



To: Denver City Council, Jolon Clark President
From: Kara Hahn, Principal Planner, Community Planning & Development
Date: September 26, 2019
RE: Proposed Landmark Ordinance Update – Amendment to Chapter 30 of the Denver Revised Municipal Code (DRMC)

Staff Recommendation:

Based on the unanimous recommendations of the Landmark Ordinance Update Task Force, staff recommends approval of the amendment to Chapter 30.

Denver Landmark Ordinance:

Denver Landmark Preservation was created by the Denver City Council through the adoption of Denver's landmark preservation ordinance (Chapter 30 of the DRMC) in 1967 to foster the protection, enhancement, perpetuation, and use of structures and districts of historical, architectural, and/or geographic significance. Since then, the ordinance has been updated numerous times to ensure that Denver's preservation program aligns with construction and preservation standards as well as other city processes and policies. The most recent updates were in 2006 and 2012. The 2006 update established the demolition review process and the 2012 amendments include minor amendments to that process.

Landmark Ordinance Task Force:

Denver Landmark Preservation staff has been working over the past 19 months to update the ordinance. In early 2018, we convened a task force to examine areas to reduce conflict and simplify some of the complexities of the ordinance. Landmark and CPD staff intentionally included task force members that had varied opinions, backgrounds, and demographics. The task force included those who supported preservation and those who did not support preservation. It was made up of neighborhood residents representing different areas of the city and professionals whose work intersected with preservation – council members, developers, architects, realtors, and contractors. The task force also included those who were relatively new to the city, those with several years' residency, and those who were multi-generational Denverites.

Through a year-long process, the task force explored how to improve Landmark processes while balancing property rights with city and community goals to preserve Denver's history, architecture, culture, and neighborhood character. The task force identified three primary areas they wanted to address - preserving neighborhood character and the diverse history of the city, improving the quality of decision-making and public processes, and providing a wider range of preservation tools that homeowners, landowners, staff, advocates, and neighborhood organizations can use. The task force discussions were focused on those areas and their recommendations were based on a set of criteria used to evaluate success, which included retaining the fundamental purpose of the ordinance, ensuring clear and predictable processes, reducing conflicts over demolitions and designation, and using best preservation practices. Through a series of 11 meetings that included complex discussions of technical work, the task force reached consensus and their recommendations were unanimous.

Summary of Task Force Recommendations:

- Add Culture to the Designation Criteria
 - Expand the criteria for historic designation to include culture
 - Simplify how potential landmarks can meet the criteria by removing categories so that eligible structures would have to meet three of ten total criteria
- Increase Collaboration on Designations Resulting from the Demolition Review Process
 - Encourage collaboration by extending the existing demolition pause to provide property owners and the community time to meet and arrive at a potential compromise
 - A third-party facilitated stakeholder meeting would be required during the posting period
- Explore Incentives for Designations
 - Explore and improve policies that encourage property owners to designate their properties
 - Reduce regulatory barriers for owners of historic properties
- Clarify language, streamline processes, and ensure consistency throughout ordinance

Outreach:

After the final task force meeting in March, Landmark staff briefed City Council members and the Mayor's Policy Review Committee. Staff presented the proposed changes to the Landmark Preservation Commission, the Lower Downtown Design Review Board, and the Denver Planning Board. We met one-on-one or in small groups with representatives of African-American, Latino, Japanese-American, and LGBTQ+ communities. We held a series of community meetings and office hours, and met with RNOs, INC, and professional organizations, such as the Denver Metro Board of Realtors and the American Institute of Architects. A public comment period on the draft redline was open during May and June. Staff incorporated those comments into the final redline of Chapter 30.

Public Comments:

As of the date of this staff report, CPD received public comments from XX organizations or individuals.

- Public comment on draft redline of Chapter 30
 - Neighborhood comment submitted to CPD
 - West Highland Neighborhood Association RNO
 - Architectural Historians working group
 - Public comments submitted to CPD from individuals
 - 9 individuals
- Public comment on final redline of Chapter 30
 - Public comment submitted to CPD by organizations
 - History Colorado and Colorado Preservation, Inc letters of support
 - Public comments submitted to CPD from individuals
 - 16 form emails in support of proposed but not submitted amendment
 - 13 individuals in support of Task Force recommendations

Attachments Provided by CPD:

- Summary sheets of proposed changes
- Amendment of Chapter 30 - redline
- Public comments on draft redline and final redline received by September 26th