

**LOVELAND HISTORIC PRESERVATION COMMISSION
MEETING AGENDA
MONDAY, JUNE 20, 2016 6:00 PM
PULLIAM BUILDING
545 NORTH CLEVELAND AVENUE**

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6:00 PM

I. CALL TO ORDER	
II. PLEDGE OF ALLEGIANCE	
III. ROLL CALL	
IV. APPROVAL OF THE AGENDA	
V. APPROVAL OF PREVIOUS MEETING MINUTES	
VI. REPORTS	6:05-6:30
a. Citizen Reports	
<i>This agenda item provides an opportunity for citizens to address the Commission on matters not on the consent or regular agendas.</i>	
b. Council Update (John Fogle)	
c. Pulliam Subcommittee (Chair Patterson)	
d. Staff Update (Phil Kleisler)	
VII. REGULAR AGENDA	
1. Historic District Presentation & Commission Discussion (Phil Kleisler)	6:30-7:00
2. Pulliam Building Update (Mike Scholl)	7:00-7:30
3. Outreach	7:30-7:40
• Historic District Plaque Photo: July 18 th (Nikki Garshelis)	
4. Set Next Meeting's Agenda/Identify Action Items	7:40-7:45
VIII. COMMISSIONER COMMENTS	7:45-7:50
<i>This agenda item provides an opportunity for Commissioners to speak on matters not on the regular agenda.</i>	
VIII. ADJOURN	

1 **City of Loveland**
2 **Historic Preservation Commission**
3 **Meeting Summary**
4 **May 16, 2016**

5 A meeting of the Loveland Historic Preservation Commission was held Monday, April 18, 2016 at 6:00 P.M.
6 in the Pulliam Community Building, 545 N Cleveland Ave., Loveland, CO. Historic Preservation Commissioners
7 in attendance were: Zachary Askeland, Stacee Kersley, David Berglund, Jon-Mark Patterson, Paula Sutton and
8 Chris Wertheim. Phil Kleisler of Community & Strategic Planning was also present.
9

10 **CALL TO ORDER**

11 *Commission Chair Patterson called the meeting to order at 6:00 p.m.*

13 **APPROVAL OF THE AGENDA**

14 *Commissioner Sutton made a motion to approve the agenda. The motion was seconded by Commissioner*
15 *Kersley and it passed unanimously.*

17 **APPROVAL OF THE MINUTES**

18 *Commissioner Wertheim made a motion to approve the minutes as amended per Commissioner Sutton's*
19 *suggestion to add the address of where the plaque will be located on Page 2 Line 94 of the April minutes. The*
20 *address is 425 East 4th Street. The motion was seconded by Commissioner Sutton and it passed unanimously.*

22 **CITIZEN REPORTS**

23 *Jean Greener, property owner of house built in 1900 at 951 7th Street, requested advice from the HPC about*
24 *stone and paint color on the outside of her house. She presented pictures of her house as well as colors she*
25 *liked, asking the HPC for guidance. Phil Kleisler gave Ms. Greener the residential guidelines regarding historic*
26 *properties. The Commission cannot mandate colors but they would be happy to provide suggestions, he*
27 *explained. Commissioners gave Ms. Greener suggestions on where to go to look for colors that are*
28 *historically accurate. They also discussed the stone she was interested in using. The Commissioners thanked*
29 *Ms. Greener for coming in to discuss her home.*

31 **CITY COUNCIL UPDATE**

32 None

34 **STAFF UPDATE**

- 35 • Phil Kleisler reported that two of the three historic district plaques have been installed downtown.
36 He asked the HPC if they would like to have a celebration and press release. The agreed they would
37 like to do that.
- 39 • The People's Market has asked if the HPC would like to partner with a booth on June 25th. The
40 Commissioners suggested putting the item on the June meeting agenda.
- 42 • The property owner regarding the large garage/carriage house on 5th Street that was discussed at the
43 April meeting was contacted by staff. The property owner declined meet with staff and said he was
44 not certain he would move forward with the project.
- 46 • A letter from History Colorado was very positive with a code amendment identified for the HPC to
47 consider. Commission Chair Patterson said he would like to know if the ordinance was designed to
48 be more voluntary for a district in Loveland. Perhaps, he questioned, Loveland chose the model to

49 allow property owners to opt in or out? Commissioner Sutton said she was on the HPC at the time
50 and she remembers it as being deliberate. She said it is time to take another look at the ordinance,
51 however. The historic districts seem to be pointless if anything can be done to the property, she
52 added. Commissioner Kersley said creating a district may be easier to get the property owners on
53 board rather than individual designations. It seems to be more of an incentive program, she said.
54 Phil said he will consult with legal department staff and will come back with a more in-depth
55 presentation at the June meeting. He will also check into the programs in Greeley, Asheville, NC,
56 Layfette and other cities similar in size. More discussion ensued.
57

58 **CONSIDERATION OF NEW BUSINESS**

60 **TOUR DE PANTS FEEDBACK FROM COMMISSION**

61 *Comments regarding the May 7th event included:*

- 62 • Cold! Wet! Drizzly!
- 63 • Good turn out even though the weather was bad
- 64 • Artisans didn't fare well with the bad weather.
- 65 • Bike Tour good turnout. 22 riders. 5 dropped out due to the weather
- 66 • Good turnout in ArtSpace Gallery. Good comments from guests. NOVO as a partner was nice.
- 67 • Next year try to bring other groups in to participate.
- 68 • Change it to mid-month? Could still be bad weather later in month.
- 69 • T-shirt design great. Add historic preservation message and Loveland, CO. Get sponsors next year.
- 70 • Commissioner Wertheim praised Nikki's work on the May 7th event.

