

ORDINANCE NO. _____

ENTITLED: "AN ORDINANCE AMENDING SUBSECTIONS 6.6.3.b.3, 6.7.5.c, AND 6.9.3.e OF THE UNIFIED DEVELOPMENT CODE (UDC), CHANGING BUILDING FAÇADE DESIGN REQUIREMENTS FOR MULTIFAMILY RESIDENTIAL DEVELOPMENT."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That the Governing Body of the City of Cheyenne finds that the text amendment that is the subject of this ordinance meets the criteria specified in Section 2.4.1.d of the Unified Development Code.

Section 2. That on October 16, 2023, the Planning Commission conducted a public hearing, reviewed the proposed text amendment, and recommended approval of said text amendment.

Section 3. That Subsection 6.6.3.b.3 Materials for Multi-dwelling buildings, of Subsection 6.6.3.b Building Design, of Subsection 6.6.3 General Residential Design, of Section 6.6 Residential Design Standards, of Article 6 Design Regulations, of the Unified Development Code of the City of Cheyenne, Wyoming, is hereby amended as set out in this section.

3. Materials for Multi-dwelling buildings. All attached dwelling and multi-dwelling building types shall be constructed according to the following material standards. Percentage requirements for materials exclude windows or other openings. Carpports, stand-alone canopies, or other structures which only consist of vertical support posts in the area between 2' and 8' above grade and are less than 2 stories in height shall be exempt from the materials requirements of this section.
 - (a) Primary Materials. All buildings shall have one primary material covering at least 30% of the building facades. Buildings which provide housing that is income-restricted to eighty percent (80%) of area median income (AMI) as defined by the U.S. department of housing and urban development (HUD) for a period of not less than fifteen (15) years may use any of the Secondary Materials as a primary material provided:
 - (1) No less than 2 primary/secondary materials are used;
 - (2) No one primary/secondary material covers more than 70% of the facades; and
 - (3) No one color covers more than 70% of the facades (colors shall be distinctly different, if there is a debate over whether the proposed colors are distinctly different, an applicant may appeal the Director's determination to the Board of Adjustment).
 - (b) Secondary Materials. Buildings may have a secondary material covering up to 70% of the facades.
 - (c) Accent Materials. Buildings shall have at least one, ~~and may have up to two~~ accent or trim materials covering between 5% and 10% of the building facades. The accent shall be a separate material from the primary materials utilized on the building.

- (d) Permitted Materials. Exterior materials shall be permitted in accordance with Table 6-18.

Table 6-18: Residential Building Materials		
<i>Primary Materials</i>	<i>Secondary Materials</i>	<i>Accent / Trim Materials</i>
Brick, unpainted. Stone, unpainted.	Any of the Primary Materials may be used as Secondary Materials Glass Metal Siding & Roofing Color Concrete Stucco (or equal or better simulated material) Horizontal Wood Clapboard (or equal or better simulated material) Wood shingles (or equal or better simulated material)	Any of the Primary or Secondary Materials may be used as an accent material Wood trim (or equal or better simulated material) Precast stone, or wood moldings or similar architectural details (or equal or better simulated material)

- (e) Material Changes. Except for accent materials, changes in the façade material shall only occur at horizontal expression lines, with the heavier material below the lighter material. Alternatively, changes in the material may occur at differentiated structural bays that meet the horizontal massing requirements.
- (f) Equal or Better Simulated Materials. Where “equal or better” simulated materials are permitted, they shall only be permitted by the Director as an Administrative Adjustment according to procedures and criteria in Article 2. The Director shall use the following additional criteria:
- (1) The proposed material has an identical physical appearance as the material it intended to simulate, including color and texture, as perceived from any public spaces surrounding the property;
 - (2) The material presents benefits in addition to cost savings, such as reduced maintenance, or enhanced durability and performance;
 - (3) The material has a demonstrated track record of successful application and use that will result in equally long-lasting and sustainable appeal of the neighborhood as that of the permitted materials; and
 - (4) Use of equal or better materials may be conditioned upon compliance with all application and manufacturer specifications.

Section 4. That Subsection 6.7.5.c Building Materials, of Subsection 6.7.5 Building Design, of Section 6.7 Small Scale Commercial and Mixed-use Design Standards, of Article 6 Design Regulations, of the Unified Development Code of the City of Cheyenne, Wyoming, is hereby amended as set out in this section.

- c. Building Materials. All buildings and accessory buildings over 200 square feet shall be constructed according to the following material standards. Percentage requirements for materials exclude windows or other openings. Carports, stand-alone canopies, or other structures which only consist of vertical support posts in the area between 2’ and 8’ above

grade and are less than 2 stories in height shall be exempt from the materials requirements of this section.

1. Primary Materials. All buildings shall have one primary material covering at least 30% of the building facades. Residential buildings which provide housing that is income-restricted to eighty percent (80%) of area median income (AMI) as defined by the U.S. department of housing and urban development (HUD) for a period of not less than fifteen (15) years may use any of the Secondary Materials as a primary material provided:
 - (a) No less than 2 primary/secondary materials are used;
 - (b) No one primary/secondary material covers more than 70% of the facades; and
 - (c) No one color covers more than 70% of the facades (colors shall be distinctly different, if there is a debate over whether the proposed colors are distinctly different, an applicant may appeal the Director’s determination to the Board of Adjustment).
4. Secondary Materials. Buildings may have a secondary material covering up to 70% of the facades.
5. Accent Materials. Buildings shall have at least one, and may have up to two accent or trim materials covering between 5% and 10% of the building facades. The accent shall be a separate material from the primary materials utilized on the building.
6. Permitted Materials. Exterior materials shall be permitted in accordance with ~~the following table:~~ Table 6-20.

