

CHAPTER 6- HISTORIC PRESERVATION - TABLE OF CONTENTS

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CHAPTER 6 HISTORIC PRESERVATION

9-6-1 Purpose

- A. The purpose of this historic preservation section is to:
1. Promote the voluntary protection and preservation of the town's historic and cultural heritage,
 2. Provide educational opportunities to increase public appreciation of Lyons' unique past,
 3. Allow owners of historic property to volunteer same for historic landmarking,
 4. Encourage tourist interest in the history of Lyons, and
 5. Enable property owners to pursue grants and tax incentives.
- B. Further, it is the intention to create a reasonable balance between private property rights and the public interest in preserving Lyons' heritage by entrusting that the demolition of, moving of, or alteration(s) to the exterior of properties of historic value shall be carefully considered for its impact to the historical character of the town.

9-6-2 General Provisions

- A. An historic building or property shall be defined as being:
1. At least 50 years of age,
 2. Without extensive alteration to the exterior of said structure,
 3. With small or minor modifications and/or alterations made at least 50 years prior to the date of application, and
 4. Unique to the historical and cultural development of Lyons.
- B. Historic land ownership shall be defined as having been significant to the historical and cultural development of Lyons such as original ownership of property obtained through the Homestead Act of 1862, Pre-emption Grants, Squatters Rights, purchase, inheritance, or gift of said property in the 1800s and early 1900s.

9-6-3 Lyons Historic Designation Commission

- A. The Lyons Historic Designation Commission (LHDC) shall be composed of three or five members.
- B. The LHDC will function as an advisory board to the Lyons Board of Trustees (BOT), remaining flexible in order to include person(s) interested in historical research, the historical development of Lyons, and/or architecture, red sandstone quarrying, archeology, and preservation.
- C. The goals of the LHDC are to:
 - 1. Encourage and to cultivate good stewardship and pride in owners of historic properties in the Town of Lyons,
 - 2. Help property owners voluntarily preserve their historic landmark,
 - 3. Promote heritage tourism, at the consent of the owner(s), by printing historic tours of Lyons' historic homes,
 - 4. Create and maintain a registry of designated properties, and
 - 5. Identify incentives available through the historic designation process.
- D. Members of the LHDC shall be by appointed by the Mayor of the Town of Lyons. All interested persons may submit a letter of application when a vacancy occurs.
- E. Membership to the LHDC is intended, if possible, to consist of persons with a variety of backgrounds, knowledge and interests including stone quarry operations, stone quarry mining history, architectural design, and/or historic preservation.

9-6-4 Historic Landmark Designations

- A. Recommendations for designation of historic sites. Pursuant to the procedures set forth in this Code, the LHDC may make written recommendation to the BOT that a site be designated as an historic site for designation, meeting the criteria set forth in this Code. Each such recommendation shall include a description of the characteristics of the site which justify its designation and shall include a legal description of the site. Any such designation shall be in furtherance of and in conformance with the purposes and standards of this Code.
- B. Procedures for designating historic sites.
 - 1. Applications. Applications for designation of historic sites shall be made to the Town staff on forms provided by the Town. Applications shall be made

only by the owners or authorized designees of 100% of the site for which the application is submitted.

2. Staff review. The Town staff shall review applications for designation of historic sites for content and for completeness. The staff shall, within sixty (60) days of receipt, forward completed application and staff recommendations to the LHDC.
 3. LHDC review. The LHDC shall consider and act upon applications at regularly scheduled or special meetings within regularly scheduled or special meetings within 60 days of receipt of staff recommendations. The LHDC shall approve, approve with conditions, or disapprove applications, and shall immediately forward notice of their decisions to the BOT. In the event of failure of the LHDC to act in a timely manner, the BOT may proceed without an LHDC recommendation.
 4. BOT action. The BOT shall by resolution approve or modify and approve, or shall disapprove the proposed historic designation.
 5. Withdrawal of applications. Prior to action on applications by the BOT, applicants may withdraw applications by submitting a written request to the Town Clerk.
 6. Recording. The resolution designating a site as a local historic landmark shall be recorded in the records of the County Clerk.
- C. The LHDC retains the right to publish any or all part of the application. By written agreement with the property owner said landmarked property may be included in the Town of Lyons Historic Tourism program.
- D. Upon designation of the property as being a Lyons Historic Landmark by resolution of the Town Board, placement of the application shall be as follows:
1. The original application shall be kept at the Lyons Town Hall,
 2. A copy shall be returned to the owners of record, and
 3. Another copy shall be archived at the Lyons Redstone Museum.
- E. The LHDC shall present the owner of the property with a plaque to be placed on the property, indicating the designation of landmark status.
- F. Future property owners shall be encouraged to comply with the landmark designation entrusting that the exterior of any buildings remain as is at the time of landmark designation.

9-6-5 Standards for Historic Landmark Designations

A. To qualify for designation as an historic site pursuant to this Code, the LHDC shall determine that it has historic significance due to one or more of the following factors:

1. It has character, interest or value, as part of the historical development, heritage, or culture of the community, state, or nation.
2. Its location is a site of a significant historical event.
3. Its identification with a person or persons who significantly contributed to the culture and development of the Town.
4. Its exemplifications of the cultural, economic, social, or historic heritage of the Town.
5. Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style.
6. Its embodiment of distinguishing characteristics of an architectural type of specimen.
7. Its identification as the work of an architect or master builder whose individual work has influenced the development of the Town.
8. Its embodiment of the elements of architectural design, detail, materials, or craftsmanship that represent a significant architectural innovation.
9. Its relationship to other distinctive areas that are eligible for designation according to a plan based on an historic, cultural, or architectural motif.
10. Its unique location of singular physical characteristic representing an established familiar visual feature of a neighborhood or the Town.

9-6-6 Amendment of Landmark Designations

A landmark may be amended to add features or property to the site according to the application process described in this Code for new landmark designations.

9-6-7 Alterations of Landmark Designations

If an owner intends to make significant modifications and retain the landmark designation, the owner shall notify the Town Clerk of the owner's intention to alter, demolish, move or remove the site and provide plans for the work at least 30 days prior to beginning such work. This notification requirement shall run with the land and shall bind successors and assigns. The Clerk shall, upon receipt, forward the notification and plans to the LHDC for

review. The LHDC shall review the plans and may advise the owner on the potential affect of the plans on the historic designation. The LHDC may forward a recommendation to the BOT that, based on the plans, the historic designation be modified or revoked.

9-6-8 Revocation of Landmark Status

- A. The BOT may by resolution revoke or modify the designation of a site, after 15 days notice to the owner and after a public hearing, if any of the following conditions exist:
 - 1. If any owner of a designated site fails to provide notification as required in this Code, or if alterations to the site will significantly alter the historic character of the site;
 - 2. If an owner of a designated historic site submits a written request to the Town for revocation of a historic designation;
 - 3. If the LHDC makes a recommendation for modification or revocation based on an owner's written intent to alter a designated historic site; or
 - 4. If modifications are made to an historic landmark that are found by the LHDC to not be in accordance with the standards specified in this Code.
- B. The resolution revoking or modifying the landmark designation shall be recorded in the records of the County Clerk.