

TOWN OF WELAKA

ZONING BOARD MEETING AGENDA

January 24, 2023 at 6:00 PM
Honorable Willie Washington, Jr. Town Council Room
400 4th Ave., Welaka, FL 32193

(This meeting will be broadcast, for view only, on the Town of Welaka Facebook page)

1. **CALL TO ORDER** by President David Jeltos
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL** by Town Clerk, Meghan Allmon
 - Chairman David Jeltos
 - Lenore Toole
 - Les Thomas
 - James Crumbley No longer a Board Member as he's a Town Employee (Town Clerk notified him on 12/30/2022)
 - Town Attorney Patrick Kennedy
4. **APPROVAL OF PREVIOUS MINUTES:**
 1. August 18, 2022 Meeting Minutes
 2. September 15, 2022 Meeting Cancelled
 3. October 20, 2022 Meeting Cancelled
 4. November 17, 2022 Meeting Cancelled
 5. December 15, 2022 Meeting Cancelled
5. **OLD BUSINESS:** None.
6. **NEW BUSINESS:**
 1. ORD 2023-02 – Welaka Architectural Standards (First Draft)
 2. Orange County FL Architectural Standards & Guidelines for Commercial Buildings & Projects
 3. Town of Ingles Architectural Design
7. **REQUEST TO SPEAK**
8. **PUBLIC COMMENT**
9. **ADJOURN**

SECTION 3.

(ROLL CALL: James Crumbley)

Town Clerk

From: Town Clerk
Sent: Friday, December 30, 2022 10:19 AM
To: James Crumbley
Cc: Town Attorney; Jamie Watts; Town Clerk
Subject: Zoning Board Membership

Good Morning James,

Per the Town's regulations, as you are an employee for the Town of Welaka, you can no longer be an active member of the Welaka Zoning Board.

Thank you kindly for your understanding.

Very Best Regards,

Meghan E. Allmon

Town Clerk

Town of Welaka

400 4th Avenue

Welaka, FL 32193

TownClerk@welaka-fl.gov

www.Welaka-fl.gov



Welaka, FL
River of Lakes

SECTION 4.1.

(PREVIOUS MINUTES: August 18, 2022 Meeting Minutes)

**TOWN OF WELAKA
ZONING BOARD MEETING**

August 18, 2022 @ 6:00 P.M.
Honorable Willie Washington, Jr. Council Room
400 4th Ave., Welaka FL 32193

MINUTES

1. **CALLED TO ORDER** at 6:00 PM
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALLED** by Town Clerk, Meghan Allmon: Chairman David Jeltres-present; Lenore Toole-present; Les Thomas-absent; Bryant Spooner-absent (no longer a Zoning Board Member, as of 8/16/22), James Crumbley-present; Town Attorney Patrick Kennedy-present.
4. **APPROVAL OF PREVIOUS MINUTES:**
 1. June 16, 2022 Zoning Board Meeting - Motion Made by Toole and Motion Seconded by Crumbley. Passed 5/0.
 2. July 21, 2022 Zoning Board Meeting was cancelled.
5. **OLD BUSINESS:** Boundary Survey being part of Permit Packages is mandatory now. Needs to be on the September Town Council Meeting Agenda. Not the site plan, just the boundary survey.
6. **NEW BUSINESS:**
 1. Wheeler – Appeal of Permit Denial, 101 Village Drive Accessory Building
Town Attorney said Mr. Wheeler is here to speak. He has a shed in his front/side yard. He has an odd-shaped property. The shed is already there. He didn't have a permit but ordered the shed and it was delivered. He thought the shed was imminent. The ORD says you cannot have the shed in the side yard where you had road frontage, and it needs to go in front of the Zoning Board.

Wheeler – Said he came to Town Hall and talked to Jennifer McDaniel for all info for the property. He went off the rules has in his hand, paperwork from Jennifer. It was surveyed and there were setback and nowhere in the papers does it say he cannot have a shed on his property next to his home. He said the Town Attorney told Kendrea that he needed pictures of the property and a site plan form sent to Kendrea. He did this on a Monday and was ready for the inspector on Wednesday. He went ahead and had the shed delivered and anchored down. On 6/27/22 he was told the plan and was denied until 7/19/22. He looked around at his neighborhood and saw other sheds.

Thomas - The building is already there? Wheeler – yes.
Town Attorney - the shape of the property is that he has the shed facing the roadway and it's not allowed. It's highly visible and it right on 308B.

Jeltes - He cannot find a definition of side yard anywhere and our Zoning ORD is very old. Town Attorney and Thomas - there is a corner side yard definition in the ORD. He's 21 feet from the property, more than enough. Town Attorney – we walked his yard and he's well off the setbacks.

Town Attorney – He backs him up. We cannot enforce the homeowner's association, we must enforce the Zoning ORD. He received a permit and technically the ORD does not allow a mobile home, but this was allowed from Jennifer McDaniel in the past. They're not workable.

Toole – Page 10 of the packet, there is side yards verbiage.

Wheeler and Town Attorney – this is the first he's heard of this as it's in the ORD. Toole – read the ORD section definition and asked if the shed is still on skids? Wheeler - yes. Toole – can you gently slide it to the back of your home? Wheeler – he hasn't got to the back yard yet and wants a pool out back with a patio. He's been working on the yard a lot and the back yard has a crown. Jeltes – Agree to let him leave it there for the time being? Toole – how long do you need? Wheeler – 90 days. Thomas – needs more than 90 days. Toole - let's give you 180 days, 6 months. Wheeler – yes, that'd be great. Jeltes – if he has plans for the back of his home, where will he put the shed? Town Attorney – it'll give him time to slide it to the back of his home. Jeltes and Toole looked at the site plan drawing with Wheeler. Town Attorney – if he moves it to the back and past the line of the end of the edge of the house, that'll be acceptable. Toole – it has to be 4' from the back fence. Wheeler – said he could live with this.

Toole – Made a motion to accept. Thomas made a second to accept. Passed 5/0.

2. River Ridge Cottages RV Park Plan

Town Attorney - McCoy is in attendance and is interested in purchasing the property. It's zoned Tourist Commercial (campground, fish camp, tourist attracted property).

McCoy – he submitted 2 sets of plans. The latter set handed out tonight at the meeting at 6 PM. 25-36' lot, the original plat, would be the exact same thing to be approved there. There are 23 lots to make the lots a little larger. He hasn't found any maps from the Town for utilities. McCoy owns the pink house on the river there and he pays the utilities for it so he assumed there's small cabins and small homes that can go there.

Toole - a restaurant to be built too? McCoy – plans to use the existing restaurant that's there.

Toole - not all the lots to be used? McCoy – yes, the yellow lots. Wants there to be room for cars to pull through.

Town Attorney – Tyler and Mayor are here to speak on the utilities.

Toole – Prior developer planned that the back lots 8-13 were supposed to have garages under and homes on top. He planned to pave Palmetto to Orange also.

McCoy – Cabins in the main areas. Decorative fence around the whole area also. Very high class.

Toole – RV park? How to get RV's in there? McCoy – down Palmetto possibly. Toole said there's historical and large trees and RVs cannot fit under those trees.

Town Attorney – trees need to be trimmed for firetrucks so maybe we should investigate that also.

Thomas – small house/tiny house, and the others are RVs? McCoy – yes. Thomas – are the tiny houses permanent? McCoy – new age tiny homes. Jeltes – remove the wheels under the tiny homes? McCoy – yes, they can if required. Town Attorney – how long can people stay? McCoy – if they rent the spot for? McCoy – people cannot purchase the lots individual, just rent.

Thomas – the Marina got approved with the previous owner? Town Attorney – submerged Land Lease needs to be signed and needs to come to the Town Council. The concept was approved

before.

McCoy – what he's proposing would be a few finger docks off the left-hand side of their new, proposed docks. Concrete pilings and floating dock.

Jeltes – we want to keep the aesthetics up and not like a rundown trailer park. How can people turn their vehicle around in that area? McCoy – in the first picture, it shows where the vehicles could back into spots. Jeltes – parking on 1st Avenue? That road needs to be improved. He wouldn't want to be driving my RV over that road to get banged up. Along the back 20-14, there's residential property close there. Those homeowners may be concerned. Town Attorney – fencing, vegetation needs to be there also.

McCoy – 7-8 to the corner with the aesthetic look, cabins along the main road. Jeltes – minimal square footage on there? Town Attorney – only on residential and this cannot turn into permanent homes for people. 700 sq. ft. is for residential and there's no minimal requirement for commercial.

Town Attorney – Welaka Lodge cabin sizes? Will (from audience) – they're all around 400 sq. ft.

