



Old Town Zoning Update

DIAGNOSTIC REPORT

Prepared by
Pel-Ona Architects & Urbanists
Peter J. Park City Planning and Design
Metta Urban Design

Together with
City of Louisville

December 16, 2021
DRAFT FOR CITY COUNCIL REVIEW





COLORADO • SINCE 1878

ACKNOWLEDGEMENTS

CONSULTANT TEAM

Pel-Ona Architects & Urbanists

Korkut Onaran, Ph.D., CNU-A, Principal

Ronnie Pelusio, AIA, LEED-AP, Principal

Aly Burkhalter, Associate

Peter J. Park LLC

Peter J. Park, Director / Owner

Metta Urban Design

Samantha Suter, Owner

Alisa Childress, Intern

CITY OF LOUISVILLE

Lisa Ritchie, AICP,
Principal Planner

Kim Bauer,
Historic Preservation Planner

Rob Zuccaro, AICP,
Director of Planning & Building Safety

Amelia Brackett Hogstad, Planning Clerk
and Technician

COMMUNITY PARTNERS

City Council:

Ashley Stolzmann, Mayor

Dennis Maloney, Mayor Pro Tem

Kyle Brown

Caleb Dickenson

Deb Fahey

Chris Leh

Jeff Lipton

Planning Commission:

Steve Brauneis, Chair

Dietrich Hoefner, Vice Chair

Debra Williams, Secretary

Ben Diehl

Keaton Howe

Jeff Moline

Historic Preservation Commission:

Lynda Haley, Chair

Andrea Klemme, Vice Chair

Christine Burg

Gary Dunlap

Keith Keller

Technical Advisory Group:

Matt Berry

Dale Case

Erik Hartronft

Andy Johnson

Peter Stewart

Table of Contents

Introduction	1
1. Community Character	11
2. Equity, Diversity, & Inclusion	27
3. Preservation	39
Summary of Identified Issues	49
Potential Rewrite Tasks	51
Appendix A: Interviews	53
Appendix B: Excerpts from Old Town Overlay Zoning District Regulations	63



Introduction

This chapter explains the Old Town Zoning Update project and why it is happening. It explains the process for the project and the public engagement effort thus far. This chapter also includes a brief synopsis of previous City plans, policies and studies that will inform the analysis and zoning update.

INTRODUCTION

The purpose of this report is to identify issues regarding the zoning regulations that guide the development within Old Town Louisville, shown in the map on the next page. Most of these regulations are stated within Section 17.12.050 and Section 17.12.055 of the Louisville Municipal Code, which set forth regulations specific to the Old Town neighborhood. The diagnostic phase is the first phase of the Old Town Zoning Update project. The issues identified by this report will be prioritized and addressed in the second phase of the project, which is the “rewrite.”

The Zoning Update project is not aimed at revising the community objectives set forth by the already developed policy documents of the City, but identifying mismatches between these objectives and current regulations. Our task within the diagnostic phase has been threefold: (1) public engagement via stakeholder interviews and the “Community Character Survey;” (2) studying the urban fabric; exploring the community character, lot configurations, scale and disposition of both historic buildings and new construction; and (3) critical reading of policy documents and testing of the current regulations. This phase concludes with this Diagnostic Report.

The rewrite phase will prioritize the issues identified by this report and will address them by revising the current regulations. Additional public engagement shall be conducted during the rewrite phase.

WHY NOW

The Old Town regulations were initially adopted in 1995, with minor amendments in 2007 and 2011. Since the original adoption and subsequent amendments, residential development in the Old Town area has increased in volume with scrapes and accompanying new construction, along with additions to existing homes, impacting the neighborhood character.

In this framework, the Old Town Zoning Update project is timely. City Council desires a review of the existing regulations to ensure that new development compliments and does not detract from the historic small town character of Old Town. The purpose of the Old Town Zoning Update effort is to create a code that will provide clear direction and guidance for new development and redevelopment so that the new homes and additions will be compatible with the historical and existing context of the Old Town.

WHAT IS OLD TOWN:

Louisville’s Old Town is a historic residential neighborhood surrounding Downtown with diverse architecture and unique appeal

- Old Town does not include commercial Downtown, the area consisting of the historic commercial core. Old Town is primarily residential and will address issues related to housing.
- The Old Town Overlay has two base zoning districts: Residential Medium density (R-M) and Residential Low density (R-L). The primary difference between them is that R-M allows duplexes and townhomes.

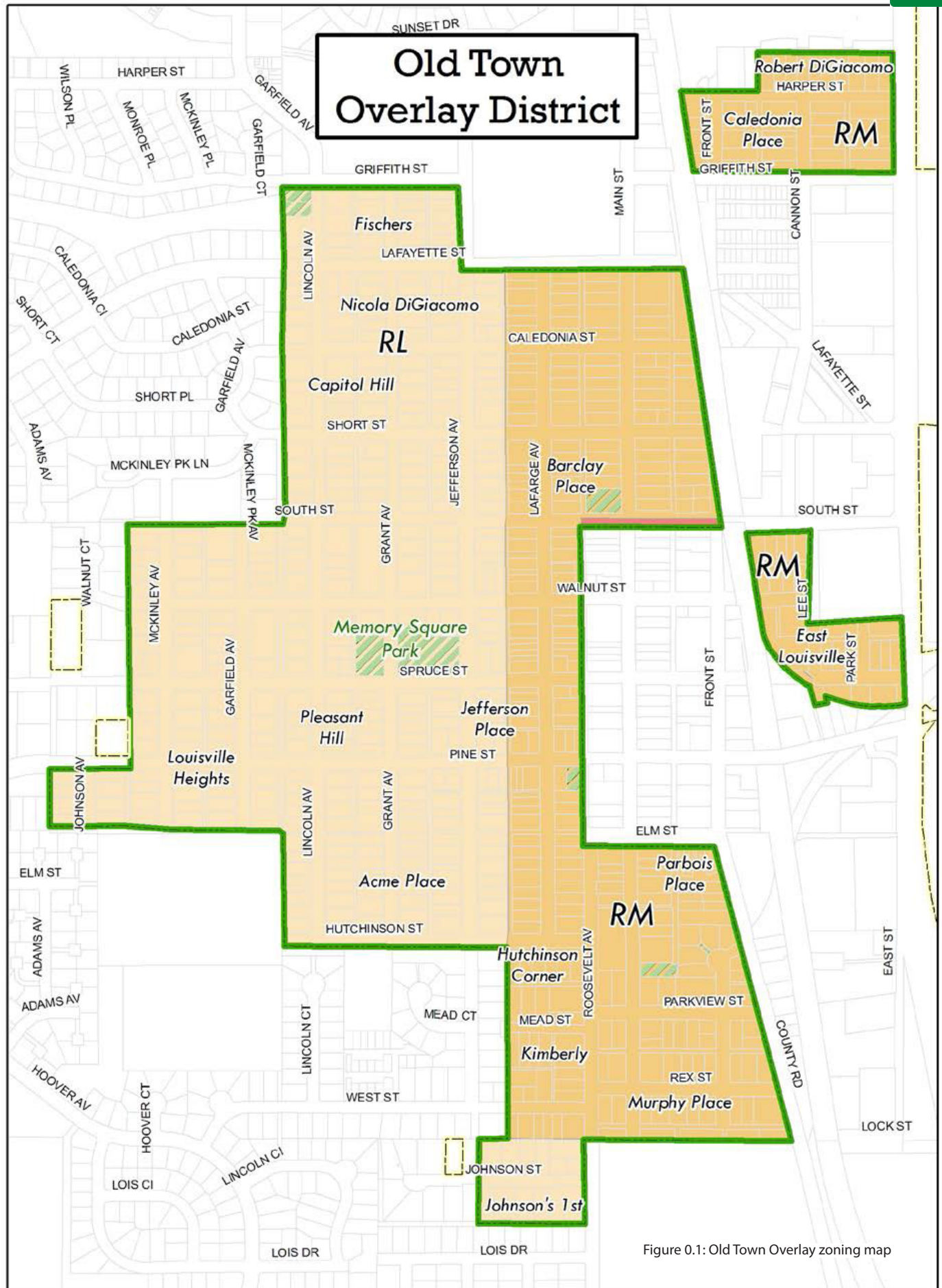


Figure 0.1: Old Town Overlay zoning map

TASKS PERFORMED IN PHASE 1

This document summarizes the findings of a four-month long diagnostic study conducted by the project team which is comprised of the consultants and City staff. The primary objective of the diagnostic phase is to identify issues and challenges regarding the Old Town Overlay zoning regulations. Once these issues and challenges are identified, a list of zoning code rewrite tasks will be developed together with the staff and prioritized together with City leaders.

Identifying issues and challenges with the current code and review processes is a prerequisite for crafting an accurate and reasonable scope for the rewrite. This is the reason why it makes sense to divide the Old Town Zoning Update effort into two phases: the diagnostic phase and the rewrite phase. In order to identify issues and challenges, the project team focused on three aspects of the code: (1) substance, including use, density, form regulations, and other standards and guidelines within the code; (2) process, meaning the way the review processes are structured and executed; (3) and navigation, including accessibility and user-friendliness of the code. Following this framework, the project team conducted three tasks: (1) listening to stakeholders; (2) analyzing the code; and (3) surveying the physical environment.

Listening to the stakeholders

The primary purpose of this task was to understand from the community what elements create the key components of the character of Old Town, and to hear from those who use the code daily or those who have gone through the review process recently to understand how the code and its application might be preventing the realization of the desired character. The project team interviewed residents, developers, architects, and others, as well as Planning and Public Works staff, Planning Commission, Historic Preservation Commission, Equity Diversity and Inclusion (EDI) Task Force, and City Council during the week of August 23, 2021. We heard their descriptions of the desired community character, experiences with the code, opinions about the strengths and weaknesses of particular parts of the code, and of the review process. Key takeaways from the interviews are highlighted in the “What We Heard” section of each chapter. The summary of these interviews is provided in Appendix A.

The consultant team was committed to collecting a full range and diversity of voices, perspectives, and experiences from the community to meet the City’s equity, diversity, and inclusionary goals. To be able to reach and gather feedback from a representation of the community at large, there was an online public engagement campaign on Engage Louisville for the general public to learn about the project and provide feedback. Participants were able to interact in a variety of ways - by submitting photos of what they consider small town character, by completing a written survey with some of the same questions asked during the interviews, and lastly, in-person.

The city recognizes that not everyone has access to or ability to complete online forms; therefore, on August 28, 2021 a public open house and walking tour was held for anyone to attend. At the open house, participants were able to complete the same surveys that were available online. The public walking tour allowed individuals to participate in the photo survey by walking through Old Town with staff and providing

PHASE 1: DIAGNOSIS

Old Town Zoning Update is currently at this stage

Diagnostic work, to include character surveys and building type studies, development of base maps and materials for communications and creation of a diagnostic Old Town Area Analysis report. This phase includes public outreach through the Community Character Survey and walking tour.

PHASE 2: REWRITE

This is an upcoming stage for Old Town Zoning Update

Code Rewrite, to include ordinance graphics, code testing and code writing. Additional public participation options will be announced as we advance to this stage.

ADOPTION OF NEW REGULATIONS

This is an upcoming stage for Old Town Zoning Update

The final phase will result in public review and adoption of new regulations for Old Town area zoning. More details and the final drafts will be provided as we advance to that stage.



The city is undertaking an evaluation of the Old Town neighborhood that may lead to updates to the Old Town neighborhood zoning regulations.

Options for Participation

- 1 Participate in the Photo Survey. Upload your own photos and feedback to share what you think makes the Old Town neighborhood special.
- 2 Participate in the Online Survey. Answer questions about your perceptions and experience of Old Town neighborhood character.

feedback on particular characteristics of Old Town. This input from both online and in-person surveys factored into the production of the Diagnostic Report.

Reading critically the policy documents and testing the code

The project team studied the policy documents and the code and assessed the current regulations against the values and objectives outlined in policy documents including the Comprehensive Plan, the Historic Preservation Master Plan, the Residential Historic Context Report, the Downtown Framework Plan, and the Downtown Design Handbook. The team also applied statistical analysis to the study area to test the impact of certain regulations on variables such as current lot size and building size.

Surveying the physical environment

The project team studied the history of Louisville's development together with the history of code amendments to understand the formation of various building types. The team identified four building prototypes with building forms that are distinct enough to be potentially addressed by different form regulations (more about this in Chapter 1: Community Character). Buildings of these prototypes are mapped to identify patterns and define the diverse community character of Old Town. The project team conducted further analysis to comprehend current lot size, lot width, and front setback, as well as the potential future lot and building sizes as permitted by the code. The project team utilized non-conformity studies to identify dimensional standards within the code that are preventing the regeneration of desired and appreciated neighborhood character.

Chapters of this document focus on three major objectives: Community Character, EDI, and Preservation. Each chapter includes three subheadings: "What We Heard," "What We Observed," and "What the Code Says." "What the Code Says" tests the regulations and identifies issues. These issues, identified at the end of each chapter, are listed again in the "Conclusion."

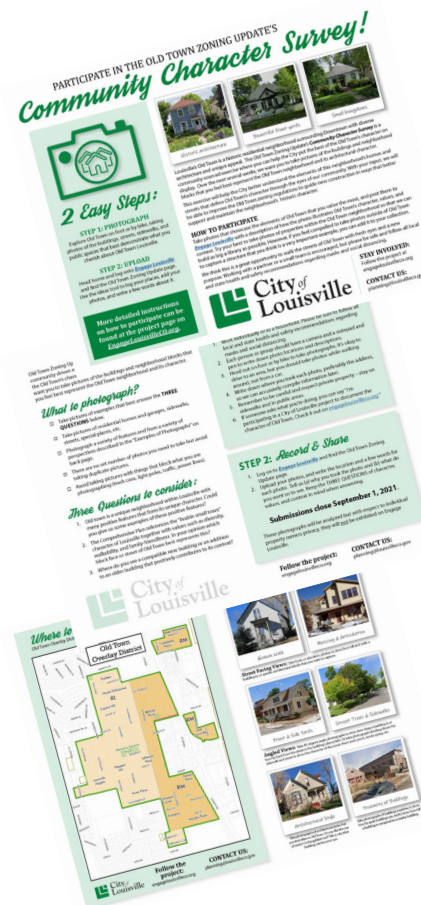


Figure 0.2: Postcard sent out to Louisville residents to encourage them to participate on Engage Louisville.

Figure 0.3-0.5: The Community Character Survey flyer with instructions to complete the photo survey was available for download on Engage Louisville.

POLICY DOCUMENTS & PREVIOUS PLANS

Louisville's values and the goals for the Old Town Overlay is to provide clear direction and guidance for new development and redevelopment that is compatible with existing context. The values Louisville laid out in the City's Comprehensive Plan, the Historic Preservation Master Plan, the Residential Historic Context Report, the Downtown Framework Plan, and the Downtown Design Handbook will form the basis of our approach to ensure consistency with the new code.

COMPREHENSIVE PLAN (2013)

In 2012, the City of Louisville embarked on a plan for the City, captured in a Vision Statement and Core Community Values. The Vision Statement follows:

Established in 1878, the City of Louisville is an inclusive, family-friendly community that manages its continued growth by blending a forward-thinking outlook with a small-town atmosphere which engages its citizenry and provides a walkable community form that enables social interaction. The City strives to preserve and enhance the high quality of life it offers to those who live, work, and spend time in the community. Louisville retains connections to the City's modest mining and agricultural beginnings while continuing to transform into one of the most livable, innovative, and economically diverse communities in the United States. The structure and operation of the City will ensure an open and responsive government which integrates regional cooperation and citizen volunteerism with a broad range of high-quality and cost-effective services.

The vision statement and core values act as a litmus test to predict if the Old Town zoning regulations are upholding the City's policies to create a family-friendly, small-town, walkable community.

