



LA VERKIN CITY PLANNING COMMISSION AGENDA

Regular Meeting

Wednesday, March 13, 2024, 6:00 pm.

Gym, 111 South Main Street

La Verkin, Utah 84745

A. Call to Order: Chair Allen Bice

Invocation by Invitation; Pledge of Allegiance

Swearing in of reappointed Commissioners

B. Approval of Agenda:

C. Approval of Minutes: February 28, 2024, regular meeting

D. Reports:

City Council and Director of Operations will present updates on meetings and activities.

E. Business:

1. Presentation and discussion on an ordinance amending the provisions of Section 10-2-9 of the La Verkin City Code relating to the procedures and standards for approving amendments to the general plan and amendments to the zoning map and text of the zoning ordinance.
2. Discussion regarding structures within front setbacks.
3. Discussion regarding mixed-use in commercial zones.
4. Discussion regarding architectural standards for properties along SR9.

F. Adjourn:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Christy Ballard, City Recorder, (435) 635-2581, at least 48 hours in advance.

Certificate of Posting

The undersigned City Recorder does hereby certify that the agenda was sent to each member of the governing body, sent to the Spectrum newspaper, posted on the State website at <http://pnn.utah.gov>, posted on the La Verkin City website at www.laverkin.org, and at the city office buildings

111 S. Main and 435 N. Main on March 8, 2024

Christy Ballard, City Recorder

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Ordinance No. _____

AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH,
AMENDING THE PROVISIONS OF SECTION 10-2-9 OF THE LAVERKIN CITY
CODE RELATING TO PROCEDURES AND STANDARDS FOR APPROVING
AMENDMENTS TO THE GENERAL PLAN, AND AMENDMENTS TO THE
ZONING MAP AND TEXT OF THE ZONING ORDINANCE

WHEREAS the LaVerkin City Council has previously adopted the LaVerkin City
Land Use Code as contained in Title 10 of the LaVerkin City Code; and

WHEREAS said City Council desires to amend said Land Use Code to establish
and/or clarify the procedures for consideration of applications for an amendment to the
general plan and/or amendments to the text or map of the zoning ordinance;

WHEREAS a public hearing regarding this matter has been held after public
notice in accordance with the requirements of Utah state law; and

WHEREAS said City Council deems it necessary and desirable for the
preservation and protection of the general health, safety and welfare of the residents of
the City of LaVerkin,

BE IT HEREBY ORDAINED by the City Council of LaVerkin, Utah that §10-2-
9 of the LaVerkin City Code shall be, and is hereby, amended in its entirety to read as
follows:

10-2-9. AMENDMENT OF GENERAL PLAN, ZONING MAP AND ZONING

TEXT: *The city council may amend the general plan and the number, shape,
boundaries, or area of any zoning district, any regulation of or within the zoning
district, or any other provision of the land use ordinance, including the map, in
accordance with the following:*

A. General Decision-Making Standards. *The decision-making standards set forth
in this section are based on the fundamental distinction between legislative and
administrative proceedings: Legislative proceedings establish public law and policy
applicable generally, while administrative proceedings apply such law and policy to
factually distinct, individual circumstances.*

1. Legislative proceedings. *The following shall apply to legislative
decisions:*

a. *Decisions regarding a legislative application shall be based on the
"reasonably debatable" standard, as follows: the decision-making
authority shall determine what action, in its judgment, will reasonably
promote the public interest, conserve the values of other properties,*

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avoid incompatible development, encourage appropriate use and development, and promote the general welfare. In making such determination, the decision-making authority may consider the following:

i. Testimony and evidence presented at a public hearing or meeting; and

ii. Personal knowledge of various conditions and activities bearing on the issue at hand, such as, but not limited to, the location of businesses, schools, roads and traffic conditions; growth in population and housing; the capacity of utilities; the zoning of surrounding property; and the effect that a particular proposal may have on such conditions and activities, the values of other properties, and upon the general orderly development of the City.

b. The following types of applications are declared to be legislative proceedings:

i. General plan amendment

ii. Zoning map amendment

iii. Land use or zoning text amendment

iv. Annexation

iv. Temporary regulations.

c. The decision-making body should state on the record the basis for its decision.

2. *Administrative proceedings.* *The following shall apply to administrative decisions:*

a. Decisions regarding an administrative application shall be based on the "substantial evidence" standard and shall include at least the following elements:

i. A statement of the standards for approval of the application;

ii. A summary of evidence presented to the decision-making body or official;

iii. *A statement of findings of fact or other factors considered, including the basis upon which such facts were determined and specific references to applicable standards set forth in this title or other provisions of this Code; and*

iv. *A statement of approval, approval with conditions, or disapproval, as the case may be.*

b. *The following types of applications are hereby declared to be administrative proceedings:*

i. *Permitted use review*

ii. *Conditional use permit*

iii. *Site plan review*

iv. *Special exception*

v. *Variance*

vi. *Building permit*

vii. *Nonconformities*

viii. *Sign permit*

ix. *Temporary use permit*

x. *Routine and uncontested matter*

xi. *Administrative interpretation*

xii. *Appeal of administrative decision*

xiii. *Subdivision approval*

B. *Amendment of General Plan.* *Subject to the procedures set forth herein, the City Council may from time to time amend the general plan in accordance with the following:*

I. *Persons wishing to propose a general plan amendment shall file their proposals and shall pay the fee established by the fee schedule adopted by the City Council. Proposed general plan amendments will be considered by the Planning Commission twice a year, at the February and August meetings. Notwithstanding the foregoing, the City Council or*

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Planning Commission may, at any time by majority vote, authorize preparation and consideration of proposed general plan amendments.

2. *Persons proposing general plan amendments shall do the survey and analysis work necessary to support the proposed amendment. To ensure that the Planning Commission and City Council have sufficient information to evaluate each proposal, an applicant shall submit the following information:*
3. *For map amendments:*
 - a. *Eight and one-half inch by 11-inch map showing the area of the proposed amendment;*
 - b. *Current copy of county assessor's parcel map showing the area of the proposed amendment;*
 - c. *Mapped inventory of existing land uses within the area of the proposed amendment and extending one-half mile beyond such area;*
 - d. *Correct property addresses of parcels included within the area of the proposed amendment;*
 - e. *Written statement specifying the potential use of property within the area of the proposed amendment;*
 - f. *Written statement explaining why the existing general plan designation for the area is no longer appropriate or feasible;*
 - g. *Analysis of the potential impacts of the proposed amendment on existing infrastructure and public services such as traffic, streets, intersections, water and sewer, storm drains, electrical power, fire protection, garbage collection, etc.; and*
 - h. *As part of the general plan map amendment process, the applicant shall attempt to collect the signature of the property owner or authorized agent, or, in the case of amendments affecting multiple properties, the signatures of a majority of the persons who own property within the area proposed for the general plan map amendment.*
4. *For text amendments:*
 - a. *Written statement showing the desired language change;*
 - b. *Written statement explaining why existing general plan language is no longer appropriate or feasible;*

- c. *Analysis of the potential impacts of the proposed amendment; and*
- d. *Map showing affected areas if text changes will affect specific geographic areas.*

5. *Planning Commission Consideration of General Plan*

Amendment. After receipt of a complete application for an amendment to the General Plan for all or part of the City, the Planning Commission shall schedule and hold a public hearing on the proposed plan as provided in Utah Code Ann. §10-9a-404 and Utah Code Ann. §10-9a-204 at least ten (10) days before the date of the hearing. After the public hearing, the Planning Commission may recommend approval of the general plan amendments as is, recommend approval of the general plan amendment with changes, or recommend denial of the general plan amendment. The Planning Commission shall then forward the proposed general plan amendment to the General Plan to the City Council with the recommendation of the Planning Commission.

6. *City Council Consideration of General Plan Amendment. The City Council shall schedule and hold a public hearing on the proposed general plan amendment recommended to it by the Planning Commission as provided in Utah Code Ann. §10-9a-404 and Utah Code Ann. §10-9a-204 at least ten (10) days before the date of the hearing. After the public hearing, the City Council may make any modifications to the proposed general plan amendment that it considers appropriate. The City Council may adopt the proposed general plan amendments to the general plan without further amendment, amend the proposed general plan and adopt or reject it as amended, or reject the proposed amendments to the general plan.*

7. *Except as provided in Utah Code Ann. §10-9a-406, the general plan and any amendments thereto shall be considered only as an advisory guide for growth and development of the land within the City of LaVerkin. After the City Council has adopted a general plan, or any amendments thereto, no street, park, or other public way, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, may be constructed or authorized until and unless it conforms to the general plan as amended.*

C. **Amendment of Zoning Map and Text of Zoning Ordinance.** *Subject to the procedures set forth herein, the City Council may from time to time amend the text of this title and the zoning map, which may include changes in the number, shape, boundaries, or area of any zoning district, zoning district regulations or any other provision of this title. The provisions set forth herein shall not apply to temporary land use regulations which may be enacted without public hearing in accordance with Utah Code Ann. §10-9a-504. The use of development*

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agreements in connection with a zone change to achieve the purposes of this chapter, as permitted by Utah Code Ann. §10-9a-532(1) is hereby authorized.

1. *Initiation:* Proposed amendments to the text of this title and the zoning map may be initiated by the City Council, Planning Commission, a property owner, or the duly authorized agent for a property owner.

2. *Procedure:* Zoning text and map amendments shall be considered and processed in accordance with the following:

a. An application shall be submitted to the Zoning Administrator in a form established by the administrator along with any fee established by the City's schedule of fees. The application shall include at least the following information:

i. The name, address, telephone number and email address of the applicant and the applicant's agent, if any;

ii. The name and address of every person or company the applicant represents;

iii. The requested amendment and reasons supporting the request;

iv. If the proposed amendment requires a change in the zoning map, the application shall include an accurate property map showing present and proposed zoning classifications, all abutting properties with present zoning classifications, and an accurate legal description and approximate address of the area proposed to be rezoned;

v. the names and addresses of all affected entities;

vi. the names of property owners within or immediately adjacent to the area to be rezoned who support the application for amending the zone; and

vii. If the proposed amendment requires a change in the text of this title, the application shall include chapter and section references and a draft of the proposed text.

b. After the application is determined to be complete, the Zoning Administrator shall prepare and submit to the Planning Commission a staff report evaluating the application.

c. After receipt of the staff report, the Planning Commission shall hold a public meeting, which shall include a public hearing, on the application for which notice is given as follows:

i. For a public meeting, notice shall be given as a class A notice under Utah Code Ann. §63G-30-102 for at least 24 hours before the meeting.

ii. For a public hearing, notice of the date, time and place of the public hearing shall be: (1) given as a class B notice under Utah Code Ann. §63G-30-102 for the area directly affected by the proposed amendment for at least ten (10) calendar days before the public hearing, (2) mailed to each affected entity at least 10 days before the public hearing.

iii. In addition to the foregoing, the City shall send a courtesy notice to each owner of private real property whose property is located entirely or partially within a proposed zoning map enactment or amendment at least 10 days before the scheduled day of the public hearing. The notice shall: (1) identify with specificity each owner of record of real property that will be affected by the proposed zoning map or map amendments, (2) state the current zone in which the property is located, (3) state the proposed new zone for the real property, (4) provide information regarding or a reference to the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the zoning map or map amendment is adopted, (5) state that the owner of real property may no later than 10 days after the day of the first public hearing file a written objection to the inclusion of the owner's property in the proposed zoning map or map amendment, (6) state the address where the property owner should file the protest, and (7) notify the property owner that each written objection filed with the municipality will be provided to the LaVerkin City Council.

d. Following a public hearing, the Planning Commission may make a recommendation to the City Council for approval, approval with modifications, or denial of the proposed zoning map or text amendment.

e. Following receipt of a recommendation from the Planning Commission, the City Council shall hold a public meeting on the application as provided in Utah Code Ann. §10-9a-205. The City Council may, but shall not be required to, hold a public hearing on the proposed amendment. If the City Council elects to hold a public hearing on the proposed amendment, it shall follow the notice requirements set forth above for public hearings. At the conclusion of all hearings, The

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City Council may approve, approve with modifications, or deny the proposed amendment in accordance with the following approval standards:

i. *Approval standards. A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the City Council as described herein. In considering such amendment, the following factors should be considered:*

(1) *Whether the proposed amendment is consistent with goals, objectives and policies of the City's general plan;*

(2) *Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*

(3) *The extent to which the proposed amendment may adversely affect adjacent property;*

(4) *The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection;*

(5) *The extent to which any concerns with the proposed amendment can be ameliorated with a development agreement; and*

(6) *Other factors deemed relevant by the City Council*

e. *Appeal of decision. Any party adversely affected by a decision of the City Council to amend the text of this title or the zoning map may, within 30 days after such decision, appeal to the district court subject to the provisions of Utah Code Ann. §10-9a-801.*

f. *Effect of approval. Approval of an application to amend the provisions of this title or the zoning map shall not be deemed an approval of any conditional use permit, site plan or other permit. Approval of such permits shall be obtained in accordance with applicable provisions of this title.*

g. *Effect of disapproval. City Council denial of an application to amend the provisions of this title or the zoning map shall preclude the filing of another application covering substantially the same subject or property, or any portion thereof, for one (1) year from the date of the disapproval,*

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except that another application for a change of zone may be made sooner if the Planning Commission determines that a substantial change in circumstances has occurred to merit consideration of the application. Substantial change may include:

- i. A significant change in the affected land area,
- ii. An agreement with the applicant reducing overall density and incorporating significant design changes including reduced building height, increased setbacks, or other changes resulting in reduced impact on adjacent land uses,
- iii. Changes in the neighborhood including recent zone changes or land use amendments and/or new roads or other infrastructure to serve the area proposed for the change, or
- iv. The application is for a change to a different zone.

h. The City Council or Planning Commission may propose any text or zoning map amendment at any time.

BE IT FURTHER ORDAINED that to the extent that there is or may be a conflict between the provisions of this Ordinance and any other provision of the LaVerkin City Code, the provisions of this Ordinance shall control and shall supersede the provisions of any other conflicting provision.

BE IT FURTHER ORDAINED that the subject matter of this Ordinance shall be deemed to be an emergency or of an urgent nature and shall take effect immediately upon publication and posting as required by law.

PASSED AND APPROVED on this _____ day of _____, 2024.

CITY OF LAVERKIN

Kelly B. Wilson, Mayor

Attest:

Christy Ballard, City Recorder

The foregoing Ordinance was presented at a regular meeting of the LaVerkin City Council held in the LaVerkin City Council Chambers, located at 111 South Main Street, LaVerkin, Utah, on the ____ day of _____, 2024, whereupon, a motion to adopt said Ordinance was made by _____ and seconded by _____.

