

**CITY OF GRAND HAVEN
HISTORIC CONSERVATION DISTRICT COMMISSION
REGULAR MEETING MINUTES**

**THURSDAY, SEPTEMBER 9, 2021
GRAND HAVEN CITY HALL COUNCIL CHAMBERS
519 WASHINGTON AVENUE**

The regular meeting of the Grand Haven Historic Conservation District Commission was called to order at 5:01 p.m. on Thursday, September 9, 2021, at City Hall, by Chairperson Liza Dora.

Members Present: Chair Liza Dora; Vice-Chair Karen Casey; and Commissioners Bonnie Cowles, Paul Martin and Erik Bye.

Absent: Justin Forrest, excused; Robyn Vandenberg, excused.

Others present: Mary Angel, Administrative Liaison; John Martin, Loutit District Library Director; Erin Pilarski, Tri-Cities Museum Advisory Member; Mayor Bob Monetza; Councilmember Mike Dora.

1) General Business Call to Viewing Audience

No one spoke up at this time.

2) Approval of the August 19, 2021 Regular Meeting Minutes

Motion by Commissioner Bye, seconded by Vice-Chair Casey, to approve the Historic Conservation District Commission's regular meeting minutes of August 19, 2021. This motion carried unanimously.

3) Planning Commission Site Plan Reviews

There were no site plans for the commission to review.

4) Tri-Cities Museum Advisory Member Update

Eric Pilarski, Museum Advisory Member, reported that the Tri-Cities Historical Museum has been very busy lately working on future exhibits including the Halloween Party scheduled for October 16. They are still working on Collective Access and invited commissioners to request access to start to familiarize ourselves with it. They are still having conversion issues, but have found other members have had the same issues so they are being worked out. She noted that Ann White is the Interim Director after Julie Bunke's resignation.

5) Loutit District Library Events Update

John Martin, Library Director reported that Jeanette Weiden of the Genealogy Dept., is working on a virtual type of Haunted Tour of the Cemetery where there will be story boards, similar to the Storywalk boards and people will be guided around the Lake Forest Cemetery to interesting plots or markers. It will be self-guided but with the aid of the storyboards.

6) Depot Update

There was no update.

7) BLP Diesel Plant Community Open House – Planning Progress Updates

The October 6th and 7th dates have been approved. The open house will be 3:00 p.m. to -6:00 p.m. on both days. City Manager Pat McGinnis provided a rough draft of the flyer, and commissioner's updated and added more details and will see a final draft in the next day or so. The commission and City staff will begin to promote the event using Social Media, radio, newspaper and TV news agencies and personal contacts to get the word out.

Member Bye asked Advisor Pilarski to help him connect with the photographer of the museum so they could get photos for the posters to display during the tours. Everyone is looking forward to showing the diesel plant to the public before major changes are made.

8) Consideration of proposed Text Amendments to Chapter 19 – History of the City of Grand Haven Ordinances.

All approved changes and corrections that were made at the August 19, 2021 meeting were reviewed and accepted.

Moved by Vice-Chair Casey and supported by Commissioner Bye to approve suggested amendments to Chapter 19 History, Article II, as follows (Attachment A):

- The word “Historical” to be changed to “Historic” throughout for consistency
- 19-11 Purpose, subsections (1) and (6)
- 19-12 Definitions, subsections (4-13), a new definition was added (4) to define the new term “historical asset,” as well as some other changes to the text. The word “historical asset” was included in much of the text relating to the word “landmark.” The words are arranged in ABC order and some corrections were made for consistency and clarification. Clarification that the board is advisory rather than regulatory would be stated.
- 19-14 Same-Duties and authority. Title was clarified, and the word “Same” was replaced with Historic conservation district commission. Text changes to subsections (1), (3), (4), (5), (7), (9) were made and a new subsection was added (11) Public Awareness.
- 19-15 Procedures; designation or removal of designation. Title was clarified and the words “of an historic conservation district” were added. Changes to text in subsection (6), (7) were made.
- 19-16 A new section was drafted for “Procedures; approval for local historic landmark designation. This made all subsequent numbers change by one.
- 19-17 (formerly 19-16) Procedures; certificate of approval for historic conservation districts. Title was clarified and the words “recommendations for permits for work on designated local historic landmarks and other historic assets with historic facades” was added and the words “certificate of approval for historic conservation districts was struck. Changes to text in subsections (1-4) were made. It is proposed to strike text in subsections (4-9) and (11) in its entirety.
- 19-18 Severability (formerly 19-17) the number only changed.
- 19-19 Administrative liability (formerly 19-18) the number only changed.
- 19-20 Historic conservation district designation (formerly 19-19) the title was changed for clarification from “Historic conservation district designation” to “Established historic conservation district designation boundaries.” We are waiting for attorney opinion to determine whether or not changes can be made to clarify the boundaries of each district. Changes noted are submissions from Chair Liza Dora and she discovered that the district map shows 7th street while the description states 6th street. We will need to figure this out and correct the map if necessary.

This motion carried unanimously.

The next step is for City staff and attorney review and then it may be presented to Council in a future work session. It would then be presented to Council at two consecutive meetings for approval; first, as an introductory and then as a final reading.

9) Other Business Not On The Agenda

Commissioner Bye noted that Friday, September 10 would be the annual Bucs' Pride football game.

Administrative Liaison Mary Angel e-mailed a draft to the 2022 meeting schedule to members and noted that it would be on the October HCDC agenda in October.

10) Second General Business Call to Viewing Audience

Mayor Monetza congratulated the commission for all the hard work of updating the ordinance. He asked boards and commissions to take a look at ordinances affecting their boards to see if they needed any updating, and he was very happy the HCDC took ownership to make the ordinance their own.

Councilman Dora congratulated the commission, as well, on the ordinance re-write. He offered his help wherever needed for the diesel plant tour.

Mayor Monetza also offered to help during the tours.

No other comments were made by the public.

11) Adjournment

Chairperson Dora adjourned the meeting at 5:53 p.m.

Respectfully submitted by,

Chair Liza Dora

Administrative Liaison Mary Angel

Chapter 19 HISTORY¹

ARTICLE I. IN GENERAL

Secs. 19-1—19-10. Reserved.

ARTICLE II. HISTORIC CONSERVATION DISTRICTS²

Sec. 19-11. Purpose.

The purposes of this article are to:

- (1) Safeguard the heritage of the City of Grand Haven by recognizing and preserving historical landmarks, assets and sites which reflect elements of the city's cultural, social, economic, political or architectural history;
- (2) Stabilize and improve property values;
- (3) Foster civic beauty;
- (4) Strengthen the local economy;
- (5) Identify and promote the use of historic resources for the education, pleasure and welfare of citizens of the City of Grand Haven;
- (6) Provide advice, education about and input regarding the preservation and/or management of public historical properties and resources; and
- (7) Unify historic preservation efforts in this area.

(Ord. No. 84-8, § 2, 8-6-84)

Sec. 19-12. Definitions.

The following words and phrases, as used in this article, shall have the respective meanings set forth hereinafter, unless the context clearly indicates to the contrary.

¹State law reference(s)—Historical activities, MCL 399.171 et seq.; historic districts, MCL 399.201 et seq.; state historical commission, MCL 399.1 et seq.

²Editor's note(s)—Ord. No. 84-8, §§ 1, 2, adopted Aug. 6, 1984, repealed Art. II, §§ 19-11Editor's note(s)—19-22, and enacted in lieu thereof a new Art. II to read as herein set forth. Prior to repeal, Art. II pertained to the historical commission and derived from Code 1962, §§ 2-1701—2-1706.

Cross reference(s)—Administration, Ch. 2; boards and commissions generally, § 2-75Cross reference(s)— et seq.

(1) *Addition* means any construction which increases the height or floor area of or adds to an existing district resource.

(2) *Alteration* means construction, replacement or remodeling within or to a district resource, resulting in exterior change to the structural parts, the location of openings or the location or appearance of the district resource, but not increasing the overall dimensions.

(3) *Demolition* means the destruction, in whole or in part, of a district resource.

(4) *Designated Local Historic Landmark* (hereinafter sometimes referred to as "landmark") means a site, building, structure, object, open space or feature having historically significant community interest and value in physical appearance to justify protection within an Historic conservation district that has been approved by the commission for local landmark designation.

(4) *Historic Asset* (hereinafter sometimes referred to as "asset") means a contributing site, building, structure, object, or open space or feature having historically significant community interest and value in the physical appearance to justify protection, both within and outside of an Historic conservation district, and has not been designated as a local landmark but may become a landmark if the necessary written consent is given by the owner(s).

(a) *Site* means a landmark or asset related to important Historic events, a prehistoric or historic occupation, activity, institution or organization, or an architectural landmark or asset that is ruined or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing architectural landmarks or assets. Examples: historic marker, commemorative plaque, archaeological site.

(b) *Building* means a residential, commercial, industrial, or institutional landmark or asset created to shelter any form of human activity. Examples: house, courthouse, jail, barn, church, theatre, hospital, office building.

(c) *Structure* means a landmark or asset made up of interdependent and interrelated parts in a definite pattern of organization, often reflective of an engineering design. Examples: bridge, dam, water tower, bell tower.

(d) *Object* means a landmark or asset of functional, aesthetic, cultural, historical, architectural, archaeological or scientific value that may by nature of design be movable yet related to a specific setting or environment. Examples: statue, fountain, lighting fixture, sign, sundial.

(e) *Open space* means a landmark or asset that is undeveloped land, a naturally landscaped area, a formal or manmade landscape, or developed open space significant as a connective link or buffer between or among other landmarks or assets. Examples: naturally landscaped park, formal garden, vacant land, parking lot.

(f) *Feature* means a prominent or distinctive aspect, quality or characteristic of an historic conservation district. Examples: landscaped boulevard, brick paving, treelined street.

(5) *Historic conservation district* means a geographically defined area that is significant at the neighborhood level and regulated with more flexible historic resource protections (advisory rather than regulatory) than historic districts. A conservation district is a tool used to help communities preserve an area's distinctive atmosphere or character through architectural guidelines, development standards, and special provisions. Conservation districts protect such things as architecture styles, densities of the area, heights of structures, and setback guidelines. A conservation district includes ~~ing~~ a landmark or ~~landmark or~~ a group of landmarks, ~~asset(s)~~ -or property(ies) which that ~~will~~ could become a landmark if the necessary written consent is given by the owner(s), created by the city council for the purpose of historic preservation. The city council may establish more than one such

historic conservation district. Landmarks or assets within the boundaries of an historic conservation district are related by historical, architectural or archaeological significance. For the purpose of clarification, however, an historical conservation district may also consist of a single landmark or asset unrelated to its surroundings in historical, architectural or archaeological significance, if so designated by this article.

(65) *Historical conservation district commission* (hereinafter sometimes referred to as the "commission") means the member body created by the city council for the purpose of fulfilling the purposes of this article and fills the role in an advisory capacity rather than regulatory capacity.

(7) *New construction* means planned landmarks or assets that are to be constructed or placed within a designated historic conservation district. Such planned new construction, because it will have a significant effect on the overall appearance of an historic conservation district and because it will play a role in the evolutionary growth of an historic conservation district's streetscape, shall be treated as historic by the commission the same as older, existing landmarks and assets.

(86) *Historic preservation* means the protection, reconstruction, rehabilitation, repair or restoration of landmarks or assets of historical, architectural or archaeological significance.

(7) *Landmark* means a site, building, structure, object, open space or feature to be found individually or in a related group within an historical conservation district.

(a) *Site* means a landmark related to important historical events, a prehistoric or historic occupation, activity, institution or organization, or an architectural landmark that is ruined or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing architectural landmarks. Examples: historic marker, commemorative plaque, archaeological site.

(b) *Building* means a residential, commercial, industrial, or institutional landmark created to shelter any form of human activity. Examples: house, courthouse, jail, barn, church, theatre, hospital, office building.

(c) *Structure* means a landmark made up of interdependent and interrelated parts in a definite pattern of organization, often reflective of an engineering design. Examples: bridge, dam, water tower, bell tower.

(d) *Object* means a landmark of functional, aesthetic, cultural, historical, architectural, archaeological or scientific value that may by nature of design be movable yet related to a specific setting or environment. Examples: statue, fountain, lighting fixture, sign, sundial.

(e) *Open space* means a landmark that is undeveloped land, a naturally landscaped area, a formal or manmade landscape, or developed open space significant as a connective link or buffer between or among other landmarks. Examples: naturally landscaped park, formal garden, vacant land, parking lot.

(f) *Feature* means a prominent or distinctive aspect, quality or characteristic of an historic conservation district. Examples: landscaped boulevard, brick paving, treelined street.

(98) *Protection* means the act or process of applying measures designed to affect the physical condition of a landmark or asset by defending or guarding it from deterioration, loss or attack, or to cover or shield it from danger or injury.

