

CITY OF SOUTH SALT LAKE
CITY COUNCIL MEETING

COUNCIL MEETING Thursday, March 23, 2017,
7:00 p.m.

CITY OFFICES 220 East Morris Avenue
South Salt Lake, Utah 84115

PRESIDING Council Chair Ben Pender

CONDUCTING: Shane Siwik

SERIOUS MOMENT OF REFLECTION/
PLEDGE OF ALLEGIANCE Ben Pender

SERGEANT AT ARMS Amanda Gencarella

COUNCIL MEMBERS PRESENT:
Mark Kindred, Portia Mila, Johnny McConnell, Ben Pender,
Kevin Rapp and Shane Siwik

COUNCIL MEMBERS ABSENT:
Sharla Beverly

STAFF PRESENT:
Mayor Cherie Wood
Charee Peck, Chief of Staff
Hannah Vickery, Assistant City Attorney
Kyle Kershaw, Finance Director
Frank Lilly, Deputy Community Development and Economic Director
Kristin Reardon, Court Administrator
Craig D. Burton, City Recorder
Ariel Andrus, Deputy City Recorder

OTHERS PRESENT:
See attached list.

APPROVAL OF MINUTES

March 8, 2017 Work Meeting. Council Chair Pender moved to approve these minutes.

MOTION: Ben Pender
SECOND: Mark Kindred

Voice Vote:

Beverly: Absent
 Kindred: Yes
 McConnell: Yes
 Mila: Yes
 Pender: Yes
 Rapp: Yes
 Siwik: Yes

March 8, 2017 Regular Meeting. Council Member Kindred moved to approve these minutes.

MOTION: Mark Kindred
 SECOND: Johnny McConnell

Voice Vote:

Beverly: Absent
 Kindred: Yes
 McConnell: Yes
 Mila: Yes
 Pender: Yes
 Rapp: Yes
 Siwik: Yes

NO ACTION COMMENTS

1. **SCHEDULING.** The City Recorder informed those at the meeting of upcoming events, meetings, activities, etc.
2. **CITIZEN COMMENTS/QUESTIONS.** **Corey Thomas, 2966 South 200 East.** She thanked the Council members who came to the capital last night and spoke about the homeless shelter issue. Mayor Wood did a wonderful job.
3. **MAYOR COMMENTS.** Mayor Wood thanked the residents and business for their support with the homeless shelter issue. She thanked Police, Fire and staff for helping to fight this as a community. She thanked the Council for their support as well.
4. **CITY ATTORNEY COMMENTS.** Assistant Attorney, Hannah Vickery, echoed Mayor Wood’s comments.
5. **CITY COUNCIL COMMENTS.** Council Member Mila thanked everyone as well. They pulled together as a community really quick to fight it.

Council Member Kindred agreed that it was great to see the turnout and good to see so much public safety there. The fight is stacked against the City so hopefully people will keep coming out for the next week.

Council Member Rapp thanked everyone as well for their support. He felt last night went well although he agrees; it seems stacked against the City. At least they are doing their part fighting it.

Council Chair Pender appreciates Mayor Wood stepping up. He thinks she has done a great job. He doesn't think anything could have been done differently. He appreciates all of the staff that have come and been supporting the City.

Council Member McConnell feels they have awoken a sleeping giant in the City. The State of the City event was great as well. It was wonderful to see those who were honored. It was a wonderful evening as well.

Council Member Siwik thanked all the residents, business community, and the Chamber of Commerce. The Mayor's staff and Charee Peck have been amazing to work with. The thing that has been the most rewarding in all of this is the way they have been able to put all of their differences aside and rally. It's been important to the case but it has also been important to him to see how much they can do when they are all on the same page.

ACTION ITEMS

UNFINISHED BUSINESS

1. **A Resolution of the City of South Salt Lake City Council Amending the Consolidated Fee Schedule to include a fee for fingerprinting.** Assistant City Attorney, Hannah Vickery, explained that this change will implement a ten dollar fee for fingerprinting services.

Council Chair Pender explained that they are waiting on some of the equipment.

Ms. Vickery agreed saying that the language in the resolution contemplated that they have, or will acquire, the necessary equipment. The Council's policy direction is implemented in this resolution.

Council Member Kindred moved to approve this resolution.

MOTION: Mark Kindred
 SECOND: Kevin Rapp
Voice Vote:
 Beverly: Yes
 Kindred: Yes
 McConnell: Yes
 Mila: Absent
 Pender: Yes
 Rapp: Yes
 Siwik: Yes

- 2. **An ordinance of the City of South Salt Lake City Council making necessary administrative corrections to South Salt Lake Municipal Code 17.21.070, Detached House Building Design Standards, Subsection I, titled “Accessory Structures.”** Deputy Community and Economic Development Director, Frank Lilly, explained when they brought the ordinance revisions to the Council to address height, setback and design standards for accessory buildings, the ordinance form omitted the existing setback requirements for the accessory structures. This ordinance is a technical correction to fix that omission.

Council Member Rapp moved to approve this ordinance.

MOTION: Kevin Rapp
 SECOND: Portia Mila
Roll Call Vote:
 Beverly: Yes
 Kindred: Yes
 McConnell: Yes
 Mila: Absent
 Pender: Yes
 Rapp: Yes
 Siwik: Yes

Council Member Siwik moved to adjourn to closed meeting pursuant to Utah Code Annotated, 1953, as amended, Sec. 52-4-204, Sec. 52-4-205 (1) (a), et seq. for the following purposes: Discussion of character, professional competence, physical or mental health of an individual

MOTION: Shane Siwik
 SECOND: Johnny McConnell
Roll Call Vote:
 Beverly: Yes
 Kindred: Yes
 McConnell: Yes
 Mila: Absent
 Pender: Yes
 Rapp: Yes
 Siwik: Yes

The Closed Meeting ended at 9:16 p.m. Council members returned to the Council Chambers.

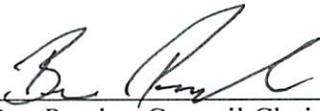
Council Member Kindred moved to adjourn.

MOTION: Mark Kindred
 SECOND: Kevin Rapp

Voice Vote:

Beverly:	Yes
Kindred:	Yes
McConnell:	Yes
Mila:	Absent
Pender:	Yes
Rapp:	Yes
Siwik:	Yes

The meeting adjourned at 9:17 p.m.



Ben Pender, Council Chair



Craig D. Burton, City Recorder

RESOLUTION NO. R2017- 06

A RESOLUTION OF THE CITY OF SOUTH SALT LAKE CITY COUNCIL
AMENDING THE CONSOLIDATED FEE SCHEDULE TO INCLUDE A FEE FOR
FINGERPRINTING

WHEREAS: the consolidated fee schedule is periodically updated to reflect the costs incurred by the City in providing services and facilities to the citizens of the City and to the public; and

WHEREAS: the City has or will acquire the necessary equipment and personnel within the Justice Court to provide fingerprint services to the public including those individuals ordered by the Justice Court Judge to have their fingerprints taken; and

WHEREAS: the fingerprint services require specialized equipment and personnel to run the equipment; and

WHEREAS: the changes made to the consolidated fee schedule are necessary to cover the City's costs in providing these services; and

WHEREAS: The City Council would like to amend the Consolidated Fee Schedule to add a fee for fingerprint services; and

BE IT RESOLVED, therefore, by the City Council of the City of South Salt Lake that: Section VI, Courts, City Attorney, & Recreation, Subsection titled "Justice Court" of the Consolidated Fee Schedule is amended as follows:

Justice Court

Fines and bails	As set by Utah Administrative Office of Courts
Filing fees	As set by Utah Code Ann. § 78A-2-301.5
Record production fees	As set by Utah R. Jud. Admin. 4-202.08
Traffic school tuition	\$50
Trust check processing fee	\$10
Fingerprinting Fee	\$10

APPROVED AND ADOPTED by the City Council of the City of South Salt Lake, Utah, on this
23rd day of March, 2017.

BY THE CITY COUNCIL:



Ben B. Pender, Council Chair

Council vote as recorded:

Beverly	<u>Absent</u>
Kindred	<u>Yes</u>
McConnell	<u>Yes</u>
Mila	<u>Yes</u>
Pender	<u>Yes</u>
Rapp	<u>Yes</u>
Siwik	<u>Yes</u>



ATTEST:



Craig D. Burton, City Recorder

ORDINANCE NO. R2017- 05

AN ORDINANCE OF THE CITY OF SOUTH SALT LAKE CITY COUNCIL MAKING NECESSARY ADMINISTRATIVE CORRECTIONS TO SOUTH SALT LAKE MUNICIPAL CODE 17.21.070, DETACHED HOUSE BUILDING DESIGN STANDARDS, SUBSECTION I, TITLED "ACCESSORY STRUCTURES"

WHEREAS: the City Council is authorized by law to enact ordinances for the protection of the health, safety, and welfare of residents and businesses; and

WHEREAS: the City is authorized by law to enact ordinances establishing regulations for land use; and

WHEREAS: On February 8, 2017 City Staff presented a Staff Report which included proposed ordinance language regarding Accessory Structure setback requirements

WHEREAS: the City Council discussed Ordinance 2017-01 in the February 8, 2017 Regular Council Meeting changes to South Salt Lake Municipal Code 17.21.070, Detached House Building Design Standards, specifically setback requirements of accessory structures; and

WHEREAS: the City Council intended on incorporating the changes to the setback requirements of accessory structures as set forth in the Staff Report presented that evening; and

WHEREAS: The changes with regard to setback requirements of accessory structures discussed by the Council and included in the Staff Report were not included in the written ordinance (Ordinance 2017-01) before the City Council passed that night; and

WHEREAS: The City Council would like to amend South Salt Lake Municipal Code 17.21.070 to make the necessary administrative corrections to incorporate these changes within 17.21.070(I) of the South Salt Lake Municipal Code; and

BE IT RESOLVED, therefore, by the City Council of the City of South Salt Lake that: 17.21.070, Detached House Building Design Standards, Subsection I, titled "Accessory Structures" is amended as follows:

- I. **Accessory Structures.** Accessory structures associated with the Detached House Building Form are intended for storage and other incidental uses and not for human occupancy. Accessory structures shall be built in a manner compatible with the primary building. Accessory structures may be clad in wood or vinyl siding. Accessory structures shall be located in the side and rear yards only.

1. **Building Requirements.**

1. Building Requirements.

- a. Accessory structures shall not exceed one story.
- b. Accessory structures shall only be accessed at the finished grade of the structure by an entry door or overhead door.
- c. Windows are permitted for accessory structures. On the facades of accessory structures facing abutting properties, the heads or upper casings of windows shall be no higher than eight feet above the finished grade of the structure. Greenhouses and structures with clerestory windows that are at least eight feet above grade are exempt from this requirement.
- d. Accessory structures shall not have sewer service. All other utilities for accessory structures shall only be accessed from the principal building on the parcel.

2. Setbacks.

- a. Accessory structures shall be separated from the primary residence by at least ten feet.
- b. Accessory structures less than 200 square feet in area shall be at least two feet from a rear or side property line.
- c. Accessory structures greater than 200 square feet in area shall be separated from the side property lines by at least five feet, and from the rear property line by at least two feet.

DATED this 23rd day of March, 2017.

BY THE CITY COUNCIL:

Ben Pender
Ben Pender, Council Chair

ATTEST:

Craig D. Burton
Craig D. Burton, City Recorder

City Council Vote as Recorded:

Beverly	<u>ABSENT</u>
Kindred	<u>YES</u>
McConnell	<u>YES</u>
Mila	<u>YES</u>
Pender	<u>YES</u>
Rapp	<u>YES</u>
Siwik	<u>YES</u>

Transmitted to the Mayor's office on this 24 day of March, 2017.

Craig D. Burton
Craig D. Burton, City Recorder

MAYOR'S ACTION: Approve

Dated this 24th day of March, 2017.

Cherie Wood
Cherie Wood, Mayor

ATTEST:

Craig D. Burton
Craig D. Burton, City Recorder



17.07 Administration, Enforcement and Appeals

17.07.010 . Administrative duties of city council.

The City council:

- A. enacts and amends land use ordinances, temporary land use regulations, zoning districts and a zoning map;
- B. adopts and amends the general plan; and
- C. otherwise acts as the land use authority in certain land use decisions specified in section 17.08.040 of this Code.

17.07.020. Establishment and duties of planning commission.

A. Appointment. The mayor shall, subject to the approval of the city council, appoint a planning commission to consist of seven members, plus two alternates who shall serve without pay, except for reasonable and legitimate expenses approved by the city council.

B. Alternates. Alternates may act in the place of any absent member at any meeting of the commission.

C. Terms. The members shall be appointed for a period of four years and are subject to removal with or without cause by the city council at any time. The terms of two commissioners shall expire each year except in the year that the city's mayoral election is held, when the terms of one commissioner plus both alternates shall expire.

D. Quorum. Four members shall constitute a quorum to conduct business. All actions taken shall be by majority vote of the membership present.

E. Attendance. Attendance of any member or members at regularly scheduled meetings may be enforced by the chairperson of the commission in the same manner as provided for enforcing the attendance of city council members.

F. Clerk. The community development department shall provide a person to act as clerk of the planning commission.

G. Training. The city shall provide initial and ongoing training regarding the duties, responsibilities and city regulations for all commission members and alternates. Attendance at training is required of members and alternates.

H. Bylaws. The planning commission may adopt a set of bylaws or rules of procedure.

I. Chairperson. The commission members, or commissioners, shall elect their own chairperson for a term and in the manner specified by the commission's bylaws. The chairperson of the planning commission:

1. Shall preside at all meetings of the commission; and
2. Shall vote as a regular member but shall not make or second motions.

J. Chairperson's absence. During the temporary absence or disability of the chairperson, the planning commission shall elect one of its members to act as chairperson pro tem.

K. Responsibilities.

1. The planning commission makes recommendations to the City Council for:
 - a. the general plan and amendments to the general plan;
 - b. the zoning map, and amendments to the zoning map;
 - c. amendments to land use ordinances;
 - d. approval of subdivisions of greater than ten lots; and
 - e. proposed application processes and the delegation of power under the land use ordinance.
2. The planning commission acts as land use authority as provided in section 17.08.040 of this code.
3. The planning commission acts as appeal authority for certain land use decisions as provided in section 17.08.050 of this code.

17.07.030. Administrative duties of community development director.

A. The director is authorized to render official interpretations of code provisions when the meaning of any phrase, section or chapter, or zone district is called into question. Procedures for requesting an official interpretation are included in Appendix 1, and a fee for rendering such an interpretation outside of a land use application shall be assessed in the amount indicated in the consolidated fee schedule. Official interpretations are subject to appeal to the administrative law judge. In rendering a decision, the administrative law judge shall give significant weight to the director's interpretation, in light of the director's professional and technical expertise. The appellant bears the burden of establishing a contrary interpretation.

B. The director shall prepare staff reports for consideration by the planning commission and city council, and provides secretarial support for the planning commission.

C. The director accepts all land use applications and ensures they are forwarded to the designated land use authority in a timely manner.

