

# **CAB CRITERIA**

**CITY OF BOCA RATON  
COMMUNITY APPEARANCE BOARD**

**PART ONE & PART TWO**

**COMMUNITY APPEARANCE BOARD**

**PART ONE**

**CRITERIA, POWERS & DUTIES**

**COMMUNITY APPEARANCE BOARD  
Code of Ordinances, Section 2-126  
Ordinance 3859 7/24/90**

**CAB CRITERIA  
Ordinance 2110 3125  
Ordinance 5085**

**Revised February 22, 2011**

#### DIVISION 4. COMMUNITY APPEARANCE BOARD\*

##### Sec. 2.126. Creation; composition; terms; appointment

A community appearance board is hereby created. The board shall be composed of 8 members, appointed by the council for terms of 2 years.  
(Code 1966, § 2-236)

\*Cross references—Removal of members of boards established by ordinance, § 2-48 et seq.; code of ethics for officers and employees, § 2-581 et seq.; variances from the strict application of the sign code may be granted by the city council after review and recommendation by the community appearance board, § 24-9.

**Sec. 2-127. Organization; qualification of members**

(1) The community appearance board shall elect a chairman and vice-chairman to preside at its meetings, and shall formulate its rules and regulations for the conduct of its business.

(2) The members of the board shall have the following qualifications:

(a) Each member must be a resident of the city.

(b) At least 3 members of the board shall be state-registered architects, and at least 1 other member shall be a state-registered landscape architect. The remaining members of the board shall be a state-registered architect, a state-registered landscape architect, a state-registered professional engineer, a planner, a building contractor, a state-registered real estate salesperson or broker or possess a similarly related background.

(Code 1966, § 2-237)

**Sec. 2-128. Review of plans and specifications**

(1) The affirmative vote of at least a majority of the community appearance board members present at a meeting shall be required for any action of the board. The signature of the chairman or presiding member on each set of plans and specifications required to be submitted with each application for a permit shall be prerequisite to the issuance of any building permit required to be reviewed by the board. The community appearance board may require such changes in the plans and specifications as in its judgment may be requisite and appropriate to the maintenance of a high standard of architecture, beauty and harmony as established by the standards adopted by the city council for the guidance of the board.

(2) Every application for a permit to erect a building or structure or to materially alter a front or side elevation of any existing building or structure in the city, excluding single-family dwellings, shall be accompanied by 2 sets of detailed plans; and, if the plans submitted do not furnish sufficient information adequately to show the scope of the planned construction for which a permit has been requested, then there shall be furnished, in addition to the 2 sets of detailed plans, 1 set of detailed specifications for such proposed work; both the plans and specifications shall be prepared by a registered architect or registered engineer, qualified under the laws of the state to prepare such plans and specifications, and no permit therefore shall be issued until such plans (and specifications when required) have been previously approved by the board as hereinabove provided. No plans or specifications in violation of this or any other ordinance of the city shall be approved. No permit for the construction or addition to any building (excluding single-family dwellings) shall be issued until and unless the plans therefore have been approved by the community appearance board as being in accordance with the standards as provided for in (1) above.

(Code 1966, § 2-238)

**Cross references—Buildings** and building regulations, ch. 19; permits for building and building regulations, § 19-91 et seq.

**Sec. 2-129. Board criteria**

The community appearance board may approve, approve with conditions or disapprove the issuance of a building permit in any matter subject to its jurisdiction after consideration of whether the following criteria are complied with:

- (a) The plan for the proposed structure or project is in conformity with good taste, good design, and in general contributes to the image of the city as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality.
- (b) The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.
- (c) The proposed structure is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved. If the above criteria are met, the application shall be approved. Conditions may be applied when the proposed building or structure does not comply with the above criteria, and shall be such as to bring the structure or project into conformity. If any application is disapproved, the community appearance board shall detail in its findings the criterion or criteria that are not met. The action taken by the board shall be reduced to writing, signed by the chairman, and a copy thereof made available to the applicant upon request.
- (d) The proposed structure or project is in harmony with the proposed developments in the general area, with the comprehensive plan for the city and with the criteria set forth in Supplemental Criteria and Procedural Rules of the Community Appearance Board, as the same may be from time to time amended or revised, and which appears as section 2-130. Any decision of the board must comply with such supplemental criteria and procedural rules of the community appearance board, which supplemental criteria and rules must be consistent with the criteria set forth in this section. The supplemental criteria and rules of the board may be amended from time to time by ordinance regularly adopted upon action initiated by the city council. If the community appearance board makes a recommendation to the city council for any such changes, the council shall consider same and may adopt such recommendations with or without modifications by ordinance or may reject same.
- (e) The proposed landscape and irrigation design shall promote water conservation. Water requirements may be reduced by providing for:
  1. Preservation and reestablishment of native plant communities;
  2. The use of drought-tolerant, site specific, and shade producing plants; and
  3. Design and maintenance of irrigation systems which eliminate waste of water due to overapplication or loss from damage.

(Code 1966, § 2-239; Ord. No. 3859, § 1, 7-24-90)

**Sec. 2-130. Supplemental criteria and procedural rules**

The city hereby adopts by reference the Supplemental Criteria and Procedural Rules of the Community Appearance Board, as adopted by Ordinance No. 2110 on March 25, 1975, and as subsequently amended by ordinance from time to time, copies of which are on file in the office of the city clerk and available by public reference and inspection, as and for an ordinance of the city and incorporated by reference into this Code as if set forth herein in full.

(Code 1966, § 2-240)

**Sec. 2-131. Meetings; quorum; records; staff**

The community appearance board shall meet at least twice per month, at the call of the chairman, or more often as may be required in order to consider applications pending without unnecessary delay. All meetings shall be open to the public and the order of business and procedure to be followed shall be prescribed within the rules and regulations to be adopted by the board. The board shall keep a permanent record of its proceedings, and shall file approved minutes of its meeting with the city council within 30 days of the date of any such Meeting. Four shall constitute a quorum. The city manager is authorized and empowered to appoint a secretary for the board.

(Code 1966, § 2-241(a))

**Sec. 2-132. Appeals**

Any person aggrieved by a decision of the community appearance board shall file a notice of appeal with the city clerk within 14 days after the board approves the minutes of the meeting at which the decision was made. The notice of appeal shall specify the action taken by the board and in what respect the appellant is aggrieved by such action, and the action which appellant desires the city council to take with respect to the decision of the board. The city council shall sit in open session as an appeal board within 30 days of the notice of appeal being filed and shall either affirm the action of the board, affirm it with modifications, reverse it or remand it for further consideration.

(Code 1966, § 2-241(c))

**Sec. 2-133. Compliance with other Code provisions**

The requirements of this division are in addition to any other requirement of this Code, such as the zoning code and the building code. Approval by the community appearance board of a given set of plans and specifications does not necessarily constitute evidence of applicant's compliance with other requirements of this Code.

(Code 1966, § 2-242)

**Sec. 2.134. Violations**

(1) It shall constitute a violation of this division for any owner, agent or person having charge of or occupying any lot or premises covered by the provisions of this division to refuse

or neglect or fail, for a period of 15 days after receiving notice from the city of any violation hereof, to cure such violation without further notice.

(2) In the case of such violation, as above stated, the city may then cause the work of removal, replacement and/or cutting to be done and the cost of such work shall forthwith be paid by such owner, agent or other person.

(3) Upon failure of the owner, agent or other person to promptly pay the cost of such work, the city clerk shall cause an affidavit to be placed upon the public records of the county describing the work done and the amount of cost incurred by the city. Such affidavit shall constitute a claim of lien against the property, foreclosable in the manner of mechanic's liens, together with the costs of the action and all reasonable attorney's fees incurred by the city.

(4) Any notices required by this division may be mailed to the owner of record as shown on the tax roll of the county or may be posted upon the premises by affixing in any conspicuous place on any structure located on such premises or may be given by leaving a copy of such notice with any person of legal age occupying or having charge of the premises.

(5) Violations of this division may also be referred to the code enforcement board for disposition. In such event, the person alleged to be in violation of this division and the city shall be governed by the provisions governing the code enforcement board regarding notice and procedures for enforcement.

(Code 1966, § 2-243)

Cross reference—Code enforcement board, § 2.91 et seq.

**Secs. 2-135-2-150. Reserved.**

ARTICLE II. TREES  
DIVISION 1. GENERALLY

**Sec. 27.36. Short title**

This article shall be known and may be cited as "the city tree preservation ordinance." (Code 1966, § 21A-1)

**Sec. 27-37. Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Buildable area" shall mean that portion of a building site exclusive of the required yard areas on which a structure or building improvement may be erected, and including the actual structure, driveway, parking lot, pool, decking, sidewalk and other construction as shown on the site plan.

"Drip line" shall mean a vertical line run through the outermost portion of the crown of a tree and extending to the ground; provided, however, that the same shall be not less than a 10-foot-diameter circle which is drawn from the center of the trunk of a tree.

"Historic tree" shall mean a tree which has been found by the community development director to be of notable historic interest because of its age, type, size or historic association and has been so designated as part of the official records of the city.

"Mangrove tree" shall mean any plant belonging to any of the following species of mangroves: *Rhizophora mangle*, the red mangrove; *Laguncularia racemosa*, the white mangrove; and *Avicennia nitida*, the black mangrove.

"Removal" shall mean any intentional or negligent act which will cause a tree to decline and die within a period of 3 years, including but not limited to such damage inflicted upon the root system of a tree by the operation of heavy machinery; the change of the natural grade above the root system of a tree or around the trunk of a tree; and damages from injury or from fire inflicted on trees which results in or permits infections or pest infestations.

"Shrub" shall mean a bushy, woody plant, usually with several permanent stems, and usually not over 10 feet high at its maturity.

"Specimen tree" shall mean a tree which has been determined by the community development director to be of high value because of its type, size or other professional criteria, and which has been so designated as part of the official records of the city.

"Tree" shall mean any self-supporting woody perennial plant which has a trunk diameter of 2 inches or more when measured at a point 4 1/2 feet above ground level and which normally attains an overall height of at least 10 feet at maturity, usually with 1 main stem or trunk and many branches. It may appear to have several stems or trunks as in several varieties of oak. The term includes any mangrove tree 4 feet or more in height.

"Yard area" shall mean the front, side and rear yard areas as required under the comprehensive zoning code and the zoning district requirements applicable thereto.

(Code 1966, § 21A-3)

Cross reference—Definitions and rules of construction generally, § 1-2.

### **Sec. 27- 38. Purposes**

The purposes of this article are to establish rules and regulations governing the protection of trees and vegetative cover within the limits of the city, to encourage the proliferation of trees and vegetation within the city as well as their replacement, in recognition of their importance and their meaningful contribution to a healthy, beautiful and safer community attributable to their carbon dioxide absorption, oxygen production, dust filtration, wind and noise reduction, soil erosion prevention, beach erosion protection, wildlife habitat, surface drainage improvement, beautification and aesthetic enhancement of improved and vacant lands, and the general promotion of the health, safety, welfare and well-being of the community.

