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# MEMORANDUM

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**TO:** Members of the Planning and Zoning Board

**FROM:** Leonard G. Rubin, Town Attorney

**RE:** Recommendation to Town Council (Ordinance No. 689)  
Revisions to Chapter 34

**DATE:** August 10, 2016

**CC:** Ruben Cruz, Director of Planning and Zoning

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## Background:

The Board recently completed its comprehensive review of Chapter 34, "Zoning," of the Town Code of Ordinances, setting forth the Town's land development regulations. The attached Ordinance codifies the revisions previously discussed with the Board and can be summarized as follows:

- Amends Section 34-2 to delete the reference to "morals" and revise the wording.
- Amends Section 34-3 to cross-reference the section governing interpretation of use restrictions.
- Amends Section 34-4 to: delete definitions no longer needed (adult day care home, auto rental lots, auto sales, design quality, dune line, forest zone, homeowners' association, jacuzzi, recreational vehicle, scrub zone, sign – corner location, vegetation line, yard – special, yard – water); revise definitions for additional clarity or to comply with state law (building height, code compliance officer, finished grade, frontage, group home, interior lots (RV park), limited home occupations, perimeter lots (RV park), right-of-way, structure, swimming pools, tree); and add additional definitions (community association, development review committee, health spa/gym, hot tub/whirlpool).
- Amends Section 34-27 to clarify the language.
- Amends Section 34-31 to correct a typographical error.
- Amends Section 34-116 to reference the development review committee's role in the development review process.
- Amends Section 34-117 to require sealed plans by an architect/engineer where applicable.
- Amends Section 34-238 to comply with state law (where annexed land is subject to county land use plan and county zoning, county regulations remain in place until the

Town adopts a comprehensive plan amendment including the annexed area) and to provide greater flexibility.

- Amends Section 34-268 to remove the reference to “morals.”
- Amends Section 34-268 to incorporate the revision to the building height definition.
- Amends Section 34-290 to incorporate tower height and tower area into the RM-1 zoning regulations.
- Amends Section 34-314 to incorporate tower height and tower area into RM-2 zoning regulations and correct a scrivener’s error (lot depth for townhouse cluster).
- Amends Section 34-337 to incorporate tower height and tower area into the RMT zoning regulations.
- Amends Section 34-368 to incorporate tower height and tower area into the RH zoning regulations.
- Amends Section 34-400 to incorporate tower height and tower area into the RM-OO zoning regulations.
- Amends Section 34-598 to correct terminology for accessory uses in MH zoning district (substitute “hot tub/whirlpool” for “jacuzzi”).
- Amends Section 34-627 to include sandwich shops as a preferred permitted use in the CG zoning district.
- Amends Section 34-632 to correct a codification error (site area development modification option for MC district mistakenly substituted for option in CG district).
- Amends Section 34-654 to change reference for permitted uses in CO zoning district from “medical and dental clinics” to “medical and dental offices.”
- Adds a new section 34-856 to correct a codification error (places site development modification for MC district in the correct place).
- Amends Section 34-871 to substitute “hot tub/whirlpool” for “jacuzzi.”
- Deletes Section 34-1220 referencing adult day care homes.
- Amends Section 34-1332 to substitute “community association” for “homeowners’ association.”

**Recommendation:**

Staff recommends that the Planning and Zoning Board recommend that the Town Council approve Ordinance No. 689 updating, clarifying and correcting the Town’s land development regulations.

