City of Louisville
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CITY COUNCIL COMMUNICATION
AGENDA ITEM 7F

SUBJECT: RESOLUTION NO. 102, SERIES 2025 – A RESOLUTION MODIFYING AND INCREASING INCENTIVES UTILIZING THE HISTORIC PRESERVATION FUND

DATE: DECEMBER 16, 2025

PREPARED BY: JESS DANIELS, AICP, SENIOR PLANNER

PRESENTED BY: JESS DANIELS, AICP, SENIOR PLANNER

SUMMARY:
Attached for consideration is a resolution updating the Historic Preservation Fund (HPF) grant incentive program as recommended by the Historic Preservation Commission (HPC).

BACKGROUND / PRIOR DISCUSSIONS:
The HPF was established in 2008. The purpose of the fund is to incentivize landmarking in the City by offering matching grants for eligible preservation, restoration, and rehabilitation work. The HPF is not intended to pay for all costs but support the financial viability of historic preservation projects. A 1/8% sales tax funds the HPF, which will sunset on December 31, 2028, unless extended.

The last comprehensive update to the HPF was in 2019 (Resolution No 17, Series 2019). A key project in the 2024/2025 HPC Work Plan is providing a recommendation to Council to update the HPF grant program to better reflect costs and improve predictability and management of the fund for the City and applicants.

Prior HPC communications include:

- (No link available) January 2024: HPC retreat discussion on program goals and challenges
- LINK: May 20, 2024 HPC Communication – preliminary program change concepts
- LINK: August 18, 2025, HPC Communication – inflation and cost analysis; proposed approach
- LINK: October 20, 2025 HPC Communication – refinement based on HPC feedback and presentation of draft resolution
- LINK: November 17, 2025 HPC Communication - final direction on proposed program updates and motion for Council to consider Resolution No. XX, Series 2025 with a recommendation of approval.

ANALYSIS:
The following are high level context and methodology that informed the proposed grant program update:

Historic Preservation Fund Performance (2019–2025)
HPF revenues average approximately $1 million annually, with the current unencumbered balance around $3.5M. Utilization varies, with some years showing low activity and others showing high demand. Extraordinary circumstance requests have increased, indicating that existing grant limits no longer align with market conditions. Stakeholder feedback indicated a lack of awareness about the program, indicating a need for community outreach to promote awareness of the HPF program and fund to support the City's historic preservation goals.

Inflation Analysis and Methodology for Calculating Grant Increase Amounts
To determine a methodology for increasing grant limits, staff analyzed multiple construction cost indices for inflation, selecting the Building Cost Index (BCI) which is most relative to historic structures and had the highest rate of inflation between 2019-2025 (5% annually). Staff added 5% to base amounts for all current grant categories (exempting Historic Structure Assessments (HSAs), which were updated in 2024) and proposed additional incentive increment options of 5%, 10%, 15%, 20%. The HPC selected 10% in additional incentives to best reflect rising costs and local market conditions, better incentivize landmarking, and be consistent with prior grant award amounts.

Residential and Commercial Cost Trends
Adjusted for inflation (5%), residential project costs from 2019–2025 averaged $251,000 (ten examples). Commercial projects vary widely, with landmark projects averaging $1.4 million (two examples). Other recent commercial project costs averaged $2.9 million (two examples) that did not landmark, but may have been eligible to landmark. This range demonstrates the difficulty in estimating commercial project costs due to variables in building size, condition, and economic intent.

Current Amounts and Extraordinary Circumstances
Under the current program, residential property owners can be eligible for up to $40,000 plus $15,000 for New Construction in matching funds, and commercial property owners can be eligible for up to $150,000 plus $75,000 for New Construction in matching funds. Extraordinary circumstances provide additional opportunities for funds. Extraordinary circumstances is currently broadly defined, discretionary, and has no financial limitations other than what is available in the HPF. Average residential grants awarded by the HPC with extraordinary circumstances were $107,900 between 2019-2025 (ten examples). The HPC requested more clarity for the extraordinary circumstances definition to assist in determining grant awards fairly and equitably in the grant program update.

Equity and Income Considerations
Incorporating income and equity considerations into the update is a priority of the HPC. Resident and architect interviews also expressed a need for equity considerations in future updates.

