



Meeting Name: Town Council Meeting
Meeting Date: November 13, 2024
Prepared By: Stephen Mayer
Item Title: Discussion on Captain's Key Future Land Use Map Amendment and Rezoning

Item requested by staff.

DISCUSSION:

At the December 13, 2023, public hearing, the Town Council voted to voluntarily annex approximately 21.11 acres of land located in Captain's Key via Ordinance 779 (Attachment 1). The properties consist of thirty-one (31) parcels located within the Plat of Captain's Key and two (2) parcels located adjacent to Captain's Key (not platted).

The County's Future Land Use is Residential Low Density, and zoning designation is RS (Single Family Residential) for 30 of the 31 properties located within the Captain's Key Plat, which includes a sliver property of common area on the south side of the entrance right of way. The remaining property within the Captain's Key Plat is CH/8 (Commercial High with an underlying High Residential 8 dwelling units per acre) future land use and CG (Commercial General) zoning. The two (2) related properties outside the Captain's Key Plat are designated LR2 future land use and RH (Residential High) zoning. Please see Map 1 and Table 1 below for more details of the properties.

The Future Land Use Map (FLUM) amendment and rezoning requires a separate hearing for review by the Planning and Zoning board and two hearings from the Town Council via Ordinance. At the time of the annexation hearing, staff stated that the Town should assign a Town zoning designation of Residential Multiple Family- Moderate Density (RM-2) and Medium Density Residential (up to 10 DU/ac) Future Land Use designation. Currently, Staff finds that the RM-2 and Medium Density Residential is consistent with the three (3) properties along US Highway One. However, the 30 single-family residential properties and the right of way track are more compatible with the Town's Residential Single Family (RS-1) zoning and Residential Low Land Use designation.

Please note, although the designations are compatible, the existing zoning and land use designations of Residential Low and RS are not an exact match to the Town of Juno Beach designations of Residential Low and RS-1. Therefore, Staff offers a range of options for Town Council to consider, which will guide the next steps toward replacing the County's FLUM and zoning designations, now that the property is within the Town's jurisdiction. Each option should be weighed on keeping the entitlements of Captain's Key the same or better for each homeowner.

The following map and table outlines the site information in relation to each parcel that is part of any proposed Future Land Use Map Amendment and rezoning request:

Map 1: Captain's Key Annexation Area



Table 1.