(9) *New construction* means planned landmarks that are to be constructed or placed within a designated historic conservation district. Such planned new construction, because it will have a significant effect

~~on the overall appearance of an historic conservation district and because it will play a role in the evolutionary growth of an historic conservation district's streetscape, shall be treated as historic by the commission the same as older, existing landmarks.~~

- (10) *Reconstruction* means the process of reproducing by new construction the exact form and detail of a vanished ~~landmark~~landmark or asset, or part thereof, as it appeared at a specific time.
- (11) *Rehabilitation* means the revitalization of a ~~landmark~~landmark or asset through the introduction of modern mechanical systems, structural elements and decorative features. Such modern improvements, however, should be sympathetic to the ~~landmark~~landmark or asset's original style, size, color and texture and should be reversible.
- (12) *Repair* means the maintenance of or the return to a state of utility of a ~~landmark~~or asset.
- (13) *Restoration* means the process of accurately recovering the form and detail of a ~~landmark~~or asset as it appeared at a particular period of time by removing later work, replacing missing elements, and enhancing original work.

(Ord. No. 84-8, § 2, 8-6-84)

Sec. 19-13. Historic conservation district commission—Creation.

An historic conservation district commission is hereby established. The commission shall consist of seven (7) members of legal age who reside in the City of Grand Haven. Members shall be appointed by the city council and shall serve without compensation, but may be reimbursed for actual expenses incurred in commission activities. Members shall be appointed for three-year terms, except the initial appointments of three (3) members for the term of three (3) years, two (2) members for the term of two (2) years, and two (2) members for the term of one year. Subsequent appointments shall be for three-year terms, and members shall be eligible for reappointment. No member shall be appointed to more than two (2) full consecutive terms, after which terms a period of one year shall elapse before the member may be reappointed to the commission.

Four (4) members of the commission shall constitute a quorum for the transaction of business. In the absence of a quorum, any number less than a quorum may adjourn a meeting to a later date.

The commission shall take action by the affirmative vote of a majority of its members present at a commission meeting, provided that no motion shall pass without at least three (3) affirmative votes.

The members of the commission shall annually select a chairperson from among themselves. One member of the commission shall be a duly registered architect if one is eligible and willing to serve, and at least two (2) members shall be selected from a list submitted to the city council by one or more duly organized and existing preservation societies or historical groups. Neighborhood associations, merchants' groups and other groups with preservation interests may also submit names to the city council.

In the event of a vacancy on the commission, an interim appointment shall be made by the city council to complete the unexpired term of such position.

The commission shall meet monthly or more frequently at the call of the chairperson and shall adopt rules for the conduction of its business. All meetings of the commission shall be conducted in accordance with Act 267 of the Michigan Public Acts of 1976, as amended.

(Ord. No. 84-8, § 2, 8-6-84)

(Supp. No. 12)

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Sec. 19-14. Historic conservation district commission Same—Duties and authority.

- (1) *Power to designate and protect; generally.* The city council has the authority to designate by ordinance historic conservation districts. Historic preservation shall be practiced in historic conservation districts through several measures. Such measures shall include the commission's review of permit requests for additions, alterations, demolitions, protection, new construction, reconstruction, rehabilitation, repair, restoration and any other type of action proposed with regard to a landmark or asset that which requires a permit. The commission shall be consulted prior to the moving of any landmark or asset. The commission shall be given copies of any permit applications pertaining to properties of historic significance within historic conservation districts, whether or not such properties are landmarks, and shall offer information and assistance on historic preservation to property owners and people living within historic conservation districts that may lead to substantial architectural alterations of historically significant structures prior to issuance of construction permits.
- (2) *Designation of historic conservation districts.* The commission may investigate and recommend to the city council those geographical areas in the City of Grand Haven it deems valuable for designation as historic conservation districts. When and if designation of an historic conservation district is approved by the city council, the commission shall notify the affected property owner(s) in writing of such designation. The designation of historic conservation districts shall be accomplished according to section 19-15.
- (3) *Designation of landmarks.* The commission shall designate appropriate assets property within historic conservation districts as designated historic landmarks. Provided, however, no property shall be designated such as a designation landmark without the written consent of the owner(s) of record. Furthermore, once such written consent is given, it may not be revoked unless the landmark is first removed from the historic conservation district according to the procedure set forth in section 19-15.
- (4) *Erection of historic markers.* The commission shall have the authority, with the written consent of the property owner(s) of record, to make available erect historic markers or commemorative plaques for on a landmark.
- (5) *Commendation and recognition.* The commission may issue appropriate commendation and recognition to individuals, firms or areas promoting historic preservation. The commission may also currently recognize potential landmarks of the future by commending good examples of contemporary buildings.
- (6) *Maintenance of historic roster.* The commission shall maintain a roster of historic conservation districts and landmarks within the City of Grand Haven.
- (7) *Advisory capacity.* It shall be the duty of the commission may to render advice and guidance with respect to any proposed work regarding exterior façades and structural changes to property within historic conservation districts in the City of Grand Haven for which a permit is required. In rendering advice and guidance, the committee shall promote historical consciousness in educational programs, and shall undertake any advisory duty deemed appropriate by the city council. The commission may offer referrals to granted tax benefit opportunities.
- (8) *Acceptance of gifts or grants.* The commission may accept public or private gifts for historic preservation purposes and/or may accept grants from the governments of the State of Michigan or the United States of America for historic preservation purposes. The city council may empower the commission to administer on its behalf grants and gifts for such purposes.
- (9) *Review of permit applications.* The commission shall review all applicable permit applications and plans for landmarks and assets in historic conservation districts in regard to façade and structural changes. The commission shall keep a record of said permits in an effort to maintain a history of work done on landmarks or assets. No permit with regard to a landmark in an historic conservation district shall be granted until,

~~pursuant to section 19-16, the commission has granted its approval or the commission's denial has been reversed on appeal.~~

- (10) *Budget.* The commission expenses for stationery, clerical services, historic markers and other appropriate activities shall be provided in a budget submitted to and approved by the city council in the usual budget procedures.
- (11) *Public Awareness.* The commission may research, investigate, prepare and present public awareness campaigns designed to elevate interest in historic preservation and Grand Haven's many diverse historic neighborhoods. This includes but is not limited to erection of wayfinding signs, interpreting and identifying neighborhood signs, assist in educational field trips, open houses and other approaches to grant full access to cultural, social and architectural heritages.

(Ord. No. 84-8, § 2, 8-6-84)

Sec. 19-15. Procedures; designation or removal of designation of an historic conservation district.