PROPOSED PROGRAM UPDATES (Resolution No. 102, Series 2025)
The following summarizes proposed changes to the grant program as recommended by the HPC, presented in Resolution No. 102, Series 2025 (Attachment No. 1):

1. Grant Type Changes and New Tiered Grant Structure

Maintain existing base grant categories, with the following additions/changes:

a) New structural sub-grant category for residential properties that require extra stabilization and foundation work;
b) New maximum cap on extraordinary circumstance requests;
c) Amend definition for extraordinary circumstances, focused on the preservation of historic materials that without the fund would be replaced by new materials;
d) New exceptional circumstances category for properties that meet all of the following criteria: exceptional architectural or social history significance, uniqueness within Louisville, available HPF funds, and demonstration of a gap in funding; and
e) New tiered organization for user-friendliness and clarity.

2. Updated Grant Limits

Increase grant amounts by adding 5% inflation plus a 10% incentive, compounded annually since 2019 and calculated through to 2026 (Table 1 and Table 2):

Table 1: Proposed Matching Residential Grant Amounts			
Type	**Proposed Amount**	**Existing Amount**	**Increase**
Residential Landmark Incentive	**$7,700**	*$5,000*	*$2,700*
Tier 1			
Residential	**$63,000**	*$40,000*	*$23,000*
Additional Structural Sub-Grant	**$20,000**	*$0*	*$20,000*
New Construction	**$23,000**	*$15,000*	*$8,000*
(Tier 1 Subtotal)	***$106,000***	*$55,000*	*$51,000*

Tier 2			
Extraordinary Circumstances Cap	**$22,300**	No limits	*N/A* **Potentially less $ due to new cap*
(Tier 1 + 2 Subtotal)	***$128,300***	*N/A*	*N/A*
Tier 3			
Exceptional Circumstances	Unlimited (pending criteria met)	*N/A*	*N/A*
Total Grant Funds Available Per Residential Property*	***$136,000 (plus unlimited exceptional circumstances under Tier 3)***	*$60,000 (plus unlimited extraordinary circumstances)*	*$53,700 (plus Tier 2 and Tier 3)*

*Total includes landmark incentive

Table 2: Proposed Matching Commercial Grant Amounts			
Type	**Proposed Amount**	**Existing Amount**	**Increase**
Commercial Landmark Incentive	**$77,000**	*$50,000*	*$27,000*
Tier 1			
Commercial	**$232,000**	$150,000	$82,000
New Commercial Construction	**$111,000**	$75,000	$36,000
Tier 1 Subtotal:	***$343,000***	*$225,000*	*$118,000*

Tier 2			
Extraordinary Circumstances Cap	**$80,000**	No limits	*N/A* **Potentially less $ due to new cap*
Tier 1 + 2 Subtotal:	***$423,000***	*N/A*	*N/A*
Tier 3			
Exceptional Circumstances (Match)	**Unlimited (pending criteria met)**	*N/A*	*N/A*
Total Grant Funds Available per Commercial Property*	**$500,000** ***(plus unlimited exceptional circumstances under Tier 3)***	*$275,000 (plus unlimited extraordinary circumstances)*	*$145,000 (plus Tier 2 and Tier 3)*
OR			
Conservation Easement	**$77,000**	*$50,000*	*$27, 000*

*Total includes landmark incentive

3. Revolving Loan Program

No changes to the loan program, which is generally working well. Engagement results indicated that some users were not aware of the loan component of the program, which staff plan to address in future community outreach.

4. Income Considerations

Adding income related criteria supporting residential grant and loan requests for households earning 120% or below the Area Median Income (AMI). This aligns with the City's recently adopted Housing Plan (2024) recommendations to provide relief for households in this income range. Property owners seeking to access grant funds for general maintenance would need to meet this income qualification. Income qualified applicants may also seek a cash match waiver of up to 50% of the existing matching requirement.

5. *Contingency/Emergency Reserve*

Establish the Contingency/Emergency Reserve Fund for the Historic Preservation Fund (HPF) to twenty-five percent (25%) of annual 1/8% sales and use tax revenue to automatically set the reserve without having to take formal action on an annual basis.

6. *Timeframe*

No change to the current timeframe to receive grant applications after landmarking (36 months) and for property owners to request grant reimbursements for approved funds (60 months) to remain consistent with the intent of the overall program, which is to incentivize landmarking.

