

ORDINANCE NO. 19 - 027

AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA AMENDING LAND DEVELOPMENT REGULATIONS, CHAPTER 4, "SITE DEVELOPMENT STANDARDS" BY CREATING A NEW ARTICLE XII, ENTITLED "SUSTAINABLE DEVELOPMENT STANDARDS"; PROVIDING FOR PURPOSE AND INTENT, APPLICABILITY, EXEMPTIONS, SUSTAINABLE DEVELOPMENT OPTIONS AND MAINTENANCE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the purpose for creating Sustainable Development Standards is to require new development and redevelopment projects to utilize a level of site and building design options that conserve energy, promote a healthy sustainable landscape, support public health and safety and increase the development's sustainability; and

WHEREAS, the standards ensure that developers implement "green" practices above and beyond the City's existing Code requirements yet allow them to choose which specific practices they will implement to achieve the required number of points.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA, THAT:

Section 1. Each Whereas clause set forth above is true and correct and incorporated herein by this reference.

Section 2. That Chapter 4, Article XII, entitled "Sustainable Development Standards" is hereby created by adding the words and figures in underlined type, and by deleting the words and figures in struck-through type, as follows:

**CHAPTER 4, ARTICLE XII. SUSTAINABLE DEVELOPMENT STANDARDS**

**Section 1. General**

**A. Purpose and Intent.**

The purpose and intent of these standards is to promote sustainable development practices as a means of addressing global climate change, protecting natural resources, and ensuring a high quality life for existing and future residents. More specifically, it is intended to require new development and redevelopment projects to utilize a level of site and building design options that conserve energy, promote a healthy, sustainable landscape, support public health and safety, and otherwise increase the development's overall sustainability.

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**B. Applicability.**

All applications for approval of a New Site Plan, Major Site Plan Modification, or Minor Site Plan Modification (resulting in an increase, or replacement, of building square footage by 5,000 square feet or more), involving multifamily and planned unit residential, nonresidential, and mixed use development shall incorporate a sufficient number of sustainable design options from Table 3-1, Sustainable Development Options and Points, to demonstrate achievement of the minimum number of points required below:

1. Multifamily residential development consisting of a minimum of 3 dwelling units and up to 25 shall achieve at least 15 points.
2. Multifamily residential development consisting of more than 25 dwelling units shall achieve at least 20 points.
3. Mixed Use and Planned Unit residential development consisting of a minimum of 3 dwelling units and up to 20 shall achieve at least 15 points.
4. Mixed Use and Planned Unit residential development consisting of a minimum of 21 dwelling units and up to 50 shall achieve at least 20 points.
5. Mixed Use and Planned Unit residential development consisting of more than 50 units shall achieve at least 25 points.
6. Nonresidential development of a size less than one (1) acre shall achieve at least 20 points.
7. Nonresidential development of a size greater than one (1) acre shall achieve at least 25 points.

**C. Exemptions.**

1. Interior renovations to existing buildings and structures;
2. Construction of single-family or duplex dwelling unit on an individually platted lot within single-family or two-family residential districts; and
3. Buildings exempt from local building permits or governmental review pursuant to state or federal statutes.

**D. Sustainable Development Options.**

Table 3-1, Sustainable Development Options and Points, sets forth a range of sustainable site and building design features and the number of points achieved by incorporating each design feature (or specified levels of the design feature).

**Section 2. Required Sustainable Development Standards (Table 2-1)**

1. Required Sustainable Development Standards		
<b>Outdoor Lighting</b>	<u>Utilization of Warm White LED lighting for parking lots, pathway lighting, accent lighting and exterior building lighting.</u>	
<b>Butterfly Attracting Landscape Material</b>	<u>The Landscape Plan is designed to utilize a minimum of 5% butterfly attracting shrubs and trees in the planting scheme, with a minimum of three different species of plant material.</u>	

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<b>Electric Charging Stations</b>	<u>Provision of a Level 2 charging station capable of servicing two parking spaces for every fifty (50) dwelling units, or fraction thereof, in residential developments and one (1) per every 50,000 square feet of non-residential development.</u>	
<b>White Roof</b>	<u>Required for all projects utilizing flat surfaces, roof must be white.</u>	

