



WILDWOOD

ZONING PRIMER

for

**P.Z. 12-16 Planning and Zoning Commission c/o Department of Planning and Parks
City of Wildwood, Missouri**

Prepared by the Department of Planning and Parks

January 17, 2017 Executive Meeting

“Planning Tomorrow Today”

- Petition:** P.Z. 1-17
- Petitioner:** City of Wildwood Planning and Zoning Commission, c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040
- Request:** A request to amend Chapter 415 of the City of Wildwood’s Code of Ordinances by the addition of proposed regulations to Sections 415.220 Architectural Review Board Requirements and 415.380 Miscellaneous Regulations, which would establish certain requirements regarding the Architectural Review Board’s authority, including requiring the attendance of a petitioner’s architect of record at its meetings and the extent and types of necessary information that must be included on submitted architectural drawings and applications.
- Zoning District (s):** All Residential, Commercial, and Industrial Districts, including the C-8 Planned Commercial District and the M-3 Planned Industrial District
- Wards:** All

Background >>> The City of Wildwood has always utilized, in some form, an Architectural Review Board, since its inception. Initially, it was the Planning and Zoning Commission in a de-facto role, given its significant participation in the land use decision-making process. Shortly, thereafter, a more permanent approach was needed, when the Town Center Plan was developed and the extent of the architectural requirements associated with it had been identified by Andres Duany, the consultant to the City on this project. With this extent of guidelines and requirements, a standing board of architects was determined by the a Planning and Zoning Commission and the City Council to be necessary to ensure what was ultimately developed in Town Center complied with these items and would be the best it possibly could be from the characteristics of design and function. These guidelines were intended to encourage architecture in the Town Center Area that created a complement to the streets, public spaces, and the existing built environment.

The first step in this process of creating a board was the formation of an interim group for the purposes of creating the mechanism to form the rules and regulations for the permanent board, along with the process for reviewing applications for the development of property in the Town

Center Area. This interim board was formed in 1997 and completed its task in approximately three (3) years. The outcome of this process can be summarized as follows:

1. The board would consist of five (5), practicing and registered architects.
2. The board would meet once a month.
3. The board would have sole responsibility for the architecture of all buildings and structures in the Town Center Area.
4. The board would use the architectural guidelines of the Town Center Area as the template for reviewing proposals for new development in this special area of Wildwood.
5. The board's decision could only be overturned by an appeal heard and acted upon by the City Council.

The Planning and Zoning Commission and the City Council received this recommendation from the interim board and the future processes of its administration and composition. The Planning and Zoning Commission recommended the permanent board be formed and the City Council agreed and passed legislation forming it. The board, as in its current form was formed by this legislative act in 2001.

During the aforementioned three (3) year period of time, when the interim board was in place, it sought also to address developments that were occurring outside of the Town Center Area that were determined to have a much greater impact upon the surrounding neighborhood than a typical single family dwelling. These developments included schools, universities, places of worship, and non-residential uses authorized by Conditional Use Permits (CUP). Developments of this nature typically have been located on large parcels of ground and involved substantial building footprint sizes and an extended impact on the locations around them. The board created sixteen (16) standards of architecture for the portions of Wildwood not located within the Town Center Area and how these items should be administered thereafter. The Planning and Zoning Commission supported this effort and the City Council authorized this review authority outside the Town Center Area in 1999.

The next development affecting the board was needed changes to the initial set of regulations that related to the board's composition and other operating matters. Prompting such consideration was the board was having some difficulty finding practicing, licensed architects to serve for the three (3) year required term. This situation led to cancellation of some meetings due to a lack of a quorum. Therefore, the board agreed to allow other disciplines to participate on the board as alternate members. These professions included landscape architects, engineers, and planners. These changes were ultimately recommended by the board and supported by the Planning and Zoning Commission. The City Council adopted legislation for these changes in 2007.

The City's board has approved numerous projects over the course of its almost seventeen year existence. Many of the board's efforts have resulted in signature buildings, both in the Town Center Area and elsewhere in the City. The process for these reviews by the board have changed minimally over the years, given the success of it in providing ample information at the start of the session and the consistent application of the guidelines over the years. As in most cases, the collective

knowledge of the participants lead to a successful outcome for all parties, i.e. pleasing architecture, functional space, and reasonable costs, with limited time delays.

Current Request >>> With the update of the Town Center Plan completed in 2012, the board began a process of reviewing the architectural guidelines thereafter, acknowledging all plans and their components need to be considered relative to time, trends, successes, and new technologies and materials. As this review proceeded, the board modified many of the guidelines, but also sought to memorialize a couple of items relating to its processes associated with the review of applications before it. This desire led to the posting of the following advertisement for hearing and action by the Planning and Zoning Commission (the Architectural Review Board and its authority are enabled under the City's Zoning Ordinance, thereby requiring review and recommendation by the Planning and Zoning Commission):

A request to amend Chapter 415 of the City of Wildwood's Code of Ordinances by the addition of proposed regulations to Sections 415.220 Architectural Review Board Requirements and 415.380 Miscellaneous Regulations, which would establish certain requirements regarding the Architectural Review Board's authority, including requiring the attendance of a petitioner's architect of record at its meetings and the extent and types of necessary information that must be included on submitted architectural drawings and applications.

The items to be considered for addition to the current regulations of these sections involve the processes the board utilizes in hearing and considering applications for development by design teams that are seeking its action. These items are:

1. The mandatory attendance of the architect of record at all the meetings where the project is being presented and/or discussed; and
2. The memorialization of the items each application for consideration by the board must contain for the purposes of understanding the planned building, the site, and the area's context around the subject location.

