

12/30/2020

LU30.036

**ORDINANCE NO. _____ SUPPLEMENTAL
PROVIDING FOR THE CREATION OF
AN HISTORIC PRESERVATION TRUST FUND
IN THE CITY OF STAMFORD**

WHEREAS, the City of Stamford Master Plan calls for the preservation of historic structures for preserving and enhancing neighborhood character and quality of life; and

WHEREAS, the City of Stamford has created a Historic Preservation Advisory Commission pursuant to Connecticut General Statutes Sections 7-147(a) through 7-147(y) and Sections C6- 200-1 through C6-200-3 of the Charter of the City of Stamford; and

WHEREAS, Section 7.3 of the Stamford Zoning Regulations recognizes the importance of historic preservation and provides zoning bonuses and relief for historic preservation efforts; and

WHEREAS, the Board of Representatives recognizes the need to invest in the preservation of Stamford's Historic Buildings and Sites;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 29, Historic Preservation Trust Fund of the City of Stamford Code of Ordinances be added to the Code as follows:

ARTICLE I. - STAMFORD HISTORIC PRESERVATION TRUST FUND

Sec. 29-1. Establishment of the Stamford Historic Preservation Trust Fund

The City of Stamford (the "City") does hereby establish a Special Trust Fund to provide for the preservation and rehabilitation of historic

buildings, structures landscapes and places within the City. The fund shall be known as the Stamford Historic Preservation Trust Fund ("SHPTF" or the "Trust"). Such Trust shall not lapse at the end of the municipal fiscal year.

Sec. 29-2. Purpose

The purpose of the SHPTF is the preservation and rehabilitation of historic buildings, structures, landscapes and places in the City, pursuant to the City's Master Plan. "Historic" means any building, structure, landscape or place listed on the National or Connecticut State registers of historic places, or buildings, structures, landscapes or places deemed historically significant by the City of Stamford Historic Preservation Advisory Committee (HPAC), ~~and~~ ~~or~~ listed on the City of Stamford Cultural Resources Inventory.

Preservation and rehabilitation of historic buildings and sites shall include but not be limited to programs designed to create awareness about historic structures and places and historic preservation as well as the provision of either technical and/or monetary resources to preserve and/or rehabilitate historic buildings, structures landscapes or places, as well as efforts to manage all these efforts.

Sec. 29-3 – Historic Preservation Trustees.

There shall be ~~five (5)~~ ~~seven (7)~~ Trustees on the Board of the Trust, ~~who shall all serve ex officio~~ ~~five (5) who shall serve ex officio and two (2) members of the public.~~ The Trustees shall be the Land Use Bureau Chief or such Chief's designee, ~~the President of the Board of Representatives or such Chair's designee,~~ the Chair and Vice-Chair of the Historic Preservation Advisory Committee or their designees, ~~the Chair of the Land Use / Urban Redevelopment Committee of the Board of Representatives or such Chair's designee, and~~ the Chair of the Board of Finance or such President's designee, ~~and two (2) members of the public who are members of the Stamford community who either have historical preservation experience or are the owner(s) of an historic property, who shall be appointed by the Mayor and confirmed by the Board of Representatives.~~ The Land Use Bureau Chief shall serve as

the Chair of the Board of Trustees. No Trustee shall receive a salary or other remuneration for serving on the Board.

Sec. 29-4. Meetings of the Board of Trustees.

- A. The Board of Trustees shall meet at least quarterly. All Board meetings and decisions shall be open to the public and duly advertised, pursuant to the requirements of CGS Sections 1-225 to 1-232 ~~and audio and video recorded~~.
- B. Each member of the Board of Trustees shall have one vote. All decisions of the Board shall be made by simple majority of the members present and voting
- C. The presence of at least ~~three (3)~~ ~~four (4)~~ Board of Trustees members constitutes a quorum.

Sec. 29-5. Declaration of Trust.

- A. The terms of the SHPTF, which shall be consistent with the provisions of this Article, shall be set forth in a Declaration of Trust, which shall be subject to the approval of the Mayor and the Board of Representatives.
- B. The Declaration of Trust shall be presented to the Board of Representatives by the Mayor within 60 days after the passage of this Ordinance for review and approval.

Sec. 29-6. Sources of Funding, Investments, and Limitations on Use of Fund.