HISTORIC PRESERVATION MASTER PLAN (2015)

Louisville's Preservation Master Plan provides a framework for the City's voluntary Historic Preservation Program and serves as a guide for proactive decision-making over the next 20 years. There is a continued sentiment today that more can and needs

to be achieved to allow the program to be embraced by the larger Louisville community. The preservation of historic resources is vital for maintaining Louisville's small town character. The City has placed significant effort in their historic preservation program, and any revisions to the Old Town Overlay should support the goals and objectives of the Historic Preservation Plan.



Figure 0.7: Preservation Master Plan cover

FRAMEWORK PLAN (1999)

The fate of downtown is inter-meshed with the small-town atmosphere of Old



A SENSE OF COMMUNITY

OUR LIVABLE SMALL TOWN FEEL

A HEALTHY, VIBRANT, AND SUSTAINABLE ECONOMY

A CONNECTION TO THE CITY'S HERITAGE

SUSTAINABLE PRACTICES FOR THE ECONOMY, COMMUNITY, AND THE ENVIRONMENT

UNIQUE COMMERCIAL AREAS AND DISTINCTIVE NEIGHBORHOODS

A BALANCED TRANSPORTATION SYSTEM

FAMILIES AND INDIVIDUALS

INTEGRATED OPEN SPACE AND TRAIL NETWORKS

SAFE NEIGHBORHOODS

ECOLOGICAL DIVERSITY

EXCELLENCE IN EDUCATION AND LIFELONG LEARNING

CIVIC PARTICIPATION AND VOLUNTEERISM

OPEN, EFFICIENT AND FISCALLY RESPONSIBLE GOVERNMENT

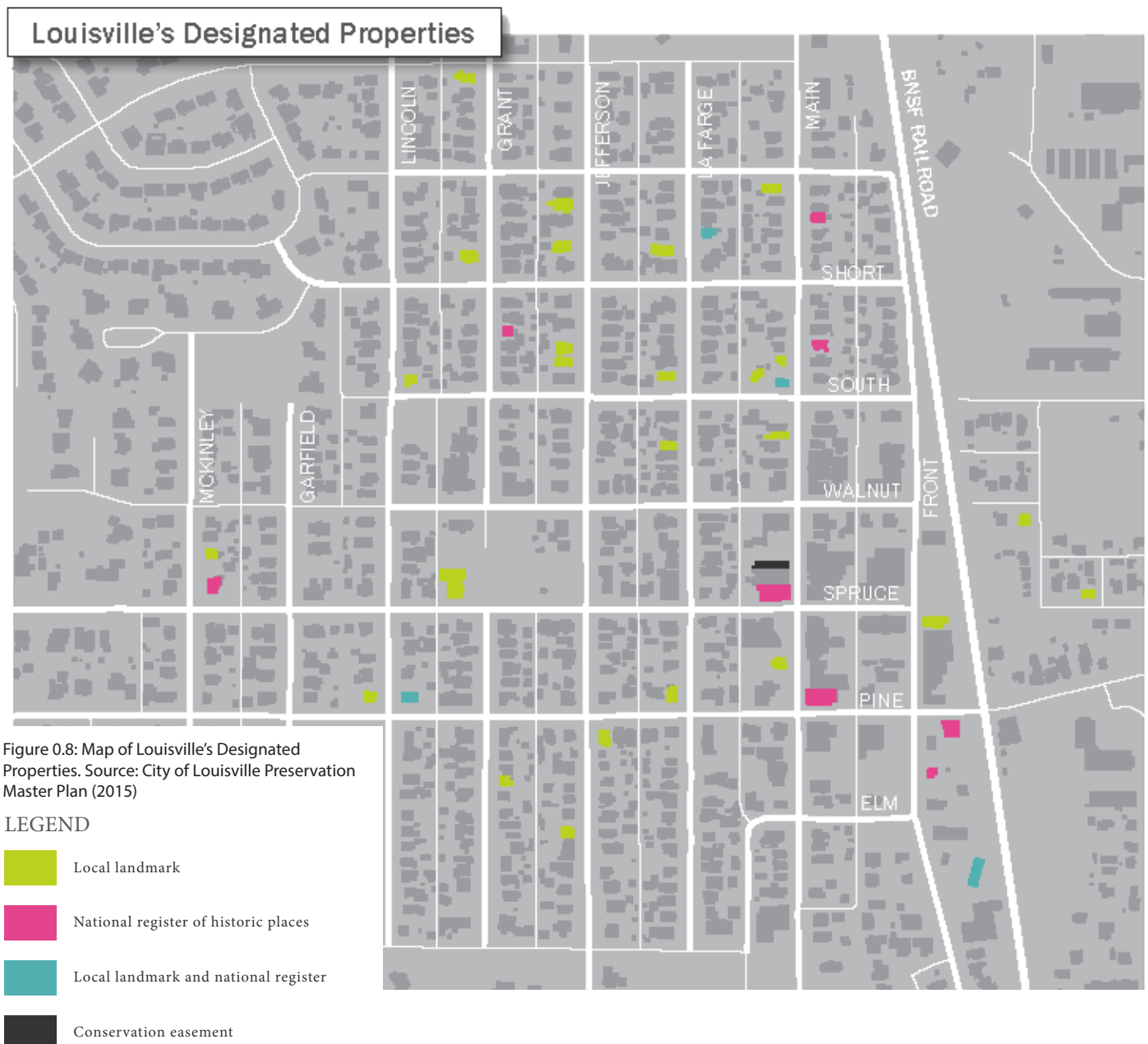
– Core Community Values from City's Comprehensive Plan

Figure 0.6: Comprehensive Plan cover



Town, so although they are very different in residential and commercial character, the two areas must be discussed in tandem. In response to several changes in the downtown and surrounding area, the City established a clear vision for the role of downtown in the larger community and region, related to quality of life, development, architectural design, parking and traffic. This 1999 plan highlights that interest in redevelopment of the historic downtown core area has increased along with the growth occurring in the surrounding commercial districts. A few of the primary issues the plan identified are as follows:

- Development Vision: A lack of development vision pointing to demolition of existing structures leading to erosion of the pedestrian experience
- Balancing Traditions With New Development: How the city can maintain historic character and balance livability issues
- Preservation of Historic Resources: Raised awareness of the need to ensure



that new development, redevelopment, and restoration are in keeping with the historic scale and character of the downtown area

- Zoning Restrictions: The lack of comprehensive zoning and design regulations to ensure that downtown character is maintained is of great concern.

DOWNTOWN DESIGN HANDBOOK (1998)

The design handbook was developed in conjunction with the Framework Plan. The Downtown Design Handbook and Framework Plan were a joint effort to “generate strategies to identify downtown’s character and to promote sound urban design standards and guidelines to enhance the existing fabric and help ensure a continued sense of place.”

The Handbook provides a strong foundation to the basic principles of design and language to be used when discussing compatible design for the Old Town Zoning Update. Basic principles of design include 1) keep it simple; 2) relate to traditional buildings in the area; 3) use the entire building front as your image; 4) develop a clear presentation to the street; and 5) if the building is an older “traditional” building, respect its earlier character. The Downtown Design Handbook has several policies for compatible new construction and additions (see figure left) that should be considered for Old Town.

RESIDENTIAL HISTORIC CONTEXT REPORT (2018)

The Residential Historic Context Report, “Stories in Places: Putting Louisville’s Residential Development in Context”, was prepared to help the City understand its residential development from the time of Louisville’s founding in 1878 to the present day. The historic context report was one of the goals of the 2015 Preservation Master Plan. This report provided a narrative for understanding Old Town’s history and identity, especially regarding architectural patterning, outbuildings, and relocated homes.

Louisville’s housing stock shows that personal taste, availability of building materials, and other local factors led to the construction of houses with specific styles or stylistic elements after the end of their traditional period. While Louisville was a coal-mining town, its immigrants of diverse ethnicities generally constructed their own houses according to their needs, resources, and personal tastes. Some of Louisville’s historical subdivisions exhibit trends towards larger, fancier houses or, alternatively, towards smaller, plainer houses. However, most subdivisions exhibit a combination of these, suggesting that Louisville was a relatively integrated city, despite its ethnically and socio-economically diverse inhabitants. Key periods of historical development were from the 1880s to 1918 and the 1970s to present. The following page discusses more about the key characteristics of historic subdivisions.

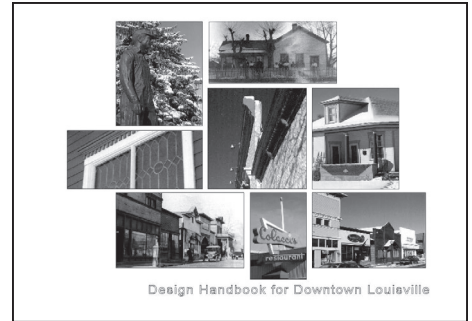


Figure 0.9: Design Handbook for Downtown Louisville cover

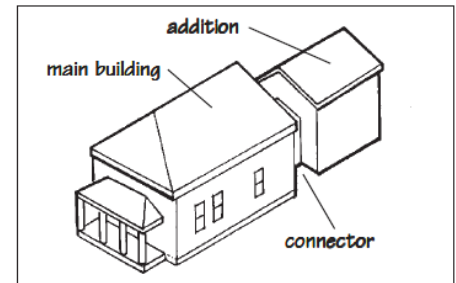
ADDITIONS TO BUILDINGS

Policy: New Additions

When planning an addition to a building, consider the effect the addition will have on the building itself. Also, an addition, if inappropriately designed, can significantly affect the character of downtown. Therefore, avoid introducing or continuing building traditions that are inconsistent with buildings seen traditionally downtown.

G38. Design an addition to a building such that it will not diminish the character of building traditions in downtown.

- 1) An addition should be an asset to the building, enhancing its overall character.



✓ An addition should be compatible in size and scale with the main building. This residential addition is separated from the main building with a connector.

Figure 0.10: Excerpt from Downtown Design Handbook

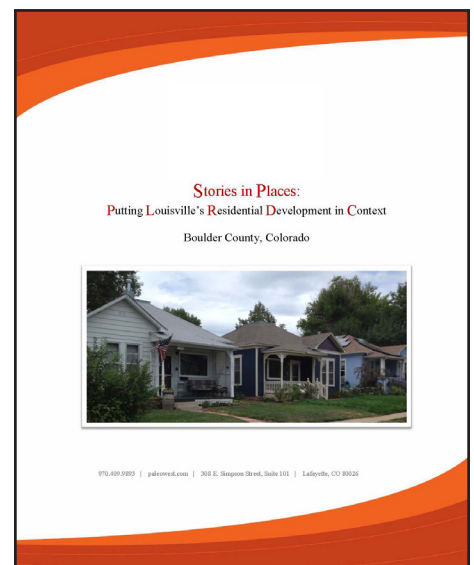


Figure 0.11: Residential Historic Context Report cover



HISTORIC SUBDIVISIONS

Notes are from Stories in Places in the residential patterning section.

Caledonia Place- the largest historical subdivision, has seen widespread destruction of historic housing

Nicola Di Giacomo- contains abundant two-story New Traditional infill development

Capitol Hill Addition- contains the largest number of early 20th century classic cottages

Barclay- retains strong sense of original character

Louisville Heights- contains largest concentration of bungalows and minimal traditional houses

Pleasant Hill Addition- one of the most intact historical neighborhoods, contains many original 19th century homes

Jefferson Place- retains the largest number of architecturally recognizable homes

Johnson's Addition- has seen nearly complete remodeling and redevelopment

East Louisville- was historically and remains an economically modest area, some redevelopment has occurred

Acme Place- contains the largest concentration of 21st century modern style houses within historical Louisville

Parbois Place- contains abundant 1990s era infill

Kimberly Addition- few historical houses remain, most replaced by infill from the 1990s and later

Murphy Place- contains examples of two-story infill houses, many in New Traditional style

Corrigan Addition- only neighborhood to retain all of its historic houses.

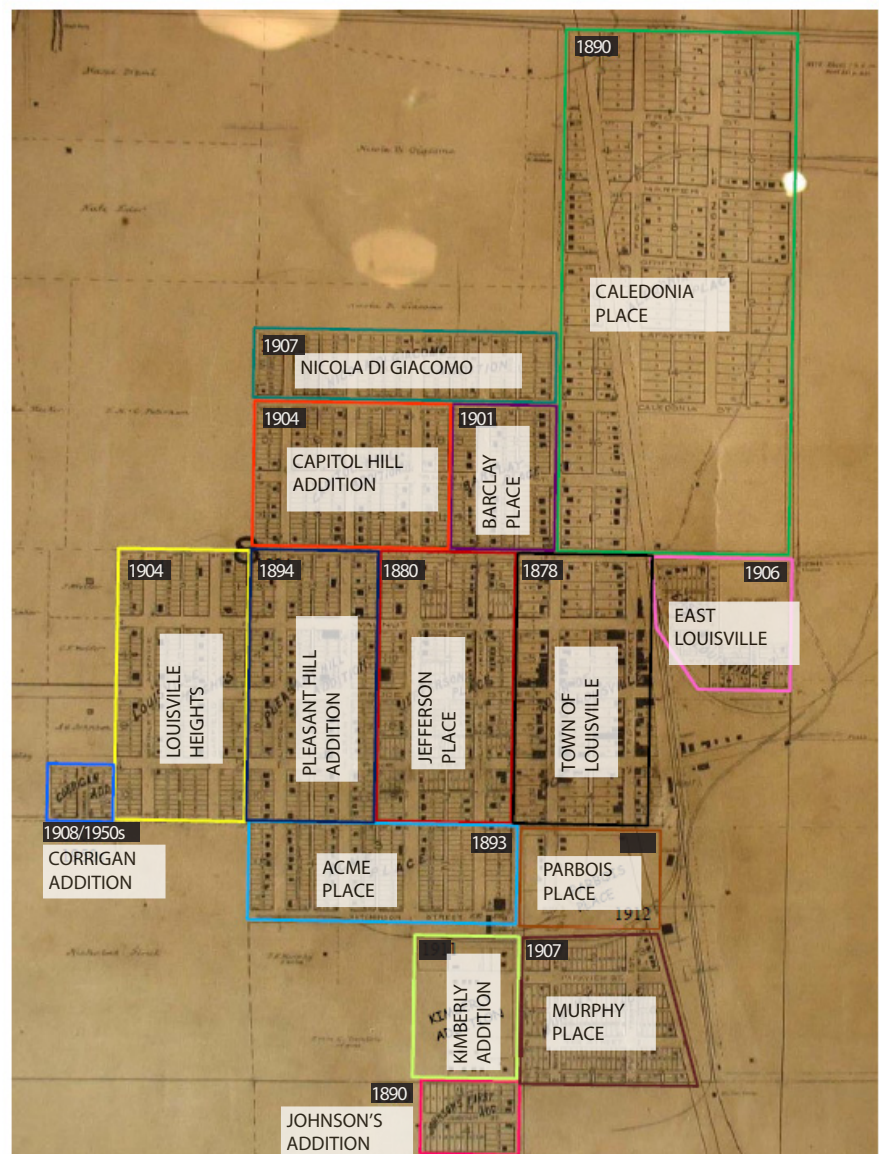


Figure 0.12: Map of Louisville subdivisions established between 1878 and 1912, from Stories in Places: Putting Louisville's Residential Development in Context, prepared by PaleoWest Archaeology



1. Community Character

This chapter focuses on “What We heard,” “What We Have Observed,” and “What the Code Says” about the community character:

What we heard: The primary elements of the unique small town character of Old Town Louisville are diversity, family-friendliness, walkability, modest and small scale of historic cottages, building presence along the sidewalks, and presence of porches placed close to sidewalk.

What we observed: The diversity can be defined as the balanced togetherness of four building types the team has identified. This implies and works together with the diversity of lot and building sizes.

What the code says: While the code has standards that relate to varying lot width and lot size, it does not have standards related to the current diversity of size and building prototype necessary to generate the desired character. The code doesn't permit the creation of new small lots and doesn't readily allow the creation of existing building prototypes.



WHAT WE HEARD

During the stakeholder interviews, we asked what “livable small town” character of Louisville meant to them and which areas of Old Town best represented this. Most replies underlined the diversity of Old town. Diversity of building characters, sizes and users were highlighted. Walkability, family friendliness, the presence of buildings along sidewalks, modest small cottages, porches placed close to sidewalks were among other characteristics mentioned. Some see Old Town as “a mix of characteristics, such as Little Italy versus the area by Community Park”.