These two (2) requirements are identified in the board's by-laws, but are not included in any of the regulations associated with it and its activities. Concerns have been raised by some of the board members that, without these changes, a more recent trend of the building owner presenting the project may become more entrenched. Therefore, the board members felt it was critical to address this situation at this current time. The application packet of the board, which includes this information, is provided as an attachment to this Primer.

Conclusion >>> As always, if any of the Planning and Zoning Commission members should have questions or comments about this information before tonight's hearing, please feel free to contact the Department of Planning at (636) 458-0440. Staff of the Department of Planning and the City Attorney will be in attendance at the public hearing to provide information and respond to questions or comments in this regard. Thank you for your consideration of this information and input on the same.

Chapter 415. Zoning Regulations

Section 415.220. Architectural Review Board Requirements.

[Ord. No. 1324 App. A §1003.157, 8-14-2006; Ord. No. 1399 §1, 4-23-2007]

- A. *Intent And Purpose.* This Section contains the specific regulations for the establishment of the City of Wildwood's Architectural Review Board. The purpose of the Architectural Review Board is to review, comment and act upon design, function and aesthetic issues and elements relative to all buildings and structures to be constructed in the Town Center District or any other zoning district designation in the City. This review authority shall not apply to single-family dwellings not located within the Town Center District as designated on the Comprehensive Zoning Map adopted by the City Council of the City of Wildwood, Missouri. The Architectural Review Board shall also establish appropriate meeting procedures to undertake, coordinate and complete their required responsibilities in a timely manner as described by this Chapter, including participating with other boards and commissions of the City.
- B. *Definitions.* For the purposes of this Section, the following words and phrases are defined as follows:

ARCHITECT

Any person authorized pursuant to the provisions of Chapter 327, RSMo., to practice architecture in Missouri as the practice of architecture is defined in Section 327.091, RSMo., 2000, as amended.

ARCHITECTURAL STANDARDS AND GUIDELINES

The specific requirements applied by the Architectural Review Board in the administration of their powers and duties, which are defined by Section **415.380(1)(2)** Miscellaneous Regulations—Architectural Review in all Districts and the architectural guidelines of the Town Center Plan as they may be amended from time to time by the Architectural Review Board.

AREA

A specific geographic division of the City of Wildwood.

ARB

The City of Wildwood Architectural Review Board.

CONSTRUCTION

The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

ENGINEER

Any person authorized pursuant to the provisions of Chapter 327, RSMo., to practice engineering in Missouri as the practice of engineering is defined in Section 327.181, RSMo., 2000, as amended.

LANDSCAPE ARCHITECT

Any person authorized pursuant to the provisions of Chapter 327, RSMo., to practice landscape architecture in Missouri as the practice of landscape architecture is defined in Section 327.603, RSMo., 2000, as amended.

REVIEW MATERIALS

All materials identified on the policy memorandum approved by the Architectural Review Board and titled "Submittal Requirements of the City of Wildwood's Architectural Review Board" as it may be amended

from time to time by the Architectural Review Board.

URBAN PLANNER

Any person having received a degree in urban planning from an accredited college or university with applicable and current background and employment in the field.

- C. *Scope And Application.* Every application for a building permit for the construction or alteration of any building or structure within the boundaries of the Town Center or in any zoning district outside these boundaries, except as noted elsewhere in this Chapter, shall be submitted to the Architectural Review Board for consideration and action based upon the standards and guidelines currently in place at the time of the submittal. This requirement shall not apply to alterations and repairs not affecting the exterior appearance of the building or structure and existing non-conforming uses for which an exemption to the Town Center or general standards of the Zoning Code's miscellaneous regulations has been granted per the site specific ordinance governing the property or by the underlying regulations of the applicable code.
- D. *General Requirements.*
1. *Composition of Architectural Review Board.*
 - a. The Architectural Review Board shall consist of five (5) residents of the City of Wildwood, all of whom shall be appointed by the Mayor with the consent of a majority of members of the City Council. Three (3) alternate members may be appointed to serve in the absence or the disqualification of the regular members. These alternate members shall not be represented as licensed, practicing architects, as part of their participation on this Board, unless otherwise having said registration (as defined herein). In addition, one (1) member of the City Council shall serve as a non-voting liaison to the Board. All five (5) members of the Architectural Review Board shall be practicing, licensed architects.
 - b. Alternate members of the Architectural Review Board shall be either practicing, licensed architects, engineers or landscape architects and/or urban planners as defined herein (see Section **415.220(B)** Definitions).
 2. *Terms.*
 - a. The terms of office for the members of the Architectural Review Board shall be for a period of three (3) years commencing on June first (1st) of the year of their appointment and ending on May thirty-first (31st) of the year in which they complete their tenure as a Board member, unless otherwise appointed. The initial composition of the Board shall consist of the five (5) members currently appointed to the advisory Architectural Review Board. Upon appointment and at the first (1st) meeting of the new Board, the members shall choose the length of their terms by lot. One (1) member shall serve for a one (1) year period, two (2) for two (2) years and two (2) for three (3) year period. All succeeding terms shall be for three (3) years. Anyone filling a vacancy shall be appointed for the remainder of the unexpired term of the member leaving the Architectural Review Board.
 - b. The terms of office for the alternate members of the Architectural Review Board shall be for a period of two (2) years commencing on June first (1st) of the year of their appointment and ending on May thirty-first (31st) of the year in which they complete their tenure as an alternate to the Architectural Review Board, unless otherwise reappointed. Alternates may continue to serve in these positions past the two (2) year appointment, until otherwise replaced by the Mayor and City Council. The membership of the first (1st) alternates appointed shall serve respectively, one (1) for one (1) year and two (2) for two (2) years. Thereafter, as noted above, members shall be appointed for terms of two (2) years.
 - c. The Architectural Review Board shall hold at least one (1) meeting per month or as otherwise directed by the Chair. Any member of the Architectural Review Board who fails to attend at least fifty percent (50%) of all meetings within any calendar year of service, regular or special, shall thereby automatically vacate the membership position. Appointment of a replacement shall be to complete the unexpired term and made in the same manner as described in Subsection **(D)(1)**.

