



## **Town Appearance and Architectural Review Authority** Town of Juno Beach

1. Table of Contents and Chronological Summary
2. Supporting/Referenced Documents from the Chronology (Ordinances, Minutes, etc.)

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**Town Appearance & Architectural Review Authority**  
Town of Juno Beach

**1. Ordinance No. 207**

Foundational Zoning Authority - August 8, 1979

Ordinance No. 207 established the Town’s zoning regulations and Land Development Code (LDC). This ordinance created the foundational authority for land use regulation, zoning districts, and development standards. Section 5.200 was adopted; however, it was not indexed in early code compilations.

**2. Ordinance No. 268**

Creation of Appearance Review Framework - December 14, 1983/January 4, 1984 Created Appearance Review Board (ARB) and Town Appearance Plan

Ordinance No. 268 created Chapter 4, Article VI – Appearance Board. The ordinance established the Town Appearance Review Board (ARB) and adopted the Town Appearance Plan. It defined external architectural features subject to review and required ARB approval through a Certificate of Appropriateness unless the Building Official determined that review was not required.

**3. Minutes – Special Meeting**

March 23, 1988

POD approval with reference to Appearance Board

**4. Minutes - Community Appearance Workshop**

November 25, 1991

Stating Architectural standards not in code.

**5. Ordinance No. 421**

Codification of Appearance Review - February 5 & 19, 1992  
Formalized Site Plan & Appearance Review

Ordinance No. 421 comprehensively revised the zoning code and formally codified Site Plan and Appearance Review procedures. Sections 11.00 through 11.50 were adopted, including Section 11.20 governing Site Plan and Appearance Review. Review authority was assigned to the Planning and Zoning Board (PZB) and Town Council, with staff-level review for single-family homes. Community Appearance Standards were codified under Section 5.200, later renumbered as Sections 34-1302 through 34-1307.

**6. Ordinance No. 450**

Reassignment of Review Authority - May 11, 1994  
Transferred certain reviews from PZB to Staff

Ordinance No. 450 implemented a comprehensive review and reorganization of the zoning ordinance. Among other changes, site plan and appearance review responsibilities for certain zoning districts were reassigned from the Planning and Zoning Board to Town Staff.

**7. Minutes/Council Meeting - Discussion**

October 22, 1997

The Town Council discussed Appearance Review and there is a stated desire to establish a separate Appearance Review Board.

**8. Ordinance 512**

Amending the Comprehensive Zoning Ordinance  
July 28, 1999

Ordinance 512 amended the Comprehensive Zoning Ordinance by updating community appearance standards, revising street section diagrams, adjusting the screening deadline for solid waste disposal facilities, and modifying regulations for permanent commercial signage.

**9. Ordinance 517**

Adoption of Comprehensive Zoning Ordinance  
December 1, 1999

Ordinance No. 517, adopted by the Town Council of Juno Beach, Florida, amends the Comprehensive Zoning Ordinance by revising sections related to community appearance standards, landscaping requirements, parking for restaurants, public recreation zoning district criteria, and site plan and appearance review. It includes provisions for codification, severability, and an effective date. Public hearings were held on November 17 and December 1, 1999, to allow public input.

**10. Ordinance No. 610**

Recodification February 13, 2008  
Adopted new Code of Ordinances

Ordinance No. 610 adopted a complete recodification of the Town Code of Ordinances, Chapters 1 through 34, effective February 27, 2008. The ordinance expressly repealed any ordinances or regulations not included in the new code.

**11. Minutes/Council Meeting**

Temporary Suspension Discussions  
June 11, 2008

Town Council discussed holding enforcement of appearance review based on prior direction from May 2007. The Town Attorney advised that appearance review provisions remained in the Code but were temporarily placed on hold.

**12. Ordinance No. 678**

Amending Chapter 34 “Zoning”  
Effective November 18, 2014

Adopted as to Site Plan and Appearance Review Criteria.

**13. FS §163.3202(5)(a) effective**

State Law Preemption - January 1, 2020

Florida Statutes Section 163.3202(5)(a) became effective, preempting local regulation of building design elements for single-family and two-family dwellings unless the dwelling is located within a Planned Unit Development or within a jurisdiction that created a Design Review Board or Architectural Review Board prior to January 1, 2020

**14. Ordinance No. 745**

Reassignment to PZB - September 22, 2021  
Assigned Site Plan & Appearance Review to PZB

Ordinance No. 745 reassigned site plan and appearance review, including architectural review, of detached single-family dwellings to the Planning and Zoning Board. This action was taken to preserve Architectural Review authority in light of state-law preemption.

TC → PZB  
Site plans and Appearance (include Architectural) from staff to PZB

**SEC. 34-28. - PLANNING AND ZONING BOARD DUTIES.**

The planning and zoning board shall issue recommendations to the town council on ... **site plan and appearance reviews** ,... .

... shall have final decision-making authority on **site plan AND appearance review, specifically including architectural review**, of detached single-family dwellings not located within an approved planned unit development

**15. Ordinance No. 753**

Partial Rollback - September 28, 2022  
Returned Site Plan Review to Staff

Ordinance No. 753 amended Section 34-28 of the Town Code to return site plan review authority to Town Staff, while retaining appearance and architectural review authority with the Planning and Zoning Board.

TC → PZB Appearance (include Architectural)  
TC → STAFF (Site plans)

**SEC. 34-28. - PLANNING AND ZONING BOARD DUTIES.** The planning and zoning board shall issue recommendations to the town council ..., on all matters ... **site plan and appearance reviews**, ... final decision-making authority on site plan and **appearance review, specifically including architectural review...** of detached single-family dwellings not located within an approved planned unit development. ...

**16. Ordinance No. 761**

Proposed to Reassign Site Plan  
May 16, 2023

Ordinance No. 761 proposed to reassign site plan review of detached single-family dwellings back to the Planning and Zoning Board while maintaining architectural and appearance review authority. The ordinance failed on first reading, resulting in Staff retaining site plan review and the Planning and Zoning Board retaining appearance review, including architectural review.

**17. Ordinance No. 763**

Harmony Standards - July 26, 2023  
Introduced Harmony definition and criteria

Ordinance No. 763 introduced a new definition of 'Harmony' and established updated appearance review criteria, including mass, proportion, and scale considerations. Section 34-116 was amended to reflect these standards.

**18. Ordinance No. 780**

Expansion of Review Radius - January 24, 2024  
Expanded harmony review to 300-foot range

Ordinance No. 780 further amended Section 34-116 to expand appearance and harmony review criteria, requiring consideration of structures within a 300-foot radius.

**19. SB 180 effective Recent Legislative Context**

August 1, 2025

Senate Bill 180 became effective, further clarifying and reinforcing state-level limitations on local regulation of building design elements, with continued relevance to appearance and architectural review authority.

**1. Ordinance No. 207**

Foundational Zoning Authority - August 8, 1979

TOWN OF JUNO BEACH, FLORIDA

PUBLIC HEARING

August 8, 1979

7:00 P. M.

Town Hall

Present:

Charles B. Flack, Mayor  
George J. Varley, Vice Mayor  
Thomas P. Pooley, Vice Mayor Pro Tem  
Alfred M. Elderd, Commissioner  
Harry G. Gragg, Commissioner - arrived late

Also Present:

Charles Mosgrove, Acting Town Attorney  
Gail F. Nelson, Town Clerk  
Richard G. Orman, Ph.D., Town Planner  
Thomas F. Kelsey, Ph.D., Town Planner

This Public Hearing was scheduled for the purpose of affording interested persons the opportunity for being heard with respect to the proposed zoning map and zoning ordinance for the Town of Juno Beach.

Approximately 20 persons were in attendance.

The hearing opened with the Pledge of Allegiance.

Dr. Orman explained the zoning ordinance and map, going over where each district was located and what was allowed in each.

The following persons spoke before the Commission:

David Walters - property north of Donald Ross Road - called density and height restrictions on his property unfair. Also questioned the status of an office building located on his property.

James Winters - Florida Power & Light - suggested new working for "essential services" in order to permit construction of power poles and lines.

Luke Taylor - representing M.A.C. and Hendel - asked for increased height in RM-2 district and wanted to be able to put multi-family buildings in RM-1, now limited to four-plex units.

David Hendel - property owner in Southtown District - wanted more height allowed with a trade-off for open space.

Bill Willis - Trustee Ocean Terrace Property - said height restrictions too low.

Harry Siefert - property owner - Sea Dunes S/D - questioned status of smaller lots of record.

7:40 P. M.:

Commissioner Gragg arrived.

Motion:

Commissioners Varley/Pooley moved to adjourn.  
The motion passed unanimously.

Motion:

Commissioners Gragg/Pooley moved to reconsider the motion to adjourn.  
Commissioner Elderd was called to the phone.  
The vote on the motion to reconsider the motion to adjourn passed 3 to 1 with Commissioner Varley opposed.

Original Motion Restated:

Commissioners Varley/Pooley moved to adjourn.  
The motion failed 1-3 with Commissioner Varley in favor and Mayor Flack and Commissioners Gragg and Pooley opposed.

George Bingham - Beach Plaza - questioned the size limitation on signs and the provisions for marquee signs.

## **2. Ordinance No. 268**

Creation of Appearance Review Framework -  
December 14, 1983/January 4, 1984 Created  
Appearance Review Board (ARB) and Town  
Appearance Plan

ORDINANCE NO. 268

AN ORDINANCE OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF JUNO BEACH AT CHAPTER 4, BUILDINGS, BY THE CREATION OF AN ARTICLE VI, ENTITLED "APPEARANCE BOARD"; PROVIDING FOR AN INTENT AND PURPOSE; CREATING AN APPEARANCE BOARD; SETTING FORTH THE TERM OF OFFICE FOR BOARD MEMBERS; ESTABLISHING QUALIFICATIONS FOR BOARD MEMBERS; PROVIDING FOR THE APPOINTMENT OF A CHAIRMAN AND VICE CHAIRMAN BY THE BOARD; PROVIDING FOR THE FILLING OF VACANCIES; ESTABLISHING MEETING DATES; PROVIDING FOR A QUORUM; PROVIDING THAT THE BOARD SHALL KEEP MINUTES; ESTABLISHING THE POWERS AND DUTIES OF THE APPEARANCE BOARD; PROVIDING THAT THE APPEARANCE BOARD SHALL PREPARE A PROPOSED APPEARANCE PLAN; PROVIDING FOR A PUBLIC HEARING ON PROPOSED APPEARANCE PLAN; PROVIDING FOR THE ADOPTION OF APPEARANCE PLAN BY TOWN COMMISSION; PROVIDING FOR AMENDMENTS TO APPEARANCE PLAN; PROVIDING FOR PRELIMINARY CONSIDERATION OF CERTIFICATE OF APPROPRIATENESS BY BOARD; PROVIDING FOR FINAL HEARINGS BY THE BOARD; ESTABLISHING WHAT ACTION MAY BE TAKEN BY BOARD; PROVIDING THAT PRIOR TO ISSUANCE OF BUILDING OR OTHER PERMITS, A CERTIFICATE OF APPROPRIATENESS MUST BE APPROVED BY BOARD; PROVIDING FOR APPEALS AND REVIEW; PROVIDING FOR FOLLOW-UP BY BUILDING INSPECTOR; PROVIDING FOR A DEFINITION; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING THAT CONFLICTING ORDINANCES SHALL BE REPEALED; PROVIDING AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Juno Beach, Florida, has determined that it is in the best interests of the said Town and will promote the public health, safety and general welfare of the residents of said town, and will protect and enhance the property values in said town, to adopt an Appearance Code for said Town.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE TOWN COMMISSION OF JUNO BEACH, FLORIDA, that:

Section 1. Chapter 4, BUILDINGS, of the Code of Ordinances of the Town of Juno Beach, Florida, be amended by the creation of an article to be numbered "VI", entitled "Appearance Board", to read in its entirety as follows:

ARTICLE VI. APPEARANCE BOARD

4-122. Cited.

This Article, including any regulation hereafter adopted, shall hereafter be known, cited and referred to as the "Appearance Code".

Sec. 4-123. Intent and purpose.

This Appearance Code is adopted for the following purposes:

- (1) To promote the public health, safety, morals, comfort and general welfare of the citizens of the town.
- (2) To enhance the values of property throughout the town.
- (3) To protect and to stabilize the general appearance of buildings, structures, landscaping and open areas, in all the zoning districts of the town.
- (4) To insure adequate light, air and privacy for property in all zoning districts of the town.
- (5) To encourage and promote acceptability, attractiveness, cohesiveness and compatibility of new buildings, developments, remodeling and additions so as to maintain and improve the established standards of property values with all zoning districts of the town.

Sec. 4-124. Appearance Board — creation and term of office.

There is hereby created an Appearance Board, to consist of five (5) members appointed by the town commission. The initial appointments of members of the board shall be for the following respective terms: two (2) for one (1) year; three (3) for two (2) years. Thereafter all appointments shall be for a term of two (2) years. Two (2) alternate members shall be appointed by the town commission and may sit as members whenever the chairman of the board is advised or learns that one or two regular members will be unable to attend its meetings. Alternates will be designated as First Alternate and Second Alternate by the town commission. Alternate members will be appointed for a one (1) year term.

Sec. 4-125. Same — qualifications.

All members shall be residents of the town and shall serve without compensation. No members of the board shall participate in discussions or vote on requests for a Certificate of Appropriateness from any client he is serving or from any business with which he is directly or indirectly connected.

Sec. 4-126. Same — chairman.

The board shall appoint one of the members to serve as chairman and one member to serve as Vice-Chairman. The town clerk shall provide a town employee to serve as secretary to the board.

Sec. 4-127. Same — vacancies.

Vacancies on the board shall be filled for the unexpired term of the member whose place has become vacant in the same manner in which original appointments are required to be made.

Sec. 4-128. Same — meetings; quorum; records.

Meetings of the board shall be held at the call of the chairman, and shall be called whenever an application for a Certificate of Appropriateness is submitted for consideration. Three members shall constitute a quorum. The chairman shall be entitled to be counted in determining a quorum and to vote as a member. All meetings shall be open to the public and held on town owned property. The board shall keep minutes of its

proceedings and shall keep records of its examinations and other official action. The board may adopt its own rules of procedure not inconsistent with this article.

Sec. 4-129. Same — powers and duties.

The appearance board shall have the following powers and duties:

(1) To hold public hearings on and make recommendations for an appearance plan as provided in section 6-130 hereof.

(2) To consult with and cooperate with the planning and zoning board and other town departments, and any other municipal or governmental bodies on matters affecting the appearance of the town.

(3) To study exterior design drawings, landscape and site plans and materials for any proposed public works or public improvements and to make recommendations to the town commission.

(4) To study and review preliminary and final plats and make recommendations to the planning and zoning board and the town commission.

(5) To hold hearings, when required, on the issuance of Certificates of Appropriateness as provided in section 4-137 hereof, in connection with questions pertaining to applications for building permits and to issue or deny such Certificates pursuant to the provisions of said section 4-137 hereof.

Sec. 6-130. Town Appearance Plan.

The appearance board shall, within six months after their appointment, prepare a proposed appearance plan to apply to all zoning districts of the town, and within budgetary limitations and appropriations are authorized to seek the advice and counsel of local qualified professionals in the field of architecture and land planning in the creation of the appearance plan. Said appearance plan shall be based on the intent and purposes of this article, as set forth in section 4-123, and said plan shall be intended as the standards or guidelines for future physical developments, in said zoning districts, and should consider, among other features:

(1) The external architectural features (as herein defined) of proposed buildings and landscaping and site planning thereof.

(2) Existing town ordinances and provisions of the Town of Juno Beach Code, as amended, as to, but not limited to zoning, building, subdivision, trees and shrubs; provided, however, nothing in said appearance plan shall conflict with, modify, or alter any provisions of the ordinances.

Sec. 4-131. Public hearing.

After agreeing on a proposed appearance plan, the board shall hold a public hearing thereon. A copy of the proposed plan shall be on file during regular business hours at the office of the town clerk in the town hall for public inspection for at least ten (10) days prior to the public hearing. Notice of the public hearing shall be published in a newspaper of general publication within the town, at least ten (10) days prior to said hearing. Within thirty (30) days after final adjournment of the hearing, the board shall recommend a final appearance plan to the town commission.

Sec. 4-132. Adoption by town commission.

The town commission shall thereafter, at a regular meeting, consider the proposed plan and if it so desires may adopt the same in whole or in part, with or without change. The appearance plan, as adopted, shall be by ordinance.

Sec. 4-133. Amendments.

The appearance plan may be amended, from time to time, by the town commission by ordinance with or without a recommendation from the board regarding the proposed amendment. The board can make a recommendation only after holding a public hearing after notice as set forth in section 4-131 hereof.

Sec. 4-134. Certificate of Appropriateness — preliminary consideration.

The appearance board shall, at the written request of a prospective applicant for a Certificate of Appropriateness, give consideration to preliminary exterior drawings, sketches, landscape and site plans and materials on a specific project before a formal application is filed, and shall provide such advice, counsel, suggestions and recommendations on matters pertaining to aesthetics as they may deem necessary to guide said prospective applicant in the development of a plan which would comply with the requirements and purposes of the appearance plan; except that the board shall act in an advisory capacity only, with regard to preliminary plans, and shall provide consultation only on projects for which preliminary drawings and materials are furnished by said prospective applicant, and shall not participate in the development of the basic concept, plans or drawings. Upon finding the preliminary exterior drawings, sketches, landscape and site plans and materials are appropriate to, or compatible with, the character of the immediate neighborhood and will tend to effect the general purposes of the appearance plan, the board will issue a preliminary approval. Said approval will be irrevocable, and makes the issuance of the Certificate of Appropriateness mandatory upon application, unless the final presentation does not comply in all respects with the preliminary presentation upon which the preliminary approval was based.

Sec. 4-136. Same — final hearings.

Upon the filing of an application for building permit for any building within the town, the building inspector shall immediately transmit said application to the appearance board. The fact that an application for a Certificate of Appropriateness has been filed shall not be cause for the building inspector to delay the review of plans relating to the building and zoning aspects of the project, while said application is pending. The board shall thereupon fix a reasonable time, within two (2) weeks, for a hearing and give a written five (5) day notice thereof to the applicant. Upon such hearing, the board shall consider the application for building permit and receive additional evidence (such as exterior renderings) from the applicant or his agent or attorney and from town personnel or other persons as to whether the external architectural features of the proposed building or structure comply with said appearance plan.

Sec. 4-136. Action of appearance board.

Prior to making its decision, the board may make recommendations to the applicant as to changes in the exterior drawings, sketches, landscaping, site plans and materials which

in the judgment of the board, would tend to effect the general purposes of the appearance plan. The board shall make its decision within one (1) week after the hearing is closed and shall issue to the building inspector a Certificate of Appropriateness, unless the board finds that the said plan does not conform to the said appearance plan and that the proposed building or structure will be inappropriate to, or incompatible with, the character of the immediate neighborhood or cause substantial depreciation in property values. If the latter finding is made, the board shall provide such advice, counsel, suggestions and recommendations on matters pertaining to aesthetics as they may deem necessary to guide said prospective applicant in the development of a plan which would comply with the requirements and purposes of the appearance plan. If preliminary hearings have been held on the project for which application is being made, and preliminary approval has been issued by the board as provided in section 4-134, the board shall issue a Certificate of Appropriateness immediately, provided that the final drawings, plans and materials as presented comply in all respects with the preliminary presentation upon which the preliminary approval was based.

Sec. 4-137. Approval by appearance board.

The board shall issue a Certificate of Appropriateness upon concurring vote of at least three (3) members. No building or other permit, otherwise required under the ordinance of the town, for the erection, construction, alteration or repair of any building or structure in any and/or all zoning districts, shall be issued by the building inspector except upon the granting of a Certificate of Appropriateness by the appearance board. The foregoing requirements shall not preclude the issuance of a building permit without such certificate if the building inspector shall determine that no external architectural feature as defined in section 4-140 is involved in the work for which the building permit is sought.

Sec. 4-138. Appeals and review.

The applicant or any interested party may file an appeal to the town commission on any ruling by the appearance board made pursuant to this ordinance. An appeal shall be on forms provided by the town. The appeal shall be filed or made within ten (10) days after decision of the appearance board. Appeals shall set forth the alleged inconsistency or nonconformity with procedures or criteria set forth in this ordinance or standards set forth in or pursuant to this ordinance. The town commission shall decide an appeal within thirty (30) days of the filing of such appeal unless an extension of time is consented to by the applicant, and such filing shall suspend any building permit issued pursuant to the ruling of the appearance board until the town commission has decided the appeal. The town commission may review any decision of the appearance board and their disposition of the matter shall be final.

Sec. 4-139. Follow-up by buildings inspector.

Upon the granting of a Certificate of Appropriateness, the exterior drawings, sketches, landscape and site plans, renderings and materials upon which said Certificate was granted shall be turned over to the building inspector whose responsibility it shall be to determine, from time to time as the project is in progress and finally upon its completion, that there have been no unauthorized deviations from the evidence upon which the granting of the Certificate of Appropriateness was originally based. The building inspector shall not issue a Certificate of Occupancy for any building or structure where there have been any deviations from the Certificate of Appropriateness which has been granted.

Sec. 4-140. Definitions.

The term "external architectural feature" is defined to mean the architectural style and general arrangement of such portion of a building or structure as is designed to be open to view from a public street, place, or way.

Section 2. If any provision of this ordinance, or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Specific authority is hereby granted to codify this ordinance.

Section 5. This ordinance shall take effect immediately upon its passage.

FIRST READING this 14<sup>th</sup> day of DECEMBER, 1983.

SECOND, FINAL READING AND PASSAGE, this 4<sup>th</sup> day of JANUARY, 1984.

TOWN OF JUNO BEACH, FLORIDA

W. Kellen  
Mayor

J. W. B.  
Commissioner

A. A.  
Commissioner

Commissioner

Charles H. Burns  
Commissioner

ATTEST:

David F. Nelson  
Town Clerk

**3. Minutes – Special Meeting**  
March 23, 1988

TOWN OF JUNO BEACH, FLORIDA  
March 23, 1988      Methodist Church  
Special Meeting & Public Hearing  
5:00 P.M.

SPECIAL MEETING MINUTES

PRESENT:                      Bill Kollmer, Mayor  
                                    Jim Lyons, Vice Mayor  
                                    Dan Corbett, Councilmember  
                                    Charles Burns, Councilmember  
                                    Roxanne Manning, Councilmember

ALSO PRESENT:              Gail F. Nelson, Town Manager  
                                    Preston Mighdoll, Town Attorney  
                                    Jack Horoniman, Town Planner  
                                    Karen Burke, Deputy Town Clerk

CALL TO ORDER: 5:05

PLEDGE OF ALLEGIANCE

SEACOAST UTILITIES PURCHASE

Mayor Kollmer explains that the purpose of the Special Meeting is to allow Robert Weisman, Assistant County Administrator, and Peter Pimentel, Executive Director of the Northern Palm Beach County Water Control District, to make a presentation.

Robert Weisman, Assistant County Administrator for Palm Beach County, explained that they had received a letter from the MacArthur Foundation asking them to secure the consent of the municipalities within the Seacoast Utilities service area. The fact that they have asked for this consent does not mean that they intend to sell to the County only that this condition has been put upon the County to continue in this exercise. Mr. Weisman said the county is looking for the town's non-exclusive consent to any purchaser of Seacoast Utilities. He said that the county is most able to run Seacoast Utilities and maintain the current rate structure due to the price competition that has occurred over this utility company.

Peter Pimentel, Executive Director of the Northern Palm Beach County Water Control District, explained that they had also received a letter from Kidder Peabody; however, they did not have any conditions placed on their proceeding with the negotiations for the purchase of Seacoast. He stated that the MacArthur Foundation feels comfortable enough that the district has the authority to buy the utility and operate it under its existing legislation. Mr. Pimentel stated that they are not solely interested in buying the utility, but that they are a water control district and are concerned with a total program. Their goal is to end up being a water resource manager in Northern Palm Beach County from the locating of the raw water, the delivery to the treatment plant, the distribution to the people, and the collection and re-use of the waste water. He said that they are looking to implement a total program.

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Council questioned the possibility of legally insuring that the Town would not be surcharge no matter who purchased the company.

RECESS SPECIAL MEETING: 5:25 p.m.

Mayor Kollmer announced the passing of ex-Councilmember Harry Bragg today.

PUBLIC HEARING MINUTES

CALL TO ORDER: 5:26 p.m.

JUNO ASSOCIATES PROPOSED P.U.D. AGREEMENT

The purpose of the hearing was to hear comments on the proposed P.U.D. agreement for Juno Associates Sea Trace Development.

Comments in opposition

Jim Davis, Public Service Director for the Town of Jupiter, stated Jupiters concerns with the ingress and egress through the Bluffs.

Town Manager, Gail Nelson, read a letter from Mr. Davis concerning the ingress and egress to the Juno Associates property thru the development called Marina at the Bluffs. The approval of this project by Jupiter was not based on additional traffic through this area; therefore, no provisions were made for the additional traffic. Mrs. Nelson also presented signed petitions from the Juno Beach Civic Association in opposition of the P.U.D. Agreement.

Huntley Farrow, President Juno Beach Civic Association, advised the council that council that there would be more petitions coming in and introduced Dr. Richard Orman, who the Association has hired to review and comment on the proposed agreement. Dr. Orman listed the items in the agreement which concerned the Association. These items included the Marina not being allowed as a permitted use, the traffic impact study should be done before the agreement is signed, the preliminary plan being done first, and establishment of a town ordinance implementing the Developers Agreement Act found in the State Statutes. He also reviewed the comments which were presented at the March 9, 1988 council meeting.

Malcolm Levy - Former board member of the Marina at the Bluffs, stated he had researched the existence of an easement and stated that if this easement does exist that the use of it would be detrimental to the residents of the Marina at the Bluffs. Last fall some of the Association members met with Karen Marcus regarding Ellison Wilson Road, who put them in touch with Beverly Hanson, Right-a-way Agent for P.B.C. and Ms. Hanson presented them with a letter stating that there was no record of a right-a-way or easement for Ellison Wilson Road.

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Mayor Kollmer read a letter from the county that addressed the collective road way of Ellison Wilson Road and the existence of the right-a-way.

Gene Fulman - President of the Marina at the Bluffs Condominium Association, said the Association does not accept the fact that there is a right-a-way.

Town Manager, Gail Nelson, presented a petition from the Juno Beach Condo with seven signatures in opposition.

Comments in Favor

None

ADJOURN PUBLIC HEARING: 5:52 p.m.

SPECIAL MEETING MINUTES

RE-ADJOURN: 5:52 P.M.

JUNO ASSOCIATES PROPOSED P.U.D. AGREEMENT

Barry Byrd, Attorney for Juno Associates, stated that the concerns mentioned by the citizens have been discussed before. The dispute regarding the easement by the Bluffs is a private dispute between Juno Associates and the Bluffs. This will be subject to the control of the town at the appropriate time. Mr. Byrd reviewed a proposed motion which he drafted and which is intended to capture a fundamental agreement of the basic business terms. He then reviewed the individual items in the motion (copy attached). Mr. Byrd compared the approved agreement to the proposed agreement.

Council discussed their concerns which included road improvements, and the possibility of the project becoming an DRI.

Mike Busha, from the Treasure Coast Regional Planning Council, suggested putting language with the special exception uses stating that should the special exception push the project into a DRI that other reductions would take place in the site plan.

MOTION:

Councilmember Lyons moved to not approve the P.U.D. Agreement from Juno Associates dated March 3, 1988.

The motion was not seconded. The motion failed.

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MOTION:

Councilmember Burns moved to authorize the developer and staff to come back with a revised draft of the March 3, 1988 agreement based on the conditions and recommendations of the councilmembers and staff and subject to final approval.

Mayor Kollmer passed the gavel to Vice Mayor Lyons and seconded the motion.

Council continued discussion of traffic. Applicant wanted protection if they have already paid and made improvements that if traffic standards are adopted that they will not be applied to this project.

Walter Keller, Traffic Engineer for Juno Associates, discussed the design of the road improvements based on DOT standards.

Councilmember Burns withdrew his motion.

Vice Mayor Lyons passed the gavel back to Mayor Kollmer.

MOTION:

Councilmember Corbett/Burns moved to accept the proposed motion (copy attached) submitted with 6 conditions to the Town of Juno Beach from the Juno Associates applicant subject to those conditions and the following additional conditions:

7. That any special exception uses or other uses within the proposed P.U.D. agreement for which area regulations do not exist or for which appropriate conditions do not exist, in the form of an enabling ordinance or this agreement, not be permitted until such time as such area regulations or enabling legislation or conditions be mutually agreed upon between the town and Juno Associates.
8. That if any subsequent request for approval by Juno Associates or any successor in interest should create a development of regional impact as defined under chapter 380 Florida Statutes that the town has the unilateral right to disapprove such request for approval or development order without any adverse consequences to the Town of Juno Beach, Florida.
9. That the Juno Associates will be expressly subject to any impact fee ordinance adopted subsequently by the Town of Juno Beach so long as such impact fee ordinance shall be in effect prior to the issuance of a building permit for any particular pod within the Juno Associates project.

10. That the Juno Associates property shall be subject to any subsequently enacted level of service performance standards provided; however, that such performance standards shall not prevent development approvals in the event that Juno Associates has provided the proposed road improvements set forth in condition number two.

11. That the changes proposed as set forth on the record and I believe to have been taken down by the applicant, which conditions and changes were proposed by councilmember Roxanne Manning also be incorporated into the final draft of the P.U.D. agreement.

12. That the Development Agreement Act be adopted pursuant to the recommendations of the Juno Beach Town Council even if such development agreement act as incorporated into the P.U.D. agreement does not include a separate ordinance.

13. That the P.U.D. agreement also be subject to any subsequently enacted environmental ordinances adopted through the Town of Juno Beach Comprehensive Land Use Plan which are applicable to a particular property through the operation of the Comprehensive Land Use Plan.

Finally that all of the foregoing be subject to final review and approval of the Town Council of Juno Beach and the applicant at a regularly scheduled hearing in the month of April 1988.

The motion passed 4 to 1. Councilmember Lyons was opposed.

ADJOURN SPECIAL MEETING: 8:55



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Deputy Town Clerk

**TOWN OF JUNO BEACH  
TOWN COUNCIL MOTION RE JUNO ASSOCIATES PUD**

I HEREBY MOVE that the Town Council approve the Planned Unit Development Agreement with Juno Associates, Ltd., in the form submitted as draft reference date 03/03/88, subject to the following changes:

1. DENSITY. Paragraph 10(2)(e) shall be deleted, thereby removing the bonus density and resulting in a maximum of 20 Dwelling Units per acre on the Ocean Residential Area.
2. ROAD IMPROVEMENTS. Paragraph 12A(3) shall be modified in order to require the Owner to make the U.S. Highway One and U.S. One/Donald Ross Road intersection improvements within the time limits specified. The intent of this change is to remove the Owner's right to elect to construct such improvements, and to require such.
3. MARINA. Paragraph 10A(1)(b) shall be modified to make the marina a use only permitted by special exception. No maximum slips shall be specified in Paragraph 10A(13), but the restrictions set forth shall be retained.
4. COMMERCIAL. Paragraph 10C(1)(b) shall be modified in order to reduce the maximum commercial acreage from 19.0 acres to 14.6 acres, and reduce the maximum commercial square footage from 250,000 square feet to 185,000 square feet. Paragraph 10C(1)(a) and (2)(c) shall be modified to remove hotel as a permitted use and restrict a hotel to a special exception in a mixed commercial development.
5. APPEARANCE BOARD. Paragraph 5 shall be amended to add an additional provision whereby the Owner agrees that any Pod processed with the Town shall comply with such procedures that the Town may adopt to be universally applicable throughout the Town for review and approval by an Appearance Board.
6. PRELIMINARY POD PLAN. Paragraph 9A shall be amended to provide that at the time the Owner shall file with the Town an infrastructure proposal, the Owner shall also file a preliminary Pod Plan for such Area setting forth the approximate location of individual Pods within such Area, allocation of densities to such Pod and estimated acreage. The preliminary Pod Plan shall be subject to formal approval by the Town, and may be modified from time-to-time by approval of the Town Council.

The Town staff shall take such steps necessary to insure receipt, prior to delivery of the executed PUD Agreement, of the Temporary Construction Easement and Permanent Superseding Easement providing ingress and egress to the Town's water storage tank facility located adjacent to the subject Property.

The Town staff is directed to make or obtain such modifications to the PUD Agreement and prepare any such further instruments or take such further action necessary to carry out the purposes of this Motion and the PUD Agreement as modified.

**4. Minutes – Community Appearance Workshop**  
November 25, 1991

MINUTES  
COMMUNITY APPEARANCE WORKSHOP

November 25, 1991  
Juno Beach Town Center  
340 Ocean Drive

Mayor Kollmer called the Community Appearance Workshop to order at 5:40 p.m. There were approximately 60 in attendance.

PRESENT: Mayor Bill Kollmer  
Vice Mayor James Lyons  
Councilmember Charles Burns  
Councilmember Daniel Corbett

ABSENT: Vice Mayor Pro Tem Roxanne Manning

ALSO PRESENT: Town Manager Gail Nelson  
Town Consultant Jack Horniman  
Town Landscape Architect George Gentile  
Town Planner Susan Guffey  
Town Clerk Deborah Manzo

Town Consultant Jack Horniman gave an overview of how the Town got to this point. He stated that every municipality had to look at their city and come up with a plan. The main problem with the Town of Juno Beach at the beginning of this process was annexation and what we are going to do with the growth. Another issue was what to do with US Highway 1. There were several issues that needed to be addressed and that is why we are here tonight.

COMMUNITY APPEARANCE STANDARDS DISCUSSION

U.S. 1, A-1-A, DONALD ROSS ROAD, ELLISON WILSON ROAD AND CELESTIAL WAY SECTIONS

Town Planner, Susan Guffey showed a map from a previous Town Charette which showed a Comprehensive bicycle/pedestrian plan for the Town. In addition, she stated that in the last "Visions" workshop, the concept of tree-lined streets and bicycle/pedestrian ways were stressed as a common goal by residents of the town. She explained the C.A.S. had to do with sidewalks, bike lanes, street trees, street lighting and signage and that every street has its own concept as to the location of trees, sidewalks, and bike lanes. The consensus of the residents in attendance was to put the sidewalk along the east side of A-1-A only.

LANDSCAPE SPECIES AND MATERIALS

Town Landscape Architect George Gentile stated that the Community Appearance Standards would apply to all new

residential and non-residential developments. He presented a list of trees that would be allowed in the Town east of U.S. Highway 1 and U.S. Highway 1 and westward. These trees should be based on salt tolerance, to the degree possible, freeze proof, provide shade, water conservation, and aesthetic to the community. He stated that the developers could propose other landscape materials to be approved by the Town.

Town Landscape Architect George Gentile stated that the cost of a concrete sidewalk, put in, would be approximately \$1.75 per square foot.

#### STREET LIGHTS AND SIGNS

Town Landscape Architect George Gentile presented the street lights and signs proposed by the Town.

Town Consultant Jack Horniman stated that items III.C. Local Street Appearance and Local Programs would be presented at another meeting.

#### SITE PLAN AND APPEARANCE REVIEW

##### "OLD FLORIDA" DISCUSSION

Town Planner Susan Guffey stated that the Town would be under the concept of the Old Florida styles, Mediterranean or Key West style and the developments would have to meet this requirement.

Architectural Appearance Standards are not part of the code at this time, but if approved by the Town Council would become a part of the code. It would address such things as the type of building material you could build your house with. The Town has adopted that concept of the Old Florida Style.

#### RESIDENTIAL SINGLE FAMILY ZONING DISTRICTS

##### TOWERS (SIZE AND HEIGHTS)

Town Planner Susan Guffey stated that single family residential zoned property could add a Tower on to their homes under the following guidelines:

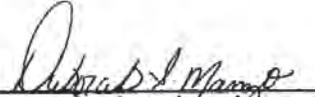
- 1) 15' X 15' maximum room size.

- 2) That the total height of the tower must be proportional with the rest of the building.

Under the present codes a person may have up to two floors and have a maximum of 30' in height.

The meeting adjourned at 7:45 p.m.

  
\_\_\_\_\_  
Mayor Bill Kollmer

  
\_\_\_\_\_  
Town Clerk Deborah Manzo

**5. Ordinance No. 421**  
Codification of Appearance Review –  
February 5 and 19, 1992  
Formalized Site Plan & Appearance Review

ORDINANCE NO. 421

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN OF JUNO BEACH ZONING CODE, ORDINANCE 207; PROVIDING FOR DEFINITIONS; PROVIDING FOR LANDSCAPE REGULATIONS; PROVIDING FOR AMENDMENTS TO SECTION 5.60 SIGNS; PROVIDING FOR THE CREATION OF THE RS-1, RS-2, RS-3, AND RS-4 RESIDENTIAL ZONING DISTRICTS AND SITE DEVELOPMENT REGULATIONS THEREFORE; PROVIDING SITE PLAN AND ARCHITECTURAL APPEARANCE REVIEW CRITERIA AND PROCEDURES; PROVIDING FOR COMMUNITY APPEARANCE, STREETScape, AND LIGHTING REVIEW CRITERIA AND PROCEDURES; PROVIDING FOR THE REGULATION OF CONSTRUCTION ACTIVITIES IN THE COASTAL ZONE; PROVIDING FOR THE REZONING OF CERTAIN PROPERTIES TO RS-1, RS-2, RS-3, AND RS-4; PROVIDING FOR THE REVISION OF THE TOWN OF JUNO BEACH ZONING MAP; PROVIDING FOR CODIFICATION, SEVERABILITY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the Town Council of the Town of Juno Beach, Palm Beach County, Florida has received and reviewed Town staff recommendations to revise portions of the Town zoning Code, to create additional single family residential zoning districts, and to rezone certain properties; and

WHEREAS, the Town Planning and Zoning Board has recommended approval of the proposed revisions and rezonings; and

WHEREAS, the Town Council has conducted properly noticed public hearings on the proposed revisions and rezonings; and

WHEREAS, the Town Council has determined that the revisions and rezonings are consistent with the Town Comprehensive Plan, and further the health, safety, and welfare of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF JUNO BEACH, FLORIDA AS FOLLOWS:

Section 1: INCORPORATION OF RECITALS

The above recitals are incorporated as though fully set forth herein.