A roll call vote was then taken with the following results:

NAME	VOTE
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Christy Ballard, Recorder

Christy Ballard

From: Bradly Robbins <brobbins@sunrise-eng.com>
Sent: Wednesday, February 28, 2024 11:01 AM
To: Derek Imlay
Subject: Front Yard Setback Issue

Derek,

I did a quick, but somewhat broad search of other jurisdictions that allow for structures to be located in front yard setback areas. I'm not finding any agencies that allow structures in SFR neighborhoods to be built right up to a front property line. There may be some cities out there that allow that to occur, but I did not find any. I mostly found that some cities will allow front yard setback encroachments, but only limited in nature. Some allow a few feet (5 or 10 feet), but most of those encroachments are for architectural features, not carports. If you want me to I can draft up an exception to your residential zoning ordinance that would allow structures (carports) to extend into the front yard setback. That approach may help a few folks in the older parts of town, but allowing for front yard encroachments in the newer areas could be problematic. I don't know how you can separate the older areas from the newer areas and still be fair about it. I could see a lot of homeowners in your newer areas of town objecting to allowing carports in front yard setbacks.

Brad



BRADLY ROBBINS
Planning & Community Development Project Manager

brobbins@sunrise-eng.com
11 North 300 West, Washington, Utah 84780
TEL 435.215.1903
sunrise-eng.com

INTRODUCTION TO THE SR9-SR17 CORRIDOR STUDY

- Commercial – Residential – Workforce Housing
 - R-1-6 (Eve's development)
 - 3 Story High rise Residential
 - Potential Master road plan, including one way traffic.
-

Introduction

A collaborative effort between UDOT and the City of La Verkin, this planning study is intended to identify potential changes that UDOT and the City of La Verkin could implement in an effort to future-proof and improve numerous aspects of the transportation system, including mobility and safety. The vision shared between the agencies seeks to improve the SR-9 and SR-17 corridor within the area and establish principles that will move the community towards a shared vision. Determining future traffic demand and growth, identifying city streets improvements, and finding key intersections and access points are some of the objectives in this project.



COMMERCIAL - RESIDENTIAL
MIXED USE - WORKFORCE
HOUSING

The commercial residential mixed-use district is intended to allow and encourage a compatible mix of commercial, retail, service and residential uses in compact, attractive developments within areas currently designated by the comprehensive plan and by the zoning for commercial uses only. The purpose of allowing mixing of residential uses with commercial uses is to provide a market incentive for development of infill properties and to encourage development of a denser, compact, livable, and walkable community. In addition, mixed use development can help the city meet regional housing and population projections by allowing housing in areas that heretofore did not allow residential uses. The commercial residential mixed-use district will have a height limit that is in the upper range of allowable height limits in the city of Pacific as incentive for compact, dense development. Likewise, the mixed use district regulations will allow reduced setbacks and parking requirements as an additional incentive for compact development. The area zoned MC typically has direct access to designated arterials.

A Vision for Walkability

As the gateway to Zion National Park, there is incredible demand for hotels and short-term rentals like Airbnb. Tourists want to see not only the stunning geography, but also have good shopping, eating, and cultural experiences.

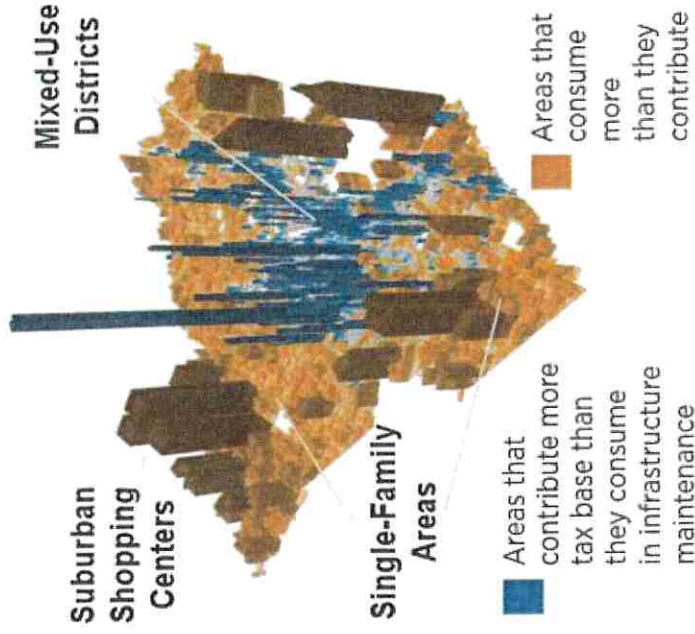
There is enough undeveloped land that it is still possible to create a walkable mixed-use downtown with similarities to, Moab, Vernal, and others. However, the present trajectory will create just another auto oriented “Anywhere, USA” unless stakeholders embrace an alternative vision.

Right-Sizing for Walkable Activity Centers Economics of Walkable Districts

Low-density means high taxes per capita for maintaining infrastructure. Creating high-value districts can offset the cost of maintaining lower-density areas.

LIFE CYCLE COST VS REVENUE

LAFAYETTE, LOUISIANA



Source: Urban3, Strong Towns
Also featured in APA's Planning Magazine, Aug / Sept 2020

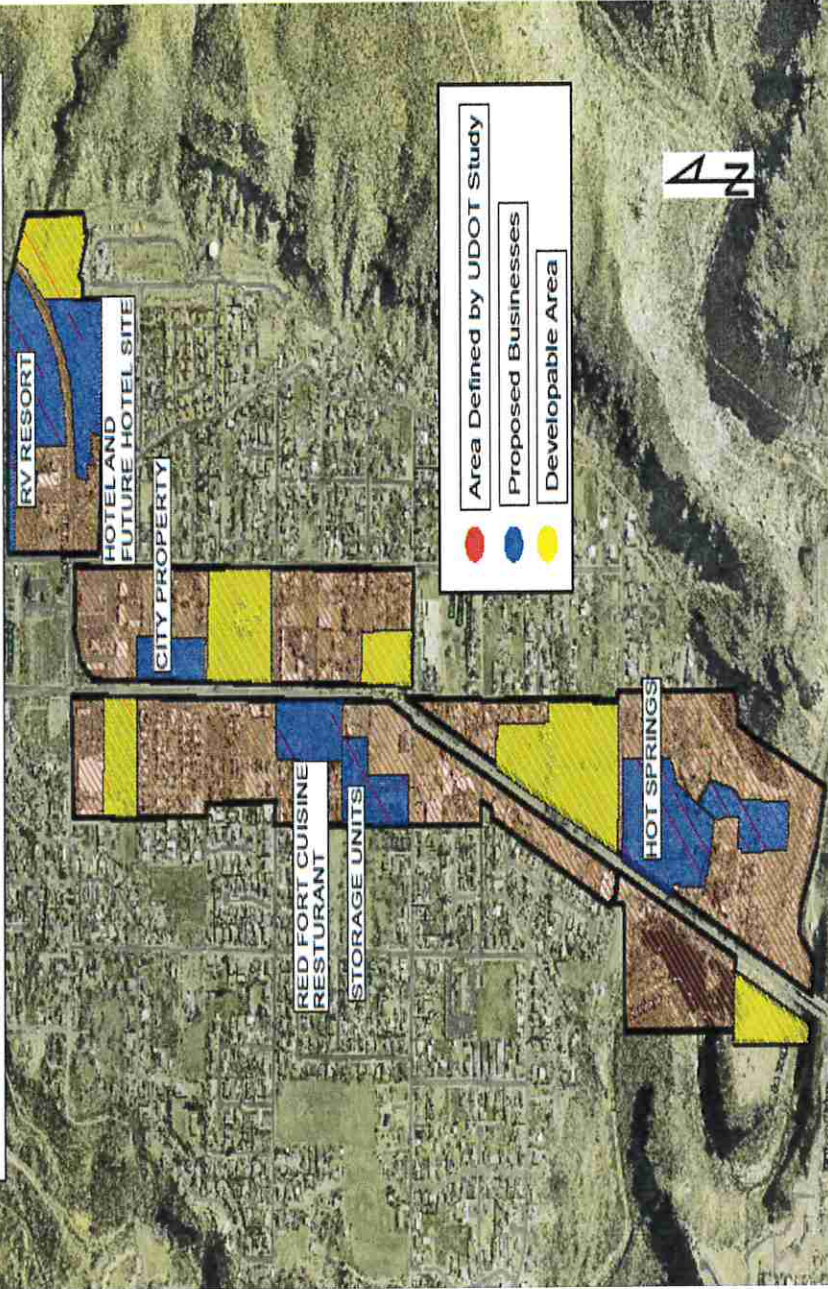
Implement Mixed-Use Areas in La Verkin

Mixed-use, higher-density neighborhoods are the opposite, generating more revenue than it takes to maintain their street trees and other walkable features.

SR9 – SR17 CORRIDOR STUDY



MIXED USE WITHIN THE SR9 AND SR17 CORRIDOR
AS IDENTIFIED BY THE RECENT UDOT STUDY



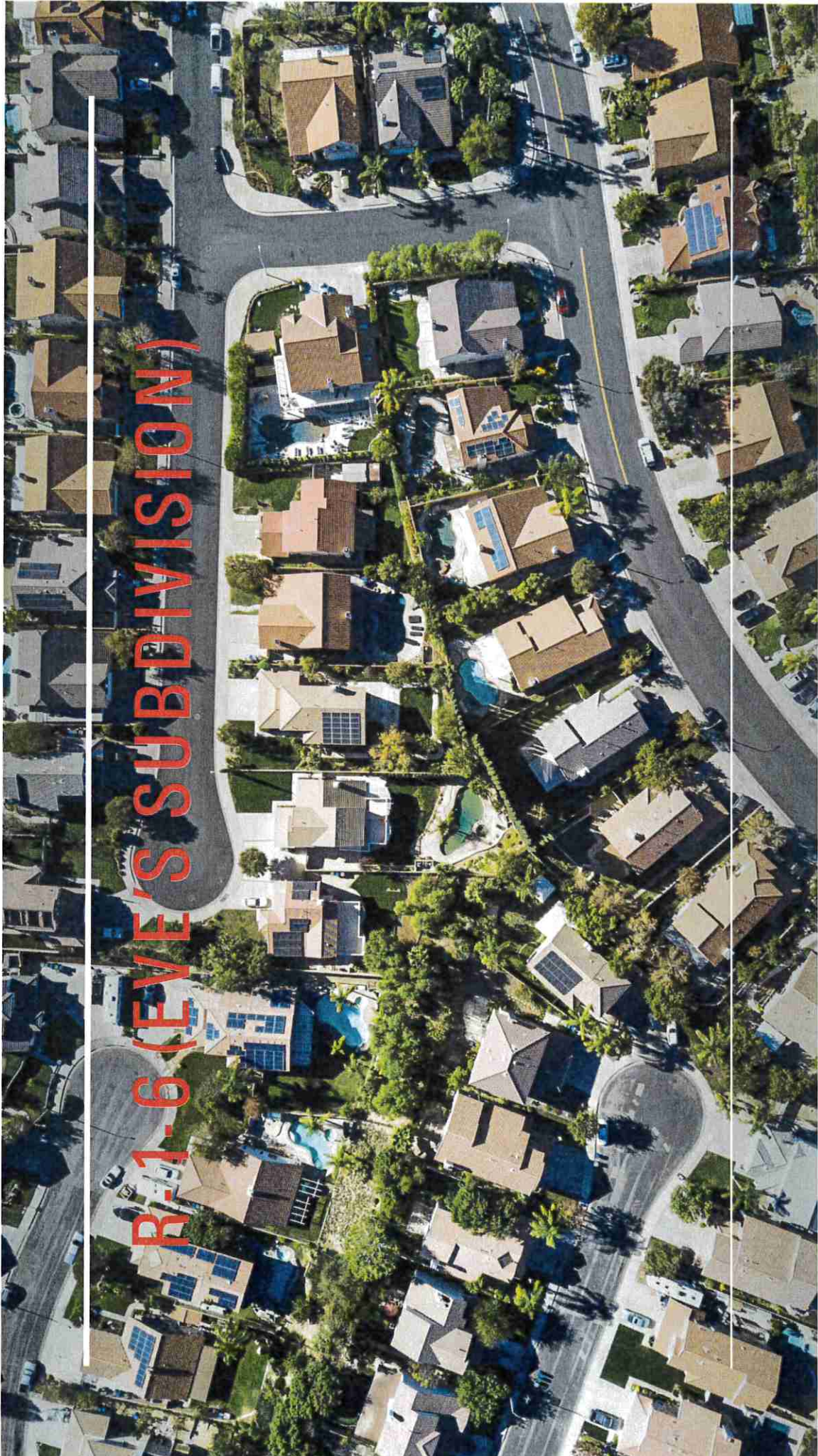
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COMMERCIAL - RESIDENTIAL

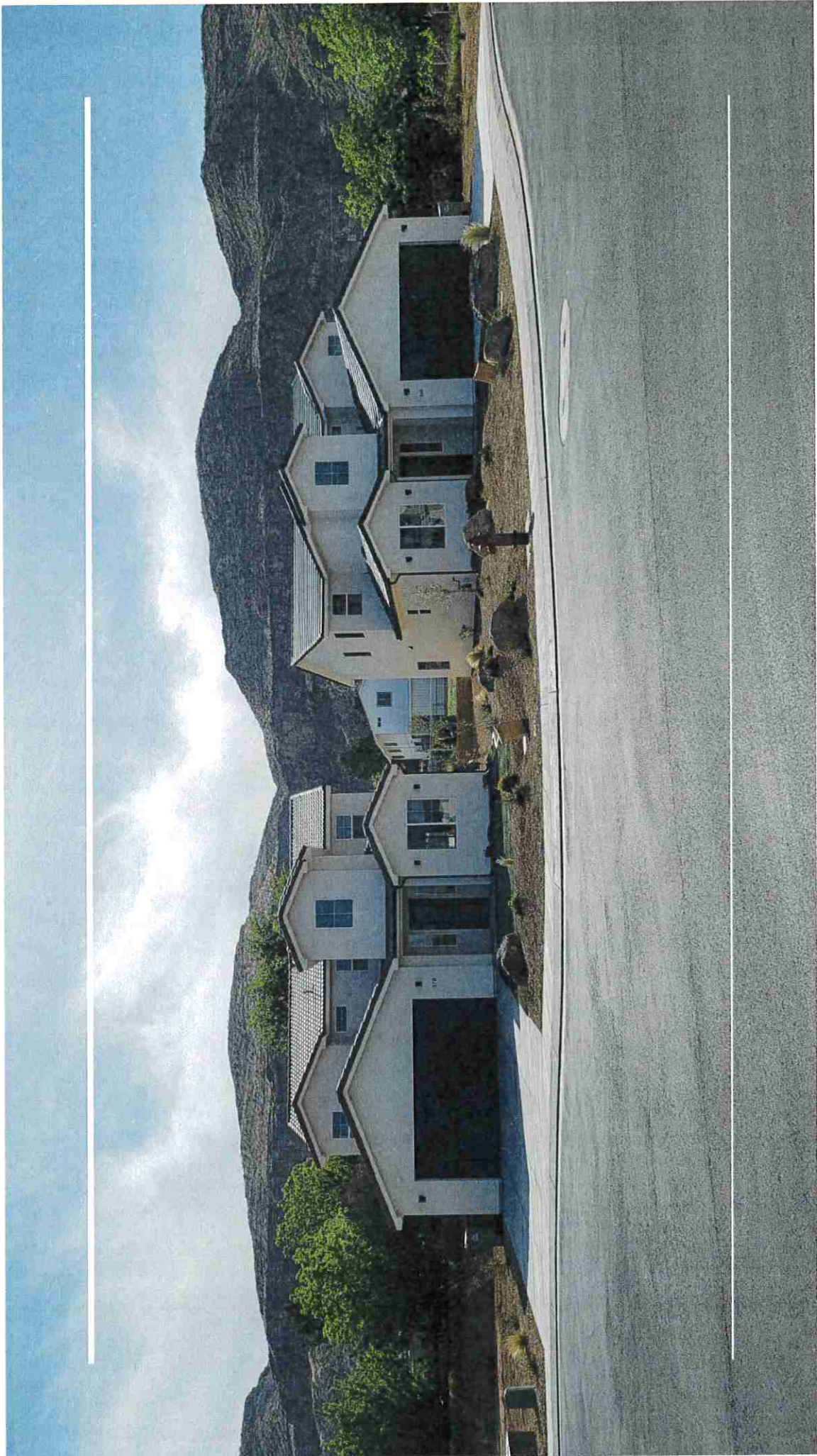
- Floor level all commercial
 - Second story a higher percentage of commercial to residential
 - Third story could be all residential
 - Code allows 35' occupiable 45' with roof or we could just allow 2 stories and they could go more vertical
 - Would allow a business owner to live on site ,put more money into business by not having to pay rent for commercial property and house payment.
 - Could provided limited workforce housing, thereby helping commercial businesses.
-

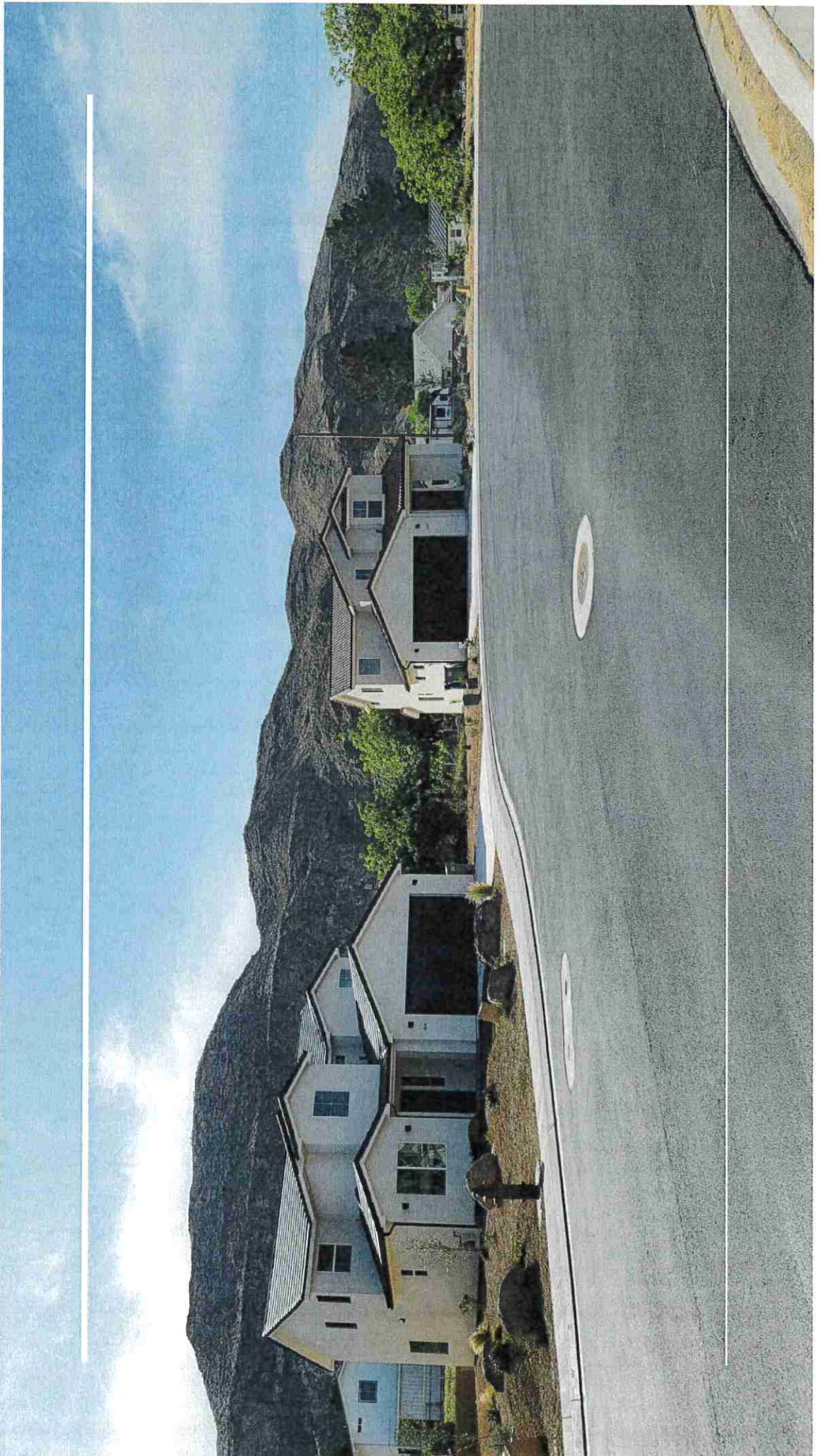
AFFORDABLE VS ATTAINABLE

Affordable housing is government and nonprofit subsidized housing communities, while **Attainable housing** is more affordable, but unsubsidized. Both are based on the Area Median Income (AMI), but the lower percentage qualify for subsidized affordable housing is subsidized.

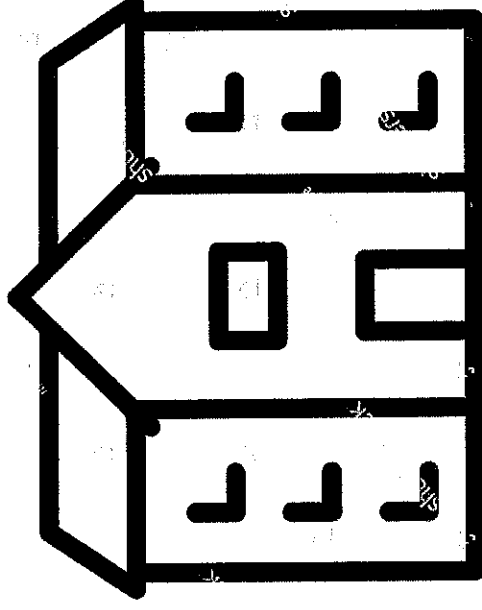


R-1-6 (EVE'S SUBDIVISION)





3 STORY HIGH RISE RESIDENTIAL



shutterstock

shutterstock.com

PROPOSED 3 STORY RESIDENTIAL UNITS

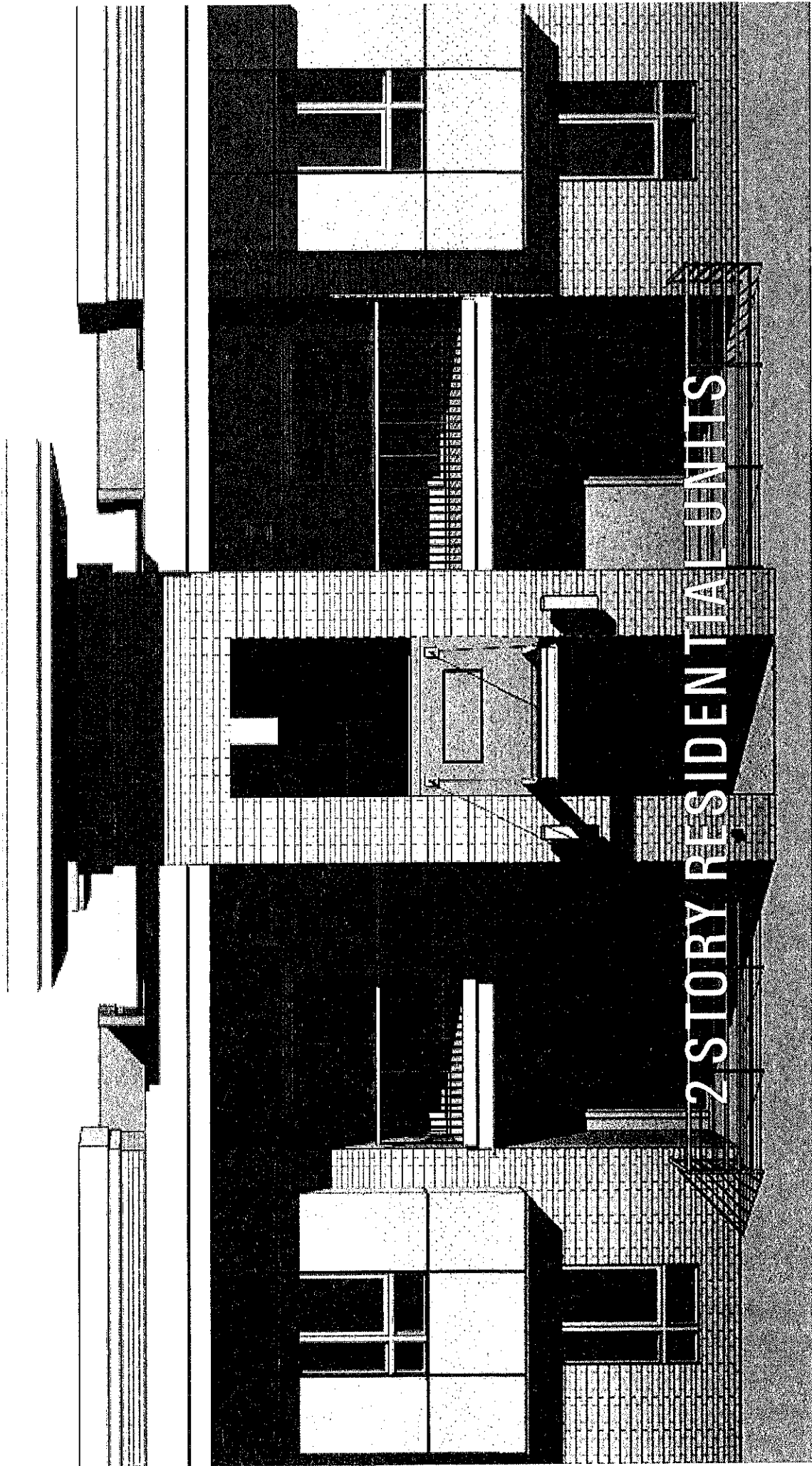


With the addition of the R-1-10 zoning, we are just marking it with R-1-10 possible duplex's for proposed 3 story residential housing

