



TOWN OF ELIZABETH

**TOWN OF ELIZABETH
Historic Advisory Board
Monday, April 18, 2022 at 4:30 PM
Town Hall, 151 S. Banner Street**

CALL TO ORDER

ROLL CALL

AGENDA CHANGES

MINUTES

- [1.](#) Regular Minutes of March 7, 2022

NEW BUSINESS

- [2.](#) Discussion regarding National/State Historic registration for the Historic Bank Building at 188 South Main Street
3. Discussion regarding results from Historic Preservation Survey
- [4.](#) Discussion regarding History Colorado Basic Model CLG Preservation Ordinance
- [5.](#) Discussion regarding second Public Meeting for possible Preservation Code Update

REPORTS

- [6.](#) Staff Report
7. Board Reports

ADJOURNMENT



TOWN OF ELIZABETH

HISTORIC ADVISORY BOARD – RECORD OF PROCEEDINGS MARCH 7, 2022

CALL TO ORDER

The Regular Meeting of the Historic Advisory Board was called to order on Monday, March 7, 2022, at 4:30 PM by Acting Chair Jerry Garland.

ROLL CALL

Present were Acting Chair Jerry Garland, and Board Members Brandi Wilson and Aimee Woodall. Chair John Quest and Vice Chair Cecilia Farin were not present. There was a quorum to conduct business.

Also present were Planner/Project Manager Zach Higgins, Deputy Town Clerk Harmony Malakowski, and Community Development Administrative Assistant Pat Gonzales.

AGENDA CHANGES

There were no changes to the agenda as presented.

MINUTES

Regular Minutes of February 11, 2022

Motion by Ms. Woodall, seconded by Ms. Wilson, to approve the minutes from February 11, 2022.

The vote of those Board Members present was unanimously in favor. Motion carried.

NEW BUSINESS

Discussion regarding outcomes and lessons learned from Public Kickoff Meeting

Board Members discussed the meeting and suggested changes and updates for the next public meeting.

Discussion regarding upcoming Historic Preservation Survey

Mr. Higgins asked for more questions from the Board to add to the survey.



TOWN OF ELIZABETH

Discussion regarding History Colorado Basic Model CLG Preservation Ordinance

Board members went through the code and suggested changes.

Discussion National/State Historic registration for the Historic Bank Building at 188 South Main Street

The Board would like to move forward with helping the owners apply for National and/or State Historic registration.

STAFF REPORTS

There were no further reports from staff.

BOARD REPORTS

- Discussion regarding quarterly report to the Board of Trustees.
- Clarification regarding survey questions.

ADJOURNMENT

Motion by Ms. Wilson, seconded by Ms. Woodall, to adjourn meeting at 5:53 PM. The vote of those Board Members present was unanimously in favor. Motion carried.

Chair John Quest

Deputy Town Clerk Harmony Malakowski

Item 2.

Preliminary Property Evaluation Form

NATIONAL REGISTER OF HISTORIC PLACES
COLORADO STATE REGISTER OF HISTORIC PROPERTIES

Historic building name: First National Bank of Elizabeth

Current building name: 188 Main Street

Current owner name and address: John & Janet Taylor

TOWN ADMINISTRATION PLEASE PROVIDE ADDRESS

Original owner: First National Bank of Elizabeth

Source of information: Elbert Co. Historical Society, via. Elbert County Tribune article dated 10-11-1906.

Historic Use(s): Bank

Present Use(s): Office

Local Landmark Designation:

yes no Date of designation: 12 August 2003

Designating authority: Town of Elizabeth

LOCATION INFORMATION

County: Elbert City: Elizabeth Vicinity

Building Address: 188 S. Main Street, Elizabeth, CO 80107

Lot(s): 6 Block(s): 1 Addition name: n/a Year of addition: n/a

USGS quadrangle topographic map: Elizabeth Quadrangle Colorado - Elbert County 7.5-Minute Series

You must provide at least one of the following:

P.M. 6th Township 8 Range 64 Section 18 Quarter Section(s) _____

UTM reference: Zone 13 mE 534,900 mN 4357,360

Latitude 39.36105 Longitude 104.59523

ARCHITECTURAL INFORMATION

Construction date: 1907 estimate actual

Elbert County Historical Society & Elizabeth Downtown Historic District Survey, 2018-2019 (re: Certified

Local Government Grant CO-18-014), survey prepared by History Matters, LLC

Architect: unknown

Builder/Contractor: unknown

Source of information: _____

Original location Moved Date of move(s): _____

Number of stories: 1 Building dimensions: 1,056 SF, 44' long (east to west), 24' wide (north to south)

Exterior materials: Face brick on wood frame, painted wood trim on cornice and frieze of predominate (west) facade.

Associated buildings: yes no Number of associated buildings: _____

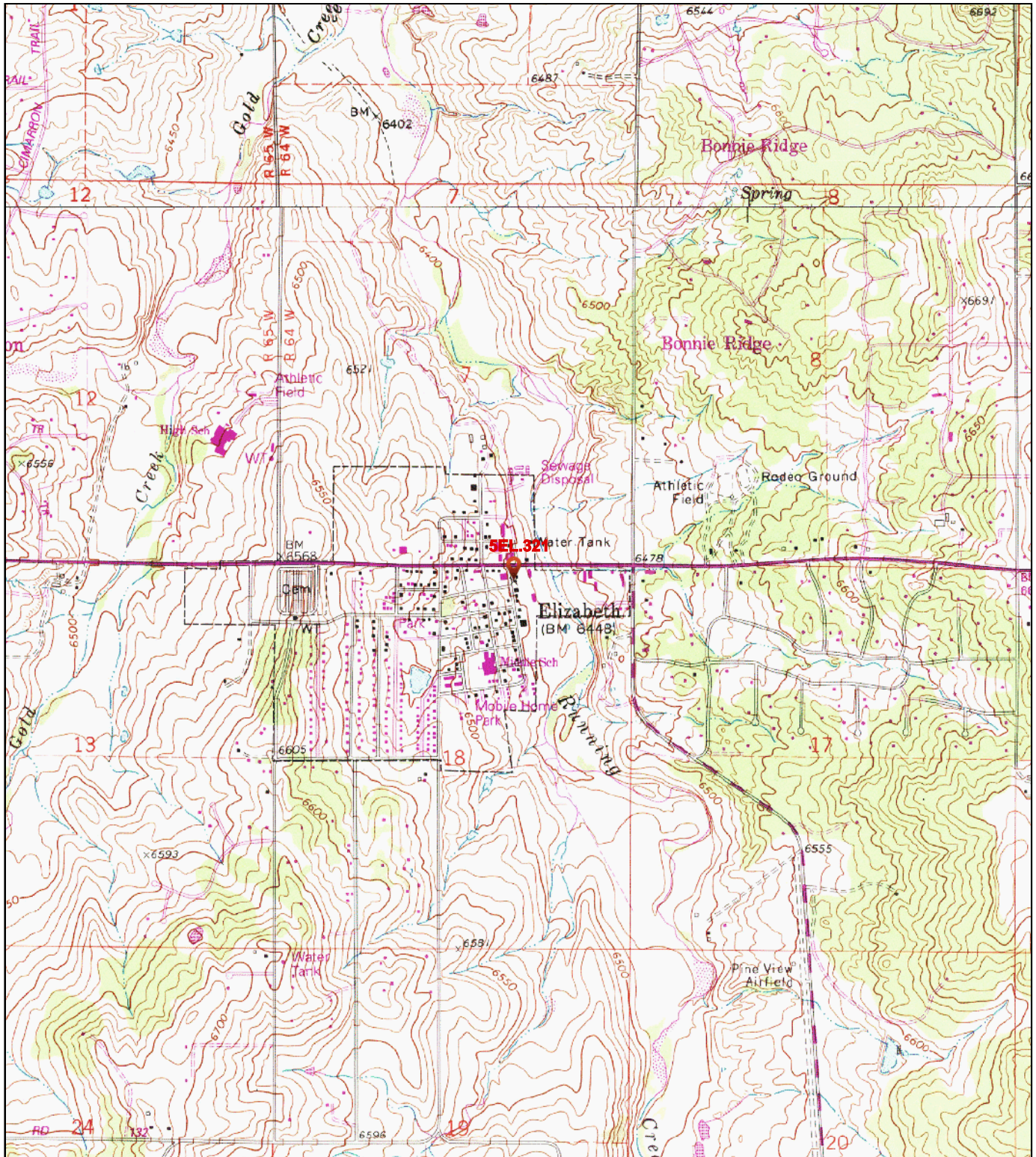
Associated building type(s) eg. garage, barn: _____

Insert aerial map of site (see instructions for information on how to generate the necessary map from your County Assessor's data Item 2.

