

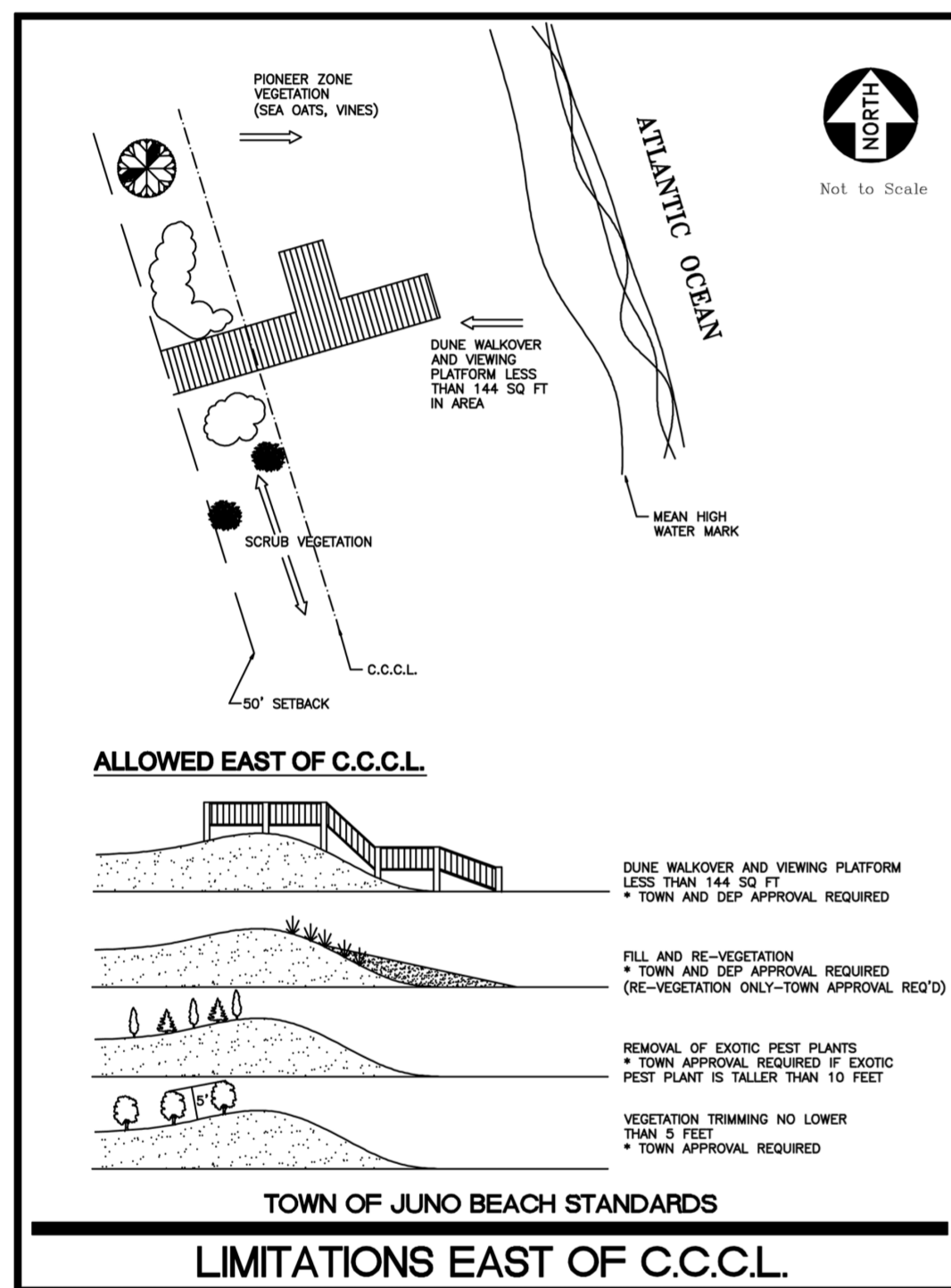
Sec. 34-1123. - Protection of coastal ridge.

It is the intent of this division to maintain and protect the vegetation and structural quality of the coastal dune as it occurs in the town and to protect rare, endangered, and threatened plant and animal species located along the coast in the town. In addition to the applicable requirements of F.S. ch. 161, and where the town has jurisdiction, the regulations set forth in this division shall be followed. (Note: all references to the Coastal Construction Control Line (CCCL) refer to that line which was established in 1979 and do not pertain to the revised line, established in August 1997.)