7. General Program Administration Improvements
    a. Staff to provide courtesy reminders on the second anniversary date of landmarked properties regarding grant request deadlines;
    b. Clarified extension rules;
    c. Clearer direction for older landmarked properties;
    d. Timeline extension request process can only be for work not started or completed; and
    e. Requests under previous resolutions will be referred to the full commission for consideration at a public meeting.

8. *Equity Considerations*

The proposed increased upper limits are intended to reflect more accurate costs, and caps on extraordinary circumstances are intended to also address equity considerations in the maximum total disbursement of funds per property. The income qualifier will make the program more accessible to property owners, including long term Louisville property owners that may have household incomes below 120% AMI.

2025 COUNCIL WORK PLAN:

This item is not part of the 2025 Council Work Plan.

FISCAL IMPACT:

Budgeted?: **Not Applicable**

There is no direct fiscal impact to adoption of Resolution No. 102, Series 2025. The current unencumbered balance is around $2.1M, with HPF revenues averaging approximately $1 million annually.

ALTERNATIVES:

1. Adopt the resolution with no amendments
2. Adopt the resolution with amendments
3. Direct staff to revise components and bring back for further consideration
4. Decline to adopt (maintain 2019 framework)

RECOMMENDATION:
Staff recommend that City Council approve Resolution No. 102, Series 2025, updating the Historic Preservation Fund program. Upon approval, staff will prepare communication materials and conduct community outreach in early–mid 2026.

ATTACHMENT:
1. Resolution No. 102, Series 2025

RESOLUTION NO. 102
SERIES 2025

A RESOLUTION MODIFYING AND INCREASING INCENTIVES UTILIZING THE HISTORIC PRESERVATION FUND

WHEREAS, historic properties and buildings of character in the City of Louisville (the "City") are major contributors to the character and quality of life of our City; and

WHEREAS, the City Council, pursuant to the City Charter, established a Historic Preservation Commission to assist it in the preservation and landmarking of these properties; and

WHEREAS, when properties are locally landmarked, they are preserved for future posterity and enjoyment and continue to contribute to the unique character of the City; and

WHEREAS, at the November 4, 2008 election, the voters approved Ballot Issue 2A to levy a one-eighth of one percent (1/8%) sales tax for purposes of historic preservation purposes within Historic Old Town Louisville through December 31, 2018; and

WHEREAS, at the November 2, 2010 election, the voters approved Ballot Issue 2D to levy a permanent use tax of 3.50%, which superseded the City's then-current use tax, of which one-eighth of one percent (1/8%) of the use tax was dedicated to historic preservation purposes consistent with Ballot Issue 2A; and

WHEREAS, at the November 7, 2017 election, the voters approved Ballot Issue 2F, which extended the expiration date of the temporary sales tax of one-eighth of one percent for historic preservation from December 31, 2018 to December 31, 2028; and

WHEREAS, by Ordinance No. 1544, Series 2008, and Ordinance No. 1743, Series 2017, the City Council imposed the tax approved by the voters, established the Historic Preservation Fund ("HPF"), and codified the financial incentives set forth within Ballot Issues 2A (2008), 2D (2010), and 2F (2017); and

WHEREAS, Resolution No. 20, Series 2009, Resolution No. 20, Series 2010, Resolution No. 2, Series 2012, and Resolution No. 2, Series 2014, the City Council adopted provisions related to the administration and uses of the HPF and established grant programs and incentives to assist property owners in the rehabilitation and restoration of historic properties and new buildings of character; and

WHEREAS, by Resolution No. 4, Series 2014, and Resolution No. 21, Series 2016, the City Council established a revolving loan program within the HPF to encourage landmark designations and rehabilitation of historic properties in the City of Louisville; and

WHEREAS, by Resolution No. 17, Series 2019, the City Council combined all previously adopted incentives into a single resolution and increased certain incentives; and

WHEREAS, by Resolution No. 25, Series 2025, the amounts available for Historic Structure Assessment (HSA) grants were increased from $4,000 to $7,500 for residential properties and from $9,000 to $10,000 for commercial properties; and

WHEREAS, a core value of the City's Comprehensive Plan is promotion and preservation of the City's history and cultural heritage, particularly the City's mining and agricultural past; and

WHEREAS, increasing incentives for historic preservations will promote and strengthen another core value of the City's Comprehensive Plan, which is to promote unique commercial areas and distinctive neighborhoods, recognizing the diversity of commercial areas and neighborhoods by establishing customized policy and tools to ensure that each maintains its individual character, economic vitality, and livable structures; and

WHEREAS, the City Council desires to increase the maximum amounts of certain Historic Preservation incentives to best serve the City's core values, as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Historic Preservation Fund.

