Landmark Rehabilitation
0%-Interest Loan Program

Policies and Procedures

2017

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HISTORY OF THE LOAN PROGRAM

The City of Fort Collins established the landmark rehabilitation grant program in 1994 based on a recommendation of the *Historic Resources Preservation Program Plan* (1994). The Plan recommended

> . . . that the City provide direct financial support to owners of historic properties who wish to pursue local landmark designation . . . In addition to the State program, a local grant program for rehabilitation is recommended. The local program would be simple to apply for and easy to administer. A local grant program provides the City with the opportunity to show financial support for preservation and enlisting the community's support . . . the program will also create local jobs and increase property values, resulting in generating additional income to the City.

The Plan also described a Revolving Loan Fund option, which was not implemented at the time but has since replaced the original grant program.

The purposes of the program was to encourage the local landmark designation of historic properties in Fort Collins and to help ensure that appropriate historic materials, methods, and techniques are used in the rehabilitation of structures.

The program provided grants for qualified historic preservation projects from 1995 – 2000. The City's General Fund was the primary source of funds and the annual allocation ranged from $20,000 to $25,000 per year. The successful program awarded 51 grants for a total of $141,104 in City funds, matched by over $2 million in non-City funds.

In 2000, the program was converted to a zero-interest revolving loan program to enhance the long-term funding of the program. Article 5 of the City Code (see Appendix A) authorizes the City Manager to establish and administer the Landmark Rehabilitation Loan Program (LRLP). The City Manager has delegated the power of administration to the Director of Community Development and Neighborhood Services. Section 14-82 authorizes the promulgation of procedural rules and regulations for the efficient administration of the program. Section 14-83 provides criteria for the award of loan funds.

The annual budget allocation has varied depending on the economy and the City's financial stability. A Budgeting for Outcomes (BFO) Offer has been provided each year to continue the loan awards for eligible local property owners. In addition, the program has generated approximately $76,000 in loan repayments as of 2016.

The following sections describe policies and procedures for administration of the program.

POLICIES

1. Property Eligibility

1.1 Local Landmark Designation

The subject structure must have local landmark designation or be a contributing structure in a local Fort Collins local landmark district.

1.2 No Other Structures Are Eligible

State or national register historic properties are <u>not eligible</u> unless they are also locally designated landmarks. Structures in state landmark districts are not eligible.

2. Project Eligibility

2.1 Exterior Rehabilitation

Loan funds may be spent only for exterior rehabilitation of the structure. Exterior rehabilitation may include the following elements:

Work Element	Type of Work
trim, including cornices, soffits, fascias	Rehabilitation with historic materials.
doors	Restoration of historic doors or replacement of non-historic doors with historic replicas. Hardware must attempt to authenticate original as much as possible.
porches	Restoration or reconstruction, if consistent with the historic character as documented through research, photographs, and comparable structures.
foundations	Repointing, stabilization, etc.
gutters	Installation or replacement. Half-round gutters are required if this style was original to the structure.
chimneys	Typically, chimney tuck pointing. A liner may be included; however, work on interior of structure will not be funded.
roofs	Repair/replacement with approved historic materials. Typically this was wood shingles or a masonry product. Work may include subroof, flashing and other structural and non-structural elements related to the new roof.
siding	Masonry work, wood siding repair, stucco repair, and other siding restoration/replacement with historic materials. Any cleaning must be done with sensitive methods.
steps and stairways	Rehabilitation or reconstruction (if consistent with historic character)

windows (including skylights and storm windows)	Restoration of existing windows is strongly encouraged will be required unless restoration is not possible. Work may include new or replacement screens and storm windows that protect and don't diminish or detract from historic windows.
storefronts	Rehabilitation to historic character as documented through research.
non-historic elements	Work may include demolition of non-historic elements leading to rehabilitation work.
all elements - painting	Preparation and painting of exterior elements is allowed; however, painting is considered a maintenance item and will be approved only if subordinated to other work elements.
other exterior elements	Approved by City staff and/or the Landmark Preservation Commission.

2.2 Match Requirement

Loan recipients agree to supply at least an equal match to the loan amount.

2.3 Match Elements

Matching funds may only be used for the following elements:

- new foundation
- exterior rehabilitation/stabilization of the property
- interior structural elements
- rehabilitation of electrical, heating or plumbing systems, including fire sprinkler systems in commercial buildings, handicap ramps, and other elements required by the Building Code.

2.4 Elements Not Eligible

Neither loan monies nor matching funds may be spent for the installation of or rehabilitation of signage, interior rehabilitation or decorations, building additions, or the addition of architectural or decorative elements which were not part of the original historic structure.