Primary Materials	Secondary Materials	Accent / Trim Materials
Brick, unpainted. Stone, unpainted.	Any of the Primary Materials may be used as Secondary Materials Glass Metal Siding and Roofing Color Concrete Stucco (or equal or better simulated material) Horizontal Wood Clapboard (or equal or better simulated material) Wood shingles (or equal or better simulated material)	Any of the Primary or Secondary Materials may be used as an accent material Wood trim (or equal or better simulated material) Precast stone, or wood moldings or similar architectural details (or equal or better simulated material)

7. Material Changes. Except for accent materials, changes in the façade material shall only occur at horizontal expression lines, with the heavier material below the lighter material. Alternatively, changes in the material may occur at differentiated structural bays that meet the horizontal massing requirements of Sub-section a above.
8. Equal or Better Simulated Materials. Where “equal or better” simulated materials are permitted, they shall only be permitted by the Director as an Administrative Adjustment according to procedures and criteria in Article 2. The Director shall use the following additional criteria:

- (a) The proposed material has an identical physical appearance as the material it intended to simulate, including color and texture, as perceived from any public spaces surrounding the property;
- (b) The material presents benefits in addition to cost savings, such as reduced maintenance, or enhanced durability and performance;
- (c) The material has a demonstrated track record of successful application and use that will result in equally long-lasting and sustainable appeal of the neighborhood as that of the permitted materials; and
- (d) Use of equal or better materials may be conditioned upon compliance with all application and manufacturer specifications.

Section 5. That Subsection 6.9.4.e Building Materials, of Subsection 6.9.4 Building Design, of Section 6.9 General Commercial Design Standards, of Article 6 Design Regulations, of the Unified Development Code of the City of Cheyenne, Wyoming, is hereby amended as set out in this section.

- e. Building Materials. All buildings and accessory buildings over 200 square feet shall be constructed according to the following material standards. Percentage requirements for materials exclude windows or other openings. Carports, stand-alone canopies, or other structures which only consist of vertical support posts in the area between 2' and 8' above grade and are less than 2 stories in height shall be exempt from the materials requirements of this section.
 - 1. Primary Materials. All buildings shall have one primary material covering at least 30% of the building facades. Residential buildings which provide housing that is income-restricted to eighty percent (80%) of area median income (AMI) as defined by the U.S. department of housing and urban development (HUD) for a period of not less than fifteen (15) years may use any of the Secondary Materials as a primary material provided:
 - (a) No less than 2 primary/secondary materials are used;
 - (b) No one primary/secondary material covers more than 70% of the facades; and
 - (c) No one color covers more than 70% of the facades (colors shall be distinctly different, if there is a debate over whether the proposed colors are distinctly different, an applicant may appeal the Director's determination to the Board of Adjustment).
 - 2. Secondary Materials. Buildings may have a secondary material covering up to 70% of the façades.
 - 3. Accent Materials. Buildings shall have at least one, and may have up to two accent or trim materials covering between 5% and 10% of the building facades. The accent shall be a separate material from the primary materials utilized on the building.
 - 4. Permitted Materials. Exterior materials shall be permitted in accordance with ~~the following table:~~ Table 6-21.

Table 6-21: General Commercial and Mixed-use Building Materials		
Primary Materials	Secondary Materials	Accent / Trim Materials
Brick, unpainted.	Any of the Primary Materials may be used as Secondary Materials	Any of the Primary or Secondary Materials

Stone, unpainted (or equal or better simulated material). Concrete Masonry Unit – Integrally tinted and textured	Glass Metal Siding and Roofing Architectural Metal Panels or Tiles Color Concrete Horizontal Wood Clapboard (or equal or better simulated material) Wood shingles (or equal or better simulated material) Stucco (or equal or better simulated material)	may be used as an accent material Wood trim (or equal or better simulated material) Precast stone, or wood moldings or similar architectural details (or equal or better simulated material)
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5. Material Changes. Except for accent materials, changes in the façade material shall only occur at horizontal expression lines. Alternatively, changes in the material may occur at differentiated structural bays that meet the horizontal massing requirements above.
6. Equal or Better Simulated Materials. Where “equal or better” simulated materials are permitted, they shall only be permitted by the Director as an Administrative Adjustment according to procedures and criteria in Article 2. The Director shall use the following additional criteria:
 - (a) The proposed material has an identical physical appearance as the material it intended to simulate, including color and texture, as perceived from any public spaces surrounding the property;
 - (b) The material presents benefits in addition to cost savings, such as reduced maintenance, or enhanced durability and performance;
 - (c) The material has a demonstrated track record of successful application and use that will result in equally long-lasting and sustainable appeal of the neighborhood as that of the permitted materials; and
 - (d) Use of equal or better materials may be conditioned upon compliance with all application and manufacturer specifications.

Section 6. Sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable. If any section, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or otherwise unlawful, such declaration shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases.

Section 7. This ordinance shall be in full force and effect upon approval and publication.

FIRST READING: _____

SECOND READING: _____

THIRD AND FINAL READING: _____

PATRICK COLLINS, MAYOR

(SEAL)

ATTEST:

KRISTINA F. JONES, CITY CLERK

Published: _____
Wyoming Tribune-Eagle