(Code 1966, § 21A-2)

### **Sec. 27.39. Applicability**

The terms and provisions of this article shall apply to real property as follows:

- (a) All real property upon which any designated specimen or historic tree is located;
- (b) All vacant and undeveloped property;

- (c) All property that is redeveloped;
- (d) The yard areas of all developed property, excluding developed and owner-occupied single-family or 2-family residential property upon which no designated specimen or historic tree is located.

(Code 1966, § 21A-4)

#### **Sec. 27-40. Exceptions due to emergencies**

During the period of an emergency such as a hurricane, tropical storm, tornado or flood, the requirements of this article may be waived by the community development department. The removal of all trees destroyed or harmed during such emergency by natural forces which are beyond saving or which are a hazard shall be exempt from the provisions of this article for a period of 30 days following such occurrence, provided that the community development department is notified of the intended removal at least 24 hours prior to the removal.

(Code 1966, § 21A-1.6)

#### **Sec. 27-41. Licensed nurseries exempt**

All licensed plant or tree nurseries or tree farms shall be exempt from the terms and provisions of this article only in relation to those trees planted and growing on the premises of the licensee, which are so planted and growing for the sale or intended sale to the general public in the ordinary course of the licensee's business.

(Code 1966, § 21A-17)

#### **Sec. 27-42. Certain trees exempt**

The following trees or types of trees shall be exempt from the terms and provisions of this article:

- (a) Any diseased, infected or infested trees upon confirmation by the city manager;
- (b) *Schinus terebinthifolius* (Brazilian pepper tree);
- (c) *Metopium toxiferum* (Poison wood);
- (d) *Melaleuca quinquenervia* (Melaleuca);
- (e) *Casuarina equisetifolia* (Australian pine).

(Code 1966, § 21A-19; Ord. No. 3860, § 1, 8-1490)

#### **Sec. 27.43. Disposal of diseased trees**

Trees which are found by the city manager to be diseased and to be in danger of contaminating other trees or of spreading such tree infection or disease shall be removed and disposed of, if necessary, without undue delay and on an emergency basis, as the circumstances may require. The lethal yellowing of coconut disease shall be considered such an emergency type of tree infection or disease.

(Code 1966, § 21A-20)

**Sec. 27-44. Designation of specimen trees, historic trees**

The community development director may recommend from time to time the designation of certain trees located within the city as specimen or historic trees. The city manager shall review such recommendation and add thereto his own comments and recommendations, and the matter shall be presented to the city council for its determination. The city council shall consider the report of the community development department and the recommendation of the city manager and shall either accept, modify or deny the recommendation and may designate by ordinance those trees it deems appropriate as specimen or historic trees.

(Code 1966, § 21A-21)

**Sec. 27-45. Tree and vegetation protection**

(1) During the land clearing and construction stage of development, the community development director shall periodically inspect the site to ensure compliance with the provisions of this article.

(2) Tree or vegetation relocation and replacement activity permitted or required under this article shall be done in accordance with standard forestry practices and procedures and all such plantings shall be reasonably maintained and attended to promote successful establishment thereof.

(3) During construction, all reasonable steps necessary to prevent the destruction or damaging of vegetation designated to be preserved shall be taken. Vegetation destroyed or receiving major damage must be replaced by vegetation of equal environmental value, as specified by the community development director, before occupancy or use unless approval for its removal has been granted under permit.

(4) During construction, unless otherwise authorized by the tree removal permit, no excess soil, additional fill, equipment, liquids, or construction debris shall be placed within the drip line of any vegetation that is required to be preserved in its present location.

(5) No attachments or wires other than those of a protective or nondamaging nature shall be attached to any vegetation during construction.

(6) Unless otherwise authorized by the tree removal permit, no soil shall be removed from within the drip line of any tree that is to remain at its original location.

(7) Protective barriers.

(a) Installation of protective barriers. All protective barriers shall be installed and maintained for the period of time beginning with the commencement of any land-clearing or building operations and ending with the completion of the, permitted clearing or building construction work on the site.

(b) On-site representative required. The applicant for a tree removal permit shall, at the time of application, designate an on-site representative who will be responsible for the installation and the maintenance of all vegetation protective barriers. The representative shall be responsible for supervising the removal of all existing vegetation

permitted to be removed. The representative shall be on site at all times during the vegetation-clearing operations.

- (c) Protection of large areas of vegetation. When the circumference of an area of vegetation to be preserved is more than 200 linear feet, the areas to be preserved shall be protected during land alteration and construction activities by placing 2-inch by 2-inch wood stakes a maximum of 20 feet apart around the perimeter of the area of vegetation and by tying ribbon, survey flagging, etc., from stake to stake along the perimeter of such areas to be preserved.
- (d) Protection of small areas of vegetation. When the circumference of an area of protected vegetation is less than 200 linear feet, a protective barrier shall be placed around the groups of vegetation that are indicated to remain. The barrier shall be not less than 3 feet in height, shall limit access to the protected area, and shall be composed of wood, metal or other suitable materials. The barrier shall be highlighted with strips of survey flagging placed no more than 5 feet on center. The provided barrier shall not harm the protected vegetation through construction or any other means.
- (e) Protection of individual trees and palms. When the retention of single trees or palms is required by this Code, a protective barrier shall be placed around the tree or palm at a distance from the trunk of 6 feet or  $\frac{2}{3}$  of the drip line, whichever is greater, of a hardwood tree and 6 feet or the drip line, whichever is greater, for a softwood tree or palm or as otherwise determined by the community development director.

(Code 1966, § 21A-14; Ord. No. 3862, § 3, 7-24-90)

#### **Sec. 27.46. Control and eradication of invasive, nonnative species**

(1) The natural vegetative communities existing within the city limits shall be protected by the control and elimination of invasive, nonnative species. Planting of the following trees is prohibited:

- (a) *Schinus terebinthifolius* (Brazilian Pepper Tree);
- (b) *Melaleuca quinquenervia* (Melaleuca);
- (c) *Casuarina equisetifolia* (Australian Pine).

(2) Removal of these trees from a site which is being developed shall be completed as a requirement for approval of the final environmental permit inspection and prior to issuance of the certificate of occupancy.

(3) The removal of these trees from commercial and multifamily residential developments shall be a requirement of the landscape plan and regular maintenance program.

(4) Privately owned platted preserve and conservation areas shall be maintained free of invasive, nonnative species. The environmental officer shall periodically inspect these sites to ensure compliance with the provisions of this chapter.

(5) Control and elimination procedures shall in no way promote the proliferation of the species through dispersal of seed or other vegetatively reproducing parts.

(6) Control and elimination procedures shall not be required if such procedures cause adverse impacts to the environment. Adverse impacts includes destruction of listed species, degradation of critical habitat, or promotion of land erosion by wind or water. Elimination of vegetation which provides light, noise or visual screening from surrounding properties may be accomplished in phases approved by the community development department to minimize the impact on adjoining properties.

(Ord. No. 3860, § 2, 8-14-90)

Secs. 27-47-27.65. Reserved.

## DIVISION 2. PERMITS

### **Sec. 27-66. Required**

No person, directly or indirectly, shall cut down, destroy, remove or move, or effectively destroy through damaging, any tree, specimen tree or historic tree, mangrove tree or natural beach dune vegetation situated on property described in section 27-37 without first obtaining a tree permit.

(Code 1966, § 21A-5(1))

### **Sec. 27.67. Application**

Permits required by this division shall be obtained by making application for the permit to the inspection division. The application shall include a written statement specifying the location of the property and the expected land use and indicating the reasons for removal, relocation or replacement of trees thereon. The application shall be accompanied by 2 copies of a legible site plan drawn to a minimum scale of 1 inch equals 20 feet unless, in the discretion of the community development director, it has been determined that a lesser detailed scale site plan of the area involved, either in whole or in part, will be sufficient for the purposes of this chapter, in which case an appropriate substitution shall be acceptable. Aerial photographs having a minimum scale of 1 inch equals 50 feet may be submitted at the discretion of the community development director as an acceptable substitute for a site plan if adequate site plan information is supplied on the aerial photographs.

(Code 1966, § 21A-6)

### **Sec. 27-68. Site plan information**

Site plans submitted in connection with applications for permits required by this division shall include the following information, which shall be summarized in legend form on the plan:

- (a) Location of all existing or proposed structures, improvements and site uses, properly dimensioned and referenced to property lines, setback and yard requirements and spatial relationships;

- (b) Existing and proposed site elevations, grades and major contours;
- (c) Location of existing or proposed utility services;
- (d) The common or botanical names, sizes and locations of all trees and shrubs on the site, designating the trees, shrubs or natural vegetative cover which are respectively to be retained, removed, relocated or replaced. Groups of trees in close proximity may be designated as "clumps" of trees with the predominate type, estimated number and average diameter noted.

(Code 1966, § 21A-7)

#### **Sec. 27-69. Alternate site plan information**

If there are no trees, shrubs or vegetative cover located on the site to be developed which are required to be protected under the provisions of this chapter, the applicant shall so state in his application for permit hereunder. If such statement is substantiated by a field inspection of the site by the city manager, the applicant shall be relieved of the necessity of supplying unnecessary or unimportant information. However, if no trees are to be removed and there are existing trees to remain onsite, a tree survey will be required on a site plan.

(Code 1966, § 21A-8)

#### **Sec. 27-70. Preapplication inspection service**

In connection with applications under the alternate site plan procedure and in connection with applications involving large tracts of property, the city manager shall make his services available for preapplication inspections of the sites involved.

(Code 1966, § 21A-9)

#### **Sec. 27.71. Application processing and review**

Upon receipt of a proper application pursuant to this division, the inspection division shall promptly review the application and shall forward the application to the community development department for its detailed examination, review and report, which at the discretion of the city manager may include a field inspection of the site. The application shall also be referred to other city departments or other governmental agencies as may be necessary or required in order to determine whether any adverse effects will be incurred as to the general welfare of the public, adjacent properties or public services and facilities. Following an on-site inspection by the city manager and comments received from appropriate city departments or other governmental agencies, the permit application will be approved, disapproved, approved with conditions, or deemed not required in accordance with the provisions of this article based on the work or operation described in the application.

(Code 1966, § 21A-10)

#### **Sec. 27-72. Issuance**

If the community development department, based upon the recommendations and findings of the city manager, is satisfied that the work of removing, relocating or replacing trees,

shrubs or natural vegetative cover, described in the application for permit and the drawings filed therewith, conform to the requirements of this chapter and the other laws and ordinances applicable, the approved permit will be forwarded to the inspection division for issuance to the applicant. Payment of all applicable permit fees is required at the time the permit is issued. (Code 1966, § 21A-11)

#### **Sec. 27-73. Requirements for issuance of permits for removal**

(1) No tree permit shall be issued allowing the removal of trees unless one of the following conditions exists:

- (a) The tree is located in the buildable area or yard area where a structure or improvement is to be placed and it unreasonably restricts the permitted use of the property and:
  1. The tree cannot reasonably be relocated elsewhere on the property; and
  2. The tree cannot be relocated on or off the site because of the age, type or size of the tree.
- (b) The tree is diseased, injured, in danger of falling, too close to existing or proposed structures, interferes with existing utility service, creates unsafe vision clearance or conflicts with other ordinances or regulations as determined by the city manager.
- (c) It is in the welfare of the general public that the tree be removed for a reason other than set forth above.