Section 2: AMENDMENT OF TOWN ZONING CODE

The Town Zoning Code is amended to include the material attached hereto as Exhibit "A" as though such material were fully set forth herein.

Section 3: REZONING OF PROPERTY TO RS-1, RS-2, RS-3, RS-4

The Town Council rezones that property specifically described in Exhibit "B" attached hereto and incorporated herein, to the single family residential zoning districts known as RS-1, RS-2, RS-3, and RS-4 as those single family residential zoning districts are depicted in Exhibit "B".

Section 4: REVISION OF TOWN ZONING MAP

The Town Council hereby directs staff to revise the town Zoning Map to reflect the single family residential zoning districts as set forth herein.

Section 5: CODIFICATION

Specific authority is granted to codify this Ordinance. The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Juno Beach. The Sections of this Ordinance may be numbered or relettered to accomplish codification. The word "Ordinance" may be changed to "Section", "Article" or other appropriate words.

Section 6: REPEAL OF INCONSISTENT ORDINANCE PROVISIONS

All Ordinances or provisions thereof in conflict herewith are hereby repealed.

Section 7: PREVAILING LAW

The provisions of this Ordinance shall prevail over, operate to the exclusion of, and constitute a valid opt out of all other municipal or county ordinances in effect or as may be amended related to the subject matter of this Ordinance.

Section 8: SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance, for any reason, is held to be unconstitutional, void or otherwise invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby.

Section 9: EFFECTIVE DATE

This Ordinance shall take effect immediately upon its passage and adoption, in accordance with the law.

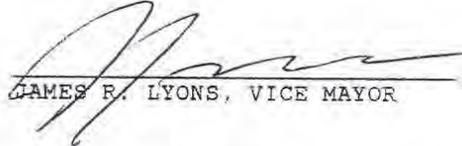
ORDINANCE NO. 421  
PAGE 3 OF 3

READ AND APPROVED, on first reading on the 5th day of  
February, 1992.

READ AND ADOPTED, on second reading on the 19th day of  
February, 1992.

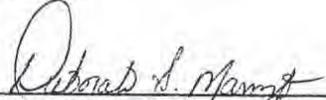


BILL KOLLMER, MAYOR



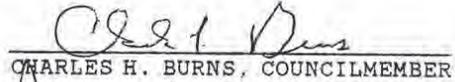
JAMES R. LYONS, VICE MAYOR

ATTEST:



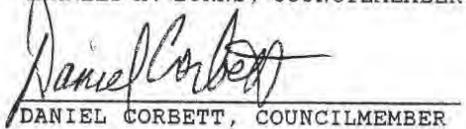
DEBORAH S. MANZO, TOWN CLERK

"ARRIVED LATE"  
ROXANNE MANNING, COUNCILMEMBER



CHARLES H. BURNS, COUNCILMEMBER

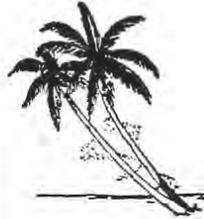
APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY



DANIEL CORBETT, COUNCILMEMBER



MICHAEL CONNORS, TOWN ATTORNEY



**THE TOWN OF JUNO BEACH**

841 OCEAN DRIVE

PHONE (407) 626-1122 - FAX (407) 775-0812

PALM BEACH COUNTY

FLORIDA 33408

January 20, 1992

Mrs. Teal Pontarelli  
Post Legal Notices Department  
2751 South Dixie Highway  
West Palm Beach, FL 33402

Dear Teal:

Please include the enclosed notice in the "Local News" section of the newspaper on the date indicated. The ad must be 1/4 page in size.

If there are any questions, please contact me.

Thank you,

Deborah S. Manzo  
Town Clerk

/dsm

Enclosure

Teal -  
I sent this in the  
mail because of the  
map. It might get  
there today. Thanks,  
Deb

THE PALM BEACH POST

Published Daily and Sunday  
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA

COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Chris Bull  
who on oath says that she/he is Class. Sales Mgr. of The Palm Beach Post,  
a daily and Sunday newspaper published at West Palm Beach in Palm Beach County,  
Florida; that the attached copy of advertising, being a

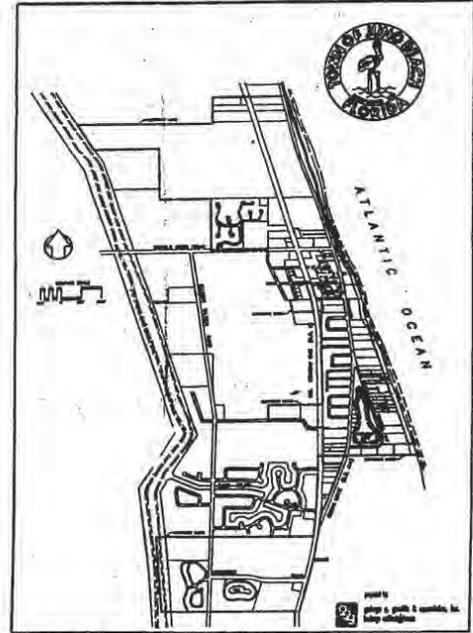
Notice  
in the matter of zoning change  
in the --- Court, was published in said newspaper in  
the issues of January 28, February 14, 1992

Affiant further says that the said The Post is a newspaper published at West Palm  
Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore  
been continuously published in said Palm Beach County, Florida, daily and Sunday and  
has been entered as second class mail matter at the post office in West Palm Beach, in  
said Palm Beach County, Florida, for a period of one year next preceding the first  
publication of the attached copy of advertisement; and affiant further says that she/he  
has neither paid nor promised any person, firm or corporation any discount, rebate,  
commission or refund for the purpose of securing this advertisement for publication in  
the said newspaper.

Chris Bull  
Sworn to and subscribed before me this 14 day of February A.D. 19 92  
W. M. Whinton  
NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES 11-11-92  
BONDED BY

TOWN OF JUNO BEACH, FLORIDA  
NOTICE OF ZONING (PERMITTED USE) CHANGE

The Town of Juno Beach, Florida proposes to to rezone (change the permitted use of) the land within the area shown on the map in this advertisement. The first of two public hearings on the proposed rezoning will be held at Juno Beach Town Center, 340 Ocean Drive, Juno Beach, on February 5, 1992 at 5:30 p.m. The Juno Beach Town Council will consider first reading of an ordinance revising permitted uses, revising land development regulations, and rezoning certain real property, said ordinance filed as follows:  
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN OF JUNO BEACH ZONING CODE, ORDINANCE 207; PROVIDING FOR DEFINITIONS; PROVIDING FOR LANDSCAPE REGULATIONS; PROVIDING FOR SECTION 5.60 SIGNS; PROVIDING FOR THE CREATION OF THE RS-1, RS-2, RS-3, AND RS-4 RESIDENTIAL ZONING DISTRICTS AND SITE DEVELOPMENT REGULATIONS THEREFOR; PROVIDING SITE PLAN AND ARCHITECTURAL APPEARANCE REVIEW CRITERIA AND PROCEDURES; PROVIDING FOR COMMUNITY APPEARANCE, STREETSCAPE, AND LIGHTING REVIEW CRITERIA AND PROCEDURES; PROVIDING FOR THE REGULATION OF CONSTRUCTION ACTIVITIES IN THE COASTAL ZONE; PROVIDING FOR THE REZONING OF CERTAIN PROPERTIES TO RS-1, RS-2, RS-3 AND RS-4; PROVIDING FOR THE REVISION OF THE TOWN OF JUNO BEACH ZONING MAP; PROVIDING FOR CODIFICATION, SEVERABILITY, AND EFFECTIVE DATE AND FOR OTHER PURPOSES.



Final adoption of above ordinance is scheduled at the public hearing at Juno Beach Town Center, 340 Ocean Drive, Juno Beach, on February 19, 1992 at 5:30 p.m.  
This ordinance may be inspected in the office of the Town Clerk at Town Center, 340 Ocean Drive, Juno Beach, Florida. If any person decides to appeal any decision made by the Town Council with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Please govern yourself accordingly.  
/s/ Deborah S. Manzo, Town Clerk  
Publish: January 28, February 14, 1992

EXHIBIT "A"



12. Require the removal of nuisance vegetation to insure preservation of protected or native vegetation and encourage no disruption of native ecosystems.

13. Provide for the public health, safety and welfare.

5.70.2 Landscape Plan Submission And Approval.

a. Applicability. The provisions of this Section shall apply as follows:

(1) to any new development, or modification to existing development wherein that portion of the site which is being modified must comply with the requirements contained herein;

(2) to any modification to existing development wherein there results an increase of 5% of the gross floor area of the structure, or structures, situated on the site in which case the entire site shall be upgraded to present landscape standards. However, accessory structures which are no greater than 1,000 sf in gross floor area shall not be required to meet these standards.

(3) A single-family dwellings and a duplexes shall be exempt from all provisions of this Section with the exception of those regulations pertaining to swales and visibility at intersections, maintenance of right-of-ways, irrigation restrictions and automatic rain switches required on all new irrigation systems, and those properties greater than four (4) acres in area which must adhere to the Environmentally Sensitive Lands Ordinance.

b. At the time of application for approval for all ~~Condition-Uses~~ Site Plans and Site Plan Revisions., Special Exceptions, Planned Unit Developments, and Variances, except ~~for a single-family dwellings-and a duplexes~~, a landscape plan shall be submitted for review by the Planning and Zoning Board and approval by the Town Council.

bc. Plan Contents. The landscape plan, signed and sealed by a Landscape Architect registered in the State of Florida, shall be drawn to a scale of not less than 1"=60 30', including dimensions and distances, and clearly delineate the existing and proposed parking spaces or other vehicular and/or water outlets, the

location and size of buildings, if any, to be served, and the location, size, number, name and description of all other landscape materials, ~~and shall designate by name and location the plant material~~ to be installed or, if existing, to be used in accordance with the requirements hereof. Such description shall include both scientific and common name and native or non-native designation. The percentage of native plant material utilized for each type of plant including trees, shrubs, and ground cover shall be provided, and a notation stating that all landscape areas, excluding native preserve areas, shall be provided with 100 percent automatic irrigation shall be included on landscape plan.

- 5.71 Administration. The Director of the Planning and Zoning Department or other designated official of the Town shall administer these regulations under direction of the Town Council.
- 5.71.1 Letter Required from Project Landscape Architect. Prior to the issuance of a Certificate of Occupancy, the project Landscape Architect is required to submit a signed and sealed letter to the Town Planning, Zoning and Building Department certifying that the landscaping on site is in accordance with the approved landscape plan.
- 5.72 Performance Surety. In the event that the landscaping requirements of this ordinance have not been met at the time that a certificate of occupancy, or certificate of use is requested, the Town may approve such request provided the Town enters into an agreement with the owner or his agent that the provisions and requirements of this ordinance will be complied with. The owner or his agent shall post a performance bond or other approved surety in an amount equal to one hundred twenty-five (125) percent of the cost of materials and labor and other attendant costs incidental to the installation of the required landscaping. The surety shall:
- (1) run to the Town of Juno Beach;
  - (2) be in a form satisfactory and acceptable to the Town, and
  - (3) specify the time for the completion of the landscape requirements.

- a. In keeping with the purpose and intent of this Section, the following general requirements shall apply in all zoning districts in the Town of Juno Beach.
- b. A graphic survey of existing vegetation, delineating all viable native vegetation and all trees greater than four (4) inches in diameter (caliper) at four (4) feet above ground, shall be submitted. Such graphic survey shall be prepared by a Landscape Architect or Land Surveyor registered in the State of Florida and be of the same scale as the landscape plan.
- c. Reasonable requirements for the preservation of outstanding natural features shall be required. These features include trees with trunks larger than eight (8) inches in diameter measuring four (4) feet above the ground, groves, water courses, historic sites, and similar irreplaceable assets in which there is public interest.
- d. All new trees shall be located so as to provide unrestricted flow or access to drainage swales or utility easements. Vegetation in easements and right-of-ways must have appropriate utility company and agency approval. No landscaping other than sod shall be placed within the boundaries of any public road right-of-way. In addition, the height of damage-prone trees shall be limited along Hurricane Evacuation routes.
- e. New trees shall meet the specifications as set forth in Section 5.75g.
- f. Trees shall be hardy and suitable to local soil and climate.
- g. The use of native vegetation plantings shall be maximized, and at a minimum all plant materials of each type, including trees, shrubs and ground cover, shall be at least fifty percent (50%) native. In addition, xeriscape principles shall be utilized in all landscape designs and installations (see Section 5.75 (a) Xeriscape Principles)
- h. Existing native vegetation shall be preserved to the maximum extent practicable. The Town encourages applicants to make all native vegetation to be removed from the site available, either by fee or donation, to the Town and its residents for reuse. The developer shall notify the Town 3 weeks prior to vegetation removal, so that the Town may notify residents by notice at Town Hall and phone message of such

vegetation availability. Upon such notice residents shall have two weeks to contact the Developer regarding removal of native vegetation.

- i. The type and location of landscaping shall take into consideration the preservation of native vegetation areas, and the Planning and Zoning Director or designee may make exceptions to the regulations in this Section to ensure the preservation of such native vegetation areas.
- j. All conditions and requirements of the Environmentally Sensitive Lands Ordinance, Community Appearance Standards, and Protection of Coastal Ridge Section of the Comprehensive Zoning Ordinance shall be complied with.
- k. Changing thirty percent (30%) or more of all trees and shrubs on a site from the originally approved landscape plan shall require submittal of a new plan showing new plant types and locations to the Planning and Zoning Department for review and approval. The new plant types shall conform to the latest landscape regulations.

5.73.1 Removal of Invasive Plants.

- a. East of A-1-A (Ocean Drive), invasive exotic pest plants, including the brazilian pepper, australian pine, and melaleuca, shall be removed and replaced with appropriate native coastal vegetation within three (3) years from the adoption of this ordinance. Any exotic plant reoccurrence shall be required to be removed and replaced with appropriate vegetation. Such native coastal vegetation shall serve to stabilize the coastal dune area and to provide shade where australian pines have been removed. This provision shall apply to all properties.

5.73.2 Protection of Trees and other Vegetation to be preserved on site.

- a. Trees and other vegetation which are to be preserved on a site shall be protected from damage during the construction process according to appropriate tree and vegetation protection techniques. The "Tree Protection Manual for Builders and Developers" published by the Division of Forestry of the State of Florida, Department of Agriculture and Consumer Service, shall be the standard for determining the appropriateness of proposed techniques for tree protection. All vegetation areas shall be fenced off with screening to

prevent any damage. All trees and vegetation which are to be preserved and do not survive shall be replaced by a plant or tree of equal size, or an equivalent number of trees based on trunk diameter.

5.74 Parking Area Landscaping.

- a. All areas used for the display or parking of any and all types of vehicles, be they trailers or construction equipment, whether such vehicles, boats, or equipment be self-propelled or not, and all land upon which vehicles traverse the property function of the primary use, hereinafter referred to as "other vehicular uses" including but not limited to activities of a drive-in nature such as service stations, grocery and dairy stores, banks, restaurants, ~~new--and-used-car-sites~~ and the like shall conform to the minimum landscaping requirements provided herein, except under, on, or within buildings and parking areas serving a single-family dwelling and a duplex.
- b. Adjacent to Public Right-of-Way. On the site of a building or open lot use providing an off-street parking area or other vehicular use area, where such area will not be entirely screened visually by an intervening building or structure (such as a wall or fence, provided landscaping is provided on the side facing the abutting right-of-way, see Section 5.22 Walls and Fences) from any abutting right-of-way, excluding dedicated alleys, there shall be provided landscaping between such area and such right-of-way as follows:
  - (1) a strip of land at least five (5) feet in width located between the abutting right-of-way and the off-street parking area or other vehicular use area shall be landscaped;
  - (2) landscaping of land strips shall include at least one (1) tree for each ~~forty--(40)~~ thirty (30) lineal feet or fraction thereof. In addition, a hedge or other durable landscape barrier of at least four (4) feet in height shall be placed within such landscaped strip. If a hedge is placed within such strip, plants shall be a minimum of twenty-four (24) inches in height immediately after planting and shall be of a species that will grow to a height of four (4) feet in one year's time.

- c. Landscaping Relating To Abutting Properties. On the site of a building or structure or open lot use providing an off-street parking area or other vehicular use area, such area shall be provided with a landscaped barrier, preferably a hedge that is a minimum of twenty-four (24) inches in height immediately after planting and shall be of a species that will grow to a height of four (4) feet in one year's time, to form a continuous screen between the off-street parking area or other vehicular use area and the abutting property in a planting strip of not less than ~~three-(3)~~ five (5) feet in width. In addition, at least one (1) tree for each thirty (30) lineal feet or fraction thereof shall be placed within such strip. The provisions of this sub-section shall may not be applicable, at the discretion of the Town, in the following situations: when a property line abuts a dedicated alley, ~~and~~

~~(2) where a proposed parking area or other vehicular use area abuts an existing planting area, provided that said planting area meets all applicable standards of this ordinance.~~

d. Landscaping Interior Parking Areas.

- (1) A minimum of twenty (20) square feet of landscaping for each parking space shall be provided within the interior of an off - street parking area.
- (2) Each row of parking spaces shall be terminated by landscaped islands which measure not less than five (5) feet in width (inside of curb to inside of curb) and eighteen-(18)-feet-in-length ninety (90) square feet in area. At least one (1) tree shall be planted in each ~~five-(foot)-by-eighteen (18) ninety (90) square foot island.~~ In addition, no more than ten (10) parking spaces may occur in a row without a landscape island as described in this subsection.
- (3) Landscaped divider medians shall be used to meet interior landscape requirements. The divider medians shall form a continuous landscaped strip between abutting rows of parking spaces. The minimum width of a divider median shall be five (5) feet. One (1) tree shall be planted for each ~~forty-(40)~~ thirty (30) linear feet of divider median or fraction thereof. Trees in a divider median may be planted singularly or in clusters. The maximum spacing of trees shall be ~~sixty-(60)~~

forty (40) feet.

- (4) All interior landscaped areas not dedicated to trees or to preservation of existing vegetation shall be landscaped with grass, ground cover, shrubs or other appropriate landscape treatment. Sand or pavement shall not be considered appropriate landscape treatment.
- (5) Mandatory All terminal landscape islands shall be surrounded with a continuous non-mountable concrete curb.
- (6) Exceptions to Subsections (2) and (3) above and the requirement for wheel stops in Section 5.40 Parking Requirements may be made for an area in a parking lot no greater than 20,000 square feet where it is demonstrated that a public gathering place or square is desired to be available for special events. Such gathering place or square area must be bounded by either landscape islands or medians per subsections (2) or (3) whichever is applicable, and (4), to form a green belt along the perimeter.

5.74 e. Landscaping Between Parking Areas and Buildings for Single Family Attached and Multi-family Residential and Non-Residential uses in the Commercial General ~~(CG)~~ Zoning District.

~~Parking rows and traffic aisles must be separated from principal structures on the sides, and front, and rear (excluding designated loading areas) by a landscape strip at least four (4) feet in width and a minimum four (4) foot wide walkway. Where a building fronts on two streets, all sides of the building must be separated from parking rows and traffic aisles by a landscape strip at least four (4) feet in width.~~

5.75 Design, Installation, Maintenance, Irrigation and Plant Material Standards.

- a. Design. Xeriscape principles shall be utilized in landscape design and installations. Copies of South Florida Water Management District's "Xeriscape - Plant Guide II" and "How to Xeriscape" are available from the Planning, Building and Zoning Department. Principles of xeriscape include:

- (1) Appropriate planning and design to include consideration of the size and shape of lot, soil type, topography, intended use of area site specific planting to minimize irrigation waste.
  - (2) Use of soil analysis and appropriate amendments to provide better absorption of water and to provide beneficial plant nutrients.
  - (3) Efficient irrigation systems which permit turf and other less drought tolerant plantings to be watered separately from more drought tolerant plantings, consideration of low volume drip, spray or bubbler emitters for trees, shrubs and ground covers.
  - (4) Reduction of turf areas, utilizing less water demanding materials such as low water demand shrubs and living ground covers in conjunction with organic mulches.
  - (5) Utilization of drought tolerant plant materials and the grouping of plants with similar water requirements.
  - (6) Utilization of mulches to increase moisture retention, reduce weed growth and erosion and increase the organic content of soil upon degradation. Mulch should be initially applied at a three inch depth, but pulled away from direct contact with stems and trunks to avoid rotting. Mulched planting beds are an ideal replacement for turf areas.
  - (7) Appropriate maintenance to preserve the intended beauty of the landscape and conserve water.
- b. Installation. All landscaping shall be installed according to accepted good planting procedures with the quality of plant materials as hereinafter described, and shall be installed so as to meet all other applicable ordinances and code requirements. ~~Permanently installed hedges shall not exceed the height limitations set forth in this ordinance.~~ There shall be no vehicular encroachment over or into any landscaped area. Wheel stops and/or curbs shall be placed at least two (2) feet from the edge of such landscaped area. Where a wheel stop or curb is utilized, the paved area between the wheel stop or curb and the end of the parking space may be omitted, provided it is landscaped with ground cover in addition to the required landscaping as set forth herein. A

representative of the Town charged with the issuance of building permits shall inspect all landscaping and no certificate of occupancy or similar authorization will be issued unless the landscaping meets the requirements herein.

c. Maintenance.

(1) The owner, tenant, and their or--his agent, shall be responsible for the continued proper maintenance of all landscaping located on their property and on adjacent right of ways which shall be maintained in good condition so as to present a healthy, neat, and orderly appearance and shall be kept free from refuse and debris. Proper maintenance shall include:

1. periodic watering to maintain healthy flora, more drought tolerant material, minimize fungus growth and stimulate deep root growth;
2. pruning to maintain the health and viability of the tree in accordance with good horticultural standards with the National Arborists Association Pruning Standards; however, hat racking and excessive pruning is prohibited.
3. grasses shall be mowed as required;
4. all roadways, curbs and sidewalks shall be edged when necessary to prevent encroachment of grasses;
5. all lawns and planted areas shall be fertilized periodically to insure continued healthy growth;
6. replacement of dead plant material; and
7. removal of unprotected, prohibited harmful and illegal plants species as outlined in Section 5.75(g)(2).

(2) Landscaping may be inspected as needed, of which the standards established above are maintained. Such inspections shall be enforceable through the issuance of the Town's Occupational License. The owner, tenant or their agent shall be notified in writing via certified mail by the Town of any areas which are not being properly maintained and shall, within thirty (30) calendar days from time

of notification, address and rectify the deficiency.

d. Irrigation Restrictions (Applicable to all existing and future development, including a single family or a duplex unit)

- (1) Irrigation of any residential, and non-residential landscape areas shall be restricted to the hours of 5:00 p.m. to 9:00 a.m.
- (2) It shall be unlawful to operate or cause the operation of any irrigation system or device in a manner causing water to be wasted, including but not limited to unnecessary watering of impervious areas.
- (3) Upon the effective date of this Ordinance new installations of automatic irrigation systems shall be equipped with a water sensing device which will automatically discontinue irrigation during periods of rainfall.

(4) EXEMPTIONS TO SECTION D(1),(2),(3) ABOVE

The following activities shall be exempt from the irrigation restrictions stated above:

- (a) Landscape irrigation by hand watering using a self canceling nozzle or low-volume irrigation system.
- (b) Landscape irrigation by systems from which the sole source is treated wastewater effluent.
- (c) The operation of irrigation systems for system repair and maintenance.
- (d) Flushing of water mains required for normal water main clearance and maintenance and for maintenance of water quality; however, where practical, contractors and utilities shall direct flushed water into pervious areas, flush at the minimum rate necessary for cleaning and disperse the water in such a manner to benefit local vegetation.
- (e) Landscape irrigation for purposes of watering in fungicides, insecticides and herbicides as required by the manufacturer or by federal or

state laws; however, this exemption applies only to licensed pest control operators and shall be limited to manufacturer's recommendations.

- e. Irrigation Standards for all development, excluding a single family or a duplex unit.
- (1) Complete Irrigation Coverage: All landscaped areas shall be provided with a sprinkler system, automatically operated, to provide complete coverage of all plant materials and grass to be maintained. Exceptions to the requirement to provide irrigation are noted below:
- (a) Irrigation of Existing Plant Communities: Existing plant communities and ecosystems, maintained in a natural state, do not require and shall not have any additional irrigation water added in any form.
- (b) Reestablished Native Plant Areas: Native plant areas that are supplements to an existing plant community or newly installed by the developer may initially require additional water to become established. The water required during the establishment period shall be applied from a temporary irrigation system, a water truck or by hand watering from a standard hose bib source.
- (2) Irrigation Design Standards: the following standards shall be considered the minimum requirements for landscape irrigation design:
- (a) All landscaped areas shall be provided with an irrigation system, automatically operated, to provide complete coverage of all plant materials and grass to be maintained. The use of recycled water is encouraged.
- (b) Wherever feasible, sprinkler heads irrigating lawns or other high water demand landscape areas shall be circuited so they are on a separate zone or zones from those irrigating trees, shrubbery or other reduced water requirement areas.
- (c) Irrigation spray, whenever possible, shall only cover permeable areas and in no instance spray onto any public access, sidewalk, street or other non-pervious area. Special

attention should be paid to well water, as the iron and minerals in the water cause unsightly staining.

- (d) The use of low trajectory spray nozzles is encouraged in order to reduce the effect of wind velocity on the spray system.
- (e) The use of low volume or drip systems is encouraged.
- (f) The use of pop-up sprinkler heads is required in the swale area between the property line and the edge of pavement of the adjacent right-of-way to minimize pedestrian hazards.

cf. Plant Material. Plant material used in conformance with the provisions of this ordinance shall be of a root system adequate to promote continued growth, have healthy foliage or leaves and be free from apparent disease or insect infestation. Grass seed delivered on the job site in bags shall have Florida Department of Agriculture tags attached indicating the seed growers compliance with the Department's quality control program.

dg. Trees.

- (1) Type and Size. Trees shall be species having trunk(s) which can be maintained in a clear condition over four (4) feet of clear wood. Tree species shall be a minimum of ~~eight~~ <sup>(12)</sup> ~~twelve~~ <sup>(12)</sup> feet overall height immediately after planting with a minimum six (6) foot diameter spread of canopy measured at three radius points from the trunk and a minimum 2.5 inch caliper (trunk diameter) at 4 feet above ground. Three (3) Palms shall be considered equivalent to one trees, except for large specimen palms with a minimum overall height of 12 feet and a minimum 12 foot diameter spread of canopy, such as date palms, coconut palms, and royal palms, which shall be considered trees. A maximum of fifty (50) percent of all required trees may be palms.
- (2) Prohibited Trees and Plants. The following trees and plants shall not be used as landscape material:

(i) SHINUS TEREBINTHEFOLIUS, commonly known as Brazilian Pepper or Florida Holly.

~~(ii) HIBISCUS --- TELEAGEUS, --- commonly --- known --- as  
flowering hibiscus or Mahoe tree~~

(iii) EUCALYPTUS

(iv) MELALEUCA

(v) Any species of FICUS TREE, except for ficus nitida, rubiginosa, benghalensis (banyan) or use as a vine or hedge. The root systems of these ficus tree exceptions must be confined with an underground barrier, when needed, and must be setback a minimum five (5) feet from any underground utilities, sidewalks, and roads.

(vi) AUSTRALIAN PINE. (Tree and Hedge)

eh. Shrubs and Hedges. Required shrubs and hedges shall be a minimum of twenty-four (24) inches in height when measured immediately after planting. Hedges, where required, shall be planted and maintained so as to form a continuous, unbroken, visual screen within a maximum of one (1) year after time of planting.

fi. Ground Covers. Ground covers, either vegetative or non-living, used in whole or in part shall present a finished appearance and reasonably complete coverage within three (3) months after planting.

gj. Grass Areas. Grass areas shall be planted in species normally grown as permanent lawns in Palm Beach County. Grass areas may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales or other areas subject to erosion. In areas where other than solid sod or grass seed is used between the months of October and March, nursegrass seed shall be sown for immediate effect and protection until coverage is otherwise achieved.

#### 5.76 Landscaping at Right-of-Way Intersections.

a. When a drive-way or other access way intersects a public right-of-way or when a subject property abuts the intersection of two (2) or more public rights-of-way, all landscaping within the triangular areas described below shall provide unobstructed cross visibility at a level between thirty (30) inches and

six (6) feet. The triangular areas referred to above are:

- (1) the areas of property on both sides of a drive-way or other access way formed by the intersection of each side of the access way and the public right-of-way line with two sides of each triangle being ten (10) feet in length from the point of intersection and the third side being a line connecting the ends of the other two (2) sides;
- (2) The area of property located at a corner formed by the intersection of two (2) or more public rights-of-way with two (2) sides of the triangle area being ~~twenty-five-(25)~~ thirty (30) feet in length along the abutting public right-of-way.

5.77 Screening of Solid Waste Disposal Facilities. All dumpsters or other solid waste containers shall be screened on all four (4) sides from public view. Both sides and the rear of such facilities shall be screened by an opaque concrete wall, or similar quality material. The front of a screen enclosure shall be gated and shall consist of durable materials with a solid surface consistent with the overall design of the project. Walls shall be landscaped with shrubs and hedges planted at two (2) foot intervals, unless there are physical limitations on the site which prevent this. All landscaping and materials utilized to screen an enclosure shall be consistent with the overall design of the principal structures located on the site. Screening shall extend at least one (1) foot above the facility to be screened. All dumpsters or other solid waste containers shall be placed on a concrete pad appropriate to the size of the container. All solid waste disposal facilities shall be required to be screened accordingly within five years of the adoption date of this ordinance.

5.78 Screening of Mechanical Equipment. See Section 5.25 in Supplementary Regulations Section.

5.79 Storage Areas for Nonresidential and Multiple-Family Uses. All storage area shall be screened on all four (4) sides from public view. Both sides and the rear of the screening enclosure shall consist of an opaque concrete wall, pressure treated wood, or similar quality material. The front of the screen enclosure shall be gated and shall consist of durable materials with a solid surface consistent with the overall design of the project. Dependent upon the location of an enclosure, landscaping may be required in addition to

the opaque screening material. All materials utilized in the screen enclosure shall be consistent with the overall design of the principal structures located on the site. A roof may be required on the enclosure at the discretion of the Town. All enclosures shall be placed on a concrete pad or asphalt.

#### NEW DEFINITIONS

(a) Code Compliance Official. Any authorized agent or employee of the Town of Juno Beach whose duty is to ensure compliance with the provisions of this Ordinance, including, but not limited to, designated employees of the Police, Building, Code Enforcement, and Public Works Departments.

(b) Impervious. Land surfaces which do not allow the penetration of water including paved roads, sidewalks, driveways, parking lots and highly compacted areas including shell and clay.

(c) Low-volume Irrigation System (Microirrigation). That type of equipment or irrigation device designed to provide small quantities of water on or below the soil surface as drops or tiny streams of spray through emitters or applicators placed along a water delivery line. Microirrigation includes methods or concepts such as bubbler, drip, trickler, mist, or microspray, and subsurface irrigation.

(d) Person. Includes any natural persons, individual, public or private corporation, firm, association, joint venture, partnership, municipality, governmental agency, political subdivision, public officer or any other entity whatsoever, or any combination of such, jointly or severally.

KEY FOR TABLES 1,2,3,4,5,6

KEY:

- (a) - STREET ADDRESS NUMBER MUST BE ON SIGN, IN ARABIC NUMERALS, & BE NO LESS THAN 6" IN HT. FOR 0-59 SF SIGN AREA, & 10" IN HT. FOR 60(+) SF SIGN AREA.
  - (b) - AN OUTBUILDING OR OUT PARCEL MAY CHOOSE EITHER 2 WALL SIGNS, OR 1 WALL SIGN AND ONE FREESTANDING MONUMENT SIGN MAX. 24 SF IN AREA, MAX 4' IN HEIGHT, MAX. 20' DISTANCE FROM THE BUILDING AND MIN 5' FROM ANY PROPERTY LINE IF NOT LOCATED ON A STREET FRONTAGE, AND MIN 5' SETBACK FROM ANY PROPERTY LINE IF LOCATED ON A STREET FRONTAGE.
  - (c) - WALL SIGN AREA BONUS: IF A COMMERCIAL FREESTANDING IDENTIFICATION SIGN CONTAINS NO MORE THAN FOUR MESSAGES, I.E. NAME OF THE CENTER & 3 MAJOR TENANTS, THEN THE WALL SIGN AREA PERMITTED PER OCCUPANT MAY BE INCREASED BY 4 SF.
  - (d) - AN AWNING OR CANOPY SIGN MUST BE ON A VERTICALLY PLAT SURFACE AND MAY NOT EXCEED 50% OF THE HORIZONTAL LENGTH OF THE AWNING OR CANOPY. THE LETTERS & LOGOS ON AN AWNING MAY NOT EXCEED 20" IN HEIGHT. TOTAL SIGNAGE ON ALL AWNINGS MAY NOT EXCEED THE TOTAL SIGN AREA PERMITTED. (A COMBINATION OF WALL AND AWNING SIGNS ARE PERMITTED).
  - (e) - ONE PER STREET FRONTAGE NOT TO EXCEED A MAXIMUM OF TWO SIGNS ON PROPERTY.
  - (f) - IF SUCH PROPERTY CONTAINS 600' OR MORE OF FRONTAGE ON A STREET, THEN 2 SIGNS MAY BE PERMITTED, BUT THEY MUST BE SEPARATED BY A MINIMUM OF 450'. NO MORE THAN 2 SUCH SIGNS ARE PERMITTED ON PROPERTY.
  - (g) - MAX. 2 SIGNS PER STREET FRONTAGE IF ALLIGNED ON BOTH SIDES OF ENTRANCE, NOT TO EXCEED A TOTAL OF 4 SIGNS (2 PER STREET FRONTAGE ENTRANCE). IF SUCH FRONT ENTRANCE WALL FEATURE ARE COLUMNS ALIGNING BOTH SIDES OF AN ENTRANCEWAY, THEN ONE SIGN PER COLUMN IS PERMITTED AT A MAXIMUM SIGN AREA OF 6 SF.
  - (h) - IF SUCH ENTRANCE WALL FEATURE EXTENDS OVER THE ENTRANCEWAY, SUCH AS AN ARCHWAY, THEN A MAX. OF 1 SIGN MAY BE PLACED ON THE ARCHWAY WALL AND SUCH SIGN AREA SHALL BE LIMITED TO 50% OF THE LENGTH OF THE WALL EXTENDING OVER THE ENTRANCEWAY OR 20 SF, WHICHEVER IS LESS, AND SUCH SIGN SHALL NOT EXCEED 20' IN HEIGHT.
  - (i) - THOSE BUSINESSES OCCUPYING A CORNER LOCATION, DEFINED AS HAVING TWO BUILDING FACADES WHICH FACE A STREET OR AISLE (EITHER PUBLIC OR PRIVATE ROADWAY), EXCLUDING THE REAR BUILDING FACADE, SHALL BE PERMITTED EITHER ONE WALL SIGN ON THE LONGEST WALL FACING A STREET OR AISLE OR A MAXIMUM OF TWO (2) IDENTICAL WALL SIGNS, ONE PER WALL FACING A STREET OR AISLE AND WHOSE SIGN AREA IS DETERMINED FROM THE SHORTEST BUILDING FRONTAGE OF THE TWO.
  - (j) - IF SUCH SIGN TYPE IS TO BE PLACED IN A DEVELOPMENT, THEN ALL OCCUPANTS IN THE DEVELOPMENT MUST HAVE SUCH SIGNS. WHEN INITIATING SUCH SIGNAGE TYPE IN A DEVELOPMENT, ALL WALKWAY OCCUPANT & WALKWAY DIRECTIONAL SIGNS W/IN A DEVELOPMENT MUST BE APPROVED ALL AT ONE TIME.
  - (k) - ONE SIGN PER ARTISAN IS PERMITTED PER LOT. ARTISAN SIGNS MUST BE ATTACHED TO CONSTRUCTION SIGN IF A CONSTRUCTION SIGN IS ON SITE.
  - (L) - SUCH TEMPORARY MESSAGE SIGN SHALL TAKE THE PLACE OF ALL OTHER TEMPORARY SIGNS PERMITTED ON SITE, EXCLUDING OUT PARCEL AND OUT-BUILDING CONSTRUCTION AND DEVELOPMENT SIGNS.
  - (m) - RETAIL CENTERS GREATER THAN 100,000 SF IN TOTAL FLOOR AREA SHALL BE PERMITTED ONE ADDITIONAL SIGN ON ITS LONGEST FRONTAGE. SUCH SIGN SHALL BE A MONUMENT SIGN AND NO GREATER THAN 40 SF IN AREA, 4' IN HT., SETBACK A MIN. 5' FROM ALL PROPERTY LINES, AND ALTHOUGH THERE IS NO REQUIREMENT FOR THE NAME OF THE PLAZA ON THE SIGN, EACH TENANT NAME SHALL BE NO LESS THAN 4 SF IN AREA.
  - (n) - ALL PERMANENT SPECIAL EVENT SIGNS AND TEMPORARY SPECIAL EVENT MESSAGE AREAS MUST BE MAINTAINED AND CONTROLLED BY THE PROPERTY MANAGER. SUCH SIGNS SHALL ALWAYS DISPLAY CURRENT MESSAGES AND HAVE A NEAT AND PROFESSIONAL APPEARANCE.
  - (o) - A SINGLE COMMERCIAL BUILDING MAY DEVOTE 100% OF THE 102 SF OF SIGN AREA TO INDIVIDUAL TENANTS, WITH A MINIMUM 4 SF PER TENANT, SO LONG AS THE NAME OF THE SINGLE COMMERCIAL BUILDING, OR THE PRINCIPAL OR ANCHOR TENANT THEREIN, IS INDICATED ON THE SIGN AREA.
- NA - NOT APPLICABLE  
NR - NO REQUIREMENT

ABBREVIATIONS:

ATM - AUTOMATED TELLER MACHINE (FOR A BANK)	MAX - MAXIMUM
BLDG - BUILDING	R-O-W - RIGHT OF WAY
BUS - BUSINESS	SF - SQUARE FEET
COMM - COMMERCIAL	W/ - WITH
HT - HEIGHT	(+) - OR MORE
I.E. - FOR EXAMPLE	(') - FOOT
MIN - MINIMUM	(') - INCHES

TABLE 1  
PERMANENT SIGNS FOR COMMERCIAL USES

TYPE OF SIGN	MAXIMUM NUMBER OF SIGNS PER LOT	MAXIMUM TOTAL SIGN AREA PER SIGN FACE	MAXIMUM HEIGHT OF SIGN	MINIMUM SETBACK FROM ALL PROPERTY LINES	SIGN COPY LIMITS	OTHER LIMITATIONS
<b>PREESTANDING IDENTIFICATION SIGN</b>						
100' (+) PROPERTY FRONTAGE ON U.S. 1 OR DONALD ROSS RD.	1 (m)	102 SF	15'	10'	NAME OF BLDG OR CENTER MUST BE A MIN. 40% OF SIGN AREA. MAX. 60% OF 102 SF MAY BE ALLOTTED TO INDIVIDUAL TENANTS W/ MIN. 4 SF PER TENANT. LETTER & LOGO HEIGHT NOT TO EXCEED 20". (a)(o)	RETAIL CTRS W/LESS THAN 15,000 SF TOTAL FLOOR AREA MAY USE A MAX. 30% OF 102 SF AS A TEMPORARY SPECIAL EVENT AND LEASING MESSAGE AREA. (L)(n)
OR						
100' (+) PROPERTY FRONTAGE ON BOTH U.S. 1 AND DONALD ROSS RD.	2, ONE PER STREET FRONTAGE (m)	102 SF	15'	10'	NAME OF BLDG OR CENTER MUST BE A MIN. 40% OF SIGN AREA. MAX. 60% OF 102 SF MAY BE ALLOTTED TO INDIVIDUAL TENANTS W/ MIN. 4 SF PER TENANT. LETTER & LOGO HEIGHT NOT TO EXCEED 20". (a)(o)	RETAIL CTRS W/LESS THAN 15,000 SF TOTAL FLOOR AREA MAY USE A MAX. 30% OF 102 SF AS A TEMPORARY SPECIAL EVENT AND LEASING MESSAGE AREA. (L)(n)
OR						
600' (+) PROPERTY FRONTAGE ON U.S. 1 OR DONALD ROSS RD.	2 (m)	102 SF	15'	10'	NAME OF BLDG OR CENTER MUST BE A MIN. 40% OF SIGN AREA. MAX. 60% OF 102 SF MAY BE ALLOTTED TO INDIVIDUAL TENANTS W/ MIN. 4 SF PER TENANT. LETTER & LOGO HEIGHT NOT TO EXCEED 20". (a)(o)	THE 2 SIGNS MUST BE SEPARATED BY MIN. 450'. RETAIL CTRS W/LESS THAN 15,000 SF TOTAL FLOOR AREA MAY USE A MAX. 30% OF 102 SF AS A TEMPORARY SPECIAL EVENT AND LEASING MESSAGE AREA. (L)(n)
OR						
100' PROPERTY FRONTAGE ON A-1-A OR ELLISON WILSON RD.	1	52 SF	7.5'	5'	MAX. 60% OF 52 SF SHALL BE ALLOTTED TO INDIVIDUAL TENANTS W/MIN. 4 SF PER TENANT. (a)(o)	NO TEMPORARY MESSAGES ARE PERMITTED ON SIGN. LETTER & LOGO HEIGHT NOT TO EXCEED 20".
OR						
FRONT ENTRANCE WALL SIGN	2, ONE PER EACH SIDE OF ENTRANCE (g)(h)(m)	24 SF	6'	NR	NAME OF BLDG OR CENTER ONLY. (a)	NO TEMPORARY MESSAGES ARE PERMITTED ON SIGN. LETTER & LOGO HEIGHT NOT TO EXCEED 20".
<b>PERMANENT SPECIAL EVENT SIGN ON U.S. 1 OR DONALD ROSS RD.</b>						
TOTAL FLOOR AREA					NO MORE THAN 4 TEMPORARY MESSAGES ARE PERMITTED AT ONE TIME. IF THERE ARE NO TEMPORARY MESSAGES, THEN THE RETAIL CTR NAME SHALL BE PLACED ON SIGN. (n)	PERMITTED FOR RETAIL BLDGS & CENTERS ONLY. MONUMENT SIGN ONLY. LETTER & LOGO HT. SHALL BE MIN. 4" & MAX. 20". (L)
15,000 - 55,000 SF	1	20 SF	4'	3'		
55,001 - 100,000 SF	1	25 SF	4'	3'		
101,000 SF OR MORE	1	30 SF	4'	3'		
<b>DIRECTIONAL SIGN</b>						
DIRECTIONAL SIGN	1 PER ACCESS DRIVE	4 SF	3'	5'	ONLY DIRECTIONAL WORDS AND/OR NAME OR LOGO.	LANDSCAPING MAY BE REQUIRED AROUND BASE.

