

ORDINANCE 2023-05

AN ORDINANCE ADOPTING ARCHITECTURAL STANDARDS FOR MAIN STREET, PROVIDING FOR CODIFICATION, INCLUSION IN THE MUNICIPAL CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Gunnison City is a fifth class city of the state of Utah; and

WHEREAS, Cities in the State of Utah are authorized to enact Land Use Regulations in order to promote and protect the health, safety and welfare of the community; and

WHEREAS, The City Council initiated a study of potential architectural and site development standards for properties along Main Street on September 7, 2022; and

WHEREAS, the Gunnison City Planning Commission reviewed proposed amendments to the Gunnison City codes pertaining to development along Main Street and after a properly noticed public hearing, which was conducted on June 22, 2023, has forwarded a positive recommendation for the code amendment to the City Council; and

WHEREAS, the City Council has determined that the proposed amendment will promote and serve to attract high quality business development and opportunities along Main Street, which is in the best interest of Gunnison City as the economic center for the Gunnison Valley area.

NOW THEREFORE, BE IT ORDAINED BY THE GUNNISON CITY COUNCIL THAT:

Section I. Amendments Adopted. The City Land Use Ordinances and codes shall be amended as provided in Exhibit A of this Ordinance, which consists of eleven pages attached hereto and by this reference made part hereof.

Section II. Contrary Provisions Repealed. Any and all other provisions of the Gunnison City Municipal Code that are contrary to the provisions of this Ordinance are hereby repealed.

Section III. Codification, Inclusion in the Code, and Scrivener's Errors. It is the intent of the City Council that the provisions of this ordinance be made part of the Municipal Code of Gunnison City, Utah as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Sections of the ordinance may be re-numbered or re-lettered. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

Section IV. Severability. If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

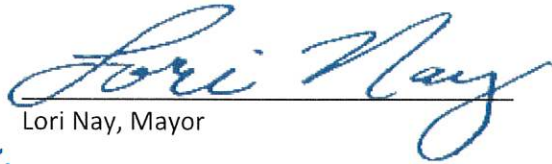
Section V. Posting and Effective Date. Prior to 5:00 p.m. on September 21, 2023, the Recorder shall: (a) deposit a copy of this ordinance in the official records of the City; and (b) post a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on September 21, 2023.

ADOPTED AND PASSED by the City Council of the City of Gunnison, Utah this 20th day of September, 2023.

ATTEST



Valerie Andersen, City Recorder



Lori Nay, Mayor

Councilmember Robert Andersen	Yes
Councilmember Shawn Crane	Yes
Councilmember Stella Hill	Yes
Councilmember Rod Taylor	Yes
Councilmember Michael Wanner	Yes

I. **Section 1501 Zoning By Districts** is amended as follows (underlined text is added, stricken text is deleted).

In accordance with the requirement of the Act, that zoning within municipalities be by districts, Gunnison City, as shown on the Gunnison City Zoning Districts Map, is divided into Zoning Districts that govern the use, intensity and other requirements for the use or activities occurring on all lands located within the City. The map accompanying this Ordinance, the Gunnison City Zoning Districts Map, is incorporated herein by this reference as a part of this Ordinance. Overlay zones may be utilized to establish additional development requirements beyond those applicable in the underlying zone(s).

To achieve the purposes of this Ordinance and the Act, the following Zoning Districts are provided:

1. Agricultural District (A-1)
~~1. Agricultural (A-1)~~
2. Residential Estates District (RR-1)
~~1. Single-Family (RR-1)~~
3. Single-Family Residential District (R-2)
~~1. Single-Family (R-2-10,000)~~
4. Multi-Family Residential District (R-4)
~~1. Multi-Family (R-4-7,500)~~
5. Mobile Home District (MH)
~~1. Single-Family Mobile Home (R-1-MHP)~~
6. Mixed Use Residential and Commercial District (RC)
~~1. Residential and Commercial (R&C-1)~~
7. Commercial District (CC-1)
~~1. Central Commercial (CC-1)~~
8. Manufacturing Light Industrial District (I-1)
~~1. Light Industrial (I-1)~~
9. Special Purpose Institutional District (S-1)
~~1. Special Institutional (S-1)~~
10. Main Street Overlay Zone (MS-O)
11. Flood Hazard Mitigation Overlay Zone (FH-O)

II. **Section 1502 Zoning Districts Purposes** is amended as follows (underlined text is added, stricken text is deleted).