(2) No tree permit for removal shall be issued unless the building permit for the structure or improvements on the site has been issued or is issued simultaneously with the tree permit.

(3) No land clearing, removing or filling permit shall be issued unless the shrubs or ground cover are of an undesirable nature and have no environmental or aesthetic value as determined by the city manager.

(Code 1966, § 21A-12)

#### **Sec. 27.74. Requirements for issuance of permits for relocation or replacement**

(1) Pursuant to an application for a tree permit, the applicant may be required, where practical, to relocate a tree being removed to an appropriate new location on the site. The decision to require the relocation of a tree shall be made by the city Manager in accordance with accepted forestry practices after evaluating the species, size, quality and number of trees. Similarly, an applicant may be required to replace a tree being removed with another tree to be located elsewhere on the site. All replacement trees shall be of a type that will attain an overall height at maturity of at least 15 feet and a trunk diameter at maturity of at least 3 inches, measured 4<sup>1</sup>/<sub>2</sub> feet above grade, and shall be a minimum of 10 feet in overall height when planted. In all cases, as a condition of issuing a tree permit, relocation or replacement of trees may be required on either a 1-for-1 basis or an inch-for-inch basis measured at 4<sup>1</sup>/<sub>2</sub> feet above ground level, whichever maintains the greatest amount of tree canopy onsite.

(2) For sites requiring a community appearance board approved landscaping plan, replacement trees shall be in addition to the minimum landscaping requirements for the development. This requirement shall be evaluated by an environmental officer to prevent environmental degradation to areas of native vegetation designated to remain undisturbed.

(Code 1966, § 21A-13; Ord. No. 3862, § 2, 7-24-90)

**Sec. 27-75. Hazardous trees exempt from written permit**

If any tree is determined to be in a hazardous or dangerous condition so as to endanger the public health, welfare or safety, and requires immediate removal without delay, verbal authorization may be given by the community development department and the trees removed without obtaining a written permit as herein required.

(Code 1966, § 21A-15)

**Sec. 27-76. Tree and vegetation removal criteria for landscape betterment plans**

Applicants for permits under this division shall be entitled to demonstrate by means of a landscape plan that an improvement or betterment of the environment can be accomplished over the existing site conditions, if landscaping and tree planting improvements are installed in accordance with the landscape betterment plan and existing trees and vegetation are removed. The applicant must guarantee in writing to the city that the betterment plan will be completed to result in substantial improvement of vegetation on the site. If such a landscape betterment plan is so offered and is approved by the environmental division, no certificate of occupancy shall be issued to the site until the work is completed as specified on the approved landscape plan. If the proposed landscaping improvements are not being done in conjunction with a proposed structure requiring a certificate of occupancy, the applicant shall guarantee by adequate bond the faithful adherence and completion of such landscape betterment plan. (Code 1966, § 21A-18)

**PART TWO**

**SUPPLEMENTAL CRITERIA AND  
PROCEDURAL RULES**

**OF THE**

**COMMUNITY APPEARANCE BOARD**

**February 2011**

**SUPPLEMENTAL CRITERIA AND PROCEDURAL RULES  
OF THE  
COMMUNITY APPEARANCE BOARD**

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# **SUPPLEMENTAL CRITERIA AND PROCEDURAL RULES of the COMMUNITY APPEARANCE BOARD**

## **100.0 PREAMBLE**

This Board has been established by the City of Boca Raton in recognition of the fact that beautiful communities can be created only through a deliberate search for beauty on the part of the community leadership, architects, planners, realtors and the building industry, backed by an appreciation of the visual world by the people.

Public action for improving community appearance, as embodied in the Community Appearance Board, will provide the ultimate designers of individual structures with the larger contexts in which their particular works will be viewed. Since the beauty of a community involves the aesthetic quality of all one sees in moving about, it goes far beyond the design of individual architectural facades.

Zoning is the single most powerful legal enforcement of an overall urban concept, but it does not fully plan building locations, traffic movement or parklands; it does not create beauty, aesthetic order, or amenity. The task of this Board is therefore to preserve various elements of urban beauty and require that new projects enhance the existing.

The essential foundation of beauty in cities is harmony with nature. The plan for achieving beauty must grow out of our special local characteristics of site, aesthetic tradition, and development potential. Some local areas of natural beauty are the beaches, the Intracoastal Waterway, Lake Boca Raton, the canals and the parks. The vistas and visual delight of these should be allowed only to be enhanced. It is the intent of this Board to achieve a pleasant and comprehensible cohesiveness in our community development. The method of achieving this goal is by the use of a Community Design Plan - "the larger contexts" referred to above - which would indicate for the various parts of the municipality the aesthetic character to be encouraged and the means by which aesthetic character is to be attained and protected. The Community Appearance Board is composed of persons with experience in judging three dimensional forms and their interrelationships, who have the ability to meet any particular designer on the grounds of his own aesthetic understanding. The Board acts in review of specific projects to ascertain whether proposals would enhance the Community Design Plan or violate its spirit. The Board defines the objectives and looks to see if the aesthetic intentions are actually embodied in proposed projects.

The Community Design Plan has been approved by the City Council officials representing the citizenry. By their action the local elected officials thus determine the basic aesthetic character to be the Community Design Plan has been approved by the City Council officials representing the citizenry achieved in the development of the community.

## **200.0 PRESENTATION REQUIREMENTS FOR BOARD REVIEW**

The filing deadline for consideration at the next regularly scheduled meeting of the Community Appearance Board can be determined by consulting the Department of Community Development, Division of Planning.

## **201.0 Scope**

This Board, by the nature of its function, will require certain information from an applicant for a permit within the City of Boca Raton over and above that required by the Building Department, Engineering Department, Department of Community Development Division of Planning and Fire Department. This information should

be submitted with such application for a permit for any building, group of buildings, site development, alterations affecting their exterior, parking lots and vehicular use areas. There shall be no application of these provisions to single family residences.

## **202.0 Preliminary Review Requirements (Optional)**

It is the policy of the Community Appearance Board to encourage preliminary review when it is possible and make itself available to answer any questions that might arise in the design or development of any project.

**202.1** Two sets of preliminary drawings and specifications which may include any or all of the following items on which the owner or his representative may desire consultation with the Board:

- a. Site plan showing all improvements, existing conditions, fully dimensioned.
- b. Landscape Plan (may be incorporated into site plan) showing all plant material existing and proposed with required information as to location, type, size and quality.
- c. Exterior elevations with material designations.
- d. Outline specifications of facade and roof treatments.
- e. Sketches of signs and their dimensions.
- f. General exterior color description, including signs.

**202.2** The submission shall include two copies completed of the Community Appearance Board application form.

## **203.0 Final Review Requirements**

**203.1** Two copies of the Community Appearance Board application form and three sets of working drawings which shall include:

- a. Site Plan showing setbacks, and all site development as required by this ordinance.
- b. Building Plans (including roof plan).
- c. All exterior elevations (elevations must include all items effecting the appearance of the building including but not limited to, air conditioning, grills, compressors and signs.
- d. Detailed drawings for all signs, except those which cannot be determined because the occupancy of the space is not known. Any signs not approved by the Board for this reason must be approved prior to the issuance of a sign permit.
- e. Exterior surface treatments, including roofs.
- f. Exterior color samples shall be submitted with the application, including that of signs.

**204.0 Approval** of this Board on any project shall be in the form of stamped and signed sets of drawings returned to the Building Department. Three (3) members of the Board will sign the approval. The approval will state that "No changes shall be made to the information on this approved set of drawings

during or after the construction period, that could in any way constitute a change in the aesthetic character of the project, without approval of the Community Appearance Board.

## **300.0 THE COMMUNITY DESIGN PLAN**

### **301.0 Scope**

The overall Community Design Plan is a single, unified three dimensional impression of the community in its existing state and development potential. It consists of a general description of the City's attributes, followed by the treatment of specific areas, buildings and exterior space. It is intended that everything stated--the general descriptions as well as the specific recommendations--shall be considered a part of the design plan and as such shall constitute the basis of review by this Board.

In general our community possesses an evident geometric order derived from the directional influence of natural topographic features--ocean, Intracoastal Waterway, ridges. These are made more pleasing, are softened, and enlivened through variety among their component parts - inlet, lakes, etc. This same variety carries through into manmade features of roads and canals whose curves and bends give us the change the produces interest instead of monotony.

The City of Boca Raton is primarily a residential community with its accompanying commercial and service facilities. Densities vary from ten (10) persons per acre in single family residential areas (comprising approximately 75% of the City) upward to one hundred (100) persons per acre in areas of high rise zoning. Boca Raton is a suburban community where travel primarily necessitates auto transportation for recreation, service and commuting to work. This community differs from others in the area not only in topographic and man-made features, but in the presence of strong cultural development in the form of a State University and other educational institutions. A developing community orientation about these institutions will increase the appreciation of beauty of which community appearance is a part.

Tourism has not developed as rapidly as in neighboring cities, although the potential exists.

Industrial areas are comprised of varying manufacturing activities and warehousing. All efforts on the part of the community are to encourage industry of a nature compatible to Boca Raton. These overall statements plus the following specific localized descriptions and information make up the Community Design Plan. Project designers, owners, and reactors are advised to study the entire Community Design Plan in order to better grasp the overall intent. This plan is by nature an evolving plan with relation to comprehensive plan, zoning, parking and traffic studies, street and bridge development, and many other facets of city growth.

### **302.0 General Requirements**

The general requirements outlined in this section are minimum aesthetic standards for all site development, buildings, structures, or alterations within the corporate limits of Boca Raton, Florida, except single family residences.

It is required that all site development, structures, buildings or alterations to site development, structures, or buildings, show proper design concepts, express honest design construction and be appropriate to surroundings.

