

**CITY OF PELLA, IOWA  
HISTORIC PRESERVATION COMMISSION  
TENTATIVE MEETING AGENDA**

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**Monday, June 7, 2021**

**6:00 P.M.**

**829 Broadway St. – Memorial Building**

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**A. Call to Order and Roll Call**

**B. Chairperson's Comments**

1. Approval of tentative agenda

**C. Approval of Minutes**

1. May 10, 2021 meeting

**D. Other Business / Work Session / Public Forum**

1. Presentation and discussion of proposed historic district
2. Next meeting date is July 12, 2021

**E. Adjourn**

**MINUTES OF THE CITY OF PELLA  
HISTORIC PRESERVATION COMMISSION  
MAY 10, 2021**

**CALL TO ORDER AND ROLL CALL**

Chairperson Kermode called the Historic Preservation Commission to order in the Public Safety Complex at 5:00 p.m. Members present were: Don André, Bruce Boertje, Rhonda Kermode, and Lila Turnbull. Staff present: Assistant City Administrator Corey Goodenow and City Planner Gerald Buydos. Three members of the public attended the meeting.

**APPROVAL OF TENTATIVE AGENDA**

**Motion** by D. André, second by Boertje to approve the tentative agenda. Motion carried 4-0.

**APPROVAL OF MINUTES**

**Motion** by Turnbull, second by D. André to approve the minutes from the April 12, 2021 meeting. Motion carried 4-0.

**NEW BUSINESS**

None.

**OTHER BUSINESS/WORK SESSION**

**Discussion of Scholte Garden Neighborhood Historic District**

The Commission has indicated a desire to review a potential historic district in the Scholte Garden area. A proposed notification letter, which could be sent to property owners in the proposed district, was distributed to the Commission for review. Staff suggested holding an informational meeting for those property owners on June 7, 2021 at 6:00 p.m. at the Memorial Building. Staff will check with State Historical Society of Iowa Architectural Historians Sara André and Paula Mohr to see if they will be available for the meeting as well.

Several property owners in the proposed historic district were present. The Commission and staff explained the requirements and process to form a local historic district and what that would mean for property owners. The proposed district's boundaries would roughly be north of the Scholte House on Washington Street, between Main Street and Broadway Street, and south of Lincoln Street/Lincoln Elementary School.

Concerns were brought up regarding 515 Broadway St. and alterations that have been made to the windows. Assistant City Administrator Corey Goodenow stated that he will have Building Official Jerry Byers look into those concerns.

Kermode advised property owners with questions about local historic districts to reach out to the Commission for assistance.

### **Review Certified Local Government Program Application and Information**

Staff supplied the Commission with a Certified Local Government (CLG) program information packet from the State Historic Preservation Office of Iowa for review. Goodenow stated he will reach out to S. André and Mohr to provide them with a copy the City's historic preservation ordinance and ask them whether the City needs to revise the ordinance in order to be eligible for consideration for the CLG program.

### **Review Site Inventory Form**

The Commission indicated a desire to discuss and review the site inventory form, which is used to gather information about historic properties to assess whether the property meets criteria for placement on the National Register of Historic Places. A copy of the form was provided to the Commission. One site inventory form will need to be completed for each property in the proposed historic district.

### **Discuss Historic District Signage**

Iowa Prison Industries, the source of the City's street signs, has informed the City that signage production is currently on hold given the events that occurred at Anamosa State Penitentiary on March 23, 2021. A representative has indicated they expect to be closed for at least another eight weeks. Goodenow stated that he will follow up with the representative at that time to see if production has resumed. If not, staff will likely begin to research other vendors for signage.

### **Other**

Kermode reported that she will be meeting Jennifer Price on May 11, 2021 at the historic Pella Fire Station for a field services consultation.

Goodenow reported that he has attempted to reach out to Lori Baugh regarding her interest in serving on the Commission, but he has not yet been able to connect with her by phone.

### **Next Meeting Date**

The next meeting is scheduled for June 7, 2021. This meeting will be held in lieu of the Commission's regular monthly meeting.

Adjourned at 6:13 p.m.



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THE  
**CITY of PELLA**

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**STAFF MEMO TO THE HISTORIC PRESERVATION COMMISSION**

ITEM NO: D-1  
SUBJECT: Presentation and Discussion of Proposed Historic District  
DATE: June 7, 2021

**BACKGROUND:**

The City of Pella Historic Preservation Commission is interested in conducting an informational session regarding the establishment of a local historic district in the Scholte Garden area. The purpose of the meeting is to provide property owners with the opportunity to learn more about local historic districts and discuss the requirements, process, and benefits of forming a historic district.