In terms of locations, even though there wasn’t a single block or street most highlighted by the replies, blocks around LaFarge, Lincoln, Grant and around Memory Square Park were among the most mentioned. Some pointed out that there are smaller lots and buildings, such as the 900 block of LaFarge which has more of the vernacular heritage of Louisville, as well as larger lots and buildings found in the Capitol Hill subdivision which was originally developed by more of the mining supervisors.

We were also informed about the Italian immigrant heritage of the area. The significance of this heritage is the compound lot layouts with multiple buildings, including the small back-buildings rented to bachelors or workers whose families still live in Italy. Another important lesson of the heritage is that Old Town accommodated almost a self-sufficient life style all the way to the mid-1950s with consumption patterns very different from the rest of the country.

There was a diversity of opinions in responses as well. For some, “small town” means small houses. They don’t see anything aesthetically wrong with the new houses built - they are mostly beautiful - but they don’t represent the small town character. For others “small town character” exists where people see other people; where there is life on streets. These participants were the ones who mentioned areas around Memory Square Park and La Farge the most.

There was a general consensus about the value of porches and houses that

There is more diversity in Old Town than what most people think.

-Stakeholder Interviewee

Where do you see a compatible new building or an addition to an older building that positively contributes to its context?

Where they have proof of life, good front porches, but transition back to private space.

-Stakeholder Interviewee



Figure 1.1: Buildings placed close to the sidewalk with ample porches, detached sidewalks, street trees, and on-street parking create an appealing walking environment.



Figure 1.2: “Facing the street” for a house means creating a strong connection between the social parts of the house (kitchen, dining, and living rooms) and the sidewalk.



Figure 1.3: Cover of Fall 2008 issue 80 of the Louisville Historian. More information about LaFarge can be found in the full issue at this [link](#).

are located close to the sidewalk, an aspect that encourages neighborly interaction; “it feels more inviting for conversations between neighbors.” Front porches, landscaping, and street trees were mentioned often as key ingredients to what makes Old Town liveable, walkable, and family-friendly. Some participants explained that they weren’t against big homes, but were more concerned about when big homes meant little landscaping or lack of a streetscape.



Figure 1.4-1.9: Porches were mentioned often during our interviews. Even though there are some single story cottages in Old Town with no porches, they are typical. They reduce the massing of the larger buildings and relate to the pedestrian scale.



WHAT WE OBSERVED

Old Town Louisville has a diverse set of building forms that work together to create a unique character. Even though some blocks on certain streets accommodate smaller buildings in higher frequencies than other blocks, it is the mixture of these sizes that define the character.

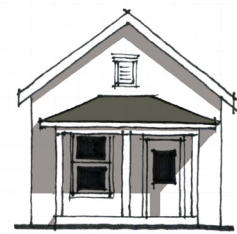
After studying the area we identified four distinct building prototypes that, we believe, can provide important clues in figuring out how to approach to the rewrite task. The guiding principle these four prototypes imply is that they need to be addressed differently; one set of rules cannot be applied to all four prototypes, if the character of Old Town Louisville is to be preserved and enhanced for the future generations.

These four prototypes are: (A) Single-Story Old Town Cottage, (B) Single-Story Old Town Cottage with Attic Rooms, (C) One-and-a-Half-Story Cottage, and (D) Full Two-Story Building. A map of how these four prototypes are distributed around Old Town is provided on the next page with zoom-in maps on the following pages. A description of each prototype follows.

Often lots accommodate more than one of these prototypes. For instance, a single-story cottage on the front and a higher building at the back or middle of the lot is common. In our analysis, we have focused on the building presence as it is perceived from the sidewalk, since it is the view from the public that matters the most for the zoning code. The prototypes are mapped accordingly. In some cases where the rear buildings face a side street and have more than a garage, such as an ancillary unit or a workshop, we have identified the prototypes of the front buildings and rear buildings separately. In most other cases the back buildings are colored gray to indicate “ancillary back buildings.”

Also, there are certain buildings—foreground civic buildings, such as churches, community buildings, etc.—that do not fit any of the four building form prototypes. These buildings are rendered as “unusual structures.” Some of the more recent buildings with split levels or unusual roof forms are also mapped within this category. It is important to emphasize here that the focus on this analysis is not the use but the form of the building. As such, what is significant is not that a building is used as a church but that it has a church form, even if it is used as a residential dwelling.

The description and a brief discussion of each of these prototypes are provided in the following pages. Even though the maps show that the smaller prototypes are in the majority, it is the mix of these prototypes that defines the character of the urban form within Old Town Louisville.



Type A

Single-Story Old Town Cottage



Type B

Old Town Cottage with Attic Rooms



Type C

One-and-a-Half-Story Cottage



Type D

Full Two-Story Building

Figure 1.10-13: Icons for each of the four distinct building prototypes



Figure 1.14: Map of Old Town area with prototypes

LEGEND

- Type A:
Single-Story Old Town Cottage
- Type B:
Old Town Cottage with Attic Rooms
- Type C:
One-and-a-Half Story Cottage
- Type D:
Full Two-Story Building
- Unusual structures
- Accessory back buildings



200 0 200 400





Figure 1.15: Zoom-in of Map of Old Town area with prototypes

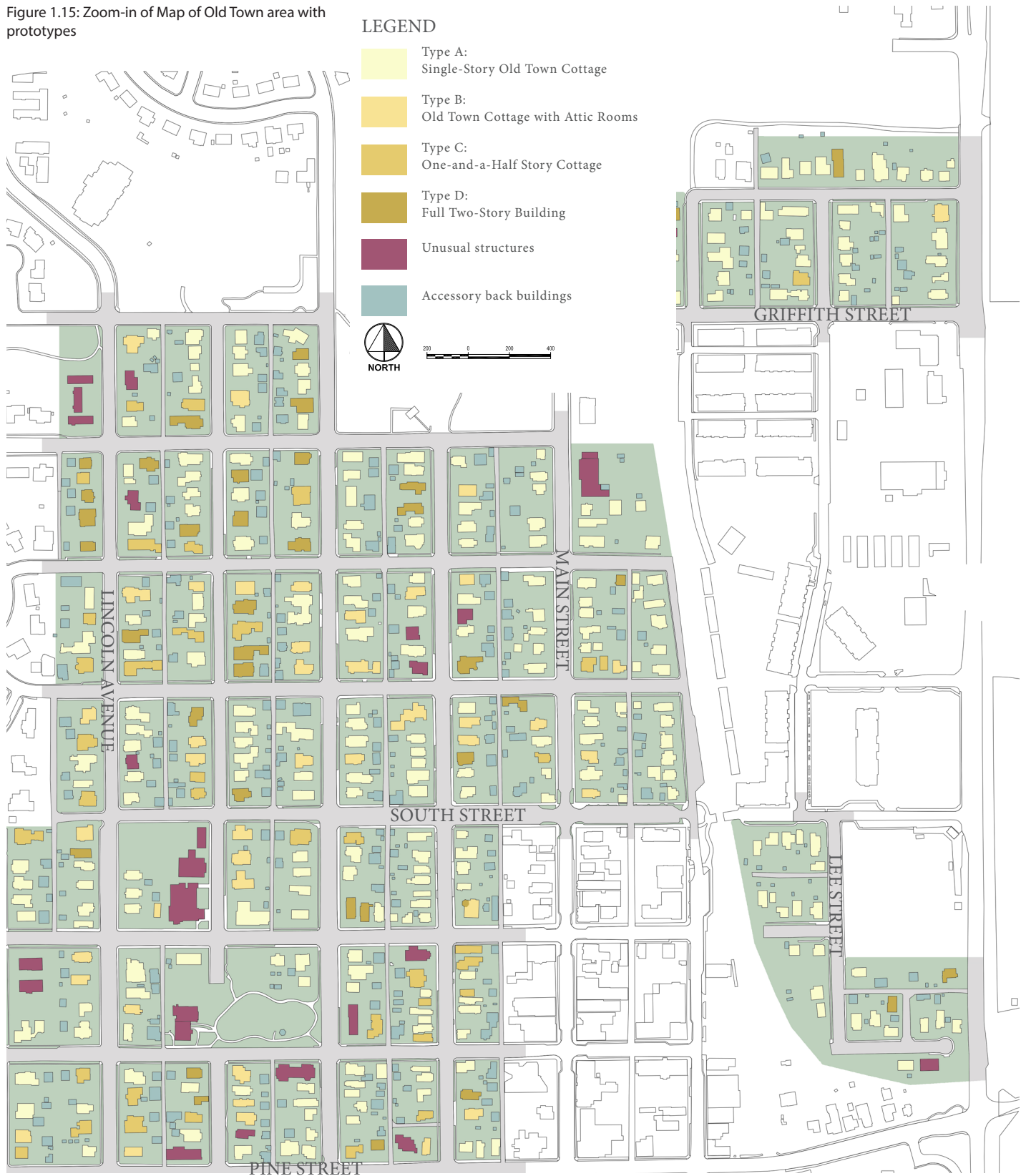
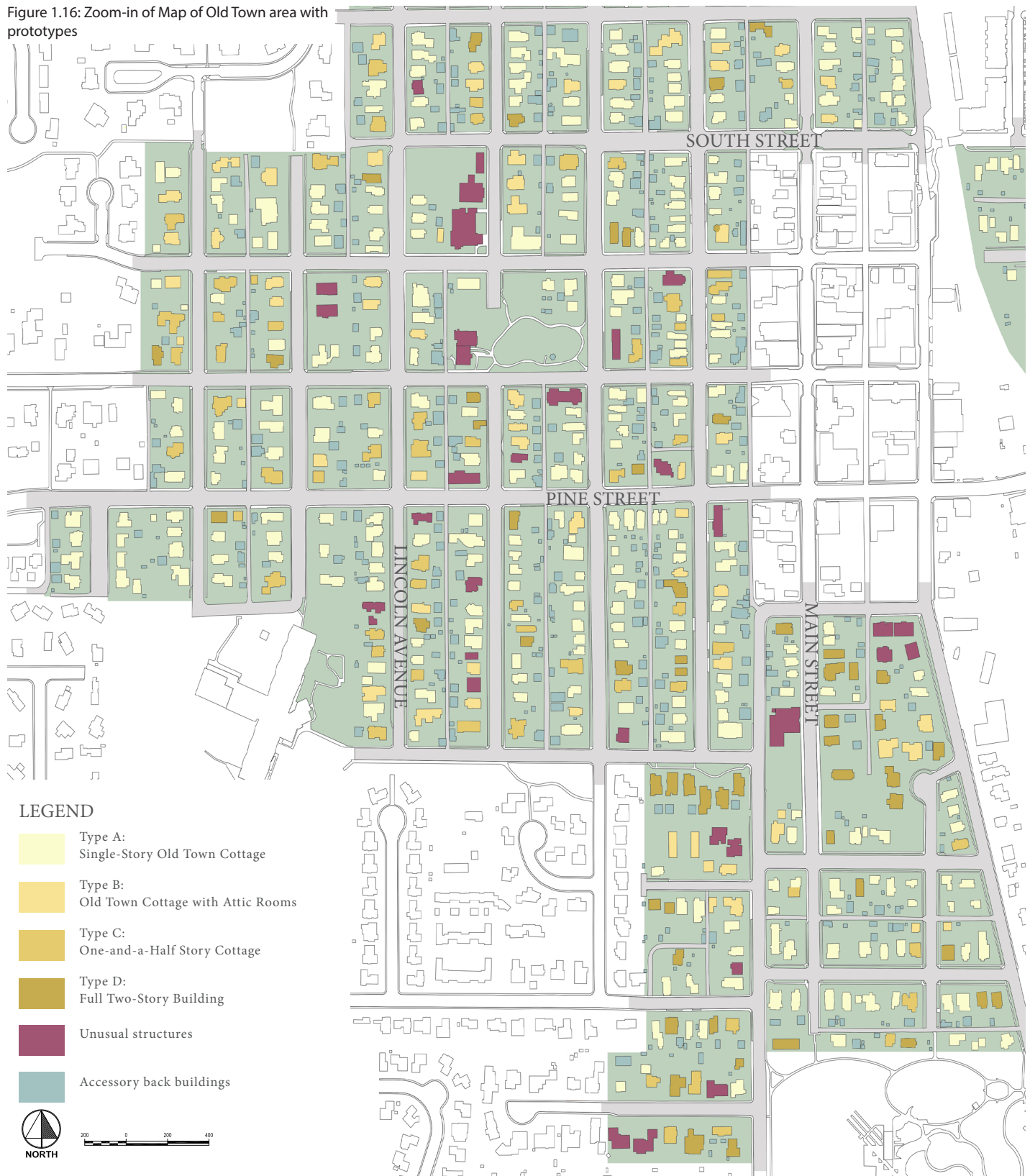




Figure 1.16: Zoom-in of Map of Old Town area with prototypes





TYPE A: SINGLE-STORY OLD TOWN COTTAGE

As the name suggests, the Single-Story Cottage is a small structure with modest architectural expression. It is the most frequent building prototype within Old Town. The mostly self-sufficient and modest lifestyle of the miners who created mini-compounds on their lots (lots with multiple detached structures) resulted in a unique urban fabric with small buildings. Especially on the blocks close to Main Street, these cottages have limited floor areas (600 - 1200 square feet) and they are located on smaller lots (2500 - 4000 square feet). Many of these buildings have narrow footprints (12- 16 feet width is frequent). Buildings located close to the sidewalk are common. Even though porches, however modest, are frequent, there are examples with no porches as well. Especially on the blocks to the west, larger lots with larger footprints with deeper setbacks are also common. These are still single-story with a modest architectural expression, and with a cottage feel.



Figure 1.17: Photo examples from Old Town of Type A: Single Story Old Town Cottages



TYPE B: OLD TOWN COTTAGE WITH ATTIC ROOMS



Single-Story Cottage with Attic Rooms accommodates a limited second story within the attic. This prototype is very common within Old Town. To create a livable second story within the attic, steep roof pitches are employed (such as 10/12 or 12/12 slopes) together with wider footprints (22 - 32 feet are common). Buildings of this prototype are usually modest with limited architectural articulation and ornamentation. However, they are usually well-articulated in terms of building massing. Larger buildings within this prototype increase the amount of second floor area by employing dormers in various forms and sizes. Porches are common and many are well-sized (100 – 160 square feet are frequent). There are also a few examples of this prototype with two-story towers with limited footprint.



Figure 1.18: Photo examples from Old Town of Type B: Old Town cottage with attic rooms



TYPE C: ONE-AND-A-HALF STORY COTTAGE

A half story is a common tool used in many recent innovative zoning codes. It refers to a pattern employed in many traditional buildings: lowering the upper floor plate height of the exterior wall along the majority of the periphery. This prototype employs a half-story on the second floor. To accommodate a reasonable living space on the second floor the roof slopes and provides a higher ceiling as one moves away from the exterior walls. To increase the liveable area on the second floor dormers are employed, usually at the same plane with the exterior walls. Even though exterior wall plate heights of 5 or 6 feet are common in Old Town, there are examples where the plate height goes as low as 3 or 4 feet, making the demarcation line between this (C) and previous (B) prototype narrower.



Figure 1.19: Photo examples from Old Town of Type C: One-and-a-half story cottage



TYPE D: FULL TWO-STORY BUILDING



Full two story building employs the standard 8 or 9 feet plate height on the second floor exterior wall, with plates higher than 9 feet rare. “Four-square” (a hip roof with continuous eaves) or gable roof building forms are most common. Porches are common and play an important role in bringing the building’s scale down to a single-story scale. Buildings of this prototype are the least frequent within Old Town. Even though historic examples are rare, historic documents show us that they nevertheless existed throughout Old Town’s history. It is important to note however, that the historic examples usually have limited widths (26 feet or less) resulting in a more slender presence. Many of the existing full two story buildings were constructed more recently with wider footprints. One may claim these newer forms create incompatible building massing when employed among buildings that are more modestly scaled.



