Landmark Ordinance Update
Task Force

March 9, 2018
Pop Quiz!

Denver Landmark Preservation is:

A. The historical society
B. A local non-profit organization
C. City government group
D. State government group
Denver Landmark Preservation is:

A. The historical society
B. A local non-profit organization
C. City government group
D. State government group
DENVER
COMMUNITY PLANNING & DEVELOPMENT

1967 Landmark Preservation Ordinance
(Chapter 30 of Denver Revised Municipal Code)
Denver believes historic preservation of significant structures, features, and landscapes contribute to its distinctive character, environment, culture, economy and quality of neighborhoods.

- Preserve Denver’s architectural and design legacies while allowing new ones to evolve.
• Historic preservation contributes to the sense of place and community across Denver’s neighborhoods.

• Designation is one of the most successful and common tools for Areas of Change and Areas of Stability.
What was the first individual landmark designated in Denver?

A. Daniels & Fisher Tower
B. Emmanuel Shearith Israel Chapel
C. Evans Memorial Chapel
D. Molly Brown House
What was the first individual landmark designated in Denver?

A. Daniels & Fisher Tower
B. Emmanuel Shearith Israel Chapel
C. Evans Memorial Chapel
D. Molly Brown House
336 Individual Landmarks in Denver
What was the first historic district designated in Denver?

A. Larimer Square
B. Lower Downtown
C. Quality Hill
D. Smith’s Ditch
What was the first historic district designated in Denver?

A. Larimer Square
B. Lower Downtown
C. Quality Hill
D. Smith’s Ditch
53 Historic Districts in Denver

- 200 Block of S. Lincoln St.
- Alamo Placita
- Allen M. Ghost
- Baker Neighborhood
- Ballpark Neighborhood
- City Park Pavilion
- Civic Center
- Clayton College
- Clements
- Country Club
- Country Club Gardens
- Curtis Park ‘A’ through ‘H’
- Denver City Beautiful Movement Parkways
- Downtown Denver
- Driving Park
- East Park Place
- East 7th Avenue
- Five Points
- Florence F. Martin Ranch
- Frank S. Snell Subdivision
- Grant Street
- Humboldt Street
- Humboldt Street – Park Avenue
- Lafayette Street
- Larimer Square
- Lower Downtown
- Lowry Officer’s Row
- Lowry Technical Training Center
- Montclair
- Morgan’s Subdivision
- Ninth Street Park
- Old Highland Business District
- Packard’s Hill
- Park Avenue
- Pennsylvania Street
- Potter Highlands
- Quality Hill
- S.R. DeBoer
- Sherman-Grant
- Smith’s Ditch
- Speer Boulevard
- Swallow Hill
- W. 28th Avenue
- Witter-Cofield
- Wolff Place
- Wyman
~4% of the city, or 1 in 25 structures, are designated
Benefits of Historic Preservation
Does Landmark staff initiate designations?

A. Yes
B. No
Does Landmark staff initiate designations?

A. Yes
B. No
Designation Applications

• Community-driven process
  – Individual property owners
  – Members of the community may initiate designation applications

• Landmark staff helps an applicant navigate the designation process
Designation is a regulatory tool to preserve the character of an area.
## Regulatory Tools
### Designation vs. Rezoning

<table>
<thead>
<tr>
<th>Process</th>
<th>Landmark Designation</th>
<th>Rezoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>CPD staff has pre-application meeting with applicant to discuss process</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Applicant contacts City Council member and performs community outreach</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Applicant prepares application</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Application submitted to CPD</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>CPD staff reviews application</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>CPD staff analyzes criteria and writes staff report</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Public Hearing at CPD Board/Commission</td>
<td>✔</td>
<td>✔ Planning Board</td>
</tr>
<tr>
<td>Landmark Preservation Commission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Council Public Hearing</td>
<td>✔</td>
<td>✔</td>
</tr>
</tbody>
</table>
Possible applicants for designations:

- Owner(s) of the property
- Three people who are:
  - Residents of Denver
  - Property owners in Denver
  - Have a place of business in Denver
- Manager of Community Planning and Development
- Member(s) of City Council