1 TOWN OF JUNO BEACH, FLORIDA

2  
3 ORDINANCE NO. 689

4  
5 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO  
6 BEACH, FLORIDA, AMENDING CHAPTER 34, "ZONING," OF THE  
7 TOWN CODE OF ORDINANCES TO UPDATE, CLARIFY, AND  
8 CORRECT THE TOWN'S LAND DEVELOPMENT REGULATIONS;  
9 AMENDING ARTICLE I, "IN GENERAL," BY AMENDING SECTION 34-  
10 2, "PURPOSE," SECTION 34-3, "INTENT," AND SECTION 34-4,  
11 "DEFINITIONS;" AMENDING ARTICLE II, "ADMINISTRATION AND  
12 ENFORCEMENT," BY AMENDING SECTION 34-27, "DUTIES OF  
13 DIRECTOR," AND SECTION 34-31, "BUILDING PERMITS REQUIRED"  
14 OF DIVISION 1, "GENERALLY," AND AMENDING SECTION 34-116,  
15 "REQUIRED; CRITERIA," AND SECTION 34-117, "SUBMISSION  
16 REQUIREMENTS," OF DIVISION 4, "SITE PLAN AND APPEARANCE  
17 REVIEW;" AMENDING ARTICLE III, "DISTRICT REGULATIONS," BY  
18 AMENDING SECTION 34-238, "RULES FOR INTERPRETATION OF  
19 DISTRICT BOUNDARIES," AND SECTION 34-243, "ESTABLISHMENT  
20 OF ZONING DISTRICTS," OF DIVISION 1, "GENERALLY," AND  
21 AMENDING SECTION 34-268, "SITE PLAN REVIEW REQUIREMENTS,"  
22 OF DIVISION 2, "RESIDENTIAL SINGLE-FAMILY (RS-1, -2, -3, -4, -5)  
23 ZONING DISTRICT," AND AMENDING SECTION 34-290, "BUILDING  
24 SITE AREA REGULATIONS," OF DIVISION 3, "RESIDENTIAL  
25 MULTIPLE-FAMILY – MEDIUM DENSITY DISTRICT (RM-1) ZONING  
26 DISTRICT," AND AMENDING SECTION 34-314, "BUILDING SITE AREA  
27 REGULATIONS," OF DIVISION 4, "RESIDENTIAL MULTIPLE-FAMILY –  
28 MODERATE DENSITY (RM-2) ZONING DISTRICT," AND AMENDING  
29 SECTION 34-337, "BUILDING SITE AREA REGULATIONS," OF  
30 DIVISION 5, "RESIDENTIAL, TRANSIENT AND MULTIPLE-FAMILY –  
31 MODERATE DENSITY (RMT) ZONING DISTRICT," AND AMENDING  
32 SECTION 34-368, "BUILDING SITE AREA REGULATIONS," OF  
33 DIVISION 6, "RESIDENTIAL MULTIPLE-FAMILY – HIGH DENSITY (RH)  
34 ZONING DISTRICT," AND AMENDING SECTION 34-400, "BUILDING  
35 SITE AREA REGULATIONS," OF DIVISION 7, "RESIDENTIAL  
36 MULTIPLE-FAMILY – MODERATE DENSITY OPEN SPACE OPTION  
37 (RM-OO) ZONING DISTRICT," AND AMENDING SECTION 34-598,  
38 "ACCESSORY USES," OF DIVISION 13, "MANUFACTURED HOME  
39 COMMUNITY (MH) ZONING DISTRICT," AND AMENDING SECTION 34-  
40 627, "PREFERRED PERMITTED USES," AND SECTION 34-632, "SITE  
41 AREA DEVELOPMENT MODIFICATION OPTION," OF DIVISION 14,  
42 "COMMERCIAL GENERAL (CG) ZONING DISTRICT," AND AMENDING  
43 SECTION 34-654, "USES PERMITTED," OF DIVISION 15,  
44 "COMMERCIAL OFFICE (CO) ZONING DISTRICT," AND ADOPTING A  
45 NEW SECTION 34-856, "SITE AREA DEVELOPMENT MODIFICATION  
46 OPTION" OF DIVISION 22, "MEDICAL COMMERCIAL (MC) ZONING  
47 DISTRICT;" AMENDING ARTICLE IV, "SUPPLEMENTAL  
48 REGULATIONS," BY AMENDING SECTION 34-871, "SWIMMING



1 development in accordance with the comprehensive plan. To accomplish  
2 these purposes, the town council shall divide the entire town into districts of  
3 such number and shape as may be deemed best suited to carry out the  
4 purpose of this chapter, and within these districts may regulate, determine  
5 and establish:

6 \* \* \*

7  
8  
9 **Sec. 34-3. Intent.**

- 10  
11 (a) The intent of this chapter is that it be inclusionary; permitted uses,  
12 accessory uses, and special exception uses specifically stated for  
13 each zoning district shall be the only uses permitted. Any use  
14 proposed within any given zoning district which is not a stated use  
15 within said district is expressly prohibited, subject to the provisions  
16 of Section 34-242.  
17  
18 (b) In addition, unless specifically stated to the contrary in this chapter,  
19 all other town ordinances, resolutions and other regulations shall be  
20 complied with.  
21

22 **Sec. 34-4. Definitions.**

23  
24 For the purposes of this chapter, the following terms and words are  
25 hereby defined. Words used in the present tense shall include the future;  
26 the singular number shall include the plural; and the plural the singular; the  
27 term "used for" shall include the meaning "designed for"; the term "structure"  
28 shall include the term "building"; the term "lot" shall include the terms "plot"  
29 and "tract"; the word "shall" is mandatory and not directory.  
30

31 \* \* \*

32  
33 ~~Adult day care home means a residence in which basic health~~  
34 ~~services are provided for one to five adults, 18 years of age or older, not~~  
35 ~~related by blood or marriage and who require such services for part of a 24-~~  
36 ~~hour day. Such residence shall meet all licensing requirements of the state~~  
37 ~~department of elder affairs and operate in accordance with F.A.C. ch. 58A-~~  
38 ~~6.~~  
39

40 \* \* \*

41  
42 ~~Auto rental lot means a lot or parcel of land on which passenger~~  
43 ~~automobiles for active rental purposes only are stored or parked. Auto rental~~  
44 ~~lot establishments are prohibited in all zoning districts within the town as~~  
45 ~~such uses are not deemed to be acceptable retail establishments, which~~  
46 ~~are permitted within certain zoning districts in the town.~~  
47





1 including but not limited to, aerobic exercise and dancing, massage, weight  
2 lifting, running, swimming, racquetball, basketball, weight reduction and  
3 similar activities. Accessory uses, limited to patrons of the facility, include  
4 babysitting and food and beverage services.

5  
6 \* \* \*

7  
8 ~~*Homeowners' association* means an entity created by a recorded~~  
9 ~~instrument providing for the operation and maintenance of commonly~~  
10 ~~owned facilities or common open space.~~

11  
12 *Hot tub/whirlpool* means a small swimming pool with a maximum of  
13 thirty-six (36) square feet in surface area.

14  
15 \* \* \*

16  
17 ~~*Interior lots (RV park)* means individual lots that are not perimeter or~~  
18 ~~common area lots See section 34-566(c) for definition.~~

19  
20 ~~*Jacuzzi* means a small swimming pool with a maximum of 36 square~~  
21 ~~feet in surface area.~~

22  
23 \* \* \*

24  
25 *Limited home occupations* means a home occupation which by its  
26 nature has no impact on the surrounding residential neighborhood, and  
27 requires no facilities other than those normally provided for a residential  
28 dwelling unit. Limited home occupations are typically those businesses that  
29 require only telephone, and/or internet service to conduct their transactions.