Crumbley – extra parking? McCoy – existing 3 units back there. McCoy owns one and another guy owns the other ones. McCoy – wants people to park on their own lots, not in a parking area.

Toole – What's your boundary survey say? McCoy – the plat that was approved is about 65' deep from the road but they have it marked but nobody wants to take on this project. Town Attorney – His image is showing all 65' back and RV's have hook ups, so you have to allow spacing for this.

Toole – side boundary to the north, if those became RV parking spots, could you give them access to go in there and come out a different way? McCoy – he'd love that but there wouldn't be enough room. Thomas – more important to have a buffer against the residential homes there. There's an existing fence but needs to be done.

Jeltes – traffic pattern can be going up and down Elm St. and people are fussing about boats coming down there and on Front St. A new traffic pattern may be needed, if possible.

Town Attorney – 6 months could be possibly the longest term for long-stay RV's, just nobody permanently living there.

Thomas – likes McCoy's plan. Toole – very encouraged to do this and has homework to do.

McCoy - his money goes hard tomorrow. All cabins and not RV's is a thought. Some Welaka Lodge people wanted to move over here. Thomas – Thomas said we'd all like a tiny home village rather than RV's.

Mayor Watts and Tyler Buford: Mayor – our WWTP is barely working and we're facing challenges to maintain DEP standards. An RV Park puts chemicals in their toilet and if it goes into our plant, it's a biological process and the WWTP has a big concern that it'll ruin the plant. We'd advise against an RV park because of the WWTP condition right now.

Jeltes – Cabins/cottages use the same chemicals in the sewer?

Mayor – no, permanent sewer is need.

Mayor/Tyler – gravity feed sewer lines and a pumping station close by.

Mayor – we cannot have anything overflowing. It'll go into the river.

McCoy – can we do a dye test for the piping condition? Mayor – yes and calculate the math with the number of gallons and chemicals that end up in our WWTP.

Toole – fulltime campers at Welaka Lodge, how are they handled? Since they're long-term residents there, they don't have to use the harsh chemicals. McCoy – how can he promote more a permanent residence at Welaka Lodge or nightly? McCoy – we can talk it about with the Mayor.

McCoy – tiny house idea ok? Crumbley – tiny homes cannot be on wheels. 400 sq. ft. or larger must be strapped down and onto pads, more permanent homes. McCoy – will run the numbers to see if he buys tiny homes already made and on wheels or built on site.

Toole – we'd put a restriction on the size of the tiny homes, some want 1 or 2 or 3 bedrooms, etc.
Jeltes – old meeting minutes may say the minimal home requirements but was never set in stone.
Town Attorney – lot lines. He can do that because you're a commercial property and needed or adjust as needed. Town Attorney pulled it up on his computer to double-check.
Jeltes – need to be a walk-way access in between buildings or not.
McCoy – thanked everyone.

3. Liane Batten – Porky's Southern BBQ, LLC - Food Truck in Welaka
Town Attorney said she has a mobile food vending BBQ business. Little mix up where she can park at Town Hall. He asked if anyone has any history of this from the past? Toole – replied no.
Town Attorney – Food Trucks are a thing now and people can promote them as viable businesses them now. Out Town Code doesn't address it and we need to update our ORD codes. Can we accommodate mobile vendors within C1 and C2 on commercial properties?
Jeltes – does she want a resolution tonight? Town Attorney – she just needs guidance.

Liane spoke at the podium. Mayor approved her to be out front of the Town Hall, but Town Attorney explained to her that this cannot happen on Town Hall property.
She'd love to have her mobile food truck somewhere here in Town on commercial property. Will Welaka allow her to come in onto someone's commercial property? She has 2 people in mind to ask. It's strictly BBQ. Lots of money and time has gone into her project. She was a previous business owner in Welaka at the salon in Lexi's and would like to be in Welaka. The topic of BBQ came up and lots of people are asking her but due to zoning issues, she'd like to be in Welaka Monday, Wednesday and Fridays.

Thomas – are you set up anywhere yet? Liane – she loved Welaka and prefers to set up here.
Town Attorney- outdoor seating also? Liane – no.

Thomas – Hog Wash used to set up at the Log Cabin sometimes.

Liane – would like to be a permanent fixture, 3 days per week.

Toole – no ORD regarding food trucks. The event we had was not permanent. She's concerned that any other food truck will come in also. Lots of other people are residents here and restaurant owners paying taxes here in Welaka and they struggle sometimes. We have to protect those that are here. If your business does not do well, you can pick up and leave. The other restaurant owners cannot do that. It's not fair. We need an ORD made and Toole does not give her permission to set up here.

Liane – she had a business here and was worried in the past that another salon would come to Town. When she went to get her commissary, it had to go through her home and business with the same jurisdictions as a restaurant. In Jacksonville, she had to provide the commercial property owners her insurance and health department docs, etc.

Toole – handicapped parking? Bathroom?

Liane – you do not need this with a food truck if it's strictly food take-out and no seating is provided.

Jeltes – maybe this is something we can put in our new ORD verbiage. He's considerate to Toole's statement that it's not fair to the local tax paying business owners here, brick & mortar. We will contemplate doing a food truck ORD.

Jeltes – anyone in the audience want to speak?

Michelle Bomba, restaurant owner – been in business over 40 years in Jacksonville. It was like a kick in her face. Why does she want to bring her talent to this Town to be kicked in the face. Spends thousands of dollars in taxes and property maintenance. All the local restaurants and businesses pay the taxes here. Fresh vegetables and healthy meals are available. Food trucks are going to come here from out of town and they do not live here. She brought her business here. She doesn't think our Town wants this. If it happens, she'll have to shut her business down and

does not want to come to Meetings.

Crumbley Wynn – Shrimp R' Us restaurant owner – 701 Front Street, Welaka. Many hundreds of thousands of dollars spent here in this Town. Mr. Morris bought 5,200 acres bought in this area and he does not want food trucks parked in this Town. Shrimp's has a large and wonderful BBQ pit. He pays \$11,800 in insurances and \$7,661 on Shrimps property taxes and \$74,475 sent to the state of FL for taxes and has 39 employees that he writes himself, not from a company. Every time someone comes in and takes away from the invested businesses in this Town, it hurts the established businesses. Do what Michelle Bomba and he did. Put a few hundred thousand dollars into the business and create a permanent restaurant. We are not a hick-town and don't want food trucks.

Jeltes – Town Attorney, should we vote on something? Town Attorney – thought this was an opportunity to start the discussion. Jeltes – the ORD is from 1983 and would be valuable to put food truck verbiage into the new ORD for approval or not in this Town. Town Attorney – the Town Council needs to address this, not the Zoning Board. If they want to peruse it or not.

Toole – made a Motion to forward to Town Council. Crumbley made a second. Passed 5/0.

Thomas – we didn't have a Public Hearing on the River Ridge Cottages. Town Attorney – said this presentation was just the initial visual ideas. Not hearing needed yet.

Town Attorney – Boat Museum, folks are interested in buying it but it is zoned C1. The building should not have been allowed C1 but the museum was allowed. Didn't seem like a big difference and it looks like a bug warehouse. When the property is for sale, people are going to be drawn to it for commercial.

Toole – whoever is interested in buying it will have to bring it to the Zoning Board for changes, if required.

Town Attorney – no decision is needed today, but these questions and concerns will come to you today. The owners or potential owners are in the audience now.

Gale and Dane. Lives in St. Johns County but plan to move here. Make me a murphy bed and he didn't like what he saw so he turned his hobby into a shop/warehouse, and he's been looking for a warehouse for a long time. He brought some property but hasn't been able to build or move his shop into there. His son helps make these murphy beds too. The C&C machine noise is not too loud, and he used to have a much louder sound.

He wants to move his manufacturing here. He makes 4-5 beds per week. He's sold 6 murphy beds to people in this area, and they love it here. He plans to put 3 murphy beds in a showroom, and it takes about 2 hours to install a bed in someone's home. He also does custom closets. He's from Kansas and wants to have a commercial warehouse business here.

Gale – her concerns are they need triple face power in this are, zoning, the noise. They went to the RPS roofing company here they make about the same amount of noise. Their business would be located where there's an Airbnb in front of them and a home behind them. 8-5 PM would be the normal working hours.

Jeltes – we do have a Noise ORD in place and especially at night.

Toole – it would have to be operated during normal business hours and deliveries also.

Thomas – It's zoned C1.

Town Attorney – C2 does not allow for manufacturing. The RPS Roofing place is C2 now.

Jeltes – he's inclined with the idea and give the neighbors a chance to come here to learn more about it.