The Gunnison City Zoning Districts are provided and achieve the following purposes:

1. The Agricultural District (A-1) is provided to allow for the raising of livestock and/or the growing of crops and to preserve the established uses associated with agricultural activities.
2. The Residential Estates District (RR-1) is provided to allow low-density residential neighborhoods with a quality of openness and to provide for certain rural amenities, including, but not limited to, care and keeping domestic livestock and providing agricultural opportunities and livestock related recreational activities on larger lots. The

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principal land use is single-family dwellings and incidental and accessory uses located in a rural environment.

3. The Single-Family Residential (R-2-10,000) District provides areas for single-family and two-family residential uses. This District is provided to maintain and protect areas for residential dwellings and appropriate activities located in residential neighborhoods including the care and keeping of domestic livestock.
4. The Multi-Family Residential (R-4-7,500R-4) District is provided to allow the establishment of a variety of dwelling unit types from single-family to multiple-family units with their associated necessary public services and activities.
5. The Mobile Home (~~R-1-MHPMH~~) District provides appropriate areas for a choice of residential units by providing areas suitable for the establishment of single-family mobile home parks.
6. The Mixed Use Residential and Commercial (~~R&C-1RC~~) District is provided to accommodate opportunities for a mix of residential, retail, and service commercial uses within the same District. The ~~Residential and Commercial (R&C-1)RC~~ District is established to achieve the following purposes:
 - a. Provide for a variety and diversity of land uses that may be mixed vertically or horizontally in a unified and complimentary manner.
 - b. Achieve convenience for residents and encourage efficiencies in land utilization.
 - c. Strengthen the City's economic base and provide amenities and features that enhance the City.
7. The purpose of the Central Commercial (CC-1) District is to provide areas for the location of various types of commercial activities needed to serve the residents and commerce of the city. The development standards provided for this District are intended to minimize any adverse effect of commercial uses on adjoining areas by achieving the compatible integration of land uses and preserving the aesthetic qualities of the area, while providing safe, convenient, and efficient commercial uses.
8. The Light Industrial (I-1) District provides the needs of the City for light manufacturing, warehousing, and associated accessory uses in appropriate areas to strengthen the employment base and economic diversity of the City.
9. The Special Institutional (S-1) District is provided as an independent and separate stand-alone Zoning District to meet specific needs and goals of the City.
10. The Main Street Overlay Zone (MS-O) is intended to provide standards that promote development within the historic heart of the city's Main Street business district and which will create an attractive and inviting area for small retail and office uses to thrive.
11. The Flood Hazard Mitigation Overlay Zone (FH-O) includes flood plain areas identified by the Federal Emergency Management Agency (FEMA) and includes development standards intended to protect life and property from flood damage.

III. Chapter 23 Main Street Overlay Zone Standards is hereby created and shall read as follows:

- Chapter 23 Main Street Overlay Zone Standards
- Section 2301 Scope of Development Standards
- Section 2302 Applicability
- Section 2303 Main Street Architectural Review Committee
- Section 2304 Site Layout Standards
- Section 2305 Main Street Parking Standards
- Section 2306 Main Street Landscaping Standards
- Section 2307 Building Materials
- Section 2308 Historic Main Street Building Design

Section 2301 Scope of Development Standards

The Main Street Overlay zone consists of site and building development standards unique to properties along Main Street and which are in addition to standards of any underlying zone. The overlay zone provides standards for properties along Main Street in general and additional standards for properties in the historical downtown area between 200 South and 100 North.

