



Old Town Residential Neighborhoods

Diagnosis of Key Issues and Proposed Regulations/Zoning Code Amendments

Draft - June 2017



Table of Contents

PROJECT OVERVIEW.....	1
COMMUNITY ENGAGEMENT.....	1
ABOUT THIS REPORT.....	2
PART 1: DIAGNOSIS OF KEY ISSUES.....	2
Applicability.....	2
Key Issues.....	4
SITE DESIGN.....	5
Setbacks.....	5
Lot Coverage.....	7
Ground-Mounted Mechanical Equipment.....	9
Building and Garage Orientation.....	9
Tree Protection.....	10
BUILDING MASSING AND FORM.....	11
Relationship to Surrounding Homes (Bulk/Mass/Height).....	11
Solar Access.....	13
BUILDING DESIGN.....	13
Architectural Features.....	13
DEMOLITIONS.....	14
Definition.....	14
Noticing Requirements for Demolition of Non-Designated Historic Buildings.....	15
OTHER.....	16
Density/Intensity.....	16
PART 2: PROPOSED REGULATIONS/ZONING CODE AMENDMENTS.....	18
Purpose.....	18
Applicability.....	18
Sec. 26-8-1. Definitions.....	19
Sec. 26-9-3. – Schedule of Requirements (Table 26-B).....	19
Sec.26-14-6. – Yard requirements.....	21
Sec. 26-14-19. Accessory buildings, structures, and dwelling units.....	22
26-16-7.1. - Site plan/architectural review criteria.....	22
Sec. 26-18-8. Increased lot coverage.....	24
Sec. 26-19-5. - Landscaping regulations and guidelines.....	25

Project Overview

In mid-2016 the City of Lafayette and Historic Preservation Board initiated a process in response to concerns about recent development in Lafayette's Old Town Neighborhoods. As part of this process, City staff and the Historic Preservation Board (HPB) were directed by City Council to work with area residents, property owners, and stakeholders to develop an enhanced set of tools to guide future development, which may include: 1) infill on a vacant lot (single family or duplex); 2) redevelopment through demolition/replacement of an existing building; or 3) additions to an existing building.

The project is a collaborative effort led by City staff and the HPB working with support from an outside consultant. An eight member Steering Committee was appointed to guide the process and support the project team.

Prior to developing this report, members of the project team toured Lafayette's Old Town Neighborhoods with Steering Committee members; reviewed applications from recent developments; and solicited input from area residents, property owners, and other stakeholders to answer these and other questions:

- What are the key character defining features for Old Town neighborhoods that should be protected?
- What are the perspectives of Old Town residents, property owners, the design and development community, and community at large about:
 - What's working (and what's not) with the tools¹ we have in place today?
 - What are the key compatibility issues that should be addressed as part of this effort?
 - Which areas should be included (or not) in the boundary for the Old Town Neighborhoods?
 - Should the process for demolitions be modified?

Community Engagement

Two rounds of community engagement were conducted, each of which consisted of an evening workshop during the week, a Saturday morning workshop, and an online input opportunity that lasted for approximately two weeks. Notification for each round was provided through a direct mailing to Old Town residents, as well as through the City website and social media channels.

- **Round 1: Issue Identification.** Approximately 90 people participated in the first round of community workshops in late February 2017. Those unable to attend the workshops were provided an opportunity to weigh in on the same set of information online. Over the course of two weeks, 332 people provided input. The survey conducted as part of the workshops and online was not scientific; respondents to the survey were self-selecting. A summary of input received as part of the first round of engagement is available on the City's website [here](#).
- **Round 2: Review of Preliminary Draft Recommendations.** Approximately 80 people participated in the second round of community workshops held in late April 2017. An online survey was again provided for those who were unable to attend one of the workshops, and 85

¹ Existing regulatory tools include the Development and Zoning Code (Chapter 26). Advisory tools include the Old Town Lafayette Design Resource Book and the Comprehensive Plan.

people participated (not all participants answered all questions). A summary of input received as part of the second round of engagement is available on the City's website.

About this Report

This report includes two parts:

- **Part 1: Diagnosis of Key Issues-** includes a summary of key issues identified through initial community input, a discussion of how well existing regulations and guidelines *do* or *do not* address issues identified; and a discussion of recommendations to fill regulatory “gaps” that do exist, based on the results of both rounds of community input.
- **Part 2: Proposed Regulations/Zoning Code Amendments-** includes a draft of the proposed regulations and zoning code amendments that would be needed to implement the recommendations outlined in Part 1.

Members of the project team met with the Steering Committee in early May 2017 to review the results of the second round of community engagement and discuss potential modifications to the recommendations to carry forward to the HPC and Planning Commission for consideration. The current iteration of this document reflects the results of these ongoing conversations.

Part 1: Diagnosis of Key Issues

Applicability

PROPOSED BOUNDARY

Recommendations outlined in this report would be applicable to all properties located within the proposed Old Town Residential Neighborhoods boundary as shown in Figure 1. The proposed boundary (outlined in green) was prepared by City staff and the HPB as a starting point for discussion and includes:

- All properties zoned Old Town Residential (OTR)
- Some R1 (Medium Density) and R2 (Single & Two Family Residential) properties adjacent to OTR areas that have similar characteristics (e.g., lot sizes, street trees, proximity to Old Town core)
- A couple of small T1 (Transitional Business) properties with residential uses and a church

The proposed boundary is intended to apply only to residential properties—the Urban Renewal Area is not included.

- As needed, adjust the Old Town Lafayette boundary shown on the Old Town and Downtown Lafayette map contained in the Comprehensive Plan based on the final outcome of this effort.

Key Issues

Key issues have been organized into five broad categories and include:

SITE DESIGN

- Setbacks
- Lot coverage
- Ground-mounted mechanical equipment
- Tree protection
- Building and garage orientation

BUILDING MASSING AND FORM

- Relationship to surrounding homes (Bulk/Mass/Height)
- Solar access

BUILDING DESIGN

- Architectural details (roof form, materials, etc.)

