



MEMORANDUM
PLANNING/ZONING APPLICATION

DATE: April 7, 2023
FROM: Brandon Schaad, AICP, LEED AP *BRS*
Development Services Director
SUBJECT: **Architectural Standards in Ordinance 4035 Text Amendment**
AM-23-03/23-92500007

APPLICATION REQUEST

An ordinance amending Ordinance No. 4035 (the Boca Raton Downtown Development of Regional Impact (DDRI) Development Order), as amended, to update and expand the architectural standards to be considered in connection with applications for Individual Development Approval applicable within the DDRI

STAFF RECOMMENDATION:

Approval

Denial

I. BACKGROUND / ANALYSIS

This is a text amendment ordinance requested by Mayor Scott Singer and proposed by the City Manager pursuant to the authority granted by [Section 28-161](#), Code of Ordinances, to initiate amendments to Chapter 28 of the Code of Ordinances ("City Code"). Section 28-1266, Code of Ordinances, provides that the development of property within the community redevelopment area (the "Downtown") shall be governed by the provisions and requirements contained in the downtown development of regional impact development order as amended. Ordinance No. 4035, as amended, is the DDRI Development Order.

Staff recommends the Planning and Zoning Board recommend approval by the City Council of the proposed Ordinance, which would update and expand the architectural standards to be considered in connection with applications for Individual Development Approval by the Community Redevelopment Agency ("CRA") within the DDRI.

Development and redevelopment of the Downtown has matured since 1988, the year the DDRI became effective. The purpose of the proposed ordinance is to update certain of the architectural standards in Ordinance No. 4035 to reflect current design trends and allow additional flexibility. The standards continue to require that all development be carried out in accordance with a harmonious architectural environment and that the overall

architectural treatment and site development characteristics for every project shall exhibit high quality urban design consistent with the Amended Downtown Plan and harmonious with the redevelopment of Downtown Boca Raton. Staff, the design review consultants, and the CRA will continue to review Individual Development Approval applications in accordance with the updated standards.

The proposed changes to Ordinance No. 4035 are detailed in Section II of this report. In summary, the changes:

- support contemporary reinterpretations of the Addison Mizner architectural tradition to foster the creation of significant and iconic architecture in the Downtown
- support the creation of active street facades
- support alternative window and opening treatments
- support alternative street level architectural treatments
- provide for no reflective glass on the ground floor perimeter of a structure
- eliminate the 40% limitation of a building's perimeter glass
- eliminate the requirement that roofs be consistently treated with clay tile or similar treatment
- require that roof treatments be appropriate to the character of the proposed building
- eliminate the requirement that light and pastel colors be used for all external building treatment
- require that the overall architectural treatment and site development characteristics for every project exhibit high quality urban design consistent with the Amended Downtown Plan and harmonious with the redevelopment of Downtown Boca Raton.

CRITERIA AND PROCESS

[Section 23-34](#) of the City Code states that the administration of the Comprehensive Plan shall be governed by the principle that all development, all actions in regard to development orders, and all land development regulations and codes enacted or amended by a governmental agency shall be consistent with the Comprehensive Plan. Section 163.3194(b), Florida Statutes, requires that all land development regulations enacted or amended shall be consistent with the adopted Comprehensive Plan, and that any land development regulations existing at the time of adoption which are not consistent with the adopted Comprehensive Plan, shall be amended so as to be consistent. Staff has determined that the proposed amendment to the City Code is consistent with the Comprehensive Plan.

As a land development regulation, the Ordinance will require review and recommendation to City Council from the Planning and Zoning Board. The CRA will also provide a recommendation to City Council. One public hearing on the Ordinance is required.

PUBLIC NOTICE

Pursuant to [Section 28-8](#) of the City Code and Section 166.041, Florida Statutes, the following notice will be provided:

- Ten-day newspaper publication, to be published ten days prior to the public hearing. The advertisement was published on April 10, 2023 for the PZB meeting.
- Mailed notice to the property owners within the boundaries of the DDRI. Notice was mailed on April 6, 2023.

II. PROPOSED AMENDMENT

The following proposed amendment to the City Code is denoted by an underline for additions and a strikethrough for deletions:

The DDRI Development Order is hereby revised by amending Section 2, "Individual Development Approvals," Subsection (4), "Development Standards," Paragraph (f), "Architectural Design," to read as follows:

(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 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:

The creation of pedestrian-scaled buildings through the use of building massing, varied roof-scapes, ornamentation and color;

The linkage of landscaped exterior spaces (courtyards, loggias, arcades and plazas) to buildings;

The recognition of the South Florida climate which should influence building shape and orientation, nature of roofs and overhangs, and the location and size of windows;

The use of smooth and textured stucco, clay tile roofing, painted window frames, stucco mouldings, masonry garden walls and wood trellis members; and

Prime examples of these 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; or,

b. Development designers should employ creative reinterpretations of the Mizner tradition as opposed to literal copy of Mizner's work, examples of which are the Police Station of the City of Boca Raton, Sanborn Square, Mizner Court, and Mizner Park. In addition, more contemporary reinterpretations of the Mizner tradition are encouraged to foster the creation of significant and iconic architecture in Downtown Boca Raton; and,

c. All development in Downtown Boca Raton shall contribute to the creation of a pedestrian-oriented downtown by providing the following:

Creation of active ~~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 facade treatment or expression lines and the use of similar finish materials, or distinct architectural treatments and expressions that increase architectural interest; and,

d. The principles set out above and the following guidelines are not intended to limit quality architecture, but to establish a meaningful guide for quality development and redevelopment in Downtown Boca Raton.

Open Space:

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:

15%, if the building is less than thirty five (35) feet in height; and

for each foot of height above thirty-five (35) feet, up to seventy-five (75) feet, 15% open space plus 1% for every 1.6 feet of height above thirty-five (35) feet; and

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.

4. In creative reinterpretations of the Mizner tradition, archways similar to those examples included in Exhibit P shall be encouraged as a motif for windows and other openings. Alternatively, window and opening treatments appropriate to the overall architectural character of a building(s) are also encouraged.

5. In creative reinterpretations of the Mizner tradition, 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 the examples in Exhibit O. Alternatively, street level architectural treatments and shade-producing elements appropriate to the overall architectural character of a building(s) are also encouraged.

6. Pedestrian-oriented frontages shall be integrated with adjacent properties which have also provided pedestrian-oriented buildings. See Exhibit P for examples of this standard.

7. No reflective glass shall be installed on the ground floor perimeter of a structure or building; ~~provided that this standard should not be construed to prohibit tinted glass.~~

~~8. No more than forty percent (40%) of the perimeter of a building's materials shall be composed of glass.~~

~~79. 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 be consist of metal (flat or standing seam); flat tile; barrel tile or masonry materials, or other materials appropriate to the character of the proposed building. This requirement shall not apply to flat roofs shall have with a parapet wall of at least four (4) feet in height.~~

~~840. All 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.~~

~~942. No mansard roofs shall be installed.~~

~~1043. Pedestrian circulation systems shall be barrier-free and provide alternative ramps in addition to steps.~~

~~1144. 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 which are consistent with the sidewalk design standards in the Beautification Plan adopted by the CRA. The CRA may consider the timing of undergrounding utilities in accordance with the provisions of paragraph 2(4)(d) when determining the appropriate time for installation of such sidewalks.~~

12. The overall architectural treatment and site development characteristics for every project shall exhibit high quality urban design consistent with the Amended Downtown Plan and harmonious with the redevelopment of Downtown Boca Raton.

III. RECOMMENDATION

<input checked="" type="checkbox"/> Approval
<input type="checkbox"/> Denial

Document originated by: George S. Brown, Deputy City Manager

Ordinance No. 4035 – Amendment History

- Ordinance No. 4035 (10/13/1992)
- Ordinance No. 4945 - modifying Section 2(2)(j) to allow the allocation of uses in Subarea E to be transferred or converted such that the allocation in that subarea may be reduced up to 90% (08/08/2006)
- Ordinance No. 5049 - modifying transportation related conditions and improvements (09/09/2008)
- Ordinance No. 5052 - adding Downtown Quality Development Regulations including Interim Design Guidelines and related definitions, allowing in certain cases an increase in height on a portion of the building with modifications of setbacks contingent upon satisfaction of specific criteria (11/12/2008)
- Ordinance No. 5203 - modifying the Downtown Quality Development Regulations regarding location criteria for applications for Downtown Quality Projects and modifying applicability of bulk regulations (height, setback, and parking garages) to applications for certain Downtown Quality Projects (02/14/2012)
- Ordinance No. 5213 - modifying transportation related conditions and improvements (09/25/2012)
- Ordinance No. 5237 - modifying the provisions for reporting to be consistent with current statutory requirements (05/29/2013)
- Ordinance No. 5289 - modifying Downtown Quality Development regulations by reducing the minimum parcel size requirement for certain applications for Downtown Quality projects (01/13/2015)
- Ordinance No. 5295 - modifying a transportation related condition and improvement by the removal of the requirements for geometric improvements at the intersection of Camino Real and South Dixie Highway (02/10/2015)
- Ordinance No. 5443 - allowing roof overhangs, eaves, gutters, balconies and decorative architectural features to encroach into required setbacks of buildings from rights-of-way lines (02/13/2018)
- Ordinance No. 5477 - authorizing the Executive Director to issue Administrative Individual Development Approvals provided that the following square footage and/or office equivalency limitations, as applicable, are not exceeded: (i) 5,000 square feet or less, in the aggregate, of building construction; (ii) a change of use of 5,000 square feet or less, in the aggregate; (iii) a conversion of uses within a subarea of 5,000 square feet or less of office equivalent development, in the aggregate; and/ or (iv) a transfer of uses between subareas of 5,000 square feet or less of office equivalent development, in the aggregate (01/23/2019)
- Ordinance No. 5514 - modifying a transportation related condition to eliminate a requirement that the northbound South Federal Highway to eastbound Southeast Mizner Boulevard right turn lane be " free flowing" (01/28/2020)
- Ordinance No. 5520 - regarding the requirements and limitations set forth in Ordinance No. 5513 (regulating retail pharmacies and medical marijuana treatment center dispensing facilities) to reference these regulations in the 1992 Development Order, which will facilitate ease of reference for staff and property owners in the Downtown, and affirm the applicability of Section 28-1312 to uses in the Downtown (03/10/2020)
- Ordinance No. 5581 - reflecting established planning principles, guidelines, goals and requirements included within the 1992 Development Order and the Amended Downtown Plan as specific criteria to be reviewed in connection with applications for Individual Development Approval (07/27/2021)
- Ordinance No. 5607 - adding provisions allowing for and regulations governing space efficient mechanical and automated parking systems (02/02/2022)

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AN ORDINANCE OF THE CITY OF BOCA RATON AMENDING ORDINANCE NO. 4035 (THE BOCA RATON DOWNTOWN DEVELOPMENT OF REGIONAL IMPACT (DDRI) DEVELOPMENT ORDER), AS AMENDED, TO UPDATE AND EXPAND THE ARCHITECTURAL STANDARDS TO BE CONSIDERED IN CONNECTION WITH APPLICATIONS FOR INDIVIDUAL DEVELOPMENT APPROVAL APPLICABLE WITHIN THE DDRI; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING AN EFFECTIVE DATE (AM-23-03/23-92500007)

WHEREAS, all development within Downtown Boca Raton (the "Downtown), the City's community redevelopment area, must be carried out in accordance with the provisions of Ordinance No. 4035, the development order for the Boca Raton Downtown Development of Regional Impact, as amended (the "DDRI Development Order"); and

WHEREAS, as the development/redevelopment of the Downtown has matured over the decades, the City Council wishes to update certain architectural standards that are considered in

1 connection with Individual Development Approval (an "IDA") applications to reflect current design
2 trends; and

3 WHEREAS, the City Council declares its legislative intent that nothing herein has the
4 effect of "down-zoning, unit density reduction, or intensity reduction," or is adverse to, or abridges
5 the rights of, any property owners in the Downtown; and

