

## RESOLUTION 2019-42

### **A resolution approving Boulder County Land Use Docket DC-18-0004: Amendments to Niwot Rural Community District (Article 4-116) and related Land Use Code Provisions**

#### Recitals

A. The Board of County Commissioners of Boulder County (the “Board”) is authorized to amend the text of the County's Zoning Regulations according to the procedures in the regulations and C.R.S. § 30-28-112, -116 and -133.

B. Under other statutory authority, the Board is empowered to adopt regulations related to the control of land use, including but not limited to Article 65.1 of Title 24 (Areas and Activities of State Interest); Articles 67 and 68 of Title 24 (Planned Unit Developments and Vested Rights); Article 20 of Title 29 (Local Land Use Enabling Act); Articles 11 and 15 of Title 30 (County Powers and Police Power); Article 1 of Title 32 (Special District Control); and Article 2 of Title 43 (County Highways), C.R.S.

C. By Resolution 94-185, adopted October 18, 1994, the Board approved a unified Boulder County Land Use Code (the “Land Use Code”), which the Board has amended on subsequent occasions.

D. In the present Docket, DC-18-0004 (the “Docket”), authorized by the Board at a public meeting on September 20, 2018, Boulder County Land Use staff proposed text amendments to Article 4-116 and associated provisions, including Articles 4-115, 4-511, and 4-518, of the Land Use Code (the “Proposed Amendments”), as set forth in the Boulder County Land Use Department’s memorandum and recommendation dated March 12, 2019, with its attachments (the “Staff Recommendation”). As outlined in **Exhibit A**, the Proposed Amendments will update the current Article 4-116 and will change the associated provisions in Articles 4-115, 4-511, and 4-518 of the Land Use Code.

E. The Boulder County Planning Commission (the “Planning Commission”) held a duly noticed public hearing on the Proposed Amendments on February 20, 2019. The Planning Commission recommended approval of the Proposed Amendments with one change to strike the last sentence of E.1.a., “Where alley access is available, curb cuts should not be permitted,” and certified the Docket for action to the Board.

F. On March 12, 2019, the Board held a duly noticed public hearing on the Docket and considered the Staff Recommendation, documents and testimony presented by the County Land Use Department and Transportation Department staff. Thirty-one members of the public spoke.

G. The Board declined to accept the Planning Commission's recommended change, and then tabled the Docket and instructed staff to conduct additional research and revise language in the Proposed Amendments.

H. The Board again heard the Docket during a duly noticed public hearing on April 23, 2019 (the "Public Hearing") and considered the revised Staff Recommendation dated April 23, 2019, documents and testimony presented by the County Land Use Department and Transportation Department staff. Twelve members of the public spoke at the Public Hearing.

I. Based on the Public Hearing, the Board finds that the Proposed Amendments included in **Exhibit A** meet the criteria for text amendments contained in Article 16 of the Land Use Code, in that the existing text is in need of amendment; the Proposed Amendments are not contrary to the intent and purpose of the Land Use Code; and the Proposed Amendments are in accordance with the Boulder County Comprehensive Plan.

Therefore, the Board resolves:

1. The Proposed Amendments in **Exhibit A** are approved with the below changes for incorporation into the Land Use Code, effective as of the date of the signing of this Resolution by the Board.

Section E.1.a of the Draft Code Language (p. A8 of 23 of revised Staff Recommendation)

Section E.1.a.ii, labeled as the Study section is removed and entirely replaced by the following:

(ii) Study

- (A) The County will conduct an initial traffic count within 3 months of the adoption of this amended Code section.
- (B) Within one year after the first new commercial development in Block 5 receives a Certificate of Occupancy, the County will conduct a new traffic count and public input survey to determine if additional counts and surveys will be required in the future, and what, if any, additional improvements and safety mitigation measures must be incorporated into future alley design.

Section E.6.c and E.6.d of the Draft Code Language (p. A11 of 23 of revised Staff Recommendation)

Subsections (c) and (d) of the Building Form section are combined, replaced, and rewritten as:

- (c) Second-story windows, patios, and decks shall be designed to minimize adverse impacts on the privacy of adjacent properties zoned NRCD I and Rural Residential.

2. Land Use Department and Transportation Department staff shall begin a collaborative process with Niwot residents to determine design features for the alley, including, but not limited to:

- a. whether it will be a one-way or two-way alley;
- b. the location and design of pedestrian access both along the alley and from the alley to 2nd Avenue; and
- c. the types of features necessary to buffer and screen the alley and its uses from 3rd Avenue residents.

3. The signing of this Resolution hereby memorializes that the development moratorium, previously approved by the Board through Resolution 2018-112, ended as of the date of the Public Hearing on April 23, 2019.

4. The Board desires to review the Proposed Amendments annually, or as otherwise determined necessary, and directs Land Use staff to report to the Board on implementation of the Proposed Amendments one year from the date of this adoption.

5. Under §30-28-125, C.R.S., the Board authorizes the Clerk to the Board to transmit this Resolution, with its **Exhibit A**, to the County Clerk and Recorder for filing and appropriate indexing. This transmittal should state recording Reference **No. 2735571**, the recording of the Boulder County Land Use Code on November 4, 2005, which this transmittal amends.

**[Signature Page to Follow]**

A motion to approve the Proposed Amendments, was made at the Public Hearing by Commissioner Deb Gardner, seconded by Commissioner Matt Jones, and passed by a 3-0 vote.

**ADOPTED** as a final decision of the Board on this 14th day of May, 2019.

**BOARD OF COUNTY COMMISSIONERS  
OF BOULDER COUNTY:**

Elise Jones  
Elise Jones, Chair

Deb Gardner  
Deb Gardner, Vice Chair

(Excused on 5/14/19)  
Matt Jones, Commissioner

ATTEST:

Cecilia Lacey  
Clerk to the Board

## Exhibit A

Attachment A: Proposed Amended Code Language

### **Article 4-116 Niwot Rural Community District I (NRCD I) Section A. Purpose and District Description**

**Reader's Guide:** These proposed sections replace the current "Introduction" section of Article 4-116. The current Introduction section includes background information related to the NRCD, as well as process-related information. The proposed updated Code language starts with a statement of purpose, followed by a description of the area covered by the district.

**NOTE:** To distinguish the original NRCD area which is the subject of this docket, from the NRCD II which is adjacent to subject area, the original NRCD is proposed to be renamed the NRCD I.

#### ***Draft Language:***

##### **A. Purpose, Scope, and District Description**

The Niwot Rural Community District I (NRCD I) was created under Article 4-115 to recognize the unique semi-rural character of the community, and to apply planning tools to help maintain that character. The NRCD I includes a historic district (HD) and a non-historic district (NH), each with a distinct character (see Figure 1). Article 4-116, as amended in March 2019, is intended to provide clear guidance for development that will help maintain community character while accommodating changes associated with preserving and enhancing the community as a thriving, semi-rural village center.

All provisions of the Boulder County Land Use Code apply to proposed development within the NRCD I unless otherwise noted in Article 4-116. Provisions in Article 4-116 identify the maximum allowed development footprint for the NRCD I. The applicable review process will evaluate all development proposals and may further restrict development based on the characteristics of a given property and proposal and review criteria, with particular attention to historic conditions in the district.

