

**ORDINANCE NO. 2015- 447**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SUNNY ISLES BEACH, FLORIDA, AMENDING SECTION 150-1 OF THE CODE OF ORDINANCES (“MATERIALS AND COLOR OF EXTERIOR WALLS”) TO UPDATE THE COLOR PALETTE FOR EXTERIOR WALLS OF STRUCTURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 150 of the Code of Ordinances of the City of Sunny Isles Beach regulates the materials and color of exterior walls located within the City; and

**WHEREAS**, the existing color palette from Sherwin Williams has become obsolete and needs to be updated; and

**WHEREAS**, the City Commission wishes to update the Sherwin Williams color palette to ensure consistency in the color palette for exterior walls of structures.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SUNNY ISLES BEACH, FLORIDA, AS FOLLOWS:**

Section 1.     Incorporation of Recitals.     The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part by this Ordinance upon adoption hereof.

Section 2.     Amendment.     Section 150-1 of the City Code is amended to read as follows:

**§ 150-1. Materials and color of exterior walls.**

All exterior walls of buildings shall be constructed of concrete, glass blocks, poured concrete, stone, hollow tile, coral rock or clay brick provided that for commercial zoning districts metal panels, pebble-faced panels, precast panels and architectural concrete may be used for exteriors of walls designed and used for commercial purposes. All exterior masonry services shall be stuccoed and painted excepting those of coral rock, stone, glass, clay brick, slump brick, pebble-faced brick, pebble-faced panels, precast panels and architectural concrete. Sun screens on commercial buildings may be constructed of masonry, metal, glass or plastic where such frames are located in a metal or masonry frame, provided that such sun screen shall be subject to approval by the City Commission for every site plan applicant. Exterior coloring shall be approved by the City Commission, in accordance with a palette of colors that will be available for public consumption at the Zoning Department and which colors shall be approximate to appropriate and harmonious with the palette of colors included in the Sherman Williams Fundamentally Neutral Exterior Color Numbers SW ~~2419~~ 6000 through SW ~~6276~~ 2421 up to the 4th panel of each color palette strip (Nos. ~~2419~~ 1 through ~~2421~~ 40). Semi-gloss

paint may be used on exterior walls, and gloss paint shall only be used on doors and trims. Single-family homes shall be exempt from the requirement of Commission approval, provided that the single-family homeowner shall secure approval for exterior colors in accordance with the approved color palette from the Building Department prior to pulling a building permit.

Section 3.     Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clause, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4.     Inclusion in the Code. It is the intention of the Commission, and it is hereby ordained, that the provisions of this Ordinance shall become and be made a part of the code of the City of Sunny Isles Beach, Florida; and that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word “ordinance” shall be changed to “section” or other appropriate word, as required.

Section 5.     Repealer. All ordinances or part of ordinances in conflict herewith be and the same are hereby repealed.

Section 6.     Effective Date. This Ordinance shall be effective ten (10) days after adoption on second reading.

**PASSED and ADOPTED** on first reading the 19<sup>th</sup> day of February 2015.

**PASSED and ADOPTED** on second reading the 19<sup>th</sup> day of March 2015.

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George H. Scholl, Mayor

**ATTEST:**

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Jane A. Hines, MMC, City Clerk

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

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Hans Ottinot, City Attorney

**Moved by:** \_\_\_\_\_

**Seconded by:** \_\_\_\_\_

**Vote:**

Mayor Scholl

\_\_\_\_\_(Yes)

\_\_\_\_\_(No)

Vice Mayor Gatto

\_\_\_\_\_(Yes)

\_\_\_\_\_(No)

Commissioner Aelion

\_\_\_\_\_(Yes)

\_\_\_\_\_(No)

Commissioner Goldman

\_\_\_\_\_(Yes)

\_\_\_\_\_(No)

Commissioner Levin

\_\_\_\_\_(Yes)

\_\_\_\_\_(No)