

Sponsored by: Mark Senmartin
Introduction Date: June 23, 2015
Public Hearing Date: July 14, 2015
Adoption date: July 14, 2015

CITY OF MARATHON, FLORIDA

RESOLUTION 2015-70

A RESOLUTION OF THE CITY OF MARATHON, FLORIDA, DECLARING THE INTENTION OF THE CITY TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS RELATING TO EXTERIOR BUILDING ARCHITECTURE, LANDSCAPING, PARKING, LIGHTING, AND SIGN DESIGN STANDARDS FOR NEW DEVELOPMENT OR SUBSTANTIAL REDEVELOPMENT ALONG THE COMMERCIAL ZONED AREAS OF THE U.S. 1 CORRIDOR OF THE CITY OF MARATHON FROM THE 7 MILE BRIDGE TO COCO PLUM DRIVE; PROVIDING THAT FROM THE DATE OF ADOPTION OF THIS RESOLUTION AND DURING THE PENDENCY OF CONSIDERATION OF SUCH ORDINANCE BY THE CITY, THE CITY WILL NOT PROCESS OR APPROVE DEVELOPMENT APPLICATIONS THAT WOULD NOT CONFORM WITH THE THIS RESOLUTION AND/OR THE PROPOSED AMENDMENTS; DIRECTING THE PLANNING DEPARTMENT TO PUBLISH A NOTICE OF INTENT TO ADOPT SUCH ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, adopted its Comprehensive Plan which became effective July 7, 2015; and

WHEREAS, Comprehensive Plan Objective 1-3.3, "Encourage Redvelopment" and Policy 1-3.3.1, "General Redevelopment Criteria" promote the following:

- b. Revitalize existing commercial areas; and
- f. Enhance the unique character of the City's commercial land uses through incentives for bufferyards and landscaping; and
- g. Facilitate within the City, the creation of aesthetically pleasing commercial spaces outdoors, as places for social leisure and interaction, while limiting light industrial uses, outdoor storage and sales as a primary use of land, and outdoor retail sales as an accessory use of land; and

WHEREAS, in light of a recent increase in development activity in the City, at its June 9, 2015 meeting, the City Council directed staff to develop proposed revisions to the City's Land Development Regulations ("LDRs"), with associated supporting studies, to further implement the Objective and Guiding Principles set out above;

WHEREAS, in order to provide for the orderly allocation of building permits in accordance with the Objective and the Guiding Principle, it is necessary to temporarily halt the processing of development applications and the issuance of development approvals for all proposed new development and substantial redevelopment of commercially zoned properties (MU and MU-M) along the U.S. 1 corridor from the 7 Mile Bridge to Coco Plum Drive and

WHEREAS, the City Council wishes to definitively place all parties on notice that it is considering amending the LDRs and that all parties who are considering new or redevelopment in the City will be reviewed for compliance with such changes as of the adoption date of this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. Declaration of Intent. The City Council of the City of Marathon hereby declares its intention to consider adoption of an ordinance amending the City's Land Development Regulations relating to architectural, landscaping, parking, lighting, and sign design standards for new development or substantial redevelopment along the commercially zoned areas of the U.S. 1 corridor of the City of Marathon.

Section 3. Notice. Pursuant to the pending legislation doctrine set forth in Smith v. City of Clearwater, 383 So.2d 681 (Fla. 2d DCA 1980) and City Ordinance 2014-21, all persons and entities that plan to develop property within the City of Marathon shall be deemed to be on notice that:

a) The City is considering the adoptions of regulations relating to architectural, landscaping, parking, lighting, and sign design standards for new development or substantial redevelopment along the commercially zoned areas of the U.S. 1 corridor of the City of Marathon;

b) The regulations are considered pending or "zoning in progress" pursuant to Ordinance 2014-21 and Chapter 100.04 A. 3. "Zoning in Progress;" and

c) Any reliance upon current regulations or expenditure of funds or efforts in reliance on current regulations, until the regulations are considered by the Planning Commission and the City Council and are adopted and effective, or determined that they will not be adopted, is not reasonable and is at the risk of the applicant.

Section 4. Processing of Development Applications.

a) City staff shall defer the processing of development applications and the issuance of development approvals for all proposed new development as follows: new residential or commercial development or substantial redevelopment of either type within properties currently zoned Mixed Use Commercial or Mixed Use Maritime along the extent of the U.S. 1 corridor within the City of Marathon, from the 7 Mile Bridge to Coco Plum Drive.

b) Development applications submitted to the City after the effective date of this resolution may continue to be processed provided that the applicant agrees to:

1. Voluntarily provide site plans which consider and provide the following:

a. Landscaping as required in the LDRs, but which ONLY provides canopy trees, palms, shrubs, and ground cover along property lines which face the U.S. 1 corridor in consideration of the U.S. 1 Corridor Task Force Report in addition to the general requirements of the City's Land Development Regulations (LDRs).

b. Provides Bahamian/Conch/Key West style architecture on all new construction or substantial redevelopment in consideration U.S. 1 Corridor Task Force Report in addition to the general requirements of the City's Land Development Regulations (LDRs).

c. Provides parking, lighting, and sign design on all new construction or substantial redevelopment in consideration of the U.S. 1 Corridor Task Force Report in addition to the general requirements of the City's Land Development Regulations (LDRs).

c) Such deferral in processing development applications is temporary and shall automatically dissolve upon the passage of ninety days from the effective date of this ordinance, or until new LDRs or amended LDRs are adopted by the City Council, whichever occurs first. Dependent on the progress of the efforts of the Community Image Advisory Board (CIAB), the Planning Commission, and staff toward the purposes described herein, the City Council may adopt by public hearing one (1) additional extension of up to ninety (90) days of this Resolution at its discretion.

