

ORDINANCE NO. 15-10

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING TOWN CODE CHAPTER 27, AMENDING SECTIONS 27-1 ENTITLED "DEFINITIONS", SECTIONS 27-522, 27-552, 27-587, 27-617, 27-647, 27-677, 27-707, 27-742, 27-847, 27-866 TO ALLOW ACCESSORY RESIDENTIAL IN THE COMMERCIAL, NEIGHBORHOOD (C-1), COMMERCIAL, GENERAL (C-2), COMMERCIAL, OFFICE (C-3), COMMERCIAL, RESTRICTED (C-4), INDUSTRIAL PARK LIGHT INDUSTRY (I-1), INDUSTRIAL, GENERAL (I-2), INDUSTRIAL, HIGH TECHNOLOGY (I-3), MEDICAL CENTER (MC), QUASI-PUBLIC INSTITUTIONAL (QPI) AND PUBLIC/INSTITUTIONAL (PI), AND INDIANTOWN ROAD OVERLAY ZONING DISTRICTS; TO AMEND DIVISION 30 ENTITLED "ACCESSORY USES, BUILDING, STRUCTURES" TO PROVIDE NEW REGULATIONS FOR ACCESSORY RESIDENTIAL IN SECTION 27-1669.1; TO DELETE SECTION 27-524 ENTITLED "SPECIAL REGULATIONS" AND SECTION 27-556 ENTITLED "RESIDENTIAL UNIT IN COMMERCIAL STRUCTURE"; AND SECTION 27-916 ENTITLED "AMENDMENTS TO APPROVED PUD MASTER PLANS"; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Jupiter ("Town"), Florida has adopted a comprehensive plan which has been determined by the State Land Planning Agency to be in compliance with Chapter 163, Part II, Florida Statutes; and

WHEREAS, pursuant to Section 163.3202(2), Florida Statutes, municipalities are required to adopt specific and detailed provisions regulating and controlling development to implement their adopted comprehensive plans; and,

WHEREAS, the Town Council of the Town of Jupiter, Florida has adopted Objective 1.13, and implementing Policies 1.13.1 through 1.13.5 and Objective 1.16, and implementing Policies 1.16.1 and 1.16.3, Policies 1.3.9, 1.3.13, 1.3.14, 1.3.17 of the Future Land Use Element; regarding accessory residential in non-residential areas; and

WHEREAS, the Town Council hereby determines that the creation of land development regulations relative to infill development, redevelopment, and upgrading of existing

property of the Town Code would implement and be consistent with the Town's Comprehensive Plan; and

WHEREAS, the Jupiter Planning and Zoning Commission has reviewed the proposed amendments and has made its recommendation to the Town Council; and

WHEREAS, the Jupiter Town Council, after due notice and public hearings, has determined that the adoption of the amendments would further the health safety and general welfare of the residents, property owners and businesses of the Town;

NOW, THEREFORE, be it ordained by the Town Council of the Town of Jupiter, Florida that:

Section 1. The whereas clauses are incorporated herein as true and correct and as findings of the Town Council.

Section 2. Section 27-1 of the Town Code, entitled "Definitions", is hereby amended to add the following definitions:

Accessory residential shall mean a dwelling unit on a non-residential property that is not a primary use of the parcel or lot.

Non-residential property shall mean a parcel of land in a medical center, commercial, industrial, or institutional zoning district.

Section 3. Section 27-522 of the Town Code, entitled "Use regulations" of the Commercial, Neighborhood (C-1), is hereby amended, as follows:

- (a) *Uses by right.* In any C-1 neighborhood commercial district, land, buildings or premises may be used by right only for one or more of the following:
- (1) Self-service laundry and drycleaning.
 - (2) Newsstand.
 - (3) Personal services.
 - (4) Hardware, paint and garden supplies.
 - (5) Pharmacy.
 - (6) Professional offices.
 - (7) Florist shop.
 - (8) Shoe repair shop.
 - (9) Interior decoration.
 - (10) Medical or dental clinics.
 - (11) Banking or financial office.
 - (12) Accessory residential (see section 27-1669.1)
- (b) *Special exceptions.* The following uses may be permitted after review by the Planning and Zoning Commission and provided the Town Council determines that the application meets the criteria contained in section 27-98, all other applicable provisions of law, and does not otherwise adversely affect the public.
- (1) Drycleaning and laundry.
 - (2) Day care centers and preschool facilities (see division 23 of article X of this chapter).
 - (3) Public and private utility services (see division 10 of article X of this chapter).
 - (4) Commercial swimming pool (see division 25 of article X of this chapter).
 - (5) Gasoline filling station (see division 4 of article X of this chapter).
 - (6) ~~Residential dwelling units (see section 27-524(5)).~~ Reserved.
 - (7) Restaurant of less than 75 seats.

- (8) Convenience food and beverage.
- (9) Limited public uses (see division 10 of article X of this chapter).
- (10) Funeral homes (see division 9 of article X of this chapter).
- (11) Veterinary clinic (See division 22 of article X of this chapter).

Section 4. Section 27-524 of the Town Code, entitled "Special Regulations" of the Commercial, Neighborhood (C-1), is amended, as follows:

o The following special regulations shall apply as indicated in the C-1 neighborhood commercial district:

- (1) All uses, except gasoline filling stations, shall be operated entirely within enclosed buildings.
- (2) Artificial lighting, used to illuminate the premises, shall be directed away from adjacent properties and shall be extinguished no later than 11:00 p.m.
- (3) No commercial use shall commence business activities (including delivery and stocking operations) prior to 7:00 a.m. nor continue activities later than 11:00 p.m.
- (4) No outdoor storage of any type shall be permitted within this district.
- (5) ~~The owner/operator of the commercial structure may construct one dwelling unit of no less than 800 square feet for the purpose of occupying the residential dwelling unit for security reasons, living quarters, or may cause the dwelling unit to be occupied for such use by other persons. Such structure shall be within the same structure as the commercial use but may be on the same floor or as a separate use on a different level and shall meet all the requirements of division 6 of this article.~~
Reserved.
- (6) When applicable zoning districts are contiguous and/or adjoin a residential zoning district, it shall be prohibited to install garage/bay doors which front or face the residential zoning district. This shall include dissimilar zoning districts with intervening public/private right-of-way, easements, etc., of any size.

Section 5. Section 27-552 of the Town Code, entitled "Use regulations" of the Commercial, General (C-2), is hereby amended, as follows:

(a) *Uses by right.* In any C-2 general commercial district, land, buildings or premises may be used by right only for one or more of the following:

- (1) All retail or service stores or shops except convenience stores.
- (2) All personal service or repair shops.
- (3) Medical or dental clinics.
- (4) Office buildings.
- (5) Banking, finance or insurance business.
- (6) Restaurant, tavern or lounge.
- (7) Printing and publishing service.
- (8) Day care and preschool facilities (see division 23 of article X of this chapter).
- (9) Swimming pools (see division 25 of article X of this chapter).
- (10) Nurseries and greenhouses.
- (11) Indoor recreation facilities.
- (12) Veterinary clinic (see division 22 of article X of this chapter.)
- (13) Museums and art galleries.
- (14) Water oriented uses.
- (16) Accessory residential (see section 27-1669.1)

(b) *Special exceptions.* The following uses may be permitted after review by the Planning and Zoning Commission and provided the Town Council determines that the application meets

the criteria contained in section 27-98, all other applicable provisions of law, and does not otherwise adversely affect the public.

- (1) Auto, marine, recreational vehicle, truck sales, mobile homes (new and used sale and rental facilities and lots) (see division 24 of article X of this chapter).
- (2) Wholesale outlets and distribution businesses.
- (3) Shopping centers and/or retail with aggregate floor area of more than 20,000 square feet.
- (4) Motel, hotel.
- (5) Car wash.
- (6) Self-service storage facilities.
- (7) Marine facilities (see division 17 of article X of this chapter).
- (8) Outdoor recreation facilities, amusements (see division 20 of article X of this chapter).
- (9) Utility services and transmission towers (see division 21 of article X of this chapter).
- (10) Churches and funeral homes.
- (11) Recreational vehicle parks (see division 27 of article X of this chapter).
- (12) Nursing and convalescent facilities (see division 28 of article X of this chapter).
- (13) Gasoline service or filling stations (see division 4 of article X of this chapter).
- (14) Hospital (see division 28 of article X of this chapter).
- (15) Theaters, indoor and drive-in.
- (16) Auction.
- (17) ~~Residential dwelling unit (see section 27-556)~~ Reserved.
- (18) Cemeteries (see division 29 of article X of this chapter).
- (19) Auto motor repair stations (see division 4 of article X of this chapter).
- (20) Public parking garage.
- (21) Clubs.
- (22) Helistops (see division 18 of article X of this chapter).
- (23) Timesharing.
- (24) Fast food restaurant.
- (25) Public uses (see division 10 of article X of this chapter).
- (26) Mobile home parks, subject to the provisions of chapter 12 and division 26 of article X of this chapter.
- (27) Integrated health park (see division 6 of article X of this chapter).
- (28) Convenience stores.
- (29) Assisted and independent living facilities (see division 8 of article X of this chapter).
- (30) High-tech, laboratory and/or office research (in multi-story buildings)

Section 6. Section 27-556 of the Town Code, entitled "Residential unit in commercial structure" of the Commercial, General (C-2), is hereby deleted, as follows:
~~The owner/operator of the commercial structure coming under this division may construct one dwelling unit of no less than 800 square feet for the purpose of occupying the residential dwelling unit for security reasons, living quarters, or may cause the dwelling unit to be occupied for such use by other persons. Such structure shall be within the same structure as the commercial use but may be on the same floor or as a separate use on a different level and shall meet all the requirements of division 6 of this article.~~

Section 7. Section 27-587 of the Town Code, entitled "Use regulations" of the Commercial, Office (C-3), is hereby amended, as follows:

- (a) *Uses by right.* In any C-3 office commercial district, land, buildings or premises may be used by right only for one or more of the following:
- (1) Office buildings.
 - (2) Banking, finance and insurance business.

- (3) Restaurant, tavern or lounge.
- (4) Swimming pools (see division 25 of article X of this chapter).
- (5) Medical and dental clinics.
- (6) Veterinary clinic (see division 22 of article X of this chapter.)
- (7) Limited ancillary retail.
 - a. One or all of the following uses may be approved in office buildings in this zoning district:
 - 1. Art goods.
 - 2. Barber shops and beauty salons.
 - 3. Book, magazine and tobacco shops.
 - 4. Cleaners, pickup and delivery only.
 - 5. Florists.
 - 6. Office interiors.
 - 7. Office supply and equipment.
 - 8. Photo finishing and camera stores.
 - 9. Travel agencies.
 - 10. Xeroxing and quick print shops.
 - b. In order for the ancillary uses to be considered, they must be located in office type facilities built to be used primarily for office or business purposes.
 - c. They must be limited to no more than ten percent of the gross floor area of the building and be confined to the first floor.

(6) Accessory residential (see section 27-1669.1)

- (b) *Special exceptions.* The following uses may be permitted after review by the Planning and Zoning Commission and provided the Town Council determines that the application meets the criteria contained in section 27-98, all other applicable provisions of law, and does not otherwise adversely affect the public.
- (1) Hospital (see division 28 of article X of this chapter).
 - (2) Utility services and transmission towers (see division 21 of article X of this chapter).
 - (3) Gasoline service or filling station (see division 4 of article X of this chapter).
 - (4) Arenas, auditoriums (see division 19 of article X of this chapter).
 - (5) Day care and preschool facilities (see division 23 of article X of this chapter).
 - (6) Public parking garage.
 - (7) Shopping centers of greater than 100,000 square feet of total floor area. Uses allowed shall be those listed as a use-by-right in the C-2 district. Area and dimension regulations shall follow section 27-588.
 - (8) Helistops (see division 18 of article X of this chapter).
 - (9) Timeshare.
 - (10) Clubs
 - (11) Motel, hotel.
 - (12) Public uses (see division 10 of article X of this chapter).
 - (13) Funeral homes (see division 9 of article X of this chapter).
 - (14) Assisted and independent living facilities (see division 8 of article X of this chapter).
 - (15) Integrated health park (see division 6 of article X of this chapter).
 - (16) High-tech, laboratory and/or office research (in multi-story buildings).
 - (17) Licensed service provider facilities offering licensable service components as listed in F.S. § 397.311(18)(b, c, d). The services listed in F.S. § 397.311(18)(e and g) may be permitted as a special exception use only in conjunction with, and as a part of, services listed in F.S. § 397.311(18)(b, c, d) (see division 28 of article X of this chapter).

Section 8. Section 27-617 of the Town Code, entitled "Use regulations" of the Commercial, Restricted (C-4), is hereby amended, as follows:

- (a) *Uses by right.* In any C-4 restricted commercial district, land, buildings or premises may be used by right only for the following uses, providing the use can meet the regulations, specifically the standards of performance as set forth in article XI of this chapter (see special exceptions for certain exclusions).
- (1) Stores and shops for retail sales or for services, but excluding motels, convalescent homes, food service, convenience stores and sales or service for motor vehicles, mobile homes, trailers and boats.
 - (2) Business, professional, financial and contractors offices.
 - (3) Medical or dental clinics, including labs.
 - (4) Personal service shops and agencies such as tailor shops, beauty shops, household appliance repair or shoe repair.
 - (5) Coin operated laundries and self-service cleaning and dyeing shops, and laundry and dry cleaning pick-up shops.
 - (6) Pet shops, including grooming but not including boarding.
 - (7) Letter and secretarial service, including duplicating and copying.
 - (8) Furniture repair, upholstery and furniture refinishing shops.
 - (9) Research uses, which includes theoretical and applied research in all the sciences, product engineering and marketing development and testing, provided that the activities do not produce objectionable levels of noise, odor or radiation. Disposal of any waste materials are subject to the regulations of the controlling authority.
 - (10) Light assembly work involving the use of hand or portable tools and small components held, transferred and manipulated by hand, excluding auto assembly, provided that the activities do not produce objectionable levels of noise or odor.
 - (11) Indoor recreation facilities.
 - (12) Accessory residential (see section 27-1669.1)
- (b) *Special exceptions.* The following uses may be permitted after review by the Planning and Zoning Commission and provided the Town Council determines that the application meets the criteria contained in section 27-98, all other applicable provisions of law, and does not otherwise adversely affect the public.
- (1) Convenience stores, food service, including restaurants providing for a maximum seating of 25 patrons or less, but excluding restaurants providing for seating of more than 25 patrons, and produce markets, bakeries and establishments licensed to sell alcoholic beverages for consumption on the premises.
 - (2) Printing services, including photocopying, typeprinting, silkscreening and sign painting service providing that the lettering of vehicles will not include their overnight storage outside the premises, and including typesetting and book and newspaper publishing.
 - (3) Veterinary clinic (See division 22 of article X of this chapter).
 - (4) Auto waxing shops, auto air conditioning service and repairs, and auto top and upholstery service and repair, provided that all work must be performed entirely inside the building.
 - (5) Small engine repair shops, excluding outboard and automobile engine service and repairs, and provided that all work must be performed entirely inside the building.
 - (6) Wholesale sales of goods and merchandise not otherwise prohibited which meet the restrictions imposed upon uses within this district.
 - (7) Combined residential occupancy with a permitted or special exception use, provided such use shall be on separate floors and the minimum floor area for the residential use shall not be less than 800 square feet.
 - (8) Public uses, see division 10 of article X of this chapter.
 - (9) Warehousing and limited access self-service storage facilities.
 - (10) Truck rentals and leasing associated with a self-service storage facility.

