SECTION X

BRIGHTON RESIDENTIAL DESIGN STANDARDS

SECTION I: GENERAL PROVISIONS

A. TITLE/CITATION

The regulations set forth in this ordinance shall be officially known and cited as the "Brighton Residential Design Standards," although they may be referred to in this document as "Residential Design Standards" and otherwise as "RDS."

B. PURPOSE

These standards serve to implement the Brighton Comprehensive Plan and promote the health, safety, and general welfare of the residents of the City of Brighton, by encouraging high quality in the siting, organization, and construction of new residential developments and neighborhoods in Brighton and, more specifically, by:

1. Promoting new residential developments that are distinctive, have character, and relate and connect to established Brighton neighborhoods;
2. Encouraging site planning that accommodates and responds to the existing natural and the built environment on and adjacent to the site, including preservation of existing trees, vegetation, wildlife habitat, stream corridors, wetlands, and manmade cultural resources such as agricultural buildings and irrigation ditches;
3. Encouraging organization of new residential developments into cohesive neighborhoods that are safe, walkable, bikable, and pedestrian friendly;
4. Encouraging connections within and between new residential neighborhoods and adjacent and surrounding neighborhoods (existing or planned), land uses (such as schools, shopping, and employment), and parks and open space/trail systems;
5. Providing variety in housing design and types in order to promote more social, economic, and lifestyle diversity in the greater Brighton community;
6. Providing variety in housing design and types in order to reduce the adverse, visual monotony of home designs often associated with large-scale residential subdivisions; and
7. Encouraging housing siting and design that emphasizes light, privacy, and resident access to outdoor space and recreation.

C. CONFLICTING PROVISIONS & RELATIONSHIP WITH OTHER REGULATIONS

These Residential Design Standards supplement the City of Brighton's regulations set forth in the City's *Zoning Regulations* and *Subdivision Regulations*, as amended. In addition to the requirements of these Residential Design Standards, an applicant shall comply with all other applicable City land development regulations, ordinances, and requirements. When the provisions of these Residential Design Standards are inconsistent with one another, or when the provisions of these Residential Design Standards conflict with provisions found in other parts of the *Zoning Regulations*, *Subdivision Regulations*, or in any other City ordinance or regulation, the more restrictive provision shall govern unless otherwise expressly stated.

Amended by: Ordinance #1964 Ordinance #2061

SECTION II: RESIDENTIAL SITE PLANNING & SITE DESIGN STANDARDS

A. APPLICABILITY

1. New Residential Subdivisions.

   All new residential subdivisions approved after the effective date of this ordinance in the City of Brighton shall comply with all the standards set forth in this Section II, "Residential Site Planning and Site Design Standards," except as provided herein.

2. New Residential Development on Previously Approved Lots.

   Development on lots in a subdivision approved prior to the effective date of this ordinance shall not be required to conform to these standards unless required by City Council as part of the final plat and development agreement approval.

B. PROVISION OF NEIGHBORHOOD FEATURES

1. Purpose.

   The purpose of this subsection is to provide an organizational framework or structure for the layout of large, new residential subdivisions. On a community-wide scale, residents of each neighborhood will have easy access to at least one central neighborhood feature or gathering place (such as a neighborhood park or recreation center). Such neighborhood features lend a "sense of place" to a new community, thereby encouraging people to connect with their physical surroundings and interact with their neighbors.

2. When Required.

   All residential developments containing seventy-five (75) acres or two hundred and fifty (250) dwelling units, which ever is smaller, shall provide a neighborhood feature, and include such feature in the required Overall Development Plan (*see* Section IV below).

3. Threshold for Inclusion of a Neighborhood Feature.

   To the maximum extent feasible, a minimum of one Neighborhood Feature shall be provided for each 75 acres of residential use area, or 250 dwelling units, whichever area is smaller.

4. Neighborhood Feature as Permitted Conditional Use.

   Notwithstanding the use regulations set forth in Section IV (District Regulations) and the Table of Uses of the *Zoning Regulations*, a Neighborhood Feature, as defined in these Residential Design Standards, shall be permitted as a principal conditional use in all residential zoning districts. The City Council shall have the discretion to review and approve a Neighborhood Feature, including its location and relationship to surrounding uses, subject to the conditional use procedures set forth in Section II.J. of the *Zoning Regulations*. However, in addition to the general review criteria for conditional uses set forth in Section II.J.3. of the *Zoning Regulations*, the City Council shall find, before approving a Neighborhood Feature, that: (1) the Feature meets the intent and specific criteria of these Residential Design Standards and this section II.B.1.; and that (2) the Neighborhood Feature will be compatible with surrounding uses and neighborhoods.

5. Allowable Neighborhood Features.

The following land uses or facilities are permitted, either singularly or in combination, as a Neighborhood Feature. At its sole discretion, the City Council may accept as a Neighborhood Feature a land use or facility that is not listed below, provided such alternative serves the same "focal point" purpose and intent of the features listed below.

(a) A developed neighborhood park, which shall be dedicated to the City as a public park, and shall contain a range of improvements such as multiple-use turf areas, parking area, restrooms, playgrounds, walking paths, plazas, pavilions, picnic tables, benches, or other similar features for various age groups to enjoy, and shall be accessible to the public through connections to planned and existing trails adjacent to the subdivision. A neighborhood park that satisfies this subsection's requirement for a Neighborhood Feature shall be credited against the neighborhood parkland dedication requirements and improvements to such park shall be credited against and not to exceed the Park Development fees set forth in Section II.C. below.

(b) Public transit facilities.

(c) Schools, as approved by the 27J School District.

(d) A place of worship or assembly.

(e) A non-commercial recreation facility, swimming pool, or community center.

(f) Day care centers (child or adult).

(g) Public open space, greenbelts, or nature center. Open space that satisfies this subsection's requirement for a Neighborhood Feature shall be credited against the open space dedication requirements set forth in Section II.C. below.

(h) Other public, civic or cultural uses, including but not limited to land or facilities for a library or fire station.

6. Location of Neighborhood Features.

A Neighborhood Feature shall be located where the network of residential (local) streets provides access to the Feature.

7. Design Standards.

The following design standards shall apply to a Neighborhood Feature:

(a) Direct and convenient pedestrian and bicycle access shall be provided from adjacent residential land uses to the Neighborhood Feature.

(b) When a building is part of a Neighborhood Feature, the building's principal entrances shall be oriented to the primary access streets and a pedestrian walkway (minimum width five (5) feet) shall connect all building entrances to: (i) the sidewalk system along the perimeter of the site; and to (ii) each area of on-site parking that contains more than ten (10) parking spaces.

(c) To enhance pedestrian safety and comfort, all on-site pedestrian walkways shall be distinguished from driving and automobile parking surfaces through the use of change in materials, height, or distinctive colors (e.g., pavers, bricks, or scored, colored concrete).

8. Timing of Provision.

Prior to the time of final development approval, the developer shall make adequate provision for the reservation or dedication of suitable and sufficient lands, and for the acceptable site planning, design and construction of the Neighborhood Features(s) required by this section. Actual construction of Neighborhood Features, whether by the Developer, successors or assigns, shall be in accordance with the approved Overall Development Plan, Final Plat, and other documents governing subdivision and development, including but not limited to Annexation, Development, or other Agreements, and shall be subject to these Residential Design Standards and all applicable criteria for conditional uses set forth in the Zoning Regulations, as amended.

C. OPEN SPACE

1. Purpose.

These regulations are intended to achieve the following purposes:

To preserve open areas and sensitive natural lands or features;

To implement the "free-standing" City goal from the Comprehensive Plan through the preservation and establishment of greenbelts at Brighton's periphery;

To provide passive and active recreational opportunities for the Brighton community, including limited recreation facilities and amenities; and

To provide a system of trails within new subdivisions that connect to adjacent properties and serve the Brighton community.

2. Definitions.

For the purposes of this subsection II.C., the following definitions shall apply:

(a) A "Natural Area" is defined as natural lands or features, such as a wetland, flood plain, body of water, wildlife corridor, or other open areas without any improvements on the land.

(b) "Open Space" may include any Natural Areas as well as a greenbelt, community separator, trails, buffer zones, portions of a detention system, undeveloped parkland, or agricultural or conservation easements.

(c) "Usable Open Space" is defined as open areas used for active or passive recreation, including parks, trails, greenbelts, or a benched area above a detention system that is outside the 10-year flood plain at no more than a 20% slope. Usable Open Space may or may not include improvements on the land, but must be accessible to the public as a year-round community amenity. Usable Open Space may include, but not be limited to, developed parkland, nature center, picnic area, ball fields, a golf course, or ponds for fishing or boating.

3. Land Dedication for Public Parks and Open Space.

(a) Amount of Parks and Open Space Dedication Required. For all new subdivisions, dedication of parks and usable Open Space shall be made in an amount roughly proportional to the need or demand generated by the proposed development. Dedications shall be made at the time of final subdivision plat approval. The following minimum standards shall apply unless the applicant demonstrates that the demand created is less than such requirements due to unique factors such as the age of the occupants of the development or the uses proposed:

(1) For neighborhood and community public parks, the dedication amount shall be as set forth in the *Zoning Regulations***,** Section V.H, as amended, except as provided in subsections (b), (c), and (d) below. All exemptions and density bonuses applicable to residential development land dedications for parks set forth in Section V.H. of the *Zoning Regulations* as amended shall also apply.

(2) In addition to the above neighborhood and community park land dedication, 15 acres of land per 1,000 residents of a development, or proportional fraction thereof, shall be dedicated for Open Space, except as provided in subsections (b), (c), and (d) below. Computation for this land dedication shall be as follows:

[(Total dwelling units proposed within subdivision x 2.96 persons per dwelling unit)) 1,000] x 15 = acres of required land dedication

(b) Payment of Fee In Lieu of Land Dedication. At the sole discretion of the City Council, the City may elect to accept payment of a fee in lieu of land dedication for a portion of the required dedication for neighborhood and community parks and Open Space set forth in paragraph C.3.(a)(1) and (2) above. The fee in lieu shall be based on the fair market value per acre of the subject land as zoned for urban development at the time of final subdivision plat approval. The fair market value of the land shall be established by an appraisal commissioned by the City at the subdivider's expense for the purpose of establishing the value of the park/open space land that would have been dedicated.

(1) All fees collected for the purpose of neighborhood or community park land acquisition shall be deposited in the appropriate fund as set forth in the *Zoning Regulations*, Section V.H, as amended.

(2) All fees collected for the purpose of open space shall be deposited in the appropriate fund to be utilized for the acquisition of Open Space, as determined by the City Council.

(3) Fees in lieu of land dedication may be used as an option to resolve any remaining obligation for parks or Open Space once the minimum amount of parkland has been dedicated.

(c) Alternative Compliance with Land Dedication Requirement.

(1) As an alternative to compliance with the Open Space dedication requirement set forth in subsection C.3.(a)(2) above, at the City's sole discretion, the City may accept an offer of off-site non-contiguous land

dedication. If approved and accepted by the City, the dedication of off-site land shall be fully credited against the Open Space dedication requirement set forth in subsection C.3.(a)(2) above.

(2) Alternately, at the City's sole discretion, the City may allow the applicant to grant a conservation easement, or similar deed restriction, on land designated as Open Space, greenbelts, or trails in any City-adopted map, plan, or policy to satisfy at least a portion of the Open Space dedication requirements set forth in subsection C.3.(a)(2) above. Such conservation easement, or similar deed restriction, may be granted to the City or to a non-profit land trust or similar organization, as approved by the City. Fifty (50) to one hundred (100) percent of the amount of land subject to the conservation easement, or similar deed restriction, may be credited toward the Open Space land dedication requirements at the City's sole discretion, and as set forth in subsection C.3.(a)(2) above, upon consideration by the City of such factors as the following:

a. Proximity of the parcel to City boundaries;

b. Connectivity of the parcel to existing or planned public ways;

c. Preservation of Natural Areas;

d. Implementation of the Comprehensive Plan, in particular the goal that Brighton be a freestanding city, and the Parks and Recreation Master Plan;

e. Proximity of the parcel to already dedicated Open Space areas;

f. The size of the parcel; and

g. Whether the parcel is eligible for annexation.

(d) Payment of Park Development Fees. All residential development subject to these design standards shall also pay the applicable park development fee required by the *Zoning Regulations*, Section V.H, as amended.

4. Preservation of Natural Areas and Features.

To the maximum extent feasible, where significant natural and scenic resources exist on a property, an applicant shall give priority to their preservation, and provide for access, through the Open Space dedications required by subsection C.3. above. In reviewing the location of open space, the City shall use all applicable plans, maps, and reports to determine whether significant resources exist on a proposed site that should be protected, with priority being given to the following areas:

(a) Wetlands.

(b) Floodplains.

(c) Lakes, river, and stream/riparian corridors.

(d) Wildlife migration corridors.

(e) Steep slope areas.

(f) Ridgelines.

(g) Historic or archeological sites or areas that have been recognized by the City Council as significant.

(h) Significant views of the Front Range or of designated open space areas as viewed from dedicated public parks and open space, from the E-470 tollway, or from collector or arterial streets.

(i) Geologic Hazard Areas (e.g., expansive soils, rockfalls, faulting).

(j) Significant stands of mature trees.

5. Locational Criteria for Open Space.

(a) Consistent with Plans. Dedications for Open Space shall be at locations deemed appropriate by the City Council. If a specific site has been designated in the Comprehensive Plan or on any applicable plan for a future neighborhood or community park or Open Space purposes, the plans for subdivision and development shall show the dedications of land in a location that corresponds to that designation.

(b) Neighborhood and Community Parks.

(1) To the maximum extent practicable, parks should be used as a primary organizing feature for the residential development.

(2) Land dedicated for neighborhood and community parks shall be bordered on at least two sides by public streets, preferably local or collector streets.

(c) Areas Not Allowed as Part of Open Space. The following shall not satisfy the Open Space dedication requirements of this Section II.C.:

(1) Private lots or yards;

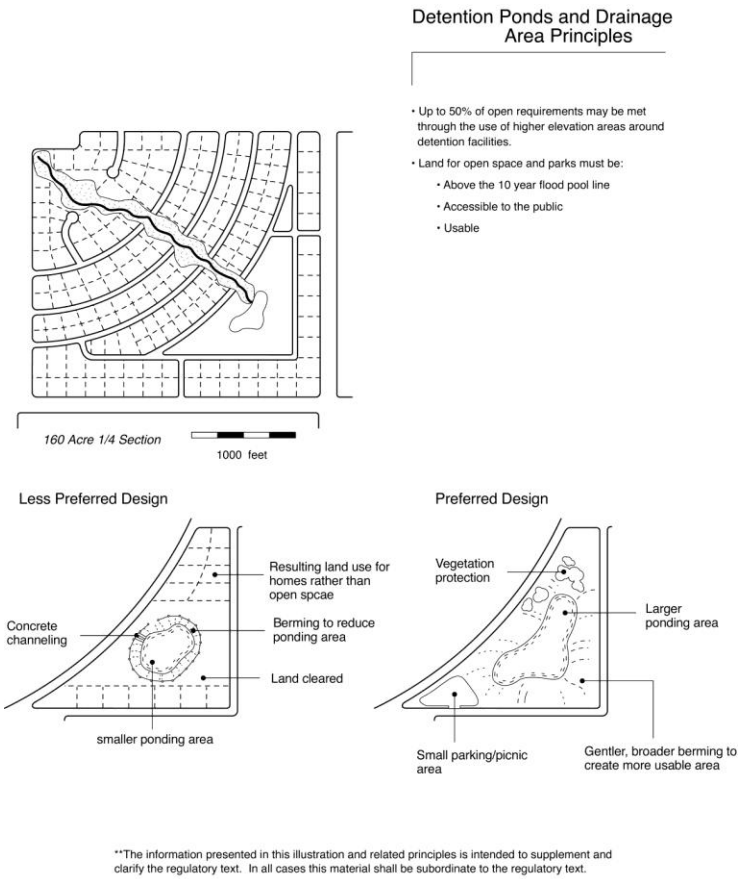
(2) Public or private street rights-of-way, including arterial and collector right-of-way landscaping areas required by these Residential Design Standards or other City land development regulations;

(3) Open parking areas and driveways for dwellings;

(4) Land covered by structures;

(5) Designated outdoor storage areas; and

(6) Detention ponds, except that portions of a detention system may be used to meet up to fifty (50) percent of the usable Open Space dedication amounts, provided such areas or facilities are outside the area identified as a ten (10) year flood event and are accessible and usable, as defined in C.2. above.



6. Design Criteria for Open Space.

All Open Space lands shall meet the following design criteria as reviewed and recommended by the Parks and Recreation Department:

<u>Connectivity Required</u>. To the maximum extent practicable, Open Space shall be organized to create integrated systems of Open Space that connect with the following types of lands located within or adjacent to the subdivision:

(1) Public or private parks lands;

(2) Dedicated school sites;

(3) Other dedicated open spaces;

(4) Portions of the regional trail and open space system;

(5) Neighborhood shopping and activity centers; and

(6) Adjacent employment centers.

Compact and Contiguous. The Open Space land shall be compact and contiguous unless the land shall be used as a continuation of a planned or existing greenbelt, trail, or other linear Open Space, or unless specific topographic features require a different configuration.

Trails. Trails shall be constructed to link with planned or existing pathways and shall be constructed of crusher fine granite when constructed through Natural Areas.