OAHP Site #: 5EL.321

OAHP Form #1417

LOCATION MAP



Source: U.S. Geological Survey 7.5' Elizabeth - 1994

Select the correct North Arrow:

Map Source: US Geological Survey 7.5' Elizabeth

Architectural description (remember to provide photographs of the building with this form):

The building is a single-story structure, rectangular in plan with a flat roof. The style could be described as Italian Renaissance-Revival (1890 - 1930), incorporating classical details such as columns, rounded arches, and a porch arcade/portico. The prominent features of this building are on its primary (west-facing/ street facing) facade, and include an arcaded porch and bracketed cornice. Pilasters articulate the columns and terminate at the cornice. The exterior walls are brick masonry veneer (unpainted) on wood frame. Windows are one-over-one double-hung, fixed pane (storefront), and transom units. According to the Colorado Cultural Resource Survey Inventory, prepared by History Matters, LLC, the windows appear to be original. The double-hung windows sit within masonry openings framed with relatively flat arches and projecting brick keystones.

The molded portions of the cornice on the building's primary facade are painted (white) wood trim. The cornice is divided into three sections: the lower is painted wood crown molding, the middle section is a decorative band of brick masonry, in which the building's name 'BANK' is highlighted by a corbeled brick rectangular border that is flanked symmetrically on each side by a similar corbeled brick border with no articulation (flat brick) within the border's field. The upper portion of the cornice returns to painted wood brackets on a flat fascia with the most predominate painted molding topping the brackets and indicating the top of the cornice. The masonry walls extend as a parapet approximately 3 - 4 additional brick courses above the cornice, and are articulated by symmetrical pilasters and crenelation, and capped by additional corbeled brick. The center section of the parapet is capped with painted wood trim and finials, joining the two center crenelated pilasters and framing the date of 1907. This is aligned to the center of the framed 'BANK' signage below. Cut stone is used at the main entry's door jamb, lintel, and porch floor.

Secondary doors on the south side of the building are framed in wood. Stepped-brick parapets are visible on the secondary (north and south-facing facades). The secondary facades and the rear (east- alley) facade are of the same brick masonry, the rear facade has no parapet but supports a gutter at the low-end of the flat roof for roof drainage to grade.



West (street-facing) primary facade
Source: Google Maps, Street View
(see additional pages for additional photographs)

Construction history (include description and dates of major additions, alterations, or demolitions):

The building was constructed in 1907. No known additions, alterations, moves, or demolition activities have been documented.



Northwest Corner of 188 S. Main Street - detail of porch & cornice is evident
Photo source: Town of Elizabeth



South and Rear elevations of 188 S. Main Street, stepped parapet and secondary doors visible, outhouse is presumed to be original
Photo source: Town of Elizabeth

NATIONAL BANK



188 SOUTH MAIN STREET

This building was constructed in 1907 to house First National Bank. Mr. Lee Ramsey was the bank president until early 1930's when the bank closed because of the Great Depression. For many years the building served as a storage space for medical and hospital supplies available for rent by the American Legion.

Through the years the building has housed Cub and Boy Scout meetings, Taylor's shoe repair shop, an art and a recording studio, gift shop and a law office.

Town History Plaque - displayed on primary (west/street-facing) elevation of 188 S. Main Street

HISTORICAL BACKGROUND

Discuss important events, organizations, businesses, individuals, and groups associated with this building:

According to the Elbert County Tribune, in 1906, the First National Bank of Elizabeth purchased Lot 6 in Block 1 for \$300.00. The building was completed the following year.

The bank's founders likely hired an architect or bought a bank-building 'kit' from a catalog for their signature brick building along Main Street. Facing the street rather than the nearby railroad depot behind it signaled the growing importance of vehicular transportation in Elizabeth.

In 1909, the First National Bank absorbed the town's only other bank (Farmers State Bank, c. 1902, located on Kiowa Ave. near the intersection with Main Street). The bank consolidated business into the First National building (188 S. Main Street). During the Great Depression of the 1930's, Elizabeth's only bank failed, however the building has been maintained and used as private offices throughout its 100+ year life.

Information sources (be specific):

- Elbert County Tribune/ Colorado Historical Society Building Inventory (1995-1996 survey/application).
- "Elizabeth, Colorado: Enduring Heritage of a Small Town on the Divide 1881 -1965", Town of Elizabeth, CO + Square Moon Consultants LLC
- "Elizabeth Downtown Historic District Survey, 2018 - 2019: Celebrating a Sense of Place in Elizabeth, Colorado", History Matters, LCC (Certified Local Government Grant CO-18-014)

Item 2.

SIGNIFICANCE (check appropriate categories)

- represents the work of a master
- possess high artistic value
- represents a type, period, or method of construction
- associated with significant person(s)
- associated with significant event
- associated with a pattern of events
- contributes to a historic district

Statement of significance (briefly justify the significance checked above):

The bank's masonry architecture stands out because it varies from the town's predominant tradition of wood-frame and wood-siding construction. It is also more likely to reflect prevailing architectural stylistic trends throughout Colorado and the US during the early part of the 20th Century, probably because these types of structures were often designed by trained architects. Because the town's masonry buildings typically housed important town uses, they also typically display more applied and crafted ornamentation than their wood-frame residential & commercial counterparts. (Ref. Elizabeth, Colorado: Enduring Heritage of a Small Town on the Divide 1881-1965; Town of Elizabeth, Colorado + Square Moon Consultants LLC)

The building also represents architectural features typical to 19th and early 20th Century Commercial buildings, specifically in this case Italian Renaissance Revival elements such as the raised parapet, decorative cornice, rounded arched entries, arcaded porch, and stepped parapets along the building's secondary facades.

Form completed by: Town of Elizabeth / Aimee Woodall, AIA, Town of Elizabeth Historic Advisory Board member

Address: 151 S. Banner Street Elizabeth, CO 80107

Email: _____

Phone: _____ Date: _____

HOW TO COMPLETE THE PRELIMINARY PROPERTY EVALUATION FORM

Email the completed form and photographs to the appropriate National and State Register Historian in History Colorado's Office of Archaeology and Historic Preservation. Visit <https://www.historycolorado.org/contact-national-state-register-staff> for contact information.

Current Photographs and Historic Photographs: Provide current photographs showing each side of the building, and any associated buildings, with the completed Preliminary Property Evaluation Form. Provide any available historic photographs of the property along with the current photos. Historic photos help staff evaluate any changes to the property made over time. Provide photographs as individual digital image files or as a separate pdf file.

Please complete the following form fields to the best of your ability.

Historic name(s): Original and subsequent names of the building, if known.

Current building name: Current name of the building.

Owner name and address: Provide the name and address of the current owner.

Original owner: Name of property owner when building was constructed; provide source of information in field below.

Use: Briefly note the building's historic use(s) and present use.

Local landmark designation: Indicate whether the building is an official locally designated landmark. State the designating organization and the date the designation took place.

County and City: Provide county and municipality in which the building is located. For rural properties, provide nearest municipality and check the "vicinity" box.

Current building address: Provide current address and zip code.

Lot, block, addition and year of addition: This information can be obtained from the local tax assessors or planning office. Rural addresses rarely have such information. If there are no block or lot numbers, provide township, range, and section.

USGS topographic quad map name: Identify the United States Geographical Survey topographical quad map that depicts the property location. USGS topo maps can be viewed and downloaded at <https://ngmdb.usgs.gov/topoview/>.

Township, range, section: Forms that lack accurate locational data will be returned for revision. This information should be available online from the county tax assessor or local planning office as part of the property record files. You can also search for this information by entering the property's Latitude/Longitude coordinates at <http://www.earthpoint.us/TownshipsSearchByLatLon.aspx>.

