



**DENVER**  
THE MILE HIGH CITY

# Proposed Landmark Ordinance Update

Denver City Council – Second Reading  
September 30, 2019

FOR CITY SERVICES VISIT | CALL  
**DenverGov.org** | **311**

# 1967 Landmark Preservation Ordinance

Purpose:

- Designate, preserve, and protect
- Foster civic pride
- Stabilize and improve aesthetic and economic vitality
- Promote good urban design

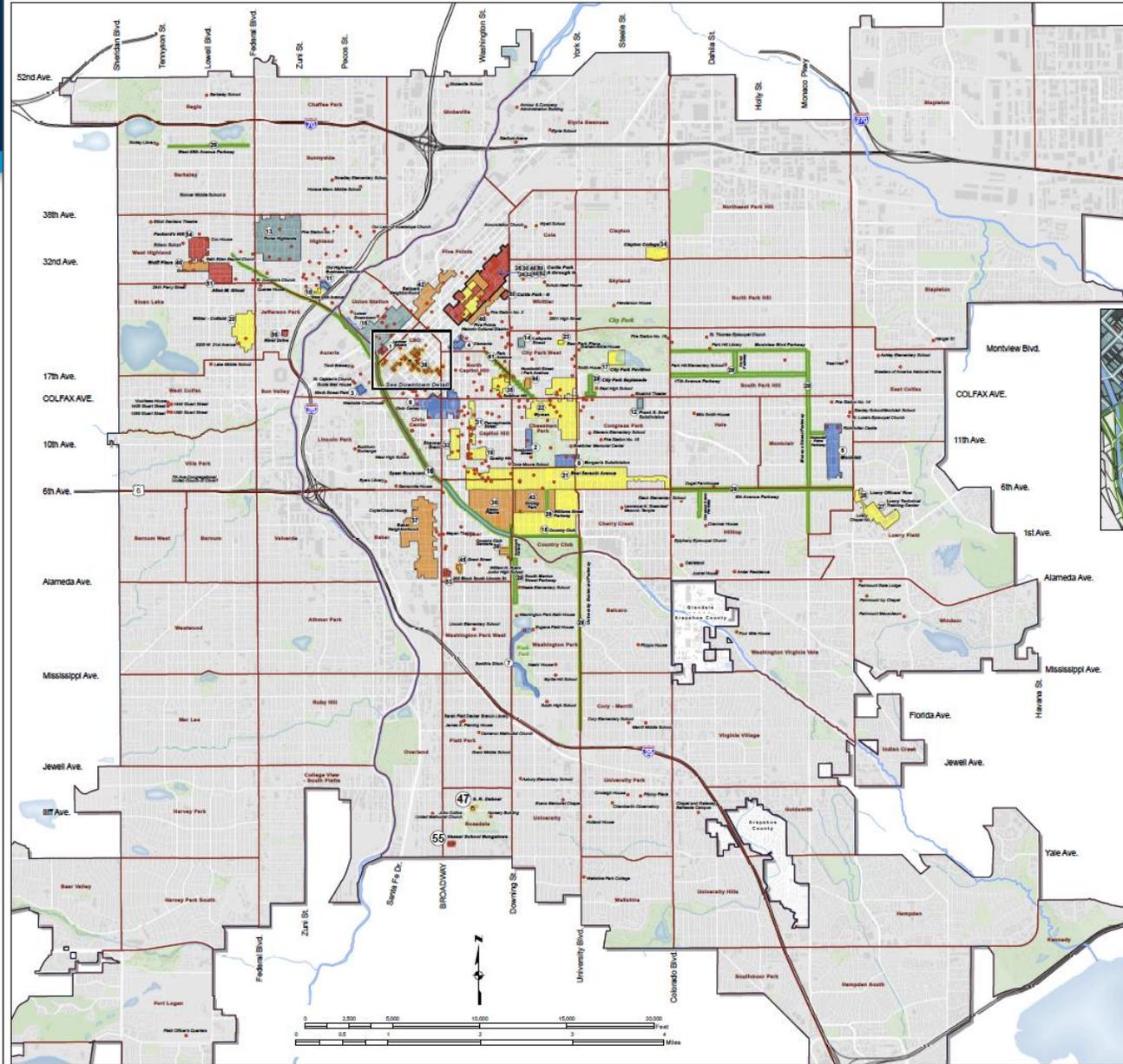
“It is the sense of the council that the economic, cultural and aesthetic standing of this city cannot be maintained or enhanced by disregarding the historical, architectural and geographic heritage of the city and ignoring the destruction or defacement of such cultural assets.”



