

CHAPTER 1100
SITE ~~AND~~ DESIGN ~~STANDARDS~~ REGULATIONS

DIVISION 1
SCOPE AND ADMINISTRATION

PART 1 – SCOPE AND APPLICATION

SECTION 9.1100.101
GENERAL

9.1100.101.1 Title.

These regulations shall be known and cited as the Site Design Regulations of the City of Gladstone, Clay County, Missouri hereinafter referred to as “this chapter”.

9.1100.101.2 Scope.

The provisions of this chapter are to provide an aesthetically compatible and pleasing urban environment, and solidify the City’s position as a livable suburban community.

~~Sec. 9.1100.010~~ 101.3. Purpose Intent.

The purpose of this chapter is to provide general site and building design standards to protect the public health and welfare, increase and preserve residential and commercially developed land values, ~~provide an aesthetically~~ while ensuring the compatible and pleasing urban environment, and solidify the city's position as a livable suburban community within the Kansas City metropolitan area compatibility of development with surrounding land uses..

9.1100.101.4 Referenced codes.

The other codes listed in Sections 9.1100.101.4.1 through 9.1100.101.4.4 and referenced elsewhere in this chapter shall be considered to be part of the requirements of this chapter to the prescribed extent of each such reference.

9.1100.101.4.1 Property maintenance.

The provisions of the International Property Maintenance Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

9.1100.101.4.2 Fire prevention.

The provisions of the International Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

9.1100.101.4.3 Energy.

The provisions of the International Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

9.1100.101.4.4 Existing buildings.

The provisions of the International Existing Building Code shall apply to matters governing the repair, alteration, change of occupancy, addition to and relocation of existing buildings.

Sec. 9.1100.020. Applicability.

~~The provisions of this chapter apply to all real property within the corporate limits of the city.~~

SECTION 9.1100.102

APPLICABILITY

9.1100.102.1 General.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this chapter specify requirements, the most restrictive shall govern.

9.1100.102.2 Other laws.

The provisions of this chapter shall not be deemed to nullify any provisions of local, state, or federal law.

9.1100.102.3 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this chapter.

9.1100.102.4 Referenced codes and standards.

The codes and standards referenced in this code shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 9.1100.102.4.1 and 9.1100.102.4.2.

9.1100.102.4.1 Conflicts.

Where conflicts occur between provisions of this chapter and referenced codes and standards, the provisions of this chapter shall apply.

9.1100.102.4.2 Provisions in referenced codes and standards.

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this chapter or the International Codes listed in Section 9.1100.101.4, the provisions of this code or the International Codes listed in Section 9.1100.101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

9.1100.102.5 Partial invalidity.

In the event that any part or provision of this chapter is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

9.1100.102.6 Existing structures.

The legal occupancy of any structure existing on the date of adoption of this chapter shall be permitted to continue without change, except as otherwise specifically provided in this chapter, the International Existing Building Code, the International Property Maintenance Code or the International Fire Code.

9.1100.102.6.1 Buildings not previously occupied.

A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the International Building Code or International Residential Code, as applicable, for new construction or with any current permit for such occupancy.

9.1100.102.6.2 Buildings previously occupied.

The legal occupancy of any building existing on the date of adoption of this chapter shall be permitted to continue without change, except as otherwise specifically provided in this chapter, the International Fire Code or International Property Maintenance Code, or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

~~Sec. 9.1100.030. Objectives.~~

~~Site and building design standards are intended to serve and achieve the following objectives:~~

- ~~(1) Promote the public health, safety, and general welfare in an era of limited vacant developable property and the need for quality redevelopment;~~
- ~~(2) Encourage more efficient and aesthetic provision of public utilities;~~
- ~~(3) Encourage the incorporation of modern design principles in land development, site improvement, and building construction;~~
- ~~(4) Encourage the combination and coordination of architectural styles, building forms, and relationships;~~
- ~~(5) Ensure a quality of overall design and construction commensurate with other developments within the city; and~~
- ~~(6) Provide landowners, developers, and builders reasonable assurance of approval before expenditure of complete design monies, while providing city officials with assurance that the project will retain the character envisioned at the time of approval.~~

PART 2 – ADMINISTRATION AND ENFORCEMENT

SECTION 9.1100.103 **DUTIES AND POWERS OF BUILDING OFFICIAL**

9.1100.103.1 General.

The *building official* is hereby authorized and directed to enforce the provisions of this chapter. The *building official* shall have the authority to render interpretations of this chapter and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of this chapter. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this chapter.