(Ord. No. 207, § 5.120, 8-8-1979; Ord. No. 384, 2-21-1990; Ord. No. 421, 2-19-1992; Ord. No. 450, 5-11-1994; Ord. No. 454, 11-16-1994; Ord. No. 499, 3-11-1998)

Sec. 34-1124. - Limitations east of the CCCL.

Except for dune restoration and revegetation projects and limited coastal vegetation trimming (according to the limited vegetation trimming requirements in this division), no soil, sand, rock or vegetation (excluding removal of exotic pest plants) shall be disturbed east of the Coastal Construction Control Line (CCCL). In addition, no wall, fence or other structure, excluding dune walkovers and viewing platforms less than 144 square feet in area which are an extension of the dune walkover, shall be erected eastwardly of the CCCL. Provided, however, where a dune walkover or other shared pedestrian access exists within a detached single-family home subdivision which serves the residents of that subdivision, the owners of individual lots within the subdivision may construct viewing platforms upon their individual lots. All dune walkover construction and dune restoration fill projects east of the CCCL require a state department of environmental protection (DEP) permit and town approval of the town planning and zoning department. Dune revegetation projects and removal of any exotic pest plants greater than ten feet in height require only town approval of the town planning and zoning department.



(Ord. No. 207, § 5.121, 8-8-1979; Ord. No. 421, 2-19-1992; Ord. No. 556, § 2(exh. A), 10-9-2002; Ord. No. 553, § 2(exh. A), 12-11-2002)

Sec. 34-1125. - Limitations between the CCCL and the town's 50-foot setback west of the CCCL.

(a) Limitations on structures.

- (1) Minor structures shall be permitted to be constructed between the Coastal Construction Control Line (CCCL) and the town's 50-foot setback west of the CCCL after review and approval by the town planning and zoning department. However, privacy fences shall be allowed only to outline a pool and deck area and shall extend no further into the 50 foot setback area. Construction of dune walkovers and other minor structures shall be in accordance with state department of environmental protection (DEP) and town standards.
- (2) Structures, other than minor structures, shall require review by the planning and zoning board and approval by the town council. Such review and approval shall include a balance between the intent of this division with other goals, objectives, and policies of the comprehensive development plan, such as, but not limited to, decreasing densities in the coastal area.

(b) Native dune vegetation within the town's 50-foot setback west of the CCCL shall be trimmed no lower than five feet above grade. The terms "trimming," "hedging," "cutting," "pruning," or any other term used to identify cutting any part of a sea grape plant shall be regulated by this division. If a petitioning party wishes to trim below the five-foot minimum, the following shall apply:

- (1) The petitioner shall obtain and complete an application for trimming native dune vegetation below the required five-foot minimum. The application will be provided by the town and may be amended from time to time by the director of planning and zoning. The applicant will be required to submit, as part of the application, a complete evaluation of the subject area proposed for trimming by a qualified environmental professional as defined herein; and will require an application fee, as well as a fee for any professional review by the town associated with the application process. The petitioner will be required to obtain approval from the state department of environmental protection (DEP) prior to approval from the town.
- (2) The bona fide environmental professional shall be proficient in all environmental aspects associated with the vegetation, trimming of vegetation, the dune, dune system and sea turtles. The town shall review the credentials of the individual claiming environmental professional status according to these disciplines. The applicant will be responsible for consulting with a party that has satisfactorily been approved by the town under this criteria.
- (3) The professional's evaluation shall include consideration of the proposed trimming height; and such proposed trimming's effect on the vegetation, the dune, the dune system and impacts from the proposed trimming on the natural sea turtle and other wildlife activities in the area.

- (4) Upon evaluation, the professional shall determine whether the impacts will positively or negatively affect, in any way, the vegetation, the dune, the dune system and/or natural sea turtle activity.
- (5) Said determination shall be made in writing and incorporated into the application/or attached thereto with an accompanying recommendation for a specific height.
- (6) The applicant shall be responsible for the town's fee for a bona fide professional review of said evaluation, consideration, determination and recommendation. The town's professional shall provide findings in writing within two weeks of a completely submitted application. Based on these findings the town may approve, deny or approve with specific conditions the petition.
- (7) Procedures for trimming shall be followed according to figure 3 following this section; or according to the approved professional recommendations.
- (8) Once approval is given for a property, such property shall be permitted to maintain the sea grapes according to said approval on a regular basis without further environmental review, however standard administrative trimming approval must still be obtained and the town's standard administrative form required every time trimming takes place. Additionally, if at any time after an approval is given, should any adverse impacts to the vegetation, the dune, the dune system, sea turtle and other wildlife activities in the area be questioned by the town, a reevaluation of the trimmed height effects will be required. In such a case, the town may require an adjustment, not to exceed the town's minimum five-foot height.
- (c) No native dune vegetation within the town's 50-foot setback west of the CCCL shall be removed, except for exotic pest plants. Removal of any exotic pest plants greater than ten feet in height requires approval of the town planning and zoning department prior to removal.