- Improvements undertaken due to normal wear and tear, including but not limited to:
- Painting (unless part of a larger rehabilitation project)
- Roof replacement with asphalt shingles
- Routine or periodic maintenance (such as cleaning, routine painting, minor repairs, general periodic upkeep, redecorating or any purely cosmetic change that is not part of an overall rehabilitation or that does not enhance the property's character).
- Soft costs and permit fees - appraisals, architectural, engineering, and interior design fees, legal, accounting and realtor fees, loan fees, sales and marketing, closing, building permit, use and inspection fees,

bids, insurance, project signs and phones, temporary power, bid bonds, copying, and rent loss during construction.

- Acquisition costs.
- New additions or enlargements (except where required by building and safety codes).
- Landscaping - Excavation, grading, paving, landscaping or site work such as improvements to paths or fences unless the feature is part of the landmark designation.
- Repairs to additions made to a historic property after the property was officially designated.
- Reimbursement for labor provided by owner/self.
- Interior improvements. – drywall, non-load bearing interior walls, etc.
- Non-historical decorative elements.
- Outbuildings which are not part of the landmark designated property.
- Signs.
- Skylights (unless they require repair to stop leaking)
- Solar equipment.
- Security features.
- Construction work begun prior to design review and loan funding approval.

2.5 Secretary of the Interior Standards and Guidelines

All work must comply with the standards and/or guidelines of the City and the United States Secretary of the Interior for the preservation, reconstruction, restoration or rehabilitation of historic resources.

2.6 No Work Prior to Loan Approval

Loan funding may not be used for work initiated or completed prior to the loan award.

2.7 Approved Elements Only

Funds received as a result of this application will be expended solely on described projects, and must be completed within established timelines.

2.8 Project Completion Requirement

All work approved for loan funding must be completed even if partially funded through the Landmark Rehabilitation Loan Program. The reduction or addition of certain elements may be approved by City staff in special circumstances. Loan recipients are responsible for any additional funding needed to complete the project as defined in the approved project.

2.9 Ongoing Maintenance

The owner agrees to maintain the property after rehabilitation work has been completed. Properties not maintained will be a factor in future loan reviews.

3. Project Review

3.1 Complete Applications

Applications must be complete and accurate at the time of submittal or risk disqualification. All project contact information, property information, description of work elements, cost estimates, photographs of each element, and work bids must be included in the application. City staff reserves the right to request additional information, and to reject incomplete applications.

3.2 Application Submittals

Applications may be submitted at any time to be considered for the next round of loan allocations, but the final due date is the third Tuesday of January each year. In February, the review of applications will be done through a competitive process following the Landmark Preservation Commission's design review approval for the proposed projects.

3.3 Landmark Preservation Commission (LPC) Review

As with all proposed work to designated landmarks, the Landmark Preservation Commission will review the design of all loan-related projects before the application may be scored and ranked in the competitive application process. The LPC may approve, approve with conditions, or deny the design of a project. If the LPC approves a project with conditions, the project application may need to be modified to reflect the necessary changes. If the LPC denies a project, then the project may be resubmitted if changes are made to the applications. Applications resubmitted in a timely fashion may still qualify for a loan, if funding allows.

Once approved for a loan, recipients must notify staff prior to the project start date if any project details change, including the contractor. All changes are subject to staff approval and, if extensive, may require another design review hearing with the Landmark Preservation Commission to maintain the loan offer.

3.4 Loan Approvals

1.1.1. The decision on loan approvals for <u>residential or mixed-use projects</u> will be made by a qualified Loan Originator in accordance with Federal and State law. The City has contracted with Funding Partners to perform loan origination and loan servicing tasks.

1.1.2. The decision on loan approvals for <u>commercial projects</u> will be made by City staff (with guidance from the LPC).

3.5 Building Permit Required

Loan recipients must receive the appropriate building permits before construction work is started.

3.6 Rehabilitation Sign

Loan recipients agree to place a sign, provided by the City, on the property stating that the rehabilitation of the property was funded in part by the City's Landmark Rehabilitation Loan Program for the duration of the rehabilitation work.

3.7 Initiation within Six Months

Applicants must begin work within six months of notification of award. Loan funds will be rescinded in order to make the funding available to another applicant if the project does not begin within six months.

3.8 Completion within One Year

Projects must be completed within one year, except as provided in section 3.9.

3.9 One Year Extension

Applicants may apply to extend the project completion deadline for up to one year upon showing good cause as to why the project cannot be completed within one year of the loan approval date.

3.10 Inspection by Loan Administration Staff

Completed loan projects are required to submit for to inspection by City loan administration staff (in addition to any inspections by City building officials) to verify completion and quality of the work.

