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TOWN OF JUNO BEACH, FLORIDA

ORDINANCE NO. 793

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING DIVISION 18, "LIVE LOCAL ACT," OF ARTICLE IV, "SUPPLEMENTAL REGULATIONS," OF CHAPTER 34, "ZONING" OF THE TOWN CODE OF ORDINANCES TO CONFORM WITH CHAPTER 2025-172, LAWS OF FLORIDA; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the Town Council of the Town of Juno Beach, Florida as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

WHEREAS, SB 1730 (2025), codified as Chapter 2025-172, Laws of Florida, amends the "Live Local Act" to modify certain requirements of local governments related to the review and approval of affordable housing developments; and

WHEREAS, the Town Council wishes to amend Division 18, "Live Local Act," of Article IV, "Supplemental Regulations," or Chapter 34, "Zoning," of the Town Code of Ordinances to conform with revisions to the Live Local Act codified as Chapter 2025-17, Laws of Florida; and

WHEREAS, the Town's Planning and Zoning Board, as the Local Planning Agency, has conducted a public hearing on this Ordinance and provided its recommendation to the Town Council; and

WHEREAS, the Town Council has determined that adoption of this Ordinance is in the best interests of the general welfare of the Town of Juno Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA as follows:

Section 1. The foregoing "Whereas" clauses are hereby ratified as true and correct and are incorporated herein.

100 **EXHIBIT "A"**

101 **DIVISION 18. LIVE LOCAL ACT**

102 **Sec. 34-1325. Applicability and intent.**

- 103 (a) The provisions of this division shall apply to all applications for the development of
104 land for multi-family and mixed-use projects with affordable multi-family residential
105 units pursuant to Live Local Act, as set forth in Section 166.04151(7), Florida
106 Statutes, as may be amended from time to time ("Act").
- 107 (b) Affordable Housing Projects with at least 40 percent of the units included in the
108 project designated as affordable housing, as defined in Section 420.0004, Florida
109 Statutes, as amended from time to time, shall ~~shall only~~ be permitted in the
110 Commercial General (CG), Commercial Office (CQ), and Medical Commercial (MC)
111 zoning districts, and in portions of any flexibly zoned area such as a planned unit
112 development permitted for commercial, industrial, or mixed use pursuant to the
113 provisions of 166.04151(7), Florida Statutes, as amended from time to time.
- 114 (c) The intent of these regulations is to establish a regulatory framework for
115 consideration of projects submitted pursuant to the Act. In adopting these
116 regulations, the town council recognizes that there may be some ambiguity or need
117 for additional interpretation. To the extent not expressly preempted by state law,
118 town staff is directed to interpret these regulations in a manner that would best
119 preserve the town's small-town, coastal character and its commitment to
120 environmental preservation.

121 **Sec. 34-1326. Procedure.**

- 122 (a) All projects shall be reviewed ~~by the town's development review committee only by~~
123 the planning and zoning director as the designated administrative official of the
124 Town of Juno Beach. Said projects shall be granted without further action by the
125 governing body of the municipality, any quasi-judicial judicial board, any
126 administrative board or reviewing body, pursuant to Section 125.01055, of the
127 Florida Statutes.
- 128 (b) Notwithstanding the foregoing, all Projects will still undergo screening by, but shall
129 not be subject to a vote of, the Town's development review committee and shall be
130 subject to the ~~for compliance with~~ site plan and appearance review procedures and
131 shall meet all ~~to ensure compliance with the~~ criteria set forth in article II, division 4
132 of this chapter.
- 133 (b) Within 48 hours of receipt of an application for development approval, the town
134 shall notify the public by posting notice of the application on the town website and
135 providing notice to the public through the town's e-mail database. The notice shall
136 indicate that copies of all application materials shall be provided upon request.
- 137 (c) The application shall be subject to administrative review as ~~required~~ required by the
138 Act, and the project shall be approved by the planning and zoning director only if it

139 meets all applicable land development regulations, including the community
140 appearance standards set forth in division 14 of article II of this chapter, and the
141 requirements of this division. The director shall further determine that the project is
142 consistent with the provisions of the comprehensive development plan, except
143 those provisions expressly preempted by section 166.04151(7), Florida Statutes,
144 relating to location with specified zoning districts, height, and density.

145 (d) The application shall be subject to engineering review and approval during the
146 building permitting process in the same manner as any other development
147 application.

148 **Sec. 34-1327. Limitations on height and density.**

149 (a) *Height.* Pursuant to section 166.04151(7), Florida Statutes, the maximum height
150 permitted shall be limited to the height permitted as of right for a commercial or
151 residential project within the town within one mile of the proposed development
152 without consideration of any bonuses or modifications permitted through the special
153 exception process or otherwise. In no event shall the height of any structure exceed
154 12 stories and 130 feet.

