

Chapter 16B PROPERTY MAINTENANCE AND APPEARANCE IN REVITALIZATION AREA*

*Editor's note--Ord. No. 945-89, <sec> 1, adopted Mar. 1, 1989, amended the Code by adding Chs. 16B and 16C. For purposes of classification, at the discretion of the editor, provisions designated as Ch. 16B, Arts. I--IV, have been included herein as Ch. 16B, Art. I, Divs. 1--4; and provisions designated as Ch. 16C, Arts. I, II, <sec><sec> 16C-1--16C-8, have been redesignated as Ch. 16B, Art. II, Divs. 1 and 2, <sec><sec> 16B-41--16B-48.

Subsequently, Ord. No. 954-89, <sec> 2, adopted July 5, 1989, repealed the provisions which had been included as Art. I, which consisted of <sec><sec> 16B-1--16B-25 and pertained to building maintenance and appearance standards.

Cross reference(s)--Building regulations, Ch. 7; code enforcement and abatement of nuisances, Ch. 9A; building maintenance and appearance code, <sec> 9A-18 et seq.; planning, Ch. 16A; streets and sidewalks, Ch. 20; zoning, Ch. 26.

Art. I. Reserved, <sec><sec> 16B-1--16B-40

Art. II. Urban Design and Architectural Review Committee, <sec><sec> 16B-41--16B-48

Div. 1. Generally, <sec><sec> 16B-41--16B-47

Div. 2. Plan Review, <sec> 16B-48

ARTICLE I. RESERVED*

*Note--See the editor's note to the title of this chapter.

Secs. 16B-1--16B-40. Reserved.

ARTICLE II. URBAN DESIGN AND ARCHITECTURAL REVIEW COMMITTEE*

*Note--See the editor's note to the title of this chapter.

Cross reference(s)--Building maintenance and appearance code, <sec> 9A- 18 et seq.

State law reference(s)--Community redevelopment, F.S. <sec> 163.330 et seq.

DIVISION 1. GENERALLY

Sec. 16B-41. Created.

There is hereby created a urban design and architectural review committee for the City's revitalization area for the purpose of carrying out certain provisions of the zoning ordinance and the City's building appearance and maintenance act.

(Ord. No. 945-89, <sec> 1(16C-1), 3-1-89)

Sec. 16B-42. Powers and duties.

The committee shall have the following powers and duties:

- (a) To adopt its own procedural guidelines.
- (b) To conduct public meetings and call special meetings.
- (c) Within the boundaries of the City's revitalization area as identified on the City's zoning maps, the committee shall review and approve all plans for new construction or improvements that would modify a site or building exterior, prior to issuance of a building permit.
- (d) Within the boundaries of the revitalization area as identified on the City's zoning maps, the committee may review any sign plans prior to issuance of sign permits.
- (e) Within the revitalization area established by the City Council, in accordance with Florida Statutes Chapter 163, Part III, the committee shall have the authority and responsibility to carry out the provisions of the City's building appearance and maintenance act.

(Ord. No. 945-89, <sec> 1(16C-2), 3-1-89)

Sec. 16B-43. Composition.

The committee shall consist of seven (7) members who shall be appointed by the City Council as follows:

- (a) One member from the City revitalization committee;
- (b) One member from the City planning board; and
- (c) Five (5) design and development professionals.

Committee members must reside or have their principal place of business in the City and shall serve without compensation. One alternate member shall be appointed to serve in the absence of a regular committee member.

(Ord. No. 945-89, <sec> 1(16C-3), 3-1-89)

Sec. 16B-44. Terms.

The terms of office of the members of the committee shall be four (4) years. If a vacancy occurs, a new appointment shall be made by the City Council for the unexpired term. Members may be removed for cause by the City Council.

(Ord. No. 945-89, <sec> 1(16C-4), 3-1-89)

Sec. 16B-45. Officers.

The committee shall elect from its membership a chairperson, vice chairperson and secretary who shall serve for terms of one year and who shall be eligible for reelection. The chairperson shall preside over the committee and shall have the right to vote. In the event of absence or disability of the chairperson, the vice chairperson shall perform the duties of the chairperson. If both are absent, a temporary chairperson shall be elected by those present. The secretary to the committee shall have the following duties:

- (a) Oversee the recording, publication and distribution of the meeting minutes and reports of the committee.
- (b) Give notice as provided herein or by law for all public meetings conducted by the committee.
- (c) Advise the Mayor of vacancies on the committee and expiring terms of members.

(Ord. No. 945-89, <sec> 1(16C-5), 3-1-89)

Sec. 16B-46. Meetings.

The committee shall schedule meetings upon receipt of applications for plan review or as needed to carry out its duties, and in accordance with its procedural guidelines. Notice in advance of the meetings shall be given to the news media. All meetings of the committee shall be open to the public and a public record shall be kept of the committee resolutions, proceedings and actions.

A quorum shall consist of four (4) members, two (2) of which must be appointed design professionals. Approval of all resolutions and actions shall require a simple majority.

(Ord. No. 945-89, <sec> 1(16C-6), 3-1-89)

Sec. 16B-47. Effect of committee's actions; appeals; variances.

The urban design and architectural review committee's actions under the terms of subsections 16B-42(c) through (e) of this division shall be deemed as administrative actions and shall be reviewable by appeal to the City Council. In cases where variances are requested, applications shall be made in accordance with Division 2 of this article, but only after applications for plan review have been received and reviewed under the requirements of this article.

Any application for plan approval necessitating variances shall not receive final action by this committee until such variance requests are acted upon by the board of adjustments.

(Ord. No. 945-89, <sec> 1(16C-7), 3-1-89)

DIVISION 2. PLAN REVIEW

Sec. 16B-48. New construction, renovations and rehabilitation.

- (a) Technical assistance. The City's development review committee shall provide technical assistance to the urban design and architectural review committee in determining compliance with this chapter.
- (b) Applications. Applications for plan review should be made to the Planning and Zoning Director (revitalization officer), who will be responsible for distribution of plans and supporting documentation to the City's development review committee.
- (c) Review process. The development review process for new construction and renovations/rehabilitation shall follow the steps outlined for the City's development review committee in section 26-10(5) of this Code, and provide the information required by section 26-10(5) and by section 16B-20 of this Code.
 - (1) Review by development review committee and other agencies. Any new construction and renovation / rehabilitation of structures in the revitalization area shall follow the basic review procedure outlined below. It is suggested that any developer or property owner undertaking work in the revitalization area call the City's revitalization officer for a preapplication conference.
 - A. Application for a development review committee permit is obtained from the City Zoning and Planning Department, 124 Harvey Street, Punta Gorda, Florida 33950;
 - B. If the proposed project is in a 100-year floodplain then a determination will be made by the City building official concerning the need for a City Council FEMA variance;
 - C. A preliminary plan review of the proposed new construction or renovation/rehabilitation is made by the development review committee and discussed with the applicant;
 - D. Following preliminary plan review the plans shall be forwarded to the urban design and architectural review committee for their determination of compliance with the city's adopted building maintenance and appearance act and business facade improvement guidelines; and

- E. Upon UDARC approval and/or recommendation for modification the development review committee shall hold a final plan review meeting with the applicant.
- (2) Other permits. Following approval of the final plan by the development review committee and the urban design and architectural review committee, project plans shall follow the standard procedure for a building or sign permit.

(Ord. No. 945-89, <sec> 1(16C-8), 3-1-89)

Cross reference(s)--Development plan approval, <sec> 26-10(5).