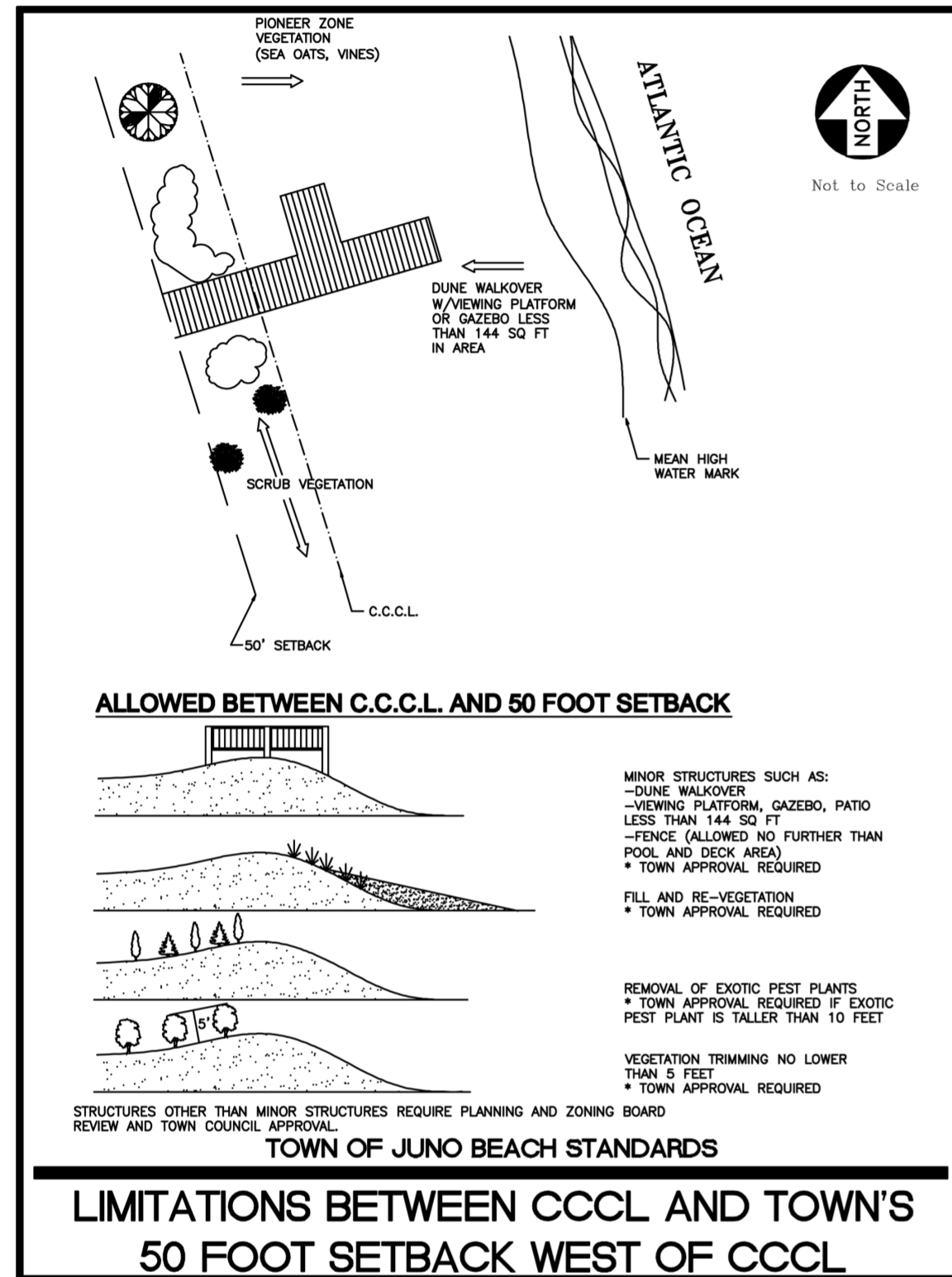


FIGURE #3



SEAGRAPES MAY BE MAINTAINED TO A MINIMUM FIVE (5) FEET IN HEIGHT



TOWN NOTIFICATION IS REQUIRED FOR TRIMMING AND TRIMMING MUST BE PERFORMED BY AN INDIVIDUAL OR COMPANY THAT IS KNOWLEDGEABLE OF THE PROPER TECHNIQUES FOR TRIMMING.