- (1) Designation or removal of designation as an historic conservation district may be initiated by the commission or by the written request of an owner(s) of property (ies) within the proposed or current historic conservation district. Such a request shall designate clearly the land proposed to be included or excluded.
- (2) Upon receipt of a request or upon its own motion, the commission shall conduct studies and research and make a report on the landmarks within the historic conservation district, or on the site(s), building(s), structure(s), object(s), open space(s) and/or feature(s) which would be landmarks if the area were designated as an historic conservation district. The report shall contain recommendations concerning the inclusion or exclusion of geographical areas in or from an historic conservation district.
- (3) Copies of the commission's report shall be transmitted for review to the City of Grand Haven Planning Commission, the Michigan Historical Commission, the state historical advisory council and city council.
- (4) The commission shall hold a public hearing sixty (60) days after the transmittal of its report to the City of Grand Haven Planning Commission, the Michigan Historical Commission, the state historical advisory council and city council, and shall give due notice of such public hearing. The notice for the public hearing shall include written notice sent by first class mail with postage prepaid to the owner(s) of record of property (ies) proposed for designation or removal of designation as an historic conservation district.
- (5) After the public hearing, the commission shall submit a final report to the city council, stating its recommendations together with a draft of any proposed ordinance change.
- (6) The city council shall consider the commission's final report and may amend this article to designate or remove from designated ~~area~~ property previously excluded from or included in an historic conservation district.
- (7) ~~Upon~~When and if designation of an historic conservation district is approved by the city council, the commission shall notify the affected property owner(s) in writing of such designation.
~~- application from the owner(s) of record of any income producing property to designate such property as an historic conservation district, such property owner(s) shall pay an application fee equal to _____. For purposes of this paragraph, "income producing property" shall be defined as property used in a trade or business or held for the production of income.~~
- (8) After initial adoption of this article, the commission shall have all the authority and duties of an historic district study committee pursuant to Act 169 of the Michigan Public Acts of 1970, as amended and as limited by the terms of this article.

(Supp. No. 12)

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Sec. 19-16. Procedures; approval for local historic landmark designation.

- (1) Application, research and submission for local historic landmark designation. Application for designation of a site, building, structure, object, open space or feature that has historically significant community interest and value in physical appearance to justify protection within an historic conservation district is applied for by the property owner. Research from such following credible sources but not limited to is encouraged and copies of such documents should be included with the submitted application: 1981 historical survey, completed by Preservation Urban Design (available at the Loutit District Library), 2016 National Register of Historic Places Register, warranty deeds and abstracts, newspaper clippings, credible websites, photographs, census records, local historians, books, library and museum records. Assistance with historical research may be done by commission members, however, the property owner is responsible for its completion and submission. Completed applications are received by the city administrative liaison and forwarded to the commission no later than the next upcoming agenda. A letter of acknowledgement is sent from the commission to the applicant after receipt of application.
- (2) Review of applications and criteria for designation. Completed applications are reviewed and the commission shall make a determination within 90 days as to whether the qualifications for local historic landmark designation have been met. Criteria for designation includes but is not limited to the following: the historic asset must reside within an historic conservation district, contribute to the historic neighborhood based on the appearance and architectural style of the home, hold historical significance relating to an historic event, exemplify cultural, political, economic or social heritage of the community or association with a notable person. A visual inspection of the property by the Historic Conservation District Commission may be requested.
- (3) Designation. After the Historic Conservation District Commission approves local landmark designation, the applicant is notified. All designated local landmarks are eligible to receive a designation plaque to display on the structure to be visible from the street side, with a preferred placement to the left of the door as you look from the street. The owner pays one-half the cost of the plaque.
- (4) Public Acknowledgement. The owner(s) of newly designated local landmarks are recognized before council at a public meeting and presented with a certificate, signed by the Historic Conservation District Commission chair and mayor, acknowledging that they are designated as a local historic landmark and listed in the city register.

Sec. 19-176. Procedures;- recommendations for permits for work on designated local historic landmarks and other historic assets with historic facade certificate of approval for historic conservation districts.

- (1) Application and plans. The commission shall be notified for the purpose of providing recommendations to owner prior to work commencing regarding preservation of any historic significance to exterior of landmarks or assets. Application for a permit for addition, alteration, demolition, protection, new construction, reconstruction, rehabilitation, repair, restoration and/or any other type of action proposed with regard to a designated local historic landmark or other historic asset will be brought to the commission, which requires a permit shall be accompanied by an historical preservation permit application (hereinafter sometimes referred to as an "application") and plans. Plans shall describe the proposed changes, showing the landmark in question and also showing its relationship to adjacent landmarks and other buildings or structures. The application shall be made by the owner of the landmark in question or any person, firm, or corporation

authorized to act on behalf of the owner. The commission shall review and recommend approval or disapproval of permit applications for all designated local historic landmarks. The commission will review and act upon permit applications for other historic assets at its discretion.

- (2) *Notification.* Upon the filing of such application, the building inspector for the City of Grand Haven shall immediately notify the commission of the receipt of such relevant application and shall transmit it together with accompanying plans and other information to the commission.
- (3) *Review.* The commission shall meet within two thirty (302) days after notification by the building inspector for the City of Grand Haven or by the city council, unless otherwise mutually agreed by the applicant and the commission. The commission shall provide finding within two (2) business days to the building inspector. In reviewing the plans and the application, the commission shall give consideration to:
 - (a) The historical or architectural value and significance of the landmark or asset and its relationship to the historical value of the surrounding area;
 - (b) The relationship of the exterior architectural features of the landmark or asset to the rest of the landmark and to the surrounding area;
 - (c) The general compatibility of the exterior design, arrangement, texture and materials proposed to be used on the landmark or asset;
 - (d) Any major improvement program;
 - (e) The economic feasibility of preserving the historic features of the landmark or asset; or
 - (f) Any other factor, including aesthetics, which the commission deems pertinent and within the purpose of this article.

In performing its review, the commission shall use the United States Secretary of the Interior's "Standard for Rehabilitation," 36 CFR 67, Grand Haven Main Street Design Guidelines or similar successor regulations. In reviewing the plans, the commission may confer with the applicant and shall have the power to call in experts to aid in its considerations-deliberations.

- (4) The commission shall approve or disapprove such application. If the commission gives its approval, the commission shall issue a certificate of approval, which is to be signed by the chairperson, attached to the application and immediately transmitted to the building inspector for the City of Grand Haven. The chairperson shall also stamp all plans submitted to the commission, signifying approval or disapproval.

