



DENVER
THE MILE HIGH CITY

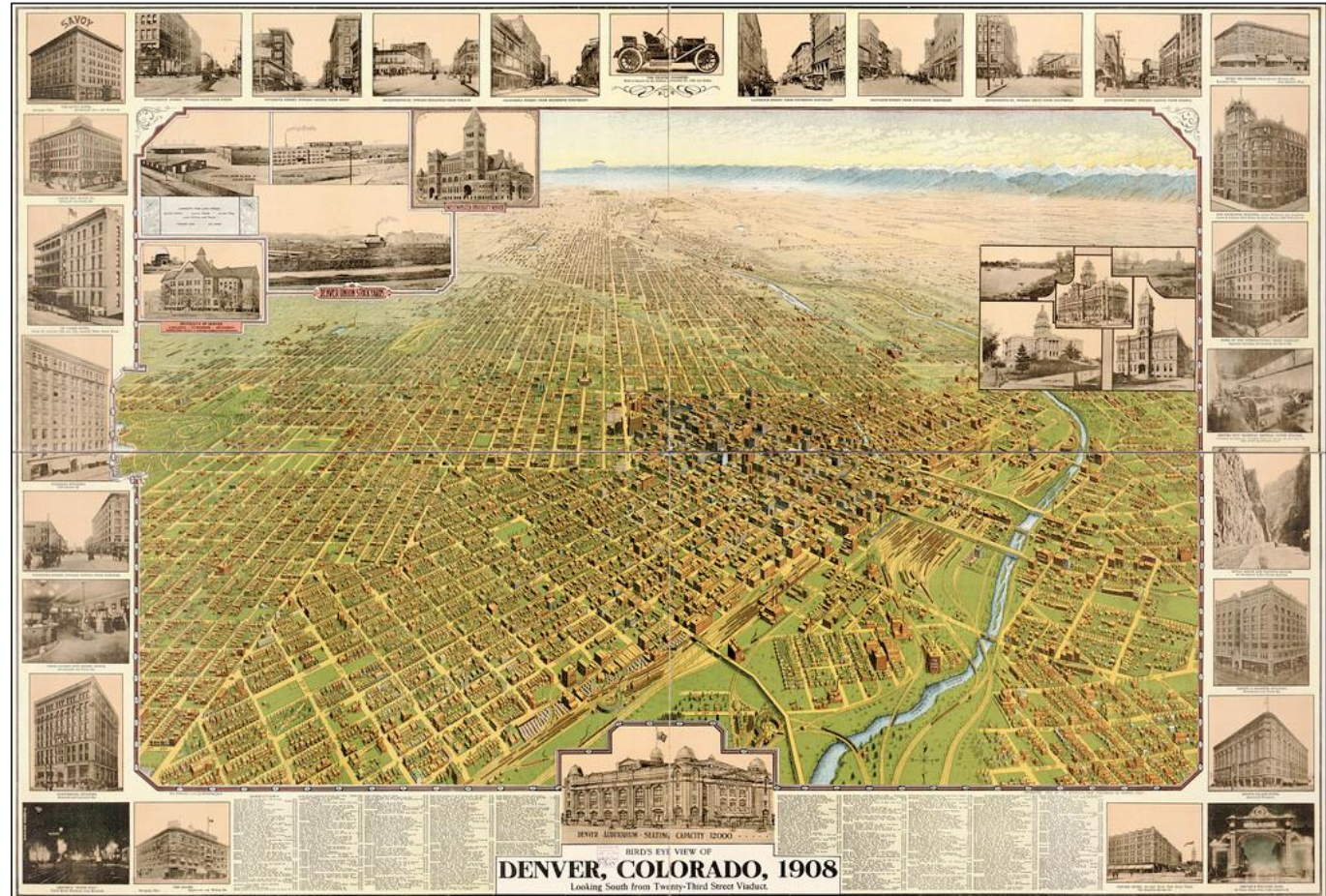
Proposed Landmark Ordinance Update Informational Item

