

Designated Resources: Processes & Standards for Review

**Topic Report 2 of 4:
Fort Collins Historic Preservation Codes & Processes
Fall 2017**

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Background

This report is part of a series of reports on the City of Fort Collins' historic preservation codes and processes, including the Municipal Code and the Land Use Code. All four reports will be compiled once reviewed by the Citizen Advisory Committee, Landmark Preservation Commission, and City staff. The reports focus on the following four topics:

- A. Landmark Designation Codes & Processes**
- B. Designated Resources: Processes and Standards for Review**
- C. Non-Designated Resources: Processes and Standards for Review**
- D. Demolition/Alteration Codes & Processes, Dangerous Conditions, and Demolition by Neglect**

INTRODUCTION

This report includes a review of the City of Fort Collins' codes and processes related to design review of designated resources and compatible infill in historic districts. The documents reviewed for this report include Chapter 14, Articles I and III, of the Municipal Code and the city's adopted design guidelines. This report assesses the program area's current conditions and provides recommendations for proposed improvements. A review of best practices in peer cities statewide and nationwide was completed to compare the Fort Collins design review codes and processes to other cities. The report briefly summarizes the current conditions of the Fort Collins design review process for designated resources and its effectiveness in achieving compatible infill, discusses the main topics associated with design review, highlights various approaches used throughout the county, and provides conclusions and recommendations for improvements in Fort Collins.

PEER CITIES

The following table compares the basic characteristics of the cities we studied for this report. The peer cities researched were determined based on similar characteristics to Fort Collins: a population size between 90,000 and 300,000 people, the presence of a large university, a growing or stable population, and a robust preservation program determined by number of historic districts and landmarks.

CITY	2016 POPULATION (APPROX.)	STUDENT POPULATION (APPROX.)	POPULATION GROWTH RATE 2000-2016	HISTORIC RESOURCES
Fort Collins, Colorado	164,000	33,000 <i>Colorado State University</i>	Growing: 36%	248 landmarks, 3 historic districts
Berkeley, California	121,000	40,000 <i>University of California, Berkeley</i>	Growing: 18%	281 landmarks, 4 historic districts, and 39 structures of merit
Boise, Idaho	223,000	22,000 <i>Boise State University</i>	Growing: 14%	30 landmarks, 9 historic districts
Boulder, Colorado	108,000	32,000 <i>University of Colorado Boulder</i>	Growing: 14%	186 landmarks, 10 historic districts, 75 structures of merit
Cambridge, Massachusetts	111,000	33,000 <i>Harvard University & Massachusetts Institute of Technology</i>	Growing/ stable: 9%	30 landmarks, 2 historic districts, 4 conservation districts, and 39 properties with conservation easements
Denton, Texas	134,000	53,000 <i>University of North Texas & Texas Woman's University</i>	Growing: 60%	2 historic districts, 1 conservation district
Eugene, Oregon	167,000	23,000 <i>University of Oregon</i>	Growing: 20%	60 landmarks and 2 historic districts
Gainesville, Florida	132,000	52,000 <i>University of Florida</i>	Growing: 16%	10 landmarks and 5 historic districts
Lincoln, Nebraska	280,000	25,000 <i>University of Nebraska</i>	Growing: 23%	160 landmarks, 18 historic districts
Madison, Wisconsin	253,000	43,000 <i>University of Wisconsin</i>	Growing: 20%	182 landmarks, 5 historic districts
Norman, Oklahoma	122,000	31,000 <i>University of Oklahoma</i>	Growing: 26%	3 historic districts
Provo, Utah	117,000	33,000 <i>Brigham Young University</i>	Growing/ stable: 11%	150 landmarks, 2 historic districts
Santa Barbara, California	92,000	24,000 <i>University of California, Santa Barbara</i>	Growing/ stable: 3%	124 landmarks, 3 historic districts, 132 structures of merit
Syracuse, New York	143,000	21,000 <i>Syracuse University</i>	Stable: -2%	59 landmarks, 4 historic districts

SUMMARY OF RECOMMENDATIONS

The following sections of this report review six topics related to the processes and standards used to review changes to designated resources in detail and provide conclusions and recommendations for each topic based on peer city research. The recommendations are summarized below:

Design Review Generally	<ul style="list-style-type: none"> • Rename the design review process as a “certificate of appropriateness” process. • Develop a decision matrix to increase predictability of required review processes.
Commission Review	<ul style="list-style-type: none"> • Make conceptual review an optional step. • Consider establishing a time limit for final review. • Consider more specific requirements for appellants.
Administrative Review	<ul style="list-style-type: none"> • Adopt guiding document that identifies specific types of work that can be delegated to staff for review.
Review Standards Generally	<ul style="list-style-type: none"> • Establish mandatory approval criteria rather than “considerations.” • Add specificity to the “standards of the City” reference in the criteria for approval.
Review Standards for Demolition	<ul style="list-style-type: none"> • Consider additional criteria for the approval of demolition.
Review Standards for Compatible Infill	<ul style="list-style-type: none"> • Consider codifying general compatibility standards for new construction. • Clarify the role of the adopted design guidelines and standards. • Develop design guidelines for additional districts or general design guidelines.

Organizational Recommendations

As recommended in the Topic A report, we propose organizational improvements to Chapter 14 to complement the substantive recommendations that are the principal focus of this report. The important procedural steps in Section 14-46 should be better integrated with the criteria and additional procedural requirements in 14-48. A better system of organization for Article III may be:

- Applicability (including portions of 14-46 and 14-47);
- Process (including portions of 14-46 and 14-47);
- Administrative process (14-49);
- Criteria to be applied (14-48); and
- The assorted provisions in Section 14-50 through 14-55.

Simple organizational restructuring as well as incorporating subsections with subheaders, multi-level lists, and nested information would greatly help to clarify the ordinance.

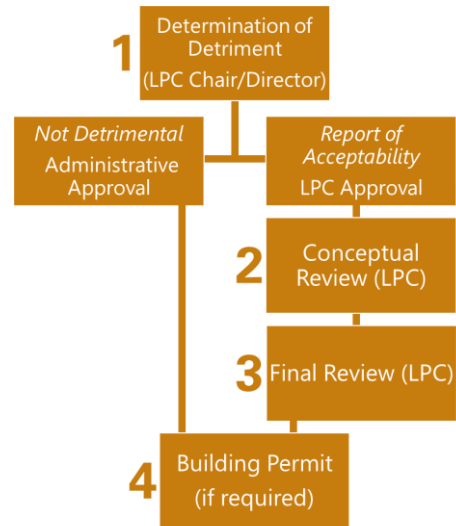
Research Topics

A. DESIGN REVIEW GENERALLY

In the previous report, we studied the designation of historic resources. This report looks at what happens when designated resources are modified or altered, or as new structures are built within designated historic districts. Design review is one of the main tools used to protect historic resources after they are designated. A thoughtful and thorough review process allows historic resources to evolve and accommodate new occupants and growing families while still respecting their historic significance.