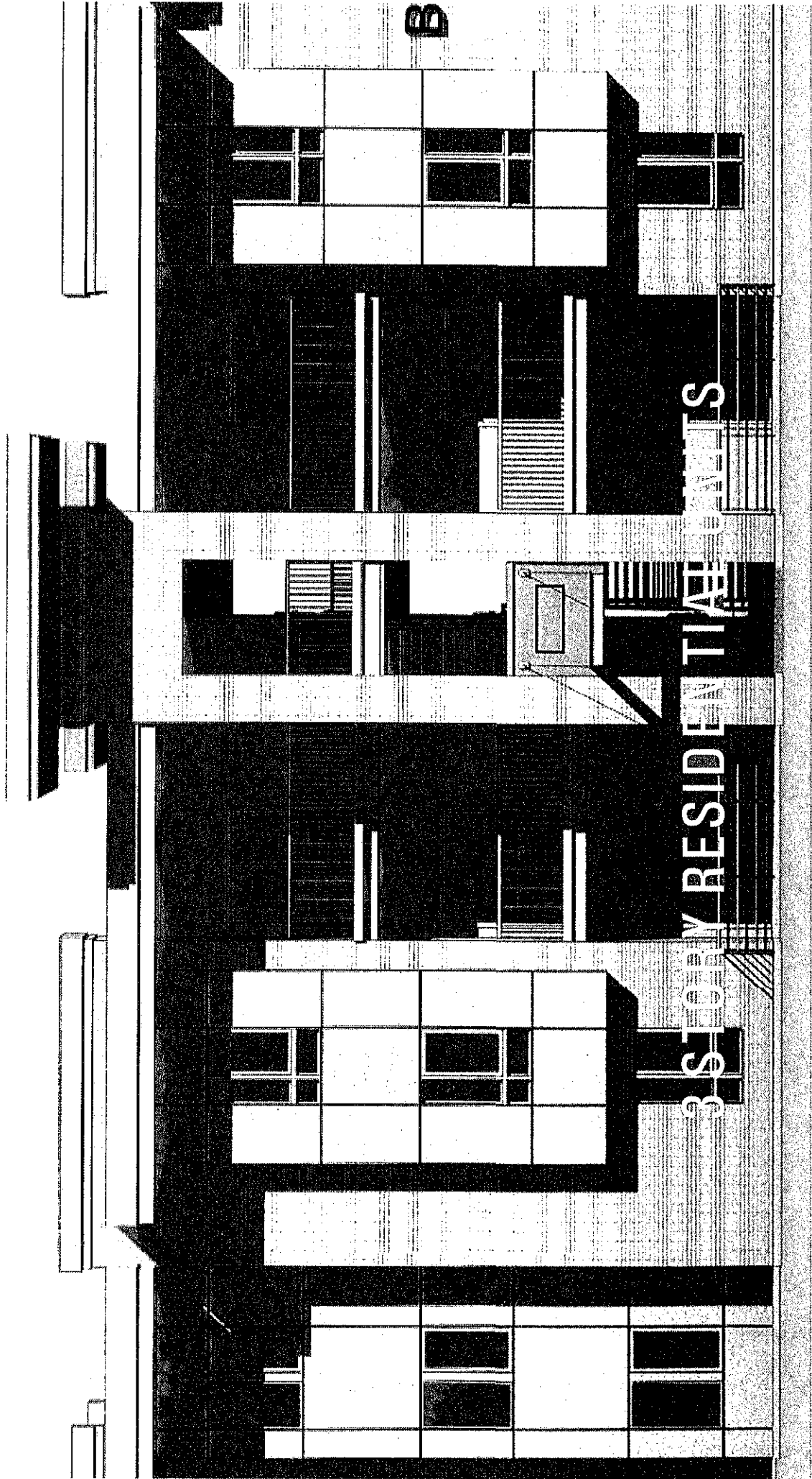
R-1-10

Retail Commercial

R-3-4

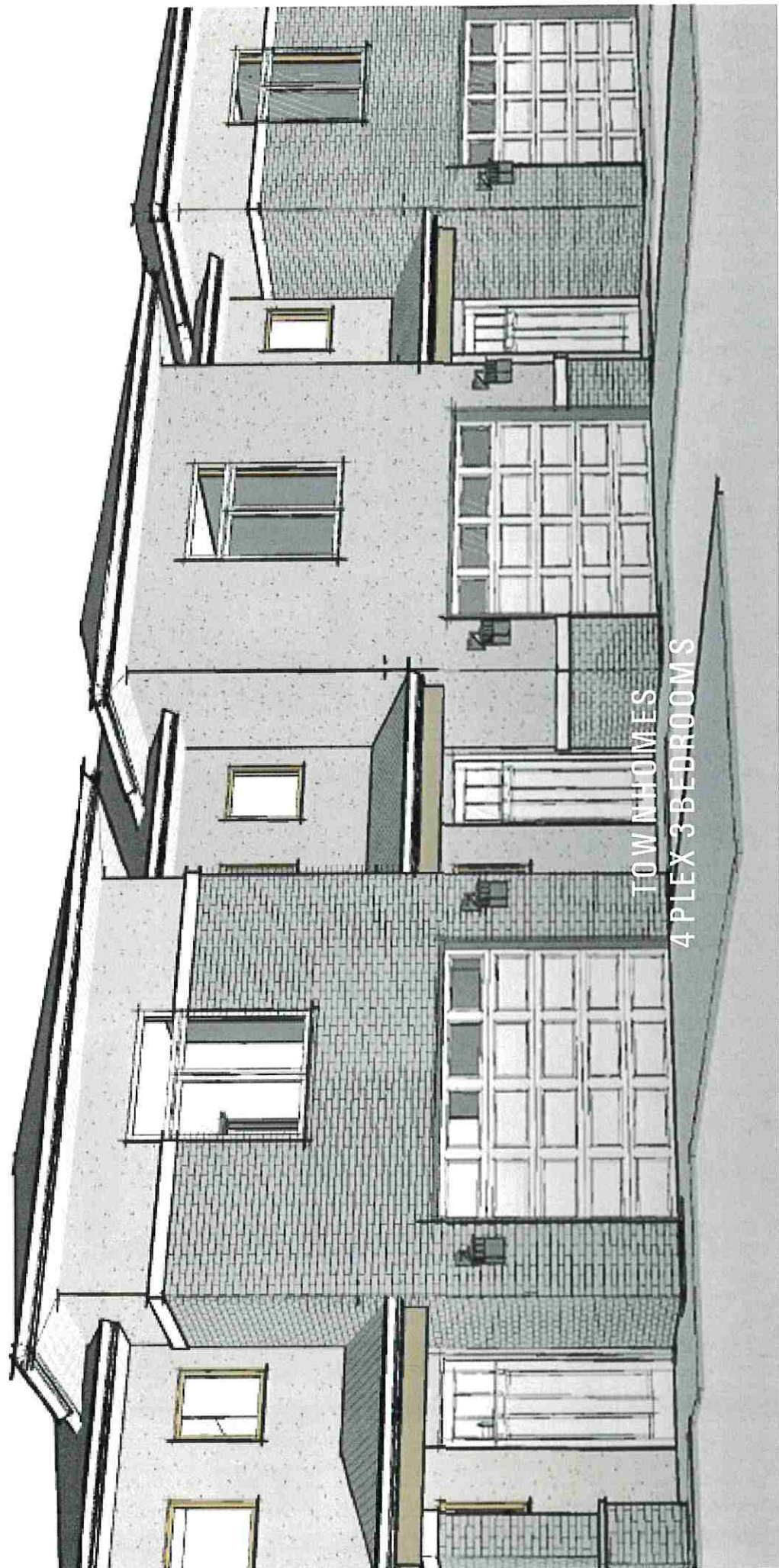


2 STORY RESIDENTIAL UNITS



3 STORY RESIDENTIAL APARTMENTS

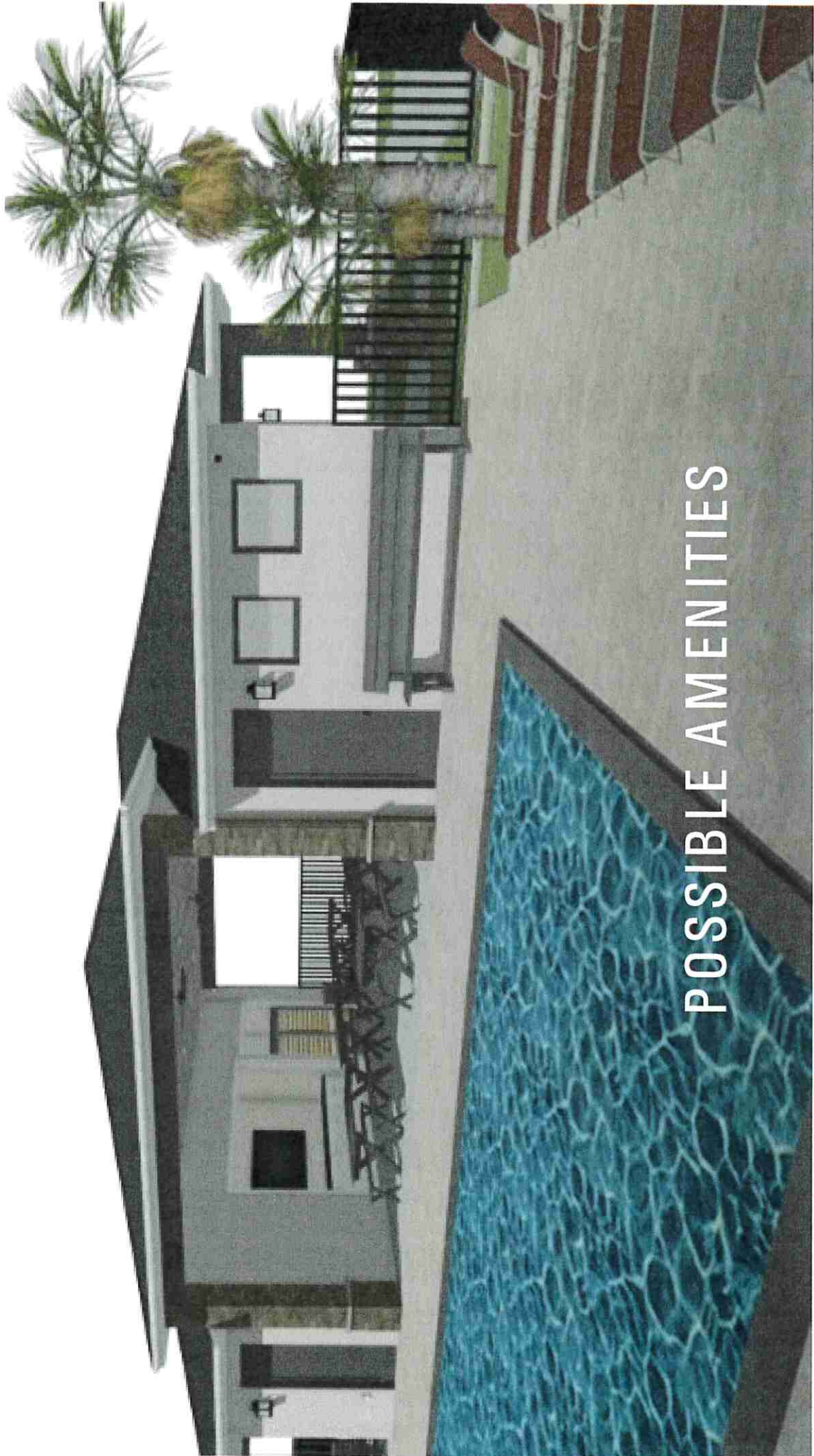
B



TOWNHOMES
4 PLEX 3 BEDROOMS







POSSIBLE AMENITIES



PROPOSED MASTER ROADS

AND

ONEWAY TRAFFIC

—
**PINK AREA
REPRESENTS
ADDITIONAL
MASTER
ROADS**



PROPOSED ONE
WAY TRAFFIC



Mixed commercial and residential use.

What is the purpose statement?

Encourage high quality, compact development that aids the commercial owner by allowing workforce house for his establishment.

Encourage conservation of resources and optimal use of public infrastructure towards a sustainable community.

- The entire ground floor of any building in the project shall only have retail commercial uses.
- Residential use shall be located above the ground floor commercial area [or allowed to be located behind the commercial use, but still connected to the main building. Parking for the residential would have to be provided for in the back, as well as access to the residential use].
- If the project is built in phases, each phase shall be all commercial or may include a mix of commercial and residential use. No phase shall be solely residential, unless fifty percent (50%) of the required commercial area has been built in previous phases.

All projects must meet the design standards set forth below:

- a. Building height
- b. Setbacks
- c. Minimum height of ground level commercial use shall be twelve feet (12') floor to ceiling.
- d. The front building façade and main entrance to all buildings shall be oriented toward and parallel to the public street. The setbacks for buildings adjacent to a public street shall be a minimum of zero feet (0') to a maximum of twenty feet (20') from the property line except:
 - (1) The setbacks may be increased as necessary to allow room for outdoor seating areas, landscaping, or other similar pedestrian and customer amenities,
 - (2) Interior buildings may be allowed without frontage on a public street if it is not possible to fit a building parallel to the street, all other requirements have been met, and the depth and size of the property and best use of the property would prevent all buildings from having frontage on a public street.
- e. All buildings adjacent to a public street shall have primary frontage oriented toward the public street, and shall have a design typical of a commercial building front with integrated style features compatible with other street-facing buildings in the project, including a significant entryway;
- f. Building façades shall have architectural variations such as:
 - (1) Contrasting building materials and textures,
 - (2) Variations in rooflines, colors, reveals and belt courses,

(3) Recessed windows and doors, strongly expressed window mullions, and awnings,

(4) Varying building setbacks from property lines, alcoves, outdoor sitting areas, and small public plazas,

(5) Corner towers, cupolas, corner clock towers, corner spires, balconies and colonnades.

- g. Buildings located on corners shall have the front façade wrap around the corner to the full depth of the building.*
- f. Awnings will be allowed; provided, that the building is designed to allow awnings, and/or awnings are part of the initial design. Awnings shall have a minimum eight-foot (8') head clearance and shall not project away from the building more than one-half (½) the distance from the building to the street, or no more than six feet (6'), whichever distance is less. Awnings shall be constructed of metal and/or high quality fire-resistant architectural fabrics. Vinyl awnings are prohibited.*
- g. Minimum Ground Floor Glass: The ground floor of the building elevation fronting the street on all mixed-use buildings shall contain not less than forty percent (40%) nonreflective glass surface (i.e., windows);*
- h. Landscaping: Meet LaVerkin City ordinances*
- i. Solid Waste Storage Facilities, Maintenance building's: All solid waste storage facilities shall be located at the rear of the main building or else behind a sight-obscuring fence or wall that will prevent the facility from being seen from a public street. Chain link fencing with sight-obscuring slats is not permitted.*
- j. 8ft block wall when abutting residential.*
- k. Parking surface shall be asphalt or concrete.*
- l. Outside lighting shall follow LaVerkin's night sky ordinance*

Items to concede as we discuss higher density and mixed use.

A Vision for Walkability

As the gateway to Zion National Park, there is incredible demand for hotels and short-term rentals like Airbnb. Tourists want to see not only the stunning geography, but also have good shopping, eating, and cultural experiences.

There is enough undeveloped land that it is still possible to create a walkable mixed-use downtown with similarities to, Moab, Vernal, and others.

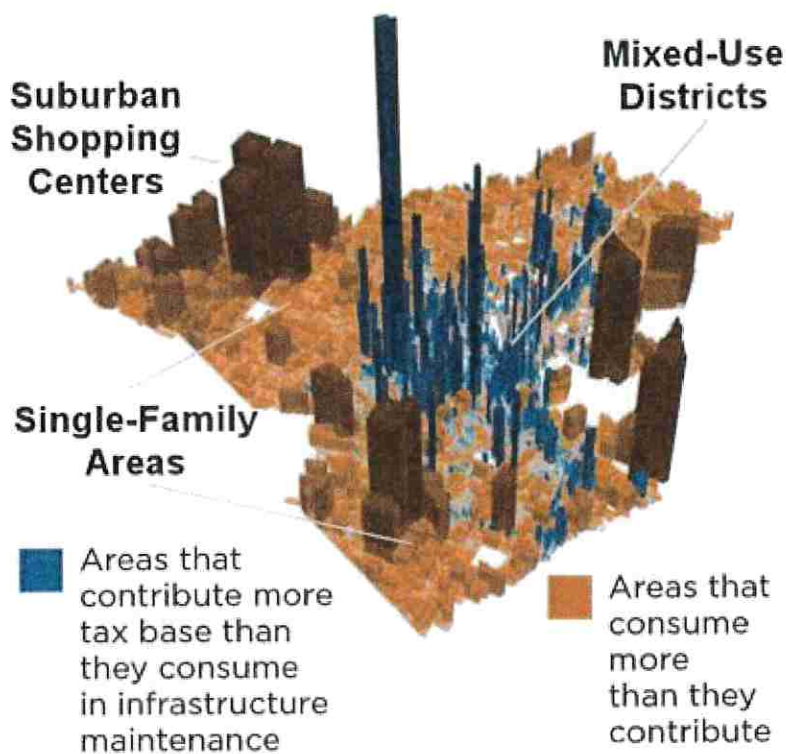
However, the present trajectory will create just another auto oriented "Anywhere, USA" unless stakeholders embrace an alternative vision.

