



**PROJECT NAME:** \_\_\_\_\_

**ORDINANCE NO. 4035 DEVELOPMENT STANDARDS: CHECKLIST OF ATTRIBUTES**

**A. BULK REGULATIONS**

- 1. Height: No portion of any building or structure shall exceed nine (9) stories or one hundred (100) feet in height.
  
- 2. Setback: Buildings shall be setback from rights-of-way of any contiguous public road, as demonstrated on Exhibit D.
  - a. No part of any building is located in a required easement.
  - b. No part of any building is located within six (6) feet of the outside edge of the right-of-way indicated in the right-of-way plan referenced in paragraph 3(25) of this Amended Development Order.
  - c. That part of the building which has a height of greater than thirty (30) feet must be located at least twenty (20) feet from the outside edge of any right-of-way indicated in the right-of-way plan referenced in paragraph 3(25) of this Amended Development Order.
  - d. That part of the building which has a height of greater than fifty (50) feet must be feet must be located at least thirty (30) feet from the outside edge of any right-of-way indicated in the right-of-way plan referenced in paragraph 3(25) of this Amended Development Order.
  - e. Each and every portion of the building is set back from the centerline of all public rights-of-way by a distance that is at least equal to or greater than one half of the height of such portion of the building.

**B. OFF-STREET PARKING**

1. Specified and Non Specified Uses

- Business Office Use: Shall be provided in the amount of 3 spaces per 1,000 square feet
- Retail Use: Shall be provided in the amount of 4 spaces per 1,000 square feet
- Restaurant Use: Shall be provided in the amount of 1 space per 38.9 feet of gross floor area excluding food preparation area, drink preparation areas, storage areas, and other areas not directly utilized by the public, plus 1 space for each 2.2 linear feet of bar.
- No additional parking shall be required for outdoor seating provided that the outdoor seating does not exceed 25% of the indoor seating.
- Hotel Use: Shall be provided in the amount of 1 space per 1,000 square feet
- Residential Use: Shall be provided in the amount of 1.75 spaces per dwelling unit
- Institutional Use: Shall be provided in the amount of 1 space for every 4 theater seats; 1 space for each 1,000 square feet of museum

- Other Institutional Uses: Shall be provided in the amount of 3 spaces for every 1,000 square feet
- Non Specified Uses: Shall be provided in the amount of 90% of the off-street parking requirements for such uses provided in the City Code of Ordinances.

Existing buildings that are nonconforming under the provisions of this Amended Development Order in regard to off-street parking shall not be required to become conforming in regard to off-street parking, even if the building has been vacant for more than six months

- Nonconforming building.
- N/A.

## 2. Technical Deviation

- a. In the case of special parking problems or needs;
- b. Or N/A.

## 3. Shared Parking Requirements

- The intent of these shared parking requirements is to permit a reduction in the total number of required parking spaces when a parcel is occupied by two or more uses which typically do not experience peak parking demands at the same time.

The maximum reduction under this provision shall be twenty five percent (25%) of the shared parking requirement, unless a greater reduction is approved as a technical deviation under Paragraph 2(4) (b) 2.

## 4. Compact Parking

- \_\_\_\_\_ Percentage of compact car spaces provided.

## 5. Handicapped Parking Requirements

- Shall have access to a curb-ramp or curb-cut when necessary to allow access to the \_\_\_\_\_ building served.
- \_\_\_\_\_ Number of handicap parking spaces provided

## 6. Required Off-Street Parking

- Shall be located on the same parcel or no more than 600 feet from the use they are intended to serve.

## 7. Parking structures and surface parking lots

- Shall be landscaped in accordance with the provisions of Paragraph 2(4) (c) of the amended Development Order.

## 8. Bicycle Parking

- Non-residential off-street parking facilities shall provide a bicycle parking area in a reasonably secure and convenient location to encourage the use of bicycles.

## 9. Off-street parking facilities

- Shall be designed and constructed in accordance with the City's Engineering Standards, which are not included in the amended Development Order.

## 10. Non-residential off-street parking facilities

- Marked crosswalks from required sidewalks to building entrances shall be provided and shall be designed with common access from abutting properties wherever feasible to limit curb cuts on roadways.

11. Use of Parking Agreements

- For the collective provision, joint or shared use of parking facilities.

12. Parking Plan

- Clearly and accurately designate the required parking spaces, landscaped areas, planter islands, access aisles, driveways and the relationship of the parking to the uses or structures the spaces are intended to serve.

**C. LANDSCAPING**

1. General

- Provide specifications for the measurement, quality and the installation of landscaping.

2. Required Landscaping

- a. All off-street surface parking areas and other vehicular use areas shall be landscaped in accordance with the provisions set forth in the Development Order.

- b. At least fifteen percent (15%) of the gross parking/vehicular use area shall be devoted to living landscaping.

- \_\_\_\_\_ Percentage provided.

- c. Landscaping along public rights of way  
Consistent with the Streetscape Plan.

- d. Dumpsters  
Screened from view.

- e. Parking lots and vehicular use areas  
Screened from view.

- Living barriers  
Minimum four (4) foot wide planting strip.

- Non-living barriers  
Minimum three (3) feet above finished grade of the adjacent parking or vehicular use area one year after planting.

Shall be a minimum of three (3) feet high above finished grade of adjacent parking or vehicular use area at time of installation.

- Living barriers  
Shall also provide one (1) tree in each thirty five (35) lineal feet or fraction thereof in the perimeter landscape area.

- Non-living barriers  
Shall have a hedge on one or both sides of the barrier.

- g. Remainder of required landscaping on the perimeter of the site

All other Property, excluding proposed parking or other vehicular use area that abuts an existing hedge, wall or other durable landscape barrier requirement in the required four (4) foot planting strip may be reduced or omitted, provided the existing barrier meets all applicable standards of this amended Development Order and protection against vehicular encroachment is provided and landscaped with grass ground cover or other.

h. Interior landscaping of parking areas

- Planter islands must be located in no event farther apart than every ten (10) parking spaces and at a terminus of all rows of parking.
- Minimum size of a planter island must be five (5) feet wide by  $\frac{3}{4}$  the length of the parking space.
- Planter islands must be curbed in accordance with the provisions of Paragraph 2(4) (c) 1.f
- In addition to the trees required for the perimeter of the parking area, planter islands must contain a minimum of one (1) tree for every one hundred (100) and twenty five (125) square feet or less of area.
- The remainder of the planter island shall be landscaped with shrubs, lawn ground cover or other approved material not to exceed three (3) feet in height.

i. Provide a buffer between residentially zoned parcels used for the residential purposes and non-residential uses as follows:

- A six (6) foot masonry wall finished on both sides with stucco, tile or keystone or a combination of such finishes and a hedge of at least four (4) feet in height adjacent to the wall; or
- A landscaped buffer in accordance with one of the alternatives depicted on Exhibit F.
- Parking structures shall utilize exterior planter boxes at intermediate floors and provide dense landscaping at the base of the structure.
- Credit toward requiring landscaping may be given for existing plant material provided that such material complies with the standards of this amended Development Order.

3. Landscaping Plan Requirements

A landscaping plan shall be submitted in conjunction with an application for an Individual Development Approval (IDA) and shall contain at least the following:

- a. A description of the type, quality and location of existing vegetation;
- b. The location of proposed landscaping, overhead and underground utilities, easements, and other improvements;
- c. The species and potentially alternative species along with each species drought tolerance rating;
- d. The height, spread, spacing and quality of landscaping;
- e. A description of the proposed installation of the landscaping;

- f. Mulching, fertilizing and plant preparation;
- g. Irrigation systems design and specifications.