Accessible to Public and Residents. Open Space shall be reasonably accessible to all of the residents of the subdivision and to the general public at large. The City may restrict access if access would degrade, destroy, or adversely interfere with sensitive environmental or natural areas, cultural resources, or active agricultural operations. Where provided, access to Open Space shall be a minimum of twenty-five (25) feet wide.

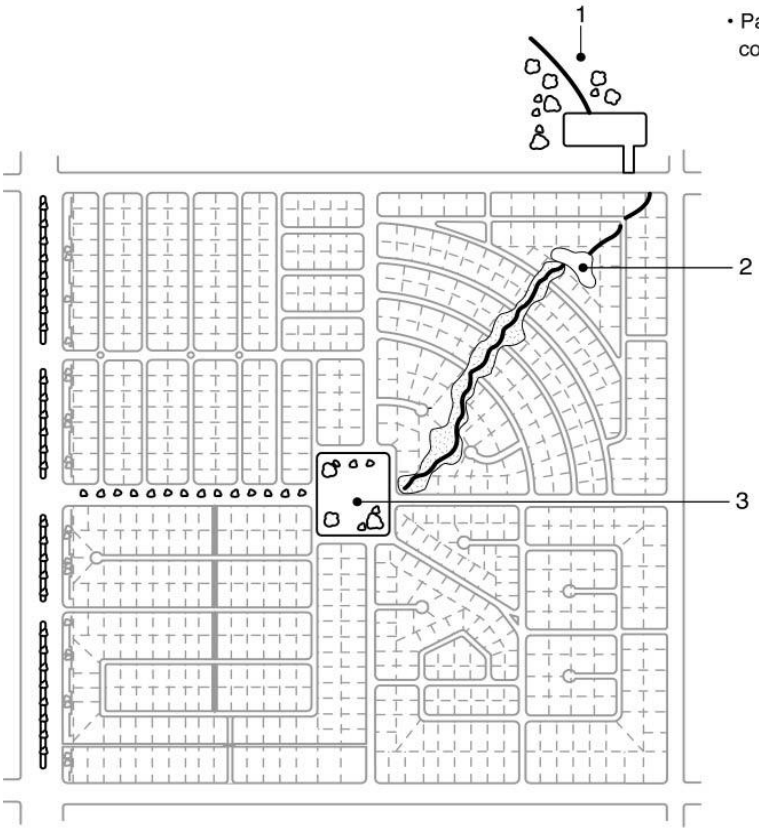
Recreational Facilities. If recreational facilities are to be constructed as an amenity, such recreational facilities shall be constructed in accordance with recommendations of the Parks and Recreation Department, regarding size, siting, use, materials, and similar matters.

Fences/Walls on Perimeter. Where Open Space is bordered by private rear or side yards, opaque fences and walls (e.g., privacy fences) shall not be erected in yards bordering the Open Space. Only open style fences, with a maximum 50% opacity for each 100 feet of fence length (e.g., post and rail), shall be allowed on the perimeter of Open Space.

Park Principles

Local and community parks should meet City acreage standards

- Passive and active recreation needs should be met
- Connectivity to other community resources (e.g., a regional trail system (1))
- Natural areas should be protected and integrated within the park and open space system (e.g., stream and wetland (2))
- Parks should be a primary organizing principle for the neighborhood (3)
- Parks and open space should be compact, contiguous and should border two streets



**The information presented in this illustration and related principles is intended to supplement and clarify the regulatory text. In all cases this material shall be subordinate to the regulatory text.

Amended by: Ordinance #1964 Ordinance #2061

7. Provisions for Ownership.

All Open Space land shall be utilized only for non-commercial passive or active recreation, for agricultural operations, or for conservation purposes; shall be reserved as Open Space in a manner satisfactory to the City; and shall be:

(a) Dedicated to the City;

(b) Dedicated to another public entity, subject to the entity's acceptance and City approval;

(c) Subject to a conservation easement or other, similar deed restriction; or

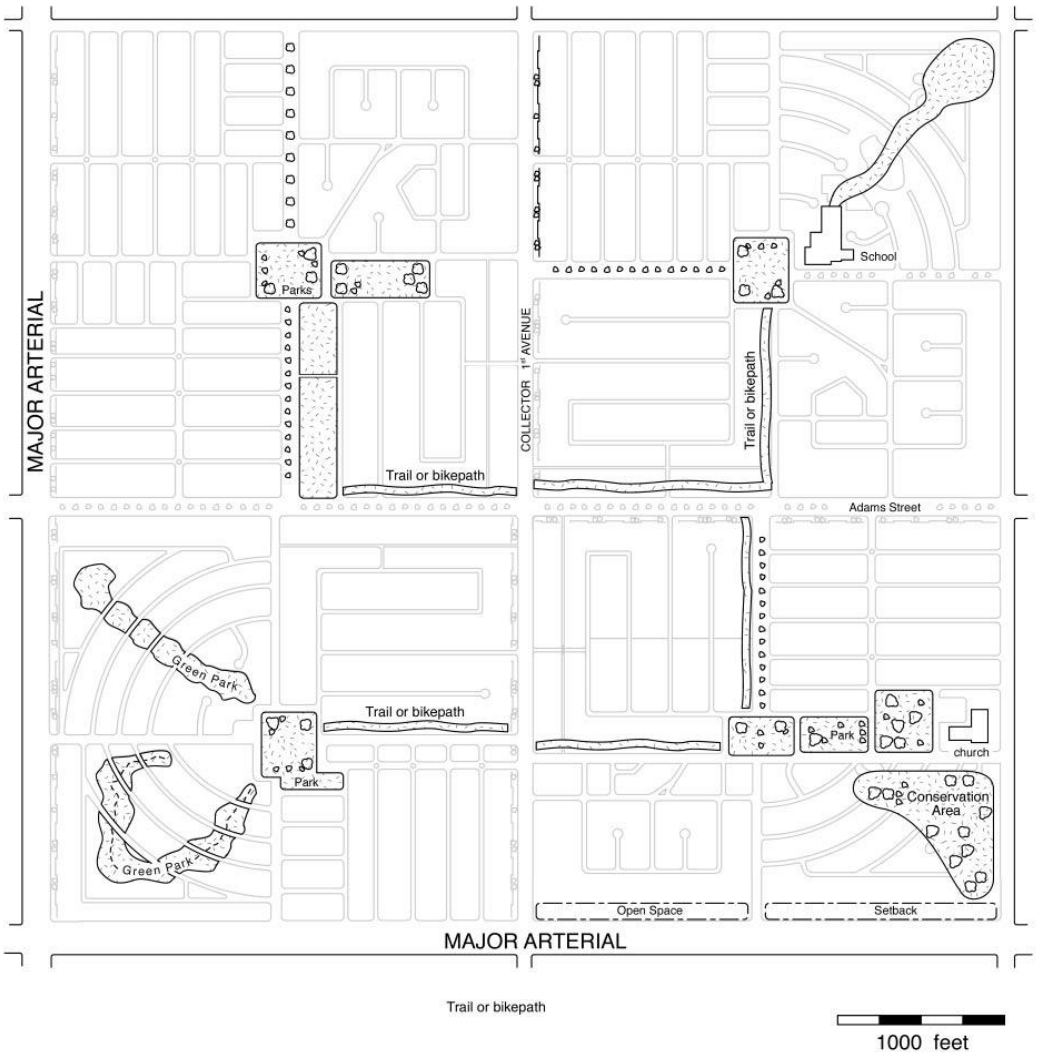
(d) Owned by a non-profit land trust or similar organization approved by the City.

8. Maintenance.

(a) The owner(s) of the property shall be responsible for maintenance of Open Space unless an agreement to maintain is executed with the City.

(b) A Homeowner's Association may be established for the purpose of providing said maintenance. Homeowner's Association agreements (including articles of incorporation, by-laws, and covenants) shall guarantee continuing maintenance of such Open Space. Further, such approved covenants, articles of incorporation and by-laws shall be filed with the appropriate Clerk and Recorder's office prior to the issuance of any building permits for said development.

Figure A - Medium density development with integrated Parks and Open Space



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Integrating Open Space in a Large Subdivision

This illustration shows how the city's parks and Open Space standards might be applied to a large scale development, if the developer chooses to integrate the parks and Open Space within the project rather than choosing an alternative method such as dedicating land elsewhere or making a payment in lieu.

Table A gives the amount of parks and Open Space required for a section of land (640 acres) at two different densities. The figures given are theoretical, but realistic. Figure A illustrates the medium density development (average of 4 dwelling units per acre).

Table A - Specifications for Open Space in 640 Acre Project

Variable	Medium Density	Lower Density
Total acreage	640	640
- Road allocation (acres)	64	64
- School allocation	25	5
- Wetlands and unusable drainage areas	20	20
= Buildable, usable land	531 acres	551 acres
Local parks at 3 acres/1000 persons	15.1	4.6
Community parks at 3 acres/ 1000 persons	15.1	4.6
Open Space at 15 acres/1000 persons	75.5	23.0
= Public Open Space	106 acres	32 acres
Buildable, usable land	531	551
- Public Open Space	106	32
= Land available for homes	425 acres	519 acres
Densities (homes per acre)	4	1
Resulting homes	1700	519
Total persons at average of 2.96 persons per home	5032	1536

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D. STREAM CORRIDOR, IRRIGATION CANALS, & WETLANDS PROTECTION STANDARDS

1. Purpose.

   The following requirements and standards are intended to promote, preserve, and enhance the important hydrologic, biological, ecological, aesthetic, recreational, and educational functions that stream corridors, associated riparian areas, wetlands, and drainage channels (irrigation canals) provide.

2. Applicability.

   This subsection shall apply to all new residential subdivisions, except for the following development or activities:

   (a) Agricultural activities such as soil preparation, irrigation, planting, harvesting, grazing and farm ponds;

   (b) Maintenance and repair of existing public roads, utilities, and other public facilities within an existing right of way or easement;

   (c) Maintenance and repair of drainage channels (irrigation canals) within an existing right of way or easement;

   (d) Maintenance and repair of flood control structures and activities in response to a flood emergency; and

   (e) Wetland and wildlife habitat restoration, creation, and/or enhancement that improves the wetland function, provided that the proposed activity is approved by the appropriate agency such as the U.S. Army Corps of Engineers or the Colorado Division of Wildlife. Existing wetlands shall not be disturbed or relocated without prior approval of the City.

3. Other Regulations.

   (a) This subsection does not repeal or supersede any existing federal, state, or local laws, easements, covenants, or deed restrictions. When this subsection imposes a higher or more restrictive standard than found in another applicable ordinance, statute, or regulation, this subsection shall apply.

   (b) No person shall engage in any activity that will disturb, remove, drain, fill, dredge, clear, destroy, or alter any area, including vegetation, within a wetland that falls in the jurisdiction of the federal government and its agencies, except as may be expressly allowed under applicable federal laws or regulations. However, notwithstanding any contrary federal law or regulations, draining any wetland that falls in the jurisdiction of the federal government and its agencies, shall be prohibited.

   (c) The City Council shall not grant final approval to any development or activity, including subdivisions, in a wetland that falls within the federal government's jurisdiction until all necessary federal approvals and permits have been obtained.

4. Boundary Delineation.

(a) Qualified Professional. Stream/river corridor and wetland area delineation shall be performed by a qualified professional that has demonstrated experience necessary to conduct site analysis. Delineations shall be subject to the Community Development Director's approval.

(b) Stream Corridor Boundaries. Stream corridors shall be delineated at the annual high-water mark, or if not readily discernible, the defined bank of the stream or river, as those terms are defined in Section V. of these design standards.

(c) Wetland Boundaries.

(1) Mapped Wetlands. Boundary delineation of wetlands shall be established by reference to the Comprehensive Plan Wetlands Map (dated August 1997, as amended), which is available for reference in the Brighton Community Development Department and which is hereby adopted and incorporated by reference into these Residential Design Standards.

(2) Unmapped Wetlands. The review of a development proposal may discover a potential wetland that has not been mapped or for which the boundaries have not been clearly established. In such instances, the applicant shall retain a qualified wetland expert to delineate the boundaries of the wetland according to accepted professional standards.

5. Buffer/Setback Areas.

(a) Irrigation Canals/Drainage Channels. All buildings, parking areas, and accessory structures, including fences, shall be outside of any existing easements or rights-of-way owned by a ditch company or set back at least 25 feet horizontally (plan view) from the top of the bank of all irrigation canals, whichever distance is greater. Where physical constraints exist that make compliance with the 25-foot setback impossible, the City Council may in its reasonable discretion modify this requirement.

(b) Stream Corridors. All buildings, parking areas, and accessory structures shall be set back at least 100 feet horizontally (plan view) from the delineated boundary of the stream corridor. Pedestrian walkways and viewing areas approved by the City may be allowed, subject to subsection 6.(c) below.

(c) Wetlands. All buildings, parking areas, and accessory structures shall be set back at least 100 feet horizontally (plan view) from the delineated boundary of the wetlands. Pedestrian walkways and viewing areas approved by the City may be allowed, subject to subsection 6.(c) below.

(d) Open Space Credit. All buffer/setback areas required by this subsection shall be credited toward any relevant Open Space dedication requirements set forth in Section II.C. of these Residential Design Standards.

6. Development Standards.

(a) Prohibited Activities. No person shall engage in any activity that will disturb, drain, remove, fill, dredge, clear, destroy, or alter any area, including vegetation, within any stream or river corridors, wetlands, and their associated buffer/setback

areas, except as may be expressly allowed in this section or except as necessary to remove noxious weeds.

(b) Utilities. Utilities may be allowed in a buffer/setback area only if the City Council determines that there is no practical alternative. Any disturbance of the buffer area shall be reclaimed by re-grading and re-vegetation. Provisions for reclamation of the disturbed area shall be included in any development or subdivision agreement for the project, with adequate collateral to guarantee the reclamation will be completed. Utility corridors in buffer/setback areas shall be located at the outside edge of the area and access roads for maintenance of utilities shall be located outside the buffer/setback area. Access for maintenance of utilities in buffer/setback areas should be at specific points rather than parallel to the utility corridor.

(c) Recreation, Education, or Scientific Activities. Structures and improvements for recreational, educational, or scientific activities such as trails, fishing access, and wildlife management and viewing may be permitted in a buffer/setback area provided a management plan that establishes long-term protection of the buffer/setback area is submitted with the final plat and approved.

(d) Preservation of Vegetation.

(1) Preservation of Existing Vegetation. All existing vegetation, except for noxious weeds, within the steam/river corridor or wetland buffer/setback area shall be preserved, and where necessary to provide adequate screening or to repair damaged riparian areas, supplemented with additional native planting and landscaping.

(2) Prohibited Activities. There shall be no introduction of plant or animal species without approval by the City.

(e) Roads and Bridges. Roads and bridges across stream/river corridors or wetlands and their associated buffer/setback areas may be allowed if the City Council finds that all of the following conditions, as applicable, exist:

(1) No practical alternative exists for the location of the road or bridge;

(2) All crossings shall minimize impacts to the stream/river corridor or wetland and shall provide mitigation for unavoidable impacts through restoration, enhancement or replacement;

(3) Crossings shall not change the overall wetland hydrology; and

(4) Crossings shall not diminish the flood storage capacity of the corridor or wetland.

E. ON-SITE DRAINAGE AND STORMWATER MANAGEMENT

1. Compliance with City Standards & Specifications.

All on-site drainage and stormwater management plans shall comply with City standards and specifications, and all applicable zoning and subdivision regulations, including Section V.A., "Drainage," of the *Zoning Regulations*, as amended. In addition, if the

standards set forth in this subsection conflict with any other City regulation, standard, or specification, the most restrictive standard shall apply.

2. Non-Structural Techniques Preferred.

To the maximum extent feasible, the applicant's stormwater management and on-site drainage plan shall include the following non-structural control techniques. Where the applicant proposes the use of detention/retention facilities, the applicant must first utilize one or more of the following runoff reduction measures. The applicant shall provide a written justification of the utilization or non-utilization of the following or similar techniques in calculating storage capacities of any detention/retention facilities:

(a) Limit of land disturbance areas;

(b) Restriction of development on steep slopes;

(c) Maintenance of vegetation buffers;

(d) Minimization of impervious surfaces and use of pervious surfaces;

(e) Use of terraces, contoured landscapes, tiered pond systems, runoff spreaders, grass or rock-lined waterways or swales; and/or

(f) Use of infiltration trenches, such as adjacent to a trail system.

3. Detention Basins.

To the maximum extent feasible, detention basins shall be located, designed, and managed for use as year-round neighborhood open space and passive recreation components. Applicants shall consider designs based on guidelines from the Urban Drainage and Flood Control District, Center for Watershed Protection, and other similar entities. Alternately, detention basins may be located, designed, and managed to serve as an attractive entryway feature for a development. Credit against Open Space dedication requirements, but not neighborhood parks, may be available for portions of well-designed detention basins (s*ee* Section II.C. above) that are outside the area required to store a 10-year flood event.

F. NEIGHBORHOOD ACCESS AND CIRCULATION

1. Purpose.

Within each residential development, the access and circulation system shall accommodate the safe, efficient, and convenient movement of vehicles, bicycles, pedestrians, and transit through the development, and provide ample opportunities for linking adjacent neighborhoods, properties, and land uses.

2. General Design Standards for Residential Local Street Systems.

(a) The "local street system" for any proposed residential subdivision shall be designed to be safe, efficient, convenient, and attractive for multi-modal use (including, without limitation, cars, trucks, buses, bicycles, pedestrians, and emergency vehicles). For purposes of this provision, the "local street system" shall mean the interconnected system of collector and residential (local) streets providing access to the residential subdivision from an arterial street.

