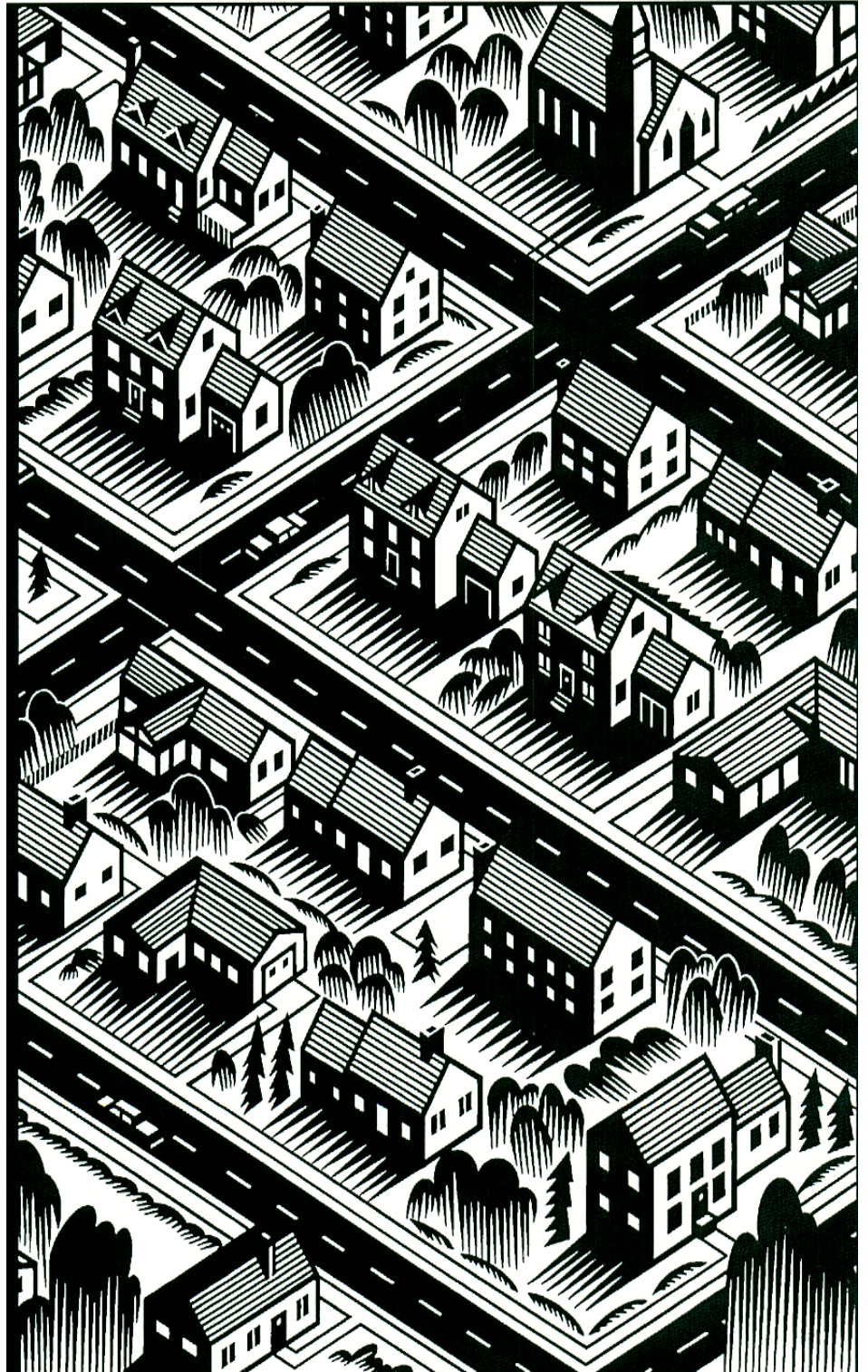


Economic Non-Viability Application

A guide to the Design Review Process



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Planning Services Department, 50 West 13th Street, Dubuque, IA 52001-4845
(563) 589-4210 e-mail: planning@cityofdubuque.org

Application for Economic Non-Viability

Guidelines to help you through the application process.

What is an application for Economic Non-Viability?