Design Review Generally in Fort Collins

In Fort Collins, the process of reviewing modifications or demolitions of designated resources and new construction in historic districts is referred to in practice as “design review,” although that term does not appear in the ordinance. Article III of Chapter 14 details the requirements for construction, alteration, or demolition of designated historic resources. The first step is a “determination of detriment.” If the proposal is found by the Landmark Preservation Commission (LPC) Chair and the Director not to be detrimental to the designated resource, it may be considered administratively (by staff) without a public hearing; otherwise, it is considered by the commission following a public hearing. The procedures for both administrative review and commission-level review are described in more detail in the following sections of this report. Whether the decision is made by staff or by the commission, a final “report of acceptability” is issued to authorize proposed changes and to authorize the issuance of a building permit if required.



In 2016, 17 design review applications were reviewed by the full LPC and approximately 20 design review applications were reviewed by staff. (For comparison purposes, roughly 700 demolition/alteration reviews of resources that are not designated are completed in Fort Collins per year.)

Design Review Generally in Peer Cities

Unlike Fort Collins, most cities we reviewed (with a handful of exceptions) use the term “Certificate of Appropriateness” to refer to the formal authorization for new construction in historic districts or alterations to designated resources. This is a relatively common term in use throughout the country and is recognized by many property owners, developers, and local staff and officials as a distinct process associated with historic preservation.

Beyond the terminology, the actual design review processes are quite similar in most cities, with applications heard before the preservation commission, decisions made based on a particular set of

criteria, and an opportunity to appeal the commission’s decision to the city council. Almost all cities also allow for an administrative-level review (usually without a public hearing) for more straightforward applications. These are projects that typically are more modest in scale and do not require a public hearing because the impacts on other properties are expected to be minor.

A common feature in these ordinances is a clear, upfront identification of the types of projects that are subject to full commission review (and public hearing), and thus will require more resources and time to pursue than the relatively simpler projects decided by staff. For example, Madison authorizes administrative review but requires its commission to formally adopt a list of the types of work that can be approved administratively. Boise uses a helpful, user-friendly tool that we did not see in any other communities called a “decision matrix” to identify the type of review required for different types of work, as well as an enumerated list of items that do not require review.¹ The ordinance references this decision matrix. Portions of the matrix and the list of exempted work are shown below:

Boise, Idaho

11-03-04(20): Certificate of Appropriateness Required for Alteration, Demolitions or Relocations, Changes in Zoning Classification or Changes in Use in Historic Districts or Historic Districts-Residential

iv. The Commission may delegate to the Planning Director review of Certificates of Appropriateness that are listed as “staff level” under the Certificate of Appropriateness Matrix adopted by the Historic Preservation Commission and are in compliance with the design guidelines on file in the Planning and Development Services Department.

Decision Matrix for Certificate of Appropriateness

REASON FOR CERTIFICATE OF APPROPRIATENESS	Harrison, Warm Springs & Cons. Districts COMMISSION LEVEL	Harrison, Warm Springs & Cons. Districts STAFF LEVEL	All Others COMMISSION LEVEL	All Others STAFF LEVEL
1. Alteration to the character-defining façade when viewed from the public right-of-way, or add additional stories.	X		Contributing	Non
2. Additions or alterations visible from the public right-of-way, but not included in #1 above.		X		X
3. Change in use that requires a Conditional Use Permit and zoning reclassifications.	X		X	
4. Construction of new structure except for single story garages.	X		X	
5. Demolition of all or greater than 50% of the primary structure, not including garages or accessory structures.	X		Contributing	Non
6. New garage construction, two-story or containing an accessory dwelling unit (ADU).	X		X	
7. New porch construction visible from public right-of-way.	X		Contributing	Non

THE FOLLOWING ARE ITEMS WHICH DO NOT REQUIRE A CERTIFICATE OF APPROPRIATENESS OR STAFF APPROVAL:

- Accessory structures under 120 square feet, not visible from public right-of-way.
- Decks not visible from public right-of-way.
- Doors with no change in size or material.
- Wood fence. Requires Fence Permit.
- Garage doors and related hardware, not visible from public right-of-way.
- Hose reels.
- In-ground irrigation systems.
- Maintenance and ordinary repair of exterior features.
- Paint for single-family residential structures.
- Roofing with no change in material.
- Change in roof material to asphalt composite shingle, wood or ceramic/slate tiles.
- Plants, including flowers and bushes and installation of new trees not within public right of way.
- Vegetative ground cover
- Removal of any tree located within the public right-of-way that has been deemed to be a public hazard by Community Forestry.
- Windows with no change in size or materials.

¹ Madison [41.17\(4\)](#); Boise [11-03-04](#)

Similarly, Santa Barbara identifies thresholds for projects that qualify for administrative approval in a separately adopted *General Design Guidelines and Meeting Procedures* document. Gainesville allows projects to be administratively reviewed when restoring the original appearance or when the proposal meets their *Historic Preservation Rehabilitation and Design Guidelines*. This separate document provides helpful conditions that determine whether a proposal can be approved by staff, as shown below.²

Gainesville, Florida

30-122(D)(5) Historic Preservation/Conservation

b. *Staff approval.* The city manager or designee may issue a certificate of appropriateness if the work will either result in the original appearance of the structure, as defined in this chapter, or will meet the city's Historic Preservation Rehabilitation and Design Guidelines on file in the planning and development services department.

Guidelines: Additions to Existing Buildings

Staff Approval Guidelines	Board Approval Guidelines
<p>Additions that meet all of the following conditions can be approved by staff:</p> <p><i>Addition to historic building is sited in the rear yard and does not front on two or more streets;</i></p> <p><i>Do not exceed 1-story in height and 300 sq. ft. area;</i></p> <p><i>Utilizes materials and textures consistent with the principal building;</i></p> <p><i>Window openings are of the same proportion as the nearest windows on the principal building;</i></p> <p><i>Existing window and door openings that will be enveloped by the addition are retained and not modified.</i></p>	<p>Plans that propose adding floors to buildings are inappropriate and are unlikely to be approved.</p>

These examples, and particularly the Boise decision matrix, are user-friendly tools that allow applicants to predict the type of process their work will require. The use of a chart system like the decision matrix allows applicants to quickly understand the process and manage their expectations from the outset of a project. The substantive distinctions between the types of review will be explored in more detail in the following sections of this report.

² Gainesville 30-112(d)(5); Santa Barbara [Historic Landmarks Commission General Design Guidelines & Meeting Procedures](#)

Conclusion and Recommendations

There are two steps that Fort Collins should consider to improve the clarity, transparency, and user-friendliness of the design review process.