##### **NRCD I includes:**

Block 1 north of 2<sup>nd</sup> Avenue and west of Murray Street; Block 2 south of 2<sup>nd</sup> Avenue and west of Murray Street; Block 3 north of 2<sup>nd</sup> Avenue between Murray Street and Franklin Street; Block 4 south of 2<sup>nd</sup> Avenue between Murray Street and Franklin Street; Block 5 north of 2<sup>nd</sup> Avenue between Franklin Street and Niwot Road; Block 6 south of 2<sup>nd</sup> Avenue between Franklin Street and Niwot Road.

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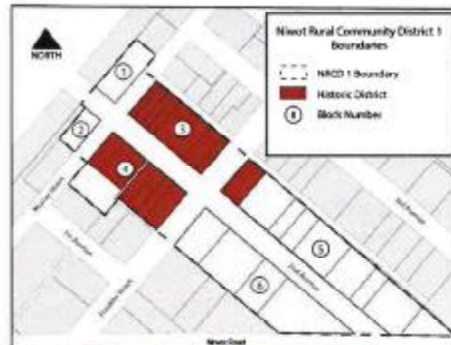


Figure 1 – Niwot Rural Community District 1

**Section B. Principal Uses Permitted**

**Reader's Guide:** This proposed section remains the same as the current version of the Code with two exceptions: 1) use categories are revised to match current use definitions used elsewhere in the Land Use Code; and 2) there is a section for "Mixed Use" which includes information on the maximum number of dwelling units that could be allowed depending on parcel size. There is also a corresponding addition of a definition for Mixed Use within the main body of the Land Use Code (a new Article 4-518).

***Draft Language:***

- B. Principal Uses Permitted [NH = Nonhistoric district only]**
1. Agricultural Uses
    - a. Farm Store [NH]
  2. Commercial / Business Service Uses
    - a. Carpentry, Woodworking, or Furniture Making Facility
    - b. Commercial Bakery (see 4-503D) provided it is limited to no more than 2,000 square feet of floor area and is located on the second floor or in the rear of the property.
    - c. Vehicle Sales/Rental Lots [NH]
  3. Community Uses
    - a. Church
  4. Lodging Uses
    - a. Overnight Lodging Facility (not more than 14 rooms)
  5. Office Uses
    - a. Professional Office
  6. Residential Uses
    - a. Single Family Dwelling [NH]
  7. Retail and Personal Service Uses
    - a. Bank
    - b. Day Care Center [NH]

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- c. Eating or Drinking Place, without drive through service
- d. Emergency care facility
- e. Mortuary [NH]
- f. Retail or Personal Service Facility
- g. Veterinary Clinic without outside holding facilities
- 8. Utility and Public Service Uses
  - a. Public or quasi-public facility other than listed
- 9. Mixed Use

Table. 1 NRCD I Residential Unit Allowance

Parcel Size	Dwelling Units Allowed as part of a Mixed Use	
< 10,000	2	3 if one is 600 sq ft or less
10,000-15,000	4	5 if one is 600 sq ft or less
>15,000	5	6 if one is 600 sq ft or less

## Section C. Lot, Building and Structure Requirements

**Reader's Guide:** Significant changes are proposed for the topics addressed in this section. It is the primary area within Article 4-116 that addresses issues of building bulk, massing, and overall site design that are closely tied to preservation of community character, and it relates to use of the alley north of Block 5.

Changes being considered include:

- Reducing the **Maximum Building Height** within 25 feet of the rear setback in certain cases, to recognize the transition between commercial and residential areas, and to minimize the potential looming effect, shading, and privacy concerns of neighbors adjacent to a property that will have a second story addition. Also, if utilizing the reduced 10 foot front setback the building height shall not exceed 15 feet between 10 and 20 feet from the front lot line.
- New provisions for **Lot Coverage** and **Floor Area Ratio (FAR)** are included to address the scale of development, including the relationship of building bulk (volume, shape, and spacing of buildings on the land) to land, and to other buildings in the area. Lot Coverage and FAR mechanisms allow for choice in how floor area will be distributed across the property, within the boundaries provided by setbacks.
- Allowing for a reduced front setback in blocks 5 & 6 as long as the front and rear combined setbacks are no less than 20 feet.
- Allowing for a reduced front setback in blocks 5 & 6 along Franklin Street if retaining at least 30 feet from 2<sup>nd</sup> Avenue.
- Interior parcel lines perpendicular to 2<sup>nd</sup> Avenue shall be considered a side yard allowing for more building area on corner lots than currently allowed.

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**Draft Language:****C. Lot, Building, and Structure Requirements**

1. Minimum Lot Size
  - a. 3,500 square feet
2. Maximum Building Height
  - a. 30 feet
  - b. 15 feet within 25 feet of rear property line where the rear lot line is adjacent to a parcel or right-of-way outside of the NRCD I.
    - (i). Properties that do not currently meet this requirement may rebuild the same massing as the existing structure if approved by the Land Use Director or applicable processes.
  - c. 15 feet within 20 feet of the front property line in Blocks 5 and 6.
3. Minimum setbacks
  - a. Front yard
    - (i). Blocks 1, 2, 3, 4: 0 feet
    - (ii). Blocks 5, 6:
      - (a) 20 feet along 2<sup>nd</sup> Avenue with the ability to reduce the front setback to 10 feet as long as the front and rear combined setbacks are not less than 20 feet.
      - (b) 10 feet along Franklin with the ability to reduce the setback to 5 feet if retaining at least 30 feet from 2<sup>nd</sup> Avenue.
  - b. Side yard
    - (i). Block 1, 2, 3, 4, 5, 6: 0 feet
    - (ii). Interior parcel lines perpendicular to 2<sup>nd</sup> Avenue shall be considered a side yard.
  - c. Rear yard
    - (i). Blocks 1, 2, 6: 10 feet
    - (ii). Blocks 3, 4: 0 feet for corner parcels and parcels where the rear lot line is adjacent to a parcel in the NRCD I, or 15 feet for interior parcels where the rear lot line is adjacent to a parcel outside the NRCD I
    - (iii). Block 5: 10 feet with the ability to reduce to 0 feet as long as the front and rear combined setbacks are not less than 20 feet.
4. Supplemental Setbacks
  - a. No supplemental setback from the center line of 2<sup>nd</sup> Avenue is required.
  - b. Along Niwot Road, the minimum yard requirements for all structures, with the exception of signs, shall not be less than 80 feet from the center line of the roadway.
5. Lot Coverage
  - a. Definition: The percentage of total parcel area that can be covered by structures.
  - b. Provisions:
    - (i). Blocks 1, 2: 55%
    - (ii). Blocks 3, 4: 80% for interior lots and 90% for corner lots
    - (iii). Blocks 5, 6: 50%
6. Floor Area Ratio (FAR)
  - a. Definition: The ratio of the total above grade building floor area to total lot area.
  - b. Provisions:
    - (i). Blocks 1, 2, 5, 6: 0.6
    - (ii). Blocks 3, 4: can propose an increase in FAR from 0.6 to a maximum of 0.7 if transferring an equal amount of square footage from another parcel in the same block. The parcel the square footage is transferred from would then be limited to



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the reduced FAR. The additional FAR can be approved through the review process if it is determined that:

- (A). The design flexibility created by transferring square footage keeps parking and driveways in the rear of the subject properties; or
  - (B). Achieves a greater rear setback; or
  - (C). Allows for existing structures or mature trees to be retained; and
  - (D). The proposal does not negatively impact historic resources.
- (iii). Blocks 5, 6 can propose an increase in FAR from 0.6 to a maximum of 0.7 if all residential square footage, with the exception of garages and carports, is located above non-residential uses. The additional FAR can be approved through the review process if it is determined that:
- (A). The proposal does not negatively impact historic resources.
- (iv). Areas within the NRCD I Historic District: No FAR – Historic, Site Plan Review, setback, and lot coverage provisions to control.