Land Use, Transportation, Infrastructure

August 13, 2019

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

- Landmark Overview
- Summary of process
 - Ordinance and policy
- Ordinance (Chapter 30) Updates
 - Main changes to ordinance
 - Equity improvements - culture
 - Criteria Threshold
 - Pause for Demolition Review
 - Small changes to ordinance
- Timeline for Adoption





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DENVER LANDMARK PRESERVATION

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Landmark Ordinance Chapter 30 DRMC

- Established in 1967 by City Council
- Numerous updates over the past 50 years



344 Individual Landmarks

55 Historic Districts in Denver



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



What does Landmark Preservation do?

- Participate in citywide and neighborhood planning efforts
- Collaborate on the development of regulatory tools
- Review Landmark designation applications
- Review permit applications for alterations, additions and new construction; perform inspections
- Evaluate all demolition applications, citywide

Who is Landmark Preservation?

- Landmark staff members
 - 11 professionals including dedicated inspector
- Landmark Preservation Commission (LPC)
 - 9-member volunteer commission of preservation and design professionals, appointed by Mayor
- Lower Downtown Design Review Board (LDDRB)
 - 7-member volunteer board of community members, preservationists, and design professionals, appointed by Mayor





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LANDMARK ORDINANCE UPDATE PROCESS

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- What improvements can be made to designations resulting from demolitions or Certificates of Non-Historic Status?
- Is there room for mediation in the designation process?
- What are options for preserving neighborhood character?
- How can we reduce the environmental impact of demolitions?
- How best to document support and opposition of historic district designations?
- What are ways to incentivize voluntary designation?

- 16 members from diverse backgrounds and opinions
- 18-month process
- Convened 11 facilitated meetings
- Recommendations based on:
 - 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**

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

Peer cities researched:

1. Austin
2. Boston
3. *Boulder*
4. Chicago
5. *Fort Collins*
6. Los Angeles
7. Philadelphia
8. Portland, OR
9. San Diego
10. San Francisco
11. Seattle
12. Washington, DC



1. Preserve Neighborhood Character and the Diverse History of the City
 - Ensure that Denver’s history and culture are honored and protected
 - Encourage the preservation of historic places that represent the entire city
 - Investigate how the ordinance could enhance neighborhood stability

2. Improve the Quality of Decision-Making and Public Processes
 - Improve timeframes and deadlines
 - Improve processes to reduce conflict
 - Revise the processes for owner-opposed designations that begin in demolition permit applications
 - Improve and formalize standards used to characterize the opinions of adjacent neighbors, neighborhood associations, and interested parties

3. Provide a wider range of preservation tools that homeowners, landowners, staff, advocates, and neighborhood organizations can use
 - Such as incentives and zoning
 - Ways to encourage property owners to designate
 - Investigate how the ordinance could reduce the environmental impact of demolition

