



BOZEMAN NCOD

NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT

NEIGHBORHOOD CONSERVATION
OVERLAY DISTRICT REPORT
BOZEMAN, MONTANA



DECEMBER 2015 FINAL REPORT



BOZEMAN MT



MONTANA
DEPARTMENT OF COMMERCE



ARCHitecture
trio



Executive Summary 1

 Historic preservation 1

 Affordable Housing..... 2

 Infill Development 2

 Design Guidelines 2

 Code provisions 2

Recommendations 2

 NCOD Boundary 3

 Historic Preservation 3

 Affordable Housing..... 3

 Infill Development 3

 Design Guidelines 4

 Preferred Recommendations..... 4

Acknowledgements..... 5

Introduction 7

Process 8

 Best Practices 8

 Existing Case Studies and Previous Planning Documents 8

 Historic Property Classification 8

 Affordable Housing and Infill 8

 Bozeman Unified Development Code and Design Guideline Analysis 8

 Public Outreach 9

Analysis of Existing Conditions 10

 Historic Preservation 10

 Preservation Statistics 10

 Assessment Updates 11

 Affordable Housing 14

 2015 Affordable Housing Study 14

 Infill Potential 18

 Vacant Properties 18

 Current Infill Incentives 18

 Zoning and Infill..... 19

 Design Guidelines 21

 Background of Design Guidelines 21

 Rehabilitation Guidelines for Historic Properties 23



Design Guidelines for All Properties 23

Guidelines for Residential Character Areas 24

Guidelines for the Commercial Character Area 24

District Specific Descriptions 25

UDC Provisions 25

 General Code Elements 26

 Deviations within NCOD..... 26

 Accessory Dwelling Units (ADUs) 29

 Demolition of Existing Structures 32

 Parking and Access 33

 Certificate of Appropriateness (COA) and City Notification Processes 34

 Air B&Bs and VRBOs 34

Best Practices Summary 36

 Common Themes 36

 Unique Ideas/Concepts 36

 Major Drawbacks 36

 Best Practices from Cities Studied 37

 Summary..... 37

Neighborhood Context and Infill Case Studies 38

 North Fifth Avenue and West Lamme Street 38

 Site 38

 Conflicts/Suggestions..... 38

 North Sixth Avenue and West Short Street 40

 Site 40

 Conflicts/Suggestions..... 40

 South Eighth Avenue and West Alderson Street 42

 Site 42

 Conflicts/Suggestions..... 43

 West Story Street and South Grand Avenue 43

 Site 43

 Conflicts/Suggestions..... 44

 South Willson Avenue and West Koch Street 45

 Site 45

 Conflicts/Suggestions..... 46

Recommendations 47

 NCOD Boundary 47



Initial Changes to Boundary 47

Long-Term Removal 47

Historic Preservation 48

Local Historic Districts 48

Historic Primary District (HPD) 48

 Intent..... 48

 Purpose 50

 Criteria..... 50

Historic Buffer District (HBD) 50

 Intent..... 50

 Purpose 52

 Criteria..... 52

Historic Preservation Program Implementation 52

 Implement Code Revisions 52

 Update Historic Property Record Forms 53

 Initiate Neighborhood Consortiums 53

 Redefine the Certificate of Appropriateness Process 53

 Develop Leadership..... 54

Affordable Housing 54

 Incentives for Affordable Housing 54

Infill Development..... 55

 COA..... 55

 ADUs..... 56

 UDC Changes..... 56

 Specific Code Changes 56

Design Guidelines 56

 Design Overlay District (DOD)..... 57

 Intent..... 57

 Purpose 57

 Criteria..... 57

 Other Districts 58

UDC Changes..... 59

 UDC Changes Pertaining to the Current NCOD Boundary 60

 Deviations 60

 Demolitions 61

 Air B&B and VRBO Uses 61



Implementation Matrix 62

Appendix 1.....64

Public Engagement Process 64

 Schedule of Public Events 64

 Summary Comments from Stakeholders and Written/Verbal Comments 65

 Public Meeting #1 - Issues and Solutions Matrix 65

 Public Meeting #2 - Keypad Polling Results 67

 Dox Matrix Results from Neighborhood Meetings..... 76



List of Figures and Tables

Figure 1: Historic Preservation Districts within Bozeman 12

Table 1: Maximum Home Prices Affordable at AMI Levels in Bozeman 14

Figure 2: Affordability of Single-Household Homes in NCOD (Valuated to 2014 Prices) 15

Figure 3: Affordability within NCOD with Housing Valuation for Year 2014 16

Figure 4: Affordability outside the NCOD with Housing Valuation for Year 2014 16

Figure 5: Assessed Values within NCO (Based on MT DOR Taxable Value) 17

Figure 6: Vacant Parcels by Year in NCOD 20

Figure 7: Bozeman Design Guideline Matrix 22

Table 2: Deviation Status within NCOD (2004 - 2105) 27

Table 3: Type of Deviation Approved within NCOD (2004 - 2015) 27

Figure 8: Deviations by Year..... 28

Figure 9: ADU Locations by Year..... 30

Figure 10: Deviations with Overlapping ADUs by Year 31

Figure 11: Bozeman Parking Districts in Relation to the NCOD Boundary 35

Figure 12: Potential Future Historic Districts Based on Eligible Properties 49

Figure 13: Potential District Classification Areas 51

Figure 14: Public Views on Affordable Housing Incentives within NCOD 55

Table 4: Example Development/Deviation Tracking Spreadsheet 60



EXECUTIVE SUMMARY

The City of Bozeman established the Neighborhood Conservation Overlay District (NCOD) in 1991 as a locally-adopted zoning district that prioritizes conservation of neighborhood character and preservation of historic properties. The boundary was initially based on the City’s 1957 census boundary. The boundary does not necessarily reflect the historical integrity of structures either adjacent to, within or outside the boundary. Substantial reinvestment has occurred in the NCOD area over the past 24 years as Bozeman has grown significantly since 1991. Therefore, the City is evaluating the NCOD and what recommendations may be needed to update the district and its associated regulations. The City is also conducting evaluations and revisions of land development standards which interact with this report. Some recommendations from the draft report have been removed as they have already been completed.

KLJ and ARCHitecture trio, Inc. were hired to analyze the effects on historic preservation, affordable housing and infill development within the NCOD and what recommendations are needed based on those findings. Best practices from six Mountain West communities were studied to determine what unique preservation or infill strategies could be implemented in Bozeman. Three Montana cities were also examined for best practices implemented across the state. The communities included:

- » Austin, TX
- » Fort Collins, CO
- » Portland, OR
- » Salt Lake City, UT
- » Spokane, WA
- » Santa Fe, NM
- » Billings, MT
- » Livingston, MT
- » Missoula, MT

The analysis concluded that the NCOD has affected affordable housing, infill development and the historical integrity of properties within the district. The District has had several successes including preserving potential historical buildings, creating historic districts and preserving neighborhood context in certain areas. However, the NCOD has also had challenges including affordable housing and application of design guidelines and code enforcement.

Recommendations are listed for each focus area and in some instances these recommendations are in conflict with each other. This was done on purpose to encourage the public and City Commission to determine what is the most critical aspect moving forward whether it be affordable housing, historic preservation, infill development or creating new design guidelines. However, a preferred set of recommendations is provided that tries to achieve a balance between the four focus areas. It should be noted that these can and will likely change pending input from City Commission on what direction the NCOD should take moving forward. The major conclusions are as follows:

HISTORIC PRESERVATION

- » Approximately 74% of the resources within the NCOD have been inventoried for historic eligibility, which is a great first step. However, the majority of inventories were prepared more than 30 years ago.
- » Eight (8) historic districts were created with the inception of the NCOD, but only two new historic districts have been designated since then.
- » The same level of recognition and protection has been given to both potential new historic districts and other non-historically significant properties.
- » The Certificate of Appropriateness (COA) process encourages property owners to think critically about future development and impacts to adjacent properties.



AFFORDABLE HOUSING

- » Affordable housing is a growing concern and city-wide issue not restricted only to the NCOD.
- » Accessory Dwelling Units (ADU) can provide a less costly option for some to live within the NCOD.
- » Single-Household homes within the NCOD are unaffordable for the majority of households, whereas outside the NCOD the majority of households making 100% AMI can afford homes.
- » 3- and 4-person households at 80% AMI or lower can afford **zero** single household homes in the NCOD; however, 3% of 3-person households and 23% of 4-person households can afford homes outside the NCOD.
- » 3-person households at 100% AMI can only afford 15% of single-household homes in the NCOD; whereas 51% of households outside the NCOD can afford homes.
- » 4-person households at 100% AMI can only afford 45% of single-household homes in the NCOD; whereas 56% of households outside the NCOD can afford homes.

INFILL DEVELOPMENT

- » Preliminary results indicate at least two areas within the NCOD may be underdeveloped in terms of minimum density standards required in the Unified Development Code (UDC).
- » Approximately 40 properties within the NCOD have the potential to be redeveloped if code relaxations or changes are implemented.
- » Ground-floor ADUs can contribute to infill potential but require code changes to allow them.
- » Incentives for infill are limited; however three zoning districts do encourage mixed uses.
- » Zoning map revisions are needed to more accurately reflect existing uses and structures versus development potential if warranted.

DESIGN GUIDELINES

- » Guidelines have a good foundation for allowing flexibility within certain districts and could be expanded to more accurately reflect neighborhood characteristics.
- » Current Guidelines do not sufficiently address the unique characteristics of each of the eight National Register (NR) historic districts within the NCOD.
- » Guidelines are too restrictive for those areas with little or no historic integrity (ineligible for NR listing).

CODE PROVISIONS

- » 87% of deviations requested were granted (from years 2004-2015).
- » 53% of requested deviations were encroachments into front, rear, side and watercourse setbacks.
- » Minimum lot widths and lot sizes in established neighborhoods predate zoning and subdivision regulations. Thus, some do not comply with current codes yet either have existing structures or could be developed if relaxations were implemented.
- » Lot coverage and additional land area requirements for additional dwelling units should be changed to account for small parcels within NCOD.

Recommendations

The major recommendations below used best practices from other cities, incorporated public comment and included data analysis. More refined recommendations can be found in the Recommendations section. A time/financial cost estimate for each recommendation is provided in the Implementation Plan.



The preferred recommendations are listed after Infill and strive to balance and limit the conflicts between the four focus areas.

NCOD BOUNDARY

- » NCOD boundary should be removed in 5 years and replaced with historic districts and design districts. This will require at least one amendment to the zoning map.
- » Local historic districts should be encouraged to form within 5 years to preserve potential areas as preliminary identified in Figure 13.
- » Historic Buffer Districts will help protect existing districts from negative impacts; a one-block radius shall serve as a buffer for Historic Primary Districts (HPD).
- » Design Overlay Districts (DOD) should be created to preserve areas outside historic districts but within the current NCOD which have a demonstrable design character when supported by the property owners.
- » Areas not covered by DODs or historic districts will only be subject to zoning standards.
- » The N 7th Corridor should be removed from the NCOD to encourage infill and redevelopment; the current NCOD boundary should be moved east to 5th and 6th Avenues.

HISTORIC PRESERVATION

- » Create local historic districts based on existing NR Districts and buffer districts to serve as a buffer/transition areas and to help protect existing districts from negative impacts.
- » Review each district and potentially refine boundaries to ensure district-specific guidelines protect potential new structures on the fringe of the district. This approach is more logical and better accomplishes the vision of the NCOD for preservation.
- » Strengthen neighborhoods to advocate for preservation of those characteristics that make their neighborhood special.
- » Continue with assessment updates as the initial work completed is preliminary; more detailed historic information is needed to begin creating additional historic preservation districts. Complete and update inventory forms on a ten-year basis.
- » Develop an enforcement process for COA compliance and violations as well as a better notification procedure for neighboring properties.

AFFORDABLE HOUSING

- » There is no “silver-bullet” - a varied approach offers something for most people as affordability is a city-wide issue. Allow by right small-scale development (2,500 sq.ft. lots) for properties within the current NCOD boundary; development should have appropriate standards for context sensitive design.
- » Continue or expand implementation of incentives such as waiving impact fees, reducing parkland requirements, allowing density bonuses and reducing parking requirements.

INFILL DEVELOPMENT

- » Allow ground-floor ADUs and increase sidewall height to five feet for second-story ADUs.
- » Implement code changes to allow for small-scale development on small, platted lots.
- » Reduce parking standards and remove parkland dedication requirements for ADUs that only have one dwelling unit and are less than 800 square feet.
- » Remove the demolition restriction of requiring a building permit before demolishing structures that are non-contributing to a historic district.



- » Demolition restriction should remain in place for structures contributing to a historic district.
- » Change “Deviations” to “Permissible Modifications” and expand their use.
- » Remove minimum lot width requirements and reduce minimum lot sizes and setbacks for residential properties within NCOD but not within historic districts.
- » Increase lot coverages for residential districts in NCOD.
- » Revise parking standards to allow more flexibility with parking locations for buildings within the B-3 district including the potential to reduce parking standards for some residential uses.
- » Conduct a comprehensive parking study to determine impacts from large-scale residential and commercial developments and include recommendations for changes to parking space cash-in-lieu-of, parking requirements and locations for off-street parking.

DESIGN GUIDELINES

- » Develop Design Overlay Districts (DOD) to guide development to achieve the highest level of design integrity with very specific objectives, including B-3 ‘halo’ area surrounding Main Street District, East and West Gateways, and Brewery District area.
- » Establish district appropriate guidelines with active participation from neighborhoods and stakeholders to address specific characteristics and defining features for each area.
- » Create new Design Guidelines that encourage mixed uses, provide buffered edges, protect important public views, avoid historical misrepresentations, respect adjacent historical buildings and recycle existing building stock.

PREFERRED RECOMMENDATIONS

- » Remove existing NCOD boundary within 5 years or upon replacement with Historic Primary Districts (based on existing NR districts) and Design Overlay Districts. Some areas currently part of the NCOD will no longer have overlay district protection.
- » Proceed with making immediate changes to NCOD to remove N 7th (Midtown) area from NCOD.
- » Create local historic districts (Historic Primary Districts) based on the existing National Register districts each with their own boundaries including Historic Buffer Districts (HBD), update building inventories, and implement design guidelines specific to each district that clearly define significance and character. Renovation, new construction, demolition and land use would be still be reviewed through a Certificate of Appropriateness (COA) process.
 - Preservation Plans will closely resemble the existing *Design Guidelines*. The COA process would remain in place with continued improvements to procedures and review.
- » Provide for Design Overlay Districts to enhance a particular design character through an overlay district plan. These districts will be similar to *Design Objectives Plan for Entryway Corridors* but much simpler in size and scope.
- » Allow ground floor ADUs and increase sidewall height to five feet and reduce parking and parkland requirements for units less than 800 square feet.
- » Remove the demolition restriction of requiring a building permit before demolishing structures that are non-contributing to a historic district.
- » Change “Deviations” to “Permissible Modifications” and allow greater flexibility in their use.
- » Continue or expand implementation of affordable housing incentives such as waiving impact fees, reducing parkland requirements, allowing density bonuses and reducing parking requirements.
- » Implement code changes to allow for small-scale development on small, platted lots.



ACKNOWLEDGEMENTS

The Neighborhood Conservation Overlay District (NCOD) evaluation would not be possible without the time and dedicated efforts from the following people, organizations, agencies and citizen advisory boards.

- » Bogert Park Neighborhood Association (BPNA)
- » Bozeman Creek Neighborhood Association (BCNA)
- » Bozeman Historic Preservation Advisory Board
- » Community Affordable Housing Advisory Board
- » Cooper Park Historic District Residents
- » Downtown Bozeman Association
- » Downtown Bozeman Business Improvement District
- » Downtown Bozeman Partnership
- » Marwyn-Lindley Neighbors (MarLinN)
- » North 7th Urban Renewal District
- » Northeast Neighborhood Association (NENA)
- » Northeast Urban Renewal District
- » South Central Association
- » Southeast Neighborhood Association (SENA)
- » Southwest Montana Building Industry Association

A special thanks to City of Bozeman Planning and GIS staff for their time and efforts in collecting data, providing input, creating maps and reviewing the document.

Lastly, we would like to thank the multiple businesses, companies and general public that provided valuable feedback, information and ideas as well as for their input on solutions to issues facing the NCOD and their respective areas in which they live and operate. Without their participation, this evaluation and report would not be feasible.

Report contributions made by the following people:

- » Pat Jacobs, ARCHitecture trio
- » Jordan Zignego, ARCHitecture trio Consultant
- » Matthew Best, KLJ
- » Shari Eslinger, KLJ
- » Joe Froelich, KLJ
- » John How, KLJ
- » Elizabeth Raab, KLJ
- » Forrest Sanderson, KLJ



This assessment was funded by the City of Bozeman and the Montana Department of Commerce through a Community Development Block Grant.



City of Bozeman

121 North Rouse Avenue
Bozeman, Montana 59771
(406) 582-2320
www.bozeman.net

City Commission

Honorable Jeff Krauss, Mayor
Honorable Carson Taylor, Deputy Mayor
Cynthia Andrus, Commissioner
Chris Mehl, Commissioner
I-Ho Pomeroy, Commissioner

City Management

Chris Kukulski, City Manager
Chuck Winn, Assistant City Manager

Department of Community Development

Wendy Thomas, Director
Chris Saunders, Policy and Planning Manager
Brian Krueger, Development Review Manager



INTRODUCTION

The City of Bozeman is evaluating the regulatory component of our community’s historic preservation program. Established in 1991, the City’s Neighborhood Conservation Overlay District (NCOD) is a locally-adopted zoning district that prioritizes conservation of neighborhood character and preservation of historic properties. The City seeks to understand how the NCOD affects historic preservation, density, affordability and infill development.

The stated purpose of the NCOD is to “stimulate the restoration and rehabilitation of structures, and all other elements contributing to the character and fabric of established residential neighborhoods and commercial or industrial areas.” In many regards, the NCOD was envisioned as an incubator for future historic districts.

However, the NCOD also states “new construction will be invited and encouraged provided primary emphasis is given to the preservation of existing buildings and further provided the design of such new space enhances and contributes to the aesthetic character and function of the property and the surrounding neighborhood or area. Contemporary design will be encouraged, provided it is in keeping with the above-stated criteria, as an acknowledged fact of the continuing developmental pattern of a dynamic, changing community.”

Efforts to preserve historic neighborhoods began in Bozeman in the late 1970s with the South Willson Avenue Protective Association. “Residents realized that heavy traffic on the street plus needs to expand the central business district could erode their neighborhood,” noted the 1978 South Willson Avenue Historic District nomination to the National Register of Historic Places. In light of citizen interest in historic preservation, the City of Bozeman partnered with the Montana State Historic Preservation Office (SHPO) in 1984 to conduct a large-scale survey to identify historic properties.

The City followed up on this effort in 1986 and 1987, by nominating eight historic districts and fifty individual properties to the National Register of Historic Places. Zoning on these properties ranged from high to low density residential, commercial, industrial and mixed-use. At the community’s behest, the 1991 zoning code included a large-scale zoning overlay district known today as the NCOD.

In 2004, the City significantly revised its zoning standards for the required front and side yard setbacks and lot sizes to be more compatible with existing structures and lot patterns within the NCOD. The City also updated the design guidelines for the NCOD in 2006 and again in 2015 to help provide more flexibility and to meet design objectives from the Downtown Plan and Bozeman Community Plan. The current NCOD Design Guidelines, while not perfect, are improvements from previous versions and will need further refinement as Bozeman’s urban core continues to redevelop.



Existing buildings within the NCOD ranging from Nationally Registered properties to high, density residential infill



PROCESS

Four primary processes were used throughout the study including collecting data, analyzing best practices, reviewing case studies and soliciting public information. The goal was to collect relevant, local case studies that focused on the City’s approach to Certificates of Appropriateness (COA), accessory dwelling units (ADU) and the overall effectiveness of implementing design guidelines within the NCOD. In addition, several communities across the mountain west were examined to determine what, if any, processes or policies could be implemented in Bozeman.

Best Practices

KLJ analyzed the best practices from six communities with similar attributes and strong historic preservation programs across the west including Austin, TX; Fort Collins, CO; Santa Fe, NM; Portland, OR; Salt Lake City, UT; and Spokane, WA. Additionally, three communities in Montana were studied including, Billings, Livingston and Missoula. KLJ determined that, while Bozeman’s NCOD is unique, each of the six cities studied provided insight on how Bozeman could improve the NCOD. The review provided in *Analysis of Existing Conditions* is a brief summary of similar cities and their regulations, policies and strategies that KLJ deemed appropriate for the City of Bozeman.

Existing Case Studies and Previous Planning Documents

Working with City staff, KLJ toured approximately 20 properties within the NCOD that were classified as “good” examples of neighborhood preservation, “appropriate” redevelopment within the context of existing neighborhood character, and “poor” projects that did not fit into the design character of neighboring structures. Specific properties were not highlighted so as to preserve individual privacy, but also because the focus was to identify which elements within each specific property could either be improved or replicated. Relevant studies were also examined and reviewed for synergistic policies and strategies to support recommendations; such studies included the Downtown Bozeman Improvement Plan; Parks, Recreation, Open Space and Trails Master Plan; North 7th Avenue Plan; Downtown Bozeman Truck Study; revised B-3 Design Guidelines; and Downtown Bozeman Parking Studies.

Historic Property Classification

KLJ utilized information provided from City staff regarding a recent (2015) analysis of properties within the NCOD and their potential to be classified as contributing to a historic district. The study included several properties outside the NCOD to determine whether new sections of the City where the “50-year threshold” had been reached had sufficient integrity to contribute to potential new historic districts.

Affordable Housing and Infill

The evaluation also utilized three different data sets/studies regarding housing prices within the NCOD and affordability. The recent (2015) affordable housing study commissioned by the City of Bozeman was reviewed and certain elements were drawn upon when making recommendations. Additionally, the Gallatin Association of Realtors provided housing sale prices across a range of years inside and outside the NCOD boundary for comparison. Lastly, State of Montana assessment data was compiled to show the extent of assessed values and their locations relative to the NCOD as well as possible infill locations. Incentives for both affordable housing and infill were included in best practices research. Note that the NCOD area is almost entirely built out and intensification will likely require site acquisition and clearing.