D. The director may propose amendments to the zoning code and zoning map as provided in section 17.02.020.

17.07.040. Land use authority designations.

Pursuant to state law, the following administrative land use authority designations are made:

A. City Council. The City Council is the land use authority on issues of: planned unit developments; the approval of development agreements; the vacation of public rights of way; and enacting or amending land use code, zoning maps and the general plan.

B. Planning Commission. The Planning commission is the land use authority on issues of: subdivision and subdivision plat approval, except planned unit developments; vacating, altering or amending a subdivision plat; category II conditional use applications; design review for building heights as established in this Title; design review for projects on parcels where any portion of the parcel abuts any residential zone; and the issuance of a building or demolition permit in a Historic and Landmark District.

C. Community Development Director. The director is designated as the land use authority on issues of: category I conditional use applications, lot divisions and splits, temporary use permits, sign permits, applications for variances, home occupation license approval, design review, reasonable accommodation, nonconforming use determinations, and decisions regarding amortization of legal, non-conforming uses. The director has final authority to issue building permits and business licenses.

D. The director may certify a design review application or a category I conditional use application to the planning commission if the director finds that the application raises unique problems or is likely to have a significant impact upon neighboring properties or the city as a whole. When such applications are certified to the commission, the commission acts as the land use authority.

17.07.050. Appeals from land use authorities.

A. Appeals from city council decisions. Appeals from decisions of the city council must be taken to the state district court, as provided by state law, by any person aggrieved by the decision who has standing to appeal.

B. Appeals from planning commission decisions. Except from decisions rendered in its appellate capacity, appeals from the planning commission's decisions are brought before the city's administrative law judge, as provided under Title 2, Chapter 22 "Administrative Hearings" by any person aggrieved by the decision who has standing to appeal. Appeals from appellate decisions of the planning commission may be taken directly to the state district court.

C. Appeals from community development director decisions. Appeals from the director's decision are brought as follows:

1. Planning commission. The planning commission hears appeals from decisions by the director on the following issues, when requested by any person aggrieved by the decision who has standing to appeal:
 - a. conditional use applications;
 - b. temporary use permits;
 - c. sign permits;
 - d. home occupation licenses;
 - e. design review; and
 - f. lot splits.
2. Administrative law judge. The city's administrative law judge hears appeals from all other decisions made by the director, as provided under Title 2, Chapter 22 "Administrative Hearings," when appeal is taken by any person aggrieved by the decision who has standing to appeal.
3. The planning commission conducts an appeal de novo, and that body finds facts and decides all issues associated with the appeal. No further administrative appeals are available from an appellate decision of the planning commission.
4. The administrative law judge reviews the record of the decision of the director or planning commission on the record and only reverses the decision if it is not supported by substantial evidence in the record or is otherwise arbitrary, capricious or illegal.

D. Final order of appeal authority is appealable order. An appeal authority's written, final order becomes the only order from which an appeal may be taken. Unless otherwise stated in the appeal authority's final order, an order following a de novo review vacates any official determination made by the land use authority. No further administrative appeals are permitted from a final order of an appellate authority and any subsequent review is to be made by the district court.

E. Conduct of appeals. Each appeal shall be the subject of a hearing which shall be open to the public and be conducted in an informal nature which provides each party with the opportunity to present his or her case in a civil and respectful manner. The rules of evidence do not apply to appeal proceedings. Parties are permitted to submit trial briefs or staff reports to the appeal authority prior to the proceeding. Appeal proceedings shall be recorded, and shall provide due process to all the parties. Only those with standing to appear before the appeal authority need be allowed to participate in the hearing. Additional rules governing appeal proceedings may be promulgated by the appeal authority, so long as they are distributed to the parties prior to the proceeding. The city is not required to notify any individuals of appeal proceedings except appellants or appellees, or those to whom a protected property interest belongs.

F. Record reviews. In a record review, no additional evidence may be submitted during the appeal proceedings. If the administrative law judge finds that a party's due process rights were not adequately protected in the process of creating the record, it may convert the hearing into a de novo review and continue the hearing to allow the appellant and appellee to prepare their cases. It may also allow the introduction of evidence which was presented below, but improperly excluded from the record.

G. Exhausting administrative remedies. An aggrieved party who has standing to appeal a land use authority's decision must follow the procedures of Title 2, Chapter 22 by filing a written notice of appeal at the city recorder's office within ten calendar days after actual or constructive notice of the land use decision, and by tendering the fee associated with the appeal proceedings. A person who fails to timely file the appeal or pay the associated fee waives the right to object to the land use decision.

H. Parties required to raise all theories of relief. During appeal proceedings, an appellant must raise every theory of relief that it wishes to raise in district court. The failure to raise a theory during an administrative appeal waives that theory in any subsequent appeals to district court.

17.07.060. Permits and applications.

A. Official decisions in writing. Decisions on each land use application submitted to the community development department shall be made in a timely manner by the land use authority and are not official until reduced to writing.

B. Applications submitted to department. All applications related to land use must be submitted to the community development department, who shall ensure that the application is promptly brought before the land use authority for decision.

C. Director authority over building permits. No building permit shall be issued without the zoning approval of the land use authority.

D. Pre-payment of fees required. Permits are not considered submitted unless the established fee has been paid by the applicant.

E. Actions for which applications are not required. If a person is informed that a permit or application is not required for certain actions, the person may request a written confirmation by the director stating that this is the case. No person may claim as a defense to any land use enforcement action that he or she was advised not to submit an application for a permit or land use approval without providing such written confirmation.

17.08.070. Fees.

Fees for applications and permit requests shall be established by resolution in the city's consolidated fee schedule.

17.07.080 – Public hearings and meetings.

A. Public hearings. Public hearings shall be conducted for the following land use decisions:

1. when enacting or amending zoning ordinances or the zoning map, a hearing before the planning commission is required, but is not required before the city council;
2. vacation or amendment of platted street, right of way or easement;
3. annexation policy plans and applications;
4. vacating or changing a subdivision plat, but only as required by state law;
5. any other land use decision for which a public hearing is required by law.

B. Public Comment. Public comment may also be allowed in any public meeting at the discretion of the land use authority. Except as provided above, a land use authority need not allow public comment where a hearing is not required by this section or state law.

C. Public meetings. All land use decisions made by the city council or planning commission shall be rendered during open and public meetings. The director may also conduct public meetings related to land use applications or other land use issues when the director deems it appropriate to do so.

D. Solicitation of Input. Regardless of whether a meeting is held, prior to making a land use decision the land use authority may solicit input from affected citizens and property owners and provide a reasonable opportunity for those individuals to express themselves. This may be accomplished through public outreach activities conducted prior to the land use decision in a manner that is consistent with the requirements of due process and fair review and provides an opportunity for the applicant and others participating in the review of the application to respond to the information presented. Relevant information gathered in the process of review is to be included in the record of the decision.

17.07.090. Public Notices.

A. Required Notice. The land use authority shall schedule and hold any required public hearing or public meeting according to the provisions of this code and state statute. Public notices for land use decisions not described in this section shall be given in accordance to state statute. The city shall provide notice of the date, place, and time of public hearings or public meetings within the timeframes established by this section, or such lesser or greater time as provided by state statute or city ordinance.

1. **Mailed Notices.** Notice shall be provided by first class mail to property owners and affected entities as established below:

- a. **Category I Conditional Use Permits.** Notice shall be mailed seven days prior to the public meeting to any property owners abutting and across a public right-of-way from the property on which the conditional use is proposed.
- b. **Category II Conditional Use Permits and Design Review Approvals.** Notice shall be mailed seven days prior to the public meeting to any property owners within a 300-foot radius of the property lines of the plat on which the conditional use or design review is proposed.
- c. **Right-of-Way Vacations.** Notice shall be given in accordance to state statute. Notices shall be mailed ten days prior to the public hearing to the following parties:
 - i. Any property owner whose property is accessed by the portion of the right-of-way that is proposed to be vacated
 - ii. Any property owners within 600 feet of the portion of the public right-of-way that is proposed to be vacated.
 - iii. All property owners whose property is in between the portion of the right-of-way to be vacated and the nearest street intersection.
- d. **Subdivision Plat Approvals and Amendments to Subdivision Plats.** Notice shall be given in accordance to state statute. Additional notices shall be mailed ten days prior to the public hearing to any property owners within a 600-foot radius of the boundary of the proposed subdivision plat.
- e. **Zoning and Future Land Use Map Amendments.** Notice shall be given in accordance to state statute. Additional notices shall be mailed ten days prior to the public hearing to any property owners within a 600-foot radius of the boundary of the proposed zoning or future land use map amendment.
- f. **Ordinance and General Plan Amendments.** Notice shall be given in accordance to state statute.
- g. **Applicant/Agent Responsibility for mailed notices.** An applicant/agent seeking a decision by the land use authority for which a public notice is required shall submit to the city at the time directed by the Community and Economic Development Department, one set of printed address labels and a corresponding number of stamps and envelopes for mailed notices for property owners as required by the municipal code or state statute. It shall be the applicant's sole responsibility to ensure that the list of property owners and the address labels are accurate and complete. The list of property owners shall be obtained from current records maintained by the Salt Lake County Recorder's Office. The city shall provide notice using the address labels and postage provided by the applicant.

2. Publication of Notices. Notices shall be published by the following methods, unless otherwise provided for by State statute.

a. Public notices shall be published on the City's website and on the State's Public Notice Website at least ten days prior to a public hearing, and at least seven days prior to a public meeting.

b. Notices for public hearings shall be published in a newspaper of general circulation in the area at least ten days prior to the public hearing.

c. A hard copy of any public notice issued by the Land Use Authority shall be posted at City Hall at least 24 hours prior to a public hearing or a public meeting.

3. Posting On Site. Notification signage shall be posted on the property or land for which a conditional use permit, design review, right-of-way vacation, subdivision plat approval, amendment to a subdivision plat, or zoning or future land use map amendment is considered. Notice shall be posted as directed by the Department of Community and Economic Development, and shall be clearly visible from the right-of-way. The sign(s) shall be provided to the applicant/agent by the City and shall be posted by the applicant/agent at least seven days prior to the scheduled public hearing or public meeting.

17.07.090100. Development committee.

The mayor may form a standing committee composed of city staff, property owners, or elected and appointed officials to comment on land use applications and render advice to applicants. The recommendations of the development committee are advisory only. Consideration by the development committee is not a pre-requisite for application approval.

17.07.100110. Enforcement.

A. Authority. The director is authorized to enforce the provisions of this code through either criminal or civil proceedings.

B. Delegation. The director may delegate enforcement authority to any city official. No written delegation of power is necessary.

C. Violations. Any building or use of land or any construction thereon which was not authorized by or under the City Code which is illegal under such ordinances, shall remain unauthorized and illegal unless expressly authorized or permitted in the provisions of this Code. The use or continuation of such a use or construction is punishable under this Code.

D. Number of offenses. Every person, firm or corporation shall be deemed responsible or guilty of a separate offense for each and every day that a violation is committed or continued.

E. Criminal penalties. Violations of the provisions of this code are class C misdemeanors, subject to criminal prosecution.

F. Civil penalties. Violations of the provisions of this code may also be pursued through administrative citation or summons, as provided in Title 8, Chapter 14 "Code Enforcement Program." Orders of abatement may be issued by the administrative law judge pursuant to those provisions.

G. Remedies.

1. The City, or any adversely affected owner of real estate within the City in which violations of this Code occur or are about to occur, may, in addition to other remedies provided by law, institute:
 - a. Injunctions, mandamus, abatement, or any other appropriate action; or
 - b. Proceedings to prevent, enjoin, abate or remove the unlawful building, use or act.
2. The City need only establish the violation to obtain an injunction.
3. The City may, in addition to other remedies provided by law, enforce the ordinance by:
 - a. Withholding building permits; or
 - b. Taking action to cancel any permit or approval for failure to comply with the terms of any permit or approval. The land use authority that issued the permit or approval shall consider the matter preceded by at least ten calendar days' notice. Cancellation or revocation of a permit or approval may be appealed in the same manner as the original action.

H. Nuisance and abatement. All buildings or uses of land which are established, conducted, or maintained contrary to the provisions of this Code shall be and are declared to be unlawful and a public nuisances. In addition to other remedies provided by the law, the City Attorney may immediately commence a court action or proceedings for abatement, removal or injunction to correct the nuisance. These remedies are cumulative to other civil and criminal actions, and not exclusive.

17.09 – CONDITIONAL USES

17.09.010. Purpose

A. Conditional uses are land uses which, due to their unique characteristics or potential impact upon the municipality, surrounding neighbors or adjacent land uses, may be compatible only if certain conditions are imposed to mitigate the reasonably anticipated detrimental effects of the proposed use.

B. Conditional uses may be allowed, allowed with conditions, or denied based upon an analysis of the proposed use's location, design, configuration and special impact.

17.09.020. Unlawful to operate conditional use without permit. No person shall operate or conduct a use designated as a conditional use within the applicable zone district without first obtaining a Conditional Use Permit, unless that use is a legal nonconforming use.

17.09.030. Application

A. Application for a conditional use permit shall be made upon forms provided by the City. The property owner or a lawful agent must sign the permit application, and file the completed application with the Community Development Department. An affidavit attesting to ownership or agency must be signed and notarized by the property owner, giving consent for the proposed conditional use.

B. The fees for conditional use permit applications shall be established in the consolidated fee schedule.

C. The applicant shall also provide all information necessary for the City to review the application, as indicated by staff on a checklist provided by the Director, which may include site plan reviews, subdivision reviews, building elevations, landscaping, plats, drawings or other plans and documents.

D. An application is not deemed complete until the information required by the checklist is provided and all application fees are paid.

E. Upon receipt of a complete application, all required information, and fees, the director shall:

1. For a category I conditional use application, either proceed with the determination or certify the application to the planning commission; or
2. For a category II conditional use application, the application shall be placed on a planning commission agenda.

17.09.040. Public notice of conditional use applications

A. The applicant shall also provide to the Community Development Department the names and addresses of all property owners, as contained in the current records of the Salt Lake County Recorder:

1. For a category I conditional use permit, for any property owners immediately adjacent or across a public right of way from the property on which the conditional use is proposed;

2. For a category II conditional use permit, within a 300-foot radius of the property lines of the plat on which the conditional use is proposed;

B. Notification of the time and place of consideration of conditional use applications shall be delivered to all property owners within a 300-foot radius of the proposed site.

C. Consideration of the conditional use application, whether by the director or the planning commission, shall take place during a meeting which is open to the public, and conducted in accordance with section

17.09.040050. Notice to be Heard. The land use authority shall provide an opportunity to be heard to those who received notification pursuant to noticing requirements established in Chapter 17.07 of the Municipal Code, subsection (B), on issues of potential detrimental effects and the mitigation of those effects.

17.09.050060. Review of application

A. The land use authority shall review the application and materials to determine if the applicant has complied with the Review Standards and whether reasonably anticipated impacts and detrimental effects have been addressed.

B. Additional studies or analysis may be required by the land use authority in order to determine, assess or mitigate potential detrimental impacts or effects which are identified in section 17.09.060.

C. If reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with Review Standards, then the conditional use shall be approved by the land use authority.

D. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

17.09.060070. Review Standards

The land use authority shall require each conditional use applicant to address the following standards, where appropriate:

A. Zoning ordinance compliance. The proposed conditional use shall be consistent with small area master plans, general plan and future land use map applicable to the site where the conditional use will be located.

