

1 **TOWN OF JUNO BEACH, FLORIDA**

2
3 **ORDINANCE NO. 791**

4
5 **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO**
6 **BEACH, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM ON**
7 **THE PROCESSING OF ANY NEW APPLICATION FOR DEVELOPMENT**
8 **APPROVAL OF A MIXED-USE PROJECT WITHIN THE TOWN'S**
9 **COMMERCIAL ZONING DISTRICTS FOR A PERIOD OF UP TO SIX**
10 **MONTHS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN**
11 **EFFECTIVE DATE.**

12
13 WHEREAS, the Town of Juno Beach is a municipal corporation with the
14 constitutional and statutory authority to exercise any power for a municipal purpose,
15 except when expressly prohibited by law, and regulates zoning and land use within its
16 corporate limits through its Comprehensive Development Plan and Zoning Code; and
17

18 WHEREAS, the Town's Comprehensive Development Plan and Zoning Code
19 allow for mixed use projects with a residential component within the Town's Commercial
20 General, Commercial Office, and Medical Commercial Zoning Districts; and
21

22 WHEREAS, the Zoning Code generally limits the residential component of a
23 mixed-use development to seventy-five percent (75%) of the gross floor area, with the
24 ability to request up to eighty percent (80%) of the gross floor area in the Commercial
25 General Zoning District through the site area modification special exception; and
26

27 WHEREAS, the Town of Juno Beach is located on a barrier island between the
28 Intracoastal Waterway and the Atlantic Ocean, with limited routes in and out of the Town's
29 corporate limits further hampered by drawbridge access; and
30

31 WHEREAS, the Town Council wishes to impose a moratorium on new applications
32 for development approval of mixed-use projects within the Town's commercial zoning
33 districts to study the impacts of such developments and determine the appropriate
34 methods and regulatory controls to ensure that future development does not permanently
35 alter the character of the Town and overwhelm existing infrastructure and roadways,
36 thereby jeopardizing the safety and welfare of current and future residents and visitors;
37 and
38

39 WHEREAS, the Town has held all required public hearings necessary to enact a
40 moratorium, including review by the Town's Planning and Zoning Board, sitting as the
41 Local Planning Agency; and
42

43 WHEREAS, the Town Council determines that the adoption of this Ordinance is in
44 the interests of the public health, safety, and welfare.
45

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

Section 1. Recitals. The foregoing “Whereas” clauses are ratified as true and correct and are incorporated herein.

Section 2. Moratorium Imposed. The Town Council hereby declares a moratorium on the processing of any application for development approval of mixed-use projects within the Town’s commercial zoning districts. This moratorium includes the processing of any applications required for such projects, including, but not limited to, comprehensive plan amendments, rezonings, special exception approvals, and site plan and appearance approvals.

Section 3. Duration of Moratorium. This moratorium shall remain in effect for a period of six (6) months of the effective date of this Ordinance and may be extended by Resolution of the Town Council for an additional three (3) months.

Section 4. Severability. If any section, paragraph, sentence, clause, phrase, or word of this Ordinances 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 5. Conflicts. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

FIRST READING this _____ day of _____, 2024.

SECOND, FINAL READING AND ADOPTION this _____ day of _____, 2024.

AYE

NAY

PEGGY WHEELER, MAYOR

AYE

NAY

DD HALPERN, VICE MAYOR

AYE

NAY

MARIANNE HOSTA, VICE MAYOR PRO TEM

AYE

NAY

JACOB ROSENGARTEN, COUNCILMEMBER

AYE

NAY

DIANA DAVIS, COUNCILMEMBER

1
2
3
4
5
6
7
8
9

ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

CAITLIN COPELAND-RODRIGUEZ
TOWN CLERK

LEONARD G. RUBIN
TOWN ATTORNEY