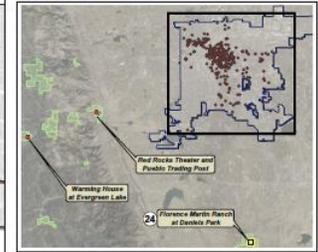


- 344 Individual Landmarks
- 55 Historic Districts
  - 6,800 buildings
  - 160,000 buildings within the city

### Denver Historic Districts and Landmark Structures



Map Area



Downtown Detail



#### Map Symbology

- Landmark Structures (Not all Landmark structures labeled at this extent)
  - Landmark Districts / Year Designated
    - 1970's
    - 1980's
    - 1990's
    - 2000's
    - 2010's
- |   |  |
|---|--|
| 1. Larimer Square                         | 28. Lowry Officers Row                     |
| 2. Humboldt Street                        | 30. Curtis Park "C"                        |
| 3. North Street Park                      | 31. Pennsylvania Street                    |
| 4. Clements                               | 32. Curtis Park "D"                        |
| 5. Montclair                              | 33. Sherman Grant                          |
| 6. Civic Center                           | 34. Clayton College                        |
| 7. Smith's Glen                           | 35. Swallow Hill                           |
| 8. Morgan's Subdivision                   | 36. Aramo Plaza                            |
| 9. No District Number                     | 37. Baker                                  |
| 10. W. 28th Avenue - Stoneman's Row       | 38. Downtown                               |
| 11. Old Highlands Business                | 39. Country Club Gardens                   |
| 12. Street Subdivision                    | 40. Five Points Historic Cultural District |
| 13. Potter Highlands                      | 41. Park Avenue                            |
| 14. Lafayette Street                      | 42. Balpark                                |
| 15. Lower Downtown                        | 43. Driving Park                           |
| 16. City Park Pavilion                    | 44. Humboldt Street - Park Avenue          |
| 17. Country Club                          | 45. Grant Street                           |
| 18. Quality Hill                          | 46. Wolf Place                             |
| 19. Witter - Coffield                     | 47. S. R. DeBoer                           |
| 20. East Seventh Avenue                   | 48. Curtis Park "E"                        |
| 21. Wyman                                 | 49. Curtis Park "F"                        |
| 22. East Park Place                       | 50. Curtis Park "G"                        |
| 23. Florence R. Harsh Ranch, Daniels Park | 51. Alien M. Ghosh                         |
| 24. Curtis Park "H"                       | 52. Curtis Park "H"                        |
| 25. Curtis Park "I"                       | 53. 2001 Stock South Lincoln Street        |
| 26. Curtis Park "A"                       | 54. Packard's Hill                         |
| 27. Lowry Technical Training Center       | 55. Vassar School Bungalows                |
|   | 56. River Drive                            |
- Parkway Landmark Districts
    - 16. Speer Boulevard
    - 29. City Beautiful Parkways
    - 41. Park Avenue

~4% of the city,  
or 1 in 25 structures,  
are designated





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# LANDMARK ORDINANCE UPDATE PROCESS

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## Landmark Ordinance Task Force

- 16 members with varied backgrounds and opinions
  - Supportive, neutral, and not supportive of preservation
  - Variety of neighborhood residents
  - Professions that intersected with preservation
    - Council members, developers, architects, realtors, and contractors
- Year-long process
  - Convened 11 facilitated meetings

### Landmark Ordinance Update Task Force Members

Name	Title
Kevin Flynn	Denver City Council
Robin Kniech	Denver City Council
Charles Jordy	Landmark Preservation Commission Vice-chair; President, Jordy Construction
Tania Salgado	Lower Downtown Design Review Board Chair; Principal, Handprint Architecture
Annie Levinsky	Executive Director, Historic Denver
Amy Cole	Neighborhood resident
Rosemary Stoffel	Neighborhood resident
Jeff Pearson	Neighborhood resident
Will Baker	Neighborhood resident
Stephanie Fernandez	Project Lead, Galloway & Company
Dennis Humphries	Principal, Humphries Poli Architects
Adam Harding	Partner, Roth Sheppard Architects
Hayden Hirschfeld	Real Estate Broker, Shames Makovsky
Scott Chomiak	Real Estate Developer, Koelbel Urban Homes
Chris Cowan	Realtor, ARA Newmark
Mark Bowman	Realtor, Z Property

### Problems Identified by Task Force:

1. Lack of diversity of designated properties
- 2a. Complexity of ordinance requirements
- 2b. Conflict associated with designations submitted as part of demolition process
3. Lack of incentives for designation

### Goals/Criteria of Task Force:

1. Preserve neighborhood character and the diverse history of the city
2. Improve the quality of decision-making and public processes
3. Provide additional preservation tools that homeowners, advocates, staff and neighborhood organizations can use

- Task Force recommendations based on:
  - Identified problem statements and goals of Task Force
  - Criteria determined by the Task Force
    - Processes should be clear and predictable
    - Consistent with long held citywide policies
    - Based on best preservation practices
  - Nationwide comparative analysis and in-depth analysis of 12 peer cities
    - Standard preservation policies, best practices, innovative programs