4.10 ZONING DISTRICT: RESIDENTIAL SINGLE-FAMILY (RS 1,2,3,4)

4.11 Purpose: The purpose of these residential single family districts is to provide for areas of the Town which shall be exclusively used for single family detached homes, and further that all the amenity and quality of life normally associated with single-family use is protected and enhanced in these districts. Further purposes of these districts include preserving the character of the existing neighborhoods and the enhancement of property values. Note that transient facilities are expressly prohibited in this district as permitted use, accessory use, special exception use and as a use within a Planned Unit Development.

4.12 Uses Permitted

1. Single-family detached dwellings.
2. Group Homes (see Section 5.170)
3. Essential Services.

4.13 Accessory Uses:

1. Private nurseries and greenhouses.
2. Private garages.
3. Private swimming pools.
4. Other accessory uses customarily incident to permitted or approved Special Exception Uses, not involving the conduct of business.
5. Limited Home Occupations. (see section 5.160)
6. Satellite Dish Antennas (see Section 5.190)

4.14 Special Exception Uses:

1. Public and private utility structures.
2. Churches, synagogues, and other houses of worship.
3. Planned Unit Development - residential only (single-family detached, patio homes).
4. Satellite Dish Antennas (see Section 5.190)

4.15 Site Plan Review Requirements: Required of all uses other than individual single family detached dwellings, which shall be subject to review only by the Town of Juno Beach Planning, Building and Zoning Department.

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RESIDENTIAL SINGLE FAMILY ZONING DISTRICTS  
BUILDING SITE AREA REQUIREMENTS

	RS-1 Sea View Ridge (Apollo Dr.) (Diana Ln.)	RS-1 Ocean View Ridge (Sunset Way) (Starlight Ln.) (Sunrise Way) (Olympus Dr. & south and east)	RS-1 Tomkus Subdivision (N. & S. Lyra Cir.)	RS-2 First Addition (N. & S. Juno Ln.) (Jupiter Ln.) (Zenith Ln.)	RS-1 Malbo Subdivision (Mars Way)	RS-4 Juno Heights (Neptune Rd.)
Lot Area (Min.)	10,000 sf	10,000 sf	10,000 sf	8,000 sf	6,000 sf	5,500 sf
Lot Width (Min.)	75 feet	75 feet	75 feet	75 feet	75 feet	75 feet
Lot Depth (Min.)	100 feet	100 feet	100 feet	90 feet	80 feet	90 feet
Density (Max.)	4 units/acre	4 units/acre	4 units/acre	4 units/acre	5 units/acre	5 units/acre
Front Setback (Min.)	25 feet (a)(b)(c)	25 feet (a)(b)(c)	25 feet (a)(b)(c)	15 feet (a)(b)(c)	20 feet (a)(b)(c)	20 feet (a)(b)(c)
Side Setback (Min.)	10 feet (a)	10 feet (a)	10 feet (a)	15 feet total, 5 feet per side (a)	15 feet total, 5 feet per side (a)	15 feet total, 5 feet per side (a)
Rear Setback (Min.)	10 feet (b)	10 feet (b)	10 feet (b)	10 feet (b)	10 feet (b)	10 feet (b)
Height (Max.)	2 stories, 30 feet (d)	2 stories, 30 feet (d)	2 stories, 30 feet (d)	2 stories, 30 feet (d)	2 stories, 30 feet (d)	2 stories, 30 feet (d)
Tower Height (Max.)	none, but must be in proportion w/ rest of building	none, but must be in proportion w/ rest of building	none, but must be in proportion w/ rest of building	none, but must be in proportion w/ rest of building	none, but must be in proportion w/ rest of building	none, but must be in proportion w/ rest of building
Tower Area (Max.)	225 sf	225 sf	225 sf	225 sf	225 sf	225 sf
Lot Coverage (Max.)	35%	35%	35%	35%	35%	35%
Ocean Setback (Min.)	50 feet W. of CCCL	50 feet W. of CCCL	50 ft. W. of CCCL	50 ft. W. of CCCL	50 ft. W. of CCCL	50 ft. W. of CCCL
Living Area (Min.) (Habitable Space)						
1 Bedroom	1,000 sf	1,000 sf	1,000 sf	1,000 sf	1,000 sf	1,000 sf
2 Bedroom	1,200 sf	1,200 sf	1,200 sf	1,200 sf	1,200 sf	1,200 sf
3 Bedroom	1,400 sf	1,400 sf	1,400 sf	1,400 sf	1,400 sf	1,400 sf
Building Dimension (Max.)	100 feet	100 feet	100 feet	100 feet	100 feet	100 feet
Landscaping Requirement (Min.)	25%	25%	25%	25%	25%	25%
Parking Requirements (Min.)	2 spaces/unit (c)	2 spaces/unit (c)	2 spaces/unit (c)	2 spaces/unit (c)	2 spaces/unit (c)	2 spaces/unit (c)
Loading	N/A	N/A	N/A	N/A	N/A	N/A
Highrise Setback	N/A	N/A	N/A	N/A	N/A	N/A
Accessory Structure Setback (Min.)	5 feet (e)	5 feet (e)	5 feet (e)	5 feet (e)	5 feet (e)	5 feet (e)
Accessory Structure Max. Height	12 feet	12 feet	12 feet	12 feet	12 feet	12 feet
Access. Struc. Max. Bldg. Dimension	12 feet * (f)	12 feet * (f)	12 feet * (f)	12 feet * (f)	12 feet * (f)	12 feet * (f)

\* Screened pool enclosures are excluded.

See Notes on next page.

- a) Corner Lots: Section 5.16 Corner Lots is modified for the RS Districts as follows:  
One Street Side: min. 20 foot setback \*\*\*  
Other Street Side: min. required front yard setback (see table above).

\*\*\* In the RS-2 District (First Addition Subdivision), a min. 15 foot setback shall be required on both street sides when such corner lot abuts Zenith Lane.  
\*\*\* Yards facing U.S. Hwy. 1 and/or Ocean Drive shall be setback a min. 20 foot.

- b) Through Lots: Section 5.17 Through Lots is modified for the RS Districts as follows:

- Those through lots which have frontage on both U.S. Hwy. 1 and a local residential street shall have the principal building setback the required front yard setback on both frontages. However, accessory structures in yards facing U.S. Hwy. 1 may be setback according to the accessory structure setback requirements for a side and rear yard.

- Those lots in the RS-2 District (First Addition Subdivision) which front on both N. Juno Lane and Diana Lane shall have the front yard setback requirement apply to the N. Juno Lane frontage, while the frontage facing Diana Lane shall be treated and regulated as a rear yard.

- c) A minimum 19 foot long driveway or parking area is required in front of a garage or carport for stacking depth.

d) Building Height is measured from average existing grade (prior to land alteration) at structure's proposed location or from the crown of the road at its highest elevation abutting in the property, whichever is the greater.

e) If accessory structure is in the front yard, the front yard setback shall apply. However, see note b) above for exception.

f) If accessory structure is setback a minimum 10 feet from the side or rear property line, then Section 5.18B Setback of Accessory Structures shall apply and there shall be no maximum building dimension requirement.

ABBREVIATIONS:

Min. - Minimum  
Max. - Maximum  
sf - Square Feet  
N/A - Not Applicable  
Struc. - Structure  
w/ - with  
W. - West  
ft. - Feet  
CCCL - Coastal Construction Control Line  
Bldg. - Building

## 2.00 DEFINITIONS

Building Dimension: The horizontal length of any building wall in one elevation (the front, sides, or rear building wall of any structure). Attached building structures (for example a row of townhouses) shall be considered as one building and one building dimension, regardless of whether the attached building structures are parallel to the property line, staggered, or some other configuration. The dimension shall be measured from the farthest extremes of said building wall, exclusive of balconies, porches, canopies, port cocheres, and other similar features.

Tower, Proportional: The height of the eave of the tower structure, or roof deck, if applicable, shall be no higher than 1.5 times the height of the eave of the principal structure. The roof of the tower may extend above this limit. As an example, if the height of an eave for a two story principal building is at 18 feet, then the height of the tower eave or roof deck shall be no higher than 27 feet ( $18 \times 1.5 = 27$ ) above average existing grade or crown of the road, whichever is applicable. The roof of the tower may extend above this limit.)

Proportional (Tower): See Tower, Proportional definition.

11.00 SITE PLAN AND APPEARANCE REVIEW PROCEDURES.

11.10 Intent and Purpose of Site Plan and Appearance Review.

The intent of Site Plan and Appearance Review is to insure the best use and the most appropriate development and improvement of each lot in the Town; to protect the owners of lots to ensure that the use of surrounding lots will maintain or improve property values; to ensure the erection thereon of well designed and proportioned structures built of appropriate materials; to preserve, as far as practicable the natural features and beauty of said property; to obtain harmonious architectural themes; to encourage and secure the erection of attractive structures thereon, with appropriate locations thereof on lots; to secure and maintain proper setbacks from streets and adequate open spaces between structures; and in general, to provide adequately for a high type and quality of improvement in said property, and thereby enhance the property values and the quality of life in the Town.

11.20 Site Plan and Appearance Review.

No construction or clearing of land may begin in any district prior to review and approval of the site plan and appearance. The review shall be made by the Town of Juno Beach Planning and Zoning Board and approval by Town Council. Single family detached dwellings shall be subject to review and approval only by the Town of Juno Beach Planning, Building and Zoning Department. The criteria to be used in this review shall be to ascertain that the proposed new development:

Site Plan Criteria.

- a) is in conformity with the Comprehensive Plan and is not detrimental to the neighboring land use(s);
- b) has an efficient pedestrian and vehicular traffic system, including pedestrian, bicycle, and automotive linkages and proper means of ingress and egress to the streets;
- c) has adequate provision for public services including but not limited to access for police, fire and solid waste collection;
- d) adheres to the Adequate Public Facilities Ordinance regarding potable water, sanitary sewer, solid waste, drainage, recreation and open space, and road facilities;

- e) is planned in accordance with natural characteristics of the land including but not limited to slope, elevation, drainage patterns (low areas shall be used for lakes or drainage easements), natural vegetation and habitats, and unique physical features;
- f) preserves environmental features and native vegetation to the maximum extent possible, and adheres to the environmentally sensitive lands ordinance;
- g) protects estuarine areas when concerning: marina siting, drainage plans, alteration of the shoreline, provisions for public access and other concerns related to water quality and habitat protection.
- h) adheres to all sections of the Comprehensive Zoning Ordinance;

Appearance Review Criteria.

- a) is of an architectural style representative of or reflecting the "Old Florida" style which is indigenous to the Town and which is commonly known and identified by its late victorian (Key West Cracker), spanish revival (Mediterranean), or combination thereof style of architecture. Summarized briefly, common features of the "Old Florida" style include: wood or concrete block with stucco siding; simple pitched roofs; tile, metal, or asphalt roofs; ornate details such as but not limited to exposed soffits, individualized vent and louver shapes, reliefs, and detailed window and door treatments; lush landscaping with private yards; and use of porches, balconies and patios;
- b) is of a design and proportion which enhances and is in harmony with the area;
- c) is representative of the "Old Florida" architectural style, such that elevator and stairwell shafts and other modern operations and features of a building shall be either completely concealed or embellished with architectural treatments and features to minimize large spans of flat surfaces or vertical elements; rooftop equipment and elevator and mechanical penthouse protrusions shall be concealed; entirely flat building walls without architectural features shall be minimized; and parking garages and other accessory structures shall be designed with architectural features and treatments so that they are well proportioned and balanced and in keeping with the architectural style of the principal structure;
- d) shall have all structures and accessory features (such

as but not limited to light fixtures, benches, litter containers, traffic and other signs, letter boxes, and bike racks) on site compatible in design, materials, and color;

- e) shall have a design in which buildings over forty (40) feet in height shall appear more horizontal or nondirectional in proportion rather than vertical, accomplished by the use of architectural treatments as described in these criteria;
- f) shall locate and design mechanical equipment with architectural treatments so that any noise or other negative impact is minimized;
- g) adheres to and abides by the Town's Community Appearance Standards (see Section 5.200).

11.30 Site Plan and Appearance Review Requirements.

Each site plan and appearance approval request shall include the items stated in the Town's site plan and appearance approval checklist, which is in the Appendix attached, and is part of the Town's development application form, as it may be amended by the Director from time to time. The development application form is available at the office of the Planning and Zoning Department.

11.40 Minor Amendment to a Site Plan and Appearance Approval.

A minor amendment to a site plan and appearance approval may be approved by the Director of the Planning and Zoning Department or designee, in consultation with the Town Manager, only if the amendment adheres to the following requirements.

- 1) an increase in the total square footage of any building is by no more than 5%; there is no increase in the number of principal structures, the number of residential dwelling units, or the densities as specified by the approved plan. However, a decrease in the total square footage of any building, or reduction of the number of structures, stories, or units as specified by the approved plan may be approved as a minor amendment.
- 2) there is no change in the boundary of the approved plan.
- 3) any changes, except as provided herein, that do not increase the use in intensity or density. Rearrangement of uses or locations on a property may be permitted unless they conflict with a specific provision herein or condition of the approved plan.

- 4) there is a relocation of no more than 5% of the total square footage indicated as being covered by structures.
- 5) there is no increase in the traffic above that established by the plan approved by Town Council.
- 6) there is no increase of negative impacts on adjacent properties.
- 7) there is no major alteration in the architectural design. Major alteration in design shall mean any change in the shape, size, or character of the structure.

11.50 Expiration of Site Plan and Appearance Approval.

A Site Plan and Appearance Approval shall be valid for two years from the date of such approval. If a building permit(s) has not been obtained for all components of said approval prior the date of two years following the approval date, said Site Plan and Appearance Approval shall become null and void.

## SITE PLAN AND APPEARANCE APPROVAL CHECKLIST

The following checklist is designed to assist applicants in preparing required materials for review. The applicant should check off each item to insure that it is included. Items omitted will delay review procedures. All plans must be bound and rolled; letters must be submitted separately and collated in complete sets.

Five (5) detailed site plans drawn to scale and rolled. An engineering scale with adequate resolution for verification of measurements should be used. The site plan shall include the following.

- (a) Name of proposed project.
- (b) Date, north arrow, and graphic scale.
- (c) Vicinity map showing property in relation to adjacent area.
- (d) Adjacent land uses, including footprints of any structures or vehicular use areas adjacent to subject property, and zoning districts.
- (e) Location of property line, right-of-way, proposed/existing easements, water courses, dune crestline, vegetation line, Coastal Construction Control Line, and other essential features.
- (f) Streets, bike lanes, sidewalks, driveways, intersections, curb cuts and turning lanes adjacent to and across from the subject property, and means of access to site.
- (g) Location and dimensions of all perimeter treatment (sidewalks, bikepaths, fences, walls, and berms).
- (h) The footprints of all buildings showing their proposed uses, setbacks, dimensions, floor area, number of stories, height, points of access, and finished floor elevation in relation to mean sea level.
- (i) Location, height, colors, materials and dimensions of all signs and other accessory structures.
- (j) Phasing Plan of the site, including any temporary facilities or treatments such as landscaping and accesses.
- (k) Location and width of any proposed dedication of property for public or private road right-of-way and any other form of easement.
- (l) Layout and location of all on-street and off-street parking, loading and other vehicular use areas, including where applicable, distance from the principle uses.

\_\_\_\_\_ (m) Location and dimensions of all parking and handicap spaces, bicycle parking facilities, driveways and aisles, dumpsters, and loading zones.

\_\_\_\_\_ (n) Loading Demand Statement for all non-residential uses, detailing the land use's projected normal demands for loading and unloading.

\_\_\_\_\_ (o) Statement of estimated need for bicycle parking facilities for all non-residential uses.

\_\_\_\_\_ (p) Location, height and detail of all outdoor illuminations.

\_\_\_\_\_ (q) Location of existing and proposed fire hydrants (or operational equivalents) on and near site.

\_\_\_\_\_ (r) Location, percentage, and size of acres to be conveyed, dedicated or reserved as open space, public parks, recreational, and similar uses.

\_\_\_\_\_ (s) Location and screening of all garbage/trash receptacles including recycling bins, mechanical equipment, satellite dishes, and other accessory structures.

\_\_\_\_\_ (t) Supply a site data table which indicates the following:

1. Existing/proposed land use and zoning.
2. Total acres of project.
3. Intensity, total gross building square footage.
4. Gross building footprint square footage.
5. Percent of open space/landscaping, lot coverage and impermeable surface.
6. Acres and percent of water bodies.
7. Density, number of dwelling units (residential), and total living area per unit.
8. Parking computations (parking required, parking provided, parking ratio, & handicap spaces provided).
9. Building Height.
10. Loading spaces required & provided.

Five copies of the following items must also be submitted:

- \_\_\_\_\_ 1. 8 1/2" x 11" reduced site plans and elevations.
- \_\_\_\_\_ 2. 8 1/2" x 11" location map showing site and uses adjacent to and across from site.
- \_\_\_\_\_ 3. Front, side, and rear elevations of all buildings.
- \_\_\_\_\_ 4. Typical floor plans.
- \_\_\_\_\_ 5. Landscape plan, including the following:

- a) Location and number of all proposed landscaping and location of landscape buffers.
  - b) A separate list of both the species and common name of the proposed landscaping.
  - c) Native and Non-Native plant designation, and percentage of native plant material utilized for each type of plant, including trees, shrubs, and groundcover.
  - d) Size, as appropriate, of all proposed landscaping.
  - e) Total square feet of landscaping and pervious surface.
  - f) Percentage of landscaping and pervious surface of the total site area.
  - g) Statement that all landscape areas will be provided with permanent, automatic irrigation where needed.
  - h) Calculations for provision of landscaping for vehicular parking and circulation areas.
6. Graphic survey of existing vegetation, delineating all viable native vegetation and all trees greater than four (4) inches in diameter (caliper) at 4 feet above ground, on site. (An individual single family dwelling or a duplex on less than four (4) acres are exempt from this requirement).
7. Conceptual utility plans, including water and sewer; and drainage, paving, and grading. Existing and proposed one (1) foot contour lines must be shown on drainage, paving, and grading plans.
8. Survey, signed and sealed by a Professional Land Surveyor registered in the State of Florida.
9. Preliminary Plat, if re-plat or subdivision is required.
10. Traffic Impact Study:
- a) A Traffic Impact Study is required that is in compliance with the Palm Beach Countywide Traffic Performance Standards Ordinance, typically any development generating more than 200 trips.
  - b) The Palm Beach County Department of Engineering and Public Works shall have completed a review of the traffic study for the proposed project, pursuant to the countywide traffic performance standards and the minimum review thresholds established therein, prior to submission of the application to the Town. Appropriate written verification of the completion of the review by that department shall be submitted with the application.
11. Market Study may be required by Staff.
12. Letter from applicant stating the following:
- a) General description of request.

- b) General background information on project and site.
- c) Justification (special reasons or basis for the request).

- \_\_\_\_\_ 13. Written confirmation of the provision of all necessary facilities and systems for water supply, sewage treatment, storm drainage, garbage collection, and Fire Rescue and the ability of these services to be delivered with the proposed site plan.
- \_\_\_\_\_ 14. Warranty deed, copy of purchase contract or written consent of owner.
- \_\_\_\_\_ 15. Letter authorizing agent to represent developer/owner.
- \_\_\_\_\_ 16. Environmental Impact Study, if required by the Town's Environmentally Sensitive Lands Ordinance.
- \_\_\_\_\_ 17. Adequate Facilities Determination must be made by Town Planner.
- \_\_\_\_\_ 18. Color and material samples may be required by Staff.

Site plan review fee and any other applicable fees must accompany submittal.

## TOWN OF JUNO BEACH COMMUNITY APPEARANCE STANDARDS

PURPOSE: The community appearance standards for the Town of Juno Beach are designed to enhance the appearance and environment of the streets, bicycle and pedestrian ways, and public spaces of the Town as well as provide vehicular (motorized and non-motorized) and pedestrian access to all public and private land.

APPLICABILITY: These community appearance standards shall apply to all new residential (excluding an individual single family or duplex residence) and non-residential developments and major alterations resulting in an increase of 5% or more of the gross floor area of a structure or structures on a site. However, accessory structures which are no greater than 1,000 sf in gross floor area shall not be required to meet these standards. The Town shall consider variations from these standards, on a case by case basis, to determine if such variations meet the intent and purpose of this Section.

PERMITS REQUIRED: All improvements within a right-of-way (such as but not limited to road construction, landscaping, sidewalks, lights, traffic signs) require Town approval as well as a right-of-way permit from the right-of-way agency prior to installation. In addition, any improvements within an easement require approval from the easement holder.

STREET SECTIONS: The diagrams that follow show how the streets and right-of-ways shall be enhanced. The bike lanes shown on existing streets require approval and construction by the respective right-of-way agency, unless otherwise specified in a development approval.

All improvements within a right-of-way shall meet the minimum requirements of the State of Florida "Manual of Uniform Minimum Standards for the Design, Construction, and Maintenance of Streets and Highways" (F.D.O.T. Green Book), as amended from time to time.

### PUBLIC PARKS, OPEN SPACES, AND ACCESS EASEMENTS:

Improvements within all public parks, open spaces, and access easements shall follow as closely as possible the standards in this Section.

#### LANDSCAPING OF STREETS

The landscaping of the streets should follow the Street Sections conceptually, shown on the diagrams that follow. The following landscaping types, listed below, should be used; however, the Town will consider other types not listed, on a case by case basis, to determine their suitability for the proposed location. The plant list was compiled to meet the unique conditions of Juno Beach and the selection criteria included: salt tolerance (when located east of U.S. Hwy. One), freeze tolerance, water conservation, shade, and aesthetic/view preservation of the ocean.

SHADE TREES: All shade trees shall be planted at a minimum 16 foot overall height, minimum 6 feet of clear trunk (min. 8 feet of clear trunk if located in a County Right-of-way), and spaced a maximum 30 feet on center. The Town may permit additional distances between shade trees based upon site specific conditions.

PALM TREES: Palm Trees may be mixed in with shade trees; however, shade trees shall be spaced a maximum 45 feet on center with palm trees placed in between shade trees (3 palms shall be considered equivalent to one shade tree). However, large specimen palms, such as coconut palms, canary island date palms, and royal palms, shall be considered shade trees if a minimum overall height of 16 feet.

ACCENT TREES, SHRUBS AND GROUND COVERS are encouraged along with shade trees. Accent trees shall be a minimum 8' - 10' overall height at time of planting. Shrubs shall be a minimum 24" overall height at time of planting and spaced a maximum 30" on center. Ground covers shall be a minimum 12" overall height at time of planting and spaced a maximum 18" on center.

SWALE AREAS: All swale areas shall be sodded and graded to drainage standards acceptable to the Town Engineer and other right-of-way agencies, if applicable.

PROTECTION AND MAINTENANCE: All trees and vegetation in a right-of-way are protected and may not be removed except by the Town or by private citizens who have obtained written approval from the Public Works Department. The Town's Landscape Code, Section 5.75, requires that all landscaping in a right-of-way be maintained by the adjacent property owner.

IRRIGATION: All landscaping in a right-of-way shall be provided with a 100 percent automatic irrigation system (for safety purposes: only pop-up sprinkler heads shall be permitted in right-of-ways). All shade trees shall be irrigated with individual bubblers.

East of U.S. Highway 1Shade Trees:

Live Oak (Quercus virginiana)  
 Carrotwood (Cupianopsis anacardioides)  
 Cuban Laurel (Ficus Nitida) - root barrier needed  
 Rusty Fig (Ficus Rubiginosa)

Palm Trees:

Cabbage Palm (Sabal Palmetto)  
 Coconut Palms (Green and Yellow Maypan)  
 Washington Palms (Washingtonia robusta)  
 Canary Island Date Palms (Phoenix canariensis)

Accent Trees:

Ligustrum (Ligustrum japonicum)  
 Cherry Laurel (Prunus caroliniana)  
 Madagascar Olive (Nerophia emarginata)  
 Southern Wax Myrtle (Myrica cerifera)  
 Small Leaf Clusia (Clusia Guttifera)  
 Tabebuia

Shrubs and Ground covers:

Saw Palmetto (Serenoa repens)  
 Spider Lily (Hymenocallis latifolia)  
 Dwarf Bougainvillea (Bougainvillea sp. dwarf)  
 Pittosporum tobira (Pittosporum tobira "variegata")  
 Indian Hawthorn (Raphiolepis indica)  
 Lantana (Lantana sp.)  
 Yaupon Holly (Ilex vomitoria)  
 Dune Sunflower (Helianthus debilis)  
 Zamia (Zamia floridana)  
 Liriope (Liriope "Evergreen Giant")  
 Annuals

U.S. Highway 1 and westwardShade Trees:

Live Oak (Quercus virginiana)  
 Mahogany (Swietenia manogoni)  
 Rosewood (Dalbergia sissod)  
 Orchid Tree (Bauhinia blakeana)  
 Carrotwood (Cupianopsis anacardioides)  
 Cuban Laurel (Ficus Nitida) - root barrier needed  
 Rusty Fig (Ficus Rubiginosa)

Palm Trees:

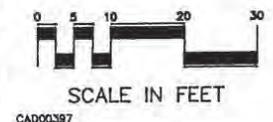
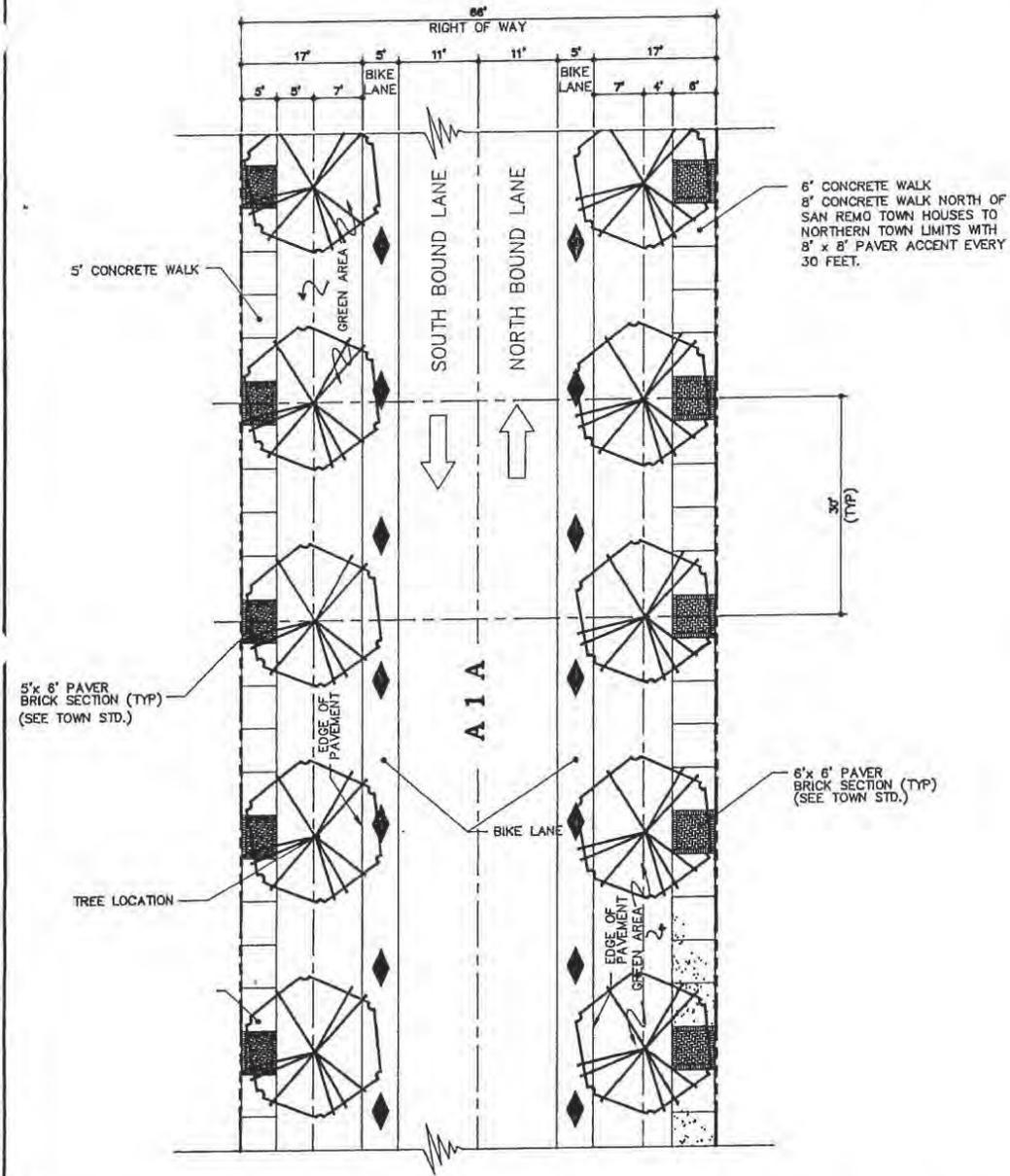
Cabbage Palm (Sabal Palmetto)  
 Coconut Palms (Green and Yellow Maypan)  
 Washingtonian Palms (Washingtonia robusta)  
 Canary Island Date Palms (Phoenix canariensis)  
 Royal Palm (Roystonea elata)

Accent Trees:

Southern Wax Myrtle (Myrica cerifera)  
 Sand Live Oak (Quercus virginiana "Geminata")  
 Myrtle Oak (Quercus myrtifolia)  
 Dahoon Holly (Ilex cassine)  
 Crape Myrtle (Lagerstroemia indica)  
 Ligustrum (Ligustrum japonicum)  
 Cherry Laurel (Prunus caroliniana)  
 Madagascar Olive (Nerophia emarginata)  
 Small Leaf Clusia (Clusia Guttifera)  
 Tabebuia

Shrubs and Ground covers:

Saw Palmetto (Serenoa repens)  
 Spider Lily (Hymenocallis latifolia)  
 Fakanatchee Grass (Tripsacum dactyloides)  
 Dwarf Bougainvillea (Bougainvillea sp. dwarf)  
 Pittosporum tobira (Pittosporum tobira "variegata")  
 Indian Hawthorn (Raphiolepis indica)  
 Lantana (Lantana sp.)  
 Yaupon Holly (Ilex vomitoria)  
 Dune Sunflower (Helianthus debilis)  
 Zamia (Zamia floridana)  
 Liriope (Liriope "Evergreen Giant")  
 Annuals

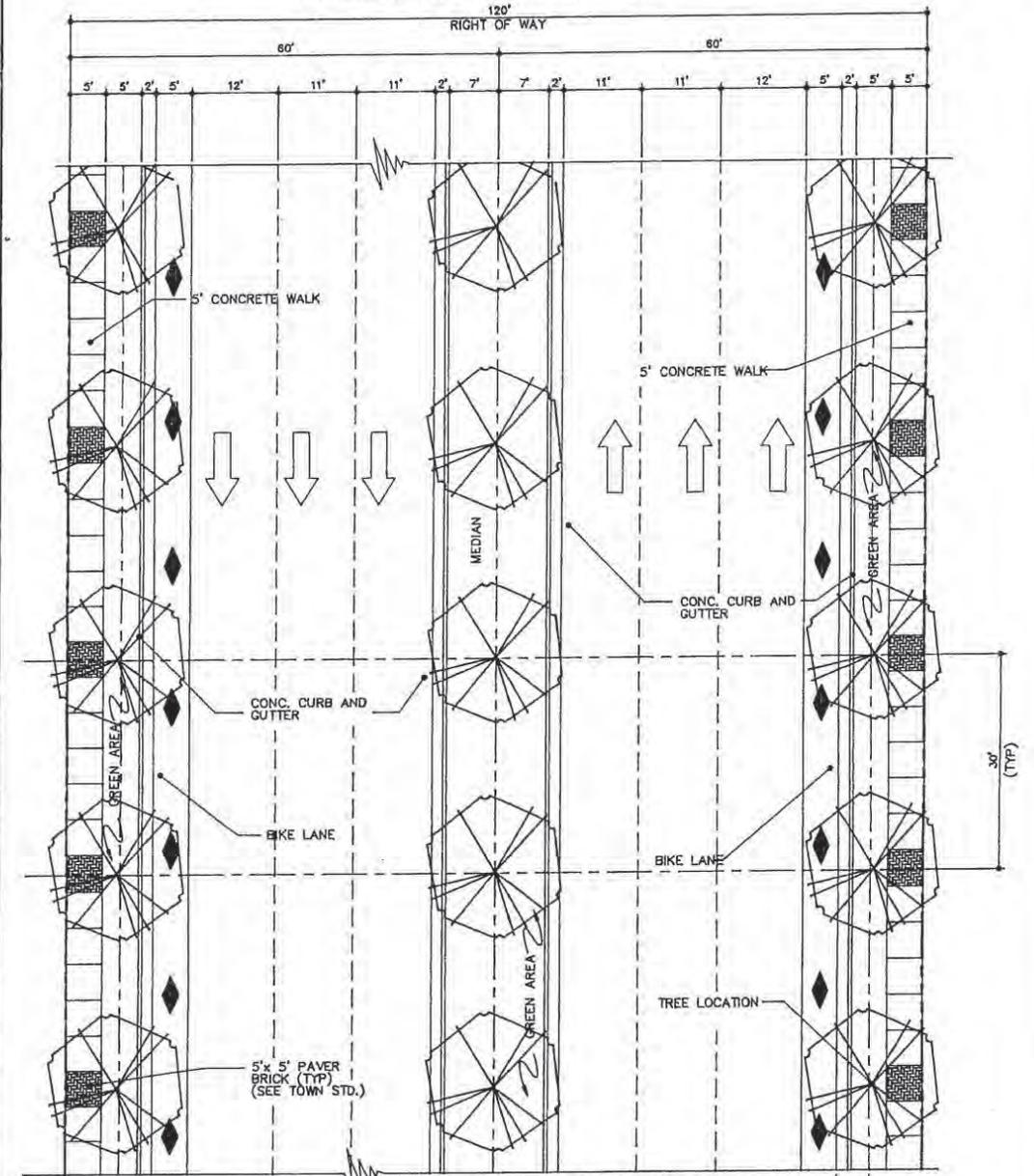


SCALE IN FEET

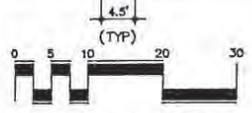
CAD00397

# TOWN OF JUNO BEACH A I A STREETSCAPE

PROPOSED FUTURE WIDENING FOR FLORIDA D.O.T. 35 MPH OR LESS (PROPOSED)



NOTE: ONLY CONCRETE WALK AND PAVER SECTION IMPROVEMENTS REQUIRED PRIOR TO WIDENING BY FLA. D.O.T.

