

CHAPTER 18 - HISTORIC PRESERVATION

18.01 - PURPOSE AND INTENT.

The purpose of this chapter is to:

- A. Promote the educational, cultural, economic and general welfare of the public through the recognition, enhancement, and perpetuation of sites and districts of historical and cultural significance;
- B. Safeguard the City's historic, aesthetic and cultural heritage by preserving sites and districts of historic and cultural significance;
- C. Stabilize and improve property values of historic resources within the City;
- D. Foster pride in the legacy of beauty and achievements of the past;
- E. Protect and enhance the City's attractions and historic resources for tourists and visitors and for the support and stimulus to business thereby provided;
- F. Strengthen the economy of the City; and
- G. Promote the use of sites and districts of historic and cultural significance as places for the education, pleasure, and welfare of the people of the City.

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18.02 - DEFINITIONS.

- A. Accessory Building or Structure: A building or structure that is subordinate to and serves a primary building or structure.
- B. Architectural detailing: Character-defining, sometimes hand crafted, features on a building or structure which are generally not, but may sometimes be, integral to the structure of the building or structure and include, but are not limited to: trim, fenestration, moldings, and ornamental designs in posts or cornices.
- C. Building: Any structure built, used, designed, or intended for the support, shelter, protection, or enclosure of persons, animals, chattels, or property of any kind.
- D. Building Official: The officer charged with the administration and enforcement of Chapter 33 of this Code, or a duly authorized representative.
- E. Building Permit: An official certificate of permission issued by the Building Official or designee, to an applicant which authorizes the performance of a specified activity.
- F. Certificate: A Certificate of Appropriateness or a Certificate of No Material Effect.
- G. Change or Alteration: The erection of a building or structure on a site, the movement of a building or structure from or to a site, the demolition of a building or structure, the reconstruction or restoration of a building or structure or any action to change, modify, reconstruct, remove, or demolish any exterior feature of a local historic landmark or a building or structure in a local historic district.

- H. Demolition: Activity requiring a building permit(s) which results in the permanent destruction and removal of a building or structure, up to and including the foundation of a building or structure.
- I. Exterior features: The architectural style, general design, and general arrangement of the exterior of a building or structure, including, but not limited to, the kind and texture of the building material and the type and style of windows, doors, light fixtures, signs, and other appurtenant fixtures.
- J. Historic Preservation Design Guidelines: Referred to herein as “the Design Guidelines.” Guidelines adopted by the Cedar Rapids City Council based on National Park Service Standards for the treatment of historic properties that outline recommendations for the treatment of historic buildings and structures within a local historic district and local historic landmarks.
- K. National Register of Historic Places (NRHP): A list of all historically significant places in the United States, including historic districts and historic properties., maintained by the National Park Service
- L. Primary Building or Structure: A building or structure built for the principal use which takes place on the property. In some instances, a property may have more than one primary building or structure.
- M. State Historic Preservation Office of Iowa: Referred to as the State Historic Preservation Office or SHPO. A state governmental function created by the United States federal government in 1966 as part of the National Historic Preservation Act (NHPA).
- N. Structure: Anything built or constructed for habitation or storage (garage, shed, barn, etc.) or documented as contributing to a historic district or landmark by a historic survey.

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18.03 - HISTORIC PRESERVATION COMMISSION.

- A. The Historic Preservation Commission is hereby created to be an advisory Commission to the City Council.
- B. Membership, terms and vacancies
 1. On, and after, July 1, 2017, the Historic Preservation Commission shall consist of no more than nine members.
 2. Members of the Historic Preservation Commission shall be appointed by the Mayor with the advice and consent of the City Council.
 3. All members of the Historic Preservation Commission shall reside within the corporate limits of the City of Cedar Rapids (“the City”) except that no more than two members of the Historic Preservation Commission may reside outside the corporate limits of the City if such members own property within the corporate limits of the City. In the event that a member no longer meets this requirement due to a change in residency or property ownership, they shall be deemed to have