(b) The local street system shall provide multiple direct connections to and between local destinations such as parks, schools, and shopping. Local streets shall provide for both intra- and inter-neighborhood connections to knit separate developments together, rather than forming barriers between them. The street configuration within each individual subdivision shall contribute to the street system of the neighborhood.

(c) The local street system should be arranged in a "modified grid" pattern that utilizes both parallel and perpendicular streets in identifiable blocks, as well as occasional curvilinear or diagonal streets, except where sensitive natural areas would be unduly disturbed by such a pattern. "T" intersections are also encouraged in locations where views of important public spaces or natural or open areas can be highlighted.

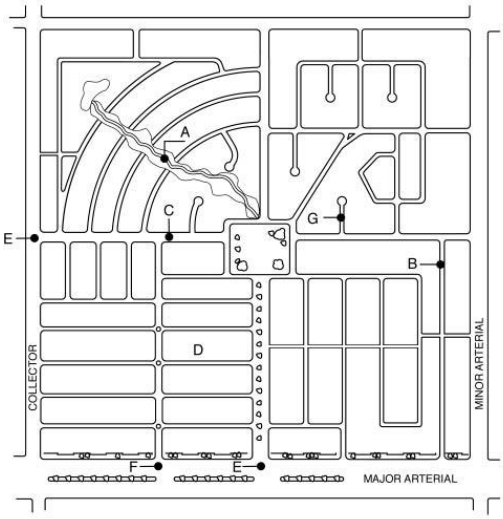
3. Street Connectivity Standards.

(a) Distribution of Local Traffic to Multiple Arterial Streets. All residential subdivision plats shall contribute to developing a local street system that will allow access to and from the proposed subdivision, as well as access to all existing and future development within the same section mile as the proposed subdivision, from at least three (3) arterial streets upon development of remaining parcels within the section mile, unless rendered infeasible by unusual topographic features, existing development, or a natural area or feature.

The local street system shall allow multi-modal access and multiple routes from each development to existing or planned neighborhood features, parks, and schools, without requiring the use of arterial streets, unless rendered infeasible by unusual topographic features, existing development, or a natural area or feature.

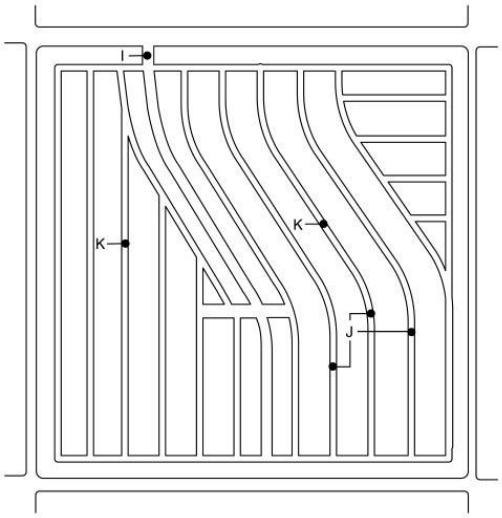
(b) Street Connections to and from Adjacent Developments and Developable Parcels. All residential subdivision plats shall incorporate and continue all sub-arterial streets stubbed to the boundary of the subdivision plan/plat by previously approved development plans/plats or existing development. All residential subdivision plats shall provide for future public street connections to adjacent developable parcels by providing a local street connection at least every six hundred sixty (660) feet along each subdivision plat boundary that abuts potentially developable or redevelopable land.

(c) Gated Developments. Gated street entryways into new subdivisions are strongly discouraged. Limited access developments may be approved where existing built or natural barriers, open space, or public facilities would make the continuation of streets impractical. However, this exception shall not apply to designated or planned collector or arterial streets.



Application of access and circulation principles to 160 acre tract.

1000 feet



Absence of access and circulation principles to 160 acre tract.

1000 feet

Access and Circulation

Well-designed neighborhoods shall provide:

- Multi-model use. For example:
  - Creek path (*A)*
  - Alleys may be used to provide alternate access. (*B)*
  - Internal collector streets of sufficient width for easy bus and truck access. (*C)*
  - Varying local street width to provide for clear bike routing. (*D)*
- Multiple connections to destinations and between neighborhoods.
  note: Web of streets that provide easy access within and outside neighborhood.
- A modified grid pattern with block lengths of 1000 feet on local streets.
- Full movement – arterial/collector intersections every 1/4 mile. (*E)*
- *Limited movement – arterial/collector intersections every 660 feet. (F)*
- Maximum cul-de-sac length of 500 feet. (*G)*

Poorly-designed neighborhood circulation might contain:

- No provision for pathways.
- Limited access points into and out of neighborhood. (*I)*
- Few connections between blocks. (*J)*
- Monotonous and excessively long street layouts. (*K)*
- An absense of physical features or landmarks that make the neighborhood easier to navigate and understand. (e.g., parks, medians, changing street and block arrangements)

**The information presented in this illustration and related principles is intended to supplement and clarify the regulatory text. In all cases this material shall be subordinate to the regulatory text.

Amended by: Ordinance #1964 Ordinance #2061

4. Cul-de-Sacs.

Cul-de-sacs shall meet all applicable City standards for design and construction, and in addition shall comply with the following standards:

(1) Length. The maximum length of a cul-de-sac shall be five-hundred (500) feet, measured from the center of the intersection to the center of the turn-around, unless it is a part of an approved cluster development plan intended to preserve open space.

(2) Pedestrian Connections. The City Council may require pedestrian ways and bicycle access routes between houses or at the bulb end that will connect the cul-de-sac to an appropriate street when necessary to permit easy pedestrian circulation and access to adjacent transit service, identified trail system, community facilities such as parks or schools, or employment centers.

5. Dead-End Streets.

Except for cul-de-sacs as provided in this section, dead-end streets shall not be permitted except in cases where such streets are designed to connect with future streets on adjacent land, in which case a temporary turnaround easement at the end of the street with a diameter of at least eighty (80) feet shall be provided. The turnaround easement shall not be required if lots in the subject subdivision do not use such street for access.

6. Residential Alleys.

Alleys shall not be used to satisfy the requirement for public street access set forth in the *Subdivision Regulations***,** as amended, and/or in other City standards. However, alleys may be considered as an option for primary access to single-family detached dwellings in a residential development when submitted as a part of a Planned Unit Development overlay zone.

Alleys may be used as an option for secondary access to single-family detached dwellings in a residential development. Where alleys are used:

(a) The total alley right-of-way shall be a maximum of twenty (20) feet;

(b) The alley right-of-way shall meet all applicable City standards for pavement width, design, and construction; and

(c) Alleys shall connect through the block to a publicly dedicated street on each end.

(d) Maintenance of alleys, including connection to a public street, shall be the responsibility of an approved Homeowner's Association.

7. Detached Sidewalks.

(a) Meandering, detached sidewalks meeting City standards and specifications shall be installed along both sides of all collector and arterial streets. Detached sidewalks along residential (local) streets are strongly encouraged, but are not required.

(b) Sidewalks shall be detached from the curb an average of six (6) feet but may vary from four (4) to eight (8) feet from the edge of the curb to allow for a landscaped planting strip between the outer edge of the curb and the sidewalk, except for transitioning at driveways and street intersections where sidewalks may be attached.

(c) The applicant or developer shall install proper irrigation and shall landscape the strip located between the curb and sidewalk with street trees and other materials and plantings that emphasize water conservation principles. (S*ee* Section II.H.3. below).

(d) The adjacent property owner or a Homeowner's Association shall be responsible for maintenance of the landscaped planting strip.

G. BLOCKS AND LOTS

1. Block Standards.

(a) Block Length. The preferred block length for residential blocks with lots fronting on a local street shall be eight hundred (800) feet. The maximum block length for residential blocks with lots fronting on a local street shall be one thousand (1,000) feet. Large lot subdivisions are exempt from this standard.

(b) Maximum Block Size. The maximum size or area of a residential block shall be six (6) acres. Large lot subdivisions are exempt from this standard.

(c) Mid-Block Pedestrian Connections. Blocks that exceed eight hundred (800) feet in length shall provide a pedestrian and bicyclist access route through the center of the block when the mid-block pedestrian connection will provide access to a park, open space, neighborhood feature or other major pedestrian connection. Such access routes shall be a total of twelve (12) feet wide with a four-feet wide concrete-paved path for pedestrians and bicyclists. Fences adjacent to a mid-block pedestrian connection shall comply with the standards for front yard fences set forth in subsection II.H.5.(b)(5), except that fences adjacent to any pedestrian connection are required.

2. Residential Lots Adjacent to Collector Streets.

(a) Double frontage lots adjacent to collector streets are prohibited, unless the following requirements are met:

(1) Except for perimeter fences and walls, the minimum rear setbacks for the principal structures and free-standing detached garages on a lot adjacent to a collector shall be 35 feet; and

(2) Perimeter fences and walls along collector streets shall comply with the requirements set forth in section II.H.5., "Fences and Walls," below, except that the fence setback area shall be landscaped with a minimum turf and double row of shrubs and a mix of evergreen and deciduous trees no less than forty (40) feet on center.

(b) Unless a double frontage lot is approved under subsection 2.(a) above, dwelling units constructed on lots adjacent to collector streets shall be oriented to face or

front the collector street (The unit's front entrance and front yard, not the unit's back yard, shall face the collector street.).

(1) Fences and walls erected in the yard adjacent to the collector street shall comply with the standards for front yard fences/walls set forth in subsection H.5., "Fences and Walls," below.

(c) Vehicle access to dwelling units located on lots adjacent to a collector street may be directly from the collector street, from a frontage road, from an auto court or loop lane, or from a rear residential alley.

3. Residential Lots Adjacent to Arterial Streets.

(a) Lots Adjacent to "Minor Arterial" Streets.

(1) Double frontage residential lots adjacent to streets designated as "minor arterial" streets in the Comprehensive Plan are prohibited, unless the following requirements are met:

(i) Except for perimeter fences and walls, the minimum rear setbacks for accessory and principal structures on the lot, including garages, shall be 40 feet; and

(ii) Perimeter fences and walls along collector streets shall comply with the requirements set forth in section II.H.5., "Fences and Walls," below, except that the fence setback area shall be landscaped with a minimum double row of shrubs and a mix of evergreen and deciduous trees no less than forty (40) feet on center.

(2) All residential lots adjacent to minor arterial streets shall have a minimum depth of one hundred twenty five (125) feet.

(3) Vehicle access to dwelling units located on lots adjacent to a minor arterial street should be, preferably, from a rear residential alley, or may be taken directly from the arterial street via a frontage road, auto court or from a rear residential alley.

(b) Lots Adjacent to "Major Arterial" Streets. Double frontage residential lots adjacent to streets designated as "major arterial" streets in the Comprehensive Plan are strongly discouraged, but will be allowed subject to the following standards:

(1) Such lots shall have a minimum depth of one-hundred fifty (150) feet;

(2) Such lots shall not have direct access from the major arterial street; and

(3) Fences and walls erected that face the arterial street shall comply with the standards set forth for perimeter fences/walls in section II.H.5. below.

H. STREETSCAPE DESIGN STANDARDS

1. Purpose.

The following streetscape standards are intended to enrich the image and character of new residential neighborhoods by improving the visual appeal and quality of residential streets. In addition, these standards are intended to use uniformly well-designed streets as the identifiable connector between separate neighborhoods and between different parts of the City. These standards also discourage the "walling off" of neighborhoods from one another; instead, they encourage connections and easy access between neighborhoods. Further, these landscaping standards encourage and emphasize incorporation of water conservation principles.

2. Applicability.

Subject to the review and approval by the Parks and Recreation Department, these streetscape standards shall be required in all new residential developments. Unless otherwise approved, the developer shall be responsible for installation of these improvements.

3. Street Tree Planting.

(a) Applicable Streets. Street tree planting shall be required on all minor arterial and collector streets located within or on any boundary of a new residential development or subdivision.

(b) Planting Requirements.

(1) Location & Amount. Street trees shall be installed on both sides of all minor arterial and collector streets within the development. On minor arterial and collector streets that form a boundary of the development, street trees shall be installed along the side of such street that is immediately adjacent to the development. The developer shall plant one street tree for every 35 feet of linear street frontage. The street tree shall be planted at the center of the landscaped planting strip between the edge of the curb and sidewalk at regular intervals, subject to review and recommendation by the Parks and Recreation Department. Where attached sidewalks are present, the minimum distance between the tree and the edge of the sidewalk shall be 6 feet for large trees, and 4 feet for medium and small trees.

(2) Type & Size Trees. The developer shall select tree species that are suitable for the local climate and soil conditions. The City Parks and Recreation Department shall approve all species choices. All planted trees shall be nursery grown, or substantially uniform size and shape, and have straight trunks. Ornamental trees shall have a minimum caliper of 1 1/2 inches, deciduous trees shall have a minimum caliper of 2 inches, and all evergreen trees shall have a minimum height of 6-8 feet.

(3) Spacing. For purposes of this subsection, trees are defined by their mature height as follows: Large--60 feet and taller; Medium--21 to 59 feet; and Small--20 feet and shorter.

(a) Minimum spacing between trees shall be 35 feet for large trees, 30 feet for medium trees, and 25 feet for small trees.

(b) The maximum spacing between trees shall be 50 feet for large trees, 40 feet for medium trees, and 30 feet for small trees.

(c) The tree shall be planted a minimum of 30 feet from street intersections and 10 feet from fire hydrants and utility poles.

(d) Only small trees shall be planted over or within 5 lateral feet from any underground utility line.

(e) A small tree shall be used when planting under or within 10 lateral feet of overhead utility wires. A small or medium tree shall be used when planting within 10 to 20 lateral feet of overhead utility wires.

(c) Installation, Inspection, and Maintenance.

(1) Installation. Street trees shall be properly planted and staked in accordance with accepted landscaping and nursery practices.

(2) Inspection.

(i) Upon completion of street tree planting, the developer or property owner shall contact the City for a preliminary inspection. If the City determines that is necessary to retain an arborist or landscape architect to conduct the inspection, the developer shall pay all reasonable costs for the City to retain such professional services.

(ii) A final inspection shall be made at the end of the one-year guarantee period (S*ee* subsection (c)(3)(i) below.). If the City determines that is necessary to retain an arborist or landscape architect to conduct the inspection, the developer shall pay all reasonable costs for the City to retain such professional services. The developer shall promptly replace all trees not exhibiting a healthy, vigorous growing condition, as determined by the City's inspection.

(3) Guarantee Period/Responsibility for Maintenance.

(i) Guarantee Period. The developer shall be required to maintain all street trees for one year after the trees are planted and to replace any tree that fails to survive or does not exhibit normal growth characteristics of health and vigor within such one-year period. The one-year guarantee period shall begin at each planting date upon passing the preliminary inspection, and shall re-commence if a tree is replaced.

(ii) Responsibility of Developer & Owners. The developer and subsequent owners of properties within the development shall be responsible for maintaining all street trees located outside of public rights-of-ways.

4. Development Buffer from Major Highways.

(a) All proposed residential developments containing more than twenty (20) dwelling units and located adjacent to I-76, U.S. 85, E-470, or other expressway shall provide a minimum 100-foot wide buffer along the outer edge of the highway or expressway right-of-way.

(b) No residential buildings, parking areas, or other structures, except for permitted signs, shall be allowed within the 100-foot buffer area. Agricultural activities shall be allowed within the 100-foot buffer area.

(c) At the City's discretion, the buffer area required by this subsection may be credited against the Open Space dedication requirement set forth in section II.C.3.(a)(2) above.

5. Fences and Walls.

(a) Perimeter Fences and Walls. This subsection shall apply to all perimeter fences and walls located adjacent to a collector or arterial street. Preferably, perimeter treatment will emphasize berms and landscape materials.

(1) Perimeter fences and walls are discouraged, but where they are erected, they shall comply with the standards set forth below. For purposes of these Residential Design Standards, "perimeter fences and walls" shall mean fences or walls that are forty-two (42) inches or more in height, and are placed within fifty (50) feet of the edge of the right-of-way of a collector or minor or major arterial street. Fences or walls that have a surface area that is 25% or less opaque, and hedges and screens composed of living plant material, shall not be included in this definition of "perimeter fences and walls."

(2) Ownership and Maintenance. Except where a perimeter fence or wall is provided by the City or other governmental entity, the ownership and maintenance of such fences and walls shall be the responsibility of a Homeowner's Association or adjacent property owner. Such ownership and maintenance shall also extend to the landscaped setback area between the sidewalk and fence or wall, as described and required by this subsection. Maintenance responsibility for perimeter fences and walls shall be noted directly on the subdivision plat.

(3) Perimeter Fence and Wall Materials. Fences constructed along the perimeter of residential developments shall be constructed of durable, easily maintained materials such as stone, metal, brick, or treated wood that is resistant to rot on not less than three (3) rails and include two-foot by two-foot (2' x 2') masonry fence posts located no further than sixty (60) feet on-center, and with sloped column caps to drain water to the sides of the posts.

(4) Maximum Fence Frontage. Perimeter fences or walls that are forty-two (42) inches in height or greater may be located adjacent to an arterial street (including State Highways) or collector street provided they meet the following requirements:

(i) No more than 60% of the street frontage may be occupied by the fence or wall; and

(ii) The required 40% openings in the fence or wall frontage may occur to provide exposure for intersecting streets, pedestrian entryways, parks or open space, or any non-walled or non-fenced land use (e.g., a church or school). Fences or walls that have a surface area that is 25% or less opaque, hedges and screens composed of living plant material, or any land use with a wall or fence lower than forty-two (42) inches may count toward the 40% requirement.

