

City of Fort Collins

HISTORIC PRESERVATION PROGRAM ASSESSMENT



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On the Cover:

Images of buildings in Old Town Fort Collins illustrate the benefits of the protection that historic district designation had provided. "Before" images, c.1980, are paired with "after" images c.1995.

TABLE OF CONTENTS

I. INTRODUCTION	1
A. The Benefits of a Preservation Program	1
B. Key Issues for the Preservation Program	2
C. Recent Questions	2
D. Scope of this Report	3
E. Balancing Interests	3
II. MODEL PRESERVATION PROGRAMS	5
A. Characteristics of an Effective Preservation Program	5
B. Preservation System Components	6
C. Recent Trends Related to Preservation Programs	14
III. PROGRAM IMPROVEMENTS	19
A. Policy Directives	19
B. Ordinances	22
C. Operating Procedures	31
D. Resource Surveys	33
E. Design Guidelines and Standards	34
F. Compliance Process	35
G. Incentives and Benefits	36
H. Training, Education and Outreach	36
IV. IMPLEMENTATION PHASING TABLE	37
APPENDIX A: EXAMPLE TABLES	41
1. Interim Controls Example	42
2. Resource Types Example Table	43
APPENDIX B: INTEGRATED REVIEW	45
APPENDIX C: GUIDELINE FLEXIBILITY AND EASE OF USE	47
APPENDIX D: PEER COMMUNITIES REVIEW	51
Part One: Peer Communities List	51
Part Two: Peer Communities Review	54

I. INTRODUCTION

This report assesses the operations of the City of Fort Collins' historic preservation program. It then recommends actions that will improve predictability in the program and enhance its effectiveness. The report focuses on the ways in which the city identifies and officially designates historic resources. It then considers how review of proposed work occurs on properties that are recognized as having historic significance. It also anticipates current trends in historic preservation that the city is beginning to experience.

Note: This report reflects recent updates to the organization of the city's preservation department. The preservation department is moving from the Advance Planning Department to the Community Development and Neighborhood Services Department. Sections of the codes are currently being updated based on the change of departments and this is reflected in the report.

A. The Benefits of a Preservation Program

Fort Collins has been a pioneer in the historic preservation movement. It designated the Old Town Historic District, centered at the intersection of Linden and Walnut Streets, and then adopted design guidelines and standards for it in the late 1970s. This provided for protection of its historic buildings and review of alterations and new construction. This action preceded local designations of historic districts in Aspen, Boulder, Denver and many other communities in Colorado that now have noteworthy downtown historic districts.

The success of the Old Town Historic District is well known. It is cited by many people as a key cultural amenity as well as a dynamic economic development driver for the city. Today, the term "Old Town" extends to a broader part of the downtown, reflecting the power of association with the historic district.

Old Town also receives recognition for its role in promoting business development and corporate recruitment citywide. Many businesses choose to locate in Fort Collins in part due to the quality of life that Old Town represents, even though they may actually locate their facilities in other parts of the city. This is reflected in the city's recent branding study, based on a survey in which many respondents listed Old Town as one of the city's key assets.

Citizens also recognize the benefits of preserving other individual, key landmarks that exist throughout the community. Mature, close-in neighborhoods receive acknowledgement as attractive, livable places, although most of these are not officially designated as historic districts under city ordinance.

B. Key Issues for the Preservation Program

Even though historic preservation is valued in Fort Collins, there are questions about how extensive the program should be, how it should fit within other community planning initiatives, and whether there are ways to improve it.

Some owners of locally landmarked properties have expressed concerns that they are not clear about the requirements that will apply; others are worried that the requirements will be strict and that there will be no flexibility in treatment of their properties.

Other preservation-related concerns arise in the course of the city's project development review and permitting, when a property that is 50 years old is involved. This occurs in two ways: First, if a project is subject to the development review process set forth in the Land Use Code and the property includes a structure that is 50 years or older, then it will be evaluated for its potential historic significance. Secondly, if demolition or relocation is proposed for a building more than 50 years old, then a similar evaluation occurs.

C. Recent Questions

Within the context of these general concerns, some more specific questions arise:

- Does the preservation program operate efficiently?
- Does it reflect best practices that are recognized nationally?
- Are there ways to improve its function?
- Is it too restrictive in some areas? And, conversely, is it too permissive in others?
- Should the program offer flexibility in treatment to property owners? And if so, how would it offer such flexibility?
- Can determinations of historic significance and appropriateness of proposed work be made more predictable?
- How can the program be more effective in achieving its objectives?
- Is the city doing enough, in terms of historic preservation?
- How can preservation interests be balanced with other community development objectives?
- How will the city address new, emerging trends and issues in preservation, sustainability and neighborhood conservation?

D. Scope of this Report

This report considers those questions in an assessment of the city's review processes and policies involving historic resources, and then provides recommendations for improvement. Appendix D, Peer Communities Review, addresses preservation programs in peer communities across the country that helped identify and evaluate strategies for future consideration in Fort Collins.

This assessment draws upon information collected in the following ways:

- Interviews with city staff
- Review of the city's published materials related to permitting, its ordinances, review procedures and web site
- Review of peer community preservation programs
- Review of data related to projects reviewed by the city and in its annual Certified Local Government reports
- Interviews with approximately twenty individuals, who are representative of property owners, developers and preservation advocates, in a series of "focus groups"

E. Balancing Interests

In considering these recommendations for process improvements, balancing several interests are key considerations:

- Preservation of heritage
- Sense of community
- Sustainability
- Livability
- Political interests
- Economic development
- Ease of administration
- Cost effectiveness and life cycle costs
- Property owners



Aerial view of Old Town Fort Collins

II. MODEL PRESERVATION PROGRAMS

Nationally, effective preservation programs exhibit several qualities that define their operations and some of their essential components. These are described in this section.

A. Characteristics of an Effective Preservation Program

What is the profile of an effective local preservation program? Today, a city's preservation program should have these three qualities:

1. A Preservation Program should be Green.

Preservation inherently reinforces sustainability objectives, because reusing buildings conserves resources. Historic buildings also can accommodate compatible new energy saving technologies. An effective program is one that educates owners and policy makers about the ways in which preservation supports the city's sustainability initiatives, and works proactively to promote energy conservation associated with existing buildings. Unfortunately, there is a significant knowledge gap in the community about the "greenness" of historic buildings. Many assume that older buildings are inefficient, when that is not necessarily the case.

For example, some people are unaware of recent research which demonstrates that rehabilitating an original window is usually more energy conserving than replacing it. Preservation programs that are remaining current in their outreach are providing information that helps property owners better understand the implications of rehabilitation and replacement; some are even providing technical support for energy retrofits. (The city's web site does provide basic information about energy conserving measures for existing homes, and it is meritorious in that it recommends other options to window replacement.)

2. A Preservation Program should be Clean.

The preservation program should be seen as operating objectively, applying the same standards consistently and with a degree of predictability in the process. It should be seen as being fair, in that all properties of similar type are treated the same. Owners should have confidence in the process such that they can predict the likely outcome following published criteria and guidelines.

While the city's program does apply standards and guidelines consistently, and in consistent procedural decision-making steps, these criteria and processes are not made clear, in terms of having easily accessible information on the web or in print form.

3. A Preservation Program should be Lean.

The program should operate efficiently, with decisions made in a timely manner. Time should be used wisely, and work efforts of others should be coordinated to accomplish mutual objectives. Focus should be on delivering the "products" of expedient decisions and technical assistance, as well as in developing tools that enable users to make informed decisions about their properties.

Some inefficiency does exist in the current program, especially in the review of 50-year old properties, where the steps in the process may not be clearly defined, and general development review may be well-advanced when preservation issues are raised.

B. Preservation System Components

A Green, Clean and Lean preservation program is most effective when it includes a range of components that work together in a coordinated manner. The basic tools of an effective preservation program include:

1. Policy Directives

Preservation programs operate within the framework of broader community policies. In Fort Collins these begin with policies in the *City Plan*:

"Historic buildings and districts will be preserved and protected."

This is of course a broad statement, but it sets a clear direction. Other statements supporting preservation are woven throughout the *City Plan*, especially in topics related to community appearance and design. Under principle CAD-5 there are directives for survey and identification of resources, education and awareness, incentives, planning and regulations for preservation and landmark designation.

"PRINCIPLE CAD-5: The quality of life in Fort Collins will be enhanced by the preservation of historic resources and inclusion of heritage in the daily life and development of the City and community."

"Policy CAD-5.4 Planning and Regulations. The City will formally recognize the contribution of historic resources to the quality of life in Fort Collins through planning and regulations."

A separate *Historic Resources Preservation Plan* also exists, which was adopted as part of the city's comprehensive plan in 1994, that sets forth more specific policies for preservation and actions for their implementation.

"II.A.4.4 – Prepare short, informative brochures or "factsheets" on critical preservation issues targeted to selected interest groups, such as realtors and homeowners. Some possible topics include a description of the benefits of preservation, including the economy and tourism; a description of regulations that apply to landmark structures and districts; histories of neighborhoods, etc."

2. Ordinances

Ordinances establish the basic operations of a preservation program. The preservation ordinance defines the mechanisms for identifying and protecting historic resources. In addition, the basic zoning ordinance establishes certain land use expectations that influence the climate for preservation. The building code also influences preservation.

In Fort Collins, key ordinances include:

- **Land Use Code Section 3.4.7 Historic and Cultural Resources**
Section 3.4.7 provides standards for preservation and treatment of historic properties and their incorporation into new developments.

- **Municipal Code: Chapter 14 Landmark Preservation**

Chapter 14 is the preservation ordinance and includes the bulk of regulation on historic properties, including provisions for demolition that apply to non-listed structures.

- Adopted building codes include special sections for existing buildings and historic structures. (Residential Building Code: 2003 International Residential Code with local Amendments and Commercial and multi-family Building Code: 2006 International Building Code with local amendments.)

3. Operating Procedures

The details of the steps that are followed to identify, designate, and then protect historic resources are specified in operating procedures. Some of these are embedded in the land use code. Others are referenced in that document, but exist as separate stand-alone papers such that they can be updated more frequently.

Development Application Form

The steps in a permitting process are a key part of operating procedures, and in the case of historic preservation, should be coordinated with other permitting and decision-making steps of the city. In that regard, existing permit application forms that the city uses do not request information that could help facilitate review of older buildings. The development review form, for example, does not ask if a structure that is fifty years old or more is associated with the proposed project. This means that a property owner may not receive an alert that their proposed project is subject to preservation review.

Development Review Process Chart

The Land Use Code requires consideration of the potential historic significance of a property that is at least 50 years old. However, the city's master development review flow chart fails to reference this potential step, and does not indicate how the process may be affected if a 50-year old property is involved. It also fails to reference a potential review of any officially listed historic resource. Internally, the points at which preservation staff are to review a property also are not clearly charted. While staff of other city departments understand that they should include a review by preservation staff, the timing when that should occur is not documented in a formal development process checklist. As a result, it is possible to overlook this step until quite far into the permitting process; if, at a late stage, a concern is raised by preservation staff or the Landmark Preservation Commission, it can be perceived as an unexpected delay by a property owner.

Once it is determined that a review to consider the significance of a property and its potential treatment should occur, the process is not clear. The operating procedures are not stated in a way that is easy to interpret. Owners may have difficulty in understanding how, and when, a decision related to a project that involves a potential or designed historic resource will be made. A simple, user-friendly guide is needed. This should be a web-based publication. It should include simple check lists and flow charts that describe how the process will operate, and which criteria will be used. In essence, a property owner should be able to reasonably predict the steps involved and the approximate amount of time that will elapse, based on simple information provided by the city.

Improving Predictability

People need information about the potential historic significance of their properties in advance to help them make informed decisions about improvements that they may contemplate. This includes those who are considering purchase of a property and those who already own it. They wish to know these things:

- Is my property historically significant?
- If so, what are the requirements or limitations and what are the benefits?
- What is the process for reviewing work proposed?