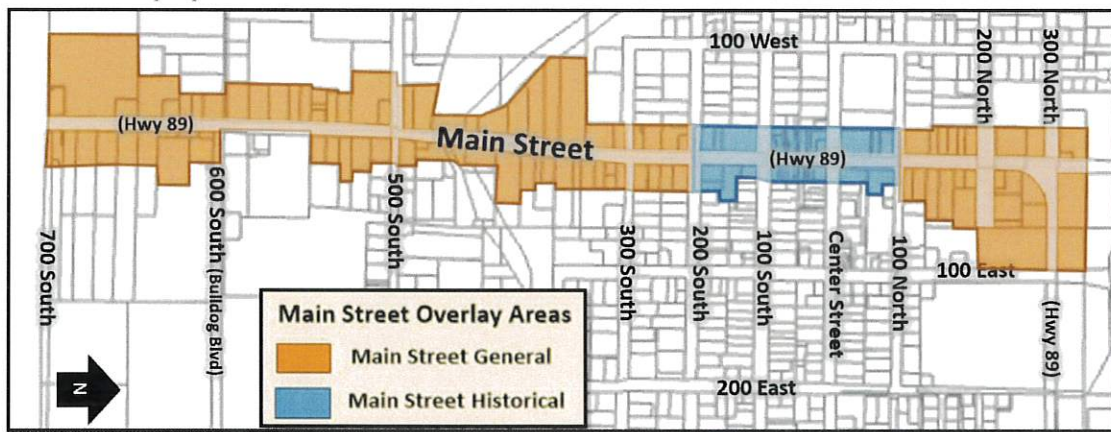


Figure 1: Main Street Overlay Area Map

Within this district, all underlying City ordinances, policies, regulations and plans shall apply. Where conflicts occur regarding development requirements in this zone, these standards shall supersede those of the underlying zone development standards.

Section 2302 Applicability

1. New Development. The development standards of this zone shall apply to all new developments for office, commercial, multi-family, mixed use or service-oriented properties within the overlay zone.
2. Redevelopment. These standards shall be applied to redevelopment, or exterior modifications including, but not limited to, building additions, facade alterations or changes to exterior materials or colors. When projects involve only a partial redevelopment such as a facade improvement, parking lot reconfiguration, or other rehabilitation, these standards shall apply

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to the portion of the property being changed. However, when a cumulative increase in development square footage (buildings or parking) as of the date of adoption of this section of at least fifty percent (50%) occurs, all the district standards shall apply.

3. Maintenance. These standards shall not be applied when general maintenance and upkeep of existing buildings or properties is being performed and to the extent that the maintenance will result in materials and colors similar to pre-maintenance work.

Section 2303 Main Street Architectural Review Committee

1. Authority. The Main Street Architectural Review Committee is hereby established and shall be the Land Use Authority for determining compliance with the architectural standards set forth below. The City Technical Review Committee (TRC) shall be the Land Use Authority for determining compliance with all site standards set forth in this and other city codes.
2. Organization. The Main Street Architectural Review Committee shall be a five-member committee, that includes the Mayor, the City Zoning Administrator, one Planning Commissioner appointed by their peers, and two individuals appointed by the Mayor with the consent of the City Council. No sitting member of the City Council may be on the committee although a liaison from the Council may be designated to attend the architectural review meetings.
4. Meetings. Meetings of the Architectural Review Committee shall be as needed with proper notice in accordance with the State of Utah Open Public Meetings laws.
5. Actions. All actions of the Committee shall be by a supermajority vote (I.e., four person consensus).
5. Appeals. Appeals of final decisions based upon these standards or the underlying zone shall be subject to City Council review as the Appeal Authority for these matters. Review of the Appeal shall be in accordance with the procedures of the Appeal Authority ordinances, as appropriate.