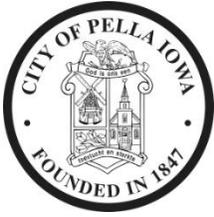
ATTACHMENTS: Historic District Designation Application, Aerial Map, Chapter 165.13.5  
REPORT PREPARED BY: City Administration  
REVIEWED BY: Deputy City Clerk



# Historic District Designation Application Packet

Last Updated on March 12, 2018 by:

Planning & Zoning Department  
825 Broadway Street, Lower Level  
Pella, Iowa 50219



# HISTORIC DISTRICT DESIGNATION INFORMATION

This document is intended to highlight the City's historic district ordinance and provide general guidance related to the establishment of a historic district. After reviewing this document, applicants should make contact with the City's Planning and Zoning Department to discuss the details and administrative requirements to avoid significant delays and or invalidation.

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## **Historic District Defined:**

Historic district overlay zones are geographically cohesive areas with significant concentrations of buildings. The subject area must contain abutting pieces of property under diverse ownership that meet approval criteria below.

- Are significant in American history, architecture, archaeology, and culture.
- Possess integrity of location, design, setting, materials, workmanship, feeling, and association.
- Are associated with events that have been a significant contribution to the patterns of our history or are associated with the lives of persons significant in our past.
- Embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction.
- Have yielded or may be likely to yield information important in prehistory or history.

## **Consideration of a Historic District Application:**

The following details are provided in an attempt to outline the governmental process. Public education and outreach are expected to play a pivotal role in the establishment of a historic district. It is likely that many more neighborhood meetings and input sessions will be necessary prior to submission of an application, although these meetings are not required and, therefore, are not outlined in the following steps to establish a historic district.

### Step 1 - Preliminary Meeting with Staff:

A preliminary meeting with the Planning and Zoning Department should be scheduled to discuss the proposed project and to outline the historic district review process. At this meeting, the petitioner will receive preliminary feedback of the proposal based on the historic preservation ordinance and policies of the City of Pella.

### Step 2 - Submission of Application and Supporting Materials:

An application to establish a historic district can be submitted by the City of Pella, the Historic Preservation Commission, the Planning and Zoning Commission, or a property owner from the proposed district. All applications for historic district review must include two (2) hard copies and one (1) digital copy of the required submittal materials.

### Step 3 - Staff Review:

Following the submittal of an application, staff will review the application and accompanying materials to verify compliance with the application checklist and all historic district ordinance requirements.

Step 4 - Historic Preservation Commission Review:

The Historic Preservation Commission consists of five members appointed by the City Council. As part of the approval process, the Commission will hold a meeting, at which time the applicant will present the materials included with the application. If the Commission deems the application complete and sufficient to meet the required guidelines of creating a historic district, the Commission will recommend staff provide the included materials to the Iowa Department of Cultural Affairs – State Historic Preservation Office for their consideration

Step 5 - State Historic Preservation Office:

If approved by the Historic Preservation Commission, the State Historic Preservation Office will consider the application to create a historic district and make a determination as to the historic significance of the district. Additional information regarding district requirements can be found [https://iowaculture.gov/history\\_or\\_by\\_calling\\_515-281-5111](https://iowaculture.gov/history_or_by_calling_515-281-5111).

Step 6 - Historic Preservation Commission Public Hearing:

If approved by the State Historic Preservation Office, the Historic Preservation Commission will conduct a public hearing and review the proposed historic district as per the required criteria. Prior to the public hearing, notices will be sent to all property owners within the proposed district and those within 250 feet of the proposed district. The Commission will hear feedback from the property owners in the area and make a recommendation to the Planning and Zoning Commission and Pella City Council.

Step 7 - Planning and Zoning Commission Public Hearing:

The Planning and Zoning Commission will conduct a public hearing and review the proposed historic district as per the required criteria. Prior to the public hearing, notices will be sent to all property owners within the proposed district and those within 250 feet of the proposed district. The Commission will hear feedback from the property owners in the area and make a recommendation to the Pella City Council.

Step 8 - City Council Public Hearing and Readings:

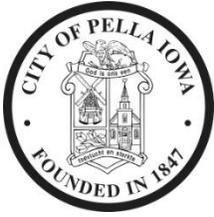
The Pella City Council will conduct a public hearing and review the proposed historic district as per the required criteria, taking into consideration the recommendations from both the Historic Preservation Commission and the Planning and Zoning Commission. Following the public hearing, the City Council will then consider the ordinance. Iowa law requires ordinances to be considered and voted on at three separate City Council meetings, unless the Council votes to suspend this requirement.