B. Use Compatibility. Reasonable conditions may be imposed to ensure optimal compatibility with the character of the site, adjacent properties, and existing development within the vicinity of the proposed site. In determining compatibility, the land use authority considers:

1. Whether access to the site can be achieved without materially degrading the service level on any streets which would serve for access;
2. Whether the proposed use would create unusual pedestrian or traffic patterns or volumes that would not be expected with a permitted use in that location, taking into consideration the orientation of streets and driveways, parking areas and sizes, hours of peak traffic, and the hours of operation at the proposed site;
3. Whether utility and public services will be adequate to support the proposed use at normal service levels without adverse impacts on adjacent uses or resources; and
4. Whether buffering or other mitigation measures will be provided to protect adjacent lands from unlawful or excessive noise, light, odor or visual impact, or from other unusual disturbances from deliveries, mechanical equipment or trash collection.

C. Design Compatibility. The proposed conditional use shall be compatible with the character of the area where the use will be located, and the land use authority may impose reasonable conditions that address reasonably anticipated detrimental effects related to:

1. Size, configuration and location of the site and the proposed site plan layout;
2. Proposed site ingress and egress to existing and proposed roads and streets;
3. The adequacy, provision, relocation, or protection of public facilities and amenities, including roads and streets, culinary water, secondary water, sanitary sewer, storm drainage, flood protection, public safety and fire protection, and other utilities;
4. Design, location and amount of off-street parking, loading areas and solid waste disposal and collection areas;
5. Site circulation patterns for vehicular, pedestrian or other traffic;

6. Mass, size, number, location, design, exterior features, materials, and colors of buildings, structures and other facilities;
7. The location and design of all site features, including proposed signage, lighting and refuse collection;
8. The provision of useable open space, public features, and recreational amenities;
9. Fencing, screening and landscape treatments, including those required by the landscape requirements of this code at 17.25 for conditional uses, and other features designed to increase the attractiveness and safety of the site and protect adjoining property owners from noise, visual, and other impacts;
10. Measures directed at minimizing or eliminating possible nuisance factors such as noise, vibrations, smoke, dust, dirt, debris, plant materials, odors, gases, noxious matter, heat, glare, hazardous waste, electromagnetic disturbances, and radiation;
11. Measures designed to protect the natural features of the site including wetlands and drainage ways, ground water protection, soils, wildlife and plant life;
12. The regulation of operating hours for activities affecting normal schedules and functions;
13. Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval;
14. Measures to ensure compliance with all conditions and requirements of approval, such as bonds, letters of credit or restrictive covenants;
15. Any other condition necessary for the proposed use to be conducted in compliance with local, state and federal law.

17.09.070080. Modification of conditional use permit

- A. The land use authority may reasonably modify the conditions of a conditional use permit if the actual detrimental effects or impacts are greater than anticipated, and the proposed mitigation has been unsuccessful at mitigating those actual detrimental effects;
- B. Modification may be initiated by the applicant, the City, an injured party with standing, or the land use authority on its own motion. The party seeking the modification must pay the

costs associated with the modification proceedings, and file a petition for modification with the City. Modification proceedings are conducted in the same manner as an initial review;

- C. The conditional use permit holder is a necessary part to these proceedings, and shall be afforded due process.

17.09.080090. Expansion and growth of conditional use

- A. A conditional use may not be expanded without undergoing modification proceedings, as provided in section 17.09.070.
- B. A person expands a conditional use if the square footage of a structure on the property will be increased by greater than ten percent (10%) of the square footage existing at the time of the initial application.
- C. A conditional use has grown if the following occurs:
 - 1. The pedestrian or vehicle traffic has increased by greater than twenty percent (20%) than was anticipated at the time of the initial application, and the increased traffic is a result of the use;
 - 2. Off-street parking has become inadequate due to the number of customers, employees or occupants associated with the use; or
 - 3. Other detrimental effects, such as noise, odor or light pollution, have increased beyond that which was reasonably anticipated at the time of initial application.
 - 4. The City shall initiate modification proceedings if a conditional use has grown to the extent provided in this section.

17.09.090100. Revocation of conditional use permit

- A. The conditional use permit may be revoked or suspended if any of the following occur or are found to have occurred:
 - 1. The permit was obtained by fraud or misrepresentation;
 - 2. One or more of the conditions of the permit have not been met;
 - 3. The holder or user of the permit has failed to comply with any local, state or federal laws governing the conduct of the use;

4. The holder or user of the permit has failed to construct or maintain the site as shown on the approved plans; or
 5. A conditional use has been expanded or grown and cannot mitigate the detrimental effects of that expansion or growth.
- B. Revocation is appropriate when the applicant has knowingly engaged in conduct which violates the conditional use permit, or when the holder or user has previously had their permit suspended. Notice shall be given of a pending revocation and the property owner will be given a reasonable opportunity to cure the violation in the same manner as provided for other violations of zoning ordinances.

17.09.100110. Building permits. The issuance of a conditional use permit does not excuse an applicant from applying and obtaining building permits for the location, unless building permits are not required for the conditional use.

17.09.110120. Expiration

- A. **Conditional use not implemented.** A conditional use permit expires if the permit has not been implemented within one (1) year from the date of approval. The permit is considered implemented if the holder of the permit engages in the conditional use, or completes substantial construction on the site for which the permit was granted. Extensions of six months may be granted if the department finds that the use still complies with the Review Standards. Requests for extension shall be filed not less than thirty (30) calendar days prior to the expiration date.
- B. **Conditional use abandoned.** If the approved use or activity ceases for any reason for a continuous period of six (6) consecutive months or more, the conditional use permit shall automatically terminate without further notice, as having been abandoned. A person may only reinstate the conditional use after a new conditional use permit is issued.

17.21 - Residential Design Standards

17.21.010 Purpose

The purpose of this chapter is to establish minimum design standards for new residential construction that will:

- A. Ensure that new buildings are compatible within existing neighborhoods;
- B. Support and enhance walkable neighborhoods in the City;
- C. Cultivate desirable developments and neighborhoods to encourage long-term residency;
- D. Facilitate innovation in building design and energy efficiency standards.
- E. Promote clarity, transparency, and flexibility in design review and development approval processes.

17.21.020 Applicability

The standards of this ordinance shall apply to all residential yard areas and all exterior construction or site development when:

- A. New construction of one or more habitable structures occurs on undeveloped, vacant, or cleared property.
- B. A building permit is issued for any addition, expansion, or intensification of any property that increases the floor area of a building.
 - 1. Building permits for minor additions to existing residential structures shall be eligible for a modification to the residential design standards, as outlined in Section 17.21.040.
 - 2. Building permits for major additions to existing residences shall meet the standards of this ordinance. Noncomplying design elements of the existing residential structure shall be brought into compliance with the design standards as part of a permit for a major addition, except where full compliance with the requirements of this chapter is impossible due to existing site or building conditions.
- C. A change of use to a more intensive use of a building through the addition of dwelling units or gross floor area.

17.21.030 Exemptions

- 1. Historically contributory structures as designated by the South Salt Lake Planning Commission;
- 2. Structures intended to house public utilities;

3. Agricultural uses and stables; and
4. Uses without habitable structures such as surface parking lots, golf courses, driving ranges, parks, athletic fields, and similar uses.

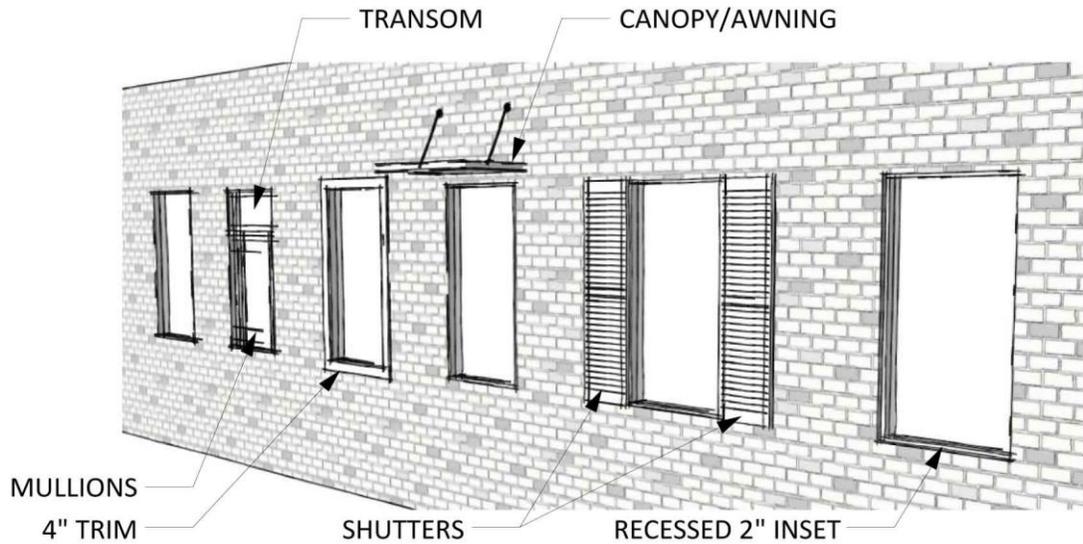
17.21.040 Modifications

- A. At the discretion of the Land Use Authority, the frontage, orientation, primary façade, materials, build-to zones and setback requirements, required amenities, or open space requirements may be modified in order to ensure that new buildings are compatible within existing neighborhoods; to support and enhance walkable neighborhoods in the City; to cultivate desirable developments and neighborhoods; to encourage long-term residency; and to facilitate innovation in building design and energy efficiency standards.
- B. An applicant may submit a design review application to the Land Use Authority, proposing an innovative design proposal that varies from specific requirements but that achieves the purpose of this chapter.
- C. **Minor Additions:** Building permits for minor additions to existing residential structures that increase are subject to the following modified residential design standards:
 1. For additions where the primary façade of the existing structure is to be maintained, the frontage, orientation, primary façade, roof pitch, materials, build-to zones, and setbacks for minor additions shall be compatible with the existing structure and with other residential structures in the neighborhood.
 2. For additions where the primary façade of the existing structure is to be altered, the changes shall comply with the frontage, orientation, primary façade, roof pitch materials, build-to zones and setback requirements established in this chapter.
 3. Additions and modifications are subject to the height requirements established in this chapter.
 4. Expansion of a noncomplying structure is subject to the standards established in Chapter 17.23 of this code.
- D. The Land Use Authority may not modify height or building form requirements as established in this chapter, except for the following:
 1. If an applicant seeks a modification to the height requirements for detached house, mansion-style multifamily, or townhouse-style multifamily buildings in an existing R1, RM, or Agriculture land use district, the applicant shall submit a design review application to the Planning Commission requesting a modification to the maximum height requirements.

- E. The Land Use Authority may modify the requirements of this chapter where full compliance is impossible due to existing site or building conditions.
- F. The Land Use Authority may not modify the requirements of this chapter on the basis of an applicant's financial hardship.

17.21.050 General Design Standards

- A. **Frontage.** The primary façade of all buildings shall front directly onto a street or common open space area except as specified otherwise in this chapter.
- B. **Orientation.** Development shall be parallel to the street it fronts, or built to be consistent with existing development patterns.
- C. **Primary Façade.** Except for structures in multi-building developments, at least one Primary Façade shall be provided on the façade facing the primary street the structure fronts. The primary facade shall contain at least one public pedestrian entrance. For the purposes of this section, the primary street shall be the street from which a structure derives its street address. Buildings on corner lots shall locate the Primary Façade on the building corner closest to the adjacent street intersection.
- D. **Windows.** Windows shall be required, at a minimum, on all the Primary Façade of all buildings.
 - 1. Windows along the Primary Façade of buildings shall have a minimum transparency of 70 percent.
 - 2. All windows along the primary façade of buildings shall incorporate at least one of the following standards:
 - a. mullions and/or transoms
 - b. Trim or molding at least four inches (4") in width
 - c. Canopies, shutters, or awnings, proportional to window size.
 - d. Recessed inset from the front façade by at least two inches (2").

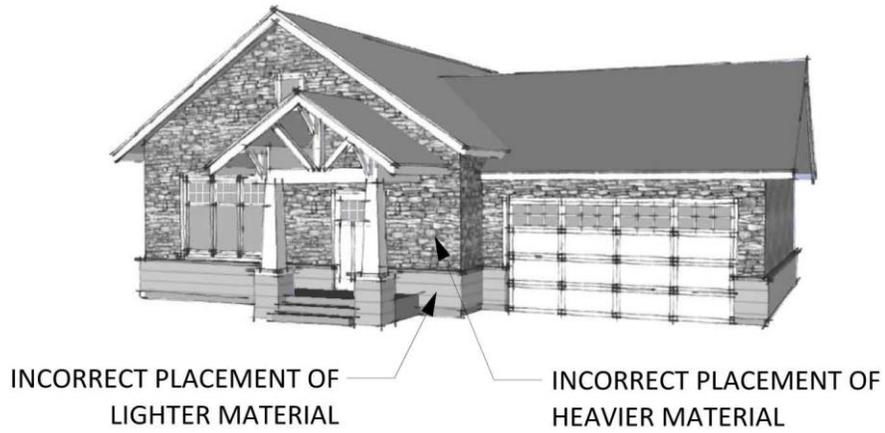
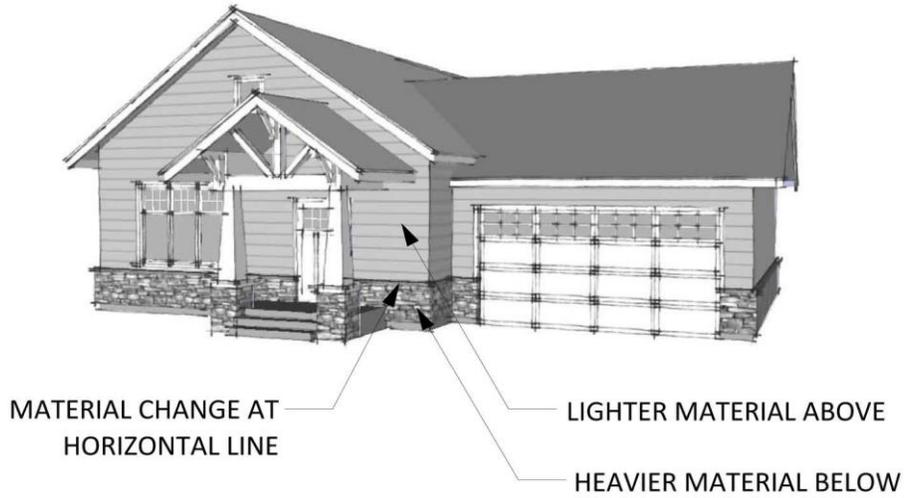


E. Materials.

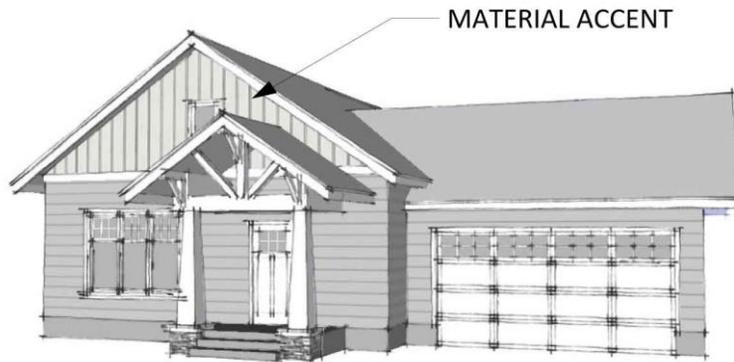
1. **Prohibited Primary Materials.** No building shall incorporate corrugated metal siding, stucco within 18 inches of the grade, or exposed smooth-finish concrete block as primary materials on the building's primary façade unless the materials are supplemented with one or more of the following supplemental materials to comprise at least forty percent (40%) of the front facade:
 - a. cementitious fiber board,
 - b. brick,
 - c. wood,
 - d. stone,
 - e. architectural or ornamental glass, excluding windows,
 - f. architectural metal panels, or
 - g. EIFS.