There exists a Historic Preservation Fund ("HPF") in the City of Louisville, as established by Ordinance 1544, 2008 and amended by Ordinance 1743, 2017.

a. The HPF shall be funded by:

   i. Proceeds from the 1/8% sales tax established by 2008 Louisville Ballot Issue 2A and Ordinance 1544, Series 2008 and extended by Louisville Ballot Issue 2F and Ordinance 1743, Series 2017;

   ii. Proceeds from the allocation of 1/8% use tax for historic preservation, as established by Louisville Ballot Issue 2D and Ordinance 1575, Series 2010;

   iii. Private and public donations, bequests, grants and funding from other sources made to the City for historic preservation purposes;

   iv. Interfund loans from the City of Louisville; if approved by ordinance; and

   v. Earnings on such amounts as may be deposited in the HPF.

b. The City of Louisville Historic Preservation Commission (the “Commission”) shall make recommendations regarding expenditures from the HPF, but final action shall be taken by City Council by resolution, provided that after January 1, 2019, any expenditure of funds outside historic Old Town Louisville is approved by the affirmative vote of not less than five members of the entire City Council. The HPF should be managed to achieve maximum preservation of historic structures and the character of historic Louisville.

c. The Commission shall annually submit to the City Council an annual workplan and may supplement, modify, or update this document throughout the year as necessary.

d. As further detailed in the Sections below, the uses of the HPF shall be consistent with the following funds or purposes:

i. Administrative Funds;

ii. Contingency/Emergency Reserve Funds;

iii. Sales and Use Tax Proceeds to Support the Operations and Maintenance of the Louisville Museum Campus;

iv. Acquisitions Funds; and

v. Incentives for Historic Preservation, to Preserve Character, and for New Construction, including grants and loans.

<u>Section 2.</u> Administrative Funds.

Administrative Funds shall be used for purposes consistent with the establishment of the HPF, and shall include, but not be limited to:

a. Historical building surveys, other site surveys or reconnaissance-level or intensive-level historic and architectural surveys;

b. Staff to support the Commission and City activities in administering programs funded by the tax, including, but not limited to, interns, preservation planners, staff to conduct research for demolition review functions by the Commission and to assist vendors in conducting historic preservation surveys, and other support staff;

c. Plaques or other designations to honor structures that are landmarked or add to the character of historic Louisville;

d. Public outreach and education efforts; and

e. Funding of public-private partnerships for preservation of buildings of historic significance.

Section 3. **Contingency/Emergency Reserve Funds.**

On an annual basis twenty-five percent (25%) of the previous year's 1/8% sales tax revenue shall be set as the Contingency/Emergency Reserve. These funds shall be accessed only for incentives or acquisitions that become necessary due to exigent circumstances, upon the recommendation of the Commission and approval of City Council. "Exigent circumstances" for purposes of this section shall mean that the Commission has determined, with concurrence of City Council, that without urgent action, significant damage will be done to the historic fabric or character of Louisville.

Section 4. **Operation and Maintenance for the Louisville Museum Campus.**

Each year no more than twenty percent (20%) of the net annual City fiscal year proceeds of the one-eighth percent sales and use tax for historic preservation shall be transferred from the HPF to the City's General Fund to be used for the operation and maintenance of the Louisville Museum Campus.

Section 5. **Acquisitions Funds.**

Use of Acquisition funds of the HPF shall include, but not be limited to:

a. The purchase of historic properties or properties which contribute to the historic character of Louisville. These properties, if eligible, shall be landmarked pursuant to Chapter 15.36 of the Louisville Municipal Code and if not eligible, shall have a conservation easement placed upon them to preserve the outside appearance of the structure or other historical attributes of the structure or site. Prior to the purchase of any property, the City Council shall consider the financial risk, but the City Council may base its approval on considerations other than financial. The City may perform any restoration or rehabilitation work necessary on properties the City acquires, subject to availability of funds therefore, and may then sell the properties unless retained for a municipal purpose. A conservation easement for historic preservation purposes may be placed on the property prior to or in connection with any sale. Any loss and any costs resulting from the acquisition, rehabilitation and sale of the property shall be charged to the HPF, while any profits shall be deposited to the HPF; and

b. The purchase of conservation easements to protect the appearance of structures that contribute to the character of historic Louisville. Easements funded by the City may be held solely by the City or jointly with another governmental entity or a third-party non-profit preservation organization.