Section 2304 Site Layout Standards

1. General Site Layout Standards.
 - a. Setbacks. The setbacks of the underlying zone shall apply.
 - b. Trash Enclosures. Trash enclosures shall be provided on site and to the rear of the building. Where limited space may be available on a property for a trash enclosure, businesses may partner with adjoining property owners to establish an off-site, communal waste collection location. Proof of off-site agreements shall be provided before a final site approval is granted.
2. Historical Area Site Layout Standards. Within the historic downtown area, the location and orientation of buildings, pedestrian walkways and parking areas helps define the street edge,

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promote a pedestrian oriented street environment for walking and shopping, and limits impacts of taller buildings on the adjacent residences.

a. Building Locations and Setbacks:

1. Buildings on corner parcels should be adjacent to both street fronts to help frame intersections. Architectural consideration should be given to corner visibility areas.
2. Buildings fronting Main Street should utilize party walls or zero setbacks alongside property lines. Parking areas and drive access points should not disrupt the continuity of storefronts; however, plazas, green spaces or pedestrian connections may be appropriate.
3. Setbacks:

Location	Standard	Distance
Front along Main Street	Minimum	4 feet
	Maximum	10 feet
Front along Side Streets	Minimum	4 feet
	Maximum	10 feet
Side property along Main	Minimum	0 feet if building will be adjoining to neighboring building or 20' if not adjoining.
	Maximum	24' between buildings or 0 feet if no building on adjacent property.

b. Build-to lines. Buildings must be constructed along a minimum of 75 percent of the build-to line (I.e., front setback).

c. Setback Encroachments.

1. Architectural elements such as pilasters, columns, cornices, box or bay windows, or other typical ornamentations may protrude into the required setback a maximum of 2 feet. However, primary building wall planes are not allowed to extend or be cantilevered into the required setbacks.
2. Signage or other building attachments (e.g., awnings) may encroach on required setbacks. Such elements may also encroach upon the public right-of-way with City Council approval. Any overhanging elements must provide a minimum 8-foot clearance.

Section 2305 Main Street Parking Standards

1. General Main Street Parking Standards.

a. The number of parking stalls required for each use shall be the same as shown in Land Use Ordinance, Chapter 18.

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- b. Barriers: Barriers that limit circulation between developments and parking lots are not permitted. Examples include fences, walls, curbing, topographic changes, or other similar types of obstructions. Property owners should work together to provide mutually beneficial parking areas and access.
- c. On-Street Parking. Commercial developments may count on street parking stalls toward the minimum number of required parking stalls. On-street parking may only be counted if adjacent to and within the width of the property being developed. On-street parking may not be counted toward residential uses.
- d. On-Site Parking.
 - i. Reductions. Mixed use developments may reduce their overall minimum parking stalls upon demonstration that on-site shared parking is possible based on the diurnal parking demands of the land uses within the development.
 - ii. Placement. On-site parking shall be set back from public walks a minimum of 6 feet to accommodate landscaping and screening options in accordance with landscaping standards below.
 - iii. Stall dimensions. Parking stall dimensions may be nine [9] feet wide and 18 feet deep.
 - iv. Drive Aisles. Two-way drive aisles shall be a minimum of 24-feet wide. One-way drive aisles shall be of sufficient width to accommodate 24 feet of back out distance by vehicles parking along the aisle.



Figure 2: Example of landscaping buffer along street edge

2. Main Street Historical Area Parking Standards

- a. Location Of Parking Areas: Parking for businesses fronting Main Street shall be located to the rear of buildings. Other development parcels should locate parking to the sides and/or rear of buildings. Parking areas shall be located to encourage shared use.

Section 2306 Main Street Landscaping Standards

1. General Main Street Landscaping Standards.

- a. Where part of the city's approved street design, landscape parking strips between curb and sidewalks shall be improved and maintained by the adjacent property owner. All materials and plantings shall be approved by the Technical Review Committee.
- b. All parking areas shall be setback a minimum of 6 feet from the public right-of-way.

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- c. Where possible, landscape islands should be provided at the end of parking aisles. These islands shall have a minimum planting area that is six feet wide and runs the length of the parking stalls.

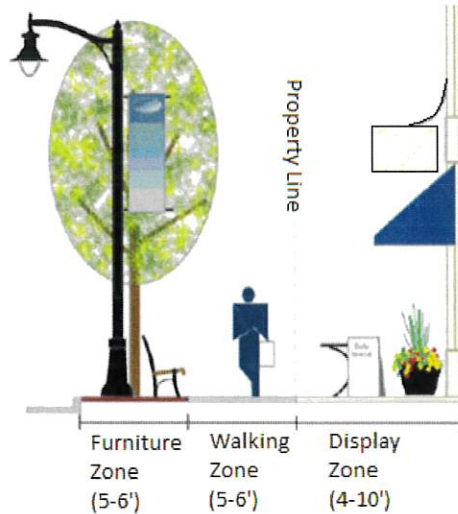


Figure 3: Example of poor on-site landscaping (left) and a landscaping design (right) that provides appropriate islands at the end of parking aisles and equivalent parking.