MAIN ORDINANCE CHANGE #1

Add Culture to Designation Criteria

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

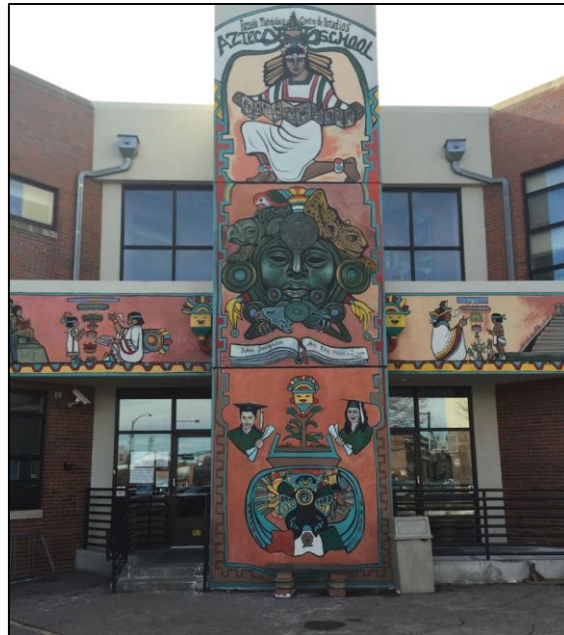


Properties Associated with Diverse Cultures of the ~6800 Buildings Designated

- Cultural historic districts:
 - Five-Points Historic Cultural District
- Landmarks associated with LGBTQ history or culture:
 - First Unitarian Society of Denver
- Landmarks associated with women’s history or culture:
 - Dr. Margaret Long House
 - Emily Griffith Opportunity School
 - Denver Women’s Press Club
 - Treat Hall, Colorado Women’s College (now Centennial Hall at Johnson & Wales)
 - Molly Brown House
 - Mattie Silks House
 - Wolcott School
 - Jane Silverstein Ries House
 - Margery Reed Mayo Nursery
- Landmarks associated with Latinx history or culture:
 - Our Lady of Guadalupe Church
- Landmarks associated with African-American history or culture:
 - American Woodmen’s Life Building
 - Shorter AME Church
 - Fire Station #3
 - Zion Baptist Church of Denver
 - Barney Ford Building
 - Justina Ford House (Curtis Park)
 - Scott Methodist Church
- Landmarks associated with Jewish history or culture:
 - Golda Meir House
 - Temple Emanuel
- Landmarks associated with Italian-American history or culture:
 - Frank Damascio House
 - Cerrones Grocery Store
 - Hanigan-Canino Terrace (Irish and Italian)
 - Guerrieri-DeCunto House

Goal: To increase equity in designations

Proposed Solution: Add criteria associated with cultural significance



- 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



MAIN ORDINANCE CHANGE #2

Simplify Designation Criteria and Maintain High Threshold Requirements for Designation

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%

Goal: Simplify designation criteria

Proposed Solutions:

- 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

- Will increase diversity of properties designated
 - Allow more designations based on cultural significance
- Same requirements regardless of applicant support
 - Good preservation policy
 - Standards for designation should not vary based on applicant support
 - Consistent with long held citywide polices
 - Comprehensive Plan and Blueprint Denver, other CPD regulatory processes
 - Maintains a consistent process
 - Varying standards are unpredictable for public, and difficult for staff and LPC to implement
 - Based on nationwide preservation practice
 - Comparative analysis of peer cities showed few cities vary threshold based on applicant support

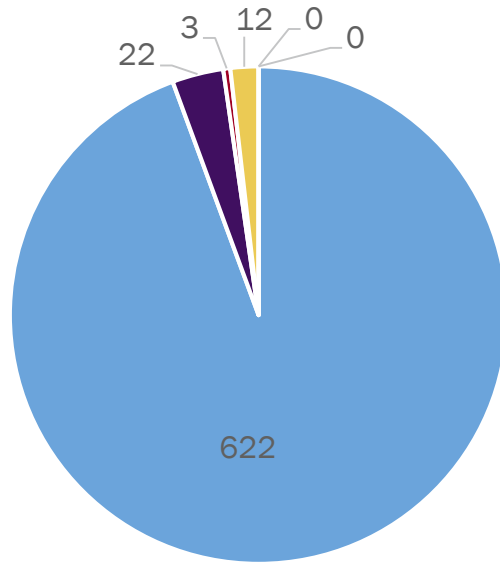
- Still amongst highest threshold in nation
 - Properties will still be significant for more than one category unless exceptionally significant in architecture or culture
- Of the 32 cities surveyed:
 - 24 (75%) require fewer than 30% criteria for designation

Criteria Requirements	Number of Cities	Percentage of criteria required
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1 out of 4	12	25%
2 out of 7	1	29%
3 out of 10	1	30%
1 out of 3	3	33%
2 out of 5	2	40%
2 out of 4	1	50%
2 out of 3	1 (Greeley)	67%