Section 6. **Grant program to conduct Historic Structure Assessments (HSAs) of eligible structures.**

Prior to any structure being declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code or the establishment of a conservation easement, or approval of grants for preserving, restoring, rehabilitating, or protecting a landmark property, the property will undergo a historic structure assessment (HSA) to develop a preservation plan to establish priorities for the maintenance of the property.

a. At a regular meeting, the Commission shall review the building history, application, and other relevant information to determine whether there is probable cause to believe the building may be eligible for landmarking under the criteria in § 15.36.050 of the Louisville Municipal Code. If probable cause is not found by the Commission, an HSA grant will not be issued. If probable cause is found by the Commission, the owner of the property shall be eligible for a Historic Structure Assessment (HSA) grant in an amount up to $7,500 for residential properties and $10,000 for commercial properties. Such grants shall be used solely to offset a portion or all of the cost of conducting the HSA. A finding of probable cause is solely for purposes of action on the HSA grant request and does not guarantee any outcome at subsequent hearings by the Commission or City Council.

b. The maximum grant amounts may be increased up to $10,000 for residential properties and $15,000 for commercial properties upon a demonstration by the applicant that the additional grant amount is needed due to extraordinary circumstances relating to building size, condition, architectural details, or other unique conditions compared to similar Louisville properties.

c. All grants are approved subject to the City's HSA process. The HSA shall be conducted by qualified consultants that are approved by the City prior to commencing the assessment. The primary consultant must be an architect licensed in the State of Colorado, and unless waived by the Historic Preservation Commission for good cause, a structural engineer licensed in the State of Colorado must contribute to all pertinent parts of the assessment. Qualified consultants in other specialty areas, such as mechanical and electrical systems, should be utilized as needed for a thorough and complete assessment. The primary consultant must have significant experience in the field of historic preservation and must be familiar with and able to apply The Secretary of the Interior's Standards for the Treatment of Historic Properties.

d. The City shall establish minimum standards and scopes of work for assessments and make such available to the consultants prior to commencing the assessment. The City shall be provided with a copy of any completed assessment for which grant funds are awarded and verify that the assessment meets the established standards and follows the scope of work prior to providing reimbursement of the grant funds awarded.

e. An exception to the requirement for an HSA prior to landmarking or the establishment of a conservation easement may be granted by the Commission for good cause.

Section 7. Qualifying Work for Grant and Loan Programs.

Grants and loans may be approved for any of the following categories of work; however, grant funds may not be used for interior improvements other than for protection, stabilization, or code-required work.

a. **Preservation** is the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property as they now exist. Approved work focuses upon the repair of exterior historic materials and features rather than extensive replacement and new construction.

b. **Rehabilitation** is the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. Rehabilitation acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate.

c. **Restoration** is the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time. Approved work focuses on exterior work and includes the removal of features from other periods in its history and reconstruction of missing features from the restoration period.

d. **Maintenance** is the act or process of maintaining or preserving the form, features, and characters of a property as existing at the time of the work to maintain its historic character and condition. Approved work is limited to exterior work.

Section 8. Grants for preserving, restoring, rehabilitating, or protecting landmarked property.

a. For a period of 36 months from when a property is declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code or from the establishment of a conservation easement, the owner of the property may be eligible for a grant from the HPF in the amount set forth in Table 1 for residential structures and Table 2 for commercial structures.

b. The landmarking bonus is an unmatched incentive grant. Owners of a landmarked property will be eligible for this grant following the signing of the landmark and grant agreements. Except for applicants whose household income is at or below 120% Area Median Income ("AMI"), as calculated by the United States Department of Housing and Urban Development ("HUD") ("Income Qualified Applicants") who have applied for grant funds to perform maintenance, the remaining grants shall be conditioned based on the applicant matching at least one hundred percent (100%) of the amount of the grant with expenditures or an equivalent value of approved in-kind services for approved work based on the completed HSA and deemed eligible for a grant from the HPF. Income Qualified Applicants will not be required to provide matching funds or approved in-kind services for maintenance work. Eligible work will fall under the preservation, rehabilitation, or restoration, and maintenance for Income Qualified Applicants, categories as described above.