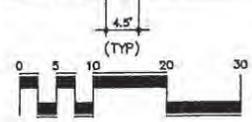
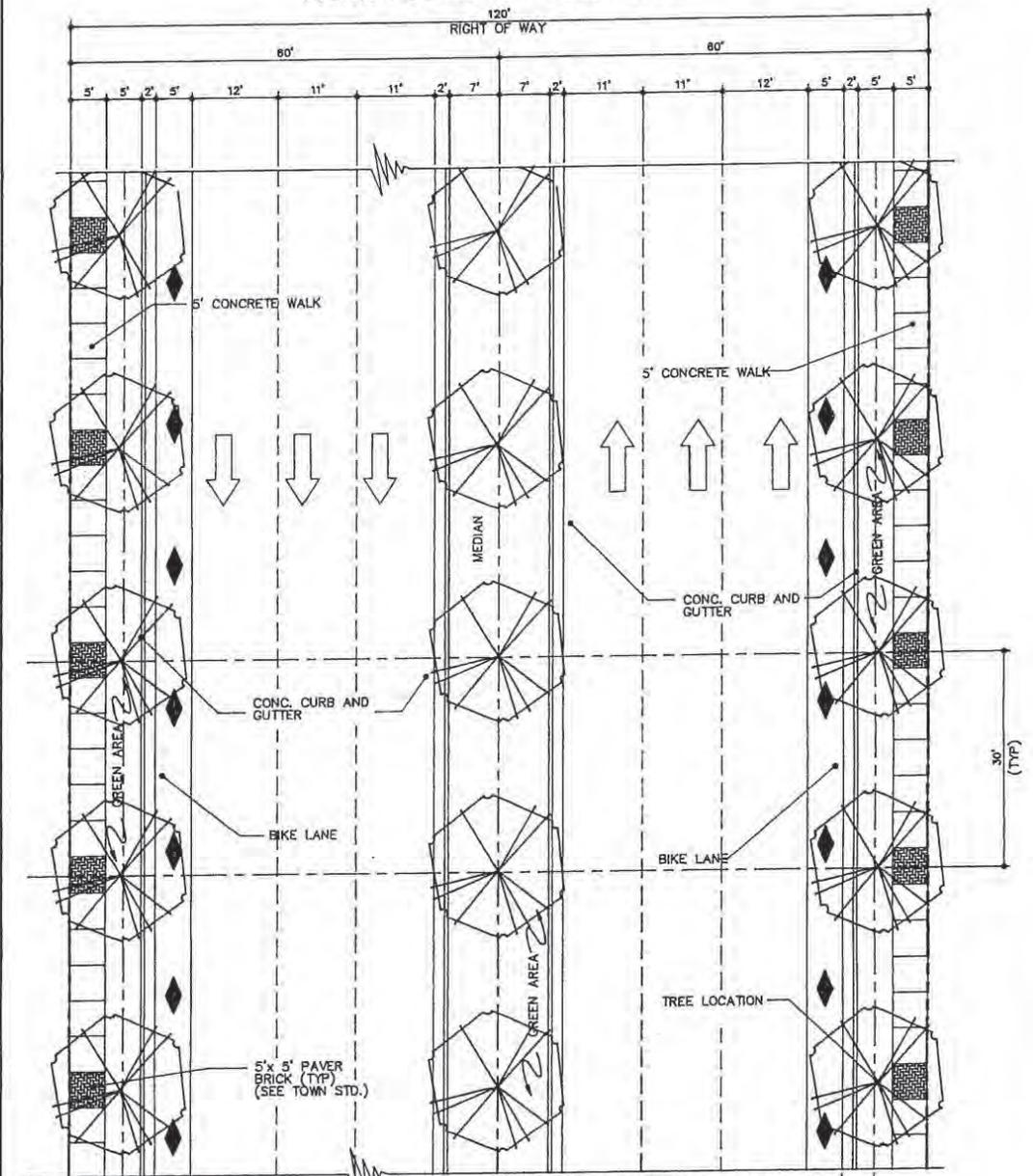


**TOWN OF JUNO BEACH**  
**STREETSCAPE**  
**US-1 (SR 5) STREETSCAPE**

CAD00397

PROPOSED  
FUTURE WIDENING FOR FLORIDA D.O.T.

35 MPH OR LESS (PROPOSED)

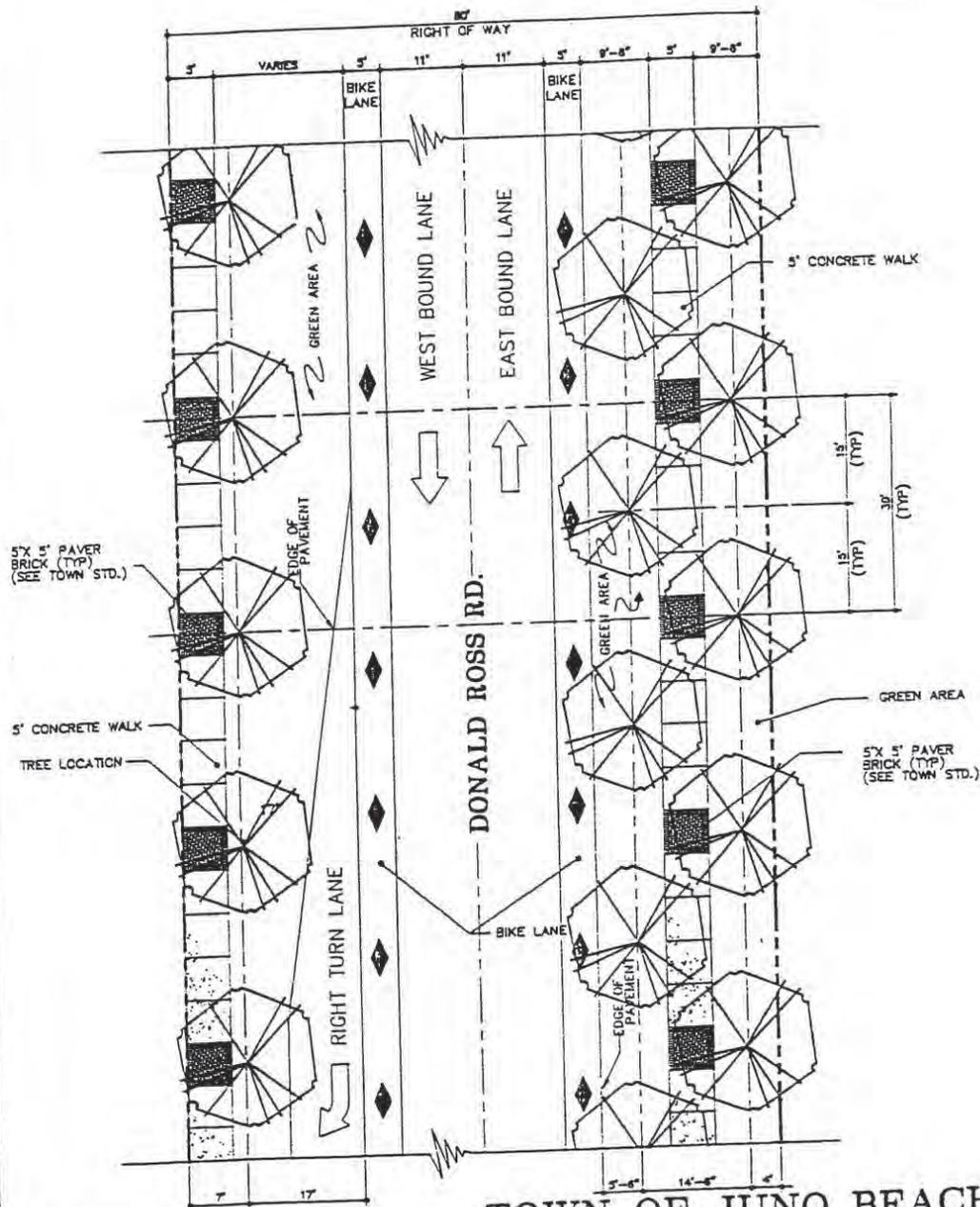


SCALE IN FEET

**TOWN OF JUNO BEACH**  
**STREETScape**

**DONALD ROSS RD WEST OF US 1**

35 MPH OR LESS  
(PROPOSED)



5'x 5' PAVER  
BRICK (TYP)  
(SEE TOWN STD.)

5' CONCRETE WALK

TREE LOCATION

EDGE OF  
PAVEMENT

RIGHT TURN LANE

DONALD ROSS RD.

BIKE LANE

EDGE OF  
PAVEMENT

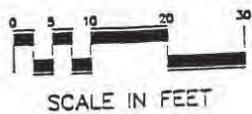
GREEN AREA

GREEN AREA

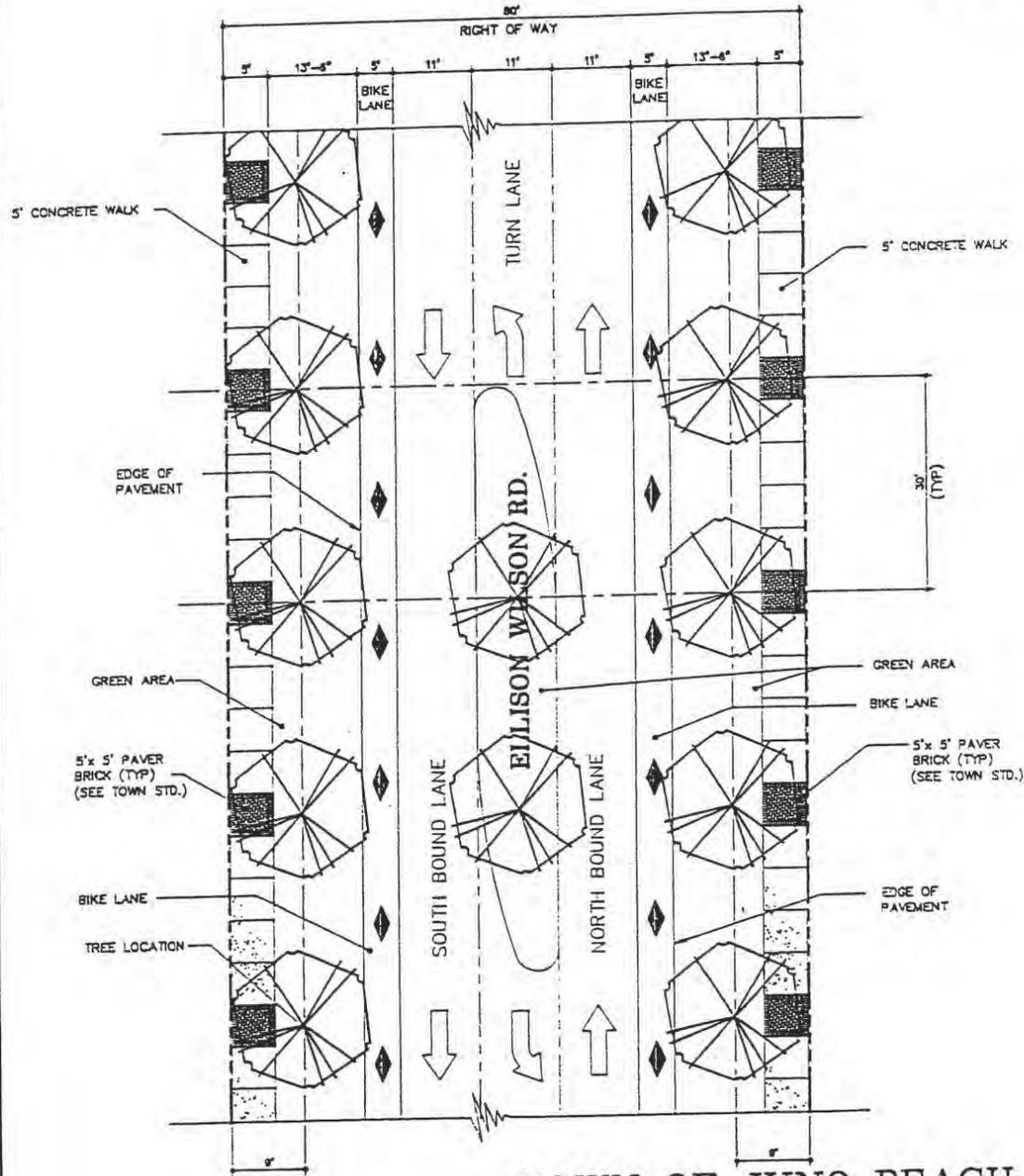
5'x 5' PAVER  
BRICK (TYP)  
(SEE TOWN STD.)

5' CONCRETE WALK

**TOWN OF JUNO BEACH  
DONALD ROSS ROAD  
EAST OF U.S. HIGHWAY ONE**



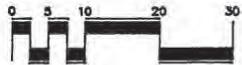
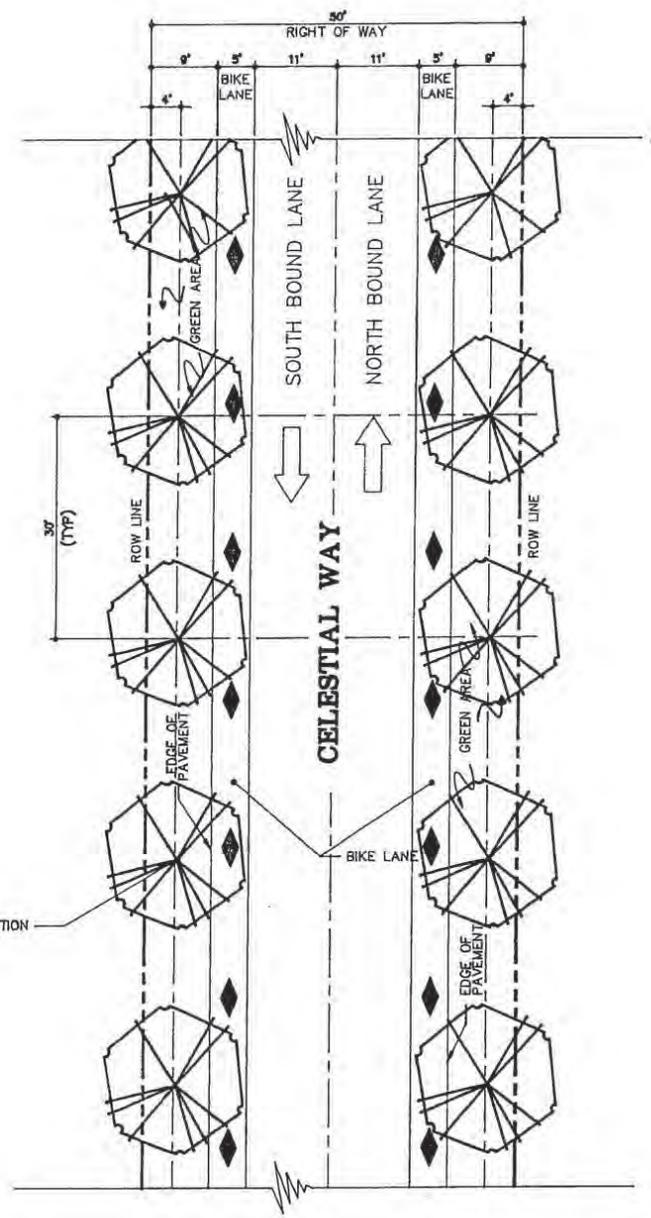
35 MPH OR LESS  
(PROPOSED)



TOWN OF JUNO BEACH  
ELLISON WILSON ROAD

PELICAN LAKE

TREE LOCATION

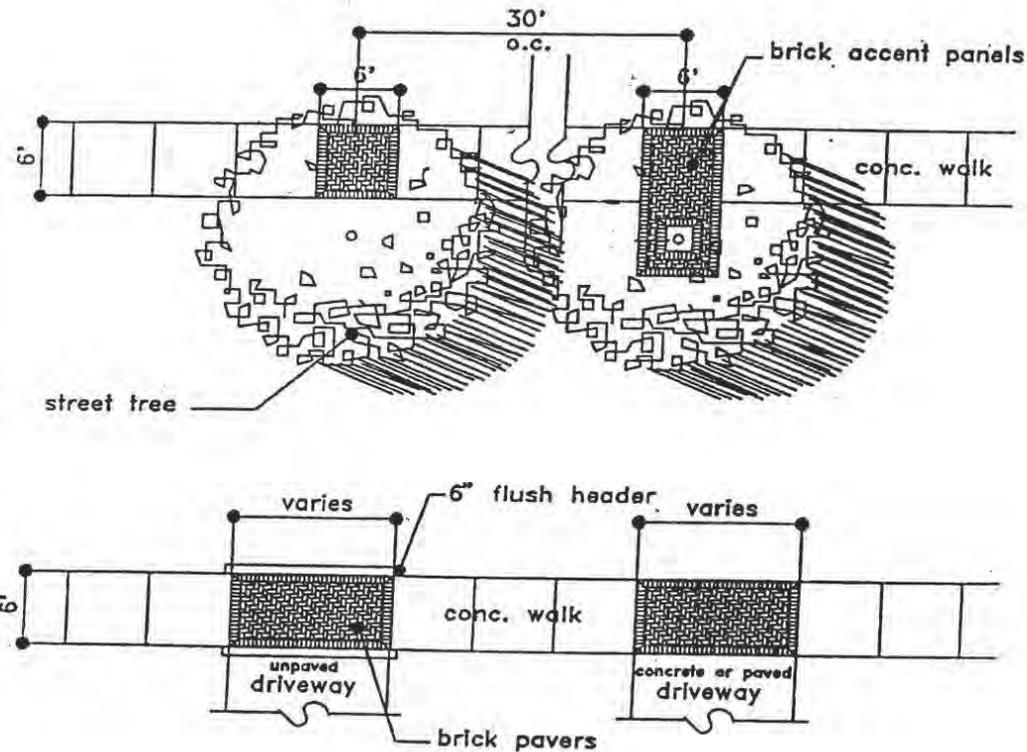


SCALE IN FEET

CAD00481

# TOWN OF JUNO BEACH CELESTIAL WAY STREETScape

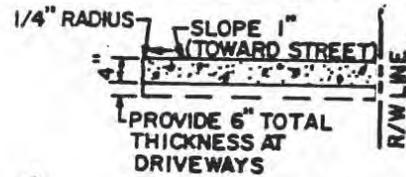
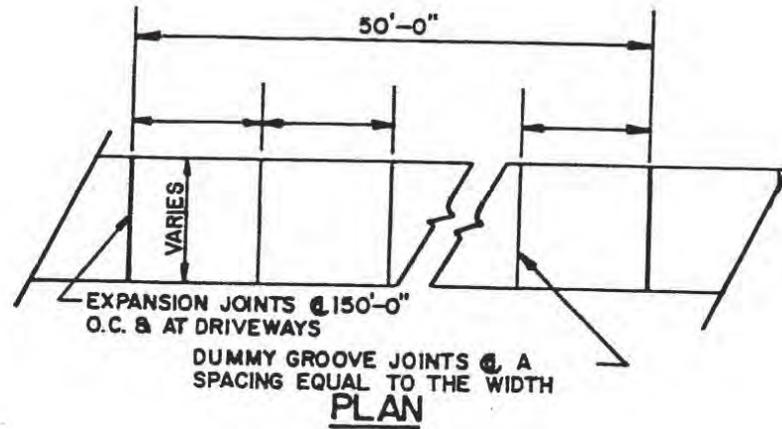
- All new construction and alterations which meet the Applicability section of these Standards, shall be required to provide sidewalks/pedestrian paths along the abutting right-of-way. When such new sidewalk shall be within 100 feet of existing pavement (for example, an existing sidewalk or drive), such new sidewalk shall be required to extend to the existing pavement in order to connect the system.
- Sidewalks/pedestrian paths shall be of poured concrete and meet the construction standards as shown in the details that follow.
- Brick paver accents, as shown in the street sections, shall be provided every 30 feet along the sidewalk. In addition, sidewalks across driveways shall be brick paved.
- Brick accents shall be "Holland Brick" by Paver systems (or equal), Color Mix III and placed in a Herringbone pattern 90 degrees, or used in a running bond pattern as an edger.
- All brick pavers shall be edged appropriately per manufacturer's requirements.
- Brick pavers shall be required for crosswalks across streets, provided the right-of-way agency approves such treatment.



## Juno Beach Streetscape Standards

### WALKWAYS

1"=10'

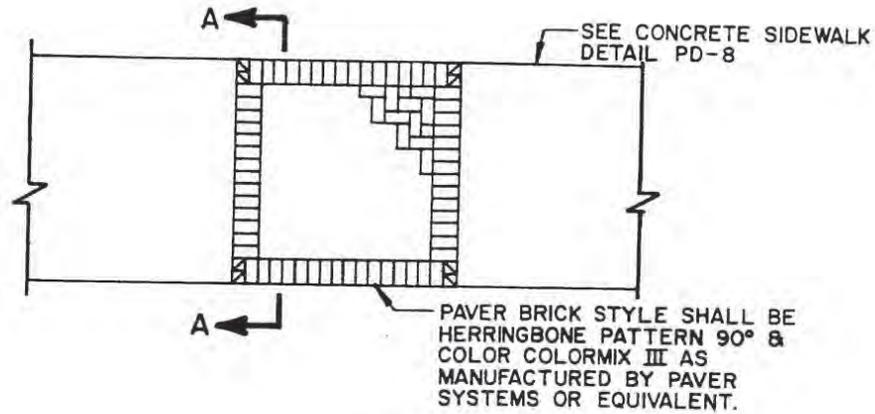


NOTE:  
 1. 6" x 6" W1.4 x W1.4 WELDED WIRE REINFORCEMENT SHALL BE USED AT DRIVEWAYS.

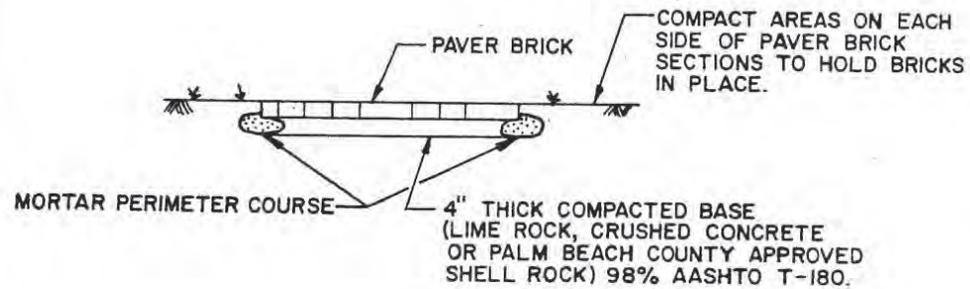
**TOWN OF JUNO BEACH CONSTRUCTION STANDARDS**

CONCRETE SIDEWALK

PD-8



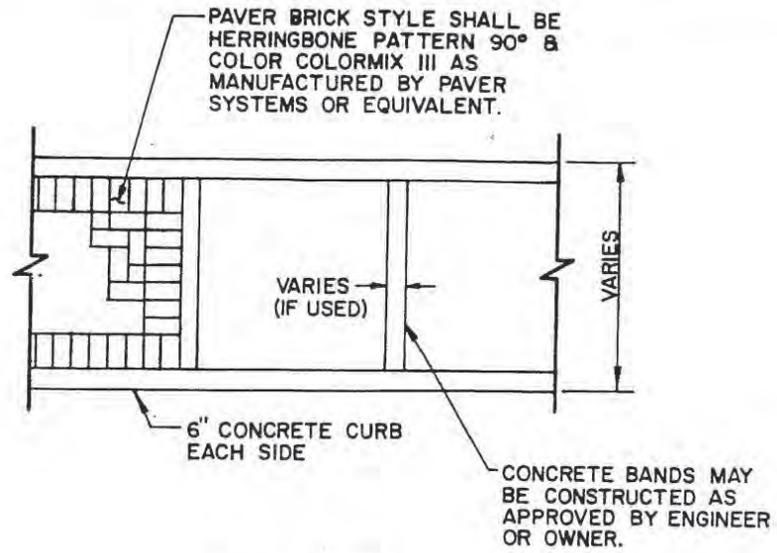
PLAN DETAIL



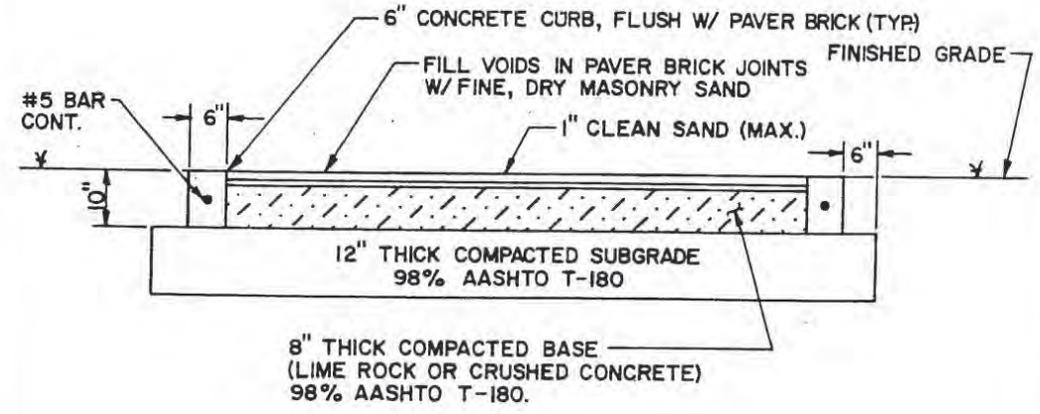
SECTION A-A

**TOWN OF JUNO BEACH CONSTRUCTION STANDARDS**

SIDEWALK PAVER BRICK DETAIL



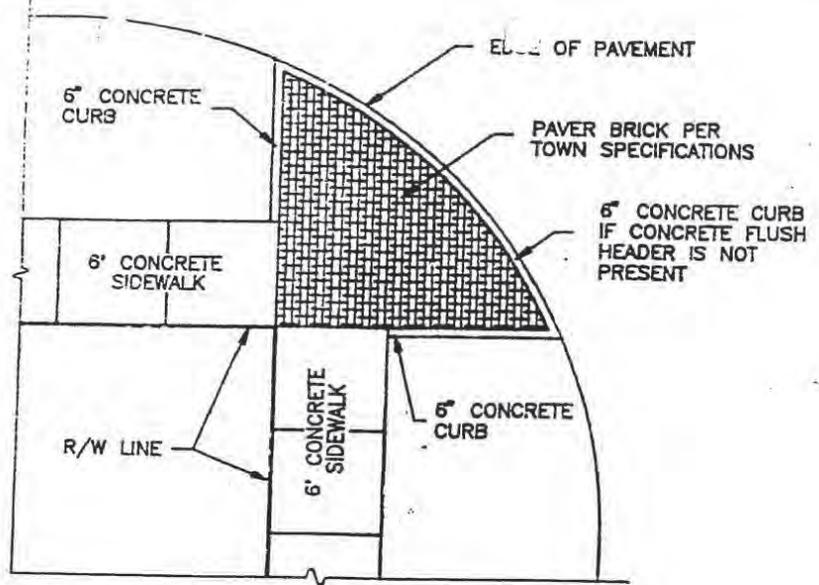
PLAN VIEW



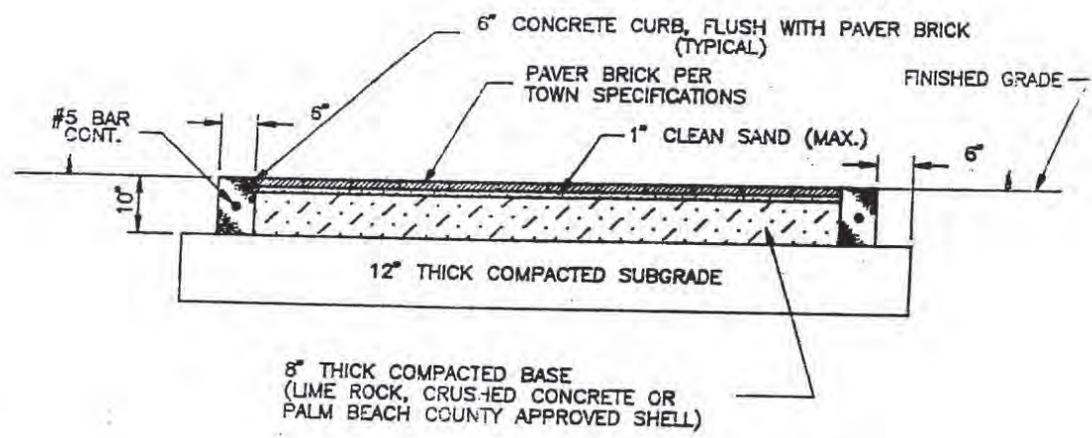
TYPICAL SECTION

**TOWN OF JUNO BEACH CONSTRUCTION STANDARDS**

PAVER BRICK ROAD DETAIL



**PLAN VIEW**

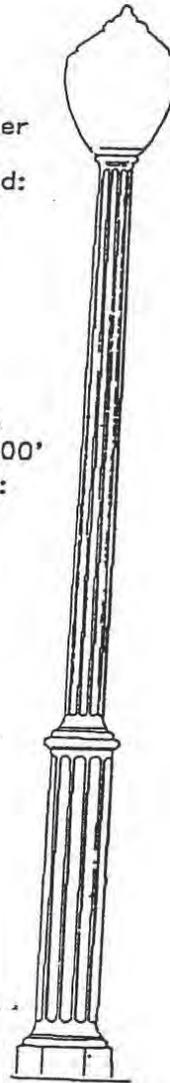


**TYPICAL SECTION**

**INTERSECTION PAVER BRICK DETAIL**

PROJECT NO.	84-1020
DATE	NOV 88
BY	AGM
CHECKED	AGM
APPROVED	AGM
DATE	SEPT 88
PROJECT	TOWN OF JUNO BEACH, FLORIDA
CONTRACT NO.	84-1020
SECTION	INTERSECTION PAVER BRICK DETAIL
NO.	1
TOTAL	1

- No streetlights to be higher than 15'.
- Streetlight spacing required:
  - Local street; 100' o.c. maximum.
- Parks
- Green Spaces
- Beach Access
- Other special interest areas of the town
- Spacing contingent on site conditions. Max. spacing 100'
- Type of lighting permitted:
  - Metal halide



Streetlight  
Manufacturer:

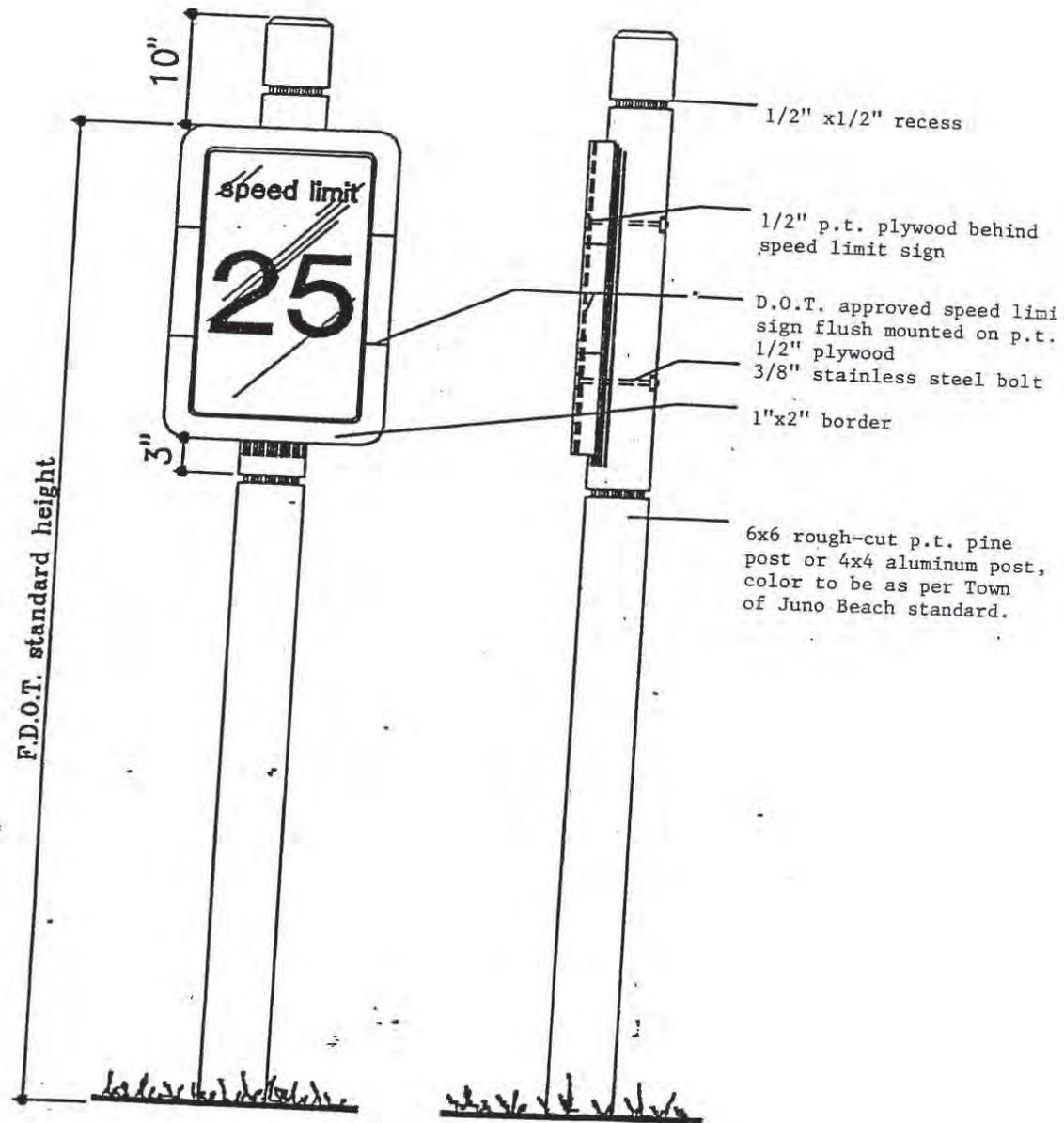
Classic Lighting,  
Lamp post model #N10  
or approved equal  
color to be black  
optional lamp configuration  
subject to town approval

Juno Beach  
Streetscape Standards

NOTE: Lamp post to remain  
standard per all lighting

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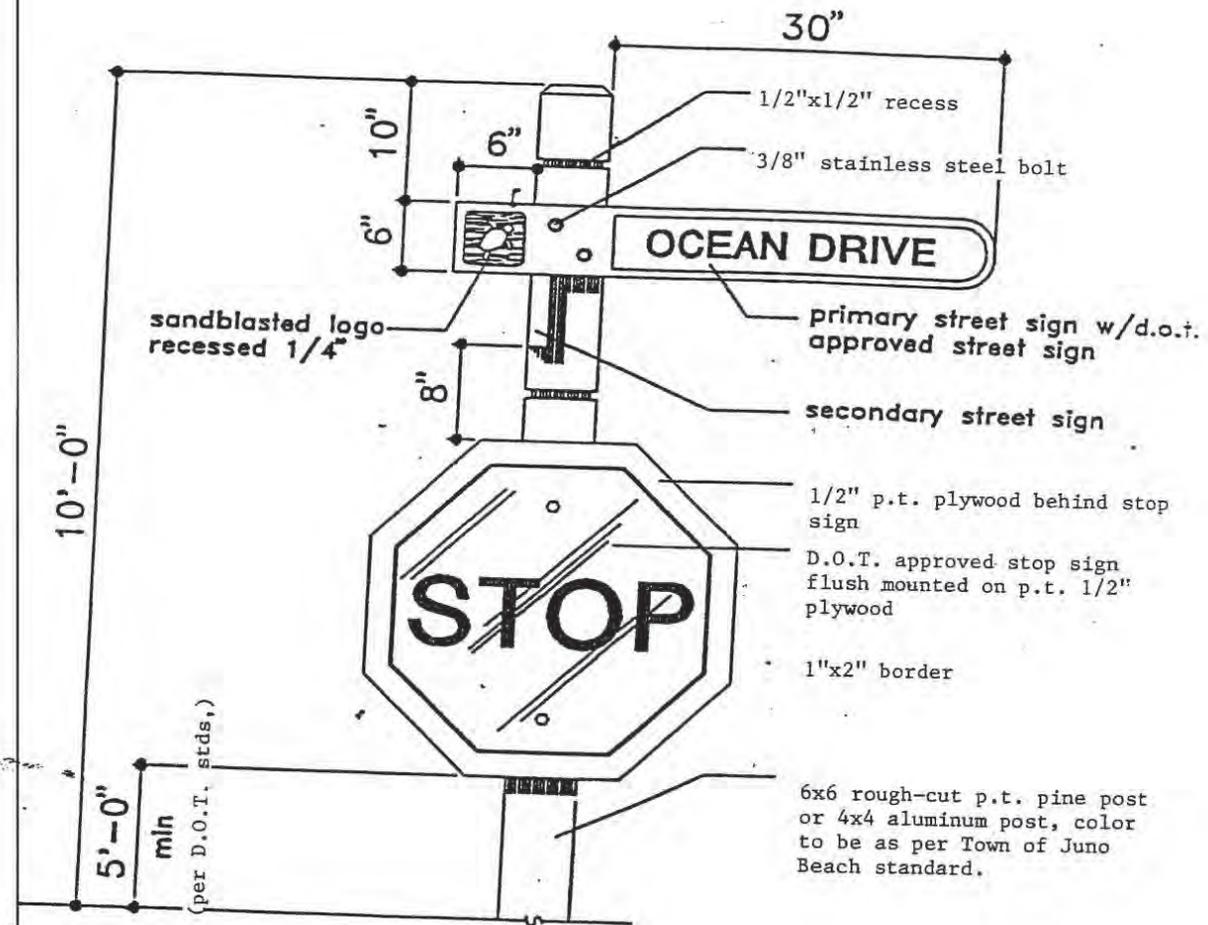
**STREET/ ACCENT LIGHTING**



