

**DESIGN GUIDELINES STUDY**

The desire to establish design guidelines to protect and enhance neighborhood character arose during the determination and prioritization of goals and action strategies. The purpose of design guidelines is to protect the character defining qualities of a given area. Design guidelines are a set of uniform criteria that are used to evaluate the appropriateness of proposed changes to existing buildings and new construction in a defined area or “district.” Design guidelines are a part of a longstanding tradition in American land use law, which balances the welfare of the general public and the interests of individual property owners. They are not intended to prevent property owners from making changes to their property or from erecting new buildings. Instead, they are intended to ensure that those changes enhance and maintain the architectural qualities that make an area unique.

The right to influence visual quality through design guidelines is established by local ordinance. Participants in the East Lawrence planning process favored a strategy that utilizes two different levels of protection – conservation districts and historic districts -- as tools to protect the diverse character of their neighborhood. The City of Lawrence currently has an ordinance, *Conservation of Historic Resources Code (Chapter 22)*, which establishes the process for designation of the East Lawrence Neighborhood as a historic district. Although portions of the East Lawrence Neighborhood would qualify for listing as a historic district on the local, state or National Registers, sufficient neighborhood support for listing was not found at this time.

Given the desire of the East Lawrence Neighborhood to establish design guidelines to protect and enhance the neighborhood character and the lack of support of historic district designation, the development a conservation district with associated design guidelines is the best approach to achieve the goals outlined in this plan.

**GOALS AND GENERAL ISSUES ADDRESSED BY THE ESTABLISHMENT OF DESIGN GUIDELINES**

The planning process initially identified the need to establish design guidelines to protect neighborhood character as one strategy to achieve the goal: “Preserve/Conserve Existing Physical Neighborhood Landmarks.” In addition, a variety of strategies identified in the workshops and surveys for achieving other goals can be either partially or fully implemented through the implementation of design guidelines. These issues coupled with the overwhelming support from the East Lawrence Neighborhood Revitalization Plan participants for design guidelines with an adequate degree of specificity to address the variety of architecture and streetscapes found in East Lawrence, led to treat the creation of design guidelines as an additional “Goal.”



## APPENDIX D – DESIGN GUIDELINES STUDY

In addition to addressing the Goal of “Preserve/Conserve Existing Physical neighborhood Landmarks,” design guidelines address the following goals:

- Goal 1: Encourage effective code enforcement, maintain appropriate land use and zoning and develop a true sensitivity to housing issues.
- Develop special zoning for East Lawrence neighborhood that will respect the original smaller lots and historic architectural styles.
  - Pass measures that discourage demolition of historic buildings by neglect.
- Goal 3: Protect and enhance neighborhood greenspace, streetscapes and other physical assets.
- Guidelines for restoration and maintenance of limestone curbs and hitching posts.
  - Develop guidelines for the restoration and maintenance guidelines for brick streets.
- Goal 5: Enhance pedestrian and automobile safety. Clearly demarcate commercial truck routes.
- Identify streets and sidewalks to be restored to brick.
- Goal 6: Protect and strengthen the viability of neighborhood businesses.
- Revise Standards – Current City standards do not reflect the existing character of East Lawrence. The development standards should be tailored to the neighborhood.

In response to these goals and implementations strategies, survey respondents in the planning process identified the following general issues that should be addressed in both Conservation and Historic district guidelines:

Conservation and Historic district overlay zoning should be enacted only when 60% of the property owners and owners of 60% of the square footage in the proposed district petition the city for designation.

Generally, design guidelines should address rehabilitation/maintenance, new construction/demolition, and streetscape/signage.

Design Guidelines should be comprehensive enough to avoid the need for variances addressing where appropriate, lot size, alleys, streetscapes, older buildings, historically significant buildings, alterations, additions, new construction and demolition.



## APPENDIX D – DESIGN GUIDELINES STUDY

Design review ordinances should include review of changes to city-owned property including structures and buildings, sidewalks, streets, and landscape elements.

Design review ordinances should include review of city initiated programs and/or projects receiving city incentives for impact on historic properties and streetscapes and mitigation of adverse impacts.

Design Guidelines should **not** address color and landscaping.

Design guidelines should reflect the specific needs and appearance of an identifiable area.

In general, design review ordinances should discourage demolition unless it will have a minimal impact on the historic, architectural, cultural and/or economic character of the neighborhood.

Design review ordinances should discourage “demolition by neglect” by possibly placing a moratorium on issuing a building permit when a property has not been maintained to city code prior to demolition.

Ordinances establishing design guidelines should recognize and establish a criteria for economic hardship.

### IMPLEMENTATION STRATEGY

The ability to create a local conservation district in East Lawrence as outlined in this plan will require amending the city zoning ordinance and possibly the historic preservation ordinance. Currently the city has an ordinance relating to the creation of and design review in historic districts, *Conservation of Historic Resources Code (Chapter 22)*. The city ordinances do not currently provide for the creation of conservation districts and their management. Furthermore, the type of neighborhood input plan participants desire is different from the existing design review processes.