UTM reference and/or Latitude/Longitude: Forms that lack accurate locational data will be returned for revision. Latitude/Longitude coordinates can be obtained online via Google Maps. Search for the property and select Satellite imagery. Position the cursor on the center of the primary building and right click. Choose "What's Here" from the menu and a pop up box will appear with the Latitude/Longitude coordinates in decimal degrees format. UTM's can be generated via GIS programs or by converting Latitude/Longitude coordinates. Online GIS portals hosted by several Colorado counties (see attached list of links) can provide UTM's and/or Latitude/Longitude coordinates (see Aerial Map information below). Look for this feature in menus labeled "Coordinate Conversion," "Line Measure" (Coordinates), or "Measurement" (Point).

Construction date: Determine the construction date with care. Inclusive dates can be given for buildings built over a period of years (e.g. 1899-1902). If an exact date is unknown, after and before dates can be used (e.g. after 1887 and before 1893). Provide the name of the source for the construction date (e.g. tax assessor office or building permit).

Architect and builder/contractor: List the names of the architect and the builder or contractor of the building, if known. Give the information source. Indicate if information is unknown.

Original site or moved: Indicate whether the building is on its original site or has been moved. Note the date of the move(s).

Number of stories and building dimensions: Indicate the number of stories and the dimensions of the building.

Exterior materials: List the exterior building materials.

Associated buildings: Indicate the number of buildings other than the primary building located within the property parcel (e.g. privy, separate garage, or shed)

Aerial map of site: You must provide an aerial map of the property parcel or the form will be returned for revision. Insert a digital aerial map showing the resource and the boundary of the property parcel. This can be generated from County online GIS maps (see attached list of links).

Navigate to the County's online GIS portal. Colorado's counties use a variety of online GIS software. The instructions that follow apply to many, but not all, of those systems. If you have questions, contact the appropriate National and State Register staff person.

Search for the property parcel. Click on the parcel if necessary to show the parcel boundary and zoom in or out to ensure the entire parcel is visible. If the system does not automatically display aerial imagery, change the basemap to "Imagery" or "Satellite" (basemap menu is indicated by a group of four squares in many systems). Use the "Export" or "Print" function to save a JPEG or PDF image of the map to your computer ("Export" is found under the "Advanced" menu on some systems). If using the "Print" option, right click on the image that appears in your browser and choose "Save image as..." to save to your computer or choose the "Save as PDF" option in the print dialog box.

Click the box on the Preliminary Property Evaluation form to open the "Select Image" dialog box. Select "Browse" and select the exported JPEG image or PDF of the map. Click "OK" to insert the JPEG file. For counties that do not yet provide this service (Baca, Bent, Crowley, Custer, Elbert, Hinsdale, Jackson, Kiowa, Lincoln, Otero, Ouray, Park, Phillips, Prowers, Washington), provide a USGS topographic map with the location of the property clearly marked. Topo maps can be generated at <https://caltopo.com> by clicking the "Add New Object" option and selecting "Marker". In the dialog box, enter the Latitude/Longitude coordinates of the resource and click "OK". Verify that the marker is in the correct location. Select "Print" and choose "Print to PDF or JPG". In the dialog box, verify that the selected scale is 1:24,000. The area that will be printed will be indicated by a red rectangle with a red dot in the center. Click the red dot and hold to center the map box on the property if needed. Click "Generate PDF". Right click on the map that appears in your browser and choose "Save image as..." to save to your computer.

Select the appropriate North Arrow from the options below the map and indicate the website used to generate the map.

Architectural description: Briefly describe the physical characteristics of the building. Be sure to mention such features as porches, window and door types, ornamentation, chimneys, roof types and any other distinguishing features. Indicate the material and type whenever possible (eg. wood clapboard siding, metal casement windows).

Construction history: Briefly describe any changes to the building and property over time, including major alterations, additions, demolitions, and the construction or demolition of any associated buildings. List the date of each alteration to the property (or indicate date of change as unknown).

Historical background: Briefly discuss the history of the building as it relates to important events and persons.

Information sources: List the information sources and references used in the preparation of this form. List individuals interviewed, newspapers (with dates), and books consulted or the source of historic photographs and other materials used. This is especially important for the information contained in the construction history and historical background sections.

Significance: Indicate the appropriate area(s) of significance for the building.

Statement of significance: Provide a statement supporting the selections made above. For example, what type, period, or method of construction does the property represent and why is it considered a good example of that type, period or method? What historical activities/trends/events/cultural practices does the property represent and why are those activities/trends/events/cultural practices important within the local or regional community? For instance, how does a department store building represent the history of a town's commercial development over time?

Form preparer: Please provide the name, address, email address, and day-time phone number of the person who completed the evaluation form.

County Online GIS Links

[Adams County Basic Web Map](#)

[Alamosa County Parcel Viewer](#)

[Arapahoe County ArapaMap](#)

[Archuleta County](#)

Baca County: online GIS and online property information unavailable at this time.

Bent County: online GIS and online property information unavailable at this time.

[Boulder County](#)

[Broomfield County Parcel Search](#)

[Chaffee County](#)

[Cheyenne County Online Map Viewer](#)

[Clear Creek County](#)

[Conejos County Parcel Viewer](#)

[Costilla County GIS Property Search](#)

Crowley County: online GIS unavailable at this time; online property information available [here](#).

Custer County: online GIS unavailable at this time; online property information available [here](#).

[Delta County](#)

Denver County: Contact OAHP staff for mapping assistance; online property information available [here](#).

[Dolores County Online Map Viewer](#)

[Douglas County](#)

[Eagle County GIS Viewer](#)

[El Paso County GIS Data](#)

Elbert County: online GIS unavailable at this time; online property information available [here](#).

[Fremont County Maps](#)

[Garfield County Colorado Land Explorer](#)

[Gilpin County GIS Map Viewer](#)

[Grand County Parcel Viewer](#)

[Gunnison County Map Viewer](#)

Hinsdale County: online GIS and online property information unavailable at this time.

[Huefano County Public Map Viewer](#)

Jackson County: online GIS and online property information unavailable at this time.

[Jefferson County jMap:](#)

Kiowa County: online GIS and online property information unavailable at this time.

[Kit Carson County Map Viewer](#)

[La Plata County](#)

[Lake County Tax Parcel Viewer](#)

[Larimer County Land Information Locator](#)

[Las Animas County GIS](#)

Lincoln County: online GIS unavailable at this time; online property information available [here](#).

[Logan County GIS Mapping](#)

[Mesa County](#)

[Mineral County](#)

[Moffat County](#)

[Montezuma County](#)

[Montrose County](#)

[Morgan County Parcel Viewer](#)

Otero County: online GIS unavailable at this time; online property information available [here](#).

Ouray County: online GIS unavailable at this time; online property information available [here](#).

Park County: online GIS unavailable at this time; online property information available [here](#).

Phillips County: online GIS unavailable at this time; online property information available [here](#).

[Pitkin County Maps & More](#)

Prowers County: online GIS and online property search unavailable at this time.

[Pueblo County GIS](#)

[Rio Blanco County Interactive Map](#)

[Rio Grande County GIS Parcel Viewer](#)

[Routt County GIS](#)

[Saguache County Parcel Viewer](#)

[San Juan County Public GIS Portal](#)

[San Miguel County Advanced Map Viewer](#)

[Sedgwick County Assessor Map](#)

[Summit County GIS Parcel Query Tool](#)

[Teller County Parcel Map](#)

Washington County: online GIS not available; online property information available [here](#).