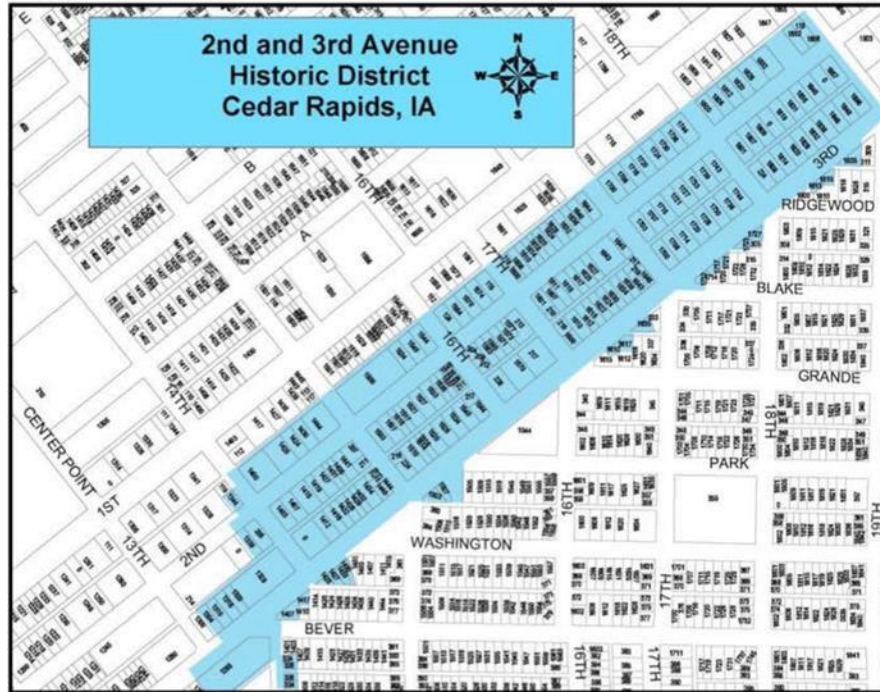
resigned from the Commission effective as of the date of such change.

4. The Commission shall be comprised of at least one resident of each local historic district.
 5. Members of the Historic Preservation Commission shall have a positive interest in historic preservation, possessing interest or expertise in architecture, architectural history, archeology, history, historic preservation, real estate, or closely related disciplines.
 6. A vacancy occurring on the Historic Preservation Commission, other than expiration of term of office, shall be filled by appointment to a term consisting only of the unexpired portion of the term of the member replaced.
 7. Members shall be appointed to serve until their successors are appointed and qualified. Members will be limited to three consecutive terms. One term shall be three years in length, except that an appointment to fill a vacancy for the unexpired portion of the term of the member replaced shall constitute a term.
 8. A member who has served three consecutive terms will be eligible for reappointment after three years.
 9. Members shall serve without compensation.
 10. The Historic Preservation Commission shall adopt by-laws for organization and implementation of assigned powers and duties.
 11. The Historic Preservation Commission shall elect a Chairperson who shall preside over all Historic Preservation Commission meetings and a Vice-Chairperson to serve in the absence of the Chairperson.
 12. Service on the Historic Preservation Commission shall be subject to the "Board and Commission Member Roles and Responsibilities" and all updates thereto.
 13. All members shall undergo training, provided by the City, on ethics, conflicts of interest, and other applicable topics as decided by the City Council.
- C. Meetings
1. The Historic Preservation Commission shall meet quarterly or more often, as necessary.
 2. Meetings of the Historic Preservation Commission shall be held in accordance with the Iowa Open Meetings Law.
- D. Powers and Duties of the Historic Preservation Commission
1. The Historic Preservation Commission may, subject to City Council approval, conduct studies/surveys for the identification and designation of historic districts and sites meeting the criteria established by this chapter.
 2. The Historic Preservation Commission may make a recommendation to the City Council for the listing of a historic district or site in the NRHP.
 3. The Historic Preservation Commission may investigate and recommend to the City Council the designation of local and NRHP-listed historic districts and landmarks if they qualify as defined herein.