**Section 3. Sustainable Development Options and Points (Table 3-1)**

<b>1. ENERGY</b>		
<b>Heat Island Reduction</b>	<p><u>The use of any combination of the following strategies for areas of the non-roof impervious site (including road, parking lots, driveways, sidewalks and courtyards).</u></p> <ul style="list-style-type: none"> <li><u>Provision of shade within parking / pedestrian areas from open structures, such as pergolas, covered walks, parking lot sunshades, etc., with a Solar Reflectance Index (SRI) of 29, as demonstrated by the manufacturer or the architect or engineer of record.</u></li> <li><u>Use of only paving materials with a Solar Reflectance Index (SRI) of 29, as demonstrated by the manufacturer or the architect or engineer of record.</u></li> <li><u>Use of only canopy trees within, and along the perimeter of parking lots, following the regulations in the Landscape Code for "Large Landscape Islands".</u></li> </ul>	
	<u>25% of the non-roof impervious site</u>	<u>2</u>
	<u>50% of the non-roof impervious site</u>	<u>4</u>
	<u>75% of the non-roof impervious site</u>	<u>6</u>
<b>Efficient Cooling</b>	<u>All air conditioners are Energy Star qualified. Minimum SEER 16.</u>	<u>2</u>
<b>Efficient Water Heating</b>	<u>At least 75% of hot water on premises is heated via Energy Star Certified water heaters or solar water heaters.</u>	<u>2</u>
<b>Cool Roof</b>	<u>Use roofing materials that have a Solar Reflectance Index (SRI) <math>\geq</math> 75 for low-sloped roofs (&lt;2:12) or 25 for steep-sloped roofs (&gt;2:12) for a minimum of 75% of the roof surface.</u>	<u>2</u>
<b>Building Color</b>	<u>Utilization of white or cool light colors for the body of buildings to reflect rather than absorb heat and reduce cooling costs. Accent and trim colors are not limited to these choices.</u>	<u>2</u>

<b>Shade structures for Buildings</b>	Where provisions of shade structures are not required per code: Structures such as awnings, screens, louvers, or other architectural devices shall cover a minimum of 50% of glazed openings.	4
	Where provisions of shade structures are not required per code: Structures such as awnings, screens, louvers, or other architectural devices shall cover a minimum of 75% of glazed openings.	6
<b>Skylights</b>	The primary building is constructed with skylights that provide at least 10% of the light necessary for daily use on the story on which the skylights are located.	1
<b>Renewable Energy</b>	A portion of the energy used by the primary building is generated using solar panels, wind turbines, or other renewable source located onsite.	15% minimum
		30% minimum
		45% minimum
<b>Solar Heated Pool</b>	Install solar water heating rather than gas or electric.	2
<b>Lighting</b>	Provide energy efficient lighting such as LED lighting for building interiors for 100% of proposed lighting.	1
<b>Energy star appliances</b>	All appliance with in a building are 100% energy star.	2
<b>Insulation</b>	Provide increased insulation to achieve a minimum R-19 in walls and R-38 in the ceiling.	2

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<b>2. Recycle &amp; Waste Reduction</b>		
<b>Recycle Content in infrastructure</b>	For all new roadways, parking lots, sidewalks, and curbs.	2
<b>Building Material</b>	A minimum of 50% of the building materials used are to be green materials, recycled, locally-produced materials, or sustainably-harvested wood.	2
<b>Recycle station \ dumpster area</b>	Recycle chute(s) in Mixed Use Districts and dumpster, which include a recycle station.	1

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<b>3. Water Conservation &amp; Management</b>			
<b>Reuse Water</b>	<u>Utilization of reuse water for irrigation (if adjacent to site).</u>	<u>2</u>	
	<u>Utilization of reuse water for irrigation (if requested and approved by the Utilities Department to be brought to the site).</u>	<u>4</u>	
<b>Rain Gardens (Bio-swale or Bio-retention System)</b>	<u>The development includes rain gardens designed with native plants material installed in a sand/soil matrix soil bed with a mulch cover layer.</u>		
	<u>Commercial: consisting of a minimum of 1,000 square feet</u>	<u>3</u>	
	<u>Multifamily or Mixed Use with less than 50 units : consisting of a minimum of 500 square feet.</u>	<u>2</u>	
	<u>Multifamily or Mixed Use with more than 50 units : consisting of a minimum of 1,000 square feet.</u>	<u>3</u>	
<b>Rain Water Reuse</b>	<u>At least 75% of rain water from the roofs of structures is captured and recycled for landscape irrigation.</u>	<u>4</u>	
<b>Permeable Parking Surfaces</b>	<u>Permeable surfacing materials are used for some or all of surface parking areas.</u>	<u>25% minimum</u>	<u>4</u>
		<u>50% minimum</u>	<u>6</u>
		<u>75% minimum</u>	<u>8</u>
<b>Permeable Sidewalk Surfaces</b>	<u>Permeable or acceptable natural surfacing materials are used for all sidewalks.</u>	<u>3</u>	
<b>Vault System</b>	<u>Utilize a vault system for stormwater management to maximize usable open space on urban sites.</u>	<u>4</u>	