DEMOLITIONS

- Definitions
- Use of incentives to discourage demolition of historic buildings
- Noticing requirements for demolition of historic buildings

OTHER

- Density/intensity

Site Design

Setbacks

SUMMARY OF KEY ISSUES

- *Front setbacks* – minimal comment on front setbacks from respondents, aside from those indicating they preferred the consistency reflected in the examples provided as part of the first round of community engagement.
- *Side setbacks* – numerous respondents highlighted instances in both examples provided and recent development in Old Town where development felt crowded/too close to adjacent homes. Particular concern was cited with regard to the proximity of multistory buildings adjacent to existing single family homes. It was also noted by a few respondents that lot width should play a role in determining the appropriate side setback (i.e., narrower lots may require a narrower side setback to be viable.) (See also: Mechanical Equipment)
- *Rear setbacks* – minimal comment.
- *Accessory building/ADU setbacks* – minimal comment.

SUMMARY OF EXISTING REGULATIONS/GUIDELINES

- *Sec. 26-9-3. - Schedule of requirements. (Table 26-B)* – establishes required front, side, and rear yard setbacks as follows:

	R1 – Medium Density Residential	R2 – Single- and Two-Family Residential	OTR – Old Town Residential
Principal Buildings			
Front yard setback – Arterial street	45	45	45
Front yard setback – Collector street	35	35	35
Front yard setback – Local street	25	20	20
Side yard setback	5	5	5
Rear yard setback	25	20	20
Side street setback	--	--	10
Accessory Building or Structure			
Rear yard setback	5	5	5
Accessory Dwelling Unit²			
Rear yard setback	--	--	5

- *Sec. 26-14-6. - Yard requirements.* – defines how required yards are determined on a given lot and defines allowable projections into required setbacks. In the OTR district: unenclosed, covered porches may encroach into the front or side yard setback up to 6 feet (subject to several exceptions).

² ADUs are not permitted in R-1 or R-2 districts.

- *26-14-19. - Accessory buildings, structures, and dwelling units.*
 - (a)(4) All accessory buildings and structures shall maintain side yard or side street yard setbacks equal to the side yard or side street yard setbacks required for the principal building located on the lot and a front yard setback equal to the front yard setback for the principal building plus an additional ten (10) feet.
 - (b)(4) In the Old Town Residential zone district, an accessory dwelling unit shall maintain a setback from the front lot line in an amount that is equal to the required front yard setback for a principal structure plus an additional ten (10) feet.
 - (b)(5) An accessory dwelling unit shall be constructed not less than six (6) feet from the principal dwelling unit.
- *26-18-10. - Minimum spacing between structures.*
 - Minimum spacing between structures is required to ensure adequate privacy, light, ventilation and fire protection while encouraging more creative and imaginative design.
 - No residential building shall be located within fifteen (15) feet of another residential building within the same P.U.D. Planning Commission may grant approval of residential building separation of no less than ten (10) feet.
- *Lafayette Design Resource Book: pg. 11-12*
 - Provide a front yard similar in depth to adjacent homes when possible.
 - When building a new building or addition, consider placing it to fit within the range of setbacks seen in the block. (This includes front, side, and rear yard setbacks.)

RECOMMENDATIONS:

- *Front setbacks:* Continue to apply required front setbacks
- *Side yard setbacks:*
 - One-story: minimum side yard setback of 5 feet.
 - One and a half-story: minimum side yard setback of 8 feet. e.
 - Two-story: minimum side yard setback of 10 feet.

Lot Coverage

SUMMARY OF KEY ISSUES

- Approximately 53 percent of respondents cited lot coverage as a top compatibility concern with respect to site design in Old Town. Respondents expressed specific concerns about examples that were perceived as taking up the majority of the lot and noting they did not want to see that in Old Town.
- Other respondents noted that while they were concerned about overall lot coverage, that the current 30 percent maximum did not seem overly restrictive. Others noted that the current 30 percent maximum was too restrictive and that more flexibility should be provided. It was also noted that including covered porches in the calculation of a site's total lot coverage was part of what made it too restrictive.

SUMMARY OF EXISTING REGULATIONS/GUIDELINES

- *Sec. 26-9-3. - Schedule of requirements. (Table 26-B)* – establishes a maximum lot coverage of 30 percent for R1, R2, and OTR districts.
- *26-18-8. - Increased lot coverage* – allows the planning commission to grant an increase in lot coverage for PUDs upon finding that such increase meets a set of criteria (excerpted below).
 - (b) The increase will not have a significant adverse effect on the surrounding area;
 - An increase in lot coverage shall not be permitted if such increase will be detrimental to the character of the proposed P.U.D. or character of the surrounding area
- *26-14-19. - Accessory buildings, structures, and dwelling units.*
 - (1) The floor area of an accessory dwelling unit shall not exceed seven hundred fifty (750) square feet.
 - (3) An accessory dwelling unit may be contained within the same accessory structure or building that is provided for a separate accessory use, provided, however, that the building footprint of such combined accessory structure shall not exceed the lesser of ten (10) percent of the lot area or seven hundred fifty (750) square feet.
- *26-14-6. - Yard requirements - (h)* Except as otherwise provided in subsection (i) of this section, every part of a required yard shall be unobstructed by buildings from ground level upward except for projections of architectural features as follows:

CURRENT CONDITIONS

- The minimum lot size in the zoning districts (R1, R2, OTR) is 7,000 square feet, which means a lot coverage of 30% results in a maximum footprint of 2,100 square feet. This is greater than the average footprint (1,628 square feet including primary dwelling, garages, porches, patios, and other accessory buildings) calculated from a sample of 181 parcels in Old Town. Footprint includes all site elements under a roof.
- 54% of the lots surveyed were smaller than 7,000 square feet, resulting in buildable areas smaller than the 2,100 square feet noted above.
- In this same sample, the average lot coverage of a primary dwelling was 16%; 23% when garages, porches, patios, and other accessory building are included. When just looking at the primary dwelling, 3% exceeded the 30% requirement, while 16% of lots exceeded this requirement when accessory buildings were considered.
- 67% of lots had lot coverage ranging from 16% to 30%.