**Historic District Requirements:**

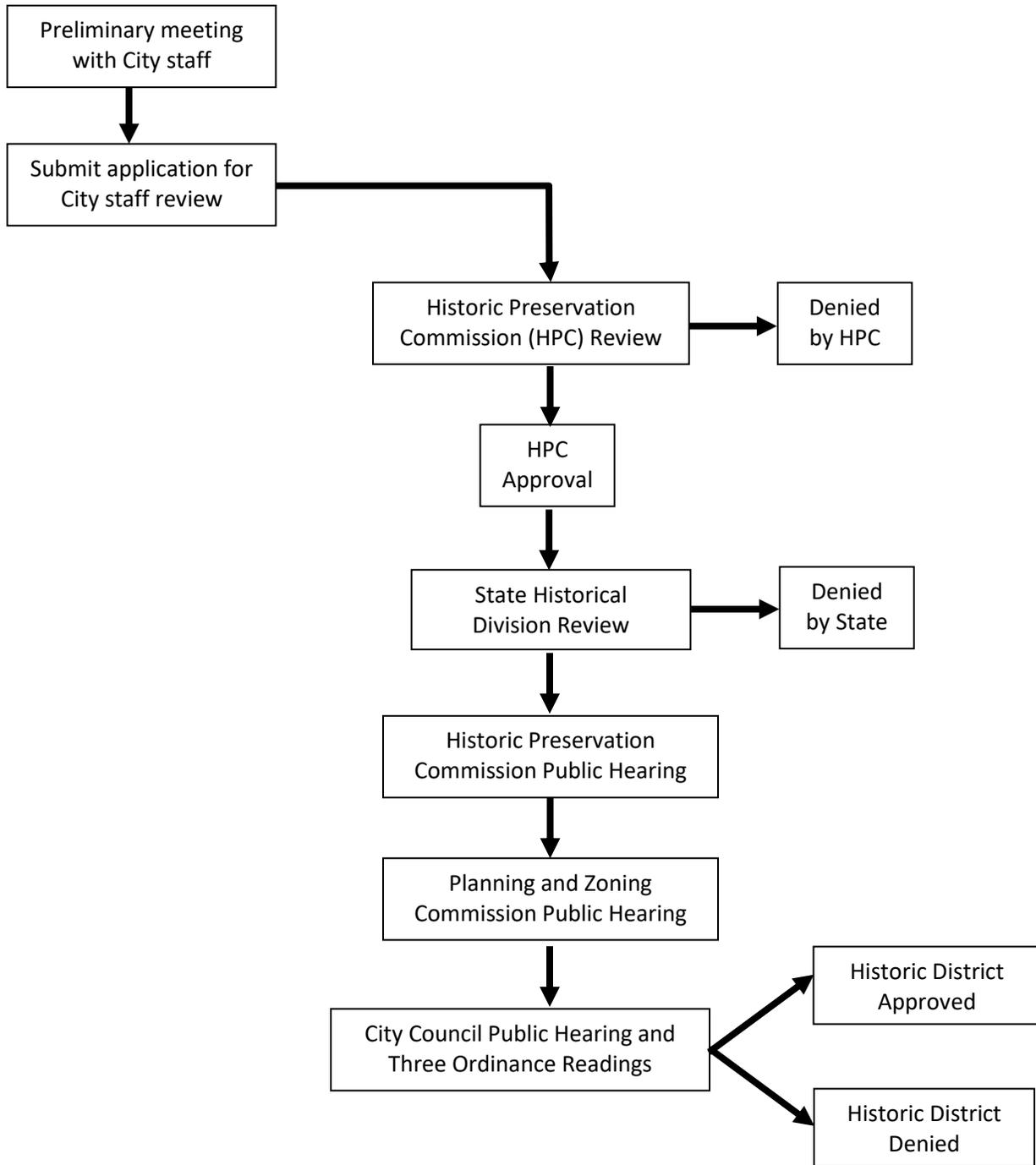
In the event a historic district is established, properties located within the district's boundaries would be required to obtain a certificate of appropriateness prior to any improvements that require a building permit. The standards by which the proposed improvement must abide by are dependent upon whether the structure is a new or existing structure, a contributing or non-contributing structure, and the general nature of the improvements. Existing structures which are found to be contributing structures require review in accordance with the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings." For non-contributing structures, the Historic Preservation Commission will utilize the "Dutch Residential Design Review District Guidelines."