#### **302.1 Buildings**

### **302.1.1 General**

- a. Buildings or structures which are a part of a present or future group or complex shall have a unity of character and design. The relationship of forms and the use, texture, and color of materials shall be such as to create a harmonious whole. When the area involved forms an integral part of, is immediately adjacent to, or otherwise clearly affects the future of any established section of **the** City, the design, scale, and location on the site shall enhance rather than detract from the character, value and attractiveness of the surroundings.
- b. Buildings or structures located along strips of land or on single sites and not a part of a unified multi-building complex shall strive to achieve visual harmony with the surroundings. If they are built in undeveloped areas the three primary requirements shall be met - express honest design, construction, show proper design concepts, and be appropriate to the City of Boca Raton.
- c. All facades visible to public or adjacent property shall be designed to create a harmonious whole. Materials shall express their function clearly and not appear as a material foreign to the rest of the building.
- d. It is not to be inferred that buildings must look alike to be of the same style to be harmonious. Harmony can be achieved through the proper consideration of scale, proportions, site planning, landscaping, materials and color.
- e. Look alike buildings are not allowed unless, in the opinion of the Board, there is sufficient separation to preserve the aesthetic character of the present or evolving neighborhood. This is not to be construed to prohibit duplication of floor plans and exterior treatment in a planned development where, in the opinion of the Board, the aesthetics of the development depend upon or are enhanced by the look alike buildings and their relationship to each other.
- f. Buildings, which are of symbolic design for reasons of advertising and buildings which are not compatible to the atmosphere of Boca Raton, will not be approved by this Board. Symbols attached to buildings will not be allowed unless they are secondary in appearance to the building and landscape and are an aesthetic asset to the building project and neighborhood.
- g. Exterior lighting may be used to illuminate a building and its grounds for safety purposes but in an aesthetic manner. Lighting is not to be used as a form of advertising in a manner that is not compatible to the neighborhood or in a manner that draws considerably more attention to the building or grounds at night than in the day. Lighting following the form of the building or part of the building will not be allowed if in the opinion of the Board the overall effect will be garish or detrimental to the environment. All fixtures used in exterior lighting are to be selected for functional and aesthetic value.
- h. Building surfaces, walls, and roofs that are considered garish by the Board will be denied approval.
- i. "Take out" or "pick up" windows of retail or wholesale establishments shall not be located on a building facade that faces a public right-of-way, unless they are designed in such a manner as to be an aesthetic asset to the building and neighborhood.

- j All exterior forms, attached or not to buildings, shall be in conformity to and secondary to the building. They shall be an asset both to the aesthetics of the site and to the neighborhood.
- k All telephones, vending machines, or any facility dispensing merchandise or a service on private property shall be confined to a space built into the building or buildings or enclosed in a separate structure compatible with the main building.
- l No advertising will be allowed on any exposed amenity or facility such as benches and trash containers.

### **302.1.2 Gasoline Stations**

Gasoline stations must follow all criteria set forth in this and all sections of "Supplemental Criteria and Procedural Rules of the Community Appearance Board." The following is added criteria:

- a. Symbolic color of the exterior facades or roofs may not be used unless they are harmonious with the atmosphere of the neighborhood and Boca Raton.
- b. Exterior display of goods for sale or displays designating a service will not be allowed, except that a display of goods and tools of a service may be displayed on the pump island, provided the island is not considered by the Board to be enlarged to take advantage of this provision, and provided the goods and tools be such that they can be used or installed at the island. For example: An oil rack is acceptable, but a tire display is not.
- c. Areas used to store materials such as mufflers, tires, packing crates or cases, refuse and garbage, shall be screened from adjacent property and from the public view.

### **302.1.3 Signs**

The criteria for approval of signs shall be those criteria attached hereto and made a part being entitled "Sign Design Criteria - A Guideline to Acceptable Sign Designs."

### **302.1.4 Mechanical Equipment**

- a. On all new construction and reconstruction exceeding 50% of the market value of the existing space to be renovated, mechanical equipment (including, but not limited to, air conditioning units, fans, vents, satellite dishes, antennas, louvers, compressors, generators tanks, etc.), whether freestanding or mounted on roofs or walls of structures, must be concealed from view on ALL sides. Screening shall be accomplished with forms, shapes, and materials that are architecturally compatible and harmonious with the project. Screening of the equipment shall be designed so that no part of the equipment extends beyond the top of the screen, measured horizontally.
- b. Exceptions
  - 1. Mechanical screening systems shall not be required on existing buildings when a professional engineer licensed in the State of Florida and qualified to practice structural engineering certifies that all reasonably practical solutions have been considered and that the existing structure cannot adequately resist the minimum loads that would be imposed upon the structure by the addition of a screening system in accordance with the Florida Building Code. The engineer's report shall

include a description of the structural issues, calculations, if any, that form the basis of his conclusion, and a formal certification signed and sealed by the engineer performing the analysis. If this determination is made, alternative screening methods such as paint or reinforced fabrics can be effectively used and maintained to screen equipment. Applicants proposing to use alternative means and materials shall provide evidence that the proposed materials will be installed or applied fully in accordance with the material manufacturer's specifications and recommendations. No such approval granted by the City shall be construed to grant the applicant permission to install such materials in violation of the Florida Building Code, the Florida Fire Prevention Code or any other code or law of the State of Florida.

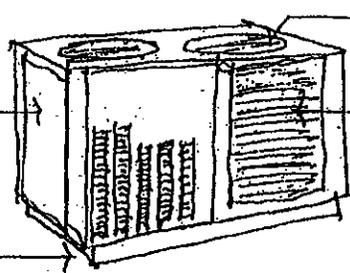
2. Replacement screening shall not be required on existing buildings with currently permitted and adequate screening on all four (4) sides, when the replacement height of HVAC equipment does not exceed 12 inches above the height of the existing screening when the Florida Building Code requires replacement of the HVAC equipment with a higher efficiency unit than the existing unit and the replacement equipment is no less than the required minimum efficiency at the time of the issuance of the permit.
3. The equipment configurations illustrated in the "Supplemental Criteria, sheet M-1" as Unit types "A", "B", "C" and "D", shall be deemed to comply with the requirements of this section if painted and textured to match the color of the existing structure and to the extent reasonably practical are placed at the center of the roof area. Approval of this configuration may be granted by Development Services permitting review staff and shall not require board approval. The equipment configuration illustrated in "Supplemental Criteria, sheet M-1", as Unit Type "E" shall require additional screening when included as part of remodeling, renovation or new construction exceeding 50% of the market value of an existing structure.

# CITY OF BOCA RATON SUPPLEMENTAL CRITERIA FOR MECHANICAL EQUIPMENT

SHEET M-1

4 sides solid  
painted same  
color as building

pre-molded curb  
(10" high) flashed  
into existing roofing

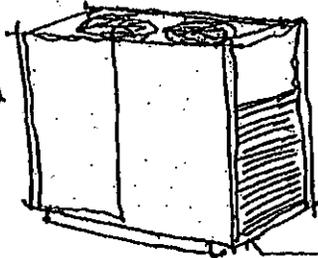


fan unit on top

Side Grills – (one side only)  
painted same  
color as building

## UNIT TYPE "A"

4 sides solid &  
painted same  
color as building

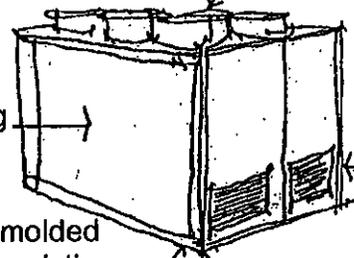


side solid - unit  
painted same  
color as building

10" high max. pre-molded  
curb – flashed into existing  
or new roofing

## UNIT TYPE "B"

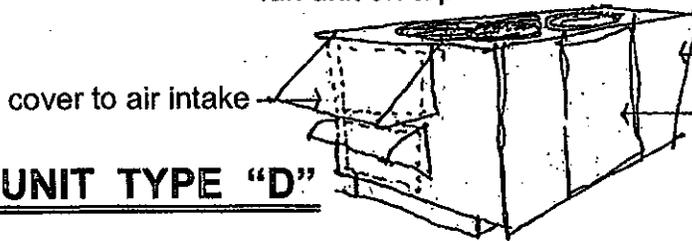
fan unit on top



Side Grills  
@ bottom  
24" high

## UNIT TYPE "C"

fan unit on top



## UNIT TYPE "D"

cover to air intake @ ends

entire unit painted same  
color as building

## UNIT TYPE "E"

fasten unit to  
curb

10" high max. pre-  
molded curb

fasten to structure  
submit engineering  
shop drawings

metal cover w/  
flanges over curb  
mop into existing  
roofing

existing roofing

roof deck

## CURB MOUNTING FOR A/C CONDENSER

"This unit must  
have full screening"

hurricane stand  
or pre-molded  
curb

can be mounted  
on 10" Max.  
pre-molded curb

MAX. HEIGHT OF UNIT + CURB 60 INCHES – THIS APPLIES TO  
EXISTING BUILDINGS WHERE SCREENING CANNOT BE INSTALLED.

### **302.1.5 Parking Structures**

The architectural design of the parking structure shall be harmonious with the project it serves and with its surrounding environment.

The facades shall be articulated to relieve the mass. This may be accomplished by using breaks in the planes of the exterior elevations, extensive use of perimeter planters at all levels, tall, layered landscaping to at least the fourth floor level, and careful siting of the structure.

Parking structures that have their top level at or near finish grade shall be landscaped in accordance with the criteria for surface parking lots. Landscape or other buffers must be high enough to screen cars. Interior landscape islands may be deck penetrations from lower levels.

On above grade structures, it is not always appropriate to landscape the roof as a normal surface parking lot. Planters, special paving, trellises, etc., may be used in lieu of the normally required landscaping.

Lighting standards where appropriate shall not exceed a height of 20 feet from grade, measured at the property line.

Tall lighting standards shall not be permitted on the ramps or upper levels of the structure. Light fixtures in these locations shall be low (i.e. bollards) and of low intensity.

Mechanical equipment (including fire sprinkler piping, drainage piping, etc.) shall be concealed from exterior view.

Light fixtures shall be selected and located so that the light source is concealed from exterior view.

No signs, except those for traffic control, shall be allowed on the exterior of the structure.

## **302.2 Exterior Space**

The scale of exterior space is to be relative to its neighborhood, adjacent properties, buildings, access (roads and pedestrian routes) and its activity. Building facades enclosing a space must be harmonious. Where, because of their use or age, like facades are not possible, consideration should be given to unifying the walls of the space by the application of landscaping, or man-made objects of like design, at modular spacing. The floor of a space is of primary importance. Its materials, texture and color, contour and shadow on it are to be considered, not only in relation to the space, but to its setting. Careful consideration shall be given to the preservation of natural vistas and to the future development of vistas which open into undeveloped areas.

### **302.2.1 General Landscaping Criteria**

#### **Definitions:**

**Canopy** The upper portion of a tree consisting of limbs, branches and leaves.

**Clear Trunk** Point above the root ball along the vertical trunk or trunks of a tree at which lateral branching begins.

**Ecosystem** - An assemblage of living organisms (plants, animals, microorganisms, etc.) and non-living components (soil, water, air, etc.) that function as an interrelated whole.

**Ground Cover** - Low growing plants that, by the nature of their growth characteristics, completely cover the ground and do not usually exceed two (2) feet in height.

**Hedge** - A landscape barrier consisting of a continuous, dense planting of shrubs.

**Irrigation** - The methods of supply and application of water other than natural rainfall.

**Irrigation System** - A permanent, artificial watering system designed to transport and distribute water to plants.

#### **Landscaping** -

**1) (When used as a noun)** Living plant material such as, but not limited to, turf, ground cover, shrubs, vines, trees or palms and non-living durable materials commonly used in environmental designs such as, but not limited to, rocks, pebbles, sand, walls, paving or fences and aesthetic grading or mounding; but excluding structures.

**2) (When used as a verb)** The process of installing or planting materials commonly used in environmental design.

**Mulch** - Non-living organic and synthetic materials customarily used in landscape design to retard erosion and retain moisture.

**Palm** - A monocotyledonous tree having fronds with parallel venation and no true woody bark.

**Plant Community, Native** - Naturally occurring or reestablished associations of native plants which are dominated by one or more prominent species or a characteristic physical attribute.