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<b>4. URBAN NATURE</b>		
<b>Green Roof</b>	<u>At least 50% of the total surface area of the principal building's roof is a green roof constructed in accordance with ASTM green building standards.</u>	<u>6</u>
	<u>At least 75% of the total surface area of the principal building's roof is a green roof constructed in accordance with ASTM green building standards.</u>	<u>8</u>
<b>Green Wall</b>	<u>Provide a minimum of 300 square feet of an irrigated vegetated wall, which is visible from right-of-way or private amenities.</u>	<u>2</u>
	<u>Provide a minimum of 600 square feet of an irrigated vegetated wall, which is visible from right-of-way or private amenities.</u>	<u>4</u>
	<u>Provide an entire façade (over 600 square feet) of an irrigated vegetated wall, which is visible from right-of-way or private amenities.</u>	<u>6</u>

<b><u>Nature Path or Trail</u></b>	<u>Public pedestrian and/or bicycle access to natural elements is provided by a bike or pedestrian path or trail that is at least one-fourth mile long and does not intrude on or unduly harm existing natural features.</u>	<u>1</u>
	<u>Public pedestrian and/or bicycle access to natural elements is provided by a bike or pedestrian path or trail that is at least one-half mile long and does not intrude on or unduly harm existing natural features</u>	<u>2</u>
<b><u>Parking Structure, Green</u></b>	<u>At least 50% of the total surface area of the top of the parking structure is a green roof or green wall.</u>	<u>4</u>
	<u>At least 75% of the total surface area of the top of the parking structure is a green roof or green wall.</u>	<u>6</u>
	<u>The total surface area of the top of the parking structure is a green roof or green wall.</u>	<u>8</u>
<b><u>Tree Canopy</u></b>	<u>Provide canopy trees in an amount that exceeds the minimum number of required trees by 10%.</u>	<u>2</u>
	<u>Provide canopy trees in an amount that exceeds the minimum number of required trees by 15%.</u>	<u>3</u>
	<u>Provide canopy trees in an amount that exceeds the minimum number of required trees by 20%.</u>	<u>4</u>
	<u>Provide canopy trees in an amount that exceeds the minimum number of required trees by 25%.</u>	<u>5</u>
<b><u>Community Garden</u></b>	<u>Within residential or mixed use projects, the dedication of permanent and viable growing space and related facilities (such as greenhouses) at a minimum of 10 square feet per unit, and including the provision of fencing, watering system, soil, and secured facilities garden tools/equipment.</u>	<u>3</u>
<b><u>Habitat Restoration</u></b>	<u>Using only native or Florida Friendly plant species, restore pre-development native habitat on the project site in an area equal to or greater than 10% of the development footprint, working with a Landscape Architect to ensure that restored areas feature waterwise, native and drought tolerant plants.</u>	<u>4</u>
<b><u>Minimum Open Space</u></b>	<u>Provision of usable common open space in excess of code requirements by up to 20%. The designed space shall not have any dimension less than 75 feet.</u>	<u>4</u>

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<b>5. TRANSPORTATION</b>		
<b><u>Parking Structure</u></b>	<u>At least 75% of the development's total number of required off-street parking spaces is contained in a parking deck or garage.</u>	<u>2</u>
<b><u>Electric Charging Stations</u></b>	<u>Provide two (2) over the required number of electric car charging stations.</u>	<u>2</u>
	<u>Provide four (4) over the required number of electric car charging stations.</u>	<u>4</u>
<b><u>Facilities for Bicycle Commuters</u></b>	<ul style="list-style-type: none"> <li><u>Indoor or self-contained bicycle storage lockers equal to a minimum of 3% of the vehicle parking spaces required with the non-residential development.</u></li> </ul>	<u>2</u>
	<ul style="list-style-type: none"> <li><u>Shower and dressing area for the employees, in addition to the above.</u></li> </ul>	<u>4</u>

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<b>6. Other Sustainable Development Opportunities</b>		
<b><u>Other</u></b>	<u>The development includes other green features that conserve energy, promote a healthy landscape, support public health and safety, or increase sustainability—points to be awarded at the discretion of the Development Director.</u>	<u>Up to 6</u>

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86 **Section 4. Maintenance**

87 Sustainable Development Points obtained shall be maintained by the responsible entity.

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89 Section 3. Each and every other provision of Land Development Regulations  
90 Chapter 4 not herein specifically amended shall remain in full force and effect as previously  
91 enacted.

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93 Section 4. All ordinances or parts of ordinances in conflict herewith be and the same  
94 are hereby repealed.

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96 Section 5. Should any section or provision of this ordinance or portion hereof, any  
97 paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such  
98 decision shall not affect the remainder of this ordinance.

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Section 6. Authority is hereby granted to codify said ordinance.

Section 7. This ordinance shall become effective immediately.

FIRST READING this 20th day of August, 2019.

SECOND, FINAL READING AND PASSAGE this 5th day of September, 2019.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Steven B. Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Mayor – Justin Katz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner – Mack McCray	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner –Christina L. Romelus	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner – Ty Penserga	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VOTE	<u>5-0</u>	

ATTEST:

Crystal A. Gibson  
Crystal Gibson, MMC  
City Clerk

(Corporate Seal)

