

ORDINANCE NO. 2020-33

AN ORDINANCE AMENDING SECTIONS 18.42.050 BUILDING DESIGN AND 18.42.080 LANDSCAPING DESIGN OF THE HEBER CITY MUNICIPAL CODE.

WHEREAS, the Heber City Council finds that the materials section of the Mixed Use Residential Commercial Zone (MURCZ) needs to be updated to allow for newer and modern building materials, consistent with the changes made in the C-2 Commercial zone.

WHEREAS, the Heber City Council finds that changes to the landscaping design section of the MURCZ is needed to provide allowances for street tree locations as needed due to public right of way improvements that prevent adequate space for street trees.

BE IT ORDAINED by the City Council of Heber City, Utah, that Sections 18.42.050 Building Design and 18.42.080 Landscaping Design of the Heber City Municipal Code are **AMENDED** as shown in Exhibit 1.

This Ordinance shall take effect immediately upon passage.

ADOPTED and PASSED by the City Council of Heber City, Utah this 15th day of September, 2020, by the following vote:

	AYE	NAY
Council Member Heidi Franco	_____	<u>X</u>
Council Member Wayne Hardman	<u>X</u>	_____
Council Member Rachel Kahler	<u>X</u>	_____
Council Member Ryan PC Stack	<u>X</u>	_____
Council Member Mike Johnston	<u>X</u>	_____

APPROVED:

Kelleen Potter
Mayor Kelleen Potter

ATTEST:

Anna W Looke

Date: 9/15/20

RECORDER



Date of First Recording: _____

Exhibit 1

18.42.050 Building Design

- A. Design Vision Statement. The building design of structures in this Zone shall complement the Downtown C-3 Zone, and draw upon the historic architectural heritage of Heber City. This design vision shall draw upon the past materials, techniques, form, mass and details of the Downtown C-3 Zone while allowing the architect to create a current interpretation of the space and its aesthetic and functional needs.
- B. Architectural Unity. All buildings on the same site shall be architecturally unified. This provision shall apply to new construction, additions and remodeling. Architectural unity means that buildings shall be related in architectural style, color scheme and building materials. All accessory buildings and enclosures shall be designed to be compatible with the primary structure. The Planning Commission and City Council shall determine compatibility, which shall be measured in terms of design, form, use of materials and color.
- C. Design Composition. The design composition of Heber City shall reflect the authentic design elements which come from the surrounding environment and the historic, social and cultural features that carry the spirit of a special place and provide a link between the founders of Heber City, those who live here today, as well as those in the future who will choose to call Heber City home.
- D. Physical Characteristics. All design elements shall be harmonious to the more dominating Downtown C-3 Zone but shall be subordinate in terms of all physical characteristics. Common threads of color, materials, textures and details shall play an integral part of design in the MURCZ Zone, leading into the C-2, C-3, and C-4 Zones.
- E. Floor Area Limitation. No building shall exceed 150,000 gross square feet, unless authorized by the City Council.
- F. Building Floor Usage. Appropriate building floor usage shall be defined as follows. First floor uses shall be reserved for all retail, business, or professional services as allowed by the Heber City ordinances appropriate for this Zone. Second floor uses shall have the option of all first floor uses or residential mixed uses as reviewed and approved by the Planning Commission. Within the residential portion of the project, residential uses may be placed on the first floor.
- G. Building Height. All buildings shall maintain the average perceived scale of two story buildings at the sidewalk. The average height can vary by way of architectural styles but shall maintain the average façade height within established architectural proportions of height to width ratio. Commercial buildings shall not exceed 45 feet in height, measured from finished grade to the highest point of the building. Buildings with a residential component shall not exceed 50 feet in height, measured from finished grade to the highest point of the building. Clock towers, cupolas, entry areas and other special architectural features that visually break up the building form may, upon approval from the Heber City Planning Commission, exceed the specified building height.
- H. Building Width. Commercial Buildings within this zone shall maintain a resemblance of the street wall found within the C-3 zone, but allow for interior vehicular penetration from the street accessing side and rear yard parking. Placing the façade of the building back from the front property line allows for the placement of more landscape material as well as pedestrian friendly features to encourage pedestrian activity. The following standards are intended to reduce the massive scale of large buildings which, without application of these standards, would be incompatible with the City's desired character.
No uninterrupted length of any wall shall exceed 75 horizontal feet without employing the use of architectural features including, but not limited to doors, windows, pilasters, columns, horizontal and vertical offsets, materials, colors and textural variations, decorative cornices, awnings, arcades, entry areas, canopies, murals, graphics, reveals, projection ribs and offsets. In order to assure conformance with this requirement, all exterior elevations shall be reviewed and approved as a part of the overall review process.