3. *Officers.* Officers shall consist of a Chair, Vice Chair and Secretary elected by the Architectural Review Board who shall each serve a term of one (1) year and shall be eligible for re-election. The City Council representative shall not be eligible to serve as an officer. The Chair shall preside over meetings. In the absence of the Chair, the Vice Chair shall perform the duties of the Chair. If both are absent, a temporary Chair shall be elected to oversee the meeting by those in attendance. The Secretary of the Architectural Review Board shall have the following duties (these duties may be assigned to the Department of Planning upon the agreement of the Architectural Review Board):
 - a. Take minutes of each Architectural Review Board meeting;
 - b. Be responsible for publication and distribution of copies of the minutes, reports and decisions to the members of the Architectural Review Board;
 - c. Give notice to the City Clerk for posting as provided herein by law for all public meetings conducted by the Architectural Review Board;
 - d. Advise the Mayor of vacancies on the Architectural Review Board and expiring terms of members;
 - e. Prepare to submit to the City Council a complete record of the proceedings before the Architectural Review Board on any matter requiring City Council considerations; and
 - f. Review and inspect projects which have been approved by the Architectural Review Board for compliance and self-education.
4. *Meetings.* A quorum shall consist of three (3) of the members. All decisions or actions of the Architectural Review Board shall be made by a majority vote of those members present and voting at any meeting where a quorum exists. Meetings shall be held at regularly scheduled times to be established within the bylaws of the Architectural Review Board at the beginning of each calendar year or at any time upon the call of the Chair. No member of the Architectural Review Board shall vote on any matter that may materially or apparently affect the property, income or business interest of that member. The Architectural Review Board shall keep minutes of its proceedings, showing the vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall be public record.
5. *Compensation.* The members shall serve without compensation, but shall be reimbursed for expenses they incur while on Board business.
6. *Powers and duties.* The Architectural Review Board shall have the following powers and duties:
 - a. To adopt its own bylaws and procedural regulations, provided that such regulations are consistent with this Chapter and the Revised Statutes of the State of Missouri.
 - b. To review and act upon all plans for the construction of buildings and structures proposed in the City's Town Center.
 - c. To review and act upon all plans for the construction of buildings and structures outside the Town Center area of the City, except for single-family dwellings, and any authorized accessory use customarily found in conjunction with the primary use of the property in any residential zoning district.
 - d. To inform and educate the citizens of the City of Wildwood concerning the architectural heritage of the City through publication or sponsorship of newsletters, pamphlets or programs.
 - e. To recommend to the Director of Planning to issue stop work orders for any work undertaken by an owner or contractor which does not comply with the approved Architectural Review Board's plans, elevations or models.
 - f. To develop and recommend to the City Council modifications to architectural standards and guidelines relating to the administration of the Architectural Review Board's responsibilities.
 - g. To testify before all boards and commissions, including the Planning and Zoning Commission, the Board of Adjustment and the City Council, on any matter affecting architecturally significant

structures or buildings within the community or any other item within the scope of their powers and duties, including all appeal requests.

- h. To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to the implementation of the purpose of this Chapter.
- i. To assist and participate with the Planning and Zoning Commission in their review of development proposals affecting properties within the Town Center boundary or as may be authorized by the Zoning Code for other locations in the City.
- j. To participate in preliminary discussions held between developers, property owners or other interests concerning projects in the City for the purpose of determining compliance with applicable standards, guidelines or regulations and provide input to assist those parties in the preparation of plans, elevations, models and other presentation aids in anticipation of review and action by the Planning and Zoning Commission and/or the City Council.

E. *Review Authority.*

1. *Review materials.* Any applicant for a construction project subject to architectural review shall submit to the Architectural Review Board materials specified on an approved list provided by it. This list shall be regularly updated by the Board and shall be made available to all applicants at the time of their first (1st) contact with the City's Department of Planning. The Architectural Review Board may require additional information as necessary to decide on any particular application. The submittal of these review materials is mandatory and, if not provided, the Architectural Review Board can delay review and action upon it. Review may begin once all materials are provided to the Architectural Review Board.
2. *Meeting procedures and actions.* The Architectural Review Board shall hold a public meeting to allow for the applicant to present the required materials and shall allow public comment thereon. After such review the Architectural Review Board shall expeditiously, as practicable, approve the application if it conforms to the City's standards and guidelines in this regard or return it with suggestions, when the Board deems the plan would conform to these items with minor modifications. All decisions shall be in writing and delivered to the applicant and the Director of Planning.
3. *Standards for approval.* The Architectural Review Board shall consider any proposal by the application of the minimum requirements and guidelines established by this Chapter, which are on file in the City offices and incorporated from the City of Wildwood's Town Center Plan—Architectural Guidelines or Section **415.380** "Miscellaneous Regulations" of the City of Wildwood Zoning Code. These standards are not intended to restrict variety, creativity or imagination in architectural design, but rather are intended to set minimum standards and guidelines in which to develop visual cohesiveness of buildings or structures, pedestrian-friendly access and design and compatibility with surrounding natural or built environment, as well as preserve property values and promote the public health, safety and welfare.
4. *Modifications.* Architectural guidelines identified as "minimum standards" must, unless a modification is granted, be observed in all plans. Architectural regulations identified as guidelines shall be observed, unless an alternative proposed feature or design is shown by the applicant to meet or exceed the intent and objectives of this Chapter, the Town Center architectural guidelines and the applicable master plan principles. The standards and guidelines are designed to direct and limit the discretion of the Architectural Review Board and, therefore, modifications from the standards and guidelines shall only be permitted upon a clear showing that the alternative feature and design conforms with the identified legislative intent of these regulations.