CLIPPINGS MUST BE LEFT IN PLACE TO RESTORE NUTRIENTS TO THE SOIL. CLIPPINGS MAY BE CHIPPED OR MULCHED.

TOWN OF JUNO BEACH STANDARDS

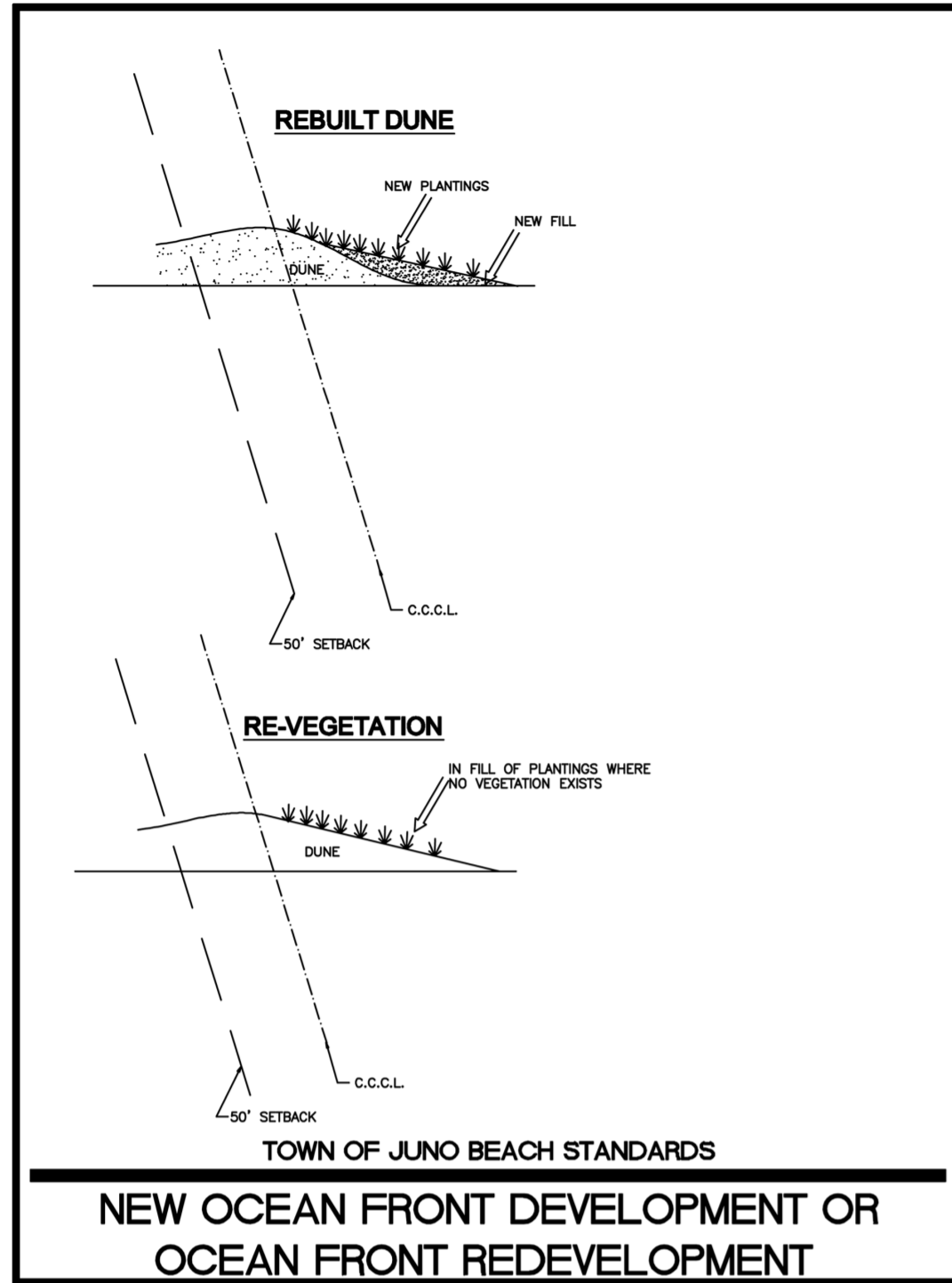
## VEGETATION TRIMMING PROCEDURES

5.120-1C

(Ord. No. 207, § 5.122, 8-8-1979; Ord. No. 421, 2-19-1992; Ord. No. 553, § 2(exh. A), 12-11-2002)

Sec. 34-1126. - New oceanfront developments or oceanfront redevelopment.

