

HISTORIC PRESERVATION COMMISSION

AGENDA

Thursday, September 6, 2018

4:30 p.m.

2nd Floor Conference Room
City Hall, 10 First St. NW, Mason City

Call to Order

Approve Agenda

Minutes: August 2, 2018 Minutes

New Business: Main Street Mason City Haunted History Walk

Old Business: Historic Preservation Ordinance Update

Historic Status Signage

Business Recognition Signage

Milwaukee Railroad Depot Preservation

Engine House #2

Staff Updates:

Adjourn

The public is always welcome to attend HPC meetings.

We welcome your interest and input. If you would like to address the Commission, please speak to the Chair or staff prior to the start of the meeting. Iowa's Open Meetings law may prevent the Commission from taking action on any issues the public brings forward at the meeting unless it is published on the agenda and posted at least 24 hours prior to the meeting.

In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the Development Services Department of the City of Mason City, upon 48 hour notice, will make reasonable accommodations for persons with special needs. Please call (641) 421-3626 if you need assistance.

DRAFT

Thursday, August 2, 2018
4:30 p.m.

City Hall
Mason City, Iowa

MASON CITY HISTORIC PRESERVATION COMMISSION MINUTES

Commissioners Present: Laura Little, Mark Barthelme, Joyce Deike, Kris Urdahl
Commissioners Absent: Craig Binnebose, Terry Harrison
Guests: Councilman Thoma, Beth Enright
Staff Present: Steven Van Steenhuyse, Director, Tricia Sandahl, Planning and Zoning Manager; Rachel VanHauen, Secretary

Call to Order: The meeting was called to order at **4:33** p.m. by Barthelme.

Approval of Agenda: Barthelme moved to approve the agenda. Little seconded. Agenda was approved as submitted.

Approval of Minutes: Barthelme moved to approve the minutes from June 7, 2018. Dieke seconded. Minutes were approved as submitted.

Public Comments: Beth Enright, Grant writer for the City of Mason City would like to apply for a CLG grant for a historic restoration of the Melson Mausoleum. The commission will need a special meeting to talk about CLG application. Draft applications can be submitted for review and comments by August 13th with final application due on the 30th of August. City council has to approve grant submittals. It will go in to the council for approval on August 21st. A previous attempt at a HRDP application failed because the mausoleum wasn't opened up. The plan if this grant is acquired is to open, review, and close the mausoleum again. They would like to finish it off without blocking completely. Cemetery board has the required local match. CLG funds have been used before on the preservation plan, downtown survey, historic districts, sights and sounds presentation, cannon house, rock crest/rock glen neighborhood nominations, and cemetery nominations.

New Business:

Central Park Water Feature –Van Steenhuyse explained there are a lot of different organizations involved with no coordination at this point. The City owns the park so it is under the park board jurisdiction. Planners would like it to be at grade, still a decorative fountain, and not a splash pad. It would be safe, fun and aesthetic addition to downtown. Initial response from park board was not well received. There are people that think the park should not be for recreation but for somber reflection. However, \$40,000 was set aside towards this project in CIP from the Recreation Department, and during the last upgrade to the park water and power was extended to the center of the park.

Active living and transportation commission has taken the project under their wing. Last summer Cynthia Hansen started the fire truck splash pad which was well received. Sandahl added many proposals have been brought for water in the central park. None of the ideas have ever gained traction. Throughout history the park has always been a green space for downtown. The commissioners agreed whatever feature chosen, it needs to be:

- Appropriate for the setting
- Do not want to create a false sense of history
- There are always concerns about vandalism
- Anything that would bring in people will be beneficial.
- Shouldn't be climbable
- Can be turned off at night and in the winter
- Public engagement should be a major part of the process

Urdahl mentioned she would like to see something that can be multifunction and unobtrusive. A couple of examples are Glendale, AZ outside the hockey arena with light show and possibilities for a temporary skating rink in the fountain; Atlanta, GA. Centennial Park.

Downtown signage- Terry Harrison wanted on the agenda. Dieke had a tourist comment at Wright on the Park that they would have liked to see information on historic buildings in downtown.