(5) Maximum Continuous Fence or Wall Length. The maximum length of continuous fence (regardless of any changes in the fence plane), without a break provided by either vehicle or pedestrian access, shall be four-hundred (400) feet.

(6) Fence or Wall Setbacks.

(i) Along detached sidewalks, perimeter fences or walls shall be set back at least six (6) feet from the back of the sidewalk, and the area between the sidewalk and the fence shall be landscaped with turf or a single row of shrubs with variety of species for seasonal color and plant variety.

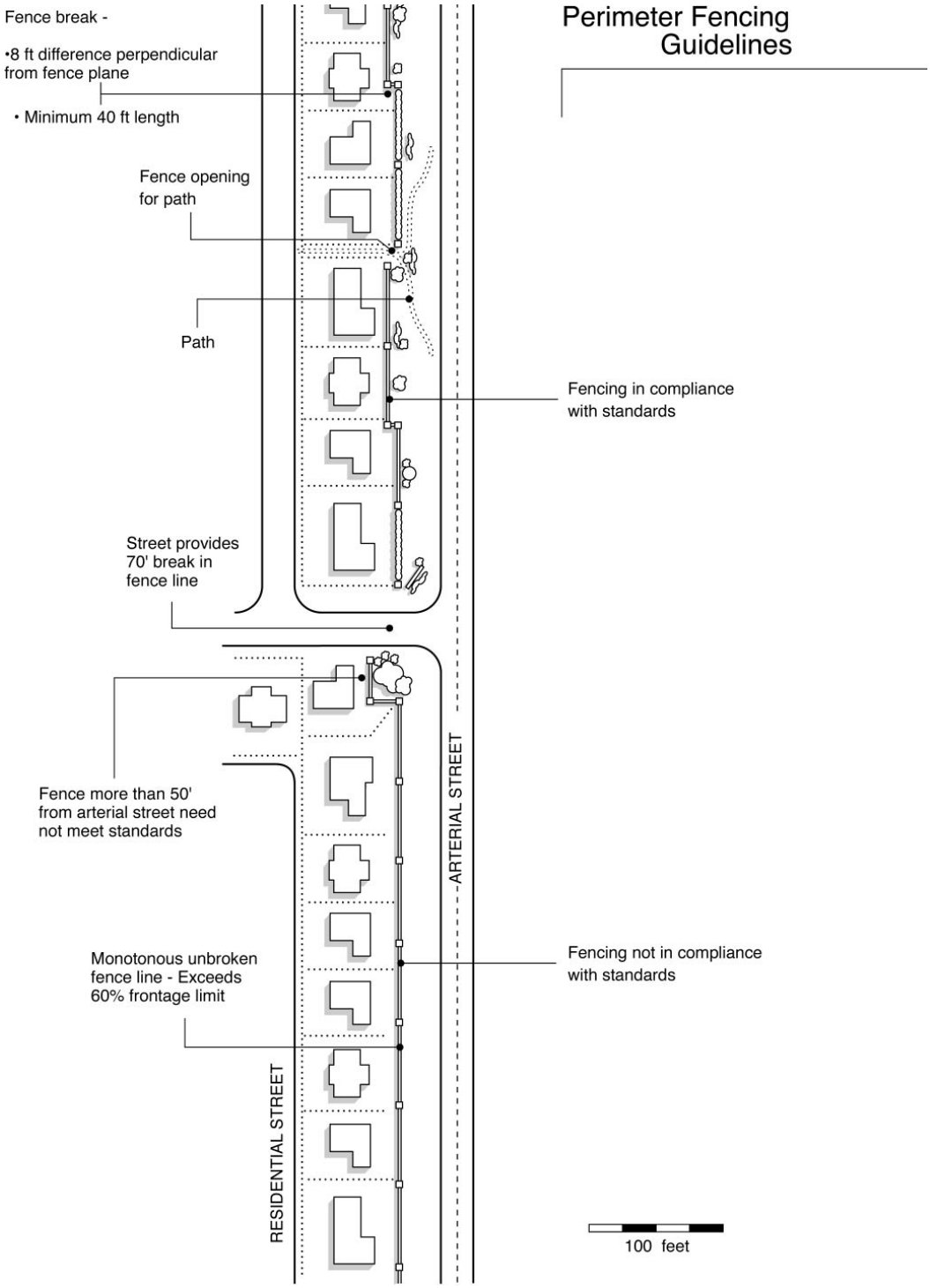
(ii) Along attached sidewalks, perimeter fences or walls shall be set back at least ten (10) feet from the back of the sidewalk. The applicant or developer shall landscape the area between the sidewalk and the fence as set forth in Section II.F.7.(c), above.

(7) Maximum Length of Unbroken Fence Plane. The maximum length of continuous, unbroken and uninterrupted fence plane shall be one-hundred (100) feet. A break in the plane of a fence or wall may be achieved by either:

(i) A break in the length of the wall or fence that is at least forty (40) feet long (measured parallel to the street), at least eight (8) feet wide (measured perpendicular to the street), and is landscaped with at least one (1) tree and one (1) rows of shrubs for each forty (40) feet in length. Landscaping shall incorporate species with seasonal color and plant variety and shall be in addition to any other landscaping required in these Residential Design Standards or other sections of the City's *Zoning Regulations* or *Subdivision Regulations*.

(ii) A change to a fence that is not more than 25% opaque that is offset from the primary fence or wall plane by at least four (4) feet, and that extends for no less than forty (40) feet and no more than three-hundred twenty (320) feet. The offset area shall be landscaped with at least one (1) tree for each forty (40) feet of length; this requirement shall be in addition to any other landscaping in these Residential Design Standards or other

sections of the City's *Zoning Regulations* or *Subdivision Regulations.*



(b) Front Yard Fences or Walls on Individual Lots.

Fences, barriers, walls, or other obstruction shall not be placed or constructed in the front building setback area on an individual residential lot unless they comply with the following criteria:

(1) The surface of the fence or wall is not more than fifty (50) percent opaque and does not exceed forty-two (42) inches in height, or the fence is opaque and does not exceed thirty (30) inches in height.

(2) On lots with dwellings fronting collector streets, the following additional standards shall apply to all front yard fences or walls:

(i) If fences or walls are used, the developer shall install an approved, uniform style of front yard fencing or walls for individual lots.

(ii) If there are detached sidewalks along the collector street, front yard fences or walls shall be setback a minimum distance of six (6) feet from the back of the sidewalk, and the area between the sidewalk and the fence or wall shall be landscaped by the applicant or developer with turf or a single row of shrubs with variety of species for seasonal color and plant variety.

(iii) If there are existing attached sidewalks along the collector street, front yard fences or walls shall be set back at least eight (8) feet from the back of the sidewalk, and the area between the sidewalk and the fence or wall shall be landscaped by the applicant or developer as set forth in Section II.F.7.(c), above.

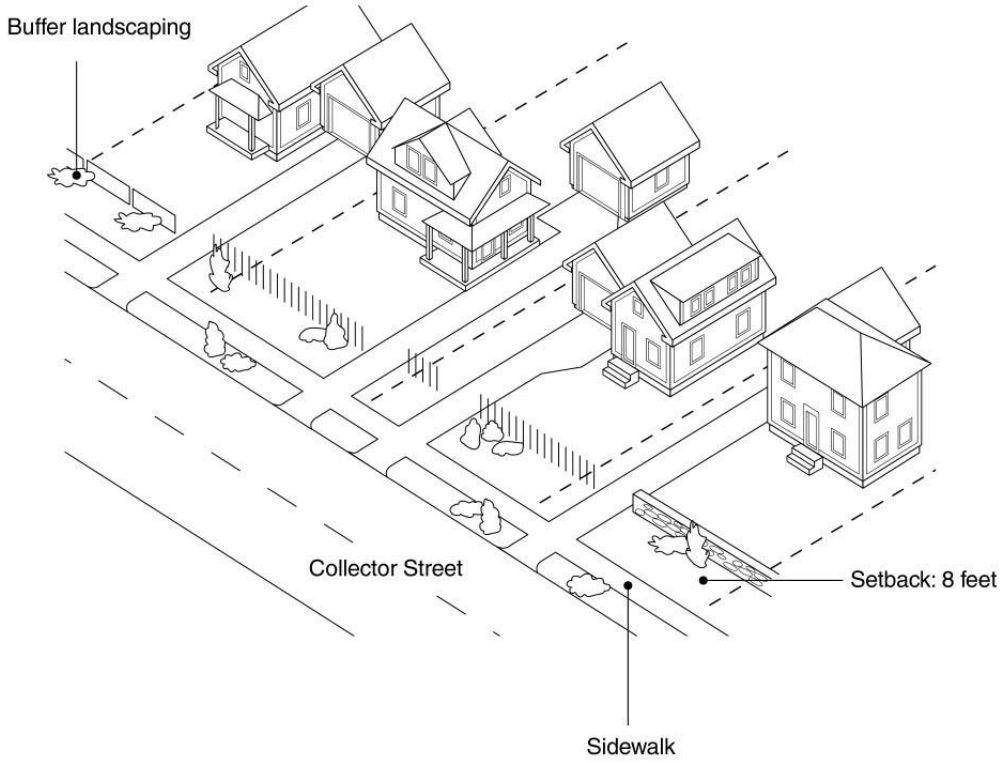
(3) Fences or walls erected on the street side of a corner lot within the front or side building setback area shall comply with the front yard fencing requirements set forth in this subsection.

(4) Fences adjacent to a mid-block pedestrian connection shall comply with the standards for front yard fences set forth in this subsection.

Collector Street Fencing

Fencing in front of dwellings on a collector street shall:

- Be setback at least 8 feet from the back of detached sidewalks.
- Be setback at least 10 feet from the back of attached sidewalks
- Have landscaping between the sidewalk and fencing
- Be a uniform, approved style



**The information presented in this illustration and related principles is intended to supplement and clarify the regulatory text. In all cases this material shall be subordinate to the regulatory text.

SECTION III: RESIDENTIAL LOT & BUILDING DESIGN

A. GENERAL PURPOSE

The intent of this section's design standards is to line residential streets with active living spaces, create pedestrian-oriented streetscapes, and provide variety and visual interest in the exterior design of residential buildings. These standards are also intended to provide, within each neighborhood, a mix of housing sizes, types, and styles to engender diversity and provide greater visual interest.

B. APPLICABILITY

1. New Residential Subdivisions.

   All new residential subdivisions shall comply with the residential lot and building design standards set forth in this Section III.

2. New Residential Development on Previously Approved Lots.

   (a) Within the "City Core". New residential development on lots of record approved prior to the effective date of these Residential Design Standards and located within the "City Core" (as defined in Section V. below) shall comply only with the standards in subsection III.K., "Residential Compatibility Standards," set forth below.

   (b) Outside the "City Core" or where new construction has yet to begin. New residential development on lots of record approved prior to the effective date of these Residential Design Standards and located outside the "City Core" (as defined in Section V. below) shall not be required to comply with these regulations unless requirements were included by the City as part of a preliminary or final plat approval.

C. MIX OF RESIDENTIAL LOT DIMENSIONS

1. Applicability.

   In all new residential subdivisions containing twenty (20) or more lots for single-family detached or duplex dwelling uses, a mixture of lot sizes and dimensions shall be provided in order to avoid monotonous streetscapes. For example, larger and wider lots are encouraged on corners. Smaller lots are encouraged adjacent to parks and open spaces.

2. Variation of Lot Sizes Required.

   (a) General Rule. No more than forty (40) percent of all lots within the subject subdivision shall be similar in total lot area. For purposes of this subsection, "similar" lot sizes shall be defined as within five hundred (500) square feet of each other.

   (b) Exception. Up to fifty (50) percent of the lots within the subject subdivision may be similar if the City Council finds that, notwithstanding deviation from the forty percent standard stated above, lot sizes and dimensions are sufficiently varied, for different housing types, to avoid monotonous streetscapes.

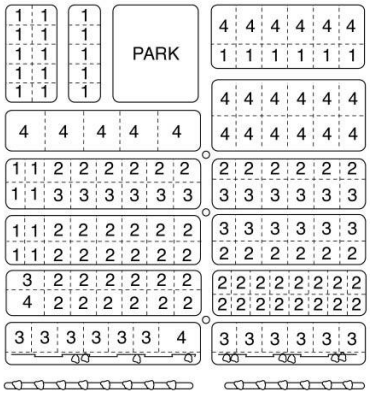
Amended by: Ordinance #1964 Ordinance #2061

(c) Minimum Lot Size Allowed in Single-Family Detached Housing. The minimum lot size of seven thousand (7,000) square feet shall not exceed thirty (30) percent of the subdivision.

(d) Minimum Lot Size Allowed in Single-Family Attached Housing. The minimum lot size less than seven thousand (7,000) square feet shall not exceed thirty (30) percent of the subdivision.

(e) Dispersion of Lot Sizes Preferred. The City strongly encourages subdividers to distribute similar lot sizes throughout a subdivision rather than consolidate them in one area.

Residential Lot Design



Neighborhood A – Street layout and lot subdivision illustrating lot mixing.

Table 1

Lot Size Distribution in Neighborhood A

Code	Lot Size (sq ft)	# of Lots	% of Total
	Dimensions (ft)		
1	7,500	29	21%
2	10,000	54	39%
3	15,000	31	22%
4	22,500	25	18%
		139	100%

Tract Facts

- Tract size: 1400' x 1400' or 40 acres
- Total lots in subdivision = 139
- Gross average density = 4 units per acre
- Park requirement is (139 units x 0.00296 x 6 acres) or 2.47 acres for this subdivision
- Amount of park space allocated in design is 3.4 acres

Principles for Mixing Lots**

- No more than 40% of any one size, unless agreed to otherwise by the City.
- Lot's of different sizes shall be distributed throughout the subdivision and not clustered in one area.

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Amended by: Ordinance #1964 Ordinance #2061

D. RESIDENTIAL GARAGE PLACEMENT & DESIGN

1. Applicability/Purpose.

   The following garage placement standards shall apply to all new residential developments and subdivisions approved after the effective date of these Residential Design Standards. These standards are intended to prevent residential streets from being dominated by garage doors and to add variety to the streetscape.

2. Deviation.

   At the time of building permit application, builders in residential developments with lots that average 10,000 square feet or more may obtain a deviation(s) from these Residential Garage Placement and Design Standards, provided that the applicant demonstrates that the proposed deviation will not detract from the variety of the streetscape, in part due to the large lot nature of the development.

3. Design Standards for Alternate-Loaded Garages.

   (a) At least fifty percent (50%) of all garage doors within a subdivision shall be alternate-loaded. Alternate-loaded garages shall include:

      (1) Alley loaded garages;

      (2) Side loaded garages;

      (3) Garages loaded on a private auto court that is generally perpendicular to the public street;

      (4) Garages setback at least four feet (4') from a front elevation, which does not include a "qualified front porch" as set forth in Section E, 3, b (2) below; and

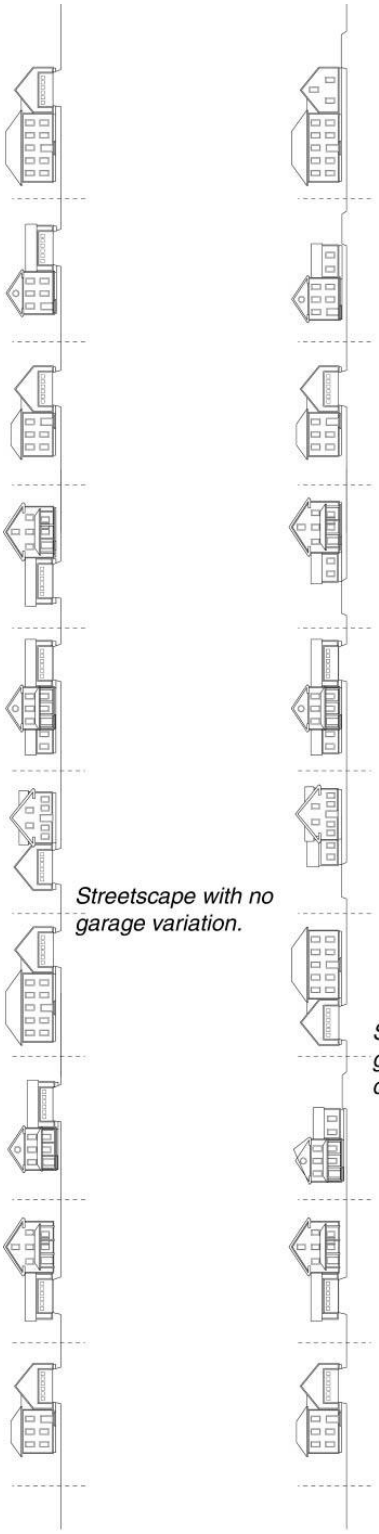
      (5) Garages setback at least six feet (6') from the front of a front porch which meets the requirements of a "qualified front porch" as set forth in Section E, 3, b (2) below.

   (b) Garage doors shall not comprise more than forty-five (45) percent of the front façade of the principal dwelling structure for two-car garages nor more than fifty (50) percent for three-car garages.

   (c) Garages that are adjacent to the street but that have side-facing garage doors (perpendicular to the street) shall have architectural details or windows that mimic the features of the living portion of the dwelling on the side of the garage facing the street.

   (d) It is strongly encouraged that dwellings on corner lots be built with garages (either attached or detached) that face the side lot line (as opposed to facing the designated front lot line of the corner lot). *See* Section III, "Definitions," in the *Zoning Regulations,* as amended, for a definition of "front lot line."