- (i) Cornices, sills and ornamental features, not to exceed twelve (12) inches;
- (ii) Roof eaves, not to exceed eighteen (18) inches;
- (iii) Uncovered porches, slabs and patios; walks and steps; all when less than thirty-six (36) inches above the ground;
- (iv) Fire escapes and individual balconies not used as passageways may project eighteen (18) inches into any required side yard, or four (4) feet into any required front or rear yard;
- (v) Solar collection devices and equipment, not to exceed eighteen (18) inches or ten (10) percent of the required setback, whichever is greater.

RECOMMENDATIONS:

- Reduce current lot coverage requirement of 30% to 25% as a baseline to reinforce the community's desire to reduce the scale and mass of future development and additions, and to further incentivize the preservation of historic buildings in Old Town.
- Remove front street-facing and side street-facing covered porches or stoops from lot coverage calculation.
- Provide lot coverage increases as incentives as follows:
 - Construction of a one-story primary dwelling, addition, or accessory dwelling unit: Lot coverage increase of up to 10% may be granted (700 sq. ft. increase in building footprint for a 7,000 sq. ft. lot);
 - Construction of a one and a half-story primary dwelling, addition, or accessory dwelling unit: Lot coverage increase of up to 5% may be granted (350 sq. ft. increase in building footprint for a 7,000 sq. ft. lot);
 - Obtaining local historic landmark status in conjunction with an addition or accessory dwelling unit: Lot coverage increase of up to 10% may be granted; designation must be obtained prior to granting of lot coverage increase (700 sq. ft. increase in building footprint for a 7,000 sq. ft. lot). Additions must comply with the Secretary of the Interior's Standards for Historic Preservation;
 - Preserving historic buildings or significant building elements: Lot coverage increase of up to 10% (700 sq. ft. increase in building footprint for a 7,000 sq. ft. lot) may be granted for additions that meet all of the following requirements:
 - Involve buildings over 50 years old;
 - Preserve the full width of the front street-facing façade and at least 10 feet or 75 percent of the front depth of the house, including all walls, porches, windows, and other architectural elements located within these areas; and
 - Do not add an additional story to the original building.
- The total lot coverage increase granted through any of the incentives above may not exceed 10% (or 35% total lot coverage).
- Revise Sec. 26-18-8 of the PUD process to stipulate that lot coverage increases for PUDs located in Old Town may only be granted through the incentive mechanism proposed above.

Ground-Mounted Mechanical Equipment

SUMMARY OF KEY ISSUES

Although some level of screening of mechanical equipment is required as part of Sec. 26-16-7.1., the location of mechanical equipment is not addressed. Typically, mechanical equipment is placed in the side yard where it is least visible and audible from the rear yard and any outdoor deck or patio associated with the primary building. This practice, when combined with the required setbacks of five feet or less (in the case of some PUDs), can be very impactful to residents on the adjacent property. Although the equipment is not typically visible through privacy fencing, the noise and heat associated with air conditioner compressors may be concentrated in close proximity to the windows of an existing home, reducing the ability of residents to keep their windows open during summer months.

SUMMARY OF EXISTING REGULATIONS/GUIDELINES

- *26-16-7.1. - Site plan/architectural review criteria.*
 - (h)The screening of service yards, rooftop mechanical equipment, and other items which tend to be unsightly has been accomplished through the placement of walls, fences, plantings, or a combination thereof; further, the screening is effective during all seasons of the year.
 - (p)The materials used to buffer mechanical equipment, electrical equipment or other utility hardware on the roof, ground or building, are harmonious with the building.
- *Lafayette Design Resource Book: pg. 24-* Air-conditioning and evaporative cooling units should not be located on roofs, in windows, or mounted on the sides of homes. All air-conditioning units should be located at ground level, adjacent to buildings they serve and screened from public view.

RECOMMENDATIONS:

- Codify language from Design Resource Book as listed above, and further specify that air-conditioning units at ground level must mitigate noise and heat impacts on adjacent residents through one or more of the following strategies:
 - Locating equipment a minimum of 10 feet from ground level bedroom windows or unenclosed patios or porches on the adjacent home;
 - Locating equipment in a sound-buffering enclosure; and/or
 - Using equipment certified with a sound rating of the proposed equipment, not to exceed a A-weighted sound pressure level of sixty-five (65) dBA.

Building and Garage Orientation

SUMMARY OF KEY ISSUES

Primary buildings in Old Town have traditionally been oriented towards the primary street frontage. Allowing development of homes or garages that are oriented towards the side can result in diminished privacy for adjacent homes and can detract from the established character of the neighborhood. A similar concern was identified by respondents with regard to the orientation of new 2-car garages that are oriented toward a side street. Building and garage orientation are of particular concern for larger properties (e.g., over 2 acres—the typical size of a standard block in

Old Town) in that could be redeveloped in the future.

SUMMARY OF EXISTING REGULATIONS/GUIDELINES

- No existing regulations.

RECOMMENDATIONS:

Principal Building

- Require single-family homes to be oriented towards the primary street frontage.
- Require duplexes to orient the primary entrances of both units toward the primary street frontage.

Garages

- Require that garages be located at the rear of the lot and accessed from an alley where one exists (and require larger redevelopments to be designed to include alley access).
- On corner lots, allow garages to be oriented toward a side street, provided the number of continuous garage doors is limited to two, single-car garage bays or one, double car garage bay.

Tree Protection

SUMMARY OF KEY ISSUES

- The presence (and retention/replacement) of mature trees was among the top three characteristics cited by respondents as important to maintain in Old Town Lafayette.

SUMMARY OF EXISTING REGULATIONS/GUIDELINES

- Sec. 26-19-5. - Landscaping regulations and guidelines. – requires a landscape plan (and street tree plantings) for all residential developments.
- Sec. 80-100. - *Voluntary landmark tree program.* – outlines parameters for voluntary designation of landmark trees (more than 30 years old; circumference of ten (10) feet or more; or rare trees that may or may not be associated with a historical event.
- Sec. 80-101. - *Removal of a landmark tree; replacement.* – establishes conditions for removal of landmark trees and requirements for replacement (or a donation to the tree fund in lieu of).