First, we recommend that Fort Collins consider changing the name of the process for reviewing alterations to designated historic resources from “design review” to a more specific term that is focused on preservation. “Design review” does not specify that it is limited to the review of designated resources and may unnecessarily confuse the process, as “design review” could encompass several different types of city processes that may be unrelated to historic preservation. It also is confusingly similar to “development review,” which will be discussed in the next research paper. We believe a different name, such as the common “certificate of appropriateness,” would help to differentiate the preservation review process from other city reviews.

We also recommend that the Fort Collins ordinance better define and clearly distinguish the types of projects that require full commission review and a public hearing, versus less significant projects that may be approved by staff. The city should summarize the different levels of review in a user-friendly format, such as Boise’s decision matrix.

Recommendation

- Rename the design review process as a “certificate of appropriateness” process.
- Develop a decision matrix to increase predictability of required review processes.

A.1. COMMISSION REVIEW

Perhaps the most visible, and sometimes most controversial, of powers exercised by preservation commissions is the review of applications for major alterations or demolition of historic resources, or for new construction in historic areas. The procedural considerations in reviewing applications for these types of projects are quite similar to those for designating historical resources. Basically, the historic property owner must be given an opportunity to be heard, to present his or her case, and to rebut the opposing case. Commissions can help ensure fair, orderly hearings by making clear beforehand the standards that will govern their deliberations. It is particularly important that the reviewing body gives reasons (or “findings of fact”) for its decision on these types of applications.

Commission Review in Fort Collins

The LPC reviews major alterations and demolition proposals of designated resources and issues a decision in the form of a “report of acceptability.” (Projects that are reviewed by staff are discussed in the next section of this report.) The process for obtaining a “report of acceptability” differs based on whether the work requires a building permit.

- If a building permit is required, the proposal is reviewed by the LPC in two phases: (1) conceptual review and (2) final review. The conceptual review allows applicants and the LPC to discuss design issues as well as the policies, requirements, and standards that apply to a proposal. Final review requires more detailed plans and is the step at which the commission renders a decision on the

proposal. These reviews may occur at the same LPC meeting depending on the impact of the proposal.

- If no building permit is required, the ordinance does not specify any phasing to the review.

Although not reflected in the ordinance, Fort Collins also offers an optional Design Subcommittee review for applicants. This allows applicants to meet with two members of the LPC to discuss a project prior to their conceptual review to obtain information and feedback.

The LPC's decision on a design review application is subject to appeal by any "party-in-interest" to the City Council. A party-in-interest can be the applicant, the subject property owner, anyone who received mailed notice of the hearing or provided written comment, anyone who appeared at the LPC hearing, or the City Council.

Commission Review in Peer Cities

Applicability

Most cities list the types of projects that are subject to review by the preservation commission. An example from Denton of typical ordinance language is shown below. One of the main differences between the cities we studied was whether work that does not require a building permit needs to be reviewed by the commission. Boulder, Boise, Denton, and Provo are examples that specify that any changes, whether or not a building permit is required, must be reviewed at some level for preservation issues. In these cities, the same process for obtaining the certificate of appropriateness approval is required for either circumstance.³

Denton, Texas

35.7.6.8. Exterior alterations and changes; minor exterior alteration, ordinary maintenance; appeals.

A. *Certificate of appropriateness.* No person shall alter, change, construct, reconstruct, expand, restore, remove or demolish any exterior architectural feature of a designated historic landmark or allow the results of such action to be maintained unless application is made in compliance with this Section for a Certificate of Appropriateness and such a certificate is granted. As used in this Subchapter, the term "exterior architectural feature" shall include but not be limited to architectural style and general arrangement of such portion of the exterior of a structure as is designed to be open to view from a public way. A Certificate of Appropriateness shall be obtained prior to the issuance of any Building Permit, although the Certificate of Appropriateness review and Building Permit and other required Permit review processes may be conducted simultaneously. A Certificate of Appropriateness may also be required for work not otherwise requiring a Building Permit. The Certificate of Appropriateness shall be required in addition to, and not in lieu of, any required Building Permit.

Clarifying the applicability of preservation review is important because many alterations to designated resources may not require a typical building permit but may still greatly impact a resource, such as changes to landscaping where a site's landscape features are a vital part of the property's historic significance. The overall process for preservation approval should be generally the same regardless of

³ Boulder [9-11-12](#); Boise [11-03-04](#); Denton [35.7.6.8](#); Provo [16.05.050](#)

whether a building permit is required. The only procedural difference should be the building permit processes that take place after the preservation review.

Maximum Time Limits

Several cities establish maximum time limits for the review of certificates of appropriateness. For example:

- Berkeley requires a public hearing to be held within 70 days of receipt of the application, and then a decision is required within 30 days of that public hearing. The overall time limit for the process is 180 days.
- Boulder allows 14 days to determine whether a proposal is detrimental or will have a significant impact. A public hearing must occur within 75 days of receipt of a complete application.
- Cambridge requires a decision within 45 days of the filing of an application.
- Denton requires commission review within 21 days of receiving a complete application.
- Lincoln and Madison require public hearings within 60 days of receipt of a complete application.
- Syracuse requires a public hearing within a "reasonable time after [an] application is filed."⁴

There are a few benefits to establishing maximum time limits for review. Setting a maximum time limit creates a predictable timeline for applicants and helps prevent multiple iterations of the same design returning to the commission until it is finally approvable. However, if this is not an issue in Fort Collins and projects are currently reviewed in relatively quick time (from both an applicant's and staff's perspective), a maximum time limit may not be necessary.

Appeals

All of the cities we studied allow for the preservation commission's decision to be appealed. The majority of appeals are heard by the city council, although in Syracuse, appeals are heard by the City Planning Commission (these are heard de novo, which is also unique). The cities differ primarily in who is permitted to submit an appeal to these decisions. In Boulder, the city council may "call-up" any decision of the Landmarks Board, which is unique in the preservation ordinances we reviewed (although this type of authority may have been described in other city ordinances that were not reviewed). In Denton, only the applicant may submit an appeal, while Boise, Gainesville, Lincoln, Norman, Provo, and Santa Barbara allow anyone to submit an appeal of the commission's decision. Other cities require a specific number of people that must submit an appeal if they are not the applicant: Berkeley requires 50 people to submit an appeal, Cambridge requires ten, and Madison requires the owners of at least 20% of parcels within 200 feet of subject property.⁵

⁴ Berkeley [3.24.240](#); Boulder [9-11-15](#); Cambridge [2.78.060](#); Denton [35.7.6.8](#); Lincoln [27.57.140](#); Madison [41.17\(5\)](#); Syracuse [VII-6-C](#)

⁵ Syracuse [VII-6-C](#); Boulder [9-11-16](#); Denton [35-219](#); Boise [11-03-04](#); Gainesville [30-112](#); Lincoln [27.57.180](#); Norman [22.429.3](#); Provo [16.03.040](#); Santa Barbara [22.22.090](#); Berkeley [3.24.300](#); Cambridge [2.78.240](#); Madison [41.20](#)

Crafting more specific requirements for appellants may limit frivolous appeals to the City Council. Often, a City Council is not trained in preservation issues, and the Council may not have the same expertise as a preservation commission to review alterations to historic resources. Decisions made at the council level may also be more subject to political considerations. However, if this is not an issue that has come up in Fort Collins, using the current “party-in-interest” requirements for appellants may be sufficient.