Bozeman Unified Development Code and Design Guideline Analysis

The City’s design guidelines for properties (commercial and residential) were analyzed to determine which elements, if any, could be improved or removed. In addition, KLJ reviewed specific sections of Bozeman’s Unified Development Code (Chapter 38, Article 16: Neighborhood Conservation Overlay

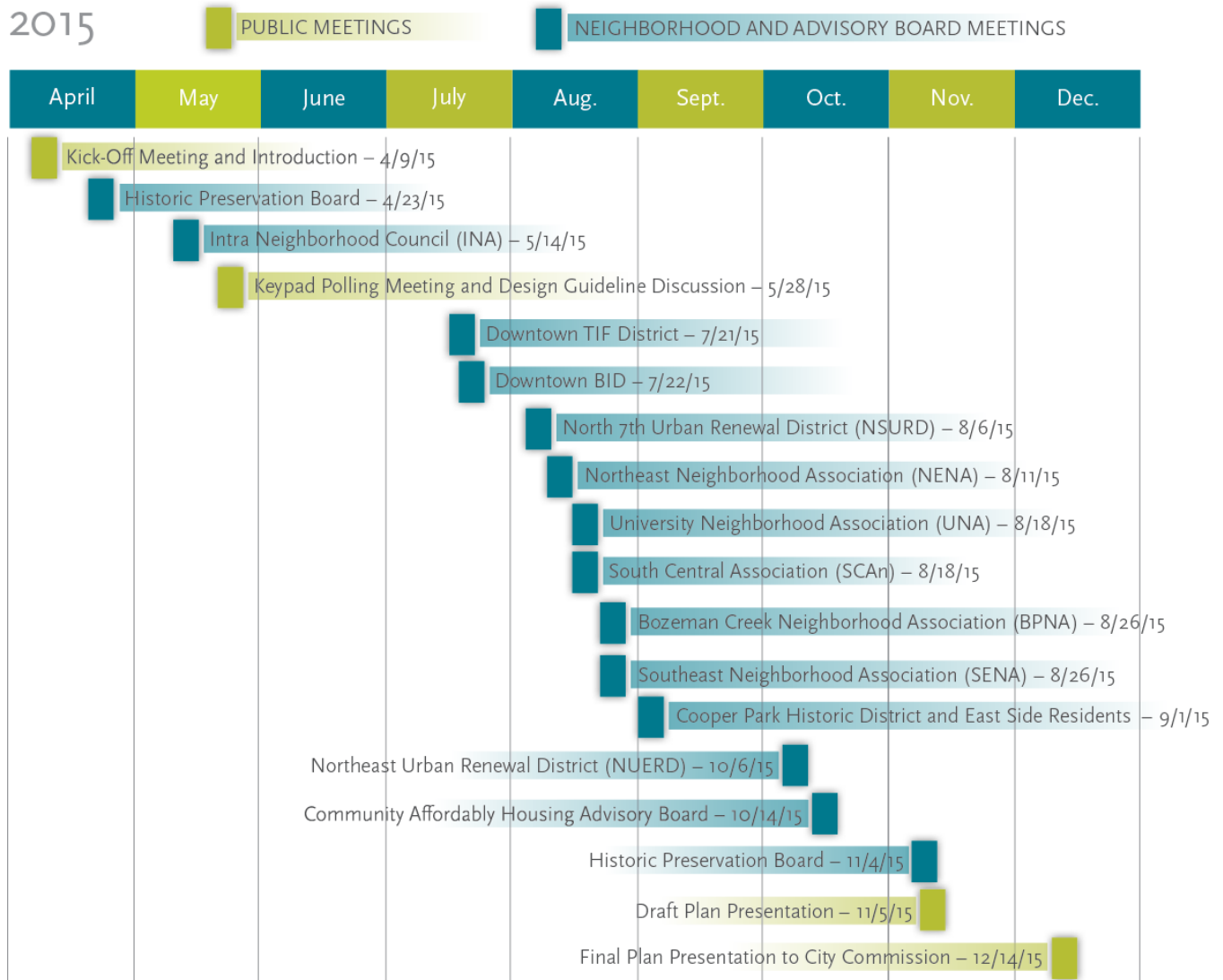


District and Chapter 38, Article 15: Requirements for Creation of a Historic Mixed-Use District) to identify ways to improve the NCOD and how to streamline the creation of future Historic Mixed-Use Districts.

Currently with the conclusion of this study, the City is conducting another study that focuses specifically on development code revisions. As such, the recommendations within this study will be included and implemented as part of the larger code rewrite process.

Public Outreach

Public outreach consisted of three different avenues: 1) traditional public meetings, 2) stakeholder interviews, and 3) targeted neighborhood and advisory board meetings. Each effort focused on the audience attending so that multiple viewpoints, opinions and suggestions were obtained. KLJ conducted three public meetings (dates provided below) and conducted 22 stakeholder interviews from May - October with property owners, architects, concerned citizens and contractors/developers doing work within the NCOD. The neighborhood meetings (dates provided below) included speaking with citizens residing specifically within the boundaries of established City of Bozeman neighborhood association. A comprehensive review of public input activities is included in Appendix A.





ANALYSIS OF EXISTING CONDITIONS

Existing conditions within the NCOD were studied to determine what is currently working within the district and what needs to be changed or removed to improve affordable housing, infill development and preservation throughout the NCOD. Six elements specific to the NCOD were included for analysis: Unified Development Code (UDC) provisions, design guidelines, infill incentives, affordable housing, historic preservation and neighborhood context and case studies.

Historic Preservation

Preserving Bozeman’s heritage was stated in the NCOD Guidelines as a primary goal for the community. In the Bozeman Community Plan (June 1, 2009) the first item outlined in the community’s vision suggests the importance that historic preservation plays in Bozeman’s identity. An entire chapter is devoted to the City’s mission to, *“Carry out a historic preservation program that protects and promotes Bozeman’s historic resources so they remain surviving and contributing pieces of our community.”*

Bozeman’s historic resources are a significant part of what makes Bozeman a desirable place to live and visit. It is its special character, its community aura, its sense of place defined by its past, its present, and its vision towards the future that defines who and what we are. There is a delicate balance in preserving those characteristics that define Bozeman as unique and special without shutting out the potential for its future. Part of Bozeman is its history and the ever-changing landscape. Each phase of development brought new traditions, architectural styles, development patterns and materials. Our built environment encapsulates in a tangible form that richness of history. The NCOD was created to provide a level of protection for those resources and the areas surrounding them so they may be enjoyed and serve as a “dynamic historic legacy” cherished by present and future generations - residents and visitors alike.

“Bozeman’s unique identity, characterized by its natural surroundings, its historic and cultural resources, and its downtown, which is the heart and center of the community, is preserved and enhanced.”

The 1980s Cultural Resource Survey laid the foundation for identifying historic buildings within the downtown core that were architecturally and culturally significant. It was this information that served as the basis for the nomination of multiple historic districts and individual properties to the National Register of Historic Places; City of Bozeman historic preservation districts are shown in Figure 1. By 1991 the NCOD was in place and the adoption of updated design guidelines in 2006 further strengthened the review process. Through the use of these guidelines, properties have been renovated and restored, new additions have been constructed onto historic buildings and totally new structures have been incorporated into the landscape of the NCOD. The change has been so desirable and significant that downtown living and new commercial development investment has been accelerating at an increasingly faster pace. With this development comes new challenges for preserving our historic cultural resources that significantly contribute to Bozeman’s identity.

Preservation Statistics

The following information is a compilation of data for the NCOD through January 2014. Data collection shifted after that period and is no longer tracked in the same manner, creating a gap in valuable information.

The largest challenges of today remain similar to those from the NCOD’s inception in 1991 - how should we be protecting our valuable cultural resources, what are they, and what do we need to do to protect them? Even prior to the NCOD, the City was beginning recognize the frailty of our neighborhoods. In 1984 a large-scale survey was initiated with the intention to identify historic properties. By 1987, Bozeman



had nominated eight historic districts and fifty individual properties to the National Register of Historic Places. Since the time of the original survey, only two additional districts, the Montana State University and Story Mill Districts, have been added.

Because of the way the NCOD portion of the Bozeman Municipal Code is written, the Montana Historical and Architectural Inventory (Inventory) forms serve as an important tool in reviewing COA applications. However, inventory sheets have generally not been updated unless as a requirement of the COA process.

Data indicates that of the 3,106 properties within the NCOD, no property inventory sheets exist for more than 27% (844) of the properties.

The City of Bozeman is waiting for updated inventories for properties within the B3 zoning district surrounding the Main Street Historic District. New inventory forms are desperately needed where they are missing, where buildings have undergone significant changes or where buildings not previously

considered historic, have now achieved the “50-year threshold” and should receive consideration. The City, as a repository for this type of documentation, coupled with the COA process which documents change, has an opportunity to be a gatekeeper of information for local historical, architectural and cultural resources.

Assessment Updates

Foremost is the need for complete and updated Inventory forms. City staff must be able to review applications based on current and accurate information. This process should be revisited at minimum on a ten-year basis.

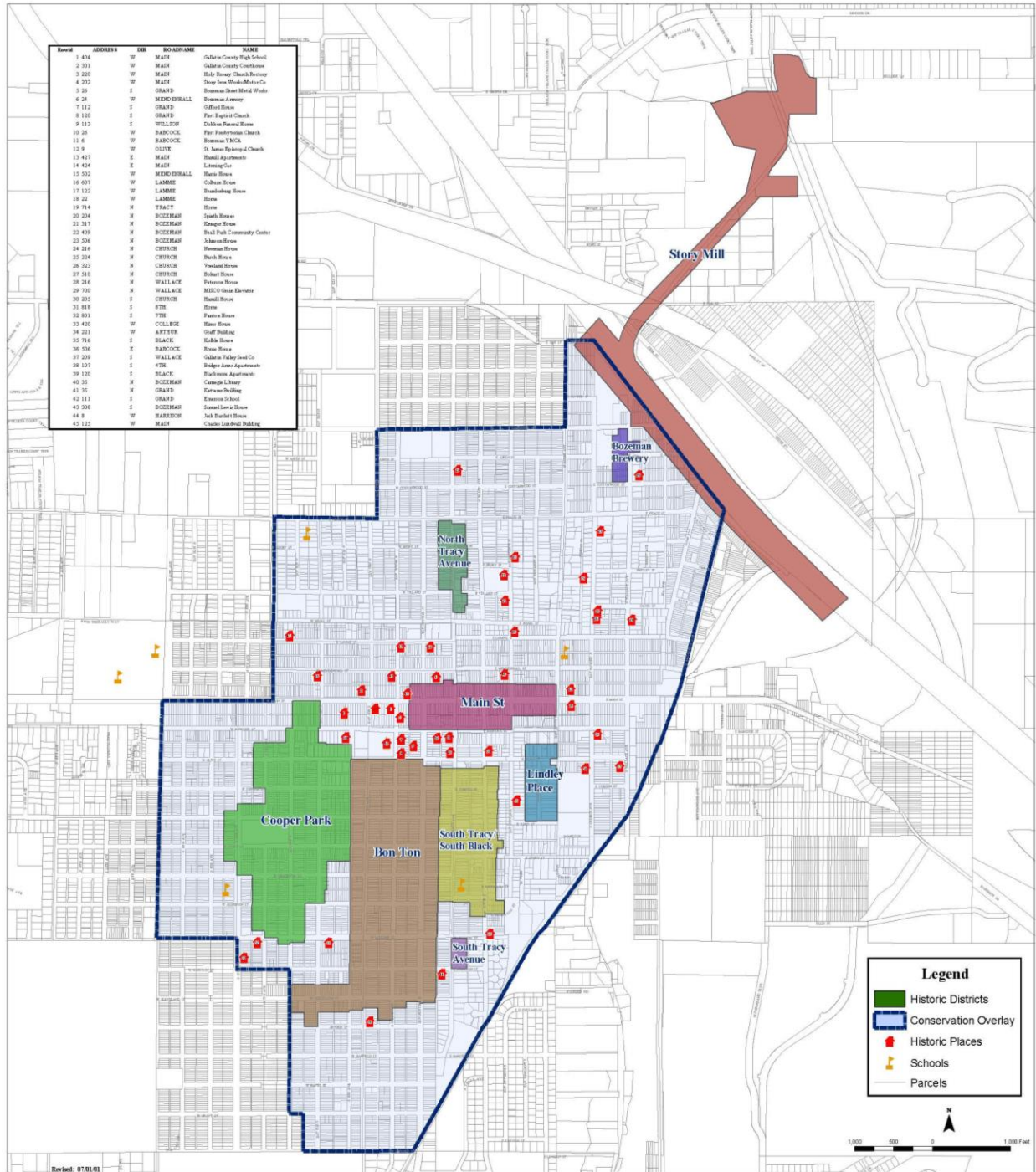
Second, as Main Street remains strong and vital as an anchor of retail for Bozeman, there is a need to “spread out” a little. Mendenhall and Babcock Streets provide that fertile ground for growth opportunities. When the original NCOD Design Guidelines were written, the vision of the City was primarily focused on the preservation of Main Street. The guidelines reflect this and therefore echo a very traditional approach to development. Only limitedly, and without clear guidance, do they address areas with little or no historic integrity or context. Examples of successful urban design guidelines to encourage quality and permanence in design can be found across the country and can easily be used as the basis for a new overlay design focused district which has a different intent than a historic district.

With the amendment to the B-3 guidelines, the City has begun to take steps to recognize the need for revised guidelines that expand beyond Main Street. A more comprehensive assessment with focus on structures outside historic districts and Main Street will be needed for the successful redevelopment of these areas.

Third, Bozeman’s National Register Historic Districts reflect the time in which they were nominated. While the intent of the National Register remains the same, the criteria, nomination forms and even the review process have evolved and become more stringent. District boundaries seem in many cases to be awkward and arbitrary resulting in ambiguity (as voiced through neighborhood forums) as to why one side of a property line has to do things one way and the other side another. Reviewing each district and creating new local districts based on the National Register criteria would allow boundaries to be cleaned up and more district-specific guidelines to be created. In addition, it would allow those areas to be preserved and protected in a manner that is more logical and better accomplishes the area’s vision for its preservation.



Figure 1: Historic Preservation Districts within Bozeman



City of Bozeman Historic Preservation Districts



Fourth, some areas within the current NCOD boundaries don't have the architectural or cultural integrity to warrant the extra level of design review prompted by its inclusion in the overlay district. In instances where new development is strongly encouraged, the review process becomes an unnecessary encumbrance and in some cases a hindrance.

Further analysis is needed to determine which areas should stay protected and which properties should only be guided by the underlying zoning. One of the cleanest and easiest ways to determine this is through the National Register criteria for listing a historic property or district. If there is not sufficient integrity to meet the criteria, then strong consideration should be given to its removal from overlay review.

And lastly, with development, economic and political pressures, we are beginning to see an erosion of the character of what once made our historic districts significant. Demolition, unsympathetic new construction, lot subdivision and aggregation, and foreign development patterns, scale and massing have begun to wear away those characteristics that can be seen, felt, experienced and recognized, but are difficult to define. Bozeman is at a critical juncture where a determination must be made to retain, protect, advocate, cherish and celebrate the city's cultural and built history, or to open the doors wide to change, innovation, growth and economic strength, sometimes one at the expense of the other. Recent public input backed by various planning documents within the last decade indicates the former. Refreshing and reevaluating the National Register districts would strengthen them and renew a commitment to their protection.



A historical house within Cooper Park noting the relevant features to preserve going forward with future renovations within the district and/or potentially expanding the boundary and including more homes.

As the approach to historic preservation (nationally) has become more sophisticated and its results more substantiated, so must the preservation program for Bozeman. A three-pronged approach should be taken to strengthen the historic districts and provide a renewed commitment to their preservation and protection. This approach includes:

- » Reevaluation of the boundaries for the designated historic districts creating new local districts.
- » Identifying their unique historic significance locally, to the State, and nationally.
- » Developing appropriate and comprehensive guidelines to preserve and protect those elements while allowing an appropriate continuum of growth and development.

Historic preservation has always required a strong voice if it is to have a saving impact. Bozeman is fortunate to have much of the “real thing” that communities try to emulate through contrived new construction. The loss of the Brewery Building on North Wallace has been an unfavorable loss for the community and serves as an unfortunate example of, “when it’s gone, it’s gone!”



Affordable Housing

Affordable housing within Bozeman and especially in the NCOD has been an ongoing concern. As noted earlier, three separate studies and data sources were used to identify whether housing within the district is affordable. While the targeted study area of the NCOD is limited to a specific boundary, the larger issue facing the community should also be recognized as a contributing factor. As such, this project referenced the recent (2015) Affordable Housing Study commissioned by the City.

2015 Affordable Housing Study

The study notes that the median sales price has increased steadily since 2006. The median sales prices for all housing types has risen \$30,000 from \$258,000 (2006) to \$287,000 (2015), or more than 11 percent

The median price for detached homes has risen \$73,750 or nearly 30 percent from \$252,250 in 2011 to \$326,000 in 2014.

according to the 2015 study. Income ranges for affordable home prices vary depending upon the household size. Table 1, which comes directly from the *Recommendations for Regulatory Changes to Support Affordable Housing Development* report, shows that unless a household of four is at 100 percent of area

median income (AMI), then housing within Bozeman is not deemed affordable. Moreover, only a household of five or six at 100 percent AMI can afford detached homes.

Similar data from the Housing Study also indicates that the rental market is experiencing a non-affordability growth trend. While not as severe as detached home prices, rental prices have begun to rise to unaffordable rates. Figure 3 within the Housing Study demonstrates the number of renter household and income ranges for rental type properties.

Table 1: Maximum Home Prices Affordable at AMI Levels in Bozeman

Median AMI (2014)	Number of Persons in Household					
	1	2	3	4	5	6
65%	\$113,129	\$134,427	\$155,124	\$176,619	\$187,183	\$211,493
80%	\$148,989	\$176,102	\$202,565	\$244,562	\$254,234	\$278,929
100%	\$212,988	\$251,523	\$283,008	\$321,543	\$337,165	\$368,102

* Table referenced in Recommendations For Regulatory Changes To Support Affordable Housing Development

Figure 2 shows properties within the NCOD with values adjusted to 2014 prices so that all properties could be determined as meeting affordable guidelines as compared to the AMI and household affordable price determined from the Housing Study. Affordability was calculated using the thresholds for both three persons per household and four persons per household. Affordability of single-household homes within the NCOD based on household size and affordability guidelines are shown in Figure 2.

Data provided by the Gallatin Association of Realtors (GAR) offers a better picture with regards to sale prices within and outside the district. While individual properties cannot be shown or listed (due to confidentiality agreement with GAR), data indicates properties within the NCOD are more expensive and retain value more than properties outside the district. Random data was selected across multiple years

A majority of single-household homes within the NCOD are not affordable; whereas a majority are affordable outside the District indicating that affordability within Bozeman's core is and will continue to be a pressing issue.

so the housing price index calculator from the Federal Housing Finance Agency was applied to determine an “apples to apples” comparison for year 2014. As noted, a majority of single-household homes are not affordable within the NCOD.

It should be noted that in multiple neighborhood meetings, residents recognized the NCOD is a



desirable place to live and people are willing to pay a premium because of its close proximity to downtown amenities. However, not all existing residents shared that sentiment. One realty company also stated that the NCOD is “the place to live” because of its neighborhood character and was the highest requested area when conducting showings.

Recent data compiled by the City’s GIS department was able to identify assessment data from the State of Montana. The data does not contain “sales specific” information; but it does show where the most expensive assessed properties are located. The data, while not a surprise, identifies properties along Main Street, Babcock and Mendenhall as the highest assessed properties at more than \$500,000 (in assessed values). Figure 5 shows assessed values for all properties within the district. It should be noted that assessed values are not the same as market sales information. Valuations include commercial and multi-household properties as well as single-household properties.

Figure 2: Affordability of Single-Household Homes in NCOD (Valuated to 2014 Prices)