RECOMMENDATIONS:

- Establish parameters that require the replacement of mature trees over a certain circumference that are removed as part of future development in Old Town. While similar requirements for landmark trees are in place, the intent would be to expand protections for mature trees in Old Town, particularly within rear yards.

Building Massing and Form

Relationship to Surrounding Homes (Bulk/Mass/Height)

SUMMARY OF KEY ISSUES

When asked to identify their top three compatibility issues with respect to building massing and form in Old Town, nearly 80 percent of respondents indicated overall scale and massing, over 52 percent indicated height, and 42 percent indicated attention to shading of neighboring properties. In addition, open-ended comments received on the various examples presented for infill single family detached, additions, new units attached to existing homes, infill duplexes, and garage/accessory dwelling units new unit repeatedly cited scale, massing, bulk, height, and “blockiness” as key reasons why they thought a particular example wouldn’t “fit” in Old Town Lafayette.

SUMMARY OF EXISTING REGULATIONS/GUIDELINES

- *Sec. 26-9-3. - Schedule of requirements. (Table 26-B)* – establishes height limitations as follows:

	R1 – Medium Density Residential	R2 – Single- and Two-Family Residential	OTR – Old Town Residential
Principal Building or Structure			
Building height	27	27	27
Accessory Building or Structure			
Maximum height	16	16	20
Accessory Dwelling Unit			
Rear yard setback	--	--	5
Maximum height	--	--	20

- *Sec. 26-14-8. Height provisions.*
 - Height determination. The height of buildings or other structures shall not exceed the maximum permitted height shown in Table 26-B as measured from any point at the top of a flat or mansard roof or from the midpoint between the highest eave line and highest ridge line of a gable, gambrel, hip, shed or similar pitched roof to the over-lot grade elevation, which shall be based on an approved grading plan, directly below such point. It is the intent of this regulation that a building plane be established that runs parallel to the over-lot grading elevation of the lot and no higher than the maximum permitted height shown in Table 26-B. Such plane shall act as a ceiling beyond which a flat or mansard roof does not protrude and beyond which the midpoint between the eave line and ridge line of a gable, gambrel, hip, shed, or similar pitched roof does not protrude.
- *26-16-7.1. - Site plan/architectural review criteria.*
 - (a) The scale is appropriate to the site and function of the project and/or building.
 - (b) The architecture promotes a harmonious transition in scale and character of the proposed building to surrounding land uses.
 - (m) Building articulation and rooflines are varied by the use of architectural and site design.

- *Lafayette Design Resource Book (pg. 15):*
 - The scale and mass of a principal building should be similar to that of a single family home in the neighborhood. While new buildings may be larger than many existing homes, this new construction should not be dramatically larger than the current scale of the neighborhood.
 - To minimize the perceived scale of a building, step down its height toward the street, neighboring structures and the rear of the lot.
 - To break up the mass of a structure, divide it into pieces that are similar in size to buildings in the neighborhood.

RECOMMENDATIONS:

Establish supplemental criteria (as defined in draft Overlay District language) to be used in conjunction with the Old Town Lafayette Design Resource Book in the review of all site plans and projects located in the Old Town Residential Neighborhoods boundary to ensure future development does not overpower the lot sizes and home sizes that exist in Old Town today:

Maximum Height- Principal Building or Structure

Reduce the maximum height to 24 feet (in accordance with the height determination procedures contained in Sec. 26-14-8).

All Development (Infill development and Additions)

Bulk Plane/Buildable Area Requirements: Establish side and rear bulk planes to minimize the mass and blockiness of infill development and additions on adjacent properties. The bulk planes essentially form a “tent” over the lot, rising from the property lines for a set height (e.g., the equivalent of one story building in Old Town) and then angling in at 45-degree angles from the side lot lines and rear lot line. The buildable area of each lot is then established by combining yard setbacks and bulk planes. Dormers (shed or gable) and side-gabled roof forms would be allowed to protrude into the bulk plane with limitations (as defined in draft Overlay District language).

Additions

- Incorporate roof and building forms similar to those found on the principal building.
- Full floor additions or “pop tops” that obscure the form of the original building are not allowed.
- Prohibit rear-yard additions that tower over the original building.
- Incentivize smaller scale additions by providing flexibility in lot coverage and setbacks for those that are less than two stories.

Duplexes

- Incentivize smaller scale duplexes by providing flexibility in lot coverage and setbacks for those that are less than two stories.

Solar Access

SUMMARY OF KEY ISSUES

- In relation to concerns about the overall mass and bulk of homes, respondents expressed concern about the potential impacts of new homes or additions on solar access for existing residents. (See also: Relationship to Surrounding Homes (Bulk/Mass/Height))

SUMMARY OF EXISTING REGULATIONS/GUIDELINES

- No existing regulations; however, the City is currently working with Sol Smart to address solar considerations citywide.

RECOMMENDATIONS:

- Address specific issues related to solar access through current citywide process.

Building Design

Architectural Features

SUMMARY OF KEY ISSUES

Initial community input revealed varied opinions and preferences regarding what types of characteristics would “fit” in Old Town Lafayette:

- Many respondents noted that they preferred the examples that had a traditional style because it was more consistent with the character of Old Town.
- Some noted they did not care for modern architecture, while others indicated they weren’t opposed to modern architecture—but didn’t think it “fit” in Old Town.
- Other respondents noted that diversity in character was a defining feature of Old Town that should be perpetuated through support for a mix of styles and housing options. Individuality, flexibility, diversity, eclectic, non-cookie cutter, were just some of the terms used to describe respondent impressions of the range of examples provided.

SUMMARY OF EXISTING REGULATIONS/GUIDELINES

- *26-16-7.1. - Site plan/architectural review criteria.*
 - (b) The architecture promotes a harmonious transition in scale and character of the proposed building to surrounding land uses.
 - (c) The quality and overall design is compatible with the location and proposed use as demonstrated by building elevations.
 - (d) Any diverse architectural treatments are integrated into the overall architectural theme in order to avoid a cluttered appearance.
 - (j) The building materials are suitable to the type of building and design for which they are to be used. The building exteriors have the same materials, or those which contrast in pleasing ways as to be architecturally harmonious. Metal materials as a primary architectural feature have not been used.
 - (k) The materials selected are of a durable quality and offer protection from rot and/or corrosion through the use of commonly accepted maintenance procedures.

