

City of Cedar Rapids
Development Committee Meeting Agenda
City Hall Council Chambers
Wednesday, January 18, 2017
3:00 pm – 4:30 pm

Purpose of Development Committee:

To enable the City Council to discuss and evaluate in greater detail these specific issues that directly impact the physical, social, and economic vibrancy of the City of Cedar Rapids.

City Council Committee Members:

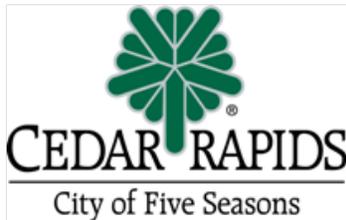
Council member Ann Poe, Chair
Council member Pat Shey
Council member Scott Overland

- Mayor Ron Corbett is an ex-officio member of all Council Committees per City Charter Section 2.06.

Agenda:

- Approval of Minutes – December 14, 2016
- Presentations:
 1. City-Owned Parcels
Seth Gunnerson
Community Development 20 Minutes
- Recommendation Items:
 1. Update to Chapter 18 - Historic Preservation
Anne Russett
Community Development 20 Minutes
 2. Mt. Vernon Road Corridor Action Plan
Adam Lindenlaub
Community Development 15 Minutes
- Updates
 1. NW Neighborhood Action Plan
Bill Micheel
Community Development 5 Minutes
 2. ReZone Cedar Rapids
Anne Russett
Community Development 10 Minutes
 3. Future Agenda Items
Jennifer Pratt
Community Development 5 Minutes
- Public Comment

Next Meeting: February 15, 2017



City of Cedar Rapids
DEVELOPMENT COMMITTEE MINUTES
City Services Center, Five Seasons Conference Room
Wednesday, December 14, 2016
4:00 p.m.

The meeting was brought to order at 4:06 p.m.

Present: Council members Overland and Shey. Staff members present: Jennifer Pratt, Community Development Director; Seth Gunnerson, Community Development Planner; Jeff Hintz, Community Development Planner; Anne Kroll, Community Development Administrative Assistant.

Council members Overland and Shey approved the minutes from November 16, 2016 with unanimous consent.

Recommendation Items:

1. Visual Arts Commission (VAC) Work Plan

Seth Gunnerson, Community Development Planner and Bill Stamats, VAC Chair, shared the 2016 accomplishments as well as the 2017 goals and objectives for the Commission. Ongoing activities for the VAC were also discussed.

Council member Overland likes the idea of doing a capital project and having an automatic consideration for the placement of artwork. That does not mean it has to happen everywhere, but it should be part of the process. Mr. Stamats stated that the artwork then becomes identified with that area.

Council member Shey asked when the VAC's authority is triggered and brought up the example of the Gazette article for West Side Rising. Mr. Stamats stated that the VAC reviewed the artwork and it was voted on by the Northwest Neighborhood Association, so the people that have to live with it want it. The VAC is a recommending body and for West Side Rising the VAC thought it was a good piece for the City to have. Council member Shey asked if West Side Rising was going up and if the City would be responsible for maintenance. Mr. Gunnerson stated that the details have not yet been hashed out, but there should be a resolution that goes to City Council with all of the details. The structure is a durable piece.

Council member Overland asked about murals that fade from the elements. Mr. Stamats stated that if it is privately owned the VAC does not have a say in that. If the mural is on public property there would be a plan to keep it freshened up.

2. City Planning Commission (CPC) Work Plan

Mr. Gunnerson and Jim Halverson, CPC Chair, gave an overview of the role of the CPC and shared the 2017 goals for the Commission. Mr. Halverson noted that he is enamored with the level of preparation staff brings to the cases so that he is informed before the meetings. Development Services staff and Community Development staff work very well together.

Council member Overland stated that the CPC is a useful body for the City Council even though they occasionally go in different directions. City Council has the opportunity to ask more questions about cases. The CPC is citizen friendly in that citizens can go to their meetings to voice their concerns or support for a project.

Council member Shey and Mr. Halverson discussed a case that had a difference of voting between the CPC and the City Council, where it was turned down at one and approved at another. Communication and alignment between CPC and City Council was discussed. Council member Shey asked if an applicant is able to come back to the CPC for a second chance after being denied. Mr. Halverson stated that they can come back and ask for reconsideration, but there has to be substantial change to their proposal that would warrant the reconsideration. Mr. Gunnerson added that it has to be within a year of the denial. The new Zoning Code and its role with the CPC was discussed.

3. Historic Preservation Commission (HPC) Work Plan

Jeff Hintz, Community Development Planner, shared the 2016 accomplishments as well as the 2017 goals and objectives for the Commission. The HPC has recommended approval of the 2017 Work Plan.

Council member Overland asked if the HPC is aware of the plans for a casino and the possible demolition of the historic Skogman Building should the casino be approved. It may not happen until 2019, but starting those discussions with building owners now may be helpful. Jennifer Pratt, Community Development Director, stated that since no applications have been submitted for the project, there is not a formal action for the HPC to take. People who have a historic preservation interest in the City could go to the property owner and see what their plans are.

Discussion Items:

1. Future Agenda Items

This item was tabled and will be discussed at the January 18, 2017 meeting.

Council members Overland and Shey adjourned the meeting with unanimous consent at 5:06 p.m.

Respectfully submitted,

Anne Kroll, Administrative Assistant II
Community Development



Community Development Department
City Hall
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

To: City Council Development Committee
From: Seth Gunnerson, Planner through Jennifer Pratt, Director of Community Development & Planning
Subject: City Owned Parcels
Date: January 18, 2017

Introduction

At the Development Committee's January 18 meeting, staff will provide a summary of City-owned property in the core of the community and development potential.

Staff has identified approximately 480 City Owned Parcels which may be considered for future development. When combining adjacent parcels this leaves 221 individual sites. When evaluating the sites considered a couple key factors:

1. Is the site located near the planned Flood Control System?
2. Is the site located in the 100 year flood plain?
3. Is the site located in a Viable Business Corridor which has been confirmed by the State?

Based on these questions the sites have been categorized into five groups:

- **Available** – Properties which can be considered for disposition are properties:
 - Within the Viable Business Corridor (VBC); or
 - Outside of a VBC and outside of the 100 year flood plain.
- **Available Pending the FCS** – Properties which are located within a VBC but are impacted by construction of the Flood Control System. Redevelopment of properties which may be impacted by the FCS are not recommended until:
 - The adjacent flood control system is constructed and the property is removed from the floodplain;
 - Council may consider development of some sites provided that a permanent flood barrier is incorporated as part of the proposed development.
- **Site Restricted** – These are properties in the 100 year flood plain that are not in a VBC and therefore not available for redevelopment at this time. Development of property outside of a VBC can be considered:
 - Once final FCS designs determine no impact on the property
 - Once the property is removed from the 100-year flood plain by construction of the FCS

The analysis is based on information available as of today. The size and development potential for the sites identified will change as final design and construction of the Flood Control System and other public improvements are made in the coming years.

The table below provides a summary of the land identified by category. **Development Potential** describes the minimum and maximum number of housing units permitted by the Future Land Use Map in EnvisionCR. In many cases the existing zoning code creates barriers to redevelopment, which will be addressed through the ReZone Cedar Rapids process. There is not an easy method to measure the amount of new businesses or other non-residential development that could develop on these properties, but in general two housing units may be replaced by a small retail space or office, larger non-residential uses would take up more potential housing space. Overall, staff feels that housing in these core neighborhoods will help drive the demand for more non-residential uses and provide new services to existing and future residents.

Category	Number of Sites	Development Potential	Notes
Available	145 sites 31.6 acres	110-907 units	<ul style="list-style-type: none"> • Parcels have been offered through various City reinvestment programs including ROOTs • Some parcels may not be developable under current zoning • New development must meet floodplain ordinance
Available Pending the FCS	21 sites 26.9 acres	275-1,286 units	<ul style="list-style-type: none"> • Not available for development until adjacent FCS is built or incorporated into project. • Existing zoning may not be suitable
Site Restricted	55 sites 24.4 acres	128-784 units	<ul style="list-style-type: none"> • Development not permitted until property is out of 100-year flood plain, which may require substantial completion of the entire FCS
Total	221 sites 82.93 acres	513-2,977 units	

At the January 18 meeting staff will present additional information about potentially developable city owned property, including:

- The role of neighborhood planning and the ReZone Cedar Rapids initiative in planning for future growth.
- Strategies to prioritize development in key areas, such as identified development nodes on Ellis Boulevard
- Development considerations in the 100-year flood plain, where permitted.

To: City Council Development Committee
From: Anne Russett through Jennifer Pratt, Director of Community Development & Planning
Subject: Update to Chapter 18 – Historic Preservation of the Municipal Code
Date: January 18, 2017

Introduction

At the Development Committee’s January 18 meeting, staff will provide an overview of the draft historic preservation ordinance [Attachment 1] for the Committee’s review and consideration. On January 12, the Historic Preservation Commission recommended approval of the draft ordinance, which included changes based on comments from the State Historic Preservation Office [Attachment 2] and the City Attorney.

Outreach & Engagement

Since the inception of this project in the fall of 2015, staff has reached out to a variety of stakeholder groups [Attachment 3] in order to help inform the draft ordinance. Table 1 summarizes the outreach efforts. In addition, the input from the HPC’s Chapter 18 Update Sub-committee [Attachment 4] has been critical to this process.