Any new oceanfront development or oceanfront redevelopment shall be required to protect and preserve existing dune vegetation, except when the town requires the dune to be rebuilt. Dunes shall be required to be rebuilt and revegetated where they have been destroyed. Historical data and/or nearby properties with existing dunes shall be used for determination of required dune height. In addition, as part of the development or redevelopment, areas in need of revegetation eastward of the town's 50-foot setback west of the CCCL shall be revegetated with appropriate native dune vegetation. During construction activities, all dune preserve areas which could be impacted shall be fenced off with screening to prevent any damage to vegetation.

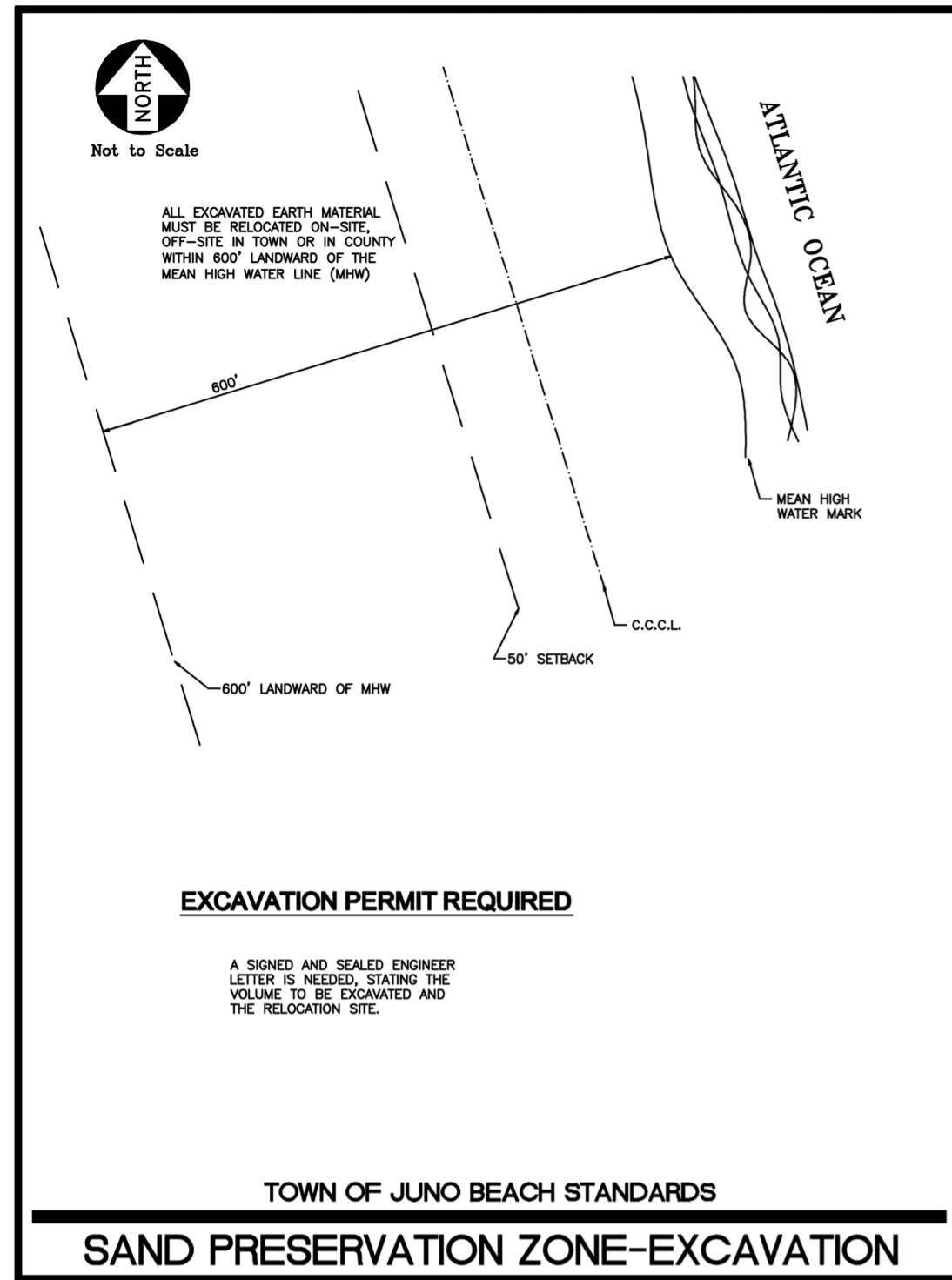


5.120-2A

(Ord. No. 207, § 5.123, 8-8-1979; Ord. No. 421, 2-19-1992)

Sec. 34-1127. - Sand preservation zone, excavation.