#### 4. Maintenance

- a. The Owner, occupant, tenant and the respective agent of each, if any shall be jointly severally responsible for the maintenance of all landscaping and irrigation equipment.
- b. Landscaping shall be maintained in a good condition so as to present a healthy, neat and orderly appearance at least equal to the original installation and shall be kept free from refuse and debris.
- c. Any dead vegetation and landscaping material shall be promptly replaced with healthy living plantings.
- d. Landscaped areas shall be mulched with a minimum of three (3) inches of clean, weed free mulch.
- b. Irrigation systems shall be maintained to eliminate waste of water due to loss from damaged, missing or improperly operating sprinkler heads, valves, pipes and all other portions of the irrigation system.
- c. Tree pruning shall be accomplished in accordance with standards established in "Pruning Standards for Shade Trees".

#### **D. UTILITY DISTRIBUTION LINES**

- All electricity, telephone, CATV, and other utility distribution lines shall be installed underground to the maximum extent practicable.

#### **E. LIGHTING**

- Adequate lighting is provided on the perimeter of new development consistent with the light standard in the Beautification Plan (Exhibit H).
- Lighting provided for parking areas or other open areas on the site proposed for development shall be provided consistent with Exhibits H and I.
- In no case shall the parking lot lighting level be less than ½ foot candle maintained after burn in.

#### **F. ARCHITECTURAL DESIGN**

1. It is the intent of this amended Development Order to ensure that the development of Downtown Boca Raton is carried out in accordance with a harmonious architectural environment. In order to achieve this intent, all the development in Downtown Boca Raton shall comply with the following:
  - a. All development is encouraged to use the fundamental concepts which are found in the architecture of Addison Mizner as a principal design influence which are illustrated in Exhibit J. These concepts, illustrated in Exhibits J, K, L, M, N, O and P, include:
    - Creation of pedestrian scaled buildings through the use of building massing, varied roof scapes, ornamentation and color;

- Linkage of landscaped exterior spaces (courtyards, loggias, arcades and plazas) to buildings;
- Recognition of the South Florida climate which should influence building shape and orientation, nature of roofs and overhangs, and location and size of windows;
- Use of smooth and textured stucco, clay tile roofing, painted window frames, stucco moldings, masonry garden walls and wood trellis members (concepts are found in Mizner's Worth Avenue development in the Town of Palm Beach and in the Mediterranean style of the Boca Raton Hotel).
- b. Development designers should employ creative reinterpretations of the Mizner tradition as opposed to a literal copy of Mizner's work.
- c. All development in the Downtown Boca Raton shall contribute to the creation of a pedestrian oriented downtown by providing the following:
  - Emphasis on the buildings' street facades as major elements of the overall street-scape; and
  - Recognition of the scale and character of adjacent structures or developments, including continuation of existing façade treatment or expression lines, and the use of similar finish materials.
- 2. Each parcel proposed for development shall maintain the following percentages of the parcel as open space and no structures or buildings other than landscape features, fountains, benches, arcades and objects of art shall be located within the open space area:
  - Fifteen percent (15%), if the building is less than thirty five (35) feet;
  - For each foot of height above thirty five (35), up to seventy five (75) feet, fifteen (15) percent open space plus one percent (1%) for every 1.6 feet of height above thirty five (35) feet;
  - and forty percent (40%) if the building is greater than seventy five (75) feet.
- 3. At least sixty five percent (65%) of the required open space shall be open and uncovered from the ground to the sky. Up to thirty five percent (35%) may be arcades, colonnades, areas under exposed balconies, areas under exposed stairwells, areas under canopies and areas under pedestrian bridges.
  - \_\_\_\_\_ % of open space, open to the sky and uncovered provided.
  - \_\_\_\_\_ % of covered open space provided.
- 4. Archways similar to those examples (Exhibit P) shall be encouraged as a motif for windows and other openings.
- 5. Street level architectural treatment reminiscent of Addison Mizner, including colonnades, arcades, awnings, and other shade producing elements should be provided along all pedestrian street frontages (consistent with Exhibit O).
- 6. Pedestrian oriented frontages shall be integrated with adjacent properties which have also provided pedestrian oriented buildings (see Exhibit P).

- 7. No reflective glass shall be installed on the perimeter of a structure or building; provided that this standard should not be construed to prohibit tinted glass.
- 8. No more than 40 percent (40%) of the perimeter of a building's materials shall be composed of glass.
- \_\_\_\_\_ % of glass is provided by floor on the proposed structure(s).
- 9. All roofs on buildings shall be consistently treated with Spanish clay tile or other treatment that is reminiscent of the Addison Mizner style. Roofs shall have a minimum pitch of 4/12.
- Roof materials shall consist of metal (flat or standing seam); flat tile, barrel tile or masonry materials. This requirement shall not apply to flat roofs with a parapet wall of at least four (4) feet in height.
- 10. Mechanical equipment shall be screened with materials consistent with those used in the construction of the building. The screening material and structure shall be architecturally compatible with the building. The screening shall have a height of not less than the mechanical equipment it screens.
- 11. Light and pastel colors shall be used for external treatment of buildings.
- 12. No mansard roofs shall be installed.
- 13. Pedestrian circulation systems shall be barrier free and provide alternative ramps in addition to steps.
- 14. Where feasible, sidewalks along First Avenue, Federal Highway and Palmetto Park Road shall have an unobstructed width of at least eight (8) feet. All sidewalk paving shall be designed and composed of materials consistent with the sidewalk design standards in the Beautification Planning and Zoning Board adopted by the CRA Board of Commissioners.
- Sidewalk width is \_\_\_\_\_ feet.

**G. SIGNS**

- 1. Signs permitted in the Downtown based on the commercial sections of Boca Raton's Sign Code.

In addition to signage provided under Boca Raton's Sign Code temporary or permanent banners and pedestrian signage may be permitted in the Downtown if approved by the CRA Board of Commissioners.

- 2. Any new development or redevelopment may submit, as a part of an application for IDA, an integrated graphics program indicating the size, location, letter style and colors of signs and banners which are to be constructed on or in conjunction with the development or redevelopment.

- Integrated graphics program.

**H. NONCONFORMING STANDARDS**

- 1. Applications for a nonconforming building existing on the effective date of this Amended Development Order may be granted if the CRA Board of Commissioners determines that compliance is economically infeasible and constitutes a practical hardship, provided the CRA Board of Commissioners determines that the application complies with the requirements of Paragraph 2(4).
- 2. Nonconforming uses and nonconforming structures may continue provided that the structure is not enlarged or expanded, to increase the nonconformity.
- 3. If a nonconforming use of land ceases or is discontinued for a period of more than six months, the land shall thereafter be used in accordance with this Amended Development Order.
- 4. If a nonconforming use of a building or part of a building ceases or is discontinued for a period of six months or more, the building or part of the building shall thereafter be used in accordance with this Amended Development Order, except where the use is nonconforming only because of insufficient off-street parking in which case the use or another use can be reestablished regardless of the fact that the use has ceased or been discontinued for a period of six months as provided in Paragraph 2(4) (b)1.a. of this Amended Development Order.
- 5. If a building or structure in which there is a nonconforming nonresidential use is damaged by fire, flood, explosion, collapse, wind, war or other catastrophe to such an extent that the cost of repair or reconstruction will exceed fifty percent (50%) of the fair market value of the building or structure, it shall not be again used or repaired or reconstructed for any use except one permitted as a new use.
- 6. If any nonconforming nonresidential building or structure is damaged by fire, flood, explosion, collapse, wind, war or other catastrophe to such an extent that the cost of repair or reconstruction will exceed fifty percent (50%) of the fair market value of the building or structure, it shall not be again used or repaired or reconstructed except as a conforming building or structure.
- 7. If any residential building located in a residential district is damaged by catastrophe, the building may be repaired or reconstructed and used to house no greater than the number of dwelling units and no greater than the square footage or total living area in existence in the building prior to the damage, regardless of the extent of the damage, unless the regulations then in effect permit a greater number of dwelling units. Reconstructed structures shall be subject to the applicable fire and building codes at the time of the issuance of building permits for the reconstruction.