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PUBLIC SECTOR RESPONSIBILITIES

INTRODUCTION

Public sector responsibilities for historic preservation in Ames primarily rest in the Mayor and City Council, City Manager, Ames Historic Preservation Commission (HPC), and the Ames Planning and Zoning Commission (P&Z). These responsibilities extend to other of the City's boards, commissions, departments, and staff responsible for historic private and municipal property. The following sections of this *Report* discuss these public sector responsibilities.

Other public sector entities in Ames—including Iowa State University, the Iowa Department of Transportation, the National Animal Disease Center, and local school districts—are located within the City of Ames but fall outside its jurisdiction and are not discussed here.

AMES MAYOR AND CITY COUNCIL

The Mayor and Ames City Council, together with City staff, are responsible for providing for the community's public health, safety, and discretionary duties as prescribed in the *Ames Municipal Code*. To those ends, the City Council evaluates and prioritizes actions to fulfill these responsibilities. The Council has established a number of goals/objectives for 2008-2010, including Campustown rejuvenation, a "go green" strategy, strengthening neighborhoods, and discussion of "branding" Ames. Historic preservation can play a role in each of these endeavors' success.

Additionally, the Mayor appoints and the City Council approves members to serve on the HPC. The Mayor and City Council both review and select applications to receive funding from the City's Downtown Facade Improvement program

CITY MANAGER

The City of Ames adopted the Council-Manager form of government in 1920. As the chief administrative officer for the city, the city manager oversees the day-to-day operations of the city with an eye to its long-term interests. The City Manager ensures that the city complies with federal regulations concerning historic preservation, which obtain when federal monies are involved in specific projects. Section 106 of the federal code outlines the regulations for this compliance. The City Manager also ensures that the city complies with provisions of its agreement with the State Historical Society of Iowa through the Certified Local Government (CLG) program. (See Appendix 4.)

AMES HISTORIC PRESERVATION COMMISSION

The Ames Historic Preservation Commission (HPC) was established in 1988 by the Ames City Council to administer historic preservation initiatives in the city and, particularly, to administer design guidelines and issue Certificates of Appropriateness (COA) for major exterior improvement projects for locally designated historic districts and historic landmarks. Encompassed in what the City has called its *Historic Preservation Overlay* (“O-H”), the provisions regulate exterior alterations, new construction, and demolitions within the overlay district by applying design guidelines for such changes and requiring a Certificate of Appropriateness before a building or demolition permit can be obtained and the project begin. The HPC reviews and grants or denies the Certificates of Appropriateness for these projects. Parties aggrieved or adversely affected by the actions of the HPC can appeal its decisions to the City Council. Parties aggrieved or adversely affected by the actions of the City Council can appeal its decisions to district court, although this process is not spelled out in Chapter 31 of the *Ames Municipal Code*. Although not without precedent, such appeals are rare.

The HPC also reviews any proposed zoning change to these designated properties before the matter goes before the Ames Planning and Zoning Commission. City staff within the Department of Planning and Housing serves as liaison to both commissions.

In 1995, the commission’s duties expanded when the City of Ames became a Certified Local Government through an agreement with the State Historical Society of Iowa. With this agreement in accordance with state and federal regulations pertaining to Local Government Historic Preservation Programs, the city took on broader responsibilities to promote historic preservation in the community. These responsibilities included commitments for further preservation planning, identification, evaluation, National Register registration, training, and education. (See Appendix 3.)

As originally configured, the Ames Historic Preservation Commission consisted of seven members appointed by the Mayor and approved by the City Council. The commission elected one of its members annually to serve as its chair, and one member elected annually to serve as its vice-chair. Member terms consisted of five years, staggered among the members. Members could be appointed to serve out the balance of an unexpired term of two years or less and subsequently serve a full 5-year term.

This 5-year rule was changed, becoming effective in 2008. Members now serve three-year terms and can be reappointed for one additional term. Reappointment is possible after a former member has been off the commission. The *Ames Municipal Code* does not state a specific period of time. This change satisfies term limit concerns while allowing former commission members to serve again at a later date. Typically, it takes several years for first-time commission members to become knowledgeable about the commission’s business.

Over the last few years, the commission has taken an aggressive posture in applying for historic preservation grants. In 2007, through the commission’s efforts, the City of Ames received a grant-in-aid through the Certified Local Government Program (CLG) of the State Historical Society of Iowa to help finance an intensive survey of the College Heights neighborhood in Ames during the 2008-2009 grant cycle. The same year, the commission received an Historic Resources Development Program (HRDP) grant to help finance a comprehensive historic preservation plan for the city, the subject of the *Report* now in hand. In November 2007, the City of Ames received a \$100,000 grant from the State Historical Society of Iowa’s Historic Sites Preservation Grant (HSPG) to replace more than 30 exterior doors on the Ames High School-Ames City Hall building. The total cost of the project amounted to approximately \$247,000 with the balance paid by the City.

Then, also in 2009, the HPC received a CLG grant from the State Historical Society of Iowa to conduct a preservation training session for a statewide audience. In collaboration with the Mount Vernon (Iowa) Historic Preservation Commission, these two commissions will host “Mortar Matters: A Joint Masonry Workshop: Ames/Mount Vernon” on March 26, 2010, in Ames and March 27, 2010, in Mount Vernon.

The success of this grantsmanship reflects positively on the professionalism of the Ames Historic Preservation Commission, the staff of the Planning and Housing Department, and their ability to achieve improvements for Ames.

In 2009, the City Council provided the HPC with discretionary funding. In the past, the commission had received funding only for various itemized purposes.

As the chief public forum for historic preservation in Ames and enabled by the State Historical Society of Iowa and the City of Ames to play this role, the Ames Historic Preservation Commission has the duty to promote the City Council adopted *Ames Comprehensive Historic Preservation Plan*.

From this brief sketch of the Ames Historic Preservation Commission and its accomplishments, one concludes that this body is fulfilling its obligations under agreements with the State Historical Society of Iowa and as a leader in historic preservation commensurate with the status of Ames as an academic community and the respect the public holds for its leadership.

AMES PLANNING AND ZONING COMMISSION

In 1931, the Ames City Council established five classes of zoning districts with a Planning and Zoning Commission to administer the program. Today, the commission consists of seven members appointed by the Mayor and approved by the City Council. Members serve a 3-year term and can be appointed for one additional term. Reappointment is possible after a former member has been off the commission. The *Ames Municipal Code* does not state a specific period of time. This change satisfies term limit concerns while allowing former commission members to serve again at a later date. Typically, it takes several years for first-time commission members to become knowledgeable about the commission’s business.

The Planning and Zoning Commission’s power to review and recommend approval or denial of zoning changes in the city can impinge on historic preservation directly and indirectly. The rezoning of property from residential to commercial use obviously can affect what subsequently occurs on the property. Zoning changes within locally designated historic districts and to historic landmarks require the review of the Ames Historic Preservation Commission prior to review by the P&Z. City Council approval is required to change any form of city zoning.

In addition to traditional base zoning, the City of Ames has established nine other overlays to regulate growth. In addition to the *Historical Preservation Overlay*, described above, the following two overlays directly affect historic preservation:

Single Family Conservation District (O-SFC)

According to the stated purpose of this overlay:

The Single-Family Conservation Overlay (O-SFC) Zone is intended to conserve the existing single-family residential character of areas identified as O-SFC adjacent to the downtown. The –SFC is intended to protect single-family neighborhoods while guiding the transition to higher density and compatibility with the surround uses where intensification is permitted. The O-SFC is meant to help maintain the general quality and appearance of the neighborhoods; promote a more cohesive look to the neighborhoods; recognize the neighborhood characteristics as a major part of the City’s identity and positive image; promote local design qualities; stabilize and improve property values; reduce conflicts between new construction and existing homes; and allow a limited amount of increased housing densities. (*Ames Municipal Code*, Sec. 29.1101 [1])

To date, one of these districts has been created, north of the downtown. In the administration of this overlay, the Planning and Zoning Commission reviews and recommends approval or denial for new construction or additions to multi-family housing in the area. (Ames Historic Preservation Commission becomes directly involved when affected properties are located within the locally designated Old Town Historic District.)