MAIN ORDINANCE CHANGE #3

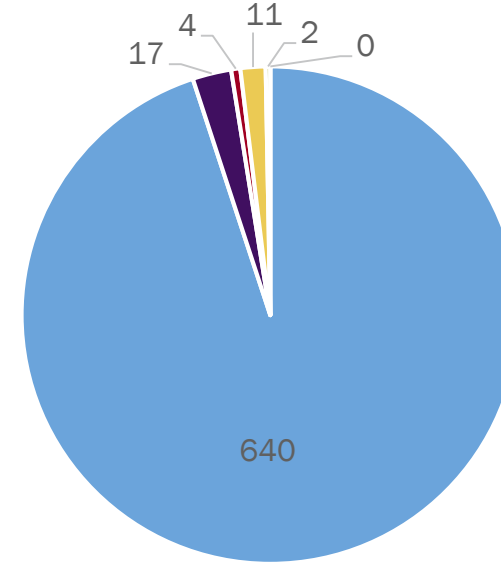
Extend Pause for Demolition Review Process,
Add Required Mediation

659 Applications Reviewed in 2017



- Approved, Not Posted (94.4%)
- Posted (3.3%)
- Posted and Notice of Intent (0.5%)
- Withdrawn (1.8%)
- Designations submitted to LPC (0%)
- Designations to City Council (0%)

674 Applications Reviewed in 2018



- Approved, Not Posted (95%)
- Posted (2.5%)
- Posted and Notice of Intent (0.6%)
- Withdrawn (1.6%)
- Designations submitted to LPC (0.3%)
- Designations to City Council (0%)

Retain Existing Review Process

- Demos without potential to be individual landmarks still approved in 10 business days (~95%)
- Demos that have potential to be individual landmarks, retain 21 day notification period (~4%)
- Written notice of intent to file a designation may be submitted to extend pause (<1%)

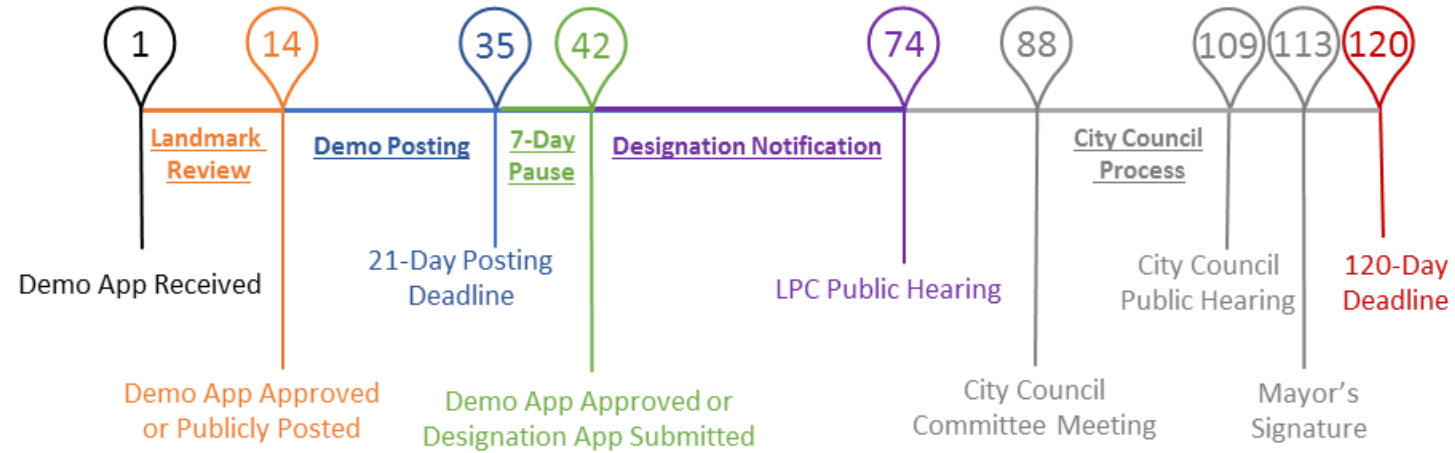
Proposed Update to Ordinance

- If written notice is submitted by 3 Denver residents, extend pause from 28 days to 60 days
- Introduce a required stakeholder meeting during pause
 - Property owner and community conversation
 - Convened by city facilitator
 - Facilitator to produce meeting summary
- Require designation applicants to be Denver residents