Right-Sizing for Walkable Activity Centers Economics of Walkable Districts

Low-density means high taxes per capita for maintaining infrastructure. Creating high-value districts can offset the cost of maintaining lower-density areas.

LIFE CYCLE COST VS REVENUE

LAFAYETTE, LOUISIANA



Source: Urban3, *Strong Towns*

Also featured in *APA's Planning Magazine*, Aug / Sept 2020

Implement Mixed-Use Areas in La Verkin

Mixed-use, higher-density neighborhoods are the opposite, generating more revenue than it takes to maintain their street trees and other walkable features.

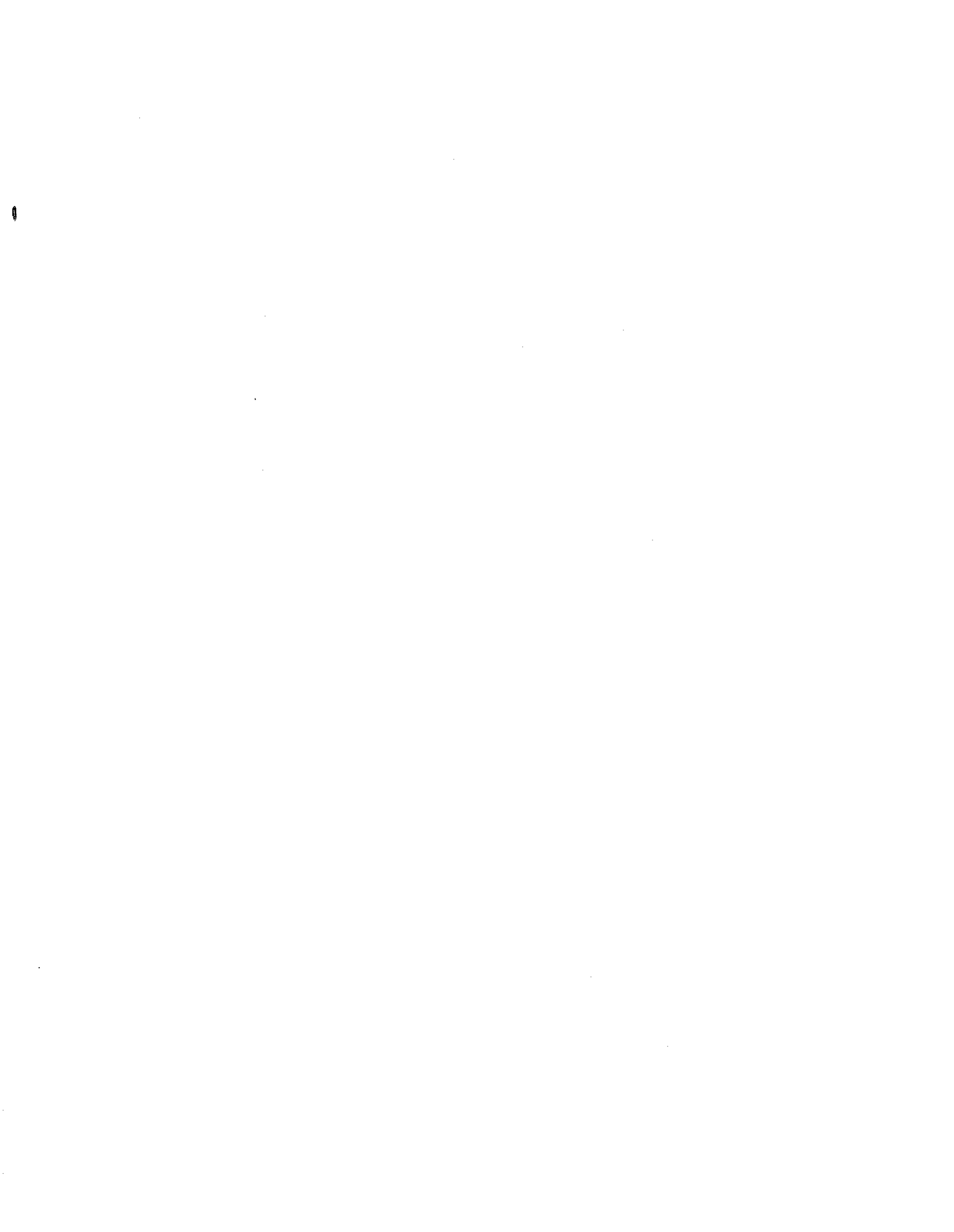
QUESTIONS

- **Pertains**
 - New Construction
 - ~~☒ Both new and existing~~
- **Height**
 - General Commercial allows 35' occupiable space – 45' roof line non-occupiable space (The 35' would be the equivalent of 3 story's)
 - Ground level plus one story

Look

- The front and sides of the building should be uniform in look as to the primary use, which is commercial
- Blend in with the surround area
 - ✓ Take out
- Balconies and large openable windows (unless needed for code egress) should be limited to the back as to not take away from the feel of the commercial area.
 - ✓ Exact opposite of this.
- Windows on the residential units in the front and sides must have a dark tint.
 - ✓ Take out, if the balconies are allowed.
- **Dumpster location and enclosure**
 - All solid waste storage facilities shall be located at the rear of the main building or else behind a sight-obscuring Block wall that will prevent the facility from being seen from a public street.
- **Parking** (look at our ordinance)
 - Parking for the living area must be in the back of the building
 - 2.5 per unit
 - Must include parking spots for visitors.
 - .5 per unit
 - Parking must be marked for Residential use only (assigned parking spots)
- **Landscaping**
 - Follow City code (to be amended)
- **Mixed use**
 - All Residential use shall be located above the ground floor commercial use.
 - ~~☒ The 2nd and 3rd floors could be all residential or a % of residential – Commercial.~~





10 DESIGN PRINCIPLES

for LIVABLE RURAL COMMUNITIES

A project of DesignSD • A partnership of the South Dakota Department of Transportation, the South Dakota State University, and the South Dakota State Parks and Recreation Department

Adapted primarily from AIA's Ten Principles for Livable Communities, with inspiration from Minnesota Design Team and several other sources

Design on a human scale.

Communities that provide safe options for walking, biking and using public transit—in addition to driving—to places such as shops, services, cultural resources and jobs can encourage community interaction and benefit people's health.



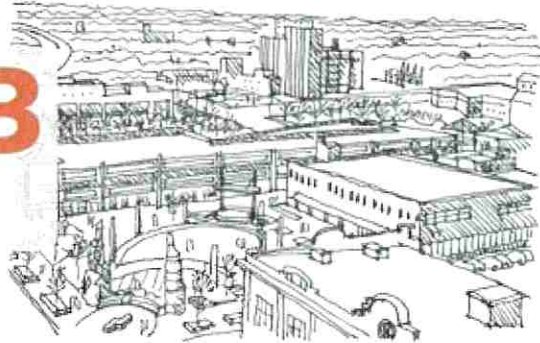
1



Provide choices.

People want variety in housing, shopping, recreation, transportation and employment. Variety creates lively communities and accommodates residents in different stages of their lives.

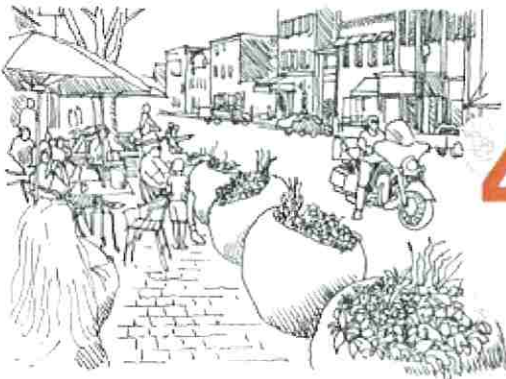
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Plan for mixed uses.

Integrating land uses that work well together, such as retail, residential and green space, and separating land uses that don't, such as manufacturing and downtown retail, creates vibrant, pedestrian-friendly and diverse communities.

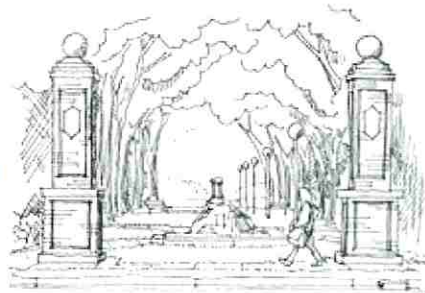
3



Preserve the community's core.

Restoring, revitalizing and infilling Main Streets and downtown takes advantage of existing streets, services and buildings, avoiding the need for new infrastructure. Strong downtowns help preserve and enhance a community's identity.

4



Build connections.

Prominent gateways into communities, clear wayfinding and connections between neighborhoods that accommodate both walking and driving can serve as guides to help visitors and residents know where they are and how to get where they are going.

5



For more information about DesignSD, go to designsd.org



Low-Cost Pop-up Shops Create Big Value in Muskegon, Michigan

Sometimes, all it takes is a little push to get a big thing rolling. That's what Muskegon, Michigan learned when they invested in low-cost, small-scale business spaces in their downtown.



An aerial shot of the row of chalets at Western Market

Like many American cities, Muskegon (population 38,000) chose to bulldoze much of its historic downtown to build a mall in the 1970s. Then in 2001, a new mall was constructed on the outskirts of the city, which led to the closure of the downtown mall. It's a dark story of waste and decline, but one piece of good came out of that: downtown Muskegon is coming back. The farmers market is booming and local businesses are coming up in the town center.

One small but very impactful way that the city of Muskegon has helped to make this happen is by constructing low-cost "chalets" on a vacant strip of land in the downtown dubbed, Western Market, and renting them to local businesses.

Building off the success of its popular farmers market nearby, the city of Muskegon decided to use a similar small-scale approach to create more long-term opportunities for local businesses. The city hired a builder to manage the construction of 12 wooden buildings ranging from 90-150 square feet at a cost of just \$5,000-6,000 per chalet. Their simple design — a portable wooden structure with windows and doors (but no running water) — kept them very affordable. In May 2017, these buildings opened for business — filled with clothes, gifts, crafts and food. (See the photos below for a peak at some of the store interiors and owners.)







They have been a serious success, appealing to tourists and residents alike, and they stayed open well into the holiday season before shutting down for the winter. Now the city is in the process of constructing [five more chalets](#) to open later this year. The waiting list for business owners who hope to rent these spaces is already more than 25 names long.

To build the initial 12 structures, the city secured donations from the local chamber of commerce, a community foundation and other area organizations. But after that success, the value has been clear enough to residents that it makes sense to use municipal funds for construction of the new chalets, says Frank Peterson, City Manager of Muskegon and originator of the idea.



The chalets decked out and doing a roaring trade for the holiday season

The chalets have not just created initial opportunities for new businesses, they are also helping *existing* businesses grow and helping developers to fill *permanent* storefronts. Peterson explained that as new mixed-use developments go up downtown, the owners

have struggled to find commercial tenants that were either a) able to afford the rent on a typically-sized first-floor storefront, or b) willing to take a leap on a downtown space with little commercial activity around it.

The chalets have changed that by activating the downtown area and allowing local businesses to test things on a small scale before renting a permanent storefront. One popular bakery which began its Muskegon operations in a chalet is now opening [its own permanent downtown storefront](#) (although they've decided to keep their chalet spot as well because of its success). Peterson also shared that some downtown developers are now choosing to build smaller spaces on the first floors of their new constructions because they have seen how that "micro-retail" size accommodates businesses more effectively.

Frank Peterson has a few tips for other communities looking to take on a small-scale, low cost initiative like this one:

1. **Offer something unique.** In reviewing the applications of businesses who want to rent the chalets, Peterson stresses, the application committee chose a diversity of businesses that would offer unique items for visitors and residents, not the sorts of things you could just purchase online or at a big box store. This ensured that the space would attract shoppers and keep them coming back for more.
2. **Build unity among businesses.** As part of their rental terms, the businesses who occupy the chalets agree to maintain regular hours consistent with their neighbors. This keeps the downtown active at times when it might otherwise empty out and it also creates a lively street where shoppers can check out several stores in one visit. Peterson says that the city really wanted business owners to feel that "they sink or swim together." He mentioned that business owners now feel comfortable asking a neighbor to mind their shop if they need to step away briefly, and the proximity of the buildings facilitates that as well.
3. **Grow incrementally.** The step-by-step growth of this initiative has been key. Starting with a few simple, affordable chalets meant a low risk for the city and the chance to scale up as the project succeeds. "We don't want to put up 20 [chalets] tomorrow," says Peterson. "We want to keep adding them a few at a time." The portable nature of the chalets also means that down the road, if they're no longer needed or the space is transformed for another use, they can easily be sold off or moved to another location that could use a small business boost.

Nearly every town has vacant space and eager small business owners looking for affordable store fronts. Put the two needs together and you have the perfect opportunity to kickstart the local business community in your city.

(All photos from Western Market Facebook page)

Related

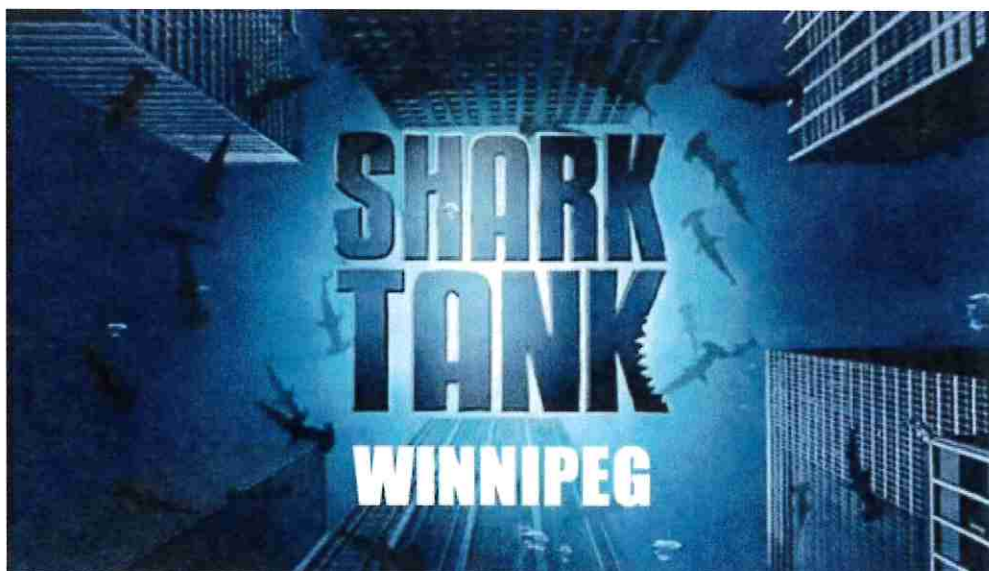


[Dallas Used To Be Walkable](#)

Dallas wasn't built for the car: it was paved over for it. This new bill can help it rebuild.