- (l) For any design in which the structural frame is exposed to view, the structural materials are durable and compatible within themselves and harmonious to their surroundings.
- *Lafayette Design Resource Book*: The Design Resource Book includes descriptions and examples of different architectural styles found in Old Town, in addition it provides dozens of general guidelines to encourage architecture that reflects the community's heritage, but also encourages individual expression through an outline of basic criteria for design. Topics addressed range from character and size to window placement to the use of materials.

RECOMMENDATIONS:

Continue to use the Lafayette Design Resource Book as a resource tool, supplemented by a new set of standards (as defined in draft Overlay District language) that require compatibility with the basic characteristic of Old Town's traditional feel while still allowing for creativity and flexibility. Generally, proposed standards would:

All Development (Infill development and Additions)

- Require a similar level of design treatment on all four sides of a building. Prohibit blank walls devoid of windows or other details.
- Limit the cumulative length of walls that exceed a certain height (e.g., 12 feet) within a specified distance of the side yard property line and establish requirements to break up the perceived mass of the side façade (e.g., variation in the wall plane or height limitation).
- Require window and door openings on the front façade with a similar proportion of window to wall space (solid-to-void ratio) as found on historic buildings in Old Town—typically between 25 and 30 percent. Allow for greater flexibility on side or rear facades, provided the overall level of design treatment on all sides of a building is similar.

Additions:

- For buildings that are greater than 50 years old, use a subtle change in offset, materials, detailing, and/or color to differentiate between old and new portions of the building.

Demolitions

Definition

SUMMARY OF KEY ISSUES

- Under current process, the HPB has reviewed 18 demolition applications since 2012; however, questions have been raised as to whether the current definition is too flexible in terms of its percentages and whether the 90-day stay on the demolition permit is sufficient to allow time to evaluate the significance of the building and work with the property owner to explore potential alternatives to demolition.
- By comparison neighboring cities use the following criteria for the demolition of historic buildings:
 - **City of Louisville**: Similar definition with an up to 180-day suspension period.
 - **City of Boulder**: Similar definition with an up to 180-day suspension period; however, in 2015, the City adopted a series of clarifications to the process to address a range of circumstances (e.g., demolition of a prior addition that is not historically significant)

- When asked whether the definition of a “definition” should be revised as part of this process, approximately 25 percent of respondents indicated yes and additional 38 percent indicated they were not sure yet, but that it was a conversation worth exploring.

CURRENT PROCESS FOR DEMOLITION OF HISTORIC BUILDINGS

Demolition of buildings (more than 50 years old) must be reviewed by the HPB:

- 10-day review by the Demolition Review Committee, which can refer to the entire HPB within 45 days
- HPB may place a 90 day stay on the demolition permit

A demolition is defined as any project which does one of the following:

- Removes 50% or more of the roof area;
- Removes 50% or more of the building walls, as measured contiguously along the building envelope; and
- Removes any portion of an exterior wall facing a public street (but not an alley).

RECOMMENDATIONS:

- Maintain current definition, consistent with neighboring communities.
- Revisit earlier efforts to systematically identify properties that are potentially eligible for National, State, or Local Landmark designations, building on Architectural Survey work that has been completed to date..
- Develop a historic preservation plan for the City to help clearly define the historic resources the community wishes to protect; develop goals and policies to guide historic preservation efforts; identify strategies and possible incentives to supplement the regulatory incentives proposed here; and implement desired outcomes.
- Establish a task force within three months of establishing an Old Town Residential Neighborhoods boundary to evaluate minimum maintenance and code enforcement standards on a citywide basis and develop a set of recommendations.
- Add building maintenance/neglect to the list of common concerns on the City’s Code Compliance Information Page, along with an explanation of how such complaints should be made and what grounds the City has to respond (or not) based on their Property Maintenance Code (Article X).

Noticing Requirements for Demolition of Non-Designated Historic Buildings

SUMMARY OF KEY ISSUES

- There have been 18 demolitions/approvals in Old Town since 2012. There is a desire among the HPB and some residents to increase awareness of proposed demolitions with the intent of discouraging further loss of historic buildings.
- Neighboring cities follow a similar noticing process as Lafayette:
 - City of Louisville: Requires notices to be mailed to all property owners within 500 feet of the property in question 15 days prior to the hearing. In addition, notices must be posted in public facilities, on the city’s website, in front of the subject property and in a newspaper 15 days prior to the hearing.

- City of Boulder: A notice must be published in a newspaper 10 days prior to the hearing. Notices must also be posted in front of the subject property and a written notice must be mailed to the record owners of the property 10 days prior to the hearing.

CURRENT NOTICING REQUIREMENTS FOR DEMOLITION OF NON-DESIGNATED HISTORIC BUILDINGS

A review team (comprised of two members or designated alternative of the historic preservation board and the city administrator or designee) must review an application for a demolition permit for any building 50 years old or older within 10 days of submission. If any member of the review team determines that the building may have historical significance and that the permit merits review by the entire HPB, a public hearing before the HPB must be scheduled within 45 days. The public is notified of such hearings as follows:

- A sign must be placed in the property yard at least 10 days before the hearing
- Notice must be placed in the classified section of a local newspaper
- The hearing is also included in the agenda for the upcoming HPB meeting. This agenda is typically published 5 days before the meeting.

Only demolitions referred by the review team to the entire HPB are noticed. Other public hearings require a mailed notice to all properties within 750 feet of the property in question, but this requirement is waived for public hearings before the HPB.

RECOMMENDATIONS:

- Amend public noticing requirements for demolitions to include a mailed notice to owners of properties within 750 feet of the property in question 10 days prior to the public hearing as is done for other public hearings.

Other

Density/Intensity

SUMMARY OF KEY ISSUES

- Many participants expressed concern about allowing higher density residential development in Old Town and others cited a potential disconnect between existing densities in Old Town (approximately 7 dwelling units/acre) and the current Comprehensive Plan designation. Although the “high density residential” designation given to Old Town in the Comprehensive Plan allows for densities of 6 du/ac and up, the name “high density” likely creates misperceptions among residents about the densities encouraged by this land use category.