Amended by: Ordinance #1964 Ordinance #2061



Streetscape with no garage variation.

Streetscape illustrating garage placement and design principles.

Garage Placement and Design

Garage Placement and Design Principles:

- At least 50% of street-facing garage doors shall be recessed
- Garage doors shall not comprise more than 45% of the front facade
- Side-facing garages shall have architectural details

**The information presented in this illustration and related principles is intended to supplement and clarify the regulatory text. In all cases this material shall be subordinate to the regulatory text.

Amended by: Ordinance #1964 Ordinance #2061

4. Building Setback Reductions Allowed.

(a) Front-Loaded Garages with Side-Facing Garage Doors. The front building minimum setback for the garage may be reduced to ten (10) feet only for the garage sidewall containing no garage doors.

(b) Garages Located in Rear of Lot.

(1) The minimum front building setback may be reduced by five (5) feet when there is a garage located behind the principal dwelling structure in the rear of the lot.

(2) The minimum rear building setback for a detached garage located in the rear of the lot may be reduced to zero (0) feet when the garage is accessed from the required street frontage, or to three (3) feet when the garage is accessed from a rear alley.

(3) The minimum separation between a detached garage located behind the principal dwelling structure and the principal dwelling structure shall be per current Building Code.

E. MIX OF DIFFERENT HOUSING MODELS REQUIRED

1. Applicability/Purpose.

The following housing model variety standards shall apply to all new residential subdivisions and developments that contain twenty (20) or more single-family detached or duplex dwellings. These standards are intended to prevent monotonous streetscapes and offer consumers a wider choice of housing styles.

2. General Requirement.

(a) All subject developments shall offer at least four (4) distinctively different home models (with distinctly different floor plans). Mirror images of the same home model elevation shall not count as two distinctively different models.

(b) No home model elevation shall be repeated more than once every four (4) lots on the same side of the street (e.g., the first and fifth lots in a row may contain the same model elevation, but the second, third, and fourth lots must contain three (3) different model elevations).

See subsection E.3. below for exceptions to this provision when the different home model elevations incorporate significant brick or other stone or masonry exterior materials or when different home model elevations incorporate a front porch.

(c) No home model elevation shall be repeated directly across any street from the same home model elevation.

(d) For purposes of this subsection, each home model elevation used to satisfy this requirement shall substantially and distinctly differ from other home model elevations in at least four (4) of the following areas:

(1) The placement of all windows and doors on the front facade elevation (at least a two (2) foot vertical or horizontal variation in size or location is required).

(2) The use of different materials on the front façade elevation.

(3) Substantial variation in the location and/or proportion of garages and garage doors.

(4) The width of the front facade elevation must differ more than two (2) feet.

(5) Variation in the location and proportion of front porches. Front porches shall comply with the minimum standards in Section III.E.3.(b)(2) below.

(6) Substantial variations in roof-lines and/or in the angle of roof runs. Roofs shall have a minimum pitch of 4:12 except for dormers, porch roofs, or other extensions.

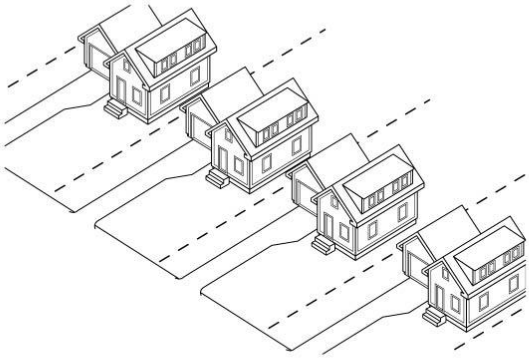
(7) Use of roof dormers.

(8) A variation of building types: ranch, two-story, and split-level.

(9) Window shapes that are substantially different.

(10) Other distinct and substantial design variations approved by the City.

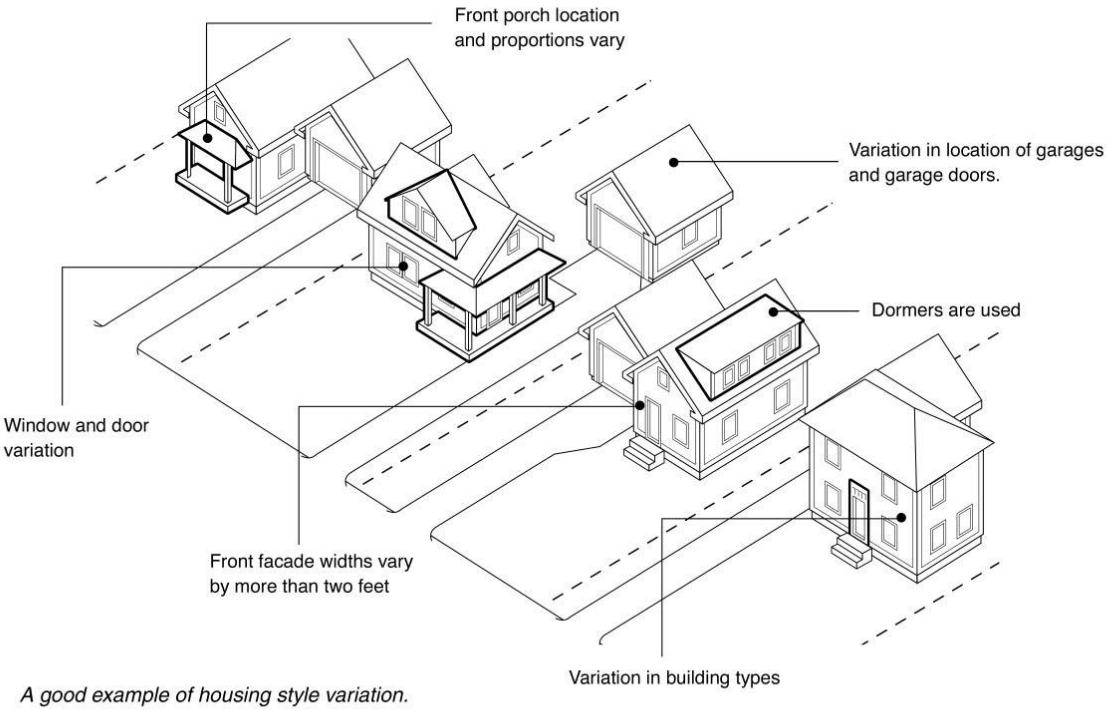
Housing Model Variation



The result of an absence of housing style variation.

The homes in the illustration below far exceed the four-variation minimum through the use of the following techniques:

- Four or more distinct models
- Repetition of models with no one model appearing more than once every five lots.
- Variety on each side of the street with no repetition of models across a street
- Model variation in window placement, front porch location, materials, width of front facade, garage door variation and other factors



A good example of housing style variation.

**The information presented in this illustration and related principles is intended to supplement and clarify the regulatory text. In all cases this material shall be subordinate to the regulatory text.

3. Incentives to Promote Variety in Construction.

(a) Use of Exterior Masonry Materials.

(1) When at least 2 of the 4 required home models have an area equivalent to at least 50% of the front facade elevation (not including window and door areas and related trim areas) clad in brick, stone, stucco, or other approved masonry materials, the developer will be allowed to repeat the same home model elevation no more than once every *three* lots on the same side of the street (i.e., the first and fourth lots in a row may contain the same model elevation, but the second and third lots must contain a different model elevation).

(2) Brick or other approved masonry materials shall wrap around inside corners and return a minimum of 2 feet at outside corners.

(b) Incorporation of Front Porches.

(1) When at least 2 of the 4 required home models in the development or in each subdivision filing incorporate a qualified front porch, as defined in paragraph (2) below, said porches may extend five (5) feet into the required front yard setback and the developer shall be allowed to repeat the same home model elevation no more than once every *three* lots on the same side of the street (i.e., the first and fourth lots in a row may contain the same model elevation, but the second and third lots must contain a different model elevation).

(2) A "qualified front porch" shall mean a covered front porch with a minimum size of sixty (60) square feet of floor area, excluding the stoop and any projections (e.g., bay window), with a minimum depth of six (6) feet. Qualified front porches shall not be enclosed to provide additional living space.

F. MIX OF ROOF COLORS

1. Applicability/Purpose.

These roof standards shall be applicable to all new residential developments containing 20 or more single-family detached or duplex dwellings.

2. Mix of Roof Colors Required.

Where asphalt shingles are used, each development or subdivision filing with between 20 and 50 homes shall use at least 3 visibly distinct colors of roof materials distributed in roughly equal proportions throughout the development; and each subdivision filing with more than 50 homes shall use at least 4 visibly distinct colors of roof materials distributed in roughly equal proportions throughout the development.

Residential Variety Incentives: Masonry

Amounts of masonry that allows one-in-three repitition

When at least two of the four required home models have an area equivalent to at least 50% of the front facade elevation in masonry materials, the developer is allowed to repeat the same model elevation no more than once every three lots on the same side of the street compared with the regular requirement of once every five.

**The information presented in this illustration and related principles is intended to supplement and clarify the regulatory text. In all cases this material shall be subordinate to the regulatory text.

Amended by: Ordinance #1964 Ordinance #2061

G. REAR ELEVATIONS

1. Applicability/Purpose.

These elevation standards shall be applicable to all new multi-story residential developments containing 20 or more single-family detached or duplex dwellings.

2. Variation in Rear Elevations.

A horizontal or vertical offset, projection, or recess of twelve (12) inches or greater for a minimum width of five feet (5') is required on all rear elevations.

H. INCENTIVES FOR PROVISION OF SPECIFIED HOUSING

1. Applicability/Purpose.

These standards shall be applicable to all new single-family or duplex dwellings in residential developments. An increase in density, not to exceed twenty percent (20%), may be granted for providing housing suitable for elderly (age 55 years and older), affordable housing, or accessible housing subject to the following standards:

(a) Such housing shall comprise at least ten percent (10%) of the total dwelling units in the subject development;

(b) Such housing units shall be dispersed within a residential development;

(c) Proposed affordable housing shall meet the parameters for household size, income levels, and maximum housing expenditure defined by the City;

(d) Affordable housing units shall be deed-restricted to assure the availability of the unit for sale or rent to persons meeting the income parameters referenced above, for a period of time no less than twenty-five (25) years. The City Attorney shall approve the mechanism used to restrict the unit; and

(e) Accessible housing models shall include, at a minimum, the following design features: at least one external entrance at grade; the garage entrance to the house shall be at grade level; the main floor shall have at least one bedroom, laundry and bath with wall reinforcements for future installation of grab bars; all main floor doorways shall be at least 3'0" wide; and a bath on the main floor shall be wheel chair compatible.

Amended by: Ordinance #1964 Ordinance #2061

I. MULTI-FAMILY BUILDING DESIGN

1. Applicability/Purpose.

This subsection's multi-family building design standards shall apply to subdivisions and developments containing single-family attached dwellings (other than duplexes) or multi-family dwellings. Unless otherwise expressly stated, the term "multi-family" shall include single-family attached dwellings (except duplexes incorporated into a single family detached development). The purpose of these standards is to provide a distinctive architectural character in new multi-family residential developments that avoids featureless design and repetition of façades.

2. Building Connections & Orientation.

(a) Pedestrian Connections to Adjacent Uses and the Street System.

(1) Where adjacent to commercial areas or an existing or planned trail system, multi-family developments shall provide direct walkways on site that allow residents to walk to nearby shopping, services, and recreational amenities.

(2) Every front façade with a primary entrance to a dwelling unit or units shall face the adjacent public street to the maximum extent possible. Every front façade with a primary entrance to a dwelling unit or units shall include a connecting walkway from the primary entrance to the perimeter street sidewalk system.

(3) Every building containing four (4) or more dwelling units shall have at least one (1) building entry or doorway facing any adjacent street that is not an arterial street or that has on-street parking.

(b) Vehicle Connections.

(1) Multi-family developments between five (5) and fifteen (15) acres shall include a minimum of one public street or private drive, with detached sidewalks and landscaped planting strips in compliance with the standards in Section II.F.7. above, that is continuous through the site, and connects to a public street on either end (referred to as a "through-access drive").

(2) Multi-family development sites greater than fifteen (15) acres shall include a minimum of two (2) through-access drives.

(3) The design of all through-access drives shall be consistent with, and aligned with, local streets in adjacent existing development sites.

(c) Building Orientation. Multi-family buildings within a development are encouraged to be arranged to enclose and frame common areas, which may include gardens, courtyards, recreation, and play areas. Such common areas should contain at least three (3) of the following features:

(1) Seasonal planting areas;

(2) Large, flowering trees;

(3) Seating;

(4) Pedestrian-scaled lighting;

(5) Gazebos or other decorative structures;

(6) Play structures for children; or

(7) Natural environmental features.

Multi-Family Site Planning Principles

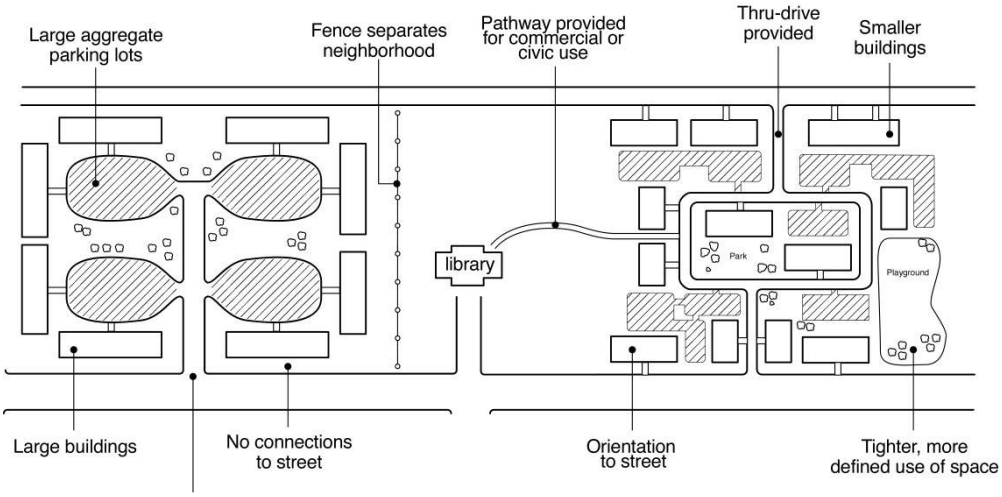
Multi-Family standards promote distinctive character, create good neighborhoods and avoid featureless repetition in design and facades.

Examples of design objectives include:

- Walking connections to shopping and recreational amenities
- Walkways and orientation to public streets
- Creation of internal street
- Creation of internal common areas and gardens
- Drives that provide through-access to the street system
- Buildings shall not exceed 200 feet in length

Development which does not exhibit design objectives:

Development which exhibits design objectives:



**The information presented in this illustration and related principles is intended to supplement and clarify the regulatory text. In all cases this material shall be subordinate to the regulatory text.

3. Multi-Family Building Design Standards.

(a) <u>Building Height</u>.

(1) The maximum building height for town home buildings shall be thirty-five (35) feet or two and one-half (2 1/2) stories from average grade to the eave.

(2) The maximum building height (from average grade to the eave) for all other multi-family buildings shall be thirty-five (35) feet, except that up to 50% of the total number of buildings in a multi-family development may have a maximum building height of forty-five (45) feet or five (5) stories.

(3) The maximum building height (from average grade to the eave) of any portion of a multi-family building located within one hundred (100) feet of a single-family residential area shall be thirty-five (35) feet.

(b) Building Massing.

(1) All buildings shall be designed to provide complex massing configurations with a variety of different wall planes and roof planes. Plain, monolithic structures with long, monotonous, unbroken wall and roof plane surfaces of fifty (50) feet or more shall be prohibited.

(2) The facades of single-family attached town homes shall be articulated to differentiate individual units.

(3) On small multi-family buildings of ten (10) units or less, the massing and use of exterior materials is encouraged to be arranged to give each building the appearance of large single family home. This does not apply to duplex or town home structures.

(c) Maximum Building Length.

(1) The maximum length of any multi-family residential building shall not exceed two-hundred (200) feet.

(2) No more than eight (8) town home units may be attached in any single row or building cluster.

(d) Exterior Wall Materials.

(1) For multi-family and town home buildings, the total exterior wall area of each building elevation shall be composed of one of the following:

(i) At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.

(ii) At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a "cementitious" lap siding. (A "cementitious" lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, masonite or vinyl lap siding would not be allowed under this option.)

(iii) All stucco, provided there are unique design features in the elevations of the buildings.

(iv) At the Community Development Director's discretion, alternate materials may be used if it fits into an overall design theme or represents an innovative use of materials.

(e) Garages & Carports.

(1) To the maximum extent feasible, garage entries, carports, and parking garages shall not be located between a principal multi-family building and a required street frontage, but shall instead be internalized in building groups so that they are not visible from adjacent public streets.

(2) Detached garages and carports shall be compatible with the principal building architecture, and shall incorporate similar and compatible forms, scale, materials, colors, and details.

(3) Carports shall be limited to eight (8) spaces per parking structure to avoid a continuous row of parking structures.

(4) No more than eight (8) garage doors may appear on any multi-family building elevation containing front doors, and the plane of each garage door shall be offset at least two (2) feet from the plane of the garage door adjacent to it.

(5) Detached garages and carports shall have pitched roofs with a minimum slope of 4:12.

(f) Roofing Materials. All sloped roof areas shall be clad with either high profile composition shingles such as slate, tile, or dimensional asphalt shingles, concrete or clay tiles, or seamed architectural metals.

(g) Roof Shapes.

(1) All one-story multi-family buildings shall have a pitched roof with a minimum slope of at least 4/12.

