

# RESOLUTION No. 2020-09-02

## AMENDING THE CRITERIA FOR HISTORIC LANDMARK/DISTRICT DESIGNATION

**WHEREAS**, the Fort Morgan City Council must approve changes made to various documents of its boards and commissions within the City of Fort Morgan; and,

**WHEREAS**, the eligibility requirements for designation of historic sites are reviewed and updated from time to time by the Historic Preservation Board, and require City Council approval in order to become effective; and,

**WHEREAS**, the City Council last adopted and approved the eligibility requirements for designation of historic sites in September 2014, through Resolution No. 2014-09-01; and,

**WHEREAS**, the recent desire of the City to apply for "Certified Local Government" (CLG) status with the Colorado Historical Society, in accordance with the National Historic Preservation Act of 1966, as amended, and the "Procedures for Certification of Local Governments in Colorado," has created a need for minor revisions to the "Criteria for Historic Landmark / District Designation"; and,

**WHEREAS**, the City Council desires to amend the "Criteria for Historic Landmark/District Designation" as illustrated in "Exhibit A" of this Resolution.

### NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

**Section 1:** The "Criteria for Historic Landmark/District Designation" is hereby amended to reflect the changes as shown in the attached "Exhibit A."

INTRODUCED, PASSED, APPROVED AND ADOPTED this 1<sup>st</sup> day of September 2020, the vote upon roll call being as follows:

Ayes: Councilmembers Anderson, Deal, Howe, Lindell, Schossow and Urdiales

Nays: None

Absent: Mayor Shaver, Absent - excused



THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

BY:

  
Ronald Shaver, Mayor

ATTEST:

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John Brennan, City Clerk

STATE OF COLORADO )  
COUNTY OF MORGAN )        ss.  
CITY OF FORT MORGAN )

**CERTIFICATE**

I, John Brennan, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 1<sup>st</sup> day of September, 2020.



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John Brennan, City Clerk

**Exhibit A**

### **Criteria for *Historic Landmark / District Designation***

#### **The City hereby establishes the City Register of Designated Properties.**

On November 17, 2009, the City Council adopted Ordinance #1089 establishing a Historic Preservation Board (the Board) and providing the Board with the authority to develop criteria for the review of historic resources for approval by City Council. Any properties so designated by the Historic Preservation Board after November 17, 2009, are hereby designated as such.

The purpose of the ordinance is the preservation of the city's historic, cultural, and architectural heritage. Specifically, the Board is required by the ordinance to adopt procedures and recommend criteria by which the City Council may designate historic structures and districts.

The Board is also required to establish a City Register of Designated Properties, and to review alterations to the exterior of designated historic structures or historic districts. The following criteria are hereby established in furtherance of these requirements.

#### **City Register of Designated Properties**

The register shall consist of sites that are recommended by the Board and designated by the City Council. Sites that are listed on the National Register of Historic Places or the Colorado State Register of Historic Properties are automatically eligible for listing on the city register. Other sites, buildings and districts that meet the criteria listed below are also eligible.

Historic sites and structures will be listed on the city register as a Fort Morgan Historic Landmark. Groupings of more than three properties may be listed as a Fort Morgan Historic District.

Each proposed Landmark or District shall include a description of the characteristics of the property that justifies its designation and a description of the ~~particular features that should be preserved~~ characteristics of the property that justifies its designation, and shall include a description of the location and boundaries of the historic properties.

#### **Purpose for Landmark or District Designation.**

The purpose of a City Register of Designated Properties is to promote historic preservation, but without impinging upon the existing property rights of owners. Consequently, designations of historic landmarks or districts will only occur with the full consent of all property owners.

Upon designation, landmarks and districts are eligible for all available local recognition and incentive programs.

#### **Procedures**

Nominations for designation to the City Register of Designated Properties may be made by the property owner or by a member of the Board (with property owner consent) by filing an application with the City Manager or designee.

The applicant shall pay all public notice expenses, any recording fees and other fees as may be established by the City Council.

Upon receipt of a complete application, the City Manager or designee (the Director) shall prepare a staff report based upon the designation criteria set forth below, and schedule the item ~~for a~~ at the next scheduled public meeting by of the Board.

Following the public meeting, the Board shall recommend approval, conditional approval, or denial of the application to the City Council. The Director shall forward the Board's

recommendation to the City Council for its consideration of the application at Council's next regularly scheduled meeting.

### **Designation of Historic Properties**

The Board may recommend and the City Council may designate a historic site or structure(s) as a Fort Morgan Historic Landmark or District subject to the following:

#### **Designation Criteria**

The property or structure is at least 50 years old and meets one or more of the following:

- It is the site of a significant historic event or the original location of a historical property;
- It is associated with historic persons who made a significant contribution to society or the city;
- It embodies distinguishing characteristics of an architectural style, or is the work of an architect or master builder who is nationally, state-wide, or locally recognized as an expert;
- It contains elements of architectural design, detail, materials or craftsmanship which represent a significant innovation;
- It has archaeological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest;
- It is recognized by historical authorities such as listing in the Historical and Architectural Survey of Fort Morgan, or acknowledgement by local historians, the State Historical Society, National Register of Historic Places, the Colorado State Register of Historic Properties, or others in published form;
- It exhibits indigenous qualities of an architectural style or material that is particularly associated the Fort Morgan area.

#### **Criteria for Alterations, Relocations or Demolitions**

Once properties are designated, the Board is ~~authorized to~~ must review and make recommendations concerning any proposed exterior alteration, relocation or demolition of such designated structures, before a building permit is issued. Owners of designated properties must submit plans for exterior alterations to the Board for review. The Board will comment on the plans and make recommendations based on the Secretary of the Interior's Standards for Rehabilitation as set forth below.

The standards are in addition to and do not supplant other applicable municipal and building codes. Property owners are not required to follow the standards or the Board's interpretation of them, but failure to do so may result in revocation of the property's historic designation.

#### **The Secretary of the Interior's Standards for Rehabilitation**

The standards should be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

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 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.

### **Relocation Criteria**

The Board may recommend, and the City Council may approve of the relocation of a designated structure if the following criteria are met:

1. The historic value of the structure is of such stature to the community that its relocation is preferable to demolition, regardless of the loss of historic setting;
2. The structure will be compatible with its proposed site and adjacent properties;
3. The relocation will not diminish the historic character (if any) of the receiving site;
4. A relocation plan which includes adequate surety to ensure the safe relocation of the structure is submitted to and approved by the City Council.

### **Demolition Criteria**

The Board may recommend, and the City Council may approve of the demolition of a designated structure upon a finding of any of the following:

1. The structure is no longer structurally sound despite evidence of the owner's efforts to properly maintain it;
2. There is no practicable method to rehabilitate or reuse the structure to a reasonably beneficial use;

3. ~~The location of the site upon which a designated structure rests has more economic value than the structure, and there is no practicable method to relocate the structure to another site within the City of Fort Morgan.~~