30  
31 \* \* \*

32  
33 ~~*Perimeter lots (RV park)* means individual lots that are adjacent to~~  
34 ~~the perimeter property lines and/or perimeter landscape buffer or barrier of~~  
35 ~~the development See section 34-566(c) for definition.~~

36  
37 \* \* \*

38  
39 ~~*Recreational vehicle (RV)* means as defined by F.S. §§ 320.02(1)(b)~~  
40 ~~and 513.01(9).~~

41  
42 \* \* \*

43  
44 *Right-of-way* means an area or strip of land either public or private,  
45 on which an irrevocable right of passage has been recorded, (whether by  
46 deed, dedication or easement), ~~for the use of vehicles or pedestrians or~~  
47 ~~both.~~

1 \* \* \*

2  
3 ~~Scrub zone means that area landward of the pioneer zone where~~  
4 ~~shrubs and other woody plants such as sea grapes and saw palmettos are~~  
5 ~~dominant.~~

6 \* \* \*

7  
8  
9 ~~Sign, corner location, means a sign on a building having two facades~~  
10 ~~which face a street, aisle, or sidewalk (either publicly or privately owned),~~  
11 ~~excluding the rear building facade.~~

12 \* \* \*

13  
14  
15 Spa. See Jaeuzzi Hot tub/whirlpool.

16 \* \* \*

17  
18  
19 ~~Structure means anything constructed, assembled or erected, the~~  
20 ~~use of which requires permanent location on the land with a fixed location~~  
21 ~~on the ground, or attached to something having a fixed location on the~~  
22 ~~ground.~~

23 \* \* \*

24  
25  
26 ~~Swimming pools means any pool which is constructed, used or~~  
27 ~~maintained to provide recreational facilities for swimming, bathing or wading~~  
28 ~~and which is capable of containing water to a depth greater than 18 twenty-~~  
29 ~~four (24) inches, and all accessory buildings, equipment, and~~  
30 ~~appurtenances thereto.~~

31 \* \* \*

32  
33  
34 ~~Tree means a woody plant having a height of not less than 12 feet~~  
35 ~~and a canopy spread of not less than ten six feet measured at three radius~~  
36 ~~points from the trunk, and a clear trunk of not less than six four feet at the~~  
37 ~~time of planting.~~

38 \* \* \*

39  
40  
41 ~~Vegetation line means the extreme seaward boundary of natural,~~  
42 ~~native terrestrial vegetation which spreads continuously inland. It includes~~  
43 ~~the line of vegetation on the seaward side of dunes of mounds of sand~~  
44 ~~typically formed along the line of highest wave action, and, where such~~  
45 ~~vegetation line is clearly defined, the same shall constitute the vegetation~~  
46 ~~line. In any area where there is no clearly marked vegetation line, recourse~~  
47 ~~shall be had to the nearest clearly marked line of vegetation on each side~~  
48 ~~of such area. The vegetation line for the unmarked area shall be the line of~~







1 this section, the board of adjustment shall interpret the district  
2 boundaries;

3  
4 (8) Where a district boundary line divides a lot which was a single  
5 ownership at the time of passage of this chapter, the town  
6 council may permit, as a special exception, the extension of  
7 the regulations for either portion of the lot not to exceed 50  
8 feet beyond the district line into the remaining portion of the  
9 lot;

10  
11 ~~(9) All territory which may hereafter be annexed to the town shall~~  
12 ~~be considered to be zoned RS residential single family~~  
13 ~~detached until otherwise classified.~~

14 \* \* \*

15  
16  
17 **Sec. 34-243. Establishment of zoning districts.**

18 For the purpose of protecting, promoting and improving the public  
19 health, safety, morals and the general welfare of the people, the town  
20 hereby establishes the following districts:

21 \* \* \*

22  
23  
24  
25  
26 **Section 6.** The Town Council hereby amends Division 2, "Residential Single-  
27 Family (RS-1, -2, -3, -4, -5) Zoning District," of Article III, "District Regulations," of Chapter  
28 34, "Zoning," of the Town Code of Ordinances to read as follows (additional language is  
29 underlined and deleted language is ~~stricken through~~):

30 \* \* \*

31  
32  
33 **Sec. 34-268. - Site plan review requirements.**

34 A site plan review is required of all uses other than individual single-family  
35 detached dwellings, which shall be subject to review only by the town  
36 planning and zoning department.

37 [Table omitted]

38  
39  
40  
41 **NOTES:**

42 \*Screened pool enclosures are included.

43  
44 \*\*Screened pool enclosures are excluded.

45  
46 (A)Corner lots: section 34-899 is modified for the RS districts as follows: One  
47 street side: minimum 20-foot setback\*\*\*; Other street side: min. required  
48 front yard setback (see table above).

1  
2 \*\*\*In the RS-2 district (first addition subdivision): A minimum 15-foot setback  
3 shall be required on both street sides when such corner lot abuts Zenith  
4 Lane.

5  
6 \*\*\*Yard facing U.S. Highway 1 and/or Ocean Drive shall be set back a  
7 minimum of 20 feet.

8  
9 \*\*\*In the RS-5 district: a minimum 15 foot setback.

