

**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 SOLAR ENERGY COLLECTORS OR OTHER ENERGY PRODUCTION DEVICES AS REFERENCED IN SECTION 90-142 OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; AND 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 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 guidelines relevant to clarify and strengthen the review process when a citizen submits a Certificate of Appropriateness application for solar energy collectors or other energy production devices; and

**WHEREAS**, the planning board held a noticed public hearing on November 16, 2011, 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 \_\_\_\_\_ 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. Chapter VI. Design Guidelines in Key West's Historic District, articles [c] Roofing and [f] Solar collectors, scuttles and skylights, of the Historical Architectural Guidelines dated May 7, 2002, are amended as follows:

Article [c] Roofing, Page 26;

5. The public view of the roofline should not be altered by the addition of new features such as dormers, scuttles, vents or skylights. Such features may be allowed on roof surfaces not visible from a public right of way. ~~Solar collectors,~~

~~scuttles and skylights may be installed on roof surfaces not visible from principal right of way; HARC will review each application on a case by case.~~

Article [f] Solar Collectors, scuttles and skylights, Page 28;

**Solar Collectors, Scuttles & Skylights Energy Collectors or other Energy Production Devices**

Introduction paragraphs:

HARC is supportive of the citizen's of Key West awareness of sustainability and energy efficiency issues. The retention and adaptive use of historic buildings preserves the materials, embodied energy, and human capital already expended in their construction. The reuse of buildings is one of the greener practices in the overall promotion of sustainability.

HARC believes that energy conservation in historic buildings can be accomplished responsibly without compromising the qualities that define their historic character. In an effort to promote the reduction of carbon footprint and energy conservation HARC suggests the following recommendations to our citizens: use of energy rated appliances and mechanical equipment, reuse and use of existing cisterns, preservation and reuse of as much historic materials as possible, planting trees and installation of insulation materials on ceilings, roofs and walls.

- ~~1. New solar collectors, scuttles and skylights should be flat mounted directly on the roof so that they do not destroy the roofline by protruding unduly from the~~

~~surface of the roof, and can only be placed on roof surfaces not visible from a public right of way.~~

1. HARC supports the introduction of new and emerging technology for renewable energy but will seek to achieve this by ensuring equipment is installed without permanent detriment to the historic fabric already established in the district and the least visual impact to buildings and streetscapes HARC's goal is high performance conservation with low public visibility. HARC recommends applicants exhaust all other ways of reducing the carbon footprint before putting forward applications for the installation of solar devices.
2. Any proposal to install solar energy collectors shall be based on a hierarchy of preferred locations starting with roofing not visible from public streets, then locations within rear gardens or on pergolas and only if none of these are viable because of orientation or overshadowing will HARC consider schemes which involve collectors on roofing areas or other locations visible from public streets.
3. Any proposals that include collectors and/or related equipment and cabling visible from public streets will be required to show (by way of calculation of energy outputs) that it is not possible to achieve similar performance from equipment located away from public view.
4. Installations shall not exceed power generation greater than that reasonably needed for the property. All applications must contain calculations of power outputs and on energy retained.

5. Character defining features of existing buildings (i.e. roofline, chimneys, and dormers) shall not be damaged or obscured when introducing new roof or exterior wall-mounted energy conservation systems.
6. All energy collection equipment shall be screened or hidden to the greatest possible while still achieving maximum function and effectiveness.
7. On pitched roofs, solar collector arrays shall run parallel to the original roofline and shall not rise above the peak of the roof. On flat roofs, solar collector arrays shall be set back from the parapet edge or wall/ roof conjunction and may be set at a slight pitch if not highly visible from public streets.
8. All energy collection equipment shall be considered part of the overall design of the structure. Color, shape and proportions of the solar collection array shall match the shape and proportions of the roof. Single installations on single-plane roofs are preferable to disjointed arrays or arrays on multiple roof planes. If more than one array is needed, it shall be limited to one panel section on each side of the structure if the arrays can not be placed on a rear location. Scattered or disjointed arrays are not appropriate.
9. All energy collection equipment shall not be mounted to project from walls or other parts of the building.

### **Scuttles and Skylights**

1. ~~2.~~ Modern Plastic dome skylights are inappropriate in the historic district.
2. ~~3.~~ Original wood roof windows, scuttles and skylights should be retained and repaired wherever possible.

Section 2. This Ordinance shall become effective immediately upon 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 \_\_\_\_\_, 2012.

Read and passed on final reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Authenticated by the presiding officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

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CHERYL SMITH, CITY CLERK