TABLE 1. Summary of Stakeholder Outreach

Date	Outreach Approach
<i>November 2015</i>	- Held focus group meetings on historic review and demolition review processes
<i>February 2016</i>	- Surveyed property owners in the local historic districts
<i>Feb – April 2016</i>	Attended meetings of key groups: - Developer’s Council - Economic Alliance - Czech Village / New Bohemia Main Street Design Committee - AHNI - Wellington Heights Neighborhood Association - Save Cedar Rapids Heritage
<i>March 2016</i>	- Facilitated public workshop
<i>September 2016</i>	- Notified property owners in the Local Historic Districts and National Register of Historic Places-Listed Districts of office hours through postcard mailings - Held meetings with key stakeholders groups regarding key issues and changes proposed in the draft
<i>Oct / Nov 2016</i>	- Meetings with Developer’s & Remodeler’s Councils
	- Ongoing meetings with the HPC sub-committee
	- Ongoing coordination with other City departments and staff

Summary of the Draft Ordinance

Table 2 summarizes the key proposed new and modified provisions outlined in the draft ordinance. Many of these changes address concerns raised by the HPC.

TABLE 2. Summary of Key Changes to Chapter 18-Historic Preservation

Location Where Rule Applies	General Topic	Current Rules	Proposed Rules	Historic Preservation Commission Role
Citywide	<ul style="list-style-type: none"> - Demolition of primary structures 	<ul style="list-style-type: none"> - Historic Preservation Commission (HPC) reviews demolitions of primary structures 50 years or older. 	<ul style="list-style-type: none"> - NO CHANGE. HPC reviews demolitions of primary structures 50 years or older. 	<ul style="list-style-type: none"> - If historically significant, the HPC may place a 60-day hold on the project and work with the property owner to explore alternatives. After expiration of the 60-day hold the property owner may move forward with demolition.
	<ul style="list-style-type: none"> - Demolition of accessory structures 		<ul style="list-style-type: none"> - NEW. HPC reviews demolition of barns, garages, greenhouses, and summer kitchens built in 1943 or earlier. 	<ul style="list-style-type: none"> - If historically significant, the HPC may place a 60-day hold on the project and work with the property owner to explore alternatives. After expiration of the 60-day hold the property owner may move forward with demolition.
	<ul style="list-style-type: none"> - Designation of Local Historic Districts 	<ul style="list-style-type: none"> - 51% of property owners in proposed district must agree to designation by signing a petition (excludes government owned properties). 	<ul style="list-style-type: none"> - CHANGE. 60% of property owners in proposed district must agree to designation (excludes government owned properties). Applications for designation must at a minimum include a justification, district boundaries, inventory of historic structures, & a list of property owners. 	<ul style="list-style-type: none"> - HPC reviews and makes recommendations to the City Planning Commission and City Council on proposed districts.

Location Where Rule Applies	General Topic	Current Rules	Proposed Rules	Historic Preservation Commission Role
Citywide	<ul style="list-style-type: none"> - Designation of Local Historic Landmarks 	<ul style="list-style-type: none"> - Signatures of all property owners are required. 	<ul style="list-style-type: none"> - CHANGE. Signatures of all property owners are required. Applications for designation must at a minimum include a justification, location information, inventory of historic structures, & list of property owners. 	<ul style="list-style-type: none"> - HPC reviews and makes recommendations to the City Planning Commission and City Council on proposed districts.
National Register of Historic Places- Listed Districts & Properties	<ul style="list-style-type: none"> - Demolition of accessory structures 		<ul style="list-style-type: none"> - NEW. HPC reviews demolition of accessory structures built in 1943 or earlier. 	<ul style="list-style-type: none"> - If historically significant, the HPC may place a 60-day hold on the project and work with the property owner to explore alternatives. After expiration of the 60-day hold the property owner may move forward with demolition.
	<ul style="list-style-type: none"> - Modifications to facades 		<ul style="list-style-type: none"> - NEW. HPC reviews façade structure modifications on primary structures 50 years or older, which include permanent changes to the pitch of a roof or any of the following on a façade wall facing a public street right-of-way: <ul style="list-style-type: none"> + Adding floor area to the structure + Enclosure of façade wall + Removal of façade structures, such as columns, framing, studs. 	<ul style="list-style-type: none"> - If historically significant, the HPC may place a 60-day hold on the project and work with the property owner to explore alternatives. After expiration of the 60-day hold the property owner may move forward with the modification.

Location Where Rule Applies	General Topic	Current Rules	Proposed Rules	Historic Preservation Commission Role
Local Historic Districts & Landmarks	<ul style="list-style-type: none"> - Demolitions 	<ul style="list-style-type: none"> - Review required by HPC for demolition of primary and accessory structures. 	<ul style="list-style-type: none"> - <i>NO CHANGE</i>. Review required by HPC for demolition of primary and accessory structures. 	<ul style="list-style-type: none"> - HPC may approve or deny the demolition.
	<ul style="list-style-type: none"> - Exterior modifications that require a building permit 	<ul style="list-style-type: none"> - Review either by City staff or the HPC required for exterior changes to primary and accessory structures when a building permit is required. 	<ul style="list-style-type: none"> - <i>NO CHANGE</i>. Review either by City staff or the HPC required for exterior changes to primary and accessory structures when a building permit is required. 	<ul style="list-style-type: none"> - HPC may approve, approve with modifications, or deny the project.
	<ul style="list-style-type: none"> - Exterior modifications that do not require a building permit 		<ul style="list-style-type: none"> - <i>NEW</i>. Review required for modifications to or removal of architectural detailing (e.g. trim, moldings, ornamental designs in posts or cornices). 	<ul style="list-style-type: none"> - Proposed removal of architectural detailing requires review by HPC. HPC may approve, approve with modifications, or deny the project.
	<ul style="list-style-type: none"> - Administrative review 		<ul style="list-style-type: none"> - <i>NEW</i>. Clarifies the types of modifications that are not eligible for administrative review and must be reviewed by the HPC (e.g. additions, new construction). 	<ul style="list-style-type: none"> - HPC may approve, approve with modifications, or deny the project.
	<ul style="list-style-type: none"> - Review criteria 		<ul style="list-style-type: none"> - <i>NEW</i>. Added general criteria for determining appropriateness during historic review. 	<ul style="list-style-type: none"> - City staff and HPC will utilize the criteria when granting approvals or denials of projects.

In terms of the demolition review process, Table 2 notes a couple of key dates in terms of identifying properties of historic value. First, for primary structures the ordinance focuses on buildings that are 50 years or older, which is recommended by the National Park Service and serves as the initial criteria in determining historic significance. Second, for accessory structures the ordinance focuses on buildings constructed in 1943 or earlier since accessory buildings built after WWII are less likely to be historically significant. The Historic Preservation Commission proposed 1943 in order to focus on structures that are more likely to have a higher degree of historic significance.

Analysis Related to Demolition Review of Accessory Structures

The draft ordinance outlines two new provisions related to the demolition of accessory structures. One provision is citywide, while the other applies only to the National Register of Historic Places-Listed Districts and Landmarks. Tables 3 and 4 provide a summary of staff’s analysis of these proposed provisions.

Table 3 outlines data on citywide accessory structures and those that would be subject to the proposed demolition review provisions. Of the 45,322 accessory structures in the city, 3,267 or 7.2% would be subject to the proposed citywide accessory structure demolition provision.

TABLE 3. Citywide Accessory Structure Provision - Applicable Structures

Building Type	Number	Percentage
Barns	84	0.2%
Garages	3,182	7.0%
Summer Kitchens	0	0.0%
Greenhouses	1	0.0%
Total Applicable Structures Built in 1943 or Earlier	3,267	7.2%
Total Accessory Structures	45,322	100%

Source: City of Cedar Rapids GIS, November 2015

Table 4 provides information on the accessory structures included in the NRHP-Listed Districts and Landmarks. Of the 135 accessory structures in these districts, 46 or 34% were built in 1943 or earlier, and therefore, would be subject to the proposed accessory structure demolition provision.

TABLE 4. NRHP Accessory Structure Provision – Applicable Structures

Total Applicable Structures (Built in 1943 or Earlier)	46
Total Accessory Structures	135
Percentage of Applicable Structures	34%

Source: City of Cedar Rapids GIS, November 2016

Next Steps

If the Development Committee concurs with these changes proposed, the draft ordinance will proceed through the adoption process as follows:

1. February 14: Set the date for the City Council public hearing
2. February 28: City Council public hearing

Staff Recommendation

Staff recommends that the City Council Development Committee recommend adoption of the Draft Historic Preservation Ordinance by the City Council.

Attachments:

1. Draft Historic Preservation Ordinance, Chapter 18 of the Municipal Code
2. Comments from the State Historic Preservation Office
3. Summary of Stakeholder Outreach
4. Summary of Issues Discussed with the HPC Chapter 18 Update Sub-Committee

Historic Preservation Ordinance - Chapter 18 of the Municipal Code

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.