9.1100.103.2 Applications and permits.

The *building official* shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of *buildings* and *structures*, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this chapter.

9.1100.103.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas.

For applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing *buildings* or *structures* located in flood hazard areas, the *building official* shall determine if the proposed work constitutes substantial improvement or repair of substantial damage. Where the *building official* determines that the proposed work constitutes substantial improvement or repair of substantial damage, and where required by this code, the *building official* shall require the *building* to meet the requirements of the International Building Code or International Residential Code as applicable and adopted by this jurisdiction.

9.1200.103.3 Notices and orders.

The *building official* shall issue all necessary notices or order to ensure compliance with this chapter.

9.1100.103.4 Inspections.

The *building official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. Reports of such inspections shall be in writing and be certified by a reasonable officer of such *approved* agency or by the responsible individual. The *building official* is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appointing authority.

9.1100.103.5 Identification. The *building official* shall carry proper identification when inspecting *premises* in the performance of duties under this chapter.

9.1100.103.6 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this chapter, or whenever the *building official* has reasonable cause to believe that there exists upon a *premises* or private property a condition in violation of this chapter, the *building official* is authorized to enter the premises at reasonable times to inspect or perform the duties imposed by this chapter, provided that if such *premises* is occupied the *building official* shall present credentials to the *premises* or private property owner and request entry. If such *premises* or private property is unoccupied, the *building official* shall first make a reasonable effort to locate the *owner*; *owner's* authorized agent, or other person having charge or control of the *premises* or private property and request entry. If entry is refused, the *building official* shall have recourse to the remedies provided by law to secure entry.

9.1100.103.7 Department records.

The *building official* shall keep official records of all business and activities of the department specified in the provisions of this chapter. Such records shall be retained in the official records for the period required for retention of public records.

9.1100.103.8 Approved materials and equipment.

Materials, equipment and devices *approved* by the *building official* shall be constructed and installed in accordance with such approval.

9.1100.103.9 Used materials and equipment.

Materials that are reused shall comply with the requirements of the International Building Code or International Residential Code as applicable and adopted by this jurisdiction for new materials. Used equipment and devices shall not be reused unless *approved* by the *building official*.

9.1100.103.9 Alternative materials, design and methods of construction and equipment.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the *building official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the *building official* shall respond in writing, stating the reasons why the alternative was not approved.

9.1100.103.9.1 Research reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

SECTION 9.1100.104 SUBMITTAL DOCUMENTS

9.1100.104.1 General.

Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in electronically with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The *building official* is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

9.1100.104.2 Construction documents.

Construction documents shall be in accordance with Sections 104.2.1 through 104.2.3.

9.1100.104.2.1 Information on construction documents.

Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted where approved by the *building official*. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this chapter and relevant laws, ordinances, rules and regulations, as determined by the *building official*.

9.1100.104.2.2 Exterior wall envelope.

Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this chapter. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system that was tested, where applicable, as well as the test procedure used.

9.1100.104.2.3 Exterior balconies and elevated walking surfaces.

Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow, or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details

for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

9.1100.104.3 Examination of documents.

The *building official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this chapter and other pertinent laws or ordinances.

9.1100.104.3.1 Approval of construction documents.

When the *building official* issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the *building official*. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the *building official* or a duly authorized representative.

9.1100.104.3.2 Previous approvals.

This Chapter shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

9.1100.104.3.3 Design professional in responsible charge.

Where it is required that documents be prepared by a registered design professional, the *building official* shall be authorized to require the *owner* or the *owner's* authorized agent to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the *owner* or the *owner's* authorized agent shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The *building official* shall be notified in writing by the *owner* or the *owner's* authorized agent if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

9.1100.104.3.4 Amended construction documents.

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the *approved* construction documents shall be resubmitted for approval as an amended set of construction documents.

9.1100.104.3.5 Retention of construction documents.

One set of *approved* construction documents shall be retained by the *building official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

SECTION 9.100.105 **INSPECTIONS**

9.1100.105.1 General.

Construction or work for which a permit is required shall be subject to inspection by the *building official* and such construction or work shall remain visible and able to be accessed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this chapter or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the *owner* or the owner's authorized agent to cause the work to remain visible and able to be accessed for inspection purposes. Neither the *building official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

9.1100.105.2 Preliminary inspection.

Before issuing a permit, the *building official* is authorized to examine or cause to be examined *buildings, structures* and sites for which an application has been filed.