d. Applicants must complete the work covered by any grants and submit their reimbursement requests within 60 months of the landmark declaration or the establishment of a conservation easement. Upon a showing of good cause, the above timeline may be extended with approval of a subcommittee consisting of a designated staff person and two randomly selected members of the Commission. If the request for timeline extension is not approved unanimously, the request shall be forwarded to the full Commission for consideration at a public meeting.

Table 1: Residential Grant Amounts	
Type	**Amount**
Residential Landmark Incentive	$7,700
Tier 1	
Residential (Matching)	$63,000
Additional Structural Funds (Matching)	$20,000
New Construction (Matching)	$23,000
(Tier 1 Subtotal)	*$106,000*
Tier 2	
Extraordinary Circumstances (Maximum Amount; Matching)	$22,300
(Tier 1 + Tier 2 Subtotal)	*$128,300*
Tier 3	
Exceptional Circumstances (Matching)	No limit if criteria met
Total Grant Funds Available Per Residential Property*	**$136,000+**

* Total includes landmark incentive

+ Plus unlimited exceptional circumstances matching grant under Tier 3

+Total excludes HSA grant.

Table 2: Commercial Grant Amounts	
Type	**Amount**
Commercial Landmark Incentive	$77,000
Tier 1	
Commercial (Matching)	$232,000
New Commercial Construction (Matching)	$111,000
(Tier 1 Subtotal)	*$343,000*
Tier 2	
Extraordinary Circumstances (Maximum Amount; Matching)	$80,000
(Tier 1 + Tier 2 Subtotal)	*$423,000*
Tier 3	
Exceptional Circumstances (Matching)	No limit if criteria met
Total Grant Funds Available Per Commercial Property*	**$500,000+**
OR	
Conservation Easement	**$77,000**

* Total includes landmark incentive
\+ Plus unlimited exceptional circumstances matching grant under Tier 3
\+ Total excludes HSA grant.

e. For purposes of Table 1 and Table 2, "extraordinary circumstances" shall mean additional grant funds are appropriate to:

i. Preserve, restore, and rehabilitate the integrity of historic architectural features and materials of the exterior of the buildings, including but not limited to historic windows, doors, siding, and other historic features that, without the additional grant funds, would be replaced by new materials; or

ii. Pay for vital structural work and building code compliance-related work that exceed Tier 1 grant amounts, if identified in an approved HSA.

f. For purposes of Table 1 and Table 2, “exceptional circumstances” must meet all of the following criteria:

i. Demonstrate exceptional architectural style or social history contributing to the historic fabric of Louisville; and

ii. Demonstrate exceptional uniqueness in the City; and

iii. Demonstrate that, without the additional grant funds, the project is not financially viable; and

iv. Demonstrate a gap in funding for the project to be financially feasible.

iv. HPF funds are available, after taking into consideration other priorities and obligations (including encumbered funds).

<u>Section 9.</u> Residential new construction grants.

Owners of landmarked property or property with an established conservation easement on which additions to existing residential structures are proposed are eligible for matching grants as set forth in Section 8, Table 1 for new residential construction that, beyond mandatory requirements, substantially limits mass, scale, and number of stories, preserves setbacks in a manner that protects the historic integrity of the property and its environment by differentiating new work from the old. Qualifying new construction must maintain the existing height of the historic structure over the first 1/3 of the overall structure and have a floor area ratio (FAR) 10% below what is allowed by zoning.

<u>Section 10</u>. Residential Structural Grant.

Residential properties that require extensive stabilization work that exceeds Tier 1 funding amounts as set forth in Section 8, Table 1 may apply for additional funds for structural work. The condition warranting additional funds must be detailed/justified in an approved Historic Structure Assessment (HSA). Eligibility is for the historic home only and not foundation or stabilization work for new construction.

<u>Section 11.</u> Commercial new construction grants.