Section 9. Section 27-647 of the Town Code, entitled "Use regulations" of the Industrial Park Light Industry (I-1), is hereby amended, as follows:

- (a) *Uses by right.* In the I-1 park industrial district, land, buildings or premises may be used by right only for one or more of the following:
- (1) Research office or laboratory.
 - (2) Processing, assembly, distribution, storage or warehousing involving the finishing of intermediate products.
 - (3) Business or professional offices.
 - (4) Restaurant.
 - (5) Auto paint and body shop.
 - (6) Lumber and building supply.
 - (7) Warehouses and self-service storage facilities.
 - (8) Printing and publishing.
 - (9) Wholesale or retail sale of above material or finished products.
 - (10) Upholstery shop.
 - (11) Auto repair station.
 - (12) Kennels (see division 22 of article X of this chapter).
 - (13) Truck rental and leases.
 - (14) Public uses (see division 10 of article X of this chapter).
 - (15) Adult entertainment establishments.
 - (16) Veterinary clinics.
 - (17) Accessory residential (see section 27-1669.1), except those properties in the bioscience overlay where accessory residential shall be prohibited.
- (b) *Special exceptions.* The following uses may be permitted or denied in this district after review by the Planning and Zoning Commission and provided the Town Council determines that the application meets the criteria contained in section 27-98, all other applicable provisions of law, and does not otherwise adversely affect the public.
- (1) Bakeries and food processing.
 - (2) Dairy processing or bottling plant.
 - (3) Woodworking shop.
 - (4) Machinery shop.
 - (5) Utility services and transmission towers (see division 21 of article X of this chapter).
 - (6) Club.
 - (7) Day care and preschool facilities (see division 23 of article X of this chapter).
 - (8) Churches and other places of worship.
 - (9) Indoor recreation.
 - (10) Auction.
 - (11) Outdoor storage yard, primary (see division 39 of article X of this chapter).

Section 10. Section 27-677 of the Town Code, entitled "Use regulations" of the Industrial, General (I-2), is hereby amended, as follows:
Excepting those properties in the bioscience overlay

- (a) *Uses by right.* In the I-2 general industrial district, land, buildings or premises may be used by right only for one or more of the following:
- (1) Any manufacturing, processing, repair or fabrication uses, except those listed as special exceptions.
 - (2) Business offices.
 - (3) Warehouses and self-service storage facilities.
 - (4) Restaurant.
 - (5) Gasoline service or filling station (see division 4 of article X of this chapter).
 - (6) Lumberyard or builders supply (wholesale or retail).
 - (7) Industrial parks.
 - (8) Auto and motor repair stations.
 - (9) Kennels (see division 22 of article X of this chapter).

- (10) Public uses (see division 10 of article X of this chapter).
 - (11) Any use-by-right or special exception listed in the I-1 district shall be permitted as a use-by-right in this district except those uses which are specifically listed as a special exception in this district.
 - (12) Adult entertainment establishments.
 - (13) Accessory residential (see section 27-1669.1), except those properties in the bioscience overlay where accessory residential shall be prohibited.
- (b) *Special exceptions.* The following may be permitted or denied in this district after review by the Planning and Zoning Commission and provided the Town Council determines that the application meets the criteria contained in section 27-98, all other applicable provisions of law, and does not otherwise adversely affect the public.
- (1) Asphalt and concrete mixing and product manufacturing.
 - (2) Utility services and transmission towers (see division 21 of article X of this chapter).
 - (3) Salvage (see division 16 of article X of this chapter).
 - (4) Airports and heliports (see division 18 of article X of this chapter).
 - (5) Marine facilities (see division 17 of article X of this chapter).
 - (6) Club.
 - (7) Day care and preschool facilities (see division 23 of article X of this chapter).
 - (8) Churches.
 - (9) Auction.
 - (10) Outdoor storage yard, primary (see division 39 of article X of this chapter).

Section 11. Section 27-707 of the Town Code, entitled "Use regulations" of the Industrial, High Technology (I-3), is hereby amended, as follows:

- (a) *Uses by right.* In the I-3 high technology industrial district, buildings or premises may only be used for one or more of the following specified uses: research uses or light industrial uses, or office uses which are related to high technology activities; limited warehousing; limited business or professional office uses; and activities incidental and accessory thereto.
- (1) Research uses, including theoretical and applied research in all of the sciences, product development and testing, engineering development and marketing development.
 - (2) Light industrial uses, including manufacturing, fabricating, processing, converting, altering and assembling, and testing of products, provided that such uses meet the performance standards of this section.
 - (3) Office uses including, but not limited to, those office uses related to scientific or industrial research, product development and testing, engineering development and marketing development, and such other office uses which are ancillary to and compatible with high technology uses.
 - (4) Limited public uses.
 - (5) Distribution facilities of 10,000 square feet or more.
 - (6) Adult entertainment establishments.
 - (7) Business or professional office, not to exceed 30 percent of the gross floor area of any building.
 - (8) Warehousing (indoors), not to exceed 20 percent of the gross floor area of any building.
- (b) *Accessory uses.* Those uses, buildings or structures customarily related to those permitted uses above as uses by right, may be permitted, provided that they meet all of the development standards as herein set forth.
- (1) Sales rooms for wholesale distribution of items manufactured on the premises.
 - (2) Garages for storage and maintenance of company vehicles and for storage of gasoline and lubricating oils needed for operation of these vehicles, and for the maintenance of company, plant and machinery located thereon.

