is disclosed in writing to the Council within the order of taking that demolition of the property will occur.
- (3) Nothing in this chapter shall be deemed to inhibit the Building Commissioner's or Fire Commissioner's ability to demolish buildings under MGL c. 48, MGL c. 143, §§ 6 through 9, and the Massachusetts Building Code.

#### **§ 49-14. Protocols For Historic Review of Municipally Owned or Funded Projects.**

- A. General.** The Commission shall be provided an opportunity to conduct timely and effective reviews and discuss concepts, initiatives, plans, or specifications that will affect municipally owned or funded projects involving municipally-owned-or-funded preferably preserved buildings or sites.
- B. Notification.** Prior to the approval and issuance of permits for the demolition, rehabilitation, reconstruction, or disposition of any municipally-owned-or-funded preferably preserved building or site, the Building Commissioner shall notify the Commission of the application and provide the following application information:

- (1) Property address;
  - (2) Responsible department name, contact person, address, email, and telephone number;
  - (3) Description of the proposed demolition, rehabilitation, reconstruction, or disposition;
  - (4) Whether the property is owned by the City or a project thereon is receiving funding from the City; and
  - (5) The year the building or site was constructed and any pertinent historical information about the property, including, but not limited to, the name of any architect or designer involved in its original design, the name of any persons or event of historic significance to the City that may have been associated with the property.
- C. **Determination of historic significance.** The Commission shall review the application and determine whether the property has historic significance in accordance with § 49-8 above.
- D. **Commission action.**
- (1) If the Commission determines that the property is not significant, but the proposed activity in the application will not adversely affect the property, the Commission shall notify the Department in writing, and no further action is necessary.
  - (2) If the Department proposes to modify the activity because of the recommendations, the Commission shall determine if the modification eliminates, minimizes, or mitigates the adverse effect and so notify the Department in writing.
  - (3) If the Commission determines the proposed modified activity satisfactorily eliminates, minimizes, or mitigates the adverse effect, no further action shall be required.
  - (4) If the Commission determines that the proposed modified activity does not eliminate, minimize, or mitigate the adverse effect, or if information is submitted by the Department indicating modifications, as proposed, cannot be made, the Commission will notify the Department in writing that an agreement could not be reached.
- E. **Exemptions.** The protocols herein shall not apply to ordinary repairs and maintenance on City-owned or City-funded buildings, whether routine or emergency.
- F. **Tax title properties.** The Department shall provide the Commission with advance notification of disposition, including auctions and/or request for proposals transfers. In non-emergency cases, the Department shall provide the Commission with sixty (60) days prior notice:
- (1) of the addresses of the properties sought to be demolished;
  - (2) whether the property is City-owned; and
  - (3) whether there is a court order for demolition.

**[END OF ARTICLE III]**

## **ARTICLE IV**

### **Local Historic Districts**

#### **§ 49-15. Quadrangle-Mattoon Street Historic District. [Amended 10-5-2020; 10-8-2021; 9-18-2023]**

- A. There is established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Quadrangle-Mattoon Street Historic District as shown on the map labeled Exhibit 27-2A, entitled "Quadrangle-Mattoon Street Historic District"; said map to be considered a part of this chapter. In accordance with Section 8, Paragraph b of said Historic Districts Act, so-called, the authority of said Commission shall, however, be limited so as not to extend to any buildings, structures or properties located within the district however owned or controlled by the Springfield Library and Museum Association and Roman Catholic Bishop of the Diocese of Springfield. Notwithstanding the above, the limitation set forth herein shall not apply to 220 State Street (also known as the "Springfield Science Museum"), 222 State Street (also known as the "George Walter Vincent Smith Art Museum") or 49 Chestnut Street (also known as the "D'Amour Museum of Fine Arts").
- B. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-2.