Juno Beach  
Streetscape Standards

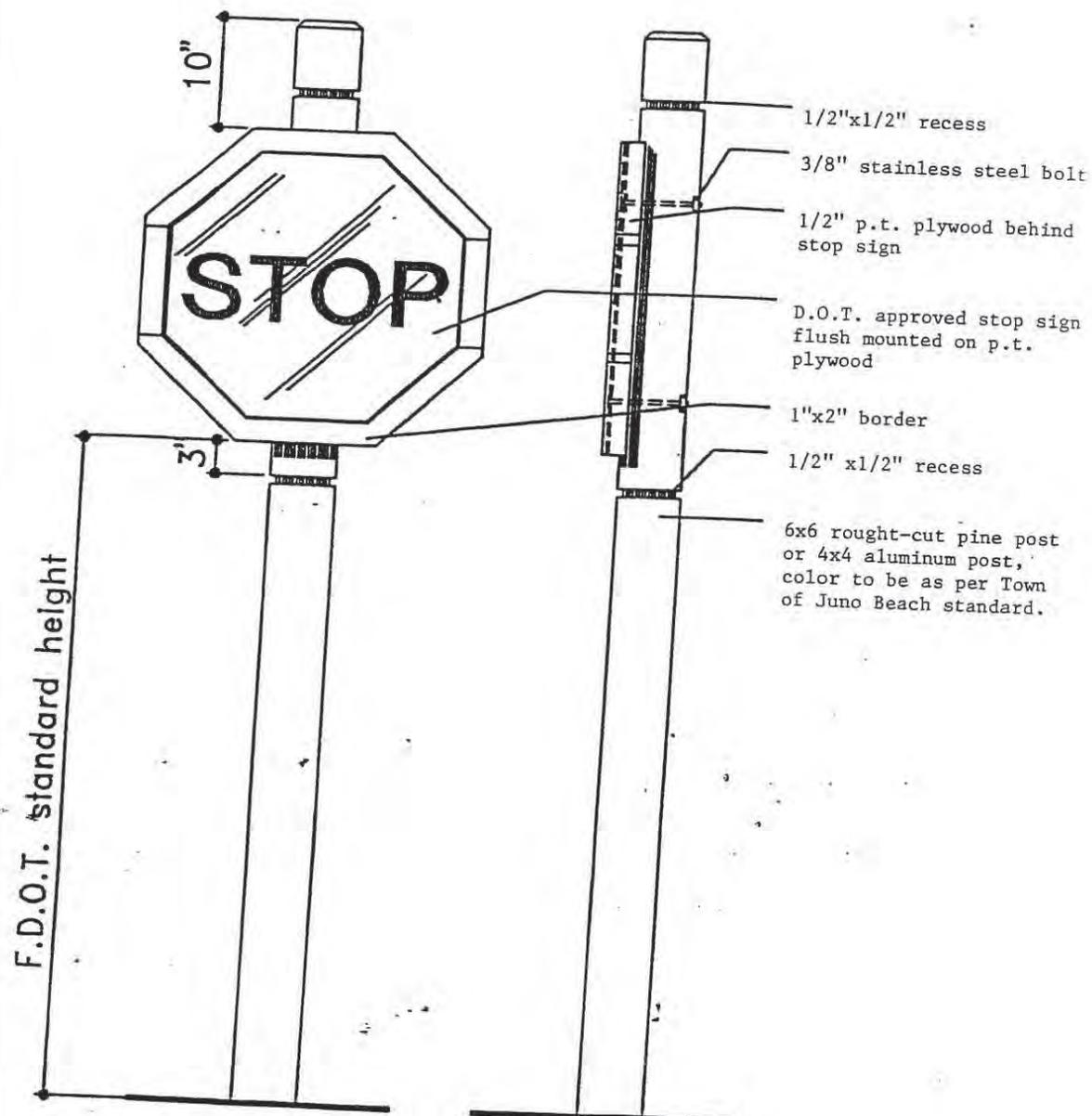
**SPEED LIMIT SIGN**

3/4" = 1'-0"



Juno Beach Streetscape Standards

**STREET SIGN/STOP SIGN** 3/4" = 1'-0"



Juno Beach Streetscape Standards

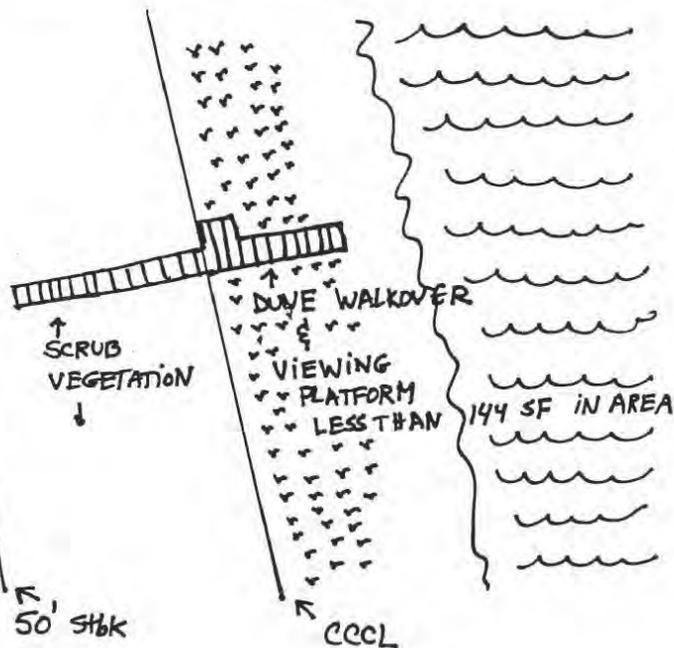
**STOP SIGN**

$3/4" = 1'-0"$

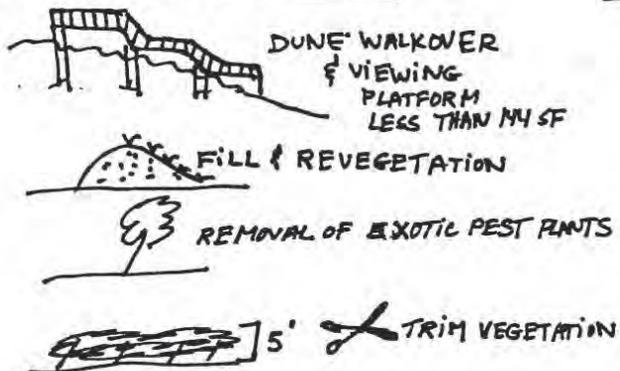
PROPOSED COASTAL REGULATIONS

- 5.120 Protection of Coastal Ridge. It is the intent of this section of this ordinance to maintain and protect the vegetation and structural quality of the coastal dune as it occurs in the Town of Juno Beach and to protect rare, endangered, and threatened plant and animal species located along the coast in Juno Beach. In addition to the applicable requirements of Florida Statutes, Chapter 161, the following regulations shall be followed:
- 5.121 Limitations east of the CCCL
- Except for dune restoration and revegetation projects and limited coastal vegetation trimming to no lower than five feet in height, no soil, sand, rock or vegetation (excluding removal of exotic pest plants) shall be disturbed east of the Coastal Construction Control Line(CCCL) as established in 1979. 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 (1979) unless plans for such modification are reviewed and approved by the Juno Beach Town Staff and Juno Beach Town Council; and in addition by the Florida Department of Natural Resources (DNR) Division of Beaches and Shores if located east of the CCCL. All dune walkover construction and dune restoration fill projects east of the CCCL require a Florida Department of Natural Resources (DNR) permit and Town staff approval. Dune revegetation projects and removal of any exotic pest plants greater than 10 feet in height require only Town staff approval.
- 5.122 Limitations between the CCCL and the Town's 50 foot setback west of the CCCL
- a. (1) Minor structures, as defined in this Section, shall be permitted to be constructed between the CCCL and the Town's 50 foot setback west of the CCCL after review and approval by Town staff. Construction of dune walkovers and other minor structures shall be in accordance with Florida Department of Natural Resources (DNR) 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

# LIMITATIONS EAST OF CCCL



## ALLOWED EAST OF CCCL



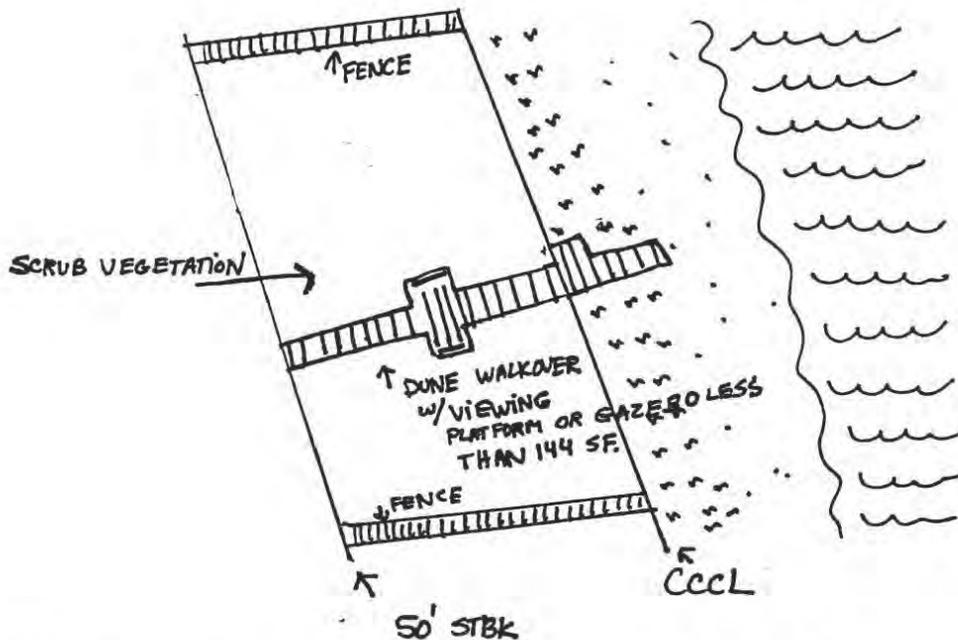
## DNR PERMIT & TOWN APPROVAL REQ'D:

- 1) DUNE WALKOVER & VIEWING PLATFORM LESS THAN 144 SF
- 2) DUNE FILL & REVEGETATION

## TOWN APPROVAL REQ'D:

- 1) REVEGETATION
- 2) REMOVAL OF EXOTIC PEST PLANTS > 10' HEIGHT.

LIMITATIONS BETWEEN CCCL & TOWN'S  
50 FOOT SETBACK WEST OF CCCL.



ALLOWED BETWEEN CCCL  
& 50' STBK

- 1) MINOR STRUCTURES SUCH AS:
  - DUNE WALKOVER
  - VIEWING PLATFORM
  - GAZEBO
  - PATIO
 LESS THAN 144 SF TL
- 2)  FILL & REVEGETATION
- 3)  5'  TRIM VEGETATION
- 4)  REMOVAL OF EXOTIC PEST PLANTS

TOWN STAFF  
 APPROVAL REQ'D:

- 1) MINOR STRUCTURES
- 2) FILL & REVEG.
- 3) REMOVAL OF EXOTIC PEST PLANTS > 10' H.

P&Z REVIEW &  
 TIC APPROVAL:

- 1) MAJOR STRUCTURES

shall include a balance between the intent of this Section with other goals, objectives, and policies of the Comprehensive Development Plan, such as but not limited to, decreasing densities in the coastal area.

- ~~b. No dune walkover shall be erected eastwardly of a point fifty (50) feet west of the Coastal Construction Control Line (1979) until plans have been reviewed and approved by the Juno Beach Town Staff, and by the DNR Division of Beaches and Shores if located east of the CCCL.~~
- b. Native dune vegetation within the Town's 50 foot setback west of the CCCL(1979) shall be trimmed no lower than five feet above grade.
- c. No native dune vegetation within the Town's 50 foot setback west of the CCCL(1979) shall be removed, except for exotic pest plants. Removal of any exotic pest plants greater than 10 feet in height requires Town staff approval prior to removal.

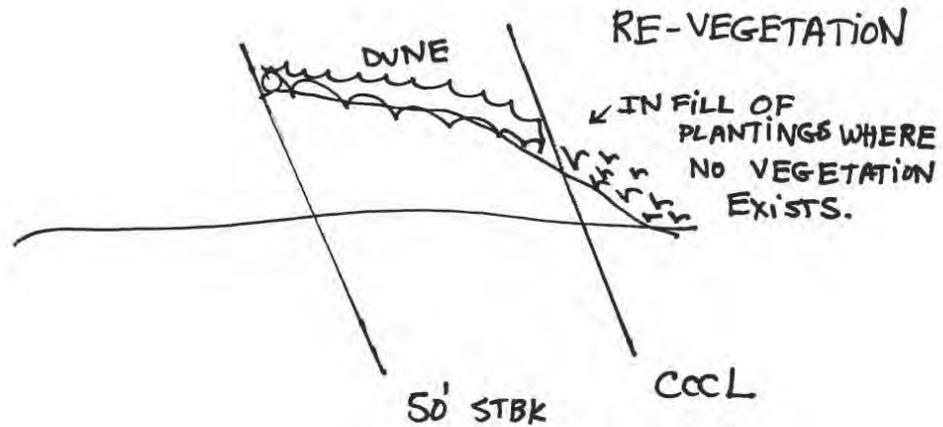
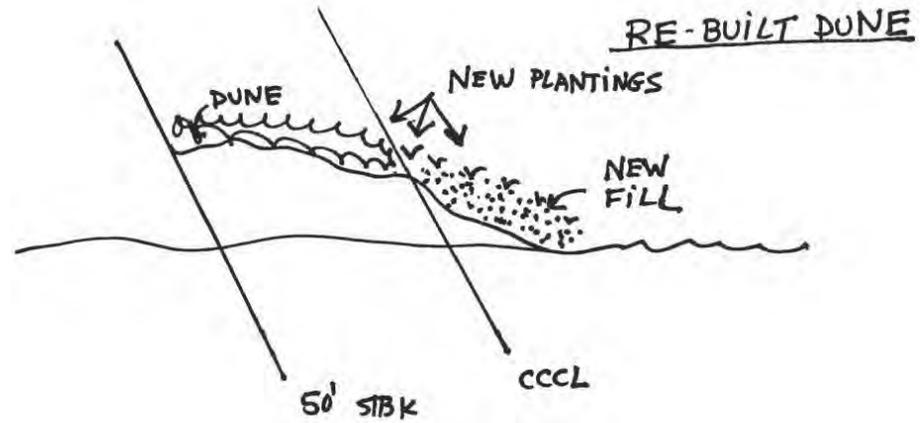
5.123 New Oceanfront Developments or Oceanfront Redevelopment

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 re-vegetated 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(1979) 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.

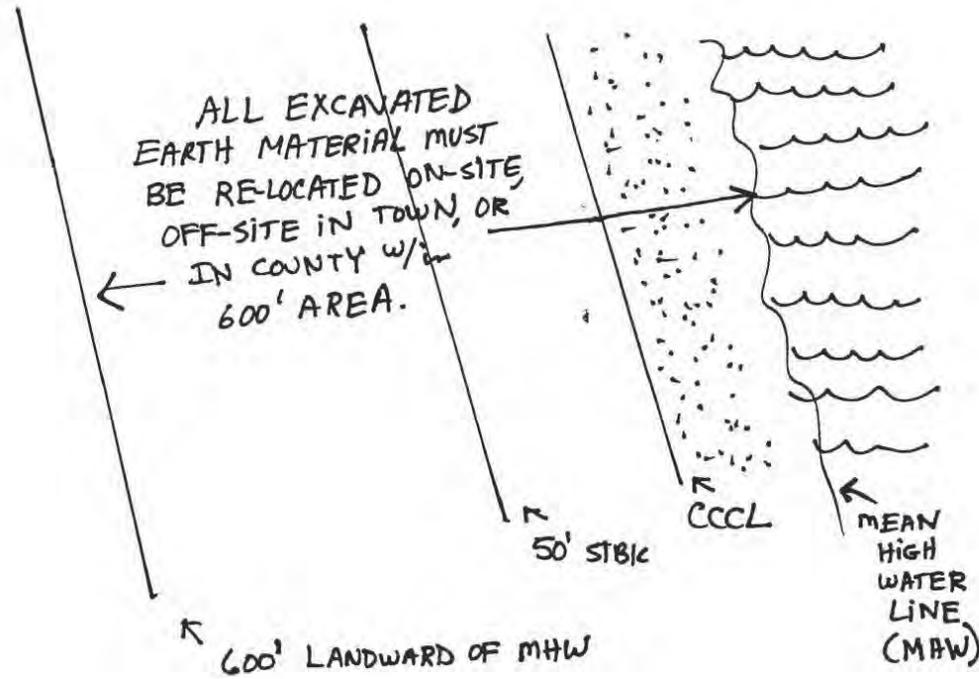
5.124 Sand Preservation Zone, Excavation

In the area from the mean high water line of the Atlantic Ocean to a line six hundred (600) feet landward (defined as 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 of Juno Beach or otherwise elsewhere in Palm Beach 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

NEW OCEAN FRONT DEVELOPMENTS OR  
OCEAN FRONT REDEVELOPMENT



## SAND PRESERVATION ZONE - EXCAVATION



### EXCAVATION PERMIT REQ'D

- NEED SIGNED & SEALED ENGINEER LETTER STATING VOLUME TO BE EXCAVATED & RE-LOCATION SITE.

Town of Juno Beach and Palm Beach 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. (Any fill placed east of the CCCL requires a DNR permit)

5.125 Protection of Sea Turtles

The Town adheres to Palm Beach County's Turtle Protection Ordinance #87-13, therefore, no building permit or certificate of occupancy shall be issued until all requirements of the County's Turtle Protection Ordinance have been met.

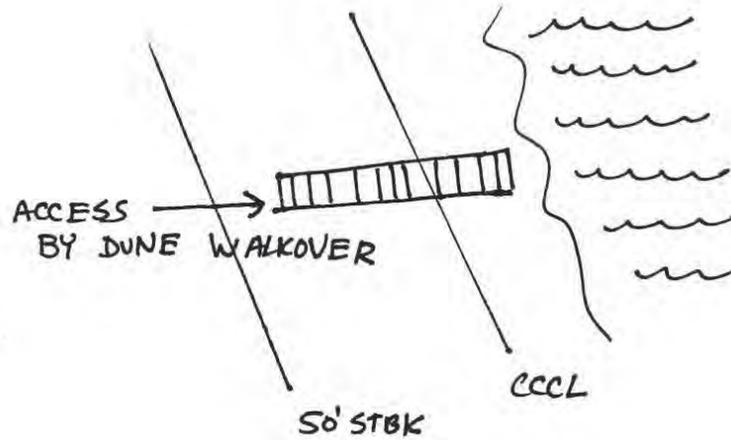
5.126 Applicability of other Sections of Comprehensive Zoning Ordinance and Code of Ordinances

See Section 5.70 Landscape Plan Submission and Approval of the Town's Land Development Regulations and Palm Beach County's Environmentally Sensitive Lands Ordinance #89-23 for additional requirements. In addition, see Sections 17-41 and 10-76 of the Code of Ordinances concerning vehicles on beaches and beach storage of watercraft, respectively.

5.127 Dune walkovers required for all beach accesses

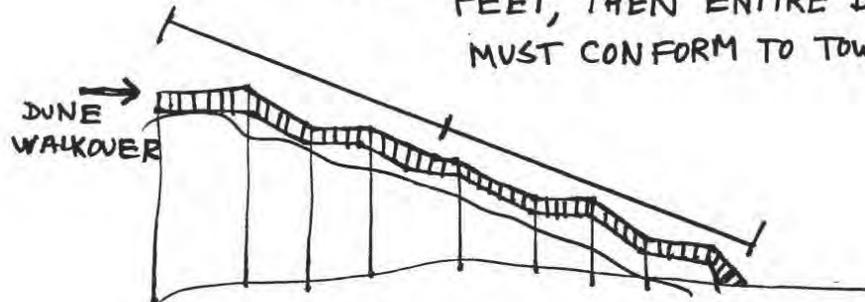
- a. All new public and private accesses to the beach shall be required to be provided with a dune walkover per Town and DNR Division of Beaches and Shores standards.
- b. (1) Any existing footpaths to the beach shall either be revegetated or replaced with a wooden dune walkover structure meeting Town and DNR standards, within three (3) years from the adoption of this Ordinance.
- (2) Any existing nonconforming concrete walkways shall be permitted to remain in place so as not to destabilize the dune; however, when any portion of such concrete walkway must be replaced or repaired, it shall be to Town and DNR wooden walkover standards.
- (3) Any existing dune walkovers (wooden structures) which do not meet Town and DNR standards shall be

# DUNE WALKOVERS FOR ALL BEACH ACCESSES



\* FOOTPATHS  
SHALL BE REPLACED w/ DUNE WALKOVER

\* IF REPLACE 50% OR MORE OF LINEAL  
FEET, THEN ENTIRE DUNE WALKOVER  
MUST CONFORM TO TOWN & DNR STDS.



considered conforming; however, when such structure requires replacement or repair of fifty percent or more of the total lineal feet of the structure, said structure shall be replaced and conform to Town and DNR standards.

5.128 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 section, in consultation with DNR 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 above regulations 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 have no negative impact on the dune or other purposes of this Section.

New Definitions:

**Beach:** The zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation (usually the effective limit of storm waves). Unless otherwise specified, the seaward limit of a beach is the mean low water line. "Beach is alternatively termed the "shore".

**Coastal Area:** That area which lies east of A-1-A (Ocean Drive) as well as that area which lies west of Ellison Wilson Road.

**Coastal High Hazard Area:** That area which lies east of the Coastal Construction Control Line (CCCL).

**Coastal vegetation:** Native dune vegetation which preserves and protects beaches and dunes from erosion. Examples of native dune vegetation include but are not limited to sea oats, sea grapes, railroad vine, and saw palmettos.

**Dune:** A mound or ridge of loose sediment usually sand-sized sediment, lying upland of the beach or shore, and deposited by any natural or artificial mechanism (e.g., dune may also include a beach ridge, dune ridge, chenier, etc.).

**Dune restoration:** The placement of sand on an eroded dune along with revegetation.

**Dune revegetation:** The planting of dune vegetation on non-vegetated dune areas.

**Dune walkover:** A low wooden narrow platform which is pile supported and elevated above the dune to provide access to the beach.

**Excavation:** Any removal of earth in excess of six (6) inches below existing grade of surrounding land, for any reason whatsoever, except when excavation is to be made and earth restored to its original condition.

**Minor Structure:** Minor structures shall include pile-supported, elevated dune and beach walkover structures, beach access ramps and walkways; stairways; viewing platforms, gazebos, boardwalks, slab patios, and other paved areas not exceeding 144 square feet in area; sand fences, privacy fences; and lifeguard support stands.

**Sand Preservation Zone:** An area of jurisdiction from the mean high water line of the Atlantic Ocean to a line six hundred (600) feet landward, for the purpose of maintaining the volume of beach sand within the beach/dune system.

**Viewing Platform:** A raised wooden deck area which may include railings, benches, and a roofed structure (i.e. tiki hut).

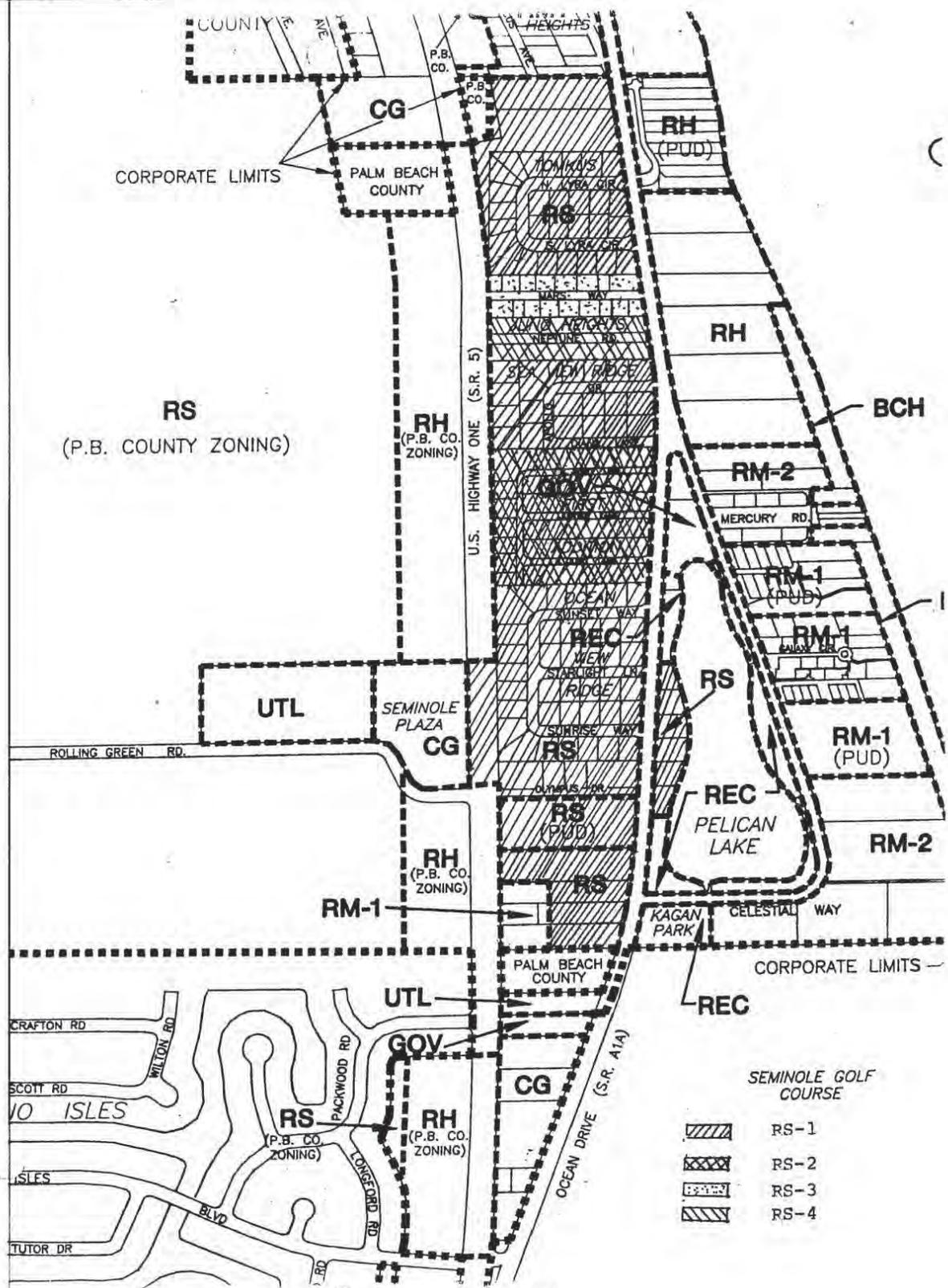
**Pioneer Zone:** The seaward side of the dune where grasses such as sea-oats, vines such as railroad vine, and other low lying plants are dominant.

**Scrub Zone:** Landward of the pioneer zone where shrubs and other woody plants such as sea grapes and saw palmettos are dominant.

**Forest Zone:** Located further inland of the scrub zone where trees, such as cabbage palms and sea grapes, and shrubs are dominant.

**EXHIBIT "B"**

REZONING OF PROPERTY TO RS-1, RS-2, RS-3, RS-4



SEMINOLE GOLF COURSE

	RS-1
	RS-2
	RS-3
	RS-4

TOWN OF JUNO BEACH  
DUNE CONSTRUCTION STANDARDS

Construction of structures east of the Town's 50 foot setback west of the CCCL, shall be in accordance with the Florida Department of Natural Resources (DNR) and Town of Juno Beach Standards (see attached). In addition, the following requirements shall apply:

- 1) No lights shall be permitted on dune walkovers, viewing platforms, or similar structures.
- 2) Showers shall be permitted on viewing platforms if the platform is located in the scrub zone or landward.
- 3) No concrete shall be used around the base of any pilings or posts. Such pilings or posts shall be placed a sufficient depth in the ground to meet building code requirements.

## Dune Walkover Regulations

5/6/2011

Prior to the construction of any dunewalkover in the Town of Juno Beach, the applicant shall submit an application along with three sets of plans to the Town. Such plans and construction shall adhere to the following regulations:

1. Construction shall be in accordance with Florida Department of Natural Resources Beach/ Dune Walkway Standards. (See Attached)
2. Permits issued may only be used during the the months of November 1 through April 30. Turtle season is in effect from May 1 through October 31.
3. Letter from the engineer of record certifying that the walkover complies with the latest edition and amendments of the Standard Building Code shall be submitted to the Town.
4. Lumber and piling certification must be supplied to the Town for all wood used for construction.
5. Elevations shown on the plans are to be obtained by a field survey.
6. Walkover must be designed in modules, so that stairs can break away first in a storm without pulling the rest of the dune walkover with it. Failure of any one module will not result in the failure of any other module.
7. All vegetation displaced in the construction area, must be replaced.
8. All vegetation outside of the most minimal construction area must not be disturbed. Any vegetation destruction will require replacement.
9. Verify structure location with the Town prior to any construction.
10. All material used in the construction of this project must be new and in good condition.
11. All wood shall be pressure treated No. 2 southern pine or better.
12. All lumber used shall be treated in accordance with American Wood-Preservers Association unless noted otherwise in these regulations.
13. All piles shall be treated with a salt preservative (CCA) with a minimum retention of 2.5 pounds per cubic foot in zone 1 (Outer 0.5 inch) and 1.5 pounds per cubic foot in zone 2 (0.5 to 2.0 inches).

14. All round wood piles shall have a minimum butt diameter of eight inches, minimum tip diameter of six inches. All square piles shall be uniform in shape and sized as specified on the drawing.
15. Stringers, Decking, and other sections of dune walkovers:
  - a. Above ground - pressure treated .40 pounds per cubic foot. (CCA).
  - b. Below ground - pressure treated .80 pounds per cubic foot. (CCA).
16. All bolts, washers, nuts and other hardware shall be hot dipped galvanized. Fabricated items shall be hot dipped after fabrication.
17. All bolts shall meet the requirements of ASTM A307. Bolts shall be installed with either square or hex nuts with washers beneath both the head and nut. Bolts in handrail shall have counter sunk treads on the inside face.
18. All nails shall be american ring type made of 18-8 stainless steel.
19. All decking and stair treads shall be nailed with cup side down using a minimum of two sixteen penny nails to connect each board at each stringer.
20. Twenty four (24) to forty eight (48) hours notice shall be given for inspection.
21. After construction is completed, Project Engineer shall submit a letter to the Town certifying that the constructed dunewalkover complies with the approved plans.
22. After construction, Applicant shall notify the Town Public Works Director (Dennis Barrett at 626-3956), who will inspect the dunewalkover for adherence to the regulations and approved plans.



FLORIDA DEPARTMENT OF NATURAL RESOURCES  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399  
(904) 488-3180

### BEACH/DUNE WALKWAY STANDARDS

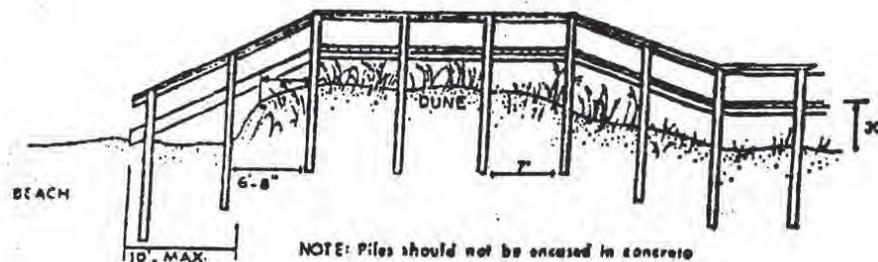
**Introduction:** Beach/dune walkways of appropriate design are encouraged to protect coastal vegetation and dune areas and to provide pedestrian access to the beach. Walkways are encouraged at all public access points and adjacent to multifamily dwelling structures. Walkways should be limited in density where possible while providing sufficient access for all beach users.

**Permit Requirements:** A permit from the Florida Department of Natural Resources is required for construction of walkways on most sandy beaches fronting on the open waters of the Atlantic Ocean or Gulf of Mexico. In these areas, where a Coastal Construction Control Line has been established under the provisions of Section 161.053, Florida Statutes, a permit is required for all excavation, construction, or other activities with the potential to cause beach erosion or damage coastal vegetation. Standard conditions or permits for walkways require construction to be conducted in a manner that minimizes short term disturbance to the dune system and existing vegetation. Replacement of any vegetation destroyed during construction with similar plants suitable for beach/dune stabilization is required. Only limited excavation for the placement of support piles is authorized for construction of walkways. For further information, contact the Bureau of Coastal Engineering and Regulation at the address or telephone number shown above.

**General Design:** Walkways to be constructed across vegetated dunes or across heavily vegetated beach berms should be pile-supported and elevated above the vegetation where appropriate, yet not to exceed 30 inches above grade. This will allow for continued growth of vegetation beneath the walkway deck. In those cases where dune scrub or woody vegetation is encountered, selective pruning may be necessary in order to minimize disturbance to dune scrub or woody vegetation. The number of walkways on a site and the width of each walk depend on the expected volume and type of traffic. Typical private walkways, not designed for handicapped access, should be no wider than 5 feet. Railings should be limited to a top rail and an optional middle rail for walkovers not exceeding 30 inches above ground.

**Support System:** Support piles should not be placed into seaward dune slopes which are steeper than approximately 45 degrees. Whenever possible, stairways from the top or crest of a dune down to the beach should be designed to completely span the seaward slope of the dune. Piles should not be encased in concrete and should be spaced a sufficient distance to allow the growth of vegetation which will help to stabilize the dune.

**Locations:** Walkways should generally be constructed perpendicular to the shoreline where crossing dunes; however, special ramps may be aligned to allow access for handicapped individuals, and stairs from existing seawalls, if there is no vegetation or revetment seaward of the wall, should be placed parallel and adjacent to the wall. Walkways shall extend approximately 10 feet seaward of the toe of any dune, or the line of existing vegetation, whichever is further seaward. Support piles for walkways should not be placed within 5 feet of the crest of a dune or the top of a bluff or steep escarpment. Attached viewing decks, platforms for showers, tar cleaning stations, sitting areas and landings, shall be reviewed on site by a staff representative for permitting procedures and for optimum location.



NOTE: Piles should not be encased in concrete



Act, 1973) and state law (Section 370.12, Florida Statutes). All work on this project shall be in compliance with these laws and with consideration for the protection of nesting females, eggs and nests, and emerging hatchlings. In turtle nesting areas, the Bureau staff may require construction to be delayed for 60 days unless turtle protection measures have been initiated.

(p) Authorization for construction of any rigid coastal or shore protection structure is based on an engineering review and assessment of the design and anticipated performance and impact of the structure as a complete unit. Construction of any less than the complete structure as approved by the Department of Natural Resources is not authorized, and may result in assessment of civil fines as authorized in Section 161.054, Florida Statutes, and may result in an order to remove the partial structure and restore the site to preconstruction conditions. Deletion of portions of any authorized rigid coastal or shore protection structure may be authorized by the Department in accordance with Section 16B-33.013, Florida Administrative Code, upon submittal of a written request which includes plans showing the reduced extent of the structure.

(q) The shore-normal length and/or the distance seaward of the coastal construction control line specified in the project description of this permit, for any dune walkover structure or beach access stairway authorized by the permit, is based on the site conditions at the time of authorization. However, notwithstanding the requirements of Paragraphs 16B-33.015(3)(g) and (s), Florida Administrative Code, or the dimensions and distances shown in the project description of the permit and/or the plans approved by the Department, an authorized beach and dune walkover structure, at the time of its construction, shall extend at least up to the existing line of vegetation, but not further than ten (10) feet seaward of the existing line of vegetation, except as specifically authorized by the permit.

(r) This permit has been issued to a specified property owner and is not valid for any other person unless formally transferred pursuant to Section 16B-33.016, Florida Administrative Code. An applicant for a transfer of the permit shall sign two copies of a permit transfer agreement form, agreeing to comply with all terms and conditions of the permit, and return both copies to the Bureau. A copy of the transfer agreement which has been approved by the Division Director must be displayed on the construction site along with the permit prior to commencement or continuation of work by a transferee. A permit shall not be transferred after its expiration.

(s) All construction shall conform to the plans and project description approved by the Department of Natural Resources as a part of the permit, and to all conditions of the permit. No modifications to the project location, size, or structural design are authorized except by modification of the permit pursuant to Section 16B-33.013, Florida Administrative Code, or other written notice of acceptance from the staff.

(t) The permittee or agent acting on behalf of the permittee, shall immediately inform the Bureau of any change of mailing address which occurs between the date of issuance of the permit and 90 days after completion of the project, or expiration of the permit, whichever occurs earlier.