- (3) Parking facilities, including multi-level structures.
 - (4) Maintenance and utility shops for the upkeep and repair of buildings and structures on the site.
 - (5) Utility facilities; those electrical, water, sewage, fire protection, etc., facilities that may be required to operate the main use.
 - (6) Educational facilities for training and study.
 - (7) Storage buildings.
 - (8) Communication facilities.
 - (9) Living facilities for custodians and caretakers, there shall be a limit of one such facility per building site. The living area of such a facility shall not exceed 600 square feet.
 - (10) Data processing facilities.
 - (11) Employee credit unions.
 - (12) Cafeterias.
 - (13) Accessory residential (see section 27-1669.1), except those properties in the bioscience overlay where accessory residential shall be prohibited.
- (c) *Uses prohibited.* The permitted uses enumerated in subsection (a) of this section shall not be construed to include, either as a main or accessory use, any of the following uses:
- (1) Automotive vehicle or trailer sales.
 - (2) The storage, service, repair or garaging of motor vehicles other than company motor vehicles.
 - (3) Auto laundries.
 - (4) Mortuaries.
 - (5) Drive-in fast food restaurant.
 - (6) Bulk sales, storage or display of lumber or building materials or supplies.
 - (7) Outdoor displays.
 - (8) Drive-in theaters.
 - (9) Plumbing shops or sheet metal shops with less than 20,000 square feet or having outdoor storage.
 - (10) Cabinet shops or carpenter shops with less than 20,000 square feet or having outdoor storage.
 - (11) Outdoor storage or warehousing uses, except as incidental to a permitted use.
 - (12) Retail stores for sales to the general public, except as incidental to a permitted use providing the maximum size shall be 2,000 square feet.
 - (13) Package stores selling alcoholic beverages.
 - (14) Wholesale outlets, except those established for the sole purpose of selling items manufactured, fabricated, processed, converted or assembled on the premises.
 - (15) Bars or cocktail lounges that are not accessory uses to a permitted or conditional commercial use.
 - (16) Self-service storage facilities.
- (d) *Special exceptions.* The following uses may be permitted or denied in the I-3 zoning district, after review by the Planning and Zoning Commission and provided the Town Council determines that the application meets the criteria contained in section 27-98, all other applicable provisions of the law, and does not otherwise adversely affect the public. It is the intent that these uses not exceed 15 percent of the total gross floor area.
- (1) Banks and financial institutions.
 - (2) Private clubs (health, dining, etc.)
 - (3) Duplicating, copying, letter and secretarial service establishments.
 - (4) Personal services.
 - (5) Laundry and drycleaning pick up shops and dry cleaning and pressing establishments.
 - (6) Restaurants.
 - (7) Gasoline filling stations (see division 4 of article X of this chapter).
 - (8) Hotels and motels.
 - (9) Heliports (see division 18 of article X of this chapter).

- (10) Retail and service uses (maximum of 40,000 square feet of floor area).
- (11) Uses to any of the above uses including the outdoor storage of passenger cars, panel or pick up trucks, or other items used in the business in such areas as designated on the approved site plan and screened from view from all roadways by a masonry wall, berm, hedge or other landscaped screen.
- (12) Day care facilities, as an accessory use to a permitted use.
- (13) Medical or dental clinic.

Section 12. Section 27-742 of the Town Code, entitled "Use regulations" of the Medical Center (MC), is hereby amended, as follows:

- (a) *Uses by right.* In the MC medical center district, land, buildings or premises may be used by right only for one or more of the following specified uses:
 - (1) Hospitals, convalescent homes and nursing homes.
 - (2) Medical and dental clinics and medical laboratories.
 - (3) Private offices for doctors, dentists, opticians, and other recognized medical professions.
 - (4) Establishments offering physical therapy treatments.
 - (5) Apothecaries/pharmacies and stores for the retail sale or rental of hospital physical therapy or orthopedic equipment, and the sales of prescription drugs, medicines and medically related items only.
 - (6) Professional offices that conduct business in any of the following related categories; law, architecture, landscape architecture, engineering and accounting.
 - (7) Limited public uses (see division 10 of article X of this chapter).
 - (8) Assisted and independent living facilities (see division 8 of article X of this chapter).
 - (9) Integrated health park (see division 6 of article X of this chapter).
 - (10) Wellness centers.
 - (11) Licensed service provider facilities offering the licensable service components as listed in F.S. § 397.311(18)(a--d). The services listed in F.S. § 397.311(18)(e and g) may be permitted only in conjunction with, and as a part of, services listed in F.S. § 397(18)(a--d) (see division 28 of article X of this chapter).
 - (12) Accessory residential (see section 27-1669.1).
- (b) *Special exception.* The following uses may be permitted or denied in this district after review by the Planning and Zoning Commission and provided the Town Council determines that the application meets the criteria contained in section 27-98, all other applicable provisions of law, and does not otherwise adversely affect the public.
 - (1) Gift shops.
 - (2) Floral shops.
 - (3) Restaurants, cafeterias.
 - (4) Beauty shops.
 - (5) Barber shops.
 - (6) Residential quarters for hospital staff personnel.
 - (7) Day care and preschool facility (see division 23 of article X of this chapter).

Section 13. Section 27-847 of the Town Code, entitled "Use regulations" of the Quasi-Public Institutional (QPI) and Public/Institutional (PI), is hereby amended, as follows:

Uses	QPI	PI
(a) <i>Uses by right</i>		
<u>Accessory residential (see section 27-1669.1).</u>	•	•

Child and adult care facilities less than 2,500 gross square feet as an accessory use to a permitted principal use, subject to the provisions of division 23 of article X of this chapter.	•	•
Public utility facilities limited only to wastewater lift stations, water wells and other associated pumping facilities.	•	•
Utility services (public) including: wastewater treatment plants (in excess of six MGD); and, associated accessory structures, subject to the provisions of division 20, article X of this chapter.		•
<i>(b) Special exceptions</i>		
Assisted and independent living facilities, continuing care, homes for the aged and nursing home facilities, subject to the provisions of division 8 of article X of this chapter.	•	
Arenas, amphitheaters, auditoriums and stadiums, subject to the provisions of division 18 of article X of this chapter.		•
Aviation facilities, including heliports and helipads, subject to the provisions of division 18 of article X of this chapter.		•
Boat launching, ramps and docking facilities (excluding boat launching and docking facilities within an outdoor recreational area) subject to the provisions of article X, division 17.	•	•
Broadcasting stations, including radio, television, transmission towers, relay stations, subject to the provisions of division 31 of article X of this chapter.		•
Campgrounds		•
Cemeteries, crematories, mausoleums and columbarium, subject to the provisions of division 29 of article X of this chapter.	•	•
Child and adult care facilities with more than 2,500 gross square feet as an accessory use to a permitted principal use, subject to the provisions of division 23 of article X of this chapter.	•	•
Community facilities (indoor) including community theaters, arts and crafts galleries or centers, libraries (private) and museums, subject to the provisions of division 19 of article X of this chapter.	•	
Community facilities, including civic centers, community theaters, cultural facilities and auditoriums, arts and crafts galleries or centers, libraries and museums, subject to the provisions of division 19 of article X of this chapter.		•
Educational facilities (public and private 10 acres or less) including elementary, middle and high schools, colleges, learning centers, vocational schools and universities.	•	
Educational facilities (public and private 10 acres or more) including elementary, middle and high schools, colleges, learning centers, vocational schools and universities.		•
Emergency and public safety service facilities, including ambulatory, police and fire stations.		•
Governmental facilities, including governmental administrative offices, courthouses, libraries (public), temporary holding facilities, governmental offices, governmental maintenance facilities, post offices and mail processing centers		•
Hospitals, medical centers, treatment centers, rehabilitation centers, medical testing facilities and associated laboratories		•
Nursing and convalescent facilities, subject to the provisions of division 28 of article X of this chapter.	•	•
Recreational facilities (indoors) including athletic tracks, batting facilities recreational community centers, swimming centers and tennis centers, subject to the provisions of division 20 of article X of this chapter.	•	•
Recreational facilities (outdoors) including only golf courses, open to the public and passive parks, subject to the provisions of division 20 of article X of this chapter.	•	