9.1100.105.3 Other inspections.

The *building official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this chapter and other laws that are enforced by the department of building safety.

9.1100.105.4 Inspection agencies.

The *building official* is authorized to accept reports of approved inspection agencies, provided that such agencies satisfy the requirements as to qualifications and reliability.

9.1100.105.5 Inspection requests.

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the *building official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this chapter.

9.1100.105.6 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *building official*. The *building official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this chapter. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

SECTION 9.1100.106

APPEALS

9.1100.106.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Uniform Code Board of Appeals is hereby authorized to conduct said appeals.

9.1100.106.2 Application for appeal.

Persons directly affected by a decision of the *building official* or a notice issued under this chapter shall have the right to appeal to the Uniform Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determinations therefore made by the *building official*.

9.1100.106.2 Authority on appeal.

See Title I, Chapter 110, Article 4 of the City of Gladstone's Code of Ordinances.

SECTION 9.1100.107

VIOLATIONS

9.1100.107.1 Unlawful act.

It shall be unlawful for any person, firm, or corporation to be in conflict with or in violation of any of the provisions of this chapter.

9.1100.107.2 Notice of violation.

The *building official* shall serve a stop work order in accordance with Section 9.1100.108.

9.1100.107.3 Prosecution of violation.

Any *person* failing to comply with a stop work order, served in accordance with Section 9.1100.108, shall be deemed guilty of a misdemeanor or civil infraction as determined by this jurisdiction, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the *building official* shall institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful condition in violation of the provisions of this chapter or of the order or direction made pursuant thereto. Any action taken by this jurisdiction on such *premises* shall be charged against the real estate upon which the violation is located and shall be a lien upon such real estate.

9.1100.107.4 Violation; penalties.

Any person, firm, or corporation who violates a provision of this chapter or fails to comply with any order made thereunder, and from which no appeal has been taken, or who shall fail to comply with such order affirmed or modified by the Board of Zoning and Adjustments (BZA), or by a court of competent jurisdiction, within the time fixed herein,

shall severally, for each such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in Section 1.100.140 of the City of Gladstone, Clay County, Missouri's Code of Ordinances. The imposition of one (1) penalty for any violation shall not excuse the violation, or permit it to continue; and all such person, firm, or corporation shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that a prohibited condition is maintained shall constitute a separate offense.

SECTION 9.1100.108 **STOP WORK ORDERS**

9.1100.108.1 Authority.

Where the *building official* finds any work regulated by this chapter being performed in a manner either contrary to the provisions of this chapter or dangerous or unsafe, the building official is authorized to issue a stop work order.

9.1100.108.2 Issuance.

The stop work order shall be in writing and shall be given to the *owner* of the property involved, the owner's authorized agent, the person performing the work or posted in a conspicuous location on the premises. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

9.1100.108.3 Unlawful continuance.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

DIVISION 2 **DEFINITIONS**

SECTION 9.1100.201 **GENERAL**

9.1100.201.1 Scope.

Unless otherwise expressly stated, the following words and terms shall, for the purpose of this chapter, have the meaning shown in this division.

9.1100.201.2 Interchangeability.

Words used in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

9.1100.201.3 Terms defined in other codes.

Where terms are not defined in this chapter and are defined in other International Codes as adopted by the jurisdiction, such terms shall have the meaning ascribed to them as in those codes.

9.1100.201.3 Terms not defined.

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

SECTION 9.1100.202 **GENERAL DEFINITIONS**

ACCESSORY STRUCTURE. A structure that is accessory to and incidental to that of the *dwelling(s)* and that is located on the same *lot*.

APARTMENT HOUSE. A building containing a number of *dwelling units*.

APPROVED. Acceptable to the *building official*.

BUILDING. Any structure utilized or intended for supporting or sheltering any occupancy.

BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this chapter, or a duly authorized representative.

CLUSTER HOUSING. A group of three (3) or more self-contained *dwelling*s comprising of either attached or detached *dwelling*s or any combination thereof which are configured in compact clusters, including zero *lot* line setback subdivisions, *townhouses*, or terraced *dwelling*s not served by a common entrance.

