

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KEY WEST, APPROVING AN AMENDMENT TO THE HISTORIC ARCHITECTURAL REVIEW COMMISSION GUIDELINES FOR MINIMUM REQUIREMENTS FOR SUBMITTALS FOR A CERTIFICATE OF APPROPRIATENESS AS REFERENCED IN SECTION 90-142 OF THE CITY OF KEY WEST LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 102-2 of the Land Development Regulations requires applicants for building permits to comply with the city's historic architectural review commission's Design Guidelines in Key West's Historic District; and

WHEREAS, amendments to the design guidelines are initiated by the historic architectural review commission (HARC) from time to time to better preserve the character and appearance of the historic preservation districts and structures; and

WHEREAS, Section 90-142 of the Code of Ordinances incorporates the design guidelines by reference; and

WHEREAS, amendments to the design guidelines must follow the same procedural requirements as amendments to

the Land Development Regulations as specified in Sections 90-516 - through 90-524 of the Code of Ordinances; and

WHEREAS, the historic architectural review commission initiated changes to the design guidelines to clarify the minimum requirements for submittal when a citizen submits a Certificate of Appropriateness application; and

WHEREAS, the planning board held a noticed public hearing on January 17, 2013, where based on the consideration of recommendations by the planning director, city attorney, building official and other information recommended approval of the proposed amendments;

WHEREAS, the city commission held a noticed public hearing on March 5, 2013 and in its deliberations considered the criteria identified in section 90-521 of the Code of Ordinances;

WHEREAS, the City determined that the proposed amendments are consistent with the Comprehensive Plan; in conformance with all applicable requirements of the Code of Ordinances; are stimulated by changed conditions after the effective date of the existing regulation; will promote land use compatibility; will not result in additional demand on public facilities; will have no impact on the natural environment; will not negatively impact property values or the general welfare; will result in more orderly

and compatible land use patterns; and are in the public interest.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1. That Chapter VII. Historic Architectural Design Principles, page 56, Supporting Documents for HARC Review, of the Historical Architectural Guidelines dated May 7, 2002, are amended as follows:

~~Supporting Documents for HARC Review~~

- ~~• accurate construction elevations, specifications and/or floor plans~~
- ~~• photographs showing street views of buildings and affected areas~~
- ~~• site plans with a construction footprint and easements marked~~
- ~~• documentation of proposed materials and components~~
- ~~• a recent survey of the property~~
- ~~• Sanborn maps of the property~~

(Coding: Added language is underlined; deleted language is struck through.)

Minimum Requirements for Submittals for a Certificate of Appropriateness

Please be advised that HARC members and staff can request additional information

<u>TYPE OF WORK</u>	<u>MINIMUM REQUIREMENTS</u>
<u>Air Conditioning Units</u>	<ul style="list-style-type: none">▪ <u>Location of the unit (roof, ground, wall mounted, etc.).</u>▪ <u>Location of pipes, if applicable.</u>▪ <u>Site plan showing location of unit with dimensions of setbacks.</u>▪ <u>If to be placed on roof, roof dimensions including height of the roof and setbacks from the edge of eaves, also must show safety railings if less than 10' from edge of roof or roof hatch as applicable.</u>▪ <u>Photo of proposed site and photo of building from street/sidewalk.</u>▪ <u>If applicable, total height of unit including base.</u>▪ <u>Survey may be requested.</u>
<u>Canvas awnings</u>	<ul style="list-style-type: none">▪ <u>Scaled plan and elevation drawings showing location and form.</u>▪ <u>For new or recovered awnings fabric and color sample.</u>

<p><u>Exhaust fans</u></p>	<ul style="list-style-type: none"> ▪ <u>Location of the fan (roof or wall mounted).</u> ▪ <u>Site plan showing location of unit with dimensions of setbacks.</u> ▪ <u>If to be placed on roof, roof dimensions including height of roof and setbacks from edge of eaves, also must show safety railings if is less than 10' from edge of roof or roof hatch as applicable.</u> ▪ <u>Photo of proposed site and photo of structure from street / sidewalk.</u> ▪ <u>Total height of unit.</u> ▪ <u>Survey may be requested.</u>
<p><u>Fences</u></p>	<ul style="list-style-type: none"> ▪ <u>Survey indicating where fence is to be placed (highlight fence-line).</u> ▪ <u>Photo showing area where fence is to be placed.</u> ▪ <u>Lineal footage and height (note that in front yard, 4 feet maximum height or less is allowed).</u> ▪ <u>If fence is 6 foot high solid; neighbors' written consent.</u> ▪ <u>Type of fence, color and material.</u>

<p><u>Gas tanks, Pool equipment, and equipment pads</u></p>	<ul style="list-style-type: none"> ▪ <u>Survey and site plan showing proposed location of tank, equipment and lines.</u> ▪ <u>Photo of proposed site and photo of building from street /sidewalk.</u> ▪ <u>Measurements of tank, equipment and pad, including height.</u>
<p><u>Gutters and Downspouts</u></p>	<ul style="list-style-type: none"> ▪ <u>Photo of part of building where gutters will be installed.</u> ▪ <u>Specify the type of gutters and exact location of downspouts.</u>
<p><u>Minor maintenance (examples-replacement siding, pickets, windows and doors trim balusters, porch decking boards)</u></p>	<ul style="list-style-type: none"> ▪ <u>Photos showing condition.</u> ▪ <u>Square footage or lineal feet to be replaced, location description, proposed materials and colors.</u> ▪ <u>For decking boards for front or side porches - type of board, material, location and color.</u> ▪ <u>For balusters - drawing, material and color.</u>