#### Section D. Parking

**Reader's Guide:** Changes to this section are intended to provide greater clarity and flexibility, and to abandon the practice of using parking requirements as a mechanism to control the scale of development. The changes under consideration will use other mechanisms for those purposes (i.e., lot coverage, FAR, and setbacks) and parking will more directly reflect the needs of the use on the property. The updated parking requirements will reflect the County's values related to sustainability and a diversity of housing types by providing potential parking reductions to properties promoting use of multi-modal transportation, those with small residential units, and those with shared parking agreements.

#### *Draft Language:*

##### **D. Parking Requirements:**

1. 1 parking space per 500 square feet of non-residential floor area, and residential parking at:

Number of dwelling units	Parking Requirement*
1	2
2	3
3	5
4	6
5	8
6	9

\* Units less than 600 sq. ft may be granted a reduction in parking.

2. A change of use within an existing structure or the addition of at grade, uncovered outdoor seating will not require additional parking.
3. Non-residential parking may be provided on the lot or on another lot within the NRCD I, or in an approved community lot. A County approved parking agreement is required if the parking is provided on another lot.
4. Residential parking must be provided on site and on the same lot as the residential units.

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5. Reduction in Parking Requirement
  - a. The County Engineer and Zoning Administrator may approve up to a maximum 40% reduction total in required spaces if the applicant can demonstrate in a Parking Reduction Plan.
  - b. The applicant must demonstrate that the project will meet the following criteria:
    - (i). The proposed use(s) do not generate as much parking demand as the standards were designed to accommodate;
    - (ii). The reduction in parking will not increase the demand for on street parking in the adjacent residential neighborhood;
    - (iii). The applicant commits to obtain additional parking spaces (Contingency Parking) at such point in time as a County-led parking study of the NRCD I finds that, due to cumulative growth in NRCD I parking demand, on-street parking in the NRCD I is no longer sufficient to meet demand, as described in 4-116 D.4.b; and,
    - (iv). The reduction in parking shall not be contrary to the purpose of this Code.
  - c. Methods that can be used to achieve the maximum 40% reduction include:
    - (i). Use of Current Surplus Parking. A reduction of up to 10% of the allowed 40% reduction of required spaces may be approved if an applicant proposes to utilize the current surplus of district parking with a commitment to utilize the common parking area when and if it is constructed, or utilize other approved on-site or shared parking.
      - (A). The Niwot Transportation and Connectivity Plan (NTCP) recognizes the potential future need for additional parking within the district. At the time of adoption of 4-116, as amended, parking demand does not warrant the construction of a common parking area as there is adequate supply to accommodate existing uses and a surplus to accommodate a moderate level of additional use. When a parking study finds that surplus parking no longer exists, property owners must implement commitments to obtain Contingency Parking.
      - (B). Commitment to Contingency Parking. The following provisions apply to applicants relying on surplus parking capacity in the NRCD I to gain approval of a Parking Reduction Plan:
        - (1). The applicant must commit to obtaining additional spaces in an amount equivalent to the amount of parking reduction (number of spaces) for which the property was previously approved.
        - (2). Additional spaces can be obtained either on-site or through a parking agreement.
        - (3). The applicant must commit to obtain additional parking spaces within 1 year of completion of the County-led parking study. This period may be extended for up to 1 year if the applicant can show additional spaces will be obtained in a parking lot or other project under construction.
    - (ii). Multi-Modal: A reduction of up to 10% of the allowed 40% reduction of required spaces may be approved for implementing multi-modal strategies such as bike racks, bus pass or ride share benefits. The applicant shall

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provide passenger loading and staging areas for ridesharing and autonomous vehicles. The applicants must submit evidence that the staging areas are sufficient to meet demand and transportation behaviors and technology warrant a reduction in parking.

- (iii). Shared Parking: A reduction of the required spaces may be approved for implementing a shared parking agreement with one or more other properties located within the NRCD I or within a County approved lot. The property owner shall submit sufficient data to demonstrate that the parking demand associated with the properties holding the shared parking agreement is complementary and the timing of peak demand for the uses on the properties is not coincident. Said data to include either information on standard parking demand associated with the use(s) in question from a professional publication such as those published by the Institute of Transportation Engineers (ITE) or the Urban Land Institute (ULI) or a professionally prepared parking study.
  - (iv). The property owners involved in an approved shared parking request shall submit a written agreement approved by the Land Use Director requiring that the parking spaces be maintained as long as the uses requiring parking exist or unless and until the required parking is provided elsewhere in accordance with the provisions of this article. Prior to the issuance of a building permit or, for existing buildings, prior to the issuance of a Certificate of Occupancy, such written agreement shall be recorded by the property owners with the Boulder County Clerk and Recorder and a copy filed with the Land Use Department.
6. Credit will be given for on-street parking at a ratio of 1 space per 15 feet of street frontage in the area west of Franklin; 1 space per 25 feet of frontage for parcels with curb-cuts on 2<sup>nd</sup> Avenue; and, 1 space per 15 feet of street frontage for parcels without curb-cuts on 2<sup>nd</sup> Avenue in the area east of Franklin Street.
  7. Small car spaces may be used to meet on-site parking requirements provided they are designated for employee parking. In no case shall the designated small car spaces exceed 40% of the required on-site parking spaces.
  8. No loading space is required unless determined to be necessary through the zoning review or site plan review process.
  9. Parking must be located in rear or side of the lot. There must be no parking within the front building line of the property.
  10. All parking must be adequately screened from views from 2<sup>nd</sup> Avenue. Where properties abut the alley, parking must be screened from the alley. Acceptable screening tools include, but are not limited to, fences and vegetation.

## Section E. Design Requirements Applicable to the Entire NRCD I

**Reader's Guide:** Proposed changes include:

- Adding provisions related to access and mobility to address safety and the community's desire for improved walkability
- Encouraging dedication of lot area to landscaping and low-water use greenspaces, particularly on Blocks 5 and 6 where that is identified as an important character element

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***Draft Language:*****E. NRCD I Design Requirements.** The following requirements apply to the entire NRCD I, including the Historic District.**1. Access and Mobility**

- a. Safety and pedestrian experience shall be considered during review. Additional curb cuts along 2<sup>nd</sup> Avenue should be discouraged and when possible reduced through shared access. Where alley access is available, curb cuts should not be permitted unless it utilizes an existing curb cut and by keeping and improving consolidates curb cuts providing a safer and more efficient access. Access permits are required per Article 2.3.3.2 of the Boulder County Multimodal Transportation Standards and the alley shall be designed per the following specifications:

**(i). Definitions**

- (A). "Alley" shall refer to the platted alley east of Franklin Street between Second Avenue and Third Avenue as shown on the townsite plat of Niwot, CO, and as currently altered by County approved vacations and deeds.
- (B). "Property owners" shall refer to all property owners of deed adjoining the alley.
- (C). "Residential" shall refer to those property owners adjoining the north boundary of the alley.
- (D). "Commercial" shall refer to all property owners adjoining the south boundary of the alley.
- (E). "Curb Cuts" shall refer to vehicular access points and driveways which traverse across existing sidewalks along 2<sup>nd</sup> Avenue.