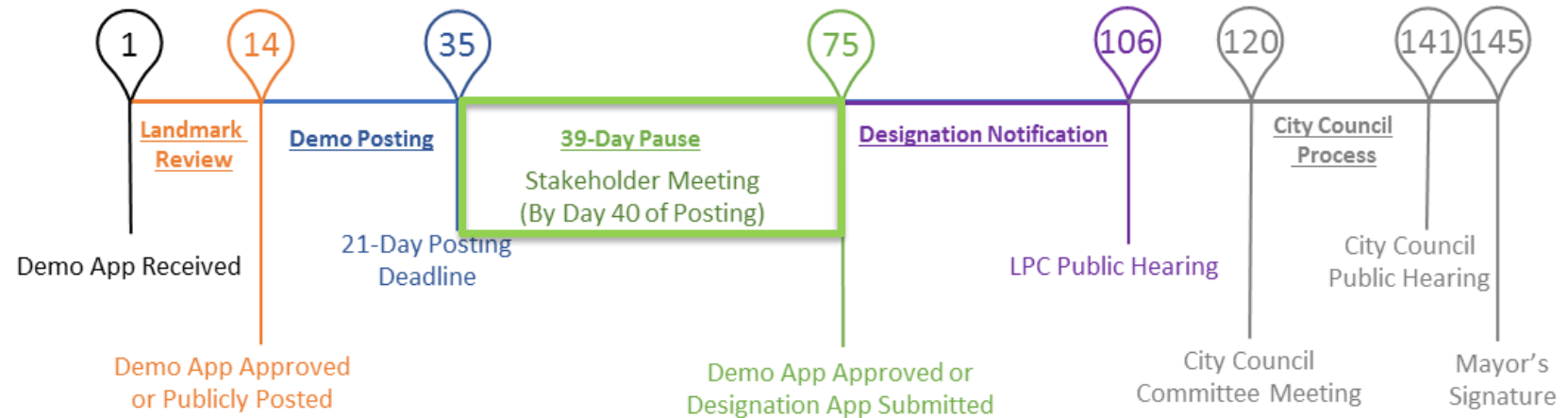


Timeline (calendar days)

Current Process



Proposed Process





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SMALL ORDINANCE UPDATES

Clarity and Consistency, and Process Improvements

- Clarify, remove, or streamline processes
 - Remove references to anachronistic practices
 - Add method for counting days for demolition and CNHS reviews
 - Clarify how economic hardship determination is made
 - Add or amend definitions
 - Temporary structure, historic context, significance, culture, etc.
- Provide consistency with other CPD boards
 - Update ordinance and LPC/LDDRB bylaws to better manage agenda volume
 - Align setting of agendas with Planning Board and other review boards

- Updates to LDDRB
 - Name change: Board to Commission
 - Add two new at-large members
 - Remove required LPC certification of new LDDRB members
 - Make LPC and LDDRB review processes consistent with each other



POLICY AND REGULATORY UPDATES

Not associated with Landmark ordinance

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
- Provide clarity in support for proposed historic districts
 - Formalize policy to require city-led community meeting
 - How to track and map public comments



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TIMELINE FOR OUTREACH & ADOPTION

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- City Council Briefings
 - ✓ Late March to early April
- Public Comment Period
 - ✓ Early-May to June 28th
- 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
- Meetings with professional organizations
 - ✓ Denver Metro Association of Realtors
 - ✓ Home Builders Association of Metro Denver
 - ✓ AIA Colorado
 - ✓ RNOs
- Adoption Process:
 - City Council
 - LUTI, September 10th
 - Mayor Council, September 17th
 - First Reading, September 23rd
 - Second Reading, September 30th
 - Signature of Mayor
- Likely Effective Date: October 31st