[Weld County Property Portal](#)

[Yuma County GIS Interactive Map](#)

Chapter 2 – Article VIII - Historic Advisory Board

Section 1. General

1. Purpose. The purpose of this ordinance is to enhance our community's local resources and to promote the public health, safety, and welfare through:
 - a. The protection and preservation of the Town's architecture, culture, and heritage as embodied in Historic Properties and Historic Districts, by appropriate regulations and incentives;
 - b. The enhancement of Property values and the stabilization of historic neighborhoods;
 - c. The establishment of the Town's Historic Register listing Historic Properties and Historic Districts;
 - d. The cultivation of civic pride in the art, architecture, and accomplishments of the past;
 - e. The encouragement of continued private ownership and utilization of such Historic Properties or Historic Districts now so owned and used;
 - f. The promotion of thoughtful community planning and design;
 - g. The maintenance and improvement of economic and financial benefits through the protection of attractions that bring tourists and visitors to the Town; and
 - h. The provision of educational opportunities to increase public appreciation of the Town's unique heritage.
2. Intent. The intention of this ordinance is to create a reasonable balance between private property rights and the public interest in preserving the City's unique historic character through the nomination of Buildings, Structures, Sites, Objects, and districts for preservation.
3. Definitions. For purposes of this ordinance, the following terms are to be defined as follows:
 - a. **Alteration or Alter** – Any act or process that changes one (1) or more of the exterior architectural or landscape features of a Building, Structure, Site, Object, or district.
 - b. **Applicant** – Person or persons submitting nomination or Alteration paperwork.
 - c. **Board of Trustees** – The board of trustees of the Town.
 - d. **Building** – A shelter or enclosure Constructed for persons, animals, or chattels.
 - e. **Building Code** – The [The current Town Building Code].
 - f. **Building Official** – The officer or other designated authority charged with the administration and enforcement of the Building Code, or that person's authorized representative.
 - g. **Certificate of Appropriateness** – Certificate issued by the Historic Advisory Board authorizing any proposed repair, restoration, Alteration, Construction, Relocation, or Demolition of a Historic Property or element within a Historic District pursuant to this ordinance.
 - h. **Certificate of Economic Hardship** – A certificate issued by the Commission authorizing the repair, restoration, Alteration, Construction, Relocation, or Demolition of a designated Building,

Structure, Object, Site, or element within a designated Historic District in accordance with the provisions of this ordinance, even though a Certificate of Appropriateness has previously been denied.

- i. **City's Historic Register** – The register established pursuant to Section 3 of this ordinance.
- j. **Code** – The [City Code/Municipal Code].
- k. **Colorado State Register of Historic Properties** – The official listing of state designated cultural resources.
- l. **Commission** – The Historic Preservation Commission established pursuant to Section 2 of this ordinance.
- m. **Compatible** or **Compatibility** – Consistent or harmonious with location, design, setting, materials, workmanship, feeling, or association of an individual Building, Structure, Object, or Site or of surrounding Properties.
- n. **Construction** or **Construct** – Act of erecting an addition to an existing Building, Structure, or Object or the erection of a new principal or accessory Building, Structure, or Object on a lot or Property.
- o. **Contributing Property** – A Building, Structure, Site, or Object that reflects the historic or architectural character within a Historic District.
- p. **Demolition** or **Demolish** – Any act or process that destroys in part or in whole a Building, Structure, Object, or Site.
- q. **Design Guidelines** – A standard of appropriate activity that will preserve the historic and architectural character of a Historic Property, Property, or Historic District.
- r. **Historic District** – Meaning as set forth in Section 3 of this ordinance.
- s. **Historic Property** – A Building, Structure, Site, or Object which is designated by the City Council pursuant to this ordinance.
- t. **Historic Significance** – The meaning or value ascribed to a Building, Structure, Object, Site, or district based on criteria for evaluation as defined by Section 3 below.
- u. **Infill** – Construction on vacant or under-used parcels within existing areas that are largely developed.
- v. **Integrity** – The ability of a property to convey its Historic Significance through its physical features.
- w. **Inventory** – Catalog of Buildings, Structures, Objects, and Sites within the City, listed, eligible for listing, or non-eligible for listing in the City's Historic Register.
- x. **Maintenance** – All activities necessary to prolong the useful life and aesthetic appearance of a Property.
- y. **National Register of Historic Places** – The list of significant Buildings, Structures, Sites, Objects, or districts in American history, architecture, archaeology, engineering, or culture maintained by the U.S. Secretary of the Interior.
- aa. **Non-Contributing Property** – A Building, Structure, Object, or Site that does not reflect the historic or architectural character within a Historic District because of age or lack of Integrity.

- bb. **Object** – A material item of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.
- cc. **Period of Significance** – Span of time during which significant events and activities occurred.
- dd. **Owner** – The person, corporation, government, or other legal entity who owns or who has any legal or equitable interest in Property and who is so listed as Owner on the records of the Elbert County Assessor's Office.
- ee. **Property** – A Building, Structure, Site, or Object.
- ff. **Relocate or Relocate** – Moving a Building, Structure, or Object to a different location, either temporarily or permanently.
- gg. **Secretary** – The secretary of the Commission.
- hh. **Secretary of the Interior's Standards for the Treatment of Historic Properties** – The preservation, rehabilitation, restoration, and reconstruction standards adopted by the U.S. Department of the Interior.
- ii. **Section 106 Review** – Process required of federal agencies under 54 U.S.C. 306108 to consult local governments and other parties in consideration of the effects of projects carried out, permitted, licensed, or funded by that agency on properties listed in the National Register of Historic Places.
- jj. **Site** – Location of a significant event; a prehistoric or historic occupation or activity; or a Building, Structure, or Object, whether standing or vanished, where the location itself maintains historic or archaeological value regardless of the value of any existing Building, Structure, or Object.
- kk. **Structure** – A Construction for purposes other than shelter for humans, animals, or chattel (such as a road, bridge, canal, or fence).
- ll. **Town** – Town of Elizabeth, Colorado

Section 2. Historic Advisory Board

1. Creation. There is hereby established a Historic Advisory Board, which shall be appointed by the Board of Trustees, and hereinafter referred to as the "HAB."
2. Composition
 - a. The HAB shall be composed of seven (7) voting members, all of whom have demonstrated interest in, competence with or knowledge of preservation.
 - b. At least 40% of the members shall be professionals or shall have extensive expertise in a preservation-related discipline, including but not limited to History, Architecture, Landscape Architecture, American Studies, American Civilization, Cultural Geography, Cultural Anthropology, Planning, or Archaeology.
3. Term of Office
 - a. Members shall serve three-year staggered terms from the date of their appointment; provided, however, that the initial appointment to the Commission shall consist of one appointment of a term of one year, two appointments of a term of two years, and two

appointments of a term of three years.

- b. Members may continue to serve until their successors have been appointed.
4. Officers. The HAB shall, by majority vote, elect one of its members to serve as chairperson to preside over the HAB's meetings, one member to serve as the vice-chairperson and one member to serve as Secretary. The members so designated shall serve in these capacities for terms of one year.
5. Quorum and Voting. A quorum for the HAB shall consist of a majority or 51% of the members. A quorum is necessary for the HAB to conduct business, including holding a public hearing. A roll call vote shall be taken upon the request of any member. A tie vote shall be deemed a denial of the motion or recommended action.
6. Compensation. All members of the HAB shall serve without compensation except for such amounts determined appropriate, in advance, by the Board of Trustees to offset expenses incurred in the performance of their duties.
7. Powers and Duties. The HAB shall:
 - a. Conduct surveys and create Inventories of Properties and areas for the purpose of defining those of Historic Significance.
 - b. Review and determine qualifications of Buildings, Structures, Objects, Sites, and districts nominated for designation and recommend that the Board of Trustees designate by ordinance such Buildings, Structures, Objects, Sites, or districts qualifying for such designation.
 - c. Recommend to the Board of trustees the establishment of Construction and Design Guidelines, consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, for review of proposals to Alter, Relocate, or Demolish Historic Properties.
 - d. Review and make recommendations on any application for Alteration, Relocation, or Demolition of a Historic Property or Historic District or planning and design project that may affect the character or Integrity of the Historic Property or Historic District.
 - e. Participate in review of National Register of Historic Places nominations.
 - f. Advise and assist Owners on physical and financial aspects of preservation, rehabilitation, restoration, and reconstruction, including nomination to the Town's Historic Register, the Colorado State Register of Historic Properties, and the National Register of Historic Places.
 - g. Develop and assist in public education programs on history, archaeology, and historic preservation.
 - h. Advise the Board of Trustees on matters related to preserving the historic character and substance of the Town and recommend easements, covenants, licenses, and other methods which will implement the completion of the purposes of this ordinance.
 - i. Participate in Federal Section 106 Review as requested by Board of Trustees or Staff.
 - j. Actively pursue financial assistance for preservation-related programs.

- k. Draft and recommend for adoption by the Board of Trustees such by-laws, operating policies and other rules of procedure as the HAB may deem appropriate.
- 8. Meetings
 - a. The HAB shall establish a regular meeting schedule with no less than four scheduled meetings per fiscal year.
 - b. Minutes shall be kept of all HAB proceedings.
 - c. All meetings of the HAB shall be open to the public.
- 9. Vacancies. Appointments to fill vacancies on the HAB shall be made by the Board of Trustees in the same manner as regular appointments.
- 10. Removal. Members of the HAB may be removed by the Board of Trustees with just cause.