Old Business:

Milwaukee Depot – Sandahl updated commissioners that depot can be moved and the city administrator agreed to phase II of the feasibility study. Only concern mover has is with freight end of the building. The historic photos show floor at grade. Informal recommendation was to move depot without the freight end. A lot of space would be lost. The mover suggested removing elevated floor, storyboarding building, salvaging exterior bricks, move everything else and reconstruct the freight portion of the building after being moved. There is no time frame set at this time. The three potential sites being evaluated are the old mechanical air site, land on the west side of the cemetery, and between Max Weavers sculpture park and 6th ST NE. The demolition permit is still on Sandahl's desk unsigned.

Councilman Thoma asked about time line. In 6 weeks hoping to have phase II of moving study done; structure would not be moved to holding spot until next year.

Engine houses #2- Firefighters have no passion for a museum. Police department may partner with fire for museum, but they are concerned about staffing the building. An outside party wants to buy the building for a contractor shop and alter the building. A good, better, best matrix was done for the Egloff house; Sandahl asked that the commission use this process for the fire station as well. State is unwilling to give money towards restoration at this point because the city has not taken care of building at all. Roofers don't want to do anything until structural engineer oks it. Back in 2001 city council agreed to a museum right before 9/11; nothing materialized. RFP needs to include our goals for the project: Who would own it? What would its use be? Van Steenhuyse asked about nominating the building. Is it easier to group nominations? A context nomination is harder to do, and it is costly.

Staff Updates:

National Alliance of Preservation Commissions 2018 National Conference – Sandahl attended the conference and presented on a panel on Sunday Morning. Covered procedures and making them challenge proof. Youth engagement is important in preservation efforts. The easiest way to get youth involved is to have a youth representative on the board.

Sandahl's session had a good turn out. A lot of people went on the Mason City tour. Sandahl presented about the Egloff house and its move. Mason City was shown in a positive light.

Adjournment: The meeting adjourned at **5:44 p.m.**

Next meeting: September 6, 2018

Respectfully submitted

Rachel VanHauen
Secretary

Chapter 12
HISTORIC PRESERVATION COMMISSION

- 2-12-1: ESTABLISHING COMMISSION:
- 2-12-2: ORGANIZATION:
- 2-12-3: PURPOSE AND INTENT:
- 2-12-4: DEFINITIONS:
- 2-12-5: POWERS OF COMMISSION:
- 2-12-6: MEETINGS:
- 2-12-7: BUDGET:
- 2-12-8: [DEMOLITION REVIEW](#)
- [2-12-9: TERMINATION OF COMMISSION:](#)

2-12-1: ESTABLISHING COMMISSION:

As the City Council has deemed it to be in the public interest of the citizens to provide for recognition and promotion of historic sites, there is hereby created the Historic Preservation (HP) Commission. (Ord. 99-24, 11-16-1999)

2-12-2: ORGANIZATION:

- A. The commission shall initially consist of seven (7) members who shall be residents of the City.
- B. Members of the commission shall be appointed by the Mayor with the advice and consent of the City Council. Members shall demonstrate a positive interest in historic preservation, and possess interest or expertise in architecture, architectural history, City planning, building rehabilitation, conservation in general or real estate. (Ord. 99-24, 11-16-1999)
- C. The Mayor, with the consent of the City Council, shall appoint a total of seven (7) Commissioners. Commissioners shall serve a four (4) year term. (Ord. 11-05, 5-3-2011; amd. 2017 Code)
- D. The Mayor and City Council may appoint a member of the Council as a nonvoting ex officio member to such commission.
- E. The commission shall appoint a Chairperson and Vice Chair from its members.
- F. Vacancies occurring in the commission, other than expiration of term of office, shall be only for the unexpired portion of the term of the member replaced. (Ord. 99-24, 11-16-1999)
- G. Members may serve for more than one (1) term and each member shall serve until the appointment of a successor or their resignation. (Ord. 99-24, 11-16-1999; amd. 2017 Code)
- H. Vacancies shall be filled by the City according to the original selection as aforesaid.