10  
11 (B)Through lots: section 34-900 is modified for the RS districts as follows:  
12 Those through lots which have frontage on both U.S. Highway 1 and a local  
13 residential street shall have the principal building setback the required front  
14 yard setback on both frontages. However, accessory structures in yards  
15 facing U.S. Highway 1 may be set back according to the accessory structure  
16 setback requirements for a side and rear yard. Those lots in the RS-2 district  
17 (first addition subdivision) which front on both North Juno Lane and Diana  
18 Lane shall have the front yard setback requirement apply to the North Juno  
19 Lane frontage, while the frontage facing Diana Lane shall be treated and  
20 regulated as a rear yard.

21  
22 (C)A minimum 19-foot-long driveway or parking area is required in front of a  
23 garage or carport for stacking depth.

24  
25 (D)Building height is the vertical distance measured from ~~average existing~~  
26 finished grade (prior to land alteration) at the structure's proposed location  
27 ~~or from the crown of the road at its highest elevation abutting the property,~~  
28 ~~whichever is greater.~~ to the highest exterior point of the building roof,  
29 exclusive of chimneys, aerials, and other similar appurtenances. See  
30 finished grade.

31  
32 (E)If accessory structure is in the front yard, the front yard setback shall  
33 apply. However, see note (B) for exception.

34  
35 (F)If accessory structure is set back a minimum of ten feet from the side or  
36 rear property line, then section 34-873 shall apply and there shall be no  
37 maximum building dimension requirement.

38  
39 **Section 7.** The Town Council hereby amends Division 3, "Residential Multiple-  
40 Family – Medium Density (RM-1) Zoning District," of Article III, "District Regulations," of  
41 Chapter 34, "Zoning," of the Town Code of Ordinances to read as follows (additional  
42 language is underlined and deleted language is ~~stricken through~~):

43 \* \* \*

44  
45  
46 **Sec. 34-290. - Building site area regulations.**  
47

The following building site area regulations shall apply to the RM-1 residential multiple-family—medium density district:

\* \* \*

(16) Maximum tower height:

<u>Single-family detached</u>	<u>None, but must be in proportion with rest of building</u>
<u>Two-family</u>	<u>None, but must be in proportion with rest of building</u>
<u>Townhouse, single unit</u>	<u>None, but must be in proportion with rest of building</u>
<u>Townhouse, cluster</u>	<u>None, but must be in proportion with rest of building</u>
<u>Multiple-family</u>	<u>None, but must be in proportion with rest of building</u>

(17) Maximum tower area:

<u>Single-family detached</u>	<u>225 sq. ft.</u>
<u>Two-family</u>	<u>225 sq. ft.</u>
<u>Townhouse, single unit</u>	<u>225 sq. ft.</u>
<u>Townhouse, cluster</u>	<u>225 sq. ft.</u>
<u>Multiple-family</u>	<u>225 sq. ft.</u>

~~(16)~~(18) Minimum parking: See article IV, division 4 of this chapter. For multifamily developments: two spaces per dwelling unit for the first 20 units; 1.75 spaces for the next 21-50 dwelling units; and 1.5 spaces for each dwelling unit in excess of 50. Also, one guest space for every seven dwelling units.

(19) Loading: not applicable.

\* \* \*

**Section 8.** The Town Council hereby amends Division 4, "Residential Multiple-Family – Moderate Density (RM-2) Zoning District," of Article III, "District Regulations," of Chapter 34, "Zoning," of the Town Code of Ordinances to read as follows (additional language is underlined and deleted language is ~~stricken through~~):

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(1719) Loading: see Section 34-985.

\* \* \*

**Section 9.** The Town Council hereby amends Division 5, "Residential, Transient and Multiple-Family – Moderate Density (RMT) Zoning District," of Article III, "District Regulations," of Chapter 34, "Zoning," of the Town Code of Ordinances to read as follows (additional language is underlined and deleted language is ~~stricken through~~):

**Section 34-337. Building site area regulations.**

The following building site area regulations shall apply to the RMT residential, transient and multiple-family—moderate density district:

\* \* \*

(16) Maximum tower height:

<u>Single-family detached</u>	<u>None, but must be in proportion with rest of building</u>
<u>Two-family</u>	<u>None, but must be in proportion with rest of building</u>
<u>Townhouse, single unit</u>	<u>None, but must be in proportion with rest of building</u>
<u>Townhouse, cluster</u>	<u>None, but must be in proportion with rest of building</u>
<u>Multiple-family</u>	<u>None, but must be in proportion with rest of building</u>

(17) Maximum tower area:

<u>Single-family detached</u>	<u>225 sq. ft.</u>
<u>Two-family</u>	<u>225 sq. ft.</u>
<u>Townhouse, single unit</u>	<u>225 sq. ft.</u>
<u>Townhouse, cluster</u>	<u>225 sq. ft.</u>
<u>Multiple-family</u>	<u>225 sq. ft.</u>

(1618) Minimum parking: See article IV, division 4 of this chapter. For multifamily developments: two spaces per dwelling unit for the first 20 units; 1.75 spaces for the next 21-50 dwelling units; and 1.5 spaces for each dwelling unit in excess of 50. Also, one guest space for every seven dwelling units.

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(1719) Loading: see Section 34-985.