Feb 27, 2024

[Asia Mieszko](#)



[Battle of the Business Titans](#)

A small, local, mixed-use business versus a new Amazon warehouse. Let's put these two business proposals before the Shark Tank (Winnipeg edition).

Sep 21, 2022

[Michel Durand-Wood](#)



[Laundromat Urbanism](#)

A simple laundromat offers an unexpected reminder of the role urban design has to play in making us feel more connected with the people around us.

Jun 13, 2022

[Arian Horbovetz](#)



[The Magic of Legacy Shops Comes Back to Life in Buffalo](#)

If you live in a city or town with old, abandoned storefronts, this one's for you!

May 17, 2022

[Bernice Radle](#)

Chapter 18.47 DOWNTOWN ARCHITECTURAL AND SITE DESIGN STANDARDS

Sections:

- 18.47.010 Purpose.
- 18.47.020 Applicability and compliance.
- 18.47.030 Architectural design and site design standards.
- 18.47.040 Procedure and intent.
- 18.47.050 Architectural design.
- 18.47.060 Era/style of architecture.
- 18.47.070 Distinction and definition of each floor.
- 18.47.080 Rooflines.
- 18.47.090 Detail features.
- 18.47.100 Building entrances.
- 18.47.110 Corner locations.
- 18.47.120 Facade materials.
- 18.47.130 Windows and window arrangement (fenestration).
- 18.47.140 Awnings/weather protection.
- 18.47.150 Lighting.
- 18.47.160 Fences.
- 18.47.170 Signs.
- 18.47.180 Site design.
- 18.47.190 Building orientation.
- 18.47.200 Screening of mechanical units, utilities, and service areas.
- 18.47.210 Parking and access.
- 18.47.220 Sidewalks/pedestrian connectivity.
- 18.47.230 Public outdoor spaces.

- 18.47.240 Special provisions.
- 18.47.250 Development adjacent to the river.
- 18.47.260 Floodplain consideration.
- 18.47.270 Multifamily development.
- 18.47.280 Historical properties and restoration.
- 18.47.290 Downtown performance standards.
- 18.47.300 Definitions.
- 18.47.310 Articulate.
- 18.47.315 Belt courses.
- 18.47.320 Building mass.
- 18.47.325 Clerestory.
- 18.47.330 Corbels.
- 18.47.335 Cornice.
- 18.47.340 Courtyard.
- 18.47.345 Dormer.
- 18.47.350 Downtown.
- 18.47.355 Facade.
- 18.47.360 Feasible.
- 18.47.365 Gable.
- 18.47.370 Guidelines.
- 18.47.375 Hip roof.
- 18.47.380 Kickplate.
- 18.47.385 Lintel.
- 18.47.390 Modulation.
- 18.47.395 Parapet.
- 18.47.400 Pedestrian scale.
- 18.47.405 Pilaster.
- 18.47.410 Plaza.
- 18.47.415 Portico.

18.47.420 Public outdoor space.

18.47.425 Roof bracket.

18.47.430 Standard.

18.47.435 Zoning Administrator.

18.47.010 Purpose.

The purpose of these guidelines and regulations is to:

A. Ensure that community values and special character are protected and encouraged in future development by creating:

1. A safe and comfortable pedestrian-scale living, working and recreational environment;
2. An environment with a pleasing aesthetic and a unique, varied community character;
3. Community pride;
4. Small-town character, history and traditions;
5. Investments and promotion of the local economy;

B. Ensure a smooth and quick process of review and permitting of any developments that follow the guidelines expressed herein by:

1. Providing clear design direction for applicants, designers, and decision makers;
2. Encouraging the exchange of ideas between applicants and City staff that can allow for the flexible application of design standards;
3. Helping applicants anticipate design issues and address those issues early in development;

C. Implement the vision of the City of Ferndale Parks, Recreation and Trails Plan;

D. Recognize and adapt to environmental challenges that exist within the downtown core. (Ord. 2105 § 1 (Exh. 1), 2019; Ord. 1969 § 12 (Exh. 13), 2016; Ord. 1405, 2006)

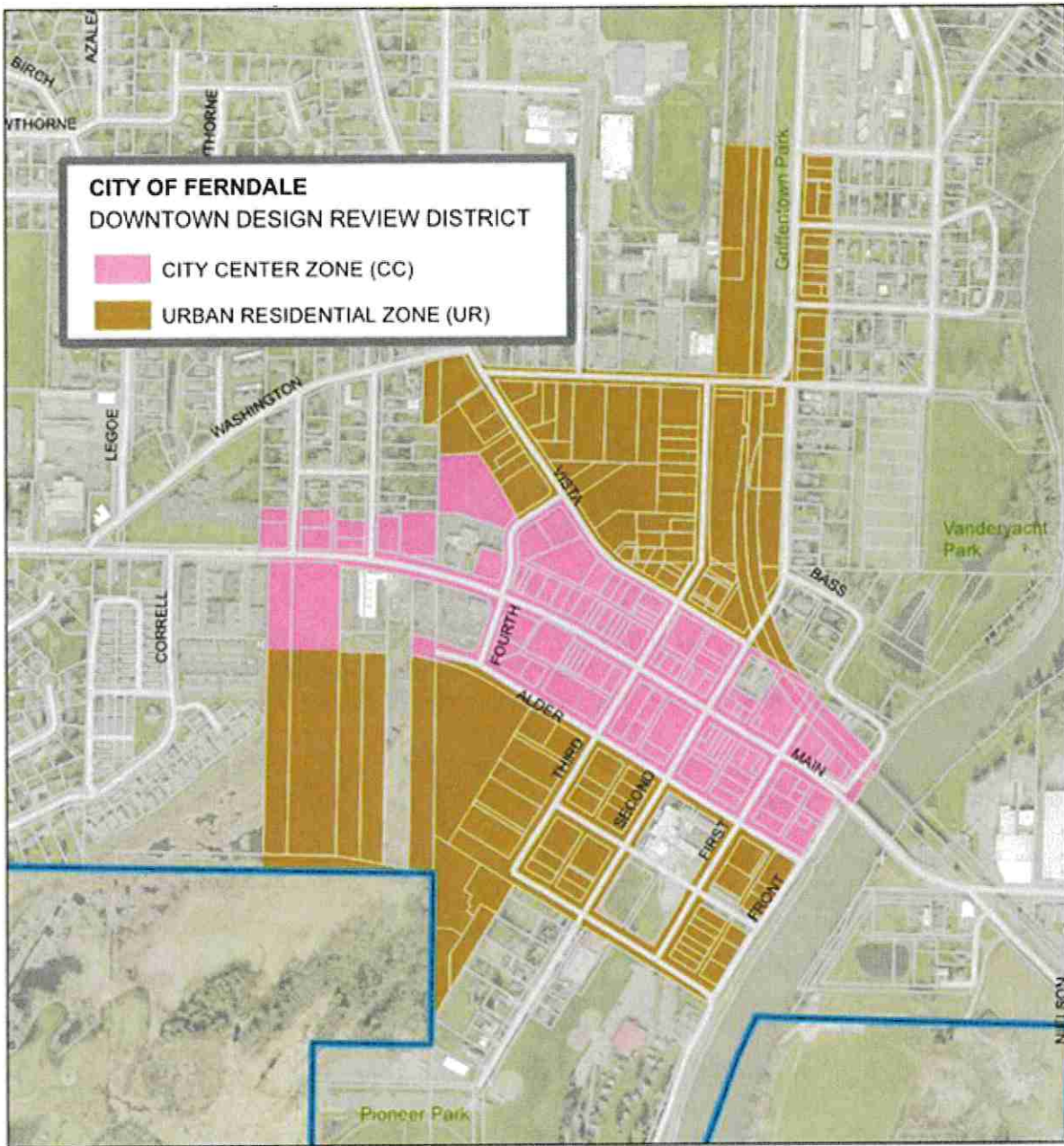
18.47.020 Applicability and compliance.

Intent.

A. To describe the types of development that are subject to the requirements of this code and all other City requirements in the City Center (CC) and Urban Residential (UR) zones.

B. To establish design standards for the City Center (CC) zone to promote greater, mixed-used densities with a more urban influence, while establishing standards for Urban Residential (UR) to reflect more traditional design styles.

C. The City Center (CC) and Urban Residential (UR) zones are as depicted on Map 1, the Downtown Design Review District Map:



D. Street classifications are as depicted on Map 2, the Downtown Street Classification Map:



Street Classification

- Class A Street Frontage
- Class B Street Frontage



(Ord. 2105 § 1 (Exh. 1), 2019; Ord. 1969 § 12 (Exh. 13), 2016; Ord. 1405, 2006)

18.47.030 Architectural design and site design standards.

The standards of this chapter shall apply to the following development actions:

- A. New construction requiring a site plan review process, in the judgment of the Zoning Administrator. Examples include increases in floor area by 10 percent or more, increases in traffic or parking impacts, or actions that create other measurable impacts.

B. A change in use that would require that a site plan review be conducted, in the judgment of the Zoning Administrator.

C. For additions, repairs, or remodeling projects that do not require a site plan review, a construction estimate for the proposed work, prepared by a qualified consultant, may be required by the Zoning Administrator at the cost of the applicant. The following action may require submission:

1. Changes to existing structures where the value exceeds 25 percent of the structure.

D. For the purposes of calculating the value of the new improvements, only improvements requiring a building permit shall be counted in the valuation. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.040 Procedure and intent.

Intent. To describe the process for using the design standards and their purpose.

A. These guidelines and standards apply to all developments as outlined by FMC 18.47.020, and are processed according to the requirements of the City zoning code and building permit process.

B. The standards and guidelines in this chapter are to be used as:

1. A design aid by applicants proposing developments in the downtown core area; and
2. An evaluation tool for the City of Ferndale.

C. Guidelines versus Standards.

1. The "guidelines" and illustrative exhibits are not intended to be construed as standards themselves, but are provided in order to guide planners, design consultants, applicants and City staff about the design objectives.

2. The "standards" in this chapter are mandatory.

D. In order for City staff to review developments and their compliance with this chapter, it shall be a requirement of the applicant to provide the following information, for a typical site plan review submittal, to the City as part of the development review application:

1. Color elevations, and illustrations;
2. Materials sample exhibit, with materials labeled;
3. Photographs, computer simulations, and three-dimensional computer models or animations, if determined by staff to be necessary to ensure that the development complies with the guidelines and standards in this chapter.

E. A downtown design manual, containing explanatory models and visuals may assist staff and applicants in interpreting the provisions of this chapter. Such manual shall be made available for public viewing at the office of the City of Ferndale Community Development Department. If inconsistency between the requirements of this chapter and the design manual exists, the provisions of this chapter shall prevail.

F. Where interpretation may be necessary of any of the standards in this chapter, the Zoning Administrator shall have the authority to make interpretations and authorize modifications or deviations

from the strict requirements of this chapter, when found to be in compliance with the guideline(s) listed in the applicable section and the purpose of this chapter.

G. Where the Zoning Administrator finds that deviations do not comply with the standards and have not been interpreted to meet the guidelines under the applicable section of this chapter, the Hearings Examiner is empowered to grant variances to the provisions in this chapter in accordance with the standard variance procedure found in this title, provided the purpose of this chapter is upheld and the standard variance criteria can be met. (Ord. 2105 § 1 (Exh. 1), 2019; Ord. 1969 § 12 (Exh. 13), 2016; Ord. 1405, 2006. Formerly 18.47.030)

18.47.050 Architectural design.

Architectural design regulations are provided in FMC 18.47.060 through 18.47.170. (Ord. 2105 § 1 (Exh. 1), 2019; Ord. 1405, 2006. Formerly 18.47.040)

18.47.060 Era/style of architecture.

Intent. To describe architectural design guidelines and standards for development within the CC and UR zones.

A. Guidelines.

1. All development subject to the requirements of this chapter must foster a pedestrian-scale environment desired for the downtown area.
2. New interpretations of traditional building styles are encouraged, provided they contain the pedestrian-scale architectural design features contained within these standards.
3. A single architectural style is not required for all downtown development. The Urban Residential zone defines flexible guidelines to be used in the design review process. A building's style must be consistent throughout; inconsistent styles should not be mixed on a single building. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.070 Distinction and definition of each floor.

Intent. To provide distinct separation between floors in order to create visual interest and foster a pedestrian scale in character with the downtown area.



Figure 1: Massing

- A. Guideline. Multistory buildings should be designed to accommodate a pedestrian scale by providing a sense of “base,” “middle” and “top” as shown in Figure 1 (applies to CC and UR zones).
- B. Standards (Applies to CC Zone).

1. Visual separation shall be created through the use of horizontal mouldings, belt courses, or other features.
2. Buildings shall have a distinct “base” achieved through a combination of the following:
 - a. Windows, architectural details, bays, overhangs, masonry strips, cornice lines;
 - b. Texture change by using high-quality material such as stone, masonry, or decorative concrete;
 - c. Material module change: Ground floor ceiling height shall be taller than upper stories to reflect a historical pattern of construction. Ground floor ceiling height shall be a minimum of 10 feet.
3. Building facades must be modulated in a manner that represents historic building construction, in areas visible to public spaces or residential areas.
4. Middle floors of the building shall be made distinct from the ground floor by a change in material or color, window treatment, incorporation of balconies, stepbacks, and/or signage.
5. The top of the building shall emphasize a prominent edge when viewed against the sky, utilizing elements such as projecting parapets, cornices, upper level stepbacks, or pitched rooflines. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.080 Rooflines.

Intent. To ensure rooflines add interest and style to the building's appearance.

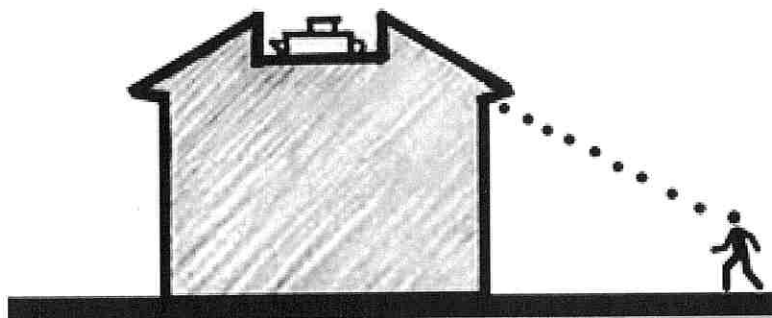


Figure 2: Recessed Well Surrounded by Pitched Roof

- A. Guideline (Applies to CC and UR Zones). Rooflines should present a distinct profile and appearance for the building as viewed from the street.
- B. Standards (Applies to CC and UR Zones).
 1. Rooftop equipment shall be concealed from public view from the street as illustrated in Figure 2, or an additional method that achieves a similar effect.
 2. Rooflines shall be varied with a change in height every 25 linear feet in the building length utilizing one or more of the methods shown in Figure 3, or an additional method that achieves a similar effect.