4. Loan Structure

4.1 Maximum Loan Amount

The annual loan maximum is $7,500 per property. The City Council may authorize a larger loan by ordinance or resolution in special circumstances.

4.2 Loan Disbursement

Loan recipients will receive disbursement of loan funds after all work has been completed and approved, receipts documenting the costs of the work have been submitted to the City, and physical inspection has been completed by the City.

4.3 Loan Security

Loans are secured with a Deed of Trust. The Deed must be signed and notarized and filed with the Larimer County Clerk and Recorder.

4.4 Interest Rate

No interest rate is charged on loans associated with this program.

4.5 Monthly Payments

No monthly payments are required on loans.

4.6 Maturity Date/Loan Payoff

All loans on a property are due upon sale or transfer of property. Transfer can occur within a family unit without incurring repayment. If owners wish to pay off existing zero-interest loan(s) prior to sale or transfer of the property, they may do so in a single, lump sum payment.

4.7 Subordination

Upon request, the City may agree to subordinate loans as a result of refinancing. The City will not subordinate if the borrower is receiving cash or equity, if the first mortgage is increasing, or if the borrower is not living in the home.

ROLES AND RESPONSIBILITIES

Property Owner/Applicant

1. Determine project need and obtain detailed project bids from qualified contractors.
2. Identify project matching funds you are required to provide.
3. Contact City staff at 221-6206 to review potential project, and obtain information about the upcoming review process.
4. Prepare loan application and submit to City by the application deadline.
5. Provide additional information and revise application as requested by City staff.
6. Attend and provide testimony to Landmark Preservation Commission at a hearing on project design review.
7. If project is funded, make any required changes to the application and resubmit for final loan approval.
8. Obtain building permit.
9. Authorize contractor to begin the work.
10. After completion of all project elements, submit final invoices to City staff and request an inspection.
11. Attend loan closing meeting at Funding Partners agency and sign and notarization of Deed of Trust.
12. Receive loan disbursement.

City Staff

1. Identify available funds for upcoming year.
2. Prepare announcements for loan availability.
3. Receive loan applications in January.
4. Review loan applications for completeness and contact loan recipients to confirm receipt of applications.
5. Schedule Landmark Preservation Commission design review hearing.
6. Prepare and present design review and loan applications to Landmark Preservation Commission.
7. Provide applications and information on project eligibility and not-to-exceed funding amounts to Funding Partners loan officer.
8. Inspect property at project completion and review project invoices.
9. Submit verification of project completion to loan officer.
10. Upon notification from loan officer of document completion, authorize payment to property owner.
11. Receive loan payments in full upon sale of property and deposit in loan revenue account.

Loan Officer

1. Receive applications from City staff.
2. Review application information and request any additional information from City staff.
3. Approve loan application and award loan amounts conditioned upon project meeting requirements of the loan program.
4. Provide a notice to proceed to applicants.
5. Prepare Deed of Trust and any other appropriate legal paperwork.
6. Collect applicant signatures.
7. Hold all legal documents and provide copies to City staff.
8. Submit bill(s) for service.
9. Submit Deed of Trust to County Clerk for recordation.

10. Process requests for subordination and loan payoff and complete all documentation and recordation.

ELIGIBILITY CHECKLIST

☐ My property is a local historic landmark or within a local landmark district (Old Town District, Sheely Drive District, Whitcomb Street District).

☐ I am planning to **rehabilitate** my property. For the purposes of the loan, rehabilitation means that an effort is being made not only to maintain an historic property in reasonable repair, but to improve, reclaim and restore historic architectural characteristics that are threatened or have been lost through wear, alteration or neglect.

☐ The work I'm planning primarily involves the **exterior** of my structure, e.g., windows, doors, porch, siding, roof, steps, or foundation work. Certain types of interior work are allowed as part of the cash match.

☐ I am seeking no more than $7,500 in loan funding.

☐ I have secured at least 50% of the total eligible project cost to be used as a match to the loan.

☐ I can begin work on my project in six months, and complete my project within a year.

STAFF CONTACTS

Loan applications are available at http://www.fcgov.com/historicpreservation/applications.php. Please submit all applications to:

Maren Bzdek, Senior City Planner - Historic Preservation

Office: 281 N. College Avenue (Maple and N. College), Fort Collins
Phone: (970) 221-6206
Fax: (970) 224-6111
Email: mbzdek@fcgov.com
Website: www.fcgov.com/historicpreservation/

City of Fort Collins
P.O. Box 580
Fort Collins, Colorado 80522

ATTACHMENTS

City Code – Article V. Landmark Rehabilitation Loan Program

Sec. 14-81. - Purpose.
The City Council hereby establishes a landmark rehabilitation loan program and finds that the program promotes a valid public purpose of increasing the quality, exterior integrity and permanence of the City's stock of historic landmarks for the enjoyment and benefit of present and future generations of citizens of the City by making available to the owners of designated Fort Collins landmarks or contributing structures in designated Fort Collins landmark districts a source of funding for exterior rehabilitation of such structures.