6 WHEREAS, the Planning and Zoning Board and the Community Redevelopment Agency
7 ("CRA"), after notice and public hearings, have considered the proposed amendments to the
8 DDRI Development Order, as more specifically described herein, and have submitted their
9 recommendations to the City Council; and

10 WHEREAS, the City Council, after notice and a public hearing, has considered the
11 proposed amendments to the DDRI Development Order, the recommendations of the Planning
12 and Zoning Board and the CRA, and all public comments, and finds that the proposed
13 amendments to the DDRI Development Order are consistent with the City of Boca Raton
14 Comprehensive Plan; now therefore

15
16 THE CITY OF BOCA RATON HEREBY ORDAINS:
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18 Section 1. The DDRI Development Order is hereby revised by amending Section 2,
19 "Individual Development Approvals," Subsection (4), "Development Standards," Paragraph (f),
20 "Architectural Design," to read as follows:

21 (f) Architectural Design.

22 1. It is the intent of this amended Development Order to ensure that the development
23 of Downtown Boca Raton is carried out in accordance with a harmonious architectural
24 environment. In order to achieve this intent, all development in Downtown Boca Raton shall
25 comply with the following:
26

1 a. All development is encouraged to use the fundamental concepts which are found
2 in the architecture of Addison Mizner as a principal design influence, which are illustrated in
3 Exhibit J. These concepts, illustrated in Exhibits J, K, L, M, N, O, and P, include:

4 The creation of pedestrian-scaled buildings through the use of building massing, varied
5 roof-scapes, ornamentation, and color;

6 The linkage of landscaped exterior spaces (courtyards, loggias, arcades and plazas) to
7 buildings;

8 The recognition of the South Florida climate which should influence building shape and
9 orientation, nature of roofs and overhangs, and the location and size of windows;

10 The use of smooth and textured stucco, clay tile roofing, painted window frames, stucco
11 mouldings, masonry garden walls and wood trellis members; and

12 Prime examples of these concepts are found in Mizner's Worth Avenue development in
13 the Town of Palm Beach and in the Mediterranean style of the Boca Raton Hotel; or,

14 b. Development designers should employ creative reinterpretations of the Mizner
15 tradition as opposed to literal copy of Mizner's work, examples of which are the Police Station of
16 the City of Boca Raton, Sanborn Square, Mizner Court, and Mizner Park. In addition, more
17 contemporary reinterpretations of the Mizner tradition are encouraged to foster the creation of
18 significant and iconic architecture in Downtown Boca Raton; and,

19 c. All development in Downtown Boca Raton shall contribute to the creation of a
20 pedestrian-oriented downtown by providing the following:

21 Creation of active ~~Emphasis on the buildings'~~ street facades as major elements of the
22 overall street-scape; and

23 Recognition of the scale and character of adjacent structures or developments, including
24 continuation of existing facade treatment or expression lines and the use of similar finish
25 materials, or distinct architectural treatments and expressions that increase architectural interest;
26 and,

1 d. The principles set out above and the following guidelines are not intended to limit
2 quality architecture, but to establish a meaningful guide for quality development and
3 redevelopment in Downtown Boca Raton.

4 Open Space:

5 2. Each parcel proposed for development shall maintain the following percentages of
6 the parcel as open space and no structures or buildings other than landscape features, fountains,
7 benches, arcades and objects of art shall be located within the open space area:

8 15%, if the building is less than thirty five (35) feet in height; and

9 for each foot of height above thirty-five (35) feet, up to seventy-five (75) feet, 15% open
10 space plus 1% for every 1.6 feet of height above thirty-five (35) feet; and

11 40%, if the building is greater than seventy-five (75) feet.

12 3. At least sixty-five percent (65%) of the required open space shall be open and
13 uncovered from the ground to the sky. Up to thirty-five percent (35%) may be arcades,
14 colonnades, areas under exposed balconies, areas under exposed stairwells, areas under
15 canopies and areas under pedestrian bridges.

16 4. In creative reinterpretations of the Mizner tradition, archways similar to those
17 examples included in Exhibit P shall be encouraged as a motif for windows and other openings.

18 Alternatively, window and opening treatments appropriate to the overall architectural character of
19 a building(s) are also encouraged.