**(ii). Study**

- (A). Commercial property owners along alley shall be responsible to fund, prepare, and have accepted by the County, a transportation study to determine permanent use, access, and design of the alley and associated impacts to the properties along both sides of the alley.
- (B). Study will adhere to accepted standards and be reviewed and approved by Boulder County prior to implementation of its findings and must include:
  - (1). Traffic volumes on all adjacent roadways and uses
  - (2). Daily volumes
  - (3). Peak Hours and volumes
  - (4). Weekend variations
  - (5). Identify all crashes officially reported within previous 5 years of recordation
  - (6). Identify safety issues as indicated by crash history
  - (7). Identify pedestrian use on adjacent facilities
- (C). Boulder County may require additional standards and strategies beyond the study's findings.

**(iii). Physical Dimensions**

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- (A). Width – based on directional use
  - (1). One-way – 9-12 feet
  - (2). Two-way – 15 feet
- (B). Pedestrian features – a designated path will be incorporated into the design of the alley.
- (C). Pullouts and turnarounds shall be incorporated into the alley design as stated by the study.
  - (1). Turnaround may take place on existing parking areas with associated easement granted to the County for the public's use.
  - (2). Pullouts may be aggregated for multiple properties.
- (iv). Drainage
  - (A). Drainage shall be evaluated and designed to positively flow to Franklin Avenue, where storm flows would be intercepted and conveyed to existing storm drainage features to the extent feasible based on the drainage study and storm system capacity.
  - (B). Drainage shall not be allowed to flow off alley onto adjacent NRCDII or RR zoned properties except during a One Percent Chance (100-yr) storm event.
  - (C). Utilizing all or a portion of permeable pavement should be considered.
- (v). Adjacent Properties
  - (A). Alley shall be constructed with features to buffer visibility to adjacent properties, including residential properties to the north of the alley (such as fences or plantings).
  - (B). Vehicular access to the alley shall be maintained for all properties north of the alley.
  - (C). Vehicular access to the alley shall only be allowed per approved access plans for properties south of the alley.
  - (D). Vehicular access to the alley off Franklin Avenue (and 2<sup>nd</sup> Avenue if one way) shall be designed to promote safety for pedestrians crossing perpendicular to the alley.
  - (E). Pedestrian access to the alley shall be promoted and maintained for all properties adjoining the alley.
  - (F). Pedestrian access between the alley and 2<sup>nd</sup> Avenue shall be promoted during development of Commercial properties.
- (vi). Design and Construction
  - (A). The design and construction of all physical improvements to alley and associated areas shall be funded by Commercial property owners. Residents on 3rd Avenue wishing to obtain new vehicular access to their parcels will fund any additional costs for their share of pavement and access cut to their parcel.
  - (B). Design of improvements shall be approved by the County prior to construction.

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- (C). All construction work will be inspected and accepted by the County.
  - (vii). Interim use of the alley shall be limited to historic use except where final improvements are complete and accepted by the County.
  - (viii). Curb cuts across the sidewalk along 2<sup>nd</sup> Avenue shall be reduced in number as the approved study will indicate and at such time alley improvements are completed.
  - (ix). Should the use of the alley be limited to one-way direction of travel, additional access to 2<sup>nd</sup> Avenue or Niwot Road shall be accommodated for all vehicular traffic, with pedestrian use also incorporated into the design.
  - (x). Maintenance of the alley shall be approved by the County.
    - (A). Scope and performance of maintenance shall be approved by the County via a Maintenance agreement.
    - (B). Maintenance shall be the responsibility of those who use its services. The County will not maintain the alley.

Variations from this part of the code may be approved by the Director and County Engineer
  - b. Building design and scale should enhance the walkability and pedestrian experience.
  - c. Streetscapes and public areas, including alleys, shall be improved and landscaped to enhance the pedestrian experience and to help buffer residential areas.
2. Signs
- a. Wall mounted signs per building face shall not exceed 32 square feet total.
  - b. Wall mounted perpendicular signs may not exceed 12 square feet per sign face.
  - c. One ground sign (not raised on a pole) per building lot of no more than 32 square feet or 16 square feet per sign face is permissible.
  - d. Items may be displayed outside of a structure provided they are displayed for no more than 48 hours and not more than once per week or have received the approval of the Niwot Design Review Committee. Such objects shall not obstruct pedestrian traffic on sidewalks.
3. Landscaping
- a. In Blocks 5 and 6 - paving shall not be permitted in the front yard within 10 feet of the front property line with the exception of a driveway, patios, and walkways.
  - b. Deciduous trees are preferred in the front yards. Any type of shrub shall be allowed.
  - c. In Blocks 5 and 6, a minimum of 20% of the area within each parcel must consist of landscaping, which may include hardscaped plazas, outdoor seating/serving areas, walkways within on-site open space areas, and other similar hardscaped on-site amenities. Hardscaped elements shall account for no more than two-thirds of the minimum landscaped area requirement.
  - d. Low-water use landscaping approaches are encouraged, along with use of green roofs on non-historic structures.
4. Outdoor Lighting

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- a. Any lighting shall be low intensity to provide for safety and security where needed. Install recessed lights, footlights, lights on posts of human scale, or directional lights in unobtrusive locations.
  - b. Freestanding lighting not visible to adjacent to property zoned NRCD II or RR shall be no more than 12 feet in height with the exception of street lights.
  - c. Exterior lighting adjacent to property zoned NRCD II or RR shall be the minimum required by adopted Building Code and located no higher than 6 feet above grade when on a structure and no higher than 3 feet (such as bollard type lighting) when ground mounted.
  - d. Second floor entrances requiring lighting should be situated such that it is not visible to adjacent areas in the NRCD II or RR zones.
  - e. Lighting operation/hours may be further limited through applicable review process to assure neighborhood compatibility and safety.
  - f. The above conditions are in addition to the outdoor lighting requirements set forth in Article 7-1600; developments shall comply with both this section and Article 7-1600.
5. Building Materials in the Non-Historic area
- a. Front facades shall be composed of brick, wood or a non-organic wood facsimile siding, stucco, or stone; or, a material approved by the Niwot Design Review Committee.
  - b. Preapproved paint colors listed in Appendix A may be used; if a color not listed in Appendix A is requested, approval by the Niwot Design Review Committee is required.
  - c. Fences shall be wood or wrought iron and shall be no higher than 4 feet in the front yard.
6. Building Form
- a. Roofs should conform with the existing roof styles on 2<sup>nd</sup> Avenue within the same block.
  - b. Expanses of building façade on any side that are longer than 25 feet may, depending on site conditions and visibility, be required to incorporate design variations to break up the continuity of the wall in an attempt to reduce the possibility of a long monotonous wall.
  - c. Window Placement - Second-story windows should incorporate off-sets to minimize direct views into the windows of existing, neighboring structures and where necessary the amount of window area should be minimized to preserve privacy of properties zoned residential.
  - d. Second story patios should be avoided or situated to preserve the privacy of adjacent properties zoned NRCD II or RR.
7. Mix of Uses
- a. For properties supporting both commercial (any allowed nonresidential uses) and residential uses on the same lot; residential uses should be located on the second floor or behind any commercial units on the first floor.
8. NRCD I Colors
- a. Bright, multi-hued color schemes are often associated with historic architecture. The Pearl Street mall in downtown Boulder, Colorado exemplifies the successful use of a variety of trim colors in combination

