

Certified Local Government Historic Preservation Commission Ordinance Comparison August 2014

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Alamosa

- Historic Preservation Advisory Committee
- Meets once per quarter with special meetings as needed
- 5 members; 2 members with professional qualifications; not more than 1 member may be a member of the planning commission

Landmark Nomination

- Nomination by Property Owner(s), HPA Committee, or any interested citizen
- After a nomination for designation is filed, there is no stay of any alterations until final determination
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required
- 75% owner consent required for historic district designation
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- No minimum maintenance requirements
- No Demolition by Neglect clause

- Enforcement and penalties: none

Alteration and construction review process

- Currently, HPAC reviews all applications
- Mandatory design review with mandatory compliance
- Paint color not reviewed

STC application review

- Alamosa does not review STC applications locally

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Aspen

- Historic Preservation Commission
- Meets twice per month
- 7 members (1 alternate) (These individuals may not serve on HPC: members of the city council, the mayor, city employees, or any appointed city official)

Landmark Nomination

- Nomination by Property Owner(s), Historic Preservation Commission, or City Council
- After a nomination for designation is filed, there is no stay of any alterations until final determination
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Non-consensual designation permitted for Victorian properties; owner consent required for Aspen Modern properties
- Economic incentives: zero interest rehabilitation loan fund; conservation easement program; dimensional variances; increased density; lot split; waiver of fees; conditional uses; exemption from growth management system; technical assistance; reduction in off street parking requirements; TDR program for residential properties; square footage bonus up to 500 square feet. Additional incentives may be developed for Aspen Modern properties
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Maintenance requirements (“...*exterior features of designated building...shall be preserved against decay and deterioration and kept free from structural defects.*”)
- Demolition by Neglect clause
- Enforcement and penalties: If owner fails to make repairs, city may make repairs and correct deficiencies that create hazardous and unsafe conditions to life, health, and property. Expense of work is a lien on property

Alteration and construction review process

- Administrative review for demolition, partial demolition, and relocation
- Alterations to properties eligible to be designated are subject to a 90-day negotiation period.
- Items not reviewed: interior remodeling, paint color selections, exterior repainting or replastering similar to existing finish or routine maintenance such as caulking, repair of window glazing or other such minimally intrusive work
- Mandatory design review with mandatory compliance
- Demolition and relocation criteria

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Maintenance requirements
- Economic hardship criteria
- **STC application review**
- STC applications reviewed at staff level. STC applications are not reviewed by HPC

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Aurora

- Historic Preservation Commission
- Meets once each month
- 11 members, 5 members with professional qualifications
- Adopted Rules of Procedure

Landmark Nomination

- Nomination by Owner(s), or any one HPC member or City Council member
- After a nomination for designation is filed, there is no stay of alterations until final determination
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required
- National Register listed properties automatically become local Landmarks

Maintenance

- Maintenance requirements (*...maintained so as to prevent deterioration of all features...*)
- No Demolition by Neglect clause
- Enforcement and penalties: only if in violation of the building code.

Alteration and construction review process

- Administrative review for minor alterations, (i.e. maintenance, construction where visible elements are replaced with identical materials; change to one element; new construction on a non-visible portion of property)
- Historic Preservation Commission review for new structures, significant additions or deletions; removal; modification; addition of signs; demolition
- Items not reviewed: routine maintenance and repainting are specifically exempted from review.
- Mandatory design review with mandatory compliance
- Sign ordinance

STC application review

- STC applications are reviewed by Historic Preservation Commission

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Berthoud

- Historic Preservation Advisory Committee
- Typically meets once each month. Preservation ordinance states six times annually, at the minimum.

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- 7 members; 3 may reside outside town limits within Berthoud Fire District boundaries or have substantial ties to the community

Landmark Nomination

- Nomination by Owner(s), HP Commission, Board of Trustees, or any Citizen
- After a nomination for designation is filed, there is no stay of any alterations until final determination
- Fees: a \$25 fee is customarily charged for a nomination application

Landmark designation

- Non-consensual designated permitted
- Final designation authority with HPC
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Maintenance requirements (*...not permitted to deteriorate to a degree that negatively impacts visual or structural properties; ...surrounding environment be kept in good repair.*)
- Enforcement and penalties: none

Alteration and construction review process

- Historic Preservation Advisory Committee shall adopt criteria for review
- Mandatory design review with mandatory compliance
- Economic hardship criteria

STC application review

- STC applications are reviewed by Historic Preservation Commission

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Black Hawk

- Historic Preservation Commission
- Meets at least quarterly
- 5 members, 2 with professional qualifications

Landmark Nomination

- Nomination by Owner(s)
- After a nomination for designation is filed, there is no stay of any alterations until final determination
- Fees:

Landmark designation

- 100% owner consent required for individual landmarks and for historic districts
- National and State Register listed properties do not automatically become local landmarks

Maintenance

- No minimum maintenance requirements

Alteration and construction review process

- Historic Preservation Commission reviews alterations requiring a building permit
- Mandatory design review with mandatory compliance

STC application review

- State Tax Credit applications are reviewed by

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Boulder

- Landmarks Board
- Landmarks Board meets once each month
- Design Review Committee meets every week (comprised of 2 Board members and 1 staff member); all new construction is reviewed by full Board
- 5 members, 2 members with design professional qualifications plus 1 non-voting Planning Board member ex-officio

Landmark Nomination

- Nomination by Owner(s), City Council, City of Boulder Landmarks Preservation Advisory Board, Any organization with a recognized interest in historic preservation
- Demolition criteria and stay of demolition permit up to 180 days for all non-landmarked properties over 50 years of age (staff review for properties built after 1940)
- Fees: For an individual landmark, the fee is \$25. For an historic district designation, the fee is \$75. If the LPAB initiates designation of a property or area, there is no fee involved.

Landmark designation

- Non-consensual designation permitted
- Economic and other incentives: sales tax waiver on materials used for an approved rehabilitation; relief from some zoning requirements including setbacks, lot coverages, FAR, solar ordinance if to the benefit of the designated property; equivalent energy efficiency credit through Greenpoints and Energy Smart programs for rehabilitation and weather sealing of historic doors and windows as for new doors and windows; permit fee waiver for costs associated with materials used in exterior rehabilitation; exemption from residential growth management system
- National and State Register listed properties do not automatically become local Landmarks
- Structures of Merit

Maintenance

- Maintenance requirements (*no owner...shall fail to prevent significant deterioration of the exterior of the structure or special feature beyond the condition of the structure on the effective date of the designating ordinance...*)
- Enforcement and penalties: general penalty; except for unlawful demolition whose penalty is not more than \$5000, 90 days in jail, or both

Alteration and construction review process

- City Manager: reviews common alterations including re-roofing, paint colors, restoration of existing historic features, landscaping, rear or side yard fences less than 5'-0" high and have a minimum of 1" spacing between pickets
- City Manager and two members of Landmarks Board: review of all alterations to buildings or special features
- Landmarks Preservation Advisory Board in public hearing: reviews new construction, removal, demolition of landmark structures, or structures within a historic district.
- Criteria for staff approval of certain alterations without Board review
- Mandatory design review with mandatory compliance

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Adopted Administrative Rules and Regulations regarding significance criteria, design guidelines, review of artwork, signage, notice, paint schemes and color, landscaping, naming of landmarks, expiration of alteration certificates
- Sign ordinance
- Height ordinance

STC application review

- STC applications are reviewed by the Design Review Committee

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Boulder County

- Historic Preservation Advisory Board
- Meets once each month
- 8 members, 1 member must be knowledgeable in mining practices and mining history; 1 member must be knowledgeable in agricultural practices and agricultural history; 1 member must be involved in the historic preservation community; and 1 member must not be involved in the historic preservation community

Landmark Nomination

- Nomination by Owner(s), Historic Preservation Advisory Board, Board of County Commissioners
- Stay of issuance of permit if building is landmarkable for up to 180 days
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required (67% owner consent required for a historic district)
- Economic Incentives: rehabilitation grant fund for local landmarks; flexibility regarding permitted uses not otherwise permitted by zoning
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Maintenance requirements: Occasionally included as a condition of designation, in cases where maintenance is a concern
- Demolition by Neglect: Occasionally included as a condition of designation, in cases where maintenance is a concern
- Enforcement and penalties: Through court process

Alteration and construction review process

- Historic Preservation Advisory Board does not review if Application Review Subcommittee *unanimously* agrees on the following:
 - Structure does not qualify for historic landmark designation; or
 - The structure...would be eligible...but the proposed alteration would not have an adverse impact on the historic significance.
- Historic Preservation Advisory Board reviews any construction, alteration, demolition, or removal requiring a building permit from Boulder County Land Use Department that affects the exterior appearance or structural stability of the landmark. HPAB also reviews any construction, alteration, demolition, or removal affecting an exterior architectural feature as defined in the Resolution of Approval for the designation.
- Mandatory design review with mandatory compliance

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Design review for all building permit applications, not merely for landmarks, for buildings over 50 years of age; stay of issuance of permit if building is landmarkable for up to 180 days
- Economic hardship criteria

STC application review

- Historic Preservation Advisory Board offers to review STC applications. In the last two years, however, HPAB has not reviewed any STC applications.