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. Barn: Any building or structure classified as such by the City Assessor, or otherwise defined as a building or structure utilized in the operation of a farm to house animals, farming equipment, or crops.
- D. Building: Any structure built, used, designed, or intended for the support, shelter, protection, or enclosure of persons, animals, chattels, or property of any kind.
- E. Building Code: Chapter 33 of the Municipal Code adopted by the Cedar Rapids City Council which regulates building construction and alterations in the City of Cedar Rapids.
- F. Building Official: The officer charged with the administration and enforcement of the building code, or a duly authorized representative.
- G. 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.

- H. Building Services Department: The City Department which accepts applications for building permits, inspects construction work, and makes determinations about the building code as it relates to construction work.
- I. Certificate: The certificate granted by either the Cedar Rapids Historic Preservation Commission or the Community Development Department pursuant to this chapter granting approval of the work contemplated in an application in the form of a Certificate of Appropriateness or a Certificate of No Material Effect.
- J. Certificate of appropriateness (COA): The certificate granted by the Historic Preservation Commission granting approval of a proposal to make a change in appearance, which must be obtained prior to the issuance of a building permit. A COA is not a building permit.
- K. Certificate of no material effect (CNME): The certificate issued by the Community Development Department in lieu of a certificate of appropriateness, which signifies that the work contemplated in the application will have no effect on any significant architectural features of the historic district or historic landmark. A CNME is not a building permit.
- L. Change in appearance: 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. This definition shall pertain only to exterior changes in appearance which a building permit is required for compliance with applicable city codes. 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.
- M. 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.
- N. 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.
- O. 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.
- P. Façade Structure Modification: Modifications to a primary building or structure which would do any of the following:
 - 1. On a façade wall facing a public street right-of-way:

- a. Add floor area to the building or structure; or
 - b. Add another wall which encloses the original wall from view.
2. 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.
 3. Permanent alteration to the pitch of a roof.
- Q. Garage: Any building or structure classified as such by the City Assessor, or otherwise defined as a building or structure used for the storage of vehicles, including garage bungalow combinations, commonly referred to as garlows, and carriage houses.
- R. Greenhouse: Any building or structure classified as such by the City Assessor, or otherwise defined as a building or structure in which temperature and humidity can be regulated for the purpose of plant propagation, cultivation and the growth of plants.
- S. Guidelines for Cedar Rapids Historic Districts: 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.
- T. Historically Significant: Any structure, building, site, property, object or item which is determined by the Cedar Rapids Historic Preservation Commission, National Park Service or State of Iowa Historic Preservation Office to possess integrity and meet one or more of the following:
1. Associated with events that have made a significant contribution to the broad patterns of our history; or
 2. Associated with the lives of significant persons in our past; or
 3. 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
 4. Yielded, or may be likely to yield, information important in history or prehistory.
- U. Local Historic District: An area consisting of contiguous properties designated by ordinance as being historically significant following the procedures outlined in Section 18.05 and 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.
- V. Local Historic Landmark: An individual property designated by ordinance as being historically significant following the procedures outlined in Section 18.05 and 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.

- W. National Register of Historic Places (NRHP): National Park Service maintained list of all historically significant places in the United States; list contains historic districts and historic properties.
- X. NRHP-Listed District: An area designated by the National Park Service which contains 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, and is determined to be historically significant.
- Y. NRHP-Listed Property: Generally one property, which is smaller in land area than a historic district, which is designated by the National Register of Historic Places which contains a significant building, structure or other improvements which, when considered as a whole, possess integrity of location, design, setting, materials, workmanship, feeling, and association, and is determined to be historically significant.
- Z. 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.
- AA. Secretary of the Interior's Standards for Rehabilitating Historic Buildings: Documents and series of publications developed by the United States Secretary of the Interior to aid contractors, owners and others who own or do construction work on historically significant properties.
- BB. Site Inventory Form: A document that is prepared at the time of a property's nomination of a historic district or designation as a historic landmark and includes elements which are defining to the property.
- CC. 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).
- DD. Structure: Anything constructed, erected, or placed with a more or less fixed location on the ground or attached or resting on something having a fixed location on the ground.
- EE. Summer Kitchen: Any building or structure classified as such by the City Assessor, or otherwise defined as a building or structure which functions or once functioned as a kitchen and is used in primarily warm weather.

18.03 – Historic Preservation Commission

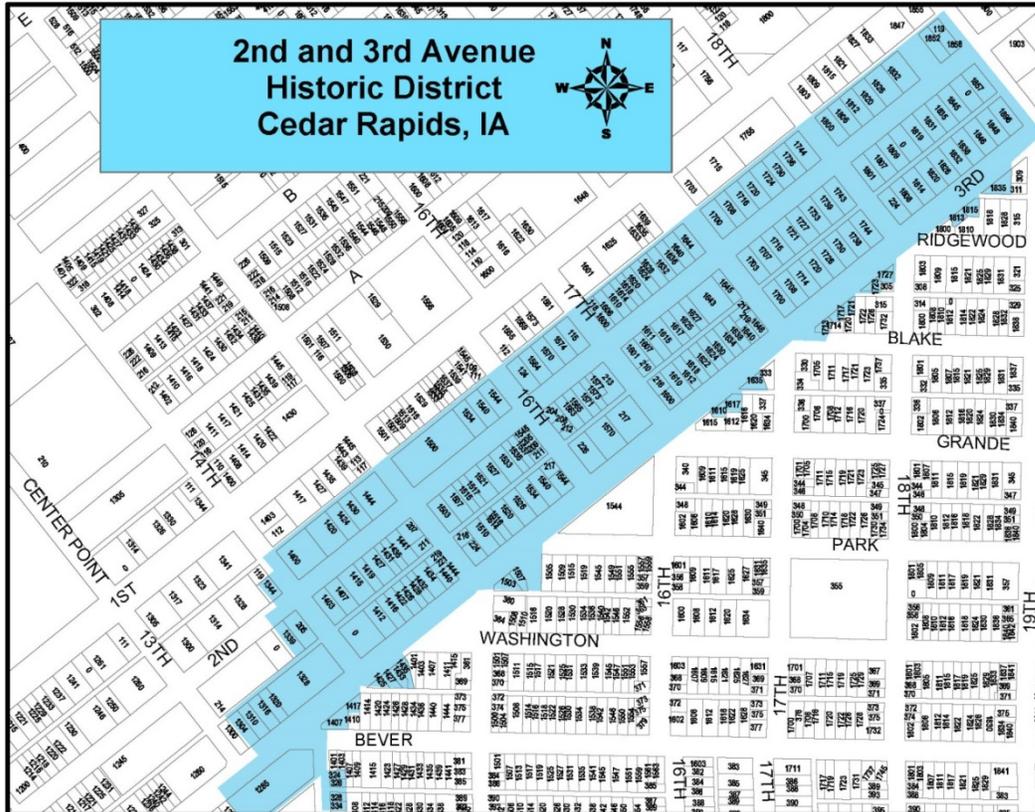
- A. The Historic Preservation Commission is hereby created to be an advisory Commission to the Cedar Rapids City Council.
- B. Membership, terms and vacancies
 - 1. On, and after, July 1, 2017, the Historic Preservation Commission shall consist of no more than nine members.
 - 2. Members of the Historic 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 except that no more than two members of the Historic Preservation Commission may reside outside the corporate limits of the City of Cedar Rapids if such members own property within the corporate limits of the City of Cedar Rapids. 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 of Cedar Rapids 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

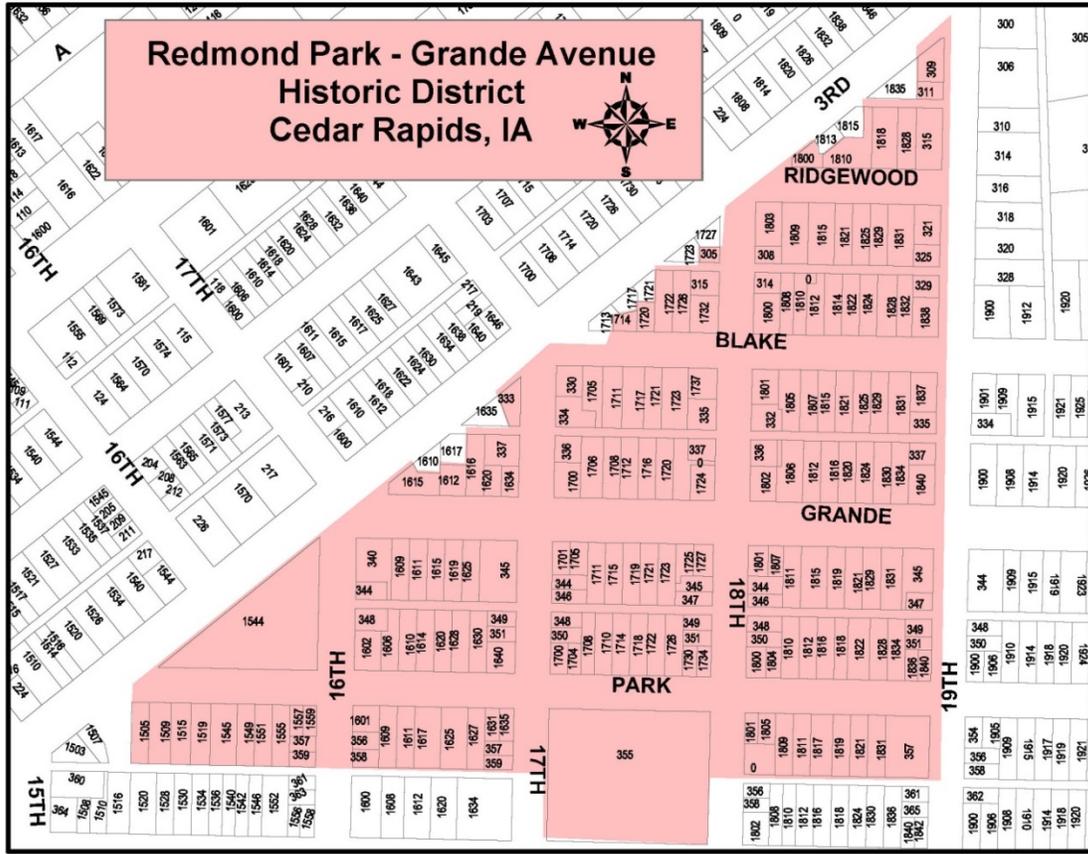
1. The Historic Preservation Commission may, subject to City Council approval, conduct studies for the identification and designation of historic districts and sites meeting the definitions established by this chapter.
2. The Historic Preservation Commission may make a recommendation to the City Council for the listing of a historic district or site in the National Register of Historic Places.
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 review and act upon all applications pursuant to the procedures established by this chapter and other applicable laws.
5. The Historic Preservation Commission may further the efforts of historic preservation in the City by making recommendations to the City Council and City commissions and boards on preservation issues when appropriate, by encouraging the protection and enhancement of buildings or structures with historical, architectural or cultural value, and by encouraging persons and organizations to become involved in preservation activities.
6. The Historic Preservation Commission may educate the public at large on the benefits of historic preservation and build a preservation ethic and public awareness.
7. The Historic Preservation Commission shall consult on proposed changes to land use and zoning within the local historic districts, when requested by the City Planning Commission or City Council.
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 – 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)