**Plant Species, Native** - Any plant species with a geographic distribution indigenous to all or part of South Florida. Plant species which have been introduced by man are not native.

**Prune** - To remove plant parts, dead or alive, in a careful and systematic manner so as to not damage other parts of the plant.

**Shrub** - A self supporting woody perennial plant of low to medium height characterized by multiple stems and branches continuous from the base.

**Site Specific Planting** - The selection and grouping of plant material that is particularly well suited to withstand the physical growing conditions which are normal for that location.

**Tree** - A self-supporting woody perennial plant, usually with one vertical stem or main trunk, which naturally develops a more or less distinct and elevated canopy and provides, at maturity, characteristics of the species.

**Tree. Shade/Canopy** - A tree, which by virtue of its natural shape, provides at maturity a minimum shade canopy averaging twenty-five (25) feet in diameter and a height of twenty-five (25) feet.

**Turf** - Continuous plant coverage consisting of grass species.

**Understory** - Vegetation consisting of shrubs, herbs, and vines which because of their nature will not grow to such a height that they will occur in the upper layer of the forest.

## **I General**

**(A) Emphasis** shall be placed upon landscaping as a means of achieving beauty in the community. It will be required on all projects, and in some projects and areas it will be the primary tool available. Boca Raton with its sub-tropical vegetation and characteristics is blessed with diverse areas of native plants and terrain to serve as guides and models.

**(B) Landscape design and planning** shall be integrated with the overall area design concept and not be considered merely as an afterthought. Toward this end, proposed landscaping schemes will be evaluated as to their relationship to the existing natural landscape, developed and other proposed landscape, including those on adjacent properties and street rights-of-way and the building or buildings existing and proposed.

**(C) Creative site development** shall be used in order to promote water conservation. Water requirements may be reduced by providing for:

- 1) The preservation of existing plant communities;
- 2) The use of native plant species and the re-establishment of native plant communities;
- 3) The use of drought tolerant species;
- 4) The use of site specific plant material;
- 5) The design and maintenance of irrigation systems which eliminate waste of water due to over application or loss from damage;
- 6) The use of shade trees to reduce transpiration rates of lower story plant materials;
- 7) Placement of vegetation to promote energy conservation through shading;
- 8) Site development that retains storm water runoff on site;
- 9) The use of pervious paving material; and

10) Other environmentally sensitive site development concepts.

Therefore, existing native vegetation and plant communities shall be protected and incorporated into the site plan wherever feasible. Existing native plant communities that are specified to remain shall be preserved in their entirety, with all trees, understory, and ground covers left intact and undisturbed. Areas of existing native plant communities specified to remain preserved shall be indicated on the landscaping plan. Protection of the existing vegetation during construction is required as set forth in Section 27-45 of the Tree Preservation Ordinance.

(D) **Landscaping** includes not only trees and plantings, but paving, benches, fountains, exterior lighting fixtures, fences, and any other item of exterior furniture. All items of *the* landscape are to be selected not only for their functional value but for their aesthetic value, and must complement the whole. All items of the landscape shall be indicated on a landscape plan; for each item, the landscape plan shall indicate:

- 1) Location.
- 2) Species, possible alternate species and their drought tolerance ratings as listed in the South Florida Water Management District Xeriscape Plant Guide.
- 3) Height, spread, spacing and quality.
- 4) Mulching, fertilizing and planting bed preparation.
  - a) A minimum of 3 inches of organic mulch shall be placed around all newly installed tree, shrub and ground cover planting areas.
  - b) The use of melaleuca, rather than cypress (or other valuable species) mulch is encouraged. Mulch consisting of any exotic invasive species must be certified seed-free by the producer.
- 5) Location of utilities, easements, and other improvements.
- 6) Approximate elevation of landscaped areas.
- 7) Irrigation system design and equipment specifications.

Trees shall be of a species having an average mature spread of crown of greater than twenty-five (25) feet and having trunk(s) which can be maintained in a clean condition over five (5) feet of clear wood. Trees having an average mature spread of crown less than twenty-five (25) feet may be substituted by grouping the same so as to create the equivalent of a twenty-five (25) foot crown of spread. Palm trees may be substituted for up to thirty percent (30%) of the required trees. Palms must have a minimum twelve (12') foot height and be highly resistant to lethal yellowing disease. A grouping of three (3) palm trees will be the equivalent of one (1) required canopy tree. Canopy trees species shall be a minimum of *ten* (10) feet overall height immediately after planting.

Fifty percent (50%) or more of the required trees for a project shall consist of one or more of the following recommended species:

Acer rubrum (Red Maple) Bauhinia spp.  
(Orchid Tree)  
Bourreria succulenta var. revoluta (Strong Bark)  
Bucida buceras (Black Olive) Bursera simaruba  
(Gumbo Limbo)  
Calophyllum inophyllum (Beauty Leaf)  
Celtis laevigata (Hackberry) Chrysophyllum oliviforme  
(Satin Leaf)

*Clusia rosea* (Pitch Apple)  
*Coccoloba diversifolia* (Pigeon Plum)  
*Coccoloba uvifera* (Sea Grape)  
*Conocarpus erectus* (Buttonwood or Silver Buttonwood)  
*Cordia sebestena* (Geiger Tree)  
*Cornus florida* (Flowering Dogwood)  
*Delonix regia* (Royal Poinciana)  
*Enallagma latifolia* (Black Calabash)  
*Erythrina crista-galli* (Coral Tree)  
*Eugenia* spp.  
*Guaiacum sanctum* (Lignum-Vitae)  
*Guapira discolor* (Blolly)  
*Hibiscus tiliaceus* (Sea Hibiscus)  
*Ilex cassine* (Dahoon Holly)  
*Jacaranda acutifolia* (Jacaranda)  
*Liquidambar styraciflua* (Sweet Gum)  
*Lysiloma sabicu* (Cuban Tamarind)  
*Lysiloma bahamensis* (Wild Tamarind)  
*Magnolia grandiflora* (Magnolia)  
*Manilkara roxburghiana* (Mimusops)  
*Myrica cerifera* (Wax Myrtle)  
*Myricanthes fragrans* (Twinberry)  
*Persia burbonia* (Red Bay)  
*Pinus elliotii* (Slash Pine)  
*Plumeria* spp. (Frangipani)  
*Quercus* sp. (Oak)  
*Sapindus saponaria* (Soapberry)  
*Simarouba glauca* (Paradise Tree)  
*Swietenia mahogani* (Mahogany)  
*Tabebuia argentea* (Tree of Gold)  
*Tabebuia pallida* (Pink Trumpet)  
*Tamarindus indica* (Tamarind)

The use of native and drought tolerant species is strongly encouraged. When more than twenty (20) trees are required to be planted to meet the requirements of this code, a mix of species shall be provided. The number of species to be planted shall vary according to the overall number of trees required to be planted. The minimum number of species to be planted are indicated in the table below:

Required Species Mix

Required Number of Trees	Minimum Number of Species
21-35	2
36-50	3

1 additional species for each additional 50 trees.

The following list of species are considered unacceptable for use as landscape trees and shall not be planted:

*Casuarina equisetifolia* (Australian Pine)  
*Melaleuca quinquenervia* (Punk Tree)

Metopium toxiferum (Poison Wood) Schinus  
terebinthifolius (Florida Holly)

No credit towards the fulfillment of the minimum required landscape shall be given for the following species:

Acacia auriculiformis (Ear Leaf Acacia)  
Bischofia javanica (Bischofia)  
Ficus nitida (Cuban Laurel)  
Ficus benjamina (Benjamin Fig)  
Cupianopsis anacardioides (Carrotwood)

Those species whose roots are known to cause damage to pavement or utilities shall not be planted closer than twelve (12) feet to a public right-of-way unless an approved root barrier structure is installed. These species can be planted provided that they are no closer than fifteen (15) feet from any public improvement.

<u>Botanical Name</u>	<u>Common Name</u>
Bischofia javanica	Bischofia, Toog
Schefflera actinophylla	Schefflera
Ficus spp.	Ficus

**(E) One of the uses of landscaping** will be to screen, which means the masking out or concealing of any objectionable area. The achievement of this is left to the designer, whether by walls, fences, mounds of earth, or vegetation. It must be complimentary to the whole as outlined above. Screening shall be employed as outlined in parking lots, Section 302.2.2(B), and to mask from the public view of adjacent properties such service areas as trash and garbage areas, outside equipment of unaesthetic character, and accessory buildings or areas not enhancing or in keeping with the aesthetics of the project or neighborhood. Screening of air conditioning units and other mechanical equipment shall be accomplished in a manner that does not interfere with the proper operation and/or maintenance of such equipment.

**(F) Landscaping shall be designed** in such a manner as to impart its aesthetic character when viewed from any area accessible to the public or from adjacent properties. This is to include view from highrise structures and bridges.

**(G) All landscaping and plantings designated on the plans** approved by the Board shall be installed in accordance with the specified height, spread and quality before a Certificate of Occupancy is issued.

**(H) Plant materials used** shall conform to the standards for Florida No. 1 or better as given in "Grades and Standards for Nursery Plants," Part I, Current Edition, and Part 11, State of Florida, Department of Agriculture, Tallahassee, a copy of which shall be maintained in the office of Community Development and shall be available for public inspection.

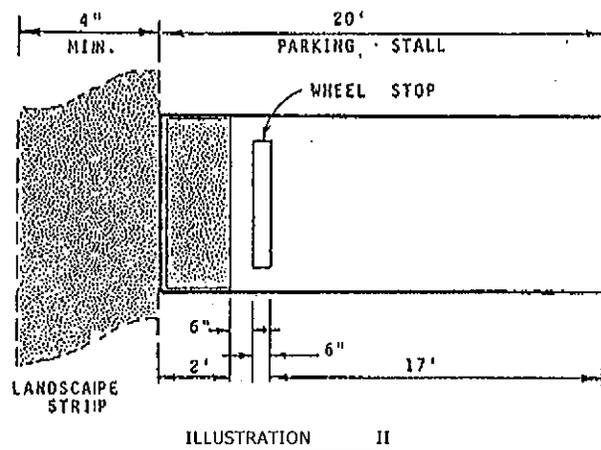
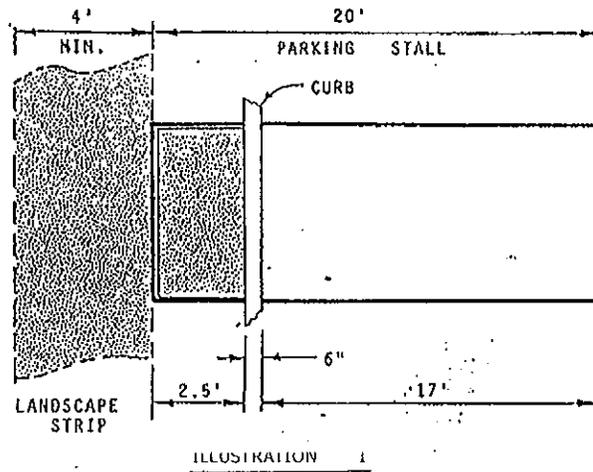
**(I) Unless otherwise approved by the Board, all grass areas** shall be sodded with clean sod reasonably free of weeds, noxious pests, and diseases. When grass areas are to be seeded, sprigged or plugged, specifications must be submitted. One hundred percent (100%) coverage must be achieved within ninety (90) days. Nurse grass shall be sown for immediate effect and protection until coverage is otherwise achieved. The use of small irregularly shaped turf areas is discouraged. The maximum allowable area of turf on any

site shall be seventy percent (70%) of the landscaped area, excluding areas of preserved or reestablished native plant communities.

