

Memorandum

From the Town of Juno Beach Planning & Zoning Department

To: Joseph Lo Bello, Town Manager; and Planning and Zoning Board
From: Ruben Cruz, Director of Planning & Zoning *RL*
Date: May 15, 2015
Subject: Residential, Transient and Multiple-Family – Moderate Density (RMT) Zoning District Code Text Amendment

Background

As a result of a recent public comment regarding the setback requirements within the Residential, Transient and Multiple-Family – Moderate Density (RMT) zoning district, the Town Council directed Staff place this item onto the Planning and Zoning Board's agenda for discussion.

Discussion

The issue is whether to direct Staff to begin the process of preparing a Zoning Code Text Amendment to reduce the setback requirements for single-family homes within the RMT zoning district. Currently, the setbacks for single-family homes within the RMT zoning district are as follow:

Front yard setback**	30 ft. from street line*****
Side yard setback***	10 ft. per yard
Rear yard setback****	10 ft.

** See also [section 34-873](#).

Sec. 34-873. - Setback of accessory structures.

Accessory structures shall provide a minimum of ten feet from rear and side lot lines and shall be set back by the required front setback in the district which is applicable.

*** See also [section 34-899](#).

Sec. 34-899. - Corner lots.

(a) Where any lot is located on any street intersection or where two or more intersecting street lines outline any lot, or where any lot is located upon any corner, one side of the lot facing a street shall be determined to be the front street line of the lot by the orientation of the building facing a street and the other side

of the lot facing a street shall be determined to be the street side of the lot. The required street side yard shall have the same setback as the front street yard of such lot, and shall have the same provisions, requirements and restrictions as a required front street yard.

(b) The provisions of this section shall apply to the street side yard for a corner lot.

**** See also [section 34-900](#).

Sec. 34-900. - Through lots.

Where any lot extends the entire depth or width of a block and has frontage on more than one street at opposite ends of the lot, one side of the lot facing a street shall be determined to be the front street line of the lot by the orientation of the building facing a street and the other side of the lot facing a street shall be determined to be the rear street frontage. The required rear street yard shall have the same setback as the front of such lot, and shall have the same provisions, requirements and restrictions as a required front yard.

***** A 20-foot setback from the street line (R-O-W line) shall be permitted when a minimum 45-foot right-of-way is provided in front of the property.

The existing structures/uses and current development/build out occurring within the RMT zoning district should also be discussed. Currently, the RMT zoning district is comprised of following uses:

- existing single-family homes, including two (2) single-family home Planned Unit Developments (PUDs): Surfside Hills and Oceanside;
- multi-family condominium(s); and
- townhouses (Ocean Ridge)

If the Planning and Zoning Board recommends moving forward with changes to the setback requirements, the consideration of any such changes should include a comprehensive review of the Building Site Area Regulations (see attachment). The Board should also take the following factors into account: (1) the RMT zoning district allows for more intensive uses; (2) many of the original platted lots are only fifty (50) feet in width; and (3) the PUDs approved in the RMT zoning district have lot sizes and widths that are smaller than what is required by Code.

Recommendation

Staff recommends that the Planning and Zoning Board discuss the Building Site Area Regulations of the Residential, Transient and Multiple-Family – Moderate Density (RMT) zoning district and provide a recommendation to the Town Council.

Sec. 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:

(1) Minimum total area:

Single-family detached	10,000 sq. ft.
Two-family	10,000 sq. ft.
Townhouse, cluster	20,000 sq. ft.
Multiple-family	20,000 sq. ft.
Transient facility	20,000 sq. ft.

(2) Minimum lot width:

Single-family detached	75 ft. total
Two-family	75 ft. total
Multiple-family	100 ft. total
Transient facility	100 ft. total

(3) Minimum lot depth:

Single-family detached	100 ft. total
Two-family	100 ft. total
Townhouse, cluster	150 ft. total
Multiple-family	150 ft. total
Transient facility	150 ft. total

(4) Density:*

Single-family detached	4 dwelling units/gross acre
Two-family	8 dwelling units/gross acre
Townhouse	12 dwelling units/gross acre
Multiple-family	12 dwelling units/gross acre
Transient facility	15 dwelling units/gross acre

(5) Front yard setback:**

Single-family detached	30 ft. from the street line*****
Two-family	30 ft. from the street line*****
Townhouse, cluster	30 ft. from the street line
Multiple-family	30 ft. from the street line
Transient facility	30 ft. from the street line

(6) Side yard setback:***

Single-family detached	10 ft. per side
Two-family	10 ft. per side
Townhouse, single unit	0 ft. per side
Townhouse, cluster	35 ft., with one side having a minimum of 15 ft.
Multiple-family	35 ft. total with one side having a minimum of 15 ft.
Transient facility	35 ft. with one side having a minimum of 15 ft.