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 Department, on a standard application form furnished by that department.
- 2. An applicant may, in writing, withdraw its application for a 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 the Community Development Department on the standard application form furnished by the Community Development Department and shall at a minimum include:
 - a. A narrative and justification describing how the proposed district or landmark is historically significant as defined by this chapter.
 - b. A map indicating the exact boundaries of the proposed district or location of the proposed landmark.
 - c. An inventory of the buildings, structures or historically important sites located within the boundary of the proposed district or landmark.
 - d. 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.
 - a. The petition shall include language informing potential signatories that this chapter and the Guidelines for Cedar Rapids Historic Districts are applicable to all local historic districts and that most exterior changes will require a Certificate as defined in this chapter, in addition to any standard building permit review.
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.
 - a. The petition shall include language informing property owner(s) that this chapter and the Guidelines for Cedar Rapids Historic Districts are applicable to all local historic 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 the Community Development Department, 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. The Historic Preservation Commission 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. The Community Development Department 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 recommendation shall be forwarded to the State Historic Preservation Office or its successor.
 - ii. If the Historic Preservation Commission recommends denial of the nomination, the applicant may appeal in accordance with the terms of Section 18.10 and if overturned by City Council, the nomination will be forwarded to the State Historic Preservation Office or its successor.
2. Review by the State Historic Preservation Office
- a. A recommendation of approval of a local historic district or local historic landmark by the Historic Preservation Commission shall be submitted to the State Historic Preservation Office or its successor for review and recommendation.
 - b. Comments from the State Historic Preservation Office or its successor regarding the proposed local historic district or local historic landmark 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 State Historic Preservation Office or its successor, 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 or Local Historic Landmark
- a. The Historic Preservation Commission shall be notified of any boundary alterations recommended by either the State Historic Preservation Office or its successor, 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, the Community Development Department shall submit a description of the alteration to the State Historic Preservation Office or its successor for review and recommendation. Any recommendations from the State Historic Preservation Office or its successor concerning the altered proposed boundary of a local historic district or local historic landmark shall be received by the City prior to setting a City Council public hearing on a proposed ordinance establishing a local historic district or local historic landmark.

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 the Community Development Department, 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:
 - a. The City Council ordinance number and adoption date of said district or landmark,
 - b. A statement noting the property’s inclusion in a local historic district or landmark, and

- c. The contact information of the City of Cedar Rapids Community Development Department.
- B. Section 18.04 shall be updated upon the designation of a local historic district or local historic landmark by the City Council.

18.07 – 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 11x8 inches or 10x7 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 18.07.B, with the elements described in Section 18.07.A:

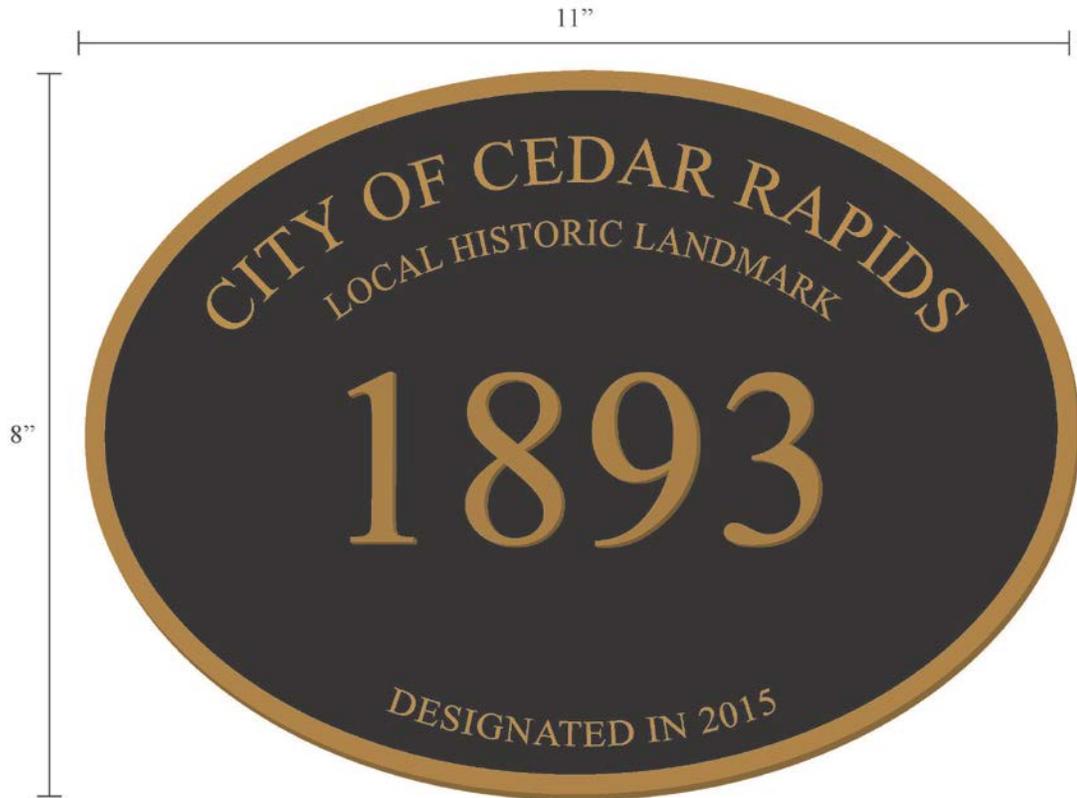


Figure 18.07.B – Local Historic Landmark Plaque

18.08 – Certificates of No Material Effect and Certificates of Appropriateness

A. Certificate Required

1. When Building Permit is Required

a. 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 appropriateness or a certificate of no material effect has been granted.

2. When Building Permit is not required

a. No individual or corporation shall remove or make an exterior change in appearance to architectural detailing without first applying for a Certificate to the Community Development Department.

b. 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 the Community Development Department. Supporting materials shall be submitted as specified on the standard application form.

2. Incomplete applications will not be accepted by the Community Development Department.

C. Review of Certificate Application

1. Administrative Review Process and Procedures

a. Community Development Department 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 Guidelines for Cedar Rapids Historic Districts.

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 Guidelines for Cedar Rapids Historic Districts may be issued a Certificate of No Material Effect (CNME) by the Director of the Community Development Department 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 Certificate of No Material Effect 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 Guidelines for Cedar Rapids Historic Districts 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. Action by the Historic Preservation Commission
 - i. Approval or Denial of Certificate of Appropriateness
 - a. The Historic Preservation Commission shall approve, approve with modifications acceptable to the applicant and the Commission, or deny the application.
 - 1. If the application is approved or approved with modifications acceptable to the applicant and the Commission, a Certificate of Appropriateness shall be issued.
 - 2. 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.
 - b. 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. Compliance with Certificate Required
 - a. Certificates of No Material Effect or Certificates of Appropriateness issued for approved applications authorize only those changes in appearance set forth in said approval 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. Exceptions from Application for Certificate
 - a. Any structure, building or portion thereof which is determined by the Cedar Rapids Building Official to be an imminent threat to the health and/or safety of the public and is ordered demolished by the Cedar Rapids Building Official.

18.09 – Demolition and Façade Structure Modification Review

A. Demolition Review

1. Demolition of the following buildings or structures shall be subject to demolition review:
 - a. Any primary building or structure which is 50 years or older.
 - b. Any accessory building or structure within a NRHP-listed district or NRHP-listed property constructed in 1943 or earlier.
 - c. The following accessory buildings or structures if constructed in 1943 or earlier:
 1. Summer Kitchen
 2. Barn
 3. Greenhouse
 4. Garage

B. Façade Structure Modification Review

1. Modification of the façade structure of the following buildings or structures shall be subject to façade structure modification review:
 - a. Any primary building or structure which is 50 years or older and located within a NRHP-listed district or is a NRHP-listed property.