\* \* \*

**Section 10.** The Town Council hereby amends Division 6, "Residential Multiple-Family – High Density (RH) Zoning District," of Article III, "District Regulations," of Chapter 34, "Zoning," of the Town Code of Ordinances to read as follows (additional language is underlined and deleted language is ~~stricken through~~):

\* \* \*

**Sec. 34-368. Building site area regulations.**

The following building site area regulations shall apply to the RH residential multiple-family—high-density district:

\* \* \*

(16) Maximum tower height:

<u>Single-family detached</u>	<u>None, but must be in proportion with rest of building</u>
<u>Two-family</u>	<u>None, but must be in proportion with rest of building</u>
<u>Townhouse, single unit</u>	<u>None, but must be in proportion with rest of building</u>
<u>Townhouse, cluster</u>	<u>None, but must be in proportion with rest of building</u>
<u>Multiple-family</u>	<u>None, but must be in proportion with rest of building</u>

(17) Maximum tower area:

<u>Single-family detached</u>	<u>225 sq. ft.</u>
<u>Two-family</u>	<u>225 sq. ft.</u>
<u>Townhouse, single unit</u>	<u>225 sq. ft.</u>
<u>Townhouse, cluster</u>	<u>225 sq. ft.</u>
<u>Multiple-family</u>	<u>225 sq. ft.</u>

(1618) Minimum parking: See article IV, division 4 of this chapter. For multifamily developments: two spaces per dwelling unit for the first 20 units; 1.75 spaces for the next 21-50 dwelling units; and 1.5 spaces for each

1 dwelling unit in excess of 50. Also, one guest space for every seven dwelling  
2 units.

3  
4 (4719) Loading: see Section 34-985.

5  
6 (4820) A1A vehicular access restrictions: Properties along State Road A1A  
7 from Loggerhead Park to the northern town limits shall not be allowed  
8 a motorized vehicular driveway connection onto State Road A1A.  
9 Provided, however, that this shall not prohibit an access used for  
10 emergency purposes only.

11 \* \* \*

12  
13  
14 **Section 11.** The Town Council hereby amends Division 7, "Residential Multiple-  
15 Family – Moderate Density Open Space Option (RM-OO) Zoning District," of Article III,  
16 "District Regulations," of Chapter 34, "Zoning," of the Town Code of Ordinances to read  
17 as follows (additional language is underlined and deleted language is ~~stricken through~~):

18 \* \* \*

19  
20  
21 **Sec. 34-400. Building site area regulations.**

22  
23 The following building site area regulations shall apply to the RM-OO  
24 residential multiple-family—moderate density open space option district:

25 \* \* \*

26  
27  
28 (17) Maximum tower height:

<u>Single-family detached</u>	<u>None, but must be in proportion with rest of building</u>
<u>Two-family</u>	<u>None, but must be in proportion with rest of building</u>
<u>Townhouse, single unit</u>	<u>None, but must be in proportion with rest of building</u>
<u>Townhouse, cluster</u>	<u>None, but must be in proportion with rest of building</u>
<u>Multiple-family</u>	<u>None, but must be in proportion with rest of building</u>

29  
30  
31 (18) Maximum tower area:

<u>Single-family detached</u>	<u>225 sq. ft.</u>
<u>Two-family</u>	<u>225 sq. ft.</u>

32

<u>Townhouse, single unit</u>	<u>225 sq. ft.</u>
<u>Townhouse, cluster</u>	<u>225 sq. ft.</u>
<u>Multiple-family</u>	<u>225 sq. ft.</u>

1  
2 (4719) Minimum parking:

3  
4 a. Resort hotel:

- 5  
6 1. 1.25 spaces per each guest unit, plus one space for  
7 each three seats offered to the public for restaurant  
8 and lounge purposes. Additional parking for attendant  
9 facilities located with the resort hotel and in adjacent  
10 structures shall be calculated at one space per 200  
11 gross square feet of building area. Additional parking  
12 for employees must be provided on the basis of one  
13 space per employee of the largest number employees  
14 in any one shift at the resort hotel.  
15  
16 2. The resort hotel must have underground parking to  
17 accommodate a minimum of one-third of the required  
18 spaces for the resort hotel.  
19  
20 3. The top of the roof of any underground parking  
21 structure is not to exceed the lowest point of the crown  
22 of the road of Ocean Drive adjacent to the property.

- 23  
24 b. Minimum parking: see article IV, division 4 of this chapter. For  
25 multifamily developments: two spaces per dwelling unit for the  
26 first 20 units; 1.75 spaces for the next 21-50 dwelling units;  
27 and 1.5 spaces for each dwelling unit in excess of 50. Also,  
28 one guest space for every seven dwelling units.

29  
30 (~~4820~~) Loading: see section 34-985.

31  
32 (1924) A1A vehicular access restrictions: Properties along State Road A1A  
33 from Loggerhead Park to the northern town limits shall not be allowed  
34 a motorized vehicular driveway connection onto State Road A1A.  
35 Provided, however, that this shall not prohibit an access used for  
36 emergency purposes only.

37  
38 **Section 12.** The Town Council hereby amends Division 13, "Manufactured Home  
39 Community (MH) Zoning District," of Article III, "District Regulations," of Chapter 34,  
40 "Zoning," of the Town Code of Ordinances to read as follows (additional language is  
41 underlined and deleted language is ~~stricken through~~):



- 1
- 2 (3) Health spa/gym (20,000 GFA or less).
- 3
- 4 (4) Banks and financial institutions (50,000 GFA or less).
- 5
- 6 (5) Retail deli, bakery, and sandwich shop.
- 7
- 8 (6) Retail landscape nursery with outdoor displays.
- 9
- 10 (7) Temporary festive outdoor markets (only fruits, vegetables,
- 11 plants, flowers, arts, and handcrafted items shall be sold).
- 12 Maximum two-year temporary permit, renewable at the
- 13 discretion of the town council.
- 14
- 15 (8) Professional or studio type schools (50,000 GFA or less).
- 16
- 17 (9) Transient residential facilities (maximum 30 units or less for
- 18 timeshare and maximum 15 rooms or less for bed and
- 19 breakfast).
- 20
- 21 (10) Hotel/motel (150 rooms/units or less).