**Task Force reached consensus on all recommendations**

# **ORDINANCE CHANGES ASSOCIATED WITH DESIGNATION CRITERIA**

Add Culture to Designation Criteria

Simplify Designation Criteria

Retain High Threshold Requirements for Designations

- Represents an era of culture or heritage that allows an understanding of **how the site was used by past generations**;
- Be a physical attribute of a neighborhood, community, or the city that is a **source of pride or cultural understanding**;
- Associated with **social movements, institutions, or patterns of growth or change** that contributed significantly to the culture of the neighborhood, community, city, state, or nation



## Reviewed 32 other cities, including:

- Other Colorado cities with preservation staff
  - Boulder, Fort Collins, Greeley, Aspen
- Peer cities
  - Austin, Portland, Seattle
- Geographic comparisons
  - Kansas City, SLC, Omaha, Phoenix, Albuquerque
- Similar populations
  - Baltimore, Atlanta, Boston, Milwaukee
- Larger populations
  - LA, NYC, Chicago, Philadelphia, Dallas, San Francisco

**Only Denver, Boise and Greeley have categories**

Criteria Requirements	Number of Cities	Percentage of criteria required
1 out of 10	1	10%
1 out of 9	1	11%
1 out of 8	2	13%
1 out of 7	2	14%
1 out of 6	2	17%
3 out of 16	1	19%
1 out of 5	2	20%
1 out of 4	12	25%
2 out of 7	1	29%
3 out of 10	1	30%
1 out of 3	3 (incl. Boise)	33%
2 out of 5	2	40%
2 out of 4	1	50%
2 out of 3	Denver, Greeley	67%

## 1. History

- a. Have direct association with the historical development of the city, state or nation;
- b. Be the site of a significant historic event; or
- c. Have direct and substantial association with a person or group of persons who had influence on society.

## 2. Architecture

- a. Embody distinguishing characteristics of an architectural style or type;
- b. Be the significant work of a recognized architect or master builder;
- c. Contain elements of architectural design, which represent a significant innovation
- d. Portray the environment of a group of people or physical development of an area in an era of history characterized by a distinctive architectural style.

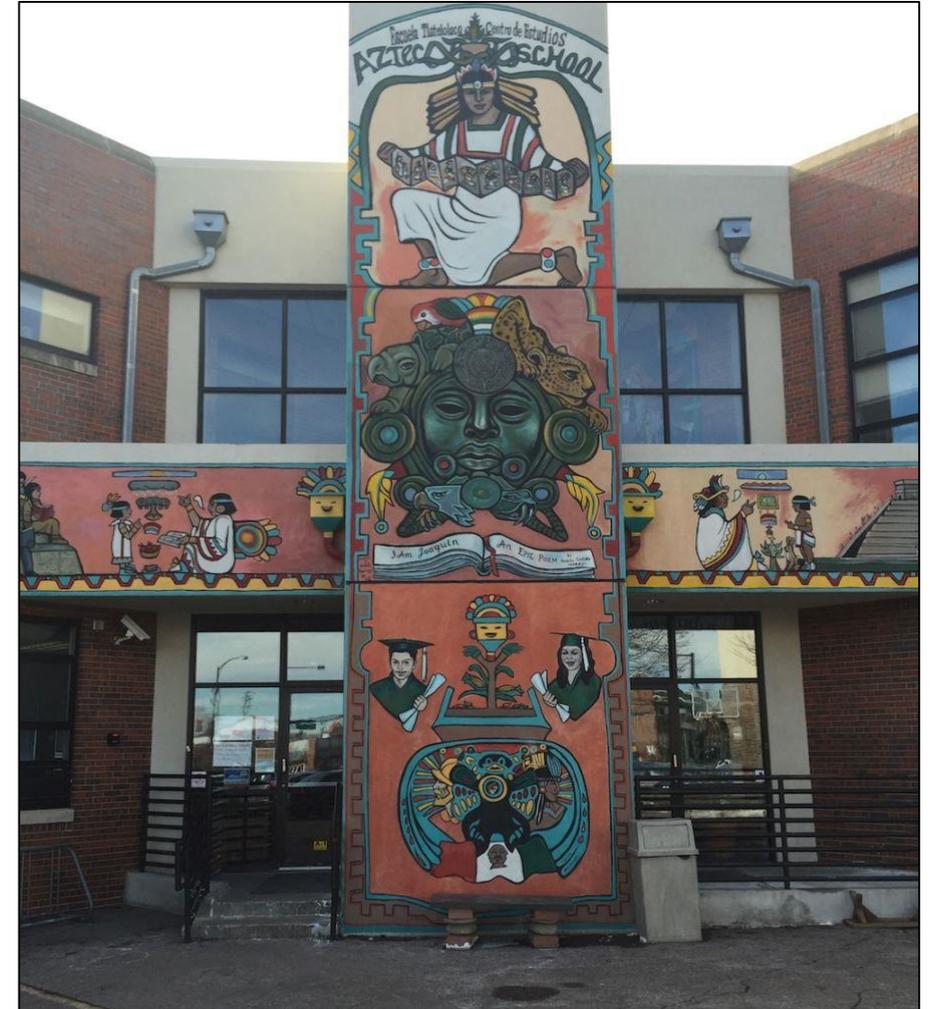
## 3. Geography

- a. Have a prominent location or be an established, familiar and orienting visual feature of the contemporary city;
- b. Promote understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity;
- c. Make a special contribution to Denver's distinctive character