#### **§ 49-16. Forest Park Heights Historic District.**

- A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as aforesaid, the Forest Park Heights Historic District as shown on the map labeled Exhibit 27-2B, amended 1979, entitled "Forest Park Heights Historic District"; said map to be considered a part hereof.
- B. Exemptions from controls:
- (1) Temporary structures or signs; subject, however, to such conditions as to duration of use, location, lighting removal, and similar matters as the Commission may reasonably specify.
  - (2) Terraces, walks, driveways, and sidewalks; provided that any such structure is substantially at grade level.
  - (3) Storm windows, screens, window air conditioners, antennas and similar appurtenances.
  - (4) The color of paint.
  - (5) The color of materials used on roofs.
  - (6) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is only illuminated indirectly.
  - (7) The reconstruction, substantially similar in exterior design, of a building, structure, or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.
- C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-3.

#### **§ 49-17. McKnight Historic District.**

- A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the McKnight Historic District as shown on the map labeled
-

1. **Editor's Note: The historic district maps noted in this article are on file in the City offices.**

Exhibit 27-7C, entitled "McKnight Historic District"; said map to be considered a part of this chapter.

B. Exemptions from controls:

- (1) Temporary structures or signs; subject, however, to such conditions as to duration of use, location, lighting removal, and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks; provided that any such structure is substantially at grade level.
- (3) Storm windows, screens, window air conditioners, antennas and similar appurtenances.
- (4) The color of materials used on roofs.
- (5) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is only illuminated indirectly.
- (6) The reconstruction, substantially similar in exterior design, of a building, structure, or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-4.

**§ 49-18. Lower Maple Historic District.**

A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Lower Maple Historic District as shown on the map, labeled Exhibit 27-2D, as amended 2004, entitled "Lower Maple Historic District"; said map to be considered a part of this chapter.

B. Exemptions from controls:

- (1) Temporary structures or signs; subject, however, to such conditions as to duration of use, location, lighting removal, and similar matters as the Commission may reasonably specify.
- (2) Storm windows, screens, window air conditioners, antennas and similar appurtenances.
- (3) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is only illuminated indirectly.
- (4) The reconstruction, substantially similar in exterior design, of a building, structure, or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-5.

**§ 49-19. Ridgewood Historic District.**

A. There is further established under the provisions of and in accordance with the Historic Districts Act the Ridgewood Historic District as shown on the map labeled Exhibit 27-2E, amended 1981, entitled "Ridgewood Historic District"; said map to be considered a part of this chapter.

B. Exemptions from controls:

- (1) Temporary structures or signs; subject, however, to such conditions as to duration of use,

location, lighting removal, and similar matters as the Commission may reasonably specify.

- (2) Terraces, walks, driveways, and sidewalks; provided that any such structure is substantially at grade level.
- (3) Storm windows, screens, window air conditioners, antennas and similar appurtenances.
- (4) The color of materials used on roofs.
- (5) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is only illuminated indirectly.
- (6) The reconstruction, substantially similar in exterior design, of a building, structure, or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-6.

#### **§ 49-20. Maple Hill Historic District.**

A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Maple Hill Historic District as shown on the map labeled Exhibit 27-2F, entitled "Maple Hill Historic District"; said map to be considered a part of this chapter.

B. Exemptions from controls:

- (1) Temporary structures or signs; subject, however, to such conditions as to duration of use, location, lighting, removal, and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks; provided that any such structure is substantially at grade level.
- (3) Storm windows, screens, window air conditioners, antennas and similar appurtenances.
- (4) The color of materials used on roofs.
- (5) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is only illuminated indirectly.
- (6) The reconstruction, substantially similar in exterior design, of a building, structure, or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-7.

#### **§ 49-21. Our Lady of Hope District.**

A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Our Lady of Hope Historic District as shown on the map labeled Exhibit 27-2G, entitled "Our Lady of Hope District"; said map to be considered part of this chapter.

B. Exemption from controls:

- (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.