Gale – They're under a contingent contract to move here now.

Town Attorney – minimal takes around 90 days. They'll know where they stand after the first

Town Council Meeting.

Jeltes – they can put in a Zoning Request within the next 5 days. Next Zoning Board Meeting is 9/15/22 and Town Council may know in the October 11th Town Council Meeting and will possibly pass in the November 8th Meeting, final hearing if they get their request submitted within the next 5 business days.

Gale and Dane – they’re leasing right now but they’re ready to move here and invite anyone to go see their warehouse now.

Toole – can you insulate the warehouse so it’s quieter? Dane would love to insulate to make it cooler. He’ll use the machine in the morning assemble in the evening. He does not like being late.

Jeltes – get your paperwork in so we can get you into the Zoning Meeting next month.

7. REQUEST TO SPEAK: None

8. PUBLIC COMMENT: Janis Browning –707 1st Avenue, Welaka. Her back yard is where River Ridge plans to be developed. The past plan was a vintage visage. She has an example on tiny homes that are attractive and small and instead of what McCoy is proposing. She passed out a picture to the Board Members only. She said to redesign the lots to be wider so people can park their boat if needed.

Jeltes – very specific to this was ideas in the past also, that looked like what Janis is proposing, Erin Jeltes (audience) – last guy that came though was proposing small homes around 1,000 sq. ft.

Janis – looks like tiny Victorian homes. She’s unhappy about the storage areas purchased also. On Second, across from McCoy.

Thomas – is there some type of architecture regulations that we can restrict McCoy to do with his vision?

Town Attorney – we can suggest and discuss our vision of homes to River Ridge Cottages.

9. ADJOURNED at 7:48 PM

SECTION 6.1.

**(NEW BUSINESS: ORD 2023-02 – Welaka Architectural Standards)
(First Draft)**

45 If any portion of this ordinance is for any reason held invalid or unconstitutional by any
46 court of competent jurisdiction, such portion shall be deemed separate and such holdings shall not
47 affect the validity of the remaining portions.
48

49 SECTION 5. INCORPORATION. The Town Clerk or Town Attorney are hereby authorized and
50 directed to incorporate the provisions of this Ordinance into the Town’s unified Land Development
51 Code, renumbering and formatting as needed to be consistent with the numbering and formatting
52 of the Land Development Code.
53

54 SECTION 6. EFFECTIVE DATE
55

56 This Ordinance shall take effect upon adoption.
57

58 PASSED by the Town Council for the Town of Welaka on FIRST READING on the ____ day of
59 _____, 2023.
60

61
62 DONE, ORDERED AND ADOPTED by the Town Council for the Town of Welaka on SECOND
63 READING on the ____ day of _____, 2023.
64

65
66
67 ATTEST:

SIGNED:

68
69
70
71 _____
72 Meghan E. Allmon, Town Clerk
73

74
75
76
77 _____
78 Jamie D. Watts, Mayor
79

80 Approved as to form and legality:
81
82

83
84
85
86
87
88
89
90
91 _____
92 Patrick Kennedy, Town Attorney

91 **EXHIBIT A - ORDINANCE 2023-02**

92 **Town of Welaka Architectural Standards**

93
94
95 1. Purpose and intent. It is the purpose of this section to provide general guidelines relating to the
96 architectural design of development and redevelopment for primary and accessory commercial
97 buildings or structures, regardless of how they are used, located in the Town of Welaka's C-1 and
98 C-2 zoning districts, unless otherwise stated herein. However, in order to create a more
99 harmonious built environment, all development, including residential, should use the following
100 standards as guidelines for community compatibility.

101
102 2. Applicability. These architectural standards shall apply to new development, and redevelopment
103 or renovation of an existing building, including accessory buildings or structures, that changes
104 more than fifty (50) percent of a primary or secondary facade. The fifty (50) percent facade
105 remodeling or renovation standard only applies to that building facade undergoing renovation or
106 redevelopment. New development or building expansion greater than fifty (50) percent in gross
107 floor area, shall require full structure compliance. to the erection of any building or structure on
108 land within the Town of Welaka town limits after the effective date of this Ordinance.

109
110 a. Exceptions.

- 111
112 1. Where an unexpired town-approved development order or unexpired town-
113 approved development agreement issued prior to the effective date of this
114 Ordinance, court order, or other legally binding document which authorizes
115 development applies to the site, the standards in the legally binding document shall
116 apply, provided the work on the building or structure commences and has its first
117 meaningful inspection of the vertical elements of the structure within 180 days from
118 the date of permit issuance.
- 119 2. Accessory building or structures not expressly prohibited herein, provided

- 120
121 b. Variance. A variance from these architectural standards may be granted by the Planning
122 and Zoning Board provided the proposed development will otherwise conform to the
123 general guidelines contained herein and Planning and Zoning Board determines, after a
124 public hearing, that the proposed development meets all the criteria for a variance to the
125 Town's land development code.

126
127 3. Enforceability. The Planning and Zoning Board shall review plans for any buildings or
128 structures which apply to the architectural guidelines.

129
130 4. Submittals. To ensure compliance with these architectural standards, the applicant shall submit
131 as part of the appropriate development approval application (i.e. a building permit application),
132 elevation drawings with enough detail to ensure that the proposed building or structure meets the
133 intent of this section.

134
135 5. Architectural Standards.

136

- 137 a. Buildings or structures which are part of a present or future group or complex shall have a
138 unity of character and design. The relationship of forms and the use, texture and color of
139 materials shall be such as to create a harmonious whole. When the area involved forms an
140 integral part of, is immediately adjacent to, or otherwise clearly affects the future of any
141 established section of the Town, the design, scale and location on-site shall enhance rather
142 than detract from the character, value and attractiveness of the surroundings.
143
- 144 b. Buildings or structures located along strips of land or on single sites and not a part of a
145 unified multi-building complex shall strive to achieve visual harmony with the surrounding
146 development. If the buildings are in undeveloped areas, three primary requirements must
147 be met: proper design concepts, honest design construction and appropriateness to
148 surroundings.
149
- 150 c. All facades visible to public or adjacent property shall be designed to create a harmonious
151 whole. Materials shall express their function clearly and not appear as a material foreign to
152 the rest of the building.
153
- 154 d. It is not to be inferred that buildings must look alike to be of the same style or to be
155 harmonious. Harmony can be achieved through the proper consideration of scale,
156 proportions, site planning, materials, and color.
157
- 158 e. Buildings which are of symbolic design for reasons of advertising, unless consistent with
159 the requirements of this section, and buildings which are not compatible to the
160 surroundings will not be approved. Symbols attached to buildings will not be allowed
161 unless they are secondary in appearance to the building and landscape and are an aesthetic
162 asset to the building project and neighborhood.
163
- 164 f. Exterior lighting may be used to illuminate a building and its grounds for safety purposes
165 but in an aesthetic manner. Lighting is not to be used as a form of advertising in a manner
166 that is not compatible to the neighborhood or in a manner that draws considerably more
167 attention to the building or grounds at night than in the day. Lighting following the form
168 of the building or part of the building will not be allowed if the overall effect will be garish
169 or detrimental to the environment. All fixtures used in exterior lighting are to be selected
170 for functional and aesthetic value, and shall be installed in a manner that shields them from
171 direct illumination of neighboring properties.
172
- 173 g. All exterior forms, attached or not attached to buildings, shall be in conformity to and
174 secondary to the building. They shall be an asset both to the aesthetics of the site and the
175 neighborhood.
176
- 177 6. Compliant Architectural Elements. The following architectural element are considered
178 consistent with the Town's architectural standards:
179
- 180 a. Open air front porches or wrap around porches;
181
- 182 b. Gable, hipped or mansard type roofs;