72 **COMMISSION'S ROLE IN PULLIAM BUILDING**

73 Commission Chair Patterson requested that the subcommittee (Commissioners Askeland, Wertheim, Cox,
74 and Nash) meet on Mondays instead of Tuesdays? The subcommittee attending agreed. Commission Chair
75 Patterson said he spoke to Mike Scholl, Economic Development Manager, who said a consultant (BBC) had
76 been hired to report about what kind of funds could be generated by future activities in the building. City
77 Council approved hiring the consultants, he said. Necessary safety upgrades and rehabilitation (air, elevator,
78 etc.) will be defined in the report. The report will be issued in August. Commission Chair Patterson said he
79 is on the task force created to assist with the consultant's report. The best way for the subcommittee to
80 participate is to do outreach and identify other interested parties for the project, he advised. Outreach can
81 also include encouraging City Councilors to move forward with this project, he added. Restore Pulliam is the
82 non-profit organization partnering on the project. Commissioner Wertheim suggested getting NOVO
83 involved. Phil Kleisler said he would share the City Council minutes from the Pulliam Building consultant
84 approval with the Commission.

86 **PULLIAM BUILDING TOUR**

87 HPC Members toured the building.

89 **OUTREACH**

- 90 • **Student Art Project:** *Commission Chair Kersley* reported that there was a great turn out at the
91 display/exhibition. The parents were beaming and the students were very excited, she said. A
92 follow up with the teachers will be scheduled, she added. In the fall she will contact Bill Reed
93 Middle School to see if they would like to be involved. A teacher suggested getting the students
94 to utilize the pants as their projects next year. Each year the plan is to add a school, she said. It

95 was a productive outreach effort, she explained. Commissioner Berglund praised the effort to
96 reaching out to the students early so it will stay with them throughout their lives.
97

98 **NEXT MEETING AGENDA ITEMS**

99 1. Historic District Ordinance Review
100 2. Student Commissioner Recruitment
101

102 **COMMISSIONER COMMENTS**

103 • Commissioner Sutton said the Downtown Catalyst project was showcased on 9 News
104

105 **Meeting adjourned at 7:55p.m.**

DRAFT



Development Services Department Community & Strategic Planning

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STAFF UPDATE

Meeting Date: June 20, 2016
To: Loveland Historic Preservation Commission
From: Phil Kleisler, Development Services

Format: If a more in-depth discussion or extensive questions on a specific item is desired, staff requests that the HPC Chair establish if it is the Commission's consensus to have a longer discussion. Staff will be happy to answer questions on any item with individual commissioners after the meeting. *If the staff update indicates that staff will be pursuing a particular course of action, no comment from the Commission indicates that the Historic Preservation Commission is supportive of that course of action.*

Staff Update Items:

Pre-application Conferences

On Wednesday, June 15th staff will meet with the homeowners of 435 West 4th Street to discuss the benefits and obligations of designating their home as an historic landmark. The Edwardian Vernacular-style home was built in 1905 and assessed as potentially eligible for individual and district designation in the historical survey.

Pulliam Building

Mike Scholl from the City's Economic Development Department has asked to attend this month's meeting. City staff is planning to present an initial proposal for the rehab and business structure for the Pulliam Building to the City Council in August. As part of that proposal, staff will be exploring the possibility of nominating the Pulliam Building as a Landmark Designation. Should Council show interest in moving forward in the nominating process, we would expect an application to be submitted sometime in September or October. This should provide enough time to meet the April 1, 2017 deadline for funding through the State Historical Fund.

Create Loveland (new comprehensive plan)

Following a two-year process centered on a robust public engagement program, Create Loveland is scheduled to be adopted by the City Council on July 19th. Overall, there were more than 3,500 pieces of public input taken and used during the drafting of the Plan. The public input is reflected in the Plan Elements, Policies and Supporting Strategies which are based on what the planning team heard from the public are the important areas to focus on as Loveland grows.

Create Loveland is based around nine Plan Elements (Chapter 2) plus a Future Land Use Plan (Chapter 3). The nine Plan Elements are listed below, along with policies specifically relating to historic preservation:

- 1. A Commitment to A Downtown Renaissance**
 - a. *Ensure authenticity and quality in architecture and historic character.*
2. Revitalize Our Corridors and Gateways
3. Cultivate Vibrant Economic Centers
4. Create a Safe and Healthy Built Environment
5. Celebrate Our Natural Assets in an Urban Setting
6. Create a Connected and Accessible Community
7. Facilitate Complete Neighborhoods
- 8. Invest in Loveland's Older Neighborhoods**
 - a. *Continue investing in older neighborhoods as they age.*
 - b. *Reinforce the unique identity and visual appeal of neighborhoods.*

- c. Support active living and aging in place.*
- d. Preserve historical residential character.*
- e. Refresh distressed neighborhoods.*

9. Strengthen Loveland's Strategic Roles in the Community & Region

Within each Plan Element are a set of Policies and within each Policy are sets of Supporting Strategies designed to achieve and implement the Policy in a way that is consistent with Loveland's vision and values.