Within the sand preservation zone, all excavated earth material shall be required to be either relocated on site and/or disposed of off site preferably in the town or otherwise elsewhere in the county within the sand preservation zone. The purpose of this requirement is to maintain the volume and quality of beach sand presently existing within the beach/dune system in the town and the county. An excavation permit shall be required from the town prior to any excavation in this zone. Prior to permit issuance, the applicant must supply a signed and sealed letter from a professional engineer stating the amount of material to be excavated and the relocation site. (Note: Any fill placed east of the CCCL requires a DEP permit.)



(Ord. No. 207, § 5.124, 8-8-1979; Ord. No. 421, 2-19-1992)

Sec. 34-1128. - Protection of sea turtles.

The town adheres to the county's turtle protection regulations as specified in article 14, chapter A of Palm Beach County's Unified Land Development Code, excluding, however, those provisions regarding sand preservation. No building permit or certificate of occupancy shall be issued until all requirements of the county's turtle protection regulations have been met.

(Ord. No. 207, § 5.125, 8-8-1979; Ord. No. 421, 2-19-1992)

Sec. 34-1129. - Applicability of chapter and county land development code.

See article IV, division 7 of this chapter and the county's Environmentally Sensitive Lands Ordinance per article 14, chapter C of the Palm Beach County Unified Land Development Code for additional requirements.

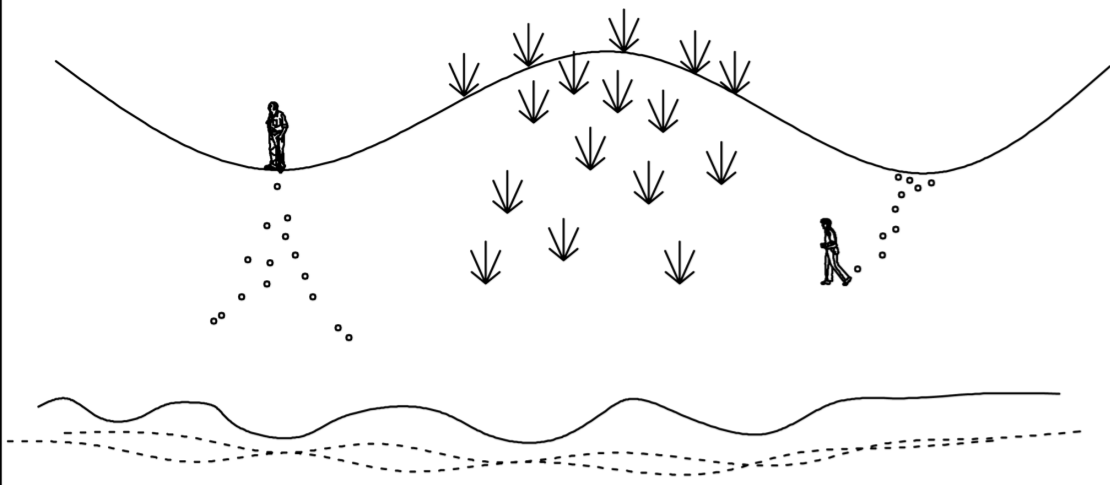
(Ord. No. 207, § 5.126, 8-8-1979; Ord. No. 421, 2-19-1992)

Sec. 34-1130. - Dune walkovers required for all beach accesses.