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with brick and painted board siding. The "Painted Ladies" of San Francisco, California is another example of successful color use. Both of these examples, however, are not representative of Niwot. Niwot's agricultural roots have led to a more conservative use of color. While a wide variety of colors may still be acceptable, bright hues used on large surfaces will stand out within the district, disrupting the continuity of the streetscape. The architecture of downtown Niwot is not Victorian, and as a result, complex Victorian color schemes should be avoided. A color that looks appropriate for the district on a small chip may not be appropriate when painted on a large surface. In addition, combining colors that are opposites on the color wheel may result in the appearance of an intensification of each individual hue. Using opposite colors (complementary colors) often has attractive results but is dependent on each individual situation.

**b. NRCD I Pre-Approved Colors-**

- (i). The following pre-approved colors may be used within the NRCD I without the review of the NDRC or HPAB. Colors not included in this list may be acceptable but will require review and approval. Use of more than two trim colors shall also require review and approval by the NDRC (non-historic portion) or the HPAB (historic district).
- (ii). Pre-approved colors:
  - (A). Repainting with the same color as the existing color
  - (B). White
  - (C). Off-white
  - (D). Other Base Colors (Relates to Uncoated Pantone Chart)
    - (Note: The list of pre-approved base colors is very limited to pale, neutral hues. Applicants should not feel they have to stay within the pre-approved color range, as darker base colors would often be appropriate with the approval of the NDRC or HPAB.)
    - (1). Neutral Greys: 406, 407, 413, 420, 421, 427, 428, 454, 468, 726, 4685, 5455, 5527, 5655, Warm Grey 1, Warm Grey 2, Warm Grey 3, Cool Grey 1, Cool Grey 2, and Cool Grey 3
  - (E). Other Trim Colors (Relates to Uncoated Pantone Chart)
    - (1). Reds: 181, 1815, 1817, 194, 1945, 195, 1955, 201, 202, 209, 216, 229, 491, 492, 4985, 4995, 505, 506, 696, and 697
    - (2). Purples: 262, 2622, 2695, 276, 511, 5115, 5125, 5185, 5195, 5205, 668, and 669
    - (3). Blues: 282, 289, 534, 5405, 5415, 5425, 5435, 5445, 548, 646, 647, 648, 653, and 655
    - (4). Greens: 3292, 3298, 5477, 5487, 5497, 5507, 5517, 555, 5545, 5555, 5565, 5575, 5585, 5615, 5625, 5635, 5645, 625, and 626
    - (5). Blue Greens: 5473, 5483



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- (6). Browns: 437, 438, 439, 463, 4635, 464, 4645, 465, 4655, 466, 4665, 467, 469, 470, 477, 478, 728, 729,
- (7). Greys: Warm Grey 1 through 11, Cool Grey 1 through 11, 403, 404, 405, 408, 409, 410, 411, 414, 415, 416, 417, 418, 422, 423, 424, 429, 430, 431, 442, 443, 444, 445

**Section F. Additional Requirements for NRCD I Historic District**

**Reader's Guide:** This section includes the existing design guidelines for the historic district. Other components of the current sections of the 4-116 that apply only to the Historic District are included either in Section G (Process-related items) or in the appendix to 4-116.

***Draft Language:***

- F. Additional Design Requirements for Historic District. The following requirements apply only to the Historic District of the NRCD I.
  - A. Rhythm, Pattern, Alignment, Massing
    - 1. Historical Precedent - The existing buildings within the historic district are varied. The underlying 25' lot width of the original townsite plat influences the pattern and scale of the buildings, many of which are 25' wide, or combinations thereof.
    - 2. Intent - Patterns come in many different scales. The arrangement of building set-backs or facade elements, such as; windows, columns, porches, and the arrangement of bricks in a wall are all examples of patterns that occur at different scales. New construction and renovations shall contribute to the patterns that occur in the new construction's surroundings.
    - 3. Guidelines:
      - a. Contributing structures should not be demolished or moved off of the site, unless the owner of the structure is granted an economic hardship by the Historic Preservation Advisory Board or the Chief Building Official determines that the structure presents a hazard to the health and welfare of the general public. In cases where demolition is necessary, the facade of the building should be retained.
      - b. New additions or alterations to contributing structures shall be done in a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired. Additions to the rear of a structure are more appropriate than those made to the side. Additions to the front of a structure are not appropriate because of the importance of the facades in the historical architecture.
      - c. Break up the monotony of building facades longer than 25' by incorporating design variations along the facade. Variation may take the form of a change in building material, color, or the use of vertical elements such as columns or pilasters.

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- d. The appearance of a continuous pedestrian walkway along the fronts of the buildings should be maintained. The appearance of a continuous walkway may be achieved through zero lot line set-backs of the buildings themselves; or the placing a low open style of fence, planters, or some other decorative element at the edge of the walkway.
- e. Alleys should be retained to provide access to the rear of buildings and to provide a service area for the building that is not highly visible from 2<sup>nd</sup> Avenue.
- f. The patterns created by second story windows should be maintained. The second story windows in the historic district are typically vertically oriented with a height approximately two times the width.
- g. The distinction between upper and lower story floors should be maintained. Window style and size are important elements in separating the first and second floors. Columns that exceed one story in height would create an imbalance in the scale of the architecture in the district.

## B. Architectural Details

1. Historical Precedent - The commercial buildings found along Niwot's Second Avenue during the early 1900s were simple styles that reflected the rural character of the community. Buildings often had false fronts with elements that were reminiscent of the neoclassical style, common in the United States between 1895 and the 1950s. Cornices were simple, such as the Livingston Hotel cornice, or may have had more detail, such as the pedimented cornice found on Nelson Hall. A wide band of trim beneath the cornice, representative of the classical entablature, was common. A one story, flat-roofed entry porch was also common in the Neoclassical style. This architectural detail was the most significant element of the Livingston Hotel. The windows in the commercial buildings were typically rectangular and vertically oriented. Upper story windows were double-hung and commonly had a height two times the width. First floor windows were also vertically oriented and rectangular. The building's entrance was typically centrally located between two first floor display windows and may have had a transom. The Frank Bader house is of the Folk Victorian style that was associated with the period of time when railroads were inspiring the creation of small western and mid-western towns. The house has simple Victorian detailing as found in cornice details and scallop forms. Vertically oriented double-hung windows were typical on the first and second stories of the Bader house. The Bader House is the only structure within the district with primarily Victorian characteristics. As such, Victorian elements such as arched windows, bay windows, scallops, and dormers do not define the character of the Old Town Niwot commercial area.
2. Intent - The facade elements that gave the historic buildings of Old Town Niwot their original character had a style and proportion that established the building's place in time. New buildings and renovations of existing buildings should allude to that historical place in time while identifying with their own time period.
3. Guidelines:
  - a. The facade elements of the contributing structures, such as awnings, cornice details, pilasters, and columns are timeless elements of architectural detail and should not be

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removed or altered. Using these elements on new construction strengthens the historic character of the district.