The full draft plan is available on the project website: www.createloveland.com.



HISTORIC DISTRICTS

Meeting Date: June 20, 2016
To: Loveland Historic Preservation Commission
From: Phil Kleisler, Development Services

Summary

This is an informational item presented at the request of the HPC. As such, there is no staff recommendation for further action.

During your April meeting, the Commission received public comments from several residents of the West 5th Street Historic District concerned over the potential construction of a four-car garage and the subsequent impacts this project would have on the historic character of the district. As you will recall, while the individuals in attendance at your April meeting do reside in participating properties of the historic district, the neighboring owner considering the garage addition does not. Because of this the potential garage construction would not be subject to the local historic preservation ordinance.

During your May meeting the Commission discussed a letter received by History Colorado suggesting a code amendment to clarify the interpretation of owner consent in historic district designations. At that time the Commission requested that staff supply a benchmarking study examining current practices relating to mandatory participation in historic districts, often referred to as *non-consensual designation*.

Non-consensual Designation

A community may wish to exercise non-consensual designation authority when the resource is more important to the community at-large than it is to the individual property owner. Non-consensual designations are significant decisions that will greatly impact the use of private property. As such, these decisions require extreme consensus by a local preservation commission and city council. Typically a greater or overwhelming significance is required, and in some cases, a super majority vote of the governing body is required to advance this rare designation. Deliberations regarding non-consensual designations can be about potentially historic properties or development close to historic properties.

Local Ordinance

The most widely used preservation tool at the local level is the historic preservation ordinance. Such ordinances provide direct control and incentives over actions that may adversely affect privately owned historic property. The City's Historic Preservation Plan, adopted in 2002, recommended that a local preservation program be established, with a cornerstone of that program being the local Historic Preservation ordinance (adopted in 2002).

The City of Loveland historic preservation ordinance does not provide a definition for the number of properties, or percentage of potentially eligible properties needed in an application to formally create a historic district. When the City Council drafted the [ordinance](#), it intentionally did not prescribe a specific number of properties, or percentage of properties necessary to establish a district. This was done for two distinct reasons. The first reason is to allow those property owners that choose not to become a member of the district with the option of remaining unaffected by the obligations of belonging to the district. The second reason was to provide those owners of properties that exhibit characteristics and meet the criteria for district designation with the opportunity to establish a district, and realize the benefits of inclusion.

The City Council, HPC or any property owner within a proposed district may file an application for a historic district designation. Following the submittal, staff would reach out to affected property owners, coordinate all public notices and schedule hearings before the HPC (recommending body) and City Council (decision-making body). Owner consent is required for all Landmark nominations, though the code is silent about owner consent for district nominations.

A historic district is a geographically definable area including a concentration, linkage or continuity of subsurface or surface sites, buildings, structures, and/or objects. The district can be related by a pattern of either physical elements or social activities. As an example, the West 4th Street Historic District application included a cluster of houses located on the 800 and 900 blocks of W. 4th Street. Those particular houses exhibited similarities in design, scale, and location, and were constructed in the 1920s. There were sixteen (16) houses that were potentially eligible for inclusion in the district, with thirteen (13) of the owners voluntarily agreeing to participate in the district (81%). At this time, the other three (3) homeowners in this potential district have voluntarily chosen not to participate.

Section 15.56.110 of the [ordinance](#) requires an Alteration Certificate for any designated landmark site or *contributing property* of an historic district. In the example of the West 4th Street District, all thirteen (13) properties that “opted in” must obtain this certificate when needed, typically for exterior construction requiring a building permit. However, the three (3) homeowners that “opted out” are not required to obtain a certificate nor comply with any provision of the historic preservation ordinance. The one exception to this is that the Commission would have the opportunity to review a full or partial demolition permit on the nonparticipating properties because there are potentially eligible for nomination.

Benchmarking Survey

In order to further facilitate the discussion regarding mandatory participation in a historic district, a best practices comparison was prepared to consider the most appropriate action. Several Colorado communities as well as a few out-of-state examples were selected to compare the participatory requirements laid out in their historic preservation ordinances. The comparison can be found on the attached table. The survey represents a brief, high-level reading of local ordinances. A more comprehensive analysis of a specific program can be conducted at the request of the Commission. Generally, the survey suggests that:

1. *The percentage of property owner consent required within a proposed district varies greatly.*
A number of the surveyed communities require a simple majority of owners (Lafayette, 51%), while others have a higher standard (Alamosa, 75%).
2. *Non-consensual designations often require much more stringent review processes.*
Fort Collins requires a vote of at least six (6) commission members, while Longmont established specific criteria that must be satisfied including a petition by at least 100 electors.
3. *Some municipalities regulate through zoning overlay districts.*
An overlay zone is an additional layer of regulations for a specific area that is laid over the underlying zoning regulations. These overlay zones, as seen in Colorado Springs, use dimensional and use regulations that can help preserve the character of the neighborhood and also direct infill development to be harmonious with the historic block.
4. *Some municipalities require full participation in a historic district, though regulations may not apply to all properties.*
Communities such as Broomfield and Steamboat Springs require consent from 100% of property owners within a proposed district. Portland overlay zone also requires 100% participation, though non-contributing properties are not regulated so long as alterations have only minimal impact to street-facing facades.