- 183
184 c. Second story balconies;
185
186 d. Decorative roof treatments, including but not limited to, pediments, dormers, ridge
187 cresting, entablature, decorative bridgeboard, decorative shingles, etc.;;
188
189 e. Decorative window treatments, including but not limited to, louvered shutters, double-
190 hung windows, arched windows, transoms, stained glass, etc.
191
- 192 7. Guidance. The following examples of architectural design are provided from examples present
193 in the Town today. These styles should not be considered as mandatory designs, rather as general
194 indications of the types of styles considered by the Town to be consistent with historical
195 development trends. Specific architectural attributes or characteristics may be mixed between the
196 period structures shown to produce an aesthetically pleasing design.
197
- 198 a. Colonial. This classic American style of architecture has been an architectural mainstay
199 since the 1600s. Over the years, it has evolved into many variations, each inspired by the
200 settlers who built it and the region it was built in. However, the common characteristics
201 include a rectangular shape and symmetrical construction, two to three stories tall, double-
202 hung windows with shutters, and a pitched roof. Commonly constructed with an unpainted
203 or painted brick veneer, but clapboard siding is not a-typical.
204
- 205 b. Craftsman. These cozy bungalows came out of the Arts and Crafts movement of the early
206 20th century. Rustic and streamlined, they emphasize simple forms and natural material.
207 They have open floor plans, wide covered porches, exposed beams and gabled roofs,
208 natural colors, simple unadorned forms, and clapboard or lap siding
209
- 210 c. Victorian. The Victorian style broadly refers to anything that was built during the reign of
211 Queen Victoria of England from 1837 to 1901. The elaborate homes of the period include
212 the popular Queen Anne style as well as what we refer to as "Victorian." It is typically a
213 complicated shape that extends up two or three levels, with a steep pitch roof, multiple
214 paint colors, elaborate details (i.e. dentil molding, cornices, and wooden brackets), and
215 clapboard siding.
216
- 217 d. Italianate. The Italianate style is typically 2 or 3 stories, rarely 1 story; with a low-pitched
218 roof, widely overhanging eaves; large, decorative brackets under an ornamental cornice;
219 tall, two over two double-hung windows (most often narrower on commercial buildings),
220 commonly arched or curved above; an occasionally a square cupola or tower (campanile).
221 Residential may include an elaborate wrap-around porch (or smaller entry porch) with
222 decorative Italianate double columns.
223
- 224 e. Frame or Masonry Vernacular. Vernacular architecture circa 1900 to 1950 refers to the
225 style of construction the related to the environmental contexts and available resources
226 available to the early settlers of the Town. They were customarily owner-built, utilizing
227 traditional technologies. The term ‘vernacular’ refers to a structure that is not of a pure
228 design style but is loosely based on the features of other architectural styles.

229
230 f. Metal Buildings. Subject to the prohibitions outlined in Section 8, below, metal buildings
231 are permitted buildings or structures provided they comply with the Architectural
232 Standards outlined in Section 5, above.

233
234 8. Prohibited Architecture. The provisions of this paragraph 8 shall apply to all zoning districts,
235 except as noted herein.

- 236
237 a. A building made of corrugated metal and having a semicircular cross section, commonly
238 referred to as a Quonset hut, is a prohibited structure in all zoning districts, except in
239 Agriculture and Light Industrial zoning districts and then only as an accessory structure
240 that is subordinate in size and use to the primary structure or use on the property.
- 241 b. Mobile Homes, as defined by Florida Statutes section 320.01(2), are prohibited structures
242 in all zoning districts, except in the SR-1 district or when expressly approved under a
243 Planned Unit Development or other overlay district.
- 244 c. Accessory structures or buildings that are larger than the primary structure or building are
245 prohibited in all zoning districts unless constructed in a manner that is clearly consistent
246 with the guidance provided herein, as determined by the Planning and Zoning Board,
247 without need of any variance to any other provision this Ordinance or any other provision
248 of the Town’s land development regulations.

249
250 9. Building Orientation. The provisions of this paragraph 9 shall apply to all zoning districts.

- 251
252 a. The intent of this section is to orient buildings toward the public right-of-way or roadway
253 or to private internal collector type/roadways.
- 254
255 b. Generally. All primary structures or buildings, and accessory structures located in the side
256 yard and visible from the right-of-way or roadway shall be oriented to face the right-of-
257 way/roadway such that the front façade is parallel to the right-of-way or roadway.
- 258
259 c. Corner lot structures or buildings shall be oriented as provided in section 9.b above so that
260 the front façade will face the right-of-way/roadway that serves as the street for the 911-
261 address for the property on which it is located; unless it can be shown that there are
262 compelling site conditions that necessitate a different orientation.

SECTION 6.2.

(NEW BUSINESS: Orange County FL Architectural Standards & Guidelines for Commercial Buildings & Projects)

ARTICLE XIII. ARCHITECTURAL STANDARDS AND GUIDELINES FOR COMMERCIAL BUILDINGS AND PROJECTS¹

Sec. 9-551. Intent and purpose.

The intent and purpose of this article are as follows:

- (a) To implement Policy 1.7.3 of the Urban Design Element of the Orange County Comprehensive Policy Plan that states "the Land Development Code shall be amended to provide for more performance-based design guidelines. These design guidelines shall promote architectural and site design treatments that enhance the visual appearance of development within the county," as administered by the planning division.
- (b) To be consistent with the Policies 3.2.25, 4.1.4 and 4.1.6 of the Future Land Use Element of the Comprehensive Policy Plan that requires the Land Development Code to include design performance guidelines to ensure compatibility and appropriate screening for commercial uses.
- (c) To maintain and enhance the attractiveness of the streetscape and the existing architecture in the community.
- (d) To create and maintain a strong community image and identity by providing for architectural treatments that enhances the visual experience of commercial development in Orange County.
- (e) To require articulation that reduces the mass/scale and uniform monolithic appearance of large commercial buildings, and ensures that commercial buildings and projects incorporate architectural features that provide visual interest, while allowing design flexibility.

(Ord. No. 98-29, § 1, 10-20-98; Ord. No. 2001-14, § 2, 6-19-01; Ord. No. 2001-26, § 1.V., 12-18-01; Ord. No. 2003-11, § 2, 8-26-03; Ord. No. 2015-06, § 1, 2(D), 6-16-15)

Sec. 9-552. Applicability; scope.

(a) *Applicability.*

- (1) The provisions of this article shall apply to buildings and projects in professional office (P.O.), retail commercial, general commercial, and wholesale commercial (C-1, C-2, and C-3 zoning districts, respectively), non-residential commercial type special exceptions in residential districts, such as day care centers, substations and switch stations, private institutions, educational and recreational buildings/facilities private clubs and schools, commercial components of a planned development (PD), and free-standing commercial uses permitted in I-1A, I1/I5, I-2/I-3, and I-4 zoning districts by right or by special exception, such as convenience stores and restaurants. In addition, any industrial use within fifty (50) feet of residential development or fronting on any major or arterial or collector road (within seventy-five (75) feet) shall comply with these architectural standards. However, places of worship,

¹Editor's note(s)—Ord. No. 2001-26, § 1.V., adopted Dec. 18, 2001, redesignated art. V, div. 2, §§ 9-115—9-124 with § 9-125 being reserved, as a new art. XIII, §§ 9-551—9-561 with §§ 9-562—9-570 being reserved. Section 1.NN., of said ordinance, repealed art. XIII, § 9-501, with §§ 9-502—9-550 being reserved.

hotels, motels and timeshares within C-1, C-2, C-3, and PD districts are exempt from these regulations, except for the requirements of subsection 9-555(c)(1).

- (2) The landscape provisions (both primary and secondary) of section 9-554 shall also apply to temporary sales offices and model centers.
 - (3) The provisions of this article shall apply to new development, and redevelopment or renovation of an existing building that changes more than fifty (50) percent of a primary or secondary facade. The fifty (50) percent facade remodeling or renovation standard only applies to that building facade undergoing renovation or redevelopment. New development or building expansion greater than fifty (50) percent in gross floor area, shall require full structure compliance.
 - (4) The provisions of this article shall also apply to all principal uses, whether on parent parcels or out-parcels, and to free standing ancillary or secondary uses, such as kiosks, ticket booths, car washes, etcetera.
 - (5) The provisions of this article are not intended to prevent the use of alternative design solutions that meet the intent and purpose established in Section 9-551, as determined by the manager of the planning division.
 - (6) Compliance with the standards set forth in this article shall be demonstrated by submittal of architectural drawings and elevations (of all sides), and a site development plan or site improvement plan in accordance with this chapter.
 - (7) Any decision by the manager of the planning division in regards to this article may be appealed to the development review committee.
- (b) *Scope.* This article shall apply only within the unincorporated area, notwithstanding Section 704 of the Orange County Charter.

(Ord. No. 98-29, § 1, 10-20-98; Ord. No. 2001-14, § 2, 6-19-01; Ord. No. 2001-26, § 1.V., 12-18-01; Ord. No. 2003-11, § 3, 8-26-03; Ord. No. 2015-06, § 1, 2(D), 6-16-15)

Sec. 9-553. Definitions.

The following words and terms, when used in this division, shall have the meanings ascribed to them in this section:

Awning or canopy. A covering, hood or shelter (of cloth, plastic, metallic or similar material) suspended or projected over a window or door.

Cornice. An ornamental molding that finishes or crowns the top of a building, wall, arch, etcetera.

