

## CHAPTER 155

# CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

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**155.01 PURPOSE.** The purpose of this chapter is to establish a central business district improvement area in the City and to provide for the development and improvement thereof.

**155.02 BOUNDARIES OF AREA.** The area within the following described perimeter is hereby designated as the Central Business District Improvement Area of the City:

*Beginning at the intersection of Sixth Street (Iowa Highway No. 141) and Elm Street in the City; thence in a northerly direction to the intersection of Elm Street and Second Street in the City; thence in an easterly direction to the intersection of Second Street and Center Street in the City; thence in a southerly direction to the intersection of Center Street and Sixth Street (Iowa Highway No. 141) in the City; thence in a westerly direction to point of beginning.*

**155.03 THEME OF AREA.** (Repealed by Ord. 328 – Feb. 08 Supp.)

**155.04 AUTHORITY.** (Repealed by Ord. 328 – Feb. 08 Supp.)

**155.05 APPROVAL OF PLANS.** Plans, specifications, and proposed signs for erection or construction of any building, structure or improvement or alterations thereto within any portion of the Central Business District Improvement Area must be submitted to City Hall for consideration by the Historic Preservation Commission of the City of Manning with input from Main Street Manning. After review, the Historic Preservation Commission will make a recommendation to the City Council and the said plans must then be approved in writing by the City Council and no building permit shall be issued for any building, structure, improvement, alteration or change or development of property within the Central Business District Improvement Area without such approval. The provisions of this section shall apply to both public and privately owned property and to the exterior portions of any buildings or structures located upon such property. The administrative official responsible for the issuance of building permits shall not issue any building permits until such approval has been granted in writing by the City Council.

**155.06 PROCEDURE.** Preliminary sketches may be submitted to the Historic Preservation Commission for informal review so that an applicant for a building permit within the Central Business District Improvement Area may be informed of the Commission's policies prior to the preparation of detailed plans and specifications. Any applicant for a building permit in the Central Business District Improvement Area shall submit to the Historic Preservation Commission a site plan, exterior elevations, drawings of signs, exterior plans and other such data and specifications as the Council may require.

**155.07 CRITERIA.** The Historic Preservation Commission may recommend that the City Council approve, approve with conditions, or disapprove the issuance of a building permit in regard to any matter located within the Central Business District Improvement Area after consideration of whether the following criteria have been complied with:

1. (Repealed by Ord. 328 – Feb. 08 Supp.)
2. Said plan indicates the manner in which such buildings, structures, improvements or alterations are reasonably protected against external and internal noise, vibrations and other factors which may tend to make the environment less desirable.
3. The proposed building, structure, improvement, alteration or sign is not in exterior or interior design in appearance of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.
4. The proposed building, structure, improvement, alteration or sign is in conformity with the standards of this chapter and other applicable ordinances of the City, to the extent such other ordinances are not inconsistent herewith.
5. Any proposed building, structure, improvement, alteration or sign of any building that was constructed fifty (50) or more years ago has made every reasonable effort to conform with the historic character of the original building and the district as a whole.
6. The planned demolition of all buildings constructed fifty (50) or more years ago must first be considered by the Historic Preservation Commission and the City Council. While the Historic Preservation Commission and the City Council cannot prohibit the lawful demolition of structures, it can encourage the consideration of alternative measures to preserve the building and/or document the historic structure.

**155.08 CONSTRUCTION WITHIN AREA.** No demolition, construction, or erection of any building, structure, improvement, alteration or sign shall be permitted or allowed in the Central Business District Improvement Area until the building permit provided for in Section 155.05 of this chapter has been issued in accordance with the requirements of this chapter.

**155.09 APPEAL.** The applicant for any building permit may appeal to the Council for second review any decision made pursuant to this chapter within thirty (30) days after such decision has been issued. Thereafter, any decision of the Council may be appealed to the District Court of Iowa, in and for Carroll County, in a manner prescribed by the *Code of Iowa*.

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