Section 3. Establishment of Town Register and Designation Criteria

- 1. The Board of Trustees hereby establishes Elizabeth, Colorado Register of Historic Places.
 - a. Properties or districts may be listed in the Town's Historic Register only if such Property or district has been so designated pursuant to this ordinance.
 - b. All Properties listed in the Colorado State Register of Historic Properties and the National Register of Historic Places are eligible for the Town's Historic Register but are not designated until approval, pursuant to this ordinance, is obtained.
- 2. Eligibility Criteria
 - a. Properties or districts shall be at least fifty years old and meet one or more of the following criteria in order to be considered for designation:
 - i. Association with events that have made a significant contribution to history;
 - ii. Connection with persons significant in history;
 - iii. Distinctive characteristics of a type, period, method of Construction, or artisan;
 - iv. Geographic importance; and/or
 - v. Possibility to yield important information related to prehistory or history.
 - b. A Property or district may be exempted from the age standard if the City Council finds it to be exceptionally important in other criteria.
- 3. Integrity Criteria

All Properties and districts shall be evaluated for their physical Integrity using the following criteria:

 - a. Location
 - b. Design
 - c. Setting
 - d. Materials
 - e. Workmanship
 - f. Association (with prominent historical person or purpose)
- 4. Historic Districts
 - a. A "Historic District" is a geographically definable area including a concentration, linkage, or continuity of Properties within a specified

Period of Significance and may include within its geographic boundaries one or more Contributing Properties, which has been designated by the City Council pursuant to this ordinance.

- b. A Historic District is related by a pattern of either physical elements or social activities. Historic Significance is determined by applying eligibility and Integrity criteria to the pattern(s) and unifying element(s).
- c. Historic District boundaries will be defined by visual changes, historical documentation of different associations or patterns of development, or evidence of changes in Property type, density, or Integrity.
- d. Properties that do not contribute to the Historic Significance of the Historic District may be included within its boundaries.

Section 4. Designation Procedure

1. Nomination and Application

- a. Applications shall be submitted to the Town Clerk for consideration on a form provided by the Commission.
- b. A nomination for listing in the Town's Historic Register may be made:
 - i. By the Owner or Owners of the Property or Properties to be designated;
 - ii. By a member or members of the HAB;
 - iii. By a member or members of Board of Trustees; and/or
- c. Where nominated by someone other than the Property Owner or less than all of the Property Owners in a district nominated for designation, the Town or at least one member of the HAB shall contact the Owner or Owners of such Property or Properties nominated for designation in writing, outlining the reasons and effects of listing in the Town's Historic Register within 30 days of receipt of nomination.
- d. Applications determined incomplete shall be returned to the Applicant within 30 days with a request for additional information.
- e. Applications for a district nomination shall not be complete if more than 25% of the Property Owners within the proposed district oppose the nomination in writing or through ballot prepared and administered by the Town.

2. Designation Hearing

- a. Within 45 days after an application is determined complete, or within a time frame agreed upon by the Applicant and the Town, a public hearing shall be held by the HAB.
 - i. The Secretary shall provide notice of the date, time, and location of the public hearing to the Applicant, the Owner or Owners of record, the Owners of adjacent properties and, if known, to other persons having a legal or equitable interest in the Properties or district nominated for designation at least 10 days prior to the hearing.
 - ii. A legal notice indicating the nature of the hearing, the Property involved, and the time, date, and place of the scheduled public hearing, shall be published in the Town's

publication of record at least 10 days prior to the hearing.

- iii. The notice shall be posted at the Property's physical location at least 10 days prior to the hearing.
 - b. A hearing may be continued. If the hearing is continued, the time, date, and place of the continuation shall be established and announced to those present when the current session is to be adjourned. In no case shall a hearing be continued more than 30 days without the express consent of the Applicant.
 - c. Reasonable opportunity shall be provided for all interested parties to express their opinions regarding the proposed designation. However, nothing contained in this ordinance shall be construed to prevent the HAB from establishing reasonable rules to govern the proceedings of the hearings, or from establishing reasonable limits on the length of individual presentations.
 - d. Transcripts of the hearings are not required; however, the HAB's records shall include the name and address of each speaker; the organization or person the speaker represents, if any; whether or not the speaker is an Owner or holder of some interest in the Property or district nominated for designation, or represents such Owner or holder; and a summary of the relevant portions of each statement. Written reports and presentations shall be incorporated into the record of the hearing.
3. HAB Review
 - a. The HAB shall review the application for conformance with the established criteria for designation and with the purposes of this ordinance.
 - b. The HAB shall recommend:
 - i. Approval;
 - ii. Approval with conditions; or
 - iii. Denial of the application.

The HAB shall set forth in writing its findings of fact which constitute the basis of its recommendation.
 - c. If the HAB approves an application or approves an application with conditions, the HAB shall forward the application with a copy of its report and findings of approval to the Board of Trustees.
 - d. If the HAB denies the application, the Commission must notify, in writing, the Board of Trustees and the Applicant within 30 days of such denial. Such denial shall state the reasons for the denial and the procedures for appeal to the Board of Trustees.
 - e. The HAB may issue an order continuing the nomination process if the HAB finds that additional information is necessary to make a decision. If the hearing is continued, the time, date, and place of the continuation shall be established and announced to those present when the current session is to be adjourned. In no case can a hearing be continued more than 30 days without the express consent of the Applicant.
4. Board of Trustees Proceedings
 - a. Within 30 days after receipt of the HAB's approval of an application,

the Board of Trustees shall hold a public hearing to consider adopting by ordinance those properties qualifying for designation. Such notice and hearing shall be conducted in conformance with the procedures set forth in Section 4, Subsections 2(a)-(d), except the Town Clerk shall perform the responsibilities assigned therein to the Secretary.

- b. The Board of Trustees shall review the application for conformance with this ordinance.
 - c. The Board of Trustees shall, by ordinance, approve, approve with conditions, or deny the proposed application and shall issue written findings based on the HAB's recommendations.
 - d. The Town shall provide a copy of the results of the Board of Trustees' final action to the Applicant/Applicants, all Owners of record, the Planning Director, the Building Official, and any other person who has requested in writing to receive the same.
5. Recording of Designation. Within 30 days of the effective date of an ordinance designating a Historic Property or Historic District for preservation, the Town shall record the ordinance with the clerk and recorder of Elbert County.
 6. Records. The Town shall maintain a current record of all Historic Properties and Historic Districts and pending designations.
 7. Limitation on Resubmission and Reconsideration of Proposed Designation. Whenever the HAB or the Board of Trustees denies a proposed designation, no person shall submit an application that is the same or substantially the same for at least one year from the effective date of the final action on the denied application unless the HAB or Board of trustees has denied based on a request for additional information.
 8. Appeal of HABs Denial of Application
 - a. Applicant(s) and/or Owner(s) shall have the right to appeal such decision to the Board of Trustees by filing a written notice within 15 days after the date of receipt of the HAB's denial. Such written notice shall specify the factual and legal basis for the appeal.
 - b. Within 45 days after an appeal is received by the Town Clerk, or within a time frame agreed upon by the Applicant(s) and/or Owner(s) and the Town, a public hearing shall be held by the Board of Trustees. Notice of the Board of trustees' consideration of the appeal and hearing shall be provided in accordance with Section 4, Subsections 2(a)-(d), except the Town Clerk shall perform the responsibilities of the Secretary.
 - c. The Board of Trustees may consider only the notice of appeal, the HAB's reasons for denial of the application, and the comments related thereto made during the HAB hearing.
 - d. If the Board of Trustees finds the HAB's denial of the application was based on incorrect information, or there is shown to be newly discovered information not available at the time the application was submitted to the Commission, and if the correct or newly discovered information could, in the opinion of the Board of Trustees, change the HAB's denial of said application, then the entire matter shall be remanded by the Board of Trustees to the HAB for its consideration.