Figure 1.20: Photo examples from Old Town of Type D: full two-story building



WHAT THE CODE SAYS

The most significant observation about how the current Old Town Overlay Zoning District Regulations address the community character is that there is one set of bulk regulations for all building prototypes. While the code has standards that relate to varying lot width and lot size for lot coverage, floor area ratio and side setbacks, it does not have standards related to desired neighborhood character. One set of underlying R-M and R-L zone districts lot size and lot frontage regulations and one set of bulk regulations for front yard setbacks and height cannot generate the kind of lot configuration and building diversity that defines Old Town's unique character.

The current regulations state lot size and lot frontage minimums for new lots; a minimum of 60 feet lot frontage and 7000 square feet size within R-M zone district and a minimum of 70 feet lot frontage and 7000 square feet size within R-L zone district. As the “non-conforming lot sizes” and “non-conforming lot frontages” maps presented on next two pages indicate, there are many lots within Old Town with smaller frontages and sizes. Even though the current regulations recognize the presence of these lots by providing certain development rights on them, they don't permit creation of new lots with smaller frontages and sizes. In other words, the current regulations do not permit the creation of the current lot size mix we observe within Old Town.

In order to study the lot sizes, lot frontages, and building front setbacks, the project team picked two six-block sample study areas: one along LaFarge Avenue east of Memory Square Park, the other is along Lincoln Avenue, west of Memory Square Park. Both of these areas are among the most mentioned during our interviews as areas best representing the “unique small town character of Louisville” (see Figure 1.22-24).

Historically there was a higher concentration of miner cottages along LaFarge, and properties within this area maintained the original smaller lots with smaller frontages. The maps of the area along Lincoln tells us that lots with smaller frontages and sizes are common in other areas as well. As a matter of fact, the lot size table presented on the left indicates that more than half of the lots within Old Town Louisville are smaller than the 7000 square feet minimum the current regulations require. Note also that 10% of



Figure 1.21: A view of cottages that are located close to the sidewalk along LaFarge Avenue.

Figure 1.22: Map of study area with non-conforming lot sizes



Smallest lot:	762 sf
10%	< 4046 sf
20%	< 5344 sf
30%	< 6068 sf
40%	< 6258 sf
50%	< 6515 sf
60%	< 7347 sf
70%	< 7928 sf
80%	< 9087 sf
90%	< 10223 sf
Largest lot:	52398 sf

Table 1.1: Lot sizes in Old Town listed in percentiles.

the lots (65 of them) are smaller than 4,046 square feet. The point is that this mixture of small and large lots is one of the important attributes of Old Town's unique character.

The original subdivision plats for Old Town established lots that do not meet current lot size and lot width standards. The code currently states that if adjacent lots are held in common ownership, they cannot be developed under the original platted lot sizes. If there appears a market for larger houses on larger lots, the code does not prohibit consolidation of properties into larger lots. Considering that the same regulations don't allow smaller lots, such transformation may change the Old Town character significantly.

The last pair of maps (on the next page) show buildings with front setbacks smaller than the 20 feet minimum required by the current code. Even though the code permits front setbacks that are smaller than 20 feet if the neighboring buildings have small setbacks, this is the exception not the rule. If buildings on several lots were damaged, say by a fire, the current regulations are not able to regenerate the kind of diversity that defines the unique small town character of Old Town Louisville.



Figure 1.23: Map of study area with non-conforming lot widths



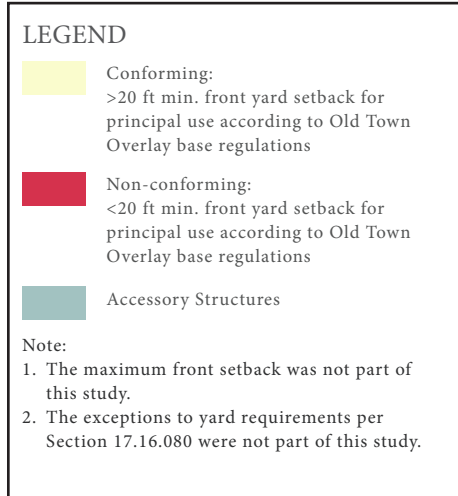
There are a few other coding tools beyond the lot sizes and setbacks that are identified as items to be explored during the rewrite phase. These are height and lot coverage restrictions and lack of porch requirements.

The current height requirement, which is a uniformly applied 27 feet maximum, is an example of a one size fits all approach and does not address the complexities of the four prototypes. It forces designers to use lower pitches (just enough to be higher than the required 6/12) and may create awkward building forms if a full two story building is desired.

The lot coverage definition is confusing and it encourages neither large footprints with single stories, nor employment of covered porches. As mentioned above in the “What We Heard” section, porches are an important character defining element. They play an important role in bringing down the building’s scale and help the four prototypes create a harmonious ensemble. In spite of all this, the current code has no measures for encouraging or requiring porches.



Figure 1.24: Map of study area with non-conforming front setbacks





2 ● Equity, Diversity, & Inclusion

This chapter explains how the City's goals for equity, diversity, and inclusion extend to the built environment and influence the Old Town Zoning update effort, and how what was heard from the public regarding these goals could effect the scope of the rewrite task.

What we heard: Increasing housing prices and size make it difficult to achieve the City's goals for equity, diversity, and inclusion because of the lack of affordability and diversity of housing options.

What we observed: We observed a lot of single story, small lot and buildings. Although Old Town buildings are diverse, they can be grouped into four prototypes described in the chapter. We also observed that recent development are predominantly on larger lots with larger buildings.

What the code says: The code permits exceptionally large buildings on large lots, but prohibits new small lots and reduces opportunities for new small buildings.



WHAT WE HEARD

Although the Comprehensive Plan does not emphasize the terms equity, diversity, and inclusion as priority community objectives, these have been identified as important recent objectives of the City, and a new community-based Equity, Diversity & Inclusion (EDI) Task Force has been formed to explore these issues. Therefore, all interview participants, including members of the EDI Task Force, were asked how they interpret these terms and if certain current regulations prevent or make it difficult to achieve these objectives.

The most common response for the challenge in achieving equity, diversity, and inclusion was increasing property prices and the market's effect on homogenization of the demographics that pushes out lower income segments. Many wondered if the code update can change anything about this trend. After all, prices increase because of regional housing market and demands. But some others mentioned that the minimum lot size and frontage restrictions of the current code decreases the affordability within Old Town, which does not align with the City's goals for equity, diversity, and inclusion. They also mentioned that new construction within Old Town is primarily large homes, unlike the many small cottages constructed in the past, and the lack of housing diversity leads to a lack of diversity in demographics. A few participants contrasted the modest lifestyles within the small cottages (something that has evolved through past generations as Old Town's life style), with the lifestyle in the recent new modern houses; they expressed that this kind of change is encouraging a more exclusionist attitude, which previously has been foreign in Old Town Louisville.

The general consensus was that affordability and economic diversity could be addressed through increasing the diversity of housing types. Some participants noted that previous efforts for duplexes or multiple dwelling units was considered unfavorable due to concerns about overcrowding and density, as well as a general misunderstanding that the base R-M base district for parts of Old Town already allows for these uses.

Many comments suggested allowing Accessory Dwelling Units (ADUs), citing that it would keep with the history of the "batch." "Batch" or "bach" (short for bachelor) refers to a small structure inhabited by a single miner or a small group of miners. Louisville has a rich history of back buildings, located in the rear yard of homes in Old Town. Some suggested second floor units above detached garages, or granny flats. One participant suggested that "nothing should be off the table but rather we should allow a wide range of options".

If you want to make Louisville affordable, you have to look at restrictions that come at the expense of less houses. Do things to increase supply.

-Stakeholder Interviewee

Its not the code itself, it's the price of houses. The code doesn't contribute to that, but the market.

-Stakeholder Interviewee



Water Tap Fees

Even though it is outside the scope of the zoning code update, an interesting factor to affordability that was mentioned was water tap fees. Even though water is an important resource and it is reasonable to charge a fair price, charging a fee per single-family house, no matter how small or large it is, encourages builders to build larger houses.



Figure 2.3: Cover of Fall 2020 issue 128 of the Louisville Historian. Find more information about this part of Louisville's "Batch" history in the full issue available at this [link](#).

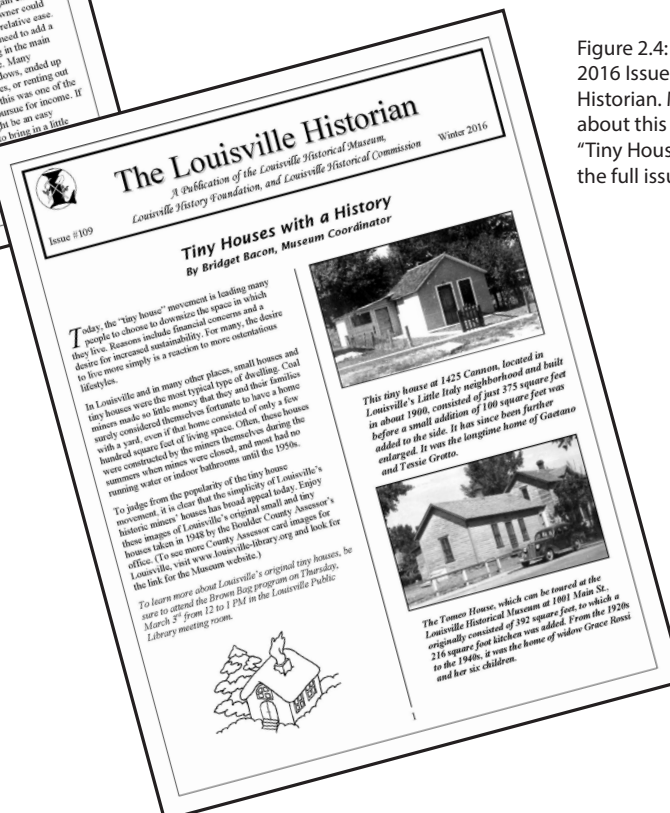


Figure 2.4: Cover of Winter 2016 Issue 109 of the Louisville Historian. More information about this part of Louisville's "Tiny House" history available in the full issue at this [link](#).



WHAT WE OBSERVED

The building size distribution within Old Town is diverse. As the building prototype analysis indicates (maps on pages 15, 16, and 17) the single story cottages are the most frequent building type. This observation matches the building size distribution shown in Table 2.1, which indicates that 30% of the lots accommodate less than 1044 square feet of total floor area, and half of the lots have less than 1334 square feet of total floor area. The chart below (Figure 2.5) shows total floor area per lot. Many of the lots within Old Town have multiple structures, which means that many of the principle buildings are even smaller than the total in the chart below.

The implication of this observation is the following conclusion: Old Town still provides a wide variety of price options including more attainable smaller units on smaller lots. To a degree, the modest and self-sufficient life style that carried through Old Town's history still have traces within the neighborhood. However, the recent trends point to a direction that are observed in many Front Range communities: as the property values go up, the old established neighborhoods attract those who can afford and expect larger and more expensive living arrangements. When studying the new developments within last twenty years, the average total floor areas on lots has been increasing (see figure below). Even though the current median for the Old Town is 1334 square feet, last twenty years' median size is 2270 square feet. This indicates that if this trend continues, the kind of diversity observed today in the Old Town in terms of sizes and prices will continue to decrease. This will be reflected in demographics: the population will be increasingly more homogenized, wealthier, and therefore, more exclusive. Obviously, this trend suggests a challenge in terms of City's objectives of equity, diversity, and inclusion.

It is important to ask to what extent this trend has been guided by the housing

Table 2.1: Total building floor areas on the lots within Old Town Louisville listed in percentiles.

Smallest floor area:	270 sf
10%	< 810 sf
20%	< 918 sf
30%	< 1044 sf
40%	< 1134 sf
50%	< 1334 sf
60%	< 1540 sf
70%	< 1808 sf
80%	< 2210 sf
90%	< 2592 sf
95%	< 2979 sf
Largest floor area:	5184 sf

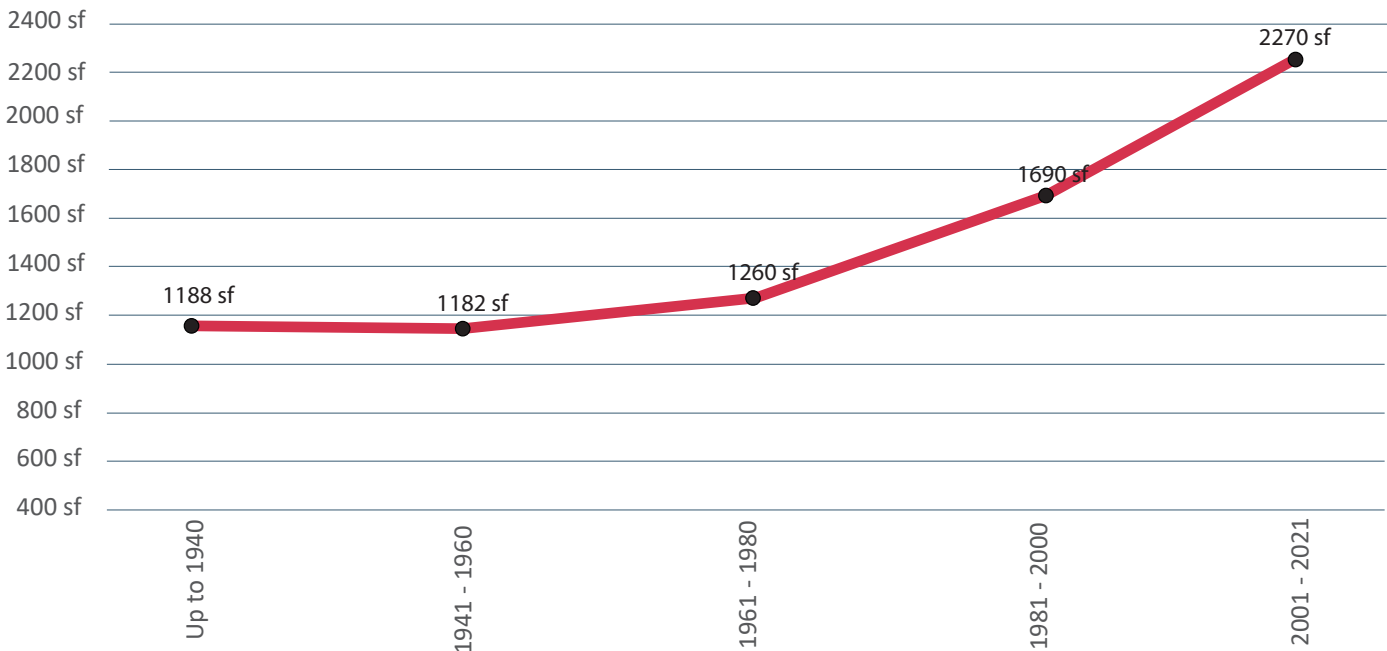


Figure 2.5: A chart of median total building floor areas on lots within twenty year time periods



market and growth patterns within Denver Metropolitan Area regionally and to what extent the current regulations play a role. The focus needs to be on the second part of the question.

On the next three pages are maps reflecting the lot size distribution (Figure 2.7), lot size by zoning category (Figure 2.8), total floor area per lot distribution (Figure 2.9), and the year of construction (Figure 2.10), respectively. Comparing these maps with each other is insightful. Especially when we compare the floor area size map with age map, we observe that the darker lots match closely on both maps, indicating that recently constructed buildings tend to be the larger ones. This matches the information we have discussed above regarding the Table 2.1 and Figure 2.5.

