

## **ARTICLE 14**

### **FACADE IMPROVEMENT PROGRAM**

#### 14.1 Purpose and Intent

The Facade Improvement Program (FIP) is a City sponsored economic development program that is intended to stimulate private investment in private property improvements by reimbursing a portion of costs incurred to improve building facades, and the visual aesthetic of downtown by providing an economic incentive for the:

- A. Renovation, restoration, or reinvention of commercial building facades in the downtown area of the City of Creedmoor;
- B. Implementation of appropriate design standards for the rehabilitation of Main Street district buildings; and
- C. Preservation of the unique architectural and commercial character of Creedmoor.

FIP recipients will be required to provide the City with a Building Maintenance Easement (BME) in exchange for the financial reimbursement provided. The BME will have a term of ten (10) years, whereby the property owner will be responsible for the continued upkeep of the building and site improvements.

#### 14.2 Facade Improvement Program Funding

- A. FIP funding is awarded on a first come, first served basis;
- B. Annual FIP allocations are determined during the fiscal year budgeting process;
- C. Once the annual allocation is exhausted, applicants must wait until the beginning of the next fiscal year to apply. Applicants not approved during one funding cycle are not automatically rolled over into the next cycle. Each fiscal year's allocation is distributed to awards granted for that fiscal year;
- D. Successful applicants must wait three years after initial grant award before reapplying (phased renovations will be considered on a case-by-case basis). There is a maximum cap of \$10,000 awarded to any single property address over a twenty-year period.
- E. Facade improvement grants will reimburse up to 50% of eligible expenses with a minimum of \$1,000 and maximum contribution from the City to be determined annually at the time of budget approval.
- F. Facade grants are paid only when the approved project is completed in accordance with the plans and specifications approved by the Board of Commissioners and all required documentation of expenses has been received.
- G. The final award amount must be justified based on documentation of actual costs incurred.

- H. A project that alters approved plans without prior approval from the Board of Commissioners may be disqualified for payment. Designs not completed as approved may be disqualified for payment.

### 14.3 Building Maintenance Easement

The Building Maintenance Easement (BME) shall apply to the facade improved as the subject of the FIP. A facade is defined as one vertical side of a building regardless of the number of stories. Each storefront of a building can be considered an individual facade. The rear and/or side of a building may also be considered eligible for facade improvement, with priority given to the portion of the building visible from a public street.

#### 14.3-1 Facade Components

- A. Improvements to traditional facade components eligible for reimbursement may include, but are not limited to: storefront display window(s), brick or masonry siding, step, ramp, handrail, door, transom, bulkhead, awning, cornice, window hood, lintel, lights, address plaque, etc.
- B. Any type of signage, logo, emblem, or commercial messaging shall not be included with the FIP review or grant funding possibility. Signs are regulated separately under Article 17 of this Ordinance.

#### 14.3-2 Building Maintenance Easement Terms

- A. A BME shall be in effect during the ten years immediately following completion and approval of the FIP post-construction. During this period, the property owner is responsible for keeping the facade in its fully maintained, complete, and finished condition. If the facade is purposefully altered, changed, redesigned, reconfigured, damaged, destroyed, deteriorates, decays, or falls into obvious disrepair, the owner may be subject to claw-back provisions of the easement.
- B. The claw-back provision of the BME easement will specify that facade(s) may be the subject of a Notice of Violation (NOV) issued by the Community Development Director or their designee. The written courtesy warning will stipulate items found to be different from the FIP approval and provide a 30-day grace period to gain voluntary compliance. Following this grace period, a NOV will be issued with a date and time for the matter to come before the Board of Commissioners for a determination of compliance.
- C. Property owners found in noncompliance with the BME and previous FIP approval will be assessed a fine equal to the percentage total of the FIP award according to the following time frames after final approval:

0 – 36 months	100% claw-back
37 – 60 months	75% claw-back

61 – 96 months            50% claw-back

97 – 120 months           25% claw-back

- D. Property owners who return their facade to a condition of FIP compliance prior to NOV shall remain in the program with favorable standing and continue to be eligible for FIP awards in the future.
- E. Properties, and property owners who fail to gain or regain compliance must pay the fines assessed by the Board of Commissioners within 10 days and will no longer be eligible for future FIP awards on any eligible project.
- F. Overdue fines will be placed as a lien on the property and subject to collection in the same manner as property taxes.