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Breckenridge

- Planning Commission
- Meets once each month
- 7 members

Landmark Nomination

- For Landmark and Landmark site: Nomination by Town Council, with owner consent
- For Historic District and Cultural Landscape District: Town Council, with 51% owner consent
- After a nomination for designation is filed, there is a stay of alterations until final determination
- Fees: According to the Development Code, a landmarking application is a Class A permit, which costs \$3,660. However, most landmarking applications come in under other development review for historic structures under a Class B permit, which is \$525. Breckenridge is planning to change the Development code to reduce the fee for landmarking in an effort to encourage historic property owners to apply.

Landmark designation

- Owner consent required for individual designations
- National and State Register listed properties do not automatically become local Landmarks
- Recognition of Merit

Maintenance

- Property stabilization required. (“...preserve from...neglect any landmark whose stabilization is necessary to prevent the landmark’s deterioration...”)
- Enforcement and penalties: Altering a landmark without an approved development permit results in a one-year moratorium on building and development permits for subject property. Moving or demolition of a landmark results in up to a 5-year moratorium on building permits for the subject property.

Alteration and construction review process

- Reviews all alterations in the Conservation District, which includes a Historic District with 7 character areas
- Staff review and approval for painting and maintenance changes
- Paint color is reviewed
- Mandatory design review with mandatory compliance
- Demolition criteria

STC application review

- Breckenridge does not review STC applications locally

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Brighton

- Historic Preservation Commission
- Meets once each month
- 7 members, plus 2 alternates

Landmark Nomination

- Nomination by City Council, Historic Preservation Commission or 51 % of property owners of an individual landmark or a historic district
- Demolition delay may be imposed of up to 60 days for properties 50 years old or older
- Fees: There is no fee for filing a landmark designation application.

Maintenance

- Maintenance requirements
- Duty to Maintain clause in ordinance
- *“No owner, lessee, occupant or person in possession . . . shall act in a way as to cause deterioration, or act in a way as to fail to prevent the deterioration . . . “*
- Enforcement and penalties: Permanent or temporary injunction; general penalties of municipal apply.

Alteration and construction review process

- Mandatory design review with mandatory compliance
- A CA is required for any exterior work other than maintenance or repair of a property.
- All CAs are reviewed by the Historic Preservation Commission.
- Applicant review includes as applicable, *“legal description, vicinity map, letter of application and justification, site development plan, landscape plan, architectural elevations including specifications of the textures, materials, architectural details and design, and such other data required by the Historic Preservation Commission.”*
- Relocation and demolition criteria
- Demolition and relocation review of non-designated properties over 50 years old: 0 day stay may increase to 30 days by subcommittee that may increase to 60 days by Historic Preservation Commission
- Economic hardship criteria

STC application review

- Brighton reviews STC applications locally; review is undertaken by the Historic Preservation Commission

Broomfield

- Historic Landmark Board
- Meets at least quarterly, unless applications or other requests for action are pending
- 7 members, 1 alternate

Landmark Nomination

- Nomination by and advisory board, City Council, or Property Owner(s)

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- After a nomination for designation is filed, there is no stay of any alterations until final determination
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Maintenance requirements. (*...“It shall be unlawful for owners of historic landmarks to allow:*
 - *The deterioration of exterior walls or other vertical supports*
 - *The deterioration of roofs of other horizontal members*
 - *The deterioration of external chimneys*
 - *The deterioration or crumbling of exterior plasters, mortars, brick, stone or wood siding*
 - *The ineffective waterproofing of exterior walls, roof, and foundation, including windows and doors*
 - *The peeling of paint, rotting, holes and other forms of decay*
 - *The lack of maintenance of surrounding environment, e.g., fences, gates, sidewalks, steps, signs, accessory structures and landscaping that produce a detrimental effect on a historic landmark.*
 - *The deterioration of any feature so as to create or permit ...unsafe conditions...”*)
- Enforcement and penalties: subject to fines provided in Broomfield Municipal Code

Alteration and construction review process

- Mandatory design review with mandatory compliance
- A CA is required for any exterior work other than maintenance and repair on a property
- All CA applications are reviewed by Historic Landmark Board
- CA application review includes “...*such information as is required by the board...*” It may include plans and specifications showing the proposed exterior appearance, including color, texture of materials and architectural design and detail, and drawings and photographs. The applicant shall file with his/her application the names and addresses of abutting property owners, including properties across the street from the property
- Demolition and relocation criteria
- Economic hardship criteria

STC application review

- State Tax Credit applications are reviewed by a combination of Historic Landmark Board and staff review

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Carbondale

- Historic Preservation Commission
- Meets monthly
- 7 members, 40% with professional qualifications; non-resident owners of property in Historic Commercial Core are eligible for appointment; 2 planning and zoning commission members shall be appointed and if possible 1 representative of the Mt. Sopris Historical Society

Landmark Nomination

- Nomination by property owner, Historic Preservation Commission, Board of Trustees, or an organization with a recognized interest in historic preservation

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- After a nomination is filed, there is a no of building permits until final determination
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- *“No owner, lessee, or occupant of any landmark shall fail to prevent significant deterioration of the exterior of the structure or special feature beyond the condition of the structure on the effective date of the designating ordinance . . .”* The Town shall assist the property owner in how to repair and care for the property.
- Enforcement and penalties: Violations of the ordinance are subject to the violation, conviction and punishment provisions of the Municipal Code. Injunction, abatement or other appropriate action may apply including a stop work order.

Alteration and construction process

- Mandatory design review with mandatory compliance
- Hardship criteria
- Within 10 days of receiving an application for an alteration certificate, a subcommittee consisting of 1 community development staff member and 2 Historic Preservation Commission members meets to determine if the proposal would have a significant impact. If it does not the alteration certificate is issued. If the subcommittee believes that it does the application is submitted to the full Historic Preservation Commission for determination within 45 days.
- For building permits with the Historic Downtown Area, the Historic Preservation Commissions comments upon the proposals within 30 days. For demolition proposals with the Historic Downtown Area, the Historic Preservation Commission may impose a 14 day stay of demolition.
- Secretary of the Interior’s Standards for Rehabilitation are included in the ordinance.

STC application review

- Carbondale does not locally review state tax credit applications.

Castle Rock

- Historic Preservation Board
- Meets in regular intervals at least four times per year
- 7 members, 3 members with professional qualifications; may live in Douglas County; 3 members from Craig and Gould neighborhood
- Adopted by-laws

Landmark Nomination

- Nomination by Owner(s)
- After a nomination for designation is filed, no building permits are issued for constructing, altering, removing or demolishing a proposed landmark property while designation proceedings are pending.
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required for individual designations
- Economic Incentives: Rebate of city portion of property tax for landmarked sites; design assistance; rehab grants

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Economic hardship criteria for landmark alteration certificates
- National and State Register listed properties do not automatically become local Landmarks
- Procedures for designation and design review in Craig and Gould neighborhood as a historic district; 51% owner consent required for designation. No other historic districts are permitted.

Maintenance

- Maintenance requirements. (*"...prevent significant deterioration of the exterior of the structure or special feature beyond the condition of the structure on the effective date of the designating ordinance..."*)
- Enforcement and penalties: For moving altering, demolishing a landmark or structure with pending application for landmark: fine of up to \$1000 and/or one year of imprisonment. Additionally, for moving or demolishing landmark or structure with a pending application for landmark: restrict issuance of building permits on site for up to 5 years.

