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

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

Section 2. The Town Council hereby amends Division 18, "Live Local Act," of Article IV, "Supplemental Regulations," or Chapter 34, "Zoning," of the Town Code of Ordinances as set forth in Exhibit "A" attached hereto and incorporated herein. For purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~striethrough~~ shall constitute deletions to the original text.

Section 3. All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are conflict with this Ordinance, are hereby repealed to extent of such conflict.

Section 4. The provisions of this Ordinance shall become and be made a part of the Zoning Code of the Town of Juno Beach, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 5. 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 6. This Ordinance shall be effective immediately upon final adoption.

[Remainder of page intentionally blank]

FIRST READING this ____ day of _____, 202__.

SECOND, FINAL READING AND ADOPTION this ____ day of _____, 202__.

_____ AYE	_____ NAY	_____ PEGGY WHEELER, MAYOR
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_____ AYE	_____ NAY	_____ JOHN CALLAGHMAN, VICE MAYOR
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_____ AYE	_____ NAY	_____ DIANA DAVIS, VICE MAYOR PRO TEM
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_____ AYE	_____ NAY	_____ DD HALPERN, COUNCILMEMBER
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_____ AYE	_____ NAY	_____ MARIANNE HOSTA, COUNCILMEMBER
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ATTEST:	APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
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_____ CAITLIN E. COPELAND-RODRIGUEZ, MMC TOWN CLERK	_____ TG LAW PLLC TOWN ATTORNEY
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EXHIBIT "A"

DIVISION 18. LIVE LOCAL ACT

Sec. 34-1325. Applicability and intent.

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

Sec. 34-1326. Procedure.

- (a) All projects shall be reviewed by the planning and zoning director as the designated administrative official of the Town of Juno Beach shall be granted , shall be granted without further action by the governing body of the municipality or any quasi-judicial or administrative board or reviewing body, pursuant to Section 166.04151, Florida Statutes, as amended from time to time, town's development review committee and shall be subject to the site plan and appearance review procedures and shall meet all criteria set forth in article II, division 4 of this chapter,.
- (b) Within 48 hours of receipt of an application for development approval, the town shall notify the public by posting notice of the application on the town website and providing notice to the public through the town's e-mail database. The notice shall indicate that copies of all application materials shall be provided upon request.
- (c) The application shall be subject to administrative review as ~~required~~ required by the Act, and the project shall be approved by the planning and zoning director only if it meets all applicable land development regulations, including the community appearance standards set forth in division 14 of article II of this chapter, and the requirements of this division. The director shall further determine that the project is consistent with the provisions of the comprehensive development plan, except

those provisions expressly preempted by section 166.04151(7), Florida Statutes, relating to location with specified zoning districts, height, and density.

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

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

- (a) *Height.* Pursuant to section 166.04151(7), Florida Statutes, the maximum height permitted shall be limited to the height permitted as of right for a commercial or residential project within the town within one mile of the proposed development without consideration of any bonuses or modifications permitted through the special exception process or otherwise. In no event shall the height of any structure exceed ~~42-10~~ stories and ~~130-120~~ feet.

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

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

Sec. 34-1327.1. Development standards and criteria.

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

- (b) *Building site area regulations.*

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

- a. Minimum total area: 40,000 square feet;
- b. Minimum lot width: 150 feet;
- c. Minimum lot depth: 200 feet;
- d. Front set yard setback: 30 feet from street line;
- e. Side yard setback: 35 feet with one side having a minimum of 15 feet;

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- f. Rear yard setback: 30 feet;
 - g. Minimum floor space per dwelling unit: 1,000 square feet of habitable space for a one bedroom; 1,200 square feet of habitable space for a two bedroom; and 1,400 square feet of habitable space for three or more bedrooms;
 - h. Maximum building dimension: 150 feet, provided, however that along the building face having the maximum dimension, said dimension may be increased to no more than 175 feet;
 - i. Maximum lot coverage: 50 percent; and
 - j. Minimum landscaped open space: 15 percent of lot area.

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

- 2. For purely non-residential components of the project or mixed-use structures where the height does not exceed four stories and 60 feet, the project shall comply with the building site area regulations of the applicable commercial zoning district.
- (c) *Parking.* The project shall provide for two spaces per residential unit and one quest space for every seven units as required for residential uses in commercial zoning districts. The parking for commercial uses shall be governed by division 4 of article IV of this chapter. Due to the lack of any major transit stops in the town, no parking reductions shall be considered. However, the project may propose, for consideration and approval by the town, shared parking in accordance with the criteria governing the minimum parking requirements for mixed-use projects in the town's commercial zoning districts.
 - (d) *Equivalent treatment of all dwelling units.* All affordable dwelling units and market rate dwelling units shall be located within the same structure. All common areas and amenities shall be accessible and available to all residents of the development. Access to the required affordable dwelling units shall be provided through the same principal entrances utilized by all other dwelling units in the development. Additionally, the overall square footage and number of bedrooms in the affordable dwelling units shall be proportional to the overall ~~square~~ square footage and number of bedrooms in the market rate dwelling units. By way of example, if 25 percent of the market rate dwelling units consist of two bedrooms, then 25 percent of the affordable dwelling units shall have two bedrooms, and the affordable dwelling units shall be similar in size to the market rate dwelling units.
 - (e) *Unified lot.* All residential and non-residential components of the site plan shall be located on the same or unified lot.

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