Landmark Preservation staff is not the applicant.
Chapter 30, DRMC – Property must:
1. Maintain historic and physical integrity
2. Meet a designation criterion in at least 2 of the following categories
   – History
   – Architecture
   – Geography
3. Relate to a historic context or theme
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
<table>
<thead>
<tr>
<th>Denver Landmark Preservation</th>
<th>National Register</th>
<th>Colorado Register</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 2 of 3</td>
<td>• 1 of 4</td>
<td>• 1 of 5</td>
</tr>
<tr>
<td>History</td>
<td>A: Event</td>
<td>A: Event</td>
</tr>
<tr>
<td>Historical development of</td>
<td>Events and broad</td>
<td>Events that</td>
</tr>
<tr>
<td>the city, state or nation;</td>
<td>patterns of our</td>
<td>contribution to</td>
</tr>
<tr>
<td>Significant historic event;</td>
<td>history</td>
<td>history</td>
</tr>
<tr>
<td>or Person or group of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>persons who had influence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>on society</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Architecture</td>
<td>B: Person</td>
<td>B: Person</td>
</tr>
<tr>
<td>Distinguishing characteristics of style or type;</td>
<td>Significant persons in our past</td>
<td>Persons significant in history</td>
</tr>
<tr>
<td>Work of a recognized</td>
<td></td>
<td></td>
</tr>
<tr>
<td>architect or master builder</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geography</td>
<td>C: Design/Construction</td>
<td>Distinctive</td>
</tr>
<tr>
<td>Prominent location or</td>
<td>Distinctive</td>
<td>characteristics</td>
</tr>
<tr>
<td>orienting visual feature;</td>
<td>characteristics of</td>
<td>of a type, period,</td>
</tr>
<tr>
<td>Rarity; Contribution to</td>
<td>a type, period, or</td>
<td>or period, of</td>
</tr>
<tr>
<td>Denver’s character</td>
<td>work of a master</td>
<td>construction, or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>artisan</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>D: Archaeology</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Important in</td>
<td></td>
</tr>
<tr>
<td></td>
<td>history or prehistory</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Nationwide context

Reviewed 32 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 population
  • Baltimore, Atlanta, Boston, Milwaukee
– Larger population
  • LA, NY, Chicago, Philadelphia, Dallas, San Francisco

<table>
<thead>
<tr>
<th>Criteria Requirements</th>
<th>Number of Cities</th>
<th>Percentage of criteria required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 out of 10</td>
<td>3</td>
<td>10%</td>
</tr>
<tr>
<td>1 out of 9</td>
<td>1</td>
<td>11%</td>
</tr>
<tr>
<td>1 out of 8</td>
<td>2</td>
<td>13%</td>
</tr>
<tr>
<td>1 out of 7</td>
<td>2</td>
<td>14%</td>
</tr>
<tr>
<td>1 out of 6</td>
<td>2</td>
<td>17%</td>
</tr>
<tr>
<td>1 out of 5</td>
<td>2</td>
<td>20%</td>
</tr>
<tr>
<td>1 out of 4</td>
<td>13</td>
<td>25%</td>
</tr>
<tr>
<td>2 out of 7</td>
<td>1</td>
<td>29%</td>
</tr>
<tr>
<td>1 out of 3</td>
<td>1</td>
<td>33%</td>
</tr>
<tr>
<td>2 out of 5</td>
<td>1</td>
<td>40%</td>
</tr>
<tr>
<td>2 out of 4</td>
<td>3</td>
<td>50%</td>
</tr>
<tr>
<td>2 out of 3</td>
<td>Denver</td>
<td>67%</td>
</tr>
</tbody>
</table>
Does designation mean you can’t make changes to a building?

A. Yes
B. No
Does designation mean you can’t make changes to a building?

A. Yes  
B. No
Landmark **doesn’t** review:
- Paint colors
- Repairs and maintenance
- Storm windows
- Plants
- Interior alterations

Landmark **does** review:
- Exterior work that requires a building or zoning permit
- Curb cuts
- Window and door replacement
- Provides clear and predictable regulations
- Addresses wide range of topics
- Includes character-defining features for historic districts
Installing Solar Collectors on a Historic Property

When installing solar collectors on a historic property, it is important to minimize visibility from the street and potential impacts on the historic character of the property. As illustrated below, the ideal location for solar collectors is in an unobtrusive location on the property, including an addition, garage or secondary structure. If solar collector is installed on a historic primary structure, they should be located on the rear portion of a roof plane and used to be subordinate to the historic structure.

1. Preferred Solar Collector Location, if on a Historic Primary Structure
   - If the existing structure has a high level of historic significance, the surrounding context has many intact historic structures, or the roof is highly visible, solar collectors should be set back from the front façade and flush mounted to the roof. Features include:
     - Panels located on the rear 2/3 of the roof length, behind the front façade
     - Panels flush with the roof

2. Inappropriate Location for Solar Collectors on a Historic Primary Structure
   - In rare cases, the PUD will consider solar collectors that are not located on the rear 2/3 of the roof length behind the front façade of a historic structure to be inappropriate.
   - Installation of smaller or less visible collectors may sometimes be considered in this location on a case-by-case basis.

35. Place collectors in an unobtrusive location on the property. Such locations may include a garage as illustrated above, or the rear of a primary structure as illustrated at right.

36. On a side-facing roof plane of a primary structure, minimize visual impacts by locating solar collectors on the rear 2/3 of the roof length. The collectors illustrated above do not minimize visual impacts because they are located on the front 1/3 of the roof length.
• 17 applications for solar installation in 2017
• 1% of design review applications
• 88% of solar applications were administratively approved
On average, how long does it take to obtain approval for alterations or additions?

