

General

What are the benefits and responsibilities of owning a property that is individually landmarked or located within a historic district?

Benefits

There are many benefits to owning an individually landmarked property or a property located within a historic district. In addition to enjoying the historic and architectural character of your building, you may be eligible for financial incentives, such as state and federal tax credits, to assist you with restoration or rehabilitation projects.

- **Federal Tax Credits**

A 20 percent federal tax credit is available for approved substantial rehabilitations of income-producing buildings (including rental housing) that are individually listed on the National Register of Historic Places or that are considered contributing to a National Register Historic District.

A 10 percent federal tax credit is available for the rehabilitation of non-contributing, non-residential, income-producing buildings located in a National Register Historic District that were built before 1936. For more information, visit the [National Park Service's Tax Incentives for Preserving Historic Properties](#) Web page.

- **Colorado State Tax Credit**

The state offers a 20 percent state income tax credit based on \$5,000 or more of approved preservation work on properties designated as local landmarks or contributing buildings in local historic districts.

- **Boulder Sales Tax Waiver**

A waiver of city sales tax on construction materials is available when applying for a building permit if at least 30 percent of the value of materials will be used for the building's exterior.

- **Eligibility for Grants**

Landmarked buildings are also eligible for application for State Historical Fund grants, a program created by a 1990 constitutional amendment that directs a portion of gambling tax revenues to historic preservation throughout the state. Projects must have a public benefit to be eligible for a grant.

Other Benefits

- **Potential Exemptions or Variances**

Landmarked buildings may receive variances or exemptions from select building code and zoning standards, including floodplain, height, solar and residential growth management requirements.

- **Recognition**

All newly-designated landmarks are honored with a bronze plaque presented at a public ceremony.

- **Staff Assistance**

City staff is always available and happy to assist applicants through the development

review and building permit process, as well as the preparation of applications for financial programs. The Landmarks Design Review Committee meets on a weekly basis to help expedite the development review and building permit processes.

Responsibilities

There are certain responsibilities that come with owning a landmark or a property within a historic district.

- **Exterior Changes Require a Landmark Alteration Certificate**

Exterior changes to individually-landmarked properties and those located within a historic district require a Landmark Alteration Certificate. Minor alterations, such as paint color, roofing and landscape changes are typically subject to administrative review. The Landmarks Design Review Committee (DRC), comprised of one staff member and two Landmarks Board members, reviews applications for additions, new accessory buildings, and alterations to porches, windows, and doors. Large projects usually require more than one meeting and may be referred by the DRC to the full Landmarks Board for review. The Landmarks Board reviews new free-standing construction (greater than 340 square feet), the demolition/moving of buildings and structures, and projects referred by the DRC.

The purpose of the design review process is to determine whether the proposed work would have a significant impact or be potentially detrimental to the historic or architectural character of a landmarked property or designated historic district. The General Design Guidelines, as well as district-specific design guidelines, have been adopted to aid in the decision-making process. The guidelines are intended to be used as an aid to appropriate design and not as a checklist of items for compliance. Guidelines specific to each district identify unique characteristics of that historic district. Referencing the applicable guidelines early in the design process will be beneficial as your project moves through the design review process.

- **General Upkeep of Your Historic Property**

The Landmarks Board cannot require the owner of a designated landmark or a property in a landmark district to make improvements to the building and/or its site. However, the Historic Preservation Ordinance does allow the board to require maintenance so that the landmark or district is not neglected. Keeping your home well-maintained will ensure its preservation for years to come and contribute to the special character of Boulder's historic neighborhoods.

What can I expect at a Landmarks Board hearing?

The Landmarks Board meets the first Wednesday of each month to review projects and demolition review applications called up by the Landmarks Design Review Committee (Ldrc) and applications for new free-standing construction (more than 340 square feet) on landmark properties or in historic districts.