2. Arrangement.

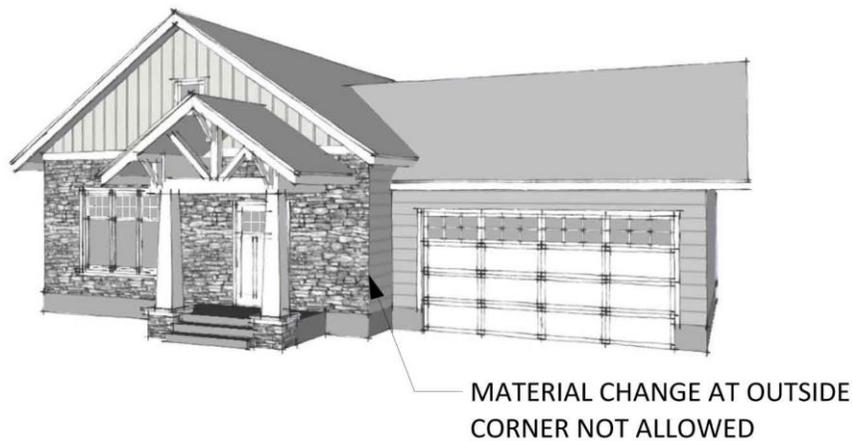
- a. Where two or more materials are proposed to be combined on a façade, the heavier and more massive material shall be located below the lighter material.



- b. Material changes shall occur along a horizontal line or where two forms meet; and material changes may occur as accents around windows, doors, cornices, at corners, or as a repetitive pattern.



- c. Primary façade materials shall not change at outside of building corners, and shall continue along any side façade visible from a street or pedestrian right-of-way. Materials may change where side or rear wings meet the main body of a structure. Primary façade materials used on buildings on corner lots shall be extended the full length of the sides visible from a street or pedestrian right-of-way.



F. Compatibility.

1. Building forms on lots that front across the street from one another shall be similar in scale, form, and massing, to the maximum extent practicable.
2. Structures on corner lots shall maintain consistent average setbacks with buildings on either side regardless of the building form used.

3. Infill development shall utilize the same building form as development on either side, to the maximum extent practicable.

G. Yard Areas

1. All residential building forms established in this ordinance shall include front, rear, and side yards as defined in the Definitions section of this title and as required by this title. Space needed to meet the requirements for yard areas on a specific parcel or development shall not be sold or leased away from that parcel or development.
2. **Yard Requirements and Qualifications.**
 - a. Yard areas shall not be used for parking, except for driveways or garages as required by this title.
 - b. Any yard area visible from a public street shall not be used for storage.
 - c. Fences, courtyards, and patios may be allowed provided they meet the requirements established elsewhere in this title.
 - d. All front and corner side yard areas as required by this title shall be landscaped according to the landscape standards established in this title.

3. Projection of Architectural Elements and Mechanical Equipment into Yard Areas

Projection of architectural elements and mechanical equipment into required yard areas beyond setbacks or build-to-zones is permissible according to the standards established in the table below. Projection of architectural elements and mechanical equipment into yard areas must comply with the clear view requirements established in this title.

Element	Front and Corner Side Yard	Side Yard	Rear Yard
Steps, porches, landings, stoops, and porticos	4 feet	2 feet	4 feet
Eaves, cornices, overhangs	2 feet		4 feet
Bay windows, cantilevered rooms, and awnings	4 feet	2 feet	4 feet
Balconies	Shall not project into yard areas.		6 feet
Mechanical Equipment	Shall not project into yard areas.	2 feet	4 feet
Exterior Staircases as allowed	Shall not project into yard areas.		4 feet

17.21.060 Building Form Standards By Land Use District

A. Building Forms. This ordinance establishes building form standards that are applied based upon the type of structure being built or redeveloped. The allowable types of specific building form standards are established below in the Building Form Matrix.

- 1. Matrix Explanation.** The matrix below lists allowed and prohibited building types within South Salt Lake’s Commercial, Transit Oriented Development, Mixed Use, Business Park, Professional Office, Light Industrial, Historic, Agriculture, Gateway, Community Facility, Entertainment, and Residential Zones. The letter “A” shall mean “allowed.” For those building forms that are associated with a shaded box in a zone, that building type is prohibited within the designated zoning district.

2. Building Forms and Associated Land Uses: The uses permitted within a building are determined by the base and overlay land use districts in which it is located, as indicated in the following table.

Building Form	Commercial Corridor	Commercial Neighborhood	Commercial General	TOD and TOD-C	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment Overlay	Open Space	R1-6,000	R1- 5000	Residential Multiple	Planned Unit Development
Detached House		A		A	A		A			A	A				A	A	A ¹	A
Mansion-style Multifamily	A			A	A		A				A						A	A
Townhouse-style Multifamily	A	A	A	A	A						A						A	A
Garden-style Multifamily	A		A		A						A						A	
Urban-style Multifamily	A		A	A	A						A						A	

3. Building Forms and Associated Land Uses Table Reference Requirements.

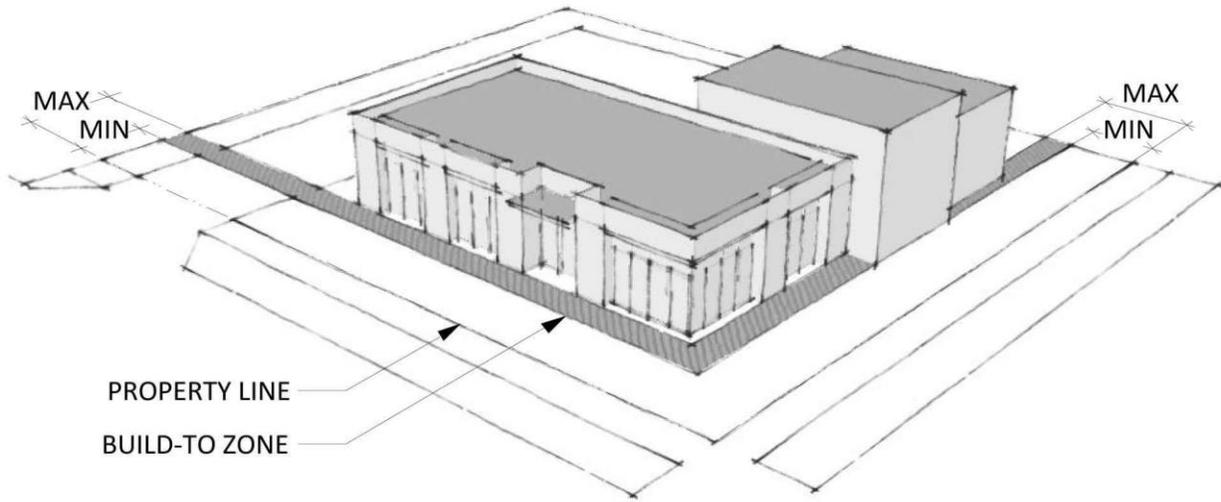
1. The detached house form may not be used for dwelling units intended for renter-occupancy in the Residential Multiple Land Use District.

B. Build-to Zones and Setbacks

A “Build-to Zone” shall mean an area of lot designated for placement of a building façade along a street frontage, located parallel to a front or corner property line. The Build-to Zone defines an area in which the locations of building fronts can vary within a specified range, as described in the table below.

1. Front and Corner-side Build-to Zones

Build-to Zone	Commercial Corridor	Commercial Neighborhood	Commercial General	TOD and TOD-C	Mixed Use	Light Industrial	Professional Office	Gateway West	Entertainment Overlay	R1-6,000	R1- 5000	Residential Multiple
Min – in feet	10	10	10	5	5	10	10	20	10	20	20	20
Max – in feet	25	20	20	15	30	25	20	30	25	25	25	30



2. Side and Rear Setbacks

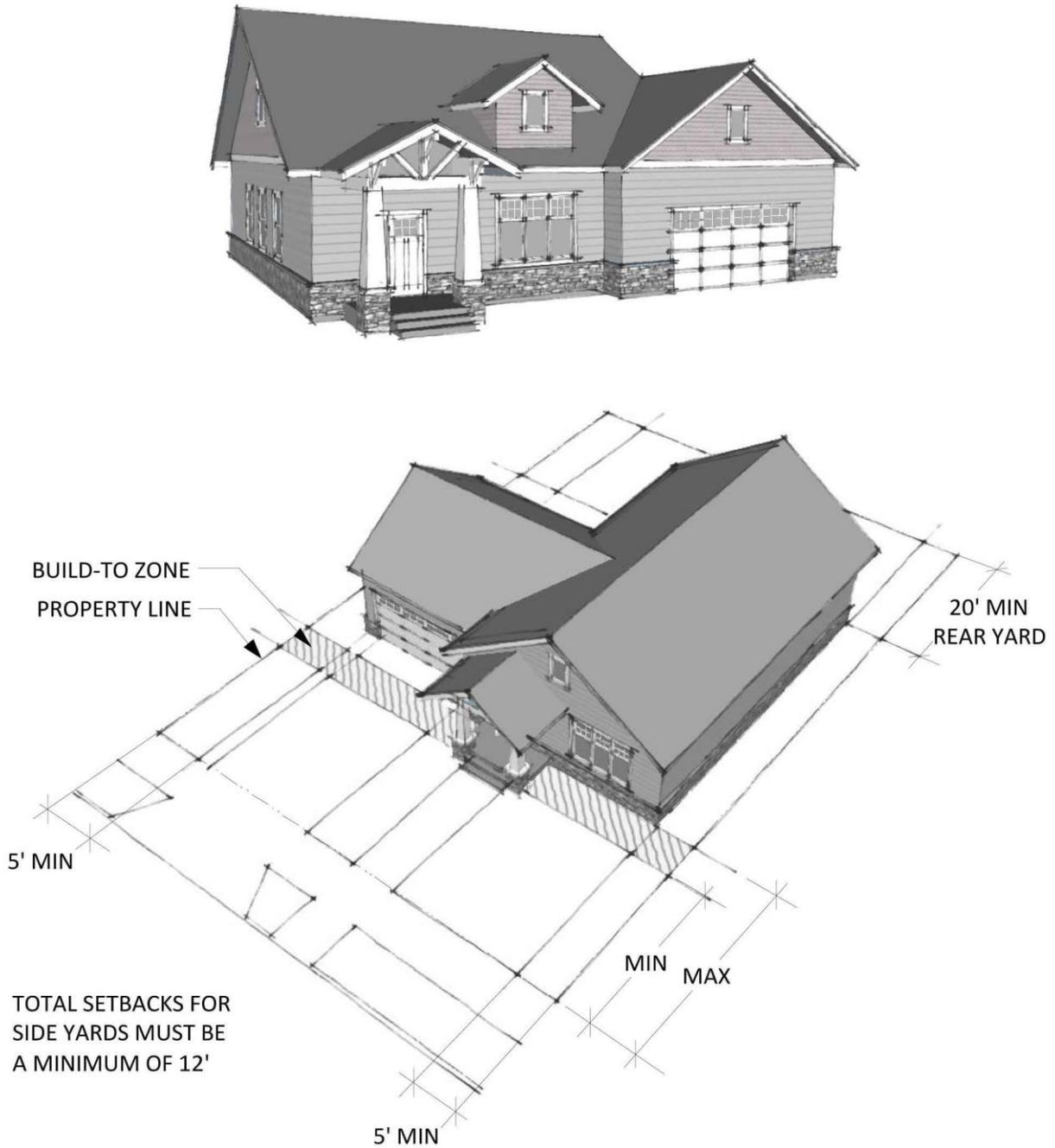
Side and rear setbacks are described in the table below.

Building Form	Side Yard in feet	Rear Yard in feet
Detached House	12 ^{1,2}	20 ²
Mansion-Style Multifamily	8 ²	20 ²
Townhouse-Style Multifamily	5 ²	20 ²
Garden-Style Multifamily	10	10
Urban-Style Multifamily	5	5

3. Side and Rear Setbacks Table Reference Requirements

1. Detached house buildings must have a total combined side yard setback of twelve (12) feet. The minimum setback on any one side is five (5) feet.
2. Setbacks in planned unit developments are subject to the development standards established in Title 15 of this code.

17.21.070 Detached House Building Design Standards.



The detached house building accommodates single-family uses, live/work uses, approved home occupations, professional offices, and very low intensity retail uses as permitted in sections 17.15.030 and 17.15.040 of the South Salt Lake Municipal Code.

A. Orientation. All structures using the Detached House Building form shall front a primary street or private drive.

B. Building Height.

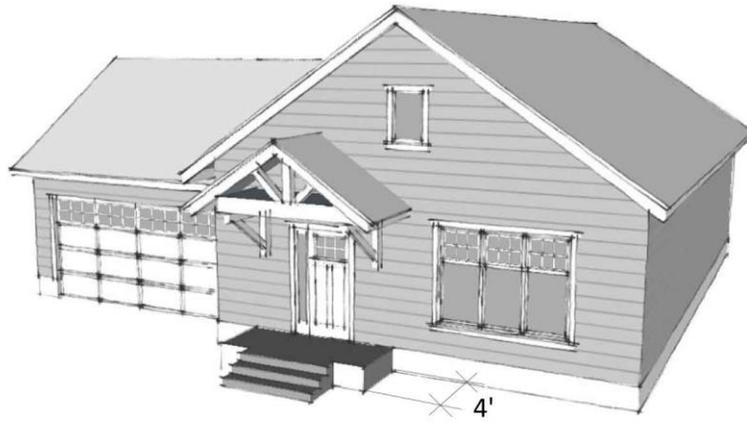
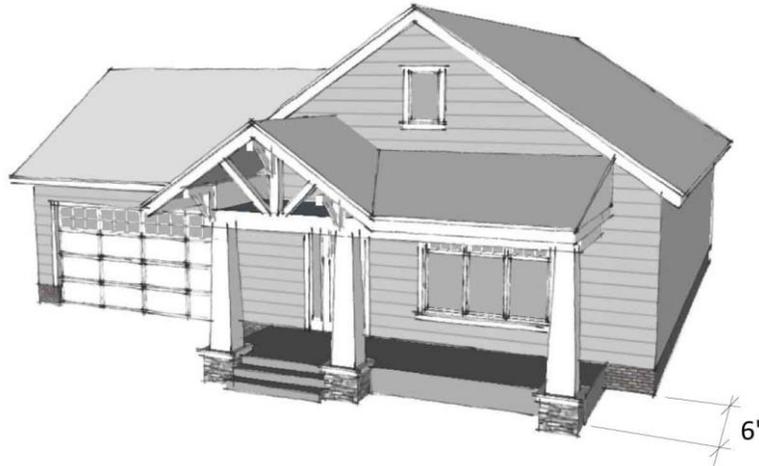
1. The maximum height allowed for structures using the Detached House Building Form shall be thirty five feet (35') from grade to the peak of the roof or, for flat roofed structures, the top of the parapet.
2. Structures using the Detached House Building form on lots that abut existing single-story residential structures in an existing R1, RM, or Agriculture land use district shall have a maximum height of two stories, up to 30 feet (30').