Ornamental and structural detail. A raised or decorative feature, other than a corporate logo, and not including textures, color or materials. Examples are decorative tile, molding, niches, pilasters and columns.

Primary facade. A side of a building that faces a public or private right-of-way or roadway or has the primary customer entrance. (A building may have more than one primary facade.)

Secondary facade. A side of a building that is not a primary facade and either is visible from a public or private right-of-way or roadway or has a secondary or tertiary customer entrance. (A building may have more than one secondary facade.)

(Ord. No. 2001-14, § 2, 6-19-01; Ord. No. 2001-26, § 1.V., 12-18-01; Ord. No. 2003-11, § 4, 8-26-03)

Sec. 9-554. Building orientation; primary and secondary facades.

- (a) The intent of this section is to orient commercial buildings toward the public right-of-way or roadway or to private internal collector type/roadways and to establish architectural standards for primary and secondary facades in Orange County.
- (b) Primary and secondary facades shall satisfy the applicable facade standards set forth in this section.
- (c) Mid-block commercial buildings shall be oriented to face the right-of-way/roadway, unless it can be shown that compelling site conditions necessitate a different orientation. If compelling site conditions necessitate that the building not face the right-of-way/roadway, then the building is considered to have two (2) primary facades: the facade that faces the right-of-way/roadway and the facade that incorporates the primary customer entrance.
- (d) Corner lot commercial buildings shall be oriented to face a right-of-way/roadway, unless it can be shown that there are compelling site conditions that necessitate a different orientation. If compelling site conditions necessitate that the building not face such right-of way/roadway, then the building is considered to have three (3) primary facades: the two facades that face the right-of-way/roadway and the facade that incorporates the primary customer entrance.
- (e) All primary facades of a building shall have architectural style, detail, trim features, and roof treatments that are consistent with each other. Further, all primary facades shall have a similar level of treatment, detail and visual interest. This is inclusive of window, primary entrance, roof form (parapet, gable, hip, mansard or combination) and architectural elements (columns, pilasters, pediments, overhangs, balustrades, towers, dormers, cupolas and/or other projections of facade and fenestration). In lieu of actual windows and entrances, niches and alcoves with significant architectural delineation and definition to suggest window and entrance elements shall be used.
- (f) For parcels one half ($\frac{1}{2}$) acre or larger, building base perimeter landscaping shall be planted immediately adjacent to and along the full linear length of the primary facade, or between the walk immediately adjacent to the primary facade and the curb along the entire linear length of the primary facade. However, such perimeter landscaping shall allow for reasonable breaks for pedestrian access. The landscaped area shall be a minimum of eight (8) feet in depth and shall include shrubs and groundcover with one understory tree planted for each twenty-five (25) feet or fraction thereof of the lineal length of the primary facade, or one palm tree planted for each fifteen (15) feet or fraction thereof of the lineal primary facade. (Understory trees are to be planted no closer than ten (10) feet on center. Palm trees may be clustered.)
- (g) Office and industrial use primary facades shall have at least one (1) of the following components exclusive of (g)(1) below; and a primary facade subject to subsection (f) of this section shall have at least one (1) of the following components exclusive of (g)(2) below. A commercial use primary facades shall have at least two (2) of the following components, except that a primary facade with the primary customer entrance shall have at least one (1) of the following components exclusive of the component described in subsection (g)(1) and a primary facade subject to subsection (f) of this section shall have at least two (2) of the following components exclusive of the component described in subsection (g)(2).
 - (1) The primary customer entrance.
 - (2) For parcels less than one-half ($\frac{1}{2}$) acre, building base perimeter landscaping shall be planted adjacent to and along the full linear length of the primary facade. The landscaped area shall be a minimum of eight (8) feet in depth and shall include shrubs and groundcover with one understory tree planted for each twenty-five (25) feet or fraction thereof of the lineal primary facade, or one palm tree planted for each fifteen (15) feet or fraction thereof of the lineal primary facade. (Understory trees are to be planted no closer than ten (10) feet on center. Palm trees may be clustered.)

-
- (3) Arcades or colonnades a minimum of six (6) feet in width, or other roof treatments that provide shade and break the vertical plane, shall be incorporated along at least fifty (50) percent of the linear length of the primary facade.
 - (4) Display windows a minimum of six (6) feet in height shall exist, along at least fifty (50) percent of the linear length of the primary facade.
 - (5) Awnings associated with windows and/or doors, installed in increments of ten (10) feet or less in length, along at least fifty (50) percent of the linear length of the primary facade.
 - (6) Windows that cover at least forty (40) percent of the area of the primary facade.
 - (7) Any other treatment that, in the opinion of the building official, and after consultation, meets the intent of this section.
- (h) A primary facade shall incorporate the screening of outdoor storage of customer shopping carts adjacent to the building. Shopping cart storage areas shall be screened by a wall a minimum of four (4) feet in height. The exterior facade of the screen wall shall be consistent with that of the primary facade.
 - (i) Exterior building materials contribute significantly to the visual impact of a building on the community. Exterior building materials shall be restricted on primary facades as follows:
 - (1) Corrugated metal panels, used as a finish material, shall be prohibited. Architectural metal panels are acceptable, subject to consultation and a determination by the building official that the treatment meets the intent of this section.
 - (2) Smooth-faced concrete shall have stucco or other decorative finish.
 - (3) Backlit awnings and backlit canopies including service station and convenience store backlit awnings and canopies, shall be prohibited, except for those portions of awnings or canopies which may have approved backlit sign copy area.
 - (j) Where applicable, primary facades shall be compatible with the design of facades in the surrounding area, (i.e. rural settlements, historic area, historic structures, etcetera).
 - (k) Secondary facade standards may be deemed wholly or partially inapplicable by the building official due to the narrowness and low visibility of the area between the side of the building and the side of the adjacent building, provided this determination may be made only where the side yard is less than ten (10) feet in width, and such determination does not modify applicable landscape and related requirements.
 - (l) All secondary facades of a building shall have architectural style, detail, trim features, and roof treatments that are consistent with those for the primary facade.
 - (m) Any side of an office, commercial or industrial building visible from and adjacent to residential areas shall be treated in the same manner as a secondary facade.
 - (n) For parcels one-half (½) acre or larger, perimeter landscaping planted adjacent to and along fifty (50) percent of the linear length of the secondary facade shall be required. The landscaped area shall be a minimum of eight (8) feet in depth and shall include shrubs and groundcover with one understory tree planted for each twenty-five (25) feet or fraction thereof of the fifty (50) percent lineal secondary facade, or one palm tree planted for each fifteen (15) feet or fraction thereof of the lineal secondary facade. (Understory trees are to be planted no closer than ten (10) feet on center. Palm trees may be clustered.)
 - (o) A secondary facade shall have at least one (1) of the following components:
 - (1) For parcels less than one-half (½) acre, perimeter landscaping planted adjacent to and along fifty (50) percent of the linear length of the secondary facade shall be required. The landscaped area shall be a minimum of eight (8) feet in depth and shall include shrubs and groundcover with one understory tree planted for each twenty-five (25) feet or fraction thereof of the fifty (50) percent lineal secondary

-
- facade, or one palm tree planted for each fifteen (15) feet or fraction thereof of the lineal secondary facade. (Understory trees are to be planted no closer than ten (10) feet on center. Palm trees may be clustered.)
- (2) Arcades or colonnades a minimum of eight (8) feet in width, or other roof treatments that provide shade and a break in the vertical plane shall be incorporated along at least fifty (50) percent of the horizontal length of the secondary facade.
 - (3) Display windows a minimum of six (6) feet in height shall exist along at least fifty (50) percent of the horizontal length of the secondary facade.
 - (4) Awnings associated with windows and/or doors, installed in increments of ten (10) feet or less in length, along at least fifty (50) percent of the horizontal length of the secondary facade.
 - (5) Windows that cover at least forty (40) percent of the secondary facade.
 - (6) Any other treatment that, in the opinion of the building official, and after consultation, meets the intent of this section.
- (p) A secondary facade shall incorporate the screening of outdoor storage for customer shopping carts adjacent to the building. Shopping cart storage areas shall be screened by a wall a minimum of four (4) feet in height. The exterior facade of the screen wall shall be consistent with that of the secondary facade.
- (q) Exterior building materials contribute significantly to the visual impact of a building on the community. Exterior building materials shall be restricted on secondary facades as follows:
- (1) Corrugated metal panels, used as a finish material, shall not cover more than thirty (30) percent of a secondary facade. The same type of architectural metal panels applied to the primary facade are acceptable for a secondary facade, subject to consultation and a determination by the building official that the treatment meets the intent of this section.
 - (2) Smooth-faced concrete shall not cover more than thirty (30) percent of a secondary facade.
 - (3) Backlit awnings and backlit canopies including service station and convenience store backlit awnings and canopies shall be prohibited except for those portions of awnings or canopies which may have approved backlit sign copy area.
- (r) Exterior ground level mechanical equipment, mechanical equipment package units, or related attachments (food freezers, air handling units, etcetera) adjacent to a residential area or visible from a public right-of-way shall be concealed, hidden by a wall with caps as an extension of the building. When such units abut commercial or industrial uses and are not visible from a public right-of-way (i.e., they are not a primary or secondary facade), they shall be painted to match the color of the building.