PCN	Owner Information	Address	FLU	Zoning	Area
00-43-41-33-08-000-0050	Parker, Kristin and Thomas	12205 Captains Landing	Res – Low	RS	.6551
00-43-41-33-08-000-0070	Pegler, Keley	12147 Captains Landing	Res – Low	RS	.5003
00-43-41-33-08-000-0080	Banister, John R and Lynn M	12127 Captains Landing	Res – Low	RS	.4968
00-43-41-33-08-000-0190	Biggins, Joseph F and Laura L	12132 Captains Landing	Res – Low	RS	.6465
00-43-41-33-08-000-0270	Boardman, Christopher and Gail	1262 Oyster Bay	Res – Low	RS	.5175
00-43-41-33-08-000-0290	Pearsall, Dana R and Stuart K	1303 Oyster Bay	Res – Low	RS	.5222
00-43-41-33-08-000-0100	Cini, Marcia M and William L	12071 Captains Landing	Res – Low	RS	.5069
00-43-41-33-08-000-0220	Cobb, Jan and Christopher	12184 Captains Landing	Res – Low	RS	.5280
00-43-41-33-08-000-0200	Curry, Margretta B	12150 Captains Landing	Res – Low	RS	.6764
00-43-41-33-08-000-0260	Dimare, Beverly and Joseph	1294 Oyster Bay	Res – Low	RS	.5703
00-43-41-33-08-000-0210	Finkbeiner, Brad M Woo, Robyn Lai Wun	12170 Captains Landing	Res – Low	RS	.6083
00-43-41-33-08-000-0230	George, Manju and Sabu	12204 Captains Landing	Res – Low	RS	.6259
00-43-41-33-08-000-0060	Jave, Victoria and Yefry Z	12171 Captains Landing	Res – Low	RS	.5345
00-43-41-33-08-000-0090	Jones, Christine Campagnolo	12101 Captains Landing	Res – Low	RS	.4929
00-43-41-33-08-000-0302	Mahoney, James H III	1345 Oyster Bay	Res – Low	RS	.3381
00-43-41-33-08-000-0280	Mann, Dean S	1263 Oyster Bay	Res – Low	RS	.5719
00-43-41-33-08-000-0130	Quinn, Sherry J	12014 Captains Landing	Res – Low	RS	.6962
00-43-41-33-08-000-0240	Moss, Cythlen D and Jonathan D	1318 Oyster Bay	Res – Low	RS	1.1202
00-43-41-33-08-000-0140	Shapiro, Lynn A and Steven D	12040 Captains Landing	Res – Low	RS	.5001
00-43-41-33-08-000-0021	Spiegel, Robert I	12247 Captains Landing	Res – Low	RS	1.1631
00-43-41-33-08-000-0160	Tripuraneni, Krishna and Nirmala	12078 Captains Landing	Res – Low	RS	.4606
00-43-41-33-08-000-0040	Wilson, Diane C and Dwight E	12229 Captains Landing	Res – Low	RS	.5138
00-43-41-33-08-000-0150	Murphy, Carol L	12054 Captains Landing	Res – Low	RS	.4616
00-43-41-33-08-000-0120	Noga, Karen M and Raymond A	12015 Captains Landing	Res – Low	RS	.5941
00-43-41-33-08-000-0170	O'Neill, Christine A	12098 Captains Landing	Res – Low	RS	.5028
00-43-41-33-08-000-0301	Salour, Nader	12260 Captains Landing	Res – Low	RS	.8773
00-43-41-33-00-006-0030	Spiegel, Robert I	Not addressed	Res-Low	RH	.7946
00-43-41-33-00-000-7150	Wilson, Diane C and Dwight E	Not addressed	Res-Low	RH	.3261
00-43-41-33-08-000-0330	Captains Landing LLC	12220 Captains Key Drive	CH/8	CG	.3673
00-43-41-33-08-000-0180	Captains Landing LLC	12114 Captains Landing	Res – Low	RS	.5451
00-43-41-33-08-000-0110	Captains Landing LLC	12041 Captains Landing	Res – Low	RS	.4885
28-43-41-33-08-000-0340	Captains Landing LLC	12260 Captains Landing	CH/8	CG	.0200
00-43-41-33-08-001-0000	Captains Key Dependent District	1520 Captains Key Drive	Res – Low	RS	3.0761
Total					21.11

Color Key:

	26 Single Family Residential Properties within the Captain’s Key Plat
	3 Properties along US Highway One not designated Res Low and RS
	4 Common area properties within the Captain’s Key Plat

The following is a summary of the uses surrounding the subject site.

Table 2.

	FLU	Zoning	Existing Use
North	Unincorporated Residential	Unincorporated RS	Seminole Landing
South	Unincorporated Residential	Unincorporated RS	Hidden Key North
East	Unincorporated Residential	Unincorporated RS	Old Port Village
West	Commercial (COM) Unincorporated Commercial	Commercial Office (CO) Unincorporated Commercial General (CG)	Waterford Commercial Plaza (Coconut Kay Shoppes)

For Councils review, please see analysis below, providing the possible scenarios for the Council to discuss for staff to proceed with this staff initiated Future Land Use Map amendment and rezoning for the

properties that are zoned RS. Scenario 1 is not recommended due to the number of nonconformities that would be created.

Scenario 1: Use the existing Future Land Use of Residential Low and Zoning designation of RS-1 to provide the property with a Town designation. This would provide the property with a greater density than the existing condition. However, it may create non-conformities with the Town’s zoning regulations. This includes height (35’ versus 30’), setbacks (7.5’ interior side versus 10’ interior sides), lot coverage (40% versus 35%) and minimum dimensions (65’ wide versus 75’ and 75’ deep versus 100’). Existing conditions also suggest that side setbacks may be as few as 5’ and rear setbacks as few as 7.5’ have been built, which would be nonconforming to the existing Palm Beach County zoning regulations. Please see Table 3 for the side-by-side comparison. **(Not recommended)**

Table 3.