## Simplification of Designation Criteria

- Remove categories to create a list of criteria
  - Consolidate existing 10 criteria and add 3 culture criteria
- = Total of 10 criteria



### History

1. Have direct association with a significant historic event or with the historical development of the city, state, or nation;
2. Have direct and substantial association with a recognized person or group of persons who had influence on society;

### Architecture

3. Embody the distinctive visible characteristics of an architectural style or type;
4. Be a significant example of the work of a recognized architect or master builder;
5. Contain elements of design, engineering, materials, craftsmanship, or artistic merit which represent a significant innovation or technical achievement;

### Geography

6. Due to its prominent location or physical characteristics, represents an established and familiar feature of the neighborhood, community or contemporary city;
7. Promote understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity;

### Culture

8. Represents an era of culture or heritage that allows an understanding of how the site was used by past generations;
9. Be a physical attribute of a neighborhood, community, or the city that is a source of pride or cultural understanding;
10. Associated with social movements, institutions, or patterns of growth or change that contributed significantly to the culture of the neighborhood, community, city, state, or nation

- Still amongst highest threshold in nation
  - Properties will still be significant for more than one category unless exceptionally significant in architecture or culture
- Of the 32 cities surveyed:
  - 24 (75%) require fewer than 30% criteria for designation

Criteria Requirements	Number of Cities	Percentage of criteria required
1 out of 10	1	10%
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2 out of 3	1	67%

1. Have direct association with a significant historic event or with the historical development of the city, state, or nation;
2. Have direct and substantial association with a recognized person or group of persons who had influence on society;
3. **Embody the distinctive visible characteristics of an architectural style or type;**
4. Be a significant example of the work of a recognized architect or master builder;
5. Contain elements of design, engineering, materials, craftsmanship, or artistic merit which represent a significant innovation or technical achievement;
6. Due to its prominent location or physical characteristics, represents an established and familiar feature of the neighborhood, community or contemporary city;
7. Promote understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity;
8. Represents an era of culture or heritage that allows an understanding of how the site was used by past generations;
9. **Be a physical attribute of a neighborhood, community, or the city that is a source of pride or cultural understanding;**
10. **Associated with social movements, institutions, or patterns of growth or change that contributed significantly to the culture of the neighborhood, community, city, state, or nation**

### Macedonia Baptist Church



\*Based on existing, limited research

# Evaluated Based on Proposed Criteria

## 6 out of 10

1. Have direct association with a significant historic event or with the **historical development of the city**, state, or nation;
2. Have direct and substantial association with a **recognized person or group** of persons who had influence on society;
3. Embody the distinctive visible characteristics of an **architectural style** or type;
4. Be a significant **example of the work of a recognized architect** or master builder;
5. Contain elements of design, engineering, materials, craftsmanship, or artistic merit which represent a significant innovation or technical achievement;
6. Due to its **prominent location** or physical characteristics, represents an established and **familiar feature** of the neighborhood, community or contemporary city;
7. Promote understanding and **appreciation of the urban environment** by means of **distinctive physical characteristics** or rarity;
8. Represents an era of culture or heritage that allows an understanding of how the site was used by past generations;
9. Be a physical attribute of a neighborhood, community, or the city that is a source of pride or cultural understanding;
10. Associated with social movements, institutions, or patterns of growth or change that contributed significantly to the culture of the neighborhood, community, city, state, or nation