(u) The permittee shall comply with any other conditions imposed upon the permit. Such conditions may be imposed by the Governor and Cabinet, the Executive Director, or the Division Director or staff designee; and may be of a nature as necessary to protect the integrity of beaches and dunes and to carry out the intent of Chapter 161, Florida Statutes.

(4) By accepting a permit for a major structure or a rigid coastal or shore protection structure, the applicant also agrees to the following conditions. The permittee shall provide periodic progress reports certified by an engineer or architect (as appropriate due to the nature of the project) registered in the State of Florida. These reports shall be on the form which is entitled "Periodic Report" - DNR Form 73-111 (Revised 1-85), and is incorporated by reference. Copies of the periodic report form are available free of charge and may be obtained by writing to the Department of Natural Resources, Division of Beaches and Shores, Bureau of Coastal Engineering and Regulation, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399, or by telephone at (904) 487-4470. The reports shall be submitted whether or not construction has occurred during any period. The property owner or authorized agent may sign the reports until such time as construction starts, and after any period in which no construction was performed. However, the reports must be signed by an engineer or architect registered in the State of Florida following each period in which construction has occurred. The reports shall indicate the plans and the project description approved by the Department of Natural Resources as a part of the permit, and with all conditions of the permit, or shall specify any deviation. These reports shall be submitted according to a schedule established by the staff until a final certification for the work authorized or required by the permit is received and accepted by the staff. Permits for repair or maintenance of existing rigid coastal or shore protection structures are specifically exempted from this condition.

(5) By accepting a permit for a habitable major structure, the applicant also agrees to the following condition. All construction on the permitted structure shall stop when the foundation pilings have actually been installed. At that time the permittee shall provide a certification by a professional land surveyor registered pursuant to Chapter 472, Florida Statutes, that all aspects of the location, and all elevations of the foundation construction are in accordance with both the plans and the project description approved by the Department of Natural Resources as a part of the permit. This certification shall be on a form entitled "Foundation Certification" - DNR Form 73-114 (Revised 1-85), which is incorporated by reference. Copies of the foundation certification form are available free of charge and may be obtained by writing to the Department of Natural Resources, Division of Beaches and Shores, Bureau of Coastal Engineering and Regulation, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399; or by telephone at (904) 487-4475. The foundation certification shall be based upon such surveys performed in accordance with Chapter 472, Florida Statutes, as are necessary to determine the actual elevations, configuration, and the dimensioned relationship of the installed pilings to the coastal construction control line. This certification shall also specify the actual pile tip and pile head elevations and any grade beam or cap elevations. Any deviation from the foundation location and elevations as permitted shall be clearly noted and described in detail as part of the certification. Construction shall stop and certification shall be submitted and accepted prior to proceeding with further vertical construction for each and every phase of a multiphase project where construction above the foundation of one or more structures occurs prior to completion of certification work. The Bureau shall notify the permittee of approval or rejection of the certification within seven (7) working days after its receipt. All survey information upon which the certification is based shall be made available to the Bureau upon request. Permits for repairs or additions to existing structures are specifically exempted from this condition.

(6) By accepting a permit for excavation, construction or other physical activity on or encroaching on the sovereignty and of Florida seaward of mean high water or, if established, the erosion control line, the permittee agrees not to commence any excavation, construction, or other activity involving the use of these sovereignty lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund under Chapter 253, Florida Statutes, until the permittee has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use.

(7) Issuance of a permit does not relieve the applicant of the responsibility to comply with all applicable federal, state, county, and municipal laws, ordinances or rules; nor is the applicant relieved of the responsibility to obtain any other licenses or permits which may be required by federal, state, county or municipal law.

(8) The Division Director may waive any of the permit conditions set forth in Subsections 16B-33.015(3)(4), and (5), Florida Administrative Code, if, in the opinion of the Division Director, such condition is found to be unnecessary to carry out the intent of Chapter 161, Florida Statutes.

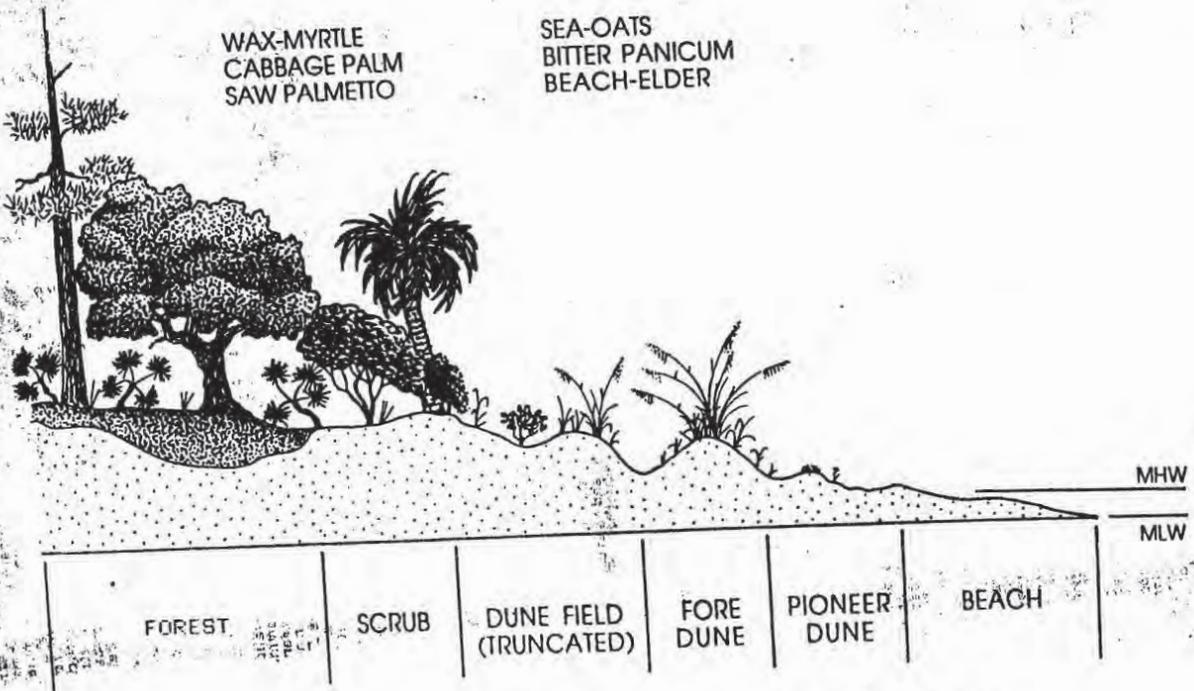
LIVE OAK  
SLASH PINE  
FLORIDA-PRIVET

RAILROAD-VINE  
BEACH-TEA  
CAMPHORWEED

SEA-ROCKETS  
SAND ATRIPLEX  
BEACH EVENING-PRIMROSE

WAX-MYRTLE  
CABBAGE PALM  
SAW PALMETTO

SEA-OATS  
BITTER PANICUM  
BEACH-ELDER



Typical Florida sand dune showing common vegetation patterns.

RECOMMENDED PLANT LIST

PROHIBITED EXOTICS  
(a partial list)

Pioneer Zone

<i>Casearia species</i>	Australian pine
<i>Ficus sp.</i>	figs
<i>Melaleuca alternifolia</i>	melaleuca
<i>Passiflora (variflora)</i>	hostring-hemp
<i>Scaevola (various species)</i>	beach hebe, Hawaiian beach berry
<i>Schinus molle</i>	Brazilian pepper
<i>St. Augustine grass</i>	St. Augustine grass
<i>creeping sedella</i>	creeping sedella

<i>Alternanthera verticillata</i>	chaff flower
<i>Alternanthera versatilis</i>	chaff flower
<i>Canavalia maritima</i>	bay bean
<i>Chamaecrista nana</i>	beach spurge
<i>Croton alabandicus</i>	beach croton
<i>Hibiscus salsola</i>	salt grass
<i>Helianthus divaricatus</i>	beach sunflower
<i>Hemiphragma multiflorum</i>	bay lily
<i>Ipomoea pes-caprae</i>	railroad vine
<i>Ipomoea stolonifera</i>	fiddleleaf morning glory
<i>Iva fruticosa</i>	beach elder
<i>Lotus corniculatus</i>	beach-peanut
<i>Panicum amarulum</i>	oahu panic grass
<i>Paspalum variatum</i>	subshore paspalum
<i>Portulaca oleraceae</i>	beach star
<i>Scaevola taccada</i>	beach berry
<i>Senecio maculocaulis</i>	sea purslane
<i>Sesuvium portulacastrum</i>	beach purslane
<i>Sporobolus virginicus</i>	seashore dropseed
<i>Suaeda frutescens</i>	bay cedar
<i>Thunbergia grandiflora</i>	sea lavender
<i>Viola salsola</i>	sea pansy

RECOMMENDED PLANT LIST

Scrub Zone

<i>Andromeda chinensis</i>	chalky blueberry
<i>Andromeda viridinana</i>	broadsedge
<i>Ardisia acallemoides</i>	marlberry
<i>Ascaecia lanuginosa</i>	sudbert
<i>Baccharis halimifolia</i>	groundel
<i>Barrichia frutescens</i>	sea datay
<i>Calligaris americana</i>	American beautyberry
<i>Centropogon virginianus</i>	butterfly pea
<i>Chiococca alba</i>	strawberry
<i>Chrysobalanus icaya</i>	cocoplum
<i>Coccoloba villosa</i>	sea grape
<i>Commelinia gracilis</i> var. <i>acuminifolia</i>	day flower
<i>Crotalaria samita</i>	beach rattlebox
<i>Croton glandulosus</i>	beach croton
<i>Cucurbita ficifolia</i>	limber caper
<i>Dianthus virginianus</i>	persimmon
<i>Echites umbellata</i>	Gevil's potato
<i>Eleocharis littoralis</i>	golden creeper
<i>Eleocharis pumila</i>	white stopper
<i>Eleocharis tenuis</i>	Spanish stopper
<i>Eleocharis tenuis</i>	yellowtop
<i>Eleocharis tenuis</i>	milk pea
<i>Eleocharis tenuis</i>	blolly
<i>Eleocharis tenuis</i>	purple morning glory
<i>Eleocharis tenuis</i>	beach juncosmia
<i>Eleocharis tenuis</i>	wild sage
<i>Eleocharis tenuis</i>	popper apple
<i>Eleocharis tenuis</i>	Christmas berry
<i>Eleocharis tenuis</i>	malanthus
<i>Eleocharis tenuis</i>	climbing bougain
<i>Eleocharis tenuis</i>	yellowroot
<i>Eleocharis tenuis</i>	sea purslane

<i>Hurria floridana</i>	myrtle
<i>Opuntia humifera</i>	prickly pear
<i>Panicum amarulum</i>	dune panic grass
<i>Paribonacium minusfolia</i>	Virginia creeper
<i>Paspalum suberacum</i>	cutty-stemmed pasaden flouss
<i>Phytolacca spicata</i>	ground cherry
<i>Pithecolobium guadalupense</i>	black head
<i>Polypodium grandiflorum</i>	milbark
<i>Psychotria peruviana</i>	wild coffee
<i>Randia aculeata</i>	white lilyberry
<i>Sabal palmetto</i>	cabbage palm
<i>Sarcocolla racemosa</i>	sea palmetto
<i>Solidago stricta</i>	goldenrod
<i>Sonchus oleraceus</i>	necklace pod
<i>Stachys patens</i>	cordgrass
<i>Tournefortia guianensis</i>	sea lavender
<i>Trichostema suffruticosum</i>	blue curls
<i>Urtica articulata</i>	sea-nettle
<i>Verbena maritima</i>	beach verbena
<i>Yucca aloifolia</i>	Spanish bayonet

RECOMMENDED PLANT LIST

Forest Zone

<i>Amris almitara</i>	larchwood
<i>Chalcidophloeus alba</i>	whiteberry
<i>Amris almitara</i>	purple lime
<i>Passiflora lewisii</i>	atitlan
<i>Passiflora crissalimbata</i>	Junica caper
<i>Passiflora flammula</i>	limber caper
<i>Chalcidophloeus alba</i>	manberry
<i>Chrysalidius fuscus</i>	cocoplum
<i>Coccoloba diversifolia</i>	pipoca-plum
<i>Coccoloba scabra</i>	sea-grape
<i>Coccoloba lateriflora</i>	Guiana-plum
<i>Lythrum barbacana</i>	coral bean
<i>Passiflora arillata</i>	white stopper
<i>Passiflora foetida</i>	Spanish stopper
<i>Passiflora ligularis</i>	inkweed
<i>Passiflora ligularis</i>	strangler fig
<i>Passiflora ligularis</i>	limbo
<i>Passiflora ligularis</i>	moonflower
<i>Passiflora ligularis</i>	purple striped glory
<i>Passiflora ligularis</i>	black limbo
<i>Passiflora ligularis</i>	wild melon
<i>Passiflora ligularis</i>	red butterfly
<i>Passiflora ligularis</i>	corolla
<i>Passiflora ligularis</i>	larchwood
<i>Passiflora ligularis</i>	blackhead
<i>Passiflora ligularis</i>	wild coffee
<i>Passiflora ligularis</i>	live oak
<i>Passiflora ligularis</i>	apple plant
<i>Passiflora ligularis</i>	cabbage tree
<i>Passiflora ligularis</i>	sea plant
<i>Passiflora ligularis</i>	spotted tree
<i>Passiflora ligularis</i>	wild allomada
<i>Passiflora ligularis</i>	wild lime

**6. Ordinance No. 450**

Reassignment of Review Authority - May 11, 1994

Transferred certain reviews from PZB to Staff

ORDINANCE NO. 450

AN ORDINANCE OF THE TOWN OF JUNO BEACH, PALM BEACH COUNTY, FLORIDA; AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF JUNO BEACH BY REPEALING, RELOCATING AND/OR AMENDING OBSOLETE, UNNECESSARY, SUPERSEDED AND CONFLICTING PROVISIONS; AND MORE SPECIFICALLY BUT NOT LIMITED TO REVISING SECTION 2.00 DEFINITIONS CONCERNING ACCESSORY APARTMENT, AUTO SALES, PATIO HOUSE, ESSENTIAL SERVICES BY REMOVING PUBLIC AND PRIVATE UTILITIES FROM ITS DEFINITION, FUEL SERVICE STATION BY DELETING MINOR REPAIR AS PART OF THE FACILITY, RIGHT-OF-WAY, SIGN BY INCLUDING ALL LETTERING / LOGO/ GRAPHICS OR OTHER DEVICE USED TO ANNOUNCE OR ADVERTISE SOMETHING TO BE CONSIDERED A SIGN, BUILDING IDENTIFICATION WALL SIGN, ROOF SIGN; AMENDING SECTION 3.00 BY PROVIDING PROVISIONS FOR INTERPRETATION OF THE CODE; AMENDING SECTION 4.00 DEFINITIONS AND ESTABLISHMENT OF ZONING DISTRICTS CONCERNING AMENDING ALL MULTI-FAMILY RESIDENTIAL ZONING DISTRICTS TO ALLOW FOR A MAXIMUM 2 DWELLING UNIT PER ACRE DENSITY BONUS WHEN A PUBLIC BEACH ACCESS EASEMENT WITH DUNE WALKOVER IS PROVIDED; AMENDING THE PARKING REQUIREMENTS IN CERTAIN DISTRICTS WHERE CONFLICTS EXIST ELSEWHERE IN THE CODE; AMENDING THE RESIDENTIAL MULTI-FAMILY ZONING DISTRICTS TO ALLOW FOR ACCESSORY APARTMENTS, REVISE THE MAXIMUM BUILDING DIMENSION PROVISIONS AND MINIMUM DISTANCE BETWEEN STRUCTURES ON SAME PROPERTY; REVISING THE HISTORIC ZONING DISTRICTS TO ALLOW FOR ADMINISTRATIVE APPROVAL OF SITE PLAN AND APPEARANCE; AMENDING THE BEACHBOUND HISTORIC DISTRICT TO ALLOW ONLY TROPICAL PASTEL COLORS FOR BUILDINGS; AMENDING THE SATURN LANE HISTORIC DISTRICT REGULATIONS CONCERNING ACCESSORY APARTMENTS AND THEIR PARKING REQUIREMENTS; AMENDING THE USES PERMITTED IN THE BEACH DISTRICT BY ALLOWING DUNE WALKOVERS AND GOVERNMENT OWNED MINOR STRUCTURES; AMENDING THE COMMERCIAL GENERAL ZONING DISTRICT TO PROHIBIT AUTO RENTAL LOTS; AMENDING SECTION 5.00 SUPPLEMENTARY REGULATIONS CONCERNING LOT REGULATIONS, STREET LOT LINES; SECTION 5.30 SUPPLEMENTARY USE REGULATIONS CONCERNING SWIMMING POOL SETBACKS, PARKING REGULATIONS, SIDEWALK CAFES; SECTION 5.60 SIGNS CONCERNING ALLOWING FOR BUILDING IDENTIFICATION WALL SIGNS WHEN A FREESTANDING SIGN IS NOT PLACED ON THE PROPERTY, ALLOWING FOR A NEW FORMULA FOR CALCULATING THE ALLOWABLE SIGN AREA FOR BUILDINGS 3 STORIES OR HIGHER, PROVIDING AN INCENTIVE TO DECREASE SIGN AREA BY ALLOWING UP TO 48 INCH HIGH LETTERS AND LOGOS, ALLOWING DIRECTIONAL SIGNS TO BE SETBACK 2 FEET FROM PROPERTY LINES, REQUIRING SPECIAL EVENT SIGNS TO BE EXTERNALLY LIT, REQUIRING ALL TEMPORARY MESSAGES TO BE PLACED ON A SPECIAL EVENT SIGN OR IN 30 PERCENT AREA OF FREESTANDING SIGN FOR RETAIL CENTERS, AND ALLOWING AN 8 SQUARE FOOT TEMPORARY LEASING OR FOR SALE SIGN TO HANG BELOW A FREESTANDING SIGN; SECTION 5.70 LANDSCAPE REQUIREMENTS

CONCERNING AMENDING THE APPLICABILITY SECTION AND AMENDING THE REMOVAL OF INVASIVE PLANTS SECTION; SECTION 5.120 COASTAL REGULATIONS; SECTION 5.150 SPECIAL EVENTS; SECTION 5.200 COMMUNITY APPEARANCE STANDARDS CONCERNING AMENDING THE APPLICABILITY SECTION, AND PROVIDING A GENERAL STREETScape DIAGRAM TO BE FOLLOWED WHEN A NEW ROAD IS CREATED OR AN EXISTING ROAD IS NOT SPECIFIED; SECTION 6.00 PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTION CONCERNING PROCEDURE, AMENDING THE FINDINGS SECTION, AND AMENDING THE EXPIRATION PROVISIONS FOR AN APPROVAL, AMENDING THE SETBACK OF A ZERO LOT LINE DWELLING TO BE 15 FEET FROM THE FRONT PROPERTY LINE EXCEPT FOR FRONT END LOADED GARAGES, AND AMENDING THE MINOR AMENDMENT PROVISIONS WHICH ALLOW FOR ADMINISTRATIVE APPROVAL; SECTION 7.00 NONCONFORMING STATUS CONCERNING ALLOWING A NONCONFORMING LOT TO BE DEVELOPED PROVIDED ALL OTHER REQUIREMENTS OF THE CODE ARE MET, ALLOWING A NONCONFORMING STRUCTURE TO BE EXPANDED AS LONG AS THE EXPANSION MEETS THE CODE REQUIREMENTS, AND ALLOWING FOR UNIQUE SITUATIONS WHERE NONCONFORMING RESIDENTIAL USES AND STRUCTURES MAY BE REBUILT AFTER DESTRUCTION TO PRE-EXISTING CONDITIONS; SECTION 8.00 DUTIES OF ADMINISTRATION OFFICIALS AND AGENCIES; SECTION 9.00 ADMINISTRATION, ENFORCEMENT, VIOLATIONS AND PENALTIES CONCERNING PROVIDING FOR THE CODE COMPLIANCE OFFICIAL TO BE RESPONSIBLE FOR THE ENFORCEMENT OF THIS CODE, AMENDING THE VIOLATIONS AND PENALTIES SECTION, AND PROVIDING FOR OTHER LEGAL REMEDIES; SECTION 10.00 SPECIAL EXCEPTION PROCEDURES; SECTION 11.00 SITE PLAN AND APPEARANCE REVIEW PROCEDURES CONCERNING AMENDING THE MINOR AMENDMENT CRITERIA AND AMENDING THE EXPIRATION PROVISIONS FOR AN APPROVAL; SECTION 12.00 ZONING BOARD OF ADJUSTMENT AND APPEALS CONCERNING THE PROCEDURES; AND SECTION 13.00 AMENDMENTS CONCERNING THE PROCEDURES FOR AMENDING THE ZONING CODE OR REZONING ANY PROPERTY; PROVIDING FOR A SEVERANCE CLAUSE; PROVIDING THAT ORDINANCES IN CONFLICT SHALL BE REPEALED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Juno Beach, Florida has undertaken a comprehensive review of its Comprehensive Zoning Ordinance; and

WHEREAS, based upon such review, the Town has determined that many provisions of the Comprehensive Zoning Ordinance are obsolete, unnecessary, superseded or in conflict with other provisions, and that in addition certain other revisions to the Comprehensive Zoning Ordinance are in the best interests of the Town and its residents.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, THAT:

Section 1. Amendment of Comprehensive Zoning Ordinance. The Town of Juno Beach Comprehensive Zoning Ordinance is hereby amended in its entirety to read as provided in Exhibit "A" attached hereto, which exhibit is made a part hereof by this reference. Provided, however, that the underlines and crossthroughs indicating the changes from the previous version of the Comprehensive Zoning Ordinance are included for informational purposes only and shall not be a part of the Comprehensive Zoning Ordinance adopted hereby.

Section 2. Severability. Should any provision or section of this Ordinance or portion thereof be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the remainder of this Ordinance.

Section 3. Repeal of Inconsistent Provisions. All Ordinances or part of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall take effect immediately upon passage.

FIRST READING on this 13 day of April, 1994.

SECOND READING AND FINAL PASSAGE on this 11 day of May, 1994.

<input checked="" type="checkbox"/> AY	<input type="checkbox"/> NAY	<u>Frank Harris</u> Frank Harris, Mayor
<input checked="" type="checkbox"/> AY	<input type="checkbox"/> NAY	<u>Jim Lyons</u> Jim Lyons, Vice-Mayor
<input type="checkbox"/> AY	<input type="checkbox"/> NAY	<u>Absent</u> Charles H. Burns, Councilmember
<input checked="" type="checkbox"/> AY	<input type="checkbox"/> NAY	<u>Dan Corbett</u> Dan Corbett, Councilmember
<input checked="" type="checkbox"/> AY	<input type="checkbox"/> NAY	<u>Roxanne Manning</u> Roxanne Manning, Councilmember

ATTEST:

Deborah Manzo  
Deborah Manzo  
Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]  
TOWN ATTORNEY

POST

ly, Florida

Chris Bull

of The Palm Beach Post,  
Beach in Palm Beach County,  
Notice

published in said newspaper in

published at West Palm Beach,  
newspaper has heretofore been  
daily and Sunday and has been  
Palm Beach, in said Palm Beach  
first publication of the attached  
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asson or refund for the purpose  
newspaper.

*Chris Bull*

April 19 94

*D. Cullen*  
Notary Public

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SION EXP. DEL. 14, 1994  
IN GENERAL INS. LING.

NO. 728319

NOTICE OF ZONING (PERMITTED USE) CHANGE

The Town of Juno Beach Town Council proposes to rezone (change the permitted use of) the land within the area shown in the map in this advertisement. In addition, the Town Council proposes to revise the Comprehensive Zoning Ordinance (Zoning Code). A public hearing on the rezoning and proposed code revisions will be held on:

April 13, 1994 at 5:30 P.M. at the Town Center, 340 Ocean Drive, Juno Beach, FL 33408

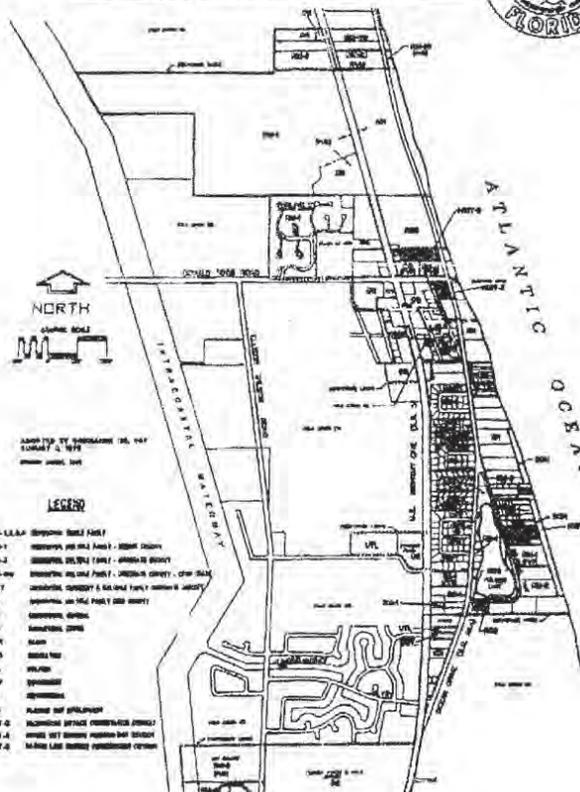
SUBJECT:  
REVISIONS TO THE COMPREHENSIVE ZONING ORDINANCE.

PURPOSE:  
TO AMEND THE COMPREHENSIVE ZONING ORDINANCE BY REPEALING, RELOCATING AND/OR AMENDING OBSOLETE, UNNECESSARY, SUPERSEDED AND CONFLICTING PROVISIONS; AND MORE SPECIFICALLY BUT NOT LIMITED TO REVISING SECTION 2.00 DEFINITIONS CONCERNING ACCESSORY APARTMENT, AUTO SALES, TWO-FAMILY DWELLING, RATIO HOUSE, ESSENTIAL SERVICES BY REMOVING PUBLIC AND PRIVATE UTILITIES FROM ITS DEFINITION, FUEL SERVICE STATION BY DELETING MINOR REPAIR AS PART OF THE FACILITY, RIGHT-OF-WAY SIGN BY INCLUDING ALL LETTERING/LOGO/GRAPHICS / OR OTHER DEVICE USED TO ANNOUNCE OR ADVERTISE SOMETHING TO BE CONSIDERED A SIGN, BUILDING IDENTIFICATION WALL SIGN, ROOF SIGN, AMENDING SECTION 3.00 BY PROVIDING PROVISIONS FOR INTERPRETATION OF THE CODE, AMENDING SECTION 4.00 DEFINITIONS AND ESTABLISHMENT OF ZONING DISTRICTS CONCERNING AMENDING ALL RESIDENTIAL ZONING DISTRICTS TO ALLOW FOR A MAXIMUM 2 DWELLING UNIT PER ACRE DENSITY BONUS WHEN A PUBLIC BEACH ACCESS EASEMENT WITH DUNE WALKOVER IS PROVIDED, AMENDING THE PARKING REQUIREMENTS IN CERTAIN DISTRICTS WHERE CONFLICTS EXIST ELSEWHERE IN THE CODE; AMENDING THE RESIDENTIAL MULTI-FAMILY ZONING DISTRICTS TO ALLOW FOR ACCESSORY APARTMENTS, REVISE THE MAXIMUM BUILDING DIMENSION PROVISIONS AND MINIMUM DISTANCE BETWEEN STRUCTURES ON SAME PROPERTY; REVISING THE HISTORIC ZONING DISTRICTS TO ALLOW FOR ADMINISTRATIVE APPROVAL OF SITE PLAN AND APPEARANCE, AMENDING THE BEACH AND HISTORIC DISTRICTS TO ALLOW ONLY TROPICAL PASTEL COLORS FOR BUILDINGS; AMENDING THE SATURN LANE HISTORIC DISTRICT REGULATIONS CONCERNING ACCESSORY APARTMENTS AND THEIR PARKING REQUIREMENTS AMENDING THE USES PERMITTED IN THE BEACH DISTRICT BY ALLOWING DUNE WALKOVERS AND GOVERNMENT OWNED MINOR STRUCTURES, AMENDING THE COMMERCIAL GENERAL ZONING DISTRICT TO PROHIBIT AUTO RENTAL LOTS, AMENDING SECTION 5.00 SUPPLEMENTARY REGULATIONS CONCERNING LOT REGULATIONS, STREET LOT LINES, SECTION 5.30 SUPPLEMENTARY USE REGULATIONS CONCERNING SWIMMING POOL, SETBACKS, PARKING REGULATIONS, SIDEWALK CAFES, SECTION 5.60 SIGNS CONCERNING ALLOWING FOR BUILDING IDENTIFICATION WALL SIGNS WHEN A FREESTANDING SIGN IS NOT PLACED ON THE PROPERTY, ALLOWING FOR A NEW FORMULA FOR CALCULATING THE ALLOWABLE SIGN AREA FOR BUILDINGS 2 STORIES OR HIGHER, PROVIDING AN INCENTIVE TO DECREASE SIGN AREA BY ALLOWING UP TO 48 INCH HIGH LETTERS AND LOGOS, ALLOWING DIRECTIONAL SIGNS TO BE SETBACK 2 FEET FROM PROPERTY LINES, REQUIRING SPECIAL EVENT SIGNS TO BE EXTREMELY LIGHT, REQUIRING ALL TEMPORARY MESSAGES TO BE PLACED ON A SPECIAL EVENT SIGN OR IN 20 PERCENT AREA OF FREESTANDING SIGN, AND ALLOWING AN 8 SIXIARE FOOT TEMPORARY LEASING OR FOR SALE SIGN TO HANG BELOW A FREESTANDING SIGN; SECTION 5.70 LANDSCAPE REQUIREMENTS CONCERNING AMENDING THE APPLICABILITY SECTION, AND MOVING THE REMOVAL OF INVASIVE PLANTS SECTION TO THE CODE OF ORDINANCES; SECTION 5.120 COASTAL REGULATIONS, SECTION 5.150 SPECIAL EVENTS, SECTION 5.200 COMMUNITY APPEARANCE STANDARDS CONCERNING AMENDING THE APPLICABILITY SECTION, AND PROVIDING A GENERAL SCHEDULE DIAGRAM TO BE FOLLOWED WHEN A NEW ROAD IS CREATED OR AN EXISTING ROAD IS NOT SPECIFIED; SECTION 6.00 PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTION CONCERNING PROCEDURE, AMENDING THE FINDINGS SECTION, AND AMENDING THE EXPIRATION PROVISIONS FOR AN APPROVAL, AMENDING THE SETBACK OF A ZERO LOT LINE DWELLING TO BE 15 FEET FROM THE FRONT PROPERTY LINE EXCEPT FOR FRONT END LOADED GARAGES, AND AMENDING THE MINOR AMENDMENT PROVISIONS WHICH ALLOW FOR ADMINISTRATIVE APPROVAL, SECTION 7.00 NONCONFORMING STATUS CONCERNING ALLOWING A NONCONFORMING LOT TO BE DEVELOPED PROVIDED ALL OTHER REQUIREMENTS OF THE CODE ARE MET, ALLOWING A NONCONFORMING STRUCTURE TO BE EXPANDED AS LONG AS THE EXPANSION MEETS THE CODE REQUIREMENTS, AND ALLOWING FOR UNIQUE SITUATIONS WHERE NONCONFORMING RESIDENTIAL USES AND STRUCTURES MAY BE REBUILT AFTER DESTRUCTION TO PRE-EXISTING CONDITIONS; SECTION 8.00 DUTIES OF ADMINISTRATION OFFICIALS AND AGENCIES; SECTION 9.00 ADMINISTRATION, ENFORCEMENT, VIOLATIONS AND PENALTIES CONCERNING PROVIDING FOR THE CODE COMPLIANCE OFFICIAL TO BE RESPONSIBLE FOR THE ENFORCEMENT OF THIS CODE, AMENDING THE VIOLATIONS AND PENALTIES SECTION, AND PROVIDING FOR OTHER LEGAL REMEDIES; SECTION 10.00 SPECIAL LOCAL ORDINANCES; SECTION 11.00 SITE PLAN AND APPEARANCE REVIEW PROCEDURES CONCERNING AMENDING THE MINOR AMENDMENT CRITERIA, AND AMENDING THE EXPIRATION PROVISIONS FOR AN APPROVAL; SECTION 12.00 ZONING BOARD OF ADJUSTMENT AND APPEALS CONCERNING THE PROCEDURES; AND SECTION 13.00 AMENDMENTS CONCERNING THE PROCEDURES FOR AMENDING THE ZONING CODE OR REZONING ANY PROPERTY.

This hearing is being conducted for the purpose of offering interested persons the opportunity to express their views concerning the proposed revisions. The proposal may be inspected in the office of the Planning & Zoning Department at Town Center, 340 Ocean Drive, Juno Beach, Florida, or call Susan Kenney at (407) 626-1122. If a person decides to appear any decision made by the Town Council with respect to any matter considered at the public hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Publish: April 6, 1994

OFFICIAL ZONING MAP



POST

v. Florida

Chris Bull

of The Palm Beach Post,  
Beach in Palm Beach County.

Notice  
Use

published in said newspaper in

published at West Palm Beach,  
newspaper has heretofore been  
daily and Sunday and has been  
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*Chris Bull*

May 11, 1994

*D. Cullen*

Notary Public

Y PUBLIC STATE OF FLORIDA  
MISSISSIPPI EXP. DEC. 14, 1994  
D THRU GENERAL INS. UND.

NO. 762322

# NOTICE OF ZONING (PERMITTED USE) CHANGE

The Town of Juno Beach Town Council proposes to rezone (change the permitted use of) the land within the area shown in the map in this advertisement. In addition, the Town Council proposes to revise the Comprehensive Zoning Ordinance (Zoning Code). A public hearing on the rezoning and proposed code revisions will be held on: **May 11, 1994 at 5:30 P.M. at the Town Center, 340 Ocean Drive, Juno Beach, FL 33408**

**SUBJECT: REVISIONS TO THE COMPREHENSIVE ZONING ORDINANCE**

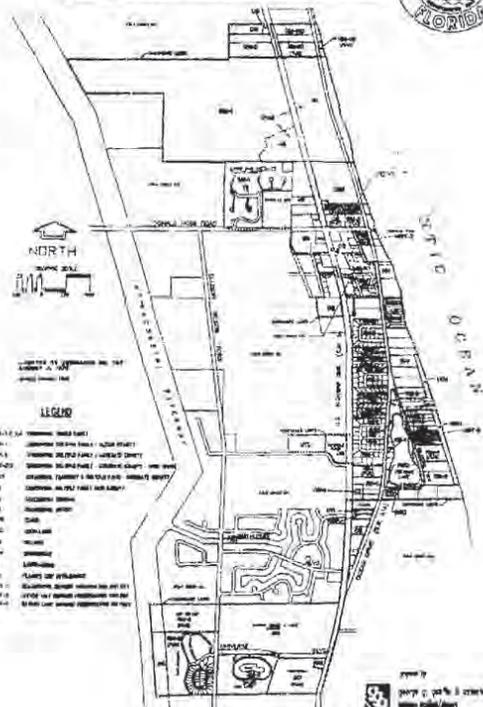
PURPOSE TO AMEND THE COMPREHENSIVE ZONING ORDINANCE BY REPEALING, RELOCATING AND/OR AMENDING OF SOLELY, UNNECESSARY, SUPERSEDED AND CONFLICTING PROVISIONS, AND MORE SPECIFICALLY BUT NOT LIMITED TO REVISING SECTION 2.00 DEFINITIONS CONCERNING ACCESSORY APARTMENT, AUTO SALES, PATIO HOUSE, ESSENTIAL SERVICE BY REMOVING PUBLIC AND PRIVATE UTILITIES FROM ITS DEFINITION, FUEL SERVICE STATION BY DELETING MINOR REPAIR, A PART OF THE FACILITY, RIGHT-OF-WAY, SIGN BY INCLUDING ALL LETTERING/ LOGO/ GRAPHICS/ OR OTHER DEVICE USED TO ANNOUNCE OR ADVERTISE SOMETHING TO BE CONSIDERED A SIGN, BUILDING IDENTIFICATION WALL SIGN, ROOF SIGN, AMENDING SECTION 3.00 BY PROVIDING PROVISIONS FOR INTERPRETATION OF THE CODE, AMENDING SECTION 4.0 DEFINITIONS AND ESTABLISHMENT OF ZONING DISTRICTS CONCERNING AMENDING ALL MULTI-FAMILY RESIDENTIAL ZONING DISTRICTS TO ALLOW FOR A MAXIMUM 2 DWELLING UNIT PER ACRE DENSITY BONUS WHEN A PUBLIC BEACH ACCESS EASEMENT WITH DUNE WALKOVER IS PROVIDED; AMENDING THE PARKING REQUIREMENTS IN CERTAIN DISTRICTS WHERE CONFLICTS EXIST ELSEWHERE IN THE CODE; AMENDING THE RESIDENTIAL MULTI-FAMILY ZONING DISTRICTS TO ALLOW FOR ACCESSORY APARTMENTS, REVISE THE MAXIMUM BUILDING DIMENSION PROVISIONS AND MINIMUM DISTANCE BETWEEN STRUCTURES ON SAME PROPERTY, REVISING THE HISTORIC ZONING DISTRICTS TO ALLOW FOR ADMINISTRATIVE APPROVAL OF SITE PLAN AND APPEARANCE; AMENDING THE BEACH BOUND HISTORIC DISTRICT TO ALLOW ONLY TROPICAL PASTE COLORS FOR BUILDINGS; AMENDING THE SATURN LANE HISTORIC DISTRICT REGULATIONS CONCERNING ACCESSORY APARTMENTS AND THEIR PARKING REQUIREMENTS; AMENDING THE USES PERMITTED IN THE BEACH DISTRICT BY ALLOWING DUNE WALKOVERS AND GOVERNMENT OWNED MINOR STRUCTURES; AMENDING THE COMMERCIAL GENERAL ZONING DISTRICT TO PROHIBIT AUTO RENTAL LOTS, AMENDING SECTION 5.00 SUPPLEMENTARY REGULATIONS CONCERNING LOT REGULATIONS, STREET LOT LINES; SECTION 5.30 SUPPLEMENTARY USE REGULATIONS CONCERNING SWIMMING POOL SETBACKS, PARKING REGULATIONS, SIDEWALK CAFES; SECTION 5.60 SIGNS CONCERNING ALLOWING FOR BUILDING IDENTIFICATION WALL SIGNS WHEN A FREESTANDING SIGN IS NOT PLACED ON THE PROPERTY, ALLOWING FOR A NEW FORMULA FOR CALCULATING THE ALLOWABLE SIGN AREA FOR BUILDINGS 3 STORIES OR HIGHER, PROVIDING AN INCENTIVE TO DECREASE SIGN AREA BY ALLOWING UP TO 48 INCH HIGH LETTERS AND LOGOS, ALLOWING DIRECTIONAL SIGNS TO BE SETBACK 2 FEET FROM PROPERTY LINES, REQUIRING SPECIAL EVENT SIGNS TO BE EXTERNALLY LIT, REQUIRING ALL TEMPORARY MESSAGES TO BE PLACED ON A SPECIAL EVENT SIGN OR IN 30 PERCENT AREA OF FREESTANDING SIGN FOR RETAIL CENTERS, AND ALLOWING AN 8 SQUARE FOOT TEMPORARY LEASING OR FOR SALE SIGN TO HANG BELOW A FREESTANDING SIGN; SECTION 5.70 LANDSCAPE REQUIREMENTS CONCERNING AMENDING THE APPLICABILITY SECTION AND AMENDING THE REMOVAL OF INVASIVE PLANTS SECTION; SECTION 5.120 COASTAL REGULATIONS, SECTION 5.150 SPECIAL EVENTS; SECTION 5.200 COMMUNITY APPEARANCE STANDARDS CONCERNING AMENDING THE APPLICABILITY SECTION, AND PROVIDING A GENERAL STREETSCAPE DIAGRAM TO BE FOLLOWED WHEN A NEW ROAD IS CREATED OR AN EXISTING ROAD IS NOT SPECIFIED; SECTION 6.00 PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTION PROCEDURE, AMENDING THE FINDINGS SECTION, AND AMENDING THE EXPIRATION PROVISIONS FOR AN APPROVAL, AMENDING THE SETBACK OF A ZERO LOT LINE DWELLING TO BE 15 FEET FROM THE FRONT PROPERTY LINE EXCEPT FOR FRONT END LOADED GARAGES, AND AMENDING THE MINOR AMENDMENT PROVISIONS WHICH ALLOW FOR ADMINISTRATIVE APPROVAL, SECTION 7.00 NONCONFORMING STATUS CONCERNING ALLOWING A NONCONFORMING LOT TO BE DEVELOPED PROVIDED ALL OTHER REQUIREMENTS OF THE CODE ARE MET, ALLOWING A NONCONFORMING STRUCTURE TO BE EXPANDED AS LONG AS THE EXPANSION MEETS THE CODE REQUIREMENTS, AND ALLOWING FOR UNIQUE SITUATIONS WHERE NONCONFORMING RESIDENTIAL USES AND STRUCTURES MAY BE REBUILT AFTER DESTRUCTION TO PRE-EXISTING CONDITIONS; SECTION 8.00 DUTIES OF ADMINISTRATIVE OFFICIALS AND AGENCIES, SECTION 9.00 ADMINISTRATION, ENFORCEMENT, VIOLATIONS AND PENALTIES CONCERNING PROVIDING THE CODE COMPLIANCE OFFICIAL TO BE RESPONSIBLE FOR THE ENFORCEMENT OF THIS CODE, AMENDING THE VIOLATIONS AND PENALTIES SECTION, AND PROVIDING FOR OTHER LEGAL REMEDIES; SECTION 10.00 SPECIAL EXCEPTION PROCEDURES; SECTION 11.00 SITE PLAN AND APPEARANCE REVIEW PROCEDURES CONCERNING AMENDING THE MINOR AMENDMENT CRITERIA AND AMENDING THE EXPIRATION PROVISIONS FOR AN APPROVAL; SECTION 12.00 ZONING BOARD OF ADJUSTMENT AND APPEALS CONCERNING THE PROCEDURES; AND SECTION 13.00 AMENDMENTS CONCERNING THE PROCEDURES FOR AMENDING THE ZONING CODE OR REZONING ANY PROPERTY.