A. 1 week
B. 2-3 weeks
C. 3-4 weeks
D. More than 4 weeks
On average, how long does it take to obtain approval for alterations or additions?

A. 1 week
B. 2-3 weeks
C. 3-4 weeks
D. More than 4 weeks
~80% of Landmark design reviews are administrative approvals
  – Must meet the Design Guidelines
  – Landmark staff receives ~1600 applications annually

Quick Reviews typically approved in 1 business day
  • Reroofing with same material
  • Replacing existing rear or side fences
  • Replacing existing AC units
  • Replacing existing rear decks

Smaller projects typically approved in 10-15 business days
  • New fences
  • Garages
  • Solar panels
  • Small rear additions
  • Alterations at side or rear
Landmark Preservation Commission

- Appointed by the Mayor
- Commission Reviews
  - Infill construction
  - Large additions
  - Accessory Dwelling Units (ADUs)
  - Historic window replacements
  - Projects that do not meet Design Guidelines
Plan Review and Permitting
Design Review

Lower Downtown Design Review Board
- Appointed by the Mayor
- Board reviews projects in Lower Downtown Historic District
  - Infill construction
  - Large additions
  - Historic window replacements
  - 3D projecting signs
  - Projects that do not meet Design Guidelines
Total Number of Applications: 1626

Total percentage of administrative reviews: 80.3%
Reviews per Project Type - 2017:
Administrative Reviews (green) vs. Board/Commission Reviews (blue)
(Number corresponds to percentage of project type that is administratively reviewed)
Can you increase density in historic districts?

A. Yes
B. No
Can you increase density in historic districts?

A. Yes
B. No
Rooftop Additions and Poptops
• 7 applications for rooftop additions and poptops in 2017
• 0.4% of design review applications
• Rooftop additions and poptops are all reviewed by LPC or LDDRB

Other Additions to Historic Structures
• 42 applications for rear or side additions in 2017
• 2.6% of design review applications
• 48% of additions were approved administratively
• 17 applications for Accessory Dwelling Units (ADUs) in 2017
• 1.0% of design review applications
• ADUs are always reviewed by the LPC
• 34 applications for infill construction in 2017
• 2.1% of design review applications
• Infill projects are always reviewed by LPC or LDDRB
Does Landmark staff review demolitions outside of historic districts?

A. Yes
B. No
Does Landmark staff review demolitions outside of historic districts?

A. Yes

B. No
Demolition and Certificates of Non-Historic Status Applications Reviewed by Landmark Preservation - 2017

- Demolitions Reviewed (85.2%)
- CNHS Reviewed (12.1%)
- Properties Posted (4.9%)
- Demolitions within Historic Districts (2.7%)
Plan Review and Permitting
Demolition and CNHS Review

EXPRESSIONS

1. Headquarters office is located at 1100 S. Parker Road, Denver, CO 80234.
2. Headquarters office is equipped with all necessary equipment to perform its functions.
3. Headquarters office is accessible to the public.

NOTICE

THE CITY AND COUNTY OF DENVER HAS RECEIVED A
Demolition Application

The City and County of Denver, Community Planning & Development, has found this property to have potential for landmark designation pursuant to Section 84 of the Denver Revised Municipal Code.

- To designate a landmark designation application must be filed with Community Planning & Development by January 15, 2016 before 3:00 pm.
- If a notice of intent to file a designation application is received by January 5, 2016, the permit for submitting an application is extended to January 19, 2016 before 3:00 pm.
- If a complete landmark designation application, including applicable fee, is not received within the above time periods, a letter denying the demolition permit will be issued on either January 15, 2016 or January 20, 2016 allowing demolition permits to be issued in conformance with all state and city requirements.

Property Address: 4200 S. Cherry Creek Dr
Posted: December 23, 2015
To: January 22, 2016
For more information: denverco.gov/Planning
Submit notice of intent to file: Community Planning & Development, Landmarks Program, lindsay@denverco.gov (720) 699-9479
Landmark Ordinance
Chapter 30 DRMC

– Established in 1967 by City Council
– Numerous updates over the past 50 years
Landmark Ordinance

Establishes authority and procedures for:

• District and individual designations
• Review, permitting, and enforcement
• Demolition Review
• Landmark Preservation Commission
• Lower Downtown Design Review Board
• **Recent Chapter 30 Updates**
  – 2006
    • Amended to include demolition and Certificate of Non-Historic Status review
    • Community-initiated designation applications
  – 2012
    • Amended to allow designation applications to be submitted by Manager of CPD, City Council members

• **Proposed Ordinance Update**
  – Address biggest issues that will make highest impact
  – Minor cleanups and clarifications will be addressed separately
    • Align Lower Downtown Design Review Board and Landmark Preservation Commission process and procedures
    • Fix typos, add minor clarifications
• 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?