Alteration and construction review process

- Administrative review and approval for minor alterations.
- Color changes are not reviewed unless the color is specially called out in the designation of a structure.
- Mandatory design review with mandatory compliance
- HPB has binding design review for all properties within the historic residential core that may be appealed to town council..
- Economic hardship criteria for landmark alteration certificates
- Preservation Plan

STC application review

- State Tax Credits are first reviewed by Staff and a recommendation is given to the Board for formal action

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Central City

- Historic Preservation Commission
- Meets once each month
- 7 members (paid a nominal monthly compensation)

Landmark Nomination

- Not Applicable

Landmark designation

- Non-consensual designation permitted
- Economic incentives: grant program for residential and commercial properties
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Maintenance requirements
- Duty to Maintain clause in ordinance
- Demolition by Neglect: Demolition by neglect not allowed. (*"...No owner...shall allow, cause or permit the structure to suffer or experience demolition by neglect."*)

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Enforcement and penalties: For demolition, removal, or relocation: punished in municipal court by a fine up to estimated cost of repair, restoration and relocation of the structure to the originating site, or the cost of replacement of the structure at its originating site. For demolition by neglect: a corrective notice is issued by city. If required work is not commenced or completed within the specified time, city may proceed to abate the violation; cost thereof is a lien on property

Alteration and construction review process

- Mandatory design review with mandatory compliance
- Certificate of Appropriateness is required for everything, except: repainting the same color, minor repairs not affecting exterior appearance, normal maintenance, interior work if the building does not qualify for designation as a historic mining or Victorian Landmark, pruning or removing dead landscape materials
- Staff review of Simple Exterior Changes that are not structural
- Demolition and relocation criteria
- Sign ordinance

STC application review

- Black Hawk does not review state tax credit projects locally

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Colorado Springs

- Historic Preservation Board
- The full Board meets once every other month. Special meetings are called when needed; generally there are 1-2 special meetings per year. A committee (Minor Work Committee) meets twice per month to review applications for Reports of Acceptability and Tax Credit applications
- 7 members
- Adopted by-laws

Landmark Nomination

- Nomination by Owner(s), Historic Preservation Board
- After a nomination for designation is filed, no building permits are issued for alteration, relocation, demolition, or new construction on a site or structure under consideration for Historic Preservation Overlay zoning without a review for a Report of Acceptability
- Fees: If the item is initiated by the Historic Preservation Board, there is no fee. If initiated by a property owner/manager, a zone change fee is currently \$1,350.00

Landmark designation

- Non-consensual designation permitted
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- No minimum maintenance requirements
- No Demolition by Neglect clause
- Enforcement and penalties: City Planning Commission, or City Council upon appeal, may order restoration of the building to its appearance or setting before the violation. If owner fails to comply, Manager or Development Services may direct restoration through private contact. Cost and expenses for restoration are a lien on property

Alteration and construction review process

- Major work is reviewed by HPB (7 members, Quorum of 4 members required with simple majority vote). Major work is work that alters distinctive features
- Minor work is reviewed by Minor Work Committee (3 members of HPB). Minor work is of a nature that does not erode the authenticity of or destroy and distinctive exterior feature of the structure
- Mandatory design review with mandatory compliance for National Register-listed properties and voluntary compliance for non-National Register-listed properties
- HPB makes recommendations regarding setback, parking, and height variance requests
- Reviews zoning designations and building permits for designated properties--building, demolition, relocation, and sign
- Economic hardship criteria (including non-economic hardship for religious, charitable, and non-profit entities)
- Preservation Plan

STC application review

- Staff prepares the applications for review. Consideration and issuance of preliminary / final approvals are performed by the subcommittee

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Cortez

- Historic Preservation Board
- The Board meets once per month.
- 7 members; 3 at large members with the remainder from the Montezuma County Historical Society, Cortez Cultural Center, Planning & Zoning, and Chamber of Commerce. At large Members do not have to live in the city. 40% of all members must have CLG professional expertise.

Landmark Nomination

- Nomination by the Board or any citizen
- Owner must consent to nomination of individual landmark. 70% required for historic districts.
- Fees: There is a \$75 fee for filing a landmark designation application that may be waived.

Landmark designation

- Consent of all owners of record is required.
- Economic incentives: None
- National and State Register listed properties do not automatically become local landmarks.
- Revocation of designation if alterations adversely affect features necessary for designation

Maintenance

- No maintenance requirements

Alteration and construction review process

- Mandatory design review with voluntary compliance

STC application review

- Cortez does not review state tax credit projects locally.

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Crested Butte

- Board of Zoning and Architectural Review
- Design Review Committee meets twice per month (comprised of Board and staff members)
- 7 members

Landmark Nomination

- Not Applicable

Landmark designation

- Not Applicable

Maintenance

- No minimum maintenance requirements
- Enforcement and penalties, but only for remedying dangerous conditions: (*Building inspector "...shall have the authority to order and direct...construction, alteration, reconstruction, moving, remodeling, repair, restoration, demolition, or any other necessary action...for the purpose of remedying conditions determined to be immediately dangerous to life, health, or property."*)

Alteration and construction review process

- BOZAR reviews (both architecturally and historically) any building permit for erection, moving, demolition, reconstruction, restoration, improvement, alteration
- New construction is reviewed for excessive similarity to any structure within 250 feet of the proposed site, or excessive dissimilarity or inappropriateness
- Mandatory design review with mandatory compliance
- Reviews alterations in entire town; municipal boundaries comprise the Historic Overlay District
- Demolition criteria
- Colors are reviewed in an advisory capacity

STC application review

- State Tax Credit applications are reviewed by BOZAR

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Cripple Creek

- Historic Preservation Commission
- The Commission meets twice per month unless there is no business. Special meetings may be called.
- 7 members

Landmark Nomination

- Not Applicable

Landmark designation

- Non-consensual designation permitted
- Economic Incentives: Residential grant program with option of City to landmark, requiring exterior alteration review, for up to 5 years
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Maintenance requirements (*"...All landmarks and contributing structures...shall be preserved against decay and deterioration by being free from the following structural defects: deteriorated foundation; deteriorated or defective floor supports; vertical supports which lean, list, or buckle; fireplaces which list, bulge, or settle; lack of weather protection..."*)
- Enforcement and penalties: denial or revocation of business and/or gaming license. For demolition violation: no building permit issued for a period of at least 10 years, other than permits required to correct the violation; fine of no more than \$300; imprisonment of no more than 90 days

Alteration and construction review process

- Staff has a great deal of latitude to approve changes, but these approvals are used conservatively. More significant changes are approved by staff if they follow precedent decisions by the Commission. Most signs, awnings, colors, and the like are approved by staff. We find this provides leverage, as the applicants can get it done faster and without public discussion
- Certificate of Appropriateness required for: any exterior alteration requiring a building permit; removal/replacement of architectural detailing (i.e. spindles, moldings); roof addition/deck; alteration of accessory structures; window or door replacement; installation of antenna/satellite dish/solar collector; masonry pointing, sandblasting, chemical cleaning; alteration of fencing, walls, paving, grading
- Certificate of Appropriateness application must include an indication of type and color of all exterior materials, including samples of the materials and paint samples
- Mandatory design review with mandatory compliance
- Demolition and relocation criteria
- Preservation Plan
- Economic hardship criteria

STC application review

- Tax credit applications are handled by staff because they are almost always associated with grants from the City Historic Fund. If the work is in accordance with the grant scope it is approved

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Denver

- Landmarks Preservation Commission
- The Landmarks Preservation Commission meets twice per month
- 9 members, 2 members from nominees submitted by Denver AIA; 2 members from nominees submitted by History Colorado; 2 members from nominees of Chair of Planning Board; 2 members appointed directly by the mayor; 1 member from nominees of Colorado Chapter of American Society of Landscape Architects. All members are appointed by the mayor.

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Lower Downtown Denver Review Board (LDDRB) meets the first Thursday of every month regarding requests in the Lower Downtown Historic District (LODO).
 - Reviews all demolition and design review applications for the historic district
 - 7 members nominated by the city council member representing the district, the Denver AIA, Historic Denver, Inc., History Colorado, the National Trust for Historic Preservation, or registered neighborhood organization
- Adopted by-laws for both LPB and LDDRB

Landmark Nomination

- Any person may initiate designation nomination
- Demolition delay during designation proceedings
- Fees: Unless the application was initiated by the city, a fee is charged for a landmark designation application:
 - The fee for a structure is \$250
 - The fee for a district (1 – 100 structures): \$500
 - The fee for a district (101-200 structures): \$750
 - The fee for a district (201-300 structures): \$1000
 - The fee for a district (301+ structures): \$1500

Landmark designation

- Non-consensual designation permitted
- Economic incentives: eligibility for transferable development rights in business zones, eligibility for expanded uses in certain residential zones, rebate of city portion of property tax for landmarks in Downtown Denver Historic District, parking exceptions
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Minimum maintenance requirements (“...structures shall be preserved against decay and deterioration and kept free from structural defects”)
- Enforcement and penalties: Landmark Preservation Commission or Lower Downtown Design Review Board may order structure returned to its prior condition; or reconstructed, if demolished

Alteration and construction review process

- Mandatory design review with mandatory compliance
- Certificate of Appropriateness (COA) required for all exterior work requiring a building or zoning permit
- Administrative review of applications which clearly meet the guidelines
- If the structure proposed for demolition is a non-contributing ancillary structure or out-building, the staff may approve the application for demolition or forward the application for demolition to the LPC. The LPC may approve or disapprove without a public hearing an application for demolition if the structure to be demolished is non-contributing to the district. The LPC shall hold a public hearing on all applications for demolition of a contributing building to a district or an individually designated structure. A replacement structure must be approved prior to demolition approval.
- Economic hardship criteria