**Additional Information:**

For additional information regarding the historic district designation process or requirements, please contact the City's Zoning Administrator at 641-628-0443 or in person at 825 Broadway Street, Pella, Iowa 50219



# HISTORIC DISTRICT DESIGNATION FLOWCHART







# HISTORIC DISTRICT DESIGNATION APPLICATION

Case Number: \_\_\_\_\_

1. Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

2. Owner(s) of Record: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

3. Applicant is:  Owner  Applicant  Other (please specify) \_\_\_\_\_

4. # of Properties in the Proposed District: \_\_\_\_\_ # of Consenting Property Owners: \_\_\_\_\_

*(Note: 51% of the total number of parcels of real estate within the proposed district must consent to this application.)*

5. Linear feet of public street frontage in the Proposed District: \_\_\_\_\_ Linear feet of public street frontage of Consenting Property Owners: \_\_\_\_\_

*(Note: 51% of the total public street frontage area within the proposed district must consent to this application.)*

6. # of Contributing Buildings in District: \_\_\_\_\_ # of Non-Contributing Buildings in District: \_\_\_\_\_

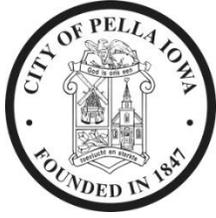
Location of Proposed Contiguous District: \_\_\_\_\_

Name of Proposed Historic District: \_\_\_\_\_

I hereby certify that the above statements and all accompanying statements and drawings are true and correct to the best of my knowledge. I hereby consent to the entry in or upon the premises described in this application by any authorized official of the City of Pella for the purpose of securing information, posting, maintaining, and removing such notices as may be required by law.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date



# HISTORIC DISTRICT SUBMITTAL CHECKLIST

This is a general checklist; other items pertaining to your case may be necessary. The Community Development Committee (CDC) and/or City Council may request additional information. ALL APPLICANTS ARE URGED TO REVIEW THE MATERIAL IN THIS PACKET AND APPLICABLE MUNICIPAL CODES.

- Two (2) hard copies and one (1) digital copy of applicable materials shall be submitted for staff review at least six (6) weeks prior to the anticipated public hearing with the petition and other required documents.

***Attach the following for all Historic District Designation applications:***

1. Submit Application with Fees & Proof of Ownership. Complete a hard copy or electronic PDF file of the Historic District Designation application herein. The Letter of Authorization from one (1) owner of record within the proposed historic district is required if an agent is designated or if the owner's signature is not on the petition. *Application Fee of \$250.00 must be included at time of submittal.*
2. Certificate of Acknowledgement Form. A properly completed petition form duly signed by at least 50% of the total number of parcels of real estate and another petition form signed by 50% of the total public street frontage area within the proposed district (both are provided in this packet).
3. List of Properties and Surrounding Property Owners. A list of properties (refer to the form in this packet) within the proposed historic district shall be provided. The list shall, at a minimum, contain the addresses of each of the properties, owner names, Parcel Identification Numbers (PINs), whether the property is contributing or non-contributing, and whether each owner has consented to the nomination. A list of surrounding property owners within 250 feet of the perimeter of the proposed district must also be submitted.
4. Proposed Historic District Inventory Study. A comprehensive inventory study outlining the location of the proposed district shall be submitted. Photographs of each property within the proposed historic district shall be submitted, which identifies the property in the photograph and where the picture was taken.
5. Certificate of Acknowledgement. This form must be completed and demonstrate that at least 51% of the total parcel owners and public frontage owners are in support of the proposed district, as noted on the application. This form must be completed by the owners of record in the proposed district. Signatures by non-owners of record will be considered invalid.
6. Other Information. Any additional supporting documentation which may include, but is not limited to: history, narrative, photos, maps, and a list of addresses with age of structures.



# HISTORIC DISTRICT DESIGNATION CRITERIA

Historic district overlay zones are geographically cohesive areas with significant concentrations of buildings and other resources that possess a high degree of historic integrity and convey a district sense of time and place and that have been designated as a historic district by the City Council pursuant to this ordinance. To qualify for designation as a historic district, the subject area must contain abutting pieces of property under diverse ownership that meet approval criteria below. *Attach separate paper if more space is needed.*

1. Significant in American history, architecture, archaeology, and culture.

2. Possess integrity of location, design, setting, materials, workmanship, feeling, and association.

3. Associated with events that have been a significant contribution to the patterns of our history or are associated with the lives of persons significant in our past.

4. Embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction.

5. Have yielded or may be likely to yield information important in prehistory or history.





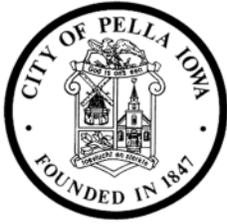
# HISTORIC DISTRICT FAQ INFORMATION HANDOUT

The following provisions are included as part of the Historic District Overlay Zone (Chapter 165.13.5) of the City's zoning ordinance.