Predictability can be improved in these areas:

- Providing more information to property owners in advance
- Determining in advance if a property has historic significance
- Identifying the role of historic resources in city plans and policies
- Understanding the guidelines for treatment of historic properties and the flexibility that may be available in design review
- Clarifying the steps in the review processes for different property types

Providing Flexibility

Preservation programs are structured to strive to be objective and treat all similar resources equally. That is to say, after two properties are found to be historically significant, they are to be treated equally, if all other conditions are the same. “Flexibility” is a bit different in that context; it is different from a policy-making situation, such as developing a sub-area plan. However, there are ways to build in some flexibility that everyone can understand and predict.

Structured ways to provide for flexibility include:

- ***Defining key features of property types***

Preservation programs focus on preserving the key features of a property. By defining the limits of these other portions of the property as being less important, they are therefore open to more flexibility in alterations.

- ***Different survey levels***

In the survey process, differing levels of significance may be identified. The city already distinguishes “contributing” resources from those that are “individually eligible.” This may be expanded on in combination with other strategies.

- ***Designation levels***

Establish different categories of designation, such as Individual Landmarks, Contributing Resources and Structures of Merit. This can be integrated with survey levels as well as guidelines and other standards for treatment.

- ***Different guidelines***

Related to designation levels, guidelines with increasing levels of flexibility may be crafted for properties at lower levels of significance. This could also provide more flexibility for incorporating a historic structure into a new development.

Surveys identify resources that have historic significance. They are conducted using adopted criteria for determining significance and can cover both districts and individual resources. Surveys should include a listing of all of the properties surveyed, indicating the significance of each of the historic resources and, where applicable, should also include a description of the general character of the district.

Tiered Surveys

Some communities use a tiered survey that indicates varying levels of integrity or significance for historic structures. Such a survey may also identify new buildings that are compatible with their context. A tiered survey can then be linked to differing types of review and permitting, as well as incentives and benefits. For example, properties of a high level of significance may be subject to review by the preservation commission, whereas those of a lesser level may be handled by staff. (See also later discussion on tiered designation systems on pages 14, 17 and 20.)

The Need for More Surveys

Ideally, the entire city would already be surveyed, but it is not. Fort Collins has undertaken some survey updates in recent years, but like many communities, it is substantially behind. From time to time, the city is able to fund surveys of small areas, usually with grants. Priority should be given to this program, with emphasis placed upon areas that are targeted for redevelopment, or where substantial demolition is occurring or is anticipated.

Because many areas are not surveyed, determinations of significance must be made on a case-by-case basis as projects come in for permitting. This is one purpose of the 50-year “filter,” to provide an opportunity to conduct an initial determination of significance. However, if this occurs well into a development submittal, it can lead to surprises for the property owner.

Access to Survey Information

A key role of the historic survey is to provide information that the city and property owners can use at the outset of considering an improvement project, in order to determine if a property has historic significance. In an efficient program, a property owner should be able to pull up information on the web that identifies any historic significance.

Survey information should be readily available to users. Even for those properties that have been surveyed, the information is not digitized and posted on the internet. It also is not linked to the city’s GIS system. This means that when a query is made about a property, its potential historic significance is not made known.

Owner-determinations of Significance

An official determination of historic significance requires objective application of criteria that are understood by professionals in the field. However, in the absence of comprehensive, city-wide surveys, it may be possible to craft a “predictive model” for owners to use that would give them a preliminary indication of the potential historic significance of their property. This might take the form of a web-based, interactive set of questions. The city should explore the potential to develop this type of self-test, as a means of helping owners anticipate the development review process. With this information provided by the owner, it could also reduce staff time in basic research about the property, and thereby reduce the review time required.

5. Design Guidelines and Standards

Design guidelines and standards provide objective criteria for determining the appropriateness of proposed work affecting historic resources. Guidelines help inform a property owner in advance of the criteria on which their designs will be judged, and are later applied by city staff and boards in permitting.

Effective guidelines provide clear examples of appropriate and inappropriate design treatments using local properties. They also define the range of flexibility that may be available for alterations and additions. They can help to identify which features are significant that should be preserved, and conversely, which features are less critical to the integrity of a historic resource, thereby indicating where greater flexibility may be afforded. Such guidelines are especially important for administrative reviews related to 50 year old properties.

At present, custom-tailored design guidelines and standards exist only for Old Town, and these are out of date. In lieu of local guidelines, the City of Fort Collins uses the Secretary of the Interior's Standards and Guidelines for Treatment of Historic Properties. These serve as the basis for most locally-written guidelines across the country, and are based on principles that are widely accepted nationally. However, they can be difficult for lay people to interpret. While they should continue to be the basis for design guidance, additional guidance, which is custom-tailored to Fort Collins, is needed.

With respect to the Old Town Historic District, while the guidelines have been effective, they need to be updated to enhance clarity and predictability for owners. The range of flexibility they may have in dealing with the properties is not clearly understood, and in the absence of good guidelines, owners often fear the worst.

Citywide Preservation Guidelines

Clear, well-illustrated design guidelines and standards that apply citywide to historic resources are needed. They should address treatment of officially designated properties, and also should indicate how they apply to properties in the other development review tracks that are identified as having historic significance. These guidelines would help orient property owners in the appropriate direction at the outset of their improvement planning, and would help make the criteria for determining appropriateness more transparent.

6. Compliance Process

An effective program must have mechanisms to assure compliance with permits and other program requirements. Enforcement for non-compliance is defined as a part of this component.

As in many communities, enforcement and compliance are on-going issues in Fort Collins. For example, some work is executed without the required approval, even when it is required. In other cases, an approval has been issued, but the work executed in the field deviates from that which was approved. This requires a supportive working relationship between preservation planning staff and code enforcement staff. It also requires clear documentation of what has been approved.

Compliance Tracking

A simple form, with designated sign-off points, should be attached to the building permit, and should be used in conjunction with other normal site inspections on a property that has received approval for preservation-related work.

7. Incentives & Benefits

An effective program also offers some special benefits to stimulate investment in historic properties, encourages property owners to follow appropriate rehabilitation procedures, and even assists those with limited budgets. This may include financial assistance, tax relief, technical assistance or regulatory relief such as streamlined review processes and special flexibility in building codes.

The incentives most frequently referenced in Fort Collins are the federal and state income tax credits that are available for certified properties. Some design assistance has been offered in the past as well. In general, the incentives available fall short of those that many communities offer. Boulder, for example, offers a rebate on the local sales tax of construction materials that are purchased for an approved preservation project. Others offer small design assistance grants to property owners to help them plan an appropriate design, while some waive or reduce local permit fees. Offering flexibility in permitted uses, parking requirements, building setbacks and other code-related regulations are other incentives that may be offered.

Expanding the Incentive Package

Fort Collins should strive to expand its incentives and benefits for preservation of historic structures. This should include options for incorporating a historic property into a new development, which is an issue likely to arise in some of the targeted redevelopment areas of the city.

8. Education & Outreach

Helping property owners learn how to maintain their historic properties as active, viable assets is also a key part of a successful preservation program. Many property owners willingly comply with appropriate rehabilitation procedures and develop compatible designs for new construction when they are well informed about preservation objectives. Workshops that provide helpful information about rehabilitation techniques and publications that build an understanding of historic significance are examples of education and outreach strategies. Well-written design guidelines and standards that provide useful information, as well as literal standards, can also serve an educational role.

Education and outreach is often a function of a partner organization, a non-profit group that promotes preservation and history. For a time, Historic Fort Collins aspired to this role. However, it has not been active in recent years.

Expanded Outreach and Education

In the absence of other supporting organizations, the city preservation program needs to engage in more outreach and training. This will help the program operate more smoothly. Providing information about effective energy conservation methods that are appropriate for historic properties is an example.

9. Program Activity Reporting

A key question is how Fort Collins compares in the volume of design review activity that it conducts, both for properties formally listed in its historic districts and as individual landmarks, as well as for properties that reach the 50-year threshold. Substantial amounts of data related to historic properties are provided in the preservation office's annual reports to the city and to the Colorado Historical Society as part of its Certified Local Government requirements.

However, the data are not clearly summarized in a way that facilitates comparison with other communities, and it is difficult to place the volume of 50-year reviews in the broader context of the total number of projects that are reviewed by the city each year for building permits or for development approvals under the land use code. It is reported anecdotally that only a small percentage of the projects that pass through development review actually involve historic resources. A standard format for reporting to the Colorado Historical Society is required for Certified Local Governments, which Fort Collins uses, but this format does not request some of the information that would be useful in annual evaluations by city administrations.

Annual Reporting

The city should adopt a simple reporting form that helps to compare the magnitude of properties considered for historic significance with the total number of permits issued annually. This would be a supplement to the reporting requirements of the CLG program. This would put the "preservation filter" aspect of design review into perspective.

10. Level of Historic Significance

The city's 1994 preservation plan recommends adopting a system in which differing levels of historic significance are used. These different levels of significance were to be linked to different levels of review, and even the degree of rigor in which design guidelines and standards were to be applied. The general approach is that, for properties of lesser significance, more flexibility in treatment may be afforded.

Several communities have experience working with this type of system. Some of these are reported in a separate survey of peer communities. See Appendix D: Peer Communities Review for more information.

Note that some preservation advocates argue tiered ratings are not necessary, in that this degree of flexibility is built into the Secretary of the Interior's standards for identifying historic resources and also in their guidelines for treatment of historic properties, and that therefore formally designating different tiers is not necessary. In some cases, tiers have been criticized, because it is felt that they create a "lower" class of properties that are more vulnerable to loss or inappropriate alteration. Nonetheless, because the city has already established a review of older properties in its development review process, it has implied that different levels of significance exist. But, it has not provided the tools in the surveys, review processes or guidelines that would make this approach work efficiently.

Developing a Tiered System

The city should consider adopting a tiered system of ratings. This would identify different levels of significance, based on clear criteria, and then would indicate the basic approach anticipated for their treatment. This will require careful thought, but would enhance predictability for all parties involved. It should remain clear that the city's objective continues to be preservation of cultural resources, but that there are, in some cases, options to consider.

C. Recent Trends Related to Preservation Programs

With these typical system components in mind, preservation programs continue to evolve across the country. This in part reflects broader trends in society that are affecting community planning in general as well as preservation planning. Some of these trends are introducing new issues to historic preservation that may not be fully apparent in the current program, but which are likely to become more obvious in time. The following trends should be taken into account when crafting system improvements for Fort Collins.

1. Program Operations

Communities continue to seek ways to streamline programs and accomplish core objectives in the most efficient ways. This includes devising methods to simplify design review and to limit some forms of permitting. Delegating more decision making to staff, and defining some minimum standards that can be approved "at the counter" are operational methods some communities are using. This, however, requires a survey system that supports administrative review, and also requires clear guidelines and standards to expedite review. The city's existing design guidelines and standards would not be sufficient for this type of streamlined review.

2. Integrated Systems

Cities are seeking ways to assure that preservation is more deliberately integrated into planning in general. In this way, historic resources are more directly considered in other planning activities, and there is a heightened awareness of the preservation program.

Including preservation staff in development review at the outset of a project application is an example. Also engaging preservation issues in sub-area plans is an effective means of more closely integrating preservation. In the absence of this integrated planning, preservation issues often arise on a case-by-case basis, and staff must make decisions without clear policy directives that would otherwise be presented in a sub-area plan.

One example of a successful integration of preservation is the *West Side Neighborhood Plan*. It gives a description of the types and extent of historic buildings found in the area, and sets goals for future development to preserve both these resources and the existing character of these areas.

Although there are examples of adequately addressing preservation in sub-area plans, some critical sub-area plans in Fort Collins are inadequate in the policy guidance that they provide related to historic preservation. This means that decisions involving historic properties will be made using the provisions in the land use code that provide for considerations of significance for any properties more than 50 years old, regardless of their location in the city.

If a property is potentially individually eligible for local listing, then preservation staff are obligated to pursue preservation of the resource. The ordinance does not give them the ability to consider other factors, such as the fit with other community objectives, and it does not permit them to treat properties differently, based on varying degrees of significance and integrity. This oversight contributes to the perception that historic preservation appears as a last-minute obstacle in the development review process.

Clarifying Preservation Objectives in Sub-area Plans

The city should more formally address preservation in its sub-area plans. It should be a required component, and should be addressed early in the plan development. An initial step would be to re-visit some of the city's key sub-area plans and add more discussion about historic resources.

3. Sustainability

A major shift in public policy towards sustainability is influencing all land use planning across the country. Preservation plays an integral role in any sustainability policy and this may be used as an opportunity to further integrate preservation with other aspects of land use planning and development policies.

In Fort Collins, sustainability also is emerging as a high priority concern. This relates to preservation in these ways:

- Keeping older buildings in use conserves the energy already expended to create them.
- Maintaining older buildings reduces impacts on landfills.
- Historic buildings often have inherent energy saving features, which sometimes have been "forgotten."
- Historic buildings can be adapted with new energy-saving technologies, often more easily than expected.

The role that preservation will play in the city's sustainability program should be a topic of discussion in any future planning activity. This will only grow in importance in the coming years, and if it is not addressed, more perceived conflicts are likely to arise. The resources of Colorado State University in this field are also important assets to consider. It may be possible to collaborate on educational programs as well as on demonstration projects that test the energy-conserving opportunities of historic resources.

Including Preservation in Sustainability Initiatives

The city should include preservation considerations as it develops new sustainability policies and regulations.

4. Alternative Protection Tools

Many communities are using alternative tools to preserve the historic character of their neighborhoods. Sometimes neighborhoods seek historic district status to address more basic issues related to new construction. They seek the historic district designation because it is the only tool available that in any way addresses the issue. In response, some communities have added other options to their character-management toolkit. They do so recognizing that the tool should fit the objective, and that the historic district tool should be used strategically for its originally intended purpose. These new options include the use of conservation districts and form-based codes.

Conservation districts focus on maintaining the traditional building scale and character of a neighborhood. They use special zoning standards, and sometimes design review guidelines, that focus on new construction and additions. The emphasis is on retaining the appearance of the character of a neighborhood in terms of building alignment, scale and open space as seen from the street. Alterations to the exterior of existing buildings that do not expand the usable floor area typically are not reviewed. This may be addressed by a design review process that is similar to that for historic districts, but with more limited criteria and scope of approval. It also may be implemented as a prescriptive set of standards that apply as an overlay for a specified area. These can then be administered at the permitting counter.

Form-based codes are similar, but are prescriptive, defining the mass and scale of building that is permitted. They can apply as the underlying zoning for designated zoning districts, or they can apply to specific building types that are permitted. They may set the maximum size of a building, related to forms traditionally seen in an area.

Expanded Character-management Tools

Additional tools such as form-based codes and conservation districts should be considered to complement the preservation system in Fort Collins. In some cases, these alternative tools would more directly address the community's objectives for a specific area. They can also be easier to administer, thus improving overall program efficiency.

5. Refined Survey Methods

Many communities are implementing survey systems that are management oriented, based on their preservation objectives. This means using a tiered survey that indicates varying levels of integrity for historic structures. Such a survey may also identify new buildings that are compatible with their context.

In its *Preservation Program Plan*, Fort Collins outlined a concept of tiered levels of significance that were then linked to different levels of protection, incentives and design review. However, this was not implemented in the revised Land Use Code. The system suggested in that plan may be more complex than is needed, but the concept is one that merits consideration.

It is also important that when a historic survey is conducted, the information included be helpful to property owners in identifying those features that are key to its significance. By noting those features, a survey can help provide guidance to property owners and also help to indicate those areas of the property which are less sensitive, and where greater flexibility for alterations is appropriate. As an improvement to the system, refinements to the survey form should occur.

One concern that arises related to these custom-tailored surveys is how they can also conform with the Secretary of the Interior's Standards and the state's requirements. In some communities, they have accomplished this by creating a supplement sheet that accompanies the standard state survey form. In this way, the information that is required for entry into the state's system is provided as stipulated, but additional information is available for local review and planning processes.

Improving the Survey Tool for Fort Collins

As it continues its survey program, the city should refine the historic property survey instrument with the objective of recording information that will be useful in an on-going property management mode. That is, the survey should include information that identifies key features to help owners make informed decisions about their properties. (An illustration in Appendix C indicates a process for identifying key features of a structure. It suggests, in that example that most of the key features are on the front of the building. This indicates that more flexibility would be available to the side and rear, where fewer key features are found.)



The Linden Hotel is the focal point of the Old Town Historic District.

III. PROGRAM IMPROVEMENTS

This section provides recommendations for improving the preservation system in Fort Collins. The recommendations are organized around the preservation system components introduced in Section II.

With limited resources to address the recommendations in this report, it is important to establish priorities for action. A summary table of the recommended system improvements is provided at the end of this section which establishes a proposed phasing schedule. These phases were determined by prioritizing actions that will have the greatest or most immediate impact, as well as with consideration for the relative ease of their implementation.

A. Policy Directives

Policies are crafted by appointed boards and commissions and formalized by city council. Staff's role is to administer policy. That said, there are important ways in which staff can more effectively convey policy in their actions:

(Note that City Council always has the ability to insert other policy considerations into any specific development review through a public hearing on the property. However, the objective is to provide more policy guidance formally in advance such that the burden of a council hearing is avoided.)

1. Include preservation concerns when developing sub-area plans.

Preservation staff should be involved in development of sub-area and specific plans. The balance between other goals can be established at this time. Policy directives in sub-area plans can also signal to preservation staff that there are other priorities which must be taken into consideration.

2. Develop a preservation and sustainability initiative.

Sustainability is a broad concept that continues to evolve and in which older buildings can play an important role. In many respects, they are more energy efficient, or can be retrofitted easily. But, in many cases, the information and techniques are not available or readily understood. In response, the city should:

- Establish policy that recognizes the role of conserving existing buildings as sustainable and that this should be considered when determining best approaches; in this respect, the preservation program should be seen as a partner in sustainability.
- Establish a technical assistance program for property owners to accomplish energy-saving retrofits. (Include workshops, informational handouts, and perhaps organize a tech-school retrofit program. This may be an opportunity to partner with the university.)
- Related to technical assistance, establish a process for determining repair and replacement strategies for windows, materials and roofing that take sustainability into consideration.

3. Develop policies for the treatment of recent past resources.

Younger properties that may now be considered for historic significance may require somewhat different treatment in permitting and review. In response, the city should develop specific design guidelines and standards for the treatment of recent past buildings. These properties require some special consideration, because some have materials that may be more

difficult to treat than those in traditional historic properties. As an example, some commercial buildings constructed during the 1950s and 1960s used materials and technologies that are no longer available. This can make them more difficult to rehabilitate using conventional guidelines than earlier “Victorian” construction. Guidelines for treatment of Recent Past properties may offer more flexibility in using replacement materials and even in altering some features.

4. Consider a neighborhood conservation tool.

A growing issue is promoting conservation in older neighborhoods. Consider options for neighborhood conservation that are less comprehensive than historic district designation. They would address mass and scale, and additions, but not alterations to existing buildings.

5. Consider a tiered system.

Consider a tiered system of designation and treatment of historic properties. This would link levels of significance and integrity to different levels of review, and the degree of rigor with which design guidelines and standards would be applied. Properties that are National Register eligible would be expected to be preserved “to the greatest extent feasible,” as the ordinance now provides. Some greater flexibility in preservation expectations, the range of incentives available and the alternatives for mitigation would be assigned to the other levels.

Review would include consideration for:

- The level of significance and level of preservation that is expected based on the tiered system
- The context of the property
- The relationship to other planning objectives for the area

The following table outlines an example of potential levels of significance and links them to treatment policies. Note that this is only a preliminary example for illustrative purposes.

Property Rating	Treatment Objectives	Notes
Type 1		
Highest level of significance, individually eligible for National Register listing.	Require preservation to maximum extent feasible*.	High priority for assistance and incentives. Landmark proceedings may be contemplated if necessary.
Type 2		
High level of significance, eligible as a contributor for National Register listing.	Require preservation to maximum extent feasible*.	High priority for assistance and incentives. Landmark proceedings may be contemplated if necessary.
Type 3		
Moderate level of significance.	Encourage preservation when feasible.	Provide incentives, but may consider mitigation alternatives when other compelling city objectives exist.
Type 4		
Non-contributor, but retrievable as a historic resource, as owner's option.	Encourage restoration.	Provide some incentives.
Type 5		
Non-contributor, with no potential significance. (New building or one substantially altered.)	No preservation expected.	Demolition or alteration permitted after 50-year consideration.

*There is always a consideration of infeasibility (economic hardship) in expecting preservation of a resource.

Actions

- Develop a preservation and sustainability initiative.
- Include preservation goals and preservation's role in sustainability in the update of the *City Plan*.
- Update existing sub-area plans to include preservation objectives.
- Review options for policies for the treatment of recent past resources.
- Evaluate options for the adoption of alternative neighborhood character management tools.
- Review options for adopting a tiered system of historic designation and review.

B. Ordinances

Recommended ordinance improvements found throughout this section include these basic components:

- **Basic Clean-ups**
Some improvements focus on clarifying existing provisions in the code that are appropriate, but have technical flaws.
- **Modifications to Reflect Policy**
These improvements focus on clarifying how city policies relate to the preservation ordinance.
- **New Provisions**
These recommendations address new elements that should be added in response to national trends in the best practices for historic preservation.
- **Format**
These recommendations focus on the organization and formatting of the codes.

These different types of strategies are identified throughout this section.

1. Land Use Code

Land Use Code Section 3.4.7 Historic and Cultural Resources

Section 3.4.7 provides standards for preservation and treatment of historic properties and their incorporation into new developments. It provides a good basis for design guidelines and standards as it sets the broad principles for the treatment of historic resources, but gives only very limited guidance or direction for rehabilitation of historic properties themselves. It provides more specific criteria for the design of new construction in a Historic District or adjacent to a listed resource. However, these criteria are written primarily for a commercial context, and may not be as applicable for infill within or adjacent to a residential context. While this section of the code does not currently apply to single-family homes, as residential historic districts are established, it will need to apply to areas adjacent to these residential contexts.

The policies in Land Use Code Section 3.4.7(E) Relocation or Demolition overlap with those for demolition and relocation in Municipal Code 14-72. The Municipal Code states the specific criteria and regulations for demolition and relocation review. The Land Use Code provides a general statement that summarizes these policies but not the complete standards, nor does it reference the Municipal Code as the applicable standards.

Strategy

Add language defining the criteria for treatment of historic properties in general, such that they will apply to all potential property types, including single-family.

Add language to 3.4.7(E) that references Municipal Code 14-72 to clarify applicable procedures for demolition review.

**2. Municipal Code: Chapter 14
Landmark Preservation**

Article I. In General

Sec. 14-5. Standards for determining the eligibility for designation of sites, structures, objects and districts for preservation

This section of the code lists four criteria for eligibility to be designated as a historic landmark. The resource must meet one or more of these criteria, in addition to having a sufficient degree of integrity for the exterior of the property. The level of integrity required is not specified; however, in the definition of “exterior integrity,” it is implied that the level required is relative to its level of significance. That is, a property of a lower degree of significance may be expected to have a higher degree of integrity. This need not be the case. The level of integrity should be separated from the definition of significance.

Strategy

Add language that more clearly defines criteria for eligibility, and that acknowledges different levels of significance. Also, clarify the definition of “integrity,” including the discussion of the different “aspects” of integrity as used by the Secretary of the Interior. (See the city’s Preservation Plan, adopted in 1994, for suggestions of criteria for integrity.)

Article II. Designation Procedures

This article defines the steps to follow in designating historic resources. While it lays out general steps for designation, it does not give clear guidance on the full procedure to be used by staff when designating a district. Clear policy is lacking for steps such as neighborhood meetings and the initiation of the district designation procedures. This neighborhood meeting is typically held before the Landmark Preservation Commission (LPC) “designation hearing,” though it is not mentioned in the Code.

Strategy

Update the designation procedures for districts. A clear process of steps should be laid out, including language stipulating that a preliminary neighborhood meeting will be a part of the district designation process.

Sec. 14-21. Initiation of procedure

Owner consent is not required to designate a landmark. However, when an owner does not concur with the nomination, a further level of public review is required above and beyond that stipulated for designation when the owner concurs. In addition, the code provides that any city resident may file a nomination for a historic district. This leaves the possibility of “frivolous” nominations, or of ones that may not be well thought out.