Union Station



\*Based on existing, limited research

# Evaluated Based on Proposed Criteria

## 3 out of 10

1. Have direct association with a significant historic event or with the historical development of the city, state, or nation;
2. Have direct and substantial association with a **recognized person** or group of persons who had influence on society;
3. Embody the distinctive visible characteristics of an **architectural style or type**;
4. Be a significant **example of the work of a recognized architect** or master builder;
5. Contain elements of design, engineering, materials, craftsmanship, or artistic merit which represent a significant innovation or technical achievement;
6. Due to its prominent location or physical characteristics, represents an established and familiar feature of the neighborhood, community or contemporary city;
7. Promote understanding and appreciation of the urban environment by means of distinctive physical characteristics or rarity;
8. Represents an era of culture or heritage that allows an understanding of how the site was used by past generations;
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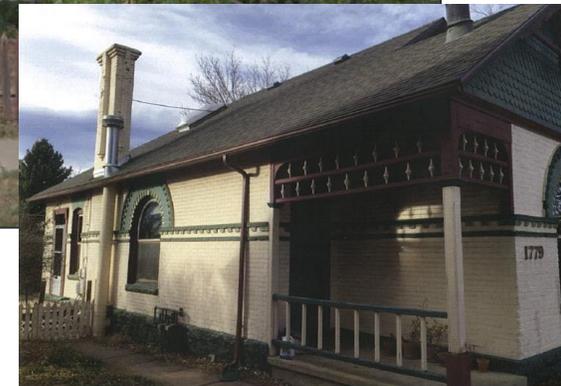
Molly Brown House



\*Based on existing, limited research

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1779 S Pearl St

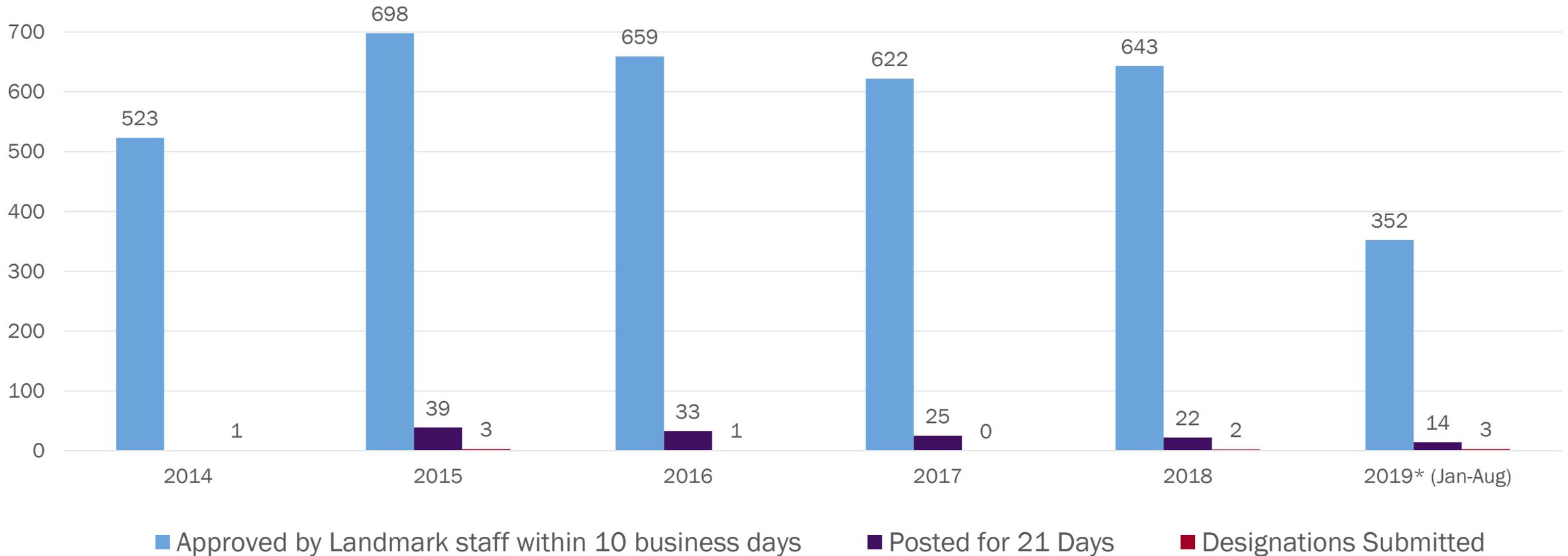


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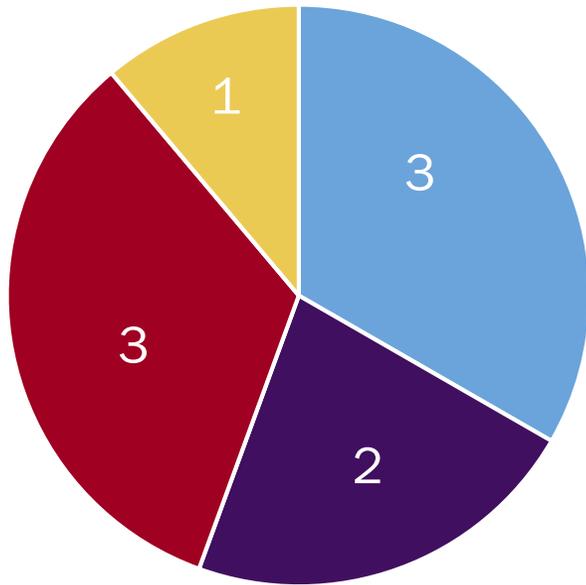
# **ORDINANCE CHANGE ASSOCIATED WITH DEMOLITION REVIEW**