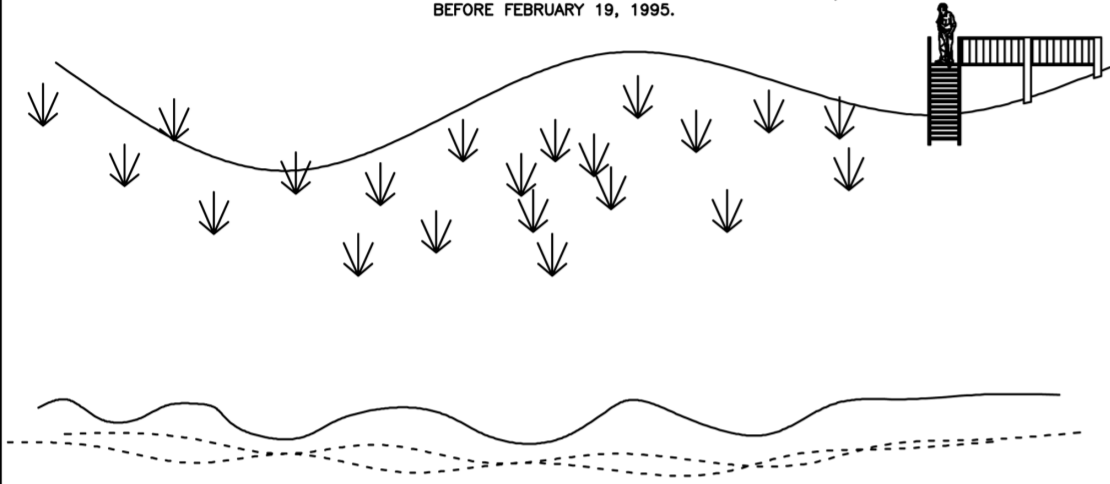
- (a) All existing and new public and private accesses to the beach which serve more than 15 dwelling units shall be required to be provided with a dune walkover per town and DEP division of beaches and shores standards.
- (b) Any existing dune walkovers (wooden structures) which do not meet town and DEP standards shall be considered nonconforming; however, when such structure requires replacement or repair of 50 percent or more of the total lineal feet of the structure, the entire structure shall be replaced and conform to town and DEP standards.



Not to Scale



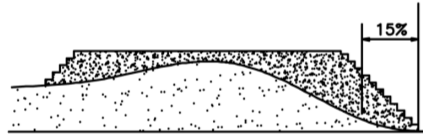
ANY EXISTING FOOTPATHS TO THE BEACH SHALL EITHER BE REVEGETATED OR REPLACED WITH A WOODEN DUNE WALKOVER STRUCTURE MEETING TOWN AND DEP STANDARDS, ON OR BEFORE FEBRUARY 19, 1995.



TOWN OF JUNO BEACH STANDARDS

### EXISTING FOOTPATHS

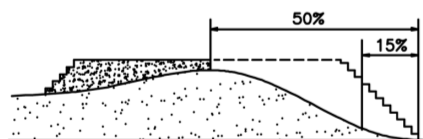
5.120-3A



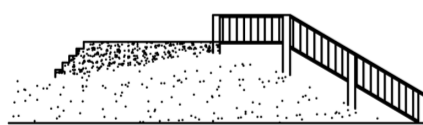
IF LESS THAN 15% OF TOTAL LINEAL FEET OF A CONCRETE WALKWAY MUST BE REPAIRED OR REPLACED



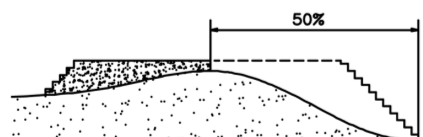
CONCRETE MAY BE REPAIRED OR REPLACED



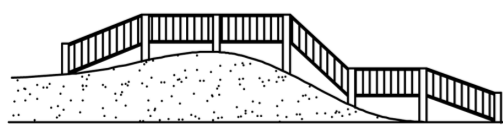
IF BETWEEN 15 AND 50% OF TOTAL LINEAL FEET MUST BE REPAIRED OR REPLACED.



THAT SECTION OF CONCRETE SHALL BE REMOVED AND A WOODEN DUNE WALKOVER PER TOWN AND DEP STANDARDS SHALL BE PUT IN ITS PLACE.



IF EITHER INCREMENTALLY OR AT ONE TIME 50% OR MORE OF THE TOTAL LINEAL FEET OF SUCH A CONCRETE WALKWAY HAS BEEN OR MUST BE REPLACED OR REPAIRED.

