

Lehigh Acres Community Planning Panel

Architectural Review Board

By-laws

SECTION 1: PURPOSE:

The Lehigh Acres Community Planning Panel (LACPP) shall establish an Architectural Review Board (ARB) that is charged with design review of all new construction, zoning, use changes, exterior renovations and/or additions to commercial, industrial and multi-family projects. The Board's goals and purposes are to:

- 1.1. Improve the desirability of the community or investment in Lehigh Acres
- 1.2. Promote orderly and harmonious development in Lehigh Acres.
- 1.3. Encourage the attainment of the most desirable use of land and improvements
- 1.4. Enhance the desirability of living conditions upon the immediate site and adjacent properties.
- 1.5. Promote visual environments that are of high aesthetic quality, variety, sustainability and at the same time are considerate of each other
- 1.6. To prevent the development of structures or uses that are not of acceptable exterior design or appearance, are of inferior quality, or likely to have a depreciating effect on the local environment and surrounding properties by reason of appearance or value.

SECTION 2: MEMBERSHIP:

The Architectural Review Board shall have a minimum of seven (7) members consisting of one (1) registered architect, one (1) registered landscape architect/planner, one (1) professional engineer, one (1) builder, developer, or contractor and (2) lay persons. All members shall be selected from community

residents, businesses, or property owners in Lehigh Acres. Should residents, businesses, or property owners not be available to serve, the LACPP may seek members from outside the community. There shall be a Chairman and Vice-chairman of the Review Board, elected from among its members, at its first and subsequent annual meetings. An officer of the LACPP may not serve as an officer of the ARB.

- 2.1. The duties and powers of the Architectural Review Board shall be:
 - 2.1.2. To promote excellence in design.
 - 2.1.3. To review all applications requiring design review and issue a letter of acceptance or rejection to the LACPP for approval and submission to the Lee County Hearing Examiner, or Community Development.
 - 2.1.4. To assist in preparing and recommending adoption of design standards for various neighborhoods as designated by the Lehigh Community Plan.
 - 2.1.5. To provide recommendations to the LACPP, Lee County Hearing Examiner, Community Development and/or the Lee County Board of Commissioners.
 - 2.1.6. To ensure that ADA requirements are addressed and that all commercial or multi-family developments properly provides for the elderly and handicapped residents and visitors.
 - 2.1.7. Decisions of the Architectural Review Board shall be guided by the Lehigh Acres Comprehensive Plan and its accompanying Land Development Code.
- 2.2. The terms of members of the Architectural Review Board will be three (3) years. The initial members shall be appointed as follows: one member for one year, two members for two years, and two members for three years.
- 2.3. Members may be reappointed to succeeding terms.
- 2.4. Board members shall receive no compensation.

- 2.5. No member of the Board shall vote on any matter that materially affects the property, income, or business interests of that member or creates the appearance of a conflict of interest.
- 2.6. Members of the Architectural Review Board may be removed by the LACPP with or without cause by a majority of the LACPP Directors.
- 2.7. Board members shall let it be known prior to discussion of any business, any communications with or about said project brought before the board.

SECTION 3: QUORUM:

A minimum of fifty percent plus one member shall constitute a quorum. Members shall notify the Chairman twenty-four (24) hours in advance of the meeting if they are not going to be present, to allow for the cancellation of a meeting and notification of proponents should a quorum not be possible.

SECTION 4: RULES OF PROCEDURE:

- 4.1 The Architectural Review Board shall meet at regularly scheduled meetings, at least monthly.
- 4.2 All meetings of the Architectural Review Board shall be public meetings, held in public places and duly advertised in public newspapers a minimum of (1) week prior to meetings.
- 4.3. All proceedings shall be recorded by both manual and electronic recordings.
- 4.4. All records shall be kept in a public place and made available for the public and proponents to review.
- 4.5. The Architectural Review Board shall invite public participation.
- 4.6 From time to time, the Architectural Review Board may make its own policies and procedures as they effect:
 - 4.6.1 day, time and place of meetings
 - 4.6.2 how presentations shall be conducted

- 4.6.3 the content of submissions
- 4.6.4 the time the submissions should be submitted prior to the meetings to allow for ample review by committee members
- 4.6.5 determining what criteria shall be reviewed by the Board: at a minimum the Board shall review the following:
 - 4.6.5.1 scale
 - 4.6.5.2 massing
 - 4.6.5.3 relationships to streets and other buildings
 - 4.6.5.4 compatible uses
 - 4.6.5.5 features of landscape
 - 4.6.5.6 features of signage
 - 4.6.5.7 overall site plan acceptability
 - 4.6.5.8 Criteria checklist as provided by the Architectural Review Board.
- 4.7. Drawings and presentation materials presented to the Board shall be a minimum of 24" x 36" format, shall be labeled with the Design Professionals name, address, phone number and e-mail address as well as the name of the project and project address.
- 4.8. Submissions shall consist of: site plan, floor plan(s), Elevation (4), landscape plan, colors and materials board. Plans need not be construction documents, but must present the overall design intent as to massing, scale, details, visual impact, colors, and orientation and site relationships.
- 4.9. All drawings shall be prepared by a currently licensed State of Florida Architect or design professional.
- 4.10. The Architectural Review Board shall cause recommendations to be made during the meeting to be passed onto the proponent (architect/owner) at the meeting, to the LACPP, Community Development and the hearing examiner as expeditiously as possible.

- 4.11. The Board may approve, approve with conditions, or disapprove each project after consideration of whether the established design criteria have been met.
- 4.12. Revisions as per the Architectural Review Board's comments shall be incorporated into the final design and submitted to the Architectural Review Board. The Architectural Review Board shall transmit its findings to Lee County Community Development and.
- 4.13. The Architect, Design Professional or Owners representative shall be present at all Review Board meetings. Should these representatives not be present, the item will be postponed to the next monthly meeting.
- 4.14. Upon approval of the application or ruling by this board, containing all findings of the Board, the applicant shall have one (1) year to obtain a building permit. Failing to obtain a building permit within the time period allotted, shall require the proponent to revisit the Board for possible additional requirements.
- 4.15. If the applicant is disapproved, the Board shall detail its findings of the criteria that have not been met. Any action taken by the Board shall be forwarded in writing to the proponent, architect, LACPP, Community Development and the Hearing Examiner as may be appropriate

SECTION 5: FEES:

The fee for submission to the Lehigh Acres Community Planning Panel, Architectural Review Board, shall be \$000.00 per single building, and \$000.00 for multi-building projects to be reviewed. The fees will be used to offset the costs of administrative personnel to transcribe and transmit data to the architect, proponent and Hearing Examiner.

SECTION 6: APPEALS:

The proponent may appeal the findings of the Architectural Review Board to the, LACPP, Hearing Examiner and/or the Board of County Commissioners, who shall decide the validity of the appeal and rule accordingly.

SECTION 7: SEVERABILITY:

The provisions of these by-laws are severable, and it is the intention to confer the whole or any part of the powers herein provided for. If any court of competent jurisdiction shall hold any of the provisions of by-laws unconstitutional, the decision of such court shall not affect or impair any remaining provisions of by-laws.

SECTION 8: CONFLICTS OF LAW:

Whenever the requirements or provisions of these by-laws are in conflict with the requirements or provisions of any other lawfully adopted Lee County Development Code requirement, or Florida Statute, the more restrictive shall apply.

SECTION 9: EFFECTIVE DATE:

The effective date of these by-laws shall be 30 days from its adoption date.

Passed and adopted this _____ day of _____ 2011.