

# City of Boca Raton



Incorporated 1925

## ORDINANCE

5504

1  
2 AN ORDINANCE OF THE CITY OF BOCA RATON  
3 DELETING CHAPTER 2, ARTICLE III, DIVISION 4,  
4 "COMMUNITY APPEARANCE BOARD," SECTION 2-  
5 136, "POWERS AND DUTIES TO REVIEW DUNE  
6 MANAGEMENT PLANS AND MAKE  
7 RECOMMENDATIONS TO THE ENVIRONMENTAL  
8 ADVISORY BOARD," CODE OF ORDINANCES, TO  
9 ELIMINATE REVIEW OF DUNE MANAGEMENT PLANS  
10 BY THE COMMUNITY APPEARANCE BOARD;  
11 AMENDING CHAPTER 28, "ZONING," ARTICLE XV,  
12 DIVISION 3, "ENCROACHMENTS," SECTION 28-1354,  
13 "PORCHES, TERRACES, AND POOL DECKS," CODE  
14 OF ORDINANCES, TO: (i) ELIMINATE REVIEW BY THE  
15 COMMUNITY APPEARANCE BOARD OF FRONT  
16 PORCHES IN RESIDENTIAL ZONING DISTRICTS THAT  
17 ENCROACH INTO REQUIRED FRONT YARDS, (ii) ADD  
18 MINIMUM WIDTH AND DEPTH REQUIREMENTS FOR  
19 SUCH FRONT PORCHES, AND (iii) REVISE AND/OR

1                   RESTATE EXISTING REGULATIONS WITH REGARD  
2                   TO SUCH FRONT PORCHES; PROVIDING FOR  
3                   SEVERABILITY; PROVIDING FOR REPEALER;  
4                   PROVIDING FOR CODIFICATION; PROVIDING AN  
5                   EFFECTIVE DATE (AM-19-07/19-92500019)  
6

7                   WHEREAS, streamlining the development application review process has been  
8 identified as a priority action item through the City's strategic planning process; and

9                   WHEREAS, streamlining the development application review process will make both  
10 the delivery of services to customers more efficient, and free up staff time to help achieve the  
11 City's other goals and initiatives; and

12                   WHEREAS, at the October 9, 2018, City Council Workshop, the City Council directed  
13 staff to proceed with development application review process streamlining measures, including:  
14 (i) eliminating review and approval by the Community Appearance Board ("CAB") of front porches  
15 in residential zoning districts, and; (ii) eliminating review of proposed dune management plans by  
16 the CAB prior to final action by the Environmental Advisory Board; and

17                   WHEREAS, the Development Services Department provided its recommendation  
18 regarding the proposed amendment to the Code of Ordinances; and

19                   WHEREAS, the Planning and Zoning Board, after notice and public hearing, has  
20 considered the proposed amendment to the Code of Ordinances, more specifically described  
21 herein, and submitted its recommendation to the City Council; and

22                   WHEREAS, the City Council, after notice and public hearing, has considered the  
23 proposed amendment to the Code of Ordinances, the recommendations of the Planning and  
24 Zoning Board, and all public comments; and

25                   WHEREAS, the City Council finds that the proposed amendment to the Code of  
26 Ordinances is consistent with the City of Boca Raton Comprehensive Plan; and

1 WHEREAS, the City Council desires to amend the Code of Ordinances in order to  
2 incorporate the above-described amendment; now therefore

3  
4 THE CITY OF BOCA RATON HEREBY ORDAINS:  
5

6 Section 1. Chapter 2, "Administration," Article III, "Boards, Committees, Commissions and  
7 Special Magistrates," Division 4, "Community Appearance Board," Section 2-136, "Powers and  
8 Duties to Review Dune Management Plans and Make Recommendations to the Environmental  
9 Advisory Board," Code of Ordinances, is hereby deleted in its entirety:

10 Sec. 2-136. - Reserved. ~~Powers and duties to review dune management plans and make~~  
11 ~~recommendations to the environmental advisory board.~~

12 ~~The community appearance board is authorized to review proposed dune management~~  
13 ~~plans and make recommendations to the environmental advisory board.~~

