

CAC April 4, 2018 Minutes

Note: No CAC meeting in May, but meet again in June to look at code language.

Karen: Today I would like to go over the results of Clarion's consolidated report. We want to have a discussion about whether we have heard you correctly and is this is the best approach - what comments or concerns do you have?

Presentation on primary recommendations that staff is proposing to bring forward and not bring forward.

1. The first topic is landmark designation.

The first is to study more flexible alternatives to landmark districts. These are about management of historic properties. We've asked Clarion to do some additional study on this and provide information in the fall.

We want to look at adding time to multiple property designations. We currently don't have enough time to verify and research these designations when it is a large multi property designation. Time to verify the applications and hold meetings with the owners.

Develop design standards for each district coming forward, which would identify character defining features of districts. We want to be able to provide that to the property owners.

Jennifer: How do the applications come to you? Can we put that back on the owner? Could we require them to provide citations and sources?

Karen: Yes, we can, but we still have to verify accuracy.

We also want to improve the non-consensual designation process. We heard pretty clearly that the three meetings is too much from LPC so we have found a way to make that into a two meeting process.

We are not recommending that National or State Register properties be automatically considered for local landmark designation. We are concerned that a contributing property might not rise to the level of the Fort Collins individual landmark. It would also add about 600 properties to our workload.

We are also not recommending that LPC members meet more specific requirements. Do need to meet requirement that at least 40% of members meet specific federal standards. Currently eight of the nine members meet these federal standards. We are the only City board that has specific requirements.

We do not recommend raising the number of signatures needed on application for non-consensual designation. Currently, require three signatures. Application does not designate a property; brings it to the attention of staff and LPC.

Matt: A quick clarification on the persons who can request the non-consensual designation-does it have to be a Fort Collins resident?

Karen: Yes, that has always been in our code.

2. Second topic is changes to designated landmarks.

Proposing district-specific design standards and guidelines. Our districts are varied and the type of changes to each district are dependent on the characteristics of the districts.

Per: So would those design standards apply to the 3.4.7?

Karen: They could.

Per: Well they should, it makes sense.

Karen: That is logical and they would not take the place of the Sect of the Interior's Standards, but it would be similar to a subarea or similar plan.

Per: So those would be added to the subarea plans?

Karen: Think about the Old Town Historic District Standards & Guidelines—we refer to that document when someone wants to make a change in the Old Town Historic District.

Additionally, we are looking to expedite reviews. We are looking to use the Design Assistance Program as a way to make sure plans are already in good condition before coming for permitting. We are looking at making LPC conceptual reviews optional, to provide choices for applicants. For many projects, alternatives are the LPC Design Review Subcommittee and administrative design review.

Meg: You should make a flowchart of these options.

Karen: Not recommending more specific requirements for appellants. As I recall, the CAC agreed with that recommendation, but was unclear of what that looks like. The LPC opposed the recommendation.

Jennifer: On the specific requirements for appellants—is that only for the applicant or anyone involved in the process?

Karen: Depending on situation, anyone could be an appellant.

Jennifer: I would still say that there need to be more requirements for appellants because we don't want people to abuse it and use it as a stalling mechanism.

Brad: I would need to look into it to see if that's something that could be changed.

Karen: We don't want to prevent people who might have additional information from appealing and changing the decision.

Janelle: What stops anyone from appealing on frivolous reasons?

Karen: We require third party documentation, that costs about \$600-\$800 dollars. We don't see a lot of appeals.

Janelle: The signs that are posted for the determination of eligibility should have more information.

Karen: Yes, we agree with CAC recommendations early on that we should have different colored signs to denote their meaning.

Janelle: Folks don't really know the time period associated with the signs either.

Jennifer: I think the different color is a good solution. It's eye-catching.

Janelle: There needs to be a link to the process and a good, centralized location for the website.

Chris: How many signs are posted?

Cassie: I would say five or six at a time.

3. Historic Buildings and Infill Development

GIS map to show recent determinations of eligibility. We would like to see a link to CityDocs further into the process.

Staff is recommending 200 feet for the area of adjacency. The idea with the 200 feet is that it's half of a city block.

James: It was a very fraught topic. I just had a general wince about the difference between criteria for abutting and area of adjacency.

Karen: CAC recommended that we don't treat designated or eligible properties differently - treat equally.

Jennifer: So the size of the development doesn't matter?

Karen: No. More review criteria for new development that's touching or abutting. If you are at least a parcel away then it doesn't greatly affect the viability and eligibility of the historic property. It's usually not the height per se, it's the massing and general size of the development that make it feel compatible or not.

Jennifer: But how big the building is, the farther out the building affects. I won't belabor the point, but I still feel like the bigger the building the more effect it has on the character.

