

MEMORANDUM

TO: Mayor and City Council

FROM: Amy Guthrie, Historic Preservation Officer
Sara Adams, Senior Planner/Historic Preservation

RE: Historic Preservation Task Force Recommendations

DATE: November 17, 2009

SUMMARY: This worksession is the seventh in a series of Council updates on the Historic Preservation Task Force. The Task Force has concluded, and their final report was delivered on October 26th. The direction of Post World War II historic preservation resides with Council.

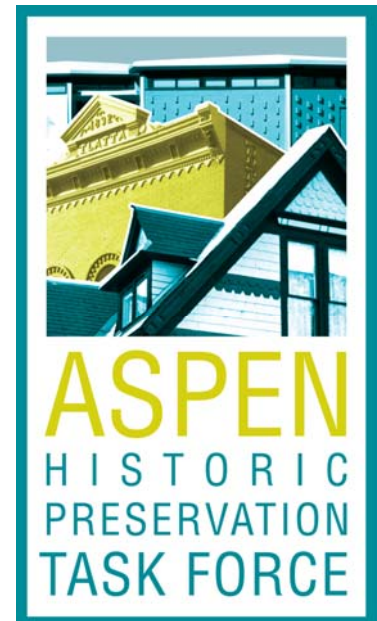
The Task Force worked for 19 months and produced a series of recommendations and studies for Council consideration. Staff suggests that Council start the meeting by acknowledging the sustained effort of these citizens. The purpose of this meeting is to answer questions on the content of the report, and to discuss options for implementing ideas produced by this dedicated group of citizens. We have identified policy issues that require direction as well as a series of items that received strong support by the Task Force and can be easily implemented by Community Development.

Background: The Task Force report includes an introduction that outlines the process these 21 citizens used to evaluate “why, what and how” any potential historic resources representing 20th century Aspen should be preserved. The report includes 34 recommendations that were brought forward by Task Force committees and individual members, and which received at least a majority support from the group. Also included are 8 recommendations that failed.

The report provides a simple summary of each vote in Chapter IV. At a minimum, Staff recommends that Council review these summaries as a simplified way to gain insight into the Task Force’s work. Staff does not plan on presenting each individual vote at the worksession. Relevant page numbers of the Task Force report are added at the end of each policy question to provide background.

The Task Force represented many different perspectives, but almost half (49%) of the recommendations passed by at least 75% in support.

At the last meeting of the Task Force, a motion was made to confirm whether or not the recommendations and summaries provided in the final report are an accurate accounting of the work and votes, and whether these should be submitted to City Council. This vote passed by 19-1.



There are a number of threshold issues where Council input is greatly needed. A number of ideas that had majority support by the Task Force and which Staff can immediately address are listed under question #1 below.

Council Question No. 1, Staff direction: Staff proposes to immediately address the following 3 items that were identified by a majority of the Task Force as areas for improvement.

1. Public outreach and education
 - a. Better noticing and outreach to neighbors regarding development applications
 - b. Better recognition of our local landmarks
 - c. Better education component
2. Include value and cost analysis in landmark designation memos (to address the monetary impact issues that were inconclusive.)
3. Expand tracking of TDRs in the City.

- **Does Council direct Staff to address the three areas listed above immediately?**

Policy Questions:

Staff would appreciate feedback as to which issues or recommendations Council found the most important or helpful from the Task Force's work. This memo was prepared with advisement from Bill Stirling and Mike Maple, both hardworking participants in the project. Together we have identified the following areas where clear policy direction is needed:

Council Question No. 2, 20th Century Preservation Policy: First and foremost, given the content of the Task Force report, a determination is needed as to whether Post World War II structures are worthy of identification and protection. (TF Report Pg. 29.)

- **Does City Council support any efforts towards identifying and protecting historic resources from Aspen's 20th Century history?**

Council Question No. 3, Status of Ordinance #48: Ordinance #48 was passed in late 2007. It identified a list of potential historic resources which require evaluation before alterations or demolition can take place. Ideally, important properties will be saved through a mutually acceptable negotiation, but when this is not possible, work can move forward after a 90 day delay. Ordinance #48 does not have a sunset date and there is no requirement to replace it. However, experience from the past two years suggests that minor clarifications regarding how negotiations are structured should be accomplished.