I. Members shall serve without compensation.

J. A simple majority of the commission shall constitute a quorum for the transaction of business. (Ord. 99-24, 11-16-1999)

K. Development Services Director or his/her designee will serve as the Secretary for the commission. The Secretary to the commission shall be responsible for maintaining written records of the commission's proceedings. (Ord. 99-24, 11-16-1999; amd. 2017 Code)

2-12-3: PURPOSE AND INTENT:

The purpose of this commission shall be 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.

D. Foster pride in the legacy of beauty and achievements of the past.

E. Protect and enhance the City's attractions to tourists and visitors as well as the support and stimulus to business thereby provided.

F. Strengthen the economy of the City.

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. (Ord. 99-24, 11-16-1999)

2-12-4: DEFINITIONS:

ACCESSORY BUILDING OR STRUCTURE: A building or structure that is subordinate to and serves a primary building or structure.

BUILDING: Any structure such as a house, barn, church, hotel, or similar construction, created principally to shelter any form of human activity. "Building" may also be used to a historically and functionally related unit, such as a courthouse and jail, or a house and barn.

BUILDING CODE: Title 10 of the Mason City Municipal Code

BUILDING OFFICIAL: The officer charged with the administration and enforcement of the building code, or a duly authorized representative

COMMISSION: The Mason City Historic Preservation Commission, as established by this chapter.

DEMOLITION: Any 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.

DEMOLITION PERMIT: An official certificate of permission issued by the Building Official or designee, to an applicant which authorizes the performance of a specified demolition activity.

DISTRICT: a contiguous or discontinuous area possessing a significant concentration, linkage, or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development.

HISTORICALLY SIGNIFICANT: Any structure, building, site, property, object or item which is determined by the Mason City Historic Preservation Commission, National Park Service or State of Iowa Historic Preservation Office to possess integrity and meet one or more of the following:

A. Embodies the distinctive characteristics of a type, period, or method of construction that represents the work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction;

B. Is associated with events that have made significant contribution to the broad patterns of our local, State, or national history;

C. Possesses a coherent and distinctive visual character or integrity based upon similarity of scale, design, color, setting, workmanship, materials, or combinations thereof, which is deemed to add significantly to the value and attractiveness of properties within such area;

D. Is associated with the lives of persons significant in our past; or

E. Has yielded, or may be likely to yield, information important in prehistory or history.

HISTORIC DISTRICT: An area which contains a significant portion of archaeological sites, buildings, structures and/or other improvements which, when considered as a whole, possesses integrity of location, design setting, materials, workmanship, feeling, and association; and

A. Embodies the distinctive characteristics of a type, period, or method of construction that represents the work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction;

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D. Is associated with the lives of persons significant in our past; or

E. Has yielded, or may be likely to yield, information important in prehistory or history.

HISTORIC SITE: An archaeological site, structure, or building which:

A. Is associated with events that have made a significant contribution to the broad patterns of our history;

B. Is associated with the lives of persons significant in our past;

C. Embodies the distinctive characteristics of a type, period, or method of construction; or that represents a work of a master; or that possesses high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or

D. Has yielded, or may be likely to yield, information important in prehistory or history. (Ord. 99-24, 11-16-1999)

[NATIONAL REGISTER OF HISTORIC PLACES: National Park Service maintained list of all historically significant places in the United States; list contains historic districts and historic properties.](#)

[NATIONAL REGISTER OF HISTORIC PLACES-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.](#)

[NATIONAL REGISTER OF HISTORIC PLACES-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.](#)

[OBJECT: The term used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, moveable, an object is associated with a specific setting or environment.](#)

[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.](#)

SITE: The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure.

STRUCTURE: The term used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter.