(Ord. No. 98-29, § 1, 10-20-98; Ord. No. 2001-14, § 2, 6-19-01; Ord. No. 2001-26, § 1.V., 12-18-01; Ord. No. 2003-11, § 5, 8-26-03)

Sec. 9-555. Building design.

- (a) The intent of this section is to promote better architectural design and to create visual interest by requiring minimum design treatments for commercial buildings and projects.
- (b) Both single and multiple-tenant buildings are required to provide a minimum of three (3) of the following building design treatments:
 - (1) An arched, gabled, stepped or decorative parapet with cornice over the primary customer entrance that is integrated with the building's mass and style.
 - (2) Canopies or porticos integrated with the building's massing and style.

-
- (3) Peaked roof forms.
 - (4) Overhangs a minimum of three (3) feet in depth.
 - (5) Arcades a minimum of six (6) feet in depth wide.
 - (6) Arches or arched forms.
 - (7) Display windows, a minimum of six (6) feet in height.
 - (8) Ornamental and structural details that are integrated into the building structure.
 - (9) Clock tower or bell tower.
 - (10) Sculptured artwork (excluding corporate logos or advertising).
 - (11) Any other treatment that, in the opinion of the building official, meets the intent of this section.
- (c) Exterior building colors have a significant visual impact. Accordingly, colors are restricted as follows:
- (1) Building color schemes that use colors that are electric, fluorescent or neon² shall not be permitted on the exterior of any building.
 - (2) A maximum of three (3) colors may be used on the exterior of any building, plus one additional color for trim or cornice work. Where a clear break exists giving the appearance of a separate building, such color scheme may be repeated. These limitations exclude unpainted natural stone or roof material.
 - (3) Graphics, color schemes, or murals shall not be permitted on a building except as may be permitted as a part of allowable signage consistent with chapter 31.5 of the Orange County Code.
- (d) Separate ancillary structures (carwash, cashier booths, canopies over gas pumps, etc.) shall have comparable pitch or parapets for roofs and shall otherwise have the same architectural detail, design elements and roof design as the primary structure, including the same cornice treatment, the same materials and colors, etcetera.

(Ord. No. 98-29, § 1, 10-20-98; Ord. No. 2001-14, § 2, 6-19-01; Ord. No. 2001-26, § 1.V., 12-18-01; Ord. No. 2003-11, § 6, 8-26-03)

Sec. 9-556. Roof treatments.

- (a) The intent of this section is to add visual interest, and to reduce massing and screen rooftop equipment, by requiring minimum roof treatments. This section shall apply to all principal uses and to free standing ancillary or secondary uses, such as kiosks, ticket booths, car washes, etcetera.
- (b) Both single and multiple-tenant buildings are required to have variations in the rooflines, and roof features that are consistent with the building's mass and scale. In addition, roofs shall meet at least two (2) of the following requirements:
 - (1) Decorative parapets that are a minimum of three (3) feet in height above the finished roof or that are high enough to block the view of any mechanical equipment or fixtures that are situated on the roof.

²This ordinance, as adopted, used the term "day-glo" instead of the terms "fluorescent or neon." The terms "fluorescent" and "neon" have been substituted for the term "day-glo" because on August 28, 2003, the "Day-Glo Color Corp." in Cleveland, Ohio, informed the county by fax that the term "Day-Glo" is a registered trademark, and insisted that the term "Day-Glo" be removed from the ordinance.

-
- (2) A three-dimensional cornice treatment, a minimum of twelve (12) inches in height, having a minimum of three (3) vertical (not diagonal) changes in plane (no two (2) on the same plane), and a variety of thickness in relief ranging from the greatest at the top to the least at the bottom.
 - (3) Overhanging eaves that extend at least three (3) feet beyond the supporting walls, with a minimum fascia depth of six (6) inches.
 - (4) Three (3) or more roof planes per primary facade.
 - (5) A sloping roof height (measured from the top of the supporting wall vertically to the peak of the sloping roof) shall not exceed the average height of the supporting walls. The sloping roof height shall not be less than a pitch of 4:12. However, a pitch of 3:12 may be acceptable depending on the mass and scale and elevations and renderings showing the appropriateness and compatibility of the design.
 - (6) Any other treatment that, in the opinion of the building official meets the intent of this section.
- (c) Backlit awnings used as a mansard or canopy roof shall be prohibited in both single and multiple-tenant buildings.
 - (d) Exterior rooftop equipment including any HVAC roof refrigeration equipment or other mechanical rooftop equipment, fixtures or structure (such as hill house, penthouse, or trailer type) shall be concealed from eye-level view from any public right-of-way and from any adjacent properties by a roof or parapet wall extension with caps as an extension of the building.
- (Ord. No. 98-29, § 1, 10-20-98; Ord. No. 2001-14, § 2, 6-19-01; Ord. No. 2001-26, § 1.V., 12-18-01; Ord. No. 2003-11, § 7, 8-26-03)

Sec. 9-557. Customer convenience treatments.

- (a) The intent of this section is to provide protection from the sun and adverse weather conditions for customers and employees of commercial businesses. These requirements are not applicable to single-tenant buildings with a gross floor area of ten thousand (10,000) square feet or less, or multiple-tenant buildings and projects with a gross floor area of less than twenty thousand (20,000) square feet.
- (b) Except as provided under subsection (a) of this section, the following customer convenience treatments shall be required:
 - (1) Single-tenant buildings, with a gross floor area of over ten thousand (10,000) square feet or less than twenty thousand (20,000) square feet, shall have a highly visible primary customer entrance.
 - (2) Single-tenant buildings with a gross floor area of twenty thousand (20,000) square feet or more shall have a highly visible primary customer entrance incorporating decorative landscape planters or wing walls that incorporate landscaped areas.
 - (3) Multiple-tenant buildings and projects with a gross floor area of twenty thousand (20,000) square feet or more shall have the following:
 - a. Anchor tenants shall provide highly visible primary customer entrances.
 - b. Decorative landscape planters or wing walls and intermittent shaded outdoor community space shall be provided. Such area shall be located adjacent to the primary customer entrance, or circulation path of the complex.

(Ord. No. 98-29, § 1, 10-20-98; Ord. No. 2001-14, § 2, 6-19-01; Ord. No. 2001-26, § 1.V., 12-18-01)

Sec. 9-558. Facade treatments.

- (a) The intent of this section is to provide visual interest to all facades by requiring a minimum level of detail features on facades. These detail features shall not consist solely of applied graphics or paint.
- (b) All facades of buildings with a gross floor area of twenty thousand (20,000) square feet or more shall be required to incorporate at least three (3) of the following facade treatments. At least one of these treatments shall repeat horizontally. All such design elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically. All facades of buildings with a gross floor area of less than twenty thousand (20,000) square feet shall be required to incorporate at least two (2) of the following facade treatments. At least one (1) of these treatments shall repeat horizontally. All such design elements shall repeat at intervals of no more than twenty-five (25) feet, either horizontally or vertically.
 - (1) Expression of a vertical architectural treatment with a minimum width of twelve (12) inches.
 - (2) Building stepbacks, offsets or projections, a minimum of three (3) feet in depth.
 - (3) Color change.
 - (4) Texture and/or material change.
 - (5) Architectural banding.
 - (6) Pattern change.
 - (7) Any other treatment that, in the opinion of the building official, meets the intent of this section.
- (c) Blank wall areas on any facade shall not exceed ten (10) feet in vertical direction or twenty (20) feet in horizontal direction. Control and expansion joints constitute a detail feature only if incorporated as a decorative pattern and spaced apart at intervals of six (6) feet or less. Relief and reveal work depth must be a minimum of one-half ($\frac{1}{2}$) inch.
- (d) By encouraging the visual appearance of numerous smaller storefronts, in lieu of one (1) large big box storefront, this subsection is intended to reduce the large visual mass and monotonous exterior appearance typically associated with big box development (defined in section 38-1 of this Code).