The initiation of designation procedures for a district is typically a decision of the LPC to proceed after a review of the application. This application is required to give basic information on the historic significance of the district; however, it does not require sufficient justification of the boundaries of a district.

Strategy

Add language that limits those who may initiate designation of a historic district or landmark to:

1. The City Council, the Landmark Preservation Commission and the Director of Community Development and Neighborhood Services would have standing to initiate a nomination.
2. An organization with an established interest in preservation. This would be clearly defined and can include groups such as a non-profit with preservation in their mission statement etc. Inclusion of such groups on a list of parties with standing is a common practice, and can help build community support and preservation partnership ties.
3. The property owner (if a single property)
4. A defined percentage of properties in a proposed district

Also, clarify the preliminary level of information that is needed to indicate that a potential district exists and that further consideration is merited. This should include requirements for the justification of district boundaries and for the area to be documented well enough that the LPC would be able to determine if a nomination has merit and should proceed.

Sec. 14-23. Community Development and Neighborhood Services review

This section instructs staff in reviewing a proposed designation to consider the Zoning Ordinance and Comprehensive Plan, and the effect on the neighborhood, as well as any other planning consideration that may be relevant. This leaves room for staff to recommend the denial of a landmark designation application for an eligible property, based on factors other than historic significance and integrity. That is to say, if the Comprehensive Plan or a sub-area plan calls for other redevelopment that does not consider including historic resources, this fact can be a part of the decision-making for staff’s recommendation. However, this ability can also provide for a degree of flexibility in the preservation system to allow for a combination of planning objectives to be considered. For example, the vision for a neighborhood from a specific plan that calls for maintaining traditional character may be considered when determining preservation priorities for that area.

Strategy

As it exists, the city could choose to avoid designation because of potential conflicts with other policies. However, there may be times in which recognizing the property as historic would enable benefits that would make preservation feasible, even in the face of other planning policies, and the owner may wish to retain the building. Or, it may be appropriate to designate the property, but signal that more flexibility in alteration, addition, or removal is desirable. Consider adding language that would include other planning objectives as part of the designation discussion by City Council. Include provisions that staff will provide information on other planning objectives to the LPC as background information only, and to the City Council as part of their report and recommendation. The LPC should continue to consider designation based on merit only. The discussion of other planning objectives should continue to be done only at the City Council level.

Also consider how different levels of designation and treatment might interact with historic properties and citywide planning objectives.

Sec. 14-24. Interim controls

This section includes a provision to place an immediate “hold” on building permits while a property or district is being considered for landmarking. During the hold, permits may only be sought with approval of the City Council. This can cause an undue burden because staff have no discretion in waiving the hold.

Strategy

Modify the language as it applies to proposed landmarks and historic districts to allow for flexibility. Rather than limiting permit applications all together, establish a base level of holds that, at the time of initiation of landmarking procedures, places a nominated property (or property within a nominated district) at the same level of control as an officially designated one. Also establish procedures/criteria for the LPC to have the authority to grant certain pre-defined exceptions. This should be explained in both text and inserted as a table in the code for ease of use and clarity of policy. See Appendix A for an example of such a table. (Note that a separate section of the code also provides exceptions for addressing dangerous conditions.)

Article III. Construction, Alterations, Demolitions and Relocations

Sec. 14-46. Work requiring a building permit

Any action on a designated resource requiring a building permit must first receive a report of acceptability from the LPC. The review of such applications is divided into two parts: (1) a conceptual review and (2) a final review. The conceptual review provides an applicant with an understanding of how their project will be reviewed and what will be required of it early in the design process, prior to the full project (final) review. This level of review provides the applicant with information that may not be readily available otherwise, such as how review criteria apply to their property.

Strategy

This provision needs to be more broadly communicated to property owners. Recommendations for public outreach and education materials that relate to review procedures are addressed in the Draft Process and Policy Improvement Report.

Also consider permitting the LPC to designate an advisory design review subcommittee of its body to provide early consultations to applicants and property owners. These review steps should be illustrated in a chart or diagram in the ordinance as well as posted on the web and included in other print materials that explain the process.

Sec. 14-48. Approval of proposed work

This section provides a list of criteria for the Commission to consider when making their determination of the appropriateness of work that is proposed on a landmark structure, including the Secretary of the Interiors Standards. However, it does not explain what the desired outcome is, other than maintaining the resource's integrity and that the proposed work should be compatible with the resource.

Strategy

Clarify the criteria for determining appropriateness. The existing criteria are written as topics to be considered, and not standards to be met. The updated criteria should continue to draw on the Secretary of the Interiors Standards but provide more specific direction relating to what is appropriate.

Sec. 14-48.5. Work not detrimental to historic, architectural or cultural material; administrative process

This section includes provisions for administrative review by the Director of Community Development and Neighborhood Services on a select number of minor project types that would not have negative effects on historic resources. Project types that can be reviewed by the Director include applications for color selection, awning recoverings and minor changes which would not remove, alter, cover or destroy any significant features.

Administrative review of minor projects can minimize the use of commission time, expedite minor project reviews and provide a degree of clarity to applicants. Currently administrative review is done at the option of the applicant only. Clarification and expansion of the administrative review process should be considered.

Strategy

Expand staff's ability to approve applications in conjunction with providing clear criteria for review. Establish an expanded base list of actions approvable at the staff level, and include a provision allowing the LPC to delegate additional actions to staff for approval. Illustrate this list of actions that can be permitted by staff in a chart or table as part of a companion document to the code to provide additional clarity to the public.

Article IV. Demolitions or Relocation of Historic Structures Not Designated as Fort Collins Landmarks or Located in a Fort Collins Landmark District

Sec. 14-71. General

14-71 refers to section 203 of the Uniform Building Code and in 1994, applied to dangerous or unsafe buildings. Since the time that this was written, the city has adopted new building codes, which cause this section to no longer be accurate.

Strategy

Update references in both the Land Use Code and the Municipal Code to match building code updates, including special provisions for historic buildings.

Sec. 14-72. Procedures for review of applications for demolition or relocation

Section 14-72 provides for several levels of review in order to explore options for protecting potential historic resources (properties 50 years of age or older) from demolition. The first level is a review by the Director of Community Development and Neighborhood Services and the Commission Chair in order to determine the level of eligibility of the property. (Note that this process is different for buildings that are a safety hazard, which is addressed in a separate section of the code.)

If they feel the property may have significance that could be adversely affected by the proposed work, then Commission review is required. Commission review is conducted in two steps: (1) a preliminary hearing and (2) a final hearing.

At the preliminary hearing for demolition, the commission will consider the effects of the proposed work as well as any feasible alternatives for protecting the resource. Once at a final hearing, the commission must either approve (with or without conditions) the application, or may delay their decision in order to consider landmarking the property. Designation as a landmark is the only way the commission may deny, in its entirety, an application for demolition or relocation of a property.

The summary of the City's Review Processes for Historic Buildings and Structures on the city's website contradicts the process as described in the code. The website summary states that "Whenever a permit or development application is sought for a building or structure that is 50 years old or older, the application is reviewed under Section 14-72 of the Municipal Code, commonly called the Demolition/Alteration Review Process." This implies that every permit application must go through this review application. However, this section requires the LPC to review applications only for demolition, partial demolition or relocation of a structure that is 50 years of age or older and which meets one or more of the designation criteria. Other applications for properties 50 years of age or older are reviewed by staff under Section 3.4.7 of the Land Use Code. However, applications for alterations on properties of age may be considered 'partial demolitions,' based on the definition of a demolition in the code, if they destroy any part of an eligible resource. "Demolition shall mean any act or process that destroys in part or in whole an eligible or designated site, structure or object, or a site, structure or object within an eligible or designated district."

Strategy

Update Section 14-72 of the Municipal Code to specify that it applies to alterations as well as demolitions, partial demolitions and relocations. Update the supplemental policy summary to clarify which element of which code is applicable based on various project types. Include a diagram to aid in clarification of the review process.

Further updates to this section may be required based on other recommendations throughout this report. For example, if different levels of designation are established, the demolition review process should be tailored based on those levels of significance.

Currently the LPC Chair has the authority to appoint another member of the Commission to act for them in the preliminary analysis of potential significance. The Director of Community Development and Neighborhood Services should also be given the authority to appoint another member of the preservation planning staff to represent them in the preliminary analysis of potential significance.

Article V. Landmark Rehabilitation Loan Program

This program is the only historic preservation incentive in the code. The code does not mention that other incentives may be made available.

Strategy

Generally, specific incentives are not identified in the code, since they may change over time. However, there should be language that indicates the city's intent to offer incentives and benefits when feasible. A new section of the code should be added with language noting that the City Council may offer incentives, from time to time, which may include financial and technical assistance, as well as expedited permitting, as feasible. This language would not commit the city to providing such incentives but would signal the intent to promote preservation through assistance when it is possible, through grants or other means.

3. Other Code Observations and Issues

This section provides a summary of key observations and issues that are not directly related to specific code sections.

Levels of Preservation Review

Several different levels and types of review on historic properties occur. While these are clearly defined in the various sections of the codes, it is not readily apparent which kind of review is applicable to a certain project type. For example, administrative review can happen in two ways: by just the Director of Community Development and Neighborhood Services, or by the Director and the Chair of the Commission.

Strategy

Clarification of the preservation review process should be provided as part of a companion guide to the code that helps the public understand the process. Include simple flow charts and other visual aids.

Design Standards and Guidelines

The signs section of the Municipal Code references the city's Design Guidelines for Old Town as part of the application review criteria; however, these guidelines are not referenced in any of the other review criteria throughout the code.

Strategy

In addition to referencing the Secretary of the Interior's Standards it is important to have the ability to adopt design guidelines or standards, including those for specific resource types found in Fort Collins. Provide language stating that the city may adopt design guidelines and standards to aid in interpreting the criteria set forth in Municipal Code Chapter 14: Landmark Preservation.

Contributing Resources

The code refers to contributing resources several times. In practice, these are considered to have a lower level of significance, but their treatment is not clear. The definition of "eligibility" lists "contributing to a district" as a separate level of eligibility for designation. These two concepts should not be combined. It confuses the definition. In most communities, "contributing" properties are those that gain their significance from being part of a set of resources that tell a story. A row of houses in a block is an example. They may all have a high degree of integrity, but they are not individually significant. However, the code lacks clear policies for the treatment or designation of a contributing resource.

Strategy

If the city is to have different levels of significance, they should be more logically named and more clearly defined. A system for tiered designations should be clearly established, with definitions of each designation included. The link to the degree of review that occurs for each level of significance also should be made clear.

Demolition

Land Use Code 3.4.7(E) Relocation or Demolition overlaps with Municipal Code 14-72. An overlap between Land Use Code 3.4.7(C) and Municipal Code Section 14-5 for the determination of Landmark Eligibility also occurs; however, the conflict is minimized as 3.4.7(C) references the criteria in Section 14-5.

Strategy

Add a reference in Land Use Code 3.4.7(E) to the Municipal Code 14-72 policies for relocations and demolitions.

Regulations on Non-designated Properties

Two sections of the code require review of unlisted, individually eligible properties, Municipal Code 14-72 and Land Use Code 3.4.7. This is potentially confusing.

Strategy

Clarify the difference between the two sections of the code and make clear which is required and how each section is applied. Where possible, tables should be used to visually clarify regulations.

New Provisions

In addition to the improvements described above, best practices in preservation indicate that emerging preservation trends should also be addressed in the ordinance.

Strategy

Provide new code language to address trends in best practices in preservation including;

- Language referencing the role that historic resources play in sustainability, resource conservation and energy efficiency. Establish as a role of the LPC to advise the city on preservation's role in citywide sustainability objectives.
- Language providing for a conservation district option. Conservation districts focus on maintaining the traditional building scale and character of a neighborhood. They use special zoning standards, and sometimes design review guidelines, that focus on new construction and additions. These can often be administered at the permitting counter. Conservation district language should include clearly defined differences in the levels of review for a conservation district as compared to a historic district.

Organization

Simple formatting updates should be made to increase the ease of use and understanding of the code.

Strategy

- Include tables and other graphics to clarify requirements (see the appendix for an example table).
- Format text in bulleted lists where appropriate to increase legibility.
- Move Sec. 14-5, Standards for determining the eligibility for designation of sites, structures, objects and districts for preservation, to Article II: Designation Procedure.