COMMERCIAL BUILDING. *Buildings that are used for commercial purposes, and include office buildings, warehouses, and retail buildings. In urban locations, a commercial building may combine functions, such as offices levels 2-10, with retail on floor 1.*

DWELLING. *Any building that contains one or two dwelling units used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or that are occupied for living purposes.*

DWELLING UNIT. *A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.*

GARDEN APARTMENT. *A multiple-unit low-rise dwelling having considerable lawn or garden space.*

GLAZED OPENINGS. *Windows and glass doors used as part of the buildings envelope.*

LOT. *A portion or parcel of land considered as a unit.*

OUTBUILDING. *A building, such as a shed, barn, or garage, on the same lot but detached from the primary structure(s).*

STRUCTURE. *That which is built or constructed.*

TOWNHOUSE. *A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on not less than two sides.*

~~Sec. 9.1100.040. Design standards.~~

~~(a) Residential site and building design standards. One and two family dwellings and accessory structures shall utilize construction material meeting or exceeding the architectural compatibility standards of other one and two family dwellings within the surrounding area. The following aspects of design and construction shall be considered:-~~

- ~~(1) Roof pitch and materials;~~
- ~~(2) Exterior treatment and materials;~~
- ~~(3) Percentage of window openings; and~~
- ~~(4) Landscaping.~~

~~(b) Multifamily dwelling, semipublic, commercial, and industrial site and building design standards.—~~

- ~~(1) Generally. All multifamily dwellings and semipublic, public, commercial and industrial buildings shall utilize design principles and construction materials meeting or exceeding the architectural compatibility~~

~~standards of other developed properties within the surrounding area. The following aspects of design and construction shall be considered:-~~

- ~~a. Roof pitch and materials;~~
- ~~b. Exterior treatment and materials;~~
- ~~c. Percentage of window openings;~~
- ~~d. Landscaping; and~~
- ~~e. Signage.~~

~~(2) *Minimum design requirements.* The minimum design requirements for all multifamily dwellings and semipublic, public, commercial and industrial buildings shall be as follows:-~~

- ~~a. The maximum pitch of all roofs shall be determined by the average roof pitch of structures within 185 feet (56,388 mm). At no time shall the maximum pitch of roofs be required to be less than 4:12.~~
- ~~b. Street frontage elevations of all buildings or structures shall be constructed of or faced with approximately 80 percent standard brick, natural stone, stucco, EFIS or other suitable similar materials. A minimum of 20 percent of the structure shall be constructed of or faced with a contrasting material consisting of standard brick, natural stone, tile or other suitable accent material. Non-street frontage elevations shall be faced with stucco, EFIS or similar exterior treatment, or other suitable materials approved by the city. Other suitable materials approved by the city shall meet the intent of this Code and the Comprehensive Plan.~~
- ~~c. Street frontage elevations of all buildings shall contain a minimum of 30 percent windows or other generally clear openings.~~
- ~~d. Colors of all buildings, structures and appurtenances shall be compatible with developed properties within 185 feet (56,388 mm). In the event no consistent pattern or trend of color compatibility emerges after reviewing area properties, the following color systems shall be used:~~
 - ~~1. The principal color of all structures shall be generally light earth tones, grays, and blue grays or combinations thereof;~~
 - ~~2. Two accent colors are allowed and shall not exceed five feet (1,524 mm) of total coverage; and~~
 - ~~3. For any sign, including frame and poles, there shall be no more than three colors and no more than two lettering styles. At least one color in each sign shall match the predominant colors in the building.~~

~~Sec. 9.1100.050. Information required.~~

~~Upon application for a building permit, planned development, zoning change or other applicable action, the applicant shall provide the following information:~~

- ~~(1) Color photographs of surrounding structures within 185 feet (56,388 mm) of sufficient detail to determine compliance with these provisions; and~~
- ~~(2) Elevation drawings or rendering of sufficient detail to determine compliance with these provisions.~~

DIVISION 3 **DESIGN STANDARDS**

SECTION 9.1100.301 **ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES**

9.1100.301.1 General.

Dwellings and townhouses shall utilize construction materials meeting or exceeding the architectural standards of similar dwellings within the surrounding area.

9.1100.301.2 Aspects of design to be considered.

The following design aspects shall be considered:

1. Roof pitch and materials;
2. Exterior treatment and materials;
3. Percentage of window openings; and
4. Landscaping.

9.1100.301.3 Accessory structures.

Outbuildings should be similar in design, materials, and color of the primary building.

SECTION 9.1100.302 **MULTI-FAMILY DWELLINGS**

9.1100.302.1 General.

Garden apartments, apartment houses, and cluster housing shall utilize construction materials meeting or exceeding the architectural standards of other developed properties within the surrounding area.