Other Regulatory Approaches

While establishing local historic districts requiring mandatory participation is perhaps the best known strategy to protect historic resources, it is not the only mechanism available to further historic preservation goals and protect community character. Other strategies can include technical and design assistance, changes in local zoning policies, preservation incentives, conservation districts, and other preservation bylaws. Therefore, also listed below are other techniques for preservation used throughout the US.

Historic Overlay Zones:

As noted above, an overlay zone is an additional layer of regulations for a specific area that is laid over the underlying zoning regulations. The underlying zoning regulations continue to be administered, but the overlay adds another level of regulations to be considered. In a Historic Overlay Zone design review is established through a zoning ordinance rather than an independent process of establishing a Local Historic District. In some instances, it can be more beneficial for a municipality to use overlay zones for historic preservation because it would not require a majority approval by property owners for the zoning change. It provides basic dimensional and use regulations that can help to conserve the character of a historic neighborhood. It can also direct or incent change by imposing regulations on new development.

Portland – Historic Resource Protection Overlay Zone. The historic resource protection overlay zone protects certain historic resources such as historic landmarks and conservation landmarks, and certain resources in historic or conservation districts. There is no demolition review/delay for non-contributing properties but new construction in a Historic District requires design review.

Design Overlay Zones:

Portland - The [Design Overlay Zone](#) is applied to areas where design and neighborhood character are of special concern. The Design Overlay Zone requires design review and compliance with the applicable design standards to ensure that certain types of infill development will be compatible with the neighborhood and enhance the area. The zone also promotes high density development adjacent to transit facilities.

Design Review:

Design review also often accompanies historic districts and can either be mandatory or voluntary in nature. Because design review is discretionary, the design review process should require that decisions occur with public notice and the opportunity for appeal.

Georgetown, CO - The Town of Georgetown requires that property owners or developers with proposed new construction projects (i.e., exterior remodeling or rehabilitation, add-ons to existing buildings, or construction of new buildings) obtain a Certificate of Appropriateness (COA) before they can obtain a building permit.

Harmonious Character Bylaw:

Dover, MA - [Harmony in Business District, Medical Professional District and Manufacturing District](#). This bylaw was created in order to “promote harmony in architectural treatment.” The bylaw requires a review by the planning board of any new building, addition or substantial alteration.

Zoning Incentives:

Louisville, CO – [zoning preservation incentives](#) allow more square footage on a rear or second story addition in exchange for retaining the street-facing façade of a home. A Preservation Incentive allows the owner 5% more square footage and floor area ratio if they meet certain qualifications. A Landmark Bond allows the owner 10% more square footage/floor area ratio if they are a local landmark and meet certain requirements.

Portland – Twelve [zoning incentives](#) for properties that are contributing in a Historic District or have Historic Landmark designation. Includes special provisions that encourage new historic listings and

increase the potential for historic structures to be renovated and rehabilitated by increasing land use flexibility and redevelopment options. Some incentives include a transfer of development rights, flexibility of uses (e.g. multi-family use in a single family district), daycare use allowance where typically not permitted and less intense review processes for specific uses.

Conservation Districts:

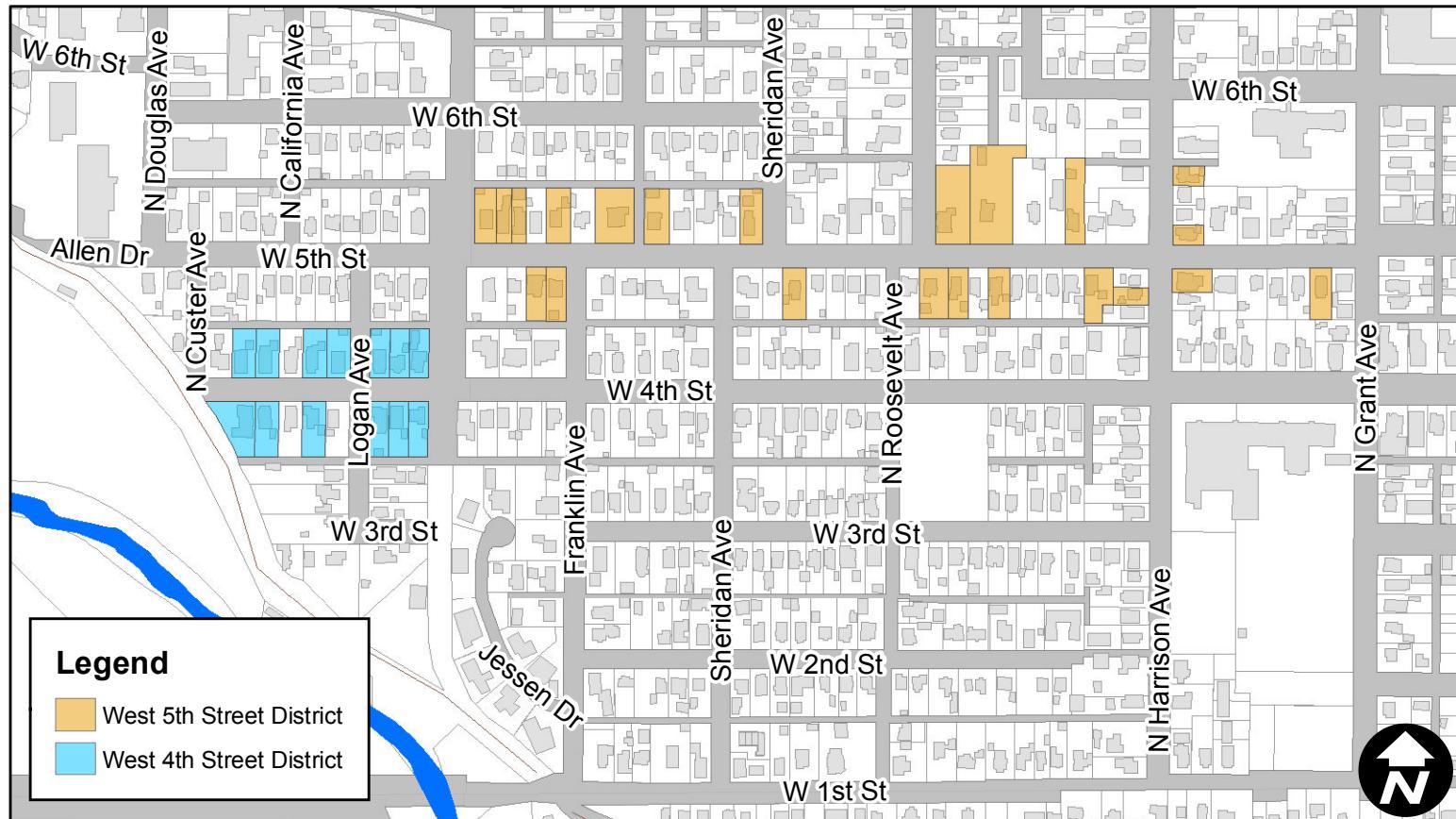
Conservation districts offer a preservation-based, design review mechanism for protecting older, residential neighborhoods that may not qualify for historic district status, but that have distinct characteristics worth preserving. The primary purpose of a conservation district is to provide protection to a large area of buildings and overall neighborhood character. They typically take the form of a zoning overlay and provide standards and regulations for protecting the character of a neighborhood. They tend to have looser regulations than historic districts and tend to focus more on preserving the overall neighborhood character rather than specific historic components. Often used when there is insufficient support for historic district designation but a clear desire to halt demolition/incompatible development.

Each conservation district ordinance is different, depending on the overall conservation model. In a study done by St. Paul, MN, 20 different conservation district ordinances were compared and found to represent a spectrum of standards, from rigorous standards for exterior alterations including windows, doors, and trim, to only a review of new construction. Historic preservation-oriented conservation districts with limited design review could be a good supplement or alternative to traditional historic districts.