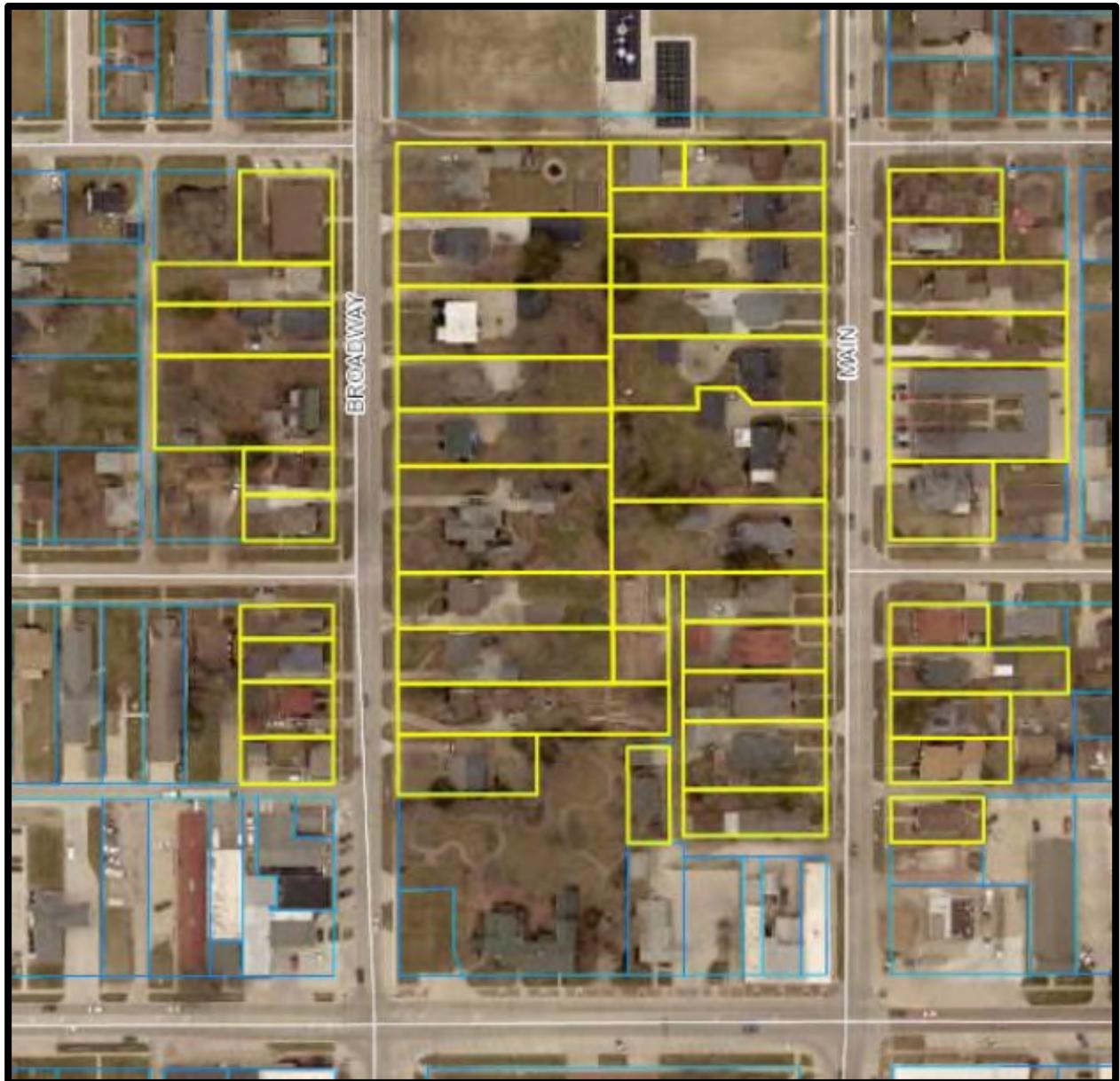
1. All properties within a historic district overlay shall obtain a certificate of appropriateness for new construction, demolition, and exterior alterations subject to historic review. The requirements for historic review apply to the following as it pertains to exterior items:
  - a. New construction of single or two-family homes or new accessory buildings for any single family or two family homes in the historic districts.
  - b. Additions to existing structures in the historic districts which require a building permit.
  - c. Alterations to existing structures in the historic districts which require a building permit or demolition permit.
  - d. Alterations to existing structures in the historic districts which do not require a building permit or demolition permit but are visible from a public street or front of the structure do not require historic review; however voluntary historic review is encouraged for such alterations.
2. Applications for historic review for contributing structures in the historic overlay zone will be in conformance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. All other structures within a historic overlay zone will be reviewed in accordance with the Dutch Residential Design Review District Guidelines.
3. For properties which have base zoning which permits multi-family, commercial, or other non-residential uses, design review shall be conducted by the Community Development Committee if said properties are in the Design Review Overlay District pursuant to 165.16, prior to review by the Historic Preservation Commission.
4. Appeals. Any person aggrieved by any decision of the Historic Preservation Commission regarding an application for historic review in a historic district, or for a historic landmark, may appeal the action to the City Council.
5. Compliance with Certificate Required. Issuance of a certificate of appropriateness, certificate of no material effect, or a certificate of economic hardship, is authorization to make only those material changes specified in the approved application. If it is found that such work is not being carried out in accordance with the certificate, the Building Official shall issue a stop work order. Any material change at variance with that authorized by the certificate shall be deemed a violation of these regulations and subject to enforcement as allowed by the Pella City Code herein.

