

# AGENDA

## ASPEN HISTORIC PRESERVATION COMMISSION

Special Meeting

June 2, 2022

12:00 PM, City Hall, 427 Rio Grande Place, Aspen

---



### I. ROLL CALL

### II. MINUTES

None

### III. PUBLIC COMMENTS

### IV. OTHER BUSINESS

- IV.A. Discussion of and recommendation to Council regarding the future review process for affordable housing development on properties within HPC's jurisdiction  
[HPC worksession on affordable housing amendments.pdf](#)

### V. ADJOURN



## MEMORANDUM

**TO:** Aspen Historic Preservation Commission

**FROM:** Amy Simon, Planning Director  
Ben Anderson, Principal Planner  
Garrett Larimer, Senior Planner

**MEETING DATE:** June 2, 2022

**RE:** Future review process for affordable housing development on properties within HPC's jurisdiction

---

**SUMMARY:** At City Council's direction, Community Development Staff has been engaged in an assessment of residential development policies since December 2021. During this period, a code amendment to make 100% affordable housing developments a permitted use in all residential zone districts, rather than disallowed or requiring rezoning or other measures, has been prioritized. Hand in hand with this change will be a path for affordable housing development more predictable and streamlined so that it will not be discouraged by a time consumptive and unpredictable process.

In conversations with Council and with the public during Community Development's moratorium engagement efforts, staff has heard two comments clearly stated:

- 1) Affordable housing should be allowed and encouraged throughout Aspen.
- 2) Any affordable housing should be consistent with neighborhood scale and character.

Among the approaches being discussed to ensure this outcome, and pertinent to HPC, is that in residential zone districts where many historically designated properties are located (R-6, R-15, R-15A), triplexes and fourplexes (3 and 4-unit multifamily) would be allowed by right if the project otherwise conformed to the underlying dimensional limitations. Though more units would be involved, the dimensional limits (e.g. floor area and height) would remain as they are for single family or duplex. Parking requirements would be assessed as a multi-family development per the existing regulations.

For example, in R-6, the allowable floor area for a duplex on a 6,000 square foot designated lot is 3,600 square feet. Under this change, four units could go be built where there is currently a limit of two – fitting within the 3,600 square foot limit. In Mixed-Use, namely the Main Street Historic District, dimensional limits would not increase, but 100% affordable housing would become the only allowed new residential use, and new free market residential units would not be permitted to be developed.

**PROPOSAL:** Community Development Staff is proposing that 100% affordable housing projects (Category and RO) that are fully compliant with all other aspects of the Land Use Code be reviewed and approved administratively, with some exceptions on designated sites. Currently, on a non-designated site, these developments are reviewed by P&Z with a focus on Growth Management calculations, APCHA livability standards, parking and similar requirements. This function is proposed to be managed entirely at a staff level. Other relevant departments, such as Engineering and Parks, would provide referral comments and trouble-shooting in advance of the permit phase, as they do now. Planning staff would continue to have the role of confirming that the applicable Residential Design Standards are met.

As HPC is aware, affordable housing projects within its jurisdiction are subject to a more detailed design and historic preservation process, including Conceptual and Final Major Development. While Council has been clear that they believe historic preservation review has been essential in maintaining Aspen's historic, cultural, and architectural character in the face of immense pressure to do otherwise, there is a concern with the potential for the HPC guidelines to be an opportunity for some to create obstacles in the development of affordable housing. To respond to Council direction and ensure the maintenance of community character, a new balance between preservation and AH review processes is required. Before proceeding with code amendments, staff has developed a concept for further refinement and HPC input, as described below.

Finalized code language and proposed Ordinances will be reviewed and considered by Council at First Reading on June 14<sup>th</sup> and Second Reading on June 28<sup>th</sup>. It is necessary to complete amendments by the end of June so that their effective date; 30 days later, precedes the end of the moratorium on August 8<sup>th</sup>. Staff, in consultation with an HPC subcommittee, if desired, will work to perfect this language in the next week for Council's review.

**PROPOSED REVIEW PROCESS FOR PROJECTS ON DESIGNATED SITES IN A HISTORIC DISTRICT BUT NOT CONTAINING A HISTORIC RESOURCE; AND FOR DESIGNATED SITES OUTSIDE OF DISTRICTS AND NOT CONTAINING A RESOURCE** (SUCH AS THE VACANT LOT IN A HISTORIC LANDMARK LOT SPLIT):

Administrative Level Review will be conducted for compliance with Growth Management, Credits, Parking, underlying zoning, etc., as well as with a reduced set of design guidelines to include RDS applicable to multi-family, and a small set of HP related guidelines. Concepts in current HP guidelines could be modified/made more quantifiable. Examples of the proposed reduced HP related guidelines are:

Create porosity on the site. Choose from one of the following options: provide a front setback 1.5x the requirement, or provide at least two street-facing usable outdoor spaces such as porches or upper floor decks, or provide a shared outdoor gathering area that has visibility from the street.

Ensure proportions of historic buildings in the district are incorporated in a new structure. Street facing facades of the development shall be demonstrated to include a width x height modulation that directly reflects the street facing elevation of the nearest adjacent historic primary structure.

Design a new structure to be recognized as a product of its time. Consider these three aspects of a new building; form, materials, and fenestration. A project must relate strongly to the designated historic resources on the blockface in at least two of these elements. Departing from

the historic resource in one of these categories allows for creativity and a contemporary design response.

- When choosing to relate to building form, use forms that are similar to the historic resources.
- When choosing to relate to materials, use materials that appear similar in scale and finish to those used historically on adjacent sites and use building materials that contribute to a traditional sense of human scale
- When choosing to relate to fenestration, use windows and doors that are similar in size and shape to those on adjacent sites.

PROPOSED REVIEW PROCESS FOR PROJECTS ON **DESIGNATED SITES CONTAINING A HISTORIC RESOURCE**. THIS PROCESS WILL ONLY BE AVAILABLE IF THE PROPOSAL LEAVES THE HISTORIC RESOURCE FULLY DETACHED FROM ALL NEW CONSTRUCTION AND INCLUDES NO NEW ADDITION TO THE HISTORIC RESOURCE. OTHERWISE, THE ENTIRE PROJECT SHALL BE REVIEWED ACCORDING TO THE APPLICABLE PROCESSES ESTABLISHED IN SECTION 26.415.

HPC will conduct a binding one step review for the following scopes:

- Relocation: HPC may not deny relocation, but will conduct a review to determine the most appropriate siting for the historic structure that accommodates the full allowed development rights for the property. One story elements at least 10' in depth can be within 6' of the historic resource. All elements taller than one story must be at least 10' from the resource on all sides.
- HPC may approve setback variations for the placement of the historic resource. A Floor area bonus cannot be granted.
- Demolition: HPC will review all proposed demolition affecting the historic resource to ensure that only non-historic fabric is removed.
- The applicant will be required to complete all necessary repairs to historic fabric including exterior materials, doors and windows, and must complete up to three restoration actions prioritized by HPC to improve the integrity of the historic resource. Examples might be: re-open an enclosed porch, restore the original design of a street facing window, restore missing details such as decorative porch trim.

Following HPC's review, all other development on the site will proceed through the administrative process described above.

**RECOMMENDATION:** The Commission may approve, approve with specific modifications, or reject the draft language by a motion and vote that will be forwarded to City Council.