- F. *Appeal Of Actions Of The Architectural Review Board.* If the Architectural Review Board denies an application, it may provide suggestions or proposed modifications to the applicant to arrive at a mutually satisfactory alternative to the proposed design. If the applicant does not receive approval of the modified plan within thirty (30) days, the applicant may file with the City Clerk a written appeal to the City Council. Upon appeal, the Architectural Review Board shall provide the City Council with a complete, written record of the application indicating the reasons for the denial. In acting upon the appeal, the City Council may grant a modification from the strict interpretation of this Chapter when such will not materially affect the health or safety of the applicant and general public. If a modification is granted by the City Council, appropriate mitigation shall be incorporated as part of any such approval to address aesthetics, scale, design and consistency. This mitigation

must minimally address the impact on the surrounding properties and the viewscape from any public roadway or parcel of ground resulting from this modification.

Chapter 415. Zoning Regulations

Section 415.380. Miscellaneous Regulations.

[Ord. No. 1324 App. A §1003.167, 8-14-2006]

- A. *Scope Of Provisions.* This Section contains miscellaneous regulations generally applicable to various Sections of this Chapter.
- B. *Single-Family Dwellings.* Every single-family dwelling hereafter erected or structurally altered shall be located on a separate lot or tract. In no case shall there be more than one (1) single-family dwelling on one (1) lot or tract except for accessory buildings or uses, as defined herein, and except for any structure authorized as part of a special procedure requiring submission to the Planning Commission of any type of site development plan for review and approval.
- C. *Primary Use To Be Established.* No accessory land use or development shall be established until a primary structure or use is established on the same lot. No accessory land use or development shall be allowed to continue after termination of the primary use or development on a lot.
- D. *Multiple Uses On The Same Tract.* In the event two (2) or more permitted, conditional or accessory uses are conducted on the same tract of land, each having a different minimum lot area requirement, the minimum lot area regulations for the combined uses shall be the largest of the required minimum areas for each of the particular uses.
- E. *Easements Dwelling Units.* Land area to be utilized for large lot roadway easements need not be deducted from gross site area in calculating the maximum number of dwelling units permitted on a parcel or tract of land.
- F. *Street Right-Of-Way.* Land dedicated to public street right-of-way shall not be included in computing minimum lot area for the purposes of this Chapter. However, if, through dedication of street right-of-way, the area of any lot or parcel already established via the provisions of the subdivision ordinance is decreased below the minimum area required in the applicable zoning district, development rights shall not be denied.
- G. *Future Street Lines.* Where a line has been established for future widening or opening of a street upon which a lot abuts, the required yard space shall be measured from the established future street line. Required yard space shall be measured from private roadway easement boundaries or from road maintenance or other road-related easements where such easements abut public road rights-of-way.
- H. *Corner Lot—Rear And Side Yard Setback Requirements.* Each corner lot shall have a rear yard and a side yard with minimum setback requirements of the applicable zoning district. The side and rear yards shall be identified by the owner of the corner lot when plans are submitted for the first building on the property.
- I. *Illumination Structures In Certain Districts.*
 - 1. All illumination structures, except for approved street lights, shall be so arranged as not to cast light directly from any source of illumination on any public right-of-way or on adjacent properties in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District. At the discretion of the Planning and Zoning Commission, as part of their review of site development plans, it may require a lighting study to determine the necessary treatments to eliminate off-site spillage per the above stated requirements.
 - 2. *Architectural review in all zoning districts.*

- a. All buildings and structures, except single-family dwellings and related accessory uses permitted by right, in any established zoning district designation within the City of Wildwood shall submit architectural elevations and a model of simplified form to the Architectural Review Board for review and action.
- b. Other items necessary to this review may also be required of the applicant by the Architectural Review Board. Except as may be modified by the Town Center Architectural Guidelines, all developments subject to this Section shall comply with the standards set forth below and such more specific guidelines as may be adopted by the Architectural Review Board and the Department of Planning consistent with this Section. Such supplemental guidelines shall be effective after review and recommendation of the Department of Planning and ratification by the City Council. No building permit shall be authorized by the City of Wildwood for any development subject to this Section which does not have an approved architectural elevation(s). Appeal of decisions made by the Architectural Review Board shall be to the City Council pursuant to the procedure in Section **415.530** "Appeal and Protest Procedure for Change of Zoning and Special Procedures". Said standards are as follows.
 - (1) Material selection and construction quality should maintain the highest standard possible.
 - (2) Architectural style and development appearance should complement or be consistent with the surrounding natural and built environment.
- c. *General design standards.*
 - (1) Material selection and construction quality should maintain the highest standard possible.
 - (2) Architectural style and development appearance should complement or be consistent with the surrounding natural and built environment.
- d. *Site design standards.*
 - (1) Design and building placement must take into account sensitivity to the site and the surrounding area and incorporate the environmental features as defined by the Natural Resource Protection Standards.
 - (2) Design of parking areas must reflect site characteristics and reduce excessive land disturbance by minimizing paved surfaces, utilizing alternative materials and terracing or other similar construction techniques.
 - (3) Design of buildings or clusters of buildings should avoid "monotonous tendencies".
 - (4) Design, orientation and presentation of all buildings visible to the public from an adjoining public right-of-way shall particularly address this elevation(s).
 - (5) Views enjoyed by surrounding properties shall be maximally preserved, where possible, through accommodations in the mass, bulk and height of structures.
 - (6) Orientation of buildings shall consider, at least, natural lighting qualities and benefits.
 - (7) Landscaping materials must be utilized as part of any improvement and should complement the exterior color and treatments of the buildings located on the lot.
- e. *Building design standards.*
 - (1) Proportions of building elements shall be consistent and achieve harmony in design.
 - (2) Mass, bulk and height should be consistent with and complement the surrounding development pattern, individual site characteristics and overall lot area.
 - (3) Relationships should be compatible between each building or site improvement and the overall design concept and surrounding properties.
 - (4) Accessibility within the project should be pedestrian oriented, visually appealing and functional.
 - (5) Building materials should be of the type normally used in this area.
 - (6) Colors should complement the area's natural setting. A master list may be a suitable option to consider in this regard.