22 \* \* \*

23

24

25 **Sec. 34-632. Site area development modification option.**

26

27 (a) Purpose and intent.

- 28
- 29 (1) The ~~medical-commercial (MC)~~ commercial general (CG)
- 30 district incorporates the predominant business corridor along
- 31 U.S. Highway 1, which serves as a gateway to the town. In
- 32 order to foster quality development patterns and practices
- 33 along this corridor, the town council may consider
- 34 modifications to the building site area regulations specifically
- 35 identified in this section. Any of the identified modifications
- 36 shall be requested in the form of a special exception to the
- 37 town council during site plan review and shall be subject to
- 38 any additional conditions necessary to address the criteria set
- 39 forth in section 34-93. No applicant shall be entitled to such
- 40 modifications by right; rather, the applicant shall be required
- 41 to demonstrate that the proposed project meets the purpose
- 42 and intent of this section.
- 43
- 44 (2) The purpose of this potential flexibility is to provide for creative
- 45 and innovative designs and approaches by the applicant that
- 46 will clearly promote a sustainable and livable mixed use
- 47 environment within the district.
- 48

- 1                   (3)    The potential modifications are intended to provide a vehicle  
2                   for quality, innovative development and redevelopment within  
3                   the town's commercial corridors. Consequently, all applicants  
4                   requesting such modification shall provide for the  
5                   enhancement of the physical appearance of landscaping,  
6                   architecture, signage and site development over and above  
7                   the site plan appearance standards generally applicable  
8                   within the town (see section 34-116).  
9
- 10                  (4)    Each applicant shall also identify the public benefits derived  
11                  from the proposed development, such as the promotion of  
12                  public use, the preservation of natural resources, and the  
13                  integration of the project with the town's extensive natural  
14                  environment.  
15
- 16                  (b)    Applicability. The provisions for modifications to the site area  
17                  development requirements set forth herein shall be made by special  
18                  exception, and may be applied to any proposed development order  
19                  application within the MG CG district that involves any mix of uses  
20                  (i.e., retail/office; retail/residential; office/residential, etc.).  
21                  (c)    Boundaries. The site area development modification shall apply  
22                  within the ~~MG medical commercial~~ CG commercial general zoning  
23                  district.  
24
- 25                  (d)    Conflict with applicable regulations. Where the provisions of the  
26                  modifications are in conflict with other zoning regulations applicable  
27                  to the property, the provisions of this section shall control, and are  
28                  subject to town council approval.  
29
- 30                  (e)    Performance standards. All development within the MG CG district  
31                  shall comply with the rules and regulations of all agencies having  
32                  jurisdiction within the town and with all applicable requirements of  
33                  this chapter.  
34
- 35                  (f)    Additional criteria. All applicants seeking development approval in  
36                  accordance with the MG CG district shall comply with the standards  
37                  of the district, and with the town council's approval, as modified  
38                  herein. Furthermore, all applicants shall demonstrate the following:  
39
- 40                        (1)    The proposed development is consistent with the goals,  
41                        objectives and policies of the town comprehensive plan.  
42
- 43                        (2)    The proposed development is consistent with the purpose and  
44                        intent of this section as set forth in subsection (a) of this  
45                        section, including, but not limited to, innovative and enhanced  
46                        architecture, landscaping, and public use areas.  
47

- 1 (3) The proposed development includes adequate, safe and  
2 appropriate public facilities and services.  
3  
4 (4) The proposed development provides for pedestrian and  
5 vehicular interconnection between adjacent projects as well  
6 as a public focal point and/or public gathering place which  
7 shall include a water, landscape or art feature.  
8  
9 (5) The proposed development is not detrimental to existing land  
10 uses or the native ecosystems within the district.  
11  
12 (g) Potential building site area regulation modifications.  
13 (1) Minimum total lot area: 10,000 square feet; and the creation  
14 of any new lots must meet the minimum requirement of 40,000  
15 square feet.  
16  
17 (2) Minimum lot width: 100 feet.  
18  
19 (3) Minimum lot depth: 100 feet.  
20  
21 (4) Setbacks: See section 34-631(5); covered arcades, cafes,  
22 awnings and walkways may extend up to eight feet into a  
23 required front or side yard setback provided that the property  
24 adjacent to such yard or setback does not have a residential  
25 or "R" zoning district designation.  
26  
27 (5) Maximum building height: See section 34-631(8). No building  
28 shall exceed 60 feet in height. Notwithstanding the foregoing,  
29 the town council may approve five stories within this overall  
30 height limitation for buildings with a mix of uses, including a  
31 residential component, provided that the town council  
32 determines that the applicant has demonstrated that the  
33 proposed project meets the purpose and intent of this section.  
34  
35 (6) Maximum building dimension: 300 feet.  
36  
37 (7) Maximum lot coverage: 45 percent.  
38  
39 (8) Minimum landscaped open space: 15 percent. Additionally, all  
40 building sides shall be required to install foundation planting  
41 materials along a minimum of 30 percent of the length of each  
42 facade. Such foundation plantings shall be at least four feet  
43 deep, as measured from the edge of the building.  
44  
45 (9) Parking:  
46  
47 a. See section 34-631(12) for parking standards. A  
48 minimum of 90 percent of the parking provided for a

1 project shall be located behind the principal buildings  
2 and screened from the roadway by structures and/or a  
3 heavily landscaped buffer.  
4

- 5 b. Preferred permitted nonresidential uses may be  
6 permitted up to a 25 percent reduction in the number  
7 of spaces required pursuant to section 34-981(b)(5)  
8 provided that the town council determines that the  
9 applicant has demonstrated that the proposed project  
10 meets the purpose and intent of this section. This  
11 reduction in required parking shall not be available in  
12 conjunction with a shared parking plan.

