

**RESOLUTION NO. 2
SERIES 2012**

A RESOLUTION ESTABLISHING ADDITIONAL INCENTIVES FROM THE HISTORIC PRESERVATION FUND TO ENCOURAGE HISTORIC LANDMARK DESIGNATIONS AND NEW BUILDINGS OF CHARACTER FOR RESIDENTIAL AND COMMERCIAL PROPERTIES IN THE CITY OF LOUISVILLE AND TO FACILITATE THE ASSESSMENT OF PROTECTED STRUCTURES

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

WHEREAS, the Louisville 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 contribution to the unique character of the City; and

WHEREAS, at the November 4, 2008 election, the voters approved a ballot issue to levy one-eighth of one percent (1/8%) sales tax for purposes of historic preservation purposes within Historic Old Town Louisville; and,

WHEREAS, City council by Ordinance No. 1544, Series 2008, imposed the tax approved by the voters and established the Historic Preservation Fund; and

WHEREAS, the City Council by Resolution No. 20, Series 2009, created provisions related to the administration and uses of the Historic Preservation Fund; and

WHEREAS, Resolution No. 20, Series 2009, authorized the creation of a grant program to assist property owners in the rehabilitation and restoration of historic properties and new buildings of character;

WHEREAS, Resolution No. 20, Series 2010, authorized the creation of incentives to assist property owners in the rehabilitation and restoration of historic properties;

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

In order to further facilitate and enhance the implementation of Resolution 20, Series 2009, and Resolution No. 20, Series 2010 the following provisions shall be enacted:

Section 1. Incentive program to encourage owners of historic structures and buildings of character to seek designations as landmarks or structures of merit:

- a. An incentive of \$10,000 shall be awarded to commercial property owners whose properties are declared landmarks pursuant to Chapter 15.36 of the Louisville Municipal Code, with the intended protections for landmarks pursuant to that chapter.
- b. An incentive of \$10,000 shall be awarded to commercial property owners whose properties are designated a Structure of Merit and who grant a conservation easement approved by the Louisville City Council. A property subject to a conservation easement is also subject to requirements for alteration certificates.
- c. While property owners are encouraged to enhance and preserve the historic character of their property, incentives made under this section have no conditions other than landmark status or designation as a structure of merit.

Section 2. Grant program to conduct structural assessments of protected structures:

- a. Any structure that is declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code, or which is declared a Structure of Merit by the Historic Preservation Commission, shall undergo a building assessment to develop a preservation plan to establish priorities for the maintenance of the property.
- b. For a period of 18 months from when a property is declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code, or declared a Structure of Merit by the Historic Preservation Commission, the owner of the property shall be eligible for a grant from the Historic Preservation Fund in the amount of up to \$900 for residential properties or up to \$6,000 for commercial properties. Such grants shall be used solely to offset a portion or all of the cost of conducting a building assessment as described in this Section.
- c. The assessment shall be conducted by a qualified consultant under contract with the City, or by a qualified consultant of the owner's choosing.

- d. An exception to the requirement for a building assessment may be granted by the Historic Preservation Commission for good cause.

Section 3. Flexible grants for preserving, restoring, rehabilitating, or protecting landmarked property:

- a. For a period of 18 months from when a property is declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code the owner of the property shall be eligible for a grant from the Historic Preservation Fund in the amount of up to \$5,000 for residential structures and up to \$65,000 for commercial structures. These grants are available for the following purposes:
 - i. Preservation and restoration: These projects include measures directed towards sustaining the existing form, integrity, and materials of a historic property, including preliminary measures to protect and stabilize the property. Up to 10% of a grant may be used for one-time actions considered routine maintenance. Routine maintenance includes painting, refinishing and exterior cleaning.
 - ii. Rehabilitation: These projects include measures directed toward adapting a property to make efficient contemporary use of it while sensitively preserving the features of the property, which are significant to its historical, architectural, and cultural values. Sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make the property functional is appropriate within a rehabilitation project. This category also includes the restoration of a property to a specific, significant point in its history.
 - iii. Pre-development: These projects include assessments of past and present historical features of a property for the purpose of properly and adequately documenting these characteristics. This includes assessing the physical condition of any existing historic features. Grants for this purpose will be available to individuals desiring to do restoration and renovation projects.
- b. Grant funding may only be expended for the activities listed in this section for landmarked portions of a property.

Section 4. 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 Historic Preservation Fund in the amount of up to \$50,000. 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 Section 17.16.280 and 17.28.050 of the Louisville Municipal Code.
- 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.

Section 5. Focused preservation and/or restoration grants with matching funding requirements:

- a. In addition to being eligible for the grants listed elsewhere in this Resolution, a property declared a landmark pursuant to Chapter 15.36 of the Louisville Municipal Code is eligible for a grant from the Historic Preservation Fund in the amount of up to \$100,000 for commercial structures and up to \$15,000 for residential structures activities described in this Section, or a series of grants totaling \$100,000 for commercial structures and up to \$15,000 for residential structures.
- b. In addition to being eligible for the grants listed elsewhere in this Resolution, a property designated by the City Council as a structure of merit is eligible for a grant from the Historic Preservation Fund in the amount of up to \$75,000 for commercial structures activities described in this Section.
- c. Grants specified in this section may only be used for preservation and/or restoration projects: These projects include measures directed towards sustaining the existing form, integrity, and materials of a historic property. None of the funding awarded pursuant to this section may be used for any actions considered routine maintenance. Routine maintenance includes painting, refinishing and exterior cleaning.
- d. All grants authorized under this Section shall be conditioned 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 that are integral to the project that is deemed eligible for a grant from the Historic Preservation Fund.

Section 6. New construction grants:

Owners of property on which new commercial structures or additions to existing commercial structures are proposed are eligible for grants of up to \$75,000 total from the Historic Preservation Fund in order to limit mass, scale, and number of stories; to preserve setbacks, to preserve pedestrian walkways between buildings; and to utilize materials typical of historic buildings, above mandatory requirements.

Section 7. Maximum grant amounts and procedures:

- a. The maximum combined amount of incentive and grant funding from the Historic Preservation Fund that any property may receive is limited to the following:
 - i. \$21,900 per property for a landmark residential structure
 - ii. \$181,000 per property for a landmark commercial structure
 - iii. \$141,000 per property for a designated commercial structure of merit
 - iv. \$75,000 for any new commercial construction project that limits the mass, scale, and number of stories; preserves setbacks, preserves pedestrian walkways between buildings; and utilizes materials typical of historic buildings, above mandatory requirements.
- b. These limitations may be exceeded upon recommendation of the Historic Preservation Commission and approval by City Council upon a showing of extraordinary circumstances. Any grant exceeding the above limitations shall be conditioned 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 that are integral to the project that is deemed eligible for a grant from the Historic Preservation Fund.
- c. The Historic Preservation Commission will review all 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 HPC for further information.

- d. 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 HPC and approved by City Council.
- e. In addition to the procedures outlined herein, the administration of grants shall be in compliance with all applicable procedures in Resolution No. 20, Series 2009.

PASSED AND ADOPTED this 3RD day of January 2012.



Nancy Varra
Nancy Varra, City Clerk

Robert P. Muckle
Robert P. Muckle, Mayor