

SPONSORED BY:
Councilor Diamond



ORDINANCE NO. 2017-11

A BILL TO BE ENTITLED

**AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA,
AMENDING CHAPTER 27, UNIFIED LAND DEVELOPMENT
REGULATIONS; TO DELETE THE ENTIRE ARTICLE XVI,
ARCHITECTURAL REVIEW; AND PROVIDING AN EFFECTIVE
DATE.**

Whereas, the City Council of the City of Neptune Beach, Florida has determined that the City has never used this Article in Chapter 27 is necessary to amend the following the delete the entire article:

Now, Therefore, be it ordained by the City Council of Neptune Beach, Florida:

Section 1. Chapter 27 Unified Land Development Regulations, Article XVI Architectural Review, shall be amended as follows:

~~ARTICLE XVI. -- ARCHITECTURAL REVIEW~~

~~Sec. 27-601. -- Reserved.~~

~~Sec. 27-602. -- Generally.~~

~~This article establishes standards and procedures for architectural review.~~

~~(Ord. No. 91-1-5, § 2, 5-6-91)~~

~~Sec. 27-603. -- Applicability.~~

~~Unless requests for demolition (request shall be reviewed considering proposed date to demolish, construct, and future use of new construction), building and landscaping plans, elevations and proposed signs for buildings or structures, or alterations thereto, including reroofing which involves a significant change in materials or appearance, have been approved by the architectural board, or by the city council on appeal, no permit shall be issued for any such demolition, building, structure, sign, or other development of property, or appurtenances or alterations thereto.~~

~~(Ord. No. 91-1-5, § 2, 5-6-91)~~

~~Sec. 27-604. -- Exceptions.~~

~~When in the opinion of the building official, the approval of an application for a minor or insignificant permit does not defeat the purposes and objectives of this article, he may grant the permit without submitting the matter to the architectural board for its approval, notwithstanding any other provisions of this section or this article.~~

~~(Ord. No. 91-1-5, § 2, 5-6-91)~~

~~Sec. 27-605. -- Application requirements.~~

~~(a) — All applications for architectural review shall be in writing and in such form as may be determined by the city council.~~

~~(b) — The application shall, at a minimum, include the following:~~

~~(1) — Name and address of the owner and agent, along with signatures of the same;~~

~~(2) — Address and legal description of the property;~~

~~(3) — Information necessary for the architectural board to make the findings as required in this part;~~

~~(4) — Three (3) sets of color photographs (three and one-half (3.5) by five (5) inch) of the facades facing public or private way (alleys not included) of the adjacent buildings or structures two hundred (200) feet in either direction from the proposed construction on both sides of the public or private way (alleys not included); and~~

~~(5) — Such other architectural and engineering data as may be required to permit necessary findings that the provisions of this article are being met.~~

~~(Ord. No. 91-1-5, § 2, 5-6-91)~~

~~Sec. 27-606. -- Review criteria.~~

~~The architectural review board shall use the following criteria in reviewing applications:~~

~~(1) — The plan for the proposed building or structure indicates the manner in which the structures are reasonably protected against external and internal noises, vibrations, and other factors which may tend to make the environment less desirable.~~

~~(2) — The proposed building or structure is not, in its exterior design and appearance, of the interior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.~~

~~(3) — The proposed building or structure is in harmony with the proposed developments on land in the general area, with the comprehensive plan for Neptune Beach, and with any precise plans adopted pursuant to the comprehensive plan.~~

~~(4) — The proposed building or structure is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).~~

~~(5) — The proposed development is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.~~

~~(6) — The project's location and design adequately protects unique site characteristics such as those related to scenic views, natural vistas, waterways, and similar features.~~

~~(Ord. No. 91-1-5, § 2, 5-6-91)~~

~~Sec. 27-607. — Application fee.~~

~~The applicant shall pay a reasonable fee to be determined by the building official for the required notice requirements as provided for in this article.~~

~~(Ord. No. 91-1-5, § 2, 5-6-91)~~

~~Sec. 27-608. — Notice requirements.~~

~~(a) — In cases where the architectural review application is not part of another application submitted pursuant to this Code that also requires notice (e.g., development plan approval), the following requirements shall apply:~~

~~(1) — All property owners within two hundred (200) feet of the subject property, shall be sent notice of said application by certified mail.~~

~~(2) — Such notice shall be sent at least ten (10) days prior to the scheduled meeting.~~

~~(b) — In cases where the architectural review application is part of another application submitted pursuant to this Code (e.g., development plan approval), the notice requirements of the other application shall be followed.~~

~~(Ord. No. 91-1-5, § 2, 5-6-91)~~

~~Sec. 27-609. — Procedure for appeal.~~

~~Any administrative decision that is made by any city official or board in the administration or enforcement of this article, may be appealed within fifteen (15) days of said decision to the community development board as provided for in article III.~~

~~(Ord. No. 91-1-5, § 2, 5-6-91; Ord. No. 2010-14, § 56, 9-7-10)~~

~~Sec. 27-610. — Penalties.~~

~~Whoever violates any provision of this article shall be punished as provided in section 1-12 of the Code of Ordinances.~~

~~(Ord. No. 91-1-5, § 2, 5-6-91)~~

~~Secs. 27-611—27-620. -- Reserved.~~

Section 2. The Ordinance shall become effective on after passage by the City Council.

VOTE RESULTS OF FIRST READING AND PUBLIC HEARING:

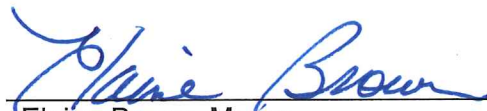
Mayor Elaine Brown	Y
Vice Mayor Scott Wiley	Y
Councilor Rory Diamond	Y
Councilor Richard Arthur	Y

Passed on First Reading this 1st day of May, 2017.

VOTE RESULTS OF SECOND AND FINAL READING AND PUBLIC HEARING:

Mayor Elaine Brown	Y
Vice Mayor Scott Wiley	Y
Councilor Rory Diamond	Y
Councilor Richard Arthur	Y
Councilor Fred Jones	Y

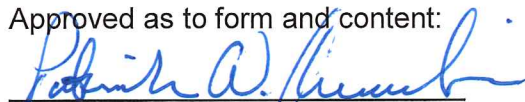
Passed on Second and Final Reading this 5th day of June, 2017.


Elaine Brown, Mayor

ATTEST:


Amanda Askew, Acting City Clerk

Approved as to form and content:


Patrick Krechowski, City Attorney