Conclusion and Recommendations

The general process for obtaining commission approval in Fort Collins is similar in many respects to the other communities we studied. One unique feature of the Fort Collins process is the difference between preservation review of projects requiring building permits and those not requiring building permits. Fort Collins should consider whether the distinction between the processes is necessary.

Recommendation

- Make conceptual review an optional step.
- Consider establishing a time limit for final review.
- Consider more specific requirements for appellants.

Additionally, none of the other cities we studied required a conceptual review in their ordinance (although this may be something that is done in practice in several communities but is not codified). While there is potential value in conceptual review for some projects and we do not recommend eliminating entirely the opportunity for conceptual feedback from the commission, we do recommend considering making conceptual review an optional step. The onus would then be on the applicant to decide whether to seek conceptual feedback prior to a formal application review or risk unexpected issues at the final review stage. We believe that the blurred lines between conceptual review and final review may invite commissioners and applicants to focus less on the specific criteria to consider for a report of acceptability. In addition, if it is common for proposals to have both conceptual and final review at the LPC meeting, the requirement for an independent conceptual review seems less important.

Other items to consider are setting a time limit for the overall process, as many cities do, and reevaluating who can appeal the decision of the LPC, perhaps establishing a new list rather than cross-referencing the “party-in-interest” language of Chapter 2 of the Municipal Code. These each have benefits and drawbacks, as described in the respective subsections above.

A.2. ADMINISTRATIVE REVIEW

Communities vary as to what extent, if any, responsibilities under the preservation ordinance are delegated to full-time administrative staff, as opposed to the preservation commission. Nationwide, it is extremely common for preservation commissions to delegate authority for minor decisions to professional staff. This often is done to streamline the review process and free up the preservation commission’s time to work on more long-range or complex issues. For example, staff might be given the authority to approve minor alterations to designated buildings (e.g., screen door replacement or paint colors).

In some cities, delegation of review authority often is done in practice but is not codified in the ordinance. The general rule for delegating authority from the commission to staff is that responsibilities should not be delegated at random, but rather should be guided by detailed provisions included either in the ordinance or in formally adopted rules and regulations that are referenced in the ordinance.

Administrative Review in Fort Collins

In Fort Collins, work that is considered not detrimental to historic, architectural, or cultural material may be administratively reviewed by the Director, with the consent of the chair of the commission. Specific types of work are authorized to be processed administratively such as color changes, signs, and recovering of awnings. More generally, “minor exterior alterations” are also authorized for administrative review.

Article I defines “minor alteration” as “work that has the potential to substantially affect no more than one (1) aspect of exterior integrity.” However, exterior integrity is not defined in the definitions section of the ordinance. The National Park Service’s seven standards for integrity are integrated into Section 14-5 (standards for determining eligibility), but no cross-reference is provided that would help a user understand this link. Administrative design review is subject to the same criteria as a commission-level design review and the Director’s decision may be appealed to the LPC.

Normal maintenance that does not change the exterior appearance or characteristics appears to be exempted by Section 14-52. Normal maintenance is not a defined term, but “repair and maintenance” is defined in Article I as “work done on a site, structure or object in order to correct any deterioration, decay or damage to any part thereof in order to restore the same as nearly as practical to its condition prior to such deterioration, decay or damage.”

Administrative Review in Peer Cities

Almost every city we studied uses an administrative design review process in addition to a public hearing process before their preservation commission. Syracuse is the only city that does not have administrative-level reviews; all changes are heard by the Landmark Preservation Board. On the other end of the spectrum, all modifications of designated resources in Eugene are reviewed administratively. These administrative decisions are typically appealable up to the preservation commission, such as in Eugene, Boise, and Provo.⁶

Boulder has two different levels of review for Landmark Alteration Certificates that do not require a public hearing: (1) administrative staff review, and (2) review by the Landmarks Design Review Committee, which consists of two members of the Landmarks Board and one staff preservation planner. For comparison, Boulder reviews approximately 200 Landmark Alteration Certificates per year (a much higher volume than Fort Collins, perhaps due to larger and more numerous historic districts), with about half being reviewed by staff, 45 percent reviewed by the Landmarks Design Review Committee, and only about five percent going to the full Landmarks Board for public hearing approval.⁷

⁶ Syracuse [VII-6-C](#); Eugene [9.7200](#); Boise [11-03-04](#); Provo [16.03.050](#)

⁷ Boulder [9-11-14](#)

Ordinary Maintenance

Many cities exempt ordinary maintenance from the review process altogether. Some cities, such as Denton, have a separate review process for ordinary maintenance which is essentially the same as the review of minor alterations but has a faster timeline. Cities often carefully define ordinary maintenance to help differentiate it from a minor alteration, like Norman, which defines it as “Work meant to remedy damage or deterioration of a structure or its appurtenances, and which will involve no change in materials, dimensions, design, configuration, color, texture or visual appearance to the exterior of an historic structure. Ordinary maintenance and repair shall include painting and reroofing.”⁸

Ongoing maintenance of historic properties is one of the best ways to preservation original and historic features. For this reason, maintenance should be encouraged and regular maintenance should have either expedited review processes or be exempted from review.

Maximum Time Limits

Only a few of the cities we researched specify a time limit for administrative approvals:

- Denton requires reviews of ordinary maintenance to be completed within five days and reviews of minor alterations to be completed within five working days.
- Madison requires administrative reviews to be completed within 60 days of receiving a complete application.
- Provo limits administrative reviews to 10 days after receiving a complete application.⁹

Time limits increase the predictability of a process for applicants. Administrative reviews should be completed quickly to encourage applicants to utilize the process. Long timeframes for relatively simple reviews can sometimes have the unintended consequence of encouraging applicants to “ask for forgiveness rather than permission,” and lead to unpermitted (and often inappropriate) work.

Conclusion and Recommendations

Fort Collins’ approach to administrative review is similar to many of the communities we studied. However, the “determination of detriment” process is somewhat unpredictable in that it does not provide much upfront notice to property owners as to the level of effort required to get a project approved. Fort Collins should determine a clear distinction between what can be approved administratively by adopting a new guiding document that determines which decisions can be delegated to staff. In particular, the non-specificity of “minor exterior alterations” that can be approved administratively should be clarified. This may result in the development of a decision matrix or similar document as recommended earlier in this report, or a document laying out specific conditions required for work to be reviewed administratively. This document should be referenced in the ordinance.

Recommendation

- Adopt guiding document that identifies specific types of work that can be delegated to staff for review.