14 Section 2. Chapter 28, "Zoning," Article XV, "Supplementary District Regulations,"  
15 Division 3, "Encroachments," Section 28-1354, "Porches, Terraces, Pool Decks," Code of  
16 Ordinances, is hereby amended to read:

17 Sec. 28-1354. - Porches, terraces, pool decks.

18 (1) A front porch in a residential district may encroach into a required front yard, and  
19 shall not be included in any calculation of living area, subject to the following requirements and  
20 limitations; ~~provided, however, a~~

21 (a) The front porch in a residential district shall not be located closer than 18 feet from  
22 the front plot property line, and the eave of the a front porch shall not be located closer than 15  
23 feet from the front plot property line. ~~Front porch areas shall not be included in any calculation of~~  
24 ~~living area and~~

25 (b) The front porch shall be of like design, and architecturally compatible with, and  
26 shall be constructed of like materials, as the building to which it is attached residence.

1           (c) ~~The A front porch in a residential district which encroaches into a required front~~  
2 ~~yard shall be permitted at the first floor level and at the second floor level of a 2-story single family~~  
3 ~~residence if a first floor level front porch is provided directly below the second floor level front~~  
4 ~~porch; provided, however, no such porch shall not encroach into a required side yard, or~~

5           (d) The provisions for encroachments set forth in this section shall not be combined  
6 with the provisions for encroachments of an open balcony into a front yard in single-family and  
7 multifamily residential zoning districts pursuant to section 28-1360.

8           (e) The front porch shall not, or be screened, glazed, or enclosed.

9           (f) A front porch encroachment in a residential district shall be permitted in only 1  
10 required front yard on corner lots with 2 front yards.

11           (g) The minimum width of the front porch shall be 20 feet, or two-thirds of the length  
12 of the building facade to which the front porch is attached, whichever is less. The term "width"  
13 shall mean the dimension of the front porch that is parallel to the front plot line.

14           (h) The minimum depth of the front porch shall be seven feet. The term "depth" shall  
15 mean the dimension of the front porch extending from the building to which it is attached toward  
16 the front plot line, but shall not include any eave of the front porch.

17           (i) A front porch that encroaches into a required front yard of a single family residential  
18 plot shall be permitted at the first floor level and at the second floor level of a 2-story single family  
19 house if a first floor level front porch is provided directly below the second floor level front porch.

20           (j) ~~No front porches in residential districts shall be permitted shall encroach into a~~  
21 ~~required in the front yards that abuts of residences whose front yards front on North Dixie Highway~~  
22 ~~north of Yamato Road to the north city limits.~~

23           (k) ~~The No front porch approved under this subsection shall not be used for storage;~~  
24 ~~provided, however, this shall not be construed to limit the use of outdoor patio tables and chairs,~~

1 porch swings, and ceiling fans. All ~~porches approved pursuant to this subsection, including those~~  
2 ~~for single-family residences, shall be approved by the community appearance board (which shall~~  
3 ~~determine if the requirements set forth herein are satisfied).~~

4 \* \* \*

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

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

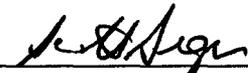
9 Section 5. Codification of this ordinance in the City Code of Ordinances is hereby  
10 authorized and directed.

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

12 PASSED AND ADOPTED by the City Council of the City of Boca Raton this  
13 13<sup>th</sup> day of November, 2019.

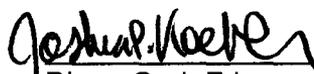
14  
15 CITY OF BOCA RATON, FLORIDA

16  
17 ATTEST:

18  
19   
20 \_\_\_\_\_  
21 Scott Singer, Mayor

22   
23 \_\_\_\_\_  
24 Susan S. Saxton, City Clerk

25  
26 Approved as to form:

27  
28  
29   
30 \_\_\_\_\_  
31 Diana Grub Frieser  
32 City Attorney

1

COUNCIL VOTE			YES	NO	ABSTAINED
MAYOR SCOTT SINGER	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
DEPUTY MAYOR JEREMY RODGERS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
COUNCIL MEMBER MONICA MAYOTTE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
COUNCIL MEMBER ANDREA LEVINE O'ROURKE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
COUNCIL MEMBER ANDY THOMSON	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			