

VERSION B – Administration Recommendation

CHAPTER 118 – ADMINISTRATION AND REVIEW PROCEDURES

ARTICLE VI. - DESIGN REVIEW PROCEDURES

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Sec. 118-252. - Applicability and exemptions.

(a) *Applicability.*

- (1) All building permits for new construction, public interior areas, interior areas that face a street or sidewalk, demolitions and wrecking, alterations, or additions to existing buildings, including fences, parking lots, walls and signs, whether new or change of copy, and exterior surface finishes and materials, shall be subject to review under the design review procedures except as provided in subsection (b) of this section. No building permit shall be issued without the written approval by the design review board or staff as provided for in these regulations.
- (2) Except for stormwater pump stations and related apparatus installed by the City, all public improvements upon public rights-of-way and easements shall be reviewed by the Design Review Board. For purposes hereof, public improvements shall include, structures, streetscape projects, street improvements or redesign, modifications to street lighting or signage, landscaping projects, medians, master screening plans for stormwater pump stations and related apparatus, and above ground utilities; provided, however, that public improvements shall not include routine maintenance, utility repair work, and stormwater pump stations and related apparatus installed by the City.
- (3) The review and approval of all new single-family home construction, in accordance with subsection 142-105(d)(7).

(b) *Exemptions.* Exemptions to these regulations include all of the following provided no new construction or additions to existing buildings are required:

- (1) All permits for plumbing, heating, air conditioning, elevators, fire alarms and extinguishing equipment, and all other mechanical and electrical equipment when such work is entirely within the interior of the building, excluding public interior areas and interior areas that face a street or sidewalk; however, the planning director may approve such building permit applications for minor work on the exterior of buildings.
- (2) Any permit necessary for the compliance with a lawful order of the building official, fire marshal or public works director related to the immediate public health or safety.
- (3) All single-family dwellings are exempt from the design review regulations, with the exception of exterior surface color samples and finishes, and the review and approval of all new single-family home construction in accordance with subsection 142-105(d)(7). However, all building permits for new construction, alterations or additions to existing structures shall be subject to compliance with section 142-105, and all demolition permits must be signed by the planning director, or designee.
- (4) All properties located within designated historic districts and designated historic sites.

(c) *Advisory review.* The Design Review Board shall review City neighborhood projects in a non-binding, advisory capacity, and provide a written recommendation to the City Commission, in accordance with the following:

(1) The scope of the Design Review Board's advisory review of neighborhood projects, pursuant to this subsection (c), shall consist of the following:

- a. The location and screening of above ground infrastructure.
- b. The design of new street lighting.

c. The above ground design of non-standard materials for newly constructed sidewalks, streets and crosswalks.

d. The above ground design of new roadway medians, traffic circles and plazas.

f. Protected bike lanes

h. Pedestrian bridges.

(2) The Design Review Board shall review the project and provide an advisory recommendation within 35 days of the first Design Review Board meeting at which the project is reviewed. Any recommendation of the Design Review Board shall be transmitted to the City Commission via Letter to Commission. Notwithstanding the foregoing, the requirement set forth in this paragraph shall be deemed to have been satisfied in the event that the board fails, for any reason whatsoever, to review a project and/or provide a recommendation to the City Commission within the 35-day period following the first meeting at which the project is reviewed.

(3) If the design of a project should change substantially, as determined by the Planning Director, after it has been reviewed by the Board, the Design Review Board shall be required to review any changes to the design.

(4) Upon a written recommendation of the City Manager, the City Commission may, by majority vote, waive the advisory review required pursuant to this subsection (c), if the City Commission finds such waiver to be in the best interest of the City.

(5) The advisory review by the Design Review Board shall be noticed by publication in a newspaper of general circulation at least 15 days in advance of the meeting.

(6) Advisory review shall not be required for:

a. Emergency work.

b. Cross-walk projects that address ADA and Florida Accessibility Compliance.

c. Lighting improvements to address safety concerns.

d. Routine maintenance and utility repair work.

e. Projects for which an agreement has been approved by the City Commission on or before September 30, 2020.

f. Projects for which a notice to proceed with construction has been issued on or before September 30, 2020.