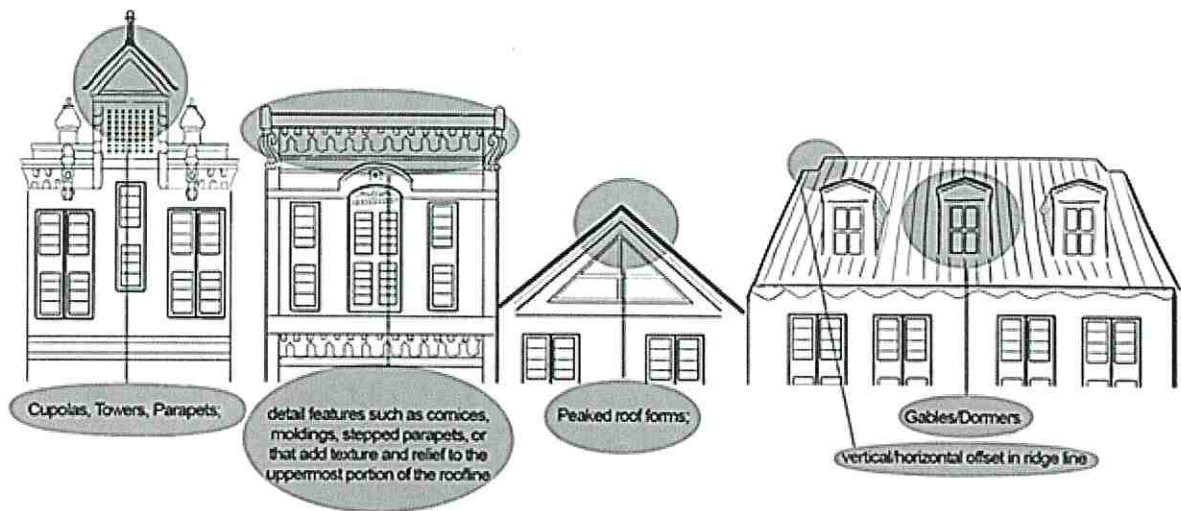


Figure 3: Illustrates the various types of acceptable rooflines.

(Ord. 2105 § 1 (Exh. 1), 2019)

18.47.090 Detail features.

Intent. To articulate the facade in order to help reduce massing that overwhelms the nearby area, creates visual interest, and fosters a pedestrian scale in character with the downtown area.

A. Guideline (Applies to CC and UR Zones). A variety of architectural treatments and detail features should be utilized in buildings, examples of which are portrayed in Figure 1.

B. Standards (Applies to CC and UR Zones). To further accentuate the pedestrian scale of building facades in the downtown area, visual relief in the form of architectural details shall be incorporated into the building design. These details include but are not limited to the following:

1. Arches;
2. Pilasters;
3. Columns or supports;
4. Door surrounds and top pieces;
5. Kickplate for storefront window;
6. Roof brackets;
7. Medallions;
8. Tilework;
9. Lighting or hanging baskets supported by ornamental brackets;
10. Pedestrian-scale sign or sign painted on windows;
11. Public art. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.100 Building entrances.

Intent. To ensure that buildings within the downtown core feel inviting to pedestrians.

A. Guideline (Applies to CC and UR Zones).

1. Building entrances should be prominent focal points along the streetscape.
2. Entrances should enhance the pedestrian scale of the downtown area.



B. Standards (Applies in CC Zone). Buildings shall include details to clearly define the primary entrance. These details include but are not limited to the following:

1. Recess;
2. Overhang;
3. Canopy;
4. Portico;
5. Clerestory;
6. Glass window flanking door;
7. Ornamental lighting fixtures;
8. Large entry door;
9. Stone, masonry, or tile paving in entry;
10. Ornamental building name or address;
11. Pots or planters with flowers;
12. Seating.

C. Building entrances shall be located on the street side of the building; entrances to alleyways or rear parking lots may be allowed, but shall not eliminate the requirement for street-facing entrances.

1. Where a building fronts on two streets, there should be entrances on both fronts, when feasible. When a building fronts on either Main Street or Vista Drive, entrances shall be provided to

those streets.

2. If a building does not front on a public street, the entry must be visible from a public street.
3. Building entrances shall be separated from each other by a minimum of 10 feet unless co-located within a recessed entry, patio, or other architectural feature of a structure. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.110 Corner locations.

Intent. Corners are high-visibility locations which can serve to characterize a broad area. The goal of this section is to place additional emphasis on building and site design at these locations.

A. Guideline (Applies in CC and UR Zones). Corner buildings on intersecting streets within downtown should be architecturally significant within the downtown context and should be visually pronounced along the skyline and on their facades. Corner locations should also offer enhanced pedestrian amenities.

B. Standards (Applies in CC Zone). Buildings located on street intersection corners (not including alleyways) shall be reinforced as pronounced visual focal points by incorporating a minimum of three of the following features in the City Center zone. Where these features are otherwise required by City code or incorporated into the building design, such features shall be enhanced at the corner location:

1. Alcove and/or corner primary entryway;
2. Balconies;
3. Integrated signage;
4. Integrated seating;
5. Public art;
6. Clock towers;
7. Plazas;
8. Distinctive roof forms;
9. Landscaping;
10. Additional architectural detailing/ornamentation. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.120 Facade materials.

Intent. To ensure new buildings reflect the character, height, and proportion of traditional commercial buildings.

A. Guideline.

1. Traditional materials designed for an expected lifespan of 100-plus years (such as those used traditionally) are preferred. Brick, stone, and other masonry applications are appropriate for all building facades. Wood and metal are appropriate for window, door, and storefront surrounds, and may be utilized as primary accents to other materials (applies to CC zone).

2. Colors should be internally compatible within the context of a single building facade (applies to CC and UR zones).

B. Standards (Applies to CC and UR zones).

1. Matte or nonreflective wall finishes are preferred. Polished stone and mirrored glass are prohibited.

2. New materials may be considered when they relate to those used historically in scale, texture, finish, and detailing. New materials shall have a demonstrated durability in the Ferndale climate. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.130 Windows and window arrangement (fenestration).

Intent. To engage with pedestrians from the public streetscape.

A. Guidelines (Applies to CC and UR zones).

1. The public should be able to see street-level storefronts, windows, merchandise, and other aspects of business activity. Upper story windows should be architecturally compatible with the overall pedestrian scale of the building and downtown character through the use of appropriate type and size of windows and window placement patterns.

2. Windows should be architecturally enhanced through framing features that add relief and visual interest to the building facade.

3. Windows should be oriented with a vertical emphasis in a manner compatible with historical construction.

4. Transom windows are highly encouraged.

B. Standards.

1. For ground-floor facades in the CC zone where the ground floor is used or designed for commercial use, display windows shall cover a minimum of 70 percent of the length of the facade and a minimum of 50 percent of the total ground-floor facade area where feasible.

2. For upper-floor facades in the CC and UR zones windows shall cover a minimum of 40 percent of the length of the facade and a minimum of 25 percent of the total facade area where feasible.

3. For ground-floor facades in the UR zone windows shall cover a minimum of 50 percent of the length of the facade and a minimum of 30 percent of the total groundfloor facade area.

4. Windows shall not be darkened at the street level (applies in CC and UR zones).

5. Reflective glass is prohibited (applies in CC and UR zones).

6. Windows shall contain trim features designed to accentuate the window frame such as:

a. Window sills;

b. Shutters;

c. Projecting sills;

- d. Lintels;
- e. Moulding.

(Applies in CC and UR zones.)

- 7. Window groupings and windowpane patterns shall be sized and spaced regularly and evenly to produce a pedestrian scale rhythm along the building facade (applies in CC and UR zones). (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.140 Awnings/weather protection.

Intent. To create inviting entrances by providing protection from the elements and encouraging business activity in all types of weather.

A. Guideline (Applies in CC and UR Zones). Awnings and canopies should be incorporated into the downtown streetscape in a manner that is practical, visually pleasing, and integrated into the architecture of the building facades.

B. Standards (Applies in CC and UR Zones).

- 1. Ground-floor awnings shall be provided above all entrances and along a minimum of 50 percent of the frontage of commercial buildings.
- 2. Backlit awnings are prohibited unless dark colors encompass at least 75 percent of the lighted portion of the awning and glare and reflection into the public realm are reduced to the greatest extent practical.
- 3. Awnings or canopies shall not interfere with street trees, lighting, or in any other manner regarding the public use of the right-of-way.
- 4. Awnings and canopies shall be constructed of high-quality, long-lasting, weatherresistant materials that are architecturally consistent with the building facade design. Colors shall be compatible with the overall color scheme of the facade, including adjacent buildings where feasible. Solid, darker colors are preferred.
- 5. The use of vinyl or plastic for awnings/canopies is prohibited.
- 6. The minimum depth of any canopy or awning shall be five feet, unless limited by the building code or in conflict with other provisions within these standards.
- 7. The vertical dimension between the underside of the canopy or awning shall be at least eight feet and no more than 12 feet.
- 8. Awnings may extend over the walkway from the building's face up to a maximum of eight feet, but in no case closer than two feet from the edge of sidewalk or within any driving lane.
- 9. Weather protection features such as awnings and canopies shall be designed in a manner to be architecturally compatible with the building and site. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.150 Lighting.

Intent. To increase safety and enhance architectural features of buildings, while shielding fixtures to minimize light spill onto nearby properties.

A. Guideline (Applies to CC and UR Zones). Lighting should be provided in the downtown area at an appropriate amount so as to provide for pedestrian safety, and accentuate the architectural elements of building facades. Lighting should not be excessive or intrusive in terms of glare produced off site, within the public right-of-way, or into the night sky.

B. Standards (Applies to CC and UR Zones). Site and architectural lighting shall be designed to reduce the visual impacts of site and architectural lighting.

1. Light fixtures shall have shields directing light downward or onto the building facade, reducing off-site glare.

2. Lighting shall be designed to reduce light spill-off, unless light falls on the sidewalk or public space.

3. Site and architectural lighting shall be designed considering the historic influence of existing buildings.

4. Site and architectural lighting shall be designed to increase efficiency through use of energy efficient lighting.

a. The applicant shall use LED light bulbs designed to appear as traditional incandescent lighting, keeping character of traditional lighting. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.160 Fences.

Intent. Fences and walls shall enhance the downtown public space and remain consistent with the pedestrian scale and architectural elements of downtown.

A. Standards (Applies to CC and UR Zones).

1. Fences visible from the public right-of-way shall be decorative and constructed of coated steel or similar material to resist rust and decay.

2. In non-publicly visible areas other fencing materials shall be permitted; prohibited materials are listed below.

3. The following types of fencing materials are prohibited in the CC and UR zones:

a. Chain link;

b. Plastic;

c. Barbed wire, concertina wire, or razor wire;

d. Hollow metal tubing smaller than one-inch outside diameter;

e. Plywood, chipboard, particleboard, or other engineered wood products;

f. Pipe fittings designed for plumbing or steam fitting;

g. Cast concrete without decorative texture treatment;

h. Plain concrete block without decorative texture treatment;

i. Corrugated or flat sheet metal;

- j. Exposed pressure treated wood with perforations. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.170 Signs.

Intent. To ensure commercial and other signs contribute to the visual quality and character of downtown.

A. Guideline (Applies to CC and UR Zones). Signs within the downtown area should be regulated so that signs are integrated architecturally into the overall character of the streetscape while still allowing businesses to express creativity and individualism.

B. Standards (Applies to CC and UR Zones).

1. Required.

- a. Signage shall be comprehensively designed with the building so as to be an integral part of the building's architectural style.
- b. Colors, materials, sizes, shapes and lighting of signs shall be compatible with the architecture of the building, and the business it identifies.
- c. Sign materials shall be durable, weather-resistant and easy to maintain.
- d. Signs may be mounted on the face of the building so long as the advertising does not detract or overpower the building architecture and scale.
- e. Wall murals and other artwork of a noncommercial nature shall be visually appealing and not overpower the streetscape.
- f. Internally illuminated signs shall consist of a dark background color that encompasses a minimum of 75 percent of the area of the face of the illuminated sign. Illuminated signs within the CC zone are restricted to 75 percent of the total. The applicant shall be responsible for demonstrating compliance with this provision, if in question.

2. Prohibited.

- a. Corporate marketing themes, logos, and colors shall not be a dominant visual feature of the site or building.
- b. Temporary freestanding reader boards such as those with changeable copy and/or designed to be moved by means of wheels. This does not include sandwich board signs.

3. Additional Constraints.

- a. The maximum height of freestanding signs in the CC and UR zones is 15 feet in order to keep with the pedestrian scale of the district.
- b. Projecting signs are restricted to a maximum of 20 square feet. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.180 Site design.

Site design regulations are provided in FMC 18.47.190 through 18.47.230. (Ord. 2105 § 1 (Exh. 1), 2019; Ord. 1969 § 12 (Exh. 13), 2016; Ord. 1405, 2006. Formerly 18.47.050)

18.47.190 Building orientation.

Intent. To create a comfortable atmosphere for pedestrians within the public space.

A. Guideline (Applies to CC and UR Zones). Buildings in the downtown area should be oriented so as to provide for an inviting, active pedestrian corridor.

1. Buildings on parcels at the end of the block can orient pedestrian entrances toward the corner to reduce monotony in building frontage.

B. Standards (Applies to CC and UR Zones).

1. Buildings shall be oriented towards the street, not towards the alley or parking area.

2. Class A street frontage shall take priority over Class B street frontage when orienting buildings.

3. Pedestrian entrances shall provide direct access to the public sidewalk.

4. Where parcels have multiple frontages, buildings shall be designed with orientation towards both streets as much as feasible. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.200 Screening of mechanical units, utilities, and service areas.

Intent. To provide an organized and aesthetically clean public space.