Recreational facilities (outdoors) including athletic tracks and fields, fields, boat launching ramps and docking facilities, golf courses open to the public, passive parks, playgrounds, recreational camps, swimming centers and tennis centers, subject to the provisions of division 20 of article X of this chapter.		•
Parking facilities (public and private) including parking lots and garages, subject to the provisions of division 11 and 13 of article X of this chapter.	•	•
Religious establishments (less than 10 acres in size) including places of worship, churches, temples, synagogues and associated uses, such as retreat site, religious camps, convents, rectories, seminary, patronage and associated educational buildings.		•
Transportation facilities, including bus, railway and taxi stations and/or terminals.		•
Utility services (public and private) including only communication towers, subject to the provisions of division 31 of article X of this chapter.	•	
Utility services (public and private) including chipping and mulching facilities; communications towers; composting facilities; electric power facilities; recycling centers; solid waste transfer stations; transmission stations, water treatment plants; water storage tanks; wastewater treatment plants (less than six MGD); and, associated accessory structures, subject to the provisions of division 20, article X of this chapter.		•
<i>(c) Planned unit developments</i>		
Planned unit developments may be permitted in this district, after review by the Planning and Zoning Commission and approval by the Town Council. Uses permitted by right, as outlined in subsection (a), and special exception uses, as outlined in subsection (b) and special exception uses may be permitted as a planned unit development. In the evaluation of the uses, the uses shall be subject to all applicable provisions of article VIII of this chapter.	•	•
<i>(d) Accessory uses</i>		
Cafeterias, snack bars, restaurants and exercise facilities when contained in the same structure as the principal use for the purpose of serving the principal use	•	•
Security and caretaker quarters not to exceed 1,000 gross square feet in size (residential dwelling unit for purpose of management or security on site).	•	•
Service and refuse areas, subject to the provisions of division 18 of article X of this chapter.	•	•
Storage of inventory, equipment or materials within a structure or in an approved outside location	•	•
Public utility facilities limited only to wastewater lift stations, water wells and other associated pumping facilities.	•	•
Tot lots, recreational play areas, sand pits, less than 250 square feet.	•	•
<i>(e) Area and dimension regulations</i>		
Minimum lot width: 100 feet	•	•
Minimum lot depth: 100 feet	•	•
Minimum setbacks:	•	•
Front: 50 feet		
Site (interior): 15 feet		
Side (corner): 25 feet		
Rear: 15 feet		
Maximum building height: 50 feet	•	•
Maximum percent lot coverage: 40 percent	•	•
Minimum green space: 30 percent	•	•
Refer to division 5 of article X, exceptions to development regulations.		

Section 14. Section 27-866, Table 1 of the Town Code, entitled "Use regulations" of the Indiantown Road Overlay Zoning District, is hereby amended, as follows:

Indiantown Road Overlay Zoning District Permitted Uses, Uses Permitted As Special Exceptions and Prohibited Uses

IOZ district: Central Boulevard
 Underlying district: "C-2" (commercial, general)

	Status	Use
(1)	SE.....	Assisted and independent living facilities (see division 8 of article X of this chapter)
(2)	SE.....	Auction, indoor only (outdoor prohibited)
(3)	X.....	Auto, marine, recreational vehicle truck sales, mobile home sales
(4)	X.....	Auto motor repair stations
(5)	P.....	Banking, finance, insurance business
(6)	SE.....	Car wash
(7)	X.....	Cemeteries
(8)	SE.....	Churches and funeral homes
(9)	SE.....	Clubs
(10)	SE.....	Convenience stores (freestanding)
(11)	SE.....	Day care and preschool facilities
(12)	SE.....	Fast food restaurant
(13)	SE.....	Gas service/filling station
(14)	X.....	Helistops (as a principal use)
(15)	SE.....	High-tech, laboratory and/or office research (in multi-story buildings)
(16)	X.....	Hospital
(17)	P.....	Indoor recreational facilities
(18)	SE.....	Integrated health park
(19)	SE.....	Marine facilities (consider deletion from this portion of this chapter)
(20)	P.....	Medical or dental clinics
(21)	X.....	Mobile home parks, subject to provisions of division 26 of article X of this chapter and chapter 12
(22)	SE.....	Motel, hotel
(23)	P.....	Museums and art galleries
(24)	SE.....	Nurseries and greenhouses
(25)	SE.....	Nursing and convalescent facilities
(26)	P.....	Office buildings
(27)	X.....	Outdoor recreational facilities, amusements
(28)	SE.....	Performing theater
(29)	P.....	Printing and publishing services
(30)	SE.....	Public parking garage
(31)	SE.....	Public uses
(32)	X.....	Recreational vehicle parks
(33)	SE P.....	Residential D/U Residential, Accessory (see section 27-1669.1)
(34)	P.....	Restaurant, tavern or lounge
(35)	P.....	Retail, service or repair
(36)	SE.....	Self-service storage facilities
(37)	SE.....	Shopping centers with aggregate floor area of more than 20,000 square feet
(38)	SE.....	Swimming pools (as a principal use)

- (39) X..... Theaters, drive-in
- (40) X..... Timesharing
- (41) X..... Truck rentals and leasing
- (42) X..... Utility service and transmission towers
- (43) P..... Veterinary clinics (see division 22 of article X of this chapter.)
- (44) P..... Water oriented uses
- (45) P..... Wholesale outlets and distributors

IOZ district: Center Street/Maplewood Drive
 Underlying district: "C-2" (commercial, general)

- | | Status | Use |
|------|----------------------------------|---|
| (1) | SE..... | Assisted and independent living facilities (see division 8 of article X of this chapter) |
| (2) | SE..... | Auction, indoor only (outdoor prohibited) |
| (3) | X..... | Auto, marine, recreational vehicle truck sales, mobile home sales |
| (4) | SE..... | Auto motor repair stations |
| (5) | P..... | Banking, finance, insurance business |
| (6) | SE..... | Car wash |
| (7) | X..... | Cemeteries |
| (8) | SE..... | Churches and funeral homes |
| (9) | SE..... | Clubs |
| (10) | X..... | Convenience stores (freestanding) |
| (11) | SE..... | Day care and preschool facilities |
| (12) | SE..... | Fast food restaurant |
| (13) | X..... | Gas service/filling station |
| (14) | X..... | Helistops (as a principal use) |
| (15) | SE..... | High-tech, laboratory and/or office research (in multi-story buildings) |
| (16) | X..... | Hospital |
| (17) | P..... | Indoor recreational facilities |
| (18) | SE..... | Integrated health park |
| (19) | X..... | Marine facilities (consider deletion from this portion of this chapter) |
| (20) | P..... | Medical or dental clinics |
| (21) | X..... | Mobile home parks, subject to provisions of division 26 of article X of this chapter and chapter 12 |
| (22) | SE..... | Motel, hotel |
| (23) | P..... | Museums and art galleries |
| (24) | X..... | Nurseries and greenhouses |
| (25) | SE..... | Nursing and convalescent facilities |
| (26) | P..... | Office buildings |
| (27) | X..... | Outdoor recreational facilities, amusements |
| (28) | SE..... | Performing theater |
| (29) | P..... | Printing and publishing services |
| (30) | SE..... | Public parking garage |
| (31) | SE..... | Public uses |
| (32) | X..... | Recreational vehicle parks |
| (33) | SE P | Residential D/U Residential, Accessory (see section 27-1669.1) |
| (34) | P..... | Restaurant, tavern or lounge |
| (35) | P..... | Retail, service or repair |
| (36) | SE..... | Self-service storage facilities |
| (37) | SE..... | Shopping centers w/aggregate floor area of more than 20,000 |

- square feet
- (38) SE..... Swimming pools (as a principal use)
- (39) X..... Theaters, drive-in
- (40) X..... Timesharing
- (41) X..... Truck rentals and leasing
- (42) X..... Utility service and transmission towers
- (43) P..... Veterinary clinics (see division 22 of article X of this chapter.)
- (44) P..... Water oriented uses
- (45) SE..... Wholesale outlets and distributors

IOZ district: Civic Core
 Underlying district: "C-2" (commercial, general)