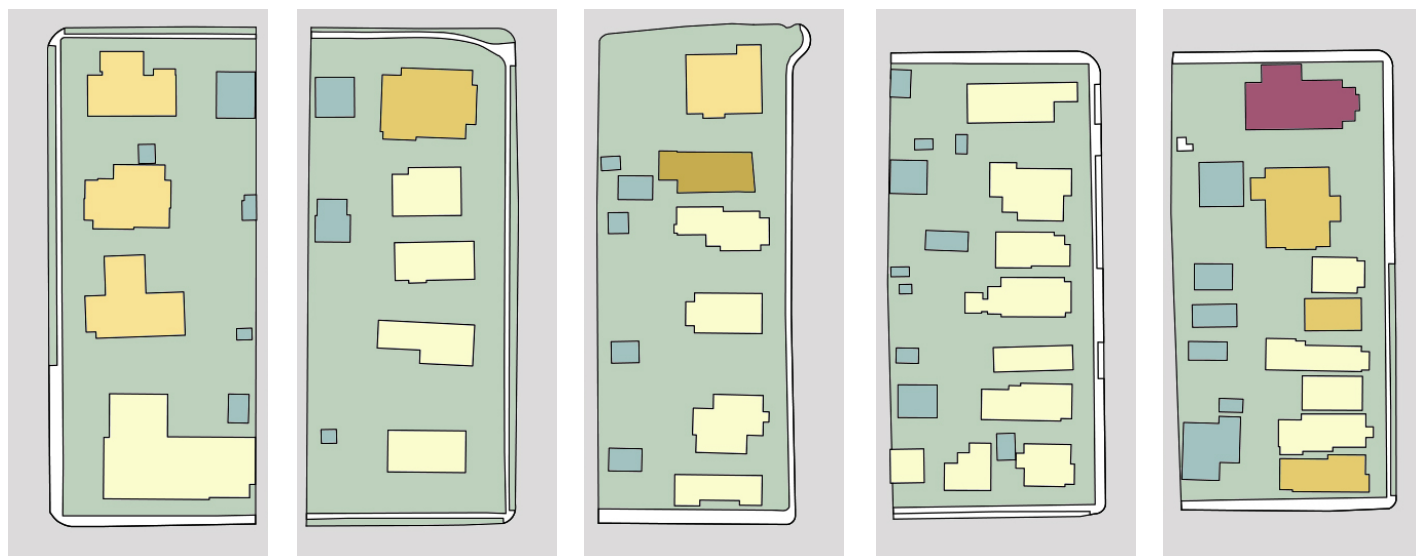


Figure 2.6: Five examples of half blocks with four, five, six, seven, and eight lots, from left to right respectively. This comparison shows how diverse the lot and building sizes are within Old Town.

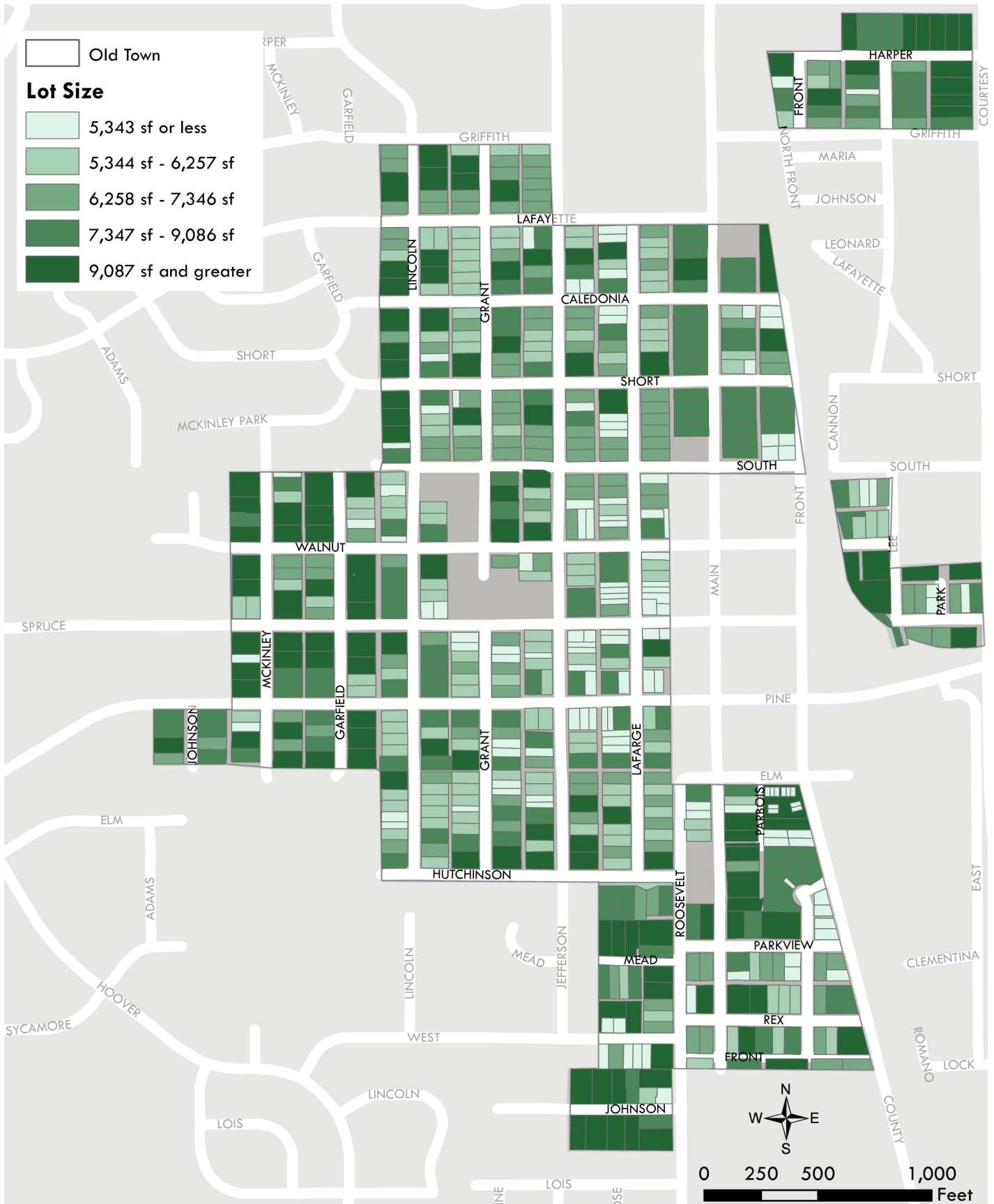
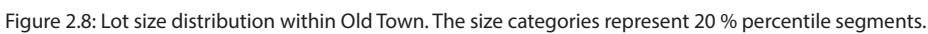


Figure 2.7: Lot size distribution within Old Town. The size categories represent 20 % percentile segments.



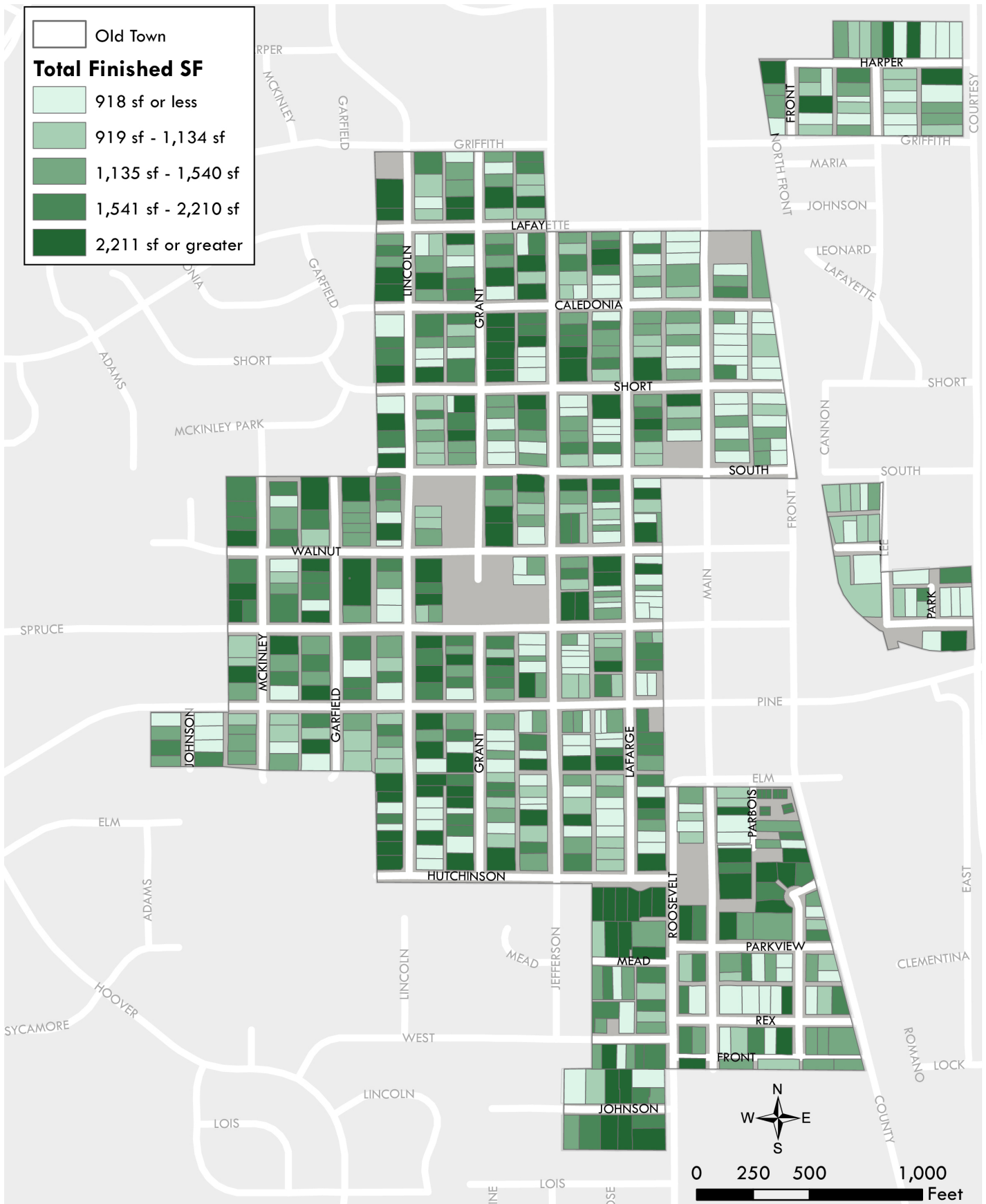


Figure 2.9: Map showing the distribution of the total building floor area on lots. The size categories represent 20 % percentile segments.

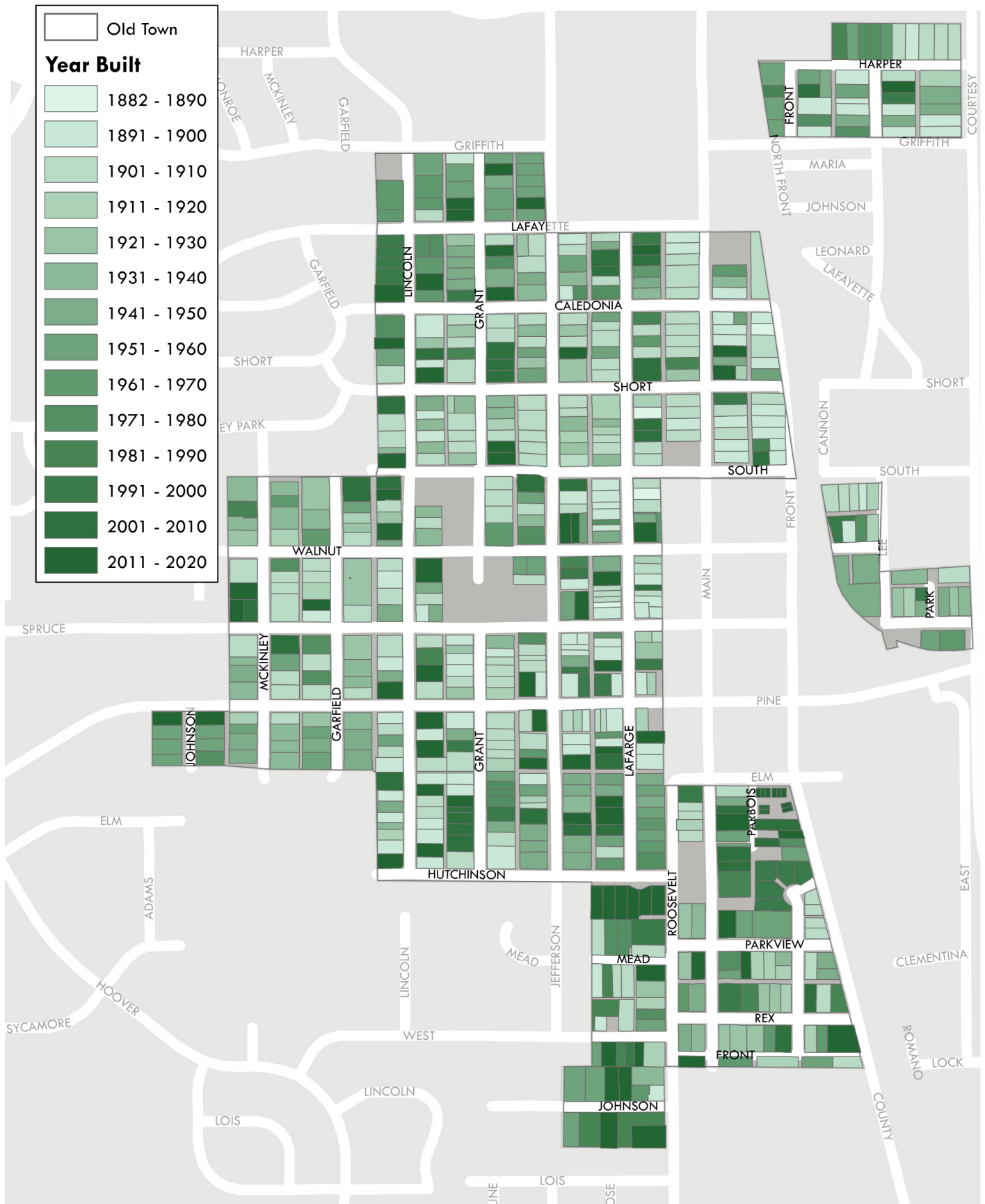


Figure 2.10: Map showing the age of construction distribution.



WHAT THE CODE SAYS

As mentioned earlier, the current code requires a minimum of 7000 square feet lot size for new lots within Old Town Louisville. Furthermore, it requires a minimum lot width of 60 feet within R-M zone district and 70 feet within R-L zone districts. Even though it acknowledges the presence of the smaller lots and smaller frontages by providing certain development rights on them, the current code prevents creation of new smaller lots with narrower frontages. In other words, the code does not allow the emergence of an alternative trend— development of smaller lots with smaller buildings— that could potentially balance the above-mentioned trend of increasing building sizes and decreasing attainability.

Furthermore, the code’s “bigger the lot, bigger the building” approach (permitting large buildings on large lots) opens up the possibility of small buildings on large lots to be replaced by larger buildings. Figure 2.11 below shows an existing five-lot half block where the diversity of building types are well-represented (the buildings are simplified for legibility purposes). The size of the middle lot is 9200 square feet, which allows a



Figure 2.11: Current Condition: Bird's eye view of a typical half block with five lots (above) and Figure 2.12: an eye-level view of a typical street



Table 2.2: The building size that 0.35 Floor Area Ratio permits on larger lots, listed along with the frequency of the lot sizes.

Lot size	Frequency	Building size
9200 sf	19%	3220 sf
9600 sf	12%	3360 sf
10000 sf	10%	3500 sf

building with 3220 square feet floor area, using 0.35 floor area ratio. This lot size was chosen to model because no matter how well designed and articulated, it would be very hard to have a building of this size be compatible with the smaller buildings currently occupying rest of the block. This poses a potential problem as 19% of existing lots (130 lots) are over 9200 sf and the code allows lot consolidation for even more large lots to be created. Table 2.2 provides further analysis of the permitted building sizes on larger lots. This report acknowledges that buildings larger than 3200 square feet are rare in Old Town (only 2% to be exact) and mostly reserved to special functions (churches, community buildings, etc.). In conclusion, the “bigger the lot, bigger the building” approach of the current code indicates a potential problem in terms of compatibility of new structures and its enabling of more expensive housing.