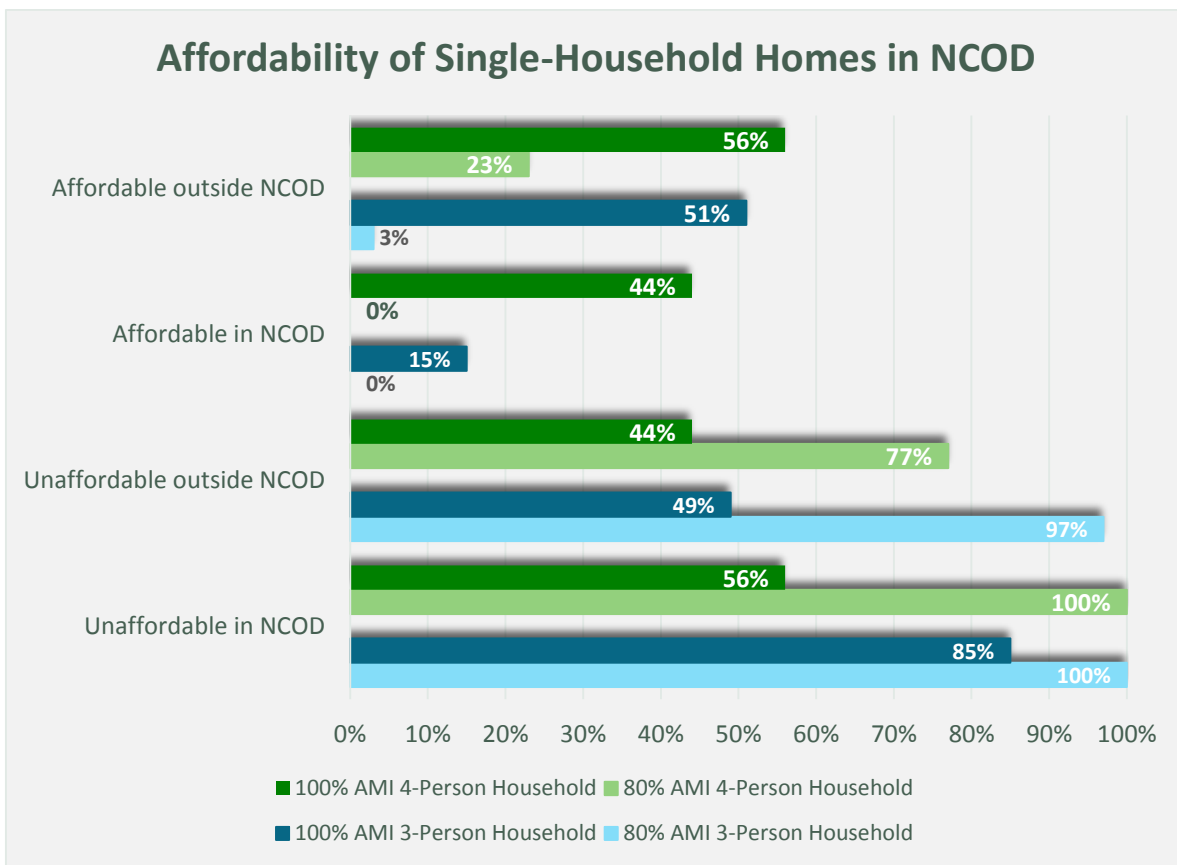




Figure 3: Affordability within NCOD with Housing Valuation for Year 2014

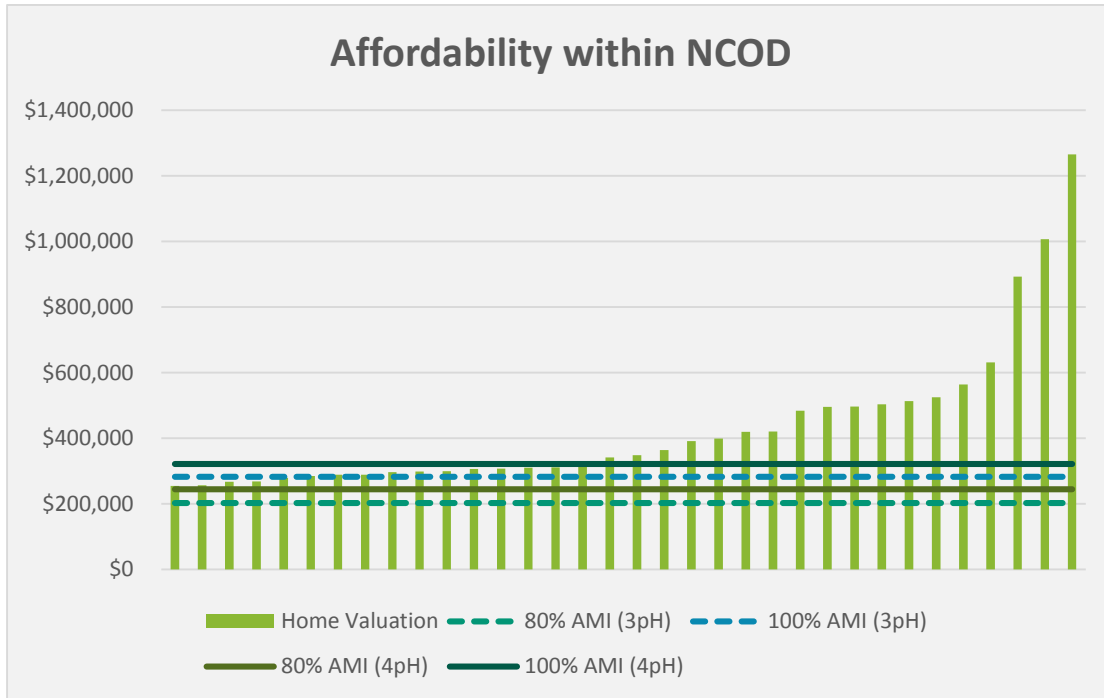


Figure 4: Affordability outside the NCOD with Housing Valuation for Year 2014

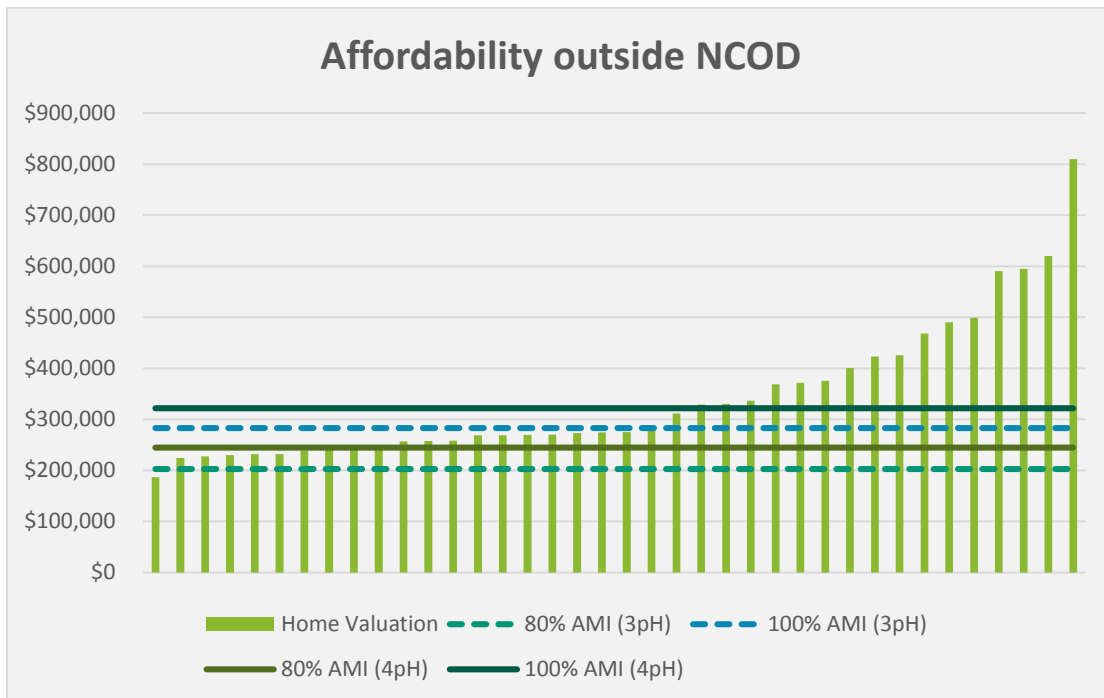
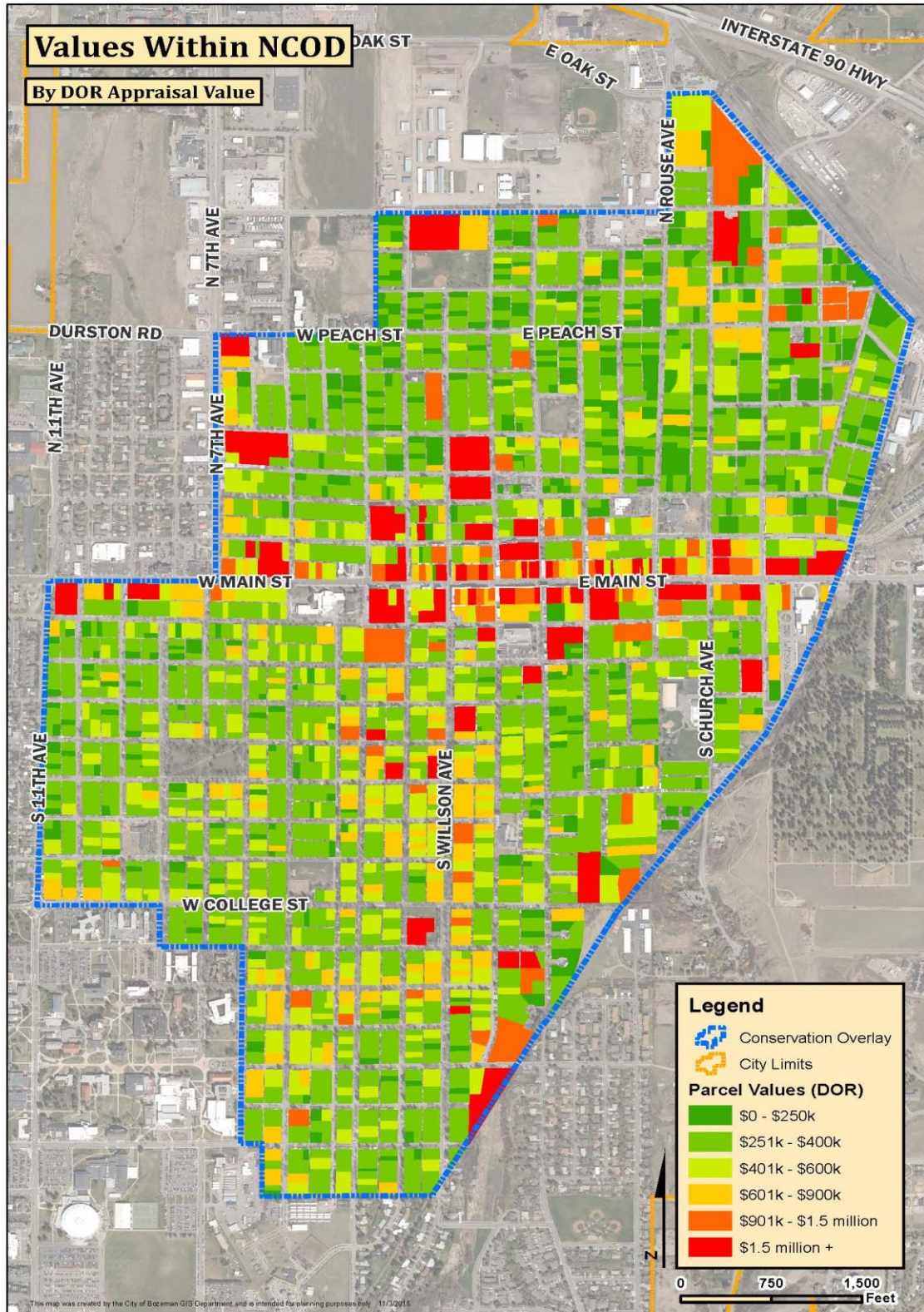




Figure 5: Assessed Values within NCO (Based on MT DOR Taxable Value)





Infill Potential

Vacant Properties

While specific information regarding lot sizes and lot widths was not readily available from City databases, vacant lots were included to determine the development potential of these lots without the use of deviations or variances. As shown in Figure 6, of the five available lots in 2014, only two may be unavailable to construct a modest structure without a deviation or variance. Since 2005, in which 14 vacant properties were available within the NCOD, 8 properties have been developed suggesting that infill has been successful to date with near 100 percent of Bozeman’s core developed. However, as redevelopment continues, site clearing and land acquisition may become difficult. Incentives will likely be needed to encourage future infill.

Vacant properties were analyzed using historic records of land use for specified years. Since the three years denoted certain land types as undeveloped or vacant, these two uses were merged for the purpose of this study. The analysis does not include properties under one ownership that may have a large or wide yard and appear to be vacant.

During a windshield survey conducted in September, several lots were analyzed for the potential of infill development if code relaxations were implemented. Such code relaxations could include reducing setbacks, increasing lot coverages and reducing lot areas or removing minimum lot widths. Only single household units were analyzed as having the potential to occupy an “open parcel” - properties currently unsubdivided but with enough room to place a structure. The windshield survey did not address the potential for future ADUs on existing lots as ADUs can vary dramatically in size. Most of the NCOD is zoned to allow multiple dwelling development. Additional opportunities for infill of this type were not evaluated.

Approximately 40 properties were identified as having the potential to subdivide or further develop if code relaxations were adopted.

Current Infill Incentives

Bozeman’s current infill incentives for attracting quality development within the NCOD are limited. While a Planned Unit Development (PUD) can be established, it requires an extensive process to create the PUD. Infill incentives should be easy to implement with clear objectives (e.g. setback reductions, parkland reductions, parking reductions, etc.). This has not occurred widely within the NCOD and has been primarily focused on commercial uses.

Because infill development usually requires the demolition of existing structures, it is substantially more time consuming and more complex than traditional “green field” development. As shown in Figure 6 only six vacant and undeveloped parcels as classified within the City’s GIS database exist within the NCOD, less than 0.1 percent of all parcels within the NCOD. Therefore, it is unreasonable to assume that all infill potential will be satisfied using only these vacant lots. Furthermore, it can be extremely difficult to assemble land for larger projects in the built environment and requires willing sellers.

The City’s current zoning code is written with Euclidean zoning - separate uses from one another - with the exception of three unique districts that promote mixed use: Historic Mixed-Use District (HMU), Residential

The intent of the Northeast HMU is to “support a mix and variety of nonresidential and residential uses” that are not found elsewhere in the city and “should be preserved as a place offering additional opportunities for creating integration of land uses.”

Emphasis Mixed-Use (REMU) District and Urban Mixed Use (UMU).



As noted in Article 15, the purpose of the HMU is to “provide for a continuation of a mixtures of uses that serve the public interest and allow a more equitable balancing of private interested and a standard zoning district.” It is clearly evident that infill development with HMU is strongly encouraged; however, such intent for recognizing a diversity of land uses is only found within the HMU and B-3 districts.

The Downtown Improvement Plan (Plan) also specifically calls for and recognizes the importance of infill development. Two strategies - Build Housing and Strengthen Downtown Businesses - speak directly to infill development. Additionally, the Plan identifies three specific sites along Mendenhall with the potential for infill; one of these sites has been redeveloped, evidence that plans such as these can become reality.

Zoning and Infill

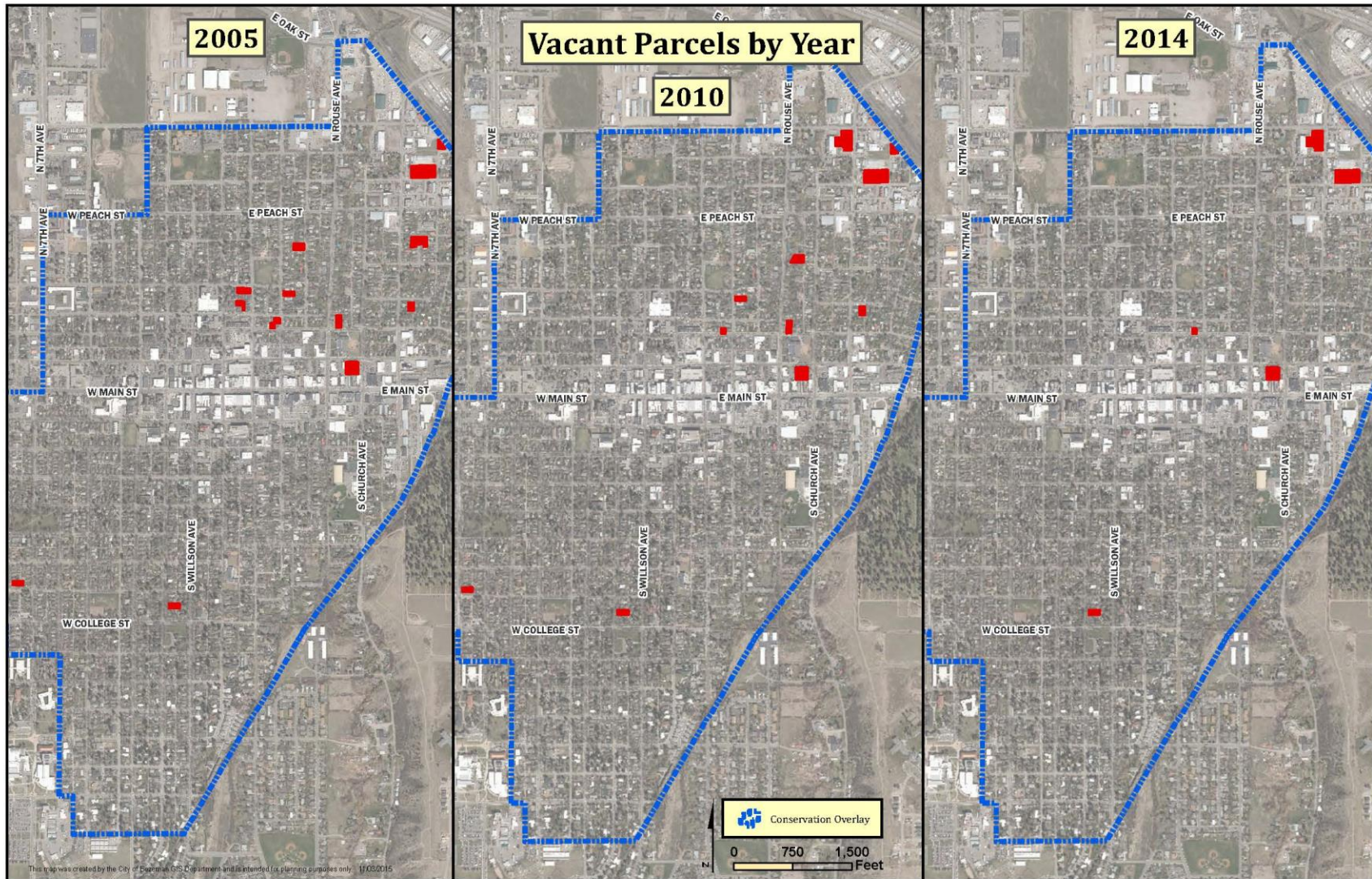
Bozeman’s UDC and zoning districts play a critical role in encouraging infill development. An analysis of density within zoning districts was performed to determine which zoning districts or areas of the NCOD could be densified using only the current zoning classification to allow for more units or increased floor area ratio (FAR). Results from this endeavor are still being calculated and will be included in the final report; however, initial results indicate at least two areas within the NCOD may be underdeveloped in terms of minimum density requirements from the UDC.

A majority of development professionals interviewed stated that more robust incentives are needed to further encourage infill within the NCOD as well as city wide. Bozeman’s current infill incentives may be appropriate for some development and include the following provisions:

- » Expanding non-conforming buildings
- » Reducing lot widths for parcels with alley access
- » No dwelling unit size minimum beyond building code
- » Water rights waiver up to 1 acre foot
- » Parkland dedication simplified
- » Impact fee TED 29% transportation impact fee reduction
- » Impact fee credit for prior uses
- » Impact fee piping charge waiver
- » Simplified reuse, further development review of previously existing buildings



Figure 6: Vacant Parcels by Year in NCOD





Design Guidelines

The current *Bozeman Design Guidelines for Historic Preservation & the Neighborhood Conservation Overlay District* (NCOD Guidelines) were adopted on January 17, 2006 with the overall design goal for Bozeman being, “...to preserve the integrity of its individual historic structures and the character of its streetscapes that are unique or irreplaceable assets to the City and its neighborhoods” (NCOD Guidelines, January 17, 2006, pg. 3, Introduction).

Over the last 24 years since the creation of the NCOD, the designation has been successful in its intent to, “... stimulate the restoration and rehabilitation of structures, and all other elements contributing to the character and fabric of established residential neighborhoods and commercial or industrial areas.”

Historic buildings have been preserved, there is a greater appreciation and understanding for the unique qualities that define the downtown commercial and residential areas, development is strong, property

The essential idea behind the Neighborhood Conservation Overlay district concept is to protect Bozeman against alteration and demolition that might damage the unique fabric created by hundreds of important buildings and sites that make up the historic core of Bozeman.

values have increased and people simply want to live in and experience downtown Bozeman. The downtown has remained relatively stable despite significant adversity including the natural gas explosion of March 5, 2009, destroying the 200 block of Main Street, and the real estate and economic downturn of 2007-2008 that saw the construction industry come to an abrupt halt.

The question is: has the NCOD designation of 1991 been a factor in the stabilization, preservation and development within the boundaries? General public input says, yes. Given that understanding based on trends and intuition, why might this be so?

The NCOD Guidelines are working to a certain degree. They have provided a certain quality and consistency to the level of historic rehabilitation and new construction. This in turn is a contributor in stabilizing and increasing property values. This same trend has been demonstrated across the United States where design guidelines have been formalized and adopted.

Community members expressed strong concern with how Bozeman is growing and changing thus recognizing the importance of assessing the NCOD Guidelines and where they are working, where they are falling short, and where they might continue to serve the community.

Background of Design Guidelines

Two key components should be understood regarding the NCOD Guidelines:

- 1) Guidelines are just that, and do not dictate solutions, but rather define an appropriate range of solutions for a variety of design issues.
- 2) The guidelines were in response to a recognition of the fragility and vulnerability of Bozeman’s historic, cultural and architectural heritage and the need to promote their significance.



These guidelines provide a written approach for making consistent decisions for the treatment of historic resources. The application of the NCOD Guidelines is based around that determination of historic eligibility as identified through the Montana Historical and Architectural Inventory prepared back in 1984. This method of determining an approach is currently flawed for three reasons: 1) not all properties within the NCOD have been inventoried; 2) the 1984 inventory has in many instances become outdated and numerous properties not meeting the “50-year rule” at the time of the survey may in fact after 25 additional years now be considered eligible; and 3) renovations or remodels since the initial survey may have impacted its classification.

The current guidelines are divided clearly with two perspectives - is the property identified as “historic,” or not?

It is difficult to apply the guidelines if the level of historic significance has not been determined or more recently been reevaluated. Within the last year the City of Bozeman has undergone a resurvey of the B-3 zoning district surrounding the Main Street Historic District. The detailed information regarding the new survey was not available at the time of this analysis, but preliminary data was mapped for reference.

One of the most clear and easily understood images of the NCOD guidelines is the matrix identifying how the guidelines apply as shown in Figure 7. The diagram is simple, concise and demonstrates a clear approach for the type of work being done and to what classified property type and what guidelines are applicable. Represented by the matrix, and of as much importance, is understanding the various components for which the design guidelines apply. This hierarchical approach guides the user on how the guidelines will be considered by the appropriate review authority. It outlines the format for providing information and reasoning behind a particular application and its review.

Figure 7: Bozeman Design Guideline Matrix

TYPE OF WORK	CHAPTER TO USE						
	Introduction	Chapter 1. Rehabilitation Guidelines for Properties	Chapter 2. Design Guidelines for all Properties	Chapter 3. Guidelines for Residential Areas	Chapter 4. Guidelines for Commercial Areas	Chapter 5. District Specific Descriptions and Guidelines	Appendix
1. Alteration of a “contributing property” in an Historic District	☑	☑	☑	☑ If Residential	☑ If Commercial	☑	☑
2. Work on a “non-contributing” property in an Historic District	☑		☑	☑ If Residential	☑ If Commercial	☑	☑
3. Work on an “individually listed National Register Property” in the Neighborhood Conservation Overlay District	☑	☑	☑	☑ If Residential	☑ If Commercial	☑	☑
4. Work on a “historically significant property” in the Neighborhood Conservation Overlay District, but outside of an Historic District	☑	☑	☑	☑ If Residential	☑ If Commercial		☑
5. Work on a “non-historically significant” property in the Neighborhood Conservation Overlay District but outside of an Historic District	☑		☑	☑ If Residential	☑ If Commercial		☑
6. New infill and construction in the Neighborhood Conservation Overlay District, but outside an Historic District	☑		☑	☑ If Residential Zone District	☑ If Commercial Zone District		☑
7. New infill and construction in An Historic District*	☑		☑	☑ If Residential	☑ If Commercial	☑	☑

Note: A blank box indicates that the chapter does not apply.

*Chapter 2, Chapter 3 and Chapter 4 guidelines will be applied more rigorously on projects in these districts.

Source: Bozeman Design Guidelines for Historic Preservation & the Neighborhood Conservation Overlay District



Rehabilitation Guidelines for Historic Properties

The Secretary of the Interior’s Standards for Rehabilitation (SOI Standards) (<http://www.nps.gov/tps/standards/rehabilitation.htm>) were created by the National Park Service as part of the Historic Preservation Tax Incentives program and are used across the country as the basic principles of historic preservation. The Bozeman Municipal Code incorporates these standards by reference under the Certificate of Appropriateness (COA) process (Bozeman Municipal Code, Chapter 38, Section 38.16.050 - Standards for Certificate of Appropriateness). The standards were the original guidelines written for use by professionals working in the NCOD and were not illustrated thus making them difficult to understand for the general public. A desire to improve the clarity and usefulness of the guidelines led to the 2006 update.

Through the COA process, building owners in the NCOD applying for a COA must consider a building’s Character Defining Features, the historic building materials, and the individual building features including windows, doors, roof configuration, etc. This is a standard approach used in historic preservation guidelines adopted in communities across the country. Success has been demonstrated locally through appropriate building renovation and revitalization efforts since their adoption and through the COA process.

Many of the NCOD guidelines for rehabilitation of both historic residential and commercial buildings are a reiteration of the Secretary of the Interior Standards (SOI). Wording in the NCOD Guidelines often represents a simplification of the SOI Standards, while photographs of local examples and block form diagrams illustrating the guidelines are helpful in demonstrating the intent of the SOI Standards and demonstrate the content through conditions found in Bozeman.



The intricate turned wood detailing represents a significant character defining feature on this remaining historic porch in the South Tracy Historic District.

Design Guidelines for All Properties

These guidelines were written more loosely and are designed to encourage respect and consideration of those existing features that make up an area’s context. These include elements such as topography, the patterns of the streets and alleys, the streetscape which incorporates setbacks, relationship of street/sidewalk/street trees, and traditional landscaping. When considering the building design in a non-historic area, components such as the solid-to-void ratios, fenestration patterns, building form and compatible material pallet are also given consideration.



Houses within the NCOD but outside a historic district represent development dating to C. 1940 with orientation to the street, front door sidewalks, street trees and a consistent building setback.



One of the greatest challenges of the NCOD Guidelines can be found in this chapter. The statement, “New construction should distinguish itself from historic structures,” leaves much to interpretation. The recommendations are consistent with those found in the SOI Standards; however, these concepts mean very different things to different people, building owners and designers. This concept is further complicated for those trying to interpret the concept because very little information and no examples are provided to represent the ideas.

Other considerations in this chapter include parking, buffers, site lighting and utilities/service area. As the NCOD continues to experience progress, growth and development, the guidelines under these sub-chapter headings only begin to touch on the issues which must be addressed today. Density and higher property values are forcing these components to be looked at more creatively. The current guidelines are broad in their approach. Additional guidelines with representative photographs and diagrams addressing context, density, heights, development patterns, use of materials, and solar and light impacts should be incorporated and be relevant to the varied characteristics of each historic district. A contemporary approach to new development and infill development should be encouraged with more emphasis on context and compatibility and less on a traditional, purist approach.

Interestingly enough, some of the design guidelines for Residential Character Areas conflict with what is permissible in many of the zoning classifications for the residential districts.

Guidelines for Residential Character Areas

This chapter looks at areas in the NCOD which are primarily residential in character, and addresses generally new infill projects in the whole of the NCOD and the historic districts. This chapter encourages an evaluation of the hierarchy of public and private space - looking at street orientation, entry, connecting the public right-of-way and the private front yard, etc. Each residential area has an overall feeling of the mass and scale of the housing stock. The housing stock often reflects the development patterns of the dominant time period of construction for the area. Taking these characteristics into consideration when designing for new infill and additions in the NCOD is often counter to the large and more sprawling design trends of the present day. The design challenge is to make the new construction so as not to appear dramatically greater in scale than the established context and that the visual continuity of the neighborhood remains uncompromised. The intent was not to stifle creativity, but to encourage compatibility.

Design guidelines versus regulatory zoning discrepancies exist particularly in the case of secondary structures that have been constructed in non-traditional locations. The scale or design may be inconsistent with traditional patterns, or higher density multi-household buildings may be foreign in character to the many multi-household apartment buildings which can be found throughout the NCOD.

Guidelines for the Commercial Character Area

This chapter provides guidance for new commercial properties. It is in this section where recently adopted changes to the NCOD guidelines to better address the B3 Commercial zoning district attempt to correct and clarify the intentions of portions of this chapter.

The NCOD guidelines for this chapter appear to be incomplete in that they consider primarily the Main Street Historic District and less so the opportunities for development and commercial growth in the “halo” area around the central core of the downtown. In general, the guidelines were written with a stronger bent towards more pure traditional Main Street-type development and less towards encouraging an innovative, contemporary, yet compatible new design.