(2) On buildings where sloping roofs are the predominant roof type, each building roof shall have at least three (3) distinct roof ridgelines.

(3) On buildings where flat roofs are the predominant roof type, parapet walls shall vary in height and/or shape at least once in every fifty (50) feet of building wall length.

(h) Requirement for Four-Sided Design. A building's special architectural features and treatments shall not be restricted to a single façade. All sides of a building open to view by the public, whether viewed from public or private property, shall display a similar level of quality and architectural interest.

(i) Windows. All elevations on town home and multi-family buildings shall contain windows.

(j) Exposed HVAC Units and Grilles. When through-wall heating, venting, or air conditioning units appear on exterior building walls, such units shall be covered by an architectural grille, and shall be designed in such a manner as to blend in

with surrounding wall surfaces. When such units are adjacent to building windows, they shall be designed to appear to be part of the building's window pattern by matching window dimensions, colors, or trim. Such units shall not overhang surrounding wall planes, but shall be set flush with the façade or be placed inconspicuously in façade recesses.

(k) Architectural Elements.

(1) All multi-family and town home buildings shall employ at least two (2) of the following design items applied consistently along each facade:

(i) Projections

(ii) Recesses

(iii) Shadow lines

(iv) Window patterns

(v) Overhangs

(vi) Reveals

(vii) Changes in parapet height.

(2) Stairways in multi-family buildings shall not be located outside of the building envelope.

(3) Entrances to multi-family buildings should be identifiable by an architectural treatment such as a covered portico or a different roofline treatment.

(l) Recreational Amenities. All multi-family developments with fifty (50) or more dwelling units shall incorporate two (2) of the following recreational amenities:

(1) Swimming pool.

(2) Resident clubhouse.

(3) Two (2) playgrounds with playground equipment and a minimum size of five hundred (500) square feet per playground.

(4) Sport court.

(5) Two (2) picnic areas.

4. Quality Enhancement Standards.

(a) Menu of Quality Enhancement Elements for Single-Family Attached Dwellings (Including Town Homes). In addition to any other applicable standard set forth in this section, each individual town home or other single-family attached building (e.g., triplexes or other clustered homes) shall incorporate at least six (6) of the following features:

(1) A minimum habitable floor area (excluding unfinished garage, attic, or basement space) of at least 1,300 square feet.

(2) A first floor front facade elevation that is 100% masonry.

(3) A primary roof slope of at least 6/12.

(4) A garage door with windows.

(5) Transom windows on at least one-quarter (1/4) of the windows facing public or private streets.

(6) At least one bay window.

(7) A front door containing two side lights or one transom over the front door.

(8) An outdoor private enclosed area of at least one hundred (100) square feet.

(9) A covered front porch at least five (5) feet x eight (8) feet.

(10) A functional or simulated chimney appearing on an exterior wall, faced with masonry or stucco.

(11) At least one hundred (100) square feet of patterned paving materials used in driveways or walks open to public view.

(12) At least one roof dormer containing a window.

(13) A unit designed so that the unit's garage door or doors and its "front entry" appear on different sides of a building.

(14) A unit located in an attached town home row or attached cluster containing no more than three (3) units.

(15) A unit located in an attached townhouse row or attached cluster where no single elevation of the entire row or cluster contains more than four (4) garage doors (if garages are provided).

(16) The distance between residential structures is a minimum of 30 feet.

(17) Front elevation of the building contains at least three distinct roof breaks.

(18) Adjacent units in a building are different elevations.

(19) A ten (10) percent increase in approved landscaped areas.

(20) The City may approve other substantial architectural features.

(b) Menu Of Design Elements For Multi-Family Buildings (Not Including Town Home Buildings). In additional to other applicable standards required in this section, each multi-family building shall incorporate at least five (5) of the following architectural features:

(1) The average rentable living area of all units in the building is at least 900 square feet.

(2) The total wall area of exterior walls of the building, excluding windows and doors, is at least 50% brick or at least 25% stone in combination with brick or stucco.

(3) The building's main roof is clad with clay or concrete tiles.

(4) The building's main roof is pitched with at least a 6:12 slope.

(5) The building's main roof is pitched with at least five (5) distinct ridgelines, at least two (2) of which are at least two (2) feet apart in height, and two (2) of which are at right angles to the others.

(6) At least two ends of the building step down one story or more in height.

(7) All building elevations contain at least three (3) distinct wall planes separated from each other by at least two (2) feet.

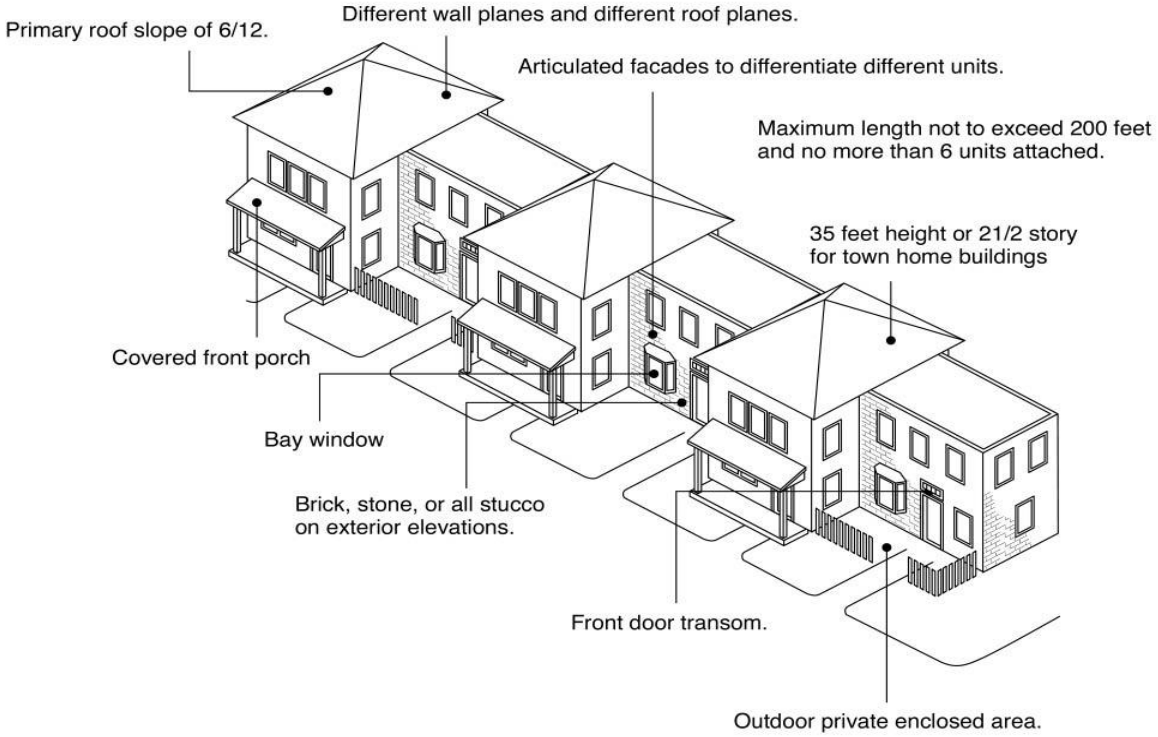
(8) Landscaping along arterial and collector streets is enhanced through the use of berms, larger trees than required by these or other City regulations, and additional numbers of bushes and other screening plants.

(9) Residential structures in the project are separated from all other structures by a minimum of 40 feet.

(10) The City may approve other substantial architectural features.

Multi-FamilyBuilding Principles

This illustration shows a multi-family structure containing attached town homes that incorporates required design standards and a minimum of five quality enhancement standards.



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Amended by: Ordinance #1964 Ordinance #2061

J. INCENTIVES FOR MIX OF HOUSING TYPES

The City Council may grant a density bonus of up to twenty-five (25) percent to the density of the underlying base zone district density to any Overall Development Plan or residential subdivision plat or development plan (including PUD plans) containing a mix of housing types, provided the plat or plan complies with the applicable zoning district restrictions on permitted uses and with the following standards:

1. The development plat or plan contains a minimum of two (2) different housing types. The following list of housing types shall be used to satisfy this requirement:
   a. Single-family detached dwellings on standard lots containing 7,000 square feet or more;
   b. Single-family detached dwellings on small lots containing between 5,000 and 7,000 square feet;
   c. Duplex dwellings on standard lots containing 7,000 square feet or more;
   d. No more than six (6) single-family attached dwellings (e.g., town homes) on a parcel containing 10,000 square feet or more (individual town home lots shall be a minimum of 1,650 square feet); and
   e. Multi-family dwellings (limited to six (6) units per building).

2. A single housing type from the list set forth in subsection J.1. above shall not constitute more than seventy-five (75) percent of the total number of dwelling units. If single-family detached dwellings are the only housing types included in the mix, then the difference between the average lot size for each type of single-family detached dwelling shall be at least two thousand five hundred (2,500) square feet.

K. RESIDENTIAL COMPATIBILITY STANDARDS

1. Applicability/Purpose.

   These residential compatibility standards shall apply to development of a new residential use, or substantial expansion or alteration of an existing residential use, on a site that is adjacent to or across a street from two or more lots with existing structures. For purposes of this subsection only, "substantial expansion or alteration" shall mean construction that is equal to or greater than twenty-five percent (25%) of the principal dwelling structure's original gross floor area (including attached garages, but not including detached garages).

2. Compatibility Standards.

   (a) Contextual Front Building Setbacks. Notwithstanding the minimum front setback requirements required in the *Zoning Regulations***,** as amended, for the zoning district in which the subject property is located, the applicant shall use a "contextual" front setback when existing front setbacks on the same block are less than that required by the underlying zoning. In such circumstance, the front setback for the proposed development shall equal the average of the existing front setbacks on the same and facing block faces. Only lots with similar uses to that proposed shall be included in the average, and vacant lots shall be included using the underlying district standard.

Amended by: Ordinance #1964 Ordinance #2061

(b) Contextual Building Heights. Notwithstanding the maximum height required in the *Zoning Regulations**, as amended*** for the base zoning district in which the subject property is located, the applicants shall apply a "contextual" height standard. The "contextual" height shall not be more than ten (10) percent of the highest existing residential building located on both lots adjacent to the subject lot and on the lot directly across the street from the subject lot.

(c) Appearance. New development shall be constructed to be generally compatible with other existing structures on the block. This provision shall be satisfied by constructing the proposed building so that at least three (3) of the following features are substantially similar to the majority of other buildings on the same and facing block face (both sides of the street):

(1) Roof pitch;

(2) Roof material;

(3) Roof overhang;

(4) Exterior building material;

(5) The shape, size, and alignment of windows and doors;

(6) Front porches or porticos; or

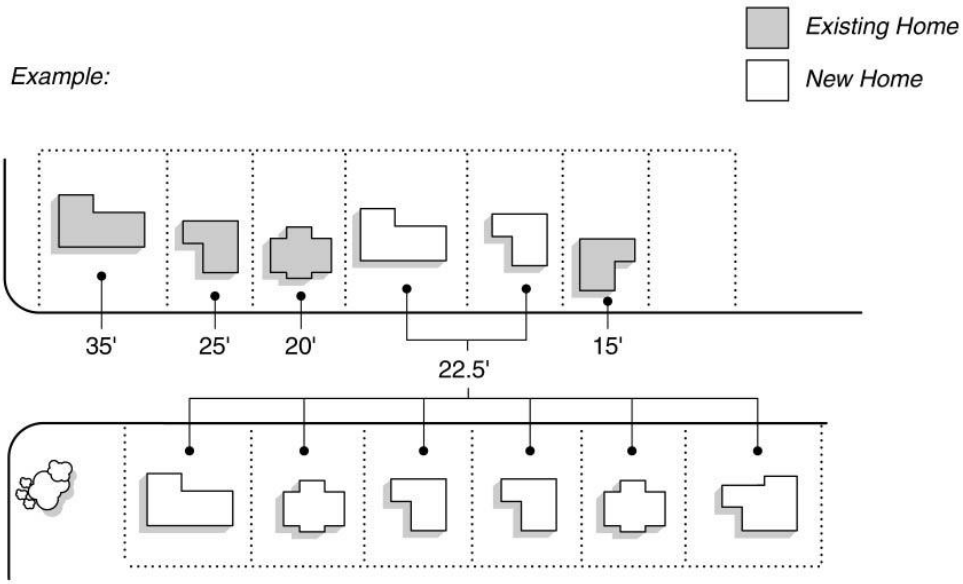
(7) Exterior building color.

Contextual Setback Principles

Setback Averaging Applied to Infill and Facing Block:

When infill occurs on a block, or when a facing block is developed, contextual setback shall be used if the new development is subject to regulations requiring deeper front yard setbacks. In such cases, the new homes' setbacks shall be an average of the existing setback pattern.

Example:



- *Existing average setback = (35+20+20+15)/4 = 90/4 = 22.5 feet*
- *Setback required under existing newer zoning = 35 feet*
- *Contextual setback applied to street = 22.5 feet*

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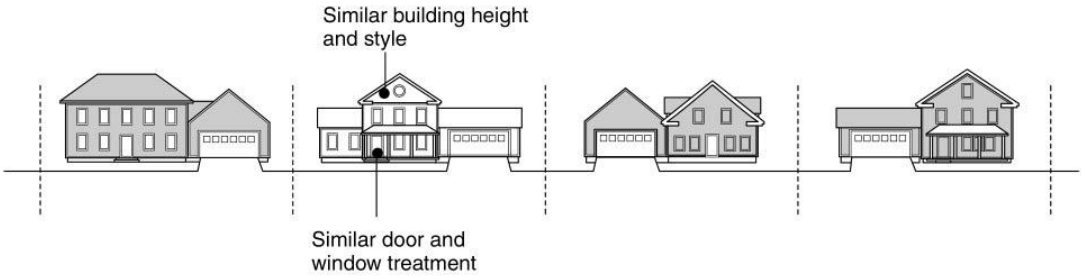
Amended by: Ordinance #1964 Ordinance #2061

Contextual Appearance Principles

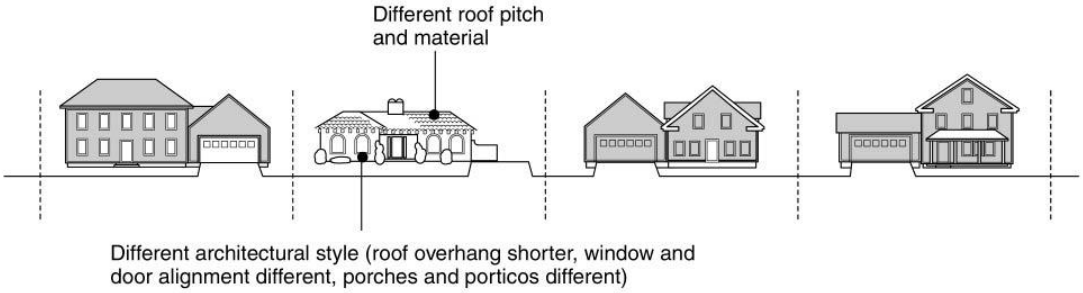
In cases of infill and/or development of facing blocks, the height and appearance of new homes shall be in context with existing homes.

- First, the height of new homes shall be no more than 10% higher than adjacent and facing homes.
- Second, the appearance of the new home shall be compatible and similar to the majority of the other buildings on both sides of the street. At least three of the following features must be substantially similar: roof pitch, roof material, roof overhang, exterior building material, shape, size and alignment of windows and doors, front porches or porticos, and exterior building color.

New building in context



New building not in context



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Amended by: Ordinance #1964 Ordinance #2061

L. ACCESSIBLE HOUSING STANDARDS

1. **Applicability/Purpose.** The "accessible housing standards" set forth herein shall apply to all new residential developments for which an overall development plan ("ODP"), final zoning, re-zoning, preliminary plat, or final plat is required after the effective date of this ordinance. The purpose of these standards is to provide "greater access" for handicapped persons to residential dwelling units. "Handicapped" means a person having a non-ambulatory disability, semi-ambulatory disability, sight disability, hearing disability, and disabilities of in coordination and aging.

2. **Accessible Housing Standards.**

(a) Definition. Accessible Housing units shall be constructed to be visit-able by handicapped persons, and shall be easily adaptable to become accessible units by including the following minimum basic design features:

(1) At least one (1) entrance to such Unit shall be readily accessible to and usable by handicapped persons;
(2) All doors designed to allow passage into and within such Units shall be sufficiently wide to allow passage by handicapped persons in wheelchairs, and there shall be an accessible route into and through such Units;
(3) Light switches, electrical outlets, thermostats and other environmental controls shall be placed in accessible locations;
(4) Sufficient reinforcements shall be installed in bathroom walls, so as to allow the later installation of grab bars;
(5) Usable kitchens and bathrooms shall be constructed such that an individual in a wheelchair can maneuver about the space;
(6) A useable bedroom and laundry room shall be located on the first floor
(7) Compliance with appropriate requirements of the most recent version of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people (commonly cited as 'ANSI A117.1") or other comparable standard, satisfies the requirements of this Ordinance.
(8) The garage shall be useable and accessible with the provision of an "at grade" connection to the dwelling unit, without the need for ramps in the garage.

(b) Applicability.

(1) Attached Residential. Accessible Housing Units shall be provided for all residential housing developments containing attached residential dwelling

units, according to the sliding scale of one (1) Accessible Housing Unit for every seven (7) attached residential dwelling units in the aggregate within such development. For purposes of this section, "attached residential dwelling unit" means a unit within a building containing single- or multi-family attached dwelling units, including attached town homes. Residential housing development containing one or more buildings containing such units shall provide one (1) Accessible Housing Unit for every seven (7) attached residential dwelling units in the aggregate. Phasing of construction of the development, if any, shall not affect these numerical requirements.