**Additional Information:**

For additional information regarding the historic district designation process or requirements, contact the City's Zoning Administrator at 641-628-0443 or in person at 825 Broadway Street, Pella, Iowa 50219



# D-1 Aerial Map of Proposed Historic District



[Print](#)

## City of Pella, Iowa Code of Ordinances

**165.13.5 HISTORIC DISTRICT OVERLAY ZONE.**

1. Historic District Overlay Zone: the historic district overlay (HD) zone is used to designate local historic landmarks and historic districts. The purpose of the overlay zone is to:

A. Promote the educational, cultural, economic, and general welfare of the public by protecting, enhancing, and perpetuating historic landmarks and districts of historic architectural and cultural significance;

B. Safeguard the City's architectural, historic, and cultural heritage by preserving historic buildings and neighborhoods;

C. Provide for design review of new construction, or alteration of existing resources, to assure compatibility with the existing character of historic neighborhoods and preserve the historic integrity of the resource;

D. Stabilize and improve property values by encouraging reinvestment in historic neighborhoods;

E. Foster civic pride in the legacy and beauty of past achievements; and

F. Protect and enhance the City's attractiveness to tourists and visitors, thereby supporting and stimulating business.

2. Authority: The City Council may designate by ordinance areas of the City as historic districts or local historic landmarks. The process of designation is considered an overlay rezoning. A historic district overlay rezoning is required to designate historic districts and local historic landmarks. The process criteria include:

A. The process to rezone areas as a historic district shall follow the requirements of Chapter 165.38 of the City of Pella's zoning code. In addition to the requirements of this code section, the application to rezone property for a historic overlay district must contain signatures of the owners of at least 50% of the total number of parcels of real estate within the proposed district, excluding parcels owned by government bodies, provided that each parcel, within the meaning of this subsection, shall constitute a separate parcel for property tax assessment purposes, as shown in the records of the county assessor on the date of the filing of the petition. Furthermore, the application must also contain signatures of owners of at least 50% of the total public street frontage area within the proposed district, excluding public street frontage abutting governmental property. An application to rezone areas as a historic district can be submitted by the City of Pella, the Historic Preservation Commission, the Planning and Zoning Commission, or a property owner from the proposed district.

B. Information must be included as supporting documentation so that the Historic Preservation Commission can evaluate whether it meets the criteria of this ordinance. Supporting documentation may include, but not be limited to, history, narrative, photos, maps, and a list of addresses with age of structures.

C. Upon receiving a petition for a historic district overlay zone, the Historic Preservation Commission shall review and determine if the proposed district is eligible to form a historic overlay zone. If the Commission determines the proposed district is eligible, then the petition shall be submitted to the Historical Division of the State Department of Cultural Affairs for its report and recommendations. If the Historical Division determines that the proposed district does not meet the requirements of state law for designation as a historic district, no further action shall be taken toward designation of the proposed district. The report and recommendations of the Historical Division shall be made available for public viewing at the office of the Planning and Zoning Department. Review by the Historical Division can occur before or

after a public hearing before the Historic Preservation Commission, but must be completed before consideration by the Planning and Zoning Commission.

D. The Historic Preservation Commission shall hold a public hearing and review the proposed historic district as per criteria herein established and forward a recommendation to the Planning and Zoning Commission and City Council.

E. Public hearings and review at Planning and Zoning Commission and City Council shall follow the same procedures for rezoning pursuant to 165.38. The Planning and Zoning Commission shall consider whether the proposed historic district generally conforms to the City's Comprehensive Plan.

### 3. Descriptions and Definitions:

A. Historic district overlay zones are geographically cohesive areas with significant concentrations of buildings and other resources that possess a high degree of historic integrity and convey a district sense of time and place and that have been designated as a historic district by the City Council pursuant to this ordinance. To qualify for designation as a historic district, the subject area must contain abutting pieces of property under diverse ownership that meet approval criteria below.

(1) Are significant in American history, architecture, archaeology, and culture; and

(2) Possess integrity of location, design, setting, materials, workmanship, feeling, and association; and

(3) Are associated with events that have been a significant contribution to the patterns of our history;

or

(4) Are associated with the lives of persons significant in our past; or

(5) Embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction;

(6) Have yielded or may be likely to yield information important in prehistory or history.