Further conflicting were the zoning classification and the recommendations in the Bozeman Community Plan for higher intensity development. Much of the intensive B3 areas directly abuts residential zoning districts and in accordance with the design guidelines, new development needs to be contextually compatible. The amended guidelines are intended to be a temporary solution until updated permanent guidelines are put in place.

District Specific Descriptions

This chapter begins to identify the unique characteristics of each of the National Register Historic Districts within the NCOD. Each district is identified by its period of significance and its character defining features. The guidelines provide design

directives for preserving the defining elements of each of the historic districts. This chapter is very general in its content and merely hits the high points of what makes each district significant to the



A new hotel located across from the City parking garage on Mendenhall Street represents one of the first major developments outside of the Main Street District in B-3 zoning.



The new City parking garage provides a similar scale, massing and material pallet compatible with historic Main Street, yet contemporary in its building type and interpretation. Ground floor tenant space and the public transit hub reinforce pedestrian activity.

community and worthy of preservation. In many communities where historic district guidelines have been implemented, considerable effort is placed on identifying those characteristics which have given each district its honorary designation and listing on the National Register of Historic Places. The guidelines are then often very specific in preserving and respecting those characteristics.

The Appendices incorporated as part of the NCOD guidelines provide valuable supplemental information. With the easy internet access for most individuals, much of this information could be provided

through current links to state and federal agency information such as the Secretary of the Interior's Standards, Preservation Briefs, architectural styles and other educational components.

UDC Provisions

Two sections within the Bozeman UDC were specifically analyzed for the NCOD: Article 16: Neighborhood Conservation Overlay District and Article 15: Requirements for Creation of a Historic Mixed-Use District. In addition to these two sections, general code requirements pertaining to residential and commercial uses such as setbacks, lot sizes, building heights and others were studied in relation to the NCOD.



General Code Elements

Specific code elements such as setbacks, lot coverages and minimum lot size were most commonly identified by stakeholders and during neighborhood meetings as basic hindrances within the existing framework of the NCOD. Because a vast majority of the properties within the NCOD predate zoning, subdivision regulations and the adoption of the UDC, multiple conflicts with existing lots and structures have arisen and will continue to arise as these properties redevelop or are rehabilitated. While Bozeman’s zoning code was initially adopted in 1934 and revised in 2004 to help address the items listed below, it is primarily written for “green field” development. Some revisions have been implemented to alleviate setback and lot size issues, but conflicts still remain within the district such as:

Approximately 90 comments were made regarding improving or changing the UDC and zoning code to provide more flexibility with design while preserving neighborhood context.

- » Small lot sizes
- » Narrow lot widths
- » Structures located within required setbacks
- » Multiple dwelling units within a structure
- » Accessory dwelling unit location on lots
- » Alley access for multiple dwelling unit structures
- » Non-conforming uses (multiple dwellings in one and/or two household zones)
- » No transition zone between residential and commercial properties
- » Verify that the zoning map is properly applied for existing and potential future development

The City is undergoing a major UDC code rewrite and as such, the items listed above should be accounted for with the new code to streamline the development process within Bozeman’s urban core.

Deviations within NCOD

The purpose of deviations within the NCOD is to advance historic preservation. While reviewing data, more than 190 properties were identified that either had to receive a deviation, variance or other code relation in order to proceed with development. The most prevalent contributor to the use of these code relaxations were items dealing with minimum lot width, minimum lot size or minimum setback requiring a deviation. While deviations (a modification of physical standards of Chapter 38 as applied to a specific piece of property located within the neighborhood conservation overlay district or entryway corridor overlay district or anywhere within the city through a planned unit development) do allow properties with unusual hardships to move forward with development, the use of and policy interpretation relating to deviations has shifted among planning directors.

More than 70 percent of stakeholder interviews and at least two neighborhood meetings focused on improving or changing how deviations are used.



The use of deviations has changed throughout the years and as a result has introduced an element of confusion from property owners as how best to proceed with remodels, development and adaptive reuse that responds to the context yet is contrary to code. The intent was so that older properties within the NCOD that predated adoption of the code could move forward with improvements. The goal should be to apply deviations where appropriate using objective criteria that also protects existing properties and minimizes negative effects to adjacent properties. Since deviations allow a project to not follow the letter of the zoning standards they introduce uncertainty for owners and for adjacent owners. However, data indicates that deviations have been granted evenly over the years and across the entire NCOD as shown in Figure 8.

Data provided by the City indicates that 219 deviations have been submitted from 2004 to 2015 (August). Table 2 shows the breakdown of deviations used within the NCOD since 2004. Table 3 shows the types of

More than 50 percent of deviations were associated with structures infringing upon front, rear, side and watercourse setbacks.

deviations submitted along with the approval percentage of each type. Deviations were also mapped showing locations throughout the NCOD to determine if certain areas were more prone to requiring deviations based on lot sizes or other physical restraints and year approved throughout the past 18 years. Figure 8 displays

the requested deviations by year in the district.

Data clearly illustrates that the City’s zoning code needs further refinement for non-structural elements including setbacks, lot coverage, lot widths and parking demand. Structure elements including building heights and miscellaneous items such as fence heights, backing distances, etc. appear not to be a limiting factor when constructing within the NCOD.

Table 2: Deviation Status within NCOD (2004 - 2105)

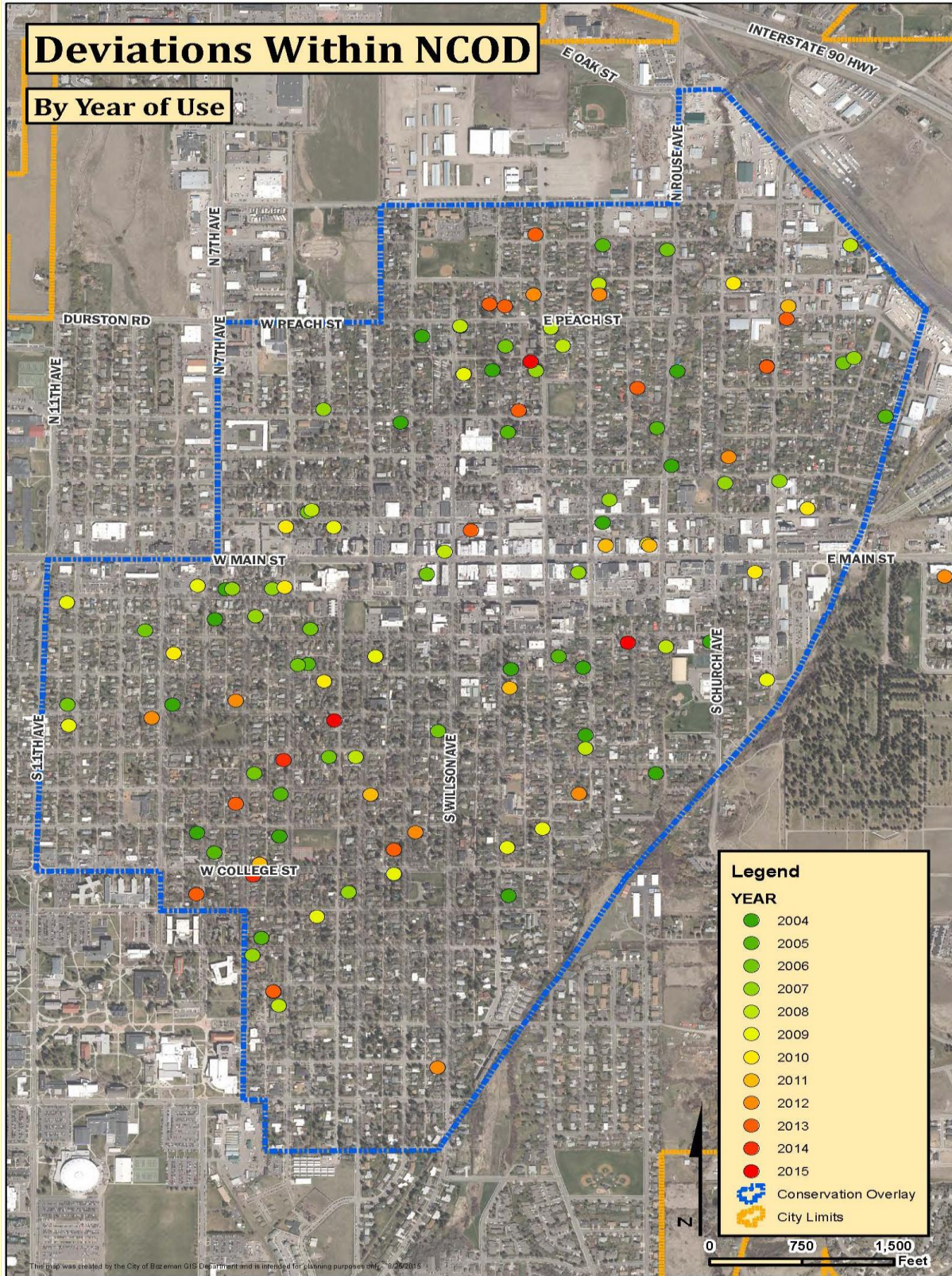
	Number	Percent
Total Deviations	219	--
Approved	191	87%
Denied	25	11%
Conditionally approved	3	1%
Denied but COA Approved	11	44%

Table 3: Type of Deviation Approved within NCOD (2004 - 2015)

Type of Deviations	Number	Percent	Percent Approved
Setbacks (front, side, rear, watercourse)	115	53%	90%
Lot Width	16	7%	94%
Lot Area	19	9%	84%
Parking	12	5%	92%
Building Height	18	8%	72%
Misc (drive access, light fixtures, signs, fence height, etc.)	39	18%	92%
Total	219	100%	--



Figure 8: Deviations by Year





Accessory Dwelling Units (ADUs)

Considerable comment was received regarding ADUs within the NCOD. Approximately 60 percent of stakeholder interviews and all four neighborhood meetings commented on expanding the use of ADUs and allowing ground floor ADUs within the NCOD as long as certain criteria (setbacks, adequate parking, maximum lot coverage) were maintained. Current code only allows for ADUs to be built above garages and can have a maximum side wall height of three feet. These two code provisions were addressed multiple times during the public engagement process as needing refinement.

The majority expressed concern with “privacy” associated with second-story ADUs. Multiple comments focused on the lack of privacy people felt when located next to an ADU. The argument was that neighbors next to an ADU felt as if their privacy was infringed upon because residents within the second-story ADU could look down upon them in their yards. Additionally, several people stated that their views of mountains, trees and other neighbors were impeded with a second story ADU. Had the ADU been permitted as a “ground-floor” unit, these people felt that privacy and view sheds would have been better protected.

While the prevailing notion was that hundreds of ADUs were being constructed within the NCOD, data refutes this claim. Only 59 ADUs have been permitted since 1998 within the NCOD, thus signaling that a relatively small number ADUs have actually been constructed. Figure 9 shows the relation of ADUs constructed by year and locations in the district. Accessory buildings which resemble ADUs but are used for other purposes may account for some of the perception of ADUs being more prevalent than they are. Figure 10 shows the relation of ADUs with deviations granted.

The concern moving forward is that second-story ADUs have established a precedent and trend that may continue if code changes are not implemented. Some residents expressed concern with costs associated with constructing second-story ADUs and the inability to provide affordable housing when costs escalate. As one local architect noted, “Construction methods and costs vary from project to project, but typically it is less expensive to construct ground-floor ADUs.”

As affordability within the NCOD continues to be a challenge and a growing concern, amending the UDC to allow for ground-floor ADUs may help lower construction and design costs. Whether those costs savings are passed onto potential renters remains to be seen. That said, simplifying the process to reduce costs, provide more flexibility with design, and improve development review of ADUs should be encouraged. Moreover, several existing ground-floor ADUs exist within the district and predate the UDC code. This suggests that there is an established historic precedent in some areas within the NCOD for ground-floor ADUS, which have been successful and part of the alley-scape and were designed to fit onto existing parcels.



Ground floor ADUs existing within the NCOD with size ranging from approximately 400 to 800 sq.ft.



Figure 9: ADU Locations by Year

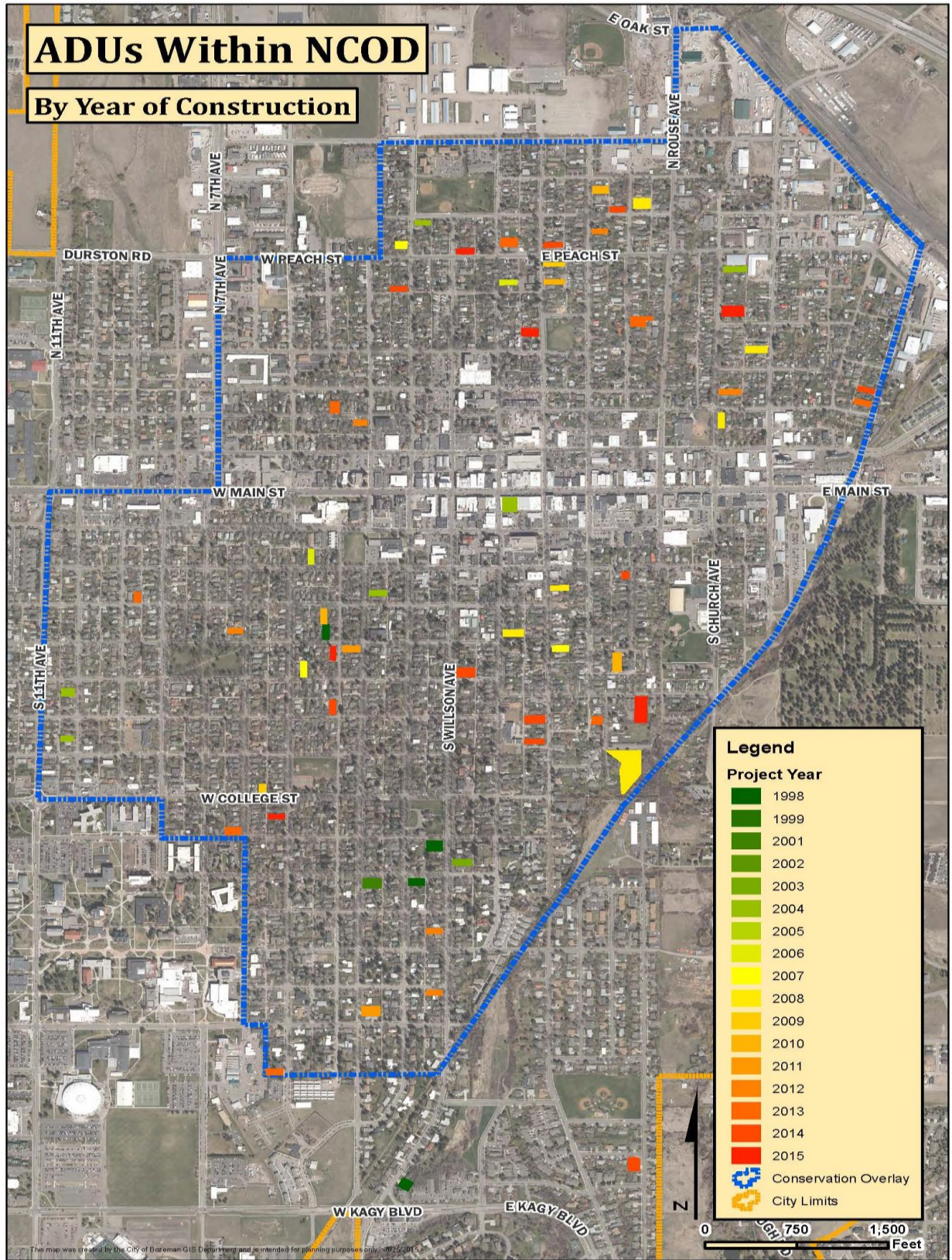
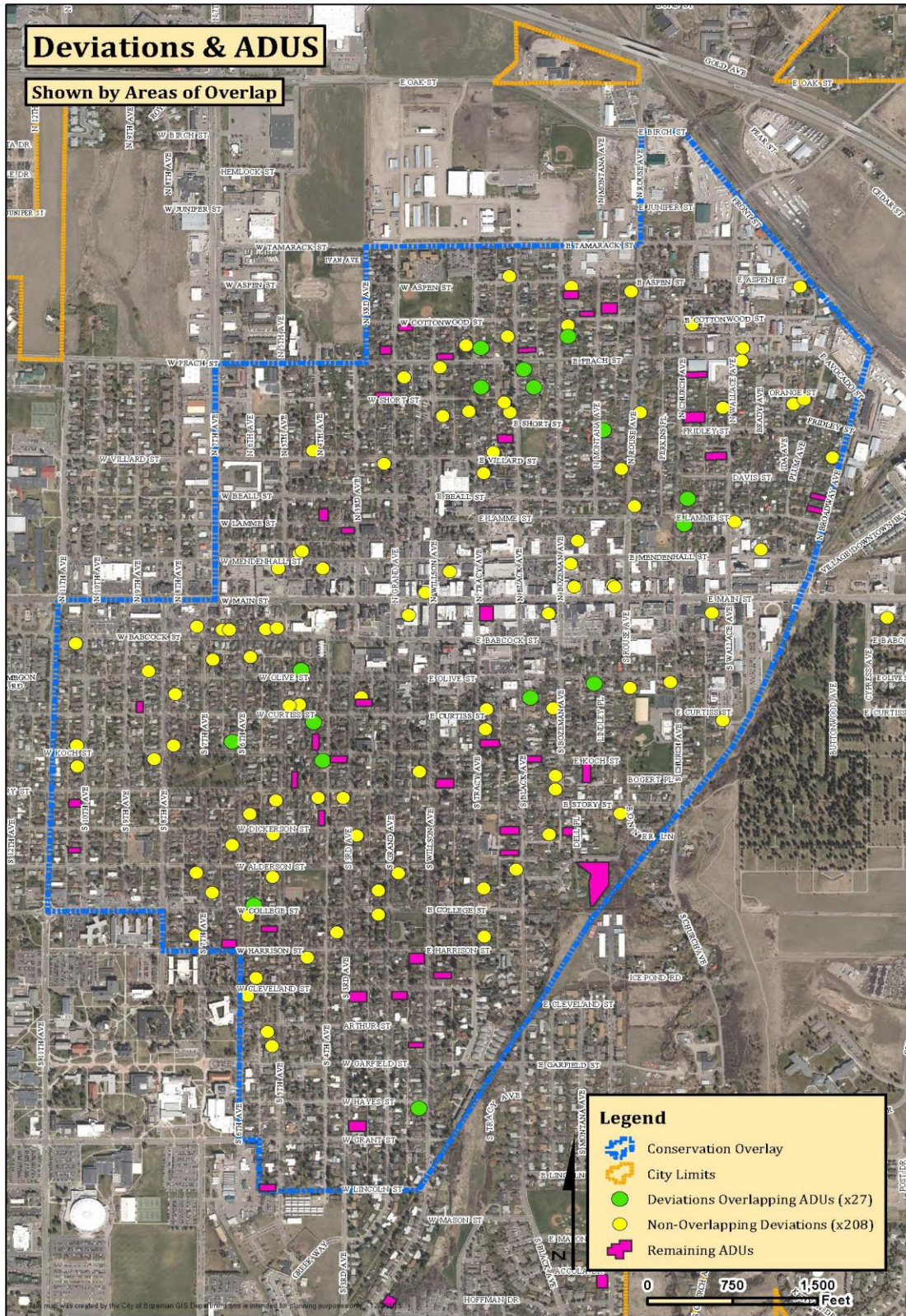




Figure 10: Deviations with Overlapping ADUs by Year





Demolition of Existing Structures

Besides general code provisions, demolition of existing structures was the most prevalent code-related topic discussed with stakeholders, neighborhood groups and the general public. While the current

“Why should I continue redeveloping in downtown when it is faster, easier and less expensive to develop west of town and I don’t have the headache of demolitions,” said one local developer.

environment has restricted the demolition of existing structures until a building permit has been secured, this can severely restrict redevelopment efforts within established neighborhoods as property owners want certainty with respect to approval and timing of issuance of such permits. The reason for the conservative approach is to prohibit another episode of demolishing a valued, historically

significant building, such as the former Lehrkind Brewery.

However, this has not precluded or deterred other property owners from demolishing contributing structures within the NCOD. In fact, during year 2015 at least two contributing structures - contributing to an existing historic district or a potential historic district - have been demolished without appropriate permits and approvals.

The conservative approach (especially as relating to non-historic or non-contributing buildings) has actually begun to deter developers and property owners from new development. More than 60 percent of stakeholders noted:



Source: Bozeman Daily Chronicle, “Demolition Begins on Lehrkind Brewery Wall,” April 21, 2014

- 1) Developing outside the NCOD on undeveloped parcels is much easier and faster
- 2) Costs tend to be more expensive within the NCOD because of the COA process, length of time to secure approvals and uncertainty with building and demolition permits
- 3) Complexity of construction and land massing in already developed areas
- 4) Code provisions are written to encourage green field development rather than infill

Obviously, the original goal of the NCOD was to protect historic structures and the legacy and roots that have provided the foundation for Bozeman to become the city it is today. That is and should continue to be a priority for Bozeman’s

“I’d prefer to develop within the NCOD, but it is much, much easier to do so outside the district especially when I don’t have to wait for city approvals regarding whether structures can be demolished. It’s all about time. Waiting hurts our bottom dollar thus making it more expensive to eventual renters and owners,” said a regional development company.

urban core. However, certain structures that do not contribute to historic districts or have little to no historic integrity should be allowed to be demolished to make way for new, creative development.



Some development professionals were and continue to be encouraged by the recent redevelopment efforts within the NCOD noting that Bozeman is transforming into a more sophisticated city. As noted in one neighborhood meeting, residents were not against future development and the demolition of buildings. Rather, residents wanted to be more informed of upcoming projects and the potential impacts - good and bad - future projects would have on their property.

“There is a positive energy right now in downtown and I hope the city can capitalize on preserving what makes Bozeman great while balancing the need for future redevelopment”- NENA neighborhood meeting

As noted in polling data from the second public meeting, opinions relating to demolitions were sometimes conflicted, but the general consensus was that the demolition process should change. While these numbers are not statistically significant, they do reflect a general consensus expressed throughout the neighborhood meetings. The four most prominent comments received about demolition include:

- » City should allow demolition without permits for certain structures
- » City is preserving wrong type of housing
- » Inability to demolish non-contributing structures
- » There is a lack of new units replacing structures past their useful life

An ordinance change addressing the demolition issues is currently being developed and will be published for public review in early 2016.

Parking and Access

Parking was analyzed to determine the effects of either reducing or increasing parking standards throughout the district. As noted earlier, only five percent of requested deviations pertained to parking issues. Parking reductions for ADUs were mentioned 26 times throughout stakeholder and public meetings. The small percentage of parking deviations requested and relatively few comments received about parking reductions suggests parking for small-scale, residential development may be appropriate when considered on a case-by-case basis.

One business owner stated, “The more rooftops I have to draw upon for commerce, the more my downtown business is likely to succeed.”

However, in speaking with the Downtown Partnership and the Downtown Business Improvement District (BID) board, parking reductions and access to parking lots were a top priority for ensuring continued commerce in the downtown. While parking standards for residential units may be appropriate, some downtown businesses (retail in particular) noted that further reductions for studio or

efficiency units may help spur development of additional units and densify downtown. In 2004, the City significantly reduced parking requirements for the B-3 zoning district. Construction of the Bridger Park public use garage in 2009 provided an important resource for all of downtown’s use.

Parking varied from 60 percent to full capacity for both on-street parking and dedicated parking lots; however, on-street parking was more fully occupied. In some cases certain block faces reached 100 percent, while off-street parking lots, especially outlying lots, did not achieve full occupancy except for the Armory and Willson lots.

The recent 2014 Downtown Bozeman Parking Study noted on-street parking rates exceeded 60 percent throughout the day and approached 80 percent at certain times within the urban core.