STC application review

- State Tax Credits are reviewed by Preservation Commission

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Durango

- Historic Preservation Board
- Meets at least once each a month
- 7 members, 3 members with professional qualifications

Landmark Nomination

- Nomination by Historic Preservation Board or any person
- After a nomination for designation is filed, no building permits are approved (construction, alteration, removal, demolition of structure or feature) while proceedings are pending
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- 51% of property owners required to designate a district
- Greater significance required to designate a structure without owner consent
- National and State Register listed properties do not automatically become local Landmarks
- Structures of Merit

Maintenance

- Maintenance requirements. (*"...No owner...shall fail to prevent significant deterioration of the exterior of the structure or special feature beyond the condition of the structure on the effective date of the designating ordinance."*)
- Demolition by Neglect:
- Enforcement and penalties: For alteration without a landmark alteration certificate: one-year moratorium on all building permits for property. For moving / demolition without a landmark alteration certificate: five-year moratorium on all building permits for structure and for property at the structure's original location

Alteration and construction review process

- Landmark alteration certificate required for: new construction, alteration, removal, or demolition of a building or feature. Landmark alteration certificate applications include (without limitation): plans, specifications, exterior appearance (texture, materials, architectural design and detail), and names and addresses of abutting property owners
- Mandatory design review with mandatory compliance
- Advisory review for alterations to buildings within downtown National Register Historic District; however, if property owner applies for a state tax credit, Historic Preservation Board has overall review
- Demolition and relocation criteria
- Economic hardship criteria
- Review of planned developments
- Cultural resource surveys required on major development with potential historic sites
- Preservation Plan

STC application review

- Tax Credits are reviewed and approved by the Historic Preservation Board, staff prepares a staff report and typically makes a recommendation

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Erie

- Historic Preservation Advisory Board
- 7 members
- Meets once per month

Landmark Nomination

- All owners must nominate
- There is not a stay of alterations pending designation
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- All owners must consent to designation
- Economic incentives: waiver of building fees; matching funds for street-scaping
- National and State Register listed properties do not automatically become local landmarks

Maintenance

- Maintenance requirements (*“No owner, lessee, or occupant . . . shall fail to prevent significant deterioration of the exterior of the structure or physical feature beyond the condition . . . on the effective date of designation.”*)
- Demolition by neglect (*“. . . after consideration of all facts and circumstances, that [an applicant] is unable to obtain a reasonable return on his investment.”*)
- Enforcement and penalties: Punishable as provided in Title I, Chapter 4.

Alteration and construction review process

- Mandatory review and mandatory compliance for new construction, alteration, removal or demolition
- Relocation and demolition criteria

STC application

- Erie does not review STC projects locally

Fort Collins

- Landmark Preservation Commission
- Meets twice per month
- 7 members

Landmark Nomination

- Nomination by Landmark Preservation Commission, Owner(s) of property, or any person
- There is a stay of building permits (alteration, construction, relocation, demolition) after Landmark Preservation Commission directs staff to investigate the landmark designation
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Non-consensual designation permitted
- Economic incentives: exemption from wood shingle re-roofing requirement; local interest-free loan program; design assistance program

- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Maintenance requirements. (*“Keep in good repair...all structural elements...which if not maintained...would have a detrimental effect upon the historic character...”*)
- Demolition by Neglect: A demolition by neglect clause is not specifically mentioned.
- Enforcement and penalties: Landmark Preservation Commission may request that the Director of Building and Zoning require correction of defects or repairs

Alteration and construction review process

- Review includes all work requiring a building permit as well as any work not requiring a building permit, including alteration of color
- Administrative sign review
- Administrative design review for applications for approval of color; awning recoverings; changes that do not remove, cover, alter, destroy and significant historic material; changes to plans previously approved by Landmark Preservation Commission
- Mandatory design review with mandatory compliance
- Design criteria for development projects including or located near historic buildings regardless of if they are designated
- Demolition or relocation permit review for all structures, not merely landmarks, over 50 years of age
- Voluntary design review for eligible properties and properties near eligible properties.
- Preservation Plan

STC application review

- All STC applications go to the Landmark Preservation Commission for review

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Fort Lupton

- Historic Preservation Board
- Meets once each month
- 7 members, 3 members with professional qualifications, 3 members may live outside city limits

Landmark Nomination

- Nomination by Historic Preservation Board, Owner(s), or any person
- Between the date of hearing by HPB until final disposition, no building permits (alteration, construction, relocation, demolition) are issued for buildings under consideration
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Non-consensual designation permitted
- National and State Register listed properties automatically become local Landmarks

Maintenance

- No minimum maintenance requirements
- Demolition by Neglect: A demolition by neglect clause is not specifically mentioned.
- Enforcement and penalties: none

Alteration and construction review process

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Mandatory design review with mandatory compliance
- Demolition and building permit review and comment on all historic properties in the city
- Preservation Plan

STC application review

- State Tax Credit applications are reviewed by a combination of Board and Staff review

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Georgetown

- Design Review Commission
- Meets twice per month
- 7 members, 4 of which must own real property within the town

Landmark Nomination

- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Not applicable

Maintenance

- Maintenance requirements. (*"...All structures and ground shall be kept in good repair." "Good repair" is defined as "not only meets minimum standards of health and safety, but which also guarantees continued attractiveness, continued structural soundness, and continued usefulness."*)
- Enforcement and penalties: each separate offense up to \$500 fine and / or imprisonment up to 90 days in jail

Alteration and construction review process

- Certificate of appropriateness required for: erection, moving, demolition, alteration, addition, and external restoration / reconstruction. External restoration / reconstruction includes: driveways, parking areas, patios, sidewalks, walkways, fences, and walls. External restoration / reconstruction excludes: live vegetation, man-made landscaping less than 15" high above grade, yard art, or signs.
- All changes, major and minor, are reviewed by Design Review Commission, except for pre-approved lists
- Mandatory design review with mandatory compliance
- DRC reviews all alteration or demolition applications in the town
- DRC is advisory to planning commission on plans, zoning applications, and other real property matters
- Preservation Plan

STC application review

- State Tax Credit applications are reviewed by the full Design Review Commission

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Gilpin County

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Historic Preservation Advisory Commission
- Meets at regular meetings the third Thursday of every quarter
- Five members plus 1 alternate; 40% must have professional expertise; 3 members may live outside the county

Landmark Nomination

- Nomination by Owner(s)
- After a nomination for designation is filed, there is a stay of issuance of building permits up to 120 days for either landmarked buildings or buildings eligible for designation under local, state, or federal laws.
- Fee: A fee of \$50 is charged for a nomination application

Landmark designation

- Can initiate local designation if building or structure is eligible for national, state or local designation
- Non-consensual designation permitted
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- No minimum maintenance requirements.
- No Demolition by Neglect clause
- Enforcement and penalties: violation of ordinance are a Class 2 petty offense, and, upon conviction, punished by a fine not more than \$1000

Alteration and construction review process

- HPAC reviews demolition and alteration permits for all buildings and structures, not merely landmarks, built prior to 1950; demolition may be stayed for up to 120 days
- Administrative review for minor changes
- Permits which are exempted from review: alterations that do not effect exterior structure, reroofing, electrical, plumbing, or mechanical upgrades

STC application review

- Gilpin County does not review STC applications locally

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Glenwood Springs

- Historic Preservation Commission
- Meets once each month
- 7 members plus a City Council liaison

Landmark Nomination

- Nomination by Historic Preservation Commission, City Council, Property Owner(s), or any organization with a recognized interest in historic preservation.
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Non-consensual designation permitted
- National and State Register listed properties do not automatically become local Landmarks
- Structures of Merit

Maintenance

- Maintenance requirements. (“...No owner...of any landmark shall fail to prevent significant deterioration of the exterior of the structure...beyond the condition of the structure on the effective date of the designating ordinance.”)
- Enforcement and penalties: No building permits (construct, alter, remove, demolish) issued while proceeding pending; such a period of time not to exceed 60 days

Alteration and construction review process

- Committee of 1 staff person and 2 commissioners conducts preliminary review of alteration requests to determine if there is a significant impact
- Landmark alteration certificates for new construction, removal, and demolition reviewed by HPC
- Landmark alteration certificate applications require all information Community Development deems necessary, including without limitation: proposed exterior appearance (texture, materials, samples), architectural design and detail, names and addresses of the abutting property owners within 200 feet.
- Mandatory design review with mandatory compliance
- Relocation and demolition criteria
- Economic hardship criteria

STC application review

- Glenwood Springs does not review STC applications locally

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Golden

- Historic Preservation Board
- Meets once each month
- 7 members (1 alternate)