Extend Pause for Demolition Review Process  
Add Required Third-Party Facilitated Meeting

## Demolition Applications (2014-2019\*)



## Owner-Opposed Designations (2014-2019\*)



- Withdrawn by Applicant
- Denied by LPC
- Denied by City Council
- Approved by City Council

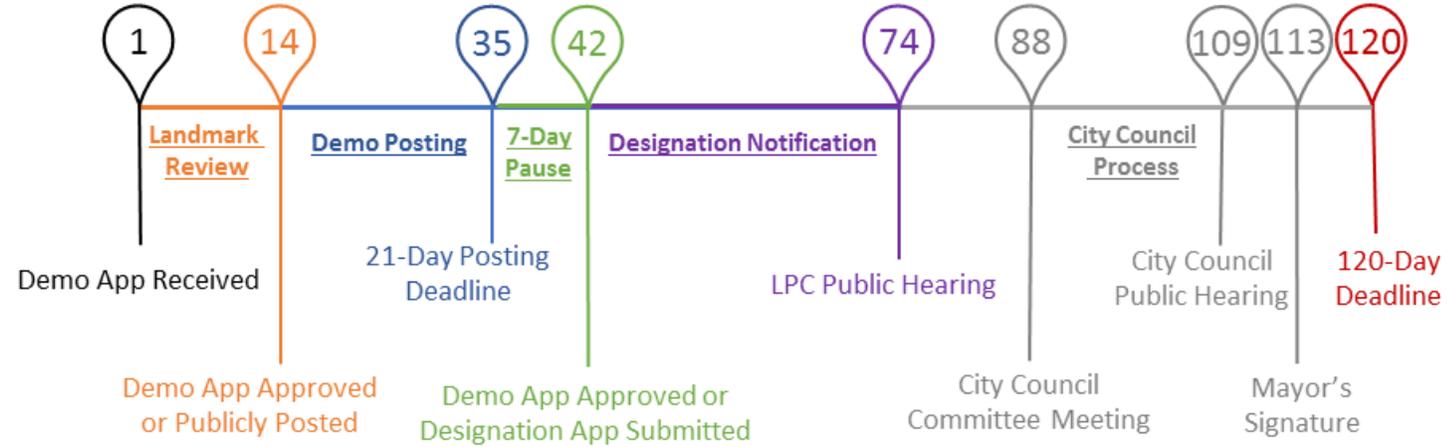
## Owner-opposed designations are extremely rare

- Success is achieved when the building is not demolished
- Designation is not required to achieve success

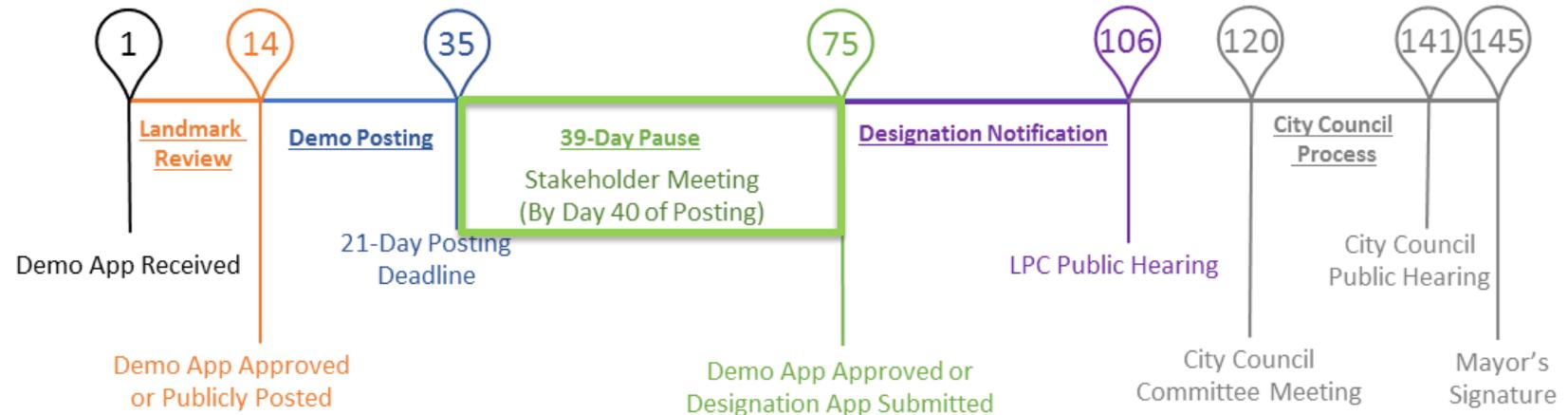
Ordinance update proposes to add time for a facilitated meeting to reduce conflict in these situations