If the recommendation granting of an application would result in the moving, alteration or demolition of a landmark or asset landmark, or have any other type of adverse impact upon a landmark or asset, and if the commission considers such landmark or asset so valuable that its loss would adversely affect the public purpose of the City of Grand Haven, the State of Michigan, or the United States of America, the commission shall attempt to establish with the owner(s) of the landmark or asset an economically feasible plan for its historic preservation and/or protection.

An application shall be approved by the commission if any of the following conditions prevail, and if the proposal will materially improve or correct these conditions:

- (a) The landmark constitutes a hazard to the safety of the public or the occupants;
- (b) The landmark is a deterrent to a major improvement program which will be of substantial benefit to the community;
- (c) Retention of the landmark would cause undue financial hardship to the owner(s); or
- (d) Retention of the landmark would not be in the interest of the majority of the community.

(5) *Conditions.* The commission may impose reasonable conditions upon its approval of an application. Standards for imposing such conditions are as follows:

- (a) Any condition imposed must be reasonable and economically feasible;
- (b) Any condition imposed must be designed to protect the health, safety, welfare, social well being and economic well being of those who will use the landmark, residents of the City of Grand Haven, adjacent landowners and the community as a whole;
- (c) Any condition imposed must be reasonably related to the valid exercise of police power and to the purposes affected by the proposed action concerning the landmark; and
- (d) Any condition imposed must also be necessary to meet the purposes of this article, be reasonably related to the standards established in this ordinance for historic preservation, and be necessary to ensure compliance with those standards.

(6) *Disapproval.* If the commission disapproves an application, it shall state its reasons for doing so and shall transmit a written record of its actions and specific objections to the building inspector of the City of Grand Haven and to the applicant. Thereafter, the commission shall endeavor to agree with the applicant on an economically feasible plan for the historic preservation and/or protection of the landmark which would allow the applicant to still accomplish his purposes. The applicant may make modifications to his application and/or plans and shall have the right to resubmit his application at any time. If his application is disapproved, no certificate of approval and no permit shall be issued.

(7) *Appeal.* If the commission disapproves an application, the applicant may appeal the disapproval through arbitration (upon procedures agreed to by the parties) or through the established appeal procedures granted to an applicant aggrieved by a decision of the City of Grand Haven Zoning Board of Appeals.

(8) *Failure to act upon request.* Failure of the commission to approve, conditionally approve or disapprove an application within sixty (60) days of the filing of the application, unless otherwise mutually agreed by the applicant and the commission, shall constitute approval. In that event, the City of Grand Haven Building Inspector shall proceed to process the application without regard to a certificate of approval from the commission.

(9) *Inspection and compliance.* After the issuance of any certificate of approval and permit, the City of Grand Haven Building Inspector shall, according to this established procedures, periodically inspect the landmark in question. He shall take such action as necessary to ensure the applicant and those acting under him conform with the certificate of approval, the approved application, the accompanying plans and any conditions imposed.

(10) *Ordinary maintenance; prior permits.* Nothing in this article shall be construed to prevent ordinary maintenance of a landmark. Neither shall this article be construed to prevent an addition to or alteration, demolition, protection, new construction, reconstruction, rehabilitation, repair or restoration of a landmark, or any other permit-requiring action to a landmark, under a permit duly issued by the building inspector of the City of Grand Haven prior to the effective date of this article.

(11) *Property tax abatement.* The cost of an addition to or alteration, protection, new construction, reconstruction, rehabilitation, repair or restoration of a landmark, to the extent eligible, shall be granted property tax abatement pursuant to a "Policy for Considering Act 255 Commercial Property Tax Certificates," adopted September 8, 1981, by the city council, or any similar successor policy adopted by the city council.

(Ord. No. 84-8, § 2, 8-6-84)

(Supp. No. 12)

Sec. 19-187. Severability.

This article and various parts, sections, subsections, sentences, phrases and clauses hereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional, invalid or unlawful, it is hereby declared that the remainder of this article shall not be affected thereby.

(Ord. No. 84-8, § 2, 8-6-84)

Sec. 19-198. Administrative liability.

No officer, agent or employee of the City of Grand Haven or member of the city council or member of the commission shall be personally liable for any damage that may accrue to any person as a result of any act, decision or other consequence or occurrence arising out of the discharge of duties or responsibilities pursuant to this article.

(Ord. No. 84-8, § 2, 8-6-84)

Sec. 19-2019. Established ~~H~~historic conservation district designation boundaries.

The following historic conservation districts are hereby established:

- (1) Highland Park Historic Conservation District, described as: All that part of the "Highland Park Addition" lying east of Harbor Drive, excepting lots 48 and 49 and exceptions 1 and 2, also excepting that part of Reserve No. 4, described as beginning at the intersection of the westerly line of Dale Court and the northerly line of Grand Avenue running then along an area to the left northwesterly along the northerly line of Grand Avenue 100.06 feet the long chord of which bears N 68°03' west-100.00 feet; thence north 7°48' east-250.00 feet; thence south 75°12' east-211.56 feet; thence south 1°40' east-30.00 feet; thence south 36°06' west-248.80 feet to the point of beginning. Also included in the district is the east 155 feet of lots 1, lots 17, 22 and 23 of the plot of "Lake View."
- (2) Southwest Neighborhood Historic Conservation District, described as: All parcels within the area bound on the east by Beacon Boulevard on the west by the west side of Harbor Drive on the south by Howard Street on the south side and Pennoyer Avenue on the south side and on the north by Franklin Street (center of the road).
- (3) Northwest Neighborhood Historic Conservation District, described as: All parcels within the area bound on the north by Jackson Street (center of the road), on the west by First Street (center of the road), on the east by Fifth Street (center of the road), and on the south by Columbus Street (center of the road).
- (4) Riverfront Historic Conservation District, described as: All parcels within the area bound on the south by Jackson Street (center of the road) and Harbor Drive, on the north by the Grand River and the south channel, on the east by Second Street, and on the west by the end of the south pier head.
- (5) Downtown Historic Conservation District, described as: From the intersection of the centerlines of Columbus Avenue and Harbor Drive, then south along the centerline of Harbor Drive to the intersection of the centerlines of Harbor Drive and Franklin Avenue, then east along the centerline of Franklin Avenue to the intersection of the centerlines of Franklin Avenue and Sixth Street, then north along the centerline of Sixth Seventh? Street to the intersection of the centerlines of Columbus Avenue and Sixth Seventh? Street, then west along the centerline of Columbus Avenue to the point of the beginning except the west 38 feet of lot 73, Orig. Plat and the west 47 feet of the east 94 feet of lot 73 Orig. Plat, and the east $\frac{1}{2}$ of the south 114 feet of lot 222 and the west $\frac{1}{4}$ of the south 114 feet of lots 241 and 242. Which is correct? [Map shows 7th street; description is 6th street.]