2-12-5: POWERS OF COMMISSION:

- A. Studies And Records: The commission may conduct studies for the identification and designation of historic districts and sites. The commission shall maintain records of all studies and inventories for public use.
- B. Listing On Register: The commission may make a recommendation to the State Historic Preservation Officer for the listing of a historic district or site in the National Register of Historic Places and may conduct a public hearing thereon.
- C. Designation Of Sites And Districts: The commission may investigate and recommend to the Planning and Zoning Commission for review and final approval by the City Council, the adoption of ordinances designating historic sites and historic districts if they qualify as defined herein.
- D. The Historic Preservation Commission shall review and act upon all applications pursuant to the procedures established by this chapter and other applicable laws. ~~Recommendations; Review: The commission may recommend to the Planning and Zoning Commission with the final review and approval by the City Council, appointment of members to a local Design Review Committee. Said committee shall have the power to review applications for the "Main Street Linked Investment for Tomorrow" Program. Projects receiving preliminary design review approval from this committee will be submitted to the State Main Street LIFT Design Review Board.~~
- E. 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.
- F. The Historic Preservation Commission may educate the public at large on the benefits of historic preservation and build a preservation ethic and public awareness.
- G. 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.

H. The Historic Preservation Commission shall not obligate itself or the City in any financial undertaking unless authorized to do so by the City Council.

I. Other Powers: In addition to those duties and powers specified above, the commission may, with City Council approval:

1. Accept or recommend acceptance of unconditional gifts and donations of real and personal property, including money, for the purpose of historic preservation.
2. Acquire or recommend acquisition by purchase, bequest, or donation, fees and lesser interest in historic properties, including properties adjacent to or associated with, historic properties.
3. Preserve or recommend the preservation, restoration, rehabilitation, maintenance, and operation of, ~~restore, maintain, and operate~~ historic properties under the ownership or control of the commission or the City.
4. Lease, sell, and otherwise transfer or dispose of historic properties, or recommend that the City lease, sell or 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.
5. Recommend that the City contract with the federal or state government or other organizations.
6. Cooperate with the Federal and State governments in the pursuance of the objectives of historic preservation.
67. Provide information for the purpose of historic preservation to the City Governing Body.
78. Promote and conduct an educational and interpretive program on historic properties within its jurisdiction. (Ord. 99-24, 11-16-1999)

2-12-6: MEETINGS:

The commission shall meet quarterly on a regular basis or more often, as many times as necessary. Time and location of the meeting shall be determined by the Chair. Meetings of the Commission shall be held in accordance with the Iowa Open Meetings Law. (Ord. 99-24, 11-16-1999)

2-12-7: BUDGET:

The City Council may, from time to time, allocate funds to the commission. The commission may apply for grants and raise funds to complete projected projects. (Ord. 99-24, 11-16-1999)

2-12-8: DEMOLITION REVIEW:

A. Demolition of the following buildings or structures shall be subject to demolition review:

1. Any building or structure which is 50 years old or older.

2. Any building, structure, object or site identified as contributing to a National Register of Historic Places-listed district.
 3. Any building, structure, object or site within a National Register of Historic Places-listed district or a locally designated historic district.
 4. Any building, structure, object or site individually listed on the National Register of Historic Places or designated as a local landmark.
- B. The Building Official shall, upon receipt of an application for a permit to demolish a building, structure, object, or site meeting the terms of Section 2-12-8.A, immediately forward said application to the Development Services Director, or designee.
- C. Within 15 business days, during the time and place of a public meeting, the Historic Preservation Commission shall determine if the building, structure, object, or site subject to demolition is historically significant. The 15 days shall begin on the date the application is received.
- D. If the building, structure, object or site is determined to be historically significant, the Historic Preservation Commission may place a hold of up to, but no more than sixty (60) calendar days, on the issuance of the demolition permit. 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:
1. Designation as a local historic landmark.
 2. Rehabilitation utilizing State or Federal tax incentives.
 3. Adaptation of the building or structure to a new use or incorporating the building or structure into redevelopment plans.
 4. Finding a new owner who is interested in preserving or rehabilitating the building or structure.
 5. Moving the building or structure to an alternative location.
 6. Salvaging building materials.
 7. Additional documentation of the building or structure prior to the issuance of a demolition permit.
- E. If the Historic Preservation Commission places a hold, the Historic Preservation Commission shall indicate which criteria per Section 2-12-14 makes the building or structure historically significant as part of the permanent minute record of the Historic Preservation Commission.
- F. The Development Services Director, or designee shall notify the Building Official 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.
- G. The Development Services Director, or designee shall place notice of any hold on the Historic Preservation Commission webpage.
- H. Action to structures during hold period:

1. During the hold, no permit for demolition of any building, structure, object or site on the tax assessment parcel which has any building, structure, object or site subject to a hold shall be granted.