- b. Inappropriate roof forms in the commercial architecture of the district include; side gable, mansard, and hipped. Flat roofs and false fronts are not appropriate for residential architecture within the district. Front gabled roofs hidden behind a false front are most common for commercial architecture, and are encouraged.
- c. The roof shape of the contributing buildings shall not be permanently altered.
- d. Efforts shall be made to make solar panels, skylights, and rooftop mechanical equipment as unobtrusive as possible.
- e. Wall-mounted light fixtures are appropriate to provide lighting of signage or building entrances.
- f. Typical window openings did not include circular, arched, or triangular windows.

**C. Materials and Color**

1. Historical Precedent - Horizontal wood siding and bricks in red hues are the two most common building materials used in Niwot. Both of these materials are similar in scale and pattern because each wood board is similar in width to a brick course. Wood and sandstone were used as accent materials around window and door frames, and sandstone was occasionally used at building corners (quoins) as an accent. Larger scale, rough-hewn blocks were used in the Niwot Mercantile. Glass was widely used for display windows on the first floor of the commercial buildings. Brightly painted buildings were not found in Old Town Niwot. The colors used for large building expanses were generally lighter colors, such as light grey or off-white; or the red color of brick. Accent colors may have been found in architectural details and awnings.
2. Intent - The main intent of these guidelines is to prevent the use of a material that stands out in the district because of characteristics that identify the material as modern. An example would be the use of mirrored glass. Mirrored glass was not typical of Niwot and is commonly associated with large, modern office buildings. The color schemes used on the commercial buildings of Old Town should be compatible with the district as a whole. The intent of these guidelines is to allow a variety of colors, providing they are used in a manner that contributes to the overall character of the district.
3. Guidelines:
  - a. Materials typical to or compatible with the district shall be used for renovations and new construction.
  - b. Whenever possible, replacement of existing roofing, siding, or masonry units in a contributing building shall be done with a material that matches the original material in scale, color, and texture.
  - c. Bright, intense colors shall be reserved for small areas, such as window and door trim, cornice details, kick plate, and clerestory details.
  - d. The following materials are suggested for CONTRIBUTING and NON-CONTRIBUTING structures. A variety of materials are acceptable and property owners are not limited to the following list, provided the HPAB approves the material through the Certificate of Appropriateness process.

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- (i) Brick
  - (ii) Horizontally-oriented wood lapboard siding of a scale typical to the district
  - (iii) Horizontally oriented siding (of a material other than wood) that replicates the scale and texture of the lapboard siding typical of the district (boards are typically four or five inches in width). A variety of materials are available that replicate wood siding. Examples include painted composite pressed board, vinyl, wood clad aluminum, and non-reflective aluminum siding.
  - (iv) Sandstone
  - (v) Decorative detailing in wood or cast iron, or a facsimile material
  - (vi) Fabric awnings
  - (vii) Wood shingles
  - (viii) 3-tab asphalt shingles
  - (ix) Non-reflective metal roofing products
  - (x) Window and door frames made of wood, anodized aluminum, or other material provided it is non-reflective.
  - e. Materials appropriate for NON-CONTRIBUTING structures only:
    - (i) Decorative concrete block
    - (ii) Precast or poured concrete (if it is not the principal material)
    - (iii) The following materials are inappropriate for use within the historic district:
    - (iv) Vertically-oriented siding
    - (v) Stucco
    - (vi) Shiny metallic window and door frames
    - (vii) Tinted or mirrored glass
    - (viii) Terra Cotta/Ceramic Tiles
- D. Signs**
1. Historical Precedent - Photos of Old Town Niwot show many of the commercial buildings having painted wooden signs just under the cornice line of the roof, just above the door and first floor windows (architrave), or incorporated into awnings.
  2. Intent - The purpose of sign is to identify the location of a business, to promote the merchandise or service within, and to attract customers. When carefully done, the building and sign become part of the overall design, each supporting the other. These guidelines shall be used in conjunction with the sign regulations in the Boulder County Land Use Code.
  3. Guidelines:
    - a. Signs shall not be positioned so as to cover architectural details.
    - b. Flush mounted or projecting signs are preferable in the district. With the exception of the Bader House, freestanding signs should not be used.
    - c. Internally lit signs are inappropriate except for small neon signs in a store window.

**Section G. Process and Review Requirements**

**Reader's Guide:** This section assembles all process-related provisions into one place within Article 4-116. All review requirements for projects seeking development approval will remain unchanged. Proposed changes pertain to increased requirements for community engagement for projects larger than a certain scale.

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***Draft Language:***

- G. Process and Review Requirements
  2. Special Review will be necessary for any use which:
    - a. Generates traffic volumes in excess of 500 average daily trips; or
    - b. Has a total floor area greater than or equal to 35,000 square feet.
  3. Site Plan Review is required when building on a vacant parcel or adding 1,000 square feet of floor area or more to a property. Site Plan Review is not required for a change of use. A Site Plan Review waiver process is required when demolishing any square footage or adding less than 1,000 square feet.
  4. A Certificate of Appropriateness will be necessary for any alterations to the exteriors of structures or development within the Historic District with the following exceptions:
    - a. Pre-approved color changes as listed in Appendix A of these guidelines, or repainting of a structure with the identical color as the existing color.
    - b. Regular maintenance and repairs to structures that retain the existing materials. Examples include, repointing mortar joints; replacing damaged wood siding with new wood siding which is identical in scale, color, and pattern as the existing siding; replacing damaged roofing material with identical roofing material; and window pane replacement, provided the mullions and muntins of the existing window are being retained and the glass is not tinted or mirrored.
    - c. Landscaping
    - d. Interior alterations which do not affect the exterior appearance of the structure.
    - e. Although these alterations do not require Niwot Design Review Committee review or HPAB review, the owner proposing these changes must inform the Land Use Department prior to undertaking the change to insure that it does in fact fall within one of the above four categories.
  5. Community Engagement
    - a. Boulder County requires applicants to schedule and hold a meeting with the local community, residents, and other stakeholders prior to submitting the application to the Land Use Department for development, which triggers Site Plan Review, Special Review, or other planning review process. The purpose of this engagement is to provide sufficient opportunity for public comment on development plans, and for the applicant to listen to and address, as reasonable, the community's concerns and recommendations related to the proposed development. Applicants shall:
      - (i) notify property owners within the NRCD I & NRCD II areas and Land Use staff of public meeting at least seven days prior to the meeting which shall be held at least 14- days and not more than six months prior to application;
      - (ii) hold meeting at a location readily accessible to those properties affected by the proposed development;
      - (iii) prepare a final report summarizing comments and information received and how any concerns are being addressed; and
      - (iv) submit the report with the application
  6. Niwot Design Review Committee and Historic Preservation Advisory Board Engagement - Boulder County requires applicants to schedule and hold a meeting with the Niwot Design Review Committee and, if applicable, the Historic Preservation Advisory Board prior to submitting the application to the Land Use Department for any development that triggers Site Plan Review, Special Review, or another planning review process. These meetings may be combined or separate from the community engagement meeting.
  7. Referral