- I. **Building Form.** One of the most prominent unifying elements of the traditional Main Street is the similarity in building form. Commercial buildings were simple rectangular solids, deeper than they were wide. The pedestrian levels were more decorative in appearance with a vertical extension in height and an expansion of glazing surface area. The upper levels were shorter in floor-to-floor height and displayed a more conservative treatment of architectural elements. This characteristic is important and shall be maintained in new projects.
1. Rectangular forms shall be dominant on Main Street facades and shall be vertically oriented. The facade shall appear predominantly flat, with decorative elements and “articulations” to be subordinate to the prevailing form.
- J. **Building Mass.** A building shall have a mass that is similar to that of traditional buildings in Heber City. A building mass is defined in broad form or generalized shapes rather than in specific details. A building shall appear similar in scale to that seen traditionally for similar building types. Reduction of the apparent mass of a building shall be accomplished through use of a combination of the following design methods:
1. Provide variation in the wall plane.
 2. Design a façade of smaller buildings into the larger structure.
 3. Provide variation in exterior material, color and texture selection.
- K. **Human Scale.** A building shall appear to have a “human scale” that relates to the pedestrian patron. In general, this can be accomplished by using familiar forms and elements that can be interpreted in human dimensions. All buildings shall have a human scale that is relative to the adjacent buildings and relevant to the pedestrian streetscape. Building design shall avoid large panelized products and extensive featureless surfaces. Buildings shall establish and reinforce the area as a pedestrian environment, and utilize the following architectural features:
1. Brick or stone in standard modules or scaled to the appropriate size.
 2. Exterior wall treatments that establish rhythm and pattern of windows, columns and other architectural features.
 3. Window and door sizes that relate to traditional building scale (Large expanses of glazing, etc., are inappropriate).
 4. Design elements that express the position of each floor in the external skin design of a building, such as the use of belt courses or other horizontal trim bands of contrasting color and materials to define floor lines, or the use of articulated structural elements or changing materials.
- L. **Building Style.** Building design shall simulate the “add-on” nature of early settlement buildings, with variation in angle and orientation from one building to another, utilizing shed roofs, covered walkways, and smaller boxes attached to larger boxes. A clear visual division shall be maintained between ground level floors and upper floors by slight changes in height, style, form, mass, materials, color, window sizes, overhangs, balconies, etc.
- M. **Building Material.** Predominant exterior building materials shall include: brick, natural decay-resistant quality exterior wood siding or wood substitutes, rock, stone or tinted and textured concrete masonry units. Exterior building materials shall not include prefabricated steel panels except for metal awnings and signs. Exterior rear wall building materials may include smooth-faced concrete block or smooth-faced tilt-up concrete panels or other masonry materials.
1. Building materials that convey texture, scale, finish and color similar to those used traditionally are required.
 2. A minimum of 30% of the vertical wall surface (not including the glazed store fronts) of the first floor shall include some form of masonry material such as brick or stone with an indigenous look to the area.
 3. Cement based siding shall be provided with textures at a scale appropriate to the building size.
 4. Material with a matte finish shall be required. Highly reflective materials are prohibited. Large expanses of reflective materials on walls, windows or on rooftops are prohibited.