C. 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.

D. 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 18.09.A or a façade structure modification meeting the terms of Section 18.09.B, immediately forward said application to the Community Development Department.
2. Within 15 business days, during the time and place of a public meeting, the Historic Preservation Commission shall determine if the building or structure subject to demolition or façade structure modification is historically significant. The 15 days shall begin on the date the application is received.
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 following 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 per Section 18.02.T makes the building or structure historically significant as part of the permanent minute record of the Historic Preservation Commission.
 - 5. The Community Development Department 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. The Community Development Department shall place notice of any hold on the Historic Preservation Commission webpage.
- E. Action to Structures During Hold Period
 - 1. During the hold, no application for a building permit shall be granted until a Certificate of Appropriateness (COA) is approved by the Historic Preservation Commission as though the property were designated as a local historic landmark. 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.
 - a. 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 demolition hold.
- F. Release of a Hold
 - 1. 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.
- G. Approval of Redevelopment Plan Required
 - 1. Any building or structure within a local historic district or a local historic landmark subject to a hold shall not be granted a demolition permit until plans for use or development of the site after demolition have been filed with the City of Cedar Rapids 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.
- H. 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 18.08.
- I. Exceptions from Demolition Review or Façade Structure Modification Review
 - 1. Any structure, building or portion thereof which is determined by the Cedar Rapids Building Official to be an imminent threat to the health and/or safety of the public and is ordered demolished by the Cedar Rapids Building Official.

18.10 – Appeals to City Council

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. 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.

18.11 – Enforcement Provisions

When a building permit is not required, the Community Development Department 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.

Draft Historic Preservation Ordinance - Chapter 18 of the Municipal Code

18.01 – Reserved for Legal at time of Ordinance Adoption

18.02 – Purpose and Intent

- A. The purpose of this chapter is to:
1. 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;
 2. Safeguard the City's historic, aesthetic and cultural heritage by preserving sites and districts of historic and cultural significance;
 3. Stabilize and improve property values of historic resources within the City;
 4. Foster pride in the legacy of beauty and achievements of the past;
 5. Protect and enhance the City's attractions and historic resources for tourists and visitors and for the support and stimulus to business thereby provided;
 6. Strengthen the economy of the City; and
 7. 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.

18.03 – Definitions

- A. Accessory Structure: A building, structure, or use that is subordinate to and serves a primary structure.
- B. Architectural detailing: Unique, often hand crafted features with designs or patterns on a building which are generally not but may sometime be integral to the structure of the building and include, but are not limited to: trim, fenestration, moldings, and ornamental designs in posts or cornices.
- C. Barn: Any structure classified as such by the City Assessor, or otherwise defined as a structure utilized in the operation of a farm to house animals, farming equipment, or crops.
- D. Building Code: The series of documents adopted by the Cedar Rapids City Council which regulate building construction and alterations in the City of Cedar Rapids.
- E. Building Official: The officer charged with the administration and enforcement of the building code, or a duly authorized representative.
- F. 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.
- G. Building Services Department: The City Department which accepts applications for building permits, inspects construction work, and makes determinations about the building code as it relates to construction work.

Comment [PM1]: This would seem to exclude mass produced features such as cast iron or mass produced millwork which is not technically unique but important. Recommend instead "Character-defining (sometimes hand crafted) on a building which are generally not....."

H. Certificate: Document granting ~~historic~~ approval of the work contemplated in an application in the form of a Certificate of Appropriateness or a Certificate of No Material Effect.

Formatted: Strikethrough

I. Certificate of appropriateness (COA): The document evidencing approval by the Historic Preservation Commission of a proposal to make a change in appearance, which must be obtained prior to the issuance of a building permit. This is not a building permit.

Comment [PM2]: H and I seem to be similar. Are they both needed?

J. Certificate of no material effect (CNME): The document, issued in lieu of a certificate of appropriateness, which signifies that the work contemplated in the application will have no effect on any significant architectural features of the historic district or historic landmark. This is not a building permit.

K. Change in appearance: Any change or alteration of the exterior features of a local historic landmark or a change or alteration of the appearance of a property within a local historic district. This definition shall pertain only to changes in appearance which a building permit is required for compliance with applicable city codes. 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 in a local historic district and for which no building permit is required.

L. Change or Alteration: The erection of a building on a site, the movement of a building from or to a site, the demolition of a building, the reconstruction or restoration of a building or any action to change, modify, reconstruct, remove or demolish any exterior feature of a local historic landmark or an existing structure in a local historic district.

Formatted: Strikethrough

M. 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.

Comment [PM3]: Recommend that you add a definition for both building and structure using NR definitions.

N. Exterior features: The architectural style, general design and general arrangement of the exterior of a building or other structure, including, but not limited to, the kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs and other appurtenant fixtures.

In this document sometimes just "structure": is used, sometimes, "building or structure." Recommend that you use "building or structure" throughout.

O. Façade Structure Modification: Modifications to a primary structure which would do any of the following:

1. On a façade wall facing a front yard or corner side yard:
 - a. Add floor area to the structure; or
 - b. Add another wall which encloses the original wall from view.
2. On a façade wall facing a front yard or corner side yard, 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.

Comment [MP[4]: This assumes you are talking about a residential property with a yard. What about commercial structures which may no yard but has two street elevations. Revise.

3. Permanent alteration to the pitch of a roof.
- P. Garage: Any structure classified as such by the City Assessor, or otherwise defined as a structure used for the storage of vehicles, including garlows garages and carriage houses.
- Q. Greenhouse: Any structure classified as such by the City Assessor, or otherwise defined as a structure in which temperature and humidity can be regulated for the purpose of plant propagation, cultivation and the growth of plants.
- R. Guidelines for Cedar Rapids Historic Districts: Document based on National Park Service Standards for the treatment of historic properties that outlines recommendations for the treatment of historic structures. Adopted by the Cedar Rapids City Council the Guidelines apply to all properties within a local historic district and local historic landmarks.
- S. Historically Significant: Any structure, building, site, property, object or item which is determined by the Cedar Rapids Historic Preservation Commission, National Park Service or State of Iowa Historic Preservation Office to meet one or more of the following:
1. Associated with events that have made a significant contribution to the broad patterns of our history; or
 2. Associated with the lives of significant persons in our past; or
 3. 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
 4. Yielded, or may be likely to yield, information important in history or prehistory.
- T. Local Historic District: A grouping of more than one property which has been designated by ordinance adopted by the Cedar Rapids City Council after following the procedures outlined in Section 18.06. A local historic district contains 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, and is determined to be historically significant.
- U. Local Historic Landmark: An individual property which has been designated by ordinance adopted by the Cedar Rapids City Council after following the procedures outlined in Section 18.06. Contains significant buildings, structures or other improvements which, when considered as a whole, possess integrity of location, design, setting, materials, workmanship, feeling, and association, and are determined historically significant.
- V. National Register of Historic Places (NRHP): National Park Service maintained list of all historically significant places in the United States; list contains historic districts and historic properties.
- W. NRHP-Listed District: An area designated by the National Park Service which contains a significant portion of buildings, structures or other improvements which, considered as a whole,

Comment [MP[5]]: Is it important to cite specifically which set of guidelines you use or do you use them all? Later you refer to the Rehabilitation Standards in particular.

Comment [MP[6]]: Recommend that you also include integrity here. In other words, would a building be historically significant if it had poor integrity?

I think this is an important point because below on page 9, in "C. Designation Criteria. An area designated by the City Council as either a local historic district or local historic landmark shall be historically significant as defined by this Chapter.

possess integrity of location, design, setting, materials, workmanship, feeling, and association, and is determined to be historically significant.

- X. NRHP-Listed Property: Generally one property, which is smaller in land area than a historic district, which is designated by the National Register of Historic Places which contains a significant building, structure or other improvements which, when considered as a whole, possess integrity of location, design, setting, materials, workmanship, feeling, and association, and is determined to be historically significant.
- Y. Primary Structure: A structure built for the principal use which takes place on the property. In some instances a property may have more than one primary structure.
- Z. Secretary of the Interior's Standards for Rehabilitating Historic Buildings: Documents and series of publications developed by the United States Secretary of the Interior to aid contractors, owners and others who own or do construction work on historically significant properties.
- AA. Site Inventory Form: Document accompanying properties within a historic district or historic landmark. This document may be prepared at the time of a property's inclusion in a historic district or designation as a historic landmark and includes elements which are defining to the property.
- BB. 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).
- CC. Summer Kitchen: Any structure classified as such by the City Assessor, or otherwise defined as a structure which functions or once functioned as a kitchen and is used in primarily warm weather.

Comment [MP7]: "nomination of" instead of "inclusion"

18.04 – Historic Preservation Commission

- A. The Historic Preservation Commission shall be an advisory Commission to the Cedar Rapids 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 approval of the City Council.
 3. Up to two members of the Historic Preservation Commission shall be allowed to reside outside the corporate limits of the City of Cedar Rapids, but must own property within the corporate limits of the City of Cedar Rapids. All other members shall reside within the corporate limits of the City of Cedar Rapids. In the event that a member no longer meets this requirement due to a change in residency or property ownership they shall resign from the Commission.
 4. At least one resident of each local historic district shall be appointed to the Historic Preservation Commission.

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. Vacancies occurring on the Historic Preservation Commission, other than expiration of term of office, shall be only for the unexpired portion of the term of the member replaced.
7. Members may serve for more than one term and each member shall serve until their term expiration; however, members will be limited to three consecutive terms. One term shall be three years in length, which shall include the fulfillment of the remainder of a term to which a different Commission member was originally appointed.
8. Members shall wait one full term, three years, before reapplying to serve on the Historic Preservation Commission after serving three consecutive terms.
9. Members shall serve without compensation.
10. The Mayor may, with the approval of the City Council, remove any member from the Historic Preservation Commission for just cause.
11. The Historic Preservation Commission shall adopt by-laws for organization and implementation of assigned powers and duties.
12. 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.
13. Service on the Historic Preservation Commission shall be subject to the "Board and Commission Member Roles and Responsibilities" and all updates thereto.
14. All members shall undergo training, provided by the City of Cedar Rapids on ethics, conflicts of interest and other applicable topics as decided by the City.

C. Meetings

1. The Historic Preservation Commission shall meet at least once per month, unless there is no new business.
2. All meetings of the Historic Preservation Commission are open to the public and shall be called and held in conformance with the State Code of Iowa.

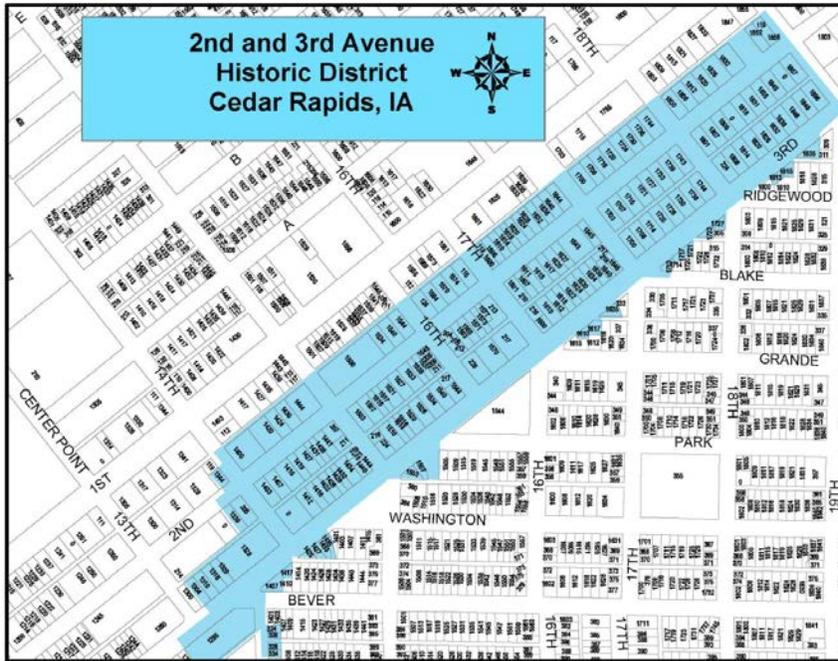
D. Powers of the Historic Preservation Commission

1. The Historic Preservation Commission may, subject to City Council approval, conduct studies for the identification and designation of historic districts and sites meeting the definitions 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 National Register of Historic Places.
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 review and act upon all applications pursuant to the procedures established by this Chapter and other applicable laws.
5. The Historic Preservation Commission shall further the efforts of historic preservation in the City by making recommendations to the City Council and City commissions and boards on preservation issues when appropriate, by encouraging the protection and enhancement of structures with historical, architectural or cultural value, and by encouraging persons and organizations to become involved in preservation activities.

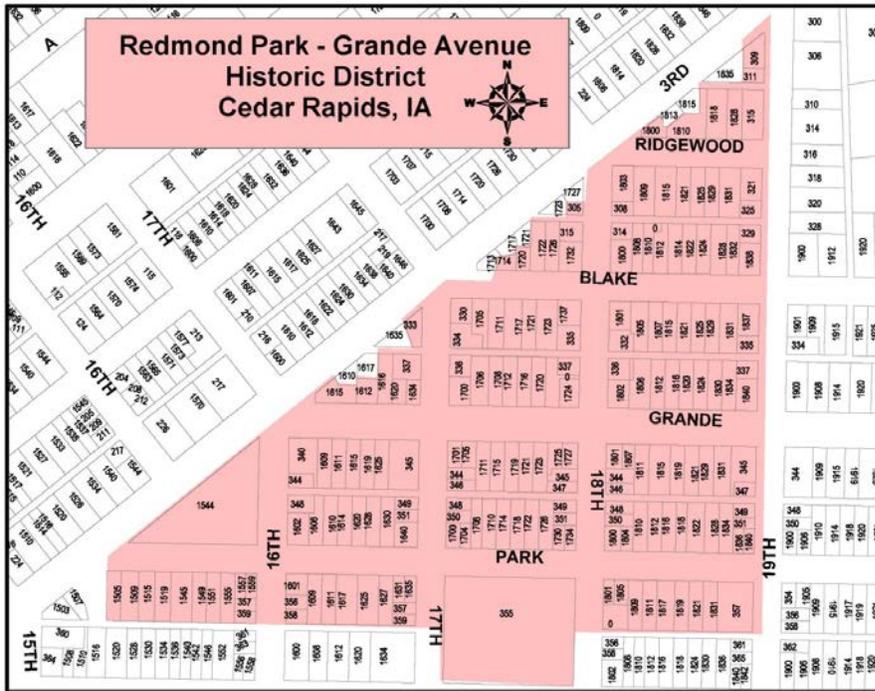
6. The Historic Preservation Commission shall educate the public at large on the benefits of historic preservation and build a preservation ethic and public awareness.
7. The Historic Preservation Commission shall consult on proposed changes to land use and zoning within the local historic districts, as requested by the City Planning Commission or City Council.
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.

18.05 – 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:



2. Redmond Park-Grande Avenue Historic District:



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

1. 845 1st Avenue SE – The Ausadie Building

18.06 – Designation of Local Historic Districts and Local Historic Landmarks

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 Department, on a standard application form furnished by that department.
2. Any corporation, entity or individual(s) applying for a local historic landmark may provide in writing at any point through the process, written notice to withdraw the nomination for local historic landmark if all signatures of the owners of the property are on said notice.

B. Nomination Requirements

1. Applications for the creation of a local historic district or local historic landmark shall be submitted to the Community Development Department. Supporting materials shall be

Comment [MP[8]: So if there are 5 owners of a building, all five need to object? Otherwise the landmark nomination can proceed with say 4 out of 5 objections?

submitted as specified on the standard application form furnished by the Community Development Department and shall at a minimum include:

- a. A narrative and justification describing how the proposed district or landmark is historically significant as defined by this Chapter.
 - b. A map indicating the exact boundaries of the proposed district or location of the proposed landmark.
 - c. An inventory of the structures or historically important sites located within the boundary of the proposed district or landmark.
2. For proposed local historic districts, signatures of the property owners of no less than 60 percent of the total number of parcels of real estate within the proposed local historic district, excluding parcels owned by governmental bodies, are required with the submission of an application. Provided that each "parcel," within the meaning of this paragraph, shall constitute a separate parcel for property tax assessment purposes, as shown in the records of the City Assessor in the date of the filing of the application.
- a. The petition for signatures shall include language informing potential signatories that this Chapter and the Guidelines for Cedar Rapids Historic Districts are applicable to all local historic districts and that most exterior changes will require a Certificate, above and beyond that of a standard building permit review.
3. For proposed local historic landmarks, signature(s) of the property owner(s) of the proposed local historic landmark are required with the submission of an application.
- a. The petition for signatures shall include language informing property owner(s) that this Chapter and the Guidelines for Cedar Rapids Historic Districts are applicable to all local historic landmarks and that most exterior changes will require a Certificate, above and beyond that of a standard building permit review.

C. Nomination Criteria

1. An area designated by the City Council as either a local historic district or local historic landmark shall be historically significant as defined by this Chapter.

D. Nomination Process

1. Review by the Historic Preservation Commission
 - a. 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. Notice of said public meeting shall also be published in conformance with the State Code of Iowa.
 - c. The Historic Preservation Commission shall 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. The Community Development Department 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. The Historic Preservation Commission shall recommend approval or denial of the nomination in writing with findings of historic significance regarding the nomination.

i. If the Historic Preservation Commission recommends approval of the nomination, the recommendation shall be forwarded to the State Historic Preservation Office or its successor.

ii. If the Historic Preservation Commission recommends denial of the nomination, an appeal may be filed in accordance with the terms of Section 18.11 and if overturned by City Council, the nomination will move through the remainder of this process.

2. Review by the State Historic Preservation Office

a. A recommendation of approval of a local historic district or local historic landmark by the Historic Preservation Commission shall be submitted to the State Historic Preservation Office or its successor for review and recommendation.

b. Comments from the State Historic Preservation Office or its successor regarding the proposed local historic district or local historic landmark 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 State Historic Preservation Office or its successor, the City Planning Commission shall review the nomination with respect to the relation of the proposed local historic district or local historic landmark designation to the City's Comprehensive Plan and other relevant plans.

b. The City Planning Commission shall recommend approval or denial of the nomination to the City Council.

i. Regardless of the recommendation from the City Planning Commission, the proposed local historic district or local historic landmark shall be presented to the City Council.

