

PROPOSED

ORDINANCE NO. 2018-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO DESIGN STANDARDS; AMENDING SECTIONS 5-193, 39-133, AND 39-294 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), ESTABLISHING DESIGN STANDARDS IN UNINCORPORATED BROWARD COUNTY; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 5-193 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 5-193. Application for final site plan approval.

...

(c) *Submission requirements.* An application for final site plan approval shall include a development plan, the overall size of which shall be 24" x 36", drawn at a scale not less than 1" = 50', unless submitted electronically, and shall include the following:

...

(26) Design Review. Applications that require design review pursuant to Section 39-294(n) of the Broward County Code of Ordinances shall submit the following:

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- 1 a) Color architectural elevations of each façade fronting a public
2 street other than an alley;
3 b) Paint chips and an identification of each building element to be
4 painted with the color indicated on each paint chip; and
5 c) Photographs of the materials to be used for each building
6 element.
7

8 Section 2. Section 39-133 of the Broward County Code of Ordinances is
9 hereby amended to read as follows:

10 **Sec. 39-133. Duty to maintain property; nuisances.**

11 ...
12 (e) It shall be the responsibility of all property owners of developed land to
13 maintain buildings, ~~and structures,~~ and grounds on their property in a state of good
14 repair. "State of good repair" shall mean:

- 15 ...
16 (4) Site plans. All property, including buildings, structures, and grounds, shall
17 be maintained in accordance with the approved site plan, including, but
18 not limited to, parking and loading areas, ingress and egress, landscaping,
19 signage, and design standards.
20 ...

21
22 Section 3. Section 39-294 of the Broward County Code of Ordinances is
23 hereby amended to read as follows:
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1 **Sec. 39-294. General provisions.**

2 ...

3 (n) Design Standards.

4 (1) General purpose and intent. Commercial districts are predominantly
5 located along major roadways with high traffic volumes and visibility. The
6 corridors serve as gateways to the residential neighborhoods and largely
7 establish a community's image. Broward County recognizes it has a
8 responsibility to provide a safe and desirable public realm and that the
9 success of both the residential and commercial districts is related to the
10 provision of high quality urban design. The intent of these design
11 standards is to regulate the design of individual buildings and sites. These
12 design standards shall not regulate signs that are regulated by
13 Chapter 39, Article VI, located within the B-1, B-2, B-3, B-4, RSO, and
14 RMO zoning districts.

15 (2) Compliance. The following projects shall comply with the design
16 standards set forth herein:

17 a. All new buildings and structures for which a development permit is
18 obtained after the effective date of this Ordinance, except signs that
19 are regulated by Chapter 39, Article VI, and located within the B-1,
20 B-2, B-3, B-4, RSO, and RMO zoning districts;

21 b. All commercial economic development projects funded through
22 Broward County;

23 c. All commercial projects that require site plan approval per
24 Section 5-181 of the Broward County Code of Ordinances; and

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1 d. Exterior renovations as follows:

2 1. Changes to an existing building or structure that meet or
3 exceed the standard of twenty percent (20%) of the existing
4 floor area or twenty percent (20%) of the appraised value of
5 the existing building or structure, as determined by the
6 Broward County Property Appraiser. Changes to the floor
7 area and the appraised value of existing buildings or
8 structures shall be aggregated over a five (5) year period to
9 determine the applicability of the design standards.

10 2. To the extent not addressed in paragraph 1., existing
11 buildings shall comply within five (5) years after the effective
12 date of this Ordinance.

13 (3) Administrative Amendment. The Planning and Development Management
14 Division Director, or designee, may approve adjustments to colors that are
15 consistent with the approved design.

16 (4) Definitions.

17 a. Accent color shall mean the color used on wall signs, awnings, and
18 doors.

19 b. Banding shall mean horizontal subdivisions of a wall accomplished
20 through a change in profile or a change in materials.

21 c. Base color shall mean the color used on the majority of a building's
22 vertical surface.

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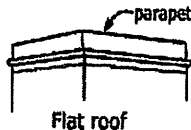
1 d. *Building elements* shall mean parts of a building such as walls,
2 bandings, cornices, moldings, parapets, windows, awnings,
3 canopies, roofs, doorjambs, frames, sills, shutters, or fasciae.

4 e. *Cornice* shall mean a horizontal decorative molding that crowns a
5 building, door, or window.