- **Does Council wish to retain the Ordinance #48 regulations as it is, change it, or replace it with something else?**

Council Question No. 4, Owner consent: The City has never required owner consent for the designation of a historic resource, until the passage of Ordinance #48. The debate over whether preservation should be voluntary or involuntary was significant for the Task Force. A recommendation for a totally voluntary program (owner consent needed) failed by a vote of 9 in favor and 11 against; a close margin. A totally involuntary program (no owner consent needed) passed by 11-10.

The Task Force Criteria Committee introduced the concept of a tiered or hybrid system (best, better, good, unqualified) that could potentially be utilized in involuntary/voluntary designation and the award of incentives. This concept passed by a vote of 13-7. (TF Report Pgs: 38 - 40; 52 - 54; 67; 156; 160 - 161; 197 - 198; and 205.)

The Task Force did not have a vote for a hybrid involuntary/voluntary system of historic designation of Post WW II Properties. Some Task Force Member proposed variations of involuntary/voluntary designation within Minority Reports which could be considered.

- **Does Council wish to pursue:**
 - **all Voluntary,**
 - **all Involuntary, or**
 - **Hybrid approach to owner consent?**

Council Question No. 5, Context Papers: The Criteria Committee analyzed the series of “funnels” that a potential historic property is required to pass through to assess historic significance: 1. a property is weighed against an adopted context paper; 2. designation criteria are applied to the property; 3. an integrity score is assigned. If the property fits through all of the funnels, then it is deemed worthy of designation.

In 2002, the City authored research papers (known as context papers) about three types of 20th century historic resources: Chalet, Modern, and Rustic. The Task Force discussed these architectural styles at length, along with other variations such as Modern Chalet, Wrightian, Rustic Pan Abode, and Interiors. Recommendations were made as to which resources should qualify for designation in the future, regardless of whether the program is voluntary or involuntary. Some of the votes were very close, and some building types that the City is currently accepting for designation, and which are covered in existing context papers, failed to receive support from the Task Force. (TF Report Pgs: 30; 34; 42 - 50; and 126 - 154)

- **Does Council wish to:**
 - **not change the existing context papers,**
 - **update only the context papers that received majority support by the Task Force,**
 - **update only the context papers that received majority and tie support by the Task Force, or**
 - **update all of the context papers discussed by the Task Force?**

Council Question No. 6, Historic Districts: The City currently has two historic districts: Commercial Core and Main Street. Historic Districts approach preservation on a neighborhood scale, in an attempt to ensure the overall character of an area is thoughtfully considered. A recommendation for a West End Historic District failed by a tie vote. A voluntary conservation district at the Aspen Meadows is of interest to the Task Force, but requires additional effort to draft something that is amenable and beneficial to the affected non-profits in that area. (TF Report Pgs: 18 - 23; and 74- 75)

- **Does Council wish to see concepts for new districts pursued further?**
 - **West End historic district?**
 - **Aspen Meadows voluntary conservation district?**

Council Question No. 7, Mass and scale: The Task Force's discussion regularly moved towards general concerns with new construction in town. Members debated whether this topic was germane to the committee's mission, however most agreed it is an important problem. Issues of scale and mass are expected to be central issues in the 2010 AACP with zoning Code amendments to follow. Amending the City's zoning will be a significant undertaking for Community Development. (TF Report Pgs: 24 – 28)

- **Does Council wish to amend zoning Codes now or as part of the AACP Code amendments?**

Council Question No. 8, Incentives: Many of the Task Force's recommendations relate to providing incentives for private property owners who preserve historic resources for the benefit of the community. Most of the existing options reward those undertaking restoration/redevelopment. In some cases they provide great flexibility and a better project, and in some cases they contribute to overburdening a property with new construction. The Task Force recommended additional review of this part of the program, and suggested new incentives for owners not pursuing construction plans. The latter type of incentives would likely have a financial cost to the City. (TF Report Pgs: 55 – 69; 226 – 230)

- **Does Council wish to see amendments and additions to the benefits for Historic Preservation?**
- **Is Council interested in providing direct financial benefits for historic preservation?**

RECOMMENDATION: Staff recommends Council provide as much guidance as possible at this meeting so that progress can continue to be made. Staff and HPC can take the lead on specific tasks needed to move ideas forward, including public input and participation from former Task Force members. We have scheduled another worksession with Council for January 26, 2010 to propose pathways for the Council direction received tonight.