(Supp. No. 12)

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- (6) East End Neighborhood Historic District, described as: All parcels within the area bound on the west by Beacon Boulevard on the east by Beechtree Street including the property that fronts Beechtree Street on the east side of the street on the north by Fulton Street including the property that fronts Fulton Street on the north side of the street on the south by Pennoyer Avenue including the property that fronts Pennoyer Avenue on the south side of the Avenue.
- (7) Lake Forest Cemetery Historic District, described as: The area defined by the City of Grand Haven as Lake Forest Cemetery.

(Ord. No. 84-8, § 2, 8-6-84; Ord. No. 86-12, § 1, 2-3-86; Ord. No. 87-17, § 1, 9-24-87; Ord. No. 89-13, § 1, 12-4-89; Ord. No. 89-14, § 1, 12-4-89; Ord. No. 90-07, § 1, 10-29-90; Ord. No. 95-5, § 1, 2-27-95; Ord. No. 99-01, § 1, 12-7-98; Ord. No. 02-12, § 1, 7-1-02)

Chapter 19 HISTORY¹

ARTICLE I. IN GENERAL

Secs. 19-1—19-10. Reserved.

ARTICLE II. HISTORIC CONSERVATION DISTRICTS²

Sec. 19-11. Purpose.

The purposes of this article are to:

- (1) Safeguard the heritage of the City of Grand Haven by recognizing and preserving historical landmarks, assets and sites which reflect elements of the city's cultural, social, economic, political or architectural history;
- (2) Stabilize and improve property values;
- (3) Foster civic beauty;
- (4) Strengthen the local economy;
- (5) Identify and promote the use of historic resources for the education, pleasure and welfare of citizens of the City of Grand Haven;
- (6) Provide advice, education about and input regarding the preservation of public historical properties and resources; and
- (7) Unify historic preservation efforts in this area.

(Ord. No. 84-8, § 2, 8-6-84)

Sec. 19-12. Definitions.

The following words and phrases, as used in this article, shall have the respective meanings set forth hereinafter, unless the context clearly indicates to the contrary.

¹State law reference(s)—Historical activities, MCL 399.171 et seq.; historic districts, MCL 399.201 et seq.; state historical commission, MCL 399.1 et seq.

²Editor's note(s)—Ord. No. 84-8, §§ 1, 2, adopted Aug. 6, 1984, repealed Art. II, §§ 19-11Editor's note(s)—19-22, and enacted in lieu thereof a new Art. II to read as herein set forth. Prior to repeal, Art. II pertained to the historical commission and derived from Code 1962, §§ 2-1701—2-1706.

Cross reference(s)—Administration, Ch. 2; boards and commissions generally, § 2-75Cross reference(s)— et seq.

- (1) *Addition* means any construction which increases the height or floor area of or adds to an existing district resource.
- (2) *Alteration* means construction, replacement or remodeling within or to a district resource, resulting in exterior change to the structural parts, the location of openings or the location or appearance of the district resource, but not increasing the overall dimensions.
- (3) *Demolition* means the destruction, in whole or in part, of a district resource.
- (4) *Designated Local Historic Landmark* (hereinafter sometimes referred to as "landmark") means a site, building, structure, object, open space or feature having historically significant community interest and value in physical appearance to justify protection within an Historic conservation district that has been approved by the commission for local landmark designation.
Historic Asset (hereinafter sometimes referred to as "asset") means a contributing site, building, structure, object, or open space or feature having historically significant community interest and value in the physical appearance to justify protection, both within and outside of an Historic conservation district, and has not been designated as a local landmark but may become a landmark if the necessary written consent is given by the owner(s).
 - (a) *Site* means a landmark or asset related to important Historic events, a prehistoric or historic occupation, activity, institution or organization, or an architectural landmark or asset that is ruined or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing architectural landmarks or assets. Examples: historic marker, commemorative plaque, archaeological site.
 - (b) *Building* means a residential, commercial, industrial, or institutional landmark or asset created to shelter any form of human activity. Examples: house, courthouse, jail, barn, church, theatre, hospital, office building.
 - (c) *Structure* means a landmark or asset made up of interdependent and interrelated parts in a definite pattern of organization, often reflective of an engineering design. Examples: bridge, dam, water tower, bell tower.
 - (d) *Object* means a landmark or asset of functional, aesthetic, cultural, historical, architectural, archaeological or scientific value that may by nature of design be movable yet related to a specific setting or environment. Examples: statue, fountain, lighting fixture, sign, sundial.
 - (e) *Open space* means a landmark or asset that is undeveloped land, a naturally landscaped area, a formal or manmade landscape, or developed open space significant as a connective link or buffer between or among other landmarks or assets. Examples: naturally landscaped park, formal garden, vacant land, parking lot.
 - (f) *Feature* means a prominent or distinctive aspect, quality or characteristic of an historic conservation district. Examples: landscaped boulevard, brick paving, treelined street.
- (5) *Historic conservation district* means a geographically defined area that is significant at the neighborhood level and regulated with more flexible historic resource protections (advisory rather than regulatory) than historic districts. A conservation district is a tool used to help communities preserve an area's distinctive atmosphere or character through architectural guidelines, development standards, and special provisions. Conservation districts protect such things as architecture styles, densities of the area, heights of structures, and setback guidelines. A conservation district includes a landmark or a group of landmarks, asset(s) or property(ies) that could become a landmark if the necessary written consent is given by the owner(s), created by the city council for the purpose of historic preservation. The city council may establish more than one such historic conservation district. Landmarks or assets within the boundaries of an historic conservation district are related by historical,

architectural or archaeological significance. For the purpose of clarification, however, an historical conservation district may also consist of a single landmark or asset unrelated to its surroundings in historical, architectural or archaeological significance, if so designated by this article.