- A. In addition to such sums as may be appropriated by the City for deposit into said Fund, the City is authorized to and shall deposit all monies received by it, from whatever source, for the preservation and rehabilitation of historic buildings, structures, landscapes, or

places and other fees, monetary gifts, grants and loans, unless otherwise restricted, into said Fund. **Notwithstanding the forgoing, gifts of money as referenced in C2-10-2(7) shall be subject to approval by the Board of Representatives according to the procedure provided therein.**

- B. The City shall collect a fee from private applicants and institutions seeking addition to the City's Cultural Resource Inventory for the purposes of seeking Relief from Development Standards for Historic Buildings and Sites pursuant to Section 7.3 of the City of Stamford Zoning Regulations. The fee shall be \$500 per property seeking addition to the Inventory. The fee is non-refundable should the property not meet the requirements for being added to the Inventory. Said fees shall be collected by the City in a separate account and appropriated to the Trust Fund as part of the annual budget.
- C. Said Fund shall be in the custody of the Office of **Administration** ~~Policy and Management~~. All or any part of the monies in said Trust may be invested in any securities in which public funds may be lawfully invested. All income derived from such investment shall be placed into the Trust and become a part thereof. The monies so invested shall at all times be subject to withdrawal for use as hereinafter set forth.
- D. No sums contained in said Trust, including interest and dividends earned, shall be transferred to any other account within the City budget.

Comment [RB1]: Same language as in approved Housing Trust Fund ordinance

Sec. 29-7. Expenditures from Trust.

- A. The continuation of the Fund shall be perpetual, notwithstanding that from time to time said Trust may be unfunded.

B. Expenditures shall be made from the Trust only in accordance with the following procedures and requirements:

1. Eligibility: Only the following activities shall be eligible for expenditures from the Stamford Historic Preservation ~~trust~~ Trust Fund:

a) Grants or loans for the preservation, rehabilitation or adaptive reuse of historic buildings and sites listed on the National or Connecticut State registers of Historic Places, or the City of Stamford Cultural Resources Inventory;

b) Studies to inventory and assess historic buildings, structures, landscapes or places;

c) City or district historic preservation plans;

d) Programs and projects that enhance the public understanding of historic buildings, structures, landscapes or places or the historic context of their creation or significance;

e) Acquisition of historic buildings, structures, landscapes or places, or other artifacts and material that enhance the understanding of Stamford's history;

f) Staff support for maintaining the City's Cultural Resources Inventory, research activities and the support of HPAC, not exceeding \$20,000 per year. Said amount shall be adjusted automatically each year starting on January 1, 2021, by the increases in salaries negotiated between the City and the UAW union.

2. Procedure

a. The Board of Trustees shall accept, on a continuous basis, requests for funds for authorized purposes as outlined in Subsection 29-7.B.1 for eligible projects. The Board shall quarterly review and make a determination whether or not to grant such requests. The Board shall disburse no more than 80% of the funds available in the trust at the time it makes any such determination.

b. The SHPTF Board of Trustees, in consultation with the City of Stamford Historic Preservation Advisory Committee, shall adopt rules and guidelines for determining eligibility under Subsection 29-7.B.1 and disbursing funds from the Trust to eligible projects and activities.

Applicants for funds from the Trust shall provide at a minimum documentation about the historic significance of the historic building, structure, landscape or place, a detailed estimate of costs and detailed plans for the preservation and rehabilitation efforts and how these plans meet generally accepted standards for historic preservation.

c. All applications for monies from the Trust shall be processed by the City of Stamford Land Use Bureau and reviewed for completeness and consistency with the rules established by the Board of Trustees prior to a decision.

~~C. The expenditures from the Trust described in Section 29-7.B shall be considered approved pursuant to Part 8 of the Stamford City Charter, and no vote by the Planning Board, Board of Finance or Board of Representatives to make appropriations for such expenditures shall be required.~~ Expenditures from the Trust as defined in Section 29-7.B. must be approved by the Trustees and shall be considered approved pursuant to Part 8 of the Stamford City Charter. Notwithstanding the foregoing any proposed expenditure over the amount of \$10,000 set forth in Section C2-10-2(7) of the Charter and approved by the Trustees shall be submitted as a recommendation to the Board of Representatives. The Board of Representatives may reject such recommended expenditure within forty-five (45) days of receipt of the recommendation by a vote of two-thirds (2/3) of the members of the Board of Representatives present and voting. If, within forty-five (45) days of receipt of the recommendation, the Board of Representatives fails to reject such recommendation, it shall be considered approved pursuant to Part 8 of the Stamford City Charter. Expenditures pursuant to Subsection 29-7.B.1.f (expenditures for staff support) shall be exempted from Board of Representatives approval within the limits established in said subsection.

D. The Board of Trustees shall, at the end of each Fiscal Year, prepare a Report listing all expenditures and projects supported in said Fiscal Year, and how they met the eligibility criteria of Sec. ~~29-7.C.1~~ 29-7.B.

Said report shall be completed and submitted to the Planning Board, the Board of Representatives, the Board of Finance and the Director of Administration by no later than September 15 of the following Fiscal Year. The Report shall also be posted on the City of Stamford website for public inspection and shall be available in hardcopy at the City of Stamford Land Use Bureau [and Town Clerk](#) for review during normal business hours.