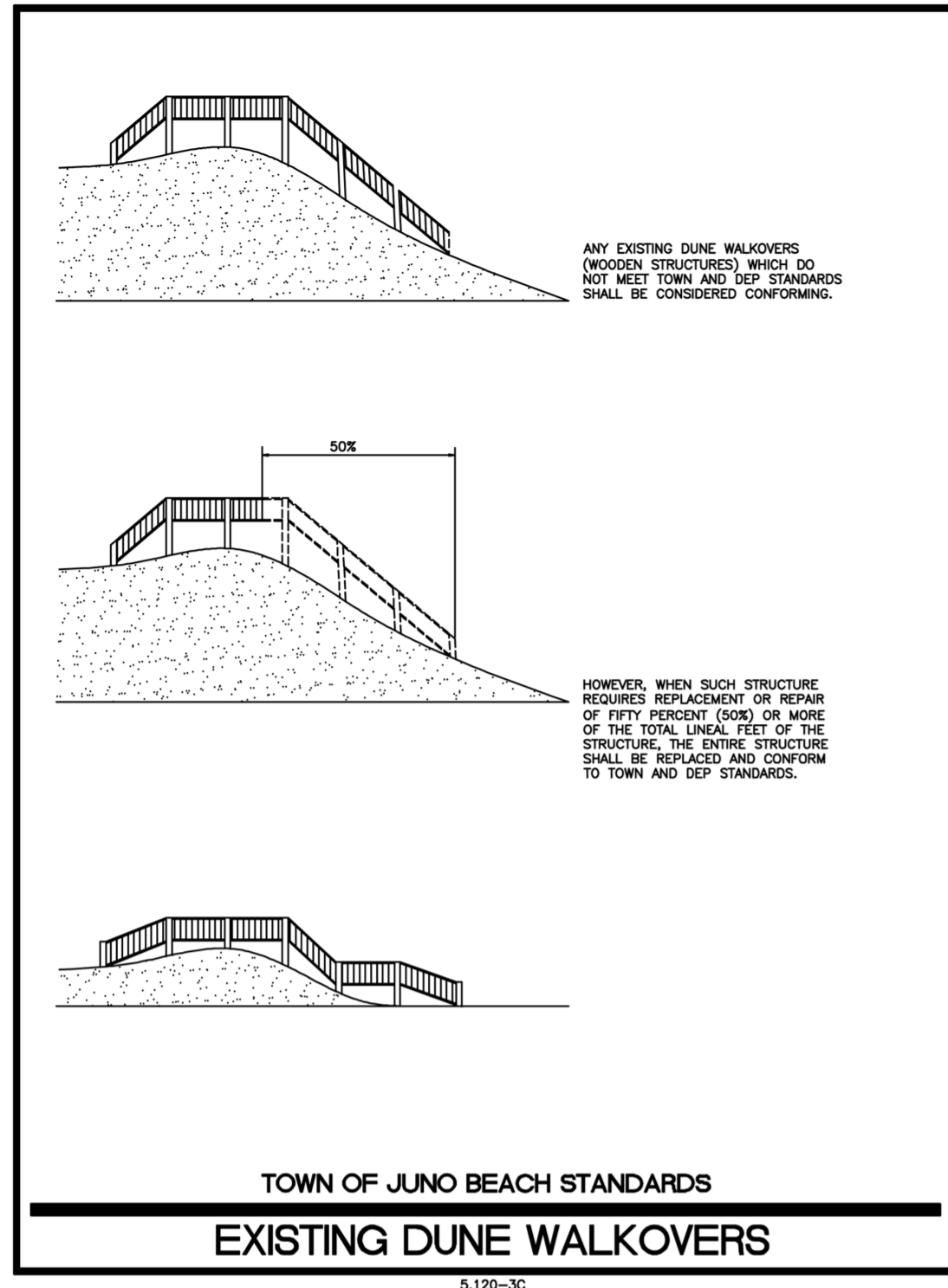


THE ENTIRE CONCRETE WALKWAY MUST BE REPLACED WITH A WOODEN DUNE WALKOVER PER TOWN AND DEP STANDARDS

TOWN OF JUNO BEACH STANDARDS

### REPAIR OR REPLACEMENT OF NON-CONFORMING CONCRETE WALKWAYS

5.120-3B



(Ord. No. 207, § 5.127, 8-8-1979; Ord. No. 421, 2-19-1992; Ord. No. 489, 12-11-1996)

Sec. 34-1131. - Emergencies and exemptions.

- (a) In the case of emergencies, for example, those caused by hurricanes, severe storms, or other similar events, the town manager may make exceptions to the regulations in this division, in consultation with DEP if required, to protect the health, safety, and welfare of town residents and visitors.
- (b) Exemptions to these regulations may be granted by town staff when the regulations established in this division conflict with other governmental agency requirements, or when minor modifications to existing improvements located within the town's 50-foot setback west of the CCCL will have no negative impact on the dune or other purposes of this division.

(Ord. No. 207, § 5.128, 8-8-1979)

Sec. 34-1132. - Exterior lighting in commercial districts.

All exterior lighting for the buildings and parking areas shall be directed away from residential areas.

(Ord. No. 207, § 5.130, 8-8-1979; Ord. No. 383, 2-21-1990)

Sec. 34-1133. - Use of reflective or mirrored material as exterior treatment of buildings.

Any building which utilizes reflective or mirrored material as building facing must be situated on its site in such a manner that at no time will the sun's reflection cast light into adjacent residential area and/or onto adjacent roads. The angles of the sun's reflection must be shown mathematically, taken into account for all seasons of the year.

(Ord. No. 207, § 5.140, 8-8-1979)

Secs. 34-1134—34-1159. - Reserved.