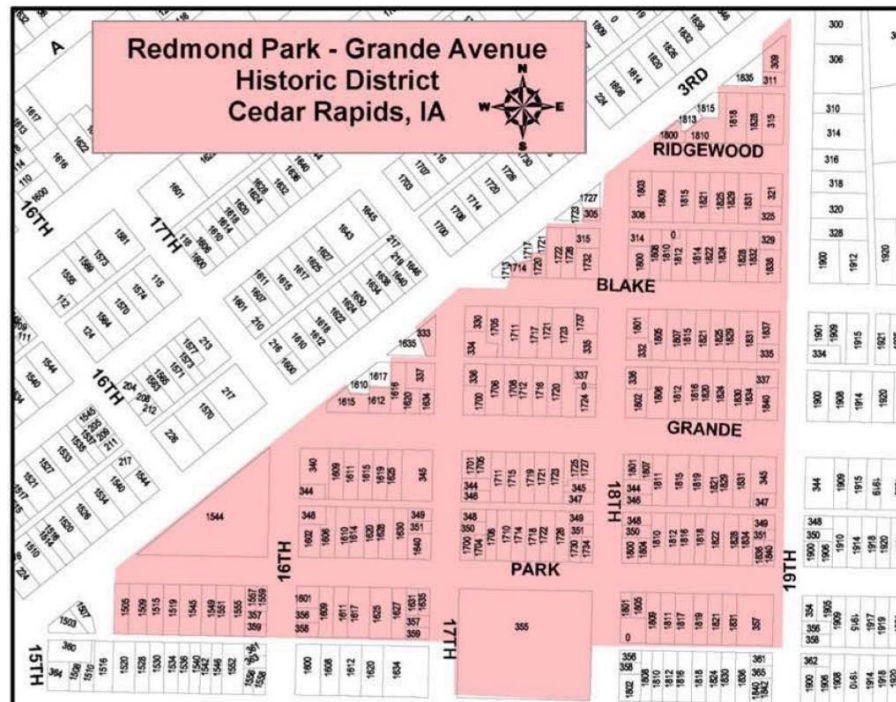
4. The Historic Preservation Commission shall, when directed by this chapter, determine the contributing status of individual properties within existing designated historic districts.
5. The Historic Preservation Commission shall review and act upon all applications pursuant to the historic preservation review process established by this chapter and other applicable laws.
6. The Historic Preservation Commission may further the efforts of historic preservation in the City by making written recommendations approved by the majority of the Historic Preservation Commission to the City Council and City commissions and boards on preservation issues and by encouraging the protection and enhancement of buildings or structures with historical, architectural, or cultural value.
7. The Historic Preservation Commission may educate the public at large on the benefits of historic preservation, build a preservation ethic and public awareness, and encourage persons and organizations to become involved in preservation activities.
8. The Historic Preservation Commission shall not obligate itself or the City in any financial undertaking unless authorized to do so by the City Council.
9. In addition to those duties and powers specified above, the Historic Preservation Commission may:
 - a. Recommend acceptance of unconditional gifts and donations of real and personal property, including money, for the purpose of historic preservation;
 - b. Recommend acquisition by purchase, bequest, or donation, fee and lesser interests in historic properties, including properties adjacent to or associated with historic properties;
 - c. Recommend the preservation, restoration, maintenance, and operation of historic properties under the ownership or control of the City;
 - d. Recommend that the City lease, sell, and otherwise transfer or dispose of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;
 - e. Recommend that the City contract with the state or the federal government or other organizations;
 - f. Cooperate with the federal, state, and local governments in the pursuance of the objectives of historic preservation;
 - g. Provide information for the purpose of historic preservation to the City;
 - h. Promote and conduct an educational and interpretive program on historic properties within the City.

18.04 (010-17)- LOCAL HISTORIC DISTRICTS AND LOCAL HISTORIC LANDMARKS.

- A. The following areas of the City are designated as local historic districts:
 1. Second and Third Avenue Historic District (Ord. No. 85-99):



2. Redmond Park-Grande Avenue Historic District (Ord. No. 86-99):



B. The following properties are designated as local historic landmarks:

1. 845 1st Avenue SE — The Ausadie Building (Ord. No. 007-15)
2. 42 7th Avenue SW — Iowa Wind Mill and Pump Company Office and Warehouse (Ord. No. 062-17)
3. 525 Valor Way SW — Cedar Rapids Milk Condensing Company (Ord. No. 063-17)
4. 525 A Avenue NE — Grace Episcopal Church (Ord. No. 006-18)
5. 1228 3rd Avenue SE — The Perkins House (Ord. No. 001-19)
6. 905 3rd Street SE — Witwer Grocery Company Building (Ord. No. 031-19)

7. 1700 B Avenue NE — Central Park Presbyterian Church (Ord. No. 028-20)

(010-17, 062-17, 063-17, 006-18; 001-19; 031-19; 028-20)

18.05 - DESIGNATION OF LOCAL HISTORIC DISTRICTS AND LOCAL HISTORIC LANDMARKS.

The City Council may, by ordinance, and pursuant to the provisions of this chapter, designate local historic districts and local historic landmarks if such districts or landmarks are found by the City Council to be historically significant.

A. Nomination Initiation.

1. Nomination of a local historic district or local historic landmark may be initiated by the Historic Preservation Commission, the City Council, or by any person, organization, or entity by filing an application with the Community Development & Planning Department (hereinafter "CDPD"), on a standard application form furnished by that department.
2. An applicant may, in writing, withdraw its application for a local historic district or local historic landmark at any point prior to ordinance adoption if at least one of the property owners agrees to the withdrawal and provides his/her signature on the withdrawal notice.