(7) Variations to these guidelines may be granted by the Architectural Review Board where the variation satisfies the intent and objectives of these guidelines.

- J. *Issuance Of Grading, Building, Etc., Permits In Certain Districts.* No permits shall be issued for grading, building or use of a site governed by a planned district or special procedure permit which are not in accord with site development plans or other final plans approved by the Planning Commission or Department of Planning.
- K. *Grading Plans To Be Submitted—When.* No subdivision, rezoning or conditional use permit shall be granted until a grading plan complying with all grading requirements has been submitted and reviewed by the Department of Public Works and Department of Planning.
- L. *Yards To Be Open To Sky—Exceptions.* Every part of a required yard shall be open to the sky, unobstructed except as follows:
1. Ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting not to exceed twelve (12) inches;
 2. Ordinary projecting of chimneys and flues, not to exceed seventy-two (72) inches in width, projecting not to exceed twenty-four (24) inches;
 3. Roof overhangs projecting not to exceed eighteen (18) inches, except that roof overhangs on the south side of a building may project forty-eight (48) inches into a side or rear yard, but no closer than forty-eight (48) inches to a property line;
 4. Canopy overhangs for service stations projecting a maximum of eighteen (18) inches into required front yards;
 5. Slab type porches or paved terraces having a maximum height of not more than twelve (12) inches above ground elevation at any point may project into any yard except that the projection into the front yard shall not exceed ten (10) feet;
 6. In all "R" Residence Districts air-conditioning units extending into side or rear yards a maximum of thirty (30) inches, with air-conditioning units including mounting pedestals not to exceed forty-eight (48) inches in height above ground elevation within said side or rear yards;
 7. Driveways, ramps, sidewalks and parking lots as otherwise permitted by this Chapter.
- M. *Temporary Structures.* Temporary structures, as set forth below, which are to be used in connection with the development and sale of a tract of land may be erected or located on said tract prior to and may remain thereon during the construction or development period.
1. Temporary buildings and trailers may be used as construction offices, field offices or for storage of materials to be in connection with the development of said tract, provided that said temporary structures are removed from said tract within this thirty (30) days after completion of the project development. Temporary buildings or trailers must also be removed from said tract within thirty (30) days after voluntary suspension of work on the project or development, after revocation of building permits or on order of the Director of Public Works upon a finding that said temporary structure is deemed hazardous to the public health and welfare. A bond in the amount of one thousand dollars (\$1,000.00) for their removal shall be posted with the City of Wildwood. Additional regulations are as follows:
 - a. No temporary building or trailer can be located within view of any public roadway, other than those streets which are or have been constructed as part of the overall development currently underway. If the placement of any temporary building or trailer cannot meet this requirement for the preservation of the viewscape along a public roadway, the following alternative may be employed: a solid board fence, six (6) feet in height, shall be erected around the perimeter of the site where the trailers are proposed. This fence must be painted white, black or left natural in color, unless a comparable material is submitted and approved by the Department of Planning for use on the site.
 - b. Any temporary building or trailer located along a internal street within a residential development currently under construction shall be screened by a fence, six (6) feet in height, which is erected around the perimeter of the site. This fence may be constructed of wood, chain-link or a comparable

material which must be approved by the Department of Planning for use on the site. Landscaping materials must be placed around the perimeter of the fenced area and provide a continuous, non-seasonal screen of plantings and meet the requirements of the City's Tree Manual in this regard. This planting pattern shall be approved at the time of the zoning authorization for the placement of the building or trailer on the site.

2. Temporary real estate offices or sales offices may be established in a display dwelling unit or temporary building. Said offices must be closed and operation discontinued and all temporary structures and facilities must be removed from the tract:
 - a. Within thirty (30) days after lots or dwelling units have sold, rented or leased; or
 - b. After the passage of thirty (30) days from the date of the last transaction after ninety percent (90%) of the development has been sold, rented or leased.

A bond in the amount of one thousand dollars (\$1,000.00) guaranteeing the removal of any such temporary structure or facility shall be posted with the City of Wildwood prior to commencement of use.
 3. No temporary buildings or trailers shall at any time be located closer than twenty-five (25) feet to a property line of any adjacent property, notwithstanding the required setbacks of the zoning district in which such temporary building or trailer is located, unless otherwise not authorized by paragraphs (1)(a) and (b) of this Subsection.
 4. Any other provision of the law notwithstanding, a building permit or occupancy permit shall not be required for buildings or trailers permitted in paragraph (1) of this Subsection. However, an electrical permit shall be required for the establishment of service to any temporary building or trailer used for the aforementioned purposes.
 5. The storage of construction materials shall comply with the location permitting and screening requirements identified in paragraphs (1)(a) and (b) of this Subsection, including authorization from the respective fire district to maintain or store hazardous or flammable materials on the site according to the applicable Fire Code. Additionally, no storage of construction materials or debris, regardless of its nature, shall be allowed on a property adjoining, abutting or otherwise adjacent to an occupied single-family dwelling or where construction on the same is underway, unless a minimum of fifty (50) feet is maintained between the material storage area and the property line of the lot where the single-family dwelling is located or under construction.
- N. *Copy Of Approved Ordinance To Be Given To Operator, Owner, Etc.—Acknowledgement.* In each instance in which approval of use or development of property is made subject to conditions by the City Planning Commission in the approval of a conditional use permit, special procedure, mixed use development or planned industrial or commercial development, a copy of the approved ordinance, resolution, order or permit shall be furnished by the property owner or owners or petitioner to the operator, owner and manager, including successor operators, owners and managers. Each successor shall forward to the Director of Planning and Parks an acknowledgement that he or she has read and understood each of the conditions relating to the use and development of the property affected by the ordinance, resolution, order or permit and agrees to comply therewith.
- O. *Plats To Be Consistent With Plan.* Subsequent to approval and recording or filing of a final development plan, site development plan, site development concept plan, section plan or similar plan for the development and use of property under the special procedures of this Chapter or under the regulations of a planned district ("C-8" or "M-3"), no development of property subject to such a plan shall be performed and no permit shall be issued for development unless such development is consistent with the plan and unless the property has been platted in accordance with the City of Wildwood subdivision ordinance. No plat for property subject to such a plan shall be approved unless the plat is consistent with the plan.
- P. *Litter.*
1. In this Subsection, the word "litter" means and includes garbage, trash, refuse, junk, brush, inoperative machinery or other waste material; the phrase "otherwise lawful" means in compliance with applicable

zoning district regulations and with all rules, regulations, ordinances, conditions, permits and licenses applicable to the property or activity, whether arising from this Chapter or any other ordinance.

2. Except as provided in this Subsection:

- a. No persons shall throw or deposit litter on any vacant or occupied property whether owned by such person or not.
- b. The owner or person in control of any private property shall, at all times, maintain the premises free of litter.

3. It shall be lawful:

- a. To accumulate or store non-putrescible litter in a sightproof structure or container.
- b. To accumulate or store litter produced as an incident of the otherwise lawful use of the same premises where stored, where such storage is pending removal or disposal and does not exceed seven (7) days, provided the litter is placed or stored in a container or otherwise screened from the view of persons upon adjacent property or rights-of-way.
- c. To operate an otherwise lawful vehicle or machinery repair facility, construction material stockpile or sewage treatment facility.
- d. To store material to be used in an otherwise lawful agricultural or nursery operation on the premises devoted to such use.
- e. To keep not more than one (1) unlicensed vehicle outdoors for hobby or instructional purpose, provided that any such vehicle kept for more than seventy-two (72) hours shall be kept behind the residence or other principal structure on the property.

Q. *Amusement Devices And Activities—Christmas Tree Sales Lots—Sales Yards.*

1. The Director of Public Works is authorized to issue a permit for the installation of amusement devices on a temporary basis within any zoning district, provided that said permit shall not be valid for more than ten (10) consecutive calendar days and, further provided, that no permit shall be valid without a license to operate. The Director may, in regard to any given site, designate the hours and days of the week of operation and the specific location of the amusement devices on the property. No more than two (2) such permits shall be issued in any calendar year with regard to any particular property. For the purpose of this paragraph, "amusement device" includes those devices enumerated in Chapter 803 of the SLCRO and any similar device.
2. The Director of Public Works is authorized to issue a permit for the operation or conducting of an amusement activity on a temporary basis within any zoning district. The Director of Public Works may request a report be submitted by the Chief of Police with respect to any traffic or public safety aspect of the proposal if appropriate. For the purpose of this paragraph, "amusement activity" includes a circus, carnival, fair, turkey shoot, art display, trade or animal show, concert, dance, rally, parade, athletic competition and any similar activity not involving the erection of any permanent structure or facility. The permit shall be issued for a specific period of time not exceeding ten (10) days. The permit shall contain such conditions as are necessary for protection of public health, safety and traffic and the Director of Public Works may require such assurance or guarantee of compliance with conditions as is reasonable and appropriate under the circumstances. This permit is in addition to any building permit, air pollution device construction or operating permit, highway special use permit or other permit or license required by law for any proposed activity or facility. No more than two (2) temporary amusement activity permits shall be issued in any calendar year with regard to any particular property; provided however, that this limitation with respect to the number of temporary amusement activity permits shall not apply to public property, nor to property not held for private or corporate profit and used exclusively for religious worship, for schools and colleges, for purposes purely charitable or for agricultural and horticultural societies. These provisions applicable to the period of time and the number of temporary permits for turkey shoots that can be held shall not apply to turkey shoots conducted on all Saturdays and Sundays falling within the months of October, November and December of each year.

3. The Director of Public Works is authorized to issue a permit to any not-for-profit organization for the installation of a Christmas tree sales lot on a temporary basis within any zoning district, provided that said permit shall be valid for no more than thirty-five (35) days prior to Christmas day and five (5) days after Christmas day. The permit shall contain such conditions as are necessary for protection of public health, safety and traffic and the Director of Public Works may require such assurance or guarantee of compliance with conditions as is reasonable and appropriate under the circumstances. The permit may include the installation of one (1) temporary or portable sign not to exceed thirty (30) square feet in outline area. The location of the sign shall be as approved by the Director of Public Works.
4. The Director of Public Works is authorized to issue a permit to any church, school or other not-for-profit organization for the establishment or conducting, on a temporary basis within any zoning district, a sales yard for the sale of items for charitable purposes. The Director of Public Works may request a report be submitted by the Chief of Police with respect to any traffic or public safety aspect of the proposal, if appropriate. For the purpose of this paragraph, "sale of items" includes such items as plants, pumpkins, barbecue, fish fry and bake sale. The permit shall be issued for a specific period of time not exceeding fourteen (14) consecutive calendar days. The permit shall contain such conditions as are necessary for protection of public health, safety and traffic; and the Director of Public Works may require such assurance or guarantee of compliance with conditions as is reasonable and appropriate under the circumstances. No more than four (4) such permits may be issued for any parcel of land in any calendar year.