2. During the hold, no permit for the erection of a new building, structure, or object on the tax assessment parcel which has any building or structure subject to a hold shall be granted.

I. Release of a Hold: At a public meeting of the Historic Preservation Commission, the Historic Preservation Commission may release a hold before the conclusion of the 60 calendar days.

J. Approval of Redevelopment Plan Required: Any building, structure, object or site determined to be historically significant, or that is located within a locally designated historic district or historic site, or that is located within a National Register of Hisotric Places-Listed District, or that is listed on the National Register of Historic Places 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 Mason City and have been found to comply with all laws pertaining to the issuance of a City-required permit. All approvals necessary for the issuance of a development permit must be granted and any appeals shall be concluded, prior to the issuance of a demolition permit.

K. Exceptions from Demolition Review: Any building, structure, object or site, or portion thereof, which is determined by the Mason City Building Official to be an imminent threat to the health or safety of the public and is ordered demolished by the Mason City Building Official shall be exempt from the provisions of this chapter

2-12-98: TERMINATION OF COMMISSION:

Such commission, known as the HP Commission may be discontinued by adoption of an ordinance proposing such action and publishing notice as prescribed in section 362.3, Iowa Code, of such ordinance and of a date, time and place of a public hearing on the proposal, which such discontinuance shall not be sooner than thirty (30) days following said hearing. (Ord. 99-24, 11-16-1999)

use generic "property" + definitions below

NATIONAL REGISTER PROPERTY AND RESOURCE TYPES

Type	Definition	Examples
BUILDING	A building, such as a house, barn, church, hotel, or similar construction, is created principally to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.	houses, barns, stables, sheds, garages, court-houses, city halls, social halls, commercial buildings, libraries, factories, mills, train depots, stationary mobile homes, hotels, theaters, schools, stores, and churches.
SITE	A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure.	habitation sites, funerary sites, rock shelters, village sites, hunting and fishing sites, ceremonial sites, petroglyphs, rock carvings, gardens, grounds, battlefields, ruins of historic buildings and structures, campsites, sites of treaty signings, trails, areas of land, shipwrecks, cemeteries, designed landscapes, and natural features, such as springs and rock formations, and land areas having cultural significance.
STRUCTURE	The term "structure" is used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter.	bridges, tunnels, gold dredges, firetowers, canals, turbines, dams, power plants, corncribs, silos, roadways, shot towers, windmills, grain elevators, kilns, mounds, cairns, palisade fortifications, earthworks, railroad grades, systems of roadways and paths, boats and ships, railroad locomotives and cars, telescopes, carousels, bandstands, gazebos, and aircraft.
OBJECT	The term "object" is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment.	sculpture, monuments, boundary markers, statuary, and <u>fountains</u> .
DISTRICT	A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.	college campuses; central business districts; residential areas; commercial areas; large forts; industrial complexes; civic centers; rural villages; canal systems; collections of habitation and limited activity sites; irrigation systems; large farms, ranches, estates, or plantations; transportation networks; and large landscaped parks.

Lighthouse with attached keeper's house = Structure

House with attached garage = Building

District applies to properties having:

- a number of resources that are relatively equal in importance, such as a neighborhood, or
- large acreage with a variety of resources, such as a large farm, estate, or parkway.

A district may also contain individual resources that although linked by association or function were separated geographically during the period of significance, such as discontinuous archeological sites or a canal system with manmade segments interconnected by natural bodies of water. A district may contain **discontiguous** elements only where the historic interrelationship of a group of resources does not depend on visual continuity and physical proximity (see page 57 for further explanation).