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- a. As part of any development application in the NRCD I the following will be included as additional referral agencies:
  - (i) Niwot Design Review Committee
  - (ii) Property owners and residents within 1,500' of the proposed development
  - (iii) The Local Improvement District Advisory Board
  - (iv) Niwot Downtown Business Association
  - (v) Niwot Community Association
  - (vi) Niwot Historical Society
  - (vii) Historic Preservation Advisory Board if in the Historic District or if the property has structures 50 years of age or greater.
- 8. Amendments
  - a. Proposed amendments to the boundary of the Niwot Rural Community District shall be referred to all property owners within the NRCD I & NRCD II as well as the Niwot Design Review Committee. Referral comments from the NRCD I & NRCD II property owners and the Committee shall be considered by the Planning Commission and the Board of County Commissioners when reviewing rezoning requests in or adjacent to the current boundary of the NRCD I as shown in Figure 1 of 4-116.

**Section H. Review Boards**

**Reader's Guide:** This section includes a revised description of, and requirements for the Niwot Design Review Committee, and reference to the role of the Historic Preservation Advisory Board (HPAB).

***Draft Language:*****H. Review Boards**

- 1. Niwot Design Review Committee
  - a. Duties and Responsibilities. The committee's primary role is to act as a referral agency for proposals within the NRCD I. The committee does not have legal authority to grant Certificates of Appropriateness. However, the Historic Preservation Advisory Board (HPAB) shall consider the committee's recommendation as well as other public testimony in decisions pertaining to the historic district.
  - b. Selection. Niwot Design Review Committee will consist of 5 members. Members will be appointed by the Board of County Commissioners, and the selection process will be completed with the intent to include representatives of the Niwot Business Association, the Niwot Community Association, the Niwot Historical Society, at least one member of the HPAB, and members of the community who have lived or worked in the community for more than five years.
  - c. Term. Members shall serve three-year terms, and no member may serve more than three consecutive terms.
  - d. The Niwot Design Review Committee is authorized to hold meetings on an as needed basis and may adopt official bylaws for the conduct and procedures of its meetings.
- 2. Historic Preservation Advisory Board (HPAB)

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- a. The HPAB reviews proposals within the Historic District of the NRCD and on parcels with structures 50 years of age or greater if staff finds there is any potential for landmark eligibility.

**Section I. Appendix A-Historic Landmark Designation**

**Reader's Guide:** This section includes information and background on the designated Historic District and the Contributing and Non-contributing structures

**I. Appendix A-Historic Landmark Designation****1. Narrative Description:**

- a. The Niwot Historical District represents a significant collection of buildings dating from the early 1900s, typical of the County's early agricultural communities. Within the County, only two such communities (Hygiene and Niwot) remain today, basically unchanged since the turn of the century. Of the two, Niwot perhaps best represents the typical commercial aspects of an agricultural district linked to the railroad for distribution of its products.

Niwot was platted along both sides of the Colorado Central Railroad track at the site of an existing section house lying halfway between Boulder and Longmont. When Porter T. Hinman helped to lay out the town in 1875, the surrounding region was being settled by men whose names are still associated with the area. Hinman himself had arrived in 1860 and his name is still affiliated with Hinman Ditch, which runs through the town.

Niwot's commercial district of the 1880s lay on the west side of the track near the depot, while most of the town's residents lived on the east side. By 1896, businesses included a blacksmith shop and mercantile. To the west stood the United Brethren Church, and beyond that was the Left Hand Grange Hall. The one-room Niwot schoolhouse had been built on Dan Burch's place at 81st and Oxford Road, and the Batchelder School at 63rd and Monarch Road served children living southwest of town. Railroad activity continued to revolve around the depot, but by the turn of the century, stores and services also began to appear across the track as well.

When the Hogsett family opened their lumberyard and hardware store just east of the track in 1911, the community seemed to experience renewed energy. There was even talk of laying concrete sidewalks along both sides of Main Street. A band shell was built across from the bank, where 18 local musicians held concerts on weekends and holidays. The bank was prospering and a weekly newspaper reported all of Niwot's social and business activities every Friday. In the lot next to the bank stood a shack housing the town's fire wagon. John Nelson's hall stood at the east end of the block, housing various businesses on the first floor and a meeting room upstairs for the Odd Fellows, Rebekahs, Royal Neighbors, and Modern Woodmen. The post office stood next to Nelson Hall, and across the street was a drugstore where the town doctor dispensed drugs and advice. Next to the

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drugstore was a pool hall and barber shop, favorite social gathering places after ballgames and band concerts. The Livingston Hotel stood in the middle of the block, its front porch extending all the way to the street. It catered to travelers as well as several local citizens and oilfield personnel working in the oil fields to the west of town. The United Brethren Church, recently hauled across the track from its original location west of town, now sat on the corner of Third and Franklin. Diagonally from the church was the new cooperative creamery. The Seventh Day Adventists worshipped in the only other church in town in the second block of Main Street (Second Avenue). The old one-room school was gone now and Niwot had just completed a two story schoolhouse at the north end of town. Along Murray Street, between Main Street and Third Avenue, stood the beet dump which drew farmers from great distances to town each October with beets to be shipped to Longmont for processing. A sidetrack had been laid next to the dump where Great Western cars could be parked to collect the loads of beets. Teams pulling beet wagons passed down Main Street continually during beet harvest, making deep ruts in the muddy street.

On the west side of the track, in 1912, stood an alfalfa mill and a grain elevator. The grangers were meeting closer to town now with a grange hall next to the elevator. The depot was still the hub of shipping activity with a stock pen to the north and feed mills to the south. Seven trains also stopped daily for passengers and mail on a line which was now owned by the Colorado and Southern Railroad.

2. Contributing Structures: Historic districts are important in part because of specific buildings within the district, but also because of how each building relates to all of the other buildings. For example, one or two great players on a sports team cannot guarantee a championship. It takes the whole team to make a winning combination. Historic districts are no different. Some buildings have had very little changes throughout history and were sites of important events, while others have qualities that contribute to the district without being individually significant. Within the Old Town Niwot Historic District, the majority of the buildings were constructed prior to 1925. The changes that have occurred to these buildings over the years show the natural progression of Niwot as an evolving community. Vacant lots in Old Town are also very important parts of the natural progression of the town, and any new construction should be sensitive to the surrounding environment. The district has several buildings constructed since 1970 that are part of the character of the district. However, these structures need not be protected for historical purposes. There is not sufficient justification to prevent an owner of a newer building from demolishing or changing their building, provided the end result does not detract from the district. The following structures have had the least alterations since their construction in the early 1900s:
  - a. Nelson Hall - 195 Second Avenue (Constructed 1907)-In 1993, Nelson Hall is occupied by the Left Hand Grange. The building is a two story vernacular style that was typical of mid-western and western towns in the early 1900s. The footprint of the building is a simple rectangle with a front gable roof. A false front hides the gable roof and gives the appearance of a flat roof with a triangular pediment as an accent at the center of the building. Two double hung windows are symmetrically oriented on the second floor facade. Vertically-oriented windows are irregularly placed along the sides and back of the building on the second and first floors. A smaller, rectangular attic window also is centered under the pediment, on the main facade. The door and horizontally-oriented



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first floor windows have been altered since the early 1900s. The building is wood frame with horizontal wood siding with drop joint construction.