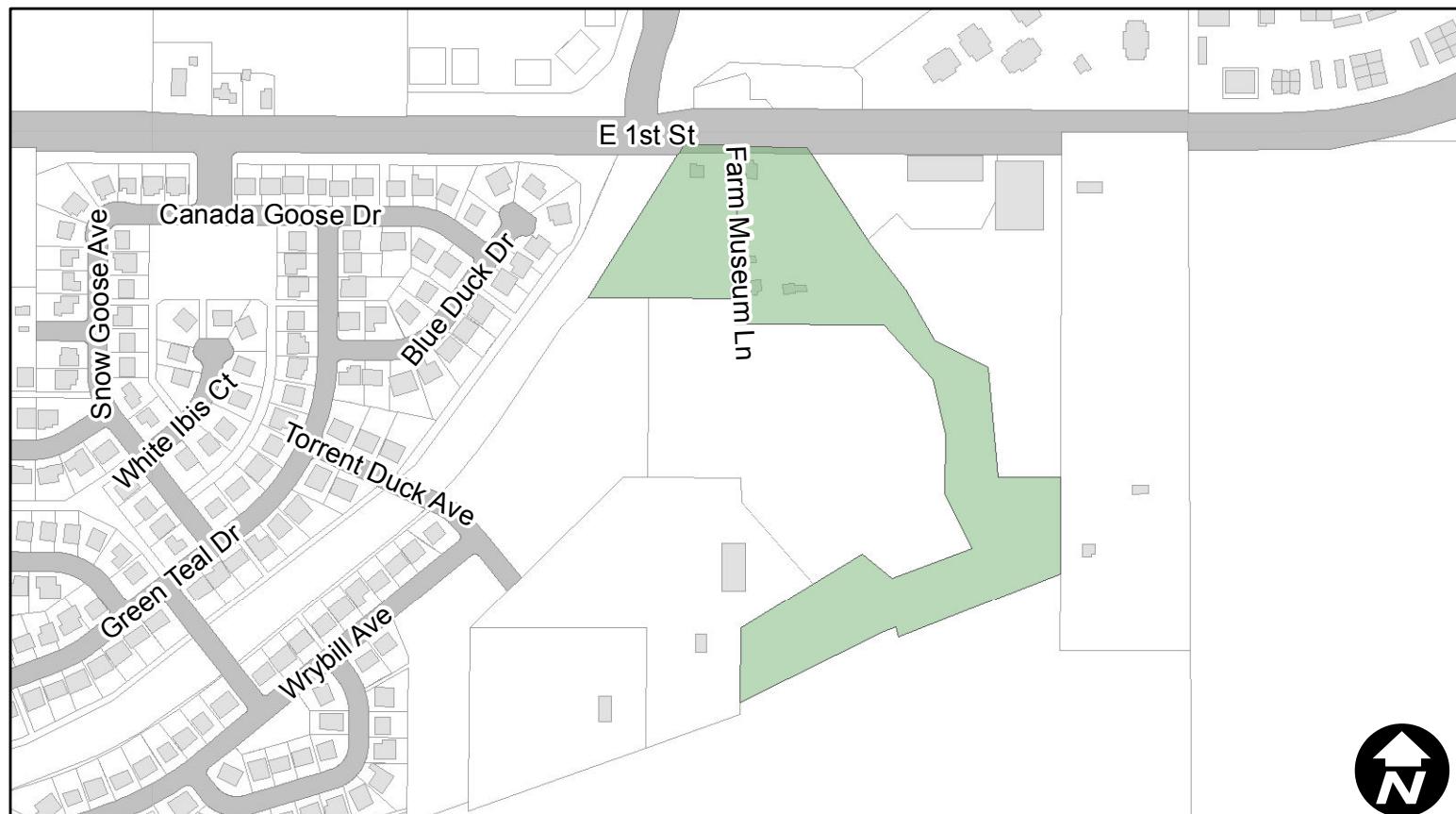
Attachments:

1. Historic District Maps
2. Benchmarking Survey
3. Letter from History Colorado

West 4th Street and West 5th Street Historic Districts



Timberlane Farm Historic District



Historic District
Non-consensual Participation

City	Non-consensual Participation in Historic District		Consent of Residents Needed	General Notes
	Yes	No		
Alamosa, CO pop. 16,496	X		75%	Non-consensual designation is permitted, provided that at least 75% of owners within the proposed district approve.
Ann Arbor, MI pop. 117,070	X		--	<p>Non-consensual designation is permitted. Houses within a district must obtain a Certificate of Appropriateness for any exterior changes to the house or outbuildings (e.g. roof/door replacement, deck, patio).</p> <p>Michigan's Local Historic District Act (Public Act 169 of 1970) declares historic preservation to be a public purpose. To that end, Michigan's Attorney General issued Opinion 6919 that states a community may <u>not</u> enact a historic district ordinance that requires the consent of an owner before a property is included in a local historic district. "Donut holes" cannot be cut in the district to intentionally exclude properties.</p> <p>Council appoints a subcommittee to work with applicants of historic districts.</p>
Broomfield, CO pop. 65,065		X	100%	Historic Districts are allowed only if all property owners within the district boundaries provide written approval.
Colorado Springs, CO pop. 456,568	X		--	<p>Designated properties/districts are given a Historic Preservation Overlay Zone. Each district has specific design guidelines. All alterations/demolitions/etc. of any property goes to design review.</p> <p>Provides "flexible zoning standards" for designated properties, which provides relief from various zoning standards such as setbacks, parking and building height.</p>

Historic District
Non-consensual Participation

City	Non-consensual Participation in Historic District		Consent of Residents Needed	General Notes
	Yes	No		
Fort Collins, CO pop. 161,175	X		--	<p>Staff attempts to secure owner permission first in-person, then by mail. If all owners within the proposed district do not consent to designation, then by vote of six (6) members, the Commission may either (i) adopt a resolution and schedule a second public hearing on the matter, or (ii) forward a resolution to the City Council with a recommendation. The intent of the second hearing would be to provide reasonable opportunity for non-consenting owners to comment.</p> <p>All properties within a district boundary must comply with historic regulations; this includes work requires a building permit (e.g. addition) and work that doesn't require a permit (e.g. painting).</p>
Golden, CO pop. 20,330	X		51%	<p>A district nomination must include a written petition from the majority of land owners within the proposed district.</p> <p>A certificate of appropriateness is required for exterior work on a property within a designated historic district, or any structure 50 years or older zoned or used for a non-residential use. Alterations that do not require a permit yet change the exterior appearance requires Commission Review.</p>
Grand Junction pop. 60,358	X		60%	<p>The Commission or any property owner may designate a property for landmark status. No individual structure, however, may be designated without the owner's consent. District nominations must have written consent from at least 60% of property owners.</p> <p>The City "requests" that Historic structures visit with the Commission prior to alterations. One residential district requires compliance with design guidelines.</p>
Greeley pop. 100,883	X		20 owners or 20% (whichever is less)	<p>Two (2) or more owners may submit a district nomination for which they reside.</p> <p>Districts nominated by a "non-owner entity" (e.g. preservation groups, Urban Renewal Authority) must meet stricter standards and receive at least five (5) Commission votes.</p> <p>The district must have consent of 20 property owners or 20% of owners, whichever is less.</p>

