

PLANNING COMMISSION

~~COMMISSION~~
HANDOUTS

MAY 13, 2014

§ 2.7. SIDE WALL ARTICULATION.

2.7.1. Except as provided in subsection 2.7.2, if a side wall of a building is more than 15 feet high and is an average distance of less than nine feet from an interior lot line, the sidewall may not extend in an unbroken plane for more than 36 feet along a side lot line without a sidewall articulation that meets the requirements of this section.

A. To break the plane, a sidewall articulation must:

1. be perpendicular to the side property line, at least four feet deep, and extend along the side property line for at least 10 feet, as shown in Figures 18 through 20;
2. extend the entire height of the first floor of an addition to, or remodel of, an existing one-story building;
3. extend the entire height of the second story of an addition to, or remodel of, a two or more story building;
4. extend to the height of the top floor of a newly constructed building; and
5. extend evenly upward for its entire height.

B. A sidewall articulation cannot:

1. create patios or decks or be screened from view; or
2. serve as an eave or gutter.

C. Sidewall articulation required under this section may be satisfied by horizontal articulation, such that each story above the first story is setback further from the property line by at least nine feet and extends along the side property line for at least 10 feet.

D. For purposes of subsection 2.7.1, wall height:

1. excludes side gables; and
2. is measured from the lower of natural or finished grade adjacent to the structure up to the first floor wall plate, which is the lowest point of the existing first floor ceiling framing that intersects the exterior wall.

2.7.2. The requirements of this section do not apply to:

A. Any side of a structure that is adjacent to a commercial use, unless the commercial use is occupying a residential structure.

B. An addition to or remodel of an existing principal structure, or the construction of a new principal structure, provided that the resulting structure is less than 2,000 square feet in net building coverage and less than or equal to 32 feet in height.

C. An addition to or remodel of an existing second structure, or the construction of a new second structure, provided that the principal structure is exempt under subsection 2.7.2.B and the resulting second structure:

1. does not exceed 550 square feet;
2. does not exceed the maximum height allowed in the base zoning district; and
3. is either detached from the principal structure or connected by a covered breezeway that is open on all sides, with a walkway of no more than six (6) feet in width that is covered by a roof of no more than eight (8) feet in width.

D. The addition of a second story to an existing one-story structure if the addition is directly above a portion of the existing one-story structure that was originally constructed, or received a permit for construction, before October 1, 2006.

E. An extension of the second floor of an existing two-story structure, provided that the building footprint of the structure is not increased.

[Click here for Figure 18: Side Wall Articulation \(Existing Side Wall Exceeds 36 Feet\)](#)

Articulation is required for side walls on additions or new construction that are 15 feet or taller and located within 9 feet of the side lot line. No wall may extend for more than 36 feet without a projection or recession of at least 4 feet in depth and 10 feet in length.

[Click here for Figure 19: Side Wall Articulation \(Existing Side Wall Less Than or Equal to 36 Feet\)](#)

An addition to an existing building may extend a side wall up to a maximum of 36' in total length without articulation.

[Click here for Figure 20: Side Wall Articulation \(New Construction\)](#)

All new construction must meet the sidewall articulation standards.

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20080618-093.

§ 2.8. MODIFICATIONS BY THE RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION.

This section provides for modification by the Residential Design and Compatibility Commission of certain requirements of this Subchapter for a proposed development.

2.8.1. Modifications that May be Approved. The Residential Design and Compatibility Commission may:

- A. Approve an increase of up to 25 percent in the:
 1. Maximum floor-to-area ratio or maximum square footage of gross floor area;
 2. Maximum linear feet of gables or dormers protruding from the setback plane; or
- B. Waive or modify the side wall articulation requirement of Section [2.7](#). (*Side Wall Articulation*).

C. In addition to modifications or waivers under subsections A and B of this section, the Residential Design and Compatibility Commission may waive the requirements of Section 2.6 (*Setback Planes*) for subdivisions that meet the S.M.A.R.T. Housing requirement in Section [25-1-703](#) (*Program Requirements*) if:

1. The subdivision includes a minimum of 12 lots on at least one acre; and
2. At least 40% of the units are reasonably priced, as provided in Section [25-1-703](#)(C)-

(D).

2.8.2. Modification Procedures.

A. Application and Notice.

1. A person may request a modification listed in subsection [2.8.1](#). above by filing an application with the Director on a form provided by the Director.

2. Not later than the 14th day after an application is filed, the Director shall:

a. Mail notice of the application to:

- (i) Each notice owner of property immediately adjacent to the subject property;
- (ii) The appropriate neighborhood association, if any; and,
- (iii) The neighborhood plan team, if any; and

b. Post notice of the application in accordance with Section [25-1-135](#) (*Posting of Signs*).