The standards in this subsection call for individually-peaked, forward-projecting, and vertically-oriented exterior architectural forms and features on street-facing facades and rooflines. Such forms will assist owners in architecturally expressing, on the exterior of their stores, the individual components (e.g., garden, grocery, pharmacy) within their stores. As such, the vertically-oriented, forward-projecting, and peaked components shall incorporate vertical components which serve to interrupt the pronounced horizontal roofline of big box structures and to reinforce the appearance of smaller, individual storefronts.

Building entry finish materials. Owners shall maximize the amount of pedestrian-scaled windows (avoiding extensive opaque surfaces) along the street-facing facade which contains the primary customer entrance. Furthermore, owners shall utilize smaller-scaled, and darker colored, exterior finish materials (e.g., individual bricks or stone veneer in lieu of light-colored stucco on masonry or pre-cast concrete panels) on the lower portions (the "water table") of big box exterior walls which are adjacent to customer entrance(s), and which flank the exterior pedestrian sidewalk system on street-facing facades. Such darker, smaller-scaled finish materials shall be featured from the sidewalk grade, to no less than four (4) feet above sidewalk grade.

Required transparent windows. Such primary customer entrance facades shall incorporate a minimum of twenty-five (25) percent transparency (windows). The transparency calculation may include the glass surfaces of the customer entrance window system itself. The area of required transparency shall be calculated by multiplying the structure's linear frontage by a height (above adjacent finished pavement grade) of twelve (12) feet. In addition, street-facing primary customer entrance facades shall incorporate an overhead projecting portico,

arcade, or colonnade, as described below. Such customer entrance overhead forms shall, at a minimum, extend over the same twenty-five (25) percent transparency area.

Transparency alternative; architectural projections. As an alternative to meeting the twenty-five (25) percent transparency and entranceway overhead form requirements, street-facing facades containing the primary customer entrance shall include covered porticos, arcades, colonnades, or a combination thereof, along a minimum of sixty (60) percent of the horizontal length of the subject facade.

The roof plane of such porticos, arcades, or colonnades shall not extend horizontally for more than fifty (50) linear feet without the substantially and proportionately-sized, interrupting vertical architectural forms referenced above. The face (fascia) of such vertical forms shall project upward a minimum of fifteen (15) feet above the horizontal fascia of the portico, arcade, or colonnade lying below. The highest point of the fascia, or gable, of such vertical projections shall extend upward to a point at least as high as the horizontal roof line (parapet edge) of the big box development's principal structure. Furthermore, such vertical forms shall be no less than twenty (20) feet wide, as measured at the face (fascia) or base of the gable.

The covered porticos, arcades, or colonnades shall incorporate the customer sidewalk below with a minimum pedestrian clearance (clear width), between the structure and the supporting columns, of twelve (12) feet. Such porticos, arcades, or colonnades, and twelve-foot wide sidewalks, shall not replace any required building foundation area landscape planter requirements for primary and secondary facades.

Facades which face an adjacent street, but which do not possess the primary customer entrance (i.e., a side street facade), shall provide the above-referenced porticos, arcades, or colonnades, and associated individual roofline vertical projections, along at least forty (40) percent of the street-facing (side) facade. Such forty (40) percent requirement shall only apply to any segment of a side facade which does not incorporate a garden center decorative perimeter wall system as described in this subsection.

Garden center walls. When a garden center is placed along a street-facing facade, a garden center decorative perimeter wall system may be substituted for the porticos, colonnades, arcades, and vertical form required above. Such garden center decorative wall systems shall be constructed of columns (posts) at least thirty-six (36) inches wide (or thirty-six (36) inches in diameter), and spaced no more than twenty-five (25) feet on-center along the perimeter of the garden center.

The columns shall be horizontally interconnected across each of their top portions with a substantial cross member. The columns or column cap component may extend above the horizontal cross members up to twenty-four (24) inches. Such upper horizontal cross member shall feature colors, finish, dimensions, proportions, and trim details which are architecturally consistent with the adjacent supporting columns and with the big box principal structure. The upper cross members shall be the highest visual component of the wall system, and no other fencing materials, or store merchandise, may protrude above the horizontal cross members. Disproportionate, undersized, or otherwise architecturally incompatible columns or horizontal cross member designs are prohibited. Alternative designs for garden center decorative perimeter wall systems may be approved by Orange County on a case by case basis.

Chain link fencing material, including vinyl-clad or other coated fencing, is prohibited on such garden center walls. Instead, garden center decorative walls systems may infill the gaps between the columns and the upper horizontal connecting cross members, with decorative metal fencing materials (e.g., wrought iron-styled aluminum fencing).

In addition, black fabric mesh, or similarly opaque and approved materials, shall be installed on the interior side of the decorative metal fencing in order to visually screen any materials which may be stacked or stored on the inside of the garden center decorative wall system.

Garden center wall exterior foundations shall adhere to primary and secondary building facade landscaping requirements.

(Ord. No. 98-29, § 1, 10-20-98; Ord. No. 2001-14, § 2, 6-19-01; Ord. No. 2001-26, § 1.V., 12-18-01; Ord. No. 2007-01, § 4, 3-20-07)

Sec. 9-559. Drive-through windows and lanes.

A drive-through window and lane shall satisfy the following standards:

- (a) A drive-through window or lane shall not be placed between the right-of-way or roadway and the associated building unless an eight (8) foot wide landscape buffer extending the entire length of the drive-through cueing or stacking area is installed and maintained. (See: Landscaping of drive-through windows and lanes between buildings and the right of way, section 24-4.)
- (b) A drive-through window or lane that is visible from a right-of-way or roadway shall be screened by a five-foot wide landscape buffer extending the entire length of the drive-through cueing or stacking area. (See: Landscaping of drive-through windows and lanes, section 24-4.)
- (c) A permanent porte-cochere type structure shall be constructed over the drive-through and service window. It shall extend the width of the drive, be a minimum of twenty (20) feet in length. Also, it shall be integrated structurally into the building, and match the architectural facade and roof design of the building. The porte-cochere may encroach into the side yard setback.

(Ord. No. 2001-14, § 2, 6-19-01; Ord. No. 2001-26, § 1.V., 12-18-01; Ord. No. 2003-11, § 8, 8-26-03)

Sec. 9-560. Service area, loading dock and dumpster screening.

- (a) No service area or loading dock shall be permitted adjacent to any roadway unless enclosed such that all sides appear as a primary facade similar to the principle building, including design, detail, finish[ed] material and landscaping.
- (b) Service areas and dumpsters shall be visually screened from public view by a masonry wall at a minimum of six (6) feet high, measured from finished grade.
- (c) Service areas and dumpster areas shall be directed away from any residential side of the development.
- (d) No part of a dumpster or materials stored within the service area shall extend above the required masonry wall.
- (e) The masonry wall shall be decoratively finished concrete masonry unit, brick, stucco, or other material matching the exterior of the principal building.
- (f) Chain link, painted or unpainted block walls, barbed wire and wood are prohibited as part of a wall.
- (g) Each enclosure shall include a decorative opaque gate equal in height to the masonry wall.
- (h) Each service area, loading dock or dumpster required screening and fencing shall further comply with [section] 24-4 landscape requirements.

(Ord. No. 2003-11, § 9, 8-26-03)

Editor's note(s)—Prior to amendment, Ord. No. 2003-08, § 2, adopted June 3, 2003, repealed § 9-560, in its entirety. Former § 9-560 pertained to exterior lighting fixtures and derived from Ord. No. 2001-14, § 2, adopted June 19, 2001; and Ord. No. 2001-26, § 1.V., adopted Dec. 18, 2001.

Sec. 9-561. Stormwater retention ponds.

Stormwater ponds and open drainage ways shall be designed to be visual amenities as well as serving the necessary stormwater runoff management function of any multi-family, office, commercial or industrial development. Stormwater ponds requiring no fencing may be placed within the landscaped yards that are a minimum of fifteen (15) feet wide.

(Ord. No. 2003-11, § 10, 8-26-03)

Sec. 9-562. Pedestrian accommodations.

Pedestrian accommodations shall meet all requirements of section 30-250 and all accessibility requirements of the currently-adopted editions of applicable federal and state standards.

(Ord. No. 2020-30 , § 2, 10-13-20)

Editor's note(s)—Ord. No. 2020-30 , § 2, adopted October 13, 2020, in effect, repealed § 9-562 and enacted a new § 9-562 as set out herein. Former § 9-562 pertained to curb stop; building perimeter crosswalks and derived from Ord. No. 2003-11, § 11, adopted August 26, 2003.

Sec. 9-563. Shopping cart retention.