Section 5. Publication. The City Clerk is hereby directed to publish a Notice of Intention to consider adoption of an ordinance in a newspaper of general circulation in the City.

Section 6. Severability. The provisions of this resolution are declared to be severable, and if any sentence, section, clause or phrase of this resolution shall, for any reason, be held to be invalid or unconstitutional; such a decision shall not affect the validity of the remaining sentences, sections, clauses or phrases of the resolution, but they shall remain in effect it being the legislative intent that this resolution shall stand notwithstanding the invalidity of any part.

Section 7. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 14th DAY OF JULY, 2015.

THE CITY OF MARATHON, FLORIDA



Chris Bull, Mayor

AYES: Senmartin, Keating, Kelly, Bull
NOES: Zieg
ABSENT: None
ABSTAIN: None

ATTEST:



Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



Dirk M. Smits, City Attorney



US-1 CORRIDOR TASK FORCE REPORT

ARCHITECTURAL STANDARDS
DESIGN VOCABULARY



Major Issues

- ▶ *Height*
 - ▶ *Landscaping*
 - ▶ *Parking*
 - ▶ *Architecture*
 - ▶ *Old Towne*
 - ▶ *Signage*
-



HEIGHT

- ▶ Established height requirement of 37' to be strictly enforced.
 - ▶ Administrative variance of up to 25% allowed, provided that:
 - ▶
 - ▶ 1. The variance request is consistent with the Bahamian/Conch/Key West Architecture, and
 - ▶ 2. There is no habitable space/living or working area above the 37' limit.
 - ▶ *An additional height variance may be requested from the City Council pursuant to Section 102.120, but eliminating section (B) from section requiring a 'hardship' to receive variance.*
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LANDSCAPING

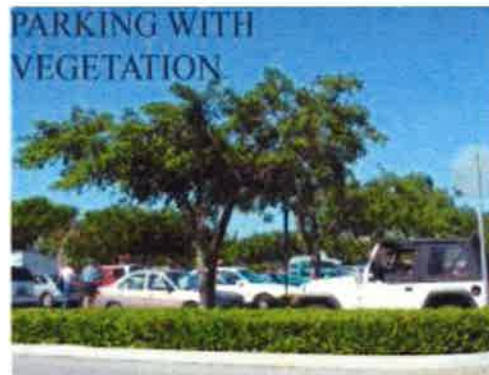
- ▶ **All Corridor Landscaping should avoid mid story plants.**

Canopy trees and ground cover or shrubs no higher than 28” to 32”, to create a window to allow businesses to be seen from US-1 (see Appendix I).

- ▶ **New Development Landscaping Plans:**

1. *Coordinated with City and Overseas Heritage Trail landscaping plans.*
 2. *Creates a landscaped access from Heritage Trail/bike path/ sidewalk to entrance to business or porch.*
 3. *Creates a landscaped access from business to parking.*
 4. *Increase shade by using denser landscaping and porches on new construction facing US-1.*
-

LANDSCAPING EXAMPLES





Fences and Shrubs

- No fence or vegetation over 28-32 inches and no visual barriers above fences or shrubs except permitted signs, or canopy trees, planted according to an approved landscaping plan.
 - Except when function or use support denser landscaping, i.e. resorts, residential use.
 - Provides buffer between the highway and commercial corridors
-



PARKING

- ▶ Create city wide parking plan in conjunction with landscaping plan, using Old State Rd 4A and available (or potential) vacant lands, on or off US-1

 - ▶ Create parking, bike and sidewalk plan for Old Towne
-



PARKING

- ▶ Co-ordinate with Scenic Highway and Landscape Committee to obtain leases of privately owned Old State Rd 4A for parking and landscaping
- ▶ Identify, lease or purchase property in Commercial or adjacent areas for future parking needs. (see Appendix II)



Existing Old Towne Design Guidelines

Section 105.00. Purpose and Intent.

The purpose of this chapter is to:

- ▶ A. Establish design review regulations, in order to:
 - ▶ a. Maintain and protect property values,
 - ▶ b. Enhance the appearance of the City and the US 1 corridor
 - ▶ c. Encourage creativity in building and site design,
 - ▶ d. Create a pedestrian-friendly environment by providing a comprehensive, continuous system of sidewalks (on both sides of all streets whenever possible) and paths throughout Old Town to enhance connections and pedestrian safety...
-



Existing Old Towne Design Guidelines

- ▶ B. Establish two (2) categories of regulations: a) "minimum standards" which must be met unless modified as provided in this chapter; and b) "guidelines" which, while not mandatory, are considered by the Department in rendering a decision on the proposal.