C. Materials.

1. Allowable primary materials for the Detached House Building Form shall be wood clapboard, cementitious fiber board, wood board and batten, wood siding, brick, stone, stucco, or similar material.
2. Allowable secondary materials for the Detached House Building form can include cementitious fiber board, brick, wood, exposed smooth-finish concrete block, stone, glass, architectural metal panels, EIFS, corrugated metal, or similar material.
3. Pitched roofs of structures using the Detached House Building Form shall be clad in asphalt shingles, wood shingles, standing seam metal, a similar material, or a combination of similar materials.

D. Porches, landings, Stoops, or Porticos. All buildings using the Detached House Building form shall have a covered porch, a covered landing, a stoop, or a portico. This element shall be:

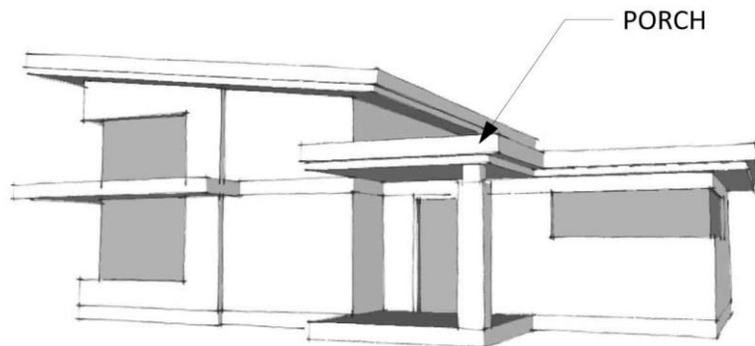
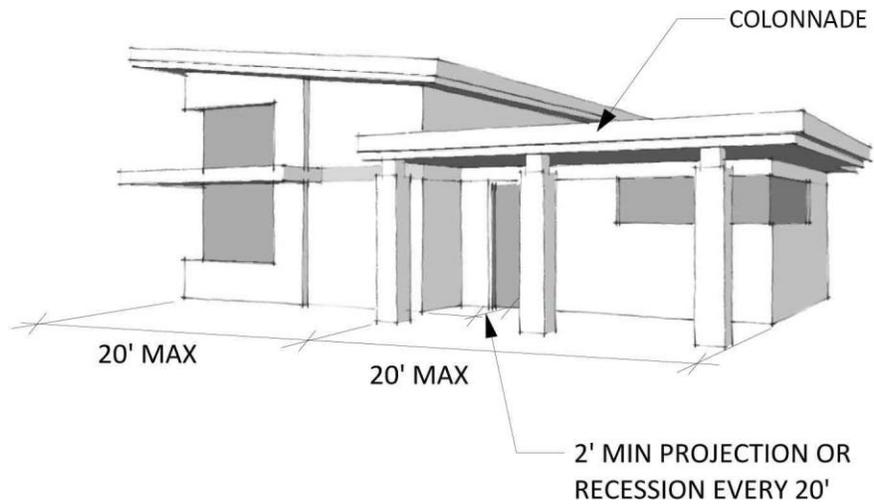
1. The primary architectural element of the façade where located;
2. Located on the front facade of the structure; and
3. Porches must be at least six feet deep;
4. Stoops and landings must be at least four feet deep.
5. Porticos must provide a depth of covering of at least four feet.

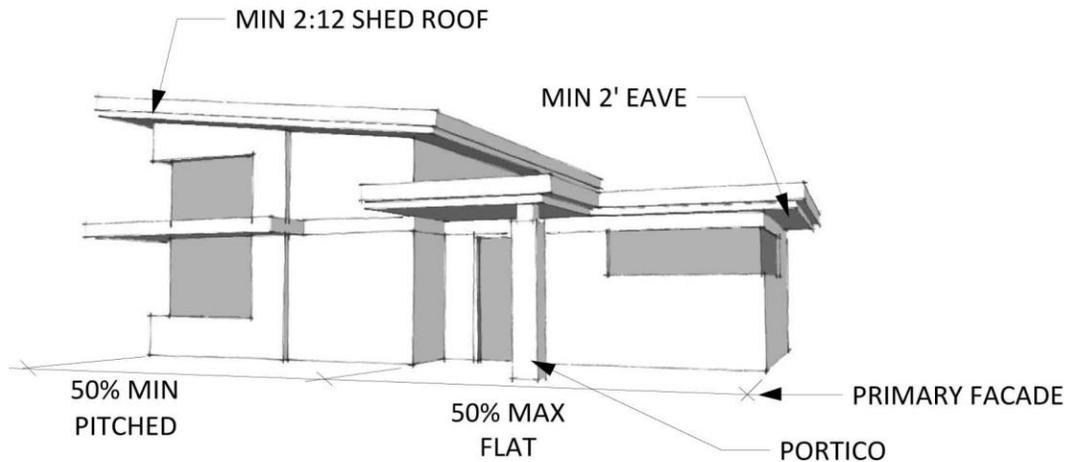


E. Roofs and Overhangs. Roofs and overhangs on buildings using the Detached House Building Form shall comply with the following standards:

1. Pitched roofs covering the main body of the structure shall be hip style, shed style, mansard, or shall have symmetrical gables.
2. Shed roofs shall maintain a minimum pitch of 2:12 and all other roofs covering the main body of a Detached House Building shall maintain a minimum roof pitch of 6:12 or steeper.
3. Overhanging eaves may expose rafters, but flush eaves shall be finished with profiled molding or gutters.

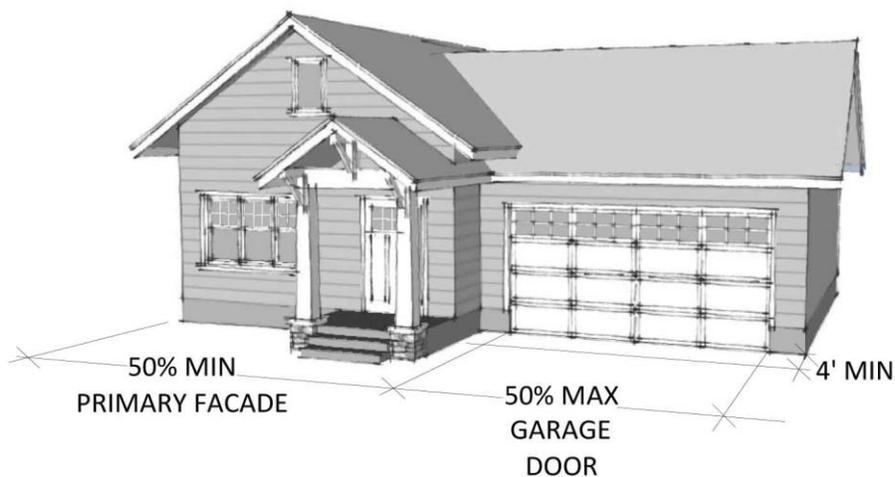
4. Flat roofs may be used for Detached House Buildings. All flat roofs shall require a minimum two foot parapet wall or a minimum two foot overhanging eave along the roofline. Additionally, two of the following conditions shall be met:
- a. Gables, shed roofs, or pitched roof elements shall cover at least fifty percent (50%) of the length of the primary façade.
 - b. A porch, portico, or colonnade shall be located along the Primary Facade of the building, emphasizing the front door.
 - c. Additional two-foot projections or recesses in the façade plane every 20 feet.



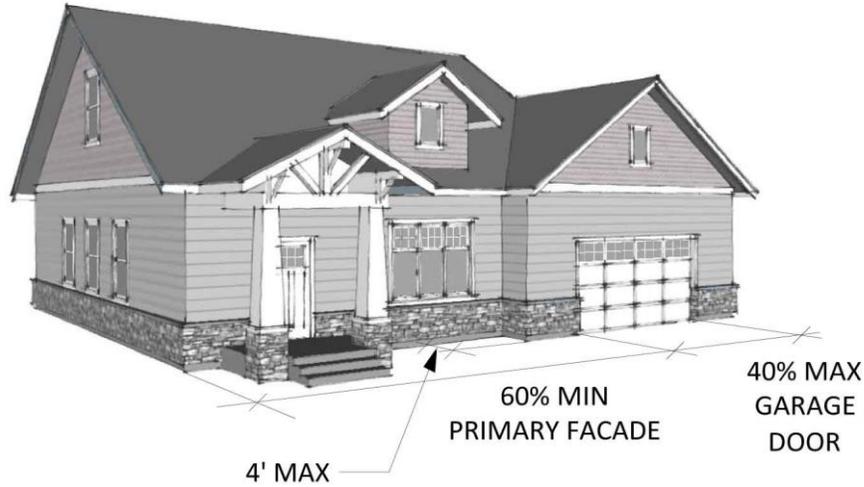


5. All roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or configured to have a minimum visual impact as seen from an adjacent street.
- F. Facades.** Any structure using the Detached House Building Form with a front façade of thirty feet (30') or more shall incorporate wall offsets in the form of projections or recesses in the front façade plane. Offsets shall have a minimum depth of two feet (2').
- G. Garages.** All structures intended for residential occupancy using the Detached House Building Form shall include a garage. The following garage standards shall apply:
1. Street facing garage façades shall not visually or architecturally dominate the front façade elevation of the primary building. Compliance is determined by:
 - a. The living space is the dominant element of the front façade; and
 - b. The roof accent gabling is visually dominant over the living space instead of the garage;
 - c. Front facing garages must contain at least two of the following:
 1. Single carriage house garage doors with windows;
 2. Garage doors that include windows and are painted to match the main or accent color of the dwelling;
 3. Ornamental light fixtures flanking the doors;
 4. Arbor or trellis;
 5. Columns flanking doors and/or an eyebrow overhand;

6. Portico;
 7. Dormers;
 8. Twelve-inch overhangs over garage doors;
 9. Eaves with exposed rafters with a minimum six inch (6") projection from the front plane;
 10. A vertical element such as a tower, placed over the primary pedestrian entrance; or
 11. Roof line changes.
- d. In addition to the two required elements described in the section above, front-facing garages protruding up to four (4) feet from the front plane shall have garage doors with windows.
 - e. Front facing garages protruding more than four feet (4') from the front façade shall include a porch or covered landing that extends a minimum of six feet (6') from the plane of the living space. In no case shall a street facing garage protrude more than eight feet (8') from the plane of the living space.
 - f. In no case shall front facing garage doors comprise more than fifty percent (50%) of the primary façade.
 1. Front facing garage doors that comprise from forty percent (40%) to fifty percent (50%) of the primary façade shall be recessed from the primary façade by at least four feet (4')



2. Front facing garage doors that are flush with the primary façade or that protrude up to four feet (4') from the front façade shall comprise no more than forty percent (40%) of the primary façade



3. Front facing garage doors protruding more than four feet (4') from the front façade shall comprise no more than thirty percent (30%) of the primary façade.



2. All garages with more than two bays or with doors exceeding sixteen feet (16') in width shall be located behind the rear façade of a structure using the Detached House Building Form, or shall be side-loaded. Buildings using this form that incorporate side-loaded garages shall emphasize the pedestrian entrance to the building. Side loaded garages along front facades shall incorporate a portico, arbor, trellis, or some other element to articulate the façade incorporating the garage. This requirement shall not apply to Detached House Buildings on flag lots.

- H. Carports.** Carports as defined in this title are not permitted for new development of structures using the Detached House Building form. Carports may be constructed on properties with existing residential , subject to the setback and clear view requirements of this title.
- I. Accessory Structures.** Accessory structures associated with the Detached House Building Form are intended for storage and other incidental uses and not for human occupancy. Accessory structures shall be built in a manner compatible with the primary building. Accessory structures may be clad in wood or vinyl siding. Accessory structures shall be located in the side and rear yards only.

1. Building Requirements.

- a. Accessory structures shall not exceed one story.
- b. Accessory structures shall only be accessed at the finished grade of the structure by an entry door or overhead door.
- c. Windows are permitted for accessory structures. On the facades of accessory structures facing abutting properties, the heads or upper casings of windows shall be no higher than eight feet above the finished grade of the structure. Greenhouses and structures with clerestory windows that are at least eight feet above grade are exempt from this requirement.
- d. Accessory structures shall not have sewer service. All other utilities for accessory structures shall only be accessed from the principal building on the parcel.

2. Setbacks.

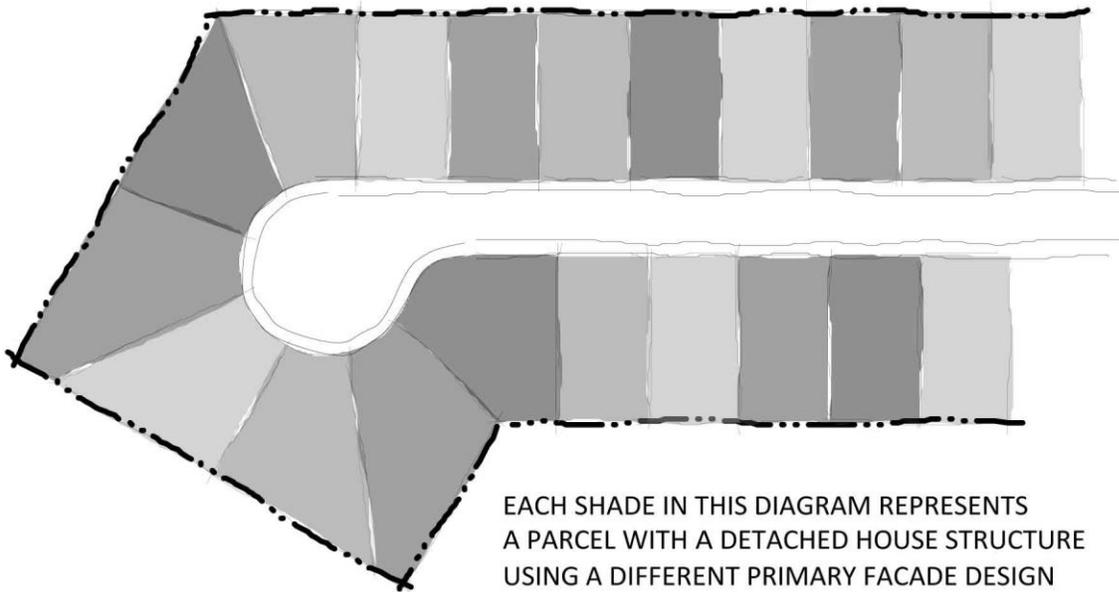
- a. Accessory structures shall be separated from the primary residence by at least ten feet.
- b. Accessory structures less than 200 square feet in area shall be at least two feet a rear or side property line.
- c. Accessory structures greater than 200 square feet in area shall be separated from the side property lines by at least five feet, and from the rear property line by at least two feet.