- (6) *Historic conservation district commission* (hereinafter sometimes referred to as the "commission") means the member body created by the city council for the purpose of fulfilling the purposes of this article and fills the role in an advisory capacity rather than regulatory capacity.
- (7) *New construction* means planned landmarks or assets that are to be constructed or placed within a designated historic conservation district. Such planned new construction, because it will have a significant effect on the overall appearance of an historic conservation district and because it will play a role in the evolutionary growth of an historic conservation district's streetscape, shall be treated as historic by the commission the same as older, existing landmarks and assets.
- (8) *Preservation* means the protection, reconstruction, rehabilitation, repair or restoration of landmarks or assets of historical, architectural or archaeological significance.
- (9) *Protection* means the act or process of applying measures designed to affect the physical condition of a landmark or asset by defending or guarding it from deterioration, loss or attack, or to cover or shield it from danger or injury.
- (10) *Reconstruction* means the process of reproducing by new construction the exact form and detail of a vanished landmark or asset, or part thereof, as it appeared at a specific time.
- (11) *Rehabilitation* means the revitalization of a landmark or asset through the introduction of modern mechanical systems, structural elements and decorative features. Such modern improvements, however, should be sympathetic to the landmark or asset's original style, size, color and texture and should be reversible.
- (12) *Repair* means the maintenance of or the return to a state of utility of a landmark or asset.
- (13) *Restoration* means the process of accurately recovering the form and detail of a landmark or asset as it appeared at a particular period of time by removing later work, replacing missing elements, and enhancing original work.

(Ord. No. 84-8, § 2, 8-6-84)

Sec. 19-13. Historic conservation district commission—Creation.

An historic conservation district commission is hereby established. The commission shall consist of seven (7) members of legal age who reside in the City of Grand Haven. Members shall be appointed by the city council and shall serve without compensation, but may be reimbursed for actual expenses incurred in commission activities. Members shall be appointed for three-year terms, except the initial appointments of three (3) members for the term of three (3) years, two (2) members for the term of two (2) years, and two (2) members for the term of one year. Subsequent appointments shall be for three-year terms, and members shall be eligible for reappointment. No member shall be appointed to more than two (2) full consecutive terms, after which terms a period of one year shall elapse before the member may be reappointed to the commission.

Four (4) members of the commission shall constitute a quorum for the transaction of business. In the absence of a quorum, any number less than a quorum may adjourn a meeting to a later date.

The commission shall take action by the affirmative vote of a majority of its members present at a commission meeting, provided that no motion shall pass without at least three (3) affirmative votes.

The members of the commission shall annually select a chairperson from among themselves. One member of the commission shall be a duly registered architect if one is eligible and willing to serve, and at least two (2)

members shall be selected from a list submitted to the city council by one or more duly organized and existing preservation societies or historical groups. Neighborhood associations, merchants' groups and other groups with preservation interests may also submit names to the city council.

In the event of a vacancy on the commission, an interim appointment shall be made by the city council to complete the unexpired term of such position.

The commission shall meet monthly or more frequently at the call of the chairperson and shall adopt rules for the conduction of its business. All meetings of the commission shall be conducted in accordance with Act 267 of the Michigan Public Acts of 1976, as amended.

(Ord. No. 84-8, § 2, 8-6-84)

Sec. 19-14. Historic conservation district commission —Duties and authority.

- (1) *Power to designate and protect; generally.* The city council has the authority to designate by ordinance historic conservation districts. Historic preservation shall be practiced in historic conservation districts through several measures. Such measures shall include the commission's review of permit requests for additions, alterations, demolitions, protection, new construction, reconstruction, rehabilitation, repair, restoration and any other type of action proposed with regard to a landmark or asset that requires a permit. The commission shall be consulted prior to the moving of any landmark or asset. The commission shall be given copies of any permit applications pertaining to properties of historic significance within historic conservation districts, whether or not such properties are landmarks, and shall offer information and assistance on historic preservation to property owners within historic conservation districts that may lead to substantial architectural alterations of historically significant structures prior to issuance of construction permits.
- (2) *Designation of historic conservation districts.* The commission may investigate and recommend to the city council those geographical areas in the City of Grand Haven it deems valuable for designation as historic conservation districts. When and if designation of an historic conservation district is approved by the city council, the commission shall notify the affected property owner(s) in writing of such designation. The designation of historic conservation districts shall be accomplished according to section 19-15.
- (3) *Designation of landmarks.* The commission shall designate appropriate assets within historic conservation districts as designated historic landmarks. Provided, however, no property shall be designated such a designation without the written consent of the owner(s) of record. Furthermore, once such written consent is given, it may not be revoked unless the landmark is first removed from the historic conservation district according to the procedure set forth in section 19-15.
- (4) *Erection of historic markers.* The commission shall have the authority, with the written consent of the property owner(s) of record, to make available historic markers or commemorative plaques for a landmark.
- (5) *Commendation and recognition.* The commission may issue appropriate commendation and recognition to individuals, firms or areas promoting historic preservation. The commission may also recognize potential landmarks of the future by commending good examples of contemporary buildings.
- (6) *Maintenance of historic roster.* The commission shall maintain a roster of historic conservation districts and landmarks within the City of Grand Haven.
- (7) *Advisory capacity.* The commission may render advice and guidance with respect to proposed work regarding exterior façades and structural changes to property within historic conservation districts in the City of Grand Haven for which a permit is required. In rendering advice and guidance, the committee shall promote historical consciousness in educational programs, and shall undertake any advisory duty deemed appropriate by the city council. The commission may offer referrals to granted tax benefit opportunities.

- (8) *Acceptance of gifts or grants.* The commission may accept public or private gifts for historic preservation purposes and/or may accept grants from the governments of the State of Michigan or the United States of America for historic preservation purposes. The city council may empower the commission to administer on its behalf grants and gifts for such purposes.
- (9) *Review of permit applications.* The commission shall review all applicable permit applications and plans for landmarks and assets in historic conservation districts in regard to façade and structural changes. The commission shall keep a record of said permits in an effort to maintain a history of work done on landmarks or assets.
- (10) *Budget.* The commission expenses for stationery, clerical services, historic markers and other appropriate activities shall be provided in a budget submitted to and approved by the city council in the usual budget procedures.
- (11) *Public Awareness.* The commission may research, investigate, prepare and present public awareness campaigns designed to elevate interest in historic preservation and Grand Haven's many diverse historic neighborhoods. This includes but is not limited to erection of wayfinding signs, interpreting and identifying neighborhood signs, assist in educational field trips, open houses and other approaches to grant full access to cultural, social and architectural heritages.

(Ord. No. 84-8, § 2, 8-6-84)

Sec. 19-15. Procedures; designation or removal of designation of an historic conservation district.