5. Large panelized products or extensive featureless surfaces such as stucco, are prohibited.
 6. Architectural metal panels with concealed fasteners may be permitted, upon approval of the Planning Commission, as a siding material. Metal materials shall not exceed 46% of the total exterior wall materials. The panels may be flat panels with a reveal or they may be ribbed with a profile that provides shade, shadows, and texture. Reflective metal panels are prohibited. Masonry, such as brick or stone, and other approved exterior materials shall be utilized with the metal to provide interest. The building shall be designed by an architect.
 7. All materials and construction methods shall be of the highest quality and integrity indicative of early craftsmanship.
 8. EIFS (Exterior Insulated Finish System) shall be allowed on main levels under limited conditions and upon approval from the Planning Commission. Traditional detailing shall be applied to this material selection.
 9. Materials and details above first story shall be of a simpler fashion to that of the primary first level façade.
 10. With the exception of masonry, such as brick or stone, and lap siding, no building material shall exceed 50% of the total exterior wall materials.
- N. Building Color. Colors that respect and enhance the natural earth tones of the local area are required.
1. Value: The LRV (Light Reflective Value) of colors and materials used on major walls and roof areas shall be between 7 (darkest value of shaded vegetation) and 38 (approx. value of red sandstone). It is the intent to require that the more visible or massive the structure, the lower shall be its LRV.
 2. Chroma: The strength, intensity and brightness of the color selected shall be in the range from very weak (grayish) to medium weak (neutral or earth tone). Strong Chroma colors, such as the red color in the American flag, shall be prohibited
 3. Stains and flat paints are required. High gloss paints, factory finished metals or other materials which increase visual impacts; i.e. aluminum, and white or reflective roofs, are prohibited if visible from the street. Matte finishes shall be required. LRV over 38% and strong chroma may be allowed for small accents and trim around windows and doors. Chimneys, flues, vents, gutters, down spout, mechanical and electrical equipment, railings, window shading devices and other exterior devices shall be similar in chroma and LRV to the surrounding surfaces to which they adjoin, unless they are featured in the design. In such cases, a subdued accent color may be acceptable. Bright, glossy, fluorescent and corporate signature color schemes are prohibited. Heber City's adopted color matrix is based upon "Columbia Paint & Coatings; Historic Colors of America" color wheel.
- O. Roof Design. Low sloped roofs, consistent with the historical, commercial roof forms that appeared flat, sloped or gabled, but had false fronts or relatively tall parapets as seen from the street are required on commercial buildings. At a minimum the slope shall run with the highest point at the front of the building and the lowest in the rear.
1. Roof lines shall be varied with a change in height.
 2. Secondary roof forms that accentuate but not dominate the composition such as low pitched gables, hip and shed roofs shall be used as a means to break up the mass of the façade. Roofs shall be designed to meet all applicable building codes. Roof and canopy designs shall prevent snow or ice from shedding directly onto a pedestrian walkway or access. Snow shedding shall be controlled and measures shall be taken to prevent snow and ice damage to property and/or people.
 3. False fronts and parapets with horizontal emphasis shall be allowed.
 4. Parapet steps shall have an appropriate thickness or depth from the street view to convey solidness to the pedestrian to be sized depending upon building mass and scale. Parapets on side façades shall step down towards the rear of the building unless the structure is

- located on a corner lot. Corner lots shall maintain continuity for both streetscapes with the primary street wall on Main Street and the secondary on the side street.
5. Roof forms and planes shall vary to add visual interest to the street environment, provided they are aesthetically appropriate to the rugged mountain context and functionally responsive to the harsh climate.
 6. Roofs shall be constructed with materials appropriate for Heber City and the environmental constraints of the area. Roof materials shall be fire-retardant and non-reflective.
 7. Elements such as expressive brackets, cornices, copings, layered and overlapping fascia and exposed rafters with profiled ends are required.
- P. Exterior Walls (façade elements). The repetition of similar façade elements, particularly with windows, details, ornaments and cornice moldings shall be required within the Mixed-Use Residential Commercial Zone.
1. Existing features shall be preserved. The combination of architectural details for a building front should be reviewed as an overall composition and shall be considered in its context to other buildings in the area.
 2. Ornamentation shall reflect the simple and restrained decorative tradition of the early pioneer lifestyle.
 3. Visual interest on the street level of a building shall be provided with the following devices:
 - a. A display window providing views to activities within the building.
 - b. A display case with exhibits, where internal functions do not permit windows.
 - c. A decorative wall surface, such as a mural or sculpture feature.
 - d. A landscaped foreground.
 4. Large and protruding balconies, large out-of-scale canopies, or other modern elements are prohibited.
- Q. Exterior Walls (storefront). The street storefront shall display a character that is harmonious to the historical downtown district, providing a vibrant and interactive treatment to the pedestrian streetscape. All storefronts shall have a main access from the public street as well as a secondary access from the parking lot.
- R. Exterior Windows and Doors. The use of active glass windows and walls which allow a visual connection between the outside pedestrian streetscape and the interior store function is required. The use of false windows and doors is prohibited.
- S. Architectural Features. Exposed structural expression of wood framing members, timbers and steel detailed elements supporting the roofs, sheds and balconies shall be included as a feature of all commercial building designs. New designs that draw upon the past architectural character of the community with a new creative interpretation shall be permitted.
- T. Canopies and Awnings. Canopies, flat metal canopies and awnings shall be designed and constructed to be complimentary with the architecture of the building. The color of the awning shall be complimentary to the color scheme of the structure and shall keep with the unique color palettes of Heber Valley. Awnings shall be constructed of a durable material that takes into consideration the local climate and weather conditions. Canopies and awnings shall be required at building entrances.
- U. Community Compatibility. Buildings shall provide at least five (5) architectural details identified and approved by the Planning Commission that provide visual interest at the scale of the pedestrian, reduce massive aesthetic effects, and reflect the local authentic historic character.
- V. Multiple Entryways. Multiple entryways or architectural features shall be incorporated into the building design to break up the apparent mass and scale of large retail structures. Entrances may be to tenant spaces other than the primary retail tenant. For structures greater than sixty thousand (60,000) gross square feet, there shall be at least two clearly articulated public entrances on the structure. At least two such entrances shall be visible from a public street and connected to that street by a pedestrian sidewalk.

