

# Ordinance No. 638-2024

By Council Member McCormack

## AN EMERGENCY ORDINANCE

To supplement the Codified Ordinances of Cleveland, Ohio 1976 by amending Section 341.06 of the Codified Ordinances, as amended by Ordinance No. 1827-08, passed February 9, 2009, related to Local Design Review Advisory Committees, and by enacting new Section 161.031 related to Local Landmarks Advisory Committees.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a Municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Codified Ordinances of the City of Cleveland, Ohio are supplemented by amending Section 341.06, as amended by Ordinance No. 1827-08, passed February 9, 2009, to read as follows:

### Section 341.06 Local Design Review Advisory Committees

The City Planning Commission shall establish Local Design Review Advisory Committees to advise the Commission on applications received pursuant to the regulations of this chapter. The following provisions shall govern the establishment and operation of each such committee:

(a) *Appointment of Members.* The City Planning Commission and the Council shall appoint the members of each Local Design Review Advisory Committee. In making these appointments, the City Planning Commission and the Council shall solicit nominations from Community Development Corporations operating within each committee's geographic area of jurisdiction, ~~and the Council members representing each such area, and from local community groups and community members.~~ Each Advisory Committee shall be composed of ~~not less than five (5) and not more than eleven (11)~~ seven (7) members, four (4) appointed by the City Planning Commission and three (3) appointed by the Council. ~~except that the~~ The City Planning Commission and the Council each may increase membership on a particular committee by one member if necessary to incorporate relevant perspectives and areas of expertise. A maximum of three (3) alternate members may be appointed to each committee; Council shall appoint the first alternate and the City Planning Commission shall appoint the second and third alternates if desired. The alternate members may vote in place of members not in attendance at a particular meeting, as determined by the Committee's chairperson.

(b) *Committee Composition.* A majority of the members appointed to each Advisory Committee shall be architects or other recognized design professionals, with the remaining members representing businesses or other organizations with operations in the local area or being residents of the local area. The term "recognized design professionals" shall refer to individuals with documented expertise in such fields as architecture, landscape architecture, urban design, graphic design, or historic preservation.

(c) *Committee Jurisdiction and Name.* Each Local Design Review Advisory Committee shall review applications received pursuant to this chapter for properties located within the boundaries of its area of jurisdiction, as established by the City Planning Commission. All areas of the City shall be included in the jurisdiction of an Advisory Committee. The City Planning Director shall assign each Local Design Review Advisory Committee a name identified with the area of the City served by the Committee.

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(d) *Term of Appointment.* Each Advisory Committee member shall be appointed for an initial term of one (1) year and thereafter for a term of two (2) years. After expiration of the initial one (1) year term, an individual's membership shall continue until the appropriate appointing authority ~~City Planning Commission~~ takes action to replace the member with a new appointment or until the member resigns. The City Planning Commission or the Council, as appropriate, shall replace members whose attendance is poor or who fail to act in accordance with the regulations of this chapter.

(e) *Quorum and Voting.* A majority of the Advisory Committee's membership shall constitute a quorum, without which no votes may be taken. Approval of an application shall require the affirmative vote of a majority of the members present at a meeting.

(f) *Meetings and Records.* The Advisory Committee shall meet at least twice monthly unless there is no business to conduct. The staff representative of the City Planning Commission shall be designated as the Advisory Committee's Secretary and shall be responsible for prompt preparation of minutes, which shall be retained by the City Planning Commission.

Section 2. That Section 341.06, as amended by Ordinance No. 1827-08, passed February 9, 2009, is repealed.

Section 3. That the Codified Ordinances of the City of Cleveland, Ohio are supplemented by enacting new Section 161.031 to read as follows:

Section 161.031      Local Landmarks Advisory Committees

The Landmarks Commission shall establish Local Landmarks Advisory Committees to advise the Commission on applications received pursuant to the regulations of this chapter. The following provisions shall govern the establishment and operation of each such committee:

(a) *Appointment of Members.* The Landmarks Commission and the Council shall appoint the members of each Local Landmarks Advisory Committee. In making these appointments, the Landmarks Commission and the Council shall solicit nominations from the Council members representing each committee's geographic area of jurisdiction, and from local community groups and community members. Each Advisory Committee shall be composed seven (7) members, four (4) appointed by the Landmarks Commission and three (3) appointed by the Council. The Landmarks Commission and the Council each may increase membership on a particular committee by one member if necessary to incorporate relevant perspectives and areas of expertise. A maximum of three (3) alternate members may be appointed to each committee: Council shall appoint the first alternate and the Landmarks Commission shall appoint the second and third alternates if desired. The alternate members may vote in place of members not in attendance at a particular meeting, as determined by the Committee's chairperson.

(b) *Committee Composition.* A majority of the members appointed to each Advisory Committee shall be recognized design professionals with expertise in historic preservation, with the remaining members representing businesses or other organizations with operations in the local area or being residents of the local area all of whom have expertise or a vested interest in the preservation, protection, perpetuation and use of areas, places, buildings, structures, works of art and other objects having a special historical, community or aesthetic interest or value.

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(c) *Committee Jurisdiction and Name.* Each Local Landmarks Advisory Committee shall review applications received pursuant to this chapter for properties located within the boundaries of its area of jurisdiction, as established by the Landmarks Commission. The Landmarks Commission shall assign each Local Landmarks Advisory Committee a name identified with the area of the City served by the Committee.

(d) *Term of Appointment.* Each Advisory Committee member shall be appointed for an initial term of one (1) year and thereafter for a term of two (2) years. After expiration of the initial one (1) year term, an individual's membership shall continue until the appropriate appointing authority takes action to replace the member with a new appointment or until the member resigns. The Landmarks Commission or the Council as appropriate shall replace members whose attendance is poor or who fail to act in accordance with the regulations of this chapter.

(e) *Quorum and Voting.* A majority of the Advisory Committee's membership shall constitute a quorum, without which no votes may be taken. Approval of an application shall require the affirmative vote of a majority of the members present at a meeting.

(f) *Meetings and Records.* The Advisory Committee shall meet at least twice monthly unless there is no business to conduct. The staff representative of the Landmarks Commission shall be designated as the Advisory Committee's Secretary and shall be responsible for prompt preparation of minutes, which shall be retained by the Landmarks Commission.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

KPM:rns  
6/3/2024

# Ord. No. 638-2024

REPORT  
after Second Reading

By Council Member McCormack

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READ FIRST TIME on JUNE 3, 2024

and referred to DIRECTORS of City Planning Commission, Law;  
COMMITTEES on Development Planning and Sustainability,  
Finance Diversity Equity and Inclusion

REPORTS

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CITY CLERK

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READ SECOND TIME

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CITY CLERK

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READ THIRD TIME

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PRESIDENT

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CITY CLERK

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APPROVED

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MAYOR

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Published in the City Record \_\_\_\_\_

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
DEVELOPMENT, PLANNING AND  
SUSTAINABILITY

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
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FINANCE, DIVERSITY, EQUITY  
and INCLUSION

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