Definitions

Some of the definitions found in the Municipal Code contain circular references with other definitions. Others reference or imply a requirement not clearly conveyed in the code language. These include the definitions of contributing to a district, eligibility and landmark or landmark district, as well as possible confusion between alterations and partial demolitions. The definition of exterior integrity implies that a certain level of integrity is required in order to landmark a resource based on its level of significance. This is not clarified in the eligibility criteria section of the code. The integrity of a resource is also not listed as a criterion for review of proposed alterations, demolitions, etc. The definitions should be updated to reflect desired policies.

Strategy

Update the definitions to match recommendations in this report including;

- Clarify levels of designation in definitions, including national, state and all levels of local designation.
- Update the definitions of 'eligibility' and 'eligible resource' to match designation levels.
- Clarify the definition of integrity and its use in the eligibility criteria section of the code, and add it as a criterion for review of proposed alterations.

C. Operating Procedures

1. Clarify the preservation review process.

Preservation review should be more closely coordinated with other development reviews.

- Establish provisions to include preservation staff's comments early in development review.
- Incorporate preservation and 50-year reviews in the city's development review chart and process. (It does not appear there at present.)
- Diagram the landmarks designation and design review processes. (This exists in text form, but is not easy to understand.)

2. Update development review documents to reflect the 50-year question.

At present, the city's Development Review Flowchart omits any reference to historic preservation review, or to properties that are 50 years old. This means that property owners can be "surprised" to learn that their project has an extra review step.

Furthermore, the city's application forms for development review lack questions related to building age. This means owners are not alerted to the fact that this may be an issue, and it means staff must conduct additional research to determine building age. The forms also should include information that makes it easier to locate the property in other city records. The address should be identified by street address, and also by lot and block number.

3. Coordinate Section 106 reviews.

The city has no designated official to manage Section 106 reviews. This is a part of the National Historic Preservation Act that requires consideration of the effects that any federal undertaking may have on certain historic properties. Public works projects may often fall under this provision. For example, if a road improvement project involves widening the street and properties on or eligible for National Register listing may be affected, then those effects must be considered. Typically the project can be permitted and executed, but the evaluation must consider ways to protect the resources and mitigate any potential negative impacts.

The Section 106 review occurs with the State Historic Preservation Officer. At present, if any project involving federal funds is proposed, the department responsible for the project is assumed to be the party that must coordinate this review for the city. This means that staff unfamiliar with the process may be involved, and delays can occur. In many communities, a single contact point is established to assure timely review and compliance with the regulation. The city should identify the preservation office as the coordinator for Section 106 reviews.

4. Monitor preservation review and permitting.

An annual tracking/reporting system is needed, as a supplement to the annual CLG reports, to track the efficiency and predictability of the preservation review system. This would document the number and types of projects reviewed, as well as their outcomes and the length of time they were in the process.

5. Expand administrative review procedures.

Project types that can be reviewed by the Director of Advance Planning are specified in the code. Clarification and expansion of the administrative review process should be considered to increase the efficiency of preservation review.

Actions

- Update development review application form to include questions relative to preservation including the age of the building and its existing historic status (if any).
- Update development review flow chart to include preservation review and 50-year review.
- Publish a simplified description (flow chart) of the preservation review and landmark/district designation processes.
- Designate the preservation office as the official coordinator for Section 106 reviews.
- Establish an annual report form for preservation review and permits as a supplement to the existing CLG report.
- Expand staff's ability to approve minor applications.

D. Resource Surveys

The historic significance of a property is typically determined by professionals trained in architectural history who apply consistent criteria. Ideally, older portions of the city would be surveyed comprehensively to identify properties that are historically significant. That information is then made readily available to property owners.

However, Fort Collins, as with most cities, has not committed the resources needed to conduct a citywide survey. Funding typically occurs in small increments, and then selected areas are surveyed as the funds become available. (See the Peer Communities Review in Appendix D for examples of the status of surveys in other communities.)

Note that the time period during which properties may be considered to have the potential for historic significance continues to move forward. The 50-year threshold that the city uses for demolition review is one that is often applied as a first filter before evaluating a property for significance. As time progresses, other properties reach this threshold. While doing so does not automatically bestow historic significance, it does mean that the need to survey is ongoing.

When survey information is not available, determinations of significance are made on a case-by-case basis, again using adopted criteria. This is the process that planning staff employ when a property older than 50 years is proposed for demolition. They evaluate the property using adopted criteria. This can appear mysterious to lay people, and can lead to frustration when the professional's finding contradicts the owner's expectations.

1. Improve the availability of existing survey information.

Publish existing surveys on the city's web site and link them to GIS data systems. Include lists and maps of all currently listed properties and all properties over 50 years of age.

2. Expand the city's survey program to cover most of the older portions of the city.

Give priority to areas where redevelopment pressures exist.

3. Refine the city's survey form to include more information useful to property owners.

A key concept in historic preservation is to retain the "key features" of a property that give it significance. This information should be included in the survey form to help property owners understand which features need protection and which portions of the property may be less important, thereby indicating where flexibility may be appropriate.

4. Develop more context statements.

As a prelude to surveying, the city uses brief historic overviews related to a particular theme of development or a geographic area. This describes the relationship of built resources to the social and cultural history of the community, identifies the typical property types that are likely to be involved, and suggests areas where these resources are most likely to occur. These help serve as a basis for planning, in terms of predicting where historic resources are likely to be found, and in setting priorities for historic surveys.

5. Provide a “predictive model” to enable owners to gain a preliminary indication of the potential historic significance of any un-surveyed property.

While it is desirable to have a formal survey already on hand, it may be possible to craft some user-friendly “self-test” that could be available over the internet which would enable property owners to gain a preview of the potential significance of their property. The city should provide information on the web that will help people develop their own preliminary estimate of the potential significance of a property. This may take the form of a checklist that includes some of the basic criteria that are typically used in determining significance, with explanations that facilitate use by lay people.

Actions:

- Publicize all surveys on the city’s website.
- Conduct additional surveys, place emphasis on areas targeted for redevelopment or where substantial demolition is occurring or anticipated.
- Review options for implementing an updated survey system including information on key character-defining features of a building and relating to a proposed tiered system for designation.
- Develop additional context statements.
- Establish a web-based predictive model for property owners to make their own initial determination of the historic significance of their property.

E. Design Guidelines and Standards

1. Publish design guidelines and standards for the treatment of historic properties.

“Fear of the unknown” is a key concern. That is, property owners and developers who are considering acquiring property may resist a finding that their property has historic significance, because they believe that the requirements for treatment of a historic resource will be too restrictive.

Clearly written, well-illustrated design guidelines and standards can help remove some of the mystery associated with the treatment of historic properties. With advance guidance, an owner can develop an appropriate approach for the treatment of their historic property. These guidelines should provide information about alterations for historic buildings that are officially designated as such under city ordinances. They also should outline options for design that will help users understand the range of flexibility that may be available for treatment of certain properties.

Guidelines will provide clarity and help people make decisions early. The guidelines should address new, emerging issues such as energy conservation and “recent past” resources.

Guidelines should also address how development review occurs on properties abutting historic districts. This is required in the land use code, but the criteria for review are not defined.

2. Update the Design Guidelines and Standards for the Old Town Historic District.

The existing guidelines are very brief, primarily setting forth basic principles for treatment of historic commercial buildings and compatible new construction. While brevity can imply flexibility, it can also signal lack of predictability. More detail can in fact clarify areas of flexibility, as well as defining more specifically appropriate and inappropriate design actions.

An update would help to streamline review of projects within the district. By providing more clarity, additional design actions may also be approved administratively, thereby reducing meeting agendas for the commission.

Actions

- Adopt city-wide preservation design guidelines and standards.
- Adopt city-wide design guidelines and standards for areas abutting historic districts.
- Update the Old Town Design Guidelines.

F. Compliance Process

A clear working relationship should be established between preservation planning staff and code enforcement staff. Clear documentation of what has been approved should be provided to enforcement staff to be used in conjunction with site inspections. A documentation format for succinctly listing the conditions of approval should be developed as a joint effort of preservation staff and enforcement personnel. This will make it easier for staff in the field to confirm compliance with the terms of the certificate of appropriateness.

Actions

- Create and implement the use of a compliance-tracking form to aid enforcement staff in site inspections for preservation-related projects.

G. Incentives and Benefits

The city's existing incentives are very limited and, in general, fall short of those offered by similar communities.

Actions

- Expand the city's historic preservation incentive program.

H. Training, Education and Outreach

In the absence of other supporting organizations, the city needs to engage in more outreach and training programs.

1. Provide staff training.

All planning staff should receive a basic orientation to the preservation system and the principles involved, such that they can better understand the program and advise applicants on their options. Similarly, preservation staff should be engaged in an orientation program directed at how they can participate in sub-area planning effectively and how to take other planning objectives into consideration when developing policies for those areas.

2. Provide training to the Landmark Preservation Commission.

Establish an on-going program to train the LPC. This should include the city's preservation policies and review system as well as best practices in preservation planning.

3. Publish all preservation-related information on the web.

This should include surveys of individual properties, historic contexts, maps and design guidelines and standards. Educational materials such as brochures should be made available. Case studies illustrating successful solutions should also be provided.

Actions

- Establish a preservation planning and review training program for planning staff.
- Establish a training program for the LPC.
- Make all preservation information available on the city's website.
- Publish informational brochure on preservation's role in sustainability practices.

IV. IMPLEMENTATION PHASING TABLE

The following table summarizes the recommended system improvements and proposes a phasing schedule for their implementation. The phases are roughly based on the number of years it will take to implement an action. Phases for each action were determined by prioritizing those that will have the greatest or most immediate impact, as well as by considering the relative ease of their implementation.

City of Fort Collins Preservation System Enhancements Implementation Work Plan					
Task/Action	Estimated Task Completion Date				
	2011	2012	2013	2014	2015
Operational Procedures					
Establish a system to provide advance information on significance to property owners		X	X		
Develop a predictive model for property owners			X		
Develop a user-friendly guide for the determination of significance and treatment options for significant properties (publish on web)		X			
Update development review application form to include building age	X				
Create an annual reporting form that compares the number of properties considered for historic significance with the total number of permits processed	X	X	X	X	X
Tools					
Create a user-friendly "self-test" for significance to be available online			X		
Evaluate tools and strategies for the treatment of recent past resources			X		
Update development review flow chart to include the 50-year review process		X			
Document in the development review guide each point where preservation staff review is required		X			
Publish a preservation review/designation flow chart		X			
Section 106					
Designate a Section 106 Review Coordinator		X			
Train designated Review Coordinator in Section 106 compliance procedures		X	X		
Develop documentation system for Section 106 reviews		X	X	X	X
Establish procedures for Section 106 compliance responsibilities			X		
Compliance					
Develop a compliance-tracking form for preservation projects to be attached to the building permit; include designated sign-off points		X			
Provide enforcement staff with clear documentation of approved items to be used in conjunction with site inspections		X			

Task/Action	Estimated Task Completion Date				
	2011	2012	2013	2014	2015
Education and Outreach					
Sustainability					
Develop a preservation and sustainability initiative	X	X	X	X	X
Hold informational workshops on how preservation advances sustainability			X		
Create and publish informational handouts about sustainability and historic preservation		X	X		
Provide technical support for appropriate energy retrofits		X	X		
Establish an assistance program for appropriate energy-efficiency projects on historic properties		X			
Publish information and hold workshops on sustainability and energy efficiency treatment strategies for historic properties		X			
Historic Preservation					
Publish educational materials such as brochures on historic preservation in Fort Collins		X			
Create an easy to understand manual for historic property types and make readily available		X			
Publish case studies illustrating successful solutions for common treatment strategies for historic properties		X			
Establish training program for all planning staff including orientation to the preservation system and the principles involved		X			
Establish additional LPC training programming		X			
Ordinances					
Land Use Code					
Add language defining general treatment criteria for all historic property types					X
Add language to 3.4.7(E) that references Municipal Code 14-72 to clarify applicable procedures for demolition review					X
Establish clear policies to expand staff's ability to approve minor applications					X
Municipal Code					
Add language limiting those who can initiate designation of a historic district or landmark to: City Council, LPC, Director of CDNS, the property owner, a percentage of property owners in a proposed district, and preservation organizations					X
Update the designation procedures for districts - include clear steps					X
Clarify the preliminary level of information needed to indicate that a potential district exists and that further consideration is merited					X
Establish requirements for justification of district boundaries and documentation of the potential significance of the area sufficient to determine if a nomination has merit					X
Define at what point a neighborhood meeting is required as part of the district designation process					X
Clarify the definition of "integrity." Include the different aspects of integrity used by the Secretary of the Interior					X