Middle lot:
Size: 9200 sf
Frontage: 75 feet
FAR: 0.35
Building size: 3220 sf



Figure 2.13: Scrape and rebuild scenario: Bird-eye view (above) and Figure 2.14: an eye-level view of the same half block with the cottage on the middle lot replaced by a larger house.



3 ● *Preservation*

This chapter focuses on “What We heard,” “What We Have Observed,” and “What the Code Says” about preserving Old Town’s historic character and how new construction can be more compatible with the historic character. This addresses preservation of the historic character of the neighborhood and should not be confused with preservation of singular historic buildings.

What we heard: The preservation and landmark bonus system is confusing, with mixed feelings about outcomes.

What we observed: New construction doesn’t match the historic pattern of buildings. The smaller the historic building, the harder it is for new construction to be compatible..

What the code says: The code gives a preservation bonus by keeping a very limited amount of the building. Preservation and landmark bonuses on large lots permit larger buildings that are rare in the neighborhood. The demolition stay generally doesn’t prevent scrapes, only delays.



WHAT WE HEARD

When asking stakeholders what specific standards or requirements in the code prohibited applicants from doing something that would have more closely aligned with community priorities, the most common “community priority” to be brought up was historic preservation. Many participants expressed that most recent new infills and additions do not preserve the historic character of Old Town successfully, although some other participants expressed that this is how it is because times are different and we live in a new world. Others expressed that the Old Town Overlay regulations and Historic Preservation standards do not make it possible to build today what was there before.

The following aspects of the code were among the most cited as sections of the code that are problematic and responsible for the disconnect between Old Town’s historic heritage and some of the recent incompatible construction.

Building Height

The participants who are most knowledgeable about architectural design expressed that the 27 feet height maximum makes it harder to provide the full two-story structures with steep roof forms that were part of the traditional architecture. Others mentioned that the way building height is measured also matters, which recently changed and is currently more restrictive.

Front Setback

A few participants mentioned that many of the limited front setbacks on historic lots do not follow the current 20 feet minimum standard, even though the code permits context-based setbacks. Also, in conjunction with building height, some suggested, building fully at the side yard setback creates a sense of new buildings “looming” over their neighbors. Good examples of compatible new construction were praised for stepping down in height to match neighboring homes on their sides.

Floor Area Ratio and Lot Coverage

Some of the design professionals noted that although they understand the floor area ratio (FAR) and lot coverage requirements, their clients or the average homeowner is often confused by the difference in how they are measured (to interior versus exterior of the wall, inclusion of basements, etc.). Beyond definition and interpretation of the code, there is a common perception that new buildings are “too big” and as such they must not be conforming with the current regulations.

Preservation and Landmark Bonus

Another subject mentioned often was about the preservation and landmark bonus system. The preservation bonus allows additional lot coverage and floor area ratio if a portion of the existing structure is retained. The landmark bonus allows a greater bonus to properties that are landmarked and reviewed through that program.

Many find the bonus system confusing, and that some of the recent construction that used the density bonuses created outcomes that looked awkward and alien. Also,

“Louisville retains connections to the City’s modest mining and agricultural beginnings while continuing to transform into one of the most livable, innovative, and economically diverse communities in the United States.”

- City’s Comprehensive Plan vision statement (2013)

It should be noted that complaints around definitions and understanding of the code was by the average resident and that design professionals and developer applicants do not have these issues. Most referred to the excellent customer service of the planning staff to help clarify these misunderstandings.

In providing solutions, most preferred the simplicity of the current code and would like the visual aid of graphics that provide more understanding. They don’t want to see complex design guidelines. There was concern that the Old Town code would become too much like the downtown guidelines which were referred to as too suggestive or vague.



some stakeholders were critical that preserving the first 10-feet of depth of the front street-facing facade to receive the preservation bonus is not “true preservation” and doesn’t lead to the intended results of the historic preservation program. Some others, on the other hand, expressed that “it’s better than nothing.”

Demolition Stay

There were complaints that the city doesn’t have additional regulations to prevent demolition. There is a perception that historic designation, which would prevent demolition in the future, would be too cumbersome and defer construction of remodels or additions. On the other hand, those seeking to scrape and build new do not see the demolition stay as a large enough deterrent. If the community desire is to prevent the scrape of existing structures, then the demolition stay is not seen as an effective tool in doing so. The current process for demolition is included in What the Code Says on page 45.



WHAT WE OBSERVED

Old Town Louisville provides a unique Front Range example of a mining town character with a mixture of old mining cottages, compounds, and larger houses built by business owners and managers. The majority of the structures are modest, single story, and relatively small. There is either very limited architectural ornamentation or none at all. These characteristics, while valuable and should be preserved, suggest important challenges in terms of preservation. The consultant team believes that sustaining a convivial neighborhood is the best way to preserve and respect the historic heritage. As such, Old Town should welcome infills and additions to the historic structures.

Modesty and simplicity requires sensitivity in architectural design. Incompatible and problematic ensembles happen when infills either employ too much articulation in building massing, too many “special effects” as many modern buildings do, or ornamentation that is not typical in Old Town. Blank walls, horizontal band windows, unusually narrow or tall windows, eaves and rakes with no overhangs are among these elements. These may create interesting architecture when buildings are viewed without a context but in context, especially when repeated building after building, may be incompatible with the simplicity and modesty that underline Old Town Louisville’s unique historic character.

The presence of many small single-story cottages suggest another challenge in terms of providing compatible new additions to the historic buildings. It becomes harder to add larger buildings to the existing smaller cottages. The analysis revealed some successful examples and some not so successful ones. Most successful examples preserved a significant part of the existing cottage and used various strategies to hide the large building at the rear. When only a limited part of the existing cottage is preserved and the scale of the new building shadows the cottage, the resulting composition is usually awkward. Contrasting massing articulation, material use, and architectural expression can be detrimental to the historic integrity if not approached in a manner consistent with the Secretary of Interior standards. As discussed further in the report, the current regulations are responsible for some of these results. However, more convincing architectural guidelines and effective review are potential tools to consider that might also be helpful and needed.



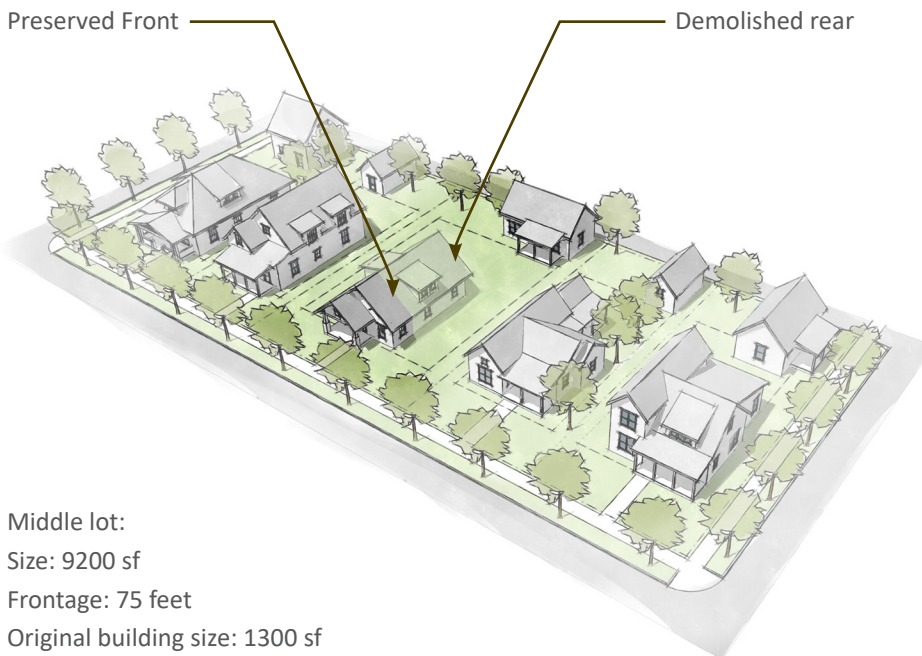
Figure 3.1: Map of landmark properties and properties at least 50 years old that could possibly be designated historic if they meet the additional standards.



WHAT THE CODE SAYS

In order to encourage the owners to either preserve existing historic buildings or apply for landmark designation, the current code offers density bonuses in the form of higher Floor Area Ratios and higher lot coverages. The code provides six requirements for a structure to be considered as “preserved” and thus qualified for preservation or landmark bonuses, listed on the right. Among these, 10 feet or 25% of the structure requirement (#2) and the 12 feet second story setback for the addition from the front face of the existing building determine the minimum amount of the building that needs to be preserved. These numbers indicate that preserving only a small section of the historic building makes the property eligible for the bonuses. The first 10 feet or 25% may indicate a part of the current structure with a significant size, but for modest smaller buildings, as Figure 3.13-3.14 shows, the preserved section ends up being not too far away from a storage shed in size. The resulting composition may be awkward and such examples raise the question of whether or not keeping this limited part of a historic building is preservation. In conclusion, we believe that, the current criteria that determine the minimum amount of the building to be preserved to be considered as “preserved” (and thus eligible for the density bonuses) are too permissive and don’t enable successful preservation solutions for new additions.

As for the density bonuses, the current code offers Floor Area Ratio and lot coverage bonuses depending on the lot size (Table 3.1 and Table 3.3). For smaller lots these bonuses are not substantial. For a lot with 4000 square foot of area, for instance, a density increase of 0.05 (preservation incentive) provides 200 additional square feet of floor area and a density increase of 0.1 (landmark incentive) provides 400 additional



Middle lot:
Size: 9200 sf
Frontage: 75 feet
Original building size: 1300 sf

Figure 3.2: An example of a portion of a historic structure being preserved to receive density bonus

Six requirements to be qualified for the preservation and landmark density bonuses as stated within the Old Town Overlay Zoning Regulations (17.12.055.C).

1. The house must be at least 50 years old.
2. The project must save and preserve the full width of the front street-facing façade of the house as well as a minimum amount of the original sidewalls or other features adjoining the front street-facing façade. Such minimum amount shall be 10 feet or 25 percent of the depth of the house, whichever is less, and the project must save and preserve all walls, porches, windows, and architectural elements located partially or entirely in such minimum footage.
3. The project shall not include a new addition attaching to the front street-facing façade or to the preserved original wall or architectural elements.
4. Any second story addition to an existing structure shall be set back 12 feet from the front wall of the existing front street-facing façade.
5. The second floor square footage shall be no more than 75 percent of the total square footage of the lower floor.
6. In order to obtain a landmark bonus, a landmark designation must also be obtained pursuant to the provisions of chapter 15.36 of this code. The landmark resolution must be adopted prior to granting of any landmark bonus.



DEMOLITION

The purpose of the review of permit applications for demolition, moving, and removal of buildings constructed in or before 1955 is to prevent the loss of buildings that may have historical or architectural significance. A demolition review is required if the structure was constructed in or before 1955 and the project includes:

- Fifty percent or more of the exterior walls of a building
- Removal of more than 50% of the roof area
- Alteration on a street facing elevation

SUBMITTAL REQUIREMENT

- Pre-application meeting with staff
- Application form
- Narrative letter describing work
- Architectural drawings showing changes
- Other supplemental information as required by staff

PROCESS

1. Applicant meets with Preservation Planner.
2. Applicant completes an application for a demolition including plans and proposed change. The applicant may need to provide cost estimates of repairs, a condition assessment of the property, and other information as required by staff.
3. The project may be eligible for administrative demolition review if there is a record of the following:
 - a. The roof being replaced was installed after 1955
 - b. The windows/doors being replaced were installed after 1955 and there is no change in the openings
 - c. Modifications to existing signage put in place after 1955
4. If not eligible for administrative review, the application will be forwarded to a subcommittee of the HPC. The Preservation Planner and two (2) randomly selected members of the HPC will review all applications for demolition within seven (7) days after a complete application is filed.
5. If the subcommittee determines there is not probable cause that the structure is eligible for landmarking, they may approve the request for demolition. If the subcommittee decides there is probable cause that property is eligible for landmarking, they will send the application to a full HPC public hearing.
6. Staff schedules demolition review for an HPC meeting and notifies applicant of hearing date.
7. Public Notice Sign is posted on property by applicant advertising meeting date and neighbors within 500 feet are notified.
8. HPC meeting is held. The applicant must be present to discuss the application and answer questions. At the public hearing, HPC may decide to release the application or place a stay of up to 180 days from the date of application.
9. If a stay is placed, the applicant can explore design alternatives with staff and/or a member of the HPC. Staff may also work with the applicant to document the property.
10. Once the stay expires, or the demolition request is approved, the work may begin following approval of a demolition permit by the Building Department.

Demolition information page from City of Louisville Historic Preservation

square feet of floor area. For a 6000 square feet lot these numbers increase to 300 and 600 square feet, respectively. Even though one may think that these are significant increases, the market so far showed us that preservation and landmark bonuses are not strong incentives for preservation on smaller lots.

For larger lots these bonuses provide more significant floor area increases (see Table 3.1 and Table 3.3). The preservation bonus on a lot with 9200 square feet area results in a building of 3680 square feet floor area with the 460 square feet bonus, which is a scenario that is illustrated below (Figure 3.3). The landmark bonus for the same size lot results in a building with 4150 square feet of floor area, with the 920 square feet bonus, which is a scenario illustrated below (Figure 3.5). This lot size is chosen again to illustrate the 19% of lots (130 lots) that if built to the maximum allowed floor area would continue with the trend of the “bigger the lot, bigger the building”. As mentioned above the size of buildings permitted on large lots by the base code are already too large to fit into the context. With the additional bonus floor areas we reach sizes that are alien to Old Town. It is almost impossible to provide an addition to a small cottage and end up with a building of 4000 square feet or more and still have a successful preservation scheme. Even though we may preserve a section of a historic cottage (as Figures 3.3-3.4

Table 3.1: Preservation density bonuses: Lot Coverages and Floor Area Ratios

Lot size	Lot Coverage	FAR
< 4000 sf	45%	0.55
4000-5999 sf	42.5%	0.50
6000-6999 sf	40%	0.45
> 7000 sf	35%	0.40

Table 3.2: The building size that 0.40 Floor Area Ratio permits on larger lots, listed along with the frequency of the lot sizes.

Lot size	Frequency	Building size
9200 sf	19%	3680 sf
9600 sf	12%	3840 sf
10000 sf	10%	4000 sf



Figure 3.3: Preservation Incentive: Bird-eye view (above) and Figure 3.4: an eye-level view of the same half block shown in Figure 2.11 with the cottage on the middle lot partially preserved with a new addition.

Table 3.3: Landmark density bonuses: Lot Coverages and Floor Area Ratios

Lot size	Lot Coverage	FAR
< 4000 sf	50%	0.60
4000-5999 sf	47.5%	0.55
6000-6999 sf	45%	0.50
> 7000 sf	40%	0.45

Table 3.4: The building size that 0.45 Floor Area Ratio permits on larger lots, listed along with the frequency of the lot sizes.

Lot size	Frequency	Building size
9200 sf	19%	4140 sf
9600 sf	12%	4320 sf
10000 sf	10%	4500 sf

depict), the size of the preservation incentive (shown in Figures 3.5-3.6) on the middle lot partially preserved with a new addition takes away the context in which a cottage can be meaningful. In conclusion, we believe that the preservation and landmark bonuses on lots bigger than a certain size result in buildings that are too large to fit in and preserve the historic character of Old Town Louisville.



Middle lot:
Size: 9200 sf
Frontage: 75 feet
FAR: 0.45
Building size: 4140 sf



Figure 3.5: Landmark Incentive: Bird-eye view (above) and Figure 3.6: an eye-level view of the same half block shown in Figure 2.11 with the cottage on the middle lot partially preserved with a new addition.





Summary of Identified Issues

The knowledge gained from listening to stakeholders, reading the base documents, and surveying the physical environment are summarized here as the identified issues that will be addressed in Phase 2: Rewrite.