The 2014 Parking Study further states, that “while the results of the occupancy rate analysis did not indicate any problems at present, it is possible that issues may arise in the future. This is particularly true if downtown tourism traffic continues to grow.” With



the recently completed high density developments along Mendenhall and proposed development along Lamme, parking will undeniably continue to be a premium for infill developments. The Study further notes, “While adequate parking capacity still exists in the downtown area to absorb these peaks at present, occupancy rates (and possibly dwell times) should continue to be monitored in the future.” Parking adequacy is a frequent subject of public comment on development applications and is likely to continue to be a “hot topic” going forward.

Currently, the City has three parking districts within portions of the NCOD - shown in Figure 11- to help manage intensive demand for parking and impacts to adjacent properties. As more high-density projects develop within Bozeman’s urban core, more districts may need to be created to help alleviate parking demand and manage where additional vehicles should be parked.

Certificate of Appropriateness (COA) and City Notification Processes

The most prevalent non-code issue - those items not dealing with zoning, subdivision or development code - was the City’s COA process and general notification process. Notification procedures and general education about the NCOD for future property buyers were common concerns. In addition, an overwhelming 90 percent of stakeholders and polling data from the second public meeting indicated that the notification process should be improved so neighbors can search online for adjacent properties with a COA or subscribe to a feed notifying them when a COA is approved or submitted. The City is in the process of developing electronic tracking and project notification systems which will address some of this concern.

More than 50 comments pertained to improving the COA process to make it more transparent on why certain projects were approved or denied and locations of projects.

In recent years the City has implemented improved procedures for the processing of COA’s. While some property owners still perceive the process as cumbersome based on previous experiences, current trends suggest higher efficiency and reduced review times.

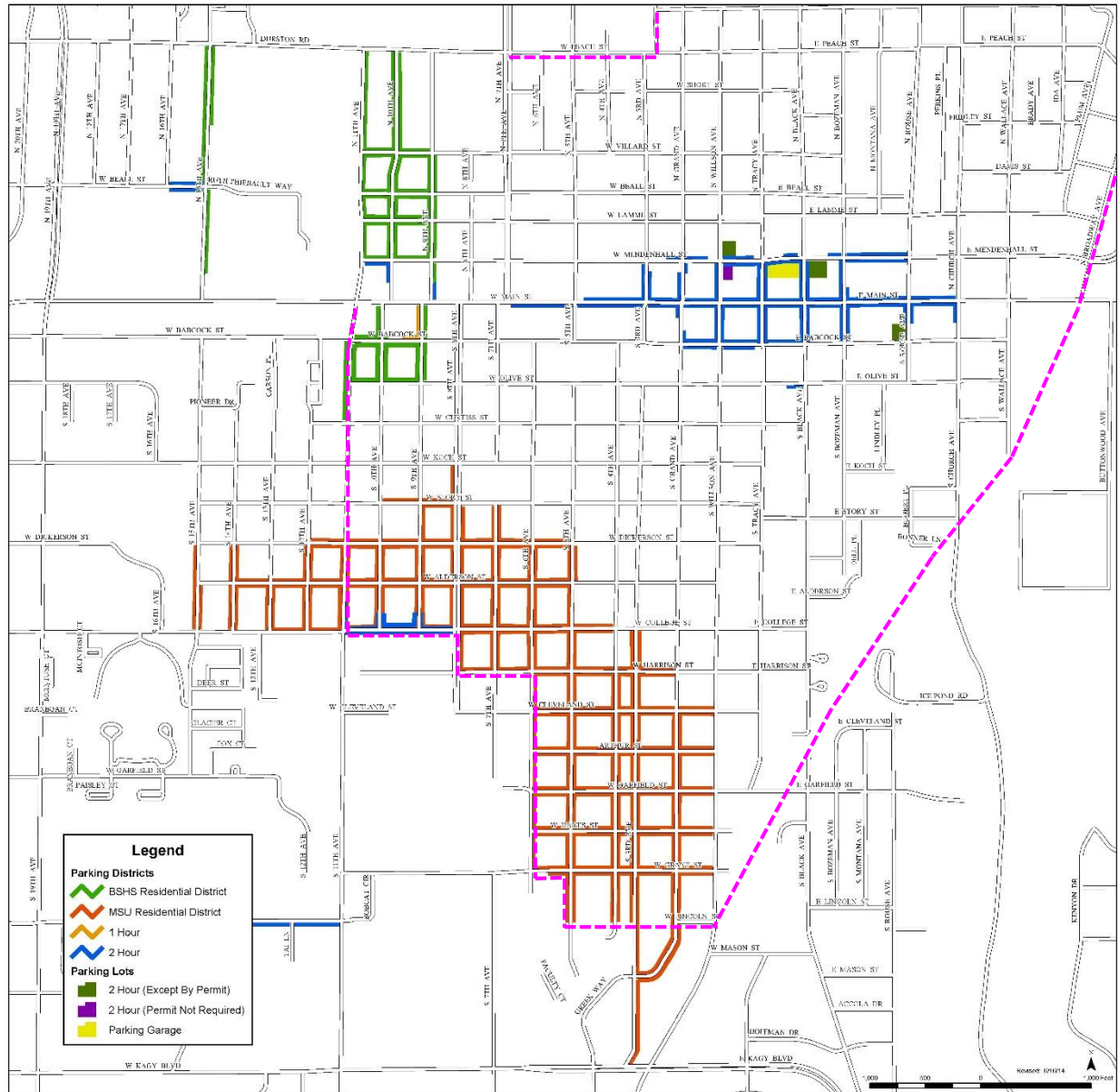
Air B&Bs and VRBOs

The use of properties for Air Bed and Breakfasts (Air B&B) and Vacation Rental by Owners (VRBO) within the district were identified as a concern during neighborhood meetings. Two prominent issues were identified: 1) the “revolving door” of people or lack of neighborhood cohesion and 2) parking issues. While not specifically addressed within Article 15 or 16 of Bozeman’s UDC, vacation rentals are required to obtain a conditional use permit (CUP) per the City’s zoning code in some zoning districts and are a principal use within the R-4 district.

As noted, most neighbors do not want to dictate what other property owners can and cannot do within the district as it relates to running a B&B type business; however, mitigating the impacts of such businesses including noise, parking and the constant change of “neighbors” should be addressed. Neighbors did not feel comfortable enforcing city policies as they did not want to create strife. Rather, they would prefer if the city would put effective measures in place to enforce the code relating to these uses and ensuring people have the required permits. In addition, the effect of these uses on affordable housing may displace renters because VRBOs tend to have higher paying renters, but it does provide existing owners some revenue support and thus may make their property affordable.



Figure 11: Bozeman Parking Districts in Relation to the NCOD Boundary



City of Bozeman Parking Districts



Best Practices Summary

Historic Regulations Considered

Ease of Use (Scale 1-5, 5=Easiest)

» Austin, TX	-----	4
» Fort Collins, CO	-----	5*
» Portland, OR	-----	3
» Salt Lake City, UT	-----	2
» Santa Fe, NM	-----	4
» Spokane, WA	-----	1

*The Fort Collins, CO regulations are undergoing an update similar to what the City of Bozeman is working on with their NCOD regulations. The comment section of the Fort Collins update site lists many of the same comments related to the Bozeman’s NCOD.

Common Themes

- » The addition of solar panels is allowed provided that they are not visible from public ways.
- » 50-year old structures qualify for inclusion as “historic” with a review for integrity.
- » All reference the Secretary of Interior Standards yet none actually include the standards in the regulations other than by reference.
- » All create an advisory board to assist in the review of applications for modification and the inclusion of structures and sites to be covered by the regulations.
- » Structures and sites that are “contributing” to the district are classified as “historic”.

Unique Ideas/Concepts

- » The ability to convert uses (Residential to Commercial) provided that no exterior modifications are made to the structure.
- » The creation of a nomination process to include a property or site for protection under the regulations (requires owner notification, participation and in one case concurrence).
- » The creation of a funding source to actually provide cash incentives to owners of property to maintain and upgrade qualifying sites and structures.
- » Illegal demolition or willful neglect resulting in demolition of a historic structure or site results in a three (3) year ban on the issuance of a building permit.
- » The use of cash and covenants on properties to encourage participation while affording additional protections beyond zoning.
- » The creation of sub-districts (usually along the boundaries of existing historic districts) with modifications recognizing what makes one area of town unique may not be so in another part of town.

Major Drawbacks

- » Austin, TX was very aggressive regarding enforcement some of which are already codified in Bozeman such as requiring projects to rebuild or tear down materials that were not approved.
- » Santa Fe, NM has a great document and framework that works well in a community with more than 400 years of history. Like Austin, much of their regulations would not be appropriate for Bozeman.



- » Fort Collins, CO has many of the same alleged problems as Bozeman and it does not appear that many of the proposed changes will resolve the issues.

Best Practices from Cities Studied

- » Move preservation authority to the Historic Preservation Officer, or Historic Preservation Board or Community Development Director and not with the City Commission.
- » Provide an expedited review process for non-historic/non-contributing/landmark properties.
- » Maintain a listing of “non” properties to avoid using valuable staff time that could be applied to historic preservation/permitting.
- » It is not the intent of the regulations to “manufacture” historical properties or sites; structures are products of their time even if that time is 2015.
- » Provide for a change of use (Residential to Commercial, for example) provided that there are no changes to the exterior of the structure and such use complies with zoning.
- » Provide real incentives to encourage historic preservation; Portland uses covenants to provide the necessary protections.
- » Regulatory prohibitions including massive daily fines; Austin, TX fines can be \$1,000/day.
- » Prohibition on the issuance of a building permit for three (3) years for violations of a permit or demolition via neglect or illegal demolition has some merit.
- » Create sub-districts to encourage different building types.
- » Redefine design guidelines to encourage mixed uses, provide buffer edges, protect important public views, avoid historical misrepresentations, respect adjacent historical buildings and recycle existing building stock.
- » Allow significant structures to be relocated to receiving areas that could assist in providing for redevelopment or revitalization.
- » Tiers of permits (for illustrative purposes): Administrative - 15 days; Administration plus Board recommendation - 30 days; Commission Appeal 60 - days.
- » Post notice of decisions on City website and reduce the appeal time to 15 days.

Summary

The most important Best Practice is the concept of creating sub-districts within the NCOD and specialized regulations with goals and objectives created for each sub-district. The other avenue is to create local historic districts with specific design-oriented districts that address the character to neighborhoods similar to Portland and Salt Lake City. Austin had the best approach to encouraging mixed-use development while still respecting and preserving historical structures. Bozeman would be well-suited to draw upon Austin’s design guidelines when updating their own guidelines.

Most jurisdictions placed Historic Preservation as a higher priority than it has been in Bozeman. The Historic Preservation program in Bozeman is in a critical transition and will need to become a higher priority if the City wants to be comparable to the cities studied. As noted, experience with having a specified historic preservation officer with formal training and education with historic architecture and consistency with keeping the preservation officer on staff were the norm rather than the exception with all these cities.



Neighborhood Context and Infill Case Studies

This section has been incorporated to investigate “what if” scenarios for new infill development. These examples are not meant to represent any future intent for these sites, but instead, what the potential impacts of redevelopment might be relative to existing zoning, height and setback requirements, etc. Each of the five selected sites includes an overview of the site and its context, as well as a description of potential zoning conflicts, diagrammatic suggestions for redevelopment and the impacts that type of development may have on the existing neighborhood.

North Fifth Avenue and West Lamme Street

SITE

The intersection of 5th and Lamme and the surrounding properties fall within the NCOD Boundaries. From mid-block between 5th and 7th Avenues to North 3rd Avenue and between West Beal Street and the alley between West Lamme Street and Mendenhall Street is a relatively small pocket of R-4 High Density Residential zoning. To the west, south and east are business class zoning districts and to the north is an R-3, Medium Residential zoning district. A quick windshield survey of the area clearly shows primarily single or low density household properties. The map of Eligible Properties certainly distinguishes this as a potential historic “hot spot” while not presently a National Register district. Even though the housing stock is not particularly of any high architectural design period, this collection of houses from the early twentieth century clearly demonstrates development patterns and a vernacular style of working class housing for this period.



Existing properties showing massing and features near 5th & Lamme



Infill example location with zoning overlay

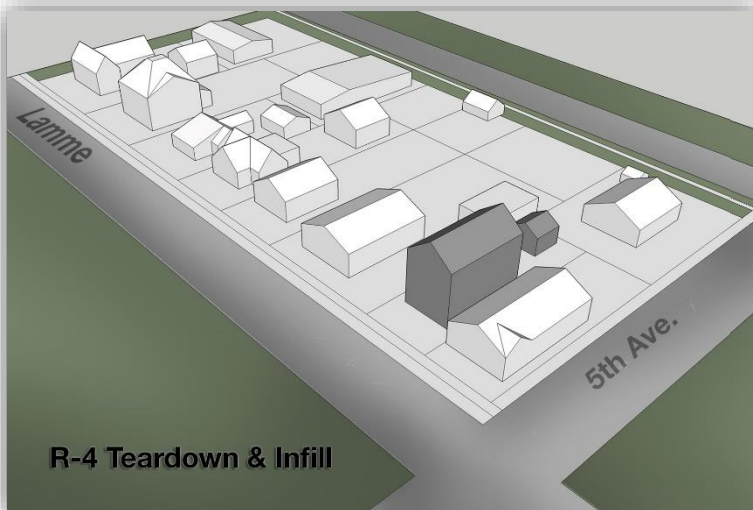
CONFLICTS/SUGGESTIONS

R-4 zoning near Mendenhall and 7th may be appropriate as this location to encourage higher density residential development with walkability to downtown and close proximity to public transportation and businesses. Based on the development patterns of the area, this type of development and massing could potentially have a negative impact on the historic character of the area and would be visually in conflict with the current massing and scale.

Other than the NCOD guidelines that are currently in place and the available historic inventories for these buildings, there is nothing to preclude this area from that type of development and change.

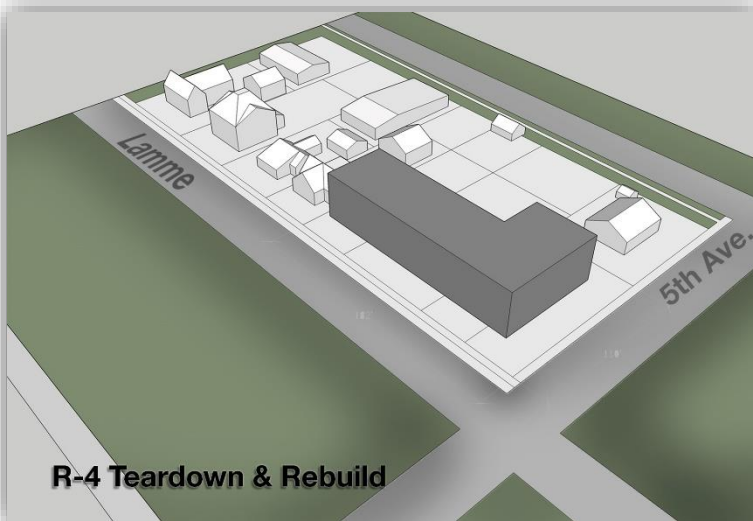


Building massing at 5th & Lamme



R-4 Teardown & Infill

Small scale Infill showing massing in relation to properties



R-4 Teardown & Rebuild

Infill showing massing for large-scale project in relation to properties

Two parcels at the southwest corner of the intersection are currently vacant and ripe for a higher intensity multi-level development. If circumstances allowed, immediately across the street an entire three block area at the northwest corner of the intersection could potentially provide a sufficient area for a large multi-household complex and associated parking. The question would be, at what expense to Bozeman's history? This location presents the conflict Bozeman is currently pressed with - how to provide affordable housing in an appropriate location, seek development which reflects the designated zoning, yet maintains the historic built environment. Sometimes this is not possible, requiring a clear community understanding of the importance of historic preservation moving forward.



North Sixth Avenue and West Short Street

SITE

Located at the southwest corner of the intersection at North 6th Avenue and West Short Street is a large vacant area occupied by a parking lot. To the south is generally low density housing. Across the street are the building and grounds for Whittier School. Immediately to the west and across an established alley are the rears of commercial establishments fronting North 7th Street.

The site is located within the NCOD and is zoned R-3. To the west along 7th Avenue is classified as a Class 1 Entryway Corridor, and B-2 (Community Business District) zoning. The site and none of the immediate area falls within a designated National Register historic district and few if any historic properties exist in the area and remain un-surveyed.

CONFLICTS/SUGGESTIONS

R-3 Zoning for this site allows for, *“residential medium density... of one to five-household residential structures near service facilities within the city. It should provide for a variety of housing types to serve the varied needs of households of different size, age and character, while reducing the adverse effect of nonresidential uses.”* Directly to the west, beginning at the alleyway, the zoning classification intensifies to B-2, and follows generally along the North 7th Avenue corridor.

The R-3 zoning classification is representative of the variety of residential housing types and densities found in the area. However, the site and its location would suggest more of the commercial context and development intensity of 7th Avenue. This site serves as an ideal transition area from residential to commercial and a good potential location for further expansion of the North 7th Avenue corridor, even though its zoning classification suggests multi-household development.



Current site at N 6th Ave and W Short St



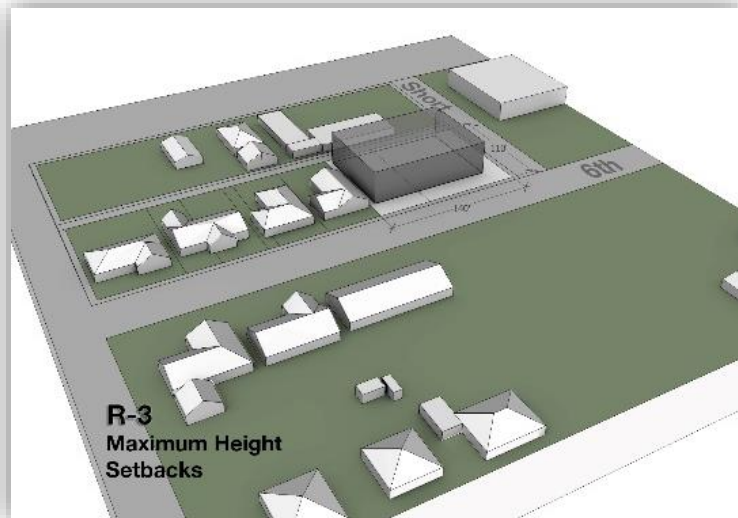
Infill location with zoning overlay



Building massing at N 6th Ave and W Short St



Infill example using B-2 provisions at N 6th Ave and W Short St



Infill example using R-3 provisions at N 6th Ave and W Short St

Using the existing NCOD guidelines, the property would fall under the Design Guidelines for All Properties, Guidelines for Residential Character Areas as well as Guidelines for Commercial Character Areas as both building types occur in the immediate context.

This is an example where underlying zoning and the adjacent Entryway Corridor Overlay district sufficiently guide development. Here the NCOD boundary seems arbitrary and seems to serve very little purpose as no historic resources are impacted and there is no district in the near vicinity. In this particular case, the guidelines have very little merit to the context as there is marginal (if any) historic context to protect. This area may be served well with more design based guidelines.

As is demonstrated in the block diagram, the side yard setbacks have the greatest negative impact on the adjacent smaller-scale residential properties.



South Eighth Avenue and West Alderson Street

SITE

Located southeast of the intersection at West Alderson Street and South 8th Avenue is an open grassy area bordering a church to the south. The four parcels are zoned R-4 (Residential High Density). To the east is the Cooper Park Historic District with a lower intensity R-2 zoning classification. The MSU Historic District boundary is a half block to the south. Diagonally across Alderson Street is Irving School.

Zoning for this site allows for, “high-density residential development through a variety of housing types within the city with associated service functions. This will provide for a variety of compatible housing types to serve the varying needs of the community’s residents.” Permitted uses include apartment buildings, community residential facilities (such as a community group home for persons with disabilities, or a licensed adult foster care home, or assisted living facility, etc.), cooperative household, day care centers, group day care home, and other authorized uses.



Vacant ground at the southeast corner of West Alderson Street and South 8th Avenue.



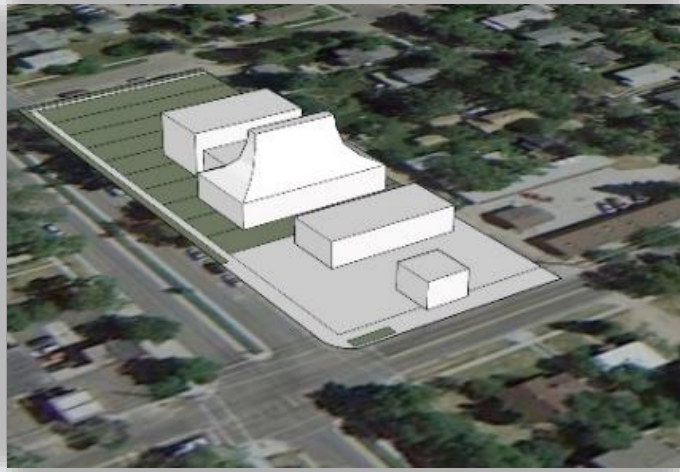
Christus Collegium Church at South 8th Street near MSU.



Infill location with zoning overlay



View looking east from South 8th Avenue at the intersection of West Alderson Street and South 8th Avenue.



Current building massing at 8th and Alderson



Infill example of building massing using R-4 provisions.

CONFLICTS/SUGGESTIONS

R-4 zoning bordering the B-1 district of College Street is appropriate zoning for housing students close to campus. The open lot, although currently serving as green space, is a prime location for high-density residential. Adjacent to the church, the R-4 zoning allows various uses which also could potentially support the mission of the church. With Cooper Park a few blocks to the north and the small commercial uses of the B-1 to the south, higher density residential would be well-suited for workforce housing, affordable housing, or student housing - all of which have a demonstrated need.

Using the NCOD guidelines as they exist, the potential development of this vacant lot would require careful design to fit within a varied architectural context. Materials, periods of construction and scale all add the varied streetscape.

The site has a potential to develop as two separate buildings meeting setbacks or could be developed as a medium-density residential use close to campus.

West Story Street and South Grand Avenue

SITE

Located in the Bon Ton National Register Historic District at the intersection on the northeast corner of West Story Street and South Grand Avenue is a fine example of a historic, Queen Anne styled home. Immediately adjacent and to the east located next to an alley is a relatively non-descript simple vernacular one-story house dating from the 1950s. The house, while well cared for and in good condition, would not be considered contributing to the era of significance of the



Vernacular, non-descript house in Bon Ton district.



historic district. The aforementioned houses both fall within the

NCOD. Both are within the Bon Ton Historic District and both fall within an R-4 zoning classification (residential high density district). The disparity is immediately adjacent to the east, and also within the boundaries of the Bon Ton Historic district is a high style Colonial Revival residence located on multiple large lots and its zoning classification is R-1 (residential single-household low density district).

CONFLICTS/SUGGESTIONS

In accordance with the NCOD Guidelines, the 1950s residence would need to follow the Design Guidelines for All Properties, Guidelines for Residential Character Areas and District Specific Descriptions and Guidelines. If the adjacent land became vacant and the owner of the 1950s ranch made a decision to acquire the property and to demolish the existing non-contributing structure for new development, there would be little from a zoning position to discourage the high density residential (multi-story apartments) in that location despite its obvious conflict from the established residential, low density context.

In this area, an R-4 zoning pattern is inconsistent with the current character of the area. Permitted setbacks, height and lot coverage would stand in stark contrast to the surroundings. This type of high density development, while permitted, would likely have a negative impact on the character of the area. The solution would be to rezone the property or at the very least develop stronger design guidelines to ensure context sensitive design. The context of the area is generally single-household homes.



Infill location with zoning overlay



Current building massing W Story and S Grand



Infill example of building massing using R-4 provisions



South Willson Avenue and West Koch Street

SITE

Between East Curtiss and East Koch Streets, along South Willson Avenue, is a unique grouping of contemporary (c.1970s) multi-household buildings located within the Bon Ton Historic District, and the NCOD. A vacant lot separates this apartment complex from an historic, but contextually isolated house in the Queen Anne style at the corner of West Koch and South Willson. The apartment buildings and house are currently zoned R-4 Residential High Density. It is bordered by two different zoning districts: R-2 (Residential Two-household medium density district) to the East, and R-1 (Residential single-household low density district) to the West. In the proximity and to the north the zoning classification reflects the commercial character of the area B-3 (Central Business District). These vacant parcels could be considered ideal for development.