Task/Action	Estimated Task Completion Date				
	2011	2012	2013	2014	2015
Resource Surveys					
Update survey system to include identification of key architectural features					X
Explore procedures for identification of different levels of significance within the survey					X
Establish directives for future surveys and identification of resources				X	
Conduct additional historic and cultural resource surveys					X
Publish surveys on the city's web site and link them to GIS data systems					X
Make lists and maps of listed properties and properties over 50 years old readily available					X
Policy Directives					
Evaluate neighborhood character management tools		X			
Explore the benefits of a tiered rating system					X
Include historic preservation objectives in the East Side-West Side design standards		X			
Include preservation policies in Plan Fort Collins update		X			
Identify role of historic resources in city plans and policies					X
Involve preservation staff in development of sub-area and specific plans					X
Revise sub-area plans to address historic preservation					X
Design Guidelines and Standards					
Evaluate options for neighborhood character management tools		X	X		
Address issues with the mass and scale of additions to existing buildings		X			
Adopt city-wide preservation design guidelines		X			
Publish preservation design guidelines online		X			
Update Old Town Design Guidelines					X
Preservation Incentives					
Expand incentives program					X
Establish incentive program to provide flexibility in permitted uses, parking requirements, building setbacks and other code-related regulations					X
Establish a local sales tax rebate program for construction materials purchased for an approved preservation project					X
Establish design assistance grants programs for historic property owners					X
Establish incentive program to waive or reduce local permit fees					X

APPENDIX A

EXAMPLE TABLES

The following are examples of how tables can be used to provide increased ease of use and clarity of policies in the code. Such tables can be integrated into the code itself or published separately as part of a companion document to the code. These tables are illustrative examples only.

1. Interim Controls Example

Actions Permitted During Consideration for Designation as a Local Historic Resource:

Type of Action	Permit Required?		Permitted By:	
	No (1)	Yes (2)	LPC	Director
Demolition - Complete				
Potential Individual Landmark		X	X	
Potential Contributor		X	X	
Potential Non-contributor		X		X
Demolition - Partial				
Remove Non-contributing		X		X
Other Partial Demo		X		X
Addition				
Rear		X		X
Roof		X	X	
Side		X	X	
Front		X	X	
Alteration - Minor				
Replace window in kind	X			
Replace siding in kind	X			
All other minor alterations		X		X
Alteration - Major				
Wall surface		X	X	
Roof		X	X	
Porch		X	X	
Replace window - new type		X	X	
Cover original siding		X	X	
All other major alterations		X	X	
Repair				
Patch or repaint	X			
Replace in kind	X			
Repair window	X			
All other repairs		X		X
Maintenance				
Painting in same color	X			
Cleaning	X			
Resecuring	X			
All other maintenance		X		X
Other Actions				
All other actions		X	X	

2. Resource Types Example Table

This type of table would be used as part of a tiered system of significance and review. It outlines potential levels of significance and links them to treatment policies. The property ratings are in general terms to provide a clear distinction of significance. Should such a system be adopted more information should be provided relating to local designations in addition to the National Register designations shown.

Property Rating	Treatment Objectives	Notes
Type 1		
Highest level of significance, individually eligible for National Register listing.	Require preservation, to maximum extent feasible.	High priority for assistance and incentives.
Type 2		
High level of significance, eligible as a contributor for National Register listing.	Require preservation, to maximum extent feasible.	High priority for assistance and incentives.
Type 3		
Moderate level of significance.	Encourage preservation when feasible.	Provide incentives, but may consider mitigation alternatives when other compelling city objectives exist.
Type 4		
Non-contributor, but retrievable as a historic resource, as owner's option.	Encourage restoration.	Provide some incentives.
Type 5		
Non-contributor, with no potential significance. (New building or one substantially altered.)	No preservation expected.	Demolition or alteration permitted after 50-year consideration.

APPENDIX B

INTEGRATED REVIEW

The following is an example from Pasadena, CA of how preservation review and design review can be integrated. Pasadena uses one application form for both types of review, and the form includes a section for staff to provide information about the historic significance of the property.



PASADENA PERMIT CENTER
www.cityofpasadena.net/permitcenter

**Design and Historic Preservation Section
MASTER APPLICATION FORM**

- Design Review** (Ch. 17.61.030 P.M.C.)
- Certificate of Appropriateness** (Ch. 17.62.090 P.M.C.)

Project Address

Project Name
Project Description

Applicant **Architect** **Contractor** **Developer** **Other**

name: _____ phone: _____

address: _____ fax: _____

city: _____ state: _____ zip code: _____ email: _____

Applicant Signature: _____ **Date:** _____
(note: if the applicant is other than the property owner, separate signed owner authorization is required)

Architect or **Designer (for design review projects)**

name: _____ phone: _____

address: _____ fax: _____

city: _____ state: _____ zip code: _____ email: _____

Property Owner

name: _____ phone: _____

address: _____ fax: _____

city: _____ state: _____ zip code: _____ email: _____

Primary Contact Person: **Applicant** **Architect** **Property Owner**

Proposed Work

new construction demolition relocation restoration/rehabilitation addition/alteration sign/awning

Project Information (for staff use only)			
PLN _____	Review Authority	Historic Preservation Review	Type of Design Review
PRJ _____	<input type="checkbox"/> staff	<input type="checkbox"/> Category 1 (designated)	<input type="checkbox"/> concept design review
staff initials: _____	<input type="checkbox"/> Design Commission	<input type="checkbox"/> Category 2 (eligible)	<input type="checkbox"/> final design review
date accepted: _____	<input type="checkbox"/> Historic Preservation Comm.		<input type="checkbox"/> consolidated design review
date submittals rec'd: _____			
fee: \$ _____	CEQA Review	Landmark/Historic District	Tree Removal
notification: \$ _____	<input type="checkbox"/> Exempt	_____	<input type="checkbox"/> yes
3% records fee: \$ _____	<input type="checkbox"/> Pending	district name _____	<input type="checkbox"/> no
TOTAL: \$ _____	<input type="checkbox"/> Completed		<input type="checkbox"/> yes
			<input type="checkbox"/> no
			<input type="checkbox"/> completed

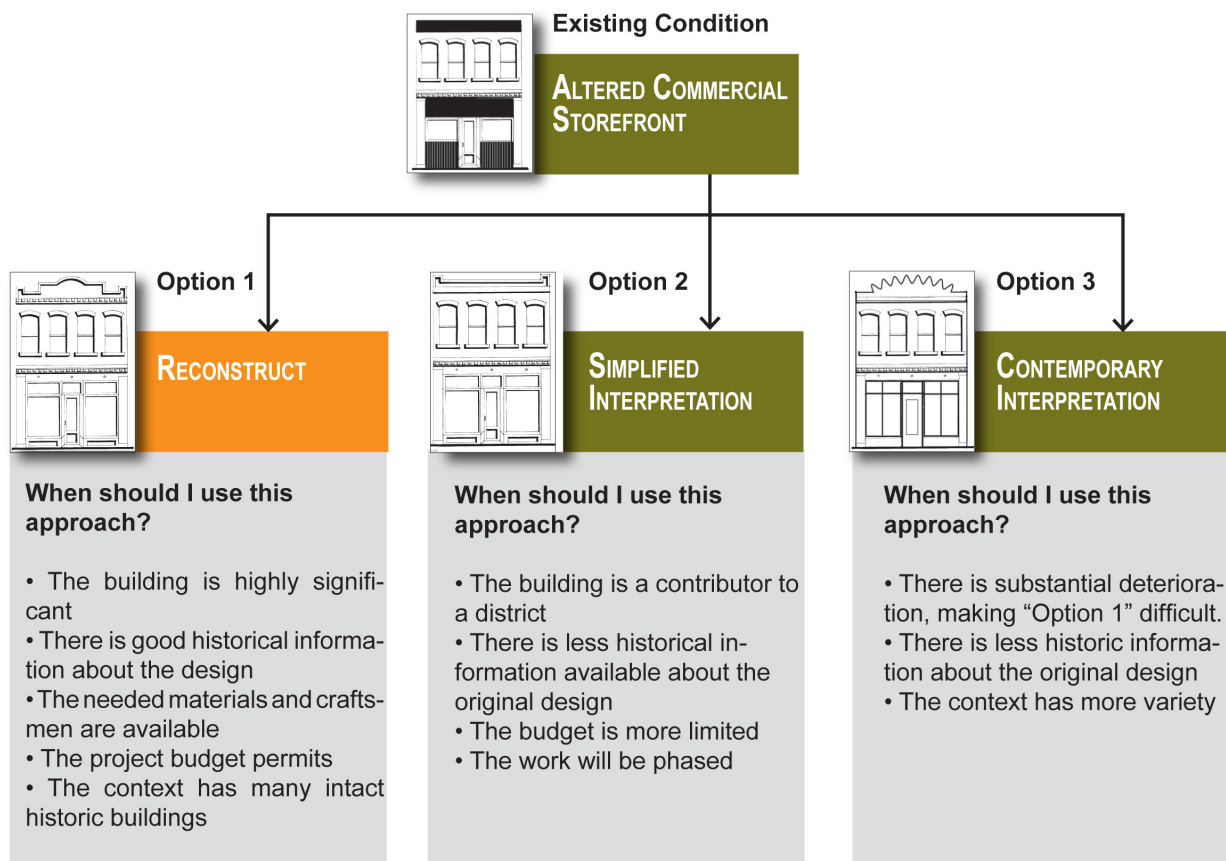
APPENDIX C

GUIDELINE FLEXIBILITY AND EASE OF USE

The following illustrations from the draft Historic Design Guidelines and Standards for Deadwood, SD are examples of how guidelines can be made user friendly and identify a range of flexibility in applying them.

ALTERED BUILDING, RECOVERABLE COMMERCIAL STOREFRONT:

I have an altered historic commercial building front, but it is recoverable, what can I do?



ALTERED BUILDING, RECOVERABLE RESIDENTIAL PORCH:

I have an altered historic residential building that is recoverable, what can I do?



EXISTING RESIDENTIAL STRUCTURE



RECONSTRUCT

When should I use this approach?

- Very significant
- Good historical background information
- Craftsman are available
- Budget permits
- Context is intact



SIMPLIFIED INTERPRETATION

When should I use this approach?

- Contributes to the district
- Less historical background information
- Limited budget
- Phased



CONTEMPORARY INTERPRETATION

When should I use this approach?

- Substantial deterioration
- Less historic background information
- Fits context

SOLAR PANELS ON HISTORIC BUILDINGS:

I have a historic residential building and I would like to add some solar panels, what should I do?



EXISTING CONDITION

Existing Condition:

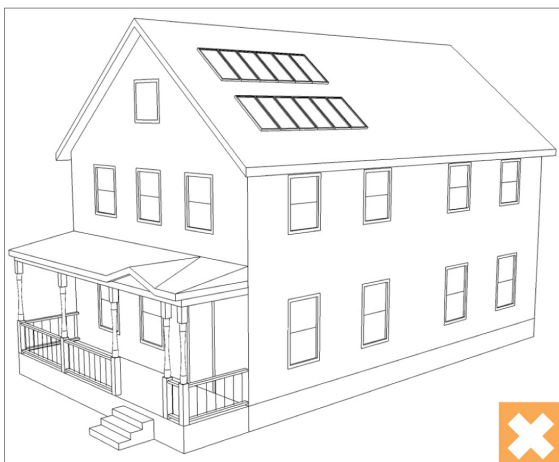
- Gable facing Street
- Side is South facing



OPTION A: PREFERRED

Preferred:

- Panels setback from the roof
- Panels are flush with the roof



OPTION B: ACCEPTABLE

Acceptable:

- Panels setback from eave, but closer to the front
- Panels are flush with the roof



PRIMARY FACADE

EVALUATING KEY FEATURES- WINDOWS:

My windows need work, what should I do?