Landmark Nomination

- For a district: 50% (minimum) of landowners in a district subscribe to petition
- For a site: Landowner requests designation in writing
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required
- Economic incentives: local grant program
- National and State Register listed properties do not automatically become local Landmarks, but are deemed to qualify. However, City Council considers written and oral testimony of affected properties

Maintenance

- No minimum maintenance requirements
- Enforcement: Director of Community Development may serve a written order requiring correction of any violation
- Penalties: no stated penalties in HP ordinance

Alteration and construction review process

- Certificate of appropriateness required for alteration, demolition, new construction, reconstruction, restoration, remodeling...which results in a significant change in the external appearance.
- Certificate of appropriateness review application includes: site plan, working drawings, specifications, scale drawings, photographs, and/or other information as may be required
- Mandatory design review with mandatory compliance
- Preservation Plan

STC application review

- State Tax Credit applications are primarily reviewed by the Historic Preservation Board, with staff follow-up

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Greeley

- Historic Preservation Commission
- Meets twice per month
- 7 members; 1 must be a design professional, 1 must be a historian, and 1 must be a real estate broker; provision for alternates for conflict of interest situations

Landmark Nomination

- Nomination by Owner(s), City Planning Commission, Greeley Urban Renewal Authority, or Downtown Development Authority, or any preservation organization
- 2/3 majority vote required for owner applicant designations; 5 commission members must vote in favor of non-owner applicant designations.
- Non-owner designation nomination by organization with a recognized interest in historic preservation, planning commission, downtown development authority or urban renewal authority is permitted for properties of unusual significance; non-owner designations require vote of 5 historic preservation commission members
- For historic districts, 2 property owners must submit a petition signed by 20% of properties or 20 owners, whichever is fewer; more than 50% of property owners responding must vote to approve a district nomination
- All Commission decisions on non-owner and district nominations are recommendations to Council
- All Commission decisions on owner nominations final unless appealed to Council
- After a nomination for designation is filed, permits for alteration, remodeling exterior, new construction, relocation, or demolition are not issued for a period of 120 days.
- Nomination for designation may be on the basis of survey
- The property or structure may be nominated as part of the Commission's preservation plan
- Fees: The fee for a designation application for an individual property is \$50 and for districts is \$100

Landmark designation

- Economic incentives: refund of building permit fees;
- Low-interest loan program
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Maintenance requirements: (“...shall not permit a structure to deteriorate so badly as to produce a detrimental effect...” and ...shall reasonably maintain surrounding environment...”)
- Demolition by neglect: A demolition by neglect clause is not specifically mentioned in ordinance.
- Enforcement: City may issue a stop work order
- Penalties: (“...same as for violation of any other City ordinance...”)

Alteration and construction review process

- List of items required for review are not specifically listed in ordinance, but broadly stated. (“...to reconstruct, improve, demolish, or in any way significantly alter...must first submit...plan for review...”)
- Major and minor alterations are reviewed by HPC
- CA required for any alteration that requires a building permit
- Paint color is not reviewed
- Mandatory design review with mandatory compliance
- Demolition review for non-residential properties 50 years old or older
- Staff review of demolition permits for structures 40 years old or older
- Preservation Plan
- Demolition and relocation criteria
- Economic hardship criteria

STC application review

- State Tax Credit Reviews are done by staff and a small committee of two commission members. The Part 2 application is then reviewed by the full Commission for the final decision.

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Gunnison County

- Historic Preservation Commission
- Meets monthly
- 7 members, all members must have knowledge of local history and interest in historic preservation

Landmark Nomination

- Nomination by Owner(s), Historic Preservation Commission, Board of County Commissioners, or any citizen
- Owner consent required
- After a nomination for designation is filed, no permits are granted for new construction, alteration, removal, or demolition without review of Landmark Alteration Certificate by Historic Preservation Commission. Commission reviews Landmark Alteration Certificates and holds public hearing within 30 days after complete application is filed
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- National and State Register listed properties do not automatically become local Landmarks. Owners of State and National Register listed properties can submit an application to HPC. HPC to approve, modify, and approve, or disapprove the nomination

Maintenance

- Maintenance requirements. (“...owner of designated landmark make(s) reasonable efforts to maintain the landmark in at least its condition on the effective date of its designation without significant deterioration...”)
- Enforcement and penalties: Alteration without an approved landmark alteration certificate: one-year moratorium on all building permits for property. For moving or demolishing without and approved landmark alteration certificated: five-year moratorium on all building permits for structure and original property

Alteration and construction review process

- List of items for required at review are not specifically listed in ordinance, but broadly stated:
- Effect upon general and historic character
- Architectural style, arrangement, texture, and material used on existing / proposed
- Size of structure, setbacks, site, location
- Compatibility of accessory structures and fences with main structure
- “...during the local designation process, the County, Town, and owner...shall formulate a recommendation for specific standards and guidelines. Standards and guidelines adopted in addition to The Secretary of the Interior's Standards for Rehabilitation shall be the basis of decisions by HPC when reviewing Landmark Alteration Certificates...”
- Mandatory design review with mandatory compliance
- A Historic Preservation Commission meeting is required but not always a County Commissioner Board for simple changes.
- Paint color is not reviewed
- Demolition and relocation criteria
- Economic hardship criteria

STC application review

- State Tax Credit applications are reviewed by the Historic Preservation Commission and by the County Commissioner

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Idaho Springs

- Historic Preservation Review Commission
- Meets once each month
- 5 members

Landmark Nomination

- Nomination by Owner(s)
- After a nomination for designation is filed, there is a stay of alterations until final determination
- Fees: A fee of \$100 is charged for a nomination application

Landmark designation

- Non-consensual designation permitted
- City Council may—by ordinance—designate a site or district for preservation
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- No minimum maintenance requirements
- No Demolition by Neglect clause

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Enforcement and penalties: violations of ordinance are non-criminal offenses and are civil matters. Imprisonment not to exceed one year, fine not to exceed \$1,000, or both. A separate violation is deemed to occur on each day of violation of provision

Alteration and construction review process

- For contributing buildings, HPC reviews the following before approval of Certificate of Appropriateness:
 - Effect upon general character
 - Architectural style, arrangement, texture, material
 - Effects of proposed work
 - Compatibility of accessory structures
 - Substantial compliance with The Secretary of the Interior's Standards for Rehabilitation, *"...except for paint color, which shall not apply..."*
 - All changes, major and minor, are reviewed by Commission
 - Mandatory design review with mandatory compliance

STC application review

- STC applications are first reviewed by Staff, then reviewed by HPRC and returned to Staff

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Kiowa County

- Historic Preservation Advisory Commission
- Meets as required. (*"...at least one regularly scheduled meeting per year, and as often as necessary to take action on pending matters..."*) which currently is monthly
- 7 members

Landmark Nomination

- Nomination by Owner(s)
- For a site, 100% of Owners required
- After a nomination for designation is filed, there is not a formal stay of alterations, but the owner filing an application for designation shall, as part of the application, agree to notify the Board of the owner's intention to alter, demolish, move, or remove at least 30 days prior to undertaking work
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- No minimum maintenance requirements
- Enforcement and penalties: none

Alteration and construction review process

- Review includes "...all information that the Board determines is necessary to consider the application, including without limitation, plans and specifications showing proposed exterior appearance, with design, details, and materials
- Review criteria:

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Effect upon general historical and architectural character
- Style, arrangement, texture, material,
- Size of structure, setbacks, site location, appropriateness
- Compatibility of accessory structures and fences
- Effects of proposed work impacting exterior features of existing
- Condition of existing
- Effects of proposed work upon protection, enhancement, perpetuation and use of the property
- Mandatory design review with mandatory compliance
- If no significant impact or potential detriment to historical site, Board of County Commissioners issues certificate to applicant and notifies Historic Preservation Advisory Board of such issuance

STC application review

- Kiowa County does not review STC applications locally

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Lafayette

- Historical Preservation Advisory Board
- Meets once each month
- 7 members (plus 1 City Council member and 1 Planning Commissioner ex-officio)

Landmark Nomination

- Nomination by City Council, Historic Preservation Board, any citizen
- After a nomination for designation is filed, there is a stay of alterations until final determination. Permits for construction, alteration, removal, or demolition are not issued while proceedings pending on designation
- All demolition permits for any non-designated structure 50 years old or older are reviewed by HPB review team for possible significance. There is a 10-day stay to determine if the building is eligible. If eligible, there is a public hearing within 45 days. After public hearing, HPB may issue a stay on demolition not to exceed 90 days
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Stay of Nonconsensual designation permitted; "overwhelming historical significance" required for nonconsensual designations
- National and State Register listed properties automatically become local Landmarks
- Structures of Merit

Maintenance

- Maintenance requirements. (*"...no owner...shall fail to prevent significant deterioration of the structure...beyond condition...of the structure...on the effective date of the designating ordinance..."*)
- Enforcement and penalties: violations punished under section 1-10 of municipal code