NAME OF RELATED MULTIPLE PROPERTY LISTING

Enter the name of the multiple property listing if the property is being nominated as part of a multiple property submission. This name appears on the multiple property documentation form (NPS 10-900-b). Instructions for preparing multiple property submissions are found in Chapter IV and in the National Register bulletin on How to Complete the Na-

Chapter 12
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RECEIVED

JUN 15 2018

by SHPO

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BUILDING OFFICIAL: The officer charged with the administration and enforcement of the building code, or a duly authorized representative

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E. Has yielded, or may be likely to yield, information important in prehistory or history.

HISTORIC SITE: An archaeological site, structure, or building which:

- A. Is associated with events that have made a significant contribution to the broad patterns of our history;
- B. Is associated with the lives of persons significant in our past;
- C. Embodies the distinctive characteristics of a type, period, or method of construction; or that represents a work of a master; or that possesses high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- D. Has yielded, or may be likely to yield, information important in prehistory or history. (Ord. 99-24, 11-16-1999)

NATIONAL REGISTER OF HISTORIC PLACES: National Park Service maintained list of all historically significant places in the United States; list contains historic districts and historic properties.

NATIONAL REGISTER OF HISTORIC PLACES-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.

NATIONAL REGISTER OF HISTORIC PLACES-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.

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.

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.

2-12-5: POWERS OF COMMISSION:

- A. Studies And Records: The commission may conduct studies for the identification and designation of historic districts and sites. The commission shall maintain records of all studies and inventories for public use.

revisions

B. Listing On Register: The commission may make a recommendation to the State Historic Preservation Officer for the listing of a historic district or site in the National Register of Historic Places and may conduct a public hearing thereon.

C. Designation Of Sites And Districts: The commission may investigate and recommend to the Planning and Zoning Commission for review and final approval by the City Council, the adoption of ordinances designating historic sites and historic districts if they qualify as defined herein.

D. The Historic Preservation Commission shall review and act upon all applications pursuant to the procedures established by this chapter and other applicable laws. Recommendations; Review: The commission may recommend to the Planning and Zoning Commission with the final review and approval by the City Council, appointment of members to a local Design Review Committee. Said committee shall have the power to review applications for the "Main Street Linked Investment for Tomorrow" Program. Projects receiving preliminary design review approval from this committee will be submitted to the State Main Street LIFT Design Review Board.

E. 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.

F. The Historic Preservation Commission may educate the public at large on the benefits of historic preservation and build a preservation ethic and public awareness.

G. 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.

H. The Historic Preservation Commission shall not obligate itself or the City in any financial undertaking unless authorized to do so by the City Council.

I. Other Powers: In addition to those duties and powers specified above, the commission may, with City Council approval:

1. Accept or recommend acceptance of unconditional gifts and donations of real and personal property, including money, for the purpose of historic preservation.

2. Acquire or recommend acquisition by purchase, bequest, or donation, fees and lesser interest in historic properties, including properties adjacent to or associated with, historic properties.

new general "historic properties" section for buildings or structures

rehabilitation

- 3. Preserve or recommend the preservation, restoration, maintenance, and operation of; restore, maintain, and operate historic properties under the ownership or control of the commission or the City.
- 4. Lease, sell, and otherwise transfer or dispose of historic properties, or recommend that the City lease, sell or 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.
- 5. Recommend that the City contract with the federal or state government or other organizations.
- 6. Cooperate with the Federal and State governments in the pursuance of the objectives of historic preservation.
- 67. Provide information for the purpose of historic preservation to the City Governing Body.
- 78. Promote and conduct an educational and interpretive program on historic properties within its jurisdiction. (Ord. 99-24, 11-16-1999)

2-12-6: MEETINGS:

The commission shall meet quarterly on a regular basis or more often, as many times as necessary. Time and location of the meeting shall be determined by the Chair. Meetings of the Commission shall be held in accordance with the Iowa Open Meetings Law. (Ord. 99-24, 11-16-1999)

2-12-7: BUDGET:

The City Council may, from time to time, allocate funds to the commission. The commission may apply for grants and raise funds to complete projected projects. (Ord. 99-24, 11-16-1999)

2-12-8: DEMOLITION REVIEW:

A. Demolition of the following buildings or structures shall be subject to demolition review:

- 1. Any ^{property} ~~primary building or structure~~ which is 50 years old or older.
- 2. Any ~~structure~~ ^{property} identified as contributing to a National Register of Historic Places-listed district.
- 3. Any accessory building or structure within a National Register of Historic Places-listed district or a locally designated historic district.
- 4. Any ~~structure~~ ^{property} individually listed on the National Register of Historic Places or designated as a local landmark.