14.4 Eligible facade improvement activities may include, but are not limited to:

- A. Removing of false fronts, faux windows, aluminum panels, and metal siding or canopies;
- B. Paint removal or safe cleaning of brick and stone fronts;
- C. Repointing brick and mortar;
- D. Restoring display windows and glass storefronts;
- E. Relocation of electrical service boxes from front of the building;
- F. Exterior lighting fixtures (if part of building facade);
- G. Entryway improvements and ADA accessibility;
- H. Roof repair (if roof is part of building facade and visible from the street);
- I. Canvas and frame awning installation (no advertising allowed on awnings);
- J. Structural facade repair;
- K. Whole facade painting;
- L. Demolition and labor (as part of a restoration project);
- M. Entrance door replacement (wood preferred).

14.5 Ineligible facade improvement activities specifically include:

- A. Routine Maintenance or repair on facade or roof;
- B. Architectural design or engineering expenses;
- C. Murals or other artwork;
- D. Street furniture (i.e. benches);

- E. Landscaping and planter installations (not intended to be permanent additions);
- F. Commercial messaging or signage of any type or style;
- G. Interior improvements, window displays;
- H. Fire sprinkler, security system installation or upgrades;
- I. Down payment or rental assistance;
- J. Tools used for project;
- K. Any “In-Kind” labor (work performed by owner/tenant);
- L. Construction begun prior to the approval of facade improvement grant;
- M. Any device, mechanism, structure, or means specifically intended to grab attention or be noticed away from other facades along the streetscape.

## 14.6 Application Process

### 14.6-1 Eligibility

- A. Any property owner or tenant of a non-residential or mixed use building in the designated project area is eligible to apply. Government facilities and private residential dwellings are excluded from consideration.
- B. Either the property owner or the tenant of a building may submit an application. In any case, only one grant may be awarded for each facade in a three-year period.
- C. Tenant applicants must obtain the property owner’s consent on the “Owner Consent Form” for a facade renovation and submit it with the application.
- D. Owners of any property for which an application is submitted must be up to date in their property tax payments on that property. There shall not be any outstanding code enforcement issues or zoning violations associated with the applicant business or property in question.
- E. A property does not have to be occupied at the time an FIP application is submitted.

### 14.6-2 Application Package Required

- A. Application forms provided by the Community Development Department must be completed and signed with original signatures of all required parties. Electronic application submittals will be accepted;
- B. All required supplemental application materials (i.e. material price quotes and service estimates) must be recent and valid at the time of application submission.
- C. Preliminary project estimates of the eligible costs and therefore the dollar amount of grant requested is determined at the time of application.
  1. All applicants must provide itemized cost estimates of labor and specific material quantities with the application.

2. Any application that includes estimates for labor must include a detailed quote for the services to be completed and the hours assigned.
  3. No reimbursements for “In-Kind” labor will be awarded.
- D. The grant agreement contract must be signed by the applicant and submitted as part of the application package to be presented for review and approval.
  - E. IRS Form W-9 (Request for Taxpayer Identification Number and Certification) and the City’s Vendor Application must be submitted at the same time as the Facade Improvement Program application;
  - F. If applicable, the “Owner Consent Form” must also be submitted at the same time as the Facade Improvement Program application;
  - G. Any required building or electrical permits must be reviewed and approved by Granville County Inspections prior to commencement of façade work. Only facade specific building and electrical permits are eligible for reimbursement. Permits that include work that is unrelated to the facade improvements will not be reimbursed.