4. Boundary Alterations to a proposed Local Historic District or Local Historic Landmark

a. The Historic Preservation Commission shall be notified of any boundary alterations recommended by either the State Historic Preservation Office, or its successor, or the City Planning Commission.

b. If the boundary of the proposed local historic district or local historic landmark recommended for approval by the Historic Preservation Commission is altered by the City Planning Commission, the Community Development Department shall submit a description of the alteration to the State Historic Preservation Office or its successor for review and recommendation. Any recommendations from the State Historic Preservation Office or its successor concerning the altered proposed boundary of a local historic district or local historic landmark shall be received by the City prior to setting a City Council public hearing on a proposed ordinance establishing a local historic district or local historic landmark.

Comment [MP[9]: I'm curious. On what basis would the City Planning Commission approve or deny the application? Is there something in the City Planning Commission's ordinance that spells this out?

5. City Council Public Hearing

- a. The City Council shall provide notice of the public hearing in conformance with the State Code of Iowa and conduct a public hearing on the proposed ordinance establishing a local historic district or a local historic landmark.
- 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 18.06.D 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.

E. 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 the Community Development Department, on a standard form furnished by that department. Supporting information and materials shall be submitted as specified on the form.
- 2. The repeal or modification of a local historic district or local historic landmark may occur no less than 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 18.06.D.

18.07 – 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 a copy of the City Council Ordinance designating said district or landmark in the Office of the Recorder of Linn County, Iowa.
- B. Section 18.05 shall be updated upon the designation of a local historic district or local historic landmark by the City Council.

Comment [MP[10]: On what grounds would a landmark or district be delisted? Fire destroys a property? 60% of property owners decide they don't want a district?

Comment [MP[11]: Each property within the district would be recorded separately at the courthouse, correct?

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 11x8 inches or 10x7 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 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:

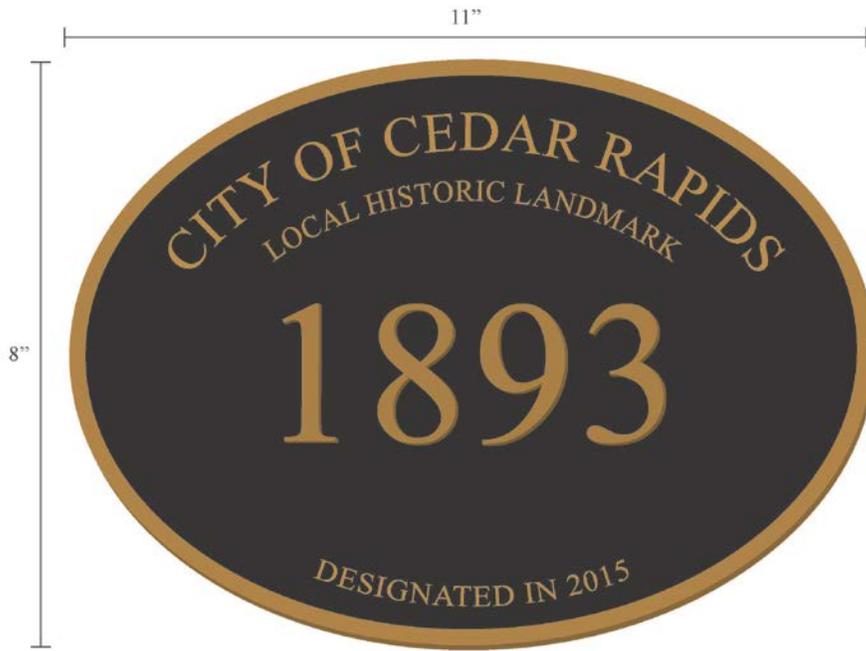


Figure 18.08.B – Local Historic Landmark Plaque

18.09 – Certificates of No Material Effect and Certificates of Appropriateness

A. Certificate Required

1. When Building Permit is Required

- a. The Building Services Department shall not issue a building permit for a change in appearance to a primary structure or accessory structure within a local historic district or local historic landmark for which a building permit is required unless a certificate of appropriateness or a certificate of no material effect has been granted.

Comment [MP[12]: “exterior” should be inserted somewhere in this para to make it clear that review is limited to exterior

2. When Building Permit is not required

- a. No individual or corporation shall remove or make an exterior change in appearance to architectural detailing without first applying for a Certificate to the Community Development Department.

- b. 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 the Community Development Department. Supporting materials shall be submitted as specified on the standard application form.
- 2. Incomplete applications will not be accepted by the Community Development Department.

C. Historic Review of Certificate Application

1. Administrative Review Process and Procedures

- a. Community Development Department staff shall first review the application to determine:

- i. If any defining features of the structure as indicated 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 Guidelines for Cedar Rapids Historic Districts.

- b. Applications for Certificates which do not alter the appearance of a defining feature of a structure and are consistent with what is recommended in the Guidelines for Cedar Rapids Historic Districts may be issued a Certificate of No Material Effect (CNME) by the Director of the Community Development Department or designee thereof.

- c. The following projects are not eligible for Administrative Review:

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

- d. If a Certificate of No Material Effect 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 structure as indicated 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 Guidelines for Cedar Rapids Historic Districts and/or the most recent edition of the Secretary of Interior's Standards for Rehabilitating Historic Buildings.

Comment [MP[13]: So does this mean that the site inventory form lists all the defining features? If so, we recommend that that list of defining features be preceded by "...includes, but is not limited to,....."

Otherwise, I suggest that you revise this to read: "If any defining features of the structure are proposed to be modified as a result of the proposal indicated on the application for Certificate, and"

Comment [MP[14]: Instead of this, I suggest the HPC identifies the type of work that can be handled with administrative review. Also suggest that these be presented to the HPC after the fact so that there is an awareness of what has been approved in the previous month.

Comment [MP[15]: See comment above

- iii. If the proposal mitigates ~~for substantial~~ adverse effects on the aesthetic, historic, or architectural significance of either the structure or of the local historic district or local historic landmark.
 - b. Action by the Historic Preservation Commission
 - i. Approval or Denial of Certificate of Appropriateness
 - a. The Historic Preservation Commission shall approve, approve with modifications ~~acceptable to the applicant~~, or deny the application.
 - 1. If the application is approved or approved with modifications ~~acceptable to the applicant~~, a Certificate of Appropriateness shall be issued.
 - 2. 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.
 - b. 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. Compliance with Certificate Required
 - a. Certificates of No Material Effect or Certificates of Appropriateness issued for approved applications authorize only those changes in appearance set forth in said approval 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. Exceptions from Application for Certificate
 - a. Any structure, building or portion thereof which is determined by the Cedar Rapids Building Official to be an imminent threat to the health and/or safety of the public and is ordered demolished by the Cedar Rapids Building Official.

18.10 – Demolition and Façade Structure Modification Review

A. Demolition Review

- 1. The following structures shall be subject to demolition review:
 - a. Any primary structure which is 50 years or older.
 - b. Any accessory structure within a NRHP-listed district or NRHP-listed property constructed in 1943 or earlier.
 - c. The following accessory structures if constructed in 1943 or earlier:
 - 1. Summer Kitchen
 - 2. Barn
 - 3. Greenhouse
 - 4. Garage

B. Façade Structure Modification Review

- 1. The following structures shall be subject to façade structure modification review:

Comment [MP16]: What is the reason for this date? Suggest you make it consistent with 50 years so the ordinance doesn't have to be revised continually.

Comment [MP17]: ditto

a. Any primary structure which is 50 years or older and located within a NRHP-listed district or is a NRHP-listed property.

Comment [MP[18]: ? This is a new clause, correct? Has this been shared with public and property owners?

C. 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 standards application form.

Comment [MP[19]: standard

2. Incomplete applications will not be accepted by the Building Services Department.

D. Review of Demolition and Façade Structure Modification Applications

Comment [MP[20]: This removes economic hardship?

1. The Building Services Department shall, upon receipt of an application for demolition of a 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 the Community Development Department.

2. Within 15 business days, during the time and place of a public meeting, the Historic Preservation Commission shall determine if the structure subject to demolition or façade structure modification is historically significant. The 15 days shall begin on the date the application is received.

3. If the 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 following 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 or tax credits.

c. Adaptation of the structure to a new use or incorporating the structure into redevelopment plans.

d. Finding a new owner who is interested in preserving or rehabilitating the building.

e. Looking for an alternative location for the redevelopment proposal.

f. Moving the building to an alternative location if proposed for demolition.

g. Salvaging building materials.

h. Additional documentation of the exterior of the building 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 per Section 18.03.S makes the structure historically significant as part of the permanent minute record of the Historic Preservation Commission.

5. The Community Development Department 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. The Community Development Department shall place notice of any hold on the Historic Preservation Commission webpage.

E. Action to Structures During Hold Period

1. During the hold, no application for a building permit shall be granted until a Certificate of Appropriateness (COA) is approved by the Historic Preservation Commission as though

the property were designated as a local historic landmark. 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 building permit applications which impact the structural integrity of the building.