The Landmarks Board consists of five members appointed by City Council, each to a five-year term. Two members are architecture, historic preservation or urban planning professionals and

three members may be chosen without specific requirements for qualifications. A representative of the Planning Board is also appointed to advise the Landmarks Board, however, they do not have a vote.

The meetings begin with a call to order and approval of the minutes from the previous meeting. The meeting is then opened to the public for items not on the agenda. The board then moves onto discussion of pending and issued Landmark Alteration Certificate and Demolition Review applications.

Action Item Hearing

First, board members are asked to disclose any ex-parte contacts they may have for the item. This may include DRC meetings at which the project was reviewed, site visits, and/or contact with members of the public regarding the application.

Next, a staff member presents the item to the board. The presentation includes an overview of the hearing process, the history of the property, the scope of the proposal and how it fits the applicable design guidelines. The staff presentation concludes with a recommendation to approve, deny, or, in the case of a demolition permit application, place a 180-day hold on the property, during which time alternatives can be explored. The Landmarks Board may ask questions of staff.

The applicant is then invited to present their application to the Landmarks Board. The applicant is asked to keep their presentation to ten minutes, which may be divided between the owner, applicant and/or representative (i.e. the architect). At the end of the applicant's presentation, the board may ask questions to clarify the scope of the project.

Next, the hearing is opened to anyone who wishes to speak about the item. Members of the public are asked to provide their name and address for the record and are provided three minutes to voice their support, opposition or concerns about the application.

The applicant is then provided with an opportunity to respond to comments made by the public.

The hearing is then closed to further public comment while the Landmarks Board deliberates and determines whether the proposed project meets the following criteria:

- the proposed work preserves, enhances, or restores, and does not damage or destroy the exterior architectural features of, the landmark or the subject property within a historic district;
- the proposed work does not adversely affect the special character or special historic, architectural, or aesthetic interest or value of the landmark and its site, or the historic district;
- the architectural style, arrangement, texture, color, arrangement of color, and materials used for existing and proposed structures are compatible with the character of the existing landmark and its site or the historic district; and

- for proposals to demolish a building in a historic district, the proposed new construction to replace the building must meet the requirements of the Historic Preservation Ordinance.

A motion will then be presented and seconded by the board. A motion requires an affirmative vote from at least three members of the board and must state the findings, conclusion and recommendation of the decision.

Following the Action Items, discussion of matters from the Landmarks Board, Planning Department and City Attorney are discussed. The meeting is then adjourned and a record of the hearing is kept by staff.

How do I go about researching the history of my home?

Many questions arise when considering the history of your home. Who lived there? What did they do for a living? How has it changed since its construction? These questions and others can be answered by searching the Carnegie Branch Library for Local History.

First, begin by searching their online catalog. More than 4,000 resources within the city limits have been surveyed and many of the documents have been recently digitized. Search by address to see if your home was surveyed. Each survey form will include information about the house's date of construction, architectural style and past residents. The catalog will also link to historic photographs of your home. Search by city block (i.e. "1000 block of Pine") to find photographs that may include your building.

Next, plan a visit to the Carnegie Library. They have numerous resources, such as Sanborn Fire Insurance maps that show the footprint of your building over time, city directories that list residents' names and occupations, and old newspaper clippings. The helpful staff can assist you as you explore the history of your home.

Landmark Designation

How does a landmark designation occur?

A property owner, the City Council, the Landmarks Board (LB), or an organization with a recognized interest in historic preservation may nominate a building or district for landmark designation. Landmarks staff then researches the historic and architectural significance of the property or area and prepares a report for review by the Landmarks Board.

The report is presented at a public hearing held by the Landmarks Board. The board may approve, approve with modifications, or deny the proposal.

If approved, an ordinance is prepared and forwarded to City Council. Council conducts its own public hearing about the proposed designations and gives final approval for the proposal.

The designation is effective 30 days after City Council approves it. A copy is placed in the Boulder County real estate records, so future owners will be notified.