Historic District
Non-consensual Participation

City	Non-consensual Participation in Historic District		Consent of Residents Needed	General Notes
	Yes	No		
Lafayette, CO pop. 27,729	X		51%	<p>The Commission, City Council or a citizen may nominate a district.</p> <p>Nominations for designation of an historic district must be signed by at least 25% of the owners within the proposed district. At least 51% of the owners must approve of the designation before City Council will proceed with a public hearing.</p> <p>An historic landmark site or district may be established without the owner's consent provided that the commission determines that the property has overwhelming historic importance to the entire community.</p> <p>A certificate of appropriateness is required for landmark sites or a structure within the boundaries of a district.</p>
Louisville, CO pop. 20,396	X		40%	<p>At least 40% of owners within a proposed district must consent to the designation. Applications will not be considered if 40% of owners within the proposed district object to the designation.</p> <p>Landmark permit required for demolition of any building over 50 years old, regardless of whether it is on the historic survey.</p>

Historic District
Non-consensual Participation

City	Non-consensual Participation in Historic District		Consent of Residents Needed	General Notes
	Yes	No		
Longmont pop. 92,088	X		51%	<p>The Commission, Council, preservation organization or property owner may nominate a district.</p> <p>The district must include consent of the owners of a minimum of 25% of the properties in the proposed district. Prior to the public hearing, a minimum of 51% of property owners within the district must provide written consent to the establishment of the district and draft design guidelines. The City will withdrawal the application if at any time during the adoption process at least 51% of properties within the proposed district sign a petition opposing the designation.</p> <p>Note about landmark designations: a property can be designated as a landmark without a property owner's consent if the following criteria is satisfied:</p> <ol style="list-style-type: none"> a. A petition, signed by 100 qualified electors stating that the petitioners believe the landmark has such extraordinary historic significance that the council should designate it as a landmark without the consent of the owner; b. The proposed landmark meets the designation criteria in their local ordinance; c. The proposed landmark has extraordinary historic significance; d. It is not shown that the condition of any structure proposed as a landmark, as assessed by a licensed professional engineer prevents the owner from reasonably preserving it; e. It is not shown that designation of the proposed landmark would create a hardship, under specific City criteria; and f. Promotion of the public interests by designating the landmark outweighs any resulting diminution of the market value of the proposed landmark.
Pasadena, CA pop. 142,250	X		51%	<p>District applications must include written support from a majority of property owners. The application is automatically withdrawn if support for the designation falls below 51%. A minimum of 60% of properties within the proposed district must qualify as contributing.</p> <p>Similar to Colorado Springs, districts are formed using an overlay zone, which also requires Planning Commission Review.</p>

Historic District
Non-consensual Participation

City	Non-consensual Participation in Historic District		Consent of Residents Needed	General Notes
	Yes	No		
Portland, OR pop. 632,309		X	100%	<p>Overlay historic zone requires consent from 100% of land owners.</p> <p>Non-contributing properties are not regulated, so long as alterations only minimally impact street-facing facades.</p>
Steamboat Springs pop. 12,435		X	100%	<p>One or more owners may nominate a district.</p> <p>A district application must contain written consent from 100% of affected property owners.</p> <p>Infill within the district boundary would also need to meet Secretary of the Interior's Standards.</p> <p>Two Commission members are appointed to work with applicants of historic districts.</p>



April 19, 2016

Jon Mark Patterson, Chair, Historic Preservation Commission
Nikki Garshelis, Business Development Coordinator
City of Loveland
500 East 3rd Street
Loveland, CO 80537

Dear Mr. Patterson and Ms. Garshelis:

Thank you to the Commission and staff for their time on the evening of April 18, 2016. I appreciated the opportunity to meet with everyone.

As you are aware, the National Park Service and History Colorado monitor the work and operations of each Certified Local Government on an ongoing basis with a formal review quadrennially. Overall, the Loveland Historic Preservation Commission is doing great work and performing in an effective manner.

I visited the offices of the staff. As the staff is preparing to move the office, files were packed. However, we were able to look at your electronic files. These are stored in a logical fashion and are easily obtained by the staff and Commission as needed and by request from the public. Information on your website is also incredibly helpful with information on all listed properties, the designation & design review processes and surveys. Information on the Colorado State Historic Preservation Tax Credits needs to be updated on the comparison chart and the link should direct to <http://www.historycolorado.org/oahp/preservation-tax-credits> instead of the pdf that is no longer current.

As you are aware, I also attended the Commission meeting that evening. The particular agenda included discussion of the rehab/reuse of a historic city building and a number of outreach initiatives, including plaques identifying a historic district, a historic preservation month event, updated walking tour and student project. The agenda item allowing for general public comment led to an in-depth discussion of an earlier designated historic district with an “opt in” feature. The speakers were given ample opportunity to present their concerns and the Commission asked pertinent questions and engaged in thoughtful discussion.