- (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
- (3) Storm windows, screens, window air conditioners, antennas (Satellite dishes are regulated; please see Satellite Dish Guidelines.), and similar appurtenances.
- (4) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is illuminated only indirectly.
- (5) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-22. Immaculate Conception Historic District.**

A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Immaculate Conception Historic District as shown on the map labeled Exhibit 27-2H, entitled "Immaculate Conception Historic District"; said map to be considered part of this chapter.

B. Exemption from controls:

- (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
- (3) Storm windows, screens, window air conditioners, antennas, and similar appurtenances as decided by the Commission.
- (4) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is illuminated only indirectly.
- (5) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-23. Willys-Overland Historic District. [Added 7-20-2015]**

A. There is established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Willys-Overland Block District as shown on the map, labeled Exhibit 27-21, entitled "Willys-Overland Block," said map to be considered part of this chapter.

B. Exemption from controls.

- (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.

- (3) Storm windows, screens, window air conditioners.
- (4) Color of paint.
- (5) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and, if illuminated, is illuminated only indirectly.
- (6) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-24. Colony Hills Historic District. [Added 12-21-2015]**

- A. There is established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Colony Hills Historic District as shown on the map, labeled Exhibit 27-2G, entitled "Colony Hills Local Historic District"; said map to be considered a part of this chapter.
- B. Exemption from controls.
  - (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
  - (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
  - (3) Storm windows, screens, window air conditioners, antennas, and similar appurtenances as decided by the Commission.
  - (4) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and, if illuminated, is illuminated only indirectly.
  - (5) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-8.

**§ 49-25. Bliss House Historic District. [Added 4-4-2016]**

- A. There is established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Bliss House District as shown on the map, labeled Exhibit 27-2K, entitled "Bliss House," said map to be considered part of this chapter.
- B. Exemption from controls.
  - (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
  - (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
  - (3) Storm windows, screens, window air conditioners.

- (4) Color of paint.
- (5) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and, if illuminated, is illuminated only indirectly.
- (6) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-26. Thomas Wason Local Historic District. [Added 7-18-2016]**

- A. There is established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Thomas Wason House District as shown on the map, labeled Exhibit 27-2J, entitled "Thomas Wason House," said map to be considered part of this chapter.
- B. Exemption from controls.
  - (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
  - (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
  - (3) Storm windows, screens, window air conditioners.
  - (4) Color of paint.
  - (5) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and, if illuminated, is illuminated only indirectly.
  - (6) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-27. Apremont Triangle Historic District. [Added 9-11-2017]**

- A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Apremont Triangle Historic District as shown on the map, labeled Exhibit 27-2K, entitled "Apremont Triangle Historic District"; said map to be considered part of this chapter.
- B. Exemption from controls:
  - (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
  - (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at

grade level.

- (3) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-9.

**§ 49-28. Driscoll Block Historic District. [Added 6-4-2018]**

A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Driscoll Block Historic District as shown on the map, labeled Exhibit 27-2L, entitled "Driscoll Block Historic District"; said map to be considered part of this chapter.

B. Exemption from controls:

- (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
- (3) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-29. Trinity Block Historic District. [Added 10-7-2019]**

A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Trinity Block Historic District as shown on the map labeled Exhibit 27-2M, entitled "Trinity Block Historic District"; said map to be considered part of this chapter.

B. Exemption from controls:

- (1) Temporary structure or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks provided that any such structure is substantially at grade level.
- (3) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-30. Thurston Munson House Historic District. [Added 10-7-2019]**

A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Thurston Munson House Historic District as shown on the

map labeled Exhibit 27-2N, entitled "Thurston Munson House Historic District"; said map to be considered part of this chapter.

B. Exemption from controls:

- (1) Temporary structure or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks provided that any such structure is substantially at grade level.
- (3) Storm windows, screens, window air conditioners.
- (4) Color of paint.
- (5) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and, if illuminated, are illuminated only indirectly.
- (6) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-31. National Needle Building Historic District – 55 Emery Street. [Added 09-14-2020]**

A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the National Needle Building Historic District as shown on the map labeled Exhibit 27-2O, entitled "National Needle Building Historic District"; said map to be considered part of this chapter.