The building feature should be evaluated in the following sequence:

- Preserve
- Repair
- Replace

Location A: Windows on Primary Wall

- Preservation and repair in place is the priority



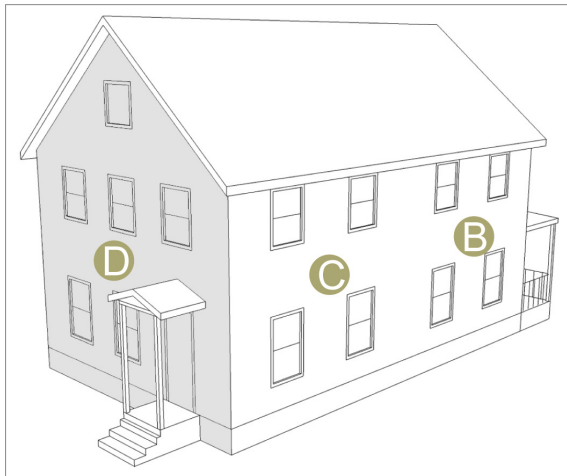
SECONDARY FACADE

Location B: Highly visible Secondary Wall

- Preservation and repair in place is the priority

Location C: Not highly visible Secondary Wall

- Preservation is preferred
- Replacement or alteration is acceptable



TERTIARY FACADE

Location D: Tertiary Wall

- Replacement or alteration is acceptable

APPENDIX D

PEER COMMUNITIES REVIEW

As part of the Preservation Systems Improvement Project several peer community preservation programs were reviewed in 2009 for comparable and innovative program elements. This review took place in two parts. Part One provides an overview of the preservation codes and programs for a list of 21 identified peer communities. Based on the results of this information, Part Two selected several communities for more thorough review of key areas of their preservation programs.

Part One: Peer Communities List

This list identifies peer communities whose codes and preservation systems were considered for review in Part Two, in order to gain an understanding of how their programs are structured with respect to historic preservation and development review.

Alamo Heights, TX (pop. 7,319)

- Has demolition delay, but not prevention.

Ann Arbor, MI (pop. 115,092)

- Recently adopted urban design standards and guidelines for the greater downtown area, portions of which are historic districts.
- Historic district commission reviews yard, open space features, and the entirety of the exterior of a building.
- City has adopted, or is promoting green building policies.

Aspen, CO (pop. 5,804)

- Recently adopted a list of, and regulations for, potential historic resources.
- Has preservation design guidelines.
- Has three classifications of historic review: exempt, minor and significant.
- Publishes an HPC fact sheet describing what projects are reviewed.
- Has taken steps to address recent past resources.

Athens, GA (pop. 112,434).

- Has developed downtown guidelines that extend beyond the historic district/core.
- City Code requires design guidelines to be adopted or identified concurrent with or immediately following designation of a district or landmark.

Boulder, CO (pop. 91,685)

- Has general historic design guidelines and guidelines for each historic district.
- Has adopted criteria for significance for individual properties and districts.
- Code identifies standards for Landmark Alteration Certificate Applications.
- City manager and two members of the Landmarks Board review all Landmark Alteration projects; any one may refer to full board if project may have impacts.
- The Design Review Committee of the Landmarks Board reviews all demolition permit applications for buildings over 50 years old.

Durango, CO (pop. 13,922)

- Council can designate without owners consent only for buildings with a high level of significance.
- Staff reviews all applications on listed properties, and if there are possible impacts refers them to the board for review.
- Review criteria established in the code.

Eugene, OR (pop. 154,620)

- Uses special zoning designation to allow flexibility in historic resources treatment.
- Published advisory design guidelines for historic residential properties and for infill development in historic neighborhoods.
- Publishes Preservation Strategies Reports.
- Has taken steps to address recent past resources and sustainability.

Evanston, IL (pop. 74,239)

- Historic Preservation Commission review required for all landmark buildings and buildings within historic districts.
- Districts established as zoning overlay with Historic Preservation Ordinance.
- The city has no preservation guidelines.

Fort Worth, TX (pop. 681,818)

- Uses an established list of 10 criteria for designation of individual properties.
- Uses overlay zoning for historic districts requiring consent of > 50% of property owners representing > 50% of the land area.
- Uses zoning overlay designation of 'demolition delay', with no limits on the use or alteration of a property, but will delay demolition for 180 days.

Lawrence, KS (pop. 89,852)

- Publishes a design review flowchart for the COA process.
- Review split between staff (minor projects) and commission (major projects).
- Has demolition protection (prevention) for designated historic properties and properties within a district.
- In process of adopting updated (historic) downtown design guidelines.

Lexington, KY (pop. 279,044)

- Has an old core of commercial and residential neighborhoods, ring of “recent past” neighborhoods, and an established preservation program.
- No demolition prevention, only a 30-day delay for documentation.
- Has summary chart of when historic review is required.
- Recently surveyed 34 downtown blocks using specific preservation criteria.

Madison, WI (pop. 223,389)

- Uses a combination of Historic Districts, Neighborhood Conservation Areas and Historic Landmarks.
- Publishes a best practices guide for development.

Minneapolis, MN (pop. 377,392)

- Reviews all projects involving designated resources or within districts
- Recently proposed ordinance amendments to clarify the code, introduce conservation districts, and update sections on demolition, designation, and demolition delays.

Monterey, CA (pop. 30,641)

- Minor reviews done by staff, major by commission.
- Two levels of designation based on level of significance.
- Uses zoning incentives for designated properties.
- Uses separate regulations for surveyed properties found to be potentially historic.

Pasadena, CA (pop. 143,400)

- City places Preservation and Urban Design in same division.
- Preservation Program includes façade easement and historic interior policies.
- Preservation information prominent on city website.
- Published a 2007 report on recent past resources.

Phoenix, AZ (pop. 1,552,259)

- City Historic Preservation Office staff makes all decisions on applications for Certificates of No Effect or Appropriateness, and can deny demolition applications (except in cases of hardship).
- The Historic Preservation Commission reviews designation of landmarks, districts and historic zoning overlays and proposed preservation planning policies.

Portland, OR (pop. 550,396)

- The City uses both Historic and Conservation Districts, with separate design guidelines for most Historic Districts.
- Review system includes staff level for minor projects and commission level for major projects.
- Has a three-tier demolition review process based on level of significance.
- City has taken steps towards addressing sustainability.

Sacramento, CA (pop. 460,2420)

- Extensive development review system, well-established preservation program.
- Uses “hearing officer” format for many design review decisions.
- A COA may be required even when a building permit is not; building permit applications are prevented from proceeding until the COA process is complete.

Tacoma, WA (pop. 196,520)

- Undertaking a preservation plan that considers interface with economic development.
- Has individual design standards for design review in separate districts.

Tulsa, OK (pop 393,049)

- In process of updating strategic preservation plan.
- Has automatic demolition delay for designated properties or properties within a district, but cannot deny demolition after the delay.
- Code defines design guidelines to be used by commission in COA review.

Part Two: Peer Communities Review

The peer communities reviewed in this section include: Ann Arbor, MI, Aspen, CO, Monterey, CA, and Pasadena, CA. The preservation programs for these cities were examined based on a list of ten key topics, as well as for any unique elements relevant to possible improvements to the Fort Collins program. The key topics include:

1. Development Review Process

How does the permitting process work for officially listed historic resources? How does it interface with other development reviews in the city?

2. Delegated Decision-Making

How is decision-making authority assigned? Can some projects be approved administratively or by a sub-committee?

3. Consideration of Unlisted Properties 50 Years Old

Does the city review work on properties that are of an established age, but which are not listed formally as historic resources?

4. Demolition Review

How is demolition review conducted for properties that are not officially listed as local landmarks?

5. Structures of Merit

Does the City have a category that recognizes properties of historic significance, but stops short of official landmarking?

6. Surveys

Does the city use a survey system that indicates different levels of significance? If so, how is this linked to design review and permitting? Are there any innovative ways in which surveys are being applied?

7. Incentives

Does the city offer incentives or provide special benefits for properties that are listed as historic resources? If so, what are they? Which are most successful? Are other incentives being considered?

8. Sustainability

In what ways is sustainability a factor in the preservation program? Does it appear in the design guidelines? In other policies?

9. Economic Development

Is economic development a part of the preservation program? How does the preservation program interact with other economic development initiatives?

10. Recent Past Resources

How is the city addressing recent past resources? Are they listed and reviewed the same as older properties, or are there special categories of listing or different guidelines?

11. Other Program Components

Are there any unique elements or strategies in the preservation program?

I. Ann Arbor, Michigan

The City of Ann Arbor (population 115,092) has recently developed urban design standards and guidelines for the greater downtown area, portions of which are historic districts. The seven member historic district commission reviews all projects in historic districts, including the entirety of the exterior of a building as well as yard and open space features. The city's preservation ordinance includes protection from demolition by neglect, and provisions for 'Undue Financial Hardship' for alterations in addition to demolitions. The city is also promoting green building policies.

1. Development Review Process

Ann Arbor only designates historic districts, and not individual resources, although there are several districts that have only one property in them. When an application for work on a property within a historic district is received it is referred directly to preservation staff. Prior to application for Historic District Commission (HDC) Review, the Historic Preservation Officer may meet with applicants to review proposed projects. Roughly 75% of applications take advantage of this prior to submitting their formal application for HDC review.

HDC review is based primarily on criteria in the code and on the Secretary of the Interior's Standards. However, the city has prepared historic design guidelines that are expected to be adopted. These guidelines are currently being used for illustrative purposes during the optional meeting with staff, similar to how voluntary design guidelines may be used.

The code prescribes the same treatment for contributing and non-contributing properties; however, there are certain allowances for more flexibility in the review criteria for non-contributing properties, such as with review of alteration to details and more actions that qualify for administrative approval. Treatment for contributing and non-contributing resources is also different in the proposed design guidelines.

2. Delegated Decision-Making

Ann Arbor's code allows for administrative approval for specified minor classes of work. Currently the HPC has listed 30 actions approvable by the City Historic Preservation Officer. All other work on properties within a historic district must be reviewed by the HDC, whose opinion is final, and appealable to the State Historic Preservation Review Board.

3. Consideration of Unlisted Properties 50 Years Old

Age is one factor considered in determining the level of significance of a property within a Historic District, but Ann Arbor does not use it as a criterion in any other preservation regulations.

4. Demolition Review

There is no demolition review for projects outside of a historic district.

5. Structures of Merit

The city does not have a list of structures of merit. However, they had a district made up of individual properties of significance for which designation was repealed. The list of these properties formerly in the district is awaiting appropriate action for inclusion in any future districts.

6. Surveys

Surveys are only conducted on historic districts to determine which properties within the district are contributing and non-contributing. When considering adopting a new district, the HDC will appoint a study committee who will do a basic study of the proposed area. This is not a formal survey.

7. Incentives

Ann Arbor does not have an incentive program. This is partially due to a lower level of necessity for such program elements, as the city does not designate an individual property, only a district.

8. Sustainability

The City of Ann Arbor has talked a lot about sustainability; however, little action has been taken. The most likely future action will be to include sustainability in the planned revision of its master plans. The yet to be adopted historic design guidelines include policies for sustainable design in new construction in historic districts. The city expects that as their master plans are updated, sustainability objectives will be written into the plan's policies. Staff is in the process of publishing a brochure on energy efficiency in historic buildings.

9. Economic Development

There is no organized economic development plan for the city; it is divided into pieces in several different city departments. The current preservation officer assists with the brownfields program.

10. Recent Past Resources

Ann Arbor has numerous mid-century modern buildings that many citizens would like to see preserved. However, the city has not taken action toward a historic district including such properties.

11. Other Program Components

Demolition of Properties within a District: Within a district only properties determined not significant, or to have lost their integrity, may be demolished. Demolition may also be allowed in the case of undue financial hardship, or if retaining the structure is found to be a hazard to public safety or will deter a major improvement project of significant benefit to the public. Very few applications for demolition have been submitted for approval based on the interest of the community, and very few of these have been approved.