(2) Single-Family Detached Residential. At least one plan for an Accessible Housing unit shall be provided by each builder, except custom home builders, for all residential developments with more than fifty (50) single-family detached units.

(3) Multiple Housing Types. Residential developments that contain a variety of attached residential housing types (e.g., single-family attached, multi-family attached, attached town homes, etc.) shall meet the requirements of section (b) (1).

(4) Federal and State Accessibility Standards. Notwithstanding the foregoing, all residential housing developments containing attached residential dwelling units shall otherwise comply with all Federal and State accessibility standards and requirements, as applicable.

SECTION IV: RESIDENTIAL DESIGN REVIEW PROCEDURES

A. OVERALL DEVELOPMENT PLAN REQUIRED

1. Purpose.

The Overall Development Plan ("ODP") is a conceptual master plan intended to accomplish the goals of integrated master planning, connectivity between major developments, creation of park and open space networks across neighborhood boundaries, creation of neighborhood features and centers, provision of adequate utilities, and high levels of residential design quality.

2. Applicability.

The following residential developments shall be subject to this subsection's requirement for an Overall Development Plan:

(a) Any residential development containing more than 250 dwelling units;

(b) Any residential development on tracts of land 75 acres or larger;

(c) Any residential development that will be developed over time in phases with multiple submittals of PUD plans and/or subdivision plats; or

(d) Any residential development that includes a proposed public facility such as a school site, but not including a neighborhood park.

3. Timing.

Review of an ODP by the Planning Commission and City Council shall be required prior to the first annexation, zoning, or subdivision application for the subject property or any part or portion of the subject property.

4. Procedure for ODP Review.

(a) Processing. An ODP shall be presented to and reviewed by the Planning Division, Planning Commission and City Council, in accordance with this Section. After review by the Planning Division, the Community Development Director shall administratively set the date for review by the Planning Commission, and shall submit the ODP, application, staff report and supporting documentation to the Planning Commission for review. The Planning Commission shall forward its written comments and recommendation to the City Council. The ODP shall also be referred by the Director to the City Manager, who shall set the date for review by City Council. The City Council shall consider the ODP together with the application, staff report, supporting documentation, and comments or recommendations of the Planning Division, Director, and Planning Commission, if any, pursuant to the requirements of this Section. At the sole discretion of the City Council, and when deemed in the best interests of the City to do so, the ODP may be reviewed by the Planning Commission and City Council at a joint meeting. Notwithstanding, the City Council shall make the final determination to either favorably recommend or discourage further development of the ODP as provided in subsection 4.(c) below.

(b) Application Requirements. The application requirements for an ODP shall be substantially the same as those required for a zone change [Section II.I.1.(a. – k.) of the *Zoning Regulations***,** as amended] except that the requirements of subsection II.I.1.j. shall not apply, and except that the applicant shall submit an Overall Development Plan containing all the elements required by this section, instead of the Plot Plan required under subsection II.I.1.d.

(c) Review Criteria. The Planning Commission and City Council shall review an ODP and shall either favorably recommend or discourage further development of the ODP as presented by the applicant, based on its compliance with the following criteria:

(1) The ODP is consistent with the Comprehensive Plan and with all other duly adopted plans and policies;

(2) The ODP complies with all applicable zoning district, development, and subdivision regulations; and

(3) The ODP complies with these Residential Design Standards.

(d) Effect of Favorable Review.

(1) An Overall Development Plan is conceptual in nature only, and even if favorably recommended for further development, shall not accord the applicant with any vested rights pursuant to C.R.S. §24-68-101 et seq., or Article 16.40 (Vested Property Rights) of the Brighton Municipal Code. An ODP recommended for further development indicates that those aspects of the proposed development shown on the ODP are generally acceptable to the City Council and the applicant may proceed with an application for a preliminary subdivision plat or PUD plan for all or a portion of the property, in one or more phases, provided that such subdivision plat or PUD plan is consistent with the ODP and otherwise conforms to all applicable design and development standards adopted by the City Council at the time the application for subdivision or PUD approval is submitted.

(2) If a preliminary subdivision plat or PUD plan that pertains to an ODP, or any portion of an ODP that has been recommended for further development, has not been submitted within three (3) years from the date of the City Council's most recent review and favorable recommendation, the Planning Division may review the case to determine if the conditions in support of approval have changed. In the event that the Planning Division determines that the conditions have changed, the ODP plan shall be re-evaluated. If this action is taken, the applicant may request reconsideration of the original ODP or may prepare a new ODP. In either case, the complete ODP review procedure set forth in this subsection shall apply. This provision shall be applicable to each subsequent three-year period following the original favorable recommendation or subsequent confirmation of a favorable recommendation.

(3) In addition to other applicable review criteria, the Planning Commission and City Council shall make explicit findings that any subsequent subdivision plat and/or PUD plan for property located within the boundaries of a previously reviewed ODP shall be consistent with the ODP.

(4) If a preliminary subdivision plat or PUD plan that pertains to an approved ODP, or any portion of an approved ODP, has not been submitted within three (3) years from the date of the City Council's final action on the ODP, the Planning Commission may review the case to determine if the conditions in support of approval have changed. In the event that the Planning Commission determines that the conditions have changed, prior approval of the ODP plan shall be re-evaluated. If this action is taken, the applicant may request reconsideration of the original ODP or may prepare a new ODP. In either case, the complete ODP review procedure set forth in this subsection shall apply. This provision shall be applicable to each subsequent three-year period following original approval or confirmation of approval.

(5) In addition to other applicable review criteria, the Planning Commission and City Council shall make explicit findings that any subsequent subdivision plat and/or PUD plan for property located within the boundaries of a previously approved and recorded ODP shall be consistent with the ODP.

5. Required ODP Elements.

Each ODP shall contain the following elements unless the Community Development Director determines that one or more of the elements are unnecessary because all planning issues concerning the internal organization of the development and the relationship of the development to surrounding areas can be resolved through either subsequent Subdivision or Design Review for the development.

(a) *Land Analysis Element* that identifies:

(1) Natural or manmade features and amenities such as streams, irrigation ditches, significant views, stands of mature trees, historic or archeological sites or areas, agricultural outbuildings, and actual and potential wildlife habitat (as identified by the Colorado Division of Wildlife);

(2) Hazards, including airport influence areas;

(3) Existing or planned street and road system located adjacent to the subject property;

(4) Land uses, existing or approved by the City, located within 1/2 mile of the boundaries of the subject property;

(5) The proposed development's relationship with and connections to surrounding lands and land uses (existing or approved);

(6) Any non-residential areas within the development; and

(7) Any natural or man-made features used to divide the property into individual neighborhoods and development areas.

(b) *Location and Provision of Neighborhood Features* that will serve as focal points for the community, and identification of any design themes for the proposed Neighborhood Feature such as common architectural themes, landscaping themes, general materials, and general styles.

(c) *General Organization of Land Uses and Densities*, including the placement of Neighborhood Features and activity centers. An ODP may include identification of general locations of conditional uses if the applicant chooses, but approval of an ODP shall not constitute approval of specific conditional uses.

(d) *General Auto, Pedestrian Circulation, and Trails Network* that complies with these Residential Design Standards, the Brighton *Subdivision Regulations***,** as amended, and applicable City road standards and specifications.

(e) *General Park and Open Space Network* that complies with these design standards, the Brighton *Subdivision Regulations***,** as amended, and the Parks and Recreation Master Plan.

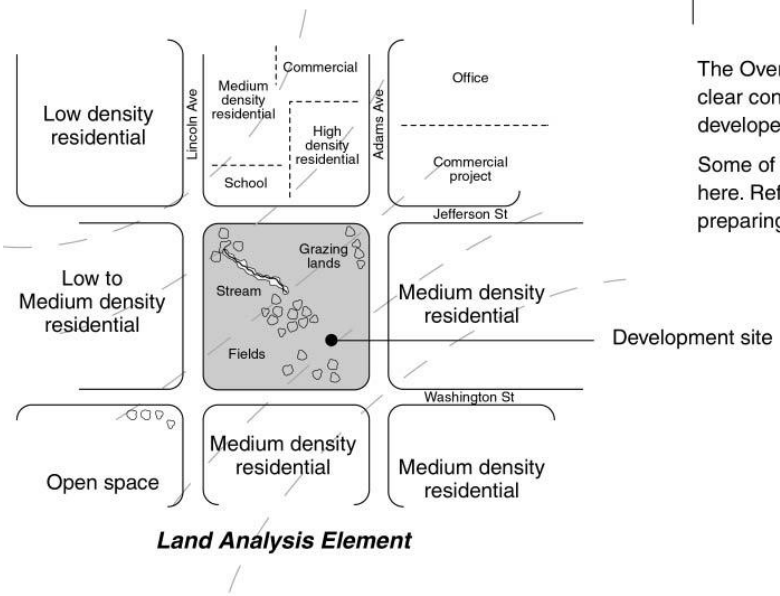
(f) *Conceptual Drainage Plan*. Planning level of detail is required, but no engineering details or analysis are required.

(g) *Adequate Public Facilities Element* that identifies adequate proposed school sites and school capacity, adequate public safety facilities, other public facilities, and general utility system design and phasing.

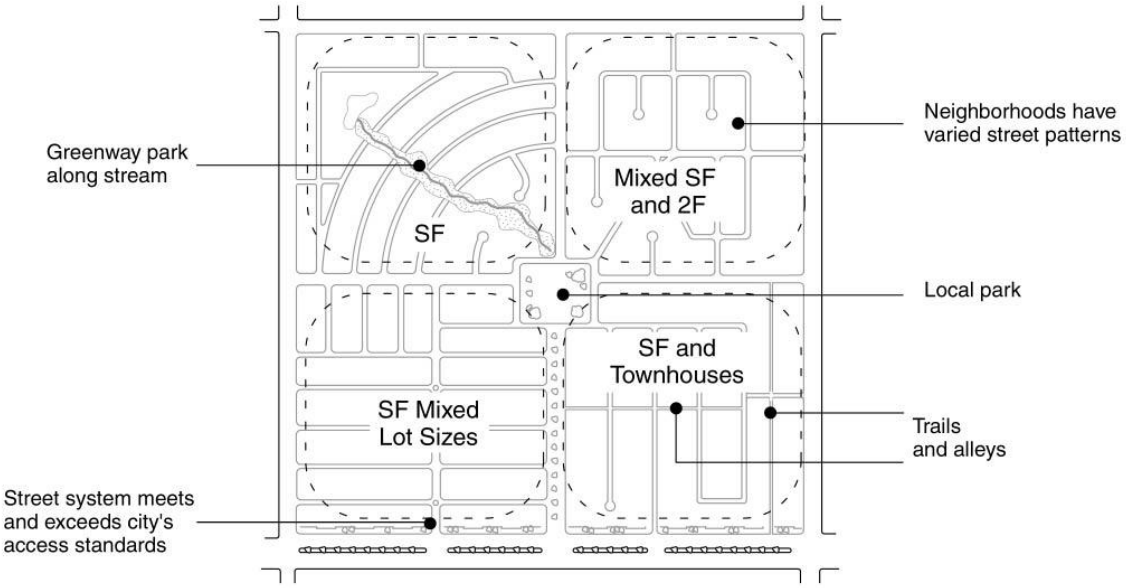
Overall Development Plan

The Overall Development Plan should provide a clear conceptual review of the property and the developer's vision.

Some of the elements to be reviewed are shown here. Refer to the zoning ordinance for full detail on preparing an ODP.



Land Analysis Element



Neighborhood Features, Land Use Organization and Circulation Element

**The information presented in this illustration and related principles is intended to supplement and clarify the regulatory text. In all cases this material shall be subordinate to the regulatory text.

Amended by: Ordinance #1964 Ordinance #2061

B. SUBDIVISION COMPLIANCE

1. Evidence of Compliance Required.

   (a) Preliminary Subdivision Plat Applications. All applications for preliminary subdivision plats submitted after the effective date of these Residential Design Standards shall be required to evidence compliance with the following:

      (1) The residential site planning and site design standards set forth in Section II. of these Residential Design Standards.

      (2) The standards requiring a mix of residential lot dimensions set forth in Section III.C. of these Residential Design Standards (a table of lot dimensions shall be included with all preliminary subdivision plats).

   (b) Final Subdivision Plat Applications. Applications for final subdivision plats submitted after the effective date of these Residential Design Standards shall evidence compliance with all the design standards set forth in Section III. of these Residential Design Standards, including without limitation standards requiring a mix of housing models and setbacks for front-loaded garages. A building envelope plan and architectural elevations for all proposed housing models shall be submitted with all final subdivision plats to evidence compliance with these standards.

2. Staff Review for Compliance.

   The Director of the Community Development Department shall be responsible for reviewing all subdivision applications for compliance with these Residential Design Standards. In the staff report compiled for the Planning Commission and City Council, the Director shall include a written finding regarding the application's compliance or non-compliance with these Residential Design Standards.

3. Additional Review Criteria.

   (a) Preliminary Subdivision Plats. In addition to the review criteria set forth in the City's *Subdivision Regulations*, the Planning Commission (and City Council on appeal) shall review all applications for preliminary subdivision plats for compliance with the following criteria:

      (1) The plat complies with the terms and conditions of any previously reviewed and favorably recommended Overall Development Plan;

      (2) The plat complies with the residential site planning and site design standards (Section II) and the mix of residential lot dimensions standards (Section III.C.) set forth in these Residential Design Standards; and

      (3) The plat evidences the availability and adequacy of public facilities and services needed to meet the demand generated by the proposed subdivision.

Amended by: Ordinance #1964 Ordinance #2061

The Planning Commission (and City Council on appeal) shall deny a preliminary subdivision plat that does not evidence such compliance, unless the applicant has made a successful application for a variance from these Residential Design Standards pursuant to subsection IV.D. below, or pursuant to waivers or exceptions contained in an approved PUD plan.

(b) Final Subdivision Plats. In addition to the review criteria set forth in the City's *Subdivision Regulations*, as amended, the City Council shall review all applications for final subdivision plats for compliance with the following criteria:

(1) The plat complies with the terms and conditions of any previously reviewed and favorably recommended Overall Development Plan and/or a preliminary subdivision plat;

(2) The plat complies with these Residential Design Standards, including without limitation standards requiring a mix of housing models; and

(3) The plat evidences the availability and adequacy of public facilities and services needed to meet the demand generated by the proposed subdivision, or has provided measures to substantially mitigate any inadequacies.

The City Council shall not approve a final subdivision plat that does not evidence compliance with these Residential Design Standards, unless the applicant has made a successful application for a variance pursuant to subsection IV.D. below, or pursuant to waivers or exceptions contained in an approved PUD plan.

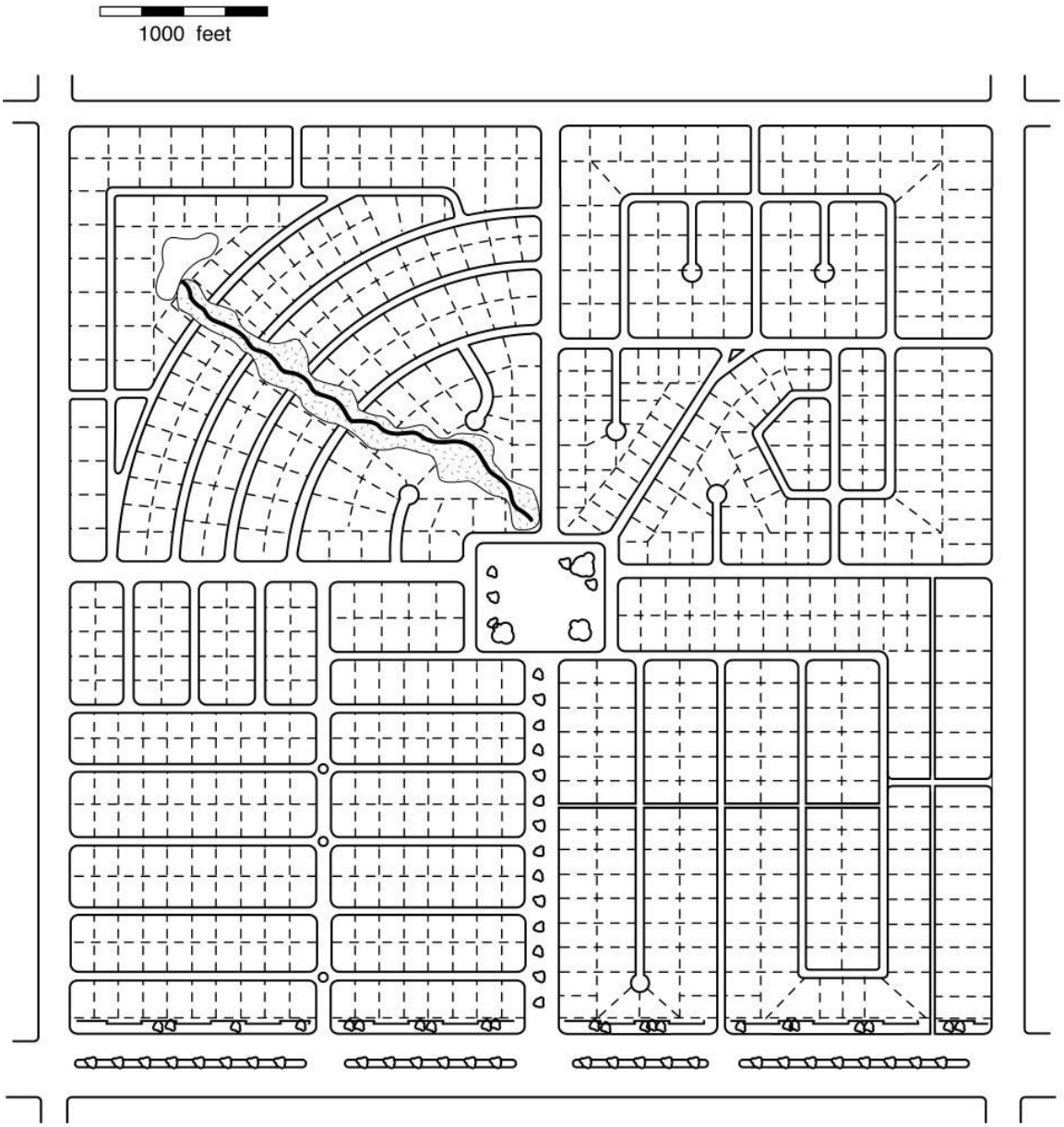
4. Housing Model Mix--Verification at Building Permit Stage

Applicants for building permits for single-family detached dwellings that were part of a subdivision approved in accordance with this subsection shall affirm and certify in the building permit application that the dwelling that is the subject of the permit does not adjoin or face a lot with the same housing model in violation of the mix of housing model standards set forth in Section III.E. above. No building permit shall be issued for construction out of compliance with these regulations.