# Timeline (calendar days)

## Current Process



## Proposed Process



## What happens if someone skips the third-party facilitated meeting?

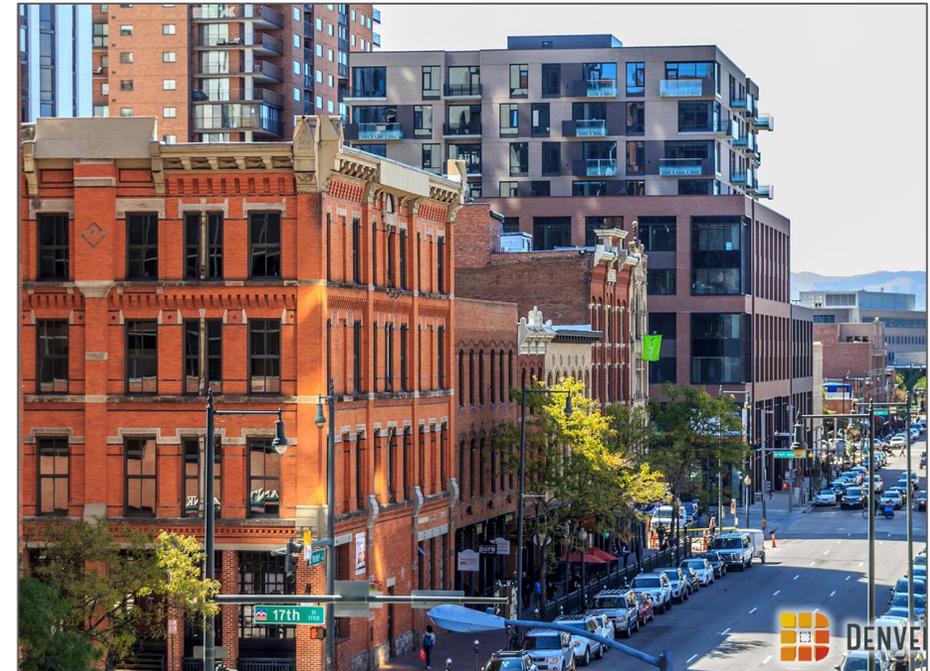
- If it's the people who submitted Notice of Intent
  - Demolition is automatically approved the next business day
- If it's the property owner or representative
  - Demolition is automatically denied the next business day
  - Property owner can reapply, but process starts over



# **SMALL ORDINANCE UPDATES**

Clarity and Consistency, and  
Process Improvements

- Clarify, remove, or streamline processes
  - Remove references to anachronistic practices
  - Clarify how economic hardship determination is made
  - Add or amend definitions
    - Temporary structure, historic context, significance, culture
- Provide consistency with other CPD boards
  - Update ordinance and LPC/LDDRБ bylaws to better manage agenda volume
  - Align setting of agendas with Planning Board and other review boards
- Updates to LDDRБ
  - Name change: Board to Commission
  - Add two new at-large members
  - Ensure consistency in LPC and LDDRБ review processes



# **POLICY AND REGULATORY UPDATES**

Not associated with Landmark ordinance

## Provide clarity for proposed historic districts

- Formalize policy for city-led community meeting
  - Landmark staff will host a community meeting with Q and A session
  - Prior to meeting staff will send letter and FAQ to all property owners
  - Meeting provides earlier notification to residents and time for community dialogue
- How to track and map public comments
  - Online platform for residents to comment on proposed district
  - Moves away from binary yes/no options
  - Provides more accurate information
  - Increased equity - multiple languages
  - Comments can still be submitted by mail, email, phone, or in person



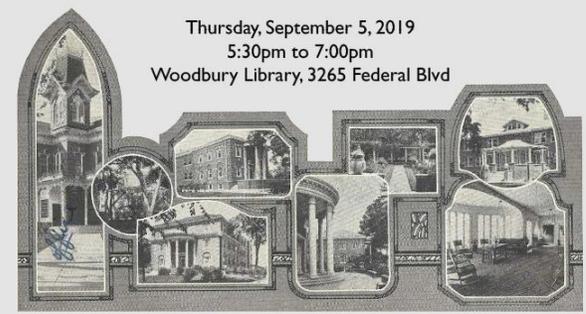
Denver Landmark Preservation & Community Planning and Development

50<sup>th</sup> ANNIVERSARY 1970-2020

invite you to a community meeting about the proposed designation of the

**Tilden School for Teaching Health Historic District**

Thursday, September 5, 2019  
5:30pm to 7:00pm  
Woodbury Library, 3265 Federal Blvd



Should River Drive be designated a Denver Landmark Historic District?

Use this form to submit your comments on the potential designation of Jefferson Park's River Drive. All feedback will be reviewed by the Landmark Preservation team and provided to City Council.

Visit our website for more information on the designation application, the Denver Landmark designation process and effects, and Denver's Landmark Preservation Ordinance.