Owners of landmarked property or property with an established conservation easement on which new commercial structures or additions to existing commercial structures are proposed are eligible for grants as set forth in Section 8, Table 2 for new commercial construction that, beyond mandatory requirements, substantially limits mass, scale, and number of stories, preserves setbacks in a manner that, a protects the historic integrity of the property and its environment by differentiating new work from the old. Qualifying new construction must limit building height to two stories and have a floor area ratio (FAR) 20% below what is allowed by zoning.

<u>Section 12.</u> Time limits and procedures.

a. To be considered for incentives funding, the owner must complete an application and submit it to the Community Development Department, together with sufficient building plans, if appropriate. Applications may be submitted at any time. Applications shall initially be reviewed by City staff, followed by a recommendation to the Commission. The Commission shall make a recommendation to City Council for final action. Any recommendation by the Commission may be to grant some, all, or none of the requested incentives. If the Commission recommendation is to grant the requested incentives in whole or part, it shall also forward recommendations regarding the terms of an agreement which must be met for receipt of the incentives. All recommendations are subject to approval, rejection and/or modification by City Council, and City Council may return recommendations for further information or review. All incentives are subject to budgetary requirements and considerations, including review of amounts currently and foreseeably available in the HPF and appropriation in the discretion of City Council. Applications for incentive and grant funds must be received by the Community Development Department within 36 months of the date a property is declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code or the establishment of a conservation easement. Following the second anniversary of landmarking or establishment of a conservation easement, if no application has been filed for incentive and grant funds for the property, City staff shall provide a courtesy notice to the owner reminding them of the upcoming deadline for filing such applications.

b. Reimbursement requests for completed work approved for grant funding must be received within 60 months of a property being declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code or the establishment of a conservation easement.

c. Upon a showing of good cause, the above timeline for work not started or completed may be extended with approval of a subcommittee of the Historic Preservation Commission consisting of a designated staff person and two randomly selected members of the Commission. If the request for timeline extension is not approved unanimously, the request will be forwarded to the full Commission for consideration at a public meeting.

d. Any time extensions due to extraordinary circumstances that exceed the 36-month cap for grant applications or the 60-month cap for reimbursement requests may require an update to the existing HSA described in Section 7 if the necessary work has changed in that time period or if the applicants are proposing work not identified in the HSA. If deemed necessary, this update will be completed at the expense of the applicant.

e. Owners of properties landmarked prior to enactment of this resolution shall have access to the grant funds available through the resolutions in effect at the time of landmarking approval. Such owners may also apply for additional grants through the extraordinary circumstances process described above.

f. The Commission will review all complete grant applications and make recommendations to the City Council for approval or disapproval. The City Council may approve, deny, or return a proposal to the Commission for further information.

g. Grants may be given in installments upon the satisfactory completion of portions of the project, or given in total upon the satisfactory completion of the project. Conditions for the satisfactory completion of the project shall be given when the grant is awarded. Grants may be revoked if the conditions are not met. Grants given prior to the beginning of a project may be given only in suitable situations, as recommended by the Commission and approved by City Council, including approval by not less than five members of City Council for grants outside Old Town Louisville.

h. An applicant may request that the value of stabilization, restoration or preservation work completed on the structure prior to landmarking be considered as a credit against the matching requirement of this Section. Credit for such previously completed work is at the discretion of the City Council. Credit may only be considered under the following circumstances:

i. Only work completed within five years prior to the effective date of landmarking may be considered for potential credit against the matching requirement.

ii. The work previously performed was for stabilization, restoration, or preservation of the historic structure. No landscaping or site work may be considered for potential credit against the matching requirement. No interior work, except for structural work, sensitive upgrading of mechanical, electrical, and plumbing systems, and other code-required work to make the property functional, may be considered for potential credit against the matching requirement.

iii. Consideration for credit against the matching requirement may only be given to costs of previously completed work which is documented by paid receipts or invoices. The applicant shall provide the City with complete copies of all such receipts or invoices together with proof of payment, and shall also provide any available supporting documentation upon City request. The request for consideration of previously completed work shall also be accompanied by applicant's written certification that the work for which credit is requested was completed and the costs thereof were incurred and paid, and that the information in such request is true and accurate to the best of applicant's knowledge and belief. The value of in- kind services completed by the applicant shall not be considered.

iv. The amount of credit given for any previously completed work shall be determined by the City Council with input from the Commission, considering such factors as the nature, extent and useful life of the work, the time it was completed, the appreciated or depreciated value of the work, and such other factors as determined relevant.