6 f. *Material* shall mean the composition of building elements such as
7 metal, brick, stone, wood, and concrete.

8 g. *Molding* shall mean a decorative raised surface along the edge of
9 an architectural feature such as a wall, door, window, or column.

10 h. *Parapet* shall mean a low wall or barrier at the edge of the roof.



12
13 i. *Texture* shall mean the surface characteristics, grains, and patterns
14 of a material, such as striped, blocked, pebbled, brushed, or
15 smooth.

16 j. *Transom light* shall mean a flat glass panel above a door, usually
17 multi-paned.

18 k. *Trim color* shall mean the color used on windows or doorjambs,
19 frames, sills, shutters, or fasciae.

20 (5) *Visual interest.* To avoid monotony of design, front and street side exterior
21 walls consisting of a single undifferentiated plane with a single color or
22 texture are prohibited. Differentiation may be achieved by using a
23 combination of ornamentation, pattern, and composition as listed below:
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<u>Type</u>	<u>Requirement</u>
<u>Ornamentation and form</u>	<u>At least one (1) of the following:</u> <u>a. Building and door cornices.</u> <u>b. Building cornices and door and window awnings or canopies.</u> <u>At least one (1) of the following:</u> <u>a. Trim and sill work.</u> <u>b. Columns and banding.</u>
<u>Colors</u>	<u>a. Buildings shall have one (1) base and one (1) trim color.</u> <u>b. One (1) additional accent color is permitted but not required.</u>
<u>Materials and textures</u>	<u>Buildings shall have at least two (2) materials or textures.</u>

(6) Roofs. Flat roofs shall be designed with parapets at least forty-two (42) inches high on all façades.

(7) Windows, doors, and entrances.

- a. At least one (1) entrance door of each building shall face the arterial or collector roadway and be emphasized through features such as moldings, arches, transom lights, sidelights, or tilework.
- b. Entrances from the sidewalk shall be inset to allow doors to open without encroaching upon the sidewalk.

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1 c. First floor windows that consist of clear glass shall occupy at least
2 fifty percent (50%) of the first floor street-side elevation. Glass shall
3 be a minimum of eighteen (18) inches above the sidewalk.

4 (8) Outdoor equipment. Except for rooftop photovoltaic solar systems
5 installed in accordance with Section 39-109 of the Broward County Code
6 of Ordinances, all heating, ventilation, air conditioning, electrical,
7 mechanical, and similar equipment shall be completely screened from
8 view or isolated so as to not be visible from any adjacent public
9 right-of-way or residential zoning district. Any screening shall be designed
10 to maintain a uniform appearance with the rest of the building.

11 (9) Prohibitions. Neon tubing as well as neon, fluorescent, iridescent,
12 metallic, and similar colors are prohibited.

13 (o) Setback Waiver. Required setback distances set forth herein shall be
14 waived by ten percent (10%) up to a maximum of one (1) foot for any existing and
15 completed commercial building or structure that exists prior to the effective date of this
16 Ordinance.

17
18 Section 4. SEVERABILITY.

19 If any portion of this Ordinance is determined by any Court to be invalid, the
20 invalid portion shall be stricken, and such striking shall not affect the validity of the
21 remainder of this Ordinance. If any Court determines that this Ordinance, or any portion
22 hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies),
23 or circumstance(s), such determination shall not affect the applicability hereof to any
24 other individual, group, entity, property, or circumstance.

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1 Section 5. INCLUSION IN CODE.

2 It is the intention of the Board of County Commissioners that the provisions of
3 this Ordinance shall become and be made a part of the Broward County Code; and that
4 the sections of this Ordinance may be renumbered or relettered and the word
5 "ordinance" may be changed to "section," "article," or such other appropriate word or
6 phrase in order to accomplish such intentions.

7
8 Section 6. EFFECTIVE DATE.

9 This Ordinance shall become effective as provided by law.

10
11 ENACTED

12 FILED WITH THE DEPARTMENT OF STATE

13 EFFECTIVE

14
15 Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

16
17 By Maite Azcoitia 11/28/17
Maite Azcoitia (date)
Deputy County Attorney

18
19 Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

20
21 By Joseph K. Jarone 11/28/17
Joseph K. Jarone (date)
Assistant County Attorney

22
23 MA/JKJ/gmb
11/28/17
24 Design Standards Ord.doc
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