⁸ Denton [35.7.6.8](#); Norman [22.429.3](#)

⁹ Denton [35.7.6.8](#); Madison [41.17](#); Provo [16.03.050](#)

This will increase predictability for applicants and will improve the efficiency of processing applications, as case-by-case analysis of whether something truly meets the definition of “minor alteration” can unnecessarily consume significant staff time. While the ordinance currently references considerations of integrity to make these determinations, more objective standards are warranted. Clarifying what can be approved administratively also may guide applicants to propose work that is less intrusive on historic resources. By clearly identifying the boundaries for what can be approved administratively, a city can ensure that the type of work proposed (or conditions to allow it to be approved administratively) is in line with typical recommended preservation treatments.

Some examples of work that is commonly approved administratively in other communities include: window replacement with the same materials and design; alterations that are not visible from public right-of-way; fences; reroofing with no change in materials; and installation of mechanical equipment. Additionally, the distinction between normal maintenance and minor alterations should be better clarified in the ordinance to identify what type of work is wholly exempted from the review process.

B. REVIEW STANDARDS GENERALLY

Whether reviewed by the commission or by staff, alterations to designated properties and new construction in historic districts are evaluated based on a set of standards set forth in the ordinance. The process of setting standards is crucial not only from a legal standpoint, but also as a way for communities to evaluate where their preservation program is leading. What kind of development, if any, do we really want in the local historic area? How will we evaluate proposed changes? What is the most efficient and fair method of administering proposed changes? What should be the relationship of our local standards to other historic resource regulations, such as the Secretary of the Interior's standards?

The typical preservation ordinance sets forth broad review standards for the development or demolition of historic properties. Often preservation ordinances attempt to ensure that modifications will "not have an adverse effect on the fabric of the district" or that new construction not be "incongruous," but "in harmony," with the "character" and "significant features," of the designated resource. These operative terms in determining the impact of a development or demolition proposal are to a degree subjective and need to be defined and limited in some fashion to give applicants reasonable notice of what is expected of them. Communities can narrow broad review standards through the use of detailed criteria set forth in the ordinance or in accompanying documents such as guidelines, surveys, or administrative manuals.

Review standards that are too broad often are criticized for being vague and unclear. Fairness and regulatory efficiency dictate that local ordinances contain clear standards that result in predictable decisions by staff and review commissions and limit administrative discretion. For this reason, the standards that are used for review of alterations and new construction are extremely important.

Review Standards Generally in Fort Collins

In Fort Collins, the standards considered by both the LPC and the director in deciding upon the issuance of a report of acceptability are as follows:

Sec. 14-48 – Report of Acceptability

- (b) In determining the decision to be made concerning the issuance of a report of acceptability, the Commission shall consider the following criteria:
- (1) The effect of the proposed work upon the general historical and/or architectural character of the landmark or landmark district;
 - (2) The architectural style, arrangement, texture and materials of existing and proposed improvements, and their relation to the landmark or the sites, structures and objects in the district;
 - (3) The effects of the proposed work in creating, changing, obscuring or destroying the exterior characteristics of the site, structure or object upon which such work is to be done;
 - (4) The effect of the proposed work upon the protection, enhancement, perpetuation and use of the landmark or landmark district;
 - (5) The extent to which the proposed work meets the standards of the City and the United States Secretary of the Interior for the preservation, reconstruction, restoration or rehabilitation of historic resources.

These are relatively broad consideration statements that could be narrowed. Importantly, the ordinance only requires that the standards are be *considered* by the commission, which may result in less predictable

decisions. As drafted, there are not mandatory standards to be met--only “considerations” that could be evaluated along a wide spectrum of acceptability. In other words, Section 14-48(b) does not give an applicant a clear idea of what may be an approvable modification or how new constructions may be acceptable. At what point is the effect of a proposal unable to be approved?

Also, to what extent do proposals need to meet the Secretary of the Interior’s (SOI) standards? The current standards also place a heavy reliance on the SOI standards for guidance in reviewing alterations and new construction. While the SOI standards are helpful for review and are used by communities all over the country, they are somewhat vague and imprecise. We typically recommend that they are used as a starting point for more tailored and precise standards specific to the community.

Review Standards Generally in Peer Cities

General Standards

Many of the peer city ordinances we reviewed use similar language and address similar topics in their criteria for reviewing alterations, new construction, and demolition of designated resources. Boulder’s ordinance provides an example of typical review standards:

Boulder, Colorado

9-11-18. - Standards for Landmark Alteration Certificate Applications.

(b) Neither the landmarks board nor the city council shall approve a landmark alteration certificate unless it meets the following conditions:

- (1) The proposed work preserves, enhances or restores and does not damage or destroy the exterior architectural features of the landmark or the subject property within a historic district;
- (2) The proposed work does not adversely affect the special character or special historical, architectural or aesthetic interest or value of the landmark and its site or the district;
- (3) The architectural style, arrangement, texture, color, arrangement of color and materials used on existing and proposed structures are compatible with the character of the existing landmark and its site or the historic district; and
- (4) With respect to a proposal to demolish a building in a historic district, the proposed new construction to replace the building meets the requirements of paragraphs (b)(2) and (b)(3) of this section.

These conditions more clearly present the requirements of an application: Materials and architectural styles must be compatible, historic character cannot be adversely affected, and exterior architectural features cannot be damaged. While these are still somewhat broad, Boulder supplements these conditions with adopted design guidelines for each historic district as well as general city-wide guidelines.

Secretary of the Interior’s Standards

Like Fort Collins, most of the cities we studied either reference or incorporate the Secretary of the Interior’s Standards for Rehabilitation (SOI) in their requirements for the review of certificates of appropriateness. (For reference, the standards can be found in the appendix of this report.) Eugene, which grants approvals only administratively, uses seven of the SOI standards for rehabilitation for their review, as well as two additional standards requiring compliance with other Eugene-specific development standards or design guidelines. In Boise’s standards, an abundance of different documents are referenced including the SOI standards, plans, design guidelines, and even architectural history books. Madison

notably uses the SOI standards only when reviewing applications for landmark properties, but uses individually adopted standards & guidelines for applications in historic districts. Norman and Provo both use the SOI standards as well as additional adopted design guidelines.¹⁰

Tying back to federal standards is useful to ensure consistency with federal and state reviews, such as for properties that are being reviewed by the State Historic Preservation Office for tax credit projects. While the SOI standards are a valuable tool in reviewing alterations and demolitions of designated resources, supplementing them with local guidelines or specific ordinance language is highly recommended. We understand that recently the State Historic Preservation Office has identified some landmark modifications (specifically additions) that have been approved by Fort Collins that have negatively impacted that landmark's eligibility.

Generally improving the Fort Collins standards to act as requirements rather than "considerations" could better ensure that alterations are consistent with the SOI standards. Additionally, establishing additional Fort Collins-specific standards to supplement the SOI standards would allow the review process to better implement the SOI intent in a more tailored manner. For instance, if general residential design standards were adopted, they could specify the appropriate size of an addition in relation to the existing structure, how the addition should be attached, and how visible an addition may be from the public right-of-way.

Hardship Standards

A few of the communities we reviewed have additional findings or processes to follow when an applicant can prove some level of "hardship" that would be caused by not granting the approval. For example, both Berkeley and Provo allow their commissions to approve applications that do not meet their general standards but where the applicants claim that there would be unreasonable hardship if the application is not approved. Cambridge has a separate approval process called a "Certificate of Hardship" when failing to approve an "otherwise inappropriate project would involve substantial hardship" and would not cause "substantial detriment."¹¹ Lincoln's commission can issue a "Certificate of exception on the ground of insufficient return or hardship" using findings that are similar to typical zoning variance findings: if it finds that a reasonable return cannot be made without the proposed work, that there are unique circumstances, and that the hardship is the result of the application of the ordinance and not a result of the applicant.¹²

This hardship finding can provide some level of flexibility for applicants. However, the ordinance should clearly state that the burden of proof is on the applicant to prove a hardship. Additionally, changes should also still generally reflect the intent of the ordinance.

¹⁰ Eugene [9.8175](#); Boise [11-03-04](#); Madison [41.18](#); Norman [22:429.3](#); Provo [16.06.010](#)

¹¹ Cambridge Historical Commission, [Application for Certificate](#)

¹² Berkeley [3.24.270](#); Provo [16.05.070](#); Cambridge [2.78.210](#); Lincoln [27.57.150](#)

Conclusion and Recommendations

The general subjects of the Fort Collins criteria are typical of most preservation ordinances we reviewed as they focus on the impact of a project on historic character, architectural style, and important exterior features. However, it is somewhat unique that the language is phrased as “considerations,” which arguably allows for much interpretation and can result in a less predictable process. Fort Collins should redraft the list as mandatory approval criteria rather than as considerations.

Recommendation

- Establish mandatory approval criteria rather than “considerations.”
- Add specificity to the “standards of the City” reference in the criteria for approval.

Fort Collins also references the Secretary of the Interior’s Standards, as many cities do, which is helpful to keep reviews in line with federal and state standards. However, additional Fort Collins-specific standards, either in the ordinance or in adopted guidelines, would be useful to assist in reviews. These could be much more specific and may be more easily understood by applicants than the more general SOI standards. While the current criteria reference “the standards of the City,” it is not clear whether this means adopted design guidelines or standards. Greater specificity should be added to this particular criterion to specify what the “standards of the City” might include. Finally, as we recommend that all criteria become requirements rather than considerations, the level of compliance that is required with those adopted design guidelines should then be made clear either in the ordinance or in the adopted standards.

B.1. REVIEW STANDARDS FOR DEMOLITION

While most communities use a common list of procedures and criteria for both alterations and demolitions, some use a heightened review for demolition proposals. This may include additional criteria or considerations unique to demolition.

Review Standards for Demolition in Fort Collins

Fort Collins does not have specific standards for the review of demolitions of landmarked properties or properties within designated historic districts. The general criteria for considering a report of acceptability are used in these circumstances. (Note that the Topic D report will review the Demolition/Alteration review process for non-designated resources in detail.)

Review Standards for Demolition in Peer Cities

Some cities, like Gainesville, will not release a demolition permit until a building permit for a replacement building has been obtained. Boulder requires that new construction replacing whatever is demolished must meet the criteria for approval as well.¹³ Madison has established particular standards for granting a certificate of appropriateness for demolition as shown below.

¹³ Gainesville [30-112](#); Boulder [9-11-18](#)

Madison, Wisconsin

41.18 Standards for Granting a Certificate of Appropriateness.

- (2) *Demolition or Removal.* In determining whether to approve a certificate of appropriateness for any demolition or removal of any landmark or structure within a historic district, the Landmarks Commission shall consider all of the following, and may give decisive weight to any or all of the following:
- (a) Whether the structure is of such architectural or historic significance that its demolition or removal would be detrimental to the public interest and contrary to the general welfare of the people of the City and the State.
 - (b) Whether a landmark's designation has been rescinded.
 - (c) Whether the structure, although not itself a landmark structure, contributes to the distinctive architectural or historic character of the historic district as a whole and therefore should be preserved for the benefit of the people of the City and the State.
 - (d) Whether demolition or removal of the subject property would be contrary to the policy and purpose of this ordinance and/or to the objectives of the historic preservation plan for the applicable historic district as duly adopted by the Common Council.
 - (e) Whether the structure is of such old and unusual or uncommon design, method of construction, or material that it could not be reproduced or be reproduced only with great difficulty and/or expense.
 - (f) Whether retention of the structure would promote the general welfare of the people of the City and the State by encouraging study of American history, architecture and design or by developing an understanding of American culture and heritage.
 - (g) The condition of the property, provided that any deterioration of the property which is self-created or which is the result of a failure to maintain the property as required by this chapter cannot qualify as a basis for the issuance of a certificate of appropriateness for demolition or removal.
 - (h) Whether any new structure proposed to be constructed or change in use proposed to be made is compatible with the historic resources of the historic district in which the subject property is located, or if outside a historic district, compatible with the mass and scale of buildings within two hundred (200) feet of the boundary of the landmark site.

Reviews of demolition are often greatly assisted by additional standards, as the general standards used for the review of alterations or new construction may not sufficiently guide decisions. These additional standards could consider whether the resource is the last example of a certain style or architect's work, assessments of the condition of the property, or the economic usefulness of the property. Review criteria specific to demolition could also specify that documentation, a common mitigating condition of demolition, is required.

Conclusion and Recommendations

Fort Collins may want to consider establishing supplemental criteria for approving demolitions of designated properties, as it appears that the existing criteria may be difficult to apply to cases of demolition. Often demolition has a different range of considerations that needs particular criteria as shown in some of the peer city examples. The hardship findings that other cities have used (cited above) could be adapted in crafting findings for demolition.

Recommendation

- Consider additional criteria for the approval of demolition.

B.2. REVIEW STANDARDS FOR COMPATIBLE INFILL

The effectiveness of determining the compatibility of infill development also depends on the standards used for review. The broad review standards must be sufficiently narrowed to allow for meaningful and predictable review of infill development. Often, because a particular project might be compatible in one historic district but wholly incompatible in another, cities use design guidelines to craft particular standards for different districts, to assist in the design and review of infill development.

Drafting adequate review standards is much less difficult in historic areas that have a distinctive style or character. Areas with strong identifying features provide examples of the features best used to define compatible development and measure the impact of proposals for new development. In areas that are less distinctive in style, review of infill can also be aided by design guidelines that explicitly direct some flexibility to certain features. If a local ordinance does not contain narrowing criteria beyond the typical broad criteria for review, the preservation commission would be well advised to adopt them by way of regulation or guidelines.

Review Standards for Compatible Infill in Fort Collins

Compatibility of infill development in Fort Collins' historic districts is guided by the design review process. The general standards noted above for all "reports of acceptability" are used to evaluate infill development in historic districts. In the ordinance, there is no specific language regarding infill development. In addition to the criteria for consideration of a report of acceptability, Section 14-48 also generally requires that the LPC find that all proposed work is "compatible with the distinctive characteristics of the landmark or landmark district and with the spirit and purpose of this chapter." The term "compatible" is defined in Article I:

Compatible shall mean the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.

One of the LPC's considerations for the report of acceptability is the "extent to which the proposed work meets the *standards of the City* and the United States Secretary of the Interior for the preservation, reconstruction, restoration or rehabilitation of historic resources." As noted earlier in this report, presumably the "standards of the city" refers to the city's adopted design guidelines, although this is not clear. Two guideline or standards documents have been adopted for designated resources in Fort Collins and are described below.

- The *Old Town Neighborhoods Design Guidelines* were adopted in February 2017 concurrently with the Old Town Neighborhoods Plan. The document is intended to provide guidance for design review but compliance is not required. Particularly relevant to this topic, however, are the guidelines for new construction incorporated in the document. These guidelines cover a full range of topics such as design, mass and scale, articulation, windows, and materials. The guidelines also include overall impact and compatibility considerations.

- The *Old Town Historic District Design Standards* were updated and adopted in 2014. These are used to determine the appropriateness of modifications or new construction in the Old Town Historic District, as well as for eligible local landmark properties within Old Town and the River District. The design standards clarify that the guidelines require compliance (when applicable) and explain the difference between important terms used in the document such as “shall,” “should,” and “may be considered.” The document also has specific design standards for new construction, focusing on building placement, architectural character, mass, scale, height, roofs, entrances, materials, and windows.

In other districts outside these two areas, and for individual landmarks without adopted standards, great emphasis is placed on SOI standards for review of changes, as well as the general criteria for consideration.

In reviewing staff reports for recent design review applications in the Old Town Historic District, we did not find any analysis of the design standards included in the reports. It is not clear how, or when, the standards are applied to the review of projects. We presume that a project’s compliance with the standards are discussed in the LPC meeting. However, we recommend including staff-level analysis of compliance with the design guidelines in staff reports to help guide the LPC’s discussion at public hearings. As a larger point, staff reports could also include greater analysis of how a project meets the Secretary of Interior’s standards and whether the property’s integrity is impacted by the proposal.

Review Standards for Compatible Infill in Peer Cities

Almost every city we studied has either adopted design guidelines or integrated specific requirements into their ordinance for evaluating compatibility. Boulder and Norman have both adopted design guidelines for each of their historic districts, as well as general guidelines for all districts and landmarks. All of the design guidelines documents from Boulder specify that the guidelines are intended to be an aid for design, not a checklist for compliance. Lincoln has specific design guidelines for each landmark and district that are adopted concurrently with their designations and guide future alterations. Several cities, like Denton and Madison have actually codified design requirements for each particular district in their ordinances.¹⁴

One issue that comes up in many cities is the difficulty in determining what standards of review are advisory versus mandatory. For example, in Eugene, one of the criteria for approval is that the proposal is consistent with the design guidelines, although the design guidelines are “*Advisory Design Guidelines for Historic Residential Properties*.” Design guideline documents often also do not adequately distinguish between guidelines that “should” be met versus those that “shall” be required. Another example is from Provo, which has codified “*Special Guidelines for New Construction in Historic Districts*.” These guidelines cover topics like height, scale, window proportion, roof shape, and architectural details. Per the ordinance, the commission is required to use the guidelines to determine the appropriateness of applications for new construction. However, each of these suggest that these features “*should be compatible*” with surrounding

¹⁴ Boulder [Design Guidelines for Individual Landmarks and Historic Districts](#); Norman [Historic Preservation](#); Lincoln [Historic Preservation](#); Denton [35-275](#); Madison [41.22](#)

structures. It is therefore not clear whether these are simply intended to guide the discussion or to what degree a project must comply with the guidelines in order to be approved.¹⁵

Berkeley does not have adopted design guidelines for particular historic districts, although the city has adopted general downtown design guidelines with specific guidelines for landmark buildings. Berkeley has a fairly general additional finding for the review of new construction in historic districts that ensures that work will not “adversely affect the exterior architectural features of the subject property or the relationship and congruity between the subject structure or feature and its neighboring structures and surroundings, including *facade*, *setback* and *height*; nor shall the proposed work adversely affect the special character or special historical, architectural or aesthetic interest or value of the district.”¹⁶

In addition to their *Historic Preservation Rehabilitation and Design Guidelines* mentioned earlier in this report, Gainesville has codified “visual compatibility standards” to guide certificate of appropriateness decisions. The use of “shall” makes them clearly mandatory, but they are general enough to be applicable to different districts with many different architectural styles:

Gainesville, Florida

Sec. 30-112. - Historic preservation/conservation.

(6) Criteria.

- a. *Generally*. The decision on all certificates of appropriateness, except those for demolition or relocation, shall be guided by the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and the following visual compatibility standards:
 1. *Height*. Height shall be visually compatible with adjacent buildings.
 2. *Proportion of building, structure or object's front facade*. The width of building, structure or object to the height of the front elevation shall be visually compatible to buildings and places to which it is visually related.
 3. *Proportion of openings within the facility*. The relationship of the width of the windows in a building, structure or object shall be visually compatible with buildings and places to which the building, structure or object is visually related.
 4. *Rhythm of solids to voids in front facades*. The relationship of solids to voids in the front facade of a building, structure or object shall be visually compatible with buildings and places to which it is visually related.
 5. *Rhythm of buildings, structures, objects or parking lots on streets*. The relationship of the buildings, structures, objects or parking lots to open space between it and adjoining buildings and places shall be visually compatible to the buildings and places to which it is visually related.
 6. *Rhythm of entrance and porch projection*. The relationship of entrances and projections to sidewalks of a building, structure, object or parking lot shall be visually compatible to the buildings and places to which it is visually related.
 7. *Relationship of materials, texture and color*. The relationship of materials, texture and color of a parking lot or of the facade of a building, structure or object shall be visually compatible with the predominant materials used in the buildings to which it is visually related.
 8. *Roof shapes*. The roof shape of the building, structure or object shall be visually compatible with the buildings to which it is visually related.
 9. *Walls of continuity*. Appurtenances of a building, structure, object or parking lot such as walls, fences and landscape masses shall, if necessary, form cohesive walls of enclosure along a street, to ensure visual compatibility of the building, structure, object or parking lot to the building and places to which it is visually related.