- 13  
14 (10) Signage: Mixed use developments may be entitled to utilize  
15 both the commercial and residential sign standards (see  
16 article IV, division 6 of this chapter).  
17

18 **Section 14.** The Town Council hereby amends Division 15, "Commercial Office  
19 (CO) Zoning District," of Article III, "District Regulations," of Chapter 34, "Zoning," of the  
20 Town Code of Ordinances to read as follows (additional language is underlined and  
21 deleted language is ~~stricken through~~):  
22

23 \* \* \*

24 **Sec. 34-654. Uses permitted.**

25 Permitted uses in the CO commercial office district are as follows:  
26

- 27 (1) Business or professional offices.  
28  
29 (2) Banks and financial institutions.  
30  
31 (3) Churches, synagogues and other houses of worship.  
32  
33 (4) Nonprofit cultural centers.  
34  
35 (5) Medical and dental ~~clinics~~ offices.  
36  
37 (6) Business and professional training facilities.  
38  
39 (7) Public safety facilities such as fire and/or police stations.  
40  
41 (8) Residential (single-family and/or multifamily dwellings). A  
42 maximum 75 percent of the total gross floor area on the site  
43 may be used for residential.  
44  
45 (9) Outpatient substance abuse treatment provider.  
46  
47  
48

\* \* \*

1  
2  
3       **Section 15.** The Town Council hereby amends Division 22, "Medical Commercial  
4 (MC) Zoning District," of Article III, "District Regulations," of Chapter 34, "Zoning," of the  
5 Town Code of Ordinances to read as follows (additional language is underlined and  
6 deleted language is ~~stricken through~~):

7  
8       **Sec. 34-856. Site area development modification option.**

9  
10       (a) Purpose and intent.

11  
12           (1) The medical commercial (MC) district incorporates the  
13           predominant business corridor along U.S. Highway 1, which  
14           serves as a gateway to the town. In order to foster quality  
15           development patterns and practices along this corridor, the  
16           town council may consider modifications to the building site  
17           area regulations specifically identified in this section. Any of  
18           the identified modifications shall be requested in the form of a  
19           special exception to the town council during site plan review  
20           and shall be subject to any additional conditions necessary to  
21           address the criteria set forth in section 34-93. No applicant  
22           shall be entitled to such modifications by right; rather, the  
23           applicant shall be required to demonstrate that the proposed  
24           project meets the purpose and intent of this section.

25  
26           (2) The purpose of this potential flexibility is to provide for creative  
27           and innovative designs and approaches by the applicant that  
28           will clearly promote a sustainable and livable mixed use  
29           environment within the district.

30  
31           (3) The potential modifications are intended to provide a vehicle  
32           for quality, innovative development and redevelopment within  
33           the town's commercial corridors. Consequently, all applicants  
34           requesting such modification shall provide for the  
35           enhancement of the physical appearance of landscaping,  
36           architecture, signage and site development over and above  
37           the site plan appearance standards generally applicable  
38           within the town (see section 34-116).

39  
40           (4) Each applicant shall also identify the public benefits derived  
41           from the proposed development, such as the promotion of  
42           public use, the preservation of natural resources, and the  
43           integration of the project with the town's extensive natural  
44           environment.

45  
46       (b) Applicability. The provisions for modifications to the site area  
47       development requirements set forth herein shall be made by special  
48       exception, and may be applied to any proposed development order

1           application within the MC district that involves any mix of uses (i.e.,  
2           retail/office; retail/residential; office/residential, etc.).

3  
4           (c) Boundaries. The site area development modification shall apply  
5           within the MC medical commercial zoning district.

6  
7           (d) Conflict with applicable regulations. Where the provisions of the  
8           modifications are in conflict with other zoning regulations applicable  
9           to the property, the provisions of this section shall control, and are  
10           subject to town council approval.

11  
12           (e) Performance standards. All development within the MC CG district  
13           shall comply with the rules and regulations of all agencies having  
14           jurisdiction within the town and with all applicable requirements of  
15           this chapter.

16  
17           (f) Additional criteria. All applicants seeking development approval in  
18           accordance with the MC district shall comply with the standards of  
19           the district, and with the town council's approval, as modified herein.  
20           Furthermore, all applicants shall demonstrate the following:

21  
22           (1) The proposed development is consistent with the goals,  
23           objectives and policies of the town comprehensive plan.

24  
25           (2) The proposed development is consistent with the purpose and  
26           intent of this section as set forth in subsection (a) of this  
27           section, including, but not limited to, innovative and enhanced  
28           architecture, landscaping, and public use areas.

29  
30           (3) The proposed development includes adequate, safe and  
31           appropriate public facilities and services.

32  
33           (4) The proposed development provides for pedestrian and  
34           vehicular interconnection between adjacent projects as well  
35           as a public focal point and/or public gathering place which  
36           shall include a water, landscape or art feature.

37  
38           (5) The proposed development is not detrimental to existing land  
39           uses or the native ecosystems within the district.

40  
41           (g) Potential building site area regulation modifications.