THIS HEARING IS BEING CONDUCTED FOR THE PURPOSE OF AFFORDING INTERESTED PERSONS THE OPPORTUNITY TO EXPRESS THEIR VIEWS CONCERNING THE PROPOSED REVISIONS. THE PROPOSAL MAY BE INSPECTED IN THE OFFICE OF THE PLANNING & ZONING DEPARTMENT AT TOWN CENTER, 340 OCEAN DRIVE, JUNO BEACH, FLORIDA, OR CALL SUSAN KENNEY AT (407) 626-1122.

If a person decides to appeal any decision made by the Town Council with respect to any matter considered at any public hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Publish: May 6, 1994  
Palm Beach Post

## OFFICIAL ZONING MAP



Scale: 1 inch = 100 feet  
Drawing by: [Signature]

line of permanent vegetation (usually the effective limit of storm waves). Unless otherwise specified, the seaward limit of a beach is the mean low water line. "Beach is alternatively termed the "shore".

- 2.26 **Buildable Area.** The portion of the lot remaining after required yards have been provided.
- 2.27 **Building.** See Structure.
- 2.27.A **Building Dimension:** The horizontal length of any building wall in one elevation (the front, sides, or rear building wall of any structure). Attached building structures (for example a row of townhouses) shall be considered as one building and one building dimension, regardless of whether the attached building structures are parallel to the property line, staggered, or some other configuration. The dimension shall be measured from the farthest extremes of said building wall, exclusive of balconies, porches, canopies, port cocheres, and other similar features.
- 2.28 **Building Facade.** All windows, doors, and wall areas of a building in one ~~place~~ plane or elevation.
- 2.28.1 **Building Footprint.** The total ground floor area of a structure covered by a roof measured to the outside building walls, columns, and/or posts.
- 2.29 **Building Frontage.** ~~The linear building dimension of that portion of a building which faces upon and is generally parallel to a public or private street, aisle, or walkway, if appropriate, and is roughly parallel to it as applicable. For sign purposes, if a flat wall sign, only the wall of a building will be used in computing sign area; if a canopy sign, only the length of the canopy will be used in computing sign area.~~
- 2.30 **Building~~7~~ Height ~~of~~.** The vertical distance measured from the grade established by the Town from the crown of the ~~public~~ street ~~or road~~ at its highest elevation abutting ~~in~~ the property~~7~~, ~~or in the event~~ If such elevation is below plus seven and one-half (7 1/2) feet M.S.L., U.S.C. and G. S. datum, then ~~it~~ building height shall be measured from plus seven and one-half (7 1/2) feet M.S.L., U.S.C. and G.S. datum to the highest exterior point of the building roof, exclusive of chimneys, aerials, and other similar appurtenances.
- 2.31 **Building Line.** The line, established by law on any legally platted lot beyond which no building shall extend, except as specifically provided by law.
- 2.31.1 **Business Services.** Establishments providing support services to other business concerns, Business services would include, but not necessarily be limited to, print

~~living room and/or one or more bedrooms, but not including transient facilities.~~

- 2.58 **Dwelling, Patio House.** A detached single-family ~~detached~~ house dwelling unit having all the characteristics normally associated with a single-family detached house dwelling unit, except that the side yard setback may be five (5) feet on one side. However, a patio house development (three (3) or more patio house dwellings on a project site), may be permitted a side yard setback of zero feet on one side provided that a privacy wall (not a fence) not less than five (5) feet in height be constructed on the side lot lines and the rear lot line. Building lots for patio houses dwellings units may be smaller than those ~~normally~~ required for conventional single-family detached ~~houses~~ dwelling units. This definition does not include transient facilities.
- 2.59 **Dwelling, Town House.** A building dwelling unit designed for or occupied exclusively by one family and attached to three (3) or more other ~~buildings~~ dwelling units of similar design and separated by one or more party walls. The attached Townhouses as defined constitute a building cluster. This definition does not include transient facilities.
- ~~2.60 **Essential Services.** Public and private utility facilities related to electrical, water, sanitary sewer, storm drainage, solid waste, telephone, gas, and cable television collection and distribution systems serving the Town, including single pole transmission and distribution lines, underground lines, conduits and pipes, pumps, transformers and other equipment, and appurtenances thereto, and necessary protective enclosures not designed to be occupied by employees, and public safety facilities such as fire and/or police stations.~~
- 2.60.A **Excavation:** Any removal of earth in excess of six (6) inches below existing grade of surrounding land, for any reason whatsoever, except when excavation is to be made and earth restored to its original condition.
- 2.61 **Family.** An individual or two or more persons related by legal adoption, blood, or a licit marriage, or a group of not more than three (3) persons who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling.
- 2.61.1 **Family Care Home.** A dwelling unit licensed to serve residents by the Department of Health and Rehabilitative Services in which a living environment is provided for a payment, fee or grant for any of the residents receiving care, whether or not operated for profit, for one (1) to six (6) unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supporting staff as may be necessary to meet the physical, emotional and social needs of the residents and meeting all other criteria of Chapter 419 Florida Statutes.

- 2.61.2 **Family Day Care Home.** An occupied residence licensed by the Department of Health and Rehabilitative Services in which child care is regularly provided for one (1) to five (5) preschool children for more than one (1) unrelated family and which receives a payment, fee or grant for any of the children receiving care, whether or not operated for profit. The maximum of five (5) preschool children shall include preschool children living in the residence and preschool children received for day care and not related to the resident care giver. Elementary school siblings of the preschool children receiving day care may also receive day care outside of school hours provided that the total number of children, including the care giver's own and those related to the care giver, does not exceed ten (10).
- 2.61.3 **Finished Grade.** The average elevation of the surface of the ground lot adjoining the structure on which a structure is located.
- 2.62 **Floor Area, Total.** The sum of the gross horizontal area of all of the floors of a building measured from the exterior faces of exterior walls and/or supporting columns. Such area shall exclude a basement or sub-basement as defined; open plaza, balcony or deck areas; and off-street parking within or under the building.
- 2.62.1 **Forest Zone:** Located further inland of the scrub zone where trees, such as cabbage palms and sea grapes, and shrubs are dominant.
- 2.62.2 **Foster Care Home.** A residence licensed by the Department of Health and Rehabilitative Services which houses foster residents and provides a family living environment for the residents, including such supervision and care as may be necessary to meet the physical, emotional and social needs of residents and serving either children or adult foster residents.
- 2.63 **Frontage.** All the property on one side of a street or a place between two intersection streets or places measured along the line of the street or place, or if the street or place is dead ended, then all of the property abutting on one side between an intersection street or place and the dead end of the street or place.
- 2.64 **Fuel Service Station:** A retail establishment which primarily sells, dispenses and installs gasoline and automotive lubricants and products. Such establishments ~~may include the sale of typical convenience store items and/or may perform minor repair work and services in no more than three (3) service bays.~~
- 2.65 **Garage, Private.** A building or space used as an accessory to or part of a main building permitted in any residential district, and providing for the storage of

visibility. A "court" is an uncovered open space enclosed on two (2) or more sides by external walls of a building.

- 2.281 **Yard, Front.** A yard adjacent to a ~~public or private~~ street and extending across the entire front of the lot to the face of the front building wall or the required front yard setback, whichever is greater. Through lots extending through blocks in such a way as to have frontage on two (2) public or private streets shall provide front yards adjacent to each street. Depth of required front yards shall be measured perpendicular to a straight line joining the foremost points of the side lot lines. The foremost points of side lot lines, in the case of rounded property corners, as at street intersections, or irregular corners, shall be assumed to be the points at which lines would have met without rounding or irregularity.
- 2.282 **Yard, Side.** A yard extending from the rear line of a required front yard to the opposite property line, or in cases where more than one front yard is required, as on a through lot, to the rear line of the second front yard. In the case of corner lots, all yards adjacent to streets shall be considered front yards. Width of a required side yard shall be measured so that the yard established is a strip of the minimum depth required with its inner edge parallel to the side lot line.
- 2.283 **Yard, Rear.** A yard extending between required side yards at the rear of the lot. In the case of lots having more than one front yard, remaining yards shall be considered side yards. Depth of a required rear yard shall be measured so that the yard established is a strip of the minimum depth required with its inner edge parallel to the rear lot line.
- 2.284 **Yard, Special.** A yard behind any required yard adjacent to a ~~public~~ street, required to perform the same functions as a side or rear yard, but adjacent to a lot line and so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the ~~Zoning Administrative Office~~ Director shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas thereon.
- 2.285 **Yard, Water.** A yard adjacent to a public body of water with a width of ten (10) feet or greater, extending across the entire water side of the lot.
- ~~2.286 **Yard Diagram.** Diagrams indicating the location of yards on rectangular and non rectangular lots are available at Town Hall.~~

Town house	eight (8) dwelling units/ gross acre
Patio house	eight (8) dwelling units/ gross acre
Multiple-family	eight (8) dwelling units/ gross acre

\* Except for a PUD Planned Unit Development ("PUD), in which case the average density per gross acre may be increased as set forth in Section 6.64 of this ordinance.

\* An additional two (2) dwelling units per gross acre may be permitted for up to every five (5) acres that a minimum ten (10) foot wide beach access easement is irrevocably dedicated for public use. (For example, if an 8 acre site provides two 10 foot wide public beach access easements with the required improvements, then the project may be permitted an additional 2 dwelling units per gross acre for the total 8 acres). The easement shall be located; constructed; and improved at a minimum with a paved walkway and a wooden dune walkover structure over the dune, covered and uncovered seating benches on the walkover, landscaping, irrigation, and lighting as determined by the Town, and shall be at the expense of the property owner.

e. Front Yard Setback: \*\*

Single-family detached	thirty (30) feet from the street line
Two-family	thirty (30) feet from the street line
Town house, cluster	thirty (30) feet from the street line
Patio house	twenty (20) feet from the street line
Multiple-family	thirty (30) feet from the street line

f. Side Yard Setback: \*\*\*

Single-family detached	ten (10) feet per side
Two-family	ten (10) feet per side
Town house, single unit	zero (0) feet per side
Town house, cluster	thirty-five (35) feet total with one side having a minimum of fifteen (15) feet
Patio house	<del>a total of twenty (20)</del> <u>feet total with one side having a minimum five (5) feet. However, a patio</u>

~~house development may be permitted zero feet on one side, or any combination which totals 20 feet (e.g., 10 feet per side, or zero feet on one side, 20 feet on the other)~~

Multiple-family thirty-five (35) feet total with one side having a minimum of fifteen (15) feet.

g. Rear Yard Setback: \*\*\*\*

Single-family detached	fifteen (15) feet
Two-family	fifteen (15) feet
Town house, single unit	zero (0) feet
Patio house	ten (10) feet
Multiple-family	twenty (20) feet

h. Ocean Setback: fifty (50) feet west of the Coastal Construction Control Line.

i. Highrise Setback: not applicable

\*\* See also Section 5.100 Setback of Accessory Structures

\*\*\* See also Section 5.16 Corner Lots.

\*\*\*\* See also Section 5.17 Through Lots.

j. Minimum Floor Space per Dwelling Unit:

one-bedroom unit	1,000 square feet
	habitable space
two-bedroom unit	1,200 square feet
	habitable space
three- (or more)	1,400 square feet bedroom
	unit habitable space

k. Maximum Building Height:

Single-family detached	two (2) stories not to exceed thirty (30) feet
Two-family	two (2) stories not to exceed thirty (30) feet
Town house	three (3) stories not to exceed forty (40) feet
Patio house	two (2) stories not to exceed thirty (30) feet
Multiple-family	three (3) stories not to exceed forty (40) feet

d. Density:\*

Single-family detached	four (4)	dwelling units/gross acre
Two-family	eight (8)	dwelling units/gross acre
Patio house	eight (8)	dwelling units/gross acre
Town house	twelve (12)	dwelling units/gross acre
Multiple-family	twelve (12)	dwelling units/gross acre

\* Except for a PUD, in which case the average density per gross acre may be increased as set forth in Section 6.64 of this ordinance.

\* An additional two (2) dwelling units per gross acre may be permitted for up to every five (5) acres that a minimum ten (10) foot wide beach access easement is irrevocably dedicated for public use. (For example, if an 8 acre site provides two 10 foot wide public beach access easements with the required improvements, then the project may be permitted an additional 2 dwelling units per gross acre for the total 8 acres). The easement shall be located; constructed; and improved at a minimum with a paved walkway and a wooden dune walkover structure over the dune, covered and uncovered seating benches on the walkover, landscaping, irrigation, and lighting as determined by the Town, and shall be at the expense of the property owner.

e. Front Yard Setback:\*\*

Single-family detached	thirty (30) feet from the street line
Two-family	thirty (30) feet from the street line
Town house, cluster	thirty (30) feet from the street line
Patio house	twenty (20) feet from the street line
Multiple-family	thirty (30) feet from the street line

f. Side Yard Setback:\*\*\*

Single-family detached	ten (10) feet per side
Two-family	ten (10) feet per side
Town house, single unit	zero (0) feet per side

Town house, cluster	thirty-five (35) feet total with one side having a minimum of fifteen (15) feet
Patio house	<del>a total of twenty (20) feet total with one side having a minimum five (5) feet. However, a patio house development may be permitted zero feet on one side; any combination which totals 20 feet (e.g., 10 feet per side, or zero feet on one side, 20 feet on the other)</del>
Multiple-family	thirty-five (35) feet total with one side having a minimum of fifteen (15) feet

g. Rear Yard Setback:\*\*\*\*

Single-family detached	fifteen (15) feet
Two-family	fifteen (15) feet
Town house, single unit	zero (0) feet
Town house, cluster	thirty (30) feet
Patio house	ten (10) feet
Multiple-family	thirty (30) feet

h. Ocean Setback: fifty (50) feet west of the Coastal Construction Control Line

- \*\* See also Section 5.100 Setback of Accessory Structures  
 \*\*\* See also Section 5.16 Corner Lots.  
 \*\*\*\* See also Section 5.17 Through Lots.

i. Highrise Setback: not applicablej. Minimum Floor Space per Dwelling Unit:

one-bedroom unit	1,000 square feet habitable space
two-bedroom unit	1,200 square feet habitable space
three- (or more) bedroom unit	1,400 square feet habitable space

k. Maximum Building Height:

Single-family detached	two (2) stories not to exceed thirty (30) feet
Two-family	two (2) stories not to exceed thirty (30) feet

Town house	three (3) stories not to exceed forty (40) feet
Patio house	two (2) stories not to exceed thirty (30) feet
Multiple-family	three (3) stories not to exceed forty (40) feet

Building height may be increased by ten (10) feet where parking is provided under seventy-five (75) percent of the building's floor area.

l. Maximum Building Dimension:

one hundred fifty (150) feet for all types of permitted principal structures. This maximum dimension shall not include parking and attached accessory structures less than 25 feet in height. ~~This dimension may be increased to 175 feet provided that the side yard setback is increased in an amount equal to four (4) times the increase in building dimension (i.e., width or length) beyond 150 feet. This additional setback may be applied on either side of the building.~~

m. Distance between Principal Structures on Same Property:

~~The minimum distance between a principal structure on the same lot shall be thirty (30) feet and a one-story accessory structure shall be thirty (30) feet. Minimum distance between accessory structures shall be fifteen feet.~~

n. Maximum Lot Coverage:

Single-family detached	thirty-five (35) percent
Two-family	thirty-five (35) percent
Town house, single unit	eighty (80) percent
Patio house	fifty (50) percent
Multiple-family	fifty (50) percent

o. Minimum Landscaping, Open Space:

Single-family detached	twenty (20) percent of lot area
Two-family	twenty (20) percent of lot area
Town house, single unit	not applicable
Town house, cluster	fifteen (15) percent of lot area
Patio house	fifteen (15) percent of lot area
Multiple-family	fifteen (15) percent of lot area

- p. Minimum Parking: See Section 5.40 Parking Requirements. For Multi-family developments: two (2) spaces per dwelling unit for first 20 units; 1.75 spaces for the next 21-50 dwelling units; and 1.5 spaces for each dwelling unit in excess of 50. Also, 1 guest space for every 7 dwelling units.
- q. Loading: see Section 5.50

Multiple-family	twelve (12) dwelling units/gross acre
Transient facility	fifteen (15) dwelling units/gross acre

\* Except for a PUD, in which case the average density per gross acre may be increased as set forth in Section 6.64 of this ordinance.

\* An additional two (2) dwelling units per gross acre may be permitted for up to every five (5) acres that a minimum ten (10) foot wide beach access easement is irrevocably dedicated for public use. (For example, if an 8 acre site provides two 10 foot wide public beach access easements with the required improvements, then the project may be permitted an additional 2 dwelling units per gross acre for the total 8 acres). The easement shall be located; constructed; and improved at a minimum with a paved walkway and wooden dune walkover structure over the dune, covered and uncovered seating benches on the walkover, landscaping, irrigation, and lighting as determined by the Town, and shall be at the expense of the property owner.

e. Front Yard Setback:\*\*

Single-family detached	thirty (30) feet from the street line
Two-family	thirty (30) feet from the street line
Town house, cluster	thirty (30) feet from the street line
Patio house	twenty (20) feet from the street line
Multiple-family	thirty (30) feet from the street line
Transient facility	thirty (30) feet from the street line

f. Side Yard Setback:\*\*\*

Single-family detached	ten (10) feet per side
Two-family	ten (10) feet per side
Town house, single unit	zero (0) feet per side
Town house, cluster	thirty-five (35) feet, with one side having a minimum of fifteen (15) feet
Patio house	<u>a total of twenty (20) feet total with one side having a minimum five (5) feet.</u>

However, a patio house development may be permitted zero feet on one side, any combination

which totals 20 feet (e.g., 10 feet per side, or zero feet on one side, 20 feet on the other)

Multiple-family

thirty-five (35) feet, with one side having a minimum of fifteen (15) feet

Transient facility

thirty-five (35) feet, with one side having a minimum of fifteen (15) feet

g. Rear Yard Setback:\*\*\*\*

Single-family detached	fifteen (15) feet
Two-family	fifteen (15) feet
Town house, single unit	zero (0) feet
Town house, cluster	thirty (30) feet
Patio house	ten (10) feet
Multiple-family	thirty (30) feet
Transient facility	thirty (30) feet

\*\* See also Section 5.100 Setback of Accessory Structures

\*\*\* See also Section 5.16 Corner Lots.

\*\*\*\* See also Section 5.17 Through Lots.

h. Ocean Setback: fifty (50) feet west of the Coastal Construction Control Line

i. Highrise Setback: not applicable

j. Minimum Floor Space per Dwelling Unit:

one-bedroom unit	1,000 square feet habitable space
two-bedroom unit	1,200 square feet habitable space
three- (or more) bedroom unit	1,400 square feet habitable space
transient facility occupancy unit	300 square feet habitable space

k. Maximum Building Height:

Single-family detached two (2) stories not to

d. Density:\*

Single-family detached	four (4) dwelling units/ gross acre
Two-family	eight (8) dwelling units/ gross acre
Town house	eighteen (18) dwelling units/gross acre
Patio house	eight (8) dwelling units/ gross acre
Multiple-family	eighteen (18) dwelling units/gross acre

\* Except for a PUD, in which case the average density per gross acre may be increased as set forth in Section 6.64 of this ordinance.

\* An additional two (2) dwelling units per gross acre may be permitted for up to every five (5) acres that a minimum ten (10) foot wide beach access easement is irrevocably dedicated for public use. (For example, if an 8 acre site provides two 10 foot wide public beach access easements with the required improvements, then the project may be permitted an additional 2 dwelling units per gross acre for the total 8 acres). The easement shall be located; constructed; and improved at a minimum with a paved walkway and a wooden dune walkover structure over the dune, covered and uncovered seating benches on the walkover, landscaping, irrigation, and lighting as determined by the Town, and shall be at the expense of the property owner.

e. Front Yard Setback:\*\*

Single-family detached	thirty (30) feet from the street line
Two-family	thirty (30) feet from the street line
Town house, cluster	thirty (30) feet from the street line
Patio house	twenty (20) feet from the street line
Multiple-family	thirty (30) feet from street line

f. Side Yard Setback:\*\*\*

Single family detached	ten (10) feet per side
Two-family	ten (10) feet per side
Town house, single unit	zero (0) feet per side
Town house, cluster	thirty-five (35) feet, with one side having

a minimum of fifteen (15) feet  
 Patio house ~~a total of twenty (20) feet total with one side having a minimum five (5) feet. However, a patio house development may be permitted zero feet on one side, any combination which totals 20 feet;~~  
 Multiple-family ~~(e.g., 10 feet per side, or zero feet on one side, 20 feet on the other)~~ thirty-five (35) feet, with one side having a minimum of fifteen (15) feet

g. Rear Yard Setback:\*\*\*\*

Single-family detached	fifteen (15) feet
Two-family	fifteen (15) feet
Town house, single unit	zero (0) feet
Town house, cluster	thirty (30) feet
Patio house	ten (10) feet
Multiple-family	thirty (30) feet

h. Ocean Setback: fifty (50) feet west of the Coastal Construction Control Line

i. Highrise Setback: for multiple-family, all buildings shall be set back so as to provide at least a thirty (30) foot setback from all property lines. There shall be added an additional five (5) feet of setback at ground level for each additional story beyond the first two stories. Such setbacks need not exceed sixty (60) feet. For those lots having a width of two hundred (200) feet or less as recorded in the office of the Palm Beach County property appraiser at the time of adoption of this ordinance, maximum setbacks need not exceed fifty (50) feet. However, the maximum building dimension on such lots shall not exceed one hundred fifty (150) feet.

\*\* See also Section 5.100 Setback of Accessory Structures.

\*\*\* See also Section 5.16 Corner Lots.

\*\*\*\* See also Section 5.17 Through Lots.

j. Minimum Floor Space per Dwelling Unit:

one-bedroom unit	1,000 square feet habitable space
two-bedroom unit	1,200 square feet habitable space
three- (or more) bedroom unit	1,400 square feet habitable space

4.140 ZONING DISTRICT: RESIDENTIAL MULTIPLE FAMILY - MODERATE 72  
DENSITY OPEN SPACE OPTION (RM -00)

4.141 PURPOSE: The purpose of this district is to provide for a variety of housing types at a moderate population density or to provide for a resort hotel and its attendant uses, either of which are compatible with the natural terrain and neighboring housing areas. This zoning district contains natural terrain in the form of a portion of the Coastal Ridge which represents an asset to the Town's overall appearance. To maintain or increase this asset, it is also the purpose of this district to provide the option of increased open space and encourage the preservation or improvement of the natural terrain in exchange for a decrease in dwelling unit density and an increase in building height for single building residential or resort hotel developments.

4.142 USES PERMITTED:

1. Single-family detached dwellings.
2. Two-family dwellings.
3. Multiple-family dwellings.
4. Clustered single-family dwellings (town house, patio houses).
5. Group Homes (see section 5.170).
6. Community Residential Homes (see section 5.171).
7. ~~Essential services.~~ Public safety facilities such as fire and/or police stations.

4.143 ACCESSORY USES:

1. Private nurseries and greenhouses.
2. Private garages.
3. Private swimming pools and/or cabanas.
4. Other accessory uses customarily incident to permitted or approved Special Exception Uses, not involving the conduct of business.
5. Limited Home Occupations (see section 5.160).
6. Satellite Dish Antennas (see section 5.190).
7. Accessory Apartment.

4.144 SPECIAL EXCEPTION USES:

1. Planned Unit Development-residential.
2. Public and private utility structures.
3. Public or private academic schools.
4. Churches, Synagogues and other houses of worship.
5. A single building in excess of three stories which reduces the overall density of dwelling units but increases the open space and preserves or enhances the natural terrain.
6. Resort hotel and attendant uses. Attendant uses shall not be permitted unless there is a resort hotel. A resort hotel structure may contain attendant uses, or the attendant uses may be located in a separate structure or structures or in combination with the resort hotel.
7. Satellite Dish Antennas (see section 5.190).

4.145 **SITE PLAN AND APPEARANCE REVIEW REQUIREMENTS:** Required of all uses other than individual single family detached dwellings, which shall be subject to review only by the Town of Juno Beach Planning, Building and Zoning Department.

4.146 **BUILDING SITE AREA REGULATIONS:**

a. Minimum Total Area:

Single-family detached	10,000 square feet
Two-family	10,000 square feet
Town house, single unit	750 square feet
Town house, cluster	20,000 square feet
Patio house	5,000 square feet
Multiple-family	20,000 square feet
Resort hotel and Attendant uses	11.5 acres

b. Minimum Lot Width:

Single-family detached	seventy-five (75) feet total
Two-family	seventy-five (75) feet total
Town house, single unit	twenty-five (25) feet per unit
Town house, cluster	one hundred (100) feet total
Patio house	sixty (60) feet total
Multiple-family	one hundred (100) feet total
Resort hotel and	Six hundred thirty

Attendant Uses (630) feet 74  
(north/south dimension)

c. Minimum Lot Depth:

Single-family detached one hundred (100) feet total  
Two-family one hundred (100) feet total

Town house, single unit thirty (30) feet per unit

Town house, cluster one hundred fifty (150) feet total

Patio house eighty (80) feet total

Multiple-family one hundred fifty (150) feet total

Resort hotel and Attendant uses Seven hundred thirty (730) feet (east/west dimension)

d. DENSITY:\*

Single-family detached four (4) dwelling units/  
gross acre

Two-family eight (8) dwelling units/  
gross acre

Patio house eight (8) dwelling units/  
gross acre

Town house twelve (12) dwelling units/  
gross acre

Multiple-family twelve (12) dwelling units/  
gross acre

Resort hotel and Attendant uses

i. Maximum number of resort hotels in the RM-00 Zoning District - One (1).

ii. Minimum number of guest units (rooms or suites) in the resort hotel - Two Hundred (200).

\* Except for a PUD and Special Exception Use No. 5. In the case of a PUD, the average density per gross acre may be increased as set forth in Section 6.64 of this ordinance. For Special Exception Use No. 5, the total number of dwelling units on a site must be decreased from the maximum permissible (12 units/acre) by a factor of 0.15 units x the number of additional floors x the total gross acreage of the site. A single building may not exceed twelve (12) stories.

\*

An additional two (2) dwelling units per gross acre 75 may be permitted for up to every five (5) acres that a minimum ten (1) foot wide beach access easement is irrevocably dedicated for public use. (For example, if an 8 acre site provides two 10 foot wide public beach access easements with the required improvements, then the project may be permitted an additional 2 dwelling units per gross acre for the total 8 acres). The easement shall be located; constructed; and improved at a minimum with a paved walkway and wooden dune walkover structure over the dune, covered and uncovered seating benches on the walkover, landscaping, irrigation, and lighting as determined by the Town, and shall be at the expense of the property owner.

e. Setbacks for Special Exception No. 5:

The single building shall be set back so as to provide at least a thirty-five (35) foot setback from all property lines. There shall be added an additional five (5) feet of setback for each additional story beyond the first three stories. Such setbacks need not exceed sixty (60) feet.

ee. Setback for Special Exception No. 6:

The resort hotel and all other structures must be set back a minimum of 100 feet from the south property line, 200 feet from the west property line, 50 feet west of the Coastal Construction Control Line, and 100 feet from the north property line. If a public promenade is incorporated into the site plan adjacent to the Ocean Drive right-of-way, the Town Council may grant approval to located the promenade, all or portions of the primary hotel structure and attendant uses structures within the 50-foot setback from the Coastal Construction Control Line in accordance with Section 5.120 and where not otherwise prohibited by law. Modification of the south, west and north minimum setbacks may be granted only by the Town Council. Prior to a decision by the Town Council, the following conditions shall be met:

- a. Review and recommendations by the Planning & Zoning Board;
- b. a public hearing with due public notice as provided in Chapter 163 F.S. for all zoning actions.

Setback modifications may be approved only if such modification or modifications will not be detrimental to the natural characteristics of the site or to existing and potential adjacent land uses, and will contribute to

a higher quality site plan than can be achieved with 76 required minimum setbacks. The Town Council shall consider the effects of such impacts as, light, air, appearance, fire protection and security.

f. Front Yard Setback:\*\*

Single-family detached	thirty (30) feet from the street line
Two-family	thirty (30) feet from the street line
Town house, cluster	thirty (30) feet from the street line
Patio house	twenty (20) feet from the street line
Multiple-family	thirty (30) feet from the street line

g. Side Yard Setback:\*\*\*

Single-family detached	ten (10) feet per side
Two-family	ten (10) feet per side
Town house, single unit	zero (0) feet per side
Town house, cluster	thirty-five (35) feet total with one side having a minimum of fifteen (15) feet, a total of twenty (20) feet; any combination which totals 20 feet (e.g., 10 feet per side, or zero feet on one side, 20 feet on the other)
<u>Patio house</u>	<u>twenty (20) feet total with one side having a minimum five (5) feet. However, a patio house development may be permitted zero feet on one side.</u>
Multiple-family	thirty-five (35) feet total with one side having a minimum of fifteen (15) feet

h. Rear Yard Setback:\*\*\*\*

Single-family detached	fifteen (15) feet
Two-family	fifteen (15) feet
Town house, single unit	zero (0) feet
Town house, cluster	thirty (30) feet
Patio house	ten (10) feet
Multiple-family	thirty (30) feet

i. Ocean Setback: fifty (50) feet west of the 77  
Coastal Construction Control  
Line

- \*\* See also Section 5.100 Setback of Accessory Structures  
\*\*\* See also Section 5.16 Corner Lots.  
\*\*\*\* See also Section 5.17 Through Lots.

j. Minimum Floor Space per Dwelling Unit:

one-bedroom unit	1,000 square feet habitable space
two-bedroom unit	1,200 square feet habitable space
three-(or more) bedroom unit	1,400 square feet habitable space
Resort hotel guest unit	325 square feet habitable space

k. Maximum Building Height:\*

Single-family detached	two (2) stories not to exceed thirty (30) feet
Two-family	two (2) stories not to exceed thirty (30) feet
Town house	three (3) stories not to exceed forty (40) feet
Patio house	two (2) stories not to exceed thirty (30) feet
Multiple-family	three (3) stories not to exceed forty (40) feet
Resort hotel	Twelve (12) stories not to exceed 130 feet. Building height is measured from the crown of Ocean Drive or the lowest point of the grade surrounding the finished building, whichever is lower.
Attendant structures to a resort hotel	Two (2) stories not to exceed 25 feet, as measured above.

Building height may be increased by ten (10) feet where  
parking is provided under seventy-five (75) percent of  
the building's floor area.

- \* The datum used to determine the building height need not  
be the crown of road. Instead, it may be the average  
elevation of the crest of the dune. This will be

1. Maximum Building Dimension:

~~One hundred fifty (150) feet for all types of permitted principal structures. This maximum dimension shall not include parking and attached accessory structures less than 25 feet in height. This dimension may be increased to 175 feet provided that the side yard setback is increased in an amount equal to four (4) times the increase in building dimension (i.e., width or length) beyond 150 feet. This additional setback may be applied on either side of the building.~~

i. Resort hotel: One hundred and fifty (150) feet. Underground parking shall not have maximum dimension limitations but shall be subject to review and approval by the Town Council with respect to distance and appearance from the property lines. Underground parking may be shared by the resort hotel and attendant structures. The Town Council shall consider the effects of such impacts as light, air, appearance, fire protection and security.

ii. All other uses: One hundred fifty (150) feet for all types of permitted principal structures. This maximum dimension shall not include parking and attached accessory structures less than 25 feet in height. ~~This dimension may be increased to 175 feet provided that the side yard setback is increased in an amount equal to four (4) times the increase in building dimension (i.e., width or length) beyond 150 feet. This additional setback may be applied on either side of the building.~~

m. Distance between Structures on Same Property:

For a resort hotel and attendant facilities, the minimum distance between structures shall be subject to review and approval by the Town Council, which shall consider the effects of such impacts as, light, air, appearance, fire protection and security. All other uses: the minimum distance between principal structures on the same lot shall be thirty (30) feet.

n. Maximum Lot Coverage:

Single-family detached	thirty-five (35) percent
Two-family	thirty-five (35) percent
Town house, single unit	eighty (80) percent

Patio house	fifty (50) percent	79
Multiple-family	fifty (50) percent	

o. Minimum Landscaped, Open Space:

Single-family	twenty (20) percent of lot area
Two-family	twenty (20) percent of lot area
Town house, single unit	not applicable
Town house, cluster	fifteen (15) percent of lot area
Patio house	fifteen (15) percent of lot area
Multiple-family	fifteen (15) percent of lot area

p. Minimum Parking:

- i. Resort hotel: 1.25 spaces per each guest unit, plus one (1) space for each three (3) seats offered to the public for restaurant and lounge purposes. Additional parking for attendant facilities located with the resort hotel and in adjacent structures shall be calculated at one (1) space per 200 gross square feet of building area. Additional parking for employees must be provided on the basis of one space per employee of the largest number employees in any one shift at the resort hotel. The resort hotel must have underground parking to accommodate a minimum of one-third of the required spaces for the resort hotel.

The top of the roof of any underground parking structure is not to exceed the lowest point of the crown of the road of Ocean Drive adjacent to the property.

- ii. ~~Two (2) spaces per dwelling unit for first Twenty (20) units; 1.75 spaces for the next 21-50 dwelling units; and 1.5 spaces for each dwelling unit in excess of 50.~~  
Minimum Parking: See Section 5.40 Parking Requirements. For Multi-family developments: two spaces per dwelling unit for first 20 units; 1.75 spaces for the next 21-50 dwelling units; and 1.5 spaces for each dwelling unit in excess of 50. Also, 1 guest space for every 7 dwelling units.

- q. Loading: see Section 5.50

- r. A-1-A Vehicular Access Restrictions: Properties along State Road A-1-A from Loggerhead Park to the northern Town limits shall not be allowed a motorized vehicular driveway connection onto State Road A-1-A. Provided, however, that this shall not prohibit an access used for emergency purposes only.