Through the initiation of a cultural resource survey of East Lawrence, the City has taken the first step in developing conservation and historic districts in East Lawrence by identifying historic contexts and significant properties. The next step is to identifying boundaries for a potential conservation district and being securing property owner support in the identified area. The East Lawrence Neighborhood Association will need to take an active role in the education of property owners and tenants.

One tool the East Lawrence Neighborhood Association should use to educate property owners and tenants is the “Block Party” concept. A “Block Party” is an informal meeting hosted by a



## APPENDIX D – DESIGN GUIDELINES STUDY

resident, business owner, or property owner of a particular block during which other property owners and tenants on that block are introduced to the concept of a conservation district, presented with design guideline issues and allowed to ask questions about the review process. This informal “Block Party” allows individuals to ask questions and will give the Neighborhood Association an indication of how many property owners are willing to support the development of a conservation district.



If there is adequate neighborhood support, the next step is to amend the zoning and other relevant ordinances to allow for the creation of conservation overlay zoning. After new/amended enabling ordinances are in place, property owners could then petition the city to create a conservation district with provisions that meet the minimal standards set forth in the city ordinances for these types of designations.



Additional guidelines tailored to the design issues of a proposed East Lawrence Neighborhood Conservation District would need to be developed as part of the petition process. Proposed criteria for designation of conservation districts, design issues that should be addressed in design guidelines, and recommendations on ordinance revisions have been outlined in the following section.



## APPENDIX D – DESIGN GUIDELINES STUDY

### Criteria for Designation of Conservation Districts

Conservation Districts should meet at least one of the following criteria:

Contain a majority of buildings that are at least 50 years in age and retain architectural and historical characteristics that are worthy of conservation, but which have less historical, architectural and/or cultural significance and architectural integrity than those found in a Historic District; or,

Have recognized neighborhood identity and character by virtue that they possess distinctive, unifying elements of either exterior features and/or environmental characteristics, and moderate to good architectural integrity and thus, visually communicate identifiable settings, character, and/or associations; or,

Have a visual and physical relationship to an identifiable historic area/district where preservation of this relationship is determined to be critical to the protection of said historic area; or,

Have the potential to be upgraded to a historic district if physical and architectural integrity issues are successfully addressed.



Design Guidelines for Conservation Districts

**Height** - The height of any proposed addition or new infill construction should be compatible with the styles and character of the surrounding structures in the Conservation District.



The addition on the right is inappropriate because the height of the addition does not reflect the pattern of the original stone structure.



The addition on the left and rear is an appropriate response to the existing structure's height by matching the roof line.



The new infill house on the far right is an appropriate response to the height of the surrounding structures.

## APPENDIX D – DESIGN GUIDELINES STUDY

**Scale** – The scale of the building/structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in the Conservation District.



The addition on the right is inappropriate because scale of the addition does not respond to that of the original stone structure.

The new infill dwelling is an appropriate response to the “Scale” of the surrounding structures.



The scale of the structure on the right is too large in relationship to the adjacent structure seen in the background . Therefore it is an inappropriate response to the surrounding structures.



These structures are appropriate examples of scale and show the relationship between two different architectural styles.

**Relationship of Building Masses and Spaces** - The setback and relationship of a structure within a district to the open space between it and adjoining structures should be compatible in the Conservation District.



The structure on the left is an inappropriate response to “*Building Masses and Spaces*” because it is significantly setback further from the street than adjoining structures.



The new infill dwelling on the far right is an appropriate response to the mass and space by maintaining proper setback from the street.



While maintaining appropriate scale and massing, the structure on the left is an inappropriate response to “*Building Masses and Spaces*” because it is setback further from the street than adjoining structures.



The older commercial structures have a zero setback from the property line, which is typical and appropriate.



These structures maintain an appropriate setback from the street.

**Proportions of Windows and Doors** - The proportions and relationships between doors and windows should be compatible with the architectural style and character of the surrounding structures in the Conservation District.



The lack of proper proportioned windows and doors on the front of this structure is an inappropriate response to character of the surrounding structures.



These structures are good examples of appropriate windows and doors because of their vertical proportions.



The new horizontal windows are an inappropriate response to the character of the existing house and surrounding structures.



This new infill dwelling uses vertical windows that are appropriate in proportion to the surrounding structures.

**Roof Shape** - The design of the roof should be compatible with the architectural style and character of the existing building and/or with surrounding structures in the Conservation District.



Both of these structures are inappropriate response to “*Roof Shape*” because the roof pitch is too flat.



A variety of roof forms can be found in the East Lawrence Neighborhood. Steep pitched roofs, such as those found on these older structures are more compatible than shallow pitched roofs.