COMMUNITY CHARACTER:

- The code doesn't regenerate the existing character because certain standards are the same across all lots, such as the building height maximum, lot size minimum and no porch requirements. Current standards are not addressing current diversity of size and are calibrated according to lot size instead of building prototype and desired character.

EQUITY, DIVERSITY AND INCLUSION:

- The code permits large buildings on large lots, but does not allow creation of new small lots. Thus, it does not allow a mechanism to provide balance to the ongoing trend of new larger buildings on larger lots.

PRESERVATION:

- The code lacks measures for better preservation of the historic character of the neighborhood. The code doesn't address architectural character.
- Preservation and landmark bonuses are not strong incentives for preservation on smaller lots and on larger lots results in buildings that are too large to fit in with the historic character.
- Demolition stay doesn't prevent scrapes, and only results in delay.





Potential Rewrite Tasks

This list of potential tasks for Phase 2: Code Rewrite is intended to address the identified issues to create a code that will provide clear direction and guidance for new development and redevelopment so that the new buildings and additions will be compatible with the historical and existing context of the Old Town.

- A form-based system that addresses the building type diversity, acknowledges scale of adjacent buildings, and includes elements to achieve desired character.
- Mechanisms that enable affordable, attainable and economically diverse housing choices that are compatible with the community character
- Revisit the preservation and landmark bonus system to come up with more effective preservation measures
- Revisit height, porch, lot coverage, and FAR definitions and regulations
- Integrate the code with potential tools such as easy to follow guidelines and design principles addressing the architectural character





Appendix A: Interviews

The following pages include the list of interview participants, questions, and summary of the interview answers.

The questions the team prepared for the interviewees varied depending on the stakeholder group. The questions asked to the EDI Task Force, for instance, differed somewhat from the questions asked to developers. The team followed these questions loosely; depending on the content of the conversation, new questions were asked spontaneously to keep the interviews informal and open-ended.

The summary does not quote any particular individual, rather, it provides comments anonymously and cumulatively. The purpose of the interviews was to hear directly from those who use the code daily or who have experience with the review processes and understand the strengths and the weaknesses of the code.

We express our sincere gratitude to all participants. Their input is crucial and valuable.



INTERVIEW PARTICIPANTS

The following stakeholder groups were chosen from those who have experience with city policy's related to this area and can using the Old Town Overlay zoning regulations, its review processes and the impacts of the zoning regulations. The following list acknowledges participants from each stakeholder group that were able to be interviewed the week of August 23 -27, 2021.

City Council:

- Ashley Stolzmann, Mayor
- Dennis Maloney, Mayor Pro Tem
- Deb Fahey
- Jeff Lipton

- Lisa Ritchie, Principal Planner
- Kim Bauer, Historic Preservation Planner

Public Works

- Michael O'Keefe
- Craig Duffin
- Kevin Trott

Planning Commission:

- Dietrich Hoefner, Vice Chair
- Ben Diehl
- Jeff Moline

Louisville Historical Museum

- Bridget Bacon

Historic Preservation Commission:

- Lynda Haley, Chair
- Andrea Klemme, Vice Chair
- Christine Burg
- Gary Dunlap
- Keith Keller

Equity, Diversity, and Inclusion Task Force Members

Technical Advisory Group

- Matt Berry
- Dale Case
- Erik Hartronft
- Andy Johnson
- Peter Stewart

Planning Staff

- Rob Zuccaro, Director of Planning & Building Safety



INTERVIEW QUESTIONS

Below is the base set of questions that were loosely followed during interviews to allow the interviewers to improvise and ask additional questions according to the interviewee's answers. Questions were separated into the following categories: Character, Substance, Process and Navigation.

CHARACTER

This set of questions focused on the physical environment of Old Town. This section was heavily relied on for interviewees who were not as familiar with the Code.

1. The Comprehensive Plan references the “livable small town” character of Louisville together with values such as diversity, walkability, and family-friendliness. In your opinion which block face or street of Old Town best represents this?
2. Where do you see a compatible new building or an addition to an older building that positively contributes to its context?

SUBSTANCE

This set of questions focused on the substance of the Code within the context of the City and public's larger goals.

3. Are there any aspects of the Old Town Overlay zoning regulations that hinder the City's efforts for Equity, Diversity, and Inclusion?
4. Have you found specific standards or requirements in the code that prohibited applicants from doing something that would've more closely aligned with community priorities, as defined in adopted city plans?
5. Looking back through your recent experience with applicants, what rules in the Old Town Overlay or base

zoning regulations create the most misunderstanding or confusion?

6. In your opinion what rules are difficult to interpret and to apply consistently?

Follow up: Are there standards that are unnecessary, redundant, or inefficient?

PROCESS

This section focused on the review process for Old Town applications.

7. What aspects of the code need to be modified to increase efficiency and reduce redundancy in the review process while maintaining the code's intention? Are the applicants satisfied? Any complaints?

NAVIGATION

This section focused on applicants ability to navigate the code.

8. Can you easily find what you're looking for in the code?
9. Have there been any issues/difficulties in applying the overlay over the base district regulations?

ANYTHING ELSE?

10. Do you have anything else to add? Did we miss anything?

SUMMARY OF INTERVIEWS

The following is a summary of the answers heard during the interviews without quoting any individual directly. Answers are grouped by frequency or commonality. Follow-up questions outside the protocol questions that were generated by the answers are included.

CHARACTER

1. The Comprehensive Plan references the “livable small town” character of Louisville together with values such as diversity, walkability, and family-friendliness. In your opinion which block face or street of Old Town best represents this?

OVERALL

- Sees it as a mix of characters such as Little Italy versus the area by Community Park. There isn't one block that represents the whole.
- Sees Little Italy as different. Parts of LaFarge and Jefferson (900 block) has the vernacular of Louisville's heritage.
- Every block has its own character. There is more variety than what most people think
- Where there is proof of life, good front porches, but transition back to private space. Openness to the streetscape is important
- Small town means small houses
- At these housing prices, doesn't seem small town
- People are drawn to the diversity
- Area where the porches relate to each other. Front porches makes it pleasant to walk by; front yard garden
- Large trees, different street types, different sidewalks, no predictable street or sidewalk type is characteristic of historic areas because it didn't come in all at the same time uniformly

- Not a lot of brick or stone
- Simple in design, low slung front facades, no grand architecture, more working class architecture. Not a lot of high style, grand homes
- Buildings are close to the street creates the overall enclosed feel of the block
- All the kids bike to the elementary school

MEMORY SQUARE

- People walking between Memory Square and the school, between Memory Square and Main Street – these areas never empty out, but also not so full that it feels overcrowded.
- There is concern about overcrowding and avoiding conflicts between pedestrian, cars, and cyclists
- Terminated vistas into Memory Park
- Area around the park is the family friendly oriented area
- Beautiful plants at the southeast corner of Grant and Spruce. As he and his family walk through, there is always activity at the park. When he walks to downtown, he normally walks by the park.

ADJACENT TO MAIN STREET/ DOWNTOWN

- The area extending out from Main Street
- All the north-south streets adjacent to Downtown, tree-lined, the back alley characteristic of Louisville, historic are small and all the new buildings within last 5 years are gigantic
- Area directly south of Downtown feels quiet and spacious

LAFARGE

- LaFarge (specifically north of Spruce)

is a lot of small homes. Historically the “wealthy people” did not develop that area. Further north in Capitol Hill is the large homes “estates”.

- LaFarge has small house character. Small coal miner shacks.
- 800 block of LaFarge is the original subdivision, small lots, enclave of Italian families that mostly worked on Main Street. 700 block used to be like 800 block
- 900 block of LaFarge (and Pleasant Hill Addition) has much smaller lots
- 1000 block of LaFarge (west side) reflects the original character that is retained
- Intersection of LaFarge & Short Street, the huge tree canopy

OTHER AREAS

- North of Pine between McKinley and Lincoln
- South of South Street going down Jefferson, Grant, La Farge
- Spruce walking west of Main Street
- Grant between Hutchinson and Spruce
- Garfield, McKinley to Main Street, Hutchinson and Lafayette
- Grant is example of trees and connecting to park
- 900 block of Jefferson has Louisville's heritage scale and character
- See 1909 map of original lots and blocks: <https://www.louisvilleco.gov/exploring-louisville/historical-museum/drumm-1909-map-of-louisville>
- Capitol Hill subdivision, Jefferson Grant and Lincoln – were the mine supervisors and Italians, less modest homes



- Little Italy and French town – didn’t even have addresses originally because it was home to modest miners. Big changes from the historic modest living to more affluent living today

2. Where do you see a compatible new building or an addition to an older building that positively contributes to its context?

LAFARGE

- LaFarge between Spruce and Walnut
- LaFarge between Pine and Hutchinson
- 600 block of La Farge

LINCOLN

- 836 Lincoln – corner lot with new addition, lots of different building sections, not one big plane, doesn’t look massive
- 508 Lincoln Ave – scrape and rebuild, matched setback and roof pitch and height of neighbors, doesn’t look massive, utilized the depth of the lot to match the mass and scale of the adjacent lots at different parts of the lot
- 601 Lincoln
- 905 Lincoln – new build mimics the roof lines of neighboring smaller structure, and second story is set back. Its a large lot for Old Town and doesn’t feel like it because of how they broke up the massing
- South of 900 Lincoln – new builds that match the historic setback, not particular to style
- 1201 Lincoln. Corner of Caledonia and Lincoln, its big but doesn’t seem to overwhelm. This looks more traditional, in particular to materials
- Small house up Lincoln had open view of grasslands. Historically on a dairy farm that was going to be demolished but was moved to LaFarge to be preserved.

OTHER AREAS

- Not completed yet but Baptist church at Pine and Grant – building the back part of it up to make it compatible to context
- New construction on Pine at Jefferson or LaFarge, by Andy Johnson
- 633 Jefferson - looks like several small houses combined.

REPEATED ANSWER & MIXED REVIEWS

- 801 Grant - Peter Stewart’s restoration of the old school building at Memory Square Park. The cupola restored speaks to the story of Old Town
- 1240 Jefferson has a 20’ addition to the rear and added a false dormer to the front to match the architectural style of historic structures
- 1021 Main Street

OUTSIDE OLD TOWN

- Commercial development at corner of South and Main
- Caledonia and Garfield that is a remodel, maintains the one-story that extends into the back

BAD EXAMPLES

- Corner Lots: With scrapes at corner lots, there have been issues with changing the front door and what is considered the front setback so it doesn’t match the context
- 633 Jefferson on corner has no yard and changed the front door location compared to context. No space for “nature”

REPEATED ANSWER & MIXED REVIEWS

- 825 LaFarge— Wrong application of setback because it doesn’t meet neighboring setbacks. Setback oddly breaks up block. Good that it doesn’t block the neighbors solar access. Architecturally ensure solar access.

Doesn’t match context of the smaller homes.

- 215 Roosevelt Ave— Straight up to 2nd floor along the whole side yard. Seems like no outdoor space preserved
- 537 LaFarge— Previously was a single story on big 75’ wide lot. Had a change.org petition for saving the historic house before being developed into two principal buildings. Neighbors didn’t want a duplex so they did two single family structures. Developer condominiumized so they can transact separately. In one way, it filled the void but porch too small and second story doesn’t look subordinate to single story as is the historical pattern
- 1001 Lincoln Ave—opposite of St. Louis Church
- 701-704 Walnut—boxy two-story
- 1024-1028 Rex—boxy two-story, took advantage of previous method of measuring building height by building up on retaining walls, the extra height makes it feel “looming” over neighboring property
- 816 Lincoln – “Wrap” around land marked home
- 410 Main – (two story volumes)

OTHER CHARACTER COMMENTS:

- Prefer where large portions of the front are one-story, and two-story element is set back and not as predominant
- Prefer where it retains the building typology of the existing structure - if its a bungalow, it keeps the existing typology, but if you add then the addition is subordinate to the preserved portion
- There are changes that are necessary improvements. The needs of the families today are different than those of the turn of the century, coal mining days. The area needs to be vibrant, we need to allow reinvestment, they need to be functional. We need zoning that allows all that.



- Prefers people going more vertical and allows more landscaping and space. Not having too big of a building footprint at the expense of landscape
- White house/white trim: Trim color matching body color makes it seem “flat” but also bigger
- Corner lots and coverage: Everyone was subdividing the corner lot for two houses. We used to historically have bigger lots on the corners but now they are two small lots
- Didn’t like turning front to face different street from historic structure. It changes the pattern.
- The houses are beautiful, nothing aesthetically wrong, but not small town because of size
- When the house takes up the full lot, then it isn’t inviting; when there is more space, its more inviting
- We don’t have a lot of trees downtown because people didn’t want to deal with leaf maintenance.
- The additions you can’t see from the street are deemed the most successful
- Are there any characteristics that exemplify “small town” relating to physical environment?

SUBSTANCE

3. Are there any aspects of the Old Town Overlay zoning regulations that hinder the City’s efforts for Equity, Diversity, and Inclusion?

ECONOMIC DIVERSITY:

- The biggest deficiency in the city is income diversity. Most of the people that moved here when the interviewee did were people that couldn’t afford Boulder, and Louisville was an affordable option. There was income diversity which offers more social values.
- High cost is not just Old Town but entire city. Employees can’t afford to live in the city. No longer an affordable

community for the people that live in Louisville

- Comprehensive Plan has goal of “economically diverse” and the prices in Old Town are not diverse
- Its not the code itself, it’s the price of houses. The code doesn’t contribute to that, but the market.
- Gentrification and property value increases are an issue to EDI. Any exacerbation of that which includes the minimum lot size.

HOUSING SUPPLY & AFFORDABILITY

- Density and diversity of residential building types. You need to drive down the cost per unit land price. People will need to be more creative/flexible in the single family detached model of Louisville
- Garage second floor units
- Granny flats
- Nothing should be off the table but allow a wide range of options
- Not a lot of residential growth, so limited places to build. Prefer infill and higher density over sprawl
- 17.16.030b Guest house rule – not allowed as ADU. In the past there were garages or stables that have not withstood time, but in the past there was kitchen for poorer miners to live there called a “bach” for bachelor
- Points to Boulder’s Auxiliary Dwelling Unit policy to find a place to live for artists, waiters, etc.
- There are a lot of Airbnb in garage structures. That changes the character.
- People are playing a game of preserving the front façade to avoid water tap fees associated with scrape. A lot of the houses between Lincoln and Main
- Create a stock of permanently affordable rentals or dwelling units. That’s different from low income housing.
- Want it to be owner occupied or long-term rentals
- If you want to make Louisville affordable, you have to look at

restrictions that come at the expense of less houses. Do things to increase supply.

- Have looked at variances for older lots that would be too small under current code. Looking at ability to develop smaller lots.
- We don’t have an allowance for ADUs or smaller minimum lot sizes that could still allow development within the existing character. By requiring minimum lot of 7000 sf then it requires larger buildings to maximize profit. This is problem of underlying zoning, not Old Town Overlay specifically.
- Existing multi family properties are non-conforming which would not allow them to stay which would cause displacement
- Bulk benefits of preservation not only changes the look of neighborhood but new builds price out/value higher than the existing structure
- People don’t want townhouses/duplexes (R-M) in Old Town (some reasoned because of crowding and parking) but competing interest that people want more houses to help with affordability. More duplexes or triplexes to allow more families on a lot; Can have large structures but done in a way to break it up.
- Are there barriers to a developer splitting a large lot into small lots?
- Are there variance to smallest lot size restrictions?

OTHER ANSWERS

- This is more a societal issue, not hindered by specific regulations
- Doesn’t think it’s the code, unless its the limitation of how many people can live together
- Some people are not able to afford professional help to understand the zoning regulations. Example given: small business owner can’t understand sign regulations

4. Have you found specific standards or requirements



in the code that prohibited applicants from doing something that would've more closely aligned with community priorities, as defined in adopted city plans?