CURRENT DENSITY PARAMETERS

- *Sec. 26-9-3. - Schedule of requirements. (Table 26-B)* – establishes maximum densities as follows:

	R1 – Medium Density Residential	R2 – Single- and Two-Family Residential	OTR – Old Town Residential
Maximum DU/Acre	6	10	13

- *City of Lafayette Comprehensive Plan* – The comprehensive plan designates the Old Town area as “High Density Residential,” allowing densities of 6 du/ac and greater. This is consistent with zoning and current conditions in the area (see below).
- Under current minimum lot size requirements (7,000 square feet), densities within the neighborhood are limited to between 6 du/ac for single-family homes and 12 du/ac for duplexes. However, many lots are smaller than 7,000 square feet, and would exceed the 12 du/ac limit set by the minimum lot size if property owner wanted to develop a duplex.
- A survey of 181 lots shows that existing densities in the area range from 6.1 du/ac to 8.2 du/ac, depending on the location within Old Town. The overall density for all parcels surveyed is 6.8 du/ac.
- ADUs are excluded from the calculation of dwelling units per acre permitted in the OTR zone district.

RECOMMENDATIONS:

- Maintain current density standards in for the R-1, R-2, and OTR districts in the zoning code.
- Establish a new “Old Town Residential” land use category in the Comprehensive Plan that aligns with the proposed Old Town Residential Neighborhoods boundary. Old Town Residential neighborhoods consist of single-family, duplex, and accessory dwelling units, which sets this area apart from other typical high density residential areas in Lafayette. Ensure that the new land use category (or add a separate policy) notes that multifamily development is not appropriate within the Old Town Residential Neighborhoods boundary and includes an upper density limit of 13 du/ac.

Part 2: Proposed Regulations/Zoning Code Amendments

The proposed regulations/code amendments that follow reflect a consolidated set of the recommendations as presented in Part 1. Based on community and stakeholder input received; these recommendations will be updated and codified for adoption as part of the City's Development and Zoning Code, in the form of a new overlay district for the Old Town Residential Neighborhoods.

Purpose

The Old Town Residential Neighborhoods Overlay District is intended to:

- Promote future infill, redevelopment, and additions that are compatible with the traditional scale and massing of development traditionally found in Lafayette's Old Town Residential Neighborhoods;
- Mitigate potential impacts associated with future infill, redevelopment, and additions on existing single-family homes; and
- Encourage the preservation of historic buildings in Lafayette's Old Town Residential Neighborhoods.

Applicability

The Old Town Residential Neighborhoods Overlay District shall be applicable to all new development, infill development, redevelopment, additions, and/or substantial improvements to buildings located on properties within the Old Town Residential Neighborhoods boundary that are zoned R-1 (Medium Density Residential), R-2 (Single- and two-family residential), OTR (Old Town Residential), and T1 (Transitional Business). The base zone districts within the Old Town Residential Neighborhoods boundary shall continue to apply unless modified by the terms of this Overlay District or a planned unit development.³

Note: Proposed regulations and zoning code amendments are shown as underlined text for new language or as ~~strike through text~~ for existing language that is proposed to be removed.

³Variations to maximum height and lot coverage would not be permitted as part of future planned unit developments. Variations in setbacks and building spacing would be permitted.

Sec. 26-8-1. Definitions

- **Building mass.** The three-dimensional bulk of a building height, width, and depth.
- **Building scale.** The size and proportion of a building relative to surrounding buildings and environs, adjacent streets, and pedestrians.
- **Infill development.** Development on a vacant or substantially vacant tract of land surrounded by existing development.
- **Redevelopment.** Development on a tract of land with existing buildings where all or most of the existing buildings would be razed and a new building or buildings built.

Sec. 26-9-3. – Schedule of Requirements (Table 26-B)

Proposed modifications for within the Old Town Residential Neighborhoods boundary are shown in the shaded cells below and footnotes below:

	R1 – Medium Density Residential	R2 – Single- and Two- Family Residential	OTR – Old Town Residential
Setbacks			
Front yard setback – Arterial street	45	45	45
Front yard setback – Collector street	35	35	35
Front yard setback – Local street	25	20	20
Side yard setback -within Old Town Residential Neighborhoods boundary			
1-story building (16' or less)	5	5	5
1 ½-story building (20' or less)	8	8	8
2-story building (24')	10	10	10
Side yard setback -outside of Old Town Residential Neighborhoods boundary	5	5	--
Rear yard setback	25	20	20
Side street setback	--	--	10
Minimum Lot Area			
Single-family	7,000	7,000	7,000
Duplex	--	7,000	7,000
Maximum lot coverage[1]	25%	25%	25%
Maximum dwelling units/acre	6	10	13
Building height [2][3]	24	24	24
Accessory Building or Structure			
Rear yard setback	5	5	5
Maximum height ⁴	16	16	20
Accessory Dwelling Unit⁵			
Rear yard setback	--	--	5
Maximum height	--	--	20

⁴ Within the Old Town Residential Neighborhoods boundary height is measured in accordance with: *Sec. 26-14-8. Height provisions.*

⁵ ADUs are not permitted in R-1 or R-2 districts.

[1] Within the Old Town Residential Neighborhoods boundary increases in lot coverage may be granted as follows, provided the total lot coverage resulting from the application of one or more of the incentives offered does not exceed thirty-five (35) percent:

- **(a) Construction of a one-story primary dwelling, addition, and/or accessory dwelling unit (16 feet or less):** A lot coverage increase of up to ten (10) percent may be granted;
- **(b) Construction of a one and a half-story primary dwelling, addition, and/or accessory dwelling unit (20 feet or less):** A lot coverage increase of up to five (5) percent may be granted;
- **(c) Obtaining local historic landmark status in conjunction with the construction of an addition or accessory dwelling unit:** A lot coverage increase of up to 10 percent may be granted; designation must be obtained prior to granting of lot coverage increase. Additions must comply with the Secretary of the Interior's Standards for Historic Preservation;
- **(d) Preserving historic buildings or significant building elements:** A lot coverage increase of up to 10% may be granted for additions or accessory dwelling units that:
 - Involve buildings over 50 years old;
 - Preserve the full width of the front street-facing facade and at least ten (10) feet or seventy-five (75) percent of the front depth of the house, including all walls, porches, windows, and other architectural elements located within these areas; and
 - Do not add an additional story to the original building.