¹⁵ Eugene [Advisory Design Guidelines for Historic Residential Properties](#); Provo [16.06.020](#)

¹⁶ Berkeley [3.24.260](#)

10. *Scale of building.* The size of the building, structure, object or parking lot; the building mass of the building, structure, object or parking lot in relation to open space; and the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.
11. *Directional expression of front elevation.* A building, structure, object or parking lot shall be visually compatible with the buildings and places to which it is visually related in its directional character.

The Santa Barbara ordinance includes a “Project Compatibility Analysis” which establishes additional criteria for consideration by their Historic Landmarks Commission. Topics range from compliance with the municipal code, adopted design guidelines, compatibility with the architectural character of the city and neighborhood, appropriate height and scale, and sensitivity to adjacent landmarks. In addition, Santa Barbara recently adopted Infill Design Guidelines in their *General Design Guidelines and Meeting Procedures* document that are intended to “ensure that infill development complements existing buildings, preserves neighborhood character, and is well integrated into the neighborhood with a cohesive and well-thought out design.” The guidelines list possible design techniques and approaches to achieve the objectives in the Project Compatibility criteria in the ordinance.¹⁷

Gainesville’s visual compatibility standards are an excellent example, as they are clear, relatively objective standards that are codified. These standards are supplemented by design guidelines for some districts in the city, where even more tailored standards are necessary to determine compatibility.

Definitions of Compatible

Although the term “compatible” is often used in preservation ordinances, very few of the ordinances we reviewed (only Madison and Norman) defined this term.¹⁸ Some of the cities, like Santa Barbara below, defined compatibility within a separate design guidelines document. These definitions provide some level of specificity in determining compatibility by providing several examples of features to consider.

Santa Barbara, California

Historic Landmarks Commission General Design Guidelines & Meeting Procedures

“For the purposes of design review, “compatibility” is defined as a project’s ability to integrate harmoniously with the desirable architectural qualities and characteristics which are distinctive of Santa Barbara and the immediate neighborhood. A study of the ten (10) closest properties, and additional properties as needed, can be used in evaluating neighborhood compatibility.”

The following should be considered in achieving compatibility:

- A. Contextual setting (streetscape, surrounding structures, street trees, parks)
- B. Patterns of development in the particular area
- C. Architectural style
- D. Size, mass, bulk, height, and scale
- E. Proximity to, and interface with, historic resources, historic districts, historic sites, or natural features
- F. Design intent and overall concept of the project and land use designation of the site

¹⁷ Santa Barbara [22.22.145](#) and [Historic Landmarks Commission General Design Guidelines & Meeting Procedures](#)

¹⁸ Madison [41.02](#); Norman [22:429.3](#)

Conclusion and Recommendations

Many cities struggle with clearly identifying what is advisory versus mandatory in regards to design guidelines that assist in the review of new development in historic districts. To account for varying character between and within different districts, some degree of flexibility is warranted. This flexibility should be clearly established either in the ordinance or in separately adopted design guidelines.

In Fort Collins, it is not clear how enforceable or applicable the adopted design guidelines are, or how they are incorporated into the design review process. Are they intended to be a checklist for compliance or simply guidance? The Old Town Historic District

Design Standards are clearer about the terminology used, but the ordinance does not clearly explain their role in the design review process. If the standards are used as a checklist for compliance, some degree of flexibility should be defined and integrated to allow for unique circumstances. The actual design guidelines appear to be helpful and cover appropriate topics for reviewing compatibility of development.

Stronger design guidelines could greatly assist in the review in other designated areas of the city. Developing general residential design guidelines in particular may be helpful, as Fort Collins has a significant number of landmarked residential properties. Fort Collins should also consider codifying some general compatibility standards into the ordinance, as Gainesville has done, and supplement those general guidelines with the adopted design guidelines for particular areas. The ordinance should then clearly reference those other adopted guidelines and clarify whether compliance is advisory or mandatory. The existing definition of “compatibility” in the Fort Collins ordinance could easily be built upon to craft standards for achieving compatibility in new construction in historic districts.

Recommendation

- Consider codifying general compatibility standards for new construction.
- Clarify the role of the adopted design guidelines and standards.
- Develop design guidelines for additional districts or general design guidelines.

Links

PEER CITY ORDINANCES

Berkeley, California:

<http://www.codepublishing.com/CA/Berkeley/html/Berkeley03/Berkeley0324/Berkeley0324.html#3.24>

Boise, Idaho: <http://cityclerk.cityofboise.org/media/262806/1100.pdf>

Boulder, Colorado:

https://library.municode.com/co/boulder/codes/municipal_code?nodeId=TIT9LAUSCO_CH11HIPR_9-11-3INDEINLAHIDI

Cambridge, Massachusetts: <http://code.cambridgema.gov/2.78.180/>

Denton, Texas:

https://library.municode.com/tx/denton/codes/code_of_ordinances?nodeId=SPBLADECO_CH35ZO_ARTVHILAPRHIDI

Eugene, Oregon: <https://www.eugene-or.gov/DocumentCenter/Home/Index/262>

Gainesville, Florida:

https://library.municode.com/fl/gainesville/codes/code_of_ordinances?nodeId=COORGAFL_CH30LADECO_ARTVIRESPREUS_S30-112HIPRCO

Lincoln, Nebraska: <http://lincoln.ne.gov/city/attorn/lmc/ti27/ch2757.pdf> ;

Madison, Wisconsin:

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=Chapter%2033%20Boards%20%20Commissions%20%20and%20Committees

Norman, Oklahoma:

<http://www.normanok.gov/sites/default/files/WebFM/Norman/Planning%20and%20Development/Planning%20and%20Zoning/5-22-14%20Complete%20Zoning%20Ordinance.pdf>

Provo, Utah: <http://www.codepublishing.com/UT/Provo/?Provo16/Provo16.html>

Santa Barbara, California: <http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=12168>

Syracuse, New York: <http://www.syracuse.ny.us/pdfs/Zoning/Zoning%20Ordinance%20Part%20C.pdf>

OTHER RELATED SITES

Cambridge Historical Commission, "Application for Certificate,"

<https://www.cambridgema.gov/~media/Files/historicalcommission/pdf/chcapplication.pdf?la=en>

City of Boulder, "Design Guidelines for Individual Landmarks and Historic Districts,"

<https://bouldercolorado.gov/pages/historic-preservation-applications-design-guidelines>

City of Eugene, "Advisory Design Guidelines for Historic Residential Properties," <https://www.eugene-or.gov/830/Historic-Documents-and-Resources>

City of Norman, "Historic Preservation," <http://www.normanok.gov/planning/historic-preservation>

City of Lincoln, "Historic Preservation," <https://lincoln.ne.gov/city/plan/long/hp/hp.htm>

City of Santa Barbara, "Historic Landmarks Commission General Design Guidelines & Meeting Procedures,"

<https://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=17311>

Appendix

Secretary of the Interior's Standards for Rehabilitation

- 1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- 2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- 4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- 5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- 6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- 7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- 8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- 9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.