Amended by: Ordinance #1964 Ordinance #2061

Model Subdivision

This subdivision is an example of how the residential design principles will create coherent, sustainable neighborhoods for Brighton.



Amended by: Ordinance #1964 Ordinance #2061

C. BUILDING PERMIT REVIEW REQUIRED

1. Applicability.

   Building Permit Review in accordance with this subsection IV.C. shall be required for residential development subject to these Residential Design Standards. Building Permit Review shall not be required where the residential development has been found in compliance with these Residential Design Standards pursuant to subdivision plat approved in accord with subsection IV.B. above.

2. Requirements.

   After the effective date of these Residential Design Standards, no building permit shall be issued for the construction of a residential structure subject to these Residential Design Standards until the applicant has produced evidence that the unit for which a permit is being requested has been approved pursuant to the Building Permit Review set forth in this subsection.

2. Application Filing.

   Applications for Building Permit Review shall be submitted to the City. Such applications shall include: (1) an application form approved by the City, and (2) one or more scale drawings of each elevation of each dwelling unit, or housing model, that is subject to design requirements pursuant to these Residential Design Standards. All application materials shall be in adequate detail to enable the City to determine whether each of the required standards has been met.

3. Review and Action.

   The City shall review each application for Building Permit Review and act to approve, approve with conditions, or deny the application based on the Approval Criteria.

4. Approval Criteria.

   The City shall review the application to determine if the proposed development complies with the Comprehensive Plan, all applicable zoning and subdivision requirements, and all applicable requirements of Sections II. and III. of these Residential Design Standards.

5. Approval Language.

   The Building Permit Review approval document shall state that all dwellings covered by the approval shall be constructed as shown in the application documents, except as such designs may have been amended by conditions attached to the approval.

6. Extension of Approval Periods.

   (a) Once a Building Permit Review has been completed and approved it becomes a part of the Building Permit and is subject to the same conditions of the Building Permit. The Building Permit and the approval may be extended for six (6) months with the approval of the Building Department and the Planning Department if at least thirty percent (30%) of the overall building permits have been issued. Only one such extension shall be granted.

Amended by: Ordinance #1964 Ordinance #2061

(b) If the Building Permit Review has been approved for a phased project, the approval will be void if no building permit is applied for within a three-year period. If one phase is completed which accounts for at least thirty percent (30%) of the total project, the Building Permit Review approval for the remaining phases shall be valid for an additional three (3) years from the date of completion of the first phase. The issuance of a Certificate of Occupancy for the last building constructed in a phase shall mark the completion of that phase. Only one such extension shall be granted for multi-phased projects.

7. Notice of Decision.

Notice of the decision shall be mailed to the applicant.

8. Appeal.

Disputes regarding the City's decisions shall be first appealed to the Director of Community Development. Disputes regarding the Director's decisions shall be appealed to the Board of Adjustments.

9. Amendments.

Any Building Permit Review approval granted pursuant to this subsection may be amended by filing a new application for Building Permit Review, together with all supporting documents.

10. Lapse of Approval.

The right to construct residential structures in accordance with the Building Permit Review approval shall lapse and be of no further effect with respect to any homes for which a building permit has not been obtained within six (6) months of the date of Review approval, unless an extension has been granted under subsection C.6. above.

11. Building Permits.

No building permit relating to any non-exempt residential development shall be issued until the applicant has received a Building Permit Review approval pursuant to the terms of this ordinance.

SECTION V: DEFINITIONS

A. GENERAL PROVISIONS

1. Many of the words and terms used in these Residential Design Standards are defined in Section III of the *Zoning Regulations* or Section VI of the *Subdivision Regulations*, and are not generally repeated here. If a word, term, or phrase is not defined in this Section V or in the *Zoning* or *Subdivision Regulations*, the Planning Director shall have the authority and power to interpret or define such words, terms, and phrases, subject to appeal to the Board of Adjustment. In making such interpretations or definitions, the Planning Director or Board of Adjustment may consult secondary sources related to the planning profession, such as *A Survey of Zoning Definitions* - Planning Advisory Service

Report Number 421, edited by Tracy Burrows (American Planning Association, Chicago, Ill. 1989), *Zoning & Development Definitions for the Next Century*, by Michael Davidson (in Zoning News, August 1999) and *The Illustrated Book of Development Definitions*, by Harvey S. Moskowitz and Carl G. Lindbloom (Center for Urban Policy Research, Rutgers University. N.J. 3d ed. 1987), for technical words, terms and phrases, or Webster's Unabridged Dictionary (Random House Reference & Information Publishing, New York, 1997), as supplemented, for other words, terms and phrases.

2. If a definition set forth in this Section V of the Residential Design Standards is inconsistent with a definition or definitions found in the *Zoning Regulations*, *Subdivision Regulations*, or in any other City ordinance or regulation, the definition in this Section V shall govern.

B. DEFINITIONS OF WORDS, TERMS, & PHRASES

The following words, terms and phrases, when used in these Residential Design Standards, shall have the meanings ascribed to them in this subsection:

1. Abutting or Adjoining. To physically touch or border upon; or to share a common property line or border.

2. Adjacent. *See* definition of "Abutting or Adjoining."

3. Affordable Housing. Workforce housing with a base price that is set by the City, generally deed-restricted, affordable to families who earn no more than the Brighton Average Median Income or those who earn 50% of the Average Median Income for the Denver Metro Area, and based on information from the Colorado Housing and Finance Authority or Housing and Urban Development.

4. Applicant. A developer, landowner, or other person with a legal property interest, including heirs, successors, and assigns, who has filed an application for subdivision or development.

5. Agriculture. Farming, including plowing, tillage, cropping, installation of best management practices, seeding, cultivating, and harvesting for the production of food and fiber products (except commercial logging and timber harvesting operations); the grazing and raising of livestock (except in feedlots); aquaculture; sod production; orchards; Christmas tree plantations; nurseries; and the cultivation of products as part of a recognized commercial enterprise.

6. Block. A unit of land bounded by streets or by a combination of streets and public lands, railroad rights-of-way, waterways or any barrier to the continuity of development. The barriers creating the boundary of block shall not be included in the calculation of block size or length.

7. Block Face. The properties abutting on one side of a block.

8. Building Mass. The three-dimensional bulk of a building: height, width, and depth.

9. Building Scale. The relationship of a particular building, in terms of building mass, to other nearby and adjacent buildings.

10. Caliper. The diameter of a tree trunk measured 6 inches from the ground for trees up to 4 inches in caliper/diameter and 12 inches from the ground for trees 4 inches or larger in caliper/diameter.

11. Character. Those attributes, qualities, and features that make up and distinguish a development project and give such project a sense of purpose, function, definition, and uniqueness.

12. City Core. The area defined, described, and mapped as the "City Core Planning Area" in the Comprehensive Plan, as amended from time to time.

13. Compatible or Compatibility. The characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass, and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor, and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.

14. Contiguous. Next to, abutting, or touching and having a boundary or portion thereof that is coterminous. Contiguity is not broken by a road or alley, a public or private right of way or easement, or a natural or artificial watercourse. Contiguity is broken by an interstate highway right of way.

15. Cultural Facilities. Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes libraries, museums, and art galleries.

16. Day Care Center, Children or Adult. A facility, whether non-profit or for-profit, that provides care, protection, and supervision for more than 7 children or adults on a regular basis away from their primary residence for less than 24 hours per day.

17. Director. The Director of the City of Brighton Department of Community Development.

18. Dedication. The conveyance or transfer of property (such as land for streets or parks) by an owner to the City of Brighton. Such conveyance is not complete until acceptance by the City.

19. Detention Facility. A facility for the temporary storage of stormwater runoff, constructed to receive and temporarily hold stormwater for release at a controlled rate. Such devices may include graded depressions in the ground, parking lots with concave surfaces, rooftops, or buried tanks or pipes.

20. Developer. Any person, firm, partnership, joint venture, limited liability company, association, or corporation who participates as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sale, or lease of a subdivision or development.

21. Development Plan, Overall. A conceptual plan of a proposed residential land development, together with written materials, showing the general character and layout of the development parcel including the approximate location and density/intensity of uses, the approximate location of parks and open space, the location of existing and proposed

streets and alleys, and the relationship of the development to adjacent areas that it may affect.

22. Dormer. A windowed wall area flanked on both sides by sloping roof areas.

23. Effective Date. The effective date of these Residential Design Standards, which is May 8, 2000.

24. Fence. An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

25. Front Entry. An entry to a dwelling unit, which is directly connected to network of sidewalks, and which opens directly into the unit's living room or family room, or to a hallway leading directly to a living room or family room. For example, an exterior door opening into a kitchen area would not be considered a "front entry."

26. Garage, Front Loaded. A private residential garage that is accessed from a street other than an alley. A front-loaded garage may face the street (garage doors parallel to the street) or may turn its side to the street (garage doors perpendicular to the street, sometimes referred to as a "side-loaded" garage).

27. Greenbelt. Any parcel or area of land essentially unimproved with any residential, commercial, or industrial uses, dedicated or reserved for public and/or private use and enjoyment that will serve as a regional trail system and community separator between the incorporated boundaries of Brighton and adjacent communities as well as protect existing farmland and open space.

28. Hazard Areas. All areas that are or that may become hazardous due to environmental conditions. The hazards include, but are not limited to, the following: wildfire, avalanche, landslide, rock fall, mud flow and debris fan, unstable or potentially unstable slopes, seismic effects, radioactivity, ground subsidence, and expansive soil and rock.

29. High Water Mark. The line on the bank of a stream, river, lake, or impoundment to which the high water ordinarily rises annually in seasons, as indicated by changes in the characteristics of soil, vegetation, or other appropriate means taking into consideration the characteristics of the surrounding areas. Where the ordinary high water mark cannot be found, it shall be presumed to be the edge of vegetation growing along the channel bank. In braided channels, the ordinary high water mark shall be measured so as to include the entire stream feature.

30. Housing or Home Model. A single-family detached dwelling or duplex dwelling having at least four (4) distinguishing major exterior features, including but not limited to elevations, material treatments, front façade placement of windows and doors, garage location/placement, rooflines, and entryway.

31. Large Lot Development. A residential subdivision where the average lot size is 10,000 square feet or greater, or where the overall gross density is three (3) dwellings per acre or less.

32. Local Street System. The interconnected system of collector and residential (local) streets providing access to residential development from an arterial street.

33. Manufactured Housing. A single-family detached dwelling that:

(a) Is partially or entirely manufactured in a factory;

(b) Is not less than 24-feet in width and 36-feet in length;

(c) Is installed on a engineered permanent foundation;

(d) Has brick, wood, or cosmetically equivalent exterior siding and a pitched roof; and

(e) Is certified pursuant to the "National Manufactured Construction and Safety Standards Act of 1974," 42 U.S.C. 5401 et seq., as amended.

Such housing is sometimes referred to as "modular housing."

34. Maximum Extent Feasible. No feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

35. Maximum Extent Practicable. Under the circumstances, reasonable efforts have been undertaken to comply with the regulation or requirement, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from the noncompliance.

36. Mobile Home. A single-family detached dwelling built on a permanent chassis that is transportable in one or more sections, designed for long-term residential occupancy and containing complete electrical, plumbing, and sanitary facilities, and designed to be installed in a permanent or semi-permanent manner with or without a permanent foundation. "Mobile Home" does not include recreational vehicles or travel trailers.

37. Modular Homes or Housing. *See* definition of "Manufactured Housing," above.

38. Neighborhood. An area of residential and supporting development that contains no more than 75 acres or 250 dwelling units, whichever is smaller, and that is separated and distinguished from other similar neighborhoods or areas by natural or man-made features such as: parks or open space; water features or irrigation ditches; an arterial street; or permitted nonresidential uses.

39. Neighborhood Feature. A one-to-three acre development, containing one or more conditional or other uses as allowed by the underlying zoning and by these Residential Design Standards, that improves the livability of the surrounding residential neighborhoods and serves as a focal point or activity center for one or more neighborhoods without eroding residential quality. A Neighborhood Feature shall be accessible to the general public by both vehicles and pedestrians.

40. Open Space. Any parcel or area of land or water essentially unimproved with any residential, commercial, or industrial uses and dedicated, or reserved for public and/or private use and enjoyment including agricultural, recreational, scenic, or environmental purposes. Open areas may include farmland and agricultural uses, natural areas, including but not limited to meadows, forested areas, steep slopes, flood plains, hazard areas, unique geologic features, ridgelines, unique vegetation and critical plant communities, stream corridors, wetlands and riparian areas, wildlife habitat and migration corridors, areas containing threatened or endangered species and archeological,

historical, or cultural resources, trails, buffer zones, community separators, and greenbelts.

41. Open Space, Usable. A combination of open space or developed parks which are available to the general public as a year round community amenity for active or passive recreation, that includes a nature center, picnic area, trails, ball fields, a golf course, ponds for fishing or boating or the benched area above a detention system that is outside the 10-year flood event at no more than a 2:1 slope and approved by the City Council.

42. Ordinary High Water Mark. *See* definition of "High Water Mark," above.

43. Orient. To bring in relation to, or adjust to, the surroundings, situation, or environment; to place with the most important parts facing in certain directions; to set or arrange in a determinate position: to *orient* a building.

44. Overlay Zone. A zoning district that included one or more underlying zones that impose additional requirements beyond the underlying zone.

45. Owner. An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.

46. Parcel. A contiguous area of land in the possession of, or owned by, or recorded as the property of, the same person or persons.

47. Perimeter Fences and Walls. Fences or walls that are forty-two (42) inches or more in height, and are placed within fifty (50) feet of the edge of the right-of-way of a collector or an arterial street. Fences or walls that have a surface area that is 25% or less opaque, and hedges and screens composed of living plant material, shall not be included in this definition of "perimeter fences and walls."

48. Planned Unit Development (PUD). A zoning overlay district that is specified to be developed, operated and maintained as a single entity under one set of approved standards. A PUD is to provide innovative and exceptional development in return for flexibility in site design, density, set backs, lot size and lot area.

49. Porch. A covered platform, usually having a separate roof, at an entrance to a dwelling, or an open or enclosed gallery or room, which is not heated or cooled, and that is attached to the outside of a building.

50. Primary or Principal Entrance. The place of ingress and egress used most frequently by the public.

51. Residential Development. Any change to improved or unimproved real estate for the purpose of providing residential dwelling uses, including but not limited to the construction of any residential structure, and any change in use of a property, building, or structure to residential uses. The term "residential development" shall also include the act of subdivision as the term "subdivision" is defined in the City of Brighton's *Subdivision Regulations*.

52. Sidewalk. A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

53. Stream Corridor. The corridor defined by a stream's ordinary high water mark. *See* definition of "High Water Mark," above.

54. Street-Arterial. A street designated on the Comprehensive Plan (Figure 7: Transportation Plan), as amended, as either a "major" or "minor" arterial:

(a) A "Major" Arterial is a regionally significant street that serves the major activity centers in the City and carries the majority of trips entering and leaving the City, as well as the majority of through movements desiring to bypass City neighborhoods.

(b) A "Minor" Arterial is a street that interconnects with and augments the regional major arterial system, which distributes travel to geographic areas smaller than those identified with the major arterial system, and which provides intra-community continuity. A minor arterial should not, ideally, penetrate identifiable neighborhoods.

55. Streetscape. A design term referring to all the elements that constitute the physical makeup of a street and that, as a group, define its character, including building frontage, street paving, street furniture, landscaping including trees and other plantings, awnings and marquees, signs, and lighting.

56. Subdivision Regulations. The subdivision regulations set forth in the *Subdivision Regulations of the City of Brighton*, effective October 11, 1979, as amended from time to time, and as contained in the City of Brighton Land Use and Development Regulations and Guidelines.

57. Trail. A tract of land designated, designed, and used by the public for hiking, biking, horseback riding, or other recreational activities.

58. Wetlands. An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

59. Zoning Regulations. The zoning regulations set forth in the *City of Brighton Zoning Ordinance*, effective August 1, 1976, as amended from time to time, and as contained in the City of Brighton Land Use and Development Regulations and Guidelines.