#### 14.6-3 Application Review Process

- A. Applications are accepted year-round and are processed on a first-come first-served basis;
- B. Applications must be submitted to the Community Development Department;
- C. Community Development staff will be responsible for initial review of the application for completeness of all required elements. The Community Development Director will then schedule complete applications for Planning Board review and recommendation.
  1. The Community Development Director shall refuse to accept partial or incomplete application packages;
  2. Incomplete application packages will lose positional priority;
- D. The Planning Board will review the application package and make a recommendation to the Board of Commissioners to either:
  1. Approve the application;
  2. Deny the application;
  3. Modify the application and resubmit.

#### 14.7 Board of Commissioner Application Decision

##### 14.7-1 Criteria

- A. All facade design proposals must meet applicable zoning requirements of the Creedmoor Development Ordinance, and all applicable portions of the State Building Code;
- B. Priority consideration will be given to proposals that make visible and significant design contributions, and which contribute to the program goal of preserving the architectural, historic, and commercial character of downtown Creedmoor.
- C. Only exterior facade renovations are eligible for consideration under the FIP.

- D. Phased renovation proposals of limited scope and costs spread over time are eligible subject to meeting guideline requirements and predetermined milestones.
- E. Structural design configuration, exterior finishes, and building material choices all will influence the decision-making process. Please include as many samples and support information as possible with your application.
- F. When choosing an exterior paint scheme or color palette, please use one of the following commercially available palettes or similar: Benjamin Moore's Historical Colors, Lowe's/National Trust for Historic Preservation colors or Sherwin Williams' Exterior Preservation palette.
- G. Nontraditional designs, unconventional finishes, and garish colors may result in denial of FIP request.

#### 14.7-2 Voting

- A. By simple majority vote, the Board of Commissioners may vote to approve the application and enter into the agreement;
- B. By simple majority vote, the Board of Commissioners may deny the FIP request;
- C. The Board of Commissioners may also request the applicant modify the design, finish, or colors proposed in the application and resubmit to the Planning Board for recommendation;
- D. Denied applications must substantially change their application or wait at least one year to reapply to the FIP.

#### 14.8 Post Board of Commissioner Approval

- A. Once the Board of Commissioners votes to approve the application and grant agreement, the signed final contract and a Purchase Order Request shall be submitted to the Finance Director for pre-audit and purchase order approval;
- B. The City Manager shall review and sign the grant agreement following pre-audit certification by the Finance Director;
- C. Once approved by the City Manager, the Finance Director will send the Community Development Director a file copy of the executed contract and the approved purchase order. The City Clerk shall receive the original grant agreement and file accordingly;
- D. Approved applicants shall not begin work until notified by formal written notice from the Community Development Director that the contract has been approved and executed, and that the purchase order has been issued;
- E. Approved applicants, have up to 120 days to complete their projects. If an applicant needs more time to start a project, he or she must provide a written statement with a reasonable justification for an extension. The Community Development Director may grant up to two 90-day extensions of the FIP agreement with written notification;
- F. When the applicant has completed the work associated with the grant agreement the applicant shall notify the Community Development Office in order to receive preliminary project

approval from staff. A copy of the “final inspection report” from the Building Inspector (if applicable) should be forwarded to the Community Development Director to confirm all construction completed meets applicable building codes.

G. Once preliminary project completion has been determined the applicant shall submit receipts, including proof of payment as outlined in the grant agreement, directly to the Finance Director. Proof of payment will include, but is not limited to paid invoices or receipts and cancelled checks or digital check images. No eligible receipts shall be dated prior to the date of formal notice of approval to begin work.

H. When all required financial expense documentation has been received the Finance Director will notify the City Manager and schedule the applicant for an appearance before the Board of Commissioners to establish completion of the project as approved.

I. Following Board of Commissioner approval of project completion, the Finance Director will issue reimbursement for all qualifying and documented expenses within 30 days.

J. Completed projects that fail to gain approval of project completion from the Board of Commissioners shall not be reimbursed, and their grant agreement shall become null and void.