B. Nomination Requirements.

1. Applications and support materials for the creation of a local historic district or local historic landmark shall be submitted to CDPD on the standard application form furnished by CDPD and shall at a minimum include:
 - a. A narrative explaining how the proposed district or landmark meets the following criteria:
 - i. For a local historic district: an area consisting of contiguous properties which contain a significant portion of buildings, structures, or other improvements which, considered as a whole, possess integrity of location, design, setting, materials, workmanship, feeling, and association.
 - ii. For a local historic landmark: an individual property which contains significant buildings, structures, or other improvements which, when considered as a whole, possess integrity of location, design, setting, materials, workmanship, feeling, and association.
 - b. A narrative and justification describing how the proposed district or landmark is historically significant. A structure, building, site, property, object, or item is historically significant if it possesses integrity and meets one or more of the following:
 - i. Associated with events that have made a significant contribution to the

broad patterns of our history; or

- ii. Associated with the lives of significant persons in our past; or
 - iii. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
 - iv. Yielded, or may be likely to yield, information important in history or prehistory.
- c. A map indicating the exact boundaries of the proposed district or location of the proposed landmark.
 - d. An inventory of the buildings, structures or historically important sites located within the boundary of the proposed district or landmark.
 - e. A listing of the owners of all the property located within the proposed district or landmark.
2. Applications for proposed local historic districts must include a petition requesting the designation as a local historic district signed by the owners of at least 60 percent of the total number of parcels of real estate within the proposed local historic district, excluding parcels owned by governmental bodies. A "parcel," for the purposes of this paragraph, shall constitute an individual parcel for property tax assessment purposes, as shown in the records of the City Assessor as of the date of the filing of the application.
 3. Applications for proposed local historic landmarks must include a petition requesting the designation as a local historic landmark signed by all of the property owner(s) of the proposed local historic landmark.
 4. Petitions included with applications shall include language informing potential signatories that this chapter and the Design Guidelines are applicable to all local historic districts and landmarks, and that most exterior changes will require a Certificate as defined in this chapter, in addition to any standard building permit review.

C. Nomination Process

1. Review by the Historic Preservation Commission
 - a. When an application meeting the requirements of this chapter has been filed with CDPD, it will be forwarded to the Historic Preservation Commission. Upon receipt of an application for a local historic district or local historic landmark, the Historic Preservation Commission shall hold a public meeting on the nomination to designate an area as a local historic district or a local historic landmark.
 - b. The Historic Preservation Commission shall give notice of the time, date, place, and subject matter of such public meeting by publication in a newspaper

published at least once weekly and having general circulation in Cedar Rapids. The notice must be published at least once, not less than four nor more than twenty days before the meeting.

- c. Historic Preservation Commission Staff shall also give notice of the public meeting by ordinary mail addressed to each property owner of land included within such proposed local historic district or local historic landmark at the owner's last known address as shown by the records of the office of the City Assessor. If a property is shown to be in the name of more than one owner at the same mailing address, a single notice may be mailed to all owners at that address. Failure to receive a mailed notice is not grounds for objection to taking any action authorized in this chapter. CDPD shall keep on file information regarding the date of mailing and the names and addresses of all property owners notified pursuant to this section.
 - d. Following consideration at the public meeting, the Historic Preservation Commission shall recommend approval or denial of the nomination in writing and include its findings regarding the historic significance of the proposed landmark or district.
 - i. If the Historic Preservation Commission recommends approval of the nomination, the Commission shall forward its recommendation to the SHPO.
 - ii. If the Historic Preservation Commission recommends denial of the nomination, the applicant may appeal in accordance with the terms of Section 18.12 and if overturned by City Council, the nomination will be forwarded to the SHPO.
2. Review by the State Historic Preservation Office
 - a. A recommendation of approval of a local historic district by the Historic Preservation Commission shall be submitted to the SHPO for review and recommendation.
 - b. Comments from the SHPO regarding the proposed local historic district shall be received by the City prior to the date of any action taken by the City Planning Commission.
 3. Review by the City Planning Commission
 - a. Within 60 days of receiving comments from the SHPO, the City Planning Commission shall review the nomination of the proposed local historic district or local historic landmark designation for consistency with the City's Comprehensive Plan and other relevant plans.
 - b. Following its review, the City Planning Commission shall recommend approval or denial of the nomination to the City Council and forward it to the City Council.