- | | Status | Use |
|------|-----------|---|
| (1) | SE..... | Assisted and independent living facilities (see division 8 of article X of this chapter) |
| (2) | SE..... | Auction, indoor only (outdoor prohibited) |
| (3) | X..... | Auto, marine, recreational vehicle truck sales, mobile home sales |
| (4) | X..... | Auto motor repair stations |
| (5) | P..... | Banking, finance, insurance business |
| (6) | X..... | Car wash |
| (7) | X..... | Cemeteries |
| (8) | SE..... | Churches and funeral homes |
| (9) | SE..... | Clubs |
| (10) | X..... | Convenience stores (freestanding) |
| (11) | SE..... | Day care and preschool facilities |
| (12) | X..... | Fast food restaurant |
| (13) | X..... | Gas service/filling station |
| (14) | X..... | Helistops (as a principal use) |
| (15) | SE..... | High-tech, laboratory and/or office research (in multi-story buildings) |
| (16) | X..... | Hospital |
| (17) | P..... | Indoor recreational facilities |
| (18) | SE..... | Integrated health park |
| (19) | SE..... | Law enforcement transmission towers or antennas |
| (20) | X..... | Marine facilities (consider deletion from this portion of this chapter) |
| (21) | P..... | Medical or dental clinics |
| (22) | X..... | Mobile home parks, subject to provisions of division 26 of article X of this chapter and chapter 12 |
| (23) | SE..... | Motel, hotel |
| (24) | P..... | Museums and art galleries |
| (25) | X..... | Nurseries and greenhouses |
| (26) | SE..... | Nursing and convalescent facilities |
| (27) | P..... | Office buildings |
| (28) | SE..... | Outdoor recreational facilities, amusements |
| (29) | SE..... | Performing theater |
| (30) | P..... | Printing and publishing services |
| (31) | SE..... | Private schools (for-profit) |
| (32) | SE..... | Public parking garage |
| (33) | SE..... | Public uses |
| (34) | X..... | Recreational vehicle parks |
| (35) | SE P..... | <u>Residential-DAU Residential, Accessory (see section 27-1669.1)</u> |
| (36) | P..... | Restaurant, tavern or lounge |

- (37) P..... Retail, service or repair
- (38) X..... Self-service storage facilities
- (39) SE..... Shopping centers w/aggregate floor area of more than 20,000 square feet
- (40) SE..... Swimming pools (as a principal use)
- (41) X..... Theaters, drive-in
- (42) X..... Timesharing
- (43) X..... Truck rentals and leasing
- (44) X..... Utility service and transmission towers
- (45) P..... Veterinary clinics (see division 22 of article X of this chapter.)
- (46) X..... Wholesale outlets and distributors

IOZ district: Alternate A1A
 Underlying district: "C-2" (commercial, general)

- | | Status | Use |
|------|-----------|---|
| (1) | SE..... | Assisted and independent living facilities (see division 8 of article X of this chapter) |
| (2) | SE..... | Auction, indoor only (outdoor prohibited) |
| (3) | X..... | Auto, marine, recreational vehicle truck sales, mobile home sales |
| (4) | X..... | Auto motor repair stations |
| (5) | P..... | Banking, finance, insurance business |
| (6) | SE..... | Car wash |
| (7) | X..... | Cemeteries |
| (8) | SE..... | Churches and funeral homes |
| (9) | SE..... | Clubs |
| (10) | SE..... | Convenience stores (freestanding) |
| (11) | P..... | Day care and preschool facilities |
| (12) | SE..... | Fast food restaurant |
| (13) | SE..... | Gas service/filling station |
| (14) | X..... | Helistops (as a principal use) |
| (15) | SE..... | High-tech, laboratory and/or office research (in multi-story buildings) |
| (16) | X..... | Hospital |
| (17) | P..... | Indoor recreational facilities |
| (18) | SE..... | Integrated health park |
| (19) | X..... | Marine facilities (consider deletion from this portion of this chapter) |
| (20) | P..... | Medical or dental clinics |
| (21) | X..... | Mobile home parks, subject to provisions of division 26 of article X of this chapter and chapter 12 |
| (22) | SE..... | Motel, hotel |
| (23) | P..... | Museums and art galleries |
| (24) | X..... | Nurseries and greenhouses |
| (25) | SE..... | Nursing and convalescent facilities |
| (26) | P..... | Office buildings |
| (27) | X..... | Outdoor recreational facilities, amusements |
| (28) | SE..... | Performing theater |
| (29) | P..... | Printing and publishing services |
| (30) | SE..... | Public parking garage |
| (31) | SE..... | Public uses |
| (32) | X..... | Recreational vehicle parks |
| (33) | SE P..... | <u>Residential-DAU Residential, Accessory (see section 27-1669.1)</u> |

- (34) P..... Restaurant, tavern or lounge
- (35) P..... Retail, service or repair
- (36) X..... Self-service storage facilities
- (37) SE..... Shopping centers w/aggregate floor area of more than 20,000 square feet
- (38) SE..... Swimming pools (as a principal use)
- (39) X..... Theaters, drive-in
- (40) X..... Timesharing
- (41) X..... Truck rentals and leasing
- (42) X..... Utility service and transmission towers
- (43) P..... Veterinary clinics (see division 22 of article X of this chapter.)
- (44) SE..... Wholesale outlets and distributors

IOZ district: U.S. 1
Underlying district: "C-2" (commercial, general)

- | | Status | Use |
|------|---------|---|
| (1) | SE..... | Assisted and independent living facilities (see division 8 of article X of this chapter) |
| (2) | SE..... | Auction, indoor only (outdoor prohibited) |
| (3) | X..... | Auto, marine, recreational vehicle truck sales, mobile home sales (4) |
| | X..... | Auto motor repair stations |
| (5) | P..... | Banking, finance, insurance business |
| (6) | X..... | Car wash |
| (7) | X..... | Cemeteries |
| (8) | SE..... | Churches and funeral homes |
| (9) | SE..... | Clubs |
| (10) | SE..... | Convenience stores (freestanding) |
| (11) | SE..... | Day care and preschool facilities |
| (12) | SE..... | Fast food restaurant |
| (13) | SE..... | Gas service/filling station |
| (14) | X..... | Helistops (as a principal use) |
| (15) | SE..... | High-tech, laboratory and/or office research (in multi-story buildings) |
| (16) | X..... | Hospital |
| (17) | P..... | Indoor recreational facilities |
| (18) | SE..... | Integrated health park |
| (19) | SE..... | Marine facilities |
| (20) | P..... | Medical or dental clinics |
| (21) | X..... | Mobile home parks, subject to provisions of division 26 of article X of this chapter and chapter 12 |
| (22) | SE..... | Motel, hotel |
| (23) | P..... | Museums and art galleries |
| (24) | X..... | Nurseries and greenhouses |
| (25) | SE..... | Nursing and convalescent facilities |
| (26) | P..... | Office buildings |
| (27) | X..... | Outdoor recreational facilities, amusements |
| (28) | SE..... | Performing theater |
| (29) | P..... | Printing and publishing services |
| (30) | SE..... | Public parking garage |
| (31) | SE..... | Public uses |
| (32) | X..... | Recreational vehicle parks |

- (33) SE P..... Residential-D/U Residential, Accessory (see section 27-1669.1)
- (34) P..... Restaurant, tavern or lounge
- (35) P..... Retail, service or repair
- (36) X..... Self-service storage facilities
- (37) SE..... Shopping centers w/aggregate floor area of more than 20,000 square feet
- (38) SE..... Swimming pools (as a principal use)
- (39) X..... Theaters, drive-in
- (40) X..... Timesharing
- (41) X..... Truck rentals and leasing
- (42) X..... Utility service and transmission towers
- (43) P..... Veterinary clinics see division 22 of article X of this chapter.)
- (44) P..... Water oriented uses
- (45) X..... Wholesale outlets and distributors