II. Aspen, Colorado

The City of Aspen (population 5,914) has preservation design guidelines and three classifications of historic review. Aspen has also integrated the protection of recent past resources into its preservation program. The city publishes a historic preservation fact sheet describing what projects are reviewed, and has identified design objectives for historic districts. Aspen has also recently adopted a list of, and regulations for, potential historic resources.

1. Development Review Process

Historic development review in Aspen is only applicable to designated properties. There are three classifications of review on historic properties: (1) exempt, (2) minor and (3) significant. The Community Development Director may approve a project on an exempt property. These properties are identified according to criteria in the Land Use Code. A minor development approval is needed for development on a historic property that doesn't qualify as exempt. This level of review requires a public hearing before the Historic Preservation Commission. A Significant Development approval is required for a major alteration, addition, or demolition of an existing historic property. A Significant Development Approval requires two public hearings before the Historical Preservation Commission, one for the conceptual development plan and one for the final development plan.

2. Delegated Decision-Making

The lowest of the three review levels defined in the code is a staff-only review. The city's historic preservation staff does its best to keep review at the staff level, and most people seem satisfied with the system.

3. Consideration of Unlisted Properties 50 Years Old

Aspen does not use a 50-year mark in their designation criteria. The city did not previously have an age criterion; however, once they began designating recent past resources they initiated two, one at 30 years and one at 100 years. These represent two distinct periods of significance in Aspen's development, between which there was very little development. The 30-year mark represents the post-war building boom, and is also near the median age of the buildings proposed for demolition. Buildings determined significant under either age criterion are currently treated the same. However, Aspen is considering a tiered system which would no longer use age as a criterion, and bases designation on three levels of significance which are determined based on a point system.

4. Demolition Review

Aspen can deny demolition of designated properties only, including non-contributing properties within a historic district. In general, there are no special provisions for non-designated properties. However, there is a list of potentially historic resources. Properties on this list may be subject to a 90-day demolition hold. (See Structures of Merit discussion.)

5. Structures of Merit

The City of Aspen has adopted by ordinance a List of Potentially Historic Resources. These properties are subject to a 90-day hold on development applications in order to determine their historic significance. This list is a temporary measure while a citizen task force examines the city's preservation system, and updates are considered. While the ordinance is in effect, only voluntary designation of the listed potential historic resources may occur. There is no specific date at which the ordinance and its list will expire.

6. Surveys

The city's code previously required a survey every five years, but this was repealed in 2002. Completed surveys have identified the majority of the Victorian era resources, as well as many of the city's 20th century resources. The small size of the city means that the majority of its resources have been surveyed and identified.

7. Incentives

The city has a strong incentive program that many have taken advantage of. The most prominent incentives are a floor area ratio bonus and a historic lot split, allowing subdivision of a property, which staff feels are the primary reasons for many voluntary designations. Other incentives include financial and development benefits as well as technical assistance and preservation recognition programs.

8. Sustainability

Aspen has green building standards that apply to all construction projects, including historic properties. These standards are applied with more flexibility for historic properties.

9. Economic Development

Aspen does not have an economic development program.

10. Recent Past Resources

Aspen has fully integrated recent past resources with their preservation program. Their criteria for designation are specifically tailored to both their Victorian era resources and their recent past (20th century) resources.

11. Other Program Components

Program Maintenance:

Since the most recent preservation ordinance update, the Community Development Department and members of the HPC have met with City Council annually to discuss unprotected 20th century era properties and the successes and challenges of the preservation program.

Potential Updates:

Aspen is considering a three-tier system to replace the existing program which would assign a point rating to a property based on its level of significance and integrity. In this system only the highest rated properties would be able to be designated without owner consent, but would also qualify for additional incentive programs. The lowest tier would have more flexibility in requirements for design review.

III. Monterey, California

The City of Monterey (population 30,641) has both a historic master plan and a historic preservation ordinance as well as an ongoing survey program. Monterey uses the California Environmental Quality Act (CEQA) development review process, which includes consideration of effects of proposed projects on historically eligible properties.

1. Development Review Process

Monterey has two levels of historic zoning designation based on significance: H-1 and H-2. The H-1 zoning designation is applied to properties of the highest level of significance, and may be designated without owner consent. H-2 designation requires owner consent. All designated properties are subject to preservation review based on the Secretary of the Interior's Standards. For projects other than minor repairs, a Historic Preservation Report and hearing before the Historic Preservation Commission are required. The Historic Preservation Report is adopted by the commission and includes information about the significance of a property and a program for its preservation.

2. Delegated Decision-Making

Staff can review minor repairs and the historic preservation commission reviews major projects.

3. Consideration of Unlisted Properties 50 Years Old

Age is only used as a criterion for historic designation. However, potentially historic, non-designated properties can be subject to preservation review. Properties which are listed in a survey, or which are determined to potentially meet the criteria for Historic Zoning by the Deputy City Manager of Plans and Public Works, are subject to historic review based on a separate code section for than designated properties. Staff reviews alterations based on the Secretary of the Interior's Standards. If staff determines the standards have not been met, a further level of review is required. These properties are also subject to CEQA review.

4. Demolition Review

Properties which are listed in a survey, or which are determined to potentially meet the criteria for Historic Zoning by the Deputy City Manager of Plans and Public Works, are subject to a demolition delay and CEQA review. After the demolition delay a permit for demolition may be granted only if it is concurrent with approval of a replacement structure.

5. Structures of Merit

The city has two levels of official designation; however, there is no official designation below landmarking for properties of merit. (See development review process discussion.)

6. Surveys

Monterey uses two levels of surveys: (1) reconnaissance and (2) intensive. All properties identified in a reconnaissance survey are included on the Reconnaissance Survey List and all properties identified by an intensive survey with potential to meet criteria for historic zoning are included in the Adopted Survey List. These lists are used to help determine which non-designated properties are subject to historic review. (See consideration of unlisted properties discussion.)

7. Incentives

Monterey offers a use-permit based zoning incentive for designated properties that can include modification to underlying zoning requirements for setbacks, parking standards, and/or floor area ratio. Additional uses are allowed by permit for designated properties as well. Designated properties are also eligible for the State Historical Building Code, the State's Mills Act Property Tax Reduction Program, as well as city grants and other programs.

8. Sustainability

Monterey's preservation program does not include policies for sustainability.

9. Economic Development

Monterey's preservation program does not include specific policies relating to economic development. However, staff considers heritage tourism as an important aspect to the preservation program and its continued community support.

10. Recent Past Resources

To qualify for historic designation, properties in Monterey must be at least 50 years old. Most preservation support in Monterey is for the oldest resources, such as the mission era adobes. However, staff has recently begun to make efforts to expand the public perception to other eras and types of resources.

11. Other Program Components

Conservation District

In 2004, Monterey established the Cannery Row Conservation District and its associated design guidelines. The conservation district was adopted as a tool to establish a framework for allowing Cannery Row to grow and change while retaining its ambiance and historical context. While respecting the traditional character of the area is emphasized, change is anticipated and alterations and new construction are required to respect the traditional design context. Regulations for the district apply to improvement projects including new buildings and alterations to existing structures.

Historic District

Upon designation of a historic district a District Preservation Plan is also adopted. This plan includes goals and objectives for the district as well as specific development regulations for construction within the district. The underlying zoning may be modified by the plan to be more or less restrictive including design, mass, bulk, height, walls, lighting, driveway locations, parking standards, landscaping, signs, public improvements on the property, and eligibility for incentives.

IV. Pasadena, California

The City of Pasadena (population 143,400) places Preservation and Urban Design in the same division within the Planning Department. Pasadena uses the California Environmental Quality Act (CEQA) development review process that includes consideration of effects of proposed projects on historically eligible properties. The city publishes thorough handouts on its historic preservation program and review, including a handout on the thresholds for design review and demolition review within historic districts. The city's website also has a high level of prominence and content of preservation information available including links to green tips for historic homes. Pasadena also published a report on recent past resources in 2007.

1. Development Review Process

Design and Historic Preservation review in Pasadena is applied for under one master permit application. Work on both designated resources and resources eligible for designation is reviewed. The Historic Preservation Commission (HPC) does most preservation review for major projects; however, in the Central District a separate Design Commission conducts the review. Both the Design Commission and the HPC are trained in historic preservation.

2. Delegated Decision-Making

Pasadena has two categories of Historic Preservation Review, one by the Historic Preservation Commission and one at the staff level. The code specifies the division of review between the HPC and staff based on the type of historic resource (designated or eligible and potentially eligible properties) and the type of work proposed. This division is also clearly explained in a Historic Preservation Review information packet.

3. Consideration of Unlisted Properties 50 Years Old

The City of Pasadena does not use age as a criterion for designation. As part of its preservation incentives program Pasadena conditionally permits an office use in buildings over 50 years old as a non-conforming use.

4. Demolition Review

Demolition applications for any primary structure may not be approved until a building permit for a replacement building is obtained. The HPC or staff may grant exceptions to this requirement if the structure is not designated or eligible as a historic resource or contributor to a historic district.

5. Structures of Merit

Pasadena does not have a structure of merit or similar designation.

6. Surveys

Surveys include a preliminary determination of historic integrity for each property within the survey boundaries. Survey information is made available online and searchable through the California Historical Resources Inventory Database (CHRID). Design review for a demolition or alteration follows the same procedures for both surveyed properties and potentially significant properties that have not been surveyed.

7. Incentives

In addition to financial benefits available on the state and national levels, Pasadena provides several incentives for designated and eligible historic properties. Financial incentives include reduced permit fees and a façade easement program. Technical assistance is available both in the form of meetings with professionals and city publications. The city also provides flexibility in zoning requirements for historic properties to encourage adaptive reuse over demolition. These include parking waivers and other requirements that may create spatial demands on a site that a renovation project cannot meet. Historic signs listed in the historic sign inventory are also exempt from the sign regulations in the zoning code for height, area, location, etc.

8. Sustainability

Pasadena's preservation program does not include policies for sustainability. The city has a green building ordinance, though it is not tied directly to historic preservation.

9. Economic Development

Pasadena's goals for economic development include one brief reference to preservation: "To further aid economic development, encourage the highest level of urban design and architectural preservation consistent with reasonable use and economic feasibility considerations."

10. Recent Past Resources

Pasadena has conducted several surveys of recent past resources. The city has also published a booklet on local recent past resources. The city does not currently specify the inclusion of recent past resources in its preservation policies; however, it is being considered for future program updates.

V. Summary Observations

1. Development Review Process

Many communities define multiple levels of review, based upon the level of significance of a property. Most peer communities review projects based on the Secretary of the Interior's Standards and local design guidelines. Guidelines can be for both individual districts and/or for all historic properties.

2. Delegated Decision-Making

The majority of peer communities include provisions for staff level review and approval of minor projects. Typically, there is a clearly defined method for determining which projects qualify for this level of review.

3. Consideration of Unlisted Properties 50 Years Old

Many peer communities require preservation review of properties that are potentially significant. Within these communities, potentially significant properties are identified either by staff at the time of application, or based upon an established list of properties identified through surveys. When used, age is typically considered by staff to help identify potentially significant properties when an application is received.

4. Demolition Review

The majority of peer communities require some form of demolition delay and preservation review for non-designated properties. These policies typically require the delay in order to determine the significance of the property and, if significant, to review alternatives to demolition.

5. Structures of Merit

A list of structures of merit is not typically used in most peer communities. When it is used, the list is typically tied to survey lists for initial identification of potentially significant properties.

6. Surveys

Many peer communities use surveys to identify a preliminary level of significance for a property. Typically, this is later used to help identify non-designated properties that are potentially significant and subject to preservation review.

7. Incentives

Most successful incentive programs in peer communities include exemptions for development regulations that may create spatial requirements on a site with which a renovation project is not able to comply. Parking requirements are the most common example of such an exemption.

8. Sustainability

Though currently only a few peer communities include sustainability in preservation policies, all are discussing it and plan for its integration with future preservation program updates.

9. Economic Development

Most peer communities recognize economic development as an important aspect of preservation efforts and support. However, few communities have integrated it into their preservation program.

10. Recent Past Resources

Currently only a few peer communities have integrated recent past resources into their preservation programs; however, the majority of cities recognize this as an important issue to be included in future system updates.