[2] Within the Old Town Residential Neighborhoods boundary, modifications to maximum heights established by Table 26-B may not be granted as part of a planned unit development.

[3] Within the Old Town Residential Neighborhoods boundary, a bulk plane shall be applied that extends twelve (12) feet up from all four lot lines and angles in at 45-degree angles from the side and rear lot lines. The buildable area—or area in which development may occur—consists of the area within the required front, side, and rear yard setbacks and the combined side and rear bulk plane. (Figure 2 and Figure 3)

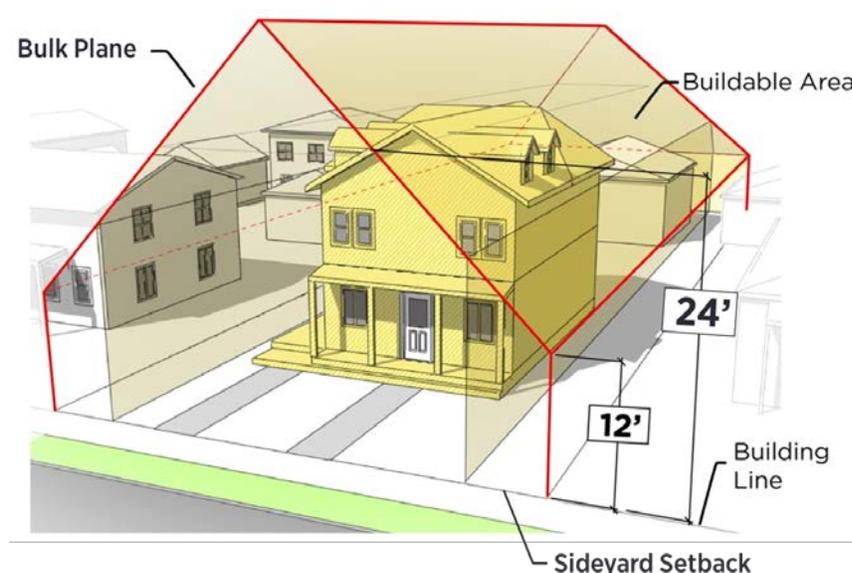


Figure 2- Bulk Plane as viewed from primary street frontage.



Figure 3-Bulk plane as viewed from side yard setback.

- Dormers (shed or gable) may extend up to six (6) feet beyond the building envelope, with a maximum width of eight (8) feet. The portion(s) that extend beyond the building envelope shall have a combined width no greater than fifty (50) percent of the length of the roof they are located on. The width of the dormer shall be measured at the point that it intersects the bulk plane.
- The end(s) of a side-gabled roof may extend up to five (5) feet beyond the building envelope with a maximum width of twenty (20) feet or no more than fifty (50) percent of the length of the home, whichever is less. The width of the side-gabled roof shall be measured at the point that it intersects the bulk plane.

Sec.26-14-6. – Yard requirements

- (h) Except as otherwise provided in subsection (i) of this section, every part of a required yard shall be unobstructed by buildings from ground level upward except for projections of architectural features as follows:
 - (i) Cornices, sills and ornamental features, not to exceed twelve (12) inches;
 - (ii) Roof eaves, not to exceed eighteen (18) inches;
 - (iii) Uncovered porches, slabs and patios; walks and steps; all when less than thirty-six (36) inches above the ground;
 - (iv) Fire escapes and individual balconies not used as passageways may project eighteen (18) inches into any required side yard, or four (4) feet into any required front or rear yard;
 - (v) Solar collection devices and equipment, not to exceed eighteen (18) inches or ten (10) percent of the required setback, whichever is greater;
 - (vi) Covered porches or stoops, not to exceed six (6) feet.⁶

⁶ This provision incentivizes the use of covered porches by removing them from the lot coverage calculation.

Sec. 26-14-19. Accessory buildings, structures, and dwelling units.

- The floor area of an accessory dwelling unit shall not exceed seven hundred fifty (750) square feet above grade. An additional seven hundred fifty (750) square feet may be accommodated in a basement, in accordance with the lot coverage incentives provided in Sec.26-9-3.

26-16-7.1. - Site plan/architectural review criteria.

The following supplemental criteria shall be used in conjunction with the Old Town Lafayette Design Resource Book in the review of all site plans and projects located in the Old Town Residential Neighborhoods boundary pursuant to section 26-16-7:

All Development

- A similar level of design treatment shall be provided on all four sides of a building. Blank walls devoid of windows or other details are prohibited.
- The percentage of the front façade that is occupied by window and door openings shall be between twenty-five (25) and thirty (30) percent, as is typically found on traditional homes in Old Town. A minimum of ten (10) percent of all other facades shall be occupied by window and door openings.
- Within twenty feet of each side property line, the cumulative length of walls that exceed twelve (12) feet in height shall be limited to thirty (30) feet. The remaining walls shall:
 - Be set back at least four (4) feet from portions of the wall plane that exceed twelve (12) feet in height; or
 - Not exceed twelve (12) feet in height.