IOZ district: Parkways
 Underlying district: C-2" (commercial, general)"

- | | Status | Use |
|------|---------|---|
| (1) | SE..... | Assisted and independent living facilities (see division 8 of article X of this chapter) |
| (2) | SE..... | Auction, indoor only (outdoor prohibited) |
| (3) | X..... | Auto, marine, recreational vehicle truck sales, mobile home sales |
| (4) | X..... | Auto motor repair stations |
| (5) | P..... | Banking, finance, insurance business |
| (6) | X..... | Car wash |
| (7) | X..... | Cemeteries |
| (8) | SE..... | Churches and funeral homes |
| (9) | SE..... | Clubs |
| (10) | SE..... | Convenience stores (freestanding) |
| (11) | SE..... | Day care and preschool facilities |
| (12) | X..... | Fast food restaurant |
| (13) | X..... | Gas service/filling station |
| (14) | X..... | Helistops (as a principal use) |
| (15) | SE..... | High-tech, laboratory and/or office research (in multi-story buildings) |
| (16) | X..... | Hospital |
| (17) | P..... | Indoor recreational facilities |
| (18) | SE..... | Integrated health park |
| (19) | X..... | Marine facilities (consider deletion from this portion of this chapter) |
| (20) | P..... | Medical or dental clinics |
| (21) | X..... | Mobile home parks, subject to provisions of division 26 of article X of this chapter and chapter 12 |
| (22) | X..... | Motel, hotel |
| (23) | P..... | Museums and art galleries |
| (24) | X..... | Nurseries and greenhouses |
| (25) | SE..... | Nursing and convalescent facilities |
| (26) | P..... | Office buildings |
| (27) | X..... | Outdoor recreational facilities, amusements |
| (28) | SE..... | Performing theater |
| (29) | P..... | Printing and publishing services |

- (30) SE..... Public parking garage
- (31) SE..... Public uses
- (32) X..... Recreational vehicle parks
- (33) SE P..... Residential-DAU Residential, Accessory (see section 27-1669.1)
- (34) SE..... Restaurant, tavern or lounge
- (35) P..... Retail, service or repair
- (36) SE..... Schools, private (for profit)
- (37) X..... Self-service storage facilities
- (38) SE..... Shopping centers w/aggregate floor area of more than 20,000 square feet
- (39) SE..... Swimming pools (as a principal use)
- (40) X..... Theaters, drive-in
- (41) X..... Timesharing
- (42) X..... Truck rentals and leasing
- (43) X..... Utility service and transmission towers
- (44) P..... Water oriented uses
- (45) SE..... Wholesale outlets and distributors
- (46) P..... Veterinary clinics (see division 22 of article X of this chapter.)

IOZ district: Center Street/Maplewood Drive
 Underlying district: "C-3" (commercial, office)

- | (1) | Status | Use |
|------|----------------|--|
| (1) | SE..... | Assisted and independent living facilities (see division 8 of article X of this chapter) |
| (2) | X..... | Arenas, auditoriums |
| (3) | P..... | Banking, finance and insurance |
| (4) | SE..... | Clubs |
| (5) | SE..... | Day care and preschool facilities |
| (6) | SE..... | Funeral homes |
| (7) | X..... | Gasoline service or filling station |
| (8) | X..... | Helistops (as a principal use) |
| (9) | SE..... | High-tech, laboratory and/or office research (in multi-story buildings) |
| (10) | X..... | Hospitals |
| (11) | SE..... | Integrated health park |
| (12) | SE..... | Licensed service provider facilities offering licensable service components as listed in F.S. § 397.311(18)(b, c, d). The services listed in F.S. § 397.311(18)(e and g) may be permitted as a special exception use only in conjunction with, and as a part of, services listed in F.S. § 397.311(18)(b, c, d). |
| (13) | P..... | Limited retail sales |
| (14) | P..... | Medical and dental clinics |
| (15) | SE..... | Motel, hotel |
| (16) | P..... | Office buildings |
| (17) | X..... | Public parking garage |
| (18) | SE..... | Public uses |
| (19) | P..... | Restaurant, tavern or lounge |
| (20) | <u>P</u> | <u>Residential, Accessory (see section 27-1669.1)</u> |

- (20-21) SE..... Shopping centers of greater than 100,000 square feet of total floor area. Uses allowed shall be those listed as P use-by-right in the C-2 district area and dimension regulations shall follow section 27-588
- (21-22) SE..... Swimming pools (as a principal use)
- (22-23) X..... Timeshares
- (23-24) X..... Utility service/transmission towers
- (24-25) SE..... Veterinary clinics (see division 22 of article X of this chapter.)

IOZ district: Civic Core
 Underlying district: "C-3" (commercial, office)

- | | Status | Use |
|---------|---------|--|
| (1) | SE..... | Assisted and independent living facilities (see division 8 of article X of this chapter) |
| (2) | X..... | Arenas, auditoriums |
| (3) | P..... | Banking, finance and insurance |
| (4) | SE..... | Clubs |
| (5) | P..... | Day care and preschool facilities |
| (6) | SE..... | Funeral homes |
| (7) | X..... | Gasoline service or filling station |
| (8) | X..... | Helistops |
| (9) | SE..... | High-tech, laboratory and/or office research (in multi-story buildings) |
| (10) | X..... | Hospitals |
| (11) | SE..... | Integrated health park |
| (12) | P..... | Limited retail sales |
| (13) | P..... | Medical and dental clinics |
| (14) | SE..... | Motel, hotel |
| (15) | P..... | Office buildings |
| (16) | SE..... | Public parking garage |
| (17) | SE..... | Public uses |
| (18) | P..... | <u>Residential, Accessory (see section 27-1669.1)</u> |
| (18-19) | P..... | Restaurant, tavern or lounge (less than 2,500 gross square feet) |
| (19-20) | SE..... | Restaurant, tavern or lounge (greater than 2,500 gross square feet) |
| (20-21) | P..... | Shopping centers (less than 5,000 gross square feet) |
| (21-22) | X..... | Shopping centers (greater than 5,000 gross square feet) |
| (22-23) | SE..... | Swimming pools (as a principal use) |
| (23-24) | X..... | Timeshares |
| (24-25) | X..... | Utility service/transmission towers |
| (25-26) | SE..... | Veterinary clinics (see division 22 of article X of this chapter.) |

IOZ district: U.S. 1 Office
 Underlying district: "C-3" (commercial, office)

- | | Status | Use |
|-----|---------|--|
| (1) | SE..... | Assisted and independent living facilities (see division 8 of article X of this chapter) |
| (2) | X..... | Arenas, auditoriums |
| (3) | P..... | Banking, finance and insurance |
| (4) | SE..... | Clubs |

- (5) SE..... Day care and preschool facilities
- (6) SE..... Funeral homes
- (7) SE..... Gasoline service or filling station
- (8) X..... Helistops (as a principal use)
- (9) X..... Hospitals
- (10) SE..... Integrated health park
- (11) P..... Limited retail sales
- (12) P..... Medical and dental clinics
- (13) SE..... Motel, hotel
- (14) P..... Office buildings
- (15) SE..... Public parking garage
- (16) SE..... Public uses
- (17) P..... Residential, Accessory (see section 27-1669.1)
- (17 18) P..... Restaurant, tavern or lounge
- (18 19) SE..... Shopping centers of greater than 100,000 square feet of total floor area. Uses allowed shall be those listed as P use-by-right in the C-2 district area and dimension regulations shall follow section 27-588
- (19 20) SE..... Swimming pools (as a principal use)
- (20 21) X..... Timeshares
- (21 22) X..... Utility service/transmission towers