East University Impacted District (O-UIE)

According to the stated purpose of this overlay:

The purpose of the East University Impacted District is to include areas where the majority of the facilities were developed by “Greek”: organizations as housing for students, in order to maintain housing opportunities and housing density, to the extent that base zoning would allow, while assuring the provision of such requirements as adequate parking and architectural compatibility with the valued characteristics of existing structures and landscapes, such as location, height, materials and the appearance of variety of forms and of architectural styles, by creating regulatory standards for commercial and high density residential uses, but not impacting single or two family uses. (*Ames Municipal Code*, Sec.1110 [1])

East University Impacted District is an area located south of the Iowa State campus. With regard to historic preservation, this overlay includes certain restrictions concerning the demolition of properties associated with Greek organizations within the area and the alteration of existing building exteriors. The Planning and Zoning Commission has the authority to review and to recommend approval or denial of applications for such demolition. (These provisions do not apply to the West University Impacted District.)

OTHER PUBLIC SECTOR RESPONSIBILITIES

Other public sector responsibilities vis-à-vis historic preservation rest in other City departments and divisions as well as with the Ames Public Library Board of Trustees and with other public bodies—such as Iowa State University—located within the City’s corporate limits but outside its jurisdiction. A description of these responsibilities follows.

Parks and Recreation Department

The Parks and Recreation Department manages important historic resources in Ames, including the Bandshell Park Historic District, Emma McCarthy Lee Memorial (a park, which could be counted as a contributing resource in the potentially National Register eligible Ross Road Historic District), the Bertrand and Mary Adams House, whose local landmark designation is pending with the City Council, and other city-owned property.

Inspections Division

Administered by the City of Ames Fire Department, the Inspections Division issues building permits for new construction in Ames and inspects industrial, commercial, and residential property. The division will not issue a building permit for construction projects in a designated local historic district or for a local landmark if a Certificate of Appropriateness for the project is required and has not been obtained. The City of Ames has adopted the updated 2006 International Existing Building Code (IEBC), which provides special considerations for historic properties.

The division's Neighborhood Inspector is responsible for responding to citizen complaints concerning code noncompliance and works with neighborhood associations to facilitate property maintenance and code compliance. Residential rental property is included in this charge.

Public Works Department

In its responsibility to protect trees in the public rights-of-way and to issue permits for the planting of such trees in the residential areas, the Public Works Department affects historic streetscapes and their landscaping in the community.

In its responsibility to maintain streets, alleys, bridges, and cemeteries, the Public Works Department affects those properties with historic qualities. The City possesses no brick streets.

The Ames Municipal Cemetery is likely National Register eligible as an historic district because of its significance as a designed historic landmark. (Page 1992, 1999) The City of Ames, through its Public Works Department and the cemetery superintendent, is responsible for the property's preservation as an historic resource.

Planning and Housing Department

This department provides staff liaison for the HPC, analyzes and evaluates applications for Certificates of Appropriateness, offers staff recommendations regarding those applications, provides clerical support to keep minutes of its meetings, and work up agendas. The staff issues COAs to projects eligible for administrative approval, as stipulated in Chapter 31 of the *Ames Municipal Code*, reviews proposed National Register nominations and Local Historic District and Local Landmark applications, and issues recommendations concerning them to the HPC and the Mayor and City Council. The Planning and Housing Department prepares the commission's annual CLG report, administers the Downtown Facade Improvement grants, including evaluation of applications and recommendations to the City Council for selection, and works with the Ames Historic Preservation Commission on the writing, submission, and direction of grants.

Legal Department

The Legal Department prepares ordinances to establish new historic preservation overlays, reviews any proposed changes to them, and litigates in district court the appeals of parties felt aggrieved by actions of the Mayor and Council.

Ames Public Library

The Ames Public Library is administered by a board of trustees, appointed by the Mayor and approved by the City Council. Although the City of Ames budgets funding for the library, the library operates in an autonomous fashion. Many libraries operate under similar forms of administration. The intent is to separate intellectual freedom from possible political control. The State Historical Society of Iowa has determined that the Ames Public Library building is National Register eligible. Additionally, the Ames Public Library and its trustees and administration remain subject to federal regulations, under Section 106 of the federal code, when projects employing federal money are undertaken.