



Incorporated 1925

ORDINANCE

5051

1
2 AN ORDINANCE OF THE CITY OF BOCA RATON
3 AMENDING ARCHITECTURAL DESIGN POLICY 1.2
4 CONTAINED IN THE AMENDED DOWNTOWN PLAN (A
5 COMMUNITY REDEVELOPMENT PLAN); INSERTING
6 ADDITIONAL ARCHITECTURAL DESIGN POLICIES
7 ALLOWING, IN CERTAIN CASES, AN INCREASE IN
8 HEIGHT FOR A PORTION OF THE BUILDING OR
9 BUILDINGS ON THE SITE TO A MAXIMUM HEIGHT WITH
10 MODIFICATIONS TO THE BUILDING SETBACKS,
11 CONTINGENT UPON SATISFACTION OF SPECIFIED
12 CRITERIA, AND RELATED POLICY AMENDMENTS;
13 PROVIDING FOR SEVERABILITY; PROVIDING FOR
14 REPEALER; PROVIDING FOR CODIFICATION; PROVIDING
15 AN EFFECTIVE DATE

16
17 WHEREAS, on August 10, 1982, the City Council of the City of Boca Raton adopted
18 Ordinance No. 3109, which approved a Community Redevelopment Plan for Downtown Boca
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1 Raton ("Downtown Plan"), pursuant to the applicable provisions of Chapter 163, Part III, Florida
2 Statutes; and

3 WHEREAS, on January 24, 1995, the City Council adopted Ordinance No. 4203
4 which amended the Community Redevelopment Plan ("Amended Downtown Plan") as a result
5 of the 1993 Downtown Planning Workshop; and

6 WHEREAS, there is a need to create a continuous, interconnected network of
7 congenial, pedestrian-oriented, streets and public spaces throughout the Downtown through
8 modified setbacks and greater articulation of buildings to fully achieve the vision in the Amended
9 Downtown Plan; and

10 WHEREAS, there is a need for additional flexibility with respect to the height and
11 structural articulation of buildings in order to achieve a continuous, interconnected network of
12 congenial, pedestrian-oriented streets and public spaces throughout the Downtown through
13 modified setbacks and greater articulation of buildings; and

14 WHEREAS, the Boca Raton Community Redevelopment Agency has recommended
15 that the Amended Plan be amended; and

16 WHEREAS, the City Council has given notice to those taxing authorities specified in
17 Section 163.436, Florida Statutes, and

18 WHEREAS, the City Council has held a public hearing on the proposed amendment
19 to the Amended Downtown Plan after public notice thereof; now therefore

20
21 THE CITY OF BOCA RATON HEREBY ORDAINS:
22

23 Section 1. The Amended Downtown Plan, Section VI, Part B, Architectural Design
24 Policy 1.2 is hereby amended as follows:

25 **ARCHITECTURAL DESIGN POLICY 1.2: LIMIT THE HEIGHT OF BUILDINGS TO**
26 **NOT MORE THAN 100 FEET OR MORE THAN 9 STORIES WITH APPROPRIATE**

1 DISTANCES FROM RESIDENTIAL DWELLINGS OUTSIDE OF THE REDEVELOPMENT
2 AREA, UNLESS APPROVED PURSUANT TO ARCHITECTURAL DESIGN POLICY 1.2.A.

3 Section 2. The Amended Downtown Plan, Section VI, Part B, is hereby amended by
4 adding Architectural Design Policy 1.2.A as follows:

5 **ARCHITECTURAL DESIGN POLICY 1.2.A:** IN ORDER TO IMPROVE THE
6 ARTICULATION OF BUILDINGS, MODIFY SETBACKS AND STRENGTHEN PEDESTRIAN
7 LINKAGES IN DOWNTOWN, UP TO THIRTY-THREE PERCENT (33%) OF THE OVERALL
8 BUILDING FOOTPRINT ON A SITE MAY BE GRANTED UP TO FORTY (40) FEET OF
9 ADDITIONAL HEIGHT TO A MAXIMUM OF ONE HUNDRED FORTY (140) FEET.
10 HOWEVER, UP TO FIFTY PERCENT OF THE OVERALL BUILDING FOOTPRINT ON A SITE
11 MAY BE GRANTED UP TO FORTY (40) FEET OF ADDITIONAL HEIGHT TO A MAXIMUM OF
12 ONE HUNDRED FORTY (140) FEET IF NECESSARY TO ACHIEVE CONSISTENCY WITH
13 THIS POLICY. IN ORDER TO OBTAIN ADDITIONAL HEIGHT ALL OF THE FOLLOWING
14 MUST OCCUR:

15 1. THE INCREASE IN HEIGHT DOES NOT RESULT IN DEVELOPMENT ON THE
16 SITE GREATER THAN WOULD HAVE BEEN APPROVABLE ON THE SITE UNDER THE
17 REGULATIONS AND DESIGN GUIDELINES IN THE DOWNTOWN AS OF JULY 21, 2008.

18 2. THE INCREASE IN HEIGHT IS ACCOMPANIED BY AN EQUIVALENT
19 REDUCTION OF BUILDING HEIGHT ON THE SITE, AS FOLLOWS: FOR EVERY INCREASE
20 IN THE HEIGHT OF A BUILDING THAT RESULTS IN AN INCREASE IN THE VOLUME OF A
21 BUILDING ABOVE THE CURRENT HEIGHT LIMIT OF ONE HUNDRED (100) FEET, THERE
22 MUST BE AN EQUAL OR GREATER DECREASE IN HEIGHT ACHIEVED BY DECREASING
23 THE VOLUME OF THE NEW BUILDING OR OTHER NEW BUILDINGS ON THE SITE BELOW
24 ONE HUNDRED (100) FEET.

25 3. THE INCREASE IN HEIGHT IS DIRECTLY RELATED TO IMPROVED
26 ARTICULATION OF BUILDINGS ON THE SITE AND THE CREATION OF A CONTINUOUS,

1 INTERCONNECTED NETWORK OF CONGENIAL, PEDESTRIAN-ORIENTED STREETS AND
2 PUBLIC SPACES THROUGHOUT THE DOWNTOWN CONSISTENT WITH THE DOWNTOWN
3 BOCA RATON INTERIM DESIGN GUIDELINES DATED NOVEMBER 12, 2008.

4 Section 3. If any section, subsection, clause or provision of this ordinance is held
5 invalid, the remainder shall not be affected by such invalidity.

6 Section 4. All ordinances and resolutions or parts of ordinances and resolutions and
7 all sections and parts of sections in conflict herewith shall be and hereby are repealed.

8 Section 5. Codification of this ordinance in the City Code of Ordinances is hereby
9 authorized and directed.

10 Section 6. This ordinance shall take effect immediately upon adoption.

11 PASSED AND ADOPTED by the City Council of the City of Boca Raton this 12th
12 day of November, 2008.

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15 ATTEST:

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18 Sharma Hagerty
19 Sharma Hagerty, City Clerk
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CITY OF BOCA RATON, FLORIDA

Susan Whelchel
Susan Whelchel, Mayor

Approved as to form:

Diana Grub Frieser
Diana Grub Frieser
City Attorney

COUNCIL VOTE			
	YES	NO	ABSTAINED
MAYOR SUSAN WHELCHER	✓		
DEPUTY MAYOR PETER R. BARONOFF	✓		
COUNCIL MEMBER M. J. MIKE ARTS	✓		
COUNCIL MEMBER BILL HAGER	✓		
COUNCIL MEMBER SUSAN HAYNIE	✓		

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