- e. The decision of the Board of Trustees shall be final.
9. Amendment of Designation
- a. Designation of a Historic Property or Historic District may be amended to add features or Properties to such Historic Property or Historic District under the procedures prescribed hereinabove.
 - b. Upon the Commission's decision to amend a designation, the Commission shall promptly notify the Owners of the Historic Property and the City shall cause to be prepared a resolution including the legal description of the affected Historic Property or Historic District stating notice of the amendment, and schedule the resolution for City Council review. Upon adoption by the City Council, the resolution shall be recorded.
10. Revocation of Designation
- a. If a Historic Property or Historic District has been Altered to a degree that it no longer retains its historic Integrity, the Owner may apply to the HAB for a revocation of the designation or the HAB shall recommend revocation of the designation to the Board of Trustees in the absence of the Owner's application to do so. The revocation application shall be reviewed under the same procedures described hereinabove.
 - b. Upon the HAB's decision to revoke a designation, the HAB shall promptly notify the Owners of the Historic Property or Historic District and the Town shall cause to be prepared a resolution including the legal description of the affected Historic Property or Historic District stating notice of the revocation, and schedule the resolution for Board of Trustees review. Upon adoption by the Board of Trustees, the resolution shall be recorded.

End of Article VIII draft

Chapter 16 – Article XI – Historic Preservation

(Provide link to Article VIII – Historic Advisory Board here)

Section 1. General

1. Purpose. The purpose of this ordinance is to enhance our community's local resources and to promote the public health, safety, and welfare through:
 - a. The protection and preservation of the Town's architecture, culture, and heritage as embodied in Historic Properties and Historic Districts, by appropriate regulations and incentives;
 - b. The enhancement of Property values and the stabilization of historic neighborhoods;
 - c. The establishment of the Town's Historic Register listing Historic Properties and Historic Districts;
 - d. The cultivation of civic pride in the art, architecture, and accomplishments of the past;
 - e. The encouragement of continued private ownership and utilization of such Historic Properties or Historic Districts now so owned and used;
 - f. The promotion of thoughtful community planning and design;
 - g. The maintenance and improvement of economic and financial benefits through the protection of attractions that bring tourists and visitors to the Town; and
 - h. The provision of educational opportunities to increase public appreciation of the Town's unique heritage.
2. Intent. The intention of this ordinance is to create a reasonable balance between private property rights and the public interest in preserving the City's unique historic character through the nomination of Buildings, Structures, Sites, Objects, and districts for preservation.
3. Definitions. For purposes of this ordinance, the following terms are to be defined as follows:
 - a. **Alteration or Alter** – Any act or process that changes one (1) or more of the exterior architectural or landscape features of a Building, Structure, Site, Object, or district.
 - b. **Applicant** – Person or persons submitting nomination or Alteration paperwork.
 - c. **Board of Trustees** – The board of trustees of the Town.
 - d. **Building** – A shelter or enclosure Constructed for persons, animals, or chattels.
 - e. **Building Code** – The [The current Town Building Code].
 - f. **Building Official** – The officer or other designated authority charged with the administration and enforcement of the Building Code, or that person's authorized representative.
 - g. **Certificate of Appropriateness** – Certificate issued by the Historic Advisory Board authorizing any proposed repair, restoration, Alteration, Construction, Relocation, or Demolition of a Historic Property or element within a Historic District pursuant to this ordinance.

- h. **Certificate of Economic Hardship** – A certificate issued by the Commission authorizing the repair, restoration, Alteration, Construction, Relocation, or Demolition of a designated Building, Structure, Object, Site, or element within a designated Historic District in accordance with the provisions of this ordinance, even though a Certificate of Appropriateness has previously been denied.
- i. **City’s Historic Register** – The register established pursuant to Section 3 of this ordinance.
- j. **Code** – The [City Code/Municipal Code].
- k. **Colorado State Register of Historic Properties** – The official listing of state designated cultural resources.
- l. **Commission** – The Historic Preservation Commission established pursuant to Section 2 of this ordinance.
- m. **Compatible or Compatibility** – Consistent or harmonious with location, design, setting, materials, workmanship, feeling, or association of an individual Building, Structure, Object, or Site or of surrounding Properties.
- n. **Construction or Construct** – Act of erecting an addition to an existing Building, Structure, or Object or the erection of a new principal or accessory Building, Structure, or Object on a lot or Property.
- o. **Contributing Property** – A Building, Structure, Site, or Object that reflects the historic or architectural character within a Historic District.
- p. **Demolition or Demolish** – Any act or process that destroys in part or in whole a Building, Structure, Object, or Site.
- q. **Design Guidelines** – A standard of appropriate activity that will preserve the historic and architectural character of a Historic Property, Property, or Historic District.
- r. **Historic District** – Meaning as set forth in Section 3 of this ordinance.
- s. **Historic Property** – A Building, Structure, Site, or Object which is designated by the City Council pursuant to this ordinance.
- t. **Historic Significance** – The meaning or value ascribed to a Building, Structure, Object, Site, or district based on criteria for evaluation as defined by Section 3 below.
- u. **Infill** – Construction on vacant or under-used parcels within existing areas that are largely developed.
- v. **Integrity** – The ability of a property to convey its Historic Significance through its physical features.
- w. **Inventory** – Catalog of Buildings, Structures, Objects, and Sites within the City, listed, eligible for listing, or non-eligible for listing in the City’s Historic Register.
- x. **Maintenance** – All activities necessary to prolong the useful life and aesthetic appearance of a property.
- y. **National Register of Historic Places** – The list of significant Buildings, Structures, Sites, Objects, or districts in American history, architecture, archaeology, engineering, or culture maintained by the U.S. Secretary of the Interior.

- aa. **Non-Contributing Property** – A Building, Structure, Object, or Site that does not reflect the historic or architectural character within a Historic District because of age or lack of Integrity.
- bb. **Object** – A material item of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.
- cc. **Period of Significance** – Span of time during which significant events and activities occurred.
- dd. **Owner** – The person, corporation, government, or other legal entity who owns or who has any legal or equitable interest in Property and who is so listed as Owner on the records of the Elbert County Assessor's Office.
- ee. **Property** – A Building, Structure, Site, or Object.
- ff. **Relocation or Relocate** – Moving a Building, Structure, or Object to a different location, either temporarily or permanently.
- gg. **Secretary** – The secretary of the Commission.
- hh. **Secretary of the Interior's Standards for the Treatment of Historic Properties** – The preservation, rehabilitation, restoration, and reconstruction standards adopted by the U.S. Department of the Interior.
- ii. **Section 106 Review** – Process required of federal agencies under 54 U.S.C. 306108 to consult local governments and other parties in consideration of the effects of projects carried out, permitted, licensed, or funded by that agency on properties listed in the National Register of Historic Places.
- jj. **Site** – Location of a significant event; a prehistoric or historic occupation or activity; or a Building, Structure, or Object, whether standing or vanished, where the location itself maintains historic or archaeological value regardless of the value of any existing Building, Structure, or Object.
- kk. **Structure** – A Construction for purposes other than shelter for humans, animals, or chattel (such as a road, bridge, canal, or fence).
- ll. **Town** – Town of Elizabeth, Colorado

Section 2. Alterations to Listed Properties and Historic Districts

1. Requirements

- a. Before carrying out any new Construction, Alteration, Relocation, or Demolition involving the exterior of any Historic Property or Property within a Historic District (including Non-Contributing Properties) such Owner(s) must first submit the proposed work to the HAB under this Section, as well as apply for any other permits required by Code.
- b. The Town shall review any building permit application received to determine whether the Property is a listed Historic Property or located in a Historic District and if so, if the Applicant has completed review by the HAB as required by this Section. If a Certificate of Appropriateness has been issued on the permit application and the proposed work conforms thereto, the Town shall process it without further action. If no Certificate of Appropriateness has been issued or if the Town

determines that the permit application does not conform to such, the Town shall not approve the permit application and shall not issue a permit until a Certificate of Appropriateness has been issued and the permit application conforms thereto.