1. Each entry way on buildings greater than 18,000 square feet shall have clearly defined, highly visible customer entrances featuring no less than three(3) of the following:
 - a. Canopies or porticos;
 - b. Overhangs;
 - c. Recesses/projections;
 - d. Arcades;
 - e. Raised corniced parapets over the door;
 - f. Peaked roof forms;
 - g. Arches;
 - h. Outdoor patios;
 - i. Display windows;
 - j. Architectural details, such as tile work and moldings which are integrated into the building structure and design;
 - k. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting; or
 - l. Individual Tenant signs identifying business or use.

18.42.080 Landscaping Design

- A. Private Landscaping. All areas not covered with buildings, parking, or sidewalks shall be landscaped. Landscaping shall incorporate a combination of trees, flowers beds, shrubbery, lawn, boulders, planted berms and mounds. Landscaping shall be designed to avoid conflict with utilities and other elements. Plantings shall include species native to the area and shall incorporate drought tolerant design. Three Dimensional landscaping shall be incorporated primarily around the perimeter of buildings with pockets of this landscaping scattered throughout the project. All landscape designs shall be reviewed by the Planning Department for compliance to the Code. For suggested native plantings on private property, see "Landscape Plants in Utah: A Guide for High Mountain Valleys". This document is available from the Heber City Planning Department upon request.
 1. A strip of land at least ten (10) feet in width, measured from the property line, adjacent to all public street property lines, shall be landscaped except for permitted driveways.
- B. Right of Way Landscaping. Planter strips shall be planted in grass and contain one street tree per 30 feet of street frontage and spaced according to Chapter 12.20 of Heber City Code. Choice of species for street trees must avoid evergreens, thorn and fruit bearing trees, and trees that grow large or have shallow roots pursuant to Chapter 12.20. The trees may be clustered as appropriate but must be planted within the planter strip. Planter strips adjoining the streetscape may be broken up by periodic sections of pavers. Street trees may be placed behind the sidewalk when underground utilities, physical right of way improvements, or visibility triangles prevent such location.
- C. Plant Size. Required trees shall be at least two inch (2") caliper or larger. Required shrubbery shall be at least 1 gallon per plant.
- D. Existing Trees. Existing street trees and existing large trees on the property shall be to the extent possible preserved into the design of the site unless the trees threaten the integrity of the sidewalk, curb, or utilities. Approval from the Planning Commission or an appointed committee shall be required prior to the removal of any existing trees.
- E. Irrigation. All landscaped areas shall be maintained and irrigated with an automatic pressurized irrigation system.

- F. Large Scale Developments. All buildings with more than sixty thousand (60,000) square feet of floor area shall additionally provide the following landscaping features:
1. Peripheral. A fifteen (15) foot landscaped buffer shall be provided along all property lines abutting roadways, with breaks for approved access points. No parking is permitted within these required landscape areas.
 2. Where the building façade faces adjacent residentially Zoned property, a school, park or cemetery, a minimum three (3) feet tall earthen berm shall be provided, which shall be planted with lawn, and evergreen trees planted at intervals of not more than thirty-six (36) feet on center.
 3. Parking Lot Landscaping. The parking lot shall contain landscaping in an amount equal to at least five percent (5%) of the total parking lot area.