3. Area. Accessory structures may be five hundred (500) square feet in area. The Land Use Authority may modify this requirement for accessory structures in a rear yard, but in no case shall the combined area of all accessory structures on a residential parcel exceed forty (40) percent of a rear yard area.

4. Height. Accessory structures may not exceed twenty feet (20') in height.

J. Architectural Variability.

1. All residential subdivision of three lots or more that are intended solely for single-family detached structures configured with the Detached House Building Form shall include multiple distinctly different front façade designs within any single phase of the development. Developments of three to ten units shall have a minimum of three façade variations. One additional façade variation will be required to be included for each additional ten units.



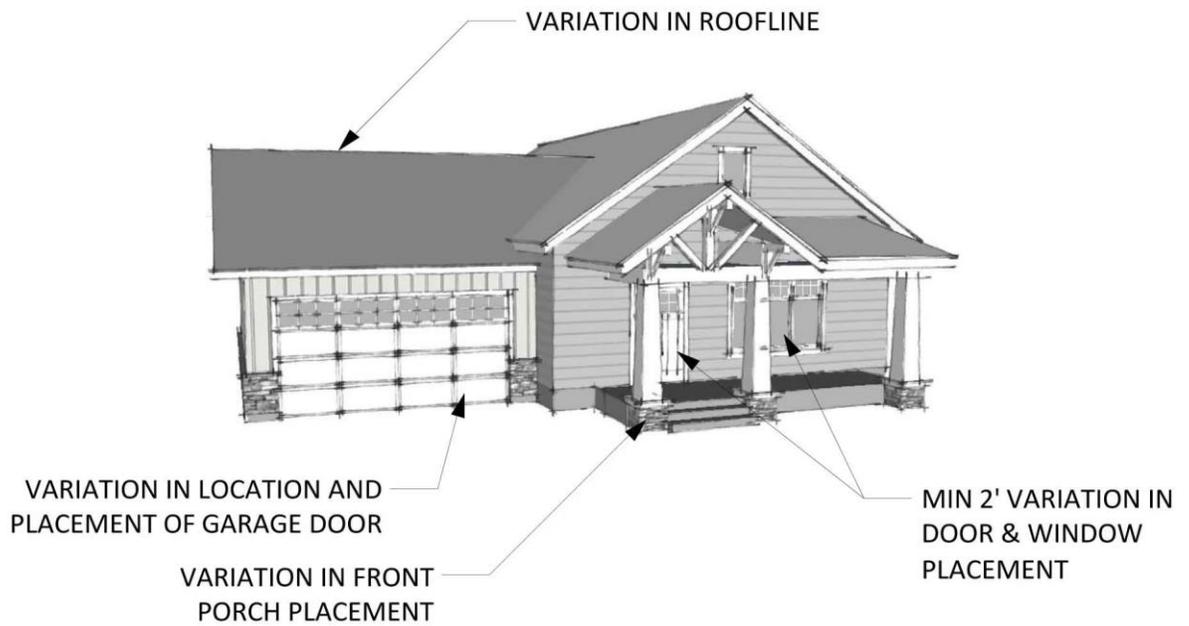
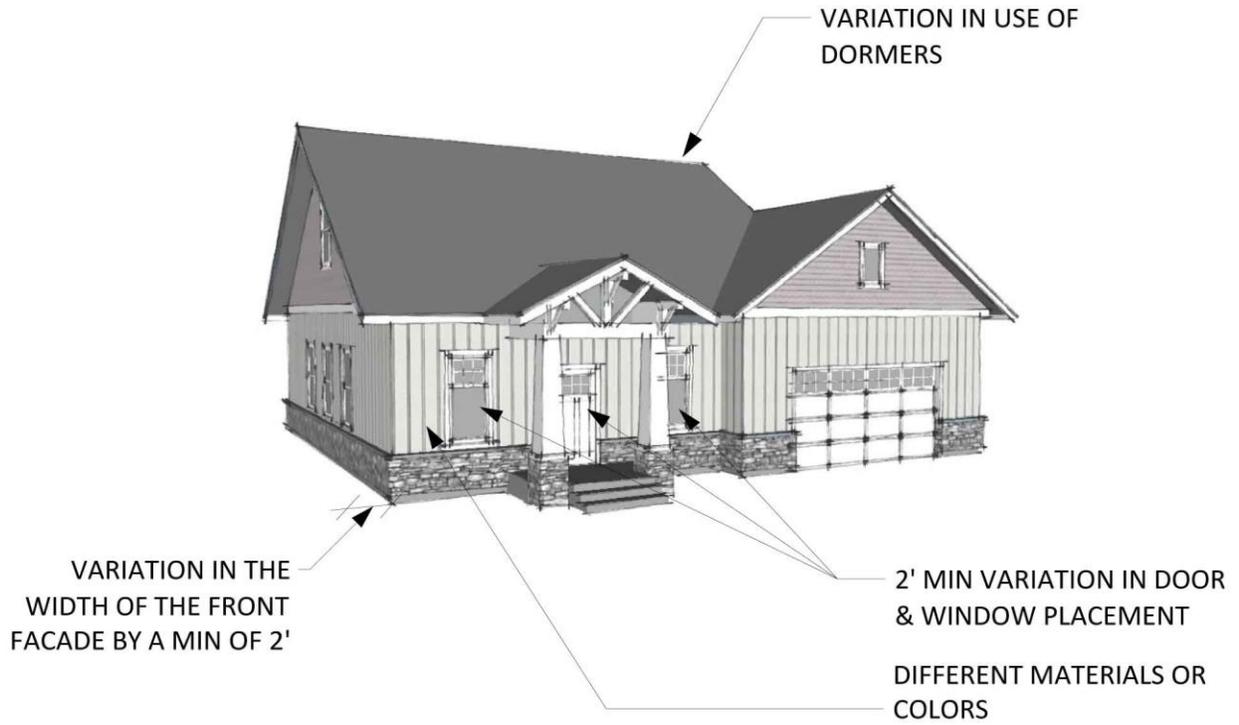
2. “Distinctly different” shall be defined to mean that a structure using the Detached House Building Form’s primary façade must differ from other building facades, utilizing at least one of the required architectural variability standards and three of the optional architectural variability standards listed in the following table:

3. Architectural Variability Table

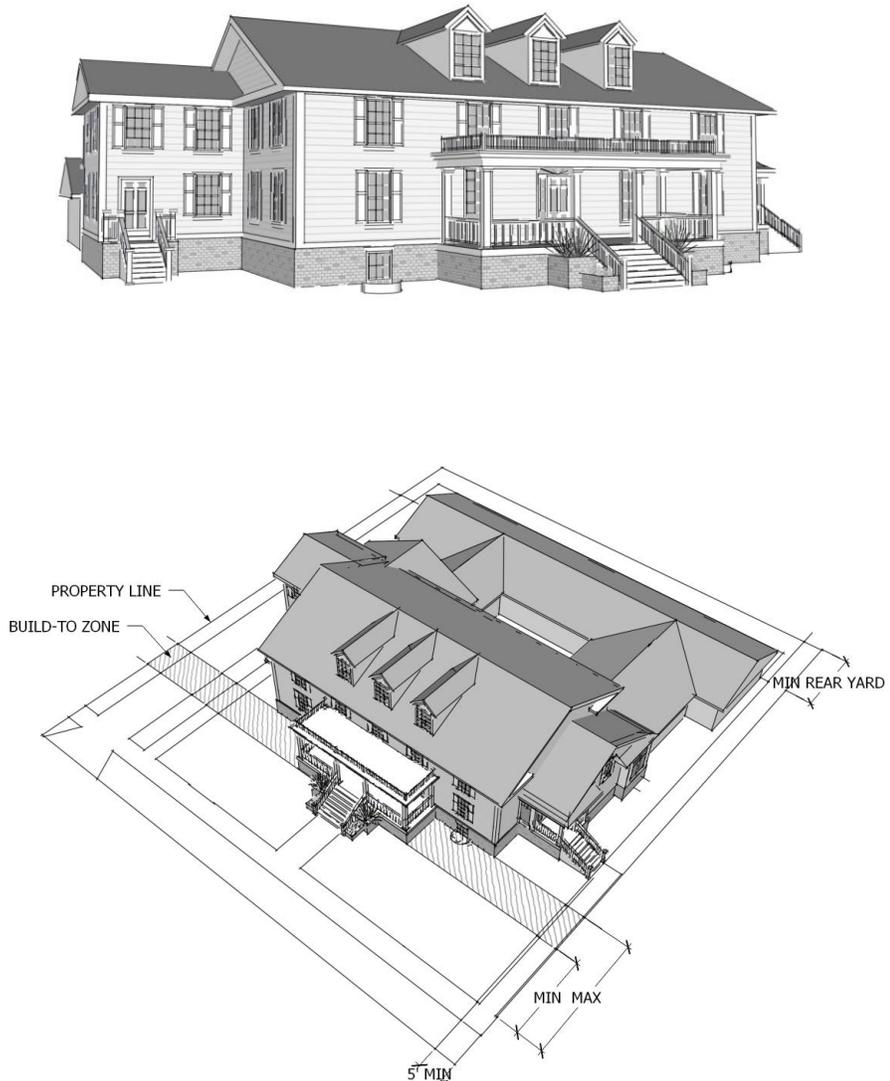
Required Architectural Variability Standards (must choose one)	Optional Architectural Variability Standards (must choose three)
The use of different exterior materials or colors	Variation in the width of the front façade by two feet or more.
Variation in the location and proportion of front porches	At least a two-foot horizontal or vertical variation of the placement or size of windows or doors on the front façade
Variation in trim or quoins	Variation in rooflines, pitches, or the use of dormers
	Variation in the location or proportion of garages and garage doors.

4. Mirror images of the same configuration do not meet the definition of “distinctly different.”
5. No structure using the Detached Building House Form shall be of the same primary façade design as any other structure using the Detached House Building Form within three building lots along the same block face, and no single front façade design may constitute more than 25 percent of the front façade design within any single phase of a subdivision.





17.21.080 Mansion-style Multifamily Building.



The Mansion-style Multifamily Building is a building form that accommodates between two and six dwelling units within a structure designed to appear as a typical single-family detached home. It is intended for use by multi-family buildings with six or fewer units intended for owner-occupancy or for rental, limited capacity assisted living facilities, group homes, and residential facilities for elderly persons and persons with a disability. Buildings using this form that are part of a rental development shall include amenities as specified in this chapter.

- A. Compliance with Standards for Detached House Building Form.** In addition to the standards using the Mansion-style Multifamily Building Form shall be subject to the standards for a Detached House except that Mansion-style Multifamily Buildings shall be exempted from the garage and architectural variability standards described in the previous section. In the event of a conflict between the Detached House Building Form standards and the Mansion-style Multifamily Building Form standards, these standards shall apply.

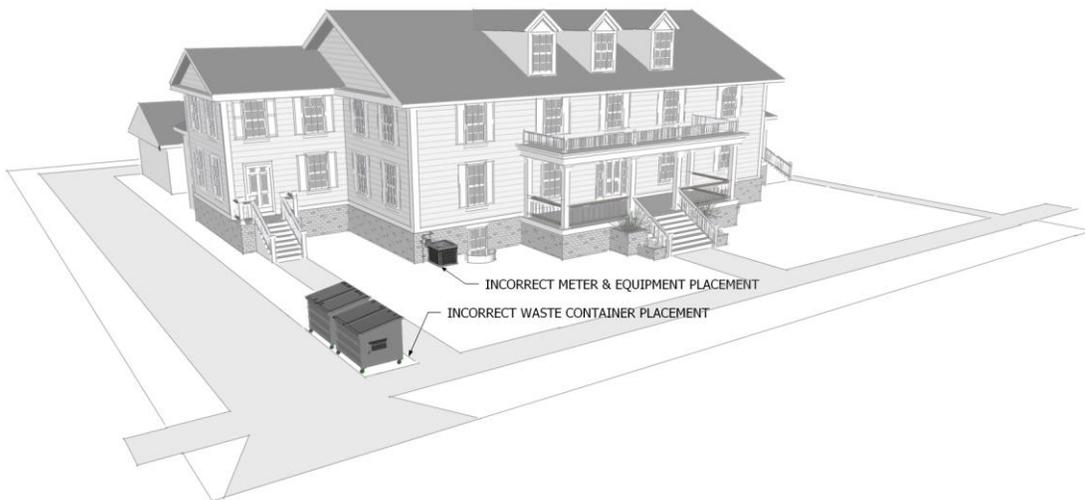
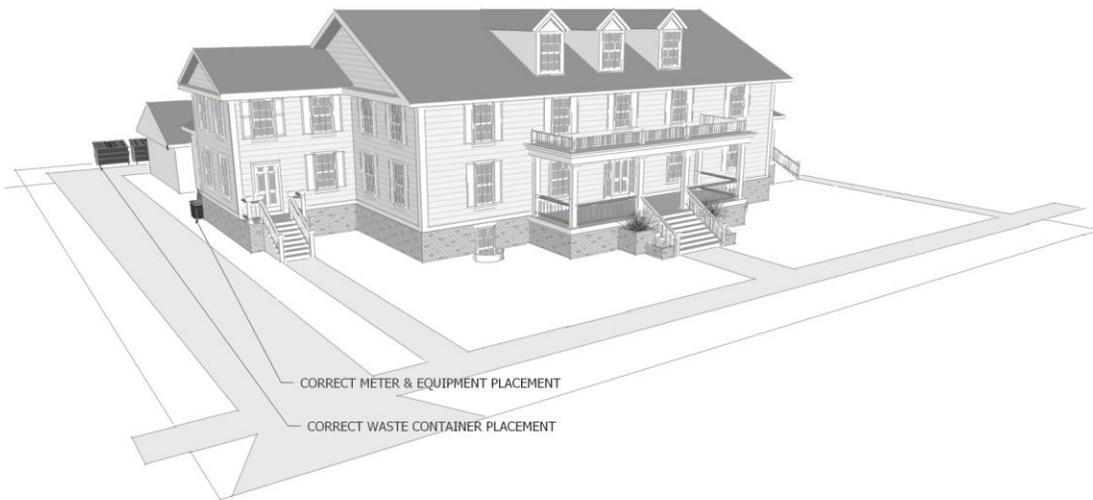
- B. Maximum Number of Units.** Structures using the Mansion-style Multifamily Building form shall be limited to a maximum of eight (8) dwelling units.
- C. Primary Façade.** Regardless of the number of dwelling units, all structures using the Mansion-style Multifamily Building Form shall include at least one single primary entrance on the front façade. Nothing in this subsection shall limit the ability of each dwelling unit to have a secondary pedestrian entrance on side or rear façades.
- D. Façade Design.**
- a. All sides of a structure using the Mansion-style Multifamily Building Form visible from an existing street or pedestrian right-of-way, or a park or improved open space shall display a similar level of quality and architectural detailing.
 - b. All building details on a single structure using the Mansion-style Multifamily Building Form, including roof forms, siding materials, windows, doors, and trim shall reflect a consistent architectural style.
- E. Garages.** Attached or detached garages serving a structure using the Mansion-style Multifamily Building form shall be placed to the side or rear of the building. In no case shall a garage be on the primary façade of a Mansion-style Multifamily Building.
- F. Driveways and Off-Street Parking Areas**
- 1. Except on corner lots, all structures using the Mansion-style Multifamily Building Form along primary streets shall be served by a single driveway and off-street parking area. Buildings on corner lots may have up to two individual driveways provided each driveway is accessed by a different street.
 - 2. No off-street parking area shall be located between a structure using the Mansion-style Multifamily Building and the street it fronts, unless the building using this form is intended for use for a limited capacity assisted living facility, group home, or residential facility for elderly persons and persons with a disability.
 - 3. Off-street parking areas (including access and drive aisles) located to the side of a building shall not occupy more than thirty percent (30%) of the lot's frontage.
- G. Common Open Space.** Buildings using the Mansion-style Multifamily Building Form shall include common open space, according the following standards:
- 1. At least 20 percent of the development site, excluding dedicated rights-of-way and required build-to zone and setback areas, shall be common open space. The Land Use Authority may approve a reduction in the open space requirement by 25 percent if the site is within one quarter mile, as measured at the closest property lines, of a light rail station, a streetcar stop, or a public park.