Zoning for this site allows for, “high-density residential development through a variety of housing types within the city with associated service functions. This will provide for a variety of compatible housing types to serve the varying needs of the community’s residents.”



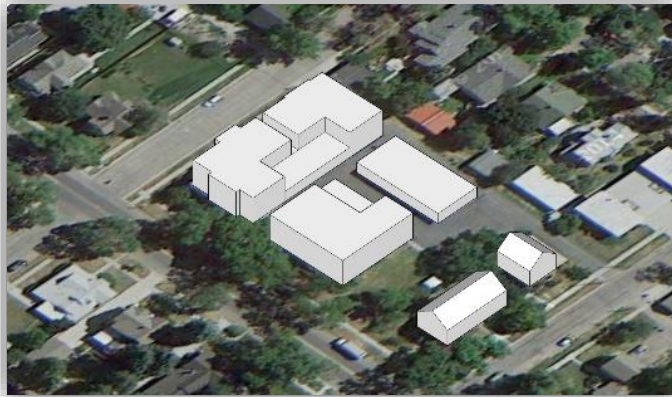
Historic house at the corner of S Willson and E Koch with apartments to the north



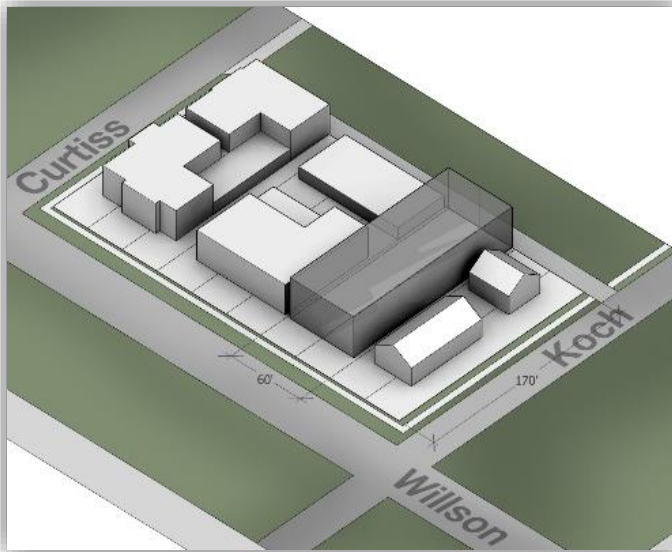
Open lot with potential for infill development



Infill location with zoning overlay



Current building massing at Willson and Koch



Infill example of building massing using R-4 provisions

CONFLICTS/SUGGESTIONS

An R-4 zoning pattern bordering the business zoning districts that make up the city core (Downtown, Main Street, Mendenhall, Babcock, etc.) is logical and a sound concept, especially as it serves as a buffer to a lesser density residential district. It is contrary for two reasons, however. Residential high density zoning conflicts with the general historic development patterns of the area. The current NCOD District Specific Descriptions state about the Bon Ton District: “Because of this combination of both vernacular architecture, which is similar to that found elsewhere in the city, and high style architecture, which is found nowhere else in the city, the Bon Ton District possesses a character that is unique, but that is nevertheless consistent with the character of the two bordering historic districts. The Bon Ton Historic District is therefore the centerpiece of a vast historic, residential area in Bozeman.

The NCOD guideline also notes the similar building setbacks, similar building façade widths and lengths, alley access, the presence of secondary buildings at the rears of property and front porches as defining characteristics of the district. It would be difficult for a new apartment building to meet these criteria.

Second, the NCOD guidelines also recommend that the identified district characteristics are reflected in the building design when constructing a new building, including use of wood and masonry, and simple rectangular building forms with sloping roofs. Because of the foreign nature of an apartment building within the district, these criteria would be difficult to accomplish, despite the adjacent apartment complex which could easily be identified equally as the single household residence when considering context.



RECOMMENDATIONS

The recommendations provided are listed by the tasks as outlined within the original scope including infill development, affordable housing, historic preservation, design guidelines, NCOD boundaries, city processes and code provisions. The goal of this evaluation is to provide attainable, implementable recommendations based on data, public input and local stakeholder involvement.

The recommendations are listed so that the City can determine which, if not all, recommendations to implement. The recommendations as taken in their entirety are believed to provide the greatest benefit to preserving historic structures and areas, encouraging infill development, providing affordable dwelling units and streamlining the development process within the NCOD.

NCOD Boundary

The NCOD's current boundary was chosen based on the 1957 US Census boundary for the City of Bozeman but did not take into account specific properties outside the boundary at the time of implementation. It has not been modified since its inception in 1991 and hence, is outdated and provides no logical boundary for conserving potential properties. The original boundary did not include an analysis of what potential properties may be historic or worth conserving. As such, the boundary should be modified to reflect changing development patterns and an aging housing stock in areas that may qualify for local or national historic districts.

It is recommended the phasing out of the NCOD occur over a five (5) year period to allow for the necessary ordinance changes, organization of neighborhoods to determine significant neighborhood characteristics and associated guidelines for renovation and new development. Existing National Register Historic Districts, which would remain as National Districts, should be the priority for adoption as locally designated historic districts. New areas which meet the criteria should be adopted as local interest or City staff time allows. It is suggested that unless individually listed buildings on the National Register are highly significant to the community, they should be a lesser priority for local designation except as incorporated as part of a local district.

Initial Changes to Boundary

After speaking with the North Seventh Urban Renewal Board and City staff from the economic development department, the eastern NCOD boundary along North 7th Avenue should be scaled back to exempt properties fronting North 7th Avenue to ease redevelopment of this arterial. The corridor has few, if any, contributing structures to a potential historic district. The new boundary should be along North 6th Avenue from Peach Street to Mendenhall Street with two exceptions moving the boundary to 5th Avenue:

1. 5th Avenue from Mendenhall Street to Main Street
2. 5th Avenue from Peach Street to Short Street

Long-Term Removal

The NCOD boundary should also be removed after five years after transitioning into other district types. The intention is to allow enough time for neighborhoods and property owners to create Design Districts or Local Historic Districts. The properties not included within either a Design or Local Historic District would be exempt from additional design guidelines. The end result would be to provide areas within the current district to grow and develop by ushering in new structures that display today's architectural elements and form. Historic districts will still remain in place and new local districts should be created within the five-year time frame to preserve up to five potential new districts. Removal of the NCOD will require both zoning text and map amendments.



The costs and time for changing the boundary and enacting local historic districts and design districts will need to be budgeted; however, the new Neighborhood Coordinator's position may be able to offset some of the costs associated with creating and implementing new districts. Additionally, several of the code changes proposed below can be incorporated into the UDC update project that is currently underway. As noted in the Historic Preservation recommendations, a full-time historic preservation officer would also help alleviate additional costs and planning staff time. Lastly, at least three neighborhood groups volunteered to help construct and develop boundaries and design guidelines as needed. The City could implement such recommendations through the Inter-Neighborhood Council and encourage the presidents of each neighborhood to work directly with the Neighborhood Coordinator position to develop the initial criteria with planning staff filling in as an advisory role.

Historic Preservation

Local Historic Districts

To complement local Design Districts and to encourage the formation of new historic districts, local historic districts should be created. While not as rigorous as national historic districts, local districts would help alleviate the "holes" within the current NCOD boundary once it disappears.

"The concept of historic context is not a new one; it has been fundamental to the study of history since the 18th century and, arguably, earlier than that. Its core premise is that resources, properties, or happenings in history do not occur in a vacuum but rather are part of larger trends or patterns." - National Park Service

Potential new districts areas are shown in Figure 12 and are based on the 2015 reconnaissance survey completed by City staff in determining whether properties were eligible and their status of contributing to a potential historic district. Areas shaded in red are potential future historic district areas within Bozeman's urban core; two areas of particular interest are the MarLin neighborhood area and the Langhor Park neighborhood area.

- » In a phased approach, adopt locally designated historic districts based on National Register of Historic Places criteria (National Register), existing districts listed on the National Register, or a district which has been determined potentially eligible for the National Register by the State Historic Preservation Office, but not yet officially designated.
- » Establish appropriate boundaries that best define the district to be protected.
- » As part of a public process, through a Historic District Preservation Plan, identify those elements, components, characteristics, that make the district significant to the City of Bozeman. This should be clearly stated in a statement of significance. Develop district guidelines to protect those elements that distinguish the district as significant.

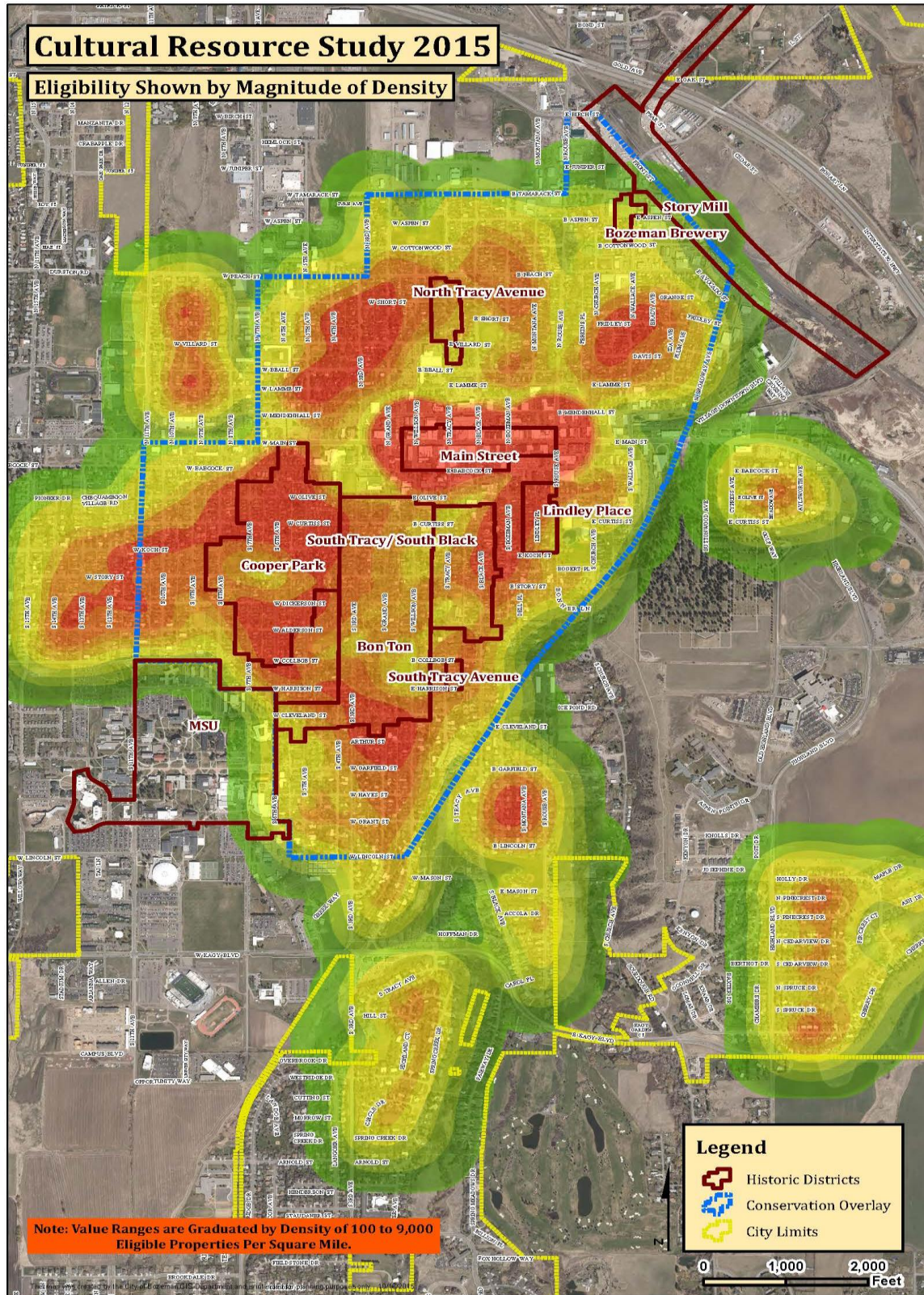
Historic Primary District (HPD)

INTENT

The HPD would be an overlay district not dissimilar to the current NCOD, which identifies SOI standards and a preservation plan document for each HPD. The goal is to preserve, protect and guide development in areas determined to be locally significant (generally eligible, or listed on the National Register of Historic Places); to provide recognition of an area that was generally developed over a particular period of time (era of significance) and represents a particular development pattern unique to its era of significance; and to allow case-by-case determination of the most appropriate land use and development standards based on the historically intended purpose for the area. Development would occur in accordance within standards identified through the adoption of a Historic Area Preservation Plan including design guidelines for each HPD.



Figure 12: Potential Future Historic Districts Based on Eligible Properties





The following language is an example of what the stated purpose and criteria for a HPD could entail.

PURPOSE

To preserve and protect identified historic resources to the City of Bozeman for their cultural and architectural significance.

CRITERIA

- » Included a building or collection of buildings (district) which generally meet the criteria for listing on the National Register of Historic Places, but may or may not be listed.
- » Have local cultural or architectural significance to Bozeman and its development.
- » Demonstrate clearly identified boundaries which represent the area of significance.
- » Include a preservation plan which has the following components.
- » Include a statement of significance (History).
- » Identify design and development characteristics.
- » Contain an inventory of contributing and non-contributing resources.
- » Prepare guidelines addressing renovation, new construction and demolition.
- » Identify appropriate permissible modifications based on existing zoning.
- » Assemble an ad hoc committee - property owner delegates and historic preservation officer.

Historic Buffer District (HBD)

INTENT

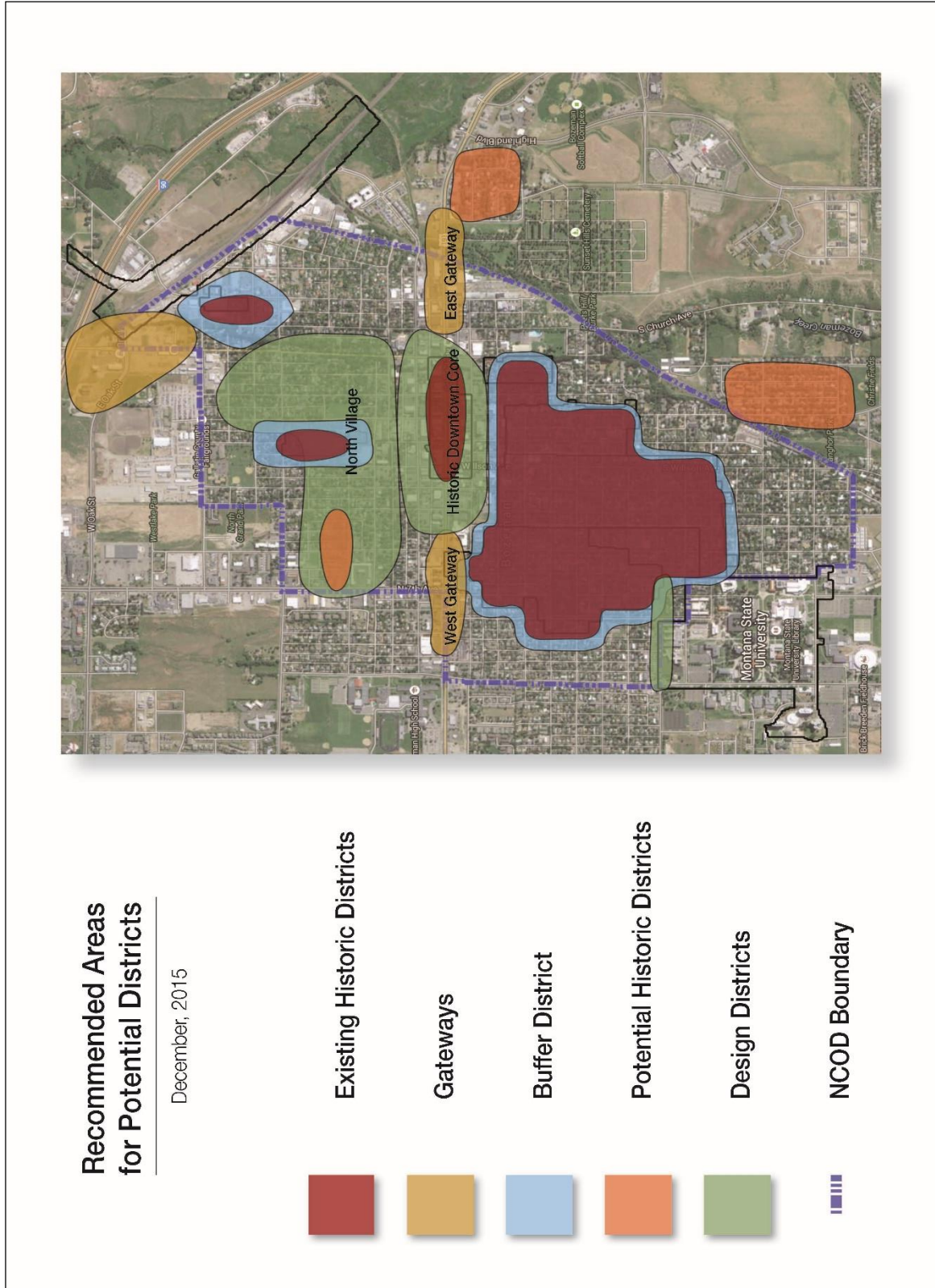
The HBD would serve as a buffer zone and would be included as part of the HPD overlay zoning language. The HBD would be defined as a one block area from the established HPD boundary; if the buffer area overlaps another HPD, then the Historic Primary District guidelines would supersede the HBD guidelines.

The goal is to provide a buffer area around an HPD generally to preserve its integrity through a transition of controlled development, but with less restrictive design guidelines and only as the guidelines protect from a negative impact on the HPD. Potential district boundaries are shown in Figure 13.

Examples might include discouraging a foreign development pattern, building orientation or setbacks, a building mass that detracts from the scale and massing of the HPD, etc. HBD guidelines would be less concerned with alterations, modifications or additions changing the features of the building if the general overall form was maintained. The area defining the HBD would be identified at the same time as the boundaries are established for the HPD. The following language is an example of what the stated purpose and criteria for a HBD could entail.



Figure 13: Potential District Classification Areas





PURPOSE

To provide a transition zone or buffer area between a locally designated historic district and surrounding areas of development.

CRITERIA

- » Established as part of a HPD preservation plan.
- » Includes a one-block radius to the next street from the Primary Historic District boundary.
- » Abutting HPD supersedes any HBD.
- » Review of guidelines would only pertain to massing, height and setbacks and only as a negative impact on the HPD.
- » Identify conflicts with existing zoning which would have a negative impact on the adjacent HPD.

Historic Preservation Program Implementation

There are four key components to the implementation and success of a new preservation program for the city of Bozeman. What has been in place for almost a quarter of a century has done well in preserving our historical and cultural resources. Over this same period, however, much has been learned, redevelopment is beginning to expand beyond Main Street and the needs of the community have changed and are changing. How does preservation move forward while protecting the intent of the Community Plan and the NCOD? The following outlines the incremental steps to a new program which takes the next step in respecting and preserving those historic elements which define our history, yet allows for progress into the next century without losing that which defines the city of Bozeman as a great place to live and visit.

1. Implement Code Revisions outlining the new program.
2. Update historic property inventory and continue to do so every ten years.
3. Initiate Neighborhood Consortiums.
 - a. The groups would lead the development and adoption of Historic District Plans, including defining boundaries and providing input regarding historic district guidelines. Garner the support and assistance from outside preservation partners including Extreme History, Montana Preservation Alliance, Montana Historical Society, etc.
4. Redefine the Certificate of Appropriateness Process.
5. Develop Leadership.
 - a. Establish neighborhood presidents/organizations, redefining the role and duties of the Preservation Officer in accordance with Certified Local Government requirements, providing staff support from the Neighborhood Coordinator position, and codifying Bozeman Historic Preservation Advisory Board (BHPAB) participation in COA process.

Implement Code Revisions

The City of Billings and other communities have codified their historic preservation program similarly to that outlined above. There is no need to spend time or effort on creating an entirely new code. There are certainly elements of the Bozeman Municipal Code (BMC) which may be refashioned and incorporated, but further investigation into other City municipal codes across the state and the country where preservation programs have demonstrated success would make the task much easier.



Update Historic Property Record Forms

In 1984 the City of Bozeman partnered with the Montana State Historic Preservation Office to conduct a large-scale survey to identify historic properties. The project created about 2,200 Montana Historical and Architectural Inventory forms identifying date of construction, original owners, architectural style, historic significance and its contribution to a potential historic district. That data is now over thirty years old. During that time span, preservation and restoration, demolition or substantial alteration have impacted those survey results. The NCOD guidelines rely heavily on the 1984 surveys to determine a review approach when work is proposed. An update to the surveys is critical in next steps for Bozeman's preservation initiative. Other areas of potential historic significance should also be surveyed and documented. Regular survey updates should be conducted on a ten year cycle, or as part of a cyclical update program.

Initiate Neighborhood Consortiums

A strong historic preservation program is best when the strength of the neighborhood is behind it. While professionals with education and experience understanding the criteria may be beneficial in determining an area as historic, it often is the neighborhood stakeholders who may be best to define those characteristics which make their particular district unique. In many instances the architecture and development patterns of an area define its significance. In other areas the significance of the district may be determined by its cultural importance coupled with its built environment. Often it is those characteristics and features that were the draw for living or doing business in that particular area.

The neighborhood consortium in a collaborative process, and with the guidance of professionals, can be the leaders in helping to define boundaries, identify the unique characteristics of the district as well as areas of significance, and develop the guidelines to direct renovation and new construction. With the support and assistance of numerous local and state preservation partners, each designated local district will have its own preservation plan. This is not dissimilar from the existing NCOD Guidelines - *District Specific Descriptions* (Chapter 5), but would be significantly expanded.

Redefine the Certificate of Appropriateness Process

Repeatedly throughout the public input process, at numerous public meetings and at meetings with boards and individual stakeholders, it was heard that the Certificate of Appropriateness (COA) process was perceived as inconsistent, lengthy and expensive. Contributing to this perception is the lack of public education of the process, the perceived ambiguity of the guidelines, the lack of consistency in COA determination, and limited direction sought out from City staff.

On numerous occasions attempts have been made to streamline the process, removing the need for particular items of work to require a COA or adding staff reviewed approval for insignificant items. Both measures were beneficial, but did those changes accomplish all that was needed? Various communities in Montana and other states offer other solutions for the process. The primary idea is to encourage appropriate renovation and new development in accordance with an adopted preservation plan. How might this "carrot and stick" approach best serve in preserving the integrity of the various historic districts? Proposed below are two options for amending the COA process.

Foremost, incentivize appropriate renovation. As reviewed by the Preservation Officer, if a COA application is complete and the proposed work is in accordance with the preservation plan, then a COA can be issued quickly and efficiently. If the proposed work would constitute a change, whether it is in the renovation or new construction, and with a potential impact on the Historic District, a public process with public notice would be required with review by the designated review authority. Only an appeal process to the City Commission would allow further consideration of a denied application under a public process. This process would provide for three types of approval, three escalating fee structures, and three lengths of review.



As the preservation program develops, consideration should be given to COA review by the BHPAB of those applications with a substantial impact on an historic resource or district. This has the potential for relieving some of the burden of staff's time, provides review by a body of individuals qualified in historic preservation and representative of the community, and encourages more neighborhood input. Pending direction from the City Council, the BHPAB would likely need to meet at least every two weeks so as not to slow down the review process. The BHPAB within its established by-laws has served in various capacities over the period since its inception. In some years the focus is education, others policy, other programming, and yet others a combination. The makeup of the board requires a high level of education and experience in historic preservation, a licensed architect or landscape architect, neighborhood constituents and at-large members. With this composition, the board is set up to provide informed yet objective decisions and recommendations for applications for COA. To date, they have not been utilized in this capacity. Delegating a higher level of review authority to the BHPAB gives credence and purpose to this dedicated group of preservation advocates. At-large members offer an additional level of objectivity to the process.