- c. No person shall receive a building permit to Construct, Alter, remove, or Demolish any Building, Structure, Object, or other feature on a Site or element of a district nominated for designation after an application has been filed to initiate the designation of such Property or district. No such building permit shall be approved while proceedings are pending on such designation.
2. Application
 - a. A request for Alteration shall be initiated by the Owner(s). Such application shall be submitted to the Town for consideration on a form provided by the Hab. The application shall include anything the Town deems necessary, including, without limitation and as applicable, a description of the type of work proposed and its effect or impact upon the Historic Property or Historic District and plans and specifications showing the proposed exterior appearance, with finishes, materials, samples of materials, and architectural design and detail.
 - b. If the Town determines the application is complete, the Town shall promptly refer the application to the HAB. If the Town determines the application is incomplete, the Applicant shall be advised of the reasons in writing within 30 days of submittal.
 3. Alteration Hearing. Within 45 days after an application is determined complete by the Town, or within a time frame agreed upon by the Applicant and the Town, a public hearing shall be held by the HAB. Such notice and hearing shall be conducted in conformance with the procedures set forth in **Section 4, Subsections 2(a) – (d)**.
 4. Review Criteria
 - a. Compliance with any Design Guidelines adopted by the Town and the Secretary of the Interior's Standards for the Treatment of Historic Properties.
 - b. For Non-Contributing Properties within a Historic District:
 - i. Compatibility with the Property's current design, materials, features, size, scale and proportion, and massing; or
 - ii. Compatibility with the Historic District's design, materials, features, size, scale and proportion, and massing.
 - c. Infill Construction within Historic Districts shall be differentiated from the Historic Properties but be Compatible with the historic materials, features, size, scale and proportion, and massing to protect the Integrity of the Historic District and its environment.
 5. HAB Review
 - a. The HAB shall:
 - i. Approve;
 - ii. Approve with conditions; or

iii. Deny the application.

The HAB shall set forth in writing its findings of fact which constitute the basis of its recommendation.

- b. If the HAB approves or approves the application with conditions, the HAB shall issue and send a Certificate of Appropriateness to the Applicant, the Planning Director, the Building Official, and any other person who has requested in writing to receive the same within 30 days. If approved with conditions, such conditions shall be stated in writing in the Certificate of Appropriateness.
 - c. If the HAB denies the application, the HAB shall deny a Certificate of Appropriateness and notify, in writing, the Applicant, the Planning Director, the Building Official, and any other person who has requested in writing to receive the same within 30 days of such denial. Such denial shall state the reasons for the denial and the procedures for appeal to the Board of Trustees.
 - d. The HAB may issue an order continuing the Alteration application process if the HAB finds that additional information is necessary to make a decision. If the hearing is continued, the time, date, and place of the continuation shall be established and announced to those present when the current session is to be adjourned. In no case can a hearing be continued more than 30 days without the express consent of the Applicant.
 - e. The Applicant may resubmit an amended application or reapply for a building permit that takes into consideration the recommendations of the HAB or appeal the denial to the Board of Trustees.
 - f. If an application for a Certificate of Appropriateness is denied, no person may submit a subsequent application for the same Alteration or Construction within one year from the date of the final action upon the earlier application.
6. Appeal of Denial of Certificate of Appropriateness
- a. If a Certificate of Appropriateness is denied by the HAB, the Applicant may appeal the denial to the Board of Trustees by filing a written notice with the Town Clerk within 15 days after receipt of the Commission's denial.
 - b. Within 45 days after an appeal is received by the Town Clerk, or within a time frame agreed upon by the Applicant and the Town, a public hearing shall be held by the Board of Trustees.
 - c. Notice of the Board of Trustees consideration of the appeal and hearing shall be provided in accordance with Section 4, Subsections 2(a)-(d), except the Town Clerk shall perform the responsibilities of the Secretary.
 - d. The Board of Trustees shall consider the notice of appeal, the HAB's reasons for denial of the application, the comments related thereto made during the HAB hearing, and any evidence (including new evidence) it deems relevant to the application.
 - e. The Board of Trustees shall apply the criteria in **Section 5, Subsection 4** in making its decision.

- f. The decision of the Board of Trustees shall be final.

Section 3. Relocation of Listed Properties

1. General

- a. In addition to the criteria and procedures in Section 5, the HAB will use the criteria of this Section in considering applications for Relocating a Historic Property or Contributing Property in a Historic District within or outside of a designated Site or Historic District or Relocating a Property onto a designated Site or Historic District.
- b. Applicants for Relocation shall provide:
- i. A professionally prepared estimate of costs of continued Maintenance of the Property in its current condition, of rehabilitation on site, and of Relocation and rehabilitation;
 - ii. An engineer's or architect's report as to structural soundness;
 - iii. A professionally prepared estimate of the Property's market value in its current location and current condition, of the market value of the Property rehabbed on its current site, and of the site after Relocation of the Property; and
 - iv. Professionally prepared site plan and construction documents for the current site.

2. Review Criteria

- a. For consideration of the original Property and site, the HAB will review for the following criteria:
- i. The Property cannot be preserved, restored, rehabbed or reused on its current site to provide for any reasonable, beneficial use of the Property regardless of any proposed development plan for the Property's site or adjacent Properties;
 - ii. And
 1. Whether a structural report submitted by a licensed structural engineer adequately demonstrates the soundness of the Building, Structure, or Object proposed for Relocation;
 2. If the Property can be Relocated without significant damage to its physical Integrity; and
 3. Whether plans are specifically defined for the site to be vacated, and have been determined to meet all other City codes and ordinances.
- b. For consideration of the new location, the HAB will review for compliance with all of the following criteria:
- i. Whether the Building, Structure, or Object is Compatible with its proposed site and adjacent Properties; and if the receiving site is Compatible in nature with the Building, Structure, or Object proposed to be moved;
 - ii. The Building, Structure, or Object's architectural Integrity and its consistency with the character of the neighborhood of the receiving site;
 - iii. Whether the Relocation of the Building, Structure, or Object

will diminish the Integrity or character of the neighborhood of the receiving site; and

- iv. If a Relocation plan has been submitted and approved by the Town, including posting a bond, to ensure the safe Relocation, preservation, and repair (if required) of the Property and site preparation and infrastructure connections as described in the Code.

Section 4. Demolition of Listed Properties

1. General

- a. In addition to the criteria and procedures in Section 5, the Commission will use the criteria of this Section in considering applications for Demolition of Historic Properties and Contributing Properties in a Historic District.
- b. Applicants for Demolition shall provide:
 - i. A professionally prepared estimate of costs of continued Maintenance of the Property in its current condition, of rehabilitation, and of Demolition;
 - ii. An engineer's or architect's report as to structural soundness; and
 - iii. Professionally prepared estimates of the Property's market value in its current condition, as rehabbed and after Demolition.
- c. If a Demolition approval is granted on any basis other than that of an imminent hazard or economic hardship (See Section 8), a Certificate of Appropriateness will not be issued until a replacement/reuse plan for the Property has been approved by the Town.

2. Review Criteria for Total Demolition. Applicants requesting a Certificate of Appropriateness for total Demolition must provide data to clearly demonstrate all of the following criteria:

- a. The Property proposed for Demolition is not structurally sound, despite evidence of the Owner's efforts to properly maintain said Building, Structure, or Object;
- b. The Property cannot be preserved, restored, rehabbed, or reused on site to provide for any reasonable, beneficial use of the Property regardless of any proposed development plan for the Property's site or adjacent Properties;
- c. The Property cannot be practically moved to another site in the Town; and
- d. The Applicant demonstrates that the proposal mitigates, to the greatest extent practical, all the following:
 - i. Any impacts that occur to the visual character of the neighborhood where Demolition is proposed to occur;
 - ii. Any impact on the Historic Significance of the Buildings, Structures, or Objects located on the Property and adjacent Properties;
 - iii. Any impact to the Integrity of Buildings, Structures, or Objects located on the Property and adjacent Properties; and

- iv. Any impact to archaeological deposits or ruins or the potential to access such resources and whether information can be recovered as part of the Demolition process.
- 3. Review Criteria for Partial Demolition. Applicants requesting a Certificate of Appropriateness for partial Demolition must provide data to clearly demonstrate all of the following criteria:
 - a. The partial Demolition is required for the preservation, restoration, or rehabilitation of the Property; and
 - b. The Applicant demonstrates that the proposal mitigates to the greatest extent practical, all the following:
 - i. Any impact on the Historic Significance of the Buildings, Structures, or Objects located on the Property and adjacent Properties; and
 - ii. Any impact on the Integrity of the Buildings, Structures, or Objects located on the Property and adjacent Properties.