<u>Section 13.</u> Incentive grants to encourage conservation easements on properties which contribute to the character, historical or architectural merit in Downtown Louisville and which are not eligible to be landmarked.

a. For a period of 18 months from when a property is designated by the City Council as a structure of merit, the owner of the property shall be eligible for a grant from the HPF as set forth in Section 8, Table 2. These grants are available for:

i. Preserving, rehabilitating, restoring or protecting the property.

ii. Offsetting costs of preserving the structural merit of a building that is being expanded pursuant to Sections 17.16.280 and 17.28.050 of the Louisville Municipal Code.

iii.

b. Grant funding may only be expended for the activities listed in this section for those portions of a property designated to be a structure of merit.

<u>Section 14.</u> Loans from the Revolving Loan Program.

a. The historic preservation revolving loan program shall be used to provide low-interest loans for the purposes of preservation, restoration, rehabilitation and protection of properties that are landmarked pursuant to Chapter 15.36 of the Louisville Municipal Code or subject to a conservation easement to preserve the character of historic Louisville. All loans shall be funded solely from those funds held within the HPF for such purposes, and all loans shall be expressly contingent upon the availability of funds. Additionally, low-interest loans may be provided to Income Qualified Applicants for the purpose of maintaining a landmarked home.

b. The City Manager is authorized to issue requests for proposals and enter into contracts for entities to administer the loans from this program.

c. The City Manager is authorized to adopt written rules for the administration of the loan program, the provisions of which shall be consistent with Ballot Issues 2A, 2D and 2F and City ordinances and resolutions implementing the Ballot Issues.

d. Complete loan request applications shall be submitted to the Community Development Department and shall be reviewed by the Commission at a public meeting. The Commission shall provide its recommendation on the application before final action is taken by City Council. Final action on loans awarded to property outside historic Old Town Louisville shall be approved by at least five Council Members.

e. Loan requests applications may be submitted and considered in conjunction with grants from the HPF, respecting the grant limitations established herein. The Commission may recommend a mixture of loans and grants from the HPF even if the applicant requested only one type of assistance, and also may recommend one type of assistance where a mixture is requested. City Council may also decide to approve any one or a mixture of loans and grants regardless of the number or types of assistance requested in the request application. A mixture of loans and grants awarded to property outside historic Old Town Louisville shall be approved by not less than five Council Members.

f. Loans shall be at least $2,500. There is no specific loan limit, but the Commission and City Council shall consider the following in setting a loan amount:

g. HPF funds are available, after taking into consideration other priorities and obligations (including encumbered funds).

h. The necessity of the work to be performed for the preservation or rehabilitation of the structure, or maintenance of the structure for those income-qualified applicants, and how the proposed work fits into the approved HSA recommendations;

i. The availability of other funding sources.

j. Interest rates shall be equal to 2% below the Wall Street Journal Prime Rate as reported on the date of city acceptance of a complete application, not to go below 1%. Any fees for loan processing shall also be established at the time of the award. The loan repayment schedule shall also be established at the time of the award; provided, however, that all loans shall include a due-on-sale clause providing that any outstanding balance on the loan shall be paid in full upon sale or transfer of the property.

k. In connection with the processing of loan requests, the City may require such information as is reasonably necessary to determine the state of title to and encumbrances upon the subject property, the creditworthiness of the proposed borrower(s), and other matters relevant to loan award and repayment criteria. The City or loan program administrator may require applicants provide written consents to obtain such information.

l. Receipt of any loans, grants or other incentives shall require that the structure be landmarked pursuant to Chapter 15.36 of the Louisville Municipal Code, or if not eligible for landmarking, that the owner grant the City a conservation easement to preserve the outside appearance of the structure or other historic attributes of the structure or site.

m. Loan funds may not be used for interior improvements other than for protection, stabilization, or code-required work.

<u>Section 15.</u> Repeal and Reenactment; Effective Date. Resolution No. 17, Series 2019 and Resolution No. 24, Series 2025 are hereby repealed.

PASSED AND ADOPTED this 16th day of December 2025.

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Christopher M. Leh, Mayor

ATTEST:

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Genny Kline, City Clerk