A COA approval is only as good as its ability to be enforced. If a COA is issued and the work completed is not in accordance with the approval, or if work proceeds without an approved COA, then the violation must be corrected or the process becomes invalidated. Enforcement and consistency in determination at all levels is necessary to underline the significance of preserving the historic resources for the community and future generations.

Develop Leadership

A strong preservation program will require leadership within each district. Neighborhood presidents and/or neighborhood liaisons serve as the first point of contact for direction and information. The City Neighborhood coordinator may be best to establish strong neighborhoods and neighborhood leadership.

The leadership of the City Preservation Officer is critical to implementation of the process and the education of the community. The "one stop shop" of the Preservation Officer is relied on to provide historic information, guide applicants through the COA process, educate stakeholders through appropriate renovation approaches and technologies and offer guidance for appropriate infill and new construction.

Affordable Housing

Data indicates housing is not, and likely will not, be affordable for purchase below 100% AMI within the NCOD. Several factors account for this including proximity to downtown amenities, historic integrity of certain neighborhoods, neighborhood character, increased time and costs associated with redeveloping and renovating older structure as well as added review costs and time. While few large-scale projects will be targeted for redevelopment due to land costs, uncertainty regarding demolitions and difficulty in acquiring parcels to construct large-scale projects, the City can and should implement incentives to encourage affordable housing and infill within the NCOD.

Infill will be the single, largest contributor to reducing housing prices as the current market, especially within the NCOD, does not have enough supply to satisfy demand. Four real estate professionals stated that there is simply not enough supply within the NCOD to ease housing pressures. ADUs can help alleviate some pent up demand, and additional housing units through redevelopment are needed. However, because Bozeman's urban core is nearly 100 percent developed future infill projects will be challenging as they will be required to meet context sensitive design, which can but may not add additional costs.

Incentives for Affordable Housing

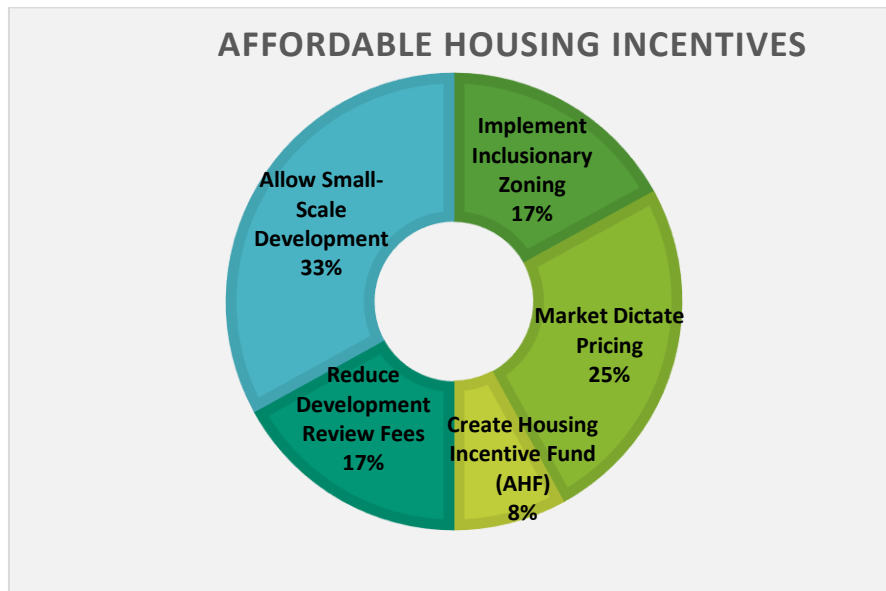
As noted throughout the second public meeting and neighborhood meetings, the vast majority of comments focused on incentivizing affordable housing rather than making it mandatory. The study titled



Recommendations for Regulatory Changes to Support Affordable Housing Development contains several incentives that could be implemented and were well-received during public input sessions.

Figure 14 shows the results of public sentiment for incentivizing affordable housing within the NCOD. The most palatable incentive was allowing small-scale development on lot sizes of 2,500 square feet and reducing setback or lot width minimums. Parking reductions were not favored for projects on Mendenhall, Main or Babcock.

Figure 14: Public Views on Affordable Housing Incentives within NCOD



While incentives can and should be used to encourage affordable housing, the most applicable elements for areas within the current NCOD should be targeted for infill projects. Some provisions speak directly to infill development while others are targeted for green field projects outside Bozeman’s core; thus, only applicable incentives for “built environment” projects were included.

- » Impact Fee Deferral
- » Waiver of Subdivision and Permit Fees
- » Reduction of Parkland Requirements
- » Density Bonuses
- » Reduced Lot Size
- » Reduce Parking Requirements

Infill Development

COA

To encourage infill development, regulations pertaining to the COA process should be eliminated. Design districts or local historic districts would replace the need for a COA. As long as properties within either district (Design or Historic) follow the design guidelines, then the need for a COA becomes obsolete. Areas within the NCOD that are not located within a design district or local historic district would be exempt from design guidelines and a COA.



A site plan with architectural renderings would still need to be submitted with the site plan and checked against the district's (historic or design) guidelines much like the zoning is and landscaping is checked against current UDC provisions.

ADUs

Accessory dwelling units (ADUs) should be encouraged to stimulate more infill projects on developed parcels. Ground-floor ADUs should be permitted as long as the structures meet the minimum zoning codes such as lot coverage, building height, setbacks and FAR. The City should remove the code provision requiring such units to be built above garages.

If ground-floor ADUs are not permitted, then at a very minimum, the sidewall height for ADUs above garages should be changed to five feet (5') to allow for more flexibility with design. Also, the additional lot area required by the UDC should be changed.

1. Allow ground-floor ADUs and change sidewall height to five feet (5').
2. Reduce additional lot area for ADUs (800 sq.ft. and smaller) to zero (0) feet within district.

UDC Changes

As noted earlier, the NCOD is comprised of small lots especially north of Main Street. UDC provisions pertaining to infill should either be changed to reflect the unique physical constraints for Bozeman's core or expand the use of deviations, which are also addressed in further detail. Infill can only occur if the development code allows such action. With the exception of parking reductions, few other code provisions actually incentivize infill development.

SPECIFIC CODE CHANGES

In addition to the UDC recommendations provided earlier, the following code changes should be implemented to encourage infill development with the NCOD.

1. Implement FAR for all districts and follow a recommendation from the Downtown Plan.
 - a. Specific FAR regulations for B-3 would be the highest priority with residential districts as secondary.
2. Reduce parking requirement to 0.75 spaces for studio/efficiency units in B-3 district and 1 space for all other districts.
3. Reduce parking requirement to 1 space for one-bedroom units in all districts.
4. Remove parkland dedication requirement for structures adding one (1) additional unit.
5. Reduce additional lot area for apartments for each dwelling after the first to 500 sq.ft.
6. Update the zoning map to reflect existing built environment as compared to what should be planned and how that potentially impacts the character of current historic districts.
 - a. E.g. some portions of R-4 zoning within the Bon-Ton Historic District contain low density, single-household homes while portions of B-3 contain single-household homes while areas of R-2 contain apartment buildings.

Design Guidelines

The existing NCOD Guidelines serve as a strong foundation in Bozeman's preservation program. Many other Montana communities look up to the ideals, progress and strength of the overlay district protection. Bozeman's leadership in the area of historic preservation has served as a great model for others. With an opportunity to reassess and evaluate the strengths and weakness of its current program, Bozeman has



an opportunity to set the stage for the direction of historic preservation for the community but also become progressive leaders in the state.

An updated approach to Bozeman’s preservation program will require calculated, yet intentional steps to accomplish a stellar program that honors Bozeman’s roots yet opens the door for progress. The goal for future guidelines is to develop district guidelines to protect those elements that distinguish the district as significant. Potential district boundaries are shown in Figure 13.

Design Overlay District (DOD)

INTENT

The DOD would be a separate zoning overlay district and different than historic districts and entryway corridors. The goal is to preserve a particular “character” or development strategy with a clear purpose and intent. Each district would have a separate document with boundaries clearly identified. The purpose and intent would have to be very clear and again, each “design district” would have its own guidelines as a separate document with boundaries clearly defined and referenced in the code. Each neighborhood within the NCOD is unique with its own architectural, cultural and neighborhood elements that make these areas vibrant places to live. No two areas are the same. What may be appropriate for northeast Bozeman (mixed-use residential) may not be appropriate in south central Bozeman (Victorian homes). This district type would address in particular those areas of the City, similarly to the intent of the Entryway Corridor Guidelines that are of highest visibility and are meant to represent the core values of our community.

The guidelines for a DOD might include massing, construction materials with a demonstrated longevity, design which represents the area but also reflects innovation, green building features, respect of public space and/or green space, signage and streetscape appearance. Two areas for DOD designation may include the developing commercial areas adjacent to MSU campus and the B-3 halo area around Historic Main Street.



Lark Motel is a potential outcome from implementing DOD

The following language is an example of what the stated purpose and criteria for a DOD could entail.

PURPOSE

To provide an overlay design district for the purpose of achieving a high level of design and consideration of particular areas, features or districts that have had or are intended to have a particular purpose (e.g. gateways, brewery district, university associated commercial pockets, historic signs, historic parklands) or a defined neighborhood character.

CRITERIA

- » Contain a minimum of eight “standard size” blocks.
- » Follow similar protocols for Special Improvement Districts with respect to voluntary formulation and 51 percent of all property owners agreeing to district boundary and guidelines.
- » Clearly stated intent and purpose for the Design Overlay District.



- » May or may not meet the criteria of the National Register of Historic Places but is of local significance or importance.
- » Identify characteristics to protect.
- » Establish Design Guidelines to achieve the desired outcome for the intent and purpose.
 - Massing, streetscape attributes, material pallet, signage, respect to open/green space, preserving sightlines or view-sheds, and lighting.
- » Define boundaries or list of resources to include in district.
- » Create ad hoc committee - property owner delegates, planning staff and neighborhood coordinator

Other Districts

Structures and buildings within the NCOD boundaries have been afforded protection through design guidelines. Outside the district boundaries, this is not necessarily the case. What is the effect when a unique or irreplaceable asset outside the boundaries is affected negatively?

Whether in agreement or disagreement over the loss of the iconic Mid-Century Modern Billion Auto showroom (previously located at the intersection of 19th Avenue and Main Street), the advantage of the protective veil of the NCOD would have been a codified public process of consideration prior to the building's demolition. Bozeman should address those buildings or areas that have been determined eligible or are potentially eligible for the National Register and create a process for consideration for their substantial alteration or demolition. A reconnaissance survey of the entire City limits for potentially eligible properties would be a first step, even if only flagging properties for demolition purposes.

The restrictive boundary of the NCOD has done two things - it has provided protection within the boundaries for those "historic structures" and "streetscapes" that needed it, yet conversely placed higher scrutiny for some that didn't. Consideration should be given to areas which are now meeting the threshold of 50 years - particularly the Mid-Century Modern period. Bozeman has numerous buildings from this period that deserve a closer look now or in the near future before they are lost or compromised to unsympathetic development.



Signage at Lewis & Clark Motel could be preserved with new guidelines



Former J.C. Billion auto dealership was locally known as the "spaceship" demolished 2012



As an example: Bozeman saw a strong period of development during the fifties, sixties and seventies. The Lindley Park Neighborhood just north of the hospital has a large concentration of high style mid-century modern single household residences reflecting the more suburban development patterns of the time. Other areas fall into this category of “hot spots” as shown in Figure 12. Presently there is no mechanism to expand the protections of the NCOD to accommodate new areas or additional districts meeting the criteria for National Register designation unless an applicant submits a zone map amendment.

There is yet even further potential to protect other elements of the Bozeman community that reflect the intent of preserving the integrity of historic structures or streetscapes. Historic signs are a perfect example. The loss of local landmark signs such as the Baxter Hotel neon roof mounted sign or the Lewis and Clark Motel Monument sign, or the rotating horse on the Bangtail Shop, would result in the loss of identity, community character and certainly history. A historic sign inventory and protective National Register Thematic district might even be given consideration. Another opportunity might include the specific works of local architect Fred Wilson. As a local district with its own preservation plan, the significance of each of these unique or irreplaceable assets would be clearly identified and guidelines created to preserve those special characteristics that have the potential to be protected for elements distinctive to the city.



Building elements from Main Street to be preserved with new guidelines

There are additional mechanisms in place through provisions in the BMC besides the NCOD which incorporate design standards for new development in areas such as Entryway Corridors. These standards promote a high level of design integrity particularly for those areas that serve as entry points for residents and visitors alike.

UDC Changes

Bozeman’s urban core predates zoning and subdivision laws, whereas newly created lots for typical “green field” development fit seamlessly into the existing development framework of the UDC. That is not the case for properties within the NCOD. Because the NCOD is comprised of the original town plat of Bozeman, which was platted using small parcel sizes with some lots as small as 2,500 sq.ft. with 25-foot lot widths, UDC provisions should either be changed to reflect the unique physical constraints for Bozeman’s core or expand the use of deviations. While the original intention of platting such small lots was not for individual use, the aggregation of such lots has been restricted by the built environment. As noted earlier, at least 37 parcels within the NCOD could be further developed if code changes were adopted.

Implementing the recommendations listed will provide more flexibility within zoning and code provisions and allow Bozeman’s design experts - architects, engineering, planners, landscape architects and contractors - to develop original concepts that can meet market demands while abiding by neighborhood context and design guidelines.



UDC Changes Pertaining to the Current NCOD Boundary

The following changes within the UCD should be implemented until DOD or HPD are created within five years; however, it should be noted that the recommendations should not be used to deliberately alter projects within historic districts as those areas have specific code and design requirements that should be used to preserve Bozeman’s history. The City could also create a form-based code that help alleviate several of the issues resulting from having “special considerations” for properties within the NCOD. Upon five years, these relaxations would be removed and replaced with underlying zoning or DOD guidelines.

- » Remove minimum lot widths for all properties within the current boundary.
 - Minimum lot size and setbacks will determine building envelope.
- » Minimum lot size should be 2,500 square feet for all residential districts regardless of use.
- » Front, side and rear yard setbacks should be reduced to the average setback for properties on that particular block if less than the standard minimum setback.
 - The property owner requesting the reduction would need to document the existing setbacks for parcels on the block with the help of a license surveyor.
- » Increase lot coverage to 50 percent for R-1, R-2 and R-3 districts for all uses.
- » Increase lot coverage to 60 percent for R-4 districts for all uses.

Deviations

Deviations tend to have a negative connotation when used within the NCOD. The intent is to allow for property owners to mitigate physical constraints or extenuating circumstances from structures that predate zoning and subdivision. Therefore, the term “deviation” should be eliminated and replaced with a positive term such as “Permissible Modifications” that denotes design excellence and allows a property owner to creatively solve an issue.

Furthermore, while the City tracks deviations used within the NCOD, the data is not easily accessible to the general public. An organized spreadsheet uploaded monthly with the following information would provide the general public information on which exceptions are allowed and which are denied. Additionally, City planning staff could then easily sort, calculate and analyze the most common requests and determine if the requested exemption should be codified into the City code so as to reduce staff time in reviewing items that should be permitted by code. A sample spreadsheet is provided.

Table 4: Example Development/Deviation Tracking Spreadsheet

Year	Address	Number of deviations or variances requested with the application	Municipal Code section to deviate from	Standard dimension in feet (what is the required limit?)	Dimension requested (what did they propose instead?)	% of deviation from standard (how much did they exceed the required limit?)	Type of deviation (parking, yard, ADU height, signage, lot coverage, etc.)	Approved or denied?
2014	500 W College St	2	Sec. 38.08.050.A.1.b	20	14	143%	Yard setback	Approved
2013	100 Tracy Ave	3	Sec. 38.08.050.A.1.b	20	15	140%	Watercourse setback	Denied



Demolitions

The intent and continued presence of the NCOD should be to encourage historic preservation of existing structures that actually contribute to a potential district. Structures that are past their useful life or have been significantly altered and do not contribute to a historic district should be allowed to be demolished without first receiving a building permit. The intent is to encourage new, innovative designs and not to restrict property owners from redeveloping their parcel. However, if a building is deemed to be contributing to a historic district, then a more strict review with specific criteria must be met prior to authorization for its demolition.

To help facilitate this recommendation, the City should begin utilizing the recent cultural resource and historic inventory that was completed in 2015. The information contained within this study can and should be used to educate current and future property owners about the potential impacts it may have on their structures including both commercial and residential buildings.

Air B&B and VRBO Uses

While Air Bed and Breakfasts and Vacation Rental by Owners may be required to acquire a conditional use permit (CUP) before beginning their business; this does not always occur as noted in several neighborhood meetings. While little can be done to encourage residents and business owners to abide by current land use regulations, the city should implement an anonymous online notification tool to report potential uses that may be operating without a permit.

The intent is to limit neighbor-on-neighbor altercations and tension between adjoining property owners and focus the attention to business owners having the correct permits to operate within the district. Residents did not want to prohibit such uses within neighborhoods, but rather ensure adequate parking and mitigation measures were in place prior to receiving a CUP.



Implementation Matrix

Matrix Key

● = Lead entity responsible

○ = Secondary lead and support role

ACTION ITEMS		IMPLEMENTATION SOURCE							RESOURCES	
Priority	Recommendation	Planning Staff	City Manager	Preservation Officer	City Commission	Neighborhood Coordinator	Consultant	SHPO-Other	Cost	Time
*	Remove NCOD boundary in 5 years	●		○	○				\$7,500	1 year
*	Interim boundary change to exempt N. 7th	●	○		○			○	\$2,500	4 months
*	Determine appropriate local district boundaries (HPD)	○		●		○		○	\$0	6 months
*	Update eligibility surveys across entire NCOD			●			○	●	\$20,000	2 years
*	Codify HPD, HBD and DOD classifications	●			○		○	○	\$10,000	1 year
*	Create new design guidelines for HPDs, HBDs & DODs	○		○			●	●	\$35,000	1.5 years
*	Develop Historic Preservation Plan for National Register districts	○		●	○	○	●	●	Small \$15,000 Large \$35,000	1-2 plans per year
*	Revise ADU standards such as ground floor ADUs & sidewall height	●			○		○		\$4,000	9 months
*	Codify demolition changes to encourage infill	●	○		●		○		\$2,000	6 months
*	Codify language for Permissible Modifications (aka deviations)	●			○				\$0	3 months
*	Coordinate & implement affordable housing incentives across plans	●			○		○		\$3,500	Ongoing
*	Implement proposed UDC changes for small scale development	●			○		○		\$7,500	5 months



ACTION ITEMS		IMPLEMENTATION SOURCE							RESOURCES	
Priority	Recommendation	Planning Staff	City Manager	Preservation Officer	City Commission	Neighborhood Coordinator	Consultant	SHPO-Other	Cost	Time
	Establish neighborhood leadership for existing historic districts	○		○		●		○	\$0	6 months
	Update building/eligibility surveys for current local districts			●			●	○	\$5,000 \$40,000	2 districts per year
	Establish building survey procedures based on SHPO standards			●				○	\$0	6 months
	Implement an online public informational COA document	●				●			\$5,000	6 months
	Implement FAR changes to encourage infill	●					○		\$10,000	1 year
	Implement neighborhood enforcement program		●			○		○	\$0	1 year
	Maintain City's Historic Preservation website as community "go to"	○		●				○	\$0	Ongoing
	Nominate new local historic districts			●				○	\$0	Ongoing



APPENDIX 1

Public Engagement Process

The public engagement process will be completed upon final comments from City Commission on December 14th. To date, the public engagement process contains meeting summaries and results from polling data, dot-matrix boards and general comments from both public meetings and neighborhood gatherings. It also includes general recommendations from various citizen advisory boards.

Schedule of Public Events

3/26/15	Kick-off meeting with City Staff
4/9/15	First public meeting, Project Introduction (City Hall)
4/23/15	BHPAB meeting
5/14/15	Intra Neighborhood Council meeting
5/28/15	Second public meeting; Keypad polling (Baxter Hotel)
7/21/15	Downtown BID Association/Historic District Meeting
7/22/15	Downtown TIF Board Meeting
8/6/15	NSURD Meeting
8/11/15	Neighborhood Association Meeting (NENA)
8/18/15	Neighborhood Association Meeting (SCAN, UNA)
8/26/15	Neighborhood Association Meeting (Marwyn-Lindley)
9/1/15	Historic District Meeting (Cooper Park)
9/1/15	NURB Meeting
9/9/15	CAHAB Meeting
11/5/15	Third public meeting (Beall Park Center)
11/23/15	CAHAB presentation and recommendation to City Commission
12/1/15	NURD presentation and recommendation to City Commission
12/1/15	Planning Board comments and recommendation to City Commission
12/14/15	Presentation to City Commission on final recommendations



Summary Comments from Stakeholders and Written/Verbal Comments

A summary of all public comments, both written and verbal, are included for review. Comments included stakeholder input sessions, public outreach meetings, neighborhood meetings and associated written and verbal comments throughout the process. The comments are grouped according to the four focus areas as well as other items that were raised at various meetings; they are shown in order of greatest to least. Comments are not itemized in terms of “yes/no” or “for/against” but rather shown to provide the magnitude of the item in relation to others discussed throughout the project.

Summary Comments	Number of Comments	Percent of Total Comments
Infill & Density	83	17%
Historic Preservation	64	13%
Design Guidelines	58	12%
Deviations	54	11%
COA Process	53	11%
Affordable Housing	47	9%
NCOD Boundary Change	41	8%
Zoning & Setbacks	32	6%
Accessory Dwelling Units (ADUs)	23	5%
Miscellaneous (Solar Access; Vacation Rentals; Dark Sky; etc.)	20	4%
Parking	15	3%
Demolitions	13	3%
Total	503	100%

Public Meeting #1 - Issues and Solutions Matrix

Public participants were asked to comment on initial issues and provide solutions in general terms; however, the columns do not necessarily correlate with each other. E.g. “lack of deviations” issue does not correlate with “attend to traffic impacts . . .” solution.