Big box developments (defined in section 38-1 of this Code) utilizing shopping carts or similar devices shall install and maintain a system to retain all shopping carts within the real property boundaries of the business location, subject to the following:

- (a) A "shopping cart" is defined to be a basket mounted on wheels, or a similar device, which is generally used in a retail or wholesale establishment by a customer, or by an employee of such establishment, for the purpose of transporting goods of any kind;
- (b) The establishment shall provide signage in a conspicuous location notifying shopping cart users of the retention system in place and of how such system operates;
- (c) Location, type of device, and other pertinent information shall be shown on the approved site plan for the big box development;
- (d) Permitted methods of retention shall include any one (1) of the following methods:
 - (1) A toll-free shopping cart recovery service system;
 - (2) Shopping carts equipped with a protruding arm or similar device preventing the carts from being removed from the interior of the business;
 - (3) A system, which may be mechanical in nature, requiring a refundable deposit to use a shopping cart; such deposit should be of a reasonable amount that would not deter the use of the cart, but would encourage the return of the cart;
 - (4) Shopping carts equipped with a wheel locking mechanism and anti-tilting bar that is used in conjunction with an electronic barrier along the perimeter of the area where shopping carts are allowed. The wheel locking mechanism shall activate when the shopping cart crosses the electronic barrier;
 - (5) Any other mechanism or system submitted to, and approved by, Orange County.

-
- (e) Any big box development failing to install or to properly maintain an approved on-site shopping cart retention system is in violation of this section of the Code. Any person, firm, or corporation violating the provisions of this subsection shall, upon conviction, be subject to the penalties provided in section 1-9 of this Code, to the extent not inconsistent with Florida law. Each separate day of violation constitutes a separate offense.
 - (f) Home improvement centers (defined in section 38-1, Orange County Code) shall be exempt from this section.

(Ord. No. 2007-01 , § 5, 3-20-07)

Sec. 9-564—9-570. Reserved.

SECTION 6.3.

(NEW BUSINESS: Town of Inglis Architectural Design)

Sec. 34-286. - Architectural design.

The purpose of this section is to provide design standards applicable to all commercial development activity within the town. For the purposes of the applicability of design regulations, "commercial" shall also refer to churches, schools, or government facilities. However, in order to create a more harmonious built environment, all development, including residential, should use the following standards as guidelines for community compatibility.

- (1) No commercial building or other structure shall be constructed, installed, erected, or altered except in compliance with the site design and development standards set forth in this LDC.
- (2) Where an overlay district applies to a site, the standards for that district shall apply in addition to the standards of the underlying zoning district.
- (3) In addition to standards for all development within a zoning district, supplemental standards for specific uses are set forth in the Town of Inglis Land Development Code and Code of Ordinances. Such supplemental standards shall apply in addition to the standards of the zoning district and overlay district, if applicable, in which the development is located.
- (4) Where conflict arises between standards required in a zoning district, in an overlay district, by supplemental standards, or by other legally binding document, the following rules shall be used in the application of standards:
 - a. Where an unexpired town-approved development order or unexpired town-approved development agreement issued prior to the effective date of this LDC, court order, or other legally binding document which authorizes development applies to the site, the standards in the legally binding document shall apply.
 - b. In all other situations, the stricter standard shall apply.

(Ord. No. 01-06, § 1b., 4-11-06)

Sec. 34-287. - Design principles.

Development design shall first take into account the protection of natural resources and existing vegetation as set forth in article V. All development shall be designed to avoid unnecessary impervious surface cover; to provide adequate access to lots and sites; and to avoid adverse effects of shadow, glare, noise, odor, traffic, drainage, and utilities on surrounding properties.

- (1) It is the objective of the town commission and planning commission to foster the further development of the Town of Inglis in a style consistent with the historical nature of the community as it was in the period from 1900 to 1940. The historical nature of the town is best described as a small, southern, coastal community of relatively modest means, centered upon its own natural resources including fishing and lumber mill industries, as well as the surrounding cattle and phosphate mining industries. At that period of time the region was rural and agrarian in nature. Inglis served as a place of trade and social interaction for the fishermen, miners, sailors, lumbermen, farmers and their families living in the outlying areas and was a point of embarkation from the Port of Inglis.
 - a. While the architecture of the area is somewhat eclectic in nature, the dominant forms of residential architecture observed from that period are Southern Vernacular ("Cracker"), Craftsman, Bungalow, and to a lesser extent Spanish Revival. Some of the more affluent homes of that period were constructed in the Carpenter Gothic style with Queen Anne and Victorian influences typical of the period. From observation of remaining structures of the period and photographic records it is seen that the primary form of residential construction was wood frame using either natural wood finishes or monochromatic color schemes centering around the white, gray and beige/tan color ranges. Roofing materials ranged from 5-v-crimp "tin" metal panels to rolled roofing and tarpaper and on some residential structures asphaltic shingles.

- b. The extant commercial structures from this time were constructed of masonry block, native stone and brick sometimes with frame porches. Many of the early, original commercial buildings have been destroyed and there are limited photographic records of these structures.
 - c. The overall theme of the area is, as stated above, a small southern coastal community of relatively modest means but rich in the local history of a town which has historically derived its existence as a port community and from its surrounding natural resources.
- (2) All new commercial development within the Town of Inglis shall comply with the following basic architectural elements. Compliance with the basic architectural elements of the town may be waived by the planning commission if the applicant can demonstrate to the planning commission that the proposed development activity is consistent with one of the preferred alternative styles.
- a. The roofline must have a pitch or slope of no less than five feet of rise to 12 feet of span and a pitch or slope no greater than 12 feet of rise for every 12 feet of span.
 - b. The roof overhang at the eaves and gables must be at least 12 inches as measured along the underside of the slant of the roof .
 - c. A functional entry porch covering at least 50 percent of the horizontal length of the side of the building facing the road.
 - d. At least 50 percent of the non-glass, face of all new commercial buildings shall consist of wood, stone or masonry materials. This requirement applies to all sides of a building fronting a public road. Alternative materials other than the above listed materials may be used to enhance the facade of commercial structures if it is demonstrated by the developer that said alternative materials were consistent with the architectural elements or standards of the town and approved by the planning commission during concept plan review and/or preliminary development plan review.
- (3) Alternative architectural styles may be developed in lieu of compliance with the town's basic architectural elements listed above in subsections 34-287(2)a., b. and c. To utilize an alternative architectural style, the applicant must demonstrate to the planning commission that the proposed development activity displays architectural elements consistent with one of the preferred alternative styles as shown in the Inglis Architectural Design Palette. When reviewing architectural design elements, the planning commission shall place particular attention to the front facade and entrance of a building as viewed from the right-of-way with lesser focus on areas of lower visibility. Proposed developments must incorporate primary architectural elements sufficient to establish an overall character consistent with one of the alternative preferred architectural styles listed below:
- a. The following architectural styles may be approved by the planning commission as an alternative preferred style.
 - 1. Southern Vernacular (Cracker-style);
 - 2. Craftsman (circa 1900—1940);
 - 3. Queen Anne - frame construction;
 - 4. Bungalow style (circa 1900—1940);
 - 5. Arts and Crafts style;
 - 6. Stick Victorian and Carpenter Gothic (Victorian) - frame construction; and
 - 7. Victorian - frame construction.
- (4) With authorization from the planning commission commercial buildings that are arranged and intended for planned, high density, downtown development patterns and which may include common wall construction, development may comply with one of the following architectural styles in lieu of the styles listed in subsection 34-287(3).

- a. The following architectural styles may be approved by the planning commission as an alternative preferred style:
 1. Prairie Style (circa 1900—1940's);
 2. Spanish Revival;
 3. Italianate (Victorian); and
 4. Mediterranean Revival.
- (5) In keeping with the objectives of fostering the further development of the town of Inglis in a style consistent with the historical nature of the community certain architectural styles are found to be inconsistent with the character of the community.
 - a. The following architectural styles are prohibited for new commercial buildings and discouraged for use within the built environment:
 1. Art Deco;
 2. Art Nouveau (Gaudian);
 3. International Style (e.g.: Miesian, etc);
 4. Art Moderne;
 5. Romanesque (Richardsonian Romanesque);
 6. Usonian;
 7. Tudor;
 8. French Revival;
 9. Bauhaus;
 10. Beaux-Arts;
 11. Egyptian Revival;
 12. Moorish Revival;
 13. Federal;
 14. Greek Revival (Ante-bellum);
 15. Classical Revival; and
 16. Georgian.

(Ord. No. 01-06, § 1b., 4-11-06; Ord. No. 03-11, § 1(Att. A), 4-12-11)