- d. Landscape areas should utilize drought-wise plantings. At least one tree and three shrubs shall be planted per 100 square feet of required landscape area. Trees should not be crowded into spaces to meet this proportionality, but additional shrubs will be required in lieu of any tree (E.g., a 140 s.f. area would accommodate 1 tree and seven shrubs rather than 2 trees and six shrubs). Any shrubbery should have a mature height of 3 to 3.5 feet and may include ornamental grasses or perennial flowers.

2. Main Street Historical Area Landscaping Standards

- a. New developments shall work with the city to proportionally improve their street frontage in accordance with the city’s adopted Main Street streetscape design, which includes 1) a minimum five foot, hardscape furniture zone with street trees in tree wells or other approved ground cover, street furniture, and street lighting, 2) a minimum 5’ wide sidewalk to be kept clear of obstructions, and 3) a business display zone which may include display areas, limited greenscapes or vegetation displays, business access at sidewalk grade, and outdoor seating areas as appropriate.



- b. Due to site limitations characteristic of the historical downtown area due to property dimensions and size, a majority of properties will functionally need to be paved to meet parking requirements and will have limited planting areas. Properties having less than 100 feet of frontage may be granted a reduction of parking area landscaping by the architectural review committee to the minimum amount necessary to accommodate required on-site parking. Considerations for reduction of landscaping shall include potential alteration of landscaping locations, dimensions, or planting types and amounts.
- c. Property owners are encouraged to beautify hardscape areas with potted annuals, trellised flowering vines, etc. where such can be accommodated.

Section 2307 Building Materials

1. Building Materials. Buildings shall be designed with consideration of the following elements: Glazing, Primary Materials, Secondary Materials, and Ornamentations.
 - a. Glazing elements generally include the use of windows and doors. Buildings should be designed such that entrances and windows are more than functional penetrations, but also enhance and accentuate the overall design of buildings. Finish work around the windows and doors should accent the location and provide visual breaks to the facade of the building. Varying window designs, such as bay windows, corner windows, circle tops, or windows having grille patterns, shutters, etc., should be utilized to add visual interest and character to buildings.
 - b. Primary materials shall cover at least 1/3 of a building's exterior directly visible from Main Street and, if the property is a corner lot, any abutting side street. This coverage standard excludes glazing areas. Primary materials include stone (cut, honed, polished or faux), and Brick (includes full brick, flat brick or split-face masonry units, but not flat/honed cinder blocks). Use of these materials shall include, where appropriate, elements of craft such as soldier coursing, reveals, recesses, or various methods of bonding to provide shadow lines and visual interest to the buildings.
 - c. Secondary materials, which may be used on up to 2/3 of the visible building faces, includes masonry siding products, long board materials, stucco, and decorative metal paneling.

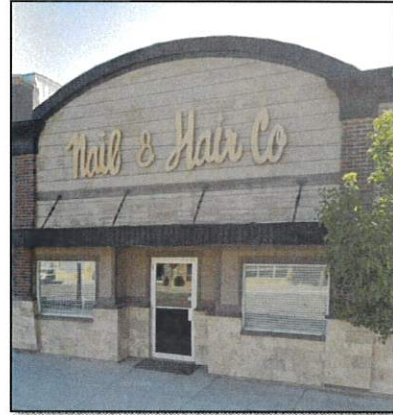


Figure 4: Use of primary and secondary materials in conjunction with building design and awnings. (Gunnison)