Karen: More criteria for review of abutting properties versus adjacent. We still have to come up with definitions, but we are looking to promote variability through the review criteria. Not recommending limiting review to only on-site or abutting. We heard from CAC that the character extends further. Individually eligible buildings form character and will likely remain.

4. Demolition/Alteration Review and Dangerous Buildings

For the demolition/alteration review, we want to emphasize survey. We want to encourage more people to use the Design Review Subcommittee. This is a quick, early answer for design questions. We

want to provide financial incentives to prevent demolition. We are hoping to get Clarion to help us with this issue and make this a better program.

Chris: Have they looked at the 50-year rule and whether to mark a date, rather than sliding scale? Because as it slides, your workload compounds.

Karen: We brought that to City Council in previous review, and received direction to keep the 50 years, which is the federal standard for review.

Janelle: It is way confusing in my mind to have the demolition and alteration review in one section. It should be in two sections. I get lost trying to map out the process for a demolition review vs an alterations review. It might be simpler to split them up.

Tom: The problem with this is the name.

Janelle: I'm excited to get the draft because the devil is in the details.

Karen: For demolition by neglect, need concrete definitions of neglect to better prevent. Provide assistance through incentives, but don't want to encourage, so would likely need to be an interest loan or something similar. Also increase penalties for repeat violations. These fall into the building code, so work carefully with Building. What are our typical penalties now, Brad?

Brad: It can be a code violation so fines and it could lead to a misdemeanor.

Meg: So is this for all properties?

Karen: Yes, this is in the building code so it applies to all properties. It isn't about whether it is a historic building, but it's about being a building in Fort Collins.

Jennifer: How is this enforcement?

Karen: Typically, by compliant or if the inspectors see it while out.

This feeds into the next topic, which is dangerous buildings. We want to have a better definition of dangerous and feasible to repair versus what's imminently dangerous and needs action now. "Current, immediate situation" versus "at any time," Prevent buildings from getting this bad in the first place. These are all part of the Building Codes and will not go forward with historic preservation code updates.

We are doing a City Council Work session later this month and we will be going to Council with code language in July.

Review of CAC/LPC survey and survey results.

Per: (About number 8) These are major code changes and I want to make sure there is public review and comment.

Karen: We have reached out to groups extensively. At the work session, council will give us direction. Then additional outreach. Definitely the public has the ability to comment.

Number 10 has a split in the comment section.

Number 40 has some debate. This is about considering additional criteria for the approval of demolition proposals for landmark designated properties. Anyone want to discuss this further?

James: Why does the LPC not want the site to sit fallow after demolition?

Karen: It's related to when the Rhoades House was demolished. The city was promised an important, needed project, but it never happened. Lost a very significant property, and then nothing for over five years. That's what triggered the demolition/alteration review process.

Meg: Didn't that happen to the schoolhouse on the South Shields?

Karen: I'm unsure.

James: I'm wondering about the balance – I don't know that the city should be able to dictate what the property owner does with the land after demolition.

Karen: The idea is have plans before demolition so that we have a one for one.

Chris: You pair it with a building permit. You can demolish it once you know what you're going to do with it.

James: I don't see the justification with it.

Chris: Even though they own it, they still have to follow building code and planning code. Why should this be different? I think ultimately this is a moot point. Eligible properties won't be torn down.

Meg: Except if you're a residential property owner.

Matt: How do you measure whether it is left fallow or not? How do you hold the owner two transactions later?

Jennifer: I think Chris said it best. You have to have a building permit for the new before you can tear it down.

James: The other part of that is that we could put a Tuff Shed out there rather than lay it fallow. How is that better?

Jennifer: Look at pairing it with permits.

Karen: Let's move onto the next one. Number 54 has some disagreement.

Tom: It looks like most comments show agreement with 200 foot radius.

Karen: Number 76 had some dissent. This is about the five year limit of determination of eligibility. Anyone have any comments or feedback?

Tom: It seems like there was a lot of questions about clarity so we need to follow up on that.

Chris: Have there been issues with the five year rule?

Karen: No. We've been asked to redo determinations based on new information, and have, but the idea is to not just have a person asking for new determinations every week to tie up the process.

Jennifer: Why have it shorter than the SHPO's requirements?

Karen: It was seen that Fort Collins changes more rapidly. Minor work can add up.

Jennifer: Why not just say no more than five minor changes or something?

Karen: The cumulative effects can be different than one project. The SHPO's idea is that survey is done every ten years.

Jennifer: This seems like a loophole that you could drive a truck through.

Tom: I don't think this is happening often and if it does happen, it was unintentional.

Karen: We will look at it a little more carefully.

Any final comments?

Janelle: Will City Council get the survey results and reports?

Karen: Yes, they will have all the information, including the CAC minutes.