Estimated time: 3-5 minutes. Survey questions and technical difficulties can be directed to: CPDcommunications@denvergov.org



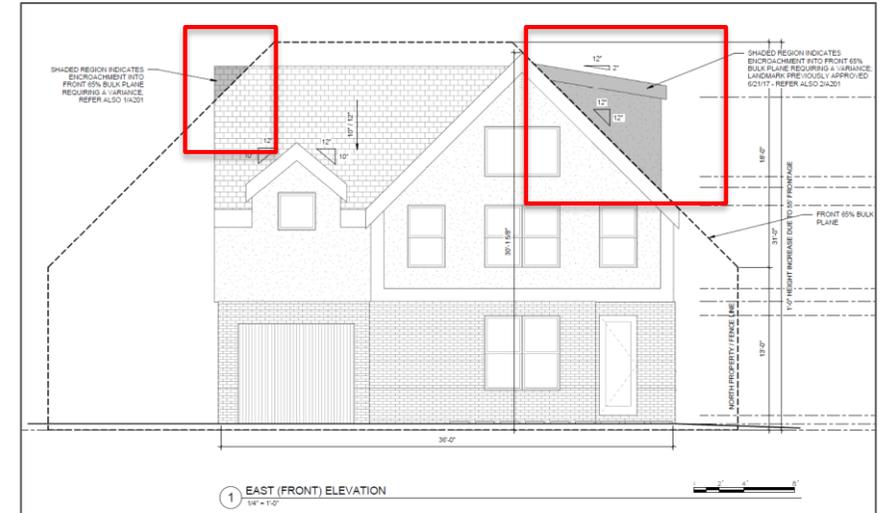
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COMMUNITY PLANNING & DEVELOPMENT

Jefferson Park

© Mapbox © OpenStreetMap Improve this map

## CPD will explore in the future:

- Tools to encourage designation or reduce barriers once designated
  - Increase zoning incentives for designated properties
  - Allow off-site repair and re-installation of historic signage
- Explore ways to better integrate Landmark into building and zoning department reviews
  - Explore adding ombudsman position



# Summary of Proposed Policy Updates

Policy Updates	Anticipated Start Time
Update Individual Designation Application Form	In Process
Update District Designation Application Form	In Process
Update LPC and LDDRB By-Laws Regarding Agenda Management	In Process
Update Demolition Application	In Process
Outreach on Demolition Review Process	In Process
Historic District Community Meetings	In Process
Historic District Online Survey	In Process
Website Updates	In Process
Historic District FAQ	Winter 2020
Create Designation Criteria Guide	Winter 2020
Create Designation Application Guide	Winter 2020
Update Timeframe for Public Comment Incorporation into Staff Report	Spring 2020
Zoning Incentives	Spring 2020
Continue Exploring Ombudsman Position	Spring 2020
Demolition by Neglect Policy	Fall 2020
Economic Hardship Customer Guide	Fall 2020



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# OUTREACH & PUBLIC COMMENT

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- Outreach Meetings
  - ✓ Thursday, May 2 – LDDRB meeting
  - ✓ Tuesday, May 14 – Community meeting
  - ✓ Saturday, May 18 – Community meeting
  - ✓ Monday, May 20 – Community meeting
  - ✓ Saturday, June 1 – INC ZAP Committee
  - ✓ Tuesday, June 4 – LPC meeting
  - ✓ Thursday, June 6 – Office hours
  - ✓ Monday, June 17 – Community meeting
  - ✓ Wednesday, August 7 – Planning Board
  - ✓ Saturday, Sept 28 – INC ZAP Committee
- Meetings with community and professional organizations
  - ✓ One-on-one meetings
  - ✓ Denver Metro Association of Realtors
  - ✓ Home Builders Association of Metro Denver
  - ✓ AIA Colorado
  - ✓ RNOs
- Public Comment on Draft Redline
  - ✓ Early-May to June 28th

- Public comment
  - Draft Redline of Chapter 30
    - Written comments from 11 individuals and organizations
    - Verbal comments in community meetings
    - Staff incorporated and addressed comments in Redline of Chapter 30
  - Final Redline of Chapter 30
    - 16 form emails in support of proposed, but not submitted amendment
    - 2 letters submitted by organizations in support for Task Force recommendations
      - History Colorado
      - Colorado Preservation, Inc.
    - 13 letters submitted by individuals in support for Task Force recommendations

- Add Culture
  - Add three criteria related to culture
  - Simplify designation criteria
  - Retain high threshold requirements for designations
- Demolition Review Process
  - Extend pause for demolition review process
  - Add required third-party facilitated stakeholder meeting
- Clarity and Consistency
  - Clarify language, streamline processes, and ensure consistency throughout ordinance
- Effective Date: November 1<sup>st</sup>
  - Designations received by October 31<sup>st</sup> will be processed under existing criteria