How much does landmark designation cost?

A filing fee of \$25 is required to file an application for landmark designation. A fee of \$75 is required for a historic district designation application. If a group of property owners apply for district designation, they may share the single application fee. If the Landmarks Board initiates designation of a property or area, there is no fee involved. Check current Planning and Development Services fees for details.

How are buildings designated as "individual landmarks" acknowledged?

As a token of the city's appreciation, the owner of a designated landmark is awarded a bronze plaque to be permanently posted at the property or site. The city's designated historic districts receive street signs posted at entrances to the district.

Am I required to make improvements to my property after landmark designation?

The Landmarks Board cannot require the owner of a designated landmark or a property in a landmark district to make any improvements to the building and/or its site. However, the Historic Preservation Ordinance does allow the board to require maintenance so that the landmark or district is not neglected.

Will landmark designation change the zoning or allowed uses of my property?

No, landmark designation does not affect the zoning or allowed uses of a property.

Will my property taxes increase after landmark designation?

Landmark designation has no effect on the assessment for tax purposes. Property taxes are based on other factors that do not include landmark designation as a criterion.

What is the economic impact of having my property designated as a landmark? Will landmark designation negatively affect my property value?

This is one of the most commonly asked questions about historic preservation. According to numerous economic studies, designation of landmarks and districts tends to increase or maintain property values. View a [2005 study by the Brookings Institute](#) for more information.

Don Rypkema published a compelling study about the economic impact of preservation, with fascinating numbers regarding job creation. According to Rypkema, preservation projects create 17 jobs for every one million dollars invested, as compared with two jobs in the auto industry? Review the full study.

The Colorado Historical Foundation and History Colorado regularly study and document the economic benefits of historic preservation in Colorado. See their latest publication, *The Economic Power of Heritage and Place*.

Design Review

What kinds of changes require a Landmark Alteration Certificate?

Exterior changes to individually-landmarked properties and those located within a historic district require a Landmark Alteration Certificate. Any change to the exterior of a building, structure or landmark site, including paint color and window rehabilitation, is considered an

alteration. Common alterations that require a Landmark Alteration Certificate include: additions or rehabilitation, repainting, re-roofing, adding or changing windows or doors, porch enclosures, and fencing. A complete definition of the requirements can be found in Chapter 9-11-2 of the Boulder Revised Code.

What are the different levels of review?

There are three levels of review: administrative or staff level review, Landmarks Design Review Committee (DRC) review and full Landmarks Board review.

Staff Level Review

Staff may review common types of applications that involve minor alterations. This includes paint, re-roofing, some rear and side-yard fences, restoration of existing historic features, and landscaping, as well as signs, awnings, and patio extensions in the Downtown Historic District. This type of review can be approved quickly if the applicant submits a complete application form with documentation and the proposed alterations meet the design guidelines.

Design Review Committee

The Landmarks Design Review Committee (DRC) is comprised of two members of the Landmarks Board and one staff member. The committee reviews most requests for alterations to properties that are individually landmarked or located within a historic district, including proposed additions, new accessory buildings less than 340 square feet in size, and alterations to porches, windows, and doors. Large or complex projects generally require more than one meeting.

All three members of the DRC must approve the proposed alteration. If a member of the committee believes that a proposal may be inconsistent with the design guidelines or considers that it may have a significant impact on the district, the proposal is referred to the full Landmarks Board for review. If an applicant is not satisfied with the committee's decision, they may request a public hearing of the proposal before the full board.

The DRC meets each Wednesday morning (except holidays), at the Building Services Center on the third floor of the Park Central Building at 1739 Broadway. Materials must be submitted by Friday at 11 a.m. to schedule a review for the following Wednesday. In some cases, agendas fill up and applications are scheduled for the next DRC meeting.