4. Boundary Alterations to a proposed Local Historic District
 - a. The Historic Preservation Commission shall be notified of any boundary alterations recommended by either the SHPO or the City Planning Commission.
 - b. If the City Planning Commission recommends altering the boundary of a proposed local historic district or local historic landmark recommended for approval by the Historic Preservation Commission, CDPD shall submit a description of the alteration to the SHPO for review and recommendation. Any recommendations from the SHPO concerning the altered proposed boundary of a local historic district shall be received by the City prior to setting a City Council public hearing on a proposed ordinance establishing a local historic district.
 5. City Council Public Hearing
 - a. The City Council shall hold a public hearing on the proposed ordinance establishing a local historic district or a local historic landmark following publication of a notice of the public hearing in conformance with the State Code of Iowa.
 - b. The City Council may adopt or reject the ordinance or may refer the local historic district or local historic landmark nomination to the Historic Preservation Commission for modification. If the City Council refers the local historic district or local historic landmark to the Historic Preservation Commission for modification, the procedures described in Section 18.05.C shall be followed with the following exceptions:
 - i. Referral to the City Planning Commission is not required unless the modification(s) will increase the area of the local historic district or local historic landmark.
 - ii. Property owners affected by the City Council's proposed modification shall be notified by mail of the modification prior to action by the City Planning Commission.
- D. Repeal or Modification of Local Historic District or Local Historic Landmark
1. The repeal or modification of a local historic district or local historic landmark may be initiated by the Historic Preservation Commission, the City Council, or by any person, organization, or entity by filing a written request for repeal or modification with CDPD, on a standard form furnished by that department. Supporting information and materials shall be submitted as specified on the form.
 2. An application requesting repeal or modification shall not be accepted during the succeeding three years after the local historic district or local historic landmark is established by the City Council.
 3. The repeal or modification of a local historic district or local historic landmark shall follow the same process required for nominations as described in Section 18.05.C

18.06 - RECORDING OF LOCAL HISTORIC DISTRICTS AND LOCAL HISTORIC LANDMARKS.

- A. Following the designation of a local historic district or a local historic landmark by the City Council, the City Clerk shall file in the Office of the Recorder of Linn County, Iowa, the following with each ownership parcel included in the local historic district or local historic landmark:
 - 1. The City Council ordinance number and adoption date of said district or landmark,
 - 2. A statement noting the property's inclusion in a local historic district or landmark, and
 - 3. The contact information of CDPD.
- B. Section 18.04 shall be updated upon the designation of a local historic district or local historic landmark by the City Council.

(010-17)

18.07 – DETERMINING CONTRIBUTING STATUS

The Cedar Rapids Historic Preservation Commission shall, when directed by this chapter, other ordinance, or City Council, determine the contributing status of any property located within the boundaries of locally designated and NRHP-listed historic districts through a review of the property's date of construction, historic significance, and historical integrity. All properties within a historic district are either contributing or non-contributing, and property may change from contributing to non-contributing and vice versa if significant alterations are undertaken.

- A. A Contributing Property is any building, object, or structure which adds to the historic or architectural character which makes a historic district significant. A property is considered contributing when it was constructed during the district's period of significance and retains sufficient historical integrity to communicate its historical association with the district.
 - 1. A period of significance is the length of time when a property was associated with important events, activities, or person, or attached the characteristics which qualify it for NRHP listing or local designation. The period of significance for each district is established by the NRHP Registration Form for each district.
 - a. The period of significance for the Second and Third Avenue Historic District is 1890 – 1940.
 - b. The period of significance for the Redmond Park-Grande Avenue Historic District is 1900 – 1940.
 - 2. Properties developed or constructed within the period of significance for the district in which they are located will be considered to retain sufficient historical integrity if the following conditions are met:
 - a. Principal façades remain relatively intact.
 - b. Window and door openings appear intact.
 - c. Rooflines are unaltered.
 - d. Additions and other major alterations are located on non-primary façades.

- B. A Non-Contributing Property is any property located within a historic district that was constructed or developed outside of the period of significance for the historic district in which it is located, does not add to the historic or architectural character which makes the historic district significant, or which has been so altered that it no longer adds to the historic character of the district, as determined by the Historic Preservation Commission.
1. The presence of synthetic siding, trim, or other modern replacements will not automatically preclude designation of a building as contributing if its scale and massing remain.
 2. Alterations to historic properties which are more than 50 years old may be considered part of the building's historic construction, even if they occurred outside of the period of significance, at the discretion of the Historic Preservation Commission.
 3. The addition of later porches, unobtrusive additions on non-principal façades, and modern roofing materials will not automatically disallow a building from consideration.

18.08 - LOCAL HISTORIC LANDMARK PLAQUES.

- A. A property designated as a local historic landmark in accordance with this chapter shall be eligible to have a plaque placed upon it to recognize it as such. The plaque shall conform to all applicable signage regulations and meet the following design elements:
1. Oval shape, generally 11×8 inches or 10×7 inches;
 2. Bronze material;
 3. Top line shall read "City of Cedar Rapids";
 4. Line below "City of Cedar Rapids" shall read "Local Historic Landmark";
 5. The year the building or structure was constructed shall be in the middle;
 6. The bottom line shall read "Designated in xxxx," xxxx being the four-digit numerical year in which the City Council designated the property as a local historic landmark.
- B. The plaque shall generally look as indicated in figure 18.08.B, with the elements described in Section 18.08.A:

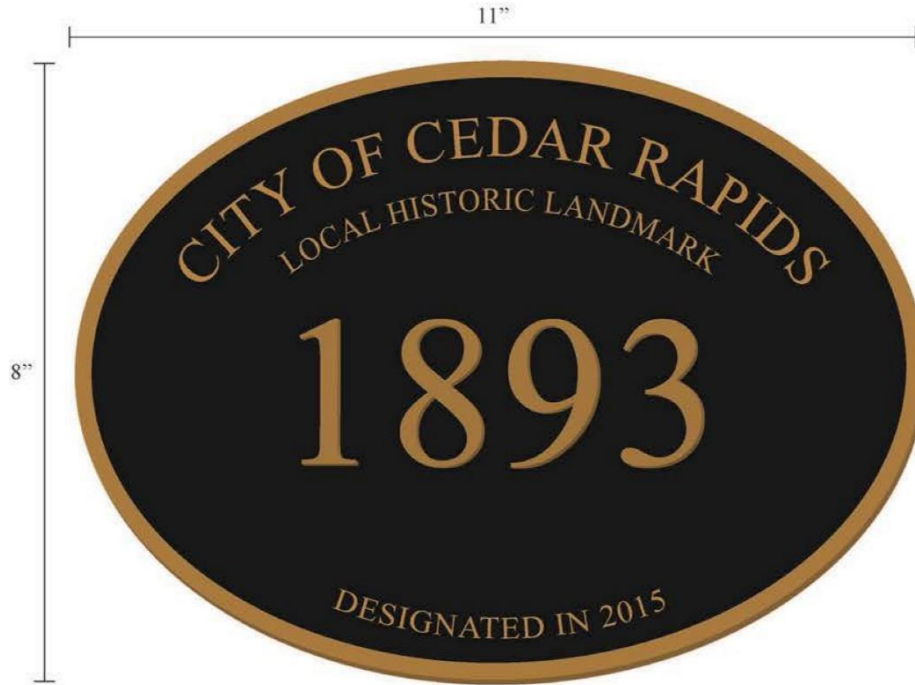


Figure 18.08.B — Local Historic Landmark Plaque

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18.09 - CERTIFICATES OF NO MATERIAL EFFECT AND CERTIFICATES OF APPROPRIATENESS.

A. Certificate Required

1. The Building Services Department shall not issue a building permit for an exterior change in appearance to a primary building or structure or accessory building or structure within a local historic district or local historic landmark for which a building permit is required unless a Certificate of No Material Effect or a Certificate of Appropriateness has been granted.
 - a. A Certificate of No Material Effect (CNME) is issued by CDPD and signifies that the work contemplated in the application will have no effect on any significant architectural features of the historic district or historic landmark.
 - b. A Certificate of Appropriateness (COA) is granted by the Historic Preservation Commission granting approval of a proposal to make a change in appearance in a local historic district or to a local historic landmark.
 - c. Any change or alteration of the exterior features of a local historic landmark or a change or alteration of the exterior features of a property within a local historic district constitutes a change in appearance. This definition pertains only to exterior changes in appearance for which a building permit is required for compliance with the City Code. Furthermore, nothing in this definition shall be

construed to prohibit or limit normal repairs or maintenance which do not involve alterations or changes in the exterior features of a local historic landmark or of a building or structure in a local historic district and for which no building permit is required.

2. No individual or corporation shall remove, alter, or otherwise make a change in the appearance of exterior architectural detailing to a primary building or structure or accessory building or structure within a local historic district or local historic landmark for which a building permit is required without first applying for a Certificate to CDPD. Any instance in which architectural detailing would be permanently removed and not replaced shall be referred to the Historic Preservation Commission for review of the Certificate application.

B. Application for Certificate

1. Applications for Certificates shall be made to CDPD. Supporting materials shall be submitted as specified on the standard application form.
2. Incomplete applications will not be accepted by CDPD.