The Historic Preservation Commission has the authority to approve a Certificate of Economic Non-Viability when an applicant can show that a property owner cannot earn a reasonable economic return on a property if the proposed project were not allowed to proceed.

When do I need an Economic Non-Viability Review?

A request for Economic Non-Viability is made when a Certificate of Appropriateness to demolish or alter a structure in a Historic District, Landmark, Landmark Site, or an Individually Designated Historic Property has been denied by the Historic Preservation Commission and an application to review preservation alternatives yields no financial incentives sufficient enough to make the appropriate improvements. The process is intended to provide an opportunity to change or affect the exterior architectural features of the structure or site in a way that will allow the property owner to earn a reasonable economic return.

How long does the application process take?

In most cases, the application process takes about 21 days from the application deadline. Filing an application, however, does not guarantee approval.

Who is the Historic Preservation Commission?

The Historic Preservation Commission is a volunteer group of 9 citizens from the community who are appointed by the City Council to meet once a month to make decisions on requests like yours. The Commissioners have various backgrounds and expertise and share an interest in historic preservation, with most of them residing in one of the historic districts.

What criteria are considered when reviewing an Economic Non-Viability application?

The Historic Preservation Commission uses the following criteria when reviewing an application for Economic Non-Viability. Try to address each criteria when presenting your project to the Commission.

- 1) The Commission is required to apply the *Secretary of Interior's Standards for Rehabilitation* and the *Architectural Guidelines for Historic Structures in the Historic Districts of the City of Dubuque when reviewing projects*. The Architectural Guidelines are specific to Dubuque and developed within the framework of the Secretary of Interior's Standards.
- 2) The Commission will consider whether the criteria submitted show that a property owner could not make reasonable economic use of their property or that selling the property in its current condition could not return a profit for the owners if a project were not allowed to proceed as proposed.
- 3) The Commission considers each request on the merits of the individual case, with deliberation given to the proposed change and its relationship to the historic setting, architectural or historical significance, extent of previous alteration, use of original materials and quality of the existing structure or site.

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How do I apply for a Certificate of Economic Hardship?

To apply for a Certificate of Economic Non-Viability you need to:

- Complete the application form.
- Complete the Description of Proposed Project worksheet
- Submit the supporting documentation, items 1-16, on the enclosed checklist, with each item 1-16 clearly labeled as such.
- Provide at least one color photograph of each façade (front, rear, sides) of the existing structure.
- Provide a sample of the materials to be used in the proposed project (if not typical wood).
- Include a plan and sketch of the proposed project, giving complete dimensions and location on the property.
- If the project includes a new sign, please include the design, materials and colors that will be used on the sign face.
- Submit the above information and any other pertinent information that is available or required by the Historic Preservation Commission or the City Planner that may be necessary to make a determination in the design review.

Incomplete applications will not be processed. Failure to submit all of the required information at one time will delay review of your project.

Please include any other documentation that will help clarify your request and support your position. This information must be submitted by the application deadline. For application deadline dates and other information, please call the Planning Services office at 589-4210.

For information on building and demolition permits, contact the Building Services Department at 589-4150.

For information on on permits for excavation in the public right-of-way and curb cuts, contact the Engineering Division at 589-4270. For information on underground utilities, call Iowa One-Call at 800-292-8989.

Please note: It is your responsibility to locate your property lines and to check your abstract for easements and restrictive covenants.

How does Planning Services staff help you through the process?

When we receive your application materials, your request will be placed on the agenda for the next available meeting date, if your application is complete.

Planning Services staff then will review your application, visit your property, take photos, and compile supporting documentation regarding the request. Planning Services staff will send an agenda and a copy of your application materials to the Historic Preservation Commission approximately one week before the Commission meeting.

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Approximately one week before the meeting, Planning Services staff will mail you a staff report and an agenda for the meeting.

Do I need to be at the meeting?

Yes. You or your representative must present your request to the Historic Preservation Commission and be available to answer questions, if needed. If you or your representative aren't at the meeting, your request will be tabled. Check the attached meeting schedule for the exact date, time and location.

What happens at the meeting?

At the meeting, both Planning Services staff and you or your representative will make presentations to the Commission. The meeting is open to the public, who may be asked to comment on your request. The Commission will approve, deny, modify, or table your request for more information.

What happens next?

If approved, you may apply for a building or demolition permit from the Building Services Department the next day. Please note that housing and building codes may further limit the location or configurations of your project.

If denied, you may appeal the Historic Preservation Commission's decision to the City Council within 30 days of written notification of the denial, or submit a revised proposal to the Planning Services Department.

This guide is not intended to cover every aspect of the economic non-viability application process. It should not be considered the final or definitive authority on any of the matters it addresses. It is only a general guide. Questions on specific projects should be addressed to the Planning Services Department, 50 W. 13th Street, Dubuque, Iowa 52001, phone (563) 589-4210, fax (563) 589-4221; e-mail: planning@cityofdubuque.org.

Attachments:

- Application Form
- Description of Proposed Project Worksheet
- Checklist of Supporting Documentation
- Secretary of the Interior's Standards for Rehabilitation
- Meeting Schedule

Revised 09_27_10

APPLICATION FORM

Zoning Advisory Commission

- ☐ Amended PUD
- ☐ Rezoning/PUD/ID
- ☐ Text Amendment
- ☐ Simple Subdivision
- ☐ Preliminary Plat
- ☐ Major Final Plat
- ☐ Minor Final Plat
- ☐ Waiver from Site Design Standards

Zoning Board of Adjustment

- ☐ Conditional Use Permit
- ☐ Special Exception
- ☐ Variance
- ☐ Appeal

Development Services

- ☐ Annexation
- ☐ Limited Setback Waiver
- ☐ Site Plan Simple
- ☐ Site Plan Minor
- ☐ Site Plan Major
- ☐ Simple Subdivision
- ☐ Temporary Use Permit
- ☐ Port of Dubuque/
Chaplain Schmitt Island
Design Review

Historic Preservation Commission

- ☐ Demolition Review
- ☐ Historic Revolving Loan
- ☐ Certificate of Economic Non-Viability
- ☐ Design Review Certificate of Appropriateness
- ☐ Advisory Design Review (Public Projects)
- ☐ Historic Designation

Please complete the applicable sections below. Please type or print legibly.

A. Property Information

Site Location/Address: _____

Legal Description/Parcel ID#/Subdivision: _____

Existing Zoning: _____ Proposed Zoning: _____ Site Area (square feet/acres): _____

Historic District: _____ Landmark: ☐ Yes ☐ No

B. Describe proposal and reason for application (attach a letter of explanation, if necessary):

C. Applicant/Agent Information

Name: _____ Phone: _____

Address: _____ City: _____

State: _____ Zip: _____ Email: _____

D. Property Owner(s) Information

Name(s): _____ Phone: _____

Address: _____ City: _____

State: _____ Zip: _____ Email: _____

E. Certification: I/we, the undersigned, do hereby certify/acknowledge that:

1. Payment does not guarantee approval and fees are nonrefundable;
2. All additional required written and graphic materials are attached;
3. It is the property owner's responsibility to locate property lines and to review the abstract for easements and restrictive covenants; and
4. The information submitted herein is true and correct to the best of my/our knowledge and upon submittal becomes public record.

Applicant/Agent: _____ Date: _____

Property Owner(s): _____ Date: _____

FOR OFFICE USE ONLY

Fee \$ _____ Ck# _____ ☐ CC ☐ Cash Received by _____ Date _____

DESCRIPTION OF PROPOSED PROJECT

(use additional pages as needed)

1) Please describe your project, indicating the existing materials and their condition and the reason for the proposed work:

2) Please indicate the type of construction materials to be used in this project:

3) What alternative remedies have you considered to solve your problem or meet your needs?

4) What is your timeline for completion of the proposed project?

5) What is the estimated project cost?

6) Will you do the work yourself, or use a contractor? Please provide name of contractor.

7) Any other information or comments?

Signature

Date

Checklist of Supporting Documentation

On separate sheets of paper, items 1-15 must be addressed in order for an application to be considered complete. If you feel an item does not apply to your request, you must indicate so and explain why. Failure to provide accurate and complete information will result in the application being tabled and the project delayed. Incomplete applications will not be forwarded to the Commission, further delaying the project.