A. Guideline (Applies to CC and UR Zones). Outdoor service areas, mechanical equipment, and utilities should not be visible to the public in the downtown area. Such areas should be intentionally screened and/or integrated into the building design to not detract from the character of downtown. Wherever possible, applicants are encouraged to locate these areas within the building itself.

B. Standards (Applies to CC and UR Zones).

1. No areas for outdoor storage, trash collection or compaction, loading or other such uses shall be visible from any public street, or public sidewalk, except when visibility is exclusively from alleys.

2. Trash and recycling facilities shall be provided in sizes designed to serve as many tenants as is feasible.

3. Loading docks, truck parking, outdoor storage, utility meters, HVAC and other mechanical equipment, trash collection/compaction, and other service functions shall be designed so that visual and acoustical impacts of these functions are fully contained and out of view from adjacent properties and public streets.

4. Conduit, meters, vents and other equipment attached to or protruding from the building shall be located on other than the primary facade wherever feasible. Where not feasible, they shall be painted or screened so as to match surrounding building surfaces.

5. Outside areas, used on a long-term or regular basis for inventory storage or sale, overstock, seasonal goods, bulk items and the like, shall be located within an area that is permanently screened with walls or fences.

6. All screening shall be architecturally compatible with the building served in terms of the type and quality, and color of materials. Nothing shall preclude the use of landscaping or low-impact stormwater development as screening; provided, that it is compatible with the overall site design and building architecture.

7. Vertically oriented utilities and downspouts shall not be located on primary facades unless no other reasonable alternative exists. When present they shall be screened or painted to blend in with the building facade and not detract from the architectural rhythm. Landscaping associated with bioswales or rain gardens at the base of downspouts may be approved.
8. Air conditioning units and communication equipment such as satellite dishes or similar equipment shall not be located on the primary facade of the structure.
9. When rooftop equipment is visible from adjacent developments from the street level, additional means of screening shall be required, including painting or screening such equipment in a manner that ensures the equipment blends in with the rooftop as much as is practical. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.210 Parking and access.

Intent. To foster accessible and efficient parking, designed to favor a walkable and pedestrian-oriented public space.

A. Guidelines (Applies to CC and UR Zones).

1. The public street frontage should be oriented toward pedestrian access and shall provide close contact between the sidewalk and buildings.
2. Curb cuts for access to parking should be limited and should be shared as much as feasible. Vehicles blocking the sidewalk should be avoided through design.
3. Drive-up service windows should be limited in the CC and UR zones and where permitted should not obstruct the pedestrian flow on area sidewalks, or disrupt the use of adjacent properties.

B. Standards (Applies to CC and UR Zones).

1. Off-street parking shall not be located between the building and a Class A street.
2. No more than 25 percent of the required parking shall be located between the building and a Class B street.
3. No vehicular exits shall be permitted onto Main Street and entrances from Main Street are limited to one per development.
4. In all instances, parcels that can feasibly be accessed from alleys or Class B streets shall be designed to avoid any vehicular access to or from Main Street.
5. No drive-up service windows shall be permitted to have entry or exit onto Main Street.
6. Drive-up service windows shall minimize to the extent feasible any exits onto Class B streets. All exits and entrances should be accessed through preexisting alleys where possible.
7. All drive-up service window communication devices shall be designed, installed, and maintained to avoid excessive noise impacts on adjacent parcels. Nuisance noise regulation shall apply to their operation. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.220 Sidewalks/pedestrian connectivity.

Intent. To create sidewalks and pedestrian spaces that are comfortable and enjoyable.

A. Standards (Applies to CC and UR Zones).

1. Sidewalks shall be provided along all street frontages up to all building entries.
2. Clearly delineated pedestrian walkways are required in parking lots with 10 parking spaces or more. Walkways shall be delineated by means of changes in texture such as stamped concrete, pavers, and/or changes in color, etc. Pedestrian connections to neighboring streets and paths should be developed where possible. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.230 Public outdoor spaces.

Intent. To create public outdoor spaces that reflect the community of Ferndale, foster comfort, encourage aesthetic appeal, and create a sense of place.

A. Guideline (Applies to CC and UR Zones). The downtown streetscape should be enhanced to provide amenities for pedestrians within public outdoor spaces.

1. Public outdoor space such as eating and seating areas, plazas, retail alcoves and inner courtyard spaces are encouraged. Entry alcoves and small outdoor pedestrian spaces may be located between the building and the sidewalk, subject to Chapter 12.22 FMC, and should not obstruct pedestrian traffic.

B. Standards (Applies to CC and UR Zones).

1. Street furniture and accessories shall be added to the public space in relation to the scale of each development project, subject to review and approval through an encroachment permit.
2. Any building with 10,000 or more square feet of commercial space shall provide ground-floor outdoor space available to the public at a ratio of 20 square feet per 1,000 square feet of commercial floor area, unless the applicant can demonstrate that this requirement is infeasible.
3. Public outdoor space shall be visible and accessible to the public.
4. Plazas, courtyards, and other pedestrian spaces shall include at least three of the following:
 - a. Special interest planting with a wide range of plant materials.
 - b. Pedestrian scale, bollard, or other accent lighting.
 - c. Special paving, such as colored/stained concrete, brick or other unit pavers.
 - d. Public art.
 - e. Seating, such as benches, tables, or low seating walls.
 - f. Water feature.
 - g. Any other feature which reinforces the pedestrian nature of downtown by increasing, or providing, activities within the public open space.
5. All site furnishings such as benches, tables, and other pedestrian amenities shall meet the following standards:
 - a. Amenities shall be made of durable, weather-resistant and vandal-resistant materials.

b. Amenities shall be consistent with the overall character and appearance of the development.

c. Amenities shall not block pedestrian access to main walkways, including public sidewalks, open space areas, public utilities such as fire hydrants, access from parked vehicles, and/or building entrances.

d. Amenities shall be provided at locations such as main pedestrian walkways, building entrances, plazas, open space areas, and other pedestrian areas.

6. Bike racks shall be provided by the applicant for buildings containing more than 10,000 square feet in gross floor area. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.240 Special provisions.

Special provisions are provided in FMC 18.47.250 through 18.47.300. (Ord. 2105 § 1 (Exh. 1), 2019; Ord. 1405, 2006. Formerly 18.47.060)

18.47.250 Development adjacent to the river.

Intent. To promote aesthetically pleasing frontage and public use along the Nooksack waterfront.

A. Guideline (Applies to CC and UR Zones). Pedestrian access to the Nooksack River shall be provided. Reorientation to the river should also be encouraged for those properties that can take advantage of views through patios, balconies and other amenities facing the river and trail areas.

B. Standards (Applies to CC and UR Zones).

1. New development shall face the river, to the greatest extent practical.
2. Redeveloping properties shall reorient to the river.
3. Building facilities and support elements shall occur on the side of buildings, and not in between the water and the development. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.260 Floodplain consideration.

Intent. To protect property and lives located in the FEMA 100-year floodplain. The following guidelines and standards are intended to ensure the safety of land use development and citizens are protected during a flood event:

A. Guideline (Applies to CC and UR Zones). A significant portion of the CC and UR zones is located within the FEMA 100-year floodplain, and is thus required to be constructed in a manner that may require the lowest habitable floor to be above grade from public sidewalks. In such cases, it is the intent of these standards to relieve such developments from some of the technical requirements at those locations which would otherwise conflict with floodplain regulations, so long as the facade treatments are similar in nature and effect to those that would otherwise be required.

B. Standards (Applies to CC and UR Zones).

1. All development within the FEMA 100-year floodplain shall comply with Chapter 15.24 FMC, Floodplain Management.
2. Where underground parking is proposed within the floodplain, entrances shall be located in the rear and accessed by an alley whenever feasible. Corner sites shall not take access from the street where the primary facade is located. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.270 Multifamily development.

Intent. To encourage multifamily housing and ensure design standards of this chapter do not interfere with such development.

A. Guideline (Applies to UR Zone).

1. With the interest of high-density residential development in the UR zone, standards in this chapter may be relaxed by the Zoning Administrator.

B. Standards requiring first floor residential units may be waived when interference with privacy occurs. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.280 Historical properties and restoration.

Intent. To encourage the preservation and restoration of historical properties and building characteristics when applicable.

A. Guideline (Applies to CC and UR Zones). Restoration and preservation of historical properties within the downtown area is encouraged. Restoration of existing facades, when the work is not inconsistent with these standards and when the work attempts to bring a structure into greater compliance with these standards, should be exempt from this chapter; provided, that the work is cosmetic only and does not affect the site layout or increase the nonconformity of a structure.

B. Standards (Applies to CC and UR Zones).

1. Standards of this chapter may be waived by the Zoning Administrator if a property is on the local, state or national historic register, with the intent of preserving historical characteristics.

2. Existing facades containing historical elements that bring character to the building or street front should be preserved and restored. If the elements are too dilapidated to be restored, then elements that closely relate to the original should be used.

3. Infrastructure on historical buildings should be maintained and restored and brought up to standards.

4. Historical building materials should be protected from the use of damaging chemical treatments. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.290 Downtown performance standards.

Intent. To ensure adequate maintenance on downtown properties.

A. Applicability. All activity within the CC and UR zones is subject to the following maintenance and repair guidelines and performance standards, regardless of whether a development permit is required.

B. Guideline. Owners are encouraged to organize and participate in community-sponsored clean-up and maintenance programs for the downtown area in order to preserve the overall downtown image and ensure lasting quality of the visual appearance of buildings. Coordinated timing of such maintenance activities also helps limit the number of individual street and sidewalk closures necessary for such maintenance work.

C. Standards. The owner(s) of buildings are responsible for maintenance, cleaning and repair of any damage in the following areas:

1. Streets and alleys ("frontage") adjacent to each building.

- a. Clean debris from sidewalks and alleys.
 - b. Keep merchandise from interfering with pedestrian access.
 - c. Clean garbage around dumpsters.
 - d. Keep the sidewalk clean and in good repair.
 - e. Ensure weather stripping is maintained in order to conserve energy.
2. Windows, Doors.
- a. Clean debris from all glazing, including upper stories.
 - b. Immediately replace broken glass or repair other damage.
3. Storefronts.
- a. Repair damage to any part of building facade.
 - b. Replacement materials must be of the same material type, color, and quality as those that failed. If entire facade is being replaced, new facade shall be consistent with this chapter.
 - c. Wash building facade when visible signs of debris are present.
 - d. Paint, repaint (except for masonry).
 - e. In the event of nonconforming painted masonry, new paint may be used so long as it is consistent with these standards.
4. Roofs.
- a. Clean debris from/repair gutters and downspouts as necessary.
 - b. Patch leaks in the roof.
 - c. Replace deteriorated flashing and/or recaulk as necessary.
5. Awnings/Canopies.
- a. Wash fabric awnings regularly.
 - b. Replace worn, damaged, or faded fabric awnings.
 - c. Resecure loose awning hardware.
6. Signs.
- a. The following standards are above and beyond those found in Chapter 18.80 FMC.
 - b. Replacement of any sign, including copy, shall be done in accordance with the sign standards adopted in this chapter.
7. Lighting. Replace burned out bulbs with those containing wattage consistent with these standards, regardless of original bulbs.

D. Administration, Enforcement, and Penalty. Enforcement procedures and the penalties resulting from violations of this chapter shall be administered pursuant to Chapter 1.12 FMC. (Ord. 2105 § 1 (Exh. 1), 2019; Ord. 1405, 2006. Formerly 18.47.070)

18.47.300 Definitions.

Definitions are provided in FMC 18.47.310 through 18.47.435. (Ord. 2105 § 1 (Exh. 1), 2019; Ord. 1969 § 12 (Exh. 13), 2016; Ord. 1405, 2006. Formerly 18.47.080)

18.47.310 Articulate.

“Articulate” means to give emphasis to or distinctly identify a particular element. An “articulated facade” means the face of a wall on which elements on the face of the wall, including a change in setback, materials, roof pitch or height, are emphasized. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.315 Belt courses.

“Belt courses” means a horizontal band that defines floors or elements on the facade of a building. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.320 Building mass.

“Building mass” means the building’s expanse or bulk and is typically used in reference to structures of considerable size. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.325 Clerestory.

“Clerestory” means a continuous band of windows located just below the ceiling of a generally tall and important space. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.330 Corbels.

“Corbels” means a structural piece between the roof and top wall of a building that supports weight. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.335 Cornice.

“Cornice” means a horizontal decoration that crowns the roof of a building. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.340 Courtyard.

“Courtyard” means an open space enclosed partly or wholly by a building. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.345 Dormer.

“Dormer” means a window set vertically in a gable projecting from a sloping roof. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.350 Downtown.

“Downtown” means all land within the CC and UR zones, as defined in the City’s official zoning map. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.355 Facade.

“Facade” means the portion of any exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.360 Feasible.

“Feasible” means capable of being accomplished with a reasonable amount of effort, cost, or other hardship. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.365 Gable.

"Gable" means a triangular wall section at the end of a pitched roof, bounded by the two roof slopes. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.370 Guidelines.

"Guideline" means a recommended and encouraged standard when specific standards do not apply. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.375 Hip roof.

"Hip roof" means a roof without gables. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.380 Kickplate.

"Kickplate" means a protective cover on the bottom of a first floor wall. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.385 Lintel.

"Lintel" means a horizontal weight-bearing element above an arch, door or window. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.390 Modulation.

"Modulation" means a change in plane. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.395 Parapet.

"Parapet" means the portion of a wall that extends above the roofline. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.400 Pedestrian scale.

"Pedestrian scale" means the use of human proportioned architectural features and site design elements clearly oriented to pedestrian activity. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.405 Pilaster.

"Pilaster" means an element of a building facade that appears to be a column but doesn't support any weight. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.410 Plaza.

"Plaza" means an open area usually located near urban buildings and often featuring walkways, trees and shrubs, places to sit, and sometimes shops. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.415 Portico.

"Portico" means a porch or walkway with a roof supported by columns, often leading to the entrance to a building. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.420 Public outdoor space.

"Public outdoor space" means an area devoted to the public as an amenity. The space can include covered areas, drinking fountains, sitting benches, etc. It shall not include stored merchandise. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.425 Roof bracket.

"Roof bracket" means a decorative architectural element between the roof and top wall of a building. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.430 Standard.

"Standard" means a mandatory requirement. (Ord. 2105 § 1 (Exh. 1), 2019)

18.47.435 Zoning Administrator.

"Zoning Administrator" means the Community [Development](#) Director or authorized designee. (Ord. 2105 § 1 (Exh. 1), 2019)



The Ferndale Municipal Code is current through Ordinance 2236, passed December 4, 2023.

Disclaimer: The City Clerk's Office has the official version of the Ferndale Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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