2. To qualify for the reduction, the site must include a pedestrian access in the form of a sidewalk at least five feet wide from each unit to the nearest public sidewalk or trail.

H. Meter and Equipment Placement. Wall-mounted and ground-based meters, HVAC, and utility equipment serving a Mansion-style Multifamily Building shall:

1. Be fully screened from view, or located to the sides or rear of the structure they serve, and
2. Be placed in close proximity to one another.

I. Waste Container Placement. Waste containers serving a Mansion-style Multifamily building shall not be located between the building and the street it fronts. Waste containers shall be designed according to the standards set forth in this title.



- J. Multiple-Building Developments.** Developments with two or more structures using the Mansion-style Multifamily Building Form shall incorporate different surface materials, differing heights, and differing window and door placement on the front façade of each structure along the same block face.

17.21.090 Townhome-style Multifamily Building.



The Townhome-style Multifamily Building is a building form that accommodates up to twelve dwelling units that are located side by side. The uses permitted within a building are determined by the base and overlay zoning districts in which it is located. Buildings using this form that are part of a rental development shall include amenities as specified in this chapter.

- A. Compliance with Standards for Detached House Building Form.** In addition to the standards using the Townhome-style Multifamily Building Form shall be subject to the standards for a Detached House except that Townhome-style Multifamily Buildings shall be exempted from the garage and architectural variability standards described in the previous section. In the event of a conflict between the Detached House Building Form standards and the Townhome-style Multifamily Building Form standards, these standards shall apply.
- B. Maximum Number of Units.**

1. No more than twelve Townhome-style dwelling units with side-or rear-facing garages shall be attached in a single row within a single building.
2. No more than three Townhome-style dwelling units with front facing garages shall be attached in a single row within a single building.

C. Frontage and Orientation

1. **Single-Building Developments.** Developments composed of a single structure using the Townhome-style Multifamily form shall comply with the frontage and orientation standards described in the General Design Standards section of this chapter.
2. **Multiple Building Developments.** The primary entrance and front façade of individual buildings within a multiple building development shall be oriented toward the following, listed in priority order:
 1. Public streets
 2. Perimeter streets
 3. Primary internal streets
 4. Parks, courtyards, paseos, or other common open space; and
 5. Secondary internal streets or alleys

Primary entrances or facades shall not be oriented toward off-street parking lots, garages, or carports.

- D. Primary Facade.** Regardless of the number of dwelling units, all structures using the Townhome-style Multifamily Building Form shall include at least one single primary entrance on the front façade. Nothing in this subsection shall limit the ability of each dwelling unit to have a secondary pedestrian entrance on side or rear facades.

E. Façade Design.

1. All sides of a structure using the Townhome-style Multifamily Building Form visible from existing single-family residential uses, an existing street or pedestrian right-of-way, or a park or improved open space shall display a similar level of quality and architectural detailing.
2. All building details on a single structure using the Townhome-style Multifamily Building Form, including roof forms, siding materials, windows, doors, and trim shall reflect a consistent architectural style.
3. Townhome-style Buildings with street-facing garages shall incorporate an identifiable transition between each unit. A transition shall incorporate at least two of the three following elements: a change in roofline, an offset in the primary façade of the unit of at least two feet, or variation in the location and proportion of front porches.

- F. Garages.** All buildings using this form shall include a garages serving each unit.

1. Townhome-Style Multifamily Buildings with Front Facing Garages.

- a. Front facing garage doors shall comprise no more than fifty percent (50%) of the primary façade.
- b. Front facing garage facades shall not visually or architecturally dominate the primary façade elevation of the townhome. Street facing garages serving Townhome-Style Buildings shall comply with the garage standards for the detached house building.



- 2. Townhome-Style Multifamily Buildings with Side-or Rear-Facing Garages.** Garages may be to the side or rear of Townhome-Style Multifamily Building. Buildings using this form that incorporate side- or rear-facing garages shall emphasize the pedestrian entrance to the building. Side loaded garages along front facades shall incorporate a portico, arbor, trellis, or some other element to articulate the façade incorporating the garage.

G. Driveways and Off-Street Parking Areas

- 1. Except on corner lots, all structures using the Townhome-style Multifamily Building Form shall be served by a single driveway and off-street parking area. Buildings on corner lots may have up to two individual driveways provided each driveway is accessed by a different street.
- 2. No off-street parking area shall be located between a structure using the Townhome-style Multifamily Building and the street it fronts, except on driveways as allowed.
- 3. Off-street parking areas (including access and drive aisles) located to the side of a building shall not occupy more than thirty percent (30%) of the lot's frontage.

H. Common Open Space. Buildings using the Townhome-style Multifamily Building Form shall include common open space, according the following standards:

- 1. At least 20 percent of the development site, excluding dedicated rights-of-way and required build-to zone and setback areas, shall be common open space. The Land Use Authority may approve a reduction in the open space requirement by 25 percent if the

site is within one quarter mile, as measured at the closest property lines, of a light rail station, a streetcar stop, or a public park.

- 2. To qualify for the reduction, the site must include a pedestrian access in the form of a sidewalk at least five feet wide from each unit to the nearest public sidewalk or trail.

I. Meter and Equipment Placement. Wall-mounted and ground-based meters, HVAC, and utility equipment serving a Townhome-style Multifamily Building shall:

- 1. Be fully screened from view, or located to the sides or rear of the structure they serve, and
- 2. Be placed in close proximity to one another.

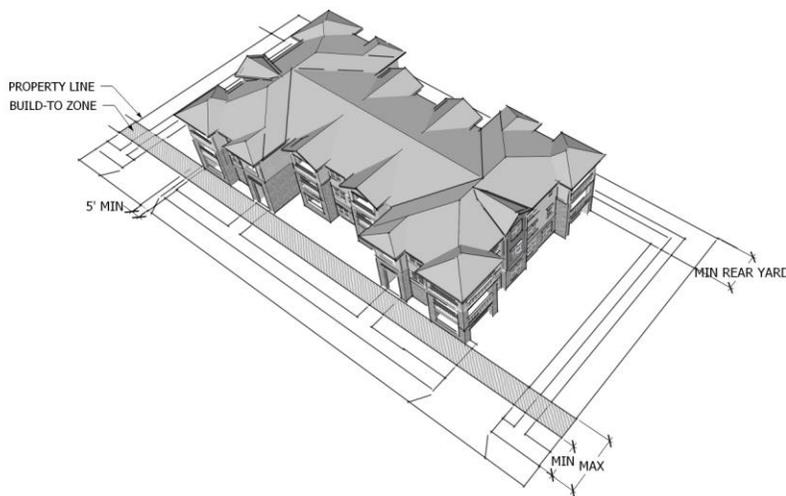
J. Waste Container Placement. Waste containers serving a Townhome-style Multifamily building shall not be located between the building and the street it fronts. Waste containers shall be designed according to the standards for waste container enclosures set forth in this title.



K. Building Height.

1. Buildings using this form shall not exceed thirty eight feet (38') in height from grade to the peak of the roof or, for flat roofed structures, the top of the parapet. Buildings using this form located within 100 feet of an existing single-family residential zone measured at the closest property lines shall not exceed three stories.
2. Buildings using the Townhome-style Multifamily form on lots in an existing R1, RM, or Agriculture land use district may be up to fifty (50) percent taller than the tallest existing abutting dwelling unit(s) as measured from grade.

17.21.100 Garden-style Multifamily Building.



The Garden-style multifamily Building includes residential dwelling units arranged in a building in a stacked configuration where units are located side-by-side and one atop another and are served by an exterior staircase. Buildings using this form are intended to be in a park-like setting. Dwelling units with a Garden-style Multifamily Building may be for rental, condominium, or cooperative ownership. The uses permitted within Garden-style Multifamily Building are determined by the base and overlay land use districts where it is located. Buildings using this form shall include amenities as specified in this chapter.

A. Frontage and Orientation

- 1. Single-Building Developments.** Developments composed of a single structure using the Urban-style Multifamily Building form shall comply with the frontage and orientation standards described in the general design standards established in this chapter.
- 2. Multiple Building Developments.** The primary entrance and front façade of individual buildings within a multiple building development shall be oriented toward the following, listed in priority order:

- a. Public streets
- b. Perimeter streets
- c. Primary internal streets
- d. Parks or other common open space; and
- e. Secondary internal streets
- f. Off-street parking.

B. Building Height. Buildings using this form shall be no higher than forty five feet (45'). Buildings using this form located within 100 feet of an existing single-family residential land use district as measured from the closest property lines shall incorporate the following height transition:

- 1. Beginning at the minimum build-to zone line of the subject property, the maximum height is thirty-five feet (35') from grade to the peak of the roof or, for flat roofed structures, the top of the parapet.
- 2. Additional height for buildings using this form may be added at a ratio of one (1) additional vertical foot of building height to two (2) horizontal feet of distance from the nearest setback line.
- 3. The building height transition requirement ends at 100 feet from the adjoining single-family residential land use district.

C. Materials.

- 1. Exterior building walls of structures using the Garden-style Multifamily Building Form shall be composed of one or more of the following primary materials: wood clapboard, cementitious fiber board, wood board and batten, wood siding, brick, stone, split-faced masonry block, or similar material. Stucco, EIFS, glass, architectural metal panels, smooth-faced masonry block, or corrugated metal may be used as accent materials only and shall not be the primary material used on any exterior wall.
- 2. For structures using the Garden-style Multifamily building form, an identifiable break shall be provided between the ground floor or second floor and upper floors. This break may consist of a change in material, a change in façade articulation, or similar means.
- 3. Structures using the Garden-style multifamily building form shall have roofs clad in asphalt shingles, wood shingles, standing seam metal, a similar material, or a combination of similar materials or shall have flat roofs as specified in this section.
- 4. Accessory buildings shall be constructed of similar materials as used on the principal structure(s).

D. Exterior Staircases and Entry Features. Common exterior staircases are allowed to service the units in Garden-style Multifamily buildings. Buildings using this form shall have no more than one common exterior staircase per seventy-five (75) feet of façade. Exterior staircases shall be incorporated into an exterior entry that is a prominent, architectural focal point directing

pedestrians into the building. The feature shall relate to the architecture of the structure. Exterior entries shall feature a secondary roof structure that is consistent or complementary with the primary roof form. Staircases shall be incorporated according the following standards:

1. Staircases may extend from the primary structure. Projected staircases require a minimum three foot (3') façade projection.
2. Staircases may be recessed from the primary façade. Staircases shall be recessed at least three feet (3') from the primary facade.
3. All exterior entries shall be designed to allow for natural light penetration.



E. Porches, Balconies, and Private Patios.

1. Every of dwelling unit in a Garden-style Multifamily Building that faces a public street, a perimeter street, primary internal street, or park or common open space shall have either a porch, a balcony, or a private patio. Porches, balconies, or patios shall be a minimum of 60 square feet in area and a minimum of five feet (5') in depth.
2. Porches, balconies, and private patios shall be configured to avoid views into rear yards of parcels containing single-family dwellings to the maximum extent practicable.

F. Common Open Space. Buildings using the Garden-style Multifamily Building Form shall include common open space, according the following standards:

1. At least 30 percent of the development site, excluding dedicated rights-of-way and required build-to zone and setback areas, shall be common open space.
2. Open space may take a variety of forms, but must be intended for use by all tenants.
3. At least 15 percent of the development site shall consist of improved exterior common recreational amenities.
4. Private balconies, patios, and indoor recreation or common areas shall not be included in the calculation for open space.

5. Parking lot landscaping as required shall not be included in the calculation for open space.

G. Roofs. Roofs on buildings using the Garden-style Multifamily Building form shall comply with the following standards:

1. Pitched roofs covering the main body of the structure shall be hip style, monopitch or shed style, or shall have symmetrical gables.
2. Monopitch roofs shall maintain a minimum pitch of 4:12 and all other roofs covering the main body of a Detached House Building shall maintain a minimum roof pitch of 6:12
3. Roof forms shall be designed to emphasize the residential units and to correspond and denote building elements and functions, including primary pedestrian entrances and arcades.
4. Flat roofs may be used for Garden-style Multifamily Buildings. All flat roofs shall require a minimum two foot parapet wall along the roofline. The following additional conditions apply:
 - a. The parapet shall extend along all facades of the building
 - b. The parapet shall fully screen any roof-mounted equipment.
5. All roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or configured to have a minimum visual impact as seen from an adjacent street.

H. Facades.

1. All elevations of structures using the Garden-style Multifamily Building form visible from the street shall provide doors, porches, balconies, common staircase entries, or windows in the following amounts:
 - a. A minimum of 40 percent of front elevations; and
 - b. A minimum of 25 percent of side and rear building elevations.
2. For the purposes of this section, a building elevation shall include the entire wall surface on a building side from grade level to underneath an overhanging eave or to the top of the cornice.
3. For the purposes of this section, an elevation is measured as the full horizontal distance of a façade wall from the grade to the underside of an overhanging eave or cornice.
4. Facades of structures using the Urban-style multifamily Building form facing streets or containing the Primary Facade(s) to dwellings shall provide a minimum of three of the following design features for each residential unit fronting onto a street:
 - a. Projections or recesses in the façade plane every 30 feet. Projections or recesses must have a minimum depth of two feet;

- b. Different exterior building materials or colors;
- c. Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation, and similar features);
- d. One or more dormer windows, or box or bay windows with a minimum twelve-inch projection from the façade plane;
- e. Eaves with exposed rafters or a minimum twelve-inch projection from the façade plane;
- f. A parapet wall with an articulated design which entails design variation rather than a simple rectilinear form; or
- g. Multiple windows with a minimum four-inch wide trim.