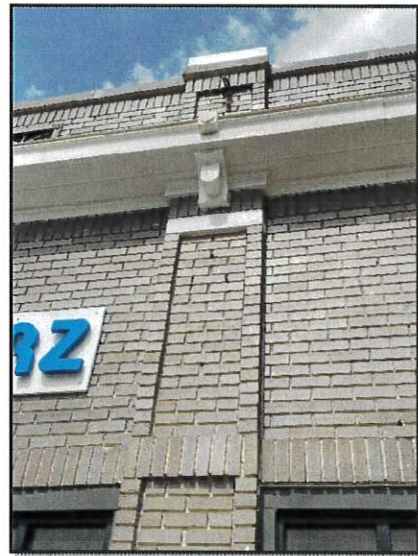


Figure 5: Appropriate example of brick design and ornamentation on a building. (Gunnison)

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- d. Ornamentation in architecture is the addition of attractive elements and features that blend into the building as a whole and beautify it. Ornamental elements may include the use of cast pieces, moldings, medallions, tile mosaics, cornice features, columns, pilasters, lintels, medallions, murals, etc.. Designers shall provide ornamental elements around windows, at material changes, to distinguish ground floors, and along roof lines.

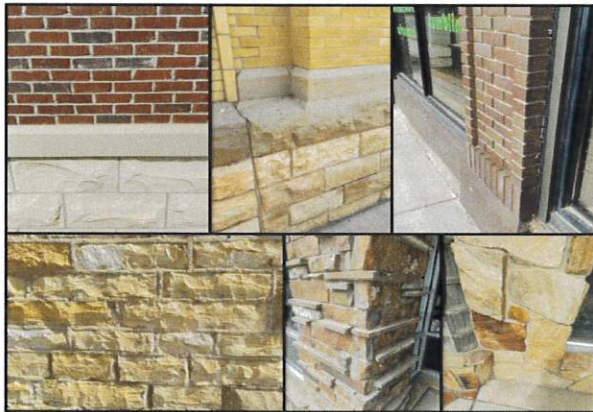


Figure 7: Examples of appropriate primary materials used in Gunnison.

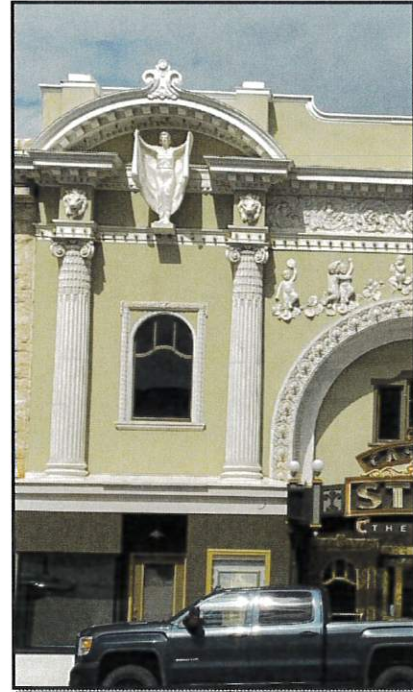


Figure 6: Example of various ornamentation elements on a building.(Gunnison)

- e. Prohibited building materials include vinyl and metal siding products.
3. Material Colors. Material colors should be indicative of and complement the natural building materials found in the Gunnison area. The use of high intensity colors, primary colors, metallic or fluorescent colors is not permitted for primary exterior materials. Secondary materials and trim materials shall complement the primary material colors.
4. Accessory Structures: Accessory structures, such as gasoline pump canopies, utilities (gas, electric), trash enclosures and other accessory structures shall use the same architectural elements and types of materials and colors as the primary structure.

Section 2308 Historic Main Street Building Design

The following standards apply only within the Historical Main Street area of the Main Street Overlay Zone. Building designs should invoke a downtown reminiscent of late 1800 period architectural forms. This area should provide residents and visitors with an inviting and pleasing environment in which to shop, stroll, experience, and enjoy a small-town central business area. Careful attention to detail at a pedestrian viewing scale rather than an auto oriented application of simplistic design shall be utilized. The following standards should serve as the minimum to which new developments can adhere and designers are encouraged to incorporate other elements which may further the city's desires and intent.