Alteration and construction review process

- Review includes:
 - Compliance with The Secretary of the Interior's Standards for Rehabilitation.
 - Architectural style, arrangement, texture, and material
- Mandatory design review with mandatory compliance

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Committee of two commission members and one staff members reviews demolitions of properties 50 years old or older
- Demolition delay for 90 days
- Demolition and relocation criteria

STC application review

- Lafayette does not review STC applications locally

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Lake City

- Historic Preservation Review Committee comprised of the Town Board of Trustees
- Meets twice per month
- 7 members (of the Town Board) that hears appeals from a group comprised of Historic Preservation Officer, the Town's building official and the applicant

Landmark Nomination

- Nomination process not addressed in ordinance
- Stay of Alterations not addressed in ordinance
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- No minimum maintenance requirements
- In applying for a demolition permit within the Historic Preservation District, the owner must provide evidence of attempting to properly maintain structure
- Penalties: For convicted violations: \$300, and/or a jail sentence of up to 90 days, unless person is under 18 years of age
- Enforcement: No building permits issued to any structure or property in violation

Alteration and construction review process

- Mandatory design review with mandatory compliance
- If a building permit is needed, then the following items are reviewed: drawing, model, site plans, exterior materials, colors, finishes
- Historic Preservation Review Committee reviews building permits in Historical Preservation District
- Preliminary staff review of all applications. If the building inspector determines that no material change will result in the exterior appearance, a building permit may be processed by the building inspector
- Economic hardship criteria

STC application review

- Applications for State Tax Credits are jointly reviewed by the Board and Staff. Staff at the Colorado Historical Society is asked for comment as well.

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La Veta

- Historic Preservation Committee
- Meets monthly
- At least 5 members to include a property owner in the historic district; a member with knowledge of construction; and a member of the Board of Trustees
- Committee members do not have to live within municipal boundaries

Landmark Nomination

- Nomination by owner, resident of Town of la Veta, or Historic Preservation Committee
- Stay of alterations while nomination is pending
- Fees:

Landmark designation

- Nonconsensual designation is permitted
- Historic district listing contributing and non-contributing properties is created in the ordinance
- National and State Register properties do not automatically become local landmarks
- Structures of Merit

Maintenance

- Maintenance requirements (*“no owner , lessee or occupant . . . shall fail to prevent deterioration of the exterior of the structure or special feature beyond the condition . . . as exists on the effective date of the designating ordinance . . .”*)

Alteration and construction review process

- Mandatory design review with mandatory compliance; owner must give 30 days notice of intent to alter
- Applies to alterations requiring a building or other permit
- Demolition and relocation criteria

STC application review

- La Veta does not review state tax credit projects locally

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Leadville

- Historic Preservation Commission
- Meets twice each month
- 7 members

Landmark Nomination

- Properties listed on a historic inventory and on Harrison Avenue are designated in the preservation ordinance
- Nomination by the Historic Preservation Commission, City Council, or Owner
- There is no stay of alterations while a nomination is pending.
- Fees: There is a \$125 fee for filing a landmark designation application.

Landmark designation

- Owner consent required
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- No minimum maintenance requirements

Alteration and construction review process

- Mandatory design review with mandatory compliance

STC application review

- Leadville does not review state tax credit applications locally.

Littleton

- Historical Preservation Board
- Meets once each month
- 7 members

Landmark Nomination

- Nomination by Historical Preservation Board, City Council, or Owner(s)
- After a nomination for designation is filed, there is a 90-day stay of building permits issued for alteration or remodeling exterior, build, relocate, or razing
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Overwhelming historical importance required for nonconsensual designation
- Economic Incentives: Rebate of city portion of property tax; grant program for Main Street Historic District
- National and State Register listed properties do not automatically become local Landmarks
- Structures of Merit

Maintenance

- Maintenance requirements. It is unlawful for owners to allow:
 - Deterioration of exterior walls, roofs, chimneys, exterior siding, etc.
 - Ineffective waterproofing
 - Peeling paint, decay
 - Lack of maintenance of surrounding environment
- Enforcement and Penalties: For alteration without CA: One-year moratorium on building permits. For moving / demolishing / demolition by neglect: five-year moratorium on all building permits

Alteration and construction review process

- Mandatory design review with mandatory compliance: Building permits held for a 30-day review for Structures of Merit
- CA issued by HPB for:
 - Demolition
 - New construction
 - Addition / modification (includes exterior chimneys, doors, windows, handrails)
 - Swimming pools, HVAC units visible from public street
- CA issued by Community Development Director for:
 - Change in exterior of accessory structures
 - Change in roofing materials, shutters, satellite dishes, etc.
 - Patio decks and stoops less than 30" high visible from public street

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Swimming pools, HVAC units not visible from public street
- CA not required for:
 - Roof replacement with the same type and color of roofing
 - Painting previously painted surfaces
 - Demolition criteria
 - Economic hardship criteria

STC application review

- Tax credit applications are reviewed by the Historical Preservation Board

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Longmont

- Historic Preservation Commission
- Meets once each month
- 7 members (2 alternates)

Landmark Nomination

- Nomination by Historic Preservation Commission, Owner(s), City Council, local historic preservation organization
- After a nomination for designation is filed, there is no stay of any alterations until final determination. However, all permits for total demolition or moving of any structure 50 years of age or older are reviewed. If the structure could be eligible for designation, a stay of issuance of permit is extended for up to 90 days
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Designation without owner consent requires petition by 100 citizens, extraordinary significance, inability to move the building or structure, and would not result in an economic hardship to the owner
- District designation requires 25% to nominate and 51% to designate
- Economic incentives: waiver of certain building permit and plan review fees; waiver of city sales and use tax
- National and State Register listed properties do not automatically become local Landmarks
- Structures of Merit

Maintenance

- No minimum maintenance requirements
- Enforcement and Penalties: *"...In addition to enforcement actions available to the city under the Longmont municipal code, the city shall have the power to enforce compliance with the provisions of the chapter through injunctive and other appropriate equitable relief..."*

Alteration and construction review process

- Mandatory design review with mandatory compliance
- HPC reviews buildings for historic significance which are over 50 years of age in areas being considered for annexation
- Reviews demolition permits for all buildings, not merely landmarks, over 50 years of age within the city's original square mile plat; demolition can be stayed for up to 90 days
- CA is required for exterior construction, alteration or demolition.

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- CA applications require: application form, current color photograph, two sets of plans, samples, and product literature
- Staff review of alterations which are determined to have no significant impact
- Demolition and relocation criteria
- Economic hardship criteria

STC application review

- The Historic Preservation Commission reviews applications for the Tax Credit program. The process the HPC follows is identical to the COA process outlined in the ordinance

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Louisville

- Historic Preservation Commission
- Meets once each month
- 7 members - 3 with professional qualifications; 2 shall be residents or property owners in Old Town

Landmark Nomination

- Nomination by Historic Preservation Commission, Owner(s), City Council, an organization with a recognized interest in Historic Preservation
- After a nomination for designation is filed, there is a stay of any alterations until final determination: Building permits are not issued for pending application on proposed landmark sites or historic districts
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required for individual designations; for districts, 40% of owners must approve; if 40% object, district will not be designated
- Economic incentives: floor area ratio bonuses; \$1,000 landmarking incentive; up to \$5,000 grant program
- National and State Register listed properties do not automatically become local Landmarks. National and State Register listed properties “...shall be presumed to qualify for local designation...” but “...such presumption is rebuttable...”

Maintenance

- Maintenance requirements: (“...No owner or any landmark shall fail to undertake such repairs or maintenance as are necessary to prevent significant deterioration of the exterior..beyond the condition...on the effective date of the designating resolution...”)
- Enforcement and Penalties: In addition to municipal penalties, for moving, demolishing, or altering a designated structure without a landmark alteration certificate: five-year moratorium on all moving, demolition, or building permits for the owner, the structure, and the property at the structure’s original location

Alteration and construction review process

- Mandatory design review with mandatory compliance
- All landmark alteration certificates are reviewed by staff and two members of the commission.
- Landmark Alteration Certificate required for: any new construction, alteration, removal, or demolition.