In examining Loveland's Historic Preservation Ordinance, Section 15.56.030 D. 6. states “Owner Consent Required for Further Processing of Landmark Nominations.” However, no direction is provided for “historic district nominations,” which are clearly delineated as different from “landmark nominations” throughout the ordinance. Without a definitive declaration, the interpretation of owner consent in the nomination of a “historic district” is ambiguous and can be interpreted that owner consent is implied for all designations or by omission, not required by owners in a district. The Loveland Historic Preservation Commission may wish to consider and offer an amendment to the ordinance to clear this ambiguity and provide a clear standard for future historic district nominations.

I'd also like to encourage the Commission and Staff to generate ideas of how potential preservation tools, such as the new State Historic Preservation Tax Credit, may be shared with the public. Knowing these tools are available may encourage additional and/or better projects within the historic districts and with individual landmarks.

Loveland continues to meet all requirements of the Certified Local Government program as listed below and the care and diligence it demonstrates in these efforts is evident throughout the City.

- **The local government must enforce appropriate state and local legislation for the designation and protection of historic properties.**
- **The local government must establish an adequate and qualified historic preservation commission established by local ordinance.**
- **The local government must maintain a system for survey and inventory of historic properties.**
- **The local government shall provide for adequate public participation in local historic preservation programs (including the process of recommending properties for nomination to the National Register).**

Thanks again for your time and dedication.

Sincerely,



Mark A. Rodman
Preservation Technical Services Manager

cc: Megan Brown, Chief - State, Tribal, Local Plans and Grants Division, National Park Service

FYI for HPC

Berthoud to hold first Historic Preservation Day

Berthoud Historic Preservation Advisory Committee hopes more homes will be listed on historic register

By Shelley Widholm

Reporter-Herald Staff Writer

POSTED: 05/16/2016 06:13:18 PM MDT

If you go

What: Berthoud Historic Preservation Day.

When: 1-3 p.m. Saturday, May 21.

Where: The Community Center, 248 Welch Ave., Berthoud.

Cost: Free.

More info: Contact Curt Freese at 532-2643 or cfreese@berthoud.org (<mailto:cfreese@berthoud.org>).

The Berthoud Historic Preservation Advisory Committee wants to encourage homeowners to get their older homes listed on the local historic register with a key message.

The encouragement will come at the committee's first Berthoud Historic Preservation Day on May 21 during History Preservation Month.

And the message will be that the listing is entirely voluntary.

"It's to draw attention to the historic preservation program and to try to inspire people with historic homes to register their homes and get them preserved," said Curt

Freese, community development director for the town of Berthoud. "Ours is voluntary to be in the program. ... You can pull yourself off if you don't like the board's requirements."

First Historic Preservation Day

The advisory committee is hosting Historic Preservation Day at the Berthoud Community Center to provide information about what it takes to get a home listed as historic or to form a historic residential district.

The two-hour event will include presentations about historic home preservation beginning with a slide presentation by advisory committee intern Sophie Kubik, plus a walking tour.

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"The message is preserve your home, because through the structure of your home, your story lives on," said Kubik, a sophomore at Berthoud High School. "It really helps to know what happened in your home and know the history of your town. That's something we try to preserve because Berthoud is such a great town."

During the event, representatives of History Colorado will provide information about state tax incentives and grants. Homeowners with landmarked historic homes will share their stories about the process of getting a home designated. And advisory committee members

will lead a walking tour along historic Welch Avenue that will include an architectural scavenger hunt in the town's historic commercial district, searching for architectural features on the buildings.

The historic district, recognized by the town in 2010, is on Mountain and Massachusetts avenues between Third and Fourth streets.

"It's to draw attention to our historic preservation program and to try to inspire people with historic homes to register their homes and get them preserved," Freese said. "You're preserving the built environment and the history of the town. ... That creates a more interesting community."

Historic district or landmarked?

The advisory committee encourages homeowners of historic homes to either form a historic residential district or to landmark individual houses as being historic homes. The benefits can include a 20 percent tax credit and an increase in property values.

To form a historic district, 51 percent of homeowners need to agree to participate.

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More than 300 homes in Old Town Berthoud qualify to be landmarked historic buildings. According to the town's municipal code, a house designated as a historic residence must be over 50 years of age and also have at least one of the following traits:

- Associated with events that made a significant contribution to local history.
- Associated with an individual or family that made significant contributions to local history.
- Demonstrating characteristics of an architectural type, style, period or method of construction.

"The municipal code of the town of Berthoud does not lock you into a (historic) district forever," said Diane Levy, secretary to the Historic Preservation Advisory Committee, which is appointed by the town council. "Other municipalities have much stricter rules for preservation."

Homeowners can remove their homes from the register at any time but will not receive any tax credits if they do so, Levy said.

"We do this so we don't scare people away," he said.

The advisory committee plans to hold the event every year.

"From the front to the curb, we would love to maintain the historic integrity of the neighborhoods in which these buildings were built," Levy said. "There are so many historic homes in a concentrated area, we want people to appreciate they are living in an old town."

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