R. *Regulations For Satellite Dishes.*

1. The purpose of the following regulations for "satellite dishes" or "dish antennas" of greater than one (1) meter in diameter in residentially zoned districts or greater than two (2) meters in diameter in exclusively commercially or industrially zoned areas is to improve the aesthetic appearance of these structures within all zoning districts. The regulations shall not impose unreasonable limitations on or prevent reception of satellite delivery signals by receive-only antennas or impose costs on the users of such antennas that are prohibitive in light of the purchase and installation cost of the equipment. Except as noted herein, satellite dishes of less than one (1) meter in residentially zoned districts or less than two (2) meters in exclusively commercially or industrially zoned areas in diameter are exempted from the regulations contained herein.
2. In all zoning districts, one (1) satellite dish shall be a permitted use on any lot or parcel of land. Any additional satellite dishes proposed for a lot requires a conditional use permit.
3. In no case shall a satellite dish be permitted to be attached to a portable device. Any satellite dish must be stationary. The location of a satellite dish shall be as approved by the Department of Planning on the site plan or plot plan of the property. All satellite dishes require a building permit.
4. No message or identification, other than the manufacturer's identification, shall be allowed to be portrayed on a dish antenna. The message or identification shall not exceed twenty-five hundredths (.25) square feet in area. Satellite dishes shall be limited to mesh construction; however, a satellite dish eight and one-half (8½) feet or less in diameter may be either of mesh or solid construction. All dishes shall be finished in a single neutral, non-reflective color and surface, which shall blend with the natural surroundings.
5. *Ground-mounted satellite dishes.*
 - a. Any ground-mounted satellite dish shall be located in the rear yard, provided that on a corner lot, the dish cannot be located any closer to the side street than the principal building located on the lot. On any lot other than a corner lot, the dish shall be placed in an area bounded by the side yard setback lines, the rear wall line of the primary structure and the rear yard setback line. The side and rear setback lines shall be in accordance with the setback requirements of the underlying zoning district.
 - b. Ground-mounted satellite dishes in the commercial, industrial or multi-family districts shall be located in a designated service area outside of any required landscape area or front and side yard setback area. The antenna shall not be placed in the area between the front setback line and the structure.
6. *Screening of satellite dishes.*

- a. Screening of satellite dishes shall serve to reduce the visual impact on adjoining properties without impeding the "line of sight" of dish reception. The location and type of screening shall be as approved by the Department of Planning on the site or plot plan.
 - b. Screening shall be accomplished through the use of fencing, landscaping, in the form of evergreen and deciduous trees and shrubbery, structures or topography. For ground-mounted satellite dishes in the single-family residential districts, trees and shrubs shall be at least one-half ($\frac{1}{2}$) the height of the dish at the time of planting. (The center of the dish shall be determined as the point where the dish is attached to its base when viewed from off of the site.) The landscaping material shall be maintained and replaced if it dies.
 - c. Screening of roof-mounted antenna in commercial, industrial or multi-family districts is required up to three (3) feet or to the center of the dish, whichever is greater. The design and material composition of the screening shall be compatible with the existing building design and colors and be approved by the Department of Planning.
 - d. For buildings listed on the National or State Register of Historic Places or the Wildwood Register or within a historic area or district designated on the City's Master Plan, no antenna or dish shall not be visible from fronting or flanking streets or otherwise visible from public view at any point. This is to maintain the aesthetic characteristics of the historic structures and neighborhoods. No antenna or dish greater in size than necessary for its purpose shall be permitted in these historic areas, including dishes of less than one (1) meter in residentially zoned areas or less than two (2) meters in exclusively commercially or industrially zoned areas if a smaller size is feasible.
7. For the "R" residential zoning districts other than the multi-family districts, the height of ground-mounted satellite dishes shall not exceed twelve (12) feet above the average grade. The dishes shall not exceed a diameter of ten (10) feet. For lots of three (3) acres or more in the "NU" Non-Urban Residence District, satellite dishes shall not exceed a diameter of twelve (12) feet with no restriction on height; otherwise, dishes on lots less than three (3) acres in the "NU" District shall not exceed twelve (12) feet in height or ten (10) feet in diameter. Roof-mounted satellite dishes in the multi-family residential districts, commercial districts and industrial districts shall not exceed eight (8) feet in diameter or a total structure height of ten (10) feet.
- S. *Recreational Vehicles, Boats And Trailers.* In all residence districts, boats, trailers and recreational vehicles shall be parked behind the established front building line or completely screened from view from any roadway, right-of-way or adjoining property; provided however, this provision shall not apply to vehicles parked outdoors for a period of less than twenty-four (24) consecutive hours occurring no more than four (4) times per month on the same property and, further provided, that parking for two (2) hours or less in any twenty-four (24) hour period shall not constitute a prohibited parking under this Subsection.
- T. *Kiosks.* Kiosks, consisting of uninhabitable structures and associated islands of less than one thousand (1,000) square feet in total surface area, shall be a permitted accessory use to a business or activity located on the same site with no more than two (2) service aisles in association with it, provided such structure is authorized by a site-specific ordinance, subject to modifications as may be authorized by the same. The height of any kiosk shall not exceed eleven and a half (11.5) feet above finish grade of the surrounding parking lot or drive aisle area. Interior height of the kiosk, that distance from final finish grade of the drive aisle or parking lot to the interior ceiling of the canopy structure, shall not exceed ten (10) feet in height. However, the canopy band in association with the kiosk cannot be greater than eighteen (18) inches in height. Motion detectors shall be employed with kiosk lighting, except signage. Said sensors shall limit the illumination of these lights to five (5) minutes. The installation of an accessory kiosk shall be additionally subject to approval required as part of a site development plan submittal including limitations reflected by a traffic analysis of the circulation pattern for the kiosk or other reasonable considerations relative to the site. All kiosk structures shall be subject to review by the City's Architectural Review Board and all other or limiting requirements of a site-specific ordinance.
- U. *Commercial Vehicles.* Open storage of all commercial vehicles is hereby prohibited in all residence districts. A commercial vehicle left in a stationary position for twenty-four (24) hours not completely screened from any roadway, right-of-way or adjacent property will be deemed open storage in violation of this Subsection.