IOZ district: Parkways
Underlying district: "C-3" (commercial, office)

- | Status | Use |
|-----------------|--|
| (1) SE..... | Assisted and independent living facilities (see division 8 of article X of the chapter) |
| (2) X..... | Arenas, auditoriums |
| (3) P..... | Banking, finance and insurance |
| (4) SE..... | Clubs |
| (5) P..... | Day care and preschool facilities |
| (6) SE..... | Funeral homes |
| (7) SE..... | Gasoline service or filling station |
| (8) X..... | Helistops (as a principal use) |
| (9) SE..... | High-tech, laboratory and/or office research (in multi-story buildings) |
| (10) X..... | Hospitals |
| (11) SE..... | Integrated health park |
| (12) P..... | Limited retail sales |
| (13) P..... | Medical and dental clinics |
| (14) SE..... | Motel, hotel |
| (15) P..... | Office buildings |
| (16) X..... | Public parking garage |
| (17) SE..... | Public uses |
| (18) P..... | <u>Residential, Accessory (see section 27-1669.1)</u> |
| (18 19) P..... | Restaurant, tavern or lounge |
| (19 20) X..... | Shopping centers of greater than 100,000 square feet of total floor area. Uses allowed shall be those listed as P use-by-right in the C-2 district area and dimension regulations shall follow section 27-588. |
| (20 21) SE..... | Swimming pools (as a principal use) |

- (21 22) X..... Timeshares
- (22 23) X..... Utility service/transmission towers
- (23 24) SE..... Veterinary clinics (see division 22 of article X of this chapter.)

Section 15. Section 27-916 entitled, "Amendments to approved PUD master plans" is hereby amended, as follows:

"Amendments to approved PUD master plans and small scale planned development site plans"
Minor amendments to an approved planned unit development master plan and small scale planned unit development site plans may be approved by the Director of the Department of Planning and Zoning in consultation with other Town staff, as appropriate. The following types of amendments shall not be considered minor, and shall require formal review by the Town's Planning and Zoning Commission and the Town Council, after public notice:

- (1) Any proposed increases in:
 - a. The addition of square footage to any building by more than 20 percent, excluding accessory structures, and/or maintenance/storage buildings that are 2,000 square feet or less. If the addition is on a non-conforming lot based on lot size, then the maximum addition of square footage to any building shall not exceed 30 percent;
 - b. The number of structures excluding accessory structures of 2,000 square feet or less;
 - c. The number of residential dwelling units, except adding up to three accessory residential dwelling units; or
 - d. An increase in building height of any building as specified by the adopted master plan that results in increasing the number of stories, except if in conjunction with adding one accessory residential dwelling unit.

However, any proposed reductions in the total square footage of any building, or in the number of structures, stories or units, as specified by the master plan or site plan, may be approved as minor amendments, subject to the provisions of subsection (5) of this section.

- (2) Significant changes to the approved planned unit development or a small scale planned unit development that create cumulative impacts including but not limited to increases in traffic, parking, additions of square footage, changes in uses, open space, recreation facilities and amenities, greenspace and/or other similar modifications which have the potential for a negative, adverse, or undesirable impact as determined by Town staff.
- (3) Any change, except as provided herein, in the adopted master plan or site plan that increases the density by more than five percent or ten dwelling units, whichever is less. Rearrangement of uses or locations on a property may be approved by the Director of the Department of Planning and Zoning unless the proposed amendments conflict with a specified provision of the adopted planned unit development ordinance for the property.
- (4) Any increase in the average daily traffic impact above that established for the planned unit development master plan approved by the Town Council that exceeds ten percent or 100 trips, whichever is less.
- (5) Any amendments which would significantly alter the character and/or the appearance of the development, or result in a decrease in the amount or quality of the approved amenities and/or public benefits for a planned unit development or small scale planned unit development, after a site plan is approved by the Town for the planned unit development, or a portion of it, and any residential or nonresidential units in the planned unit development are sold. Such amenities shall include, but not be limited to, pools, clubhouses, common parking areas for large vehicles and boats, exercise trails, public access to waters or beaches, marinas, boat docks, tennis courts and racquetball courts.
- (6) Significant changes in architectural styles, colors, or building materials that are inconsistent with the approved master plans.
- (7) Changes to such items as a planned unit development phasing plan or developer control, that substantially impact the planned unit development.

- (8) For those resolutions and/or ordinances approved prior to September 9, 2008, any amendment that would modify any aspect or portion of the adopted master site plan for which a specific condition was added at the public hearing by the Town Council. For resolutions and/or ordinances approved after August 19, 2008, any amendments that modify a specific portion of the adopted site plan for a condition that states it can only be amended by the Town Council.

Section 16. Section 27-1669.1 of the Town Code, entitled "Accessory residential uses" is hereby created, as follows:

- (a) An accessory residential use on a non-residential property shall adhere to the following requirements:
1. A dwelling unit shall be a minimum of 500 square feet and a maximum of 1,200 square feet of gross floor area in total size;
 2. A dwelling unit shall be a rental apartment or a live-work unit occupied by the property owner;
 3. No dwelling unit shall be located on the ground floor;
 4. The dwelling unit shall incorporate CPTED criteria per Division 37, Article X, Chapter 27;
 5. A shared or individual outdoor space shall be provided for each dwelling unit; and
 6. A maximum of three dwelling units may be permitted on a lot or parcel or land;
- (b) Administrative approval may be granted for the request for one accessory residential unit.
- (c) Any request for two or three accessory residential units shall be reviewed and approved by the Town Council. Requests of more than three dwelling units must submit an application for a Mixed Use land use.

Section 17. Conflicts. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 18. Codification. The Sections of the 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 19. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 20. Effective Date. This Ordinance shall take effect immediately upon adoption.

Upon First Reading this 17th day of August, 2010, the foregoing Ordinance was offered by Councilor Todd R. Wodraska, who moved its adoption. The motion was seconded by Councilor Robert M. Friedman, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	X	_____
VICE-MAYOR WENDY HARRISON	X	_____
COUNCILOR ROBERT M. FRIEDMAN	X	_____
COUNCILOR JIM KURETSKI	_____	X
COUNCILOR TODD R. WODRASKA	X	_____

Upon Second Reading this 21st day of September, 2010, the foregoing Ordinance was offered by Councilor Todd R. Wodraska, who moved its adoption. The motion was seconded by Councilor Robert M. Friedman, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	X	_____
VICE-MAYOR WENDY HARRISON	X	_____
COUNCILOR ROBERT M. FRIEDMAN	X	_____
COUNCILOR JIM KURETSKI	_____	X
COUNCILOR TODD R. WODRASKA	X	_____

The Mayor thereupon declared Ordinance 15-10 duly passed and adopted this 21st day of September, 2010.

ATTEST:



 SALLY M. BOYLAN, MMC
 TOWN CLERK

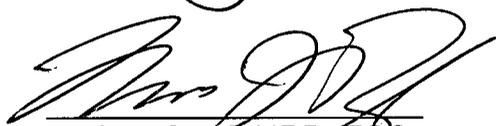
(TOWN SEAL)



TOWN OF JUPITER, FLORIDA

BY: 

 KAREN J. GOLONKA
 MAYOR



 THOMAS J. BAIRD, ESQ.
 Approved as to form and
 legal sufficiency