HISTORIC PRESERVATION

- Goal of sustainability: Addressing our carbon footprint – by reusing historic structures, not scraping
- People trying to remodel historic structures takes longer because of Old Town regulations
- Hard to get building permits for non-conforming historic structures
- Historic garages were directly on alley, and limits sight visibility coming out of an alley. Some people have landscaping that encroaches into the alley which makes alley maintenance hard
- Height limitation of 27' – if a house has two stories and has the required roof pitch then it would need a variance. Would prefer to keep the historic pitch of the roof, rather than meeting the 27' height requirement. With the 6:12 roof it makes it hard to get build second story
- In looking at the Comprehensive Plan's vision statement, "connection to modest mining" can be interpreted as smaller, historic lots. These larger combined lots are not keeping with the "modest"
- Policy of historic feel – you can't build today what was there before. The historic things that people like – we should make sure people could build today.
- A general critic of setbacks – does the Old Town Overlay setback match the historic structures setback
- Preserving the first 10-feet - that isn't good preservation, that's a minimum
- Setbacks - the existing is non-conforming, there is confusion about building a compatible setback to neighbors

Follow-up: Are there aspects of the code that make you do things you don't want to do?

- We are not in the business of re-producing history, but respecting it. Aesthetics are highly personal. Its more about the cadence of homes and how they front the street, not the aesthetic.
 - Roof pitch was intended to lower the scale of the house, but there are other tools to achieve that goal
- #### WATER
- Problem is not multi-family with single service, but when separate principal buildings need separate taps
 - Lack of utility easements on these historic platted lots
 - Water is an incredibly valuable commodity and so land cost and water fees are high and put pressure on the price. If the point is to make a profit, then developers and land owners are going to maximize building potential; but the interest of the public is wanting a smaller house. Homeowner stance of also losing equity by not maximizing. Its not how our regulation is set up. But the desirability of the area.

Follow-up: How does this water tap fee situation effect ADUs?

- Depends on the usage, if it has a bedroom and bathroom, then Public Works wants it to have a separate tap but not required. This gets lost in the definition which is triggered by a separate stove not plumbing fixtures – then requires additional fees and parking. Different fees are triggered after 4 units.

OTHER ANSWERS

- Walkability: When you're pulling out of an alley, you need a 45 degree clear to view out. There are several out buildings within that sight triangle. When things are up to code, its much easier to navigate and safer. However, there is some charm "approachably urban" to have that one building encroaching.

5. Looking back through

your recent experience with applicants, what rules in the Old Town Overlay or base zoning regulations create the most misunderstanding or confusion?

PRESERVATION BONUS

- Probable cause of why its historic is followed with an assessment – working on this in parallel to the Old Town code update
- Conservation easement is confusing. Its written as part of the Historic Preservation ordinance but is a separation process. This was dropped and not adopted.
- Wish there was more leeway to improve structure and to protect structure. Example: Have the opportunity to fix the drainage around a historic house by being able to lift a historic structure to improve grading for flooding and fix foundation, but it would be beyond 27' height limit

FAR/LOT COVERAGE

- Misconceptions around FAR/lot coverage because historic homes don't max out the lot coverage but new builds do.
- Spends a lot of time explaining the difference between lot coverage and FAR to clients. To complicate, we measure lot coverage different than FAR – measuring to interior v. exterior of wall.
- Experienced a lot of interpretations of lot coverage (in the past 10 years with staff) but now it is much better. Measure to drip line, foundation, etc.
- Some lot sizes are more advantageous because of the three categories of lot size for building size.
- Concepts are correct, but needs more clear definitions.
- When an owner is doing their own design, he has to warn owners. There is a lot of room for interpretation. Is floor area include exterior or interior of wall?



How much of the basement is included in height regarding how much of the basement is buried on a hill?

- Lot coverage has been defined by drip line or foundation
- Want to have more defined measurements.

BUILDING HEIGHT

- Architects were gaming the system with building up the grade. Example: 627 Pine St. – had built up retaining wall, built on platform next to one-story building; disproportionate floor levels
- Rewrote the building height measurement recently
- Going straight up on the side, with no step back for second story. Example: 1212 Lincoln. On Lincoln downhill, white modern, close to middle school
- He likes that you have a height limit and a roof pitch because its simple compared to Boulder solar shadow and Denver bulk planes. BUT he lives in an arts and crafts and his pitch wouldn't be allowed. Likes the simplicity of the current code but also wants more flexibility for different architecture styles.
- Inconsistency in approval because they rely on the applicant giving good information
- Roof pitch is hard to understand for layperson/homeowners, not designer/developer applicants

PUBLIC WORKS

- Alley encroachments
- Historically multiple buildings on same large lot with single sewer service. When they scrape and rebuild, the single sewer service is not conforming.
- Historic platting makes serving utilities for scrapes and re-builds impossible, need to create a new utility easement
- Sewer lines in alleys are 20' which is difficult when you have tandem lots

6. In your opinion what rules are difficult to interpret and to apply consistently?

HISTORIC PRESERVATION

- Only recently run into the desire of really big houses. Recent example of preserving front and building large addition to the back. There was a lot of thought to visual angles. Existing trees to block view of size of large addition.
- Trying to preserve historic small structure in the front and build in back.
- Expediting process for existing non-conforming

EDI PERSPECTIVE

- Hard because the meetings only once a month.
- If you are working full-time, its hard to meet the requirements for public hearing and public notice.
- Non-English speakers would face major obstacles.

SETBACK

- They don't have a survey on neighboring structure to know if its compatible - can lead to inconsistencies in applying the code
- When existing structure encroaches into side yard setback, structurally he is able to reinforce things that are encroaching into the setback. Staff has been reasonable regarding this. He could see problems with adding to the roof. Could also be issues regarding IRC for fire code when existing is already encroaching

PROCESS

7. What aspects of the code need to be modified to increase efficiency and reduce redundancy in the review process while maintaining the code's intention? Are the applicants satisfied? Any complaints?

DEMOLITION STAY

- Complaints that the city doesn't have additional regulation to prevent demo. Only incentives.
- What tools do we have to stop it beyond the stay?
- What tools to preserve mature trees?
- The casual observer doesn't know the code when complaining about demo stay. But its not because they can't navigate or understand the code, but haven't made the effort to research the code. Rarely do people read the code before commenting to Council.
- Has heard concern that people fear historic designation because it would delay their project and make them put their project on hold, lose contracts, push construction into winter. This is more public perception and demonstrates the need to educate the public.
- Perception that demo hold is punitive.

HISTORIC PRESERVATION REVIEW

Follow-up: working with HPC review process?

- Our HPC has transitioned from mostly professionals to mostly homeowners. It used to benefit from that professional experience. Need people that really understand historic preservation and have understanding rather than feelings.

Follow-up: Does the HPC need to review?

- Doesn't think HPC needs to review.
- Need something more official. Advocated for a sales tax to support historic preservation. Might have one of the only self-funded preservation grant program.
- Can't landmark without people's consent. Wants to keep that. Preservation incentives are great. There are some lots that you can't add to historic because of the layout of the lot/building. So what do we do there because it only makes sense for the owner to scrape.
- The more houses we can get landmarked, the more control we will



have about preserving what it looks like

- No matter how good our historic preservation standards are, it comes down to how good our HPC is in the program working well
- If you have a landmark property, how do you control your neighbor being compatible?

OTHER

- Confusing for non-English speakers. Visuals would be helpful, especially to overcome language barriers
- If you hire someone that is local, then things go smoothly, but if you hire someone outside, then slower
- Yes, only because the Old Town Overlay is short and simple. But if we had more definitions like he is requesting, may need more appendices and tables and references.
- With the required roof pitch and showing height - that causes the most re-submittals

NAVIGATION

8. Can you easily find what you're looking for in the code?

- If I was an architect, it would be readable and usable.
- Important for lay people to take these numbers and understand visually what it means.
- Would be nice to include a "why" - an intention for the regulation. No introduction to the code. Make it clear how it applies. Make it clear the intentions of the code
- The planning counter has a hand out of Old Town Overlay regulations and pull out correlating zone sections in an over-the-counter meeting which helps to walk them through the Overlay.

Follow-up: Would visuals or intention statements help? More than just legal statements

- Mass and scale would help.

- Downtown guidelines are often discarded by developers. Its not used by the general public. The developers only follow "shall" statements. Example visuals are not used.

9. Have there been any issues/difficulties in applying the overlay over the base district regulations?

- Most people don't know that multiple units is allowed. They don't want duplexes or townhouses. Example duplexes on La Farge with base district R-M. Reasons included the massing and maximum lot coverage. Others reference that they didn't like the townhouses that have gone into downtown which lack articulation
- Would not want to see a complex design guidelines on top of the base zoning. We are small town and what we've been doing has been working well. Don't want design guidelines that become too suggestive and add vagueness.

ANYTHING ELSE

10. Do you have anything else to add? Did we miss anything?

STREETSCAPE

- Traffic and pedestrian safety, the quality of the sidewalks, proper investment in crosswalks,
- Street lighting for public safety but no light pollution for private residence
- Tree lawns—A lot of people have concreted over the tree lawn. Its ROW but the city allows them to concrete over it. Some streets have what appears like a bigger sidewalk

ALLEYS

- Adequate sight lines for people turning out of alleys
- Surprised about how much life is happening on the alleys.

- West side of Jefferson between Hutchison and Pine - Eclectic development, size, amount of enclosure, no set character
- Sees the maximizing of rear additions or new builds that changes the character of area with bungalows

PARKING

- Overflow of Downtown business parking into Old Town. It's a positive that our Downtown is vital but residents complain
- Overflow of Memory Square Park parking
- Make everyone use their off-street parking (driveway) for parking and not storage

OTHER

- 5G communication towers may go into neighbors – mitigate visual impact





Appendix B:

Excerpts from Old Town Overlay Zoning District Regulations

This appendix includes selected definitions and rules taken directly from Old Town Overlay Zoning District Regulations. The purpose of this appendix is to help those readers who are not familiar with Old Town Overlay Zoning District Regulations.



BUILDING HEIGHT

Building height means the vertical distance measured from grade to the highest point on the roof surface.

The maximum building height for principal uses shall not exceed 27 feet.

GRADE (GROUND LEVEL)

Grade (ground level) means the average of the finished grade surface elevation measured at the highest and lowest exterior corners of a structure. If fill is added to raise the surface elevation at the structure by more than one foot, then grade is determined from the finished site grade level a distance of ten feet from the structure wall, or from the property line if the property line is closer than ten feet to the structure wall.

DESIGN AND SLOPE OF ROOF

1. 80 percent of the roof surface area of all roofs on each structure on a property must have a pitch of 6:12 or greater.
2. The roof pitch that constitutes more than 50 percent of the roof surface area shall be considered the existing roof pitch. Additions to existing homes where the existing roof pitch is less than 6:12 shall be exempt from the above stated requirements. Such additions shall continue the existing roof pitch, or may have a lesser roof pitch as long as no more than 20 percent of the entire structure, including addition, has a roof pitch less than the existing roof pitch.
3. Additions to existing homes which remove and rebuild 50 percent or more of the existing roof must meet the requirements stated above.
4. Structures under 120 square feet are exempt from the requirements stated above.

LOT COVERAGE

Lot coverage means the percentage of the total lot area available for bulk or buildings.

The maximum lot coverage (expressed as square feet of lot area or as a percentage of lot area) shall be as follows:

1. For a lot having a lot area of less than 4,000 square feet: 40 percent.

2. For a lot having a lot area of 4,000 to 5,999 square feet: 1,600 square feet or 37.5 percent, whichever is greater.
3. For a lot having a lot area of 6,000 to 6,999 square feet: 2,250 square feet or 35 percent, whichever is greater.
4. For a lot having a lot area greater than 7,000 square feet: 2,450 square feet or 30 percent, whichever is greater.

FLOOR AREA

Floor area means the area included within the outside walls of a building or portion thereof including habitable tenant houses and attic space, but not including vent shafts, courts or uninhabitable areas below ground level or in attics. This measurement shall not include the area within in a wall.

FLOOR AREA RATIO

For the purposes of this subsection, the term "floor area ratio" shall not include the floor area of basements if more than one-half of the vertical distance between the basement floor and ceiling is below the grade of the site, or the floor area of unenclosed porches, balconies, canopies, decks, or patios. The maximum floor area ratio shall be as follows:

1. For a lot having a lot area of less than 4,000 square feet: 0.50.
2. For a lot having a lot area of 4,000 to 5,999 square feet: 0.45 or 1,999 square feet, whichever is greater.
3. For a lot having a lot area of 6,000 to 6,999 square feet: 0.40 or 2,699 square feet, whichever is greater.
4. For a lot having a lot area greater than 7,000 square feet: 0.35 or 2,799 square feet, whichever is greater.

FRONT YARD SETBACK

The minimum front yard setback for principal uses shall be 20 feet unless reduced following the neighboring front setbacks. The maximum front yard setback shall be the lesser of 25 feet or five feet plus the minimum front yard setback.

STREET SIDE YARD SETBACK

The minimum side yard setback from a street for principal and accessory uses shall be as follows:

1. For a lot having a lot width less than 30 feet: Eight feet.
2. For a lot having a lot width of 30 to 60 feet: Ten feet.
3. For a lot having a lot width greater than 60 feet: 15 feet.

SIDE YARD SETBACK

The minimum side yard setback from an interior lot line or platted alley for principal uses shall be as follows:

1. For a lot having a lot width less than 30 feet: Three feet.
2. For a lot having a lot width of 30 to 60 feet: Five feet.
3. For a lot having a lot width greater than 60 feet: Seven feet.

Interior side yard setback for accessory uses. The minimum side yard setback from an interior lot line or platted alley for accessory use shall be three feet.

EXCEPTIONS TO FRONT YARD AND SIDE YARD SETBACKS

The minimum front yard setback and the minimum side yard setback from a street may be reduced as follows:

1. A covered porch attached to a principal use may extend not more than six feet into the required front yard setback and the required side yard setback from a street.
2. An addition to an existing principal structure may extend into a required side yard setback provided all of the following conditions are met:
 - a. The resulting setback is not less than three feet;
 - b. The resulting sum of both side yard setbacks for a lot is equal to or greater than the sum of both required side yard setbacks for a lot; and
 - c. The resulting distance from any principal structure on an adjacent lot shall not be less than ten feet for lots having a lot width equal to or greater than 30 feet, and shall not be less than six feet for lots having a lot width less than 30 feet.

REAR YARD SETBACK

The rear yard setback shall be as follows:



1. The minimum rear yard setback for principal uses shall be 25 feet.
2. The minimum rear yard setback from a rear lot line for accessory uses shall be three feet except that there shall be no minimum rear yard setback from a rear lot line which is a common boundary line with a platted alley, provided, however, that garages with vehicle entrances facing an alley shall have a minimum rear yard setback of 20 feet from the right-of-way line of the alley which is opposite the rear lot line forming the common boundary with the alley.

ACCESSORY USES

Accessory uses shall comply with all requirements for the principal use except where specifically modified by this title, and shall also comply with the following limitations:

- A. A greenhouse or hothouse may be maintained accessory to a dwelling only if there are no sales from the premises.
- B. A guesthouse may be maintained in a residential district accessory to a dwelling provided such guesthouse is used for the occasional housing of guests of the occupants of the principal dwelling, and so long as such guesthouse is not used for commercial purposes and no charge is made for the use of such premises.
- C. The minimum rear yard setback from a rear lot line for accessory structures shall be ten feet. No part of an accessory building (including eaves and overhangs) shall be located any closer than five feet to any principal structure, either on the same lot or an adjacent lot, in residential zone districts. No part of an accessory building (including eaves and overhangs) shall be located any closer than ten feet to any principal structure, either on the same lot or an adjacent lot, in nonresidential zone districts.
- D. Accessory buildings on corner lots shall be set back from the side street a distance not less than that required for the principal building.
- E. Accessory structures and uses shall

comply with the yard and bulk regulations applicable in the district in which they are located as set forth under chapters 17.12 and 17.13.

BUILDING

Building means a structure built for the shelter or enclosure of persons, animals, chattels, property or substances of any kind, excluding fences.

STRUCTURE

Structure means anything constructed or erected with a fixed location from the ground above grade, but does not include poles, lines, cables, or other transmission or other distribution facilities of public utilities.