155 (b) *Density.* Pursuant to section 166.04151 (7), Florida Statutes, the maximum density
156 permitted shall be limited to density permitted as of right for a residential project
157 within the town without consideration of any bonuses or modifications permitted
158 through the special exception process or otherwise. In no event shall the residential
159 density of any proposed development exceed 18 units per acre. Allowable density
160 shall mean the density prescribed for the property in accordance with section
161 166.04151 (7), Florida Statutes, without additional requirements to procure and
162 transfer density units or development units from other properties.

163 (c) Demolitions. Administrative approval of the demolition of an existing structure
164 associated with a proposed development under this subsection, shall be granted
165 without further any action by the governing body of the municipality or any quasi-
166 judicial or administrative board or reviewing body, if the proposed demolition
167 otherwise complies with all state and local regulations.

168 **Sec. 34-1327.1. Development standards and criteria.**

169 (a) *Required mix of uses.* Consistent with the existing regulations governing mixed-use
170 projects within the town's commercial zoning districts, all projects submitted
171 pursuant to this division shall have a maximum of 75 percent of residential use
172 based on total gross floor area.

173 (b) *Building site area regulations.*

174 1. If the project is utilizing the height and density permitted in the town's
175 Residential High (RH) zoning district, the following site area regulations shall
176 apply:

177 a. Minimum total area: 40,000 square feet;

178 b. Minimum lot width: 150 feet;

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- 179 c. Minimum lot depth: 200 feet;
180 d. Front set yard setback: 30 feet from street line;
181 e. Side yard setback: 35 feet with one side having a minimum of 15 feet;
182 f. Rear yard setback: 30 feet;
183 g. Minimum floor space per dwelling unit: 1,000 square feet of habitable
184 space for a one bedroom; 1,200 square feet of habitable space for a two
185 bedroom; and 1,400 square feet of habitable space for three or more
186 bedrooms;
187 h. Maximum building dimension: 150 feet, provided, however that along the
188 building face having the maximum dimension, said dimension may be
189 increased to no more than 175 feet;
190 i. Maximum lot coverage: 50 percent; and
191 j. Minimum landscaped open space: 15 percent of lot area.

192 In addition to the foregoing, all structures exceeding two stories shall
193 comply with the high-rise setback, which requires 30 feet from all property lines
194 and an additional five feet of setback at ground level for each additional story
195 beyond the first two stories up to a maximum of 60 feet. For those lots having a
196 width of 200 feet or less as recorded in the office of the county property
197 appraiser, the maximum setbacks shall not exceed 50 feet; however, the
198 maximum building dimension on such lots shall not exceed 150 feet.

199 2. For purely non-residential components of the project or mixed-use structures
200 where the height does not exceed four stories and 60 feet, the project shall
201 comply with the building site area regulations of the applicable commercial
202 zoning district.

203 (c) *Parking.* The project shall provide for two spaces per residential unit and one quest
204 space for every seven units as required for residential uses in commercial zoning
205 districts. The parking for commercial uses shall be governed by division 4 of article
206 IV of this chapter. Due to the lack of any major transit stops in the town, no parking
207 reductions shall be considered. However, the project may propose, for
208 consideration and approval by the town, shared parking in accordance with the
209 criteria governing the minimum parking requirements for mixed-use projects in the
210 town's commercial zoning districts.

211 (d) *Equivalent treatment of all dwelling units.* All affordable dwelling units and market
212 rate dwelling units shall be located within the same structure. All common areas
213 and amenities shall be accessible and available to all residents of the development.
214 Access to the required affordable dwelling units shall be provided through the same
215 principal entrances utilized by all other dwelling units in the development.
216 Additionally, the overall square footage and number of bedrooms in the affordable
217 dwelling units shall be proportional to the overall ~~square~~ square footage and
218 number of bedrooms in the market rate dwelling units. By way of example, if 25
219 percent of the market rate dwelling units consist of two bedrooms, then 25 percent

220 of the affordable dwelling units shall have two bedrooms, and the affordable
221 dwelling units shall be similar in size to the market rate dwelling units.

222 (e) *Unified lot.* All residential and non-residential components of the site plan shall be
223 located on the same or unified lot.

224 (f) If the proposed development is on a parcel with a contributing structure or building
225 within a historic district which was listed in the National Register of Historic Places
226 before January 1, 2000, or is on a parcel with a structure or building individually
227 listed in the National Register of Historic Places, the county may restrict the height
228 of the proposed development to the highest currently allowed, or allowed on July 1,
229 2023, height for a commercial or residential building located in its jurisdiction within
230 three-fourths of a mile of the proposed development or 3 stories, whichever is
231 higher. The term "highest currently allowed" in this paragraph includes the
232 maximum height allowed for any building in a zoning district irrespective of any
233 condition