	Current Condition Captain’s Key Plat	Palm Beach County Land Use/Zoning (LR-2/ RS)	Town of Juno Beach Land Use/Zoning (Res Low/RS-1)
Density	2	2	4
Max Height	2.5 stories/35’	35’	2 stories/30’
Setbacks *	25’/7.5’/15’/7.5’	25’/7.5’/15’/15’	25’/10’/10’/10’
Lot Coverage	40%	40%	35%
Min Dimensions	65’ x 75’	65’ x 75’	75’ x 100’

*Front/Side/Side Corner/Rear measured in feet

Staff would like to know which of the three remaining scenarios should be pursued.

Scenario 2. Use the existing Future Land Use designation of Residential Low and adopt a Planned Unit Development (PUD) ordinance over the Town’s RS-1 zoning. Pursuant to Section 34-1333(b)3(a), a PUD would allow the Town to deviate from the RS-1 zoning by 25% from the area standards of the RS-1 district, allowing the Town to create a PUD to tailor fit the existing conditions and provide a regulatory cap that does not increase the number of non-conformities. Please note that the Future Land Use designation would allow for greater densities should a potential unified owner amend the PUD. **(Not recommended)**

Scenario 3. Create a new Future Land Use designation (i.e.: Very Low Density Residential), that caps the density of the properties to existing densities (2 units per acre). The Town could create a PUD over the Town’s RS-1 zoning designation to provide for inconsistencies with the Town’s zoning requirements (such as height and setbacks), as in scenario 2. Although a new Future Land Use category would require a Comprehensive Plan text amendment, there would be greater protections toward creating greater density in this scenario. A PUD would also effectively tailor fit any inconsistency with our current RS-1 zoning category and cap the density entitlements to 3 units per acre.

Scenario 4. Create a new Future Land Use (Very Low Density Residential) and a new zoning designation, i.e.: Residential Single Family (RS-6) to tailor the zoning requirements to the new future land use. This option would create a zoning designation that tailor fits the new land use. It would also make creating a PUD unnecessary for Captain’s Key and should this new land use also be utilized for other properties in the future, we will have a compatible zoning category to use, rather than creating separate PUDs.

For the remaining properties that front US Highway 1 (LR2/RH and CG), staff finds that the future land use of Medium Density Residential (up to 10 dwelling units per acre) and zoning to Residential Multiple

Family- Moderate Density (RM-2) would allow for the multi-family uses that are desired by the landowners. In the case of the property zoned Residential High, a zoning classification of RM-2 would continue the ability to develop a multi-family use. The density would be capped by the Future Land Use designation of Medium Density Residential (10DU/ac) It would allow for an additional 2 units per acre, but also eliminate the ability to develop commercially. Although the commercial general property on the corner is commercial general and does not permit multi-family, it is too small (.36 acres) for a viable commercial use and would be in the Town's best interest to provide a continuous residential treatment along US Highway One to match the properties to the north. This would be considered a downzoning of the commercial entitlements but a slight increase in the residential entitlements (from 8 units per acre to 10).

On October 23, 2024, Florida Skyline Management, the management company representing Captain's Key Property Owner's Association, provided staff with a letter outlining their concerns (please see Attachment 4). One of the primary concerns is the community would like the proposed zoning designation to align to the new Protective Covenants regarding architectural and development standards of the community. With reference to the commercial general property on the corner of US Highway One and Captain's Key Drive, the community requests the zoning designation accommodate a future development of a multi-purpose recreational court. Staff suggests that if a PUD is recommended, that the Town consider permitting a future recreational activity on this property, or if scenario 4 is recommended, the Town consider permitting this activity in the new zoning district. Also, the sliver property (Tract B) along the south side of Captain's Key Drive should be allow for beautification purposes and is currently landscaped for that purpose. Staff notes that no changes are necessary to continue to allow the beautification.

Attachments:

1. Annexation Ordinance No. 779
2. Existing Palm Beach County zoning designation requirements (Table 3.D.1.A)
3. Town of Juno Beach RS-1 zoning designation requirements (Section 34-264 thru 34-268)
4. Letter from Florida Skyline Management, (Captain's Key) dated October 23, 2024

Map 2. Palm Beach County (existing) Future Land Use



Map 3. Palm Beach County (Existing) Zoning

