



AGENDA ITEM MEMORADUM

Item No. 12.1.a

Development Services

Department

Cecelia Ward

Acting Town Planner

| | |
|--|-------------------------------|
| COMMISSION MEETING DATE (*) - 7:00 PM | Deadline to Town Clerk |
| <input checked="" type="checkbox"/> Oct 11, 2011 | Sept 30th |

***Subject to Change**

- | | | | |
|---------------------------------------|---|---------------------------------------|--|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Reports | <input type="checkbox"/> Consent | <input checked="" type="checkbox"/> Ordinance |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Quasi-Judicial | <input type="checkbox"/> Old Business | <input type="checkbox"/> New Business |

FY2011 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC

SUBJECT TITLE: Planning Priority No. 1: Proposed Amendments to Section 30.9 Architectural Standards

EXPLANATION: The Town Commission established planning priorities at their June 21st Budget Workshop and authorized Cecelia Ward to proceed with Planning Priority No. 1, which included an analysis of Section 30-9 "Architectural Standards," and the preparation of revisions to the architectural standards in a manner that would foster a sense of place and preserve the essential character of the Town. The recommendations from that analysis have been incorporated into the attached draft Ordinance.

At their August 17, 2011 meeting, the Planning and Zoning Board, sitting as the Town's Local Planning Agency, reviewed the draft Ordinance (**Exhibit 1**) and voted 3 to 2 to table the draft Ordinance to its November 16, 2011 meeting and asked for an economic study to be completed regarding the proposed changes to the Code.

At the September 13, 2011 Town Commission meeting, the Commission voted unanimously in favor of scheduling First Reading on the Ordinance to identify the Mid-Century Modern style of architecture as a "preferred" style, with flexibility to allow alternative styles based on certain conditions. The Commission did not support proceeding with an economic study as requested by the Board.

The Commission further directed that the Ordinance be referred back to the Planning and Zoning Board in order for the Board to provide their recommendation by the time the Ordinance is scheduled for Second Reading. As such, the draft Ordinance will be scheduled for the October 19, 2011 Planning and Zoning Board meeting.

The proposed changes to the ordinance include:

1. Deleting the requirement for Mediterranean style and identifying Mid-Century Modern as the preferred architectural style for the Town's commercial districts with flexibility to allow alternative styles based on certain conditions more in keeping with the existing character of the community;
2. Allowing greater flexibility in design, supported by appropriate standards; and
3. Removing the requirement for review by a Town Architectural Review Board, which is currently inactive and replacing the Board with a determination for compliance in design by the Development Review Official based on the recommendation of a licensed Architect.



Planning and Zoning Board Recommendation:

The proposed ordinance (Exhibit 1) is scheduled for the October 19, 2011 Planning and Zoning Board meeting and their recommendation will be included in the agenda item for the second reading and public hearing of this ordinance.

Staff Recommendation: We recommend approval of the proposed ordinance as submitted.

EXHIBITS: Draft Ordinance amending Code Section 30.9 Architectural Standards

Reviewed by Town Attorney

Yes No

Town Manager Initials

CSA

File: R:\0 Agenda\10-11-11 Commission\Dev Services\10-11 AM Architectural Standards Ord First Reading.docx

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1 **AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-**
2 **THE SEA, AMENDING SECTION 30-9, OF THE CODE OF**
3 **ORDINANCES TO AMEND REQUIREMENTS RELATED**
4 **TO ARCHITECTURAL STANDARDS AND REVIEW**
5 **CRITERIA; PROVIDING FOR CODIFICATION,**
6 **SEVERABILITY, CONFLICTS AND AN EFFECTIVE**
7 **DATE**

8
9
10 **WHEREAS**, the Town Commission recognizes that changes to the adopted Code of
11 Ordinances (the “Code”) are periodically necessary in order to ensure that the Town’s land
12 development regulations are current and consistent with the Town’s planning and regulatory
13 needs; and

14 **WHEREAS**, Section 30-9 “Architectural standards”, of the Code, provides architectural
15 design elements and guidelines to facilitate harmonious and aesthetically compatible
16 development; and

17 **WHEREAS**, the Town has reviewed the Town Master Plan and completed several
18 visioning and inventorying programs to evaluate existing architectural development and future
19 Town goals; and