I. Garages.

- 1. Individual garages or carports serving structures using the Garden-style Multifamily Building form shall be located to the side or rear of such buildings, and shall be oriented perpendicular to the primary streets located around the perimeter of the development.
- 2. For buildings using the Garden-style Multifamily Building form that incorporate a shared garage at the street level, the facade shall include treatments to enhance the pedestrian environment and obscure the view of parked cars, such as artwork, decorative grilles, Unique material treatments, or projections or recesses in the façade plane every 30 feet. Shared garages at the street level shall incorporate openings with grillwork or other treatments to resemble windows.

J. Off-Street Parking Location.

- 3. Off-street surface parking, including access and travel ways, located on the side of a structure using the Garden-style Multifamily Building Form shall not occupy more than 30 percent of the lot's public street frontage.

K. Pedestrian Circulation. Structures using the Garden-style Multifamily Building Form shall provide full pedestrian access around the structure in the form of a sidewalk at least five feet wide. Crosswalks used as part of an internal pedestrian circulation system, or across driveways accessing public streets, shall be constructed of a contrasting paving material.

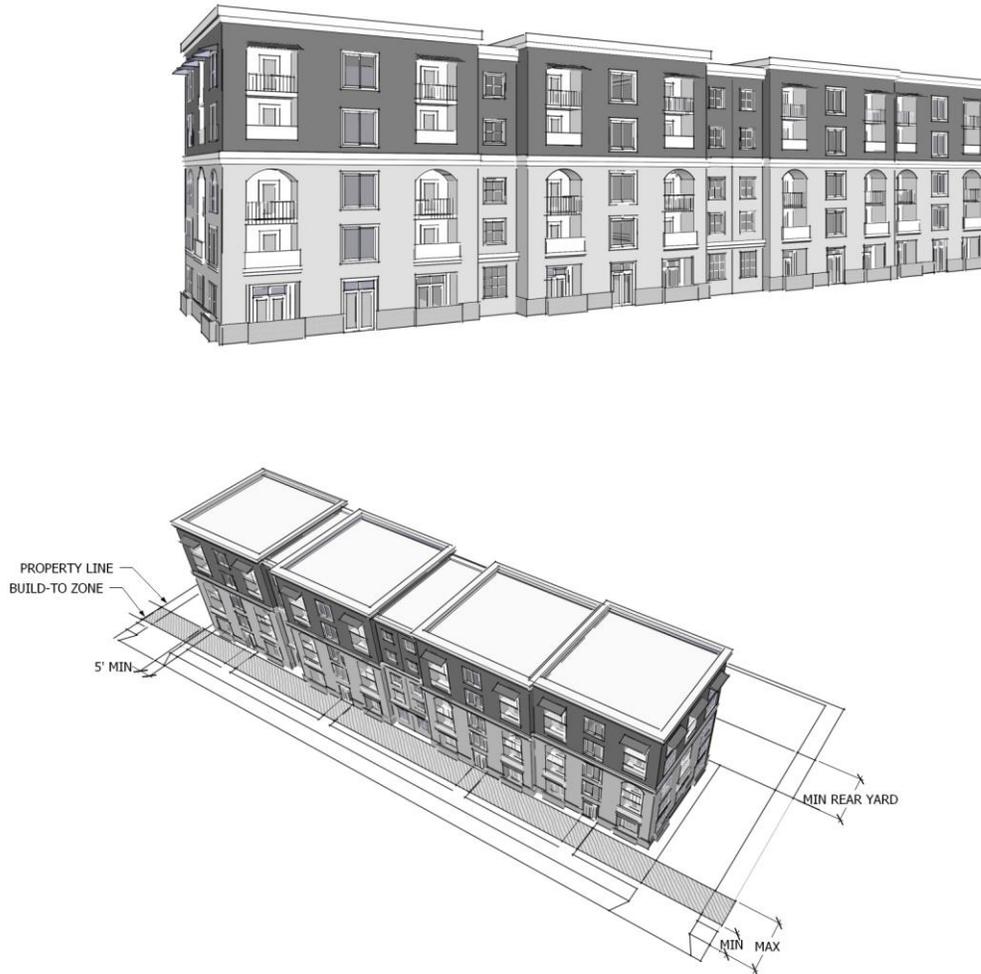
L. Meter and Equipment Placement. Wall-mounted and ground-based meters, HVAC, and utility equipment serving a Garden-style Multifamily Building shall:

- 1. Be fully screened from view, or located to the sides or rear of the structure they serve, and
- 2. Be placed in close proximity to one another.

M. Waste Container Placement. Waste containers serving a Garden-style Multifamily building shall not be located between the building and the street it fronts. Waste containers shall be designed according to the standards set forth in this title.



17.21.110 Urban-style Multifamily Building.



The Urban-style multifamily Building includes residential dwelling units arranged in a building in a stacked configuration where units are located side-by-side and one atop another. Dwelling units with an Urban-style Multifamily Building may be for rental, condominium, or cooperative ownership. The uses permitted within an Urban-style Multifamily Building are determined by the base and overlay land use districts where it is located. Buildings using this form shall include amenities as specified in this chapter.

A. Frontage and Orientation

1. **Single-Building Developments.** Developments composed of a single structure using the Urban-style Multifamily Building form shall comply with the frontage and orientation standards described in the general design standards established in this chapter.
2. **Multiple Building Developments.** The primary entrance and front façade of individual buildings within a multiple building development shall be oriented toward the following, listed in priority order:
 - a. Public streets
 - b. Perimeter streets

- c. Primary internal streets
- d. Parks or other common open space; and
- e. Secondary internal streets

Primary entrances or facades shall not be oriented toward off-street parking lots, garages, or carports.

B. Building Height. Except for structures using the Urban-style Multifamily Building Form on parcels within the Central Pointe, or Streetcar Overlay Zones, building using this form shall be no higher than sixty-five feet (65') from grade to the peak of the roof or, for flat roofed structures, the top of the parapet.. Buildings using this form located within 100 feet of an existing single-family residential land use district as measured from the closest property lines shall incorporate the following height transition:

1. Beginning at the minimum build-to zone line of the subject property, the maximum height is thirty-five feet (35').
2. Additional height for buildings using this form may be added at a ratio of one (1) additional vertical foot of building height to two (2) horizontal feet of distance from the nearest setback line.
3. The building height transition requirement ends at 100 feet from the adjoining single-family residential land use district.

C. First Floor Height Requirements. Buildings using the Urban-style Multifamily Building Form shall have first floor with a minimum ceiling height of twelve feet (12') measured from floor deck to floor deck.

D. Materials.

1. Exterior building walls of structures using the Urban-style Multifamily Building Form shall be wood clapboard, cementitious fiber board, wood board and batten, wood siding, brick, stone, split-faced masonry block, or similar material. Stucco, EIFS, glass, architectural metal panels, or corrugated metal may be used as accent materials only and shall not be the primary material used on any exterior wall.
2. For structures using the Urban-style Multifamily building form, an identifiable break shall be provided between the ground floor or second floor and upper floors. This break may consist of a change in material, a change in façade articulation, or similar means.
3. Structures using the Urban-style multifamily building form shall have roofs clad in asphalt shingles, wood shingles, standing seam metal, a similar material, or a combination of similar materials, or shall have flat roofs as specified in this section.
4. Accessory buildings shall be constructed of similar materials as used on the principal structure(s).

- E. Stairways and Corridors.** All stairways and corridors intended to provide access to dwelling units in structures using the Urban-style Multifamily Building form shall be enclosed.
- F. Porches, Balconies, and Private Patios.**
1. At least seventy percent (70%) of the dwelling units in an Attached Residential Building that faces a public street, a perimeter street, primary internal street, or park or common open space shall have either a porch, a balcony, or a private patio. Porches, balconies, or patios shall be a minimum of 60 square feet in area and a minimum of five feet (5') in depth.
 2. Porches, balconies, and private patios shall be configured to avoid views into rear yards of parcels containing single-family dwellings to the maximum extent practicable.
- G. Common Open Space.** Buildings using the Urban-style Multifamily Building Form shall include common open space, according the following standards:
1. At least 20 percent (20%) of the development site, excluding dedicated rights-of-way and required build-to zone and setback areas, shall be common open space. Common open space for Urban-style Multifamily buildings may be exterior or interior space.
 2. Open space may take a variety of forms, but must be intended for use by all tenants.
 3. Private balconies, patios, and indoor recreation or common areas shall not be included in the calculation for open space.
 4. Parking lot landscaping as required shall not be included in the calculation for open space.
- H. Roofs.** Roofs on buildings using the Attached Residential Building form shall comply with the following standards:
1. Pitched roofs covering the main body of the structure shall be hip style, monopitch or shed style, mansard, or shall have symmetrical gables.
 2. Monopitch roofs shall maintain a minimum pitch of 4:12 and all other roofs covering the main body of a Detached House Building shall maintain a minimum roof pitch of 6:12
 3. Roof forms shall be designed to correspond and denote building elements and functions, including primary pedestrian entrances and arcades.
 4. Flat roofs may be used for Urban-style Multifamily Buildings. All flat roofs shall require a minimum two foot parapet wall along the roofline. The following additional conditions apply:
 - a. The parapet shall have a three dimensional cornice treatment.
 - b. The parapet shall extend along all facades of the building
 - c. The parapet shall fully screen any roof-mounted equipment.
 - d. Additional two-foot projections or recesses in the façade plane every 40 feet.

5. All roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or configured to have a minimum visual impact as seen from an adjacent street.

I. Facades.

1. All elevations of structures using the Urban-style Multifamily Building form visible from the street shall provide doors, porches, balconies, or windows in the following amounts:
 - a. A minimum of 40 percent of front elevations; and
 - b. A minimum of 25 percent of side and rear building elevations.
2. For the purposes of this section, a building elevation shall include the entire wall surface on a building side from grade level to underneath an overhanging eave or to the top of the cornice.
3. For the purposes of this section, an elevation is measured as the full horizontal distance of a façade wall from the grade to the underside of an overhanging eave or cornice.
4. Facades of structures using the Urban-style multifamily Building form facing streets or containing the Primary Facade(s) to dwellings shall provide a minimum of three of the following design features for each residential unit fronting onto a street:
 - A. Projections or recesses in the façade plane every 30 feet. Projections or recesses must have a minimum depth of two feet;
 - B. Different exterior building materials or colors;
 - C. Decorative patterns on exterior finish (e.g. scales/shingles, wainscoting, ornamentation, and similar features);
 - D. One or more dormer windows, or box or bay windows with a minimum twelve-inch projection from the façade plane;
 - E. Eaves with exposed rafters or a minimum twelve-inch projection from the façade plane;
 - F. A parapet wall with an articulated design which entails design variation rather than a simple rectilinear form; or
 - G. Multiple windows with a minimum four-inch wide trim.

J. Garages.

1. Individual garages or carports serving structures using the Urban-style Multifamily Building form shall be located to the side or rear of such buildings, and shall be oriented perpendicular to the primary streets located around the perimeter of the development.
2. For buildings using the Urban-style Multifamily Building form that incorporate a shared garage at the street level, the facade shall include treatments to enhance the pedestrian

environment and obscure the view of parked cars, such as artwork, decorative grilles, Unique material treatments, or projections or recesses in the façade plane every 30 feet. Shared garages at the street level shall incorporate openings with grillwork or other treatments to resemble windows.

K. Off-Street Parking Location.

1. Off-street surface parking, including access and travel ways, located on the side of a structure using the Urban-style Multifamily Building Form shall not occupy more than 30 percent of the lot's public street frontage.

L. Pedestrian Circulation. Structures using the Urban-style Multifamily Building Form shall provide full pedestrian access across the front façade in the form of a sidewalk at least five feet wide. Crosswalks used as part of an internal pedestrian circulation system, or across driveways accessing public streets, shall be constructed of a contrasting paving material.

M. Meter and Equipment Placement. Wall-mounted and ground-based meters, HVAC, and utility equipment serving a Urban-style Multifamily Building shall:

1. Be fully screened from view, or located to the sides or rear of the structure they serve, and
2. Be placed in close proximity to one another.

N. Waste Container Placement. Waste containers serving a Urban-style Multifamily building shall not be located between the building and the street it fronts. Waste containers shall be designed according to the standards set forth in this title.





17.21.120 Required Amenities for Multifamily Residential Buildings

- a. Required Amenities.** Buildings using the Mansion-style Multifamily or Townhome-style Multifamily form as part of a rental residential development , and all buildings using the Garden-style or Urban-style Multifamily Form shall include the following amenities:
1. An interior common social gathering area of at least four hundred (400) square feet for each fifty units, or portion thereof, within the building or development.
 2. Three items from the Unit Features Section, two items from the General Amenities Section, two items from the Recreation Amenities Section, and one items from the Energy Efficiency Enhancements section described in the table below for each fifty units, or portion thereof, within the building or development. Developers may propose alternative amenities in any category as part of a site plan review, subject to final approval by the Land Use Authority.
 3. For multifamily residential building developments in excess of 150 units, buildings shall include nine items from the Unit Features Section, six items from the General Amenities Section, six items in the Recreation Amenities section, and three items in the Energy Efficiency Enhancements section. Developers may propose an equivalent number of alternative amenities in any category as part of a site plan review, subject to final approval by the Land Use Authority.

B. Table of Required Amenities

Unit Features	General Amenities	Recreation Amenities	Energy Efficiency Enhancements
<p>Must Choose 3 per each 50 units or portion thereof</p>	<p>Must Choose 2 per each 50 units or portion thereof</p>	<p>Must Choose 2 per each 50 units or portion thereof</p>	<p>Must Choose 1 per each 50 units or portion thereof</p>
<p>Individual Garages for at least 50 percent of units</p> <p>Washer/Dryer Connections</p> <p>Private porches, patio, or balcony – at least 70 square feet</p> <p>Upgraded floor coverings, in place of or in addition to carpet</p> <p>Visitability features for at least 10 percent of units</p> <p>Nine-foot ceilings for each unit</p> <p>Enhanced soundproofing</p> <p>Solid Doors throughout unit</p>	<p>Exterior Social Area – at least 400 square feet</p> <p>Project Security – automated gate or guard</p> <p>Enclosed Parking</p> <p>Secured, Enclosed Storage Units</p> <p>Public Transit Use Incentive</p> <p>Offering of Permanent On-Site Social Activities</p> <p>Library, Office, or Meeting Facilities</p>	<p>Pool - at least 400 square feet</p> <p>Internal Fitness Facilities</p> <p>Secured, programmed, children’s play areas</p> <p>Hot Tub</p> <p>Community Garden</p> <p>Perimeter Trail</p> <p>Sport Court</p>	<p>Compliance with ENERGY STAR New Homes Standard for buildings three stories or fewer</p> <p>Compliance with ENERGY STAR Multifamily High Rise Program for buildings four stories or greater</p> <p>Installation of photovoltaic panels, wind turbines, or other electric generating renewable energy source to provide at least 20 percent of the project’s estimated electricity demand.</p> <p>Design and install required connections for the installation of PV or solar hot water system in the future.</p> <p>Electric Vehicle Charging Station</p> <p>Participation in a recycling program as part of a rental agreement or HOA</p> <p>Installation of tankless hot water systems.</p> <p>Demonstrated compliance with any of the criteria listed in the Site Improvements, Water Conservation, or Energy Efficiency sections of the <i>2011 Enterprise Green Communities Criteria</i></p>