- b. Old Post Office - 165 Second Avenue (Constructed 1909)-The old post office building, located adjacent to Nelson Hall, is a one story vernacular building with several additions to the back. The roof of the original building is flat and the additions have a gently sloping shed roof. A simple cornice tops the main facade of the building, and a small overhang covered in wood shingles is located above the windows. The windows themselves are quite detailed, with muntins dividing the main portion of the window into 24 separate lights. A transom of three lights is directly above the main window. A single wood door with three lights is centered between the windows. There are very few windows located on the sides or back of the building. The building is a frame construction with horizontally oriented wood siding with drop joint construction.
- c. The White House - 121 Second Avenue (Constructed 1914)-Like Nelson Hall, The White House is a simple rectangular plan with a front gable roof hidden behind a false front with a simple cornice. The structure is two stories and has had additions on the side and back that make the building more conducive to restaurant use. Two, double-hung second story windows are vertically aligned with elements from the first floor. The first floor windows are symmetrically located on either side of a double-door entrance. The windows are divided by muntins into smaller lights. Historic photos show that the original windows were not divided by muntins. An awning, which incorporates a sign, has been added onto the front of the building. This building is of frame construction with horizontally-oriented wood siding with drop joint construction.
- d. Niwot State Bank - 102 Second Avenue (Constructed 1909)-This building is unique within the Niwot community. The building is basically a square plan with a corner entrance. The brick masonry construction is typical of a financial institution, in that it portrays permanence and solidness. Decorative corbelling along the cornice line tops a wall that has varied brick coursing to provide visual interest. Windowsills are made of sandstone. The roof of this building is flat and the building is one story. The windows of the building are tall and vertically oriented. Windows have been removed and a door has been added on the west side of the structure. There is evidence that the face brick has been replaced at some point, as the brick at the back of the building appears older and of a different quality.
- e. Niwot Tribune Building - 198 Second Avenue (Constructed 1909)-The Niwot Tribune building is a one story wood frame building with a simple rectangular plan. The main facade has a false front with a very simple cornice line. Perhaps the most important element of the building is its covered porch. The roof of the porch is sloped and covered with wood shake shingles. The roof is held up by decorative columns that have some folk Victorian influences. Balustrades line the front of the porch. The entry to the building is centered between two display-type windows. The southeast side of the structure has an entrance and a window with a decorative canopy. The building is clad in horizontal wood siding with drop joint construction.
- f. Frank Bader House - 210 Franklin Street (Ca. 1900)-The Frank Bader House has folk Victorian influences. Its roof is a medium pitched front gable. Side wings, with gable roofs of the same pitch have been added through the years. It appears as though a porch was enclosed along the front facade of the house at some point in time. The house is two stories with double-hung windows on both the first and second floors. A small covered porch emphasizes the entrance on the west side of the building. Scallop detailing under the gables gives the house its Victorian appearance. Once again,

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horizontal wood siding clads the wood frame building. In 1994, this wood siding was covered by vinyl siding. The roofing material is light grey asphalt shingles. The house is a light grey, with a darker shade accenting window frames.

- g. 101 Second Avenue (Constructed 1911)-Originally constructed in 1910, this was the site of one of Niwot's mercantile stores. The building at 101 Second Avenue has been altered significantly since the early 1900s. However, portions of the original structure are still in existence and the alterations that have been made have been done in a scale and with materials that allude to the early 1900s. This corner lot is very visible in Old Town and contributes to the district.
  - h. 124 Second Avenue (Constructed 1921)-The structure at 124 Second Avenue was the site of Niwot's blacksmith shop. Throughout out the years, the structure has undergone renovations, however, the facade of the building is typical of the town in 1913.
  - i. 190 Second Avenue (Constructed 1907)-190 Second Avenue was an important social spot in Niwot. A pool hall and barbershop were located on this site. Historical photographs show that most of the facade has not been significantly altered since the building's construction.
3. Non-Contributing Structures-The term "non-contributing structure" does not mean that a building is not an important part of the community. Non- contributing structures may have been newly constructed, or may be older buildings that have had major alterations that do not allude to Old Town Niwot's historical progression. The following structures are considered non-contributing.
- a. 112 Second Avenue-The structure at this address was originally constructed in 1927. Major alterations were made to the structure in 1950. The building itself is of a scale that typical to the district. However, many of the facade details are modern in character. Because the building does not need protection for historical purposes, it is considered non-contributing within the district. The site itself is an important part of the visual quality of the district.
  - b. 136 Second Avenue-The structure at this site was constructed in 1974. Many of the facade elements of this structure do allude to Niwot's history. However, because of the building's age it is not important to protect the structure for historical purposes. As with all of the non-contributing structures, this site is an important part of the overall visual character of the district.
  - c. 210 Franklin-Although the Frank Bader House located on this property is a contributing structure, the remaining buildings on the site are newly constructed and non-contributing. The newer buildings (all but the Bader House) on this site do play a role in the visual character of the Frank Bader House but do not require the protected status of a contributing structure.
  - d. 195 Second Avenue-The Left Hand Grange, a contributing structure, shares its site with a small fire station. The station is located southwest of the Grange, is of recent construction, and is non-contributing within the district.
  - e. 143 Second Avenue-At one time, this site was the location of a filling station. Since that time, the building has been converted into a residence. The residence does not have any architectural features or historical significance that would justify a contributing status in the district.

**Multifamily – 4-511****D. Multifamily Dwelling**

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1. Definition: A building or buildings that are occupied or are arranged, designed, and intended to be occupied, by two or more families, and contains more than one dwelling unit, but not including hotels, motels, or boarding houses.
2. Districts Permitted: By right in NRCD as part of Mixed Use, MF and T
3. Parking Requirements: Two spaces per unit; units dedicated to elderly, 0.5 spaces per unit
4. Loading Requirements: None
5. Additional Provisions:
  - a. Approval under the Subdivision Regulations is required prior to the development of multifamily dwellings unless part of a mixed-use project that receives approval under another Land Use review process.

**Add Use category –**

**4-518 Mixed Use**

**A. Mixed Use**

1. Definition: Any combination of compatible uses developed as part of a cohesive development plan and permitted in the underlying zoning district.
  - a. Districts Permitted: NRCD I
2. Parking Requirements: As defined in the underlying district regulation.
3. Loading Requirements: None
4. Additional Provisions:
  - a. Specific requirements as defined in the District's provisions.

**4-115 Rural Community (RC) District**

- A. Purpose: To encourage flexibility in the land use patterns of established rural communities in order to achieve the objectives of the Boulder County Comprehensive Plan.
- B. Uses Permitted  
Any approved RC District may appropriately limit, the uses allowed in the zoning districts which govern the subject parcels immediately prior to rezoning. Additional uses found compatible with the purpose and intent of the RC District may be approved through the Land Use Code text amendment process.