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Landmark Alteration Certificate Review includes: plans, specifications, proposed exterior appearance (texture, materials, design, detail, and “...other information as necessary...”)
- Demolition review for buildings 50 years old or older
- Economic hardship, demolition and relocation criteria

STC application review

- Louisville does not review STC applications locally

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Loveland

- Historic Preservation Commission
- Meets once each month
- 7 members; 3 with professional requirements and 1 board member of Loveland Historical Society
- Design review committee of commission members and staff

Landmark Nomination

- Nomination by Historic Preservation Commission, City Council, Owner(s)
- After a nomination for designation is filed, there is a stay of any alterations until final determination: No permits (construct, alter, remove, demolish) issued while proceedings are pending on designation
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required for individual landmark nominations and for properties included in a historic district
- National and State Register listed properties do not automatically become local Landmarks
- Economic incentives: refund of building fees; zero-interest loan fund

Maintenance

- Maintenance requirements. (“...keep in good repair all structural elements...which...if not so maintained may cause or tend to cause exterior portions...to deteriorate, decay...or...have a detrimental effect upon the historic character...”)
- Enforcement and Penalties: For unauthorized alterations without an approved landmark alteration certificate: one-year moratorium on all building permits for the property. For unauthorized moving or demolition: five-year moratorium for structure and property

Alteration and construction review process

- Mandatory design review with mandatory compliance
- Preliminary review by staff and two designated members of the Historic Preservation Commission that may approve non-significant alterations
- Landmark alteration certificate required for any new construction, alteration, removal, or demolition.
- Landmark alteration certificate review criteria: design, material, finish, scale, mass, height, compliance with The Secretary of the Interior’s Standards for Rehabilitation.
- Demolition review for properties on the “Survey”
- Residential design guidelines adopted in ordinance.
- Demolition and relocation criteria
- Economic hardship criteria

STC application review

- Loveland does not review STC applications locally

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Manitou Springs

- Historic Preservation Commission
- Meets at least once each month “...unless there is no new business scheduled...”
- 7 members (up to 3 alternates); 3 members with professional qualifications
- Adopted Rules of Procedure

Landmark Nomination

- Nomination by Historic Preservation Commission, City Council, Owner(s), petition from any person, group, or organization
- After a nomination for designation is filed, there is a stay of any alterations until final determination: no permits are issued while nomination is pending
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Designates historic districts only
- Economic incentives: incentive award equal to 100% of city property tax increase; incentive award equal to 100% of use tax
- National and State Register listed properties do not automatically become local landmarks

Maintenance

- Maintenance requirements. (“...Prompt repair of any of the following: Facades which may fall and injure..., deteriorated foundation, walls, flooring, floor supports, waterproofing, windows, defective wall covering, lack of paint...”)
- Enforcement and Penalties: in addition to civil penalties, for demolition: no permits issued for property for 10 years. Restoration required: restore structure to its appearance prior to the violation

Alteration and construction review process

- Reviews alterations in the Manitou Springs Historic Preservation District
- HPC may adjust side setbacks and award height bonus
- Mandatory design review with mandatory compliance
- Material change of appearance includes:
 - Changes in exterior size, configuration, fenestration
 - Demolition or removal
 - Excavation of over 100 cubic yards of deposit of over 30 cubic yards
 - Alteration of any sign in Downtown Zone
- Any change of coloration of facades in the Downtown Zone
- Administrative review and approval of these types of applications:
- Ordinary maintenance and repair
- Installation of signs
- Additions / alteration to noncontributing resources
- Project of no significant impact which do not require Planning permission
- Construction of secondary structures not exceeding 120 square feet which do not require Planning permission
- Demolition criteria

- Economic hardship criteria

STC application review

- Staff and Commission joint review. Staff performs an evaluation and site visit, then reports to the Commission. Staff and entire Commission perform a site visit to certify the credits

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New Castle

- Historic Preservation Commission
- 5 members, with ex-officio members from the town council, planning commission, and historic society; 3 regular members must reside within town limits; 2 members must have professional expertise
- Meets monthly

Landmark Nomination

- Nomination by any citizen of the Town, Planning and Zoning Commission, or Town Council.
- Owner must consent in writing
- After a nomination for designation is filed, alterations are stayed until final determination
- Fees: None

Landmark designation

- Owner consent required
- Economic incentives: None
- National and State Register listed properties do not automatically become local landmarks

Maintenance

- No maintenance requirements

Alteration and construction review process

- Mandatory review with mandatory compliance
- Permit and Review Committee may provide design advice and recommendation to commission for approval or non-approval of proposed alteration within historic commercial and residential
- Enforcement and Penalties: \$300 fine or 90 days in jail or both for violation

STC application review

- New Castle does not review STC applications locally

Otero County

- Historic Preservation Advisory Board
- 7 members; member of board of county commissioners is ex-officio member
- Meets at least once per year

Landmark Nomination

- Nomination by 100% of owners
- After nomination for designation is filed, there is no stay of alterations until final determination.
- Fees: None

Landmark designation

- 100% owner consent required
- Economic incentives: None
- National and State Register listed properties do not automatically become local landmarks
- Owner may request revocation of designation based upon economic hardship of use

Maintenance

- No minimum maintenance requirements

Alteration and construction review process

- Mandatory design review with voluntary compliance
- Relocation and demolition criteria
- Complimentary review of land use and development applications
- Enforcement and penalties: None

STC application review

- Otero County does not review STC applications locally

Pagosa Springs

- Historic Preservation Board
- Meets once each month
- 5 members; 2 with professional qualifications

Landmark Nomination

- Nomination by Owner(s), Owner's representative, Any person may initiate designation nomination
- Owner consent required; 67% of property owners in a district must apply
- After a nomination for designation is filed, there is no stay of any alterations until final determination
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required; 67% for district
- Process for removing designated properties including districts
- Economic Incentives: Waiver of building fees
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Minimum maintenance requirements
- No Demolition by Neglect clause
- Enforcement and Penalties: fines provided in municipal code. In addition, for alterations without an approved CA: one-year moratorium on all building permits for property. For moving or demolishing without and approved CA: five-year moratorium on all moving, demolition, or building permits for the structure and for the property at the structure's original location

Alteration and construction review process

- Mandatory design review with mandatory compliance
- CA required for any construction, alteration, removal, or demolition
- All CA applications are reviewed by staff and forwarded to HPB.

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- CA review criteria is broadly stated (“...*proposed work would not detrimentally alter, destroy, or adversely affect...distinguishing original qualities...or distinctive features...*”)
- Paint color is reviewed
- Demolition and relocation criteria
- Economic hardship criteria

STC application review

- Staff recommendations to the Historic Preservation Board. Board had final review and approval

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Park County

- Historic Preservation Advisory Commission
- Meets once each month
- 7 members, 5 must be full-time residents or property owners in Park County

Landmark Nomination

- Nomination by Historic Preservation Commission, Owner(s)
- 51% owner consent required for both individual landmarks and districts; nominations may be made by an owner, non-profit preservation group or the county.
- After a nomination for designation is filed, there is a stay of any alterations until final determination: “...*no modifications, alteration, or demolition shall occur on the property without express written consent of the Commission and compliance with all applicable law and regulations...*”
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- 51% owner consent required for both individual landmarks and districts
- National and State Register listed properties do not automatically become local Landmarks
- Economic Incentives: local small grant program

Maintenance

- No minimum maintenance requirements
- Enforcement and Penalties: none, except Revocation of Designation

Alteration and construction review process

- Mandatory design review with voluntary compliance
- Reviews all discretionary proposals potentially impacting historic sites
- If a building permit is needed, the Commission will review alterations, removal, demolition applications “...*according to...standards which are based upon The Secretary of the Interior’s Standards for Rehabilitation...*”
- Relocation and demolition criteria

Alteration and construction review process

- Mandatory design review with mandatory compliance
- Demolition and economic hardship criteria

STC application review

- Tax Credit applications are first reviewed by staff and recommendations given to the advisory commission, which then makes its determination.

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Pueblo

- Historic Preservation Commission
- Meets once each month
- 7 members, 3 with professional qualifications

Landmark Nomination

- Nomination by Historic Preservation Commission, Council, Owner(s)
- After a nomination for designation is filed, there is no stay of any alterations until final determination: no demolition or building permits issued on pending applications.
- Fees: A fee of \$150 is charged for a nomination application

Landmark designation

- Nonconsensual designation permitted
- National and State Register listed properties automatically become local Landmarks

Maintenance

- Maintenance requirements. *"...shall be maintained to meet requirements of Title IV and Chapter 1 of Title VIII of this code..."* Building Official may require correction of defects
- Enforcement and Penalties: Violations: guilty of a Class 2 municipal offense and fine of not more than \$300 / day. Each day of violation constitutes a separate violation. Also, the City Attorney may file in District Court for an order to refrain or restore

Alteration and construction review process

- Mandatory design review with mandatory compliance
- Certificate of Appropriateness required for any building permit or *"...any alteration that would negatively impact the quality of the Landmark or Historic District..."*
- Certificate of Appropriateness application review includes: plans, drawings, elevations, photographs, models, specifications, material samples
- Full commission review for a Certificate of Appropriateness is required for major building alterations.
- Minor alterations (especially paint) require only an administrative review.
- Items deemed maintenance don't require a COA.
- The fee for a COA is currently \$150, although this may be split into tiers in the future: \$150 for commercial and \$75 for residential.
- Demolition criteria
- Economic hardship criteria

STC application review

- Pueblo does not review STC applications locally

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Saguache

- Historic Preservation Commission

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- 7 members; 3 with professional qualifications, 1 or 2 may be town trustees, 3 may live out of town.