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1. Building Height: The minimum and maximum building heights in this zone shall be consistent with the following:
 - a. The ground floor of any building shall have a minimum visual design height of 14 feet.
 - b. Single story buildings shall have a minimum roof line height of 18 feet.
 - c. Multi-story buildings shall have a maximum roof line height of 35 feet.
 - d. Small architectural elements such as finials, cupolas, cornice ornamentation, etc., may exceed the heights listed.

Heights are measured from the average sidewalk elevation along the frontage to the midpoint of the roof on sloped roofs or to the highest point of a parapet. Roof midpoints shall be measured halfway between the highest ridgeline of the roof and the top of the fascia.

2. Building Facade: Facades should not be long expanses of blank walls. They should create a human scale at ground level and no less endearing for upper stories.
 - a. Visual Breaks: Building facades and walls must have visual breaks every thirty feet (30') in width at a maximum. Examples of visual breaks include the use of three-dimensional architectural features such as columns, projecting windows, changes in plane or an equivalent element that articulates the wall.
 - b. Distinct Ground Floor: The ground level of the primary structure shall be visually distinct from upper stories. This separation may be provided by a cornice above the ground level, an arcade, changes in material and texture or other means. Building foundations should terminate no more than thirty-six inches (36") above grade. Exposed foundation walls must be finished with appropriate brick, stone, or other primary materials noted in Section 2307.
 - c. Building Entrances: Primary building entrances shall face Main Street. By creating a clearly identified system of entry points, the pedestrian environment and the vehicular environment will be enhanced. Secondary entrances on the rear or side of buildings should be given architectural consideration equal to the primary entrances. Entrances must be well defined with one or more of the following:
 - i. Canopy, awnings, overhang or arch above the entrance (columns and pillars),
 - ii. Recesses or projections in the building facade surrounding the entrance,
 - iii. Display windows surrounding the entrance,
 - iv. Coved entrances.
 - d. Glazing.
 - i. Glazing shall be present on 40 – 75% of any ground floor face.
 - ii. Glazing on upper floors should range between 25 – 50% of the upper floors and remaining building face. Windows above ground floors should be designed with three-dimensional relief.
 - iii. Shopping windows or other expanses of glass on the ground floor should begin no more than 2.5 feet above adjacent grade and should have a traditional kick plate under them.
 - iv. The ground floors should utilize transom windows above display windows and entrances.

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3. Use Of Awnings And Canopies. Awnings and canopies shall be designed to fit within the architecture of the buildings to which they are attached and serve to enhance the exterior of the building as an articulation and aesthetic element, not as an advertising medium. The top of the framework may not extend above a vertical wall terminus nor cover any architectural elements.

4. Roof Designs And Parapets:

- a. Flat roofs shall be screened with parapets on all sides of the building adjacent to or visible from the street. The parapet shall be of height sufficient to screen all rooftop mechanical equipment (e.g., HVAC units). If no rooftop mechanical equipment exists, the parapet shall be a minimum of thirty-six inches (36") in height.
- b. All parapets shall feature three-dimensional architrave, frieze and cornice treatments.
- c. Hipped roofs are not allowed. However, sloped roofs may be utilized and shall have a minimum of five to twelve (5:12) pitch with gabled ends facing adjacent public streets.
- d. Mansard roofs are only allowed with buildings having three (3) or more stories. Mansard roofs must contain fenestration with dormered or other window finishes appropriate to the architecture of the building.

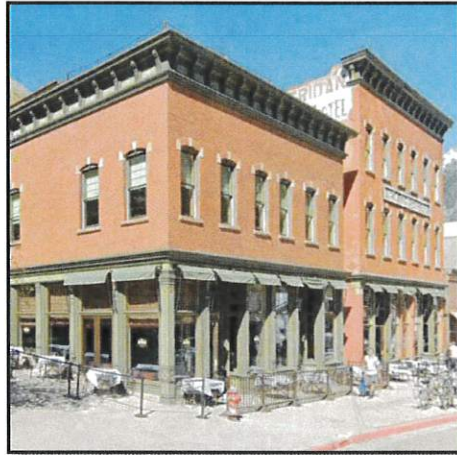


Figure 8: Appropriate example of window designs, a distinct ground floor, use of visual breaks, and roof design. (Telluride, CO)