- 1) **Primary Grass Types:** Selection of grass types shall be made while considering the long-term economic and aesthetic effects of possible drought conditions upon the lawn areas.
  - a) **Use of St. Augustine Grass:** St. Augustine grass should be used adjacent to areas that accommodate significant pedestrian traffic or where the aesthetics of the immediate area are considered an important factor.
  - b) **Use of Bahia Grass:** Bahia grass should be used in large, non-manicured turf areas such as open fields, appropriate recreation areas, or other areas that are generally viewed from a distance or from a moving automobile.
- 2) **Alternatives to Turf:** In some cases, turf can be replaced with less water demanding plants or mulches.

**(J) Installation** - All landscaping shall be installed in a sound workmanlike manner and according to accepted good planting procedures with the quality of plant materials as described. All elements of landscaping shall be installed so as to meet all other applicable ordinances and code requirements. Landscaping beautification of median strips dedicated as public right-of-way requires the approval of the City Manager in accordance with Section 19-19.1 of the City Code of Ordinances. All landscaping installations within public dedicated swales, drain easements, and road rights-of-way must be approved by the City Engineer.

**(K) Landscaped areas** shall require protections from vehicular encroachment. Where a curb is utilized and the parking stall is adjacent to a contiguous landscape strip at least four (4) feet in depth, the first 2.5 feet of the parking stall, measured from the edge of the landscape strip, shall be sodded or appropriately landscaped (see Illustration I). Where a wheel stop is utilized and the parking stall is adjacent to a contiguous landscape strip at least four (4) feet in depth, the first two (2) feet of the parking stall, measured from the edge of the landscape strip, shall be sodded or appropriately landscaped. The edge of the wheel stop shall be located six (6) inches from the edge of the paved area of the parking stall (see Illustration II). The landscaped portion of the parking stall may not be utilized to meet the minimum requirements of Section 3.2.2.2.



(L) **Maintenance** The owner, occupant, tenant and the respective agent of each, if any, shall be jointly and severally responsible for the maintenance of all landscaping. 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. Any dead vegetation and landscaping material shall be promptly replaced with healthy, living plantings.

- 1) **Mulch.** In order to preserve soil moisture, at least three (3) inches of clean weed-free organic mulch should be maintained over all appropriate planting areas at all times.
- 2) **Mowing.** Mowing of turf shall be to encourage deep root growth.
- 3) **Irrigation Systems.** 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.
- 4) **Pruning.** Maintenance pruning is to allow for the healthy uniform growth of the plant. Tree pruning shall promote the health and natural growth of the tree, Pruning must not interfere with the design intent of the original installation. A

plant's habit of growth must be considered ahead of time in instances where future conflicts might arise; i.e. views, signage, circulation, salt tolerance, etc. Tree pruning shall be accomplished in accordance with standards established in "Pruning Standards for Shade Trees, Revised 1989," as amended from time to time, promulgated by the National Arborist Association.

(M) **All landscaped areas except those areas composed of existing native plant communities and reestablished native plant areas** shall be provided with an approved irrigation system. The irrigation system shall be designed and installed in accordance with the Florida Irrigation Society Standards and Specifications for Turf and Landscape Irrigation Systems (revised June 10, 1988), as amended from time to time. Well water systems must be designed and maintained in a manner which eliminates staining of buildings, walks, walls and other site improvements.

- 1) **Irrigation of Existing Native Plant Communities.** Existing plant communities and ecosystems, maintained in a natural state, do not require and shall not have any additional irrigation water added in any form.
- 2) **Reestablished Native Plant Areas.** Native plant areas that are supplements to an existing plant community or newly installed plant areas may initially require additional water to become established. Where newly planted native areas have been installed in soils appropriate to the proposed native system, additional irrigation water (after the period of establishment) is unnecessary and probably harmful. The water required during the establishment period shall be applied from a temporary irrigation system, a water truck or by hand watering from a standard hose bib source.
- 3) **Cultivated Landscape Areas.** Irrigation systems, either manual or automatic, may be used for the cultivated landscape areas. Application of water through a properly zoned, maintained, and regulated irrigation system can be the most efficient method of watering the landscape.
  - a) **Small Irrigation Systems.** Small residential and commercial areas may be irrigated with a manually controlled, properly zoned irrigation system if sufficient time and labor is available for its operation. Landscape plantings and turf areas shall be watered on an as needed basis only.
  - b) **Large Irrigation Systems.** When irrigated, cultivated areas in larger residential, commercial and industrial areas shall be irrigated by the use of an automatic irrigation system with controllers set to apply water as noted in this section. High water and low water use areas shall be zoned as noted below. Irrigation controllers shall be switched to manual operating mode during periods of increased rainfall. To avoid operation of the system during periods of increased rainfall, a rainswitch shall be required on all irrigation systems. The use of other moisture sensing devices is highly recommended.
  - c) **Coverage Requirements.** In all areas that are to be planted in a cultivated landscape, irrigation systems shall be designed to have a minimum of 100% coverage on a day when winds are no more than 5 miles an hour.
- 4) **Zoning of Irrigation Systems.** Systems shall be designed to incorporate irrigation zones capable of applying water onto turf areas on a different schedule than those irrigating shrub planting beds. Therefore, grouping landscape plantings according

to similar water needs is required. Landscape plants shall be grouped according to drought tolerance. The irrigation system design shall be in accordance with required application rates.

- a) **Turf areas shall be watered with sprinklers.** Low trajectory heads shall be used when irrigating confined turf areas to prevent overspray onto impervious areas.
  - b) **Trees, shrubs, flowers and ground covers** shall be watered utilizing low volume drip, spray, bubbler emitter, or similar low volume water application devices.
- 5) **Elimination of Overthrow onto Nonpervious Areas.** Landscape irrigation systems shall be designed so that, to the greatest extent practical, water being applied to impervious areas is eliminated.
- a) **Impervious Areas.** Sprinklers heads shall be placed as required to reduce direct overthrow onto impervious areas.
  - b) **Wind Control.** The use of low trajectory heads is encouraged in order to reduce the effect of wind velocity on the spray stream.
- 6) **Use of Nonpotable Water.** Use of nonpotable water for the irrigation of lawn and plant material is required when determined to be available.
- 7) **Water Application Rates.**
- a) **General.** All watering of planted areas should be managed so as to:
    - 1. Maintain healthy flora;
    - 2. Make plant material more drought tolerant;
    - 3. Avoid excessive turf growth;
    - 4. Minimize fungus growth;
    - 5. Stimulate deep root growth;
    - 6. Minimize leaching of fertilizer; and
    - 7. Minimize cold damage.
  - b) **Watering of St. Augustine Grass Lawns.** All watering of St. Augustine grass lawn areas shall be accomplished on an as needed basis as indicated by turf wilt.
  - c) **Watering of Bahia Grass Lawns.** All watering of Bahia grass lawn areas shall be accomplished on an as needed basis. Bahia grass may not require watering even when wilting. Nothing in this code shall be construed so as to require the withholding of water from grass beyond the stage of turf wilt.
  - d) **Since deep watering promotes deep root growth and healthier plant material,** water shall not be applied at a precipitation rate of less than one-half inch (1/2") per application.

- 8) **Promoting Deep Root Growth of Trees and Shrubs.** Watering of plants and trees should always be in a sufficient amount to thoroughly soak the root ball of the plant and the surrounding area, thereby promoting deep root growth and drought tolerance.

The City encourages the proper choice of plants for water conservation in landscaping. A listing of ground cover, shrubs, and trees with relative drought tolerances is available upon request at the Department of Community Development, Environmental Division, in an effort to promote water conservation in landscaping.

(N) **The City may inspect the project** and indicate whether or not the landscape fulfills the criteria set forth in this ordinance. Violations will be noted and property owners or their agents will have thirty (30) days in which to correct all violations. The quality of all material must meet or exceed the quality at which it was planted.

(O) **Landscaping of Existing Properties** - Whenever an existing structure is altered in any way requiring approval of the Community Appearance Board, landscaping, if not in accordance with present criteria requirements, shall be up-graded to meet those requirements, unless in the opinion of the board, such up-grading is impractical or would result in undue hardship. In this case the Board reserves the right to waive such portions of the criteria as it deems advisable.

When no structural change is involved, a voluntary change in landscaping that results in an improvement of the appearance of the property or which promotes water conservation may be allowed at the discretion of the Board.

(P) **Xeriscape Point System** - Each CAB approved landscaping plan shall comply with all of the provisions of the criteria of the Community Appearance Board. Additionally, in order to receive Community Appearance Board approval, each plan must satisfy a minimum of 30 points from the following list of options:

	<u>Design Options</u>	<u>Points</u>
1)	<b>Irrigation System:</b>	
	°Moisture sensing controller (other than rainswitch)	5
	°Plan submitted with low, moderate, and high water usage indicated	5
2)	<b>Shrubs:</b>	
	°25-50% of total quantity of plants from list	5
	°51-100% of total quantity of plants from list	10

("List" is defined as "very drought tolerant" in South Florida Water Management Xeriscape Plant Guide.)

3 )	T r e e s :	
	°25-50% of the total quantity of trees from list	5
	°51-100% of the total quantity of trees from list	10
4 )	<b>Extra Shade/Canopy Trees in Vehicular Use Areas:</b>	
	°20% more than required	5
	°40% more than required	10
5 )	<b>S o d A r e a s :</b>	
	°Sod area less than 60% of landscape area	5
6 )	<b>Florida Native Landscape:</b>	
	°100% of landscape area is preserved or reestablished Florida native vegetation. Plan must include trees, understory, and groundcover with a maximum of 50% of site sodded.	30

**302.2.2 Criteria for Parking Lots and Vehicular Use Areas**

(A) **Parking lots and other vehicular use areas** are to be designed as an aesthetic asset to a neighborhood and to the building, group of buildings, or facility they serve, A parking lot is to be considered a transitional space between the access (such as roads) and the building, group of buildings or other outside spaces, which it serves. The parking lot, because it is viewed from above as well as at eye level, should be designed accordingly.

(B) **Parking lots, vehicular use areas,** and their parked vehicles are to be effectively screened from the public view and from adjacent property and in a manner that is attractive and compatible with safety, the neighborhood, and facilities served.

(C) **The atmosphere** within the parking lot and vehicular use area is to be park-like rather than the harsh hardstand of paving. Trees are of primary importance in the landscape. They are not to be minimized in either height or quantity. The tree imparts, especially in a relatively flat area, a sense of three-dimensional space. It casts shadows that reduce the monotony of the expanse of paving and creates a refuge from the tropical sun. Signs designating entrances, exits, and regulations, are to be of a tasteful design and subject to review by the Board. The pavement is to be more than wall to wall asphalt.