B. A historic landmark is any building, structure, object, area of land, or element of landscape architecture with significance, importance, or value, consistent with the approval criteria listed above for historic districts and that has been designated as a local historic landmark by the City Council pursuant to the applicable procedures outlined herein.

### 4. Designated Historic Districts:

A. The following areas of the City are designated as historic districts:

None yet established (this would entail a separate subsequent ordinance)

### 5. Historic Review:

A. The intent of the historic review process is:

(1) To ensure that new construction or additions are compatible with the architectural character of the historic district.

(2) To ensure that material changes to exterior features of landmarks and properties in the historic districts do not substantially alter or destroy the defining architectural character of a building, site, or neighborhood.

(3) To provide property owners, contractors, and consultants with technical assistance and design alternatives to ensure that proposed projects conform to the applicable historic preservation guidelines.

B. Applicability: All properties within a historic district overlay shall obtain a certificate of appropriateness for new construction, demolition, and exterior alterations subject to historic review. The

requirements for historic review apply to the following as it pertains to exterior items:

(1) New construction of single or two family homes or new accessory buildings for any single family or two family homes in the historic districts.

(2) Additions to existing structures in the historic districts which require a building permit.

(3) Alterations to existing structures in the historic districts which require a building permit or demolition permit.

(4) Alterations to existing structures in the historic districts which do not require a building permit or demolition permit but are visible from a public street or front of the structure do not require historic review; however voluntary historic review is encouraged for such alterations. These types of alterations are also exempt from the certificate of appropriateness requirements. Other alterations not visible from the public street or front of the structure, and which do not otherwise need a building permit, shall be exempt from historic review.

C. Approval Criteria: Applications for historic review for contributing structures in the historic overlay zone will be in conformance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. All other structures within a historic overlay zone will be reviewed in accordance with the Dutch Residential Design Review District Guidelines. Furthermore, it is the intent of this article that the Commission shall be reasonable in its judgments and shall endeavor to approve proposals for alteration of structures of little historical, architectural, and cultural value, except when such a proposal would seriously impair the historical values and character of the surrounding area. Also, the Commission shall be sympathetic to proposals utilizing energy saving modifications, such as solar panels.

D. Multi-family, Commercial, and Other Uses: For properties which have base zoning which permits multi-family, commercial, or other non-residential uses, design review shall be conducted by the Community Development Committee if said properties are in the Design Review Overlay District pursuant to 165.16, prior to review by the Historic Preservation Commission. Otherwise, any said properties not subject to Community Development Committee review, and located with historic district, shall be subject to Historic Preservation Commission review as per this ordinance.

E. Appeals: Any person aggrieved by any decision of the Historic Preservation Commission regarding an application for historic review in a historic district, or for a historic landmark, may appeal the action to the City Council.

6. Compliance with Certificate Required: Issuance of a certificate of appropriateness, certificate of no material effect, or a certificate of economic hardship, is authorization to make only those material changes specified in the approved application. It shall be the duty of the Building Official or designee to inspect, from time to time, any work performed pursuant to such a certificate to ensure compliance with the requirements of such certificate. If it is found that such work is not being carried out in accordance with the certificate, the Building Official shall issue a stop work order. Any material change at variance with that authorized by the certificate shall be deemed a violation of these regulations and subject to enforcement as allowed by the Pella City Code herein.

7. Certificate of Economic Hardship: After receiving written notification from the Historic Preservation Commission of the disapproval of a certificate of appropriateness, the owner of record may apply for a certificate of economic hardship if he or she believes that the application of the provisions of this article would result in economic hardship to the extent that the property in question cannot yield a reasonable return. The applicant bears the burden of proof and must support each of the approval criteria by a preponderance of the evidence. Criteria for economic hardship including the following:

A. The property in question cannot yield a reasonable return if required to comply with the requirements and standards specified in this article. It is not sufficient to show that the potential return will be reduced as a result of these regulations, but rather it must be demonstrated that the resulting reduction would be near confiscation.

B. The owner's situation is unique or peculiar to the property in question, and the situation is not shared with the other landowners in the area, nor due to the general conditions in the neighborhood.

C. The hardship is not of the property owner's or applicant's own making.

The Historic Preservation Commission shall review each case for economic hardship request on a case by case basis taking into account the above criteria, and also any other solutions that would alleviate the hardship, while still meeting minimum criteria for historic review. The Commission may grant exception to adherence to the design criteria if it agrees the criteria are met and no other solutions are reasonably available.

## 8. Historical Landmarks.

A. For purpose of this article, a landmark or landmark site designation may be placed on any site, natural or improved, including any building, improvement, or structure located thereon that possesses integrity of location, design, setting, materials, workmanship, feeling, and association and that:

- (1) Is significant in American history, architecture, archaeology and culture;
- (2) Is associated with events that have made a significant contribution to the broad patterns of our history;
- (3) Is associated with the lives of persons significant in our past;
- (4) 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
- (5) Has yielded or may be likely to yield information important in prehistory or history.

B. Ordinarily cemeteries, birthplaces, or graves of historical figures; properties owned by religious institutions or used for religious purposes; structures that have been moved from their original locations; reconstructed historic buildings; properties primarily commemorative in nature; and properties that have achieved significance within the past 50 years shall not be considered eligible for the landmark designation. However, such properties will qualify if they fall within the following categories:

- (1) A religious property deriving primary significance from architectural or artistic distinction or historical importance.
- (2) A building or structure removed from its original location which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.
- (3) A birthplace or grave of a historical figure of outstanding importance, if there is no appropriate site or building directly associated with his or her productive life.
- (4) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.
- (5) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived.
- (6) A property primarily commemorative in nature, if design, age, tradition, or symbolic value has invested it with its own historical significance.
- (7) A property achieving significance within the past 50 years, if it is of exceptional importance.

C. The Historic Preservation Commission may adopt specific operating guidelines for landmark and landmark site designations, providing such are in conformity with this article.

D. The Historic Preservation Commission shall consider applications for historical landmarks and make a recommendation to the Planning and Zoning and Pella City Council as provided below.

(1) Before proceeding with an application for a historical landmark, the owner of the property must approve the application.

(2) After review by the Planning and Zoning Commission, the Pella City Council may approve a historical landmark designation for a property located within the City's corporate limits by passing a resolution.

(3) If agreed to by the owner, at such time as a landmark or landmark site has been properly recorded, the City Council may cause to be prepared and erected on such property, at City expense, a suitable plaque declaring that such property is a landmark or landmark site. Such plaque shall be so placed as to be easily visible to passing pedestrians. If a landmark, the plaque shall state the accepted name of the landmark, the date of its construction, and other information deemed proper by the City Council. If a landmark site which is not the site of a landmark building, such plaque shall state the common name of the site and such other information deemed appropriate by the City Council.

E. In addition to those duties already specified in this article, the Historic Preservation Commission shall individually and collectively:

(1) Work collaboratively with the property owner and State Historic Preservation office in attempting to include such properties designated as landmark or landmark sites on the National Register of Historic Places.

(2) Work for the continuing education of the citizens of the City about the historic heritage of this City and the landmark and landmark sites designated under this article.

F. A landmark or landmark site designation may be amended or rescinded by the same process as for the designation of a landmark.

## 9. Property Maintenance Code Violations.

A. Except for emergencies as determined by the Building Official pursuant to the Chapter 145 Dangerous Building and/or Chapter 156 Property Maintenance Code, City enforcement agencies and departments must give the Historic Preservation Commission at least thirty (30) days of notice of any proposed order for remedying property maintenance code violations which may affect the exterior features of any building or structure located in a historic district or property that has been designated a historic landmark.

B. The Commission may require that material changes not adversely affect the exterior features of a building in cases where the danger to life, health, or property may be abated without detracting from the exterior features of the building. In such cases, it is the responsibility of the Commission and the City enforcement agency or department to cooperate with the property owner in an attempt to achieve a preservation solution whereby the dangerous conditions will be corrected with minimal adverse impact on exterior features. Such plan shall be approved by the Commission and shall be signed by the Chair of the Commission, the property owner and the head of the City's enforcing agency or department.

C. If a solution acceptable to the Commission, the City enforcement agency or department and the property owner cannot be reached within thirty (30) days, or a period of time acceptable to the City enforcement agency or department, the agency or department shall proceed to issue and enforce its proposed order as provided for by City Code.

## 10. Prevention of Demolition by Neglect.

A. Duty to Maintain: All buildings and structures that contribute to a historic district must be preserved against decay, deterioration, and kept free from structure defects by the owner or such person, persons, or entities who may have custody or control thereof. Accordingly, all such buildings and structures must be

maintained in accordance with the City of Pella Property Maintenance Code. This same standard applies for all properties receiving a historical landmark designation by the Pella City Council.

B. Determination and Action: The Historic Preservation Commission may file a petition with the Building Official requesting investigation of any applicable building or structure suspected of neglect or deterioration according to the Property Maintenance Code. The Building Official will proceed with investigation and may take any enforcement action necessary and allowed by law to correct or prevent further violation.

C. Upon failure, neglect, or refusal of the property owner(s) or other responsible person(s) duly notified to take the corrective action(s) specified by the Building Official with the time allotted, the Building Official may proceed with enforcement as provided by the City of Pella Code and Property Maintenance Code provisions therein.

*(Ord. 927 - Aug. 17 Supp.)*