- (1) Designation or removal of designation as an historic conservation district may be initiated by the commission or by the written request of an owner(s) of property (ies) within the proposed or current historic conservation district. Such a request shall designate clearly the land proposed to be included or excluded.
- (2) Upon receipt of a request or upon its own motion, the commission shall conduct studies and research and make a report on the landmarks within the historic conservation district, or on the site(s), building(s), structure(s), object(s), open space(s) and/or feature(s) which could be landmarks if the area were designated as an historic conservation district. The report shall contain recommendations concerning the inclusion or exclusion of geographical areas in or from an historic conservation district.
- (3) Copies of the commission's report shall be transmitted for review to the City of Grand Haven Planning Commission, the Michigan Historical Commission, the state historical advisory council and city council.
- (4) The commission shall hold a public hearing sixty (60) days after the transmittal of its report to the City of Grand Haven Planning Commission, the Michigan Historical Commission, the state historical advisory council and city council, and shall give due notice of such public hearing. The notice for the public hearing shall include written notice sent by first class mail with postage prepaid to the owner(s) of record of property (ies) proposed for designation or removal of designation as an historic conservation district.
- (5) After the public hearing, the commission shall submit a final report to the city council, stating its recommendations together with a draft of any proposed ordinance change.
- (6) The city council shall consider the commission's final report and may amend this article to designate or remove from designated area previously excluded from or included in an historic conservation district.
- (7) When and if designation of an historic conservation district is approved by the city council, the commission shall notify the affected property owner(s) in writing of such designation.

(8) After initial adoption of this article, the commission shall have all the authority and duties of an historic district study committee pursuant to Act 169 of the Michigan Public Acts of 1970, as amended and as limited by the terms of this article.

(Ord. No. 84-8, § 2, 8-6-84)

Sec. 19-16. Procedures; approval for local historic landmark designation.

- (1) Application, research and submission for local historic landmark designation. Application for designation of a site, building, structure, object, open space or feature that has historically significant community interest and value in physical appearance to justify protection within an historic conservation district is applied for by the property owner. Research from such following credible sources but not limited to is encouraged and copies of such documents should be included with the submitted application: 1981 historical survey, completed by Preservation Urban Design (available at the Loutit District Library), 2016 National Register of Historic Places Register, warranty deeds and abstracts, newspaper clippings, credible websites, photographs, census records, local historians, books, library and museum records. Assistance with historical research may be done by commission members, however, the property owner is responsible for its completion and submission. Completed applications are received by the city administrative liaison and forwarded to the commission no later than the next upcoming agenda. A letter of acknowledgement is sent from the commission to the applicant after receipt of application.
- (2) Review of applications and criteria for designation. Completed applications are reviewed and the commission shall make a determination within 90 days as to whether the qualifications for local historic landmark designation have been met. Criteria for designation includes but is not limited to the following: the historic asset must reside within an historic conservation district, contribute to the historic neighborhood based on the appearance and architectural style of the home, hold historical significance relating to an historic event, exemplify cultural, political, economic or social heritage of the community or association with a notable person. A visual inspection of the property by the Historic Conservation District Commission may be requested.
- (3) Designation. After the Historic Conservation District Commission approves local landmark designation, the applicant is notified. All designated local landmarks are eligible to receive a designation plaque to display on the structure to be visible from the street side, with a preferred placement to the left of the door as you look from the street. The owner pays one-half the cost of the plaque.
- (4) Public Acknowledgement. The owner(s) of newly designated local landmarks are recognized before council at a public meeting and presented with a certificate, signed by the Historic Conservation District Commission chair and mayor, acknowledging that they are designated as a local historic landmark and listed in the city register.

Sec. 19-17. Procedures; recommendations for permits for work on designated local historic landmarks and other historic assets with historic facades.

- (1) Application and plans. The commission shall be notified for the purpose of providing recommendations to owner prior to work commencing regarding preservation of any historic significance to exterior of landmarks or assets. Application for a permit for addition, alteration, demolition, protection, new construction, reconstruction, rehabilitation, repair, restoration and/or any other type of action proposed with regard to a designated local historic landmark or other historic asset will be brought to the commission. The commission shall review and recommend approval or disapproval of permit applications for all designated local historic

landmarks. The commission will review and act upon permit applications for other historic assets at its discretion.

- (2) *Notification.* Upon the filing of such application, the building inspector for the City of Grand Haven shall immediately notify the commission of the receipt of such relevant application and shall transmit it together with accompanying plans and other information to the commission.
- (3) *Review.* The commission shall meet within two (2) days after notification by the building inspector for the City of Grand Haven or by the city council, unless otherwise mutually agreed by the applicant and the commission. The commission shall provide finding within two (2) business days to the building inspector. In reviewing the plans and the application, the commission shall give consideration to:
 - (a) The historical or architectural value and significance of the landmark or asset and its relationship to the historical value of the surrounding area;
 - (b) The relationship of the exterior architectural features of the landmark or asset to the rest of the landmark and to the surrounding area;
 - (c) The general compatibility of the exterior design, arrangement, texture and materials proposed to be used on the landmark or asset;
 - (d) Any major improvement program;
 - (e) The economic feasibility of preserving the historic features of the landmark or asset; or
 - (f) Any other factor, including aesthetics, which the commission deems pertinent and within the purpose of this article.

In performing its review, the commission shall use the United States Secretary of the Interior's "Standard for Rehabilitation," 36 CFR 67, Grand Haven Main Street Design Guidelines or similar successor regulations. In reviewing the plans, the commission may confer with the applicant and shall have the power to call in experts to aid in its considerations.

- (4) If the recommendation would result in the moving, alteration or demolition of a landmark or asset, or have any other type of adverse impact upon a landmark or asset, and if the commission considers such landmark or asset so valuable that its loss would adversely affect the public purpose of the City of Grand Haven, the State of Michigan, or the United States of America, the commission shall attempt to establish with the owner(s) of the landmark or asset an economically feasible plan for its historic preservation and/or protection.
- (5) *Ordinary maintenance; prior permits.* Nothing in this article shall be construed to prevent ordinary maintenance of a landmark. Neither shall this article be construed to prevent an addition to or alteration, demolition, protection, new construction, reconstruction, rehabilitation, repair or restoration of a landmark, or any other permit-requiring action to a landmark, under a permit duly issued by the building inspector of the City of Grand Haven prior to the effective date of this article.

(Ord. No. 84-8, § 2, 8-6-84)

Sec. 19-18. Severability.

This article and various parts, sections, subsections, sentences, phrases and clauses hereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional, invalid or unlawful, it is hereby declared that the remainder of this article shall not be affected thereby.

(Ord. No. 84-8, § 2, 8-6-84)

(Supp. No. 12)

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Sec. 19-19. Administrative liability.

No officer, agent or employee of the City of Grand Haven or member of the city council or member of the commission shall be personally liable for any damage that may accrue to any person as a result of any act, decision or other consequence or occurrence arising out of the discharge of duties or responsibilities pursuant to this article.

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Sec. 19-20. Established historic conservation district designation boundaries.

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