Landmark Nomination

- By any owner, any citizen of Saguache, or commission member
- After nomination is filed, there is a stay of any alterations until final determination.
- Fees: \$25 with owner consent and \$50 without owner consent

Landmark designation

- Non-consensual designation permitted with finding of overwhelming historic importance to the community.
- National and State Register listed properties do not automatically become local landmarks.
- Commission charged with developing signage guidelines

Maintenance

- No minimum maintenance requirements
- Enforcement and penalties: \$300 or 90 days in jail or both

Alteration and construction review process

- Mandatory design review with mandatory compliance
- Exemption requires 2/3 majority vote of commission
- Unsafe or dangerous conditions exempted
- Relocation and demolition criteria

STC application review

- Saguache does not review STC applications locally

Salida

- Historic Preservation Commission
- Meets at least 4 times per year
- 5 members, 2 with professional expertise

Landmark Nomination

- Nomination by Historic Preservation Commission, Planning Commission, City Council, Owner(s), any resident of the city
- After a nomination for designation is filed, there is a stay of any alterations until final determination: no building permits, demolition permits, or other permits issued while designation is pending.
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Nonconsensual designation permitted; 51% of property owners in a proposed landmark district must not object to a historic district nomination
- Downtown historic district established in ordinance
- National and State Register listed properties do not automatically become local Landmarks. However, National or State designation is considered when landmark designation application is being reviewed

Maintenance

- City has adopted the International Property Maintenance Code and all multi-family and non-residential structures are subject to maintenance requirements.
- Demolition by neglect is prohibited
- Enforcement and Penalties: Violations: as set forth in code. Each day of violation constitutes a separate violation. Also: “...subject to injunction, abatement and / or other appropriate legal remedy...”

Alteration and construction review process

- Mandatory design review with mandatory compliance
- For minor activity, CA reviewed and issued by staff
- For substantial or major activity, Historic Preservation Commission provides advice to staff regarding CA application that must contain “...current and proposed materials, colors, and finishes...”
- CA not required for “...materials and elements identical in appearance....and/or repair does not substantially alter appearance...”

STC application review

- Salida does not review STC applications locally

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Steamboat Springs

- Historic Preservation Commission
- Meets “regularly”
- 5 members, 2 members with professional qualifications, and alternate; 2 members may live outside city boundaries but within r-E school district boundaries

Landmark Nomination

- Nomination by HPC with owner’s consent or by owner
- After a nomination for designation of a historic district is filed, there is a stay of any alterations until final determination
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required
- 100% owner consent required for historic districts
- Historic resource designations require one criterion; local landmark designations requires two additional criteria
- National and State Register listed properties do not automatically become local Landmarks
- Economic incentives for individual landmarks and contributing properties in a historic district: historic preservation fund, sales and use tax exemption for individually designated structures; land use variances; waiver of planning fees for tax credit projects; tap fee waiver

Maintenance

- Demolition by neglect prohibited
- Enforcement and Penalties: may include moratorium on development up to 5 years; reconstruction or repair; triple permit fees; stop work order; assessment of costs and attorney’s fees

Alteration and construction review process

- Reviews all building permits and demolition permits for designated or eligible buildings and structures.
- Mandatory compliance for designated buildings; voluntary compliance for eligible buildings. downtown commercial zones
- All applications for any building permit / demolition permit are first reviewed administratively. If the administration determines that the proposed project does not significantly alter the historic character, then approval may be recommended without HPC and public hearing. Administration notifies HPC of recommendation; if HPC objects, a public hearing is held.
- Economic hardship criteria

STC application review

- For state tax credit applications, there is a mixture of staff and commission review

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Telluride

- Historical and Architectural Review Commission
- Meets once each month
- 5 members (2 alternates), all members must have special knowledge or interest in historic preservation, building, or design

Landmark Nomination

- Nomination by Historical and Architectural Review Commission (if landmark is voted on by at least three HARC members), Owner(s)
- Fees: For Designation of a Landmark, Significant Landmark Interior, Challenge of Designation the base fee is \$600.00. However, the Planning Director shall have the discretion to reduce the required fee(s) if the amount of the fee seems inordinate for the scope and/or scale of the project.

Landmark designation

- Ability to locally designate and regulate significant landmark interiors
- Economic incentives: zoning relief by allowing reductions in dimensional limitations, fee waivers
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Maintenance requirements for rated structures to help prevent demolition by neglect
- Maintenance is required to prevent:
 - Structural defects / hazards (ie: footings , flooring...)
 - Defective weather protection (ie: lack of doors, windows, walls)
 - Fire hazards (ie: accumulation of rubbish)
- Enforcement: Planning director issues an order for corrective actions. Planning Director may proceed to abate the violation and charge costs thereof as alien against the property if not paid
- Penalties: for demolition, removal, relocation, or demolition by neglect: a fine of up to the estimated cost of repair, restoration, relocation, or replacement (whichever cost is greater), or imprisonment of up to 90 days, or both. Also: A 10-year moratorium on building permits

Alteration and construction review process

- Mandatory design review with mandatory compliance
- Alterations, new construction, additions, landscaping, and signs in the town are reviewed; the Historic Preservation Overlay District encompasses a vast majority of the Town boundary; the Telluride Historic Landmark District is a sub district of the Historic Preservation Overlay District. Most structures within the Landmark District are rated
- Review includes everything. While paint color is not specifically mentioned, “...*indication of the type of all exterior materials...*” is indicated
- Planning Director and Historic and Architectural Review Commission Chairperson review all applications (Large Scale Activities, Small Scale Activities, Minor Activities, Insubstantial Activities)
- Demolition and relocation review criteria for both rated and unrated structures

STC application review

- STC review is a combination of commission and staff review. Any alteration to a rated structure is subject to either a review by the commission chairman, or in most cases the full commission (known as the Historic and Architectural Review Commission). A staff member processes the paperwork for tax credits.

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Westminster

- Historic Landmark Board
- Meets at least quarterly
- 5 to 7 members, 2 alternates; 40% professionals

Landmark Nomination

- Nomination by Historic Landmark Board, City Council, Westminster Historical Society, Owner(s)
- After a nomination for designation is filed, there is no stay of any alterations until final determination
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Owner consent required
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- Maintenance requirements. It is unlawful for owners to allow:
 - deterioration of exterior walls, vertical supports, roofs, horizontal members, exterior chimneys, mortar, brick, stone, or wood siding
 - ineffective waterproofing
 - peeling paint, rotting, holes, decay
 - lack of maintenance in surrounding environment
- Enforcement and Penalties: fines provided in municipal code. For alterations without an approved CA: one-year moratorium on all building permits for property. For moving or demolishing without and approved CA: five-year moratorium on all building permits for structure and original location. The City Attorney may commence an action to enforce provisions

Alteration and construction review process

- Mandatory design review with mandatory compliance

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Relocation and demolition criteria
- Economic hardship criteria

STC application review

- Staff assists applicant with application; board reviews and decides whether to grant the application

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Windsor

- Historic Preservation Commission
- Meets once each month
- 5 members and 1 alternate, 3 with professional qualifications

Landmark Nomination

- Nomination by any member of the Historic Preservation Commission or by any citizen
- After a nomination for designation is filed, there is no stay of any alterations until final determination
- Fees: There is no fee for filing a landmark designation application

Landmark designation

- Non-consensual designation permitted; approval shall require $\frac{3}{4}$ majority vote of all members of Town Board
- National and State Register listed properties do not automatically become local Landmarks

Maintenance

- No minimum maintenance requirements
- No Demolition by Neglect clause
- Enforcement and Penalties: fines provided in municipal code. In addition, for alterations without an approved CA: one-year moratorium on all building permits for property. For moving or demolishing without and approved CA: five-year moratorium on all moving, demolition, or building permits for the structure and for the property at the structure's original location

Alteration and construction review process

- Mandatory design review with mandatory compliance
- The Historic Preservation Commission uses the following criteria in reviewing an alterations certificate:
 - General historical and architectural character
 - Architectural style, arrangement, texture and material
 - Size of the structure
 - Compatibility of accessory structures and fences
 - Effects of proposed work
 - Condition of existing improvements and whether they are a hazard to public health and safety
 - Effects of the proposed work upon the protection, enhancement, perpetuation and use of the property
 - Compliance with the Secretary of the Interior's Standards for Rehabilitation
 - Paint color is not reviewed
- A procedure has not yet been established for Staff approval of simple alterations

Certified Local Government Historic Preservation Commissions Ordinance Comparison

- Relocation criteria
- Economic hardship criteria

STC application review

- STC review is a combination of commission and staff review.

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