9.1100.302.2 Aspects of design to be considered.

The following design aspects shall be considered:

1. Roof pitch and materials;
2. Exterior treatment and materials;
3. Percentage of window openings;
4. Landscaping; and
5. Signage.

9.1100.302.3 Accessory structures.

Outbuildings shall be similar in design, materials, and color of the primary building.

9.1100.302.4 Design.

Buildings shall, at a minimum, comply with Section 9.1100.302.4.1 through 9.1100.302.4.3.

9.1100.302.4.1 Street frontage.

Elevations of all buildings shall be constructed of or faced with approximately eighty (80) percent standard brick, natural stone, stucco, exterior finish and insulation system (EFIS), or other suitable similar materials. A minimum of twenty (20) percent of the building shall be constructed of or faced with a contrasting material consisting of standard brick, natural stone, tile, or other suitable accent material.

Buildings shall contain a minimum of thirty (30) percent glazed openings.

9.1100.302.4.2 Non-street frontage.

Elevations shall be faced with stucco, EFIS, or similar exterior treatment, or other suitable materials approved by the City. Other suitable materials approved by the City shall meet the intent of this Chapter and the Comprehensive Plan.

9.1100.302.4.3 Colors.

Buildings and appurtenances shall be compatible with developed properties within one-hundred eighty-five (185) feet. In the event no consistent pattern or trend in color compatibility emerges after reviewing area properties, the following color systems shall be used.

9.1100.302.4.3.1 Principle color.

Buildings shall be generally light earth tones, grays, and blue-grays or combinations thereof;

9.1100.302.4.3.2 Accent color.

Two accent colors are allowed and shall not exceed five (5) feet of total coverage; and

9.1100.302.4.3.3 Sign color.

There shall be no more than three colors, including the frame and supports, and no more than two lettering styles. At least one (1) color in each sign shall match the predominant color of the building.

SECTION 9.1100.303

COMMERCIAL

9.1100.303.1 General.

Commercial and industrial structures shall utilize construction materials meeting or exceeding the architectural standards of other developed properties within the surrounding area.

9.1100.303.2 Aspects of design to be considered.

The following design aspects shall be considered:

1. Roof pitch and materials;
2. Exterior treatment and materials;
3. Percentage of window openings;
4. Landscaping; and
5. Signage.

9.1100.303.3 Accessory structures.

Outbuildings shall be similar in design, materials, and color of the primary building.

9.1100.303.4 Design.

Buildings shall, at a minimum, comply with Section 9.1100.303.4.1 through 9.1100.303.4.3.

9.1100.303.4.1 Street frontage.

Elevations of all buildings shall be constructed of or faced with approximately eighty (80) percent standard brick, natural stone, stucco, exterior finish and insulation system (EFIS), or other suitable similar materials. A minimum of twenty (20) percent of the building shall be constructed of or faced with a contrasting material consisting of standard brick, natural stone, tile, or other suitable accent material.

Buildings shall contain a minimum of thirty (30) percent glazed openings.

9.1100.303.4.2 Non-street frontage.

Elevations shall be faced with stucco, EFIS, or similar exterior treatment, or other suitable materials approved by the City. Other suitable materials approved by the City shall meet the intent of this Chapter and the Comprehensive Plan.

9.1100.303.4.3 Colors.

Buildings and appurtenances shall be compatible with developed properties within one-hundred eighty-five (185) feet. In the event no consistent pattern or trend in color

compatibility emerges after reviewing area properties, the following color systems shall be used:

9.1100.303.4.3.1 Principle color.

Buildings shall be generally light earth tones, grays, and blue-grays or combinations thereof;

9.1100.303.4.3.2 Accent color.

Two accent colors are allowed and shall not exceed five (5) feet of total coverage; and

9.1100.303.4.3.3 Sign color.

There shall be no more than three colors, including the frame and supports, and no more than two lettering styles. At least one (1) color in each sign shall match the predominant color of the building.

Sec. 9.1100.060. Violations.

~~(a) *Unlawful acts.* It shall be unlawful for any person, firm or corporation to be in conflict with or in violation of any of the provisions of this chapter.~~

~~(b) *Violation; penalties.* Any person who violates a provision of this chapter or fails to comply with any order made thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by the board of appeals, or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in section 1.100.140 of this Code. The imposition of one penalty for any violation shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and, when not otherwise specified, each ten days that a prohibited condition is maintained shall constitute a separate offense.~~