Landmarks Board

The Landmarks Board reviews all new free-standing construction (greater than 340 square feet in size), the demolition or moving of structures and projects called up by the DRC. The board usually meets on the first Wednesday of each month. All applications must be submitted to a project specialist at Planning and Development Services by the deadline listed on the back page of the landmark alteration certificate application.

All public hearings for Landmark Alteration Certificates are conducted according to quasi-judicial proceedings. After a public hearing, a Notice of Disposition is served to City Council outlining the Landmarks Board's decision. The City Council has 14 days to call up a decision to

approve a Landmark Alteration Certificate. If the Landmarks Board votes to deny an application, City Council has 30 days to call up the decision. For more information, see *What can I expect at a Landmarks Board Hearing?*

Who should I contact about a proposed change?

Contact Historic Preservation Planner James Hewat at 303-441-3207 or Historic Preservation Planner Marcy Cameron at 303-441-3209 with questions about the design review process.

Who is a good resource for window rehabilitation or other restoration and remodel services?

The City of Boulder does not recommend specific contractors, architects or consultants. However, the National Trust for Historic Preservation has published a guide to selecting a consultant.

History Colorado has also published a directory of practicing architects and architectural historians in Colorado. The consultants request to be included in the Historic Preservation Directory, and are not endorsed by History Colorado.

Additional window resources from the National Park Service and the National Trust:

- National Park Service Preservation Brief 9: The Repair of Historic Wooden Windows
- The National Trust - Windows Links & Resources Page

What are the benefits of keeping my historic windows?

Windows, the elements that surround them and their relations to one another are one of the most important character-defining elements of a historic building and should be preserved. Incompatible replacement of windows or doors on a historic building can seriously detract from its architectural character.

Often, window or door replacements are seen as a way to increase the energy efficiency of a building. However, other measures should be considered before window replacements are proposed. A comprehensive energy audit should be completed first to prioritize energy efficiency upgrades. For example, additional wall or ceiling insulation and the adjustment of mechanical systems is generally more effective than focusing only on the repair or replacement of historic windows.

Keeping your historic windows and doors may also be more cost-effective than installing replacement windows. Replacement windows are a significant investment; while new windows are advertised as requiring less maintenance, they have less long-term durability and a significantly shorter lifespan than historic windows. Since newer windows are manufactured as a unit, repairs are often not feasible, and may require replacement of the entire unit. When considering the energy efficiency benefits of replacing historic windows, also consider the material added to the landfill, energy required to manufacture and transport the new windows, and the overall lifespan and maintenance of the new windows.

You can increase the energy efficiency of your windows and doors without full replacement. Consider adding storm windows, shades, or curtains and sealing up the space around the windows. Again, the energy efficiency benefits often do not outweigh the loss of an important character-defining feature of a historic house.

Please reference our Making Your Historic Building Energy Efficient brochure for a concise overview of key issues to consider when improving the energy efficiency of a historic building.

For more detailed information about the issues highlighted by the brochure, see [Making Your Historic Home Energy Efficient: Volume I, Principles and Approaches](#) and [Making Your Historic Home Energy Efficient: Volume II, Technical Details](#).

For more information, review the [National Trust for Historic Preservation’s Repair or Replace Old Windows: A Visual Look at the Impacts](#).

Is my project eligible for historic preservation tax credits?

If your building is located within a historic district or is individually landmarked, you may be eligible for tax credits as part of your restoration or rehabilitation project.