B. Approval Criteria. The Residential Design and Compatibility Commission may, after a public hearing, approve a modification if it determines that the proposed development is compatible in scale and bulk with the structures in the vicinity of the development. In making this determination, the commission shall consider:

1. The recommendation of the neighborhood plan team, if any;
2. The development's:
 - a. Compliance with neighborhood design guidelines, if any;

- b. Consistency with the streetscape of the properties in the vicinity;
 - c. Consistency with the massing, scale, and proximity of structures located on either side of or behind the development;
 - d. Impact on privacy of adjacent rear yards; and
 - e. Topography and lot shape; and
3. For a development of an entire block, whether the development will have a negative impact on adjacent property.

C. Additional Procedures for Historic Properties.

1. If the proposed development of a local historic landmark or a “contributing structure”, as defined in Section 25-3-351 (*Contributing Structure*), would require both a modification from the requirements of this Subchapter and a certificate of appropriateness under Section [25-11-241](#), the applicant must request a modification under this section prior to seeking a certificate of appropriateness. If the Residential Design and Compatibility Commission determines that the request is consistent with the approval criteria in subsection B of this section, it shall conditionally approve the modification contingent upon subsequent issuance of a certificate of appropriateness by the Historic Landmark Commission under Section [25-11-243](#). The applicant must include a copy of the approved modification with the application for a certificate of appropriateness.

2. If both a modification from the requirements of this Subchapter and a non-binding recommendation from the Historic Landmark Commission are sought, the Residential Design and Compatibility Commission may not approve a modification for a structure located in the National Register Historic District before the Historic Landmark Commission issues its recommendation.

D. Appeals. An interested party may appeal the Residential Design and Compatibility Commission's decision to the City Council.

E. Board of Adjustment May Grant Variances. This subsection does not prohibit the Board of Adjustment from granting a variance from a requirement of this Subchapter under Section [25-2-473](#) (*Variance Requirements*).

Source: Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20070830-089; Ord. 20080618-093.



ENVIRONMENTAL BOARD RECOMMENDATION 20140507 005a

Date: May 7, 2014

Subject: The Terrace at Oak Hill PUD Amendment C814-2007-0009.01

Motion By: Robert Deegan

Second By: James Schissler

RATIONALE:

Whereas, Application of current code and expansion of the downstream buffer provide environmental benefits, especially regarding preservation of Heritage Trees on-site,

And whereas, this Planned Unit Development Amendment will facilitate affordable housing on-site,

Therefore, the Environmental Board recommends approval of the request for the PUD Amendment with the following staff conditions:

1. The following statement from Part 2 of the PUD Ordinance is removed: "Except as otherwise specifically provided by this ordinance and land use plan, all other rules, regulations and ordinances of the City in effect on the effective date of this ordinance apply to the PUD.

The removal of this statement from the PUD Ordinance will subject the property to the Land Development Code and Environmental Criteria Manual in effect at the time of site plan submittal rather than the requirements in effect on the August 6, 2007 date of PUD approval. For example, the removal of this statement will apply Heritage Tree Ordinance requirements to this property upon submittal of a site plan permit application.

3. Total impervious cover on slopes from 15% to 35% will be limited as follows:
 - Impervious cover on slopes from 15 to 25% will not exceed 0.11 acres (approximately 4,792 square feet).

Feature 'W2'. The setback boundary for wetland Critical Environmental Feature 'W2' will be adjusted to coincide with the building footprint I Limit of Construction.

VOTE 6-0-0-1

For: Deegan, Maxwell, Perales, Schissler, Smith and Walker

Against:

Abstain:

Absent: Neely

Approved By:

Mary Gay Maxwell, Environmental Board Chair

ENVIRONMENTAL BOARD RECOMMENDATION 2014 _____

Agenda Item: 59 Motion by: ROBERT DEEGAN

Seconded by: JIM SCHISSLER

Subject: THE TERRACE AT OAK HILL PUD AMMENDMENT

Rationale:

Whereas _____ (complete sentence), APPLICATION OF CURRENT CODE & EXEMPTION OF THE DOWNSTREAM BUFFER PROVIDE ENVIRONMENTAL BENEFITS, ESPECIALLY REGARDING PRESERVATION OF HERITAGE TREES ON-SITE
And whereas _____ (complete sentence),

THIS PUD AMMENDMENT WILL FACILITATE AFFORDABLE HOUSING ON-SITE

Therefore, the Environmental Board recommends APPROVAL of the request for PUD with the following AMMENDMENT

Staff Conditions:

1, 3, 4, + 5 (2 + 6 NOT NEEDED DUE TO BOARD CONDITIONS)

Board Conditions:

REMOVAL OF CUT-FILL VARIANCES & CEF SETBACK REDUCTIONS FROM THE PUD AMMENDMENT. THESE ISSUES CAN BE BETTER ADDRESSED IN THE SITE PLANNING PROCESS WHEN A PLAN HAS BEEN DEVELOPED THAT PROPERLY ACCOUNTS FOR HERITAGE TREES.

Recommend: Consent Approval Approval/w-conditions Disapproval Postponement

No Recommendation Withdrawn