20 **WHEREAS**, the Town Commission desires to revise the architectural standards to foster
21 a sense of place and support compatible development which is efficient and architecturally and
22 visually appealing and preserves the essential character of the Town; and

23 **WHEREAS**, Section 30-531 of the Code requires issuance of a Notice of Intent prior to
24 the processing of any amendment to the land development regulations in Chapter 30 of the Code,
25 and such notice was given of this amendment on January 25, 2011, which Notice of Intent
26 expired on September 30, 2011; and

27 **WHEREAS**, pursuant to Section 30-531 of the Code, a new Notice of Intent was
28 approved, by the City Commission on September 27, 2011; and

29 **WHEREAS**, the Planning and Zoning Board, sitting as the Local Planning Agency, has
30 reviewed this Ordinance at a duly noticed hearing on August 17, 2011 and October 19, 2011 and
31 recommended its adoption; and

32 **WHEREAS**, the Town Commission conducted a first and second reading of this Ordinance
33 at duly noticed public hearings, as required by law, and after having received input from and
34 participation by interested members of the public and staff, the Town Commission has determined

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35 that this Ordinance is consistent with the Town’s Comprehensive Plan and in the best interest of the
36 Town, its residents, and its visitors.

37 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF
38 THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AS FOLLOWS:
39

40 SECTION 1. Recitals. The foregoing “Whereas” clauses are ratified and confirmed as
41 being true, correct and reflective of the legislative intent underlying this Ordinance and are
42 hereby made a specific part of this Ordinance.

43 SECTION 2. Amendment. Section 30-9, Architectural Standards, of Chapter 30,
44 Unified Land Development Code, is hereby amended¹ as follows:

45 Sec. 30.9 Architectural standards.

46 (a) ~~Samples of color in painting or awning work. Each applicant for, or holder of, a~~
47 ~~permit authorizing exterior painting, coloring, awning work or erection of a~~
48 ~~canopy shall be required to submit to the Board for its approval, prior to the~~
49 ~~execution of such work, a sample of the color or colors to be used in such work;~~
50 ~~and the Board shall require the use of appropriate and harmonious colors therein.~~

51 (b) ~~Architectural style. All buildings in business districts B-1, B-1-A and B-2 zoned~~
52 ~~properties hereinafter constructed, reconstructed, altered or added to shall be of~~
53 ~~classical style of Spanish, Venetian, Italian, or other Mediterranean or similar~~
54 ~~harmonious architecture.~~

55 1. Purpose and Intent.

56 The purpose of this section is to encourage the local adaptation of the Mid-Century
57 Modern architectural style as the preferred architectural style of the Town, in that such
58 architectural style is compatible with the essential character of the Town, supportive of
59 efficient development, is architecturally and visually appealing, and fosters a sense of
60 place in the preservation of the architectural and design characteristics of the Town's
61 existing resort and residential buildings.

62 2. Typical Architectural Design Features and Characteristics.

63 Typical architectural design features and characteristics to be utilized to reflect the Mid-
64 Century Modern Architectural Style shall include, but not be limited to:

¹ Words in ~~strike through~~ type are deletions; words in underlined type are additions.

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- 65 (a) the use of geometric patterns
- 66 (b) emphasis on horizontal orientation
- 67 (c) kidney and oval shapes
- 68 (d) curves
- 69 (e) stylized sculpture
- 70 (f) cast concrete decorative panels and stonework particularly at the entrances
- 71 (g) overhanging roof plates and projecting floor slabs with paired or clustered
- 72 supporting pipe columns
- 73 (h) round columns that taper to a smaller diameter as the column descends
- 74 (i) open-air verandas
- 75 (j) symmetrical staircases
- 76 (k) acute angles
- 77 (l) asymmetry in design
- 78 (m) awning windows
- 79 (n) built-in planters
- 80 (o) catwalks
- 81 (p) cutouts
- 82 (q) cantilevered beam and projections
- 83 (r) compressed arches
- 84 (s) concrete canopies
- 85 (t) curtain wall construction
- 86 (u) decorative railings
- 87 (v) egg crate facades
- 88 (w) eyebrow windows
- 89 (x) floating staircases
- 90 (y) intersecting planes
- 91 (z) louvers
- 92 (aa) large picture windows
- 93 (bb) metal grilles
- 94 (cc) porte-cocheres
- 95 (dd) ribbon windows
- 96 (ee) rounded eaves
- 97 (ff) textured stucco

98 3. Typical Materials:

99 Typical materials to be utilized to reflect the Mid-Century Modern Architectural Style,
100 shall include, but not be limited to:

- 101 (a) aluminum
- 102 (b) textured stucco
- 103 (c) field stone

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- 104 (d) keystone
- 105 (e) mosaics (glass or ceramic)
- 106 (f) oolithic limestone
- 107 (g) plate glass
- 108 (h) roman brick
- 109 (i) slump brick

110 4. Applicability.

- 111 (a) All development, including new construction, reconstruction, alterations and
- 112 additions within the B-1-A, B-1, R-5, RD-10, RM-25, and RM-50 districts of the
- 113 Town shall comply with the architectural standards and architectural review
- 114 requirements as provided by this section.
- 115 (b) Alterations and additions to existing buildings with design elements that are not
- 116 associated with the Mid-Century Modern style of architecture shall conform to the
- 117 architectural style of the existing building.

118 5. Architectural styles.

119 (a) Mid-Century Modern.

120 The preferred architectural style of the Town shall be in accordance with the Mid-

121 Century Modern or similar harmonious architecture, except that buildings the Town

122 Commission has designated as a "historical landmark" shall conform to the

123 architecture of the existing building.

124 (b) Alternative Architectural Styles.

125 (i) While the Mid-Century Modern architectural style is the preferred architectural

126 style, it is not intended to be the exclusive architectural style of the Town.

127 Alternative architectural styles and design concepts may be considered during

128 the development review process. However, it shall be the applicant's burden to

129 show that the proposed alternative architectural style and design concepts, to the

130 maximum extent practicable, are compatible with the architectural style of

131 adjacent existing or approved development on the same or abutting properties

132 and street frontages, as further provided in this section.

133 (ii) Alternative architectural styles may be considered appropriate if it is found that:

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- 134 (1) Such alternative styles are compatible with the architectural style of adjacent
135 existing or approved development on the same or abutting property; and
- 136 (2) That the architectural style of new development incorporates a scale,
137 massing, and sufficient number of the same or similar design elements (e.g.,
138 horizontal or vertical building facade articulation, building facade
139 articulation elements, facade materials, roof design, use and design of
140 balconies, window design, door design, use and design of window or door
141 shading devices, railing design, etc.) to create a clear and affirmative
142 relationship or transition between the architectural styles of adjacent existing
143 buildings or of adjacent approved development.

144 6. Review of Architectural Design.

145 ~~It shall be the duty and responsibility of the Architectural Review Board to determine in~~
146 ~~each and every case whether or not the submitted plans comply with the type of~~
147 ~~architecture set forth herein above, and suggest to the designing architect such changes as~~
148 ~~would bring the plan into conformity.~~

149 ~~The Architectural Review Board shall recommend such changes in the design of the~~
150 ~~structure so as to preserve the traditional aesthetic treatment and an excellence of design~~
151 ~~of the community.~~

152 a. It shall be the duty and responsibility of the Development Review Official to ensure
153 that any application for a development permit, as required by Chapter 30, Article II.,
154 Development Review, of the Town Code of Ordinances and as required by this
155 section, includes a review of architectural design, as provided herein.

156 b. The Town may retain the services of an outside consultant to conduct the
157 Architectural review and shall recover the costs for such services in accordance with
158 the provisions of Section 30-53(d).

159 c. The primary purpose of the architectural review shall be to determine whether or not
160 the submitted plans comply with the architectural design features and materials

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161 typical of the Mid-Century Modern Architectural Style or if the submitted plans are
162 of an alternative architectural style that complies with the requirements of Section
163 30.9, paragraph 5(b), as set forth herein above, and to suggest to the designing
164 architect such changes as may be necessary to bring the plan into conformity with or
165 alternative architectural style.

166 d. Elements to be Considered. The following elements shall be considered ~~In~~
167 considering the design of the building, the Board shall consider and render a
168 recommendation as to the feasibility of the following elements in the review of the
169 plans design concept:

- 170 (1) Trim
- 171 (2) Shutters
- 172 (3) Awnings and canopies
- 173 (4) Windows (Fenestration)
- 174 (5) Doors
- 175 (6) Texture of surface
- 176 (7) Colors
- 177 (8) Roofs
 - 178 a. Materials
 - 179 b. Color
 - 180 c. Slope
 - 181 d. Overhang
- 182 (9) Planters
- 183 (10) Window boxes
- 184 (11) Walls, height, location, materials, and design
- 185 (12) Height of building
- 186 (13) Location of exposed piping, conduits and rain water leaders
- 187 (14) Horizontal or vertical building facade articulation
- 188 (15) Building facade articulation elements
- 189 (16) Facade materials
- 190 (17) Use and design of balconies
- 191 (18) Use and design of window or door shading devices
- 192 (19) Railing design

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193 ~~The architectural type for a given location, unless specifically specified to the~~
 194 ~~contrary, shall be in reasonable harmony with the architecture of the business district.~~

195 ~~Additions and alterations to buildings which have been designated by ordinance~~
 196 ~~passed and adopted by the Town Commission as an "historical landmark" shall conform~~
 197 ~~to the architecture of the existing building.~~

198 7. Compliance with Additional Design Standards.

199 All development subject to the requirements of this section shall also be required to
 200 comply with the following additional design standards:

201 ~~(e) *Compliance with standards required.* All development, including new~~
 202 ~~construction, reconstruction, alterations and additions within the B-1-A, B-1, R-5,~~
 203 ~~RD-10, RM-25, and RM-50 districts of the Town shall comply with the following~~
 204 ~~architectural standards.~~

205 ~~(1) The architectural type shall be in accordance with the classical style of the~~
 206 ~~Spanish, Venetian, Italian or other Mediterranean or similar harmonious~~
 207 ~~architecture, except that buildings the Town Commission has designated as a~~
 208 ~~"historical landmark" shall conform to the architecture of the existing building.~~

209 ~~a. The use of mirrored glass shall not be permitted.~~

210 ~~(2) b. Marked stucco to simulate shutters flanking window openings, and indiscriminate~~
 211 ~~use of stucco "scoring" or "cut lines," shall not be permitted, unless they perform~~
 212 ~~a function in the design, shall not be permitted.~~

213 ~~(3) c. Where particular treatments such as scoring, slump brick or other architectural~~
 214 ~~motifs are employed, these shall "return" on the abutting elevations.~~

215 ~~(4) d. Indiscriminate use of brick shall not be permitted.~~

216 ~~(5) e. Where wood or metal columns are used, the same shall be well-proportioned.~~

217 ~~(6) f. Shutters shall be architecturally designed to enhance the structure and all tracks~~
 218 ~~and housing shall be concealed from view when not in use.~~

219 ~~(7) g. Rooftop equipment such as that used in air-conditioning and any other type of~~
 220 ~~mechanical or service equipment shall be screened from view from the right-of-~~
 221 ~~way.~~

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222 (8) h. Air cooled condensing and/or compressor equipment, water cooling towers and
223 other type of mechanical equipment or apparatus installed on or attached to a
224 premise s-shall be screened from view from the street, waterway, or adjoining
225 properties by a wall and/or landscaping.

226 (9) i. Exposed concrete or masonry block shall not be permitted. ~~With the exception of~~
227 ~~red or other brick, crab orchard or other stone, and architecturally formed and~~
228 ~~detailed concrete, all masonry surfaces shall be stuccoed.~~

229 (10)j. If metal garage doors are used, they shall be painted.

230 (11)k. No exposed air conditioning ductwork or exposed solar tanks shall be permitted.

231 (12)l. Buildings and structures shall not be of a design that is plainly of an
232 exhibitionistic character in form and coloring. By way of example, a milk bottle,
233 bean pot, articles of food, clothing, a windmill or the like would be in violation of
234 this provision.

235 (13)m. The materials, slope, construction, locations and design of awnings and canopies
236 shall be subject to approval by the Town.

237 (14)n. Any building extending from street to street on inside lots shall have two fronts.

238 (15)o. Facade. Any building constructed on any lot shall be designed in such a manner
239 as to present a facade of pleasing appearance facing all streets.

240 (16)p. The plans and specifications shall be in accordance with all other applicable code
241 provisions.

242 ~~(d)~~8. Preparation, Approval and Revision of Architectural Drawings.

243 ~~The following approval and revising preliminary and final working drawings:~~

244 (1)(a) *Architectural drawings.* All architectural drawings shall be prepared by and bear
245 an impression seal of a registered architect ~~or registered engineer~~ qualified under
246 the laws of the State of Florida to prepare such drawings.

247 (2) *Approval in principle.* ~~Preliminary "approval in principle" shall be obtained from~~
248 ~~the Architectural Review Board before proceeding with the final working drawings. The~~
249 ~~drawings for "approval in principle" shall preferably be a single line plan or plans and~~
250 ~~shall have a plot plan, floor plan and shall show all affected elevations. Photographs of~~

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251 ~~adjoining properties [and] plans for additions or exterior alterations of all facades of the~~
 252 ~~building where the alterations occur or to which the addition is attached shall be~~
 253 ~~presented with the preliminary plans. Whenever the estimated cost of construction of any~~
 254 ~~addition, exterior alteration and/or new construction will exceed \$25,000.00 such~~
 255 ~~preliminary plans shall be submitted in duplicate.~~

256 ~~(3)(b) Approval of Architectural Design. Board of architects. It shall be the duty of the~~
 257 ~~Architectural Review Board. The Development Review Official shall make the~~
 258 ~~determination as to whether the architectural design reflected in the final~~
 259 ~~architectural design drawings meets the intent of this Section in to preserve~~
 260 ~~preserving the traditional aesthetic treatment of the community, and shall include~~
 261 ~~such findings in accordance with the documentation required for development~~
 262 ~~review and approval as set forth in Article II. Development Review.~~

263 ~~(4) Revisions to preliminary plans. When the designing architect and/or engineer~~
 264 ~~revises preliminary plans in accordance with the suggestions of the Architectural Review~~
 265 ~~Board, he shall return the original drawings showing the Board's suggestions with the~~
 266 ~~revised drawings.~~

267 ~~(5)(c) Revisions to Approved Architectural Design Drawings: final working~~
 268 ~~drawings. Modification to the After plans have been approved, no deviations from~~
 269 ~~the approved architectural design as reflected on the approved final architectural~~
 270 ~~design drawings shall be permitted without the approval of the Architectural~~
 271 ~~Review Board. subject to the provisions for modifications to development plans~~
 272 ~~as provided in Article II. Development Review.~~

273
 274 **SECTION 3. Codification.** This Ordinance shall be codified in accordance with the
 275 foregoing. It is the intention of the Town Commission that the provisions of this Ordinance shall
 276 become and be made a part of the Town of Lauderdale-by-the-Sea Code of Ordinances; and that the
 277 sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be
 278 changed to “section”, “article” or such other appropriate word or phrase in order to accomplish such
 279 intentions.

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280 SECTION 4. Severability. If any section, sentence, clause, or phrase of this Ordinance
281 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
282 shall in no way affect the validity of the remaining portions of this Ordinance.

283 SECTION 5. Conflicting Ordinances. All prior ordinances or resolutions or parts thereof
284 in conflict herewith are hereby repealed to the extent of such conflict.

285 SECTION 6. Effective Date. This Ordinance shall become effective immediately upon
286 passage on second reading.

287 Passed on the first reading, this ___ day of _____, 2011.

288 Passed on the second reading, this ___ day of _____, 2011.

289
290
291 _____
292 Mayor Roseann Minnet

Table with 3 columns: Name, First Reading, Second Reading. Rows include Mayor Minnet, Vice-Mayor Dodd, Commissioner Clottey, Commissioner Sasser, Commissioner Vincent.

300 Attest:

301 _____
302 Town Clerk, June White, CMC

303 (CORPORATE SEAL)

304 Approved as to form:

305
306 _____
307 Town Attorney, Susan L. Trevarthen

308
309
310