B. The Building Official shall, upon receipt of an application for a permit to demolish a building or structure meeting the terms of Section 2-12-8.A, immediately forward said application to the Development Services Director, or designee.

use generic "property" rather than building or structure

C. 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 is historically significant. The 15 days shall begin on the date the application is received.

D. 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 sixty (60) calendar days, on the issuance of the demolition permit. 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:

1. Designation as a local historic landmark.
2. Rehabilitation utilizing State or Federal tax incentives.
3. Adaptation of the building or structure to a new use or incorporating the building or structure into redevelopment plans.
4. Finding a new owner who is interested in preserving or rehabilitating the building or structure.
5. Moving the building or structure to an alternative location.
6. Salvaging building materials.
7. Additional documentation of the building or structure prior to the issuance of a demolition permit.

E. If the Historic Preservation Commission places a hold, the Historic Preservation Commission shall indicate which criteria per Section 2-12-14 makes the building or structure historically significant as part of the permanent minute record of the Historic Preservation Commission.

F. The Development Services Director, or designee shall notify the Building Official 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.

G. The Development Services Director, or designee shall place notice of any hold on the Historic Preservation Commission webpage.

H. Action to structures during hold period:

1. During the hold, no permit for demolition of any building or structure on the tax assessment parcel which has any building or structure subject to a hold shall be granted.
2. During the hold, no permit for the erection of a new building or structure on the tax assessment parcel which has any building or structure subject to a hold shall be granted.

I. Release of a Hold: At a public meeting of the Historic Preservation Commission, the Historic Preservation Commission may release a hold before the conclusion of the 60 calendar days.

J. Approval of Redevelopment Plan Required: Any building or structure within a local historic district or a local historic landmark shall not be granted a demolition permit until plans for use or development of the site after demolition have been filed with the City of Mason City and have been found to comply with all laws pertaining to the issuance of a City-required

this needs to be the responsibility of the owner

see attachment

excellent

permit. All approvals necessary for the issuance of a development permit must be granted and any appeals shall be concluded, prior to the issuance of a demolition permit.

K. Exceptions from Demolition Review: Any structure, building or portion thereof which is determined by the Mason City Building Official to be an imminent threat to the health and/or safety of the public and is ordered demolished by the Mason City Building Official shall be exempt from the provisions of this chapter

2-12-98: TERMINATION OF COMMISSION:

Such commission, known as the HP Commission may be discontinued by adoption of an ordinance proposing such action and publishing notice as prescribed in section 362.3, Iowa Code, of such ordinance and of a date, time and place of a public hearing on the proposal, which such discontinuance shall not be sooner than thirty (30) days following said hearing. (Ord. 99-24, 11-16-1999)

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E. Standards For Demolition Review:

1. In determining whether a building has historic or architectural significance, the commission considers an application for a demolition permit in accordance with the standards for review set forth in the secretary of interior's "standards for identification and evaluation", and any subsequent revisions of these standards and guidelines by the secretary of the interior. The commission also considers a determination from the state historical preservation office as to the potential eligibility for listing of the building proposed for demolition on the nation register of historic places.