(Ord. No. 137, 2000, § 2, 10-17-00; Ord. No. 186, 2002, § 34, 1-7-03; Ord. No. 057, 2014 , § 5, 4-15-14)

Sec. 14-82. - Establishment; funding.
The City Manager shall administer the program for awarding zero-interest loans for the rehabilitation of Fort Collins landmark structures and/or contributing structures in Fort Collins landmark districts. The City Manager may promulgate procedural rules and regulations for the efficient administration of the program. No such loan shall exceed the sum of seven thousand five hundred dollars ($7,500.) unless the City Council, by ordinance or resolution, authorizes a larger loan. All loans shall be funded solely from those funds held by the City for financial support of the program in the General Fund, and all loans shall be expressly contingent upon the availability of sufficient funds to support the loan. Loan recipients shall, as a condition of obtaining the loan, agree to repay the loan in full upon sale or transfer of the property. All loan repayments shall be returned to the landmark rehabilitation loan program.

(Ord. No. 137, 2000, § 2, 10-17-00; Ord. No. 186, 2002, § 35, 1-7-03; Ord. No. 108, 2009, § 1, 11-3-2009; Ord. No. 057, 2014 , § 5, 4-15-14)

Sec. 14-83. - Criteria.
No landmark rehabilitation loan shall be awarded unless the following criteria and requirements have been met:

(1) The subject structure must have been designated as a Fort Collins landmark or be a contributing structure in a Fort Collins landmark district pursuant to this Chapter before the landmark rehabilitation loan can be awarded.

(2) All loan recipients shall provide matching funds in an amount equal to or greater than the amount of the loan.

(3) The matching funds provided by the loan recipient may be utilized only for exterior rehabilitation of the subject property and/or the stabilization of the structure, the rehabilitation of electrical, heating or plumbing systems, and/or the rehabilitation or installation of fire sprinkling systems in commercial structures. Neither the loan nor the matching funds shall be used for the installation of or rehabilitation of signage or interior rehabilitation or decoration, nor the installation of building additions or the addition of architectural or decorative elements which are not part of the landmarked structure.

(4) Loan funds may be expended only for rehabilitation of the exterior of a designated Fort Collins landmark structure or contributing structure in a Fort Collins landmark district. No interior improvements may be purchased utilizing City loan funds.

(5) The standards and/or guidelines of the City and the United States Secretary of the Interior for the preservation, reconstruction, restoration or rehabilitation of historic resources then in effect shall serve as the standards by which all rehabilitation work must be performed.

(6) No loan funds shall be disbursed until after the recipient has completed the work, the work has been physically inspected by the City and has been approved by the City Manager and the loan recipient has documented the cost of the work by submitting to the City copies of all bills, invoices, work orders and/or such other documentation showing, to the satisfaction of the City, that the funds requested are reasonable and are supported by actual proof of expense.

(7) Loan recipients shall, as a condition of the loan, prominently place a sign upon the property being rehabilitated stating that such rehabilitation has been funded, in part, through the City's landmark rehabilitation loan program.

(8) Property owners who have previously received loans shall be eligible for subsequent loans.

(9) All rehabilitation work shall be completed within one (1) year from the date upon which the loan was awarded; provided, however, that upon application and a showing of good cause as to why the project cannot be timely completed, the Commission may authorize an extension of up to one (1) additional year for completion of the work.

(10) No landmark rehabilitation loan shall be awarded unless the Commission (or in cases of loans exceeding the maximum amounts established herein, the City Council) first determines that:

a. The applicant has demonstrated an effort to return the structure to its original appearance;

b. It is in the best interests of the public welfare that the structure proposed to be rehabilitated be preserved for future generations; and

c. The amount proposed to be spent on exterior rehabilitation is reasonable under the circumstances.

(11) No landmark rehabilitation loan shall be awarded unless the loan recipient has, as a condition of obtaining the loan, agreed to repay the loan in full upon sale or transfer of the property.

(Ord. No. 137, 2000, § 2, 10-17-00; Ord. No. 186, 2002, §§ 36—39, 1-7-03; Ord. No. 057, 2014 , § 5, 4-15-14)

Sec. 14-84. - Reserved.[1]

Footnotes:
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Editor's note— Ord. No. 108, § 2, 2009, adopted Nov. 3, 2009, repealed § 14-84 in its entirety.

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

2. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.