RECOMMENDATIONS

- ▶ To create a unified consistent look to Marathon's commercial corridor to encourage and invite the traveling public to stop and explore Marathon, its businesses and attractions.

 - ▶ To encourage pedestrian access to our businesses by planning coordination between the Overseas Heritage Trail, the bike path and sidewalks, landscaping, parking, and rest areas.
-

ARCHITECTURAL STANDARDS



- ▶ Bahamian/Conch/Key West Architecture on all new construction within US I Corridor
 - ▶ Implemented through a visual “design vocabulary” that provides graphic displays of the architectural standards to be utilized. The graphic elements of the “design vocabulary” include:
-

ARCHITECTURAL VOCABULARY



BUILDING MASS & STYLE

- ▶ ***Bahamian/Conch/Key West Architecture within setbacks. Possible variance from setbacks for porches to interface with pedestrian access.***
 - ▶ **materials:** wood, and masonry siding, stucco, concrete block construction with architecturally consistent exterior.
 - ▶ **facade treatments, windows and trims** consistent with Bahamian/Conch/Key West Architecture , window framing, awnings, decorative porches and gingerbread features
-



Building Mass and Style





Building Mass and Style



ARCHITECTURAL VOCABULARY



- ▶ **ROOFTYPES**
- ▶ *Bahamian/Conch/Key West Architecture.*

▶ **Hip, gable, mansard, flat.**

(no barrel tile roofs)

ROOF TYPES



ARCHITECTURAL VOCABULARY



▶ *PORCHES & EAVES*

- ▶ Bahamian/Conch/Key West Architecture Porches to be encouraged facing Overseas Heritage Trail or bike path/sidewalks. Pedestrian access from porches to parking areas/Overseas Heritage Trail/bike path/sidewalks to encourage shade, and require coordination between public and private landscaping.
-

ARCHITECTURAL VOCABULARY



- ▶ *GABLES, DORMERS, COURTYARDS, & ARCADES*
 - ▶ Bahamian/Conch/Key West Architecture Porches to be encouraged facing Overseas Heritage Trail or bike path/sidewalks. Pedestrian access from porches to parking areas/Overseas Heritage Trail/bike path/sidewalks to encourage shade, and require coordination between public and private landscaping.
-

Porches, Eaves, Gables, Dormers



Porches, Eaves, Gables, Dormers





Colors

- ▶ Colors: pastels and tropical colors only.
 - ▶ Graphic elements of design vocabulary will establish parameters for building colors; awnings, facades, window frames, dormers etc.
-

Colors





Façade Treatments, Windows and Trim





STREET FURNITURE

- ▶ **The objectives of a street furniture program are to:**
 - ▶ improve appearance, convenience, business support, and information dissemination.
 - ▶ Improve lighting, eliminate light pollution, enhance appearance and accessibility to businesses
 - ▶ create a set of street furniture that reflects the character of Marathon
 - ▶ enhance pedestrian circulation and safety
 - ▶ The street furniture elements included:
 - benches
 - Street and parking lighting
 - trash/recycling receptacles
 - information centers: location of services, historical and environmental information, using kiosks or sign structures
 - bicycle and golf cart parking
 - landscaped and shaded resting areas
 - public washrooms (*should revenue allow*)
-

Street Furniture



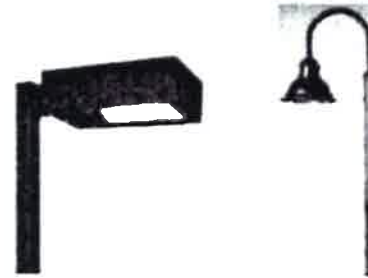


LIGHTING

- ▶ Consistent architectural design for all street lights
- ▶ Low luminosity, solar or LED. Low poles.
- ▶ Directional lighting, aimed down, reduce light pollution
- ▶ Lighting coordinated with Landscape and Overseas Heritage Trail, sidewalks and bike path



Street Lights





Signs

- ▶ Existing sign ordinance adequate for present needs, but...
 - ▶ Signs, over time, must achieve aesthetic architecture uniformity.
 - ▶ Similar height and size
 - ▶ Encourage use of box lit signs to minimize damage and maximize flexibility
 - ▶ Businesses off US I need special consideration
-



Signs (continued)

- ▶ **More historical or attraction identification signs**
 - ▶ **Restore historic names of streets,**
in addition to present street names.
 - ▶ **Give our parks appropriate names (historic, honorary, locational) and bigger, better signs.**
 - ▶ **Use bigger, better signage to identify attractions**
-



Historical, Identification Signs

POSTS ALSO AVAILABLE



36" x 24" Kentucky



24" x 18" Temple



18" x 24" Unity
Commemorative mounted on a stone

Old Towne Pavement and Curbs



- ▶ ***No curbs on US-1 in Old Towne unless they will not affect 35 MPH speed limit.***
- ▶ Otherwise, light colors only, to reflect heat, no interference with pedestrian or vehicle access to businesses, parking lots, or rest areas.

IMPLEMENTATION



Consistent application over time