	Federal (20 Percent)	Federal (10 Percent)	State (20 Percent)	Boulder Sales Tax Waiver
Building must be:	Listed individually in the National Register; OR considered eligible for listing; OR a contributing building in a historic district listed in the National Register.	Built before 1936; not individually eligible for listing in the National Register; AND not contributing to a historic district.	More than 50 years old; listed in the State Register OR a local landmark.	Designated as an individual landmark or be located within a designated local historic district and have received a Landmark Alteration Certificate for the planned work.
Eligible Buildings	Income-producing properties, including commercial, industrial, agricultural, or rental residential.	Income-producing (non-residential).	All buildings meeting the requirements listed above	Same as above. Project must have a minimum of 30 percent of total dollar value of the materials (excluding labor) must be used on the exterior of the building.
Minimum Cost of Rehabilitation	More than \$5,000 OR the adjusted basis of the property, whichever is greater.	More than \$5,000 OR the adjusted basis of the property, whichever is greater.	More than \$5,000.	No minimum as long as the work requires a city permit.
Maximum Tax Credit	Unlimited.	Unlimited.	\$50,000.	The maximum amount of sales tax that can be waived on any site per year is \$12,500.

Demolition

What is the demolition review process for buildings that are more than 50 years old?

Definition of Demolition

The Historic Preservation Program reviews all Demolition Permit Applications for buildings that are more than 50 years old. The Historic Preservation Ordinance defines demolition as “the act or process which removes one or more of the following:

1. Fifty percent or more of the roof area as measured in plain view;
2. Fifty percent or more of the exterior walls of a building as measured contiguously around the "building coverage" as defined in this section; or
3. Any exterior wall facing a public street, but not an act or process which removes an exterior wall facing an alley

A wall shall meet the following minimum standards to be considered a retained exterior wall:

1. The wall shall retain studs or other structural elements, the exterior wall finish, and the fully framed and sheathed roof above that portion of the remaining building to which such wall is attached;
2. The wall shall not be covered or otherwise concealed by a wall that is proposed to be placed in front of the retained wall; and
3. Each part of the retained exterior walls shall be connected contiguously and without interruption to every other part of the retained exterior walls. (Historic)”

Demolition Review Process

1. Submit your completed Demolition Permit Application to a project specialist in the Building Services Center, located at 1739 Broadway. As part of the application, photographs and a survey map showing the location of the buildings and/or structures proposed for demolition are required. The photographs should be large (at least 5”x7”) and clear, and should show at least one view of each side of the house.
2. The permit is then reviewed by staff or the Landmarks Design Review Committee (DRC). Staff provides administrative review of Demolition Permit Applications for buildings that are more than 50 years old and constructed after 1940, as well as for onsite relocations and applications for the demolition of accessory structures. The DRC reviews applications for buildings constructed before 1939 and for offsite relocations. Survey Inventory Forms, historic photographs and other resources are used to determine whether: a) the building is potentially eligible for designation as an individual landmark, or b) that its removal will not have a significant impact or potential detriment to the historic resources of the city. If it is found to not be historically significant, a demolition permit is issued.

3. If the property is found to be potentially eligible for landmark designation, the permit is held for up to 60 days after the application is filed. The permit is then scheduled for review by the full Landmarks Board.
4. Prior to the Landmarks Board meeting, staff researches the history of the building proposed for demolition. The information is presented to the board at a public hearing, followed by the applicant's presentation. The board then deliberates and determines if the property has historic, architectural, or environmental value, and thus is eligible for individual landmark designation. If it is determined that the building or structure is not of historic, architectural or environmental significance, the demolition permit will be issued. Review the evaluation criteria.
5. If the Landmarks Board finds that the property does have historic, architectural, or environmental significance and its demolition might constitute a loss to the city, the permit is held for up to 180 days after the application is filed.
6. During the demolition review hold, staff will work with the property owner to explore alternatives to demolition. Civic groups, public agencies, and/or interested citizens may be consulted for input. The solution may entail finding alternatives to the demolition, relocating the building, and/or salvaging the building materials to be reconstructed elsewhere. The board or City Council may also choose to initiate the landmark designation process during the 180 day review period.
7. If the property is not designated as an individual landmark by the end of the 180 day stay, the demolition permit will be issued. As a condition for the issuance of the permit, the Landmarks Board may require documentation of the building to be kept at the Carnegie Branch Library for Local History.