C. Review of Certificate Application

1. Administrative Review Process and Procedures

a. CDPD staff shall first review the application to determine:

- i. If any defining features of the building or structure as indicated, but not limited to those included on the Site Inventory Form(s) are proposed to be modified as a result of the proposal indicated on the application for Certificate, and
- ii. If the proposal is consistent with what is recommended in the Design Guidelines.

b. Applications for Certificates which do not alter the appearance of a defining feature of a building or structure and are consistent with what is recommended in the Design Guidelines may be issued a CNME by the CDPD Director or designee thereof.

c. The following projects are not eligible for administrative review:

- i. Additions to primary buildings or structures;
- ii. Additions to accessory buildings or structures;
- iii. New construction of accessory buildings or structures;
- iv. New construction of primary buildings or structures;
- v. Demolition of primary buildings or structures;
- vi. Demolition of accessory buildings or structures; and
- vii. Façade structure modifications on a primary building or structure.

d. If a CNME is not issued, the application will be considered by the Historic Preservation Commission at the next regularly scheduled meeting according to the established project review schedule.

2. Historic Preservation Commission Review Process and Procedures
 - a. The Historic Preservation Commission shall review the application to determine the following:
 - i. If any defining features of the building or structure as indicated, but not limited to those included on the Site Inventory Form(s) are proposed to be modified as a result of the proposal indicated on the application for Certificate.
 - ii. If the proposal is consistent with the Design Guidelines and/or the most recent edition of the Secretary of Interior's Standards for Rehabilitating Historic Buildings.
 - iii. If the proposal mitigates adverse effects on the aesthetic, historic, or architectural significance of either the building or structure or of the local historic district or local historic landmark.
 - b. The Historic Preservation Commission shall approve, approve with modifications acceptable to the applicant and the Commission, or deny the application.
 - i. If the application is approved or approved with modifications acceptable to the applicant and the Commission, a COA shall be issued.
 - ii. If the application is denied, the applicant will be provided with the reason(s) for denial of the application and the vote of the Historic Preservation Commission in writing.
 - iii. The Historic Preservation Commission shall only defer a decision on an application in the event additional information is required to come to a decision.
3. Certificates issued for approved applications authorize only those changes in appearance set forth in said Certificate and no other changes in appearance. If it is found that such work is not being carried out in accordance with the Certificate when a building permit is required, the Building Services Department shall issue a stop work order. Any change in appearance not authorized by the Certificate shall be deemed a violation of these regulations.
4. Applications for Certificates are not required for any structure, building or portion thereof which is determined by the Building Official to be an imminent threat to the health and/or safety of the public and is ordered demolished by the Building Official.

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18.10 - DEMOLITION AND FAÇADE STRUCTURE MODIFICATION REVIEW.

- D. Demolition of the following buildings or structures shall be subject to demolition review:
 1. Any primary building or structure which is 50 years or older.
 2. Any accessory building or structure within a NRHP-listed district or NRHP-listed property constructed in 1943 or earlier.

3. The following accessory buildings or structures if constructed in 1943 or earlier:
 - a. Summer Kitchen, meaning a building or structure which functions or once functioned as a kitchen and is used in primarily warm weather, or any building or structure designated as such by the City Assessor.
 - b. Barn, meaning a building or structure utilized in the operation of a farm to house animals, farming equipment, or crops; or any building or structure designated as such by the City Assessor.
 - c. Greenhouse, meaning a building or structure in which temperature and humidity can be regulated for the purpose of plant propagation, cultivation, and the growth of plants, or any building or structure designated as such by the City Assessor.
 - d. Garage, meaning a building or structure used for the storage of vehicles, including garage bungalow combinations (“garlows”) and carriage houses, or any building or structure designated as such by the City Assessor.
- E. Façade Structure Modification Review
1. A façade structure modification is a modification to a primary building or structure which would do any of the following:
 - a. On a façade wall facing a public street right-of-way:
 - i. Add floor area to the building or structure; or
 - ii. Add another wall which encloses the original wall from view.
 - b. On a façade wall facing a public street right-of-way removal of existing, above ground wall structure consisting of any of, but not limited to, the following elements: wall studs, wall framing, beams, masonry elements, and/or columns. This shall not include alternations to exterior materials such as, but not limited to: siding, wood, stucco, Hardee plank, cement board or other similar exterior wall coverings.
 2. Modification of the façade structure of any primary building or structure which is 50 years or older and located within a NRHP-listed district, or is a NRHP-listed property, shall be subject to façade structure modification review:
- F. Applications for Demolition or Façade Structure Modification.
1. Applications for demolition or façade structure modifications shall be made to the Building Services Department. Supporting materials shall be submitted as specified on the standard application form.
 2. Incomplete applications will not be accepted by the Building Services Department.
- G. Review of Demolition and Façade Structure Modification Applications
1. The Building Services Department shall, upon receipt of an application for demolition of a building or structure meeting the terms of Section 18.10.A or a façade structure modification meeting the terms of Section 18.10.B, immediately forward said application to CDPD.
 2. At a public meeting of the Historic Preservation Committee, held within 15 business days of the receipt of the application, the Historic Preservation Commission shall determine if the building or structure subject to demolition or façade structure

modification is historically significant.

3. If the building or structure is determined to be historically significant, the Historic Preservation Commission may place a hold of up to, but no more than, 60 calendar days. During this hold, which begins the calendar day after the hold is placed, the Historic Preservation Commission shall work with the property owner to explore the following alternatives to determine if any are feasible:
 - a. Designation as a local historic landmark.
 - b. Rehabilitation utilizing State or Federal tax incentives.
 - c. Adaptation of the building or structure to a new use or incorporating the building or structure into redevelopment plans.
 - d. Finding a new owner who is interested in preserving or rehabilitating the building or structure.
 - e. Looking for an alternative location for the redevelopment proposal.
 - f. Moving the building or structure to an alternative location if proposed for demolition.
 - g. Salvaging building materials.
 - h. Additional documentation of the exterior of the building or structure prior to the issuance of a building permit.
4. If the Historic Preservation Commission places a hold, the Historic Preservation Commission shall indicate which criteria make the building or structure historically significant as part of the permanent minute record of the Historic Preservation Commission.
5. CDPD shall notify the Building Services Department of the determination of historic significance by the Historic Preservation Commission and, in the event a hold is placed, indicate what date the hold expires.
6. CDPD shall place notice of any hold on the Historic Preservation Commission webpage.

H. Action to Structures During Hold Period

1. During the hold, no application for a building permit shall be granted until a COA is approved by the Historic Preservation Commission as though the property were designated as a local historic landmark.
 - a. Until the expiration of the hold, the Historic Preservation Commission shall review all construction, demolition, building permit applications impacting the exterior of the building or structure or building permit applications which impact the structural integrity of the building or structure.
 - b. Upon expiration of the hold, any COA issued during the demolition hold shall become null and void.
2. During the hold, no permit shall be issued for the erection of a new building or

structure on the tax assessment parcel which has any building or structure subject to a hold.

- I. At a public meeting of the Historic Preservation Commission, the Historic Preservation Commission may release a hold before the conclusion of the 60 calendar days.
- J. Any building or structure within a local historic district or a local historic landmark shall not be granted a demolition permit until plans for use or development of the site after demolition have been filed with the City and have been found to comply with all laws pertaining to the issuance of a City-required permit. All approvals necessary for the issuance of a development permit must be granted and any appeals shall be concluded, prior to the issuance of a demolition permit.
- K. Demolition of any building or structure or façade structure modification within a local historic district or a local historic landmark shall be subject to the provisions of Section 18.10.
- L. Any structure, building or portion thereof which is determined by the Building Official to be an imminent threat to the health and/or safety of the public and is ordered demolished by the Building Official is exempt from the demolition review or façade structure modification review process.

(010-17)

18.11 - APPEALS TO CITY COUNCIL.

- A. The applicant or any interested person may appeal any decision of the Historic Preservation Commission to the City Council. Such an appeal must be in writing, include justification for the appeal, and shall be filed with the City Clerk no later than 10 business days after the Historic Preservation Commission meeting at which the decision being appealed was final.
- B. The City Council shall, within 60 calendar days of receiving the appeal, hold a public hearing on the appeal, give the public notice as required by the State Code of Iowa, and provide written notice to the applicant and to the appellant, if different from the applicant, and decide the appeal within a reasonable time. After consideration, the City Council may approve, approve with revisions, or deny the appeal.

(010-17)

18.12 - ENFORCEMENT PROVISIONS.

When a building permit is not required, CDPD shall have the authority to enforce the terms and provisions of this ordinance as provided by law. When a building permit is required, the Building Services Department shall have the authority to enforce the terms and provisions of this ordinance as provided by law.

(010-17)

(Note: Chapter 18 originally adopted by Ordinance No. 4-94, passed February 9, 1994, and published February 14, 1994; reenacted by Ordinance No. 024-09, passed July 8, 2009, and published July 13, 2009, and reenacted by Ordinance No. 010-17, passed March 14, 2017.)