42  
43           (1) Minimum total lot area: 10,000 square feet; and the creation  
44           of any new lots must meet the minimum requirement of 40,000  
45           square feet.

46  
47           (2) Minimum lot width: 100 feet.  
48

- 1                   (3) Minimum lot depth: 100 feet.  
2
- 3                   (4) Setbacks: See section 34-631(5); covered arcades, cafes,  
4                   awnings and walkways may extend up to eight feet into a  
5                   required front or side yard setback provided that the property  
6                   adjacent to such yard or setback does not have a residential  
7                   or "R" zoning district designation.  
8
- 9                   (5) Maximum building height: See section 34-631(8). No building  
10                   shall exceed 60 feet in height. Notwithstanding the foregoing,  
11                   the town council may approve five stories within this overall  
12                   height limitation for buildings with a mix of uses, including a  
13                   residential component, provided that the town council  
14                   determines that the applicant has demonstrated that the  
15                   proposed project meets the purpose and intent of this section.  
16
- 17                   (6) Maximum building dimension: 300 feet.  
18
- 19                   (7) Maximum lot coverage: 45 percent.  
20
- 21                   (8) Minimum landscaped open space: 15 percent. Additionally, all  
22                   building sides shall be required to install foundation planting  
23                   materials along a minimum of 30 percent of the length of each  
24                   facade. Such foundation plantings shall be at least four feet  
25                   deep, as measured from the edge of the building.  
26
- 27                   (9) Parking:  
28
- 29                    a.       See section 34-631(12) for parking standards. A  
30                    minimum of 90 percent of the parking provided for a  
31                    project shall be located behind the principal buildings  
32                    and screened from the roadway by structures and/or a  
33                    heavily landscaped buffer.  
34
- 35                    b.       Preferred permitted nonresidential uses may be  
36                    permitted up to a 25 percent reduction in the number  
37                    of spaces required pursuant to section 34-981(b)(5)  
38                    provided that the town council determines that the  
39                    applicant has demonstrated that the proposed project  
40                    meets the purpose and intent of this section. This  
41                    reduction in required parking shall not be available in  
42                    conjunction with a shared parking plan.  
43
- 44                   (10) Signage: Mixed use developments may be entitled to utilize  
45                   both the commercial and residential sign standards (see  
46                   article IV, division 6 of this chapter).  
47



1 minimum of one foot from the side property line, provided the following  
2 conditions are met:

- 3
- 4 (1) If a PUD, no 25 percent reduction is applied to the minimum  
5 one-foot setback from the side property line.
- 6
- 7 (2) Pools, fountains, jaeuzzis hot tubs/whirlpools, etc., that have  
8 jets, blowers, waterfalls, mechanical equipment, or any other  
9 mechanisms that generate noise, must be completely sound  
10 insulated from the adjacent property with a minimum two-inch  
11 thick urethane insulation or better around the noise generator  
12 within five feet of the property line.
- 13
- 14 (3) A minimum five-foot-high wall or fence, consistent with the  
15 architecture of the building, shall be installed along the side  
16 property lines to screen the pool or jaeuzzi hot tub/whirlpool  
17 from the adjacent properties.

18 \* \* \*

19

20

21 **Section 17.** The Town Council hereby amends Division 10, "Limited Home  
22 Occupations," of Article IV, "Supplemental Regulations," of Chapter 34, "Zoning," of the  
23 Town Code of Ordinances to read as follows (deleted language is ~~stricken through~~):

24 \* \* \*

25

26

27 **~~Sec. 34-1220. -- Adult day care homes.~~**

28

29 ~~Adult day care homes shall meet all licensing requirements of the state;~~  
30 ~~and shall procure a business tax receipt from the town prior to being issued~~  
31 ~~a certificate of occupancy or occupancy of building.~~

32 \* \* \*

33

34

35 **Section 18.** The Town Council hereby amends Article V, "Planned Unit  
36 Developments," of Chapter 34, "Zoning," of the Town Code of Ordinances to read as  
37 follows (additional language is underlined and deleted language is ~~stricken through~~):

38 \* \* \*

39

40

41

42 **Sec. 34-1332. Development plan.**

- 43
- 44 (a) The owner shall submit a development plan for review by the  
45 planning and zoning board and approval by the town council prior to  
46 the issuance of any building permit. Plans and specifications shall  
47 bear the signature and seal of the professional person responsible  
48 for the design and drawings and contain the following items:

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- (1) Traffic circulation, required parking and loading areas, pedestrian walks, and bikeways (paths and lanes).
- (2) Landscaping plan, including site grading and landscape planting and structures.
- (3) Preliminary drawings of buildings to be constructed in the current phase, including floor plans, exterior elevations and sections.
- (4) Conceptual final engineering plans, including street improvements, drainage system, and public utility extensions. All such improvements shall comply with construction standards outlined in the town's subdivision regulations. All lots shall have frontage on an accepted town, county, or state road, or private road built to town specifications.
- (5) Engineering feasibility studies for the solution of any anticipated problems which might arise due to the proposed development, as required by the planning and zoning board.
- (6) Construction sequence and time schedule for completion of each phase for buildings, parking spaces and landscaped areas, if applicable.
- (7) Complete documentation of ~~homeowner's~~ community association or other means for the continued maintenance of common areas and buildings.

\* \* \*

**Section 19.** The provisions of this Ordinance shall become and be made a part of the Code of the Town of Juno Beach, Florida.

**Section 20.** If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of the Ordinance.

**Section 21.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 22.** This Ordinance shall become effective immediately upon adoption