Comment [MP[21]: why structural integrity? This is the first time structural integrity has been mentioned and question whether it should be part of the HPC's responsibilities, especially if the commission does not have a structural engineer as a member.

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

F. Release of a Hold

1. 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.

G. Approval of Redevelopment Plan Required

1. Any structure within a local historic district or a local historic landmark subject to demolition hold shall not be granted a demolition permit until plans for use or development of the site after demolition have been filed with the City of Cedar Rapids and have been found to comply with all laws pertaining to the issuance of a development permit when such permit is required. 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.

Comment [MP[22]: Glad to see this.

H. Demolition of any structure or façade structure modification within a local historic district or a local historic landmark shall be subject to the provisions of Section 18.09.

I. Exceptions from Demolition Review or Façade Structure Modification Review

1. Any structure, building or portion thereof which is determined by the Cedar Rapids Building Official to be an imminent threat to the health and/or safety of the public and is ordered demolished by the Cedar Rapids Building Official.

18.11 - Appeals to City Council

A. Appeal to the City Council

1. 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. The City Council shall, within a reasonable time, 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. In deciding such appeal, the City Council shall consider whether the Historic Preservation Commission has exercised its powers and followed the guidelines established by law and this chapter, and whether the Historic Preservation Commission's action was patently arbitrary or capricious. After consideration, the City Council may approve, approve with revisions, or deny the appeal.

18.12 Violations and Penalties

A. Enforcement Provisions

1. Any person, firm or corporation violating or failing to comply with any terms or provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine in accordance with the provisions of Chapter 1 of the Municipal Code. When a building permit is not required, the Community Development Department 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.

DRAFT

Update to Chapter 18 – Historic Preservation Summary of Stakeholder Outreach

Main Takeaways from Focus Group and Key Stakeholder Meetings (February – April 2016):

- Many stakeholders expressed a need for clear and concise rules and consistency in the process
- Most groups supportive of allowing administrative review of demolitions; however, some concerns expressed, as well
- Generally okay with adding a process to review accessory structures and partial demolitions, as long as criteria are narrow and not overly burdensome
- Some concerns with requiring historic review for any modifications, but understand rationale behind expansion

Overview of Survey Results (February 2016):

In early February, staff mailed a survey to all property owners in the City's Local Historic Districts. Here is a summary of the survey results:

- Received 55 surveys back for a response rate of 15.7%
- 50.9% of respondents have gone through the historic review process. Some concerns expressed regarding this process include the time involved in the review, unfamiliarity with the process, and the need for consistency in the process. Some positives expressed about the process include that although it was time consuming, it was not difficult due to staff's helpfulness throughout the process.
- 74.6% of respondents do not support a change that requires historic review (i.e. COA / CNME processes) for any exterior modifications (i.e. modifications that do not require a building permit)
 - o Survey respondents expressed concerns regarding additional requirements and regulations
 - o Cost of potential historic modifications were also identified as a concern

Overview of Public Workshop (March 2016):

In March staff facilitated a public workshop to provide an opportunity for members of the public to provide input on the update process. Approximately 30 individuals attended. Staff introduced the topic by providing a brief presentation and then broke the participants into groups to discuss issues related to historic presentation, specifically the current historic review (i.e. COA / CNME processes) and demolition review processes.

Overview of Office Hours (September 2016):

In September, City staff mailed postcards to property owners in the Local Historic Districts and the National Register of Historic Places-Listed Districts and Properties notifying them of City staff office hours. The office hours provided property owners with an opportunity to drop by at

their convenience and learn more about the project and ask questions on the draft ordinance. Four individuals attended the Local Historic Districts office hours and an additional 4 property owners attended the NRHP-Listed Districts office hours. Staff also received a handful of phone calls inquiring about the project.

Overview of Meetings with Key Stakeholder Groups (September 2016):

Representatives from the Czech Village New Bohemia Main Street District, Developer's Council, MedQuarter, Friends of Cedar Rapids Historic Preservation, the Wellington Heights Neighborhood Association, and AHNI attended meetings held by City staff in September to receive information on the draft ordinance.

Meetings with Development Community (October & November 2016):

Also, at the request of the Developer's Council and the Remodeler's Council, staff attended their meetings on October 12 and November 2, respectively.

Summary of Issues Discussed with the HPC Chapter 18 Update Sub-Committee

- *September 28, 2015:*
 - COAs – Issuance when a Building Permit is not Required
- *October 26, 2015:*
 - COAs – Findings for Determining Appropriateness
 - Review of Guidelines for Historic Districts
- *November 23, 2015:*
 - Demolitions – Accessory Structures
 - Partial Demolitions
- *January 4, 2016:*
 - Demolition by Neglect
 - Demolition Review Process
- *January 25, 2016:*
 - Demolition Review Process – Criteria for Historic Significance
- *February 22, 2016:*
 - Overview of stakeholder feedback
- *April 18, 2016:*
 - Overview of previous discussion topics and policy issues
- *May 16, 2016:*
 - Partial Demolitions
- *August 8, 2016:*
 - Discussion on preliminary draft ordinance
 - Sub-committee recommended moving forward with draft

To: City Council Development Committee
From: Adam Lindenlaub through Jennifer Pratt, Director of Community Development & Planning
Subject: Mt. Vernon Road Corridor Action Plan Recommendation of Approval
Date: January 18th, 2017

Background:

EnvisionCR identified Mt. Vernon Road SE as one of eight important transportation corridors in Cedar Rapids that should be examined for improvements related to the topic areas of:

- Placemaking
- Connectivity
- Land Use
- Character
- Streetscapes

Confluence was selected by the City to aid in development of this first Corridor Action Plan, or CAP, and work began in May of 2016. Based on public feedback, the five topic areas above were condensed into the focus areas of Land Use, Character, and Circulation to address issues and concerns along the corridor. Numerous stakeholder meetings in addition to an online survey were utilized to gather information. Three public events were held as described below:

- June 16, 2016 Visioning Workshop
 - Attended by over 200
 - Gather information about issues and concerns
- September 12, 2016 Open House
 - Attended by over 80
 - Share feedback from the Visioning Workshop
 - Share draft goals and action items for addressing issues related to Land Use, Character, and Circulation
 - Vote for most important action items
 - Gather feedback on proposed roadway cross-sections
 - Gather feedback on potential improvements for the 15th Street and 19th Street intersections
- November 9, 2016 Open House
 - Attended by over 90
 - Share feedback from previous open house
 - Provide more detail on the action items that received the most votes at the previous open house
 - Share the proposed roadway cross-sections
 - Share the proposed improvements for the 15th Street and 19th Street intersections

Based on public feedback, 23 Action Items were developed to be completed by the City to improve the land use, character, and circulation along the corridor. These Action Items will be reviewed annually as part of the EnvisionCR Initiatives Evaluation and Review process to ensure their completion.

The Mt. Vernon Road CAP Advisory Group, comprised of various citizens, held their sixth and final meeting on December 20, 2016 to review the final plan document and make their recommendation for adoption by the City Council.

The City Planning Commission recommended approval of the plan and inclusion in EnvisionCR by City Council at their January 12th, 2017 meeting.

Recommendations:

Staff recommends the Development Committee recommend approval of the plan by City Council and for its inclusion in EnvisionCR.

Timeline and Next Steps:

Approval of the plan and inclusion in EnvisionCR is scheduled for the January 24th, 2017 City Council meeting.



Community Development Department
City Hall
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

To: City Council Development Committee
From: Anne Russett through Jennifer Pratt, Director of Community Development & Planning
Subject: ReZone Cedar Rapids
Date: January 18, 2017

Introduction

At the Development Committee's November 16 meeting, a representative from the consultant team and Community Development staff provided the Committee with an update on the project. Specifically, the consultant presented information on the draft administrative procedures and a particular type of home design, known as "snout houses", due to concerns and questions from members of the City Council. At the meeting on January 18, Community Development staff will provide another brief update on the project and outline future opportunities for public input.

Summary of Stakeholder Input

Below is a summary of stakeholder feedback received in November 2016 regarding two initial issues: "snout houses" and signs.

Snout Houses

During meetings with the ReZone Steering Committee and a user group of developers, the consultant discussed the draft administrative procedures and "snout houses". In regards to "snout houses", the consultant outlined some possible solutions and applications. Both the Steering Committee and the developer's user group supported exploring possible solutions. Although the developer's user group did not take issue with looking into the "snout house" issue further, one developer expressed his concern with this direction. Another developer recommended looking at regulatory incentives that would promote alternative home designs. The consultant team and staff will continue to explore best practices and solicit feedback on this issue.

Signs

The consultant team and staff also met with representatives of sign companies. The purpose for this meeting was to relay some recommendations related to signs that came out of the Mt. Vernon Road corridor action planning process. Specifically, stakeholder's interest in prohibiting sign poles along the corridor. In addition, the meeting provided an opportunity to express issues with the current sign code. Attendees identified a variety of specific issues, but one main concern related to their displeasure with the process surrounding the last sign code update. In order to address the latter concern, City staff and consultants will work to increase communication and ensure transparency in this process.

Future Opportunities for Input

The two issues described above are the first of many for the ReZone Cedar Rapids project. The consultant team and Community Development staff will continue to meet with key user groups, such as developers and design professionals. In addition, input from property owners, residents, and the general public is also important. Therefore, several public open houses will be held. Staff anticipates the first of these public events to take place in February 2017.