Many of the older commercial structures have flat roofs with a parapet along the perimeter. New business structures should respect these roof patterns.

**Directional Expression** – Building Facades in the designated conservation should blend with other structures with regard to directional expression. (Structures in a district should be compatible with the dominant horizontal or vertical pattern of surrounding structures.) The directional expression of a building in a district after alteration, construction, or partial demolition should be compatible with its original architectural style.



The lack of porches, entry doors, and windows and gable ends on the structure to the left are common elements that produce an inappropriate “*Directional Expression*.”



As shown above, porches, entry door, vertical oriented windows and gable ends are common elements that create an appropriate “*Directional Expression*.”



This infill dwelling is an example of an inappropriate “*Directional Expression*” because of the lack of a front door, porch and/or windows.



Business structures provide street facing entry doors and large areas of glass on the first floor which produces an appropriate “*Directional Expression*.”

## APPENDIX D – DESIGN GUIDELINES STUDY

### Recommended Ordinance Revisions to Allow for Conservation Districts Overlay Zoning Districts

A number of city agencies and boards work on projects affecting zoning and land use issues. Coordination of efforts specific to East Lawrence with these entities is essential to amending city ordinances and developing conservation overlay zoning districts.

The consultants recommend consideration of the following revisions to fulfill the priorities established in the East Lawrence Neighborhood Revitalization Plan as they relate to neighborhood conservation and historic preservation:

- I. Amendment of Zoning Ordinances to include conservation district zoning overlay and historic districts.

Lawrence's Historic Resources Commission is the proper vehicle to initiate actions to provide overlay zoning to historic districts and conservation districts. The Commission has the power to review the City's zoning code and to recommend to the Lawrence-Douglas County Planning commission and the City Commission any amendments appropriate for the protection and continued use of landmarks or property and structures within historic districts. The Planning Commission can then recommend the issue be incorporated into any special sub-committees or agencies currently working on zoning regulations. [Article 2, Historic Resources Commission, "Powers and Duties" 22-205 (20)]

- II. Amendment of the preservation component of the Comprehensive Plan to include use of Conservation Districts in older neighborhoods.

- III. Amendment of Chapter XXII. Conservation of Historic Resources Code of the City of Lawrence, Kansas (Ord. 5950, Sec. 1) to include designation of Conservation Districts. This would include amendment of:

- A. Article 1, "General Provisions" - Add Conservation District to 22-104 "Definitions".
- B. Article 2, "Historic Resources Commission, 22-205, "Powers and Duties" Amend to include appeals from citizens of denial of Certificate of Appropriateness applications in Conservation Districts.
- C. Article 3, "Surveys and Inventory" 22-301. Insert language relating to Conservation Districts where applicable.
- D. Article 4. Add a section for "Conservation District



## APPENDIX D – DESIGN GUIDELINES STUDY

“Designations” and insert “Conservation District” where appropriate throughout article. Specifically add the following:

1. Provision for Conservation Districts where applicable in 22-402, change “Nomination of Landmarks, and Historic Districts’ to “Nomination of Landmarks, Historic Districts, and Conservation Districts.”
2. Criteria for designation for Conservation Districts where applicable in 22-403.
3. Section relating to Conservation Districts in 22-404.1

E. Article 5. Add a section referencing Conservation Districts for the following:

1. Application for Certificate of Appropriateness for Conservation Districts such as is found in section 22-502 for historic districts and landmarks.
2. Determination of Certificate of Appropriateness for Conservation Districts by city staff and appeal of denial to the Historic Resources Commission such as is found in 22-503 and 22-504 for historic districts and landmarks.
3. Standards for review and design guidelines for property changes in Conservation Districts such as is found in 22-505 and 22-506 including issues addressed previously in this plan relating to design guidelines for Conservation Districts.

F. Article 8. Reference Conservation Districts in 22-801 (c ).

G. Article 9. Duties of Administrator in 22-902:

1. Insert section to include review of all Certificates of Appropriateness in Conservation Districts.
2. Include responsibility to prepare reports of issuance of Certificate of Appropriateness for the Historic Resources Commission.
3. Insert language outlining an appeals process to the Historic Resources Commission when a Certificate of Appropriateness in a Conservation District is denied.



## APPENDIX D – DESIGN GUIDELINES STUDY

East Lawrence Neighborhood Revitalization Plan

- H. Article 10. Incentives and Easements.
  - 1. Include Conservation Districts in section 22-1001 “Special Use Permit’
  - 2. Include Conservation Districts in 22-1003, “Exceptions.”
- I. Article 11. Amend to include Conservation Districts in section 221101 “Fees/”
- J. Article 12. Amend to include Conservation Districts in 22-1201 “Minimum Maintenance Requirement.’
- K. Article 13. Amend to include Conservation Districts in 22-1301 ‘Criminal Action” and 22-1302 “Civil Action.”