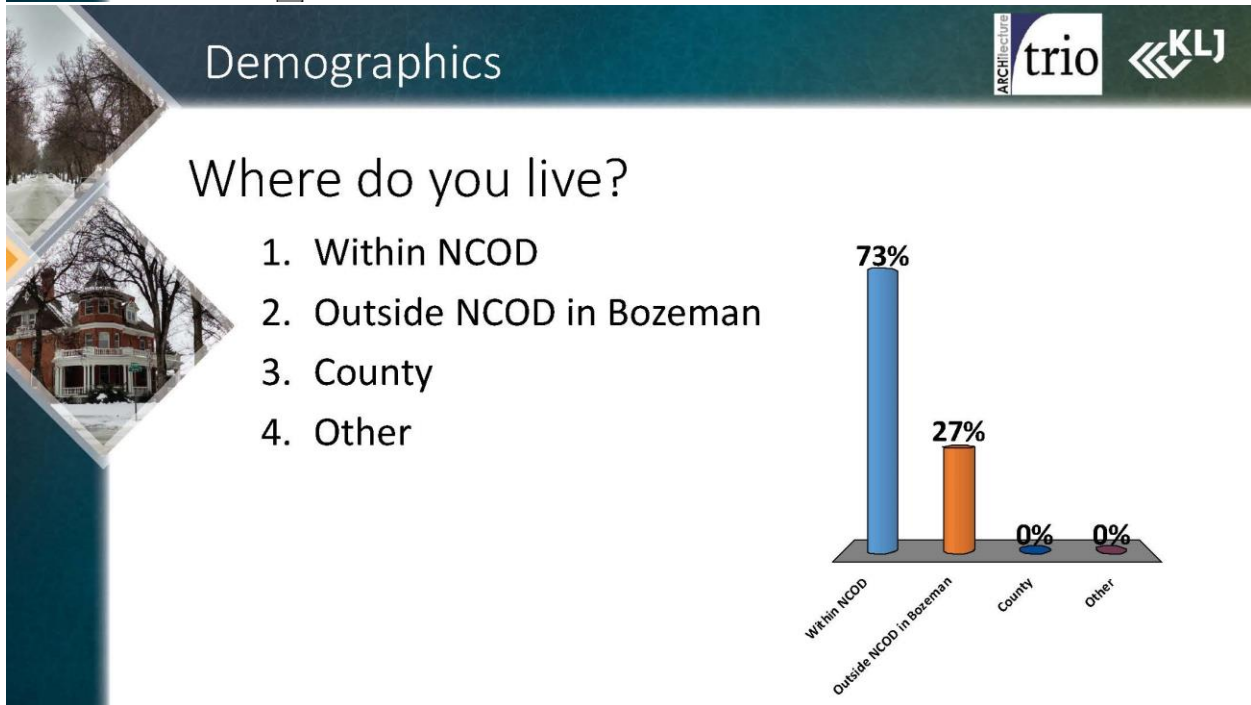
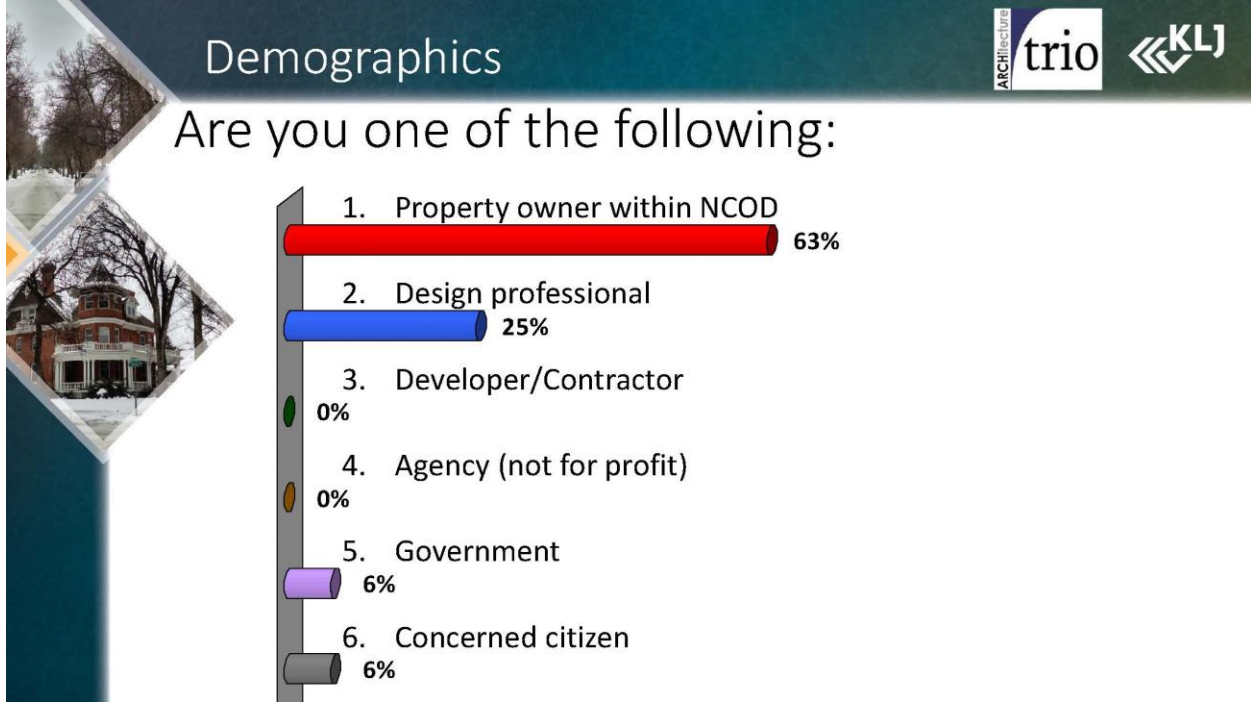
Issues	Solutions
Inconsistent architectural styles in BONTON district. City encourages modern styles that do not fit	Middle density and mixed housing so not to “snobify” historic districts
High density moving into single family and then becoming high end	Allow demo
Lack of deviations	Attend to traffic impacts before approving high density development
How development will impact preservation of historic districts. How to protect historic residential neighborhoods	Eliminate min lot width and area
A demolition of a historic home without permit.	Adequate penalties to property owners who break the rules
Ground floor ADU	Make it “slam dunk” to add egress windows



<p>Inconsistent application of "rules" for bldg. --traffic management --concerns with increased infill</p>	<p>Bring back deviations/relaxations-merit-based, not hardship --get rid of regs that may not be necessary - min lot size -large parking spaces - -put applications online. Invite comment by email</p>
<p>History of NCOD - is it still a meaningful overlay? Are the parts the various historic districts - greater than it's whole? And with different needs in terms of aesthetics, growth and development considerations. I hope there's a lot of opportunity for community impact. Good meeting - well conducted, you were open, knowledgeable. Thanks</p>	<p>Notify neighbors within a reasonable radius when COAs are issued</p>
<p>Difficult to do infill --slow --expensive --inconsistent --unnecessary regs hard for neighbors to participate</p>	<p>Look at demo codes. Allow more demos</p>
<p>It's important not to confuse the concept of "consistency" with that of design preference/individual taste</p>	<p>Green roofs. SF should be balance lot coverage. Ex 500sf Green roof would equal a 580sf reduction in lot coverage</p>
<p>Ground floor ADU - increase housing supply!</p>	<p>More public awareness of issues as they relate to homeowners, not developers</p>
<p>COA applications and approvals are not communicated to neighbors. We find out that after the fact when inappropriate changes have already occurred putting pressure on the city to remedy.</p>	<p>Reduce lot size requirements for 2nd dwelling units and/or ADU</p>
<p>1. Residential density to be encouraged. 2. NCOD guidelines too general to apply well to the entire area. 3. Code requirements need evaluation - revamp to encourage a. mass transit b. Bikes, walking</p>	<p>Provide property owners with a self-evaluating or self-reporting survey with application process to try and highlight differences.</p>
<p>Please reinstate the deviation (or similar process) for new construction in the NCOD</p>	
<p>Inconsistency - big folks under regulated little folks go through hoops -- the time table for project seems very ambitious timewise</p>	
<p>Obstacles to improving (without expanding) poor structure -- Min parking requirement create needless cost/obstacles</p>	



Public Meeting #2 - Keypad Polling Results



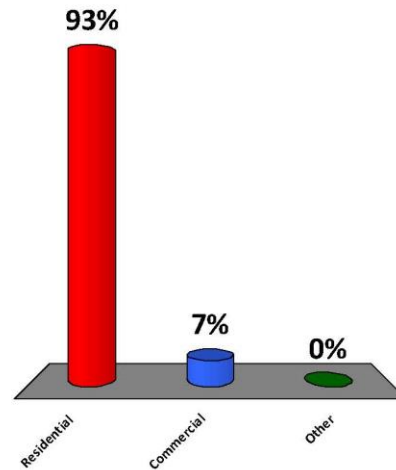


Demographics



Of those that live or own a property in the NCOD, is the parcel:

1. Residential
2. Commercial
3. Other

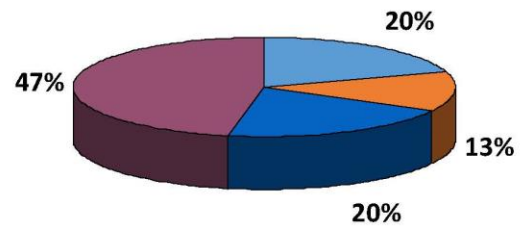


Demographics



How long have you lived in Bozeman?

1. 0-5 years
2. 6-10 years
3. 11-20 years
4. 21 years or more



0-5 years 6-10 years 11-20 years 21 years or more

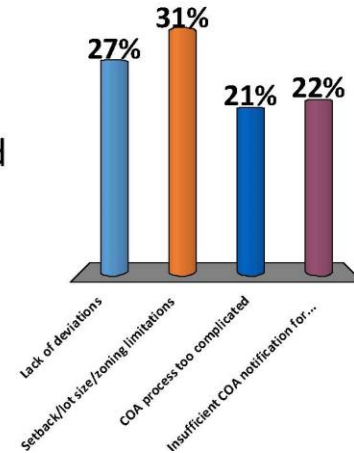


Issue Prioritization



Rank the issues from highest to least priority

1. Lack of deviations
2. Setback/lot size/zoning limitations
3. COA process too complicated
4. Insufficient COA notification for neighboring properties



Issue Prioritization



Rank the issues from highest to least priority

- 33% 1. No ground-floor ADUs
- 36% 2. Lot coverage limitations for ADUs
- 31% 3. Parking standards too restrictive for ADUs

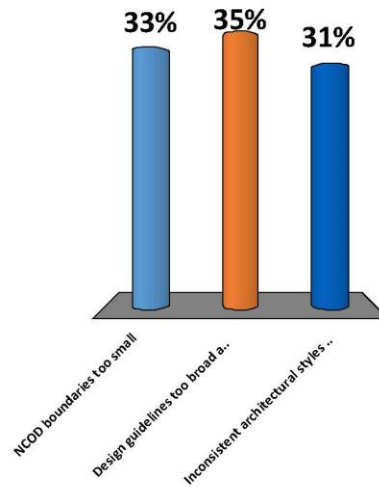


Issue Prioritization



Rank the issues from highest to least priority

1. NCOD boundaries too small
2. Design guidelines too broad and general to be effective
3. Inconsistent architectural styles in Historic Districts

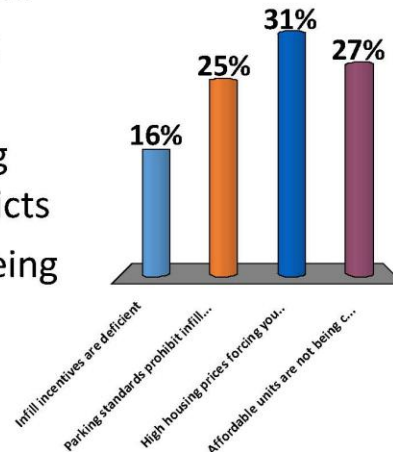


Issue Prioritization



Rank the issues from highest to least priority

1. Infill incentives are deficient
2. Parking standards prohibit infill housing
3. High housing prices forcing young families out of districts
4. Affordable units are not being constructed



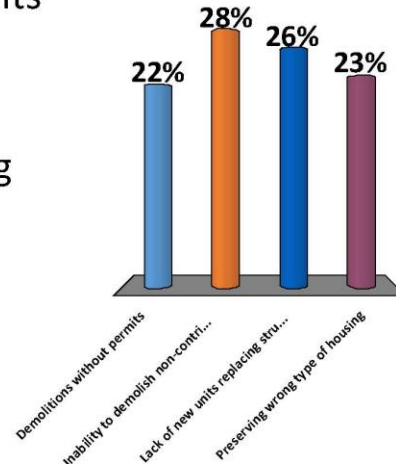


Issue Prioritization



Rank the issues from highest to least priority

- A. Demolitions without permits
- B. Inability to demolish non-contributing structures
- C. Lack of new units replacing structures past useful life
- D. Preserving wrong type of housing



Additional Issues



Do you have other issues that were not addressed?



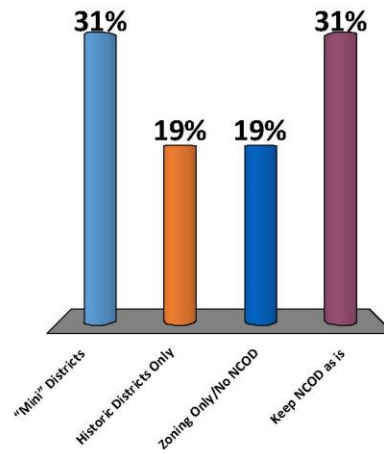


Solution Preferences



If the NCOD were to be replaced, what would be preferable?

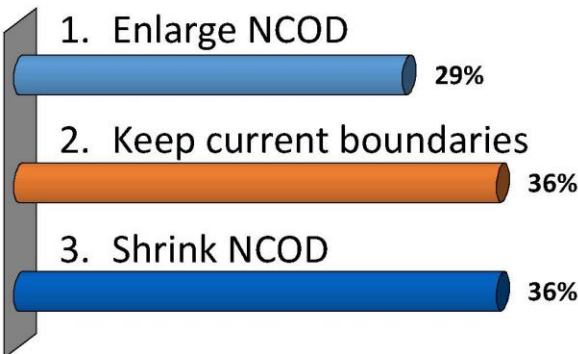
1. "Mini" Districts
2. Historic Districts Only
3. Zoning Only/No NCOD
4. Keep NCOD as is



Solution Preferences



If the NCOD remains, do you think the boundaries should be enlarged, remain the same or shrink?



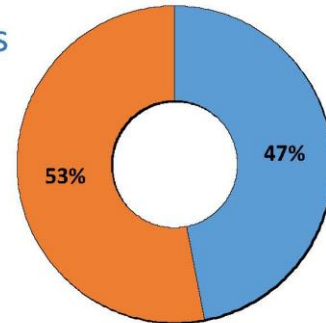


Solution Preferences



Should different design guidelines be used for multiple areas with NCOD or should a general set of guidelines be used across the NCOD?

1. Implement different guidelines
2. Keep one set of guidelines



■ Implement different guidelines ■ Keep one set of guidelines

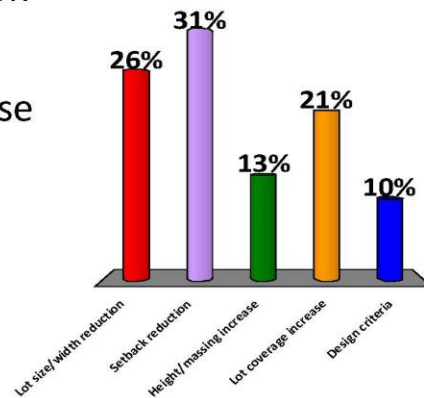


Solution Preferences



What type of deviations should be used more frequently or brought back? (Choose up to 3)

- A. Lot size/width reduction
- B. Setback reduction
- C. Height/massing increase
- D. Lot coverage increase
- E. Design criteria





Solution Preferences



What incentives should be used to encourage infill development within NCOD? (Choose up to 3)

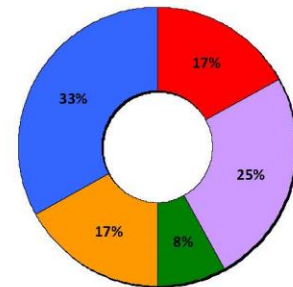
- 5% 1. Fast-tracking “vacant” property applications
- 35% 2. Fee reductions for infill properties
- 20% 3. Parking reductions
- 18% 4. Lot size, setback and coverage reductions
- 18% 5. ADU permitting process made easier
- 5% 6. Demo of non-contributing sites w/o building permit

Solution Preferences



To encourage affordable housing in the NCOD, what should the city do? (Choose up to 3)

- 1. Implement inclusionary zoning
- 2. Let market dictate pricing
- 3. Create a market-place incentive such as AHC fund
- 4. Waive development and building review fees
- 5. Allow small-scale lot development (e.g. 2,500 sq.ft. min)



■ Implement inclusionary zoning
 ■ Let market dictate pricing
 ■ Create a market-place incentive such as AHC fund
 ■ Waive development and building review fees
 ■ Allow small-scale lot development (e.g. 2,500 sq.ft. min)

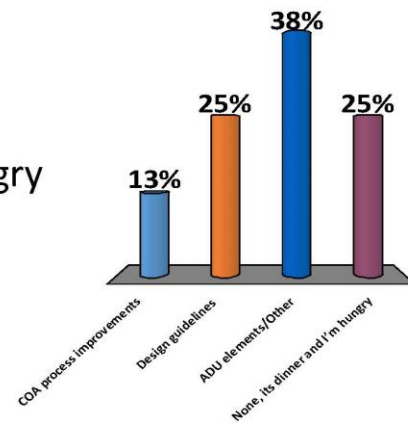


Solution Preferences



What other solutions do you want to discuss?

1. COA process improvements
2. Design guidelines
3. ADU elements/Other
4. None, its dinner and I'm hungry





Dox Matrix Results from Neighborhood Meetings

NENA Meeting

Bozeman NCOD - NENA			
Question	Yes	No	Depends
Are you okay with increased density in the neighborhood?	6	2	8
	Sticky notes		
If "Yes", where would you prefer higher density?	"Duplexes are OK, but no apartments - too much traffic for an area that is already developed"		
	"High density that is planned well is fine. City of Bozeman needs to address overall parking needs of downtown including neighborhoods"		
	"High -rises are OK, but they should harmonize with the neighborhood. And there needs to be adequate parking."		
	Yes	No	Depends
Would you be in favor of creating a historic preservation district in your neighborhood?	3	4	5
Do you think the NCOD boundary needs to change?	2	4	0
Would you favor creating design guidelines specific to your neighborhood?	4	6	2
Should there be an extensive review process for projects deviating from specific design guidelines?	6	2	1
Is affordable housing an issue in your neighborhood?	10	1	0
Does the current COA process need to be changed?	1	2	2
	Sticky notes		
If "Yes", how so?	"it should have teeth and enforceable. Content is OK though"		
What are the defining characteristics in your neighborhood?	"Diversity! Old, new, big, small..."		
	"funky, middle-class, eclectic, downtown, changing <u>rapidly</u> "		
	"our neighborhood is funky and traditionally has been 'the wrong side of the tracks'. I like that. I like the rundown shacks mixed with nice homes. But now we have bazillion dollar condos, 3-story mega houses and perfect landscaping. Who the hell can afford to live in this neighborhood now? The constant sound of power tools is everywhere."		



	"- single family dwellings, with a mix of styles -- small commercial and retail"
	"unique, older, historic homes. Safe for walking. Has a great community and historic feel. Relaxed driving and walking through. As you take the views away and add more traffic - people get crabby!"

SCAN Meeting

Bozeman NCOD - SCAN - Dot Matrix Responses			
Question	Yes	No	Depends
Are you okay with increased density in the neighborhood?	4	9	1
	Sticky notes		
If "Yes", where would you prefer higher density?	" Subdivide the deep lots - story mansion lawn."		
	Yes	No	Depends
Would you be in favor of creating a historic preservation district in your neighborhood?	10	3	1
Do you think the NCOD boundary needs to change?	5	1	2
Would you favor creating design guidelines specific to your neighborhood?	11	3	1
Should there be an extensive review process for projects deviating from specific design guidelines?	10	1	3
Is affordable housing an issue in your neighborhood?	5	8	3
Does the current COA process need to be changed?	9	1	2
	Sticky notes		
If "Yes", how so?	"needs variance process that is flexible and more creative" "ditto"		
	"staff needs to be more service oriented - - - aesthetic decisions should not be controlled by one person"		
	"supportive neighbors - - easy access to downtown and university"		
What are the defining characteristics in your neighborhood?	"history, small and large dwellings, mixed -apts condos, SFD"		



UNA Meeting

Bozeman NCOD - UNA			
Question	Yes	No	Depends
Are you okay with increased density in the neighborhood?	0	3	3
	Sticky notes		
If "Yes", where would you prefer higher density?	"Ok to build using infill/vacant lots"		
	Yes	No	Depends
Would you be in favor of creating a historic preservation district in your neighborhood?	1	3	0
Do you think the NCOD boundary needs to change?	0	1	3
Would you favor creating design guidelines specific to your neighborhood?	3	1	0
Should there be an extensive review process for projects deviating from specific design guidelines?	4	1	0
Is affordable housing an issue in your neighborhood?	4	1	1
Does the current COA process need to be changed?	2	1	1
	Sticky notes		
If "Yes", how so?	"COA more stringent -//- character becoming of an "off-campus" housing area! :OS"		
	"COA and design guidelines should be separated. Design is personal choice on ones personal property"		
What are the defining characteristics in your neighborhood?			

SCAN - UNA Combined General Responses	
Question:	Response:
Should the NCOD boundary be changed to reflect individual neighborhood character?	Trees on Boulevard
	Appropriate setbacks/side yards
	Dark Sky
	Open space/lot coverage
	Maintaining Character vs. stifled creativity
The NCOD affords some level of consistency but does not include UNA, do you want UNA included in the boundary	Yes, expand on boundary or create separate specs
	Create a "unified" historic district overlay
	Incentive program - process vs finance -- expedited



What type of infill projects are appropriate for this area?	UNA/SCAN - Arch and Development patterns
	"Opt-in" for neighbors with incentives/support
	---> Invite people so they are willing
	ADU - Requirement to live-in
	Parking standards and enforcement
	Design with clearly defined for relaxations
	---> check and balance with public
Are the guidelines sufficient to preserve existing structures and guide new development?	
What city processes including the COA need to be refined?	Incentive driven process - Historic
	Residential Parking passes with in district
	---> Tracy and Koch
	Online/List-serve meeting with ability

Bozeman Creek - LinMar Meeting

Note: Participants did not fill out the dot-matrix board but rather wanted to discuss specific issues.

Bozeman Creek - LinMar General Responses	
Question:	Response:
Should the NCOD boundary be changed to reflect individual neighborhood character?	Walkability
	Tree lined streets
	"community cohesiveness"
	Trail connections
	Keep NCOD
	Fundamental Goals - objective
What type of infill projects are appropriate for this area?	Downtown district - main st
	---> poor design - avoid this
	Concern with commercial development
	---> Parking issues
	-----> Cider House example
Are the guidelines sufficient to preserve existing structures and guide new development?	Variety is great: use and design
	Eclectic - 30's, 50's - when to "freeze"?
What city processes including the COA need to be refined?	Notify earlier
	Digital = 2 x notify
Miscellaneous Items	Tree protection
	---> Carmel CA
	Affordable Issues



	---> 19th Richest City
	Rental Issues
	---> Zoning
	---> Enforcement
	Solar Access
	---> Gardening

Cooper Park/West Side Meeting

Bozeman NCOD - Cooper Park - Dot Matrix Responses			
Question	Yes	No	Depends
Are you okay with increased density in the neighborhood?	4	8	2
	Sticky notes		
If "Yes", where would you prefer higher density?			
	Yes	No	Depends
Would you be in favor of creating a historic preservation district in your neighborhood?	4	1	2
Do you think the NCOD boundary needs to change?	0	1	4
Would you favor creating design guidelines specific to your neighborhood?	4	2	0
Should there be an extensive review process for projects deviating from specific design guidelines?	8	0	1
Is affordable housing an issue in your neighborhood?	2	4	0
Does the current COA process need to be changed?	4	1	2
	Sticky notes		
If "Yes", how so?	"allow accessory dwelling units in back of main structures"		
What are the defining characteristics in your neighborhood?	"characteristics and small, architectural homes, not mega-bill the lot homes"		

Cooper Park General Responses	
Question:	Response:
Should the NCOD boundary be changed to reflect individual neighborhood character?	Yes - new structures are not meeting neighborhood character
	Front porch - guidelines stipulate costs and rehab
What type of infill projects are appropriate for this area?	B-3 zoning vs. Residential
	Affordable housing - existing neighbors
	---> Fixed income residents



	<p>---> Incentives = grant, TIF, mortgage</p> <p>-----> Emeryville, CA</p>
Are the guidelines sufficient to preserve existing structures and guide new development?	<p>New - turn of century - architecture</p> <p>---> avoid, keep "traditional"</p>
What city processes including the COA need to be refined?	<p>Notice Requirements - Improve</p> <p>---> Online, 200 sq.ft (up arrow) = 500 ft ex.</p> <p>COA - Golden Rule = \$\$\$ Impacts</p> <p>---> Materials = Reduction</p>
Miscellaneous Items	<p>Blight Issues - N 7th TIF</p> <p>---> Expansion of Boundary</p> <p>Reduce "Over-Regulation"</p> <p>---> Conflicting regs zoning/subdivision</p> <p>Tax-Assessment: Values with increased home prices</p> <p>Solar Access - Sunlight</p> <p>Increase property tax</p> <p>Decrease tax on renters/businesses</p> <p>Alcohol = firecracker ordinance</p>