20 5. In creative reinterpretations of the Mizner tradition, street level architectural treatment
21 reminiscent of Addison Mizner, including colonnades, arcades, awnings, and other shade-
22 producing elements should be provided along all pedestrian street frontages, consistent with the
23 examples in Exhibit O. Alternatively, street level architectural treatments and shade-producing
24 elements appropriate to the overall architectural character of a building(s) are also encouraged.

25 6. Pedestrian-oriented frontages shall be integrated with adjacent properties which
26 have also provided pedestrian-oriented buildings. See Exhibit P for examples of this standard.

1 7. No reflective glass shall be installed on the ground floor perimeter of a structure or
2 building; ~~provided that this standard should not be construed to prohibit tinted glass.~~

3 ~~8. No more than forty percent (40%) of the perimeter of a building's materials shall~~
4 ~~be composed of glass.~~

5 ~~89. All roofs on buildings shall be consistently treated with Spanish clay tile or other~~
6 ~~treatment that is reminiscent of the Addison Mizner style. Roofs shall have a minimum pitch of~~
7 ~~4/12. Roof materials shall be consist of metal (flat or standing seam); flat tile; barrel tile or masonry~~
8 ~~materials appropriate to the character of the proposed building. This requirement shall not apply~~
9 ~~to flat roofs shall have with a parapet wall of at least four (4) feet in height.~~

10 ~~910. All mechanical equipment shall be screened with materials consistent with those~~
11 ~~used in the construction of the building. The screening material and structure shall be~~
12 ~~architecturally compatible with the building. The screening shall have a height of not less than the~~
13 ~~mechanical equipment it screens.~~

14 ~~11. Light and pastel colors shall be used for external treatment of buildings.~~

15 ~~1012. No mansard roofs shall be installed.~~

16 ~~1113. Pedestrian circulation systems shall be barrier-free and provide alternative ramps~~
17 ~~in addition to steps.~~

18 ~~1214. Where feasible, sidewalks along First Avenue, Federal Highway, and Palmetto~~
19 ~~Park Road shall have an unobstructed width of at least eight (8) feet. All sidewalk paving shall be~~
20 ~~designed and composed of materials which are consistent with the sidewalk design standards in~~
21 ~~the Beautification Plan adopted by the CRA. The CRA may consider the timing of undergrounding~~
22 ~~utilities in accordance with the provisions of paragraph 2(4)(d) when determining the appropriate~~
23 ~~time for installation of such sidewalks.~~

24 ~~13. The overall architectural treatment and site development characteristics for every~~
25 ~~project shall exhibit high quality urban design consistent with the Amended Downtown Plan and~~
26 ~~harmonious with the redevelopment of Downtown Boca Raton.~~

**NOTICE OF PUBLIC HEARING
THE PLANNING AND ZONING BOARD
City of Boca Raton, Florida hereby gives notice:
6:00 P.M. on April 20, 2023
Police Administration and Training/ Fire Rescue Administration
6500 Congress Avenue, Boca Raton, FL 33487**

RECOMMENDATION to the City Council regarding:

An ordinance of the City of Boca Raton amending Ordinance No. 4035 (The Boca Raton Downtown Development of Regional Impact (DDRI) Development Order), as amended, to update and expand the architectural standards to be considered in connection with applications for Individual Development Approval applicable within the DDRI; providing for severability; providing for repealer; providing an effective date (AM-23-03/23-92500007)

In accordance with the Americans with Disabilities Act and Florida Statutes 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact the Office of the City Clerk at 393-7740 at least three business days prior to the proceeding (whenever possible) to request such accommodation.

Anyone interested in reviewing the background information and plans, if any, are invited to contact the Development Services Department, Planning and Zoning Division, 201 West Palmetto Park Road, Boca Raton, Florida 33432 (Phone: 561-393-7789).

NOTICE: If any decision of the Planning and Zoning Board affects you, and you decide to appeal any decision made at this meeting with respect to any matter considered, you will need a record of the proceedings and, for such purposes, you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This NOTICE is required by State Law. If you desire a verbatim transcript, you shall have the responsibility, at your own cost, to arrange for the transcript.