- 4.306 **STREET LOT LINES:** The street lot line shall be defined as the edge of the Zephyr Way Right-of-Way (R-O-W), Ocean Drive R-O-W, and Donald Ross Road R-O-W.
- 4.307 **CORNER LOTS:** The corner lot provision of the Comprehensive Zoning Ordinance is modified for lots in the Surfside Subdivision. Lots fronting on three or more streets shall be required to have only one street frontage meet the minimum front yard setback, which shall average twenty (20) feet. Yard setbacks for any additional street frontage are required to meet a minimum ten (10) foot setback, in lieu of the required average 20 foot front yard setback.
- 4.308 **EXTENSION OF PORCHES AND BALCONIES:** Porches, balconies, and similar structures may not extend into any front, side or rear setback. Yard setback encroachments that may be authorized in Sections 5.19 and 5.20 of the Comprehensive Zoning Ordinance are expressly prohibited in this District.
- 4.309 **DESIGN CRITERIA:** All development and construction shall be representative of and generally consistent with and complementary to the old Florida cottage style of Architecture (detailed below under architectural standards) and which is commonly known and identified by its late victorian architectural style, Spanish Revival architectural style, or combination thereof. Summarized briefly, distinguishing features of the old Florida cottage style of architecture include: wood or concrete block stucco siding; simple pitched roofs; tile, metal, or asphalt roofs; ornate details such as exposed soffits and individualized vent and louver shapes; lush landscaping with private yards; and use of porches and patios. All additions, alterations, and new construction shall be of a design and proportion which is in harmony with the existing structures in the District.
- 4.310 **SITE PLAN AND APPEARANCE REVIEW REQUIREMENTS:** Site plan review by the Planning and Zoning Board and ~~Town Council Department~~ shall be required for all new construction, additions, and major alterations to existing structures. ~~Improvements other than new construction, additions, or major alterations may be approved by the Town Planner of the Town Planning and Zoning Department or designee. "Major alterations" shall mean any improvements which~~

- 4.406 **STREET LOT LINES:** The street lot line shall be defined as the edge of the Galaxy Circle Right-of-Way (R-O-W) and Celestial Way R-O-W.
- 4.407 **SIDE YARD SETBACK:** The side yard setbacks shall total a minimum of thirteen (13) feet, with no side being less than five (5) feet.
- 4.408 **CORNER LOTS:** The corner lot provision of the Comprehensive Zoning Ordinance shall apply to this Subdivision.
- 4.409 **EXTENSION OF PORCHES AND BALCONIES:** Porches, balconies, and similar structures may not extend into any front, side or rear setback. Yard setback encroachments that may be authorized in Sections 5.19 and 5.20 of the Zoning Ordinance are expressly prohibited in this District.
- 4.410 **LOCATION OF GARDEN WALLS AND FENCES:** Along Galaxy Circle, walls and fences are prohibited to run parallel with Galaxy Circle when located in the front yard.
- 4.411 **DESIGN CRITERIA:** All development and construction shall be representative of and generally consistent with and complementary to the old Florida cottage style of Architecture (detailed below under architectural standards) and which is commonly known and identified by its late victorian architectural style, Spanish Revival architectural style, or combination thereof. Summarized briefly, distinguishing features of the old Florida cottage style of architecture include: wood or concrete block stucco siding; simple pitched roofs; tile, metal, or asphalt roofs; ornate details such as exposed soffits and individualized vent and louver shapes; lush landscaping with private yards; and use of porches and patios. All additions, alterations, and new construction shall be of a design and proportion which is in harmony with the existing structures in the District.
- 4.412 **SITE PLAN AND APPEARANCE REVIEW REQUIREMENTS:** Site plan review by the Planning and Zoning Board Department and the Town Council shall be required for all new construction, additions, or major alterations to existing structures. ~~Improvements other than new construction, additions, or major alterations may be approved by the Town Planner of the Town Planning and Zoning Department or~~

5.34 Vehicle Minor Repair Facilities:

- a. No more than two (2) vehicle minor repair facilities shall be located within eight thousand (8,000) feet of each other. For the purposes of this section, all measurements of distances shall be along a straight airline route from the nearest point on any property line of any property used as a vehicle minor repair facility.
- b. A raised curb of at least six (6) inches in height shall be erected along all street property lines, except for driveway openings.
- c. Repairs shall be restricted to the enclosed bay areas, except when emergency repairs are required to transfer vehicles into the enclosed bay areas.
- d. Quarterly testing and monitoring of environmental conditions on site shall be performed for review and approval by the Town and appropriate environmental agencies.
- e. Adsorbents shall be kept on site for oil spills, or a contract with a private vendor shall be provided to assure that oil, grease and other spillage will be serviced.

- 5.35 Swimming Pools. Swimming pools shall be set back at least fifteen (15) feet from the front property line and ~~five (5) seven and a half (7 1/2)~~ feet from the side and rear property lot lines measured to the water's edge ~~measured from the outside edge of the 2 1/2 foot walk around the pool.~~ Swimming pools may be enclosed by screening in the side and rear yards, providing ~~same setbacks~~ a minimum 5 foot setback is provided from the side and rear property lines to the screen enclosure ~~are provided.~~ Screen enclosures for zero lot line homes may be placed on the property line on the zero setback side and must be setback five (5) feet from the other side and rear property line.

Furthermore, hot tubs or pools within zero lot line communities may encroach into the required setback to a minimum of one (1) foot from the property line of the zero wall of the adjacent home, provided the following conditions are met:

- a. If a PUD, no 25 percent reduction is applied to the minimum 1 foot setback from the zero wall.
- b. Maximum depth of 30 inches (") below grade within 5 feet of zero wall.
- c. Pool must be completely against adjacent house wall and extend no closer than 5 feet to each end of the adjacent

house wall. Beyond the house wall, in rear or front yard, the five foot side and rear yard setback must be adhered to.

- d. Pools, fountains, spas, etc. that have jets, blowers, waterfalls or any other mechanisms that generate noise, must be completely sound insulated from adjacent house with a minimum 2 inch thick urethane insulation or better against all surfaces within 2 feet of zero line.

5.36 **Tennis Courts, Shuffleboard Courts.** Tennis courts, shuffleboard courts and similar uses, not to be enclosed by a structure, may be constructed within yard areas except the required front yard, as prescribed by this ordinance; provided, however, that any walls or fences shall conform with Section 5.22 of this ordinance. However, in no instance shall any tennis court or shuffleboard court be closer than ten (10) feet to a lot line. In determining the percentage of coverage of a lot by buildings, tennis courts, shuffleboard courts and similar uses shall not be counted in such computation.

12. Require the removal of nuisance vegetation to ensure preservation of protected or native vegetation and encourage no disruption of native ecosystems.
13. Provide for the public health, safety and welfare.

5.70.2 Landscape Plan Submission And Approval.

- a. Applicability. The provisions of this Section shall apply as follows:
  - (1) to any new development or modification to existing development wherein that portion of the site which is being modified must comply with the requirements contained herein;
  - (2) to any modification to existing development wherein there results an increase of 5% ~~10%~~ of the gross floor area of the structure, or structures, situated on the site in which case the entire site shall be upgraded to present landscape standards. However, accessory structures which are no greater than 1,000 sf in gross floor area shall not be required to meet ~~these standards~~.
  - (3) a single-family dwelling and a duplex shall be exempt from all provisions of this Section with the exception of those regulations pertaining to swales and visibility at intersections, maintenance of right-of-ways, irrigation restrictions and automatic rain switches required on all new irrigation systems, and those properties greater than four (4) acres in area which must adhere to the Environmentally Sensitive Lands Ordinance.
- b. At the time of application for approval for all Site Plans and Site Plan Revisions, Special Exceptions, Planned Unit Developments, and Variances, except for a single-family dwelling and a duplex, a landscape plan shall be submitted for review by the Planning and Zoning Board and approval by the Town Council.
- c. Plan Contents. The landscape plan, signed and sealed by a Landscape Architect registered in the State of Florida, shall be drawn to a scale of not less than 1"=30', including dimensions and distances, and clearly delineate the existing and proposed parking spaces or other vehicular and/or water outlets, the location and size of buildings, if any, to be served, and the location, size, number, name and description of all landscape materials to be installed or, if existing, to be used in accordance

- j. All conditions and requirements of the Environmentally Sensitive Lands Ordinance, Community Appearance Standards, and Protection of Coastal Ridge Section of the Comprehensive Zoning Ordinance shall be complied with.
- k. Changing thirty percent (30%) or more of all trees and shrubs on a site from the originally approved landscape plan shall require submittal of a new plan showing new plant types and locations to the Planning and Zoning Department for review and approval. The new plant types shall ~~conform to the latest landscape regulations~~ comply with this Ordinance as then in effect.
- l. The Town's Public Works, Planning and Zoning, and Code Compliance Departments shall be responsible for managing the Town's Tree Planting Program. The Town's Public Works Department shall be responsible for the care and maintenance of trees present on Town-owned property.

5.73.1 Removal of Invasive Plants.

- a. ~~East of A-1-A (Ocean Drive) the Town's 50 foot setback west of the Coastal Construction Control Line (CCCL),~~ invasive exotic pest plants, including the brazilian pepper, australian pine, and melaleuca, shall be removed and replaced with appropriate native coastal vegetation by February 19, 1995 ~~within three (3) years from the adoption of this ordinance.~~ Any exotic plant reoccurrence shall be required to be removed and replaced with appropriate vegetation. Such native coastal vegetation shall serve to stabilize the coastal dune area ~~and to provide shade where australian pines have been removed.~~ This provision shall apply to all properties.

5.73.2 Protection of Trees and other Vegetation to be preserved on site.

- a. Trees and other vegetation which are to be preserved on a site shall be protected from damage during the construction process according to appropriate tree and vegetation protection techniques. The "Tree Protection Manual for Builders and Developers" published by the Division of Forestry of the State of Florida, Department of Agriculture and Consumer Services. shall be the standard for determining the ~~appropriateness of proposed~~ techniques for tree protection. All vegetation areas shall be fenced off with screening to prevent any damage. All trees and vegetation which are to be preserved and do not survive shall be replaced by a plant or tree of equal size, or an equivalent number of trees based on trunk diameter.

- b. Native dune vegetation within the Town's 50 foot setback west of the CCCL(~~1979~~) shall be trimmed no lower than five feet above grade.
- c. No native dune vegetation within the Town's 50 foot setback west of the CCCL(~~1979~~) shall be removed, except for exotic pest plants. Removal of any exotic pest plants greater than 10 feet in height requires Town staff approval of the Town Planning and Zoning Department prior to removal.

5.123 **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 re-vegetated 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(~~1979~~) 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.

5.124 **Sand Preservation Zone, Excavation**

~~In the area from the mean high water line of the Atlantic Ocean to a line six hundred (600) feet landward (defined as the Sand Preservation Zone),~~ 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 of Juno Beach or otherwise elsewhere in Palm Beach 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 of Juno Beach and Palm Beach 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 ~~DNR~~ DEP permit.)

5.125 **Protection of Sea Turtles**

The Town adheres to Palm Beach County's Turtle Protection regulations as specified in Section 9.1

Coastal Protection of Palm Beach County's Unified Land Development Code, excluding, however, those provisions regarding vegetation regulation. Ordinance #87-13, therefore, no building permit or certificate of occupancy shall be issued until all requirements of the County's Turtle Protection regulations Ordinance have been met.

5.126 Applicability of other Sections of Comprehensive Zoning Ordinance and Code of Ordinances

See Section 5.70 Landscape Plan Submission and Approval of the Town's Land Development Regulations and Palm Beach County's Environmentally Sensitive Lands Ordinance #89-23 per Article 9, Section 9.2 of the Palm Beach County Unified Land Development Code for additional requirements. In addition, see Sections 17-41 and 10-76 of the Code of Ordinances concerning vehicles on beaches and beach storage of watercraft, respectively.

5.127 Dune walkovers required for all beach accesses

- a. All new public and private accesses to the beach shall be required to be provided with a dune walkover per Town and ~~DNR~~ DEP Division of Beaches and Shores standards on or before February 19, 1995. within three (3) years from the adoption of this Ordinance.
- b. (1) Any existing footpaths to the beach shall either be revegetated or replaced with a wooden dune walkover structure meeting Town and ~~DNR~~ DEP standards, on or before February 19, 1995.
- (2) Any existing nonconforming concrete walkways shall be permitted to remain in place so as not to destabilize the dune, and to be repaired and replaced if less than fifteen (15) percent of the total lineal feet of the concrete walkway. However, when fifteen (15) percent or more of the total lineal feet any portion of such concrete walkway must be replaced or repaired, that section of concrete shall be removed and a wooden dune walkover per Town and ~~DNR~~ DEP standards shall be put in its place. When either incrementally or at one time that fifty (50) percent or more of the total lineal feet of such concrete walkway has been or must be replaced or repaired, then the entire concrete walkway must be replaced with a wooden dune walkover per Town and DEP standards.
- (3) Any existing dune walkovers (wooden structures) which do not meet Town and ~~DNR~~ DEP standards shall be considered conforming; however, when such structure requires

replacement or repair of fifty percent or more of the total lineal feet of the structure, ~~said~~ the entire structure shall be replaced and conform to Town and DNR DEP standards.

5.128 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 section, in consultation with DNR 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 above regulations 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 Section.

5.130 Exterior Lighting in Commercial Districts

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

5.140 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 all seasons of the year.

~~5.141 Use of Signs in Conjunction with Reflective or Mirrored Buildings~~

~~All lighted (internally or externally) free standing signs shall be located in a manner which will not permit the reflection of the sign off the reflective or mirrored material on the building.~~

- 1) receipt of a validly issued building permit and first building inspection approval for a minimum of one principal structure or completion of 25 percent of the total cost of the infrastructure (water, sewer, roads, and drainage) for the subject phase. Infrastructure costs for the project shall be reviewed and approved by the Town Engineer prior to Final Engineering Plan approval. Such approval for each phase shall be valid for two (2) years, at which time, unless the proposed development has been issued a building permit for all components of the subject phase, the development plan approval shall terminate and no additional building permits shall be issued until a new development plan is approved. All lots shall have frontage on an accepted Town, County, or State road, or private road built to Town specifications.

Prior to the expiration of the 2 year period, a one year extension to commence development may be applied for with the Town Council. An extension may be granted upon a determination by the Town Council that the applicant has made a good faith effort of commence construction but has been prevented from doing so for reasons beyond the control of the applicant. No more than one one year extension may be granted to each particular phase.

#### 6.60 PLANNED UNIT DEVELOPMENT STANDARDS

The standards for Planned Unit Development are to provide the Planning and Zoning Board with a means to evaluate applications for these ~~districts~~ developments consistent with the provisions and general intent of the Zoning Ordinance and the Comprehensive Plan of the Town. The minimum size of all PUD's shall be four (4) acres. However, a minimum size of 2.0 acres shall be permitted in any Zoning District where individual single family detached dwellings and their associated accessory structures are to be the only uses provided on the property.

The following standards are intended to provide the necessary latitude for the developer to make creative and efficient use of his property.

#### 6.61 Use Regulations.

Any use or uses permitted by right, any accessory use or uses or special exception use or uses permitted in the zoning district in which the PUD is to be located may be permitted in a Planned Unit Development Special Exception.

development. All building walls facing a ~~public or private~~ street or adjacent property which is not part of the development, shall be required to have architectural features and treatments, such as but not limited to windows, ornamentations, and glass block. Such features and treatments are required to ~~prevent~~ solid blank building wall facades.

- 6.64 **Density Modification.** Under a Planned Unit Development the maximum average dwelling unit density per gross acre may be increased as set out in the following schedule:

<u>Zoning District</u>	<u>Maximum Average Density per Gross Acre</u>
RS	5
RM-1	10
RM-2	15
RM-00	15
RMT	15
RH	20

6.70 **Minor Amendments**

A Minor amendments to the originally approved Planned Unit Developments may be approved by the Planning and Zoning Director or designee, in consultation with the Town Manager. Minor amendments shall not include the following, only if the amendment adheres to the following requirements:

- (a) an increase in the total square-footage floor area of any principal structure building does not exceed by no more than 5 10%; or an there is no increase in the number of principal structures, or in the number of residential dwelling units, or the densities from that as specified by the adopted master plan. However, a decrease in the total square-footage floor area of any building, or reduction of in the number of principal structures, stories, or units as specified by the master plan may be approved as minor amendments.
- (b) there is no change in the any boundary change of the planned development.
- (c) any changes, except as provided herein, in the adopted master plan that increases the use in intensity or density. Rearrangement of uses or locations on a property may be permitted unless they conflict with a specific provision of the adopted Planned Unit Development Approval Ordinance.

- (d) there is a relocation of no more than 5 10% of the total building footprint(s) on a site. (For example, if there are two buildings on a site and each has 5,000 square feet (SF) of building footprint, then the total building footprint for the site is 10,000 SF. If one building relocates 500 SF and the other building relocates 1,000 SF, then the total relocation is 1500 SF out of 10,000 SF, which is a relocation of 15% of the total building footprint. This would qualify as a major amendment under this provision).~~square footage indicated as being covered by structures.~~
- (e) any increase in the traffic generation shall be by no more than 10% above that established by the master development plan approved by the Town Council. However, Palm Beach County's Traffic Performance Standards as specified in Section 7.9 of the Palm Beach County Unified Land Development Code must be adhered to.
- (f) there is no increase in negative impacts on adjacent properties.
- (g) there is no major alteration in the architectural design. Major alteration in design shall mean any change in the character of the structure. However, an amendment to a previously approved Planned Unit Development that was not reviewed under the current Appearance criteria in Section 11.20(b) may be amended in architectural design to conform with the current Appearance standards and not be considered a Major Alteration.
- (h) the amendment does not violate any of the conditions which were placed on the approval.

- 7) there is no major alteration in the architectural design. Major alteration in design shall mean any ~~increase in the building square footage by more than 10% or change in the character of the structure.~~ However, an amendment to a previously approved site plan that was not reviewed under the current Appearance criteria in Section 11.20(b) may be amended in architectural design to conform with the current Appearance standards and not be considered a Major Alteration.

11.50 Expiration of Site Plan and Appearance Approval.

A Site Plan and Appearance Approval shall be valid for two years from the date of such approval. If commencement of development has not begun a building permit(s) has not been obtained for all components of said approval prior to the date of two years following the approval date, said Site Plan and Appearance Approval shall become null and void. Commencement of development shall consist of:

- 1) receipt of a validly issued building permit and first building inspection approval for a minimum of one principal structure or completion of 25 percent of the total cost of the infrastructure (water, sewer, roads, and drainage) on the site. Infrastructure costs for the project shall be reviewed and approved by the Town Engineer prior to Final Engineering Plan approval.

Prior to the expiration of the 2 year period, a one year extension to commence development may be applied for with the Town Council. An extension may be granted upon a determination by the Town Council that the applicant has made a good faith effort to commence construction but has been prevented from doing so for reasons beyond the control of the applicant. No more than one one year extension may be granted.

calendar days after the Director has determined that the application and required supporting materials have been filed and are complete.

A minor amendment shall be approved only if it meets the following requirements:

- 1) any increase in the total square footage floor area of any principal structure building is by no more than 5% does not exceed 10%; there is no increase in the number of principal structures, or in the number of residential dwelling units, or the densities as specified by the previously approved site plan. However, a decrease in the total square footage floor area of any building, or reduction of the number of principal structures, stories, or units as specified by the approved site plan may be approved as a minor amendment.
- 2) there is no change in the boundary of the approved plan.
- 3) any changes, except as provided herein, that do not increase the use in intensity or density. Rearrangement of uses or locations on a property may be permitted unless they conflict with a specific provision herein or condition of the approved site plan.
- 4) there is a relocation of no more than 510% of the total square footage indicated as being covered by structures. building footprint(s) on a site. (For example, if there are two buildings on a site and each has 5,000 square feet (SF) of building footprint, then the total building footprint for the site is 10,000 SF. If one building relocates 500 SF and the other building relocates 1,000 SF, then the total relocation is 1500 SF out of 10,000 SF. This is a relocation of 15% of the total building footprint and would qualify as a major amendment under this provision).
- 5) any there is no increase in the traffic generation shall be by no more than 10% above that established by the site plan previously approved by Town Council. However, Palm Beach County's Traffic Performance Standards as specified in Section 7.9 of the Palm Beach County Unified Land Development Code must be adhered to.
- 6) there is no increase of in negative impacts on adjacent properties.

TO: TOWN COUNCIL  
FROM: PLANNING AND ZONING BOARD  
DATE: APRIL 6, 1994  
RE: RECOMMENDATION TO TOWN COUNCIL

Based on action taken at their Regular Meeting, the Planning and Zoning Board makes the following recommendation to the Town Council for their consideration:

PROPOSED REVISIONS TO THE ZONING CODE

The Planning and Zoning Board moved to recommend to Town Council approval of the proposed revisions to the Zoning Code as discussed at its April 4 and 6, 1994 meetings.

**7. Minutes/Council Meeting - Discussion**  
October 22, 1997

MINUTES  
TOWN OF JUNO BEACH, FLORIDA  
TOWN COUNCIL REGULAR MEETING

October 22, 1997 5:30 p.m.  
Council Chambers  
340 Ocean Drive

Mayor Harris called the October 22 Town Council meeting to order at 5:30 p.m.

PRESENT: FRANK W. HARRIS, MAYOR  
ROBERT C. BLOMQUIST, VICE MAYOR  
FRANK FAHY, COUNCILMEMBER  
FRANK S. O'CONNOR, COUNCILMEMBER  
LINDA S. HODGKINS, COUNCILMEMBER

ALSO PRESENT: GAIL F. NELSON, TOWN MANAGER  
DEBORAH S. MANZO, TOWN CLERK  
GREGORY S. KINO, TOWN ATTORNEY

Attendance: 2

~ PLEDGE OF ALLEGIANCE TO THE FLAG

~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA.

Add item 4A: Proposed Resolution no. 97-15  
Add item 4B: Proposed Resolution no. 97-16

1. CONSENT AGENDA ITEMS:

- A. Consider approving the Town Council minutes of September 24, 1997.
- B. Consider approving the Town Council minutes of October 8, 1997.

**MOTION**

Hodgkins/O'Connor made a motion to approve the consent agenda items. The motion passed unanimously.

2. **FIRST READING; ORDINANCE NO. 498** - Finance Director Lo Bello

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA; ESTABLISHING MEAL ALLOWANCES FOR TRAVEL ON TOWN BUSINESS; PROVIDING FOR SEVERABILITY, THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Town Clerk Manzo read Ordinance no. 498 into record by title. She said this ordinance will adopt the adjusted amounts for meal allowances which was at the direction of the Town Council.

### **MOTION**

Hodgkins/O'Connor made a motion to approve Ordinance no. 498 on first reading establishing meal allowances for travel on Town business. The motion passed unanimously.

### 3. **TOWN MANAGER EVALUATION**

- A. Modifications to Form. Councilmember Hodgkins said she would like to see a scale with descriptions. Staff will propose new descriptions for the "key." On item #10, she would like the Town Projects listed on the evaluation form; and she asked for clarification on item #12.
- B. Individual Council Comments.  
Councilmember O'Connor, stated he was new on the Council and found it extremely difficult to come to any conclusions eventhough there is clear direction. He said he gave Gail almost a perfect score and one of the goals he would like to see in the future is a Community Appearance Board and felt this should have been started earlier.  
Councilmember Hodgkins, stated she gave Gail 3's and 4's and said she has not been here long enough to see goals accomplished. She said that Gail is very well respected in the community and one of the best manager's in the county.  
Councilmember Fahy, stated he gave Gail 4's and 5's and felt there could be improvement of council's knowledge of the financial area and of the council giving direction on Code Enforcement.  
Vice Mayor Blomquist, stated that Gail has improved greatly on getting information to the council so that it is not after the fact and echoed the compliments of his fellow councilmembers on Gail's reputation.  
Mayor Harris, stated he works very closely with Gail and said she is probably the best manager we can have in the County. The overall average rate for Gail is 4.3.
- C. Compensation Resolution. Mayor Harris stated Gail's salary and salary range. He recommended that since Gail does not want a salary increase that an account be developed for her discretion to use for business related expenses that she now pays out of her own pocket.

### **MOTION**

Blomquist/Fahy made a motion to direct the Finance Director to create an account entitled "Town Manager Expenses" and allocate \$2,000 to that account. The motion passed unanimously.

Vice Mayor Blomquist said that the Council is accepting Gail's request for no salary increase for this year.

4. BENCH PROPOSAL

Town Clerk Manzo said the town has grant monies in the amount of \$680 to purchase a recyclable bench and is requesting direction from the Town Council as to the style of bench they would like. The Council agreed to the staff's recommendation.

4A. RESOLUTION NO. 97-15

A RESOLUTION OF THE TOWN COUNCIL OF JUNO BEACH, FLORIDA  
STRONGLY SUPPORTING THE PERMIT APPLICATION NO. 199706559 (IP-BP)

MOTION

Fahy/O'Connor made a motion to approve Resolution 97-15 supporting permit application no. 199706559 (IP-BP). The motion passed unanimously.

4B. RESOLUTION NO. 97-16

A RESOLUTION OF THE TOWN COUNCIL OF JUNO BEACH, FLORIDA  
SUPPORTING THE PALM BEACH COUNTY MUNICIPAL LEAGUE IN ITS  
RECOMMENDATION FOR AN AMENDMENT TO THE PROPOSED CHANGES BY  
THE PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL  
RESOURCES MANAGEMENT (ERM) TO SECTION 9.4 WETLANDS PROTECTION  
OF THE UNIFIED LAND DEVELOPMENT CODE; PROVIDING FOR  
DISTRIBUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER  
PURPOSES.

MOTION

Blomquist/Fahy made a motion to approve Resolution 97-16 supporting changes to Palm Beach County's Wetlands Protection Ordinance section 9.4. The motion passed unanimously.

5. COMMENTS FROM THE FLOOR

Bill Greene, President of Juno Beach Civic Association, provided copies of the Civic Associations' activities for the upcoming year.

6. COMMENTS FROM STAFF

Town Manager Nelson discussed the concept of a "Green Market" in the parking lot of Plaza La Mer on Sundays. The Council agreed to the concept and suggested the staff continue their efforts.

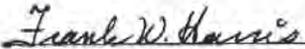
7. COMMENTS FROM COUNCIL

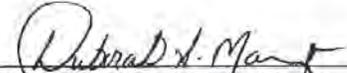
Councilmember Fahy said it was good to see the E-mail address in the newsletter and thought the newsletter needed better information in it from the Councilmembers.

Councilmember O'Connor requested staff pursue information on a contest for a new "seal" for the town. Staff will obtain information on Jupiter's contest for a logo.

Vice Mayor Blomquist, Councilmember O'Connor, and Town Clerk Manzo commented on the Juno Beach RV Park Drainage meeting held at the Town Center today.

8. ADJOURNMENT - 7:30 p.m.

  
\_\_\_\_\_  
Frank W. Harris, Mayor

  
\_\_\_\_\_  
Deborah S. Manzo, Town Clerk

**8. Ordinance 512**

Amending the Comprehensive Zoning Ordinance  
July 28, 1999

ORDINANCE NO. 512

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA AMENDING THE TOWN OF JUNO BEACH COMPREHENSIVE ZONING ORDINANCE (ZONING CODE) BY REVISING SECTION 5.200 COMMUNITY APPEARANCE STANDARDS; REVISING STREET SECTION DIAGRAMS; SECTION 5.26 SCREENING OF SOLID WASTE DISPOSAL FACILITIES; REVISING THE REQUIRED SCREENING DEADLINE; SECTION 5.60 SIGNS; REVISING TABLE 1, PERMANENT SIGNS FOR COMMERCIAL USES, MAXIMUM TOTAL SIGN AREA PER SIGN FACE; ~~SECTION 6.60 PLANNED UNIT DEVELOPMENT (PUD) STANDARDS; REVISING MINIMUM AREA STANDARDS FOR MIXED-USE PROJECTS;~~ PROVIDING FOR CODIFICATION, SEVERABILITY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**WHEREAS**, the Town Council of the Town of Juno Beach, Palm Beach County, Florida has received and reviewed Town staff recommendation to revise portions of the Town Comprehensive Zoning Ordinance; and

**WHEREAS**, the Town of Juno Beach Planning and Zoning Board has held a properly noticed public hearing and has recommended approval of the proposed revisions to the Comprehensive Zoning Ordinance; and

**WHEREAS**, the Town Council has received the Planning and Zoning Board's recommendation, has held two advertised public hearings on the proposed revisions, has determined that the proposed revisions to the Comprehensive Zoning Ordinance are consistent with the Comprehensive Plan of the Town of Juno Beach and are in the best interest of the general welfare in the Town of Juno Beach.

**NOW THEREFORE**, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AS FOLLOWS:

**SECTION 1: INCORPORATION OF RECITALS**

The above recitals are incorporated as though fully set forth herein.

**SECTION 2.: REVISIONS TO THE COMPREHENSIVE ZONING ORDINANCE**

The Town Comprehensive Zoning Ordinance is amended to include the material attached here as Exhibit "A" as though such material were fully set forth herein.

**SECTION 3.: CODIFICATION**

Specific authority is granted to codify this Ordinance. The provisions of this Ordinance shall become and be made a part of the Comprehensive Zoning Ordinance of the Code of Ordinances of the Town of Juno Beach. The Sections of this Ordinance may be renumbered or relettered to accomplish codification. The word "Ordinance" may be changed to "Section," "Article" or other appropriate words.

**SECTION 4.: REPEAL OF INCONSISTENT ORDINANCE PROVISIONS**

All Ordinances or part of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5.: SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this Ordinance, for any reason, is held to be unconstitutional, void or otherwise invalid, the validity of the remaining portions of this Ordinance shall not be effected thereby.

**SECTION 6.: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon its passage and adoption, in accordance with the law.

**READ AND APPROVED**, on First Reading by the Town Council on the 9 day of June, 1999.

**READ AND ADOPTED**, on Second Reading by the Town Council on the 28 day of July, 1999.

<u>          </u> AY	<input checked="" type="checkbox"/> <u>          </u> NAY	<u>Frank W. Harris</u> FRANK W. HARRIS, MAYOR
<u>          </u> AY	<u>          </u> NAY	<u>Absent</u> ROBERT C. BLOMQUIST, VICE MAYOR
<input checked="" type="checkbox"/> <u>          </u> AY	<u>          </u> NAY	<u>Frank Fahy</u> FRANK FAHY, COUNCILMEMBER
<u>          </u> AY	<u>          </u> NAY	<u>Absent</u> FRANK S. O'CONNOR, COUNCILMEMBER
<input checked="" type="checkbox"/> <u>          </u> AY	<u>          </u> NAY	<u>Linda S. Hodgkins</u> LINDA S. HODGKINS, COUNCILMEMBER

ATTEST:

Deborah Manzo  
DEBORAH MANZO, TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]  
TOWN ATTORNEY

(EXHIBIT "A" ON FOLLOWING PAGES)

## EXHIBIT "A"

**Town of Juno Beach, Florida**  
**Comprehensive Zoning Ordinance, Ordinance 207, Adopted August 8, 1979, and Amended**  
**by Subsequent Ordinances**

Section:

**5.200 Town of Juno Beach Community Appearance Standards**

(pages 5.200-4 thru 5.200-11)

\*General Streetscape diagrams: Please reference attached diagrams (Attachment #1)

**5.26 SUPPLEMENTARY REGULATIONS/Screening of Solid Waste Disposal Facilities**

(page 5.10-6)

All dumpsters or other solid waste containers shall be screened on all four (4) sides from public view. Both sides and the rear of such facilities shall be screened by an opaque concrete wall, or similar quality material. The front of a screen enclosure shall be gated and shall consist of durable materials with a solid surface consistent with the overall design of the project. Walls shall be landscaped with shrubs and hedges planted at two (2) foot intervals, unless there are physical limitations on the site which prevent this. All landscaping and materials utilized to screen an enclosure shall be consistent with the overall design of the principal structures located on the site. Screening shall extend at least one (1) foot above the facility to be screened. All dumpsters or their solid waste containers shall be placed on a concrete pad appropriate to the size of the container, and enclosures shall appropriately house all dumpsters, garbage and recycle bins on site.

All solid waste disposal facilities shall be required to be screened accordingly on or before ~~February 21, 1995~~ January 1, 2000. Notices shall be sent to those found in violation of this requirement, indicating the January 1, 2000 deadline (or, if after this date, that they are in violation of the requirement) and the consequential procedures for remaining in violation of this requirement (including fines, the appropriate Special Master hearing date, etc).

**5.60 SIGNS**

(pages 5.60-14 thru 5.60-18)

Page 5.60-14:

**SIGN KEY**

...
(O) A SINGLE COMMERCIAL BUILDING MAY DEVOTE 100% OF THE <del>102 60</del> SF OF SIGN AREA TO INDIVIDUAL TENANTS, WITH A MINIMUM 4 SF PER TENANT, SO LONG AS THE NAME OF THE SINGLE COMMERCIAL BUILDING, OR THE PRINCIPAL OR ANCHOR TENANT THEREIN, IS INDICATED ON THE SIGN AREA.
...

Page 5.60-18:

**TABLE I  
PERMANENT SIGNS FOR COMMERCIAL USES**

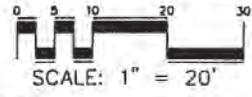
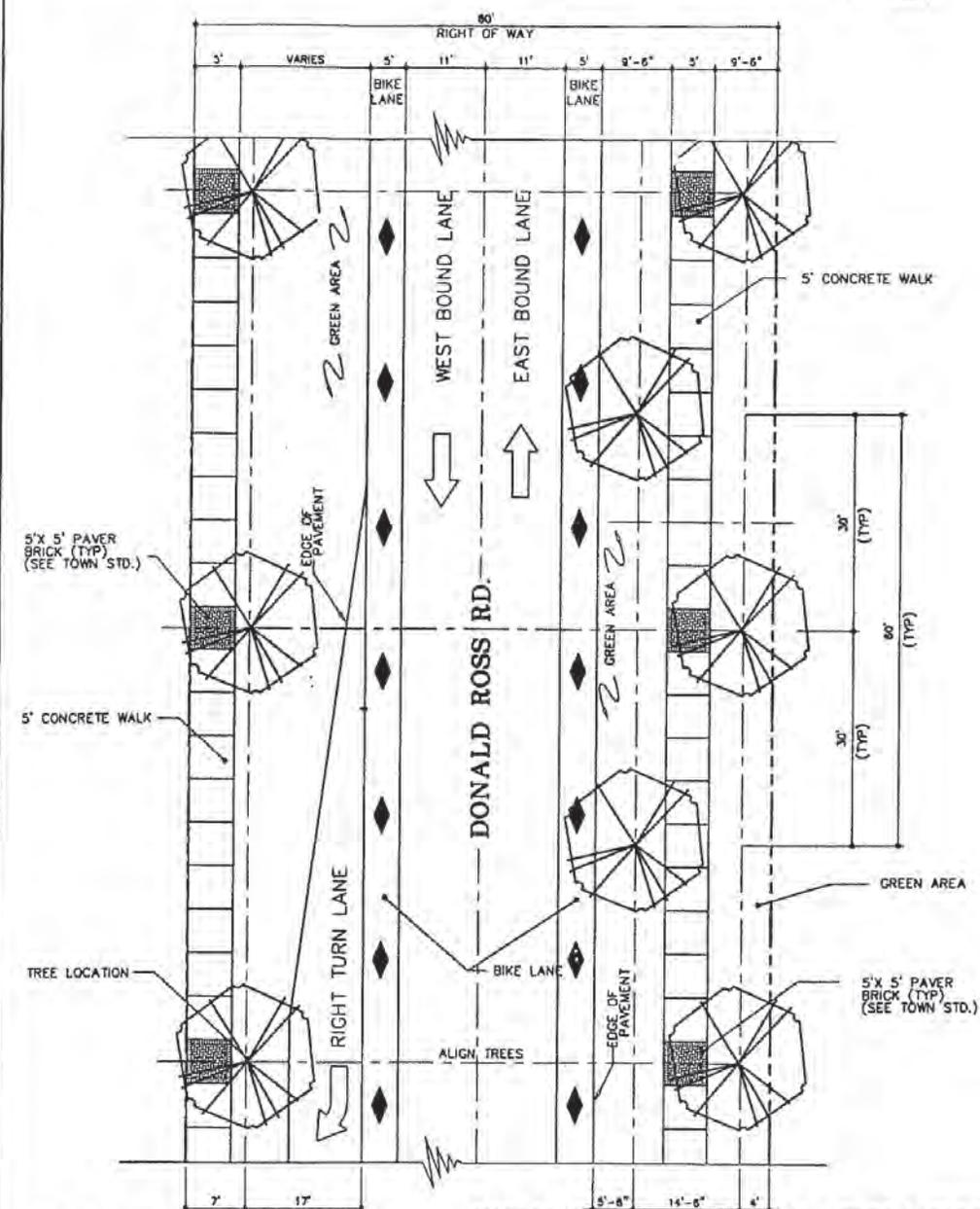
100' (+) PROPERTY FRONTAGE ON US 1 OR DONALD ROSS RD.  OR	1 (M)	<del>102 60</del> SF	15'	10'	NAME OF BLDG OR CENTER MUST BE A MIN. 40% OF SIGN AREA. MAX 60% OF <del>102 60</del> SF MAY BE ALLOTTED TO INDIVIDUAL TENANTS W/MIN 4 SF PER TENANT. LETTER & LOGO HEIGHT NOT TO EXCEED 20" (A)(O)(R)	RETAIL CTRS MAY USE A MAX 30% OF <del>102 60</del> SF AS A TEMPORARY SPECIAL EVENT AND LEASING MESSAGE AREA UNLESS A PERMANENT SPECIAL EVENT SIGN IS LOCATED ON THE PROPERTY (L)(N)
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Ordinance No. 512

Page 6 of 6

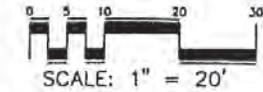