WILDWOOD

APPLICATION FOR THE CITY OF WILDWOOD'S ARCHITECTURAL REVIEW BOARD *(please read thoroughly)*

The following information and items shall be provided to the Department of Planning for processing and dissemination in association with scheduling of submittals before the City of Wildwood's Architectural Review Board (ARB). The ARB meets on the second Thursday of each month, unless otherwise changed, with the submittal deadline being 2:00 p.m. on the Monday ten (10) days prior to the meeting. If the agenda cannot support the number of submitted applications, a special meeting may be requested by the applicant or the item will be carried over to the succeeding month. A complete set of plans shall be submitted, with the information bearing an original signature and seal of the Licensed Architect upon it, before the Board will conduct its review. The completeness of the submission will aid in the understanding of the project by the Board and the relevance of its comments, as well as expedite reviews in an effort to avoid delays. Failure of the architect to sign and seal all requested items that are the subject of this review process, where applicable, or not providing the requested information identified below, will disqualify the submittal and the Department of Planning will return the packet to architect of record.

SECTION I

Project

Name: _____

Address/Location: _____

Applicant Contact Information: _____

Zoning District/Council Ward: _____

SECTION II

The ARB submittal requirements shall be as follows:

- Architects Statement:** Provide a written statement that explains the design theory utilized in the overall site and building design separately. Include items such as reasoning behind entry locations, building placement, how existing topography was utilized instead of ignored, shape, orientation and style of the building, reasoning for chosen building materials and colors, site and building lighting, etc. This statement should be written as from one architect to another and should

include design theory. In this instance, cost can be an acceptable and appropriate goal of the overall design. The statement shall close with an acknowledgment that the design is in compliance with the requirements, or it should give a description of non-compliant items, with an explanation for such.

- **Preliminary Development Plan & Colored Landscape Plan:** These plans should reflect the same elements required for submittal to the Planning & Zoning Commission, such as the infrastructure and site improvements, including building footprints, curb cuts and driveway locations, and other natural and man-made features of significance.
- **Photographs:** Photos should reflect existing site conditions and immediate surrounding properties in all compass directions. The intent of these photographs is to better understand the project site and context, and how the project under consideration will complement both existing conditions, as well as future projects.
- **Preliminary Floor Plans:** These plans refers to the building footprint. However, interior layout, while not reviewed, can help in understanding the footprint and elevations.
- **Colored Architectural Elevations:** Elevations for each façade of the building, presented in the chosen color palette, with overall dimensions and materials labeled, noting any special items as necessary for a clear understanding of the project. Light fixtures should be shown accurately.
- **Colored Building Rendering:** This item is critical to provide a clear and quick understanding of the massing of the building and its materials and colors. Ideally, if prepared electronically in three dimensions, provide 'snapshots' of several views to highlight the overall building.
- **Materials and Colors:** The submittal should include 'finishes' pages, such as manufacturer specification sheets of the materials and colors. Actual samples will be required for presentation at the meeting itself.
- **Please provide twelve (12) copies of all of the above information in an 11"x17" format, formatted to fit 11"x17", and bound into an 8.5" x 11" booklets with a cover, as well as all information contained on a disc, or digital device. Appropriate sheets shall exhibit the original signature, seal, and date of the Licensed Architect, who prepared them. Please note, larger format items are permitted and encouraged for presentation purposes at the Architectural Review Board meeting.**

The items contained in the submittal package must meet minimum requirements prescribed by the Architectural Review Board(ARB). Further information may be requested, as directed by the Department of Planning and/or the ARB. Once an application has been processed for an upcoming meeting, the agenda will be sent to the appropriate representative(s). Attendance by the petitioner with their architect(s) for presentation and discussion with the ARB is mandatory. Variances to these procedures must be agreed to by the ARB members and the Department of Planning in advance of the scheduled meeting date. If you have any further questions, please feel free to contact the Department of Planning at (636) 458-0440.

We, the undersigned, are aware of the aforementioned items and submit this application in full compliance with the requirements of the Architectural Review Board on this day _____ of _____, 20____.

Applicant [signature]

Licensed Architect [signature]

Applicant [print]

Licensed Architect [print]

Contact Information for Applicant and Architect may be provided by attaching business cards here:



W I L D W O O D

SECTION III

For Office Use Only

Application submittal accepted on: _____
Initial By: Department of Planning Staff

Initial review is scheduled for: _____

Subsequent review is scheduled for: _____

Comments: _____

Final Approval by the ARB on: _____

Architectural Review Board Chair