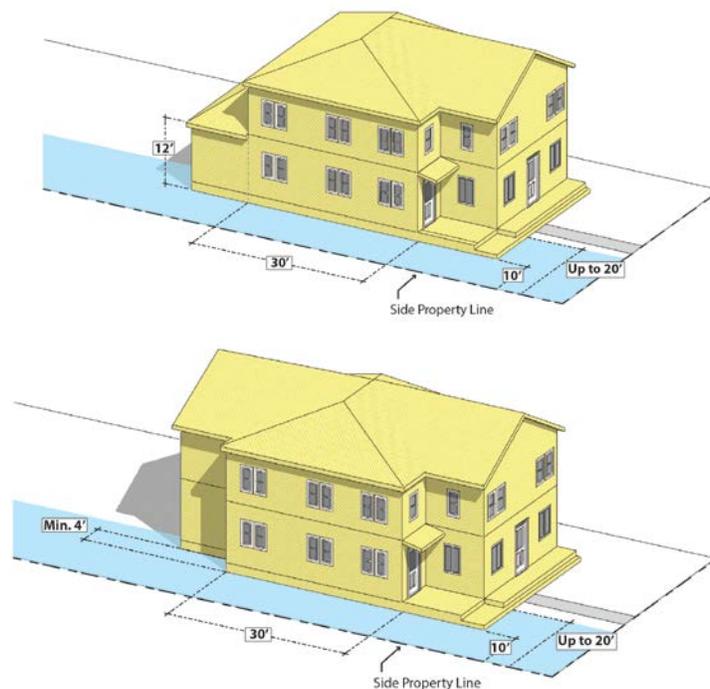


Figure 4—Required side wall articulation through stepdown (top) or variation in wall plane (bottom).

Air-conditioning units or other HVAC equipment mounted at the ground level must mitigate noise and heat impacts on adjacent residents through one or more of the following strategies:

- Locating equipment a minimum of ten (10) feet from ground level bedroom windows or unenclosed patios or porches on the adjacent home;
 - Locating equipment in a sound-buffering enclosure; and/or
 - Using equipment certified with a sound rating of the proposed equipment, not to exceed an A-weighted sound pressure level of sixty-five (65) DBA.
- Single-family homes shall be oriented towards the primary street frontage.

Additions

- Additions shall incorporate roof and building forms similar to those found on the principal building.
- The height of an addition shall not exceed the height of the original building at any point by more than thirty (30) percent.
- For buildings that are greater than fifty (50) years old, a change in architectural detailing(e.g., materials, color) or offset in the building wall shall be provided where the addition meets the original building to provide a subtle distinction between old and new building forms. (Figure 5)

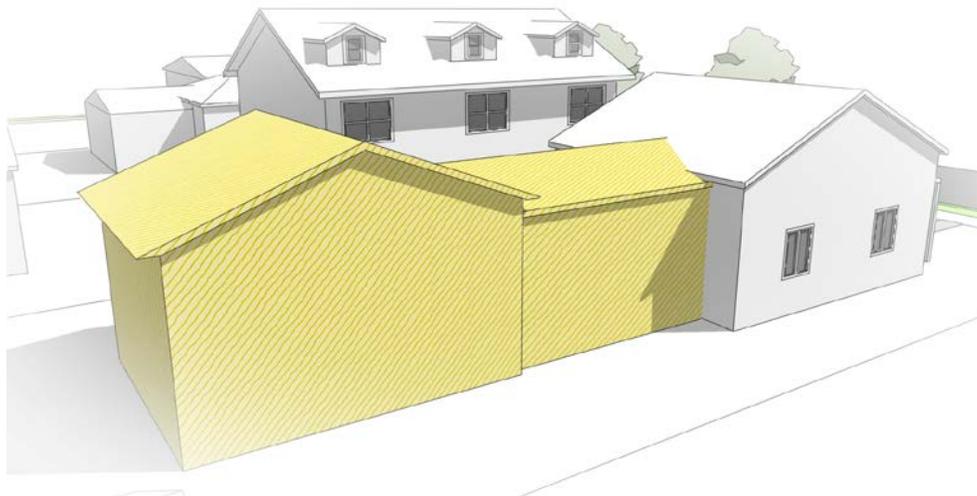


Figure 5-Use of change in building massing to provide a subtle distinction where an addition (shown in yellow) meets the original building form.

- When adding on to a building that is greater than fifty (50) years old, incorporate architectural details that are in keeping with the architectural style of the original building, while still allowing the addition to reflect its time.

Duplexes

- Duplexes shall orient at least one primary entrance toward the primary street frontage. If both entrances are oriented towards the primary street frontage, an offset in the front façade or other variation in building massing shall be provided to avoid the appearance of an identical pair of units. (Figure 6)



Figure 6—Use of offset and variation in building massing to distinguish between entrances in street-facing duplex units.

Garages

- Garages shall be located at the rear of the lot and accessed from an alley where one exists.
- On corner lots, garages may be oriented toward a side street, provided the number of continuous garage doors is limited to two single-car garage bays, or one double-car garage bay.
- Developments encompassing two (2) acres or more shall incorporate alley access to allow for alley-loaded garages when feasible and when connecting to existing alleys.⁷

Sec. 26-18-8. Increased lot coverage.

- The planning commission may grant an increase in lot coverage upon finding that such increase meets the following criteria:
 - (a) The increase meets the intent of a planned unit development as defined in section 26-18-1;
 - (b) The increase will not have a significant adverse effect on the surrounding area;
 - (c) The increase is not detrimental to the public health, safety and welfare;
 - (d) The increase promotes efficient use of land and its resources;
 - (e) The increase is not inconsistent with the city's Comprehensive Plan; ~~and~~
 - (f) The project in which the increase is proposed provides creative and innovative design; and
 - (g) If located within the Old Town Residential Neighborhoods boundary lot coverage increases shall be limited to those stipulated in Sec. 26-9-3.

⁷ Reflects typical block size in Old Town Residential neighborhoods (including alley).

Sec. 26-19-5. - Landscaping regulations and guidelines⁸.

(e) Tree replacement. Within the Old Town Residential Neighborhood boundary, Significant trees shall be preserved to the maximum extent feasible. For the purposes of this standard, significant trees shall be defined as follows:

- A minimum of six (6) inches in caliper measured twelve (12) inches above soil line for a deciduous tree; or
- A minimum of ten (10) feet in height for a needled evergreen tree.

Each significant tree deemed to be not feasible for preservation shall be replaced on site in a location that can accommodate the anticipated width of the tree at maturity without pruning. Replacement deciduous trees shall be a minimum of two (2) caliper inches measured six (6) inches above soil line. Replacement evergreen tree shall be a minimum of six (6) feet in height.

⁸ Replacement sizes are consistent with Sec. 26-19-5. Landscaping regulations and guidelines.