It is recommended that pavement be varied in texture or color designating lanes for automobile traffic, pedestrian walks and parking spaces. Bright colored pavement is to be used only with restraint. In order to create a pleasant atmosphere it is recommended that consideration be given to sculpture, fountains, gardens, pools and benches. Design emphasis is to be given to the entrances and exits to the lot. Trash, refuse and unaesthetic storage and mechanical equipment should be screened from view.

(D) **Lighting** is to be designed not only from the standpoint of safety and resistance to vandalism, but for visual effect. It should avoid any annoyance to the neighbors from brightness or glare. It should not impart a prison-like atmosphere. Low lights of a modest scale can be used along with

feature lighting emphasizing plants, trees, barriers, entrances and exits. The fixtures are to be selected not only for their functional value but for their aesthetic qualities. They are to be considered furniture of the parking lot visible both day and night.

**(E) Minimum Requirements for Off-Street Parking and Other Vehicular Use Areas:**

- 1) **All areas** used for the display of parking of any and all types of vehicles, boats or heavy construction equipment, whether such vehicles, boats or equipment are self-propelled or not, and all land upon which vehicles traverse the property as a function of the primary use, hereinafter referred to as "other vehicular uses," including but not limited to activities of a drive-in nature such as, filling stations, grocery and dairy stores, banks, restaurants, and the like, shall conform to the minimum landscaping requirements hereinafter provided.
- 2) **Fifteen percent (15%)** minimum of the gross parking area is to be devoted to living landscaping, which includes grass, ground cover, plants, shrubs and trees. The gross parking area is to be measured from the edge of the parking and/or driveway paving and sidewalks, extended five feet (5') in all directions, but is not to include any area enclosed by the building or covered by a building overhang.
- 3) **Perimeter Screening:** All parking lots and vehicular use areas shall be screened from all abutting properties and/or rights of way with a wall, fence, hedge or other durable landscape barrier. Any living barrier shall be established in a minimum four foot (4') minimum wide planting strip. This living barrier shall be at least thirty inches (30") high with maximum on center spacing of thirty inches (30") at the time of planting and shall attain a minimum height of three feet (3') above finished grade of the adjacent vehicular use area one year after planting. A non-living barrier shall be a minimum of three feet (3') above finished grade of the adjacent vehicular use area at time of installation. In addition, one (1) tree in each thirty-five (35) lineal feet or fraction thereof shall be provided in the perimeter landscape planting area. Hedges, where required, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen thirty-six inches (36") high within a maximum of one (1) year after time of planting. Non-living barriers shall require additional landscaping on one or both sides to soften and enhance their appearance. A required six feet (6') masonry wall on a zoning boundary must have a minimum four foot (4') pervious planting area adjacent to it. The remainder of the required landscaped areas shall be landscaped with grass, ground cover, or other approved landscape treatment excluding paving. All property other than the required landscaped strip lying between the right-of-way and off-street parking area or other vehicular use area shall be landscaped with at least grass or other ground cover. This shall include the off-property swale between the actual pavement of a public street or alley and the right-of-way/property line. Appropriate provisions of this section may be waived in the following situation:

Where a proposed parking area or other vehicular use area abuts an existing hedge, wall or other durable landscape barrier the landscape barrier requirement in the required four foot (4') planting strip may be reduced or omitted provided the existing barrier meets all applicable standards of this ordinance and protection against vehicular encroachment is provided. The adjacent property landscape barrier must be indicated on the landscape plan.

4) **Interior Landscaping:**

Interior areas of parking lots shall contain planter islands located so as to best relieve the expanse of paving. Planter islands must be located no further apart than every ten (10) parking spaces and at the terminus of all rows of parking. A planter island shall be a minimum of five feet (5') wide and shall be eighteen feet (18') long as measured from the end of the parking stall. The planter island nose shall have a minimum 2.5 foot radius (see Illustration III). All planter islands shall be curbed to prevent vehicular encroachment.

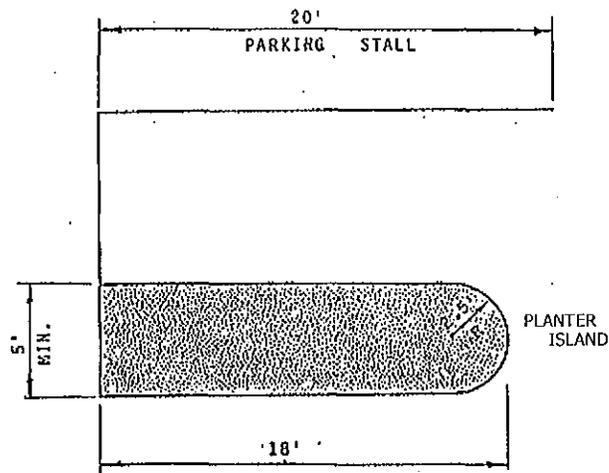


ILLUSTRATION III

Interior areas of vehicular use areas shall contain planter islands located so as to best relieve the expanse of pavement. This section may be modified under the following circumstances:

- a) When a strict application of this section will seriously limit the function of an area the required landscaping may be relocated with the approval of the Community Appearance Board.
  - b) In an industrial project the Community Appearance Board may lower the overall landscape area of the gross parking area. This reduction would apply only to the interior requirements. Perimeter minimums will not change.
- 5) **All planter islands** must contain a minimum of one tree for every one hundred and twenty-five (125) square feet or less of area. Trees in the planter islands do not count as credit towards the required perimeter trees. All required interior trees shall have a minimum clear trunk of six (6) feet and a minimum height of ten (10) feet:

The remainder shall be landscaped with shrubs, lawn, ground cover or other approved material not to exceed three (3) feet in height.

(F) **Credit for existing plant material** will not be given where, in the opinion of the Board, the chance of survival is in question. If existing plant material for which credit has been given, should be damaged prior to the issuance of a Certificate of Occupancy, it shall be replaced in kind or with a substitute satisfactory to the Board.

#### **302.2.3 Dumpster Enclosures**

- a. All dumpsters and other trash containers shall be completely screened on all four sides with an enclosure that is comprised of a durable material such as masonry with a finish that is architecturally compatible with the project. Chain link fencing, with or without slats, will not be allowed.
- b. A durable material such as masonry is recommended with an architecturally compatible finish.
- c. Where appropriate, enclosures shall have a minimum three (3) foot, curbed, landscape area on the sides and rear.
- d. Placement of enclosures in street frontage is discouraged. They shall be located so as to conceal them from public view to the maximum extent possible.

#### **302.2.4 Site Lighting**

- a. Parking lot and security lighting shall be designed to direct light into the property.
- b. The use of building mounted lights is discouraged, but if used, the light source shall not be visible off site.
- c. The color of the light sources shall be consistent throughout the project.
- d. Light standards (poles) shall be limited to a height of twenty (20) feet on commercial projects. Residential projects shall generally require a shorter standard.

### **303.0 Areas of Particular Note and Their Added Requirements**

The following is a list of natural and manmade areas and thoroughfares of particular note with their descriptions and added requirements. Requirements in the previous "General Requirements" also govern these areas.

#### **a. Ocean Beach and State Road A-1-A**

The existence of the ocean on our east imparts more directional and aesthetic influence than any other natural attribute. We should maintain an awareness of it in the development of the community. It is felt that it is essential to maintain and develop physical and visual contact with it through vistas, overlooks, adjacent roads and access parks. The ridge between State Road A-1-A and the beach, with its minimum height defined by ordinance, produces the potential overlooks, is a natural barrier between traffic and the beach, and defines the beach as an entity in itself. State Road A-1-A is a north-south highway between the Intracoastal Waterway and the ocean traversing the length of Boca Raton. It is the only man-made artery where the true character of the coastal community can be experienced in its fullness. Its variance in elevation allows unparalleled views of the ocean and of the

sloping terrain to the Intracoastal Waterway. The natural topography of the slope as well as the ocean ridge must be preserved. The natural landscape adjacent to this artery is all but destroyed in other South Florida communities. This landscape must be fully considered and preserved to the greatest extent in development. (See Landscaping, Section 302.2.2.a.) It is the strong feeling of the Board that openness both to the east and west be maintained. Therefore buildings are to be designed and sites planned in such a manner as to allow maximum visual contact with the beach, ocean and slope to the Intracoastal.

Of particular note is the area adjacent to the inlet bridge. Buildings and grounds in this area must be designed to be viewed from all directions, including that from the elevations of the bridge and highrise buildings.

**b. Intracoastal Waterway**

The Intracoastal Waterway, a natural north-south thoroughfare, has two main inherent attributes. One is the natural vistas from parks, bridges and other points of public access. The second is the imparting of an aesthetic experience together with an insight into the basic character of Boca Raton when traversing the waterway, with its winding a varied width course. Therefore, buildings within view of the waterway must present to it their facade of greatest or equal to greatest importance. All accessory buildings and facilities shall be screened from the public view or designed to the standards of adjacent buildings.

**c. El Rio Canal**

There is an important natural attribute that divides our community in the north-south direction. This tide affected waterway, navigable at least part way, bends often to have the feeling of a meandering stream. Also helpful toward its character is the limited use of bulkheading. The east bank possesses a natural landscape potential for fine vistas from bridges at Camino Real and Palmetto Park Road. This should be maintained and developed. The area on the east bank opposite Florida Atlantic University has an openness that could be developed for views of the University. Private property owners and the city should consider this and work toward it through landscaping and possible use of bicycle and walking paths in some areas. The vistas from all of the bridges and opposite banks are important for visual enjoyment of the community, and projects adjacent to the canal shall present an acceptable facade to this exposure.

**d. North-South Ridge**

The natural ridge running from S.W. 11th Place to 20th Street and generally adjacent to N.W. and S.W. 4th Avenue is a definite aesthetic asset to the community. It affords vistas to the west at many points and an almost continuous overlook to the east, when traversing N.W. and S.W. 4th Avenue, with a most important view at its intersection of Palmetto Park Road. Structures placed on this ridge shall not disturb the natural elevation and shall be designed in such a manner as to complement it. Structures adjacent to the ridge shall be designed and placed in such a manner as to afford maximum unobstructed view to the east from N.W. and S.W. 4th Avenue. The structures viewed from this ridge, even though a distance from it, shall be designed in relation to the surroundings, with particular attention given to the views of its forms, facades, roof coverings, and landscaping.

**e. U.S. Highway No. 1**

U.S. Highway No. 1 is presently our major north-south artery of interurban traffic. Only a small area remains where off-street parking is not required. Even though U.S. Highway No 1 has a diversity of zoning and uses, and consequently a variety of form, all projects shall

meet criteria of the General Requirements. The importance of site planning and landscaping is stressed on this road in order to reduce the chances of the undesirable features of over-advertising and confusion, and to develop an identity to the natural landscape and desired character of Boca Raton. The character of the roadway itself **is** enhanced by curves, standard width, island plating and the extremely wide open space between lanes at the south end. Buildings set in locations of impact, such as at the end of a long vista (curve in road) shall be designed with this aspect in mind (termination of a vista).