F. Economic Guidelines and and review Criteria

1. In determining whether to approve or deny the application, the commission may consider the information set forth in this subsection. The commission may also investigate strategies which would allow the property owner to earn a reasonable economic return on the property, may solicit expert testimony and may require that the applicant make submissions concerning any or all of the following information:
 - a. A bid from a qualified contractor showing the cost of the proposed demolition.
 - b. A report from a licensed engineer, architect, or contractor with the experience in rehabilitation as to the structural integrity of the structure(s) that the applicant proposes to demolish.
 - c. The appraised value of the property by a licensed appraiser for the following conditions:
 - (1) In the property's current condition;
 - (2) After completion of the proposed demolition;
 - (3) After rehabilitation of the existing property for the continued use by providing sales for the previous six (6) months for at least three (3) comparable properties. If there are not sales for the previous six (6) months at comparable properties, sales for the previous year at comparable properties may be used; and
 - (4) If the property is an income-producing property, such valuation must include the rent scheduled and anticipated income after such rehabilitation, and the same for at least three (3) comparable properties to substantiate the information provided for the property in question.
 - d. An estimate from the architect, developer, contractor, or appraiser experienced in rehabilitation as to the cost to rehabilitate the building to the point of which a reasonable use or a reasonable profit can be realized from the property, including

but not limited to, bringing a building up to code so it can be occupied, not necessarily its "highest and best use", preferred use, or a restoration project.

- e. The amount paid for the property, the date of purchase, and the person from whom the property was purchased, a description of the relationship, if any, if any between the owner of record, the applicant and the person from whom the property was purchased, and the terms of the purchase or proposed purchase, including financing.
- f. If the property is income-producing, copies of the 1040 schedule E or other appropriate forms and/or schedules filed with the IRS for the previous two (2) years. Such forms must include operation and maintenance schedules, depreciation deduction and annual cash flow before and after debt service, if any. Such forms must be signed by the current property owner to certify their authenticity. If such forms/statements are not available, income statements from a certified public accountant and or licensed public accountant on letterhead and signed may be substituted.
- g. The name of all mortgagees and the balance of all mortgages or other financing secured by the property and annual debt service, if any, for the previous two (2) years. Debt service is the amount of principle and interest payments paid annually on the property.
- h. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing and ownership of the property.
- i. Any listing of the property for sale or rent, the price asked and offers received for sale or rent, if any, within the previous five (5) years.
- j. The assessed value of the property for the previous two (2) years.
- k. The amount of real estate taxes assessed for the previous two (2) assessment years and whether or not they have been paid.
- l. The form of ownership or operation of the property, whether sole proprietorship, for profit or not for profit corporation, limited partnership, joint venture or other.
- m. Any other information considered necessary by the commission to determine whether the property yields or may yield a reasonable economic return to the property owner(s). A reasonable economic return is defined as the cost to rehabilitate the building to the point at which a reasonable use or a reasonable profit can be realized from the property. This may mean bringing a building up to code to the point at which it can be occupied, not necessarily to its "highest and best use", preferred use or a restoration project.
- n. Proof of the applicant's effort to obtain financing, tax incentives, preservation grants

and other incentives to allow the applicant to earn a reasonable economic return from the property.

o. Documents detailing the applicant's efforts in ongoing maintenance and repair. This may include, but is not limited to, tax statements and/or copies of invoices.

2. If the applicant is for any building with one or more dwelling units, the housing and community development department may also make submissions concerning any or all of the above information, including strategies which would allow the property owner to earn a reasonable economic return on the property. The commission will consider such information.

G. Guidelines And review Criteria For Applications By State Or Political Subdivision Of State:

1. In determining whether to approve or deny the application, the commission may consider the information set forth in this subsection and any other information the commission considers relevant to balancing any conflicting governmental issues.

2. The commission may require that the applicant make submissions concerning the following information for the proposed site and suitable alternative location(s), including but not limited to:

a. Fair market value of the property.

b. Estimate of the cost of the proposed demolition, including hazardous material removal and remediation..

c. Fair market value of any property owned by the governmental body that could be sold if that site is not chosen for the project.

d. Property tax impact of removing private property from tax rolls at the proposed location and all alternative locations.

e. Any other factors that contribute to making one location more suitable than others for the proposed use.

f. Any other information appropriate to evaluating how all conflicting governmental interests may be accommodated.

g. The need for the use in question, the effect on neighboring property, and the impact of the proposed use.

H. Action: If the commission fails to take action to approve, deny or withhold action on the