B. Exemption from controls:

- (1) Temporary structure or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
- (3) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-32. All Saints Church Local Historic District. [Added 4-5-2021]**

A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the All Saints Church Local Historic District as shown on the map labeled Exhibit 27-2Q, entitled "All Saints Church Local Historic District"; said map to be considered part of this chapter.

B. Exemption from controls:

- (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
- (3) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-33. Gunn Block Local Historic District. [Added 5-3-2021]**

A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Gunn Block Local Historic District as shown on the map labeled Exhibit 27-2R, entitled "Gunn Block Local Historic District"; said map to be considered part of this chapter.

B. Exemption from controls:

- (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
- (3) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-34. Elias Brookings Local Historic District. [Added 10-4-2021]**

A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Elias Brookings Local Historic District as shown on the map labeled Exhibit 27-2S, entitled "Elias Brookings Local Historic District"; said map to be considered part of this chapter.

B. Exemption from controls:

- (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
- (3) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-35. Aunchman House Local Historic District. [Added 10-25-2021]**

- A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Aunchman House Local Historic District as shown on the map labeled Exhibit 27-2T, entitled "Aunchman House Local Historic District"; said map to be considered part of this chapter.
- B. Exemption from controls:
  - (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
  - (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
  - (3) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.
- C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-36. La Marquise – 2612 Main Street. [Added 06-13-2022]**

- A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the La Marquise Historic District as shown on the map labeled Exhibit 27-2V, entitled "La Marquis"; said map to be considered part of this chapter.
- B. Exemption from controls:
  - (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify;
  - (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level (not including parking lots);
  - (3) Storm windows, screens, window air conditions;
  - (4) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and, if illuminated, is illuminated only indirectly;
  - (5) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.
- C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-37. Forest Park Trolley Waiting Pavilion Local Historic District - 299 Sumner Avenue. [Added 1-6-2022]**

- A. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Forest Park Trolley Barn Historic District as shown on the map labeled Exhibit 27-2T, entitled "Forest Park Trolley Barn Historic District"; said map to be considered part of this chapter.

B. Exemption from controls:

- (1) Temporary structures or signs, subject to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
- (3) Storm windows, screens, window air conditioners.
- (4) Color of paint on wood features
- (5) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and, if illuminated, is illuminated only indirectly.
- (6) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

C. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-1.

**§ 49-38. Federal Square-Upper State Street. [Added 01-09-2023]**

D. There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as mentioned in this chapter, the Federal Square – Upper State Street Historic District as shown on the map labeled Exhibit 29-2Y, entitled "Federal Square – Upper State Street"; said map to be considered part of this chapter.

E. Exemptions from controls:

- (1) Temporary structures or signs; subject to such conditions as to duration of use, location, lighting removal and similar matters as the Commission may reasonably specify.
- (2) Terraces, walks, driveways, and sidewalks; provided that any such structure is substantially at grade level.
- (3) Storm windows, screens, window air conditioners, antennas and similar appurtenances as decided by the Commission.
- (4) Color of paint.
- (5) Signs of not more than one (1) square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one (1) such sign is displayed in connection with each residence and, if illuminated, are illuminated only indirectly.
- (6) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

F. Historic district guidelines for this historic district are attached to this Ch. 49 as Appendix 49-10.

**[END OF ARTICLE IV]**

## **APPENDICES:**

Appendix 49-1: Standard Guidelines for those Districts with No Guidelines

Appendix 49-2: Quadrangle-Mattoon Street Historic District.

Appendix 49-3: Forest Park Heights Historic District.

Appendix 49-4: McKnight Historic District

Appendix 49-5: Lower Maple Historic District

Appendix 49-6: Ridgewood Historic District

Appendix 49-7: Maple Hill Historic District

Appendix 49-8: Colony Hills Historic District.

Appendix 49-9: Apremont Triangle Historic District.

Appendix 49-10: Federal Square – Upper State Street