Section 5. Alteration Exemptions

- 1. General
 - a. If an application for a Certificate of Appropriateness is denied, the Applicant may request an exemption from such certificate requirement pursuant to this Section.
 - b. A request for exemption shall be initiated by the Owner(s). Such application shall be submitted to the City for consideration on a form provided by the HAB. The Applicant shall have the burden of proof to establish hardship.
 - c. The HAB may request additional information from the Applicant as necessary to make informed decisions according to the applicable criteria for decision-making.
 - d. If the Town determines the application is complete, the Town shall promptly refer the application to the Commission. If the Town determines the application is incomplete, the Applicant shall be advised of the reasons in writing within 30 days of submittal.
 - e. Certificate of Appropriateness exemptions are granted only to the specific Owner and are not transferable.
- 2. Criteria for Exemption
 - a. Economic Hardship. The following factors, evidence, and testimony are to be considered:
 - i. The structural soundness of any Buildings or Structures on the Property and their potential for rehabilitation.
 - ii. The economic feasibility of rehabilitation or reuse of the existing Property in the case of a proposed Demolition.
 - iii. For investment or income producing Properties, the ability to obtain a reasonable rate of return on the Property in its present condition, or in a rehabbed condition pursuant to the requirements of this ordinance.
 - iv. For non-income producing Properties consisting of owner-occupied single-family dwellings and/or non-income producing

institutional Properties not solely operating for profit, the ability to maintain or to convert the Property to a reasonable residential or institutional use in its present condition or in a rehabbed condition pursuant to the requirements of this ordinance or the ability to transfer the Property for a reasonable rate of return.

- v. The consideration for economic hardship shall not include any of the following:
 - 1. Willful or negligent acts by the Owner;
 - 2. Purchase of the Property for substantially more than its market value;
 - 3. Failure to perform normal Maintenance and repairs;
 - 4. Failure to diligently solicit and retain tenants;
 - 5. Failure to prescribe a rental amount which is reasonable; or
 - 6. Failure to provide normal tenant improvements.
 - b. Undue Hardship. An Applicant requesting an exemption based on undue hardship must show that the application of the criteria creates a situation that is substantially inadequate to meet the Applicant's needs because of specific health and/or safety issues.
3. Decision
- a. If the HAB deems the criteria of this Section are met, the HAB shall issue an order of exemption and send a Certificate of Economic Hardship to the Town within 30 days.
 - b. If the HAB deems the criteria of this Section are not met, the HAB shall deny the exemption request and notify, in writing, the Town and the Applicant within 30 days of such denial. Such denial shall state the reasons for the denial and the procedures for appeal to the Board of Trustees.
 - c. The HAB may issue an order continuing the exemption process for a period of not to exceed 90 days from the date of the application if the HAB would like additional information necessary to make a decision.
 - d. The Applicant may resubmit an amended application, reapply for an exemption that takes into consideration the recommendations of the HAB, or appeal the denial to the Board of Trustees.
 - e. If an application for an exemption is denied, no person may submit a subsequent application within one year for the same from the date of the final action upon the earlier application.
4. Appeal for Denial of Exemption
- a. If an exemption is denied by the HAB the Applicant may appeal the denial to the Board of Trustees by filing a written notice with the Town within 15 days of the date of the receipt of the HAB's denial.
 - b. Notice of the Board of Trustees consideration of the appeal and hearing shall be provided in accordance with Section 4, Subsections 2(a)-(d), except the Town Clerk shall perform the responsibilities of the Secretary.
 - c. The Board of Trustees shall hold a public hearing to consider the appeal, and consider any evidence (including new evidence) it

deems relevant to the application.

- d. The Board of Trustees shall apply the criteria in this Section in making its decision.
- e. The decision of the Board of Trustees shall be final.

Section 6. Maintenance

1. The Board of Trustees intends to preserve from deliberate or inadvertent neglect the exterior portions of Historic Properties or Historic Districts and all interior portions thereof whose Maintenance is necessary to prevent deterioration of any exterior portion. No Owner, lessee, or occupant of any Historic Property or Contributing Property within a Historic District shall fail to prevent significant deterioration of the exterior of the Building, Structure, Object, or special feature beyond the condition of such Historic Property or Contributing Property within a Historic District on the effective date of the designating ordinance.
2. No Owner, lessee, or occupant of any Historic Property or Contributing Property within a Historic District shall fail to comply with all applicable provisions of this ordinance and other ordinances of the Town regulating Maintenance.
3. Before the Town's attorney files a complaint in municipal court for failure to maintain the Historic Property or Contributing Property within a Historic District, the Town shall notify the Owner, lessee or occupant of the need to repair, maintain, or restore such Property; shall assist the Owner, lessee, or occupant in determining how to preserve such Property; and shall give the Owner, lessee, or occupant a reasonable time to perform such work.

Section 7. Unsafe or Dangerous Conditions Exempted

Nothing in this ordinance shall be construed to prevent any measures of Construction, Alteration, removal, or Demolition necessary to correct the unsafe or dangerous condition of any Property, other feature, or parts thereof where such condition is declared unsafe or dangerous by the Town and where the proposed measures have been declared necessary by the Town to correct the condition, as long as only such work that is absolutely necessary to correct the condition is performed. Any temporary measures may be taken without first obtaining a Certificate of Appropriateness under this ordinance, but a certificate is required for permanent Construction, Alteration, removal, or Demolition.

Section 8. Enforcement and Penalties

1. No person shall violate or permit to be violated any of the requirements of this ordinance or the terms of a certificate issued pursuant to this ordinance.
2. Violations of this ordinance are punishable as provided in the Code and may be subject to the following additional penalties:
 - a. If any Historic Property or Property within a Historic District is externally reconstructed, externally Altered, added to, Relocated, or Demolished in violation of this ordinance the HAB may order any such Property to be returned to its condition prior to such unlawful Construction, reconstruction, exterior Alteration, addition, Relocation, or Demolition. This may specifically include ordering the

reconstruction of a property that was Demolished to replicate as closely as possible the original Property.

- b. If any Building, Structure, or Object is erected or Constructed on a Historic Property or Property within a Historic District, the Commission may order any such Building, Structure, or Object to be removed or deconstructed.
- c. Alterations to a Historic Property or Historic District without an approved Certificate of Appropriateness will result in a one-year moratorium on all building permits for the subject Property.
- d. Relocating or Demolishing a Historic Property or Property within a Historic District without an approved Certificate of Appropriateness will result in a five-year moratorium on all relocation, Demolition, or building permits for such Property and/or its original location.

Section 9. Incentives

1. Any Owner of a Historic Property or Contributing Property within a Historic District under this ordinance may be eligible for economic incentives for the restoration or rehabilitation of that Property as provided by the State of Colorado and such additional incentives as may be developed by the HAB or the Board of Trustees.
2. The HAB shall identify and advise the Board of Trustees regarding the implementation of economic incentives for Historic Properties. The HAB shall notify the Owners of Historic Properties of economic incentive opportunities available.
3. The HAB shall make the determination for each request regarding economic incentives.

End of Article XI draft

Town of Elizabeth Community Meeting #2 Historical Preservation

April 18, 2022
6:00 PM - 7:30 PM

In Person at Town Hall

Via Zoom

Topic: Town of Elizabeth Community Meeting #2

Time: Apr 18, 2022 06:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87355404481?pwd=Q1pCVElGcjltZTZkcGh5Q2RPdHNPQT09>

Meeting ID: 873 5540 4481

Passcode: 137947

Purpose: to share community feedback regarding an update to the Historic Preservation Code. We also want to capture your comments and questions.

- 6:00 Welcome and Introductions
- 6:10 Purpose and Process
- 6:15 Overview of the Current Status
- 6:20 Survey and Feedback Responses
What we are going to do with the responses
- 6:40 DRAFT Document Copies
Quick Overview
Specific Questions for Feedback
- 7:00 Next Steps
Dates for Board Consideration
- 7:10 Wrap Up and Close



TO: Historic Advisory Board
FROM: Zach Higgins, AICP Planner/Project Manager
DATE: April 18, 2022
SUBJECT: Staff Report

STAFF REPORT

1. HAB Appointments

- a. Dennis Boehler has been appointed by the Board of Trustees on 03/08/2022 to a term through 12/31/2023.

2. Historic Preservation Second Public Meeting

- a. The second Historic Preservation meeting is scheduled for 6 p.m. on 04/18/2022 at the Town of Elizabeth Town Hall. Sheryl Trent will be running the meeting for the Town. We will discuss the results of this meeting at our following HAB meeting.

3. Training Update/Reminder

- a. A joint training with Historic Advisory Board, Main Street Board of Directors, Planning Commission, and the Board of Trustees will be held on April 26th at 5:00pm. Please plan to attend.