The south entrance to the city is enhanced by the vistas from the U.S. Highway No. 1 bridge to the east and west along the Hillsboro River. The south entrance possesses natural beauty, and projects proposed on the Boca Raton side of the river shall make all efforts to preserve this beauty.

**f. Dixie Highway and the Florida East Coast Railroad**

Dixie Highway and the Florida East Coast Railroad are considered to be main routes of north-south traverse through Boca Raton. They act as entrances and exits, and views from them impart an insight into the atmosphere of the City. It is, therefore, felt that areas seen from these routes, even though of a varied use (residential to manufacturing) must be developed in a manner that reflects the true tone of the community. Buildings shall be designed with major considerations given to forms, facades, roof coverings and landscaping, not only as viewed from Dixie Highway, but from the elevation of a railroad car. The facade of greatest importance or one of an aesthetic equal shall be presented to these routes. General requirements covering structure, landscaping and exterior spaces shall also pertain. (See "Industrial Section 303.0-1" criteria for manufacturing zones.) Individual site landscaping is to be encouraged, but it is necessary that it be relative to future city plans for public right-of-way landscaping.

Of special note is the intersection of these routes and the Hillsboro Canal. The vistas to the N.W. and S.E. are of the utmost value. Development in this area must be in such a manner as to allow for the maximum preservation of the views. They must preserve the, natural landscape characteristic and profile of the canal. It is recommended that concrete bulkheads not be used. The Banyan tree located on the east right-of-way of Dixie Highway just south of the intersection of Palmetto Park Road is of significant value, not only because of its beauty, but as a landmark. All efforts, both on the part of private parties and the government, shall be taken to preserve it.

**g. Palmetto Park Road**

**Beach to Dixie Highway** - This is a dominate artery of E-W direction and will remain so because it is a County road and will make important connections at its west end (1-95 and SR-808). This is also a secondary downtown axis for development of business. This area will be the heart of the E-W development, mainly because of the existing bridge, and therefore has a head start over other E-W arteries. Off-street parking is required and there will be a median strip when traffic requires it. It is necessary to relate individual landscaping to the future city plans for right-of-way landscaping. Building along this street should enhance the total effect by introducing diversity of form and treatment.

**Dixie Highway to West** - **The** cut through the ridge should be developed when the right-of-way is widened. The grade on the north side shall not be reduced in height, but the high bank should be landscaped as a feature. This can be a pleasant change with the vistas opening in either direction as one tops the rise.

**h. Florida Atlantic University**

In general the buildings, being set far apart from any potential structures on neighboring property, will impart little influence directly. That is to say, the materials and texture of construction of the University group will have less than usual influence on surroundings. There are three aspects which are important concerning community appearance. First is the massing and scale of the group as it still exists - unlike many private projects we are to some extent able to envision this from the comprehensive plan for the University.

Second is the importance of the remaining open spaces relative to adjacent views, vistas, spaces, traffic patterns, etc. Third is probably the most important influence - the sociological. The very existence of the University will strongly determine the kinds of businesses and their appearance that will occupy the business zoned property on the east. It is felt that the University is of importance to the city's appearance, not only through the cultural and educational aspects, but by the fact that it occupies a 1,200 acre area that will always be predominantly open in character. Florida Atlantic University is the largest single land usage in Boca Raton, and from sheer size alone will have a strong influence. We can assume that the State will provide a worthy site development, but it is the responsibility of this Board to see that the surroundings are harmonious, and advantages taken of views from streets and waterways.

Although the lands immediately adjacent to the University are residentially zoned, some areas are combination residential-business and other areas along the east-west accesses are zoned business. It is extremely important that the architectural treatment, the character and site development of these areas be carefully reviewed to insure that a harmonious and beneficial growth takes place. These areas are the entrances to the University and deserve special care and attention as both the University and the City grow. The influence of the University on the City of Boca Raton is only beginning to be felt. As this influence and interaction increase, every aspect of this relationship which comes within the purview of community appearance should be carefully considered to insure that standards of beauty and excellence are kept high.

**i. Boca Raton Hospital**

This building shall be considered separately because of its eventual size and importance to the community. It will no doubt have considerable influence on surroundings, not only because of its height and site development, but because of the usage of buildings in the immediate area - doctors' offices, clinics, and rest homes. Design of buildings in the area shall consider the hospital as a dominant element and be designed to blend harmoniously and complement the architecture of the complex. The serenity of the park-like atmosphere of the site shall be maintained.

**Boca Raton Hotel and Club**

The Boca Raton Hotel and Club finds its history in the development of Florida - not old in years, but as an example of by-gone splendor. Its architecture imparts a distinctive character which will influence surroundings. The golf course and Lake Boca Raton set it apart and give it a setting related to the mass. Beyond these vistas it gives our community its beautiful palm-lined Camino Real and fountain circle. This project from *the* past gives us a man-made example of the aesthetic potential of our community. The vista from U.S. 1 is considered important and projects on the east side, through site planning, non-screening landscaping and other considerations, shall make all efforts to preserve it. The present shopping center on Golf View Drive has adopted the character and has brought the Mediterranean influence into the commercial area of downtown. A feature of this center

considered desirable in future developments along Golf View Drive is the recognition of the importance of the view of the Golf Course and the Club. Future buildings should capitalize on this and present a facade of aesthetic importance of this street.

k **Civic Center Area**

Situated along both sides of Palmetto Park Road, a main East-West artery, its boundaries are: Starting at the intersection of Crawford Boulevard and the 4th Diagonal; 4th Diagonal to Southeast, N.W. 4th Street East to within 100 feet of N.W. 1st Avenue, South and parallel to N.W. First Avenue to Palmetto Park Road, West on Palmetto Park Road to S.W. 2nd Avenue, South on S.W. 2nd Avenue to S.W. 1st Street, West on S.W. 1st Street to S.W. 4th Avenue, S.E. 4th Avenue North to Palmetto Park Road East to 100 feet East of S.W. 3rd Court, parallel to S.W. 3rd Court North to N.W. 4th Street, N.W. 4th Street East to Crawford Boulevard, Crawford Boulevard N.E. to 4th Diagonal. The area has a natural slope from West to East, the Northern portion of the area is developed as a municipal recreation - city government center. Its atmosphere is that of the monumental and formal. The views of the area from the West (N.S. Ridge) are of importance. (See "N.S. Ridge, Section 303.0-d.")

l **Industrial Section**

Boca Raton's industrial section is a relatively narrow strip of land running North and South. It begins in the North at the City limits and with but two interruptions, extends South to N.W. 4th Street. While the East-West boundaries vary, the industrial zone can be said to be approximately between the West Side of Dixie Highway on the East and the East side of West 2nd Avenue on the West. For its full length the zone lies in the approximate center of the city and is clearly visible from two of the present North-South arteries. It is also traversed by several East-West thoroughfares that figure prominently in plans for future growth and development of the city. Because of this it is felt that the industrial section must be strictly controlled and must conform to the overall image of Boca Raton.

Buildings must, of necessity, reflect the manufacturing activity, but they shall be designed in accordance with proper design concepts and honest design construction.

Design emphasis shall be placed on all facades visible to the public or from adjacent properties. The grounds surrounding the building, although they must also reflect the manufacturing activity shall be planned to present a sense of aesthetic order. There shall be definite boundaries to storage, activity, and parking area. Screening shall be used to shield parking, storage and activity areas from the public view. Landscaping is to be employed on the site, not only to enhance the building or buildings, but to create a pleasing atmosphere throughout the site. Accessory buildings shall be harmonious with the main building. Outside equipment, hoppers, cranes, etc., shall be painted a pleasing color that will blend with the whole. Vibrant or bright colors are to be discouraged.

### **304.0 Definitions**

**304.1 Proper Design Concepts** Refers to architectural planning and to the analysis of the whole structure in terms of form and composition, color, materials, and surface decoration. It includes scale in relationship to scale of adjacent buildings and landscape. It applies to inner character of the individual project. It applies in the same manner to alterations and advertising on the project (building). No one will be permitted the excuse that the area contains other unsightly buildings.

**304.2 Honest Design Construction** . Concerns proper design of all work in its details, the uses of weather resistant material, etc. Applies also to advertising. Cheap and poorly designed work must always be discouraged.

**304.3 Appropriate to Surroundings** . This does not mean uniformity in style or subordination to existing buildings, but rather to bringing new buildings into an orderly relationship with landscape and nature, other buildings, and open areas. Again, scale and composition come into importance, related here to adjacent properties. Surroundings are not only the buildings within a neighborhood, but shall be considered as the total picture. Future surroundings must also be weighed. Advertising signs on buildings must be appropriate to the surroundings in the same way.

**304.4 Scale** . The character of any architectural work is determined both in its internal space and in its external volume by the fundamental factor of scale, the relation between the dimensions of a building and the dimensions of man. Every building is qualified by scale.

**304.5 Space** . The experience of space, a characteristic of architecture, has its extension in the city, in the streets, squares, alleys and parks, in the playgrounds and in the gardens, wherever man has defined or limited a void and so has created an enclosed space. If in the interior of a building, space is defined by six planes (floor, ceiling and four walls), this does not mean that a void enclosed by five planes instead of six - as, for example, a roofless courtyard or public square, cannot be regarded with equal validity as space.

All urban space wherever the view is screened off, whether by stone walls or rows of trees or embankments, presents the same features we find in architectural space.

Every building creates two kinds of space: Its internal space, completely defined by the building itself and its external or urban space, defined by that building and the others around it. All objects -bridges, fountains, groups of trees, walls and in particular, the facades of buildings are brought into play in the creation of urban space.

**304.6 Proportion** . The relation of the parts of a building to each other and to the whole of the building. Proportion is closely ties to the scale of a building.

**304.7 Landscape Encroachment** . Any protrusion of any vehicle outside of a parking space, display area or access way into a landscape area.

**304.8 Trees** . Any self-supporting woody plants of species which normally grow to an over-all height of a minimum of fifteen (15) feet in Boca Raton.

**304.9 Shrubs** . Any self-supporting woody evergreen species which normally grow in Boca Raton.

**304.10 Vines** . Any plants which normally grow in Boca Raton which require support to reach mature form.

**304.11 Lawn Grass** . Any grass area which are planted in species which is normally grown as permanent lawn in South Florida.

**304.12 Other Vehicular Use Areas** Any land areas over which vehicles, boats or heavy construction equipment of any type, traverses, whether self-propelled or not, including, but not limited to, the activities of a drive-in nature, such as filling stations, grocery and dairy stores, banks, restaurants and the like.

~~Ordinance No. 4075, adopted 2/23/93,  
(Sign Design Criteria)~~

Ordinance No. 4074, adopted 2/23/93

Ordinance No. 3861, adopted 7/24/90

Ordinance No. 3796, adopted 9/26/89

Ordinance No. 3381, adopted 2/5/85

Ordinance No. 2992, adopted 8/11/81

Ordinance No. 2926, adopted 3/24/81

Ordinance No. 2110, adopted 3/25/75

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