(7) Rear yard setback:****

Single-family detached	10 ft.
Two-family	10 ft.
Townhouse, single unit	0 ft.
Townhouse, cluster	30 ft.
Multiple-family	30 ft.
Transient facility	30 ft.

(8) Ocean setback: 50 feet west of the Coastal Construction Control Line (CCCL).

(9) High-rise setback: not applicable.

(10) Minimum floor space per dwelling unit:

One-bedroom unit	1,000 sq. ft. habitable space
Two-bedroom unit	1,200 sq. ft. habitable space
Three- (or more) bedroom unit	1,400 sq. ft. habitable space
Transient facility occupancy unit	300 sq. ft. habitable space

(11) Maximum building height:

Single-family detached	2 stories not to exceed 30 ft.
Two-family	2 stories not to exceed 30 ft.
Townhouse	3 stories not to exceed 40 ft.
Multiple-family	3 stories not to exceed 40 ft.
Transient facility	3 stories not to exceed 40 ft.

- a. Upon request, the town may increase the maximum building height by up to one story and a maximum of ten feet in height where parking is provided under 75 percent of the building's floor area. The town shall consider the following criteria when making a decision to approve or deny an increase in building height:
 - 1. The proportion, scale and massing of the proposed structure as it relates to the proportion, scale and massing of other structures within the zoning district and within neighboring areas;
 - 2. The general character of the surrounding developed properties and established patterns of development; and
 - 3. The physical characteristics of the subject property, including, but not limited to, the slope and elevation, as they relate to the physical characteristics of other properties within the zoning district and within neighboring areas.
- b. The town's evaluation of such criteria shall not include matters related solely to design, style, architectural theme or other purely aesthetic issues.

(12) Maximum building dimension: 150 feet for all types of permitted principal structures. This maximum dimension shall not include parking and attached accessory structures less than 25 feet in height.

(13) Distance between principal structures on same property: The minimum distance between principal structures on the same lot shall be 30 feet.

(14) Maximum lot coverage:

Single-family detached	35%
Two-family	35%
Townhouse, cluster	50%
Multiple-family	50%
Transient facility	50%

(15) Minimum landscaped open space:

Single-family detached	20% of lot area
Two-family	20% of lot area
Townhouse, single unit	Not applicable
Townhouse, cluster	15% of lot area
Multiple-family	15% of lot area

Transient facility	15% of lot area
--------------------	-----------------

(16) Minimum parking: see article IV, division 4 of this chapter. For a transient residential facility: one space for each occupancy unit. For multifamily developments: two spaces per dwelling unit for the first 20 dwelling 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.

(17) Loading: see section 34-985

*Except for a PUD, in which case the average density per gross acre may be increased as set forth in section 34-1333(b)(4).

*Two additional dwelling units per gross acre may be permitted for up to every five acres that a minimum ten-foot-wide beach access easement is irrevocably dedicated for public use. (For example, if an eight-acre site provides two ten-foot-wide public beach access easements with the required improvements, then the project may be permitted an additional two dwelling units per gross acre for the total eight acres). The easement shall be located, constructed, and improved at a minimum with a paved walkway and a wooden dune walkover structure over the dune, covered and uncovered seating benches on the walkover, landscaping, irrigation, and lighting as determined by the town, and shall be at the expense of the property owner.

**See also section 34-873.

***See also section 34-899.

****See also section 34-900.

*****A 20-foot setback from the street line (R-O-W line) shall be permitted when a minimum 45-foot right-of-way is provided in front of the property.

(Ord. No. 207, § 4.46, 8-8-1979; Ord. No. 469, 5-10-1995; Ord. No. 592, § 2(Exh. A), 5-24-2006; Ord. No. 494, 9-24-1997)