1. A bid from a qualified contractor showing the cost of the proposed demolition.
2. A report from a licensed engineer, architect or contractor with experience in rehabilitation as to the structural integrity of the structure(s) that the applicant proposes to demolish.
3. The appraised value of the property by a licensed appraiser for the following conditions:
 - (a) In the property's current condition;
 - (b) After completion of the proposed demolition;
 - (c) After rehabilitation of the existing property for 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
 - (d) 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.
4. An estimate from an 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.
5. 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 or is being purchased, and the terms of the purchase or proposed purchase, including financing.
6. 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 expenses, 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.

Checklist of Supporting Documentation

7. 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.
8. 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.
9. 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.
10. The assessed value of the property for the previous two (2) assessment years.
11. The amount of real estate taxes assessed for the previous two (2) assessment years and whether or not they have been paid.
12. 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.
13. 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.
14. Proof of the applicant's efforts to obtain financing, tax incentives, preservation grants and other incentives to allow the applicant to earn a reasonable economic return from the property.
15. 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.

DESIGN REVIEW CHECKLIST

The following required information assists the Historic Preservation Commission in evaluating your request. You are urged to bring any other items or information that would help describe your project.

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Board and Commission Meeting Schedule January-December 2026

Submit Application to:		Long Range Planning Advisory Commission (LRPAC)	Historic Preservation Commission (HPC)	Port of Dubuque/ Chaplain Schmitt Island Design Review	Zoning Board of Adjustment (ZBA)	Zoning Advisory Commission (ZAC)	City Council
Planning Services Department City of Dubuque 50 W. 13th Street Dubuque, IA 52001 planning@cityofdubue.org		Meets Monthly 3rd Wednesday 5:30 p.m. * Agenda link cityofdubue.org/LRPAC	3rd Thursday 5:30 p.m. cityofdubue.org/HPC	4th Wednesday 3:00 p.m. Design Guidelines	4th Thursday 5:30 p.m. cityofdubue.org/ZBA	1st Wednesday 6:00 p.m. cityofdubue.org/ZAC	3rd Monday 6:30 p.m. cityofdubue.novusagenda.com/AgendaPublic/
APPLICATION DUE BY	MEETING DATE	Dec 17	Dec 18	Dec 17	Dec 18	Jan 07	Tues. Jan 20
Jan 05	Jan 21	Jan 21	Jan 15	Jan 28	Jan 22	Feb 04	Feb 16
Feb 02	Feb 18	Feb 18	Feb 19	Feb 25	Feb 26	Mar 04	Mar 16
Mar 02	Mar 18	Mar 18	Mar 19	Mar 25	Mar 26	Apr 01	Apr 20
Mar 30	Apr 15	Apr 15	Apr 16	Apr 22	Apr 23	May 06	May 18
May 04	May 20	May 20	May 21	May 27	May 28	Jun 03	Jun 15
Jun 01	Jun 17	Jun 17	Jun 18	Jun 24	Jun 25	Jul 01	Jul 20
Jun 29	Jul 15	Jul 15	Jul 16	Jul 22	Jul 23	Aug 05	Aug 17
Aug 03	Aug 19	Aug 19	Aug 20	Aug 26	Aug 27	Sep 02	Sep 21
Aug 31	Sep 16	Sep 16	Sep 17	Sep 23	Sep 24	Oct 07	Oct 19
Sep 28	Oct 21	Oct 21	Oct 15	Oct 28	Oct 22	Nov 04	Nov 16
Oct 26	Nov 18	Nov 18	Nov 19	Nov 18	Nov 19	Dec 02	Dec 21
Nov 30	Dec 16	Dec 16	Dec 17	Dec 16	Dec 17	Jan 06	Tues. Jan 19

★ Agenda contains meeting location information.

The agenda link connects to the Board or Commission website home page.

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	Jun 29		Jul 15	Jul 16	Jul 22	Jul 23	Aug 05	Aug 17
	Aug 03		Aug 19	Aug 20	Aug 26	Aug 27	Sep 02	Sep 21
	Aug 31		Sep 16	Sep 17	Sep 23	Sep 24	Oct 07	Oct 19
	Sep 28		Oct 21	Oct 15	Oct 28	Oct 22	Nov 04	Nov 16
	Oct 26		Nov 18	Nov 19	Nov 18	Nov 19	Dec 02	Dec 21
	Nov 30		Dec 16	Dec 17	Dec 16	Dec 17	Jan 06	Tues. Jan 19

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