<u>Painting and Repainting</u>	<ul style="list-style-type: none"> ▪ <u>Current color photo of part of building that will be painted and photo of structure from street / sidewalk.</u> ▪ <u>Paint chips with descriptions of work.</u>
<u>Pavers, Decks, Sidewalks and Driveways</u>	<ul style="list-style-type: none"> ▪ <u>Survey showing area to be paved. Square footage.</u> ▪ <u>Photos of proposed paving material, including color and texture and area to be paved.</u>
<u>Railings</u>	<ul style="list-style-type: none"> ▪ <u>Photo of part of building where railing will be installed and photo of building from street / sidewalk.</u> ▪ <u>Scaled drawing showing type of balustrades, materials, measurements and colors. Lineal footage</u>
<u>Rehabilitations, Renovations, Alterations, Additions and New Construction Demolitions</u>	<ul style="list-style-type: none"> ▪ <u>Two sets of legible scaled drawings- preferable on 24" by 36" paper, photos of existing conditions, including area of proposed modification and survey including flood zone lines and spot elevations. Also an electronic version in PDF format will be required.</u>

	<ul style="list-style-type: none"> ▪ <u>Survey must be signed and sealed by Florida licensed land surveyor.</u> ▪ <u>For new construction or proposals that require massing or height change - street elevation showing adjacent neighboring structures.</u> ▪ <u>For rehabilitations, renovations, restorations, alterations, additions, and new construction a longitudinal section will be required showing the building's exterior structural construction.</u> ▪ <u>For rehabilitations, renovations, and alterations percentage of historic fabric that will remain in the building.</u> ▪ <u>Manufacturer's specifications of architectural elements (doors, windows, etc.).</u> ▪ <u>Photos of existing conditions.</u> ▪ <u>Color chips of proposed colors.</u>
<u>Roofs</u>	<ul style="list-style-type: none"> ▪ <u>Photo of building where the roof will be replaced and a photo showing roof condition.</u>

	<ul style="list-style-type: none"> ▪ <u>Include skylights and hatches, if applicable.</u> ▪ <u>Description of roofing material to be used.</u> ▪ <u>Specify what type of roof is existing and what is proposed, proposed color and where the work will be done (main structure, porches, back addition, etc.).</u>
<p><u>Sheds and Accessory structures</u></p>	<ul style="list-style-type: none"> ▪ <u>Survey and site plan showing placement.</u> ▪ <u>Photo of area where the structure will be placed and photo of main building from street / sidewalk.</u> ▪ <u>Scaled drawings including dimensions and materials.</u>
<p><u>Shutters and Hurricane panels</u></p>	<ul style="list-style-type: none"> ▪ <u>Photo of building where shutters will be installed.</u> ▪ <u>Photo or drawing of new shutter and color sample.</u> ▪ <u>Description of shutter including style and material.</u> ▪ <u>If hurricane protection shutters, NOA (notice of acceptance for wind loads).</u>

<p><u>Signs</u></p>	<ul style="list-style-type: none"> ▪ <u>Scale drawings including size, font, color, design, shape and materials.</u> ▪ <u>If neon or halo effect sign, a drawing depicting effect during night.</u> ▪ <u>Photo of area where the sign will be installed and photo from street / sidewalk.</u> ▪ <u>Description and drawing of mounting style.</u> ▪ <u>Height of fonts / letters.</u> ▪ <u>Height and setbacks of complete sign.</u> ▪ <u>Type of illumination, if applicable.</u> ▪ <u>Number of existing signs for specific business and photos of each sign.</u> ▪ <u>Resurfacing an existing sign requires a HARC application.</u>
<p><u>Swimming pools and Hot tubs</u></p>	<ul style="list-style-type: none"> ▪ <u>Survey showing location of pool or hot tub.</u> ▪ <u>Photos of area where the pool will be located.</u> ▪ <u>Scaled drawings including a site plan with proposed setbacks and proposed materials.</u> ▪ <u>All pool features including decks, heaters, pumps and</u>

	<p><u>walls must be included in the application and must show setbacks from property lines.</u></p> <ul style="list-style-type: none"> ▪ <u>Ratio of previous surface.</u>
<p><u>Windows and Doors</u></p>	<ul style="list-style-type: none"> ▪ <u>Photo of area of building where new units will be installed and photos of each existing door or window to be replaced. Photo of the building from street / sidewalk.</u> ▪ <u>Manufacturer's description of proposed window or door, including materials and design.</u> ▪ <u>Colors - paint chip.</u>

Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission and approval by the State Department of Community Affairs pursuant to Chapter 380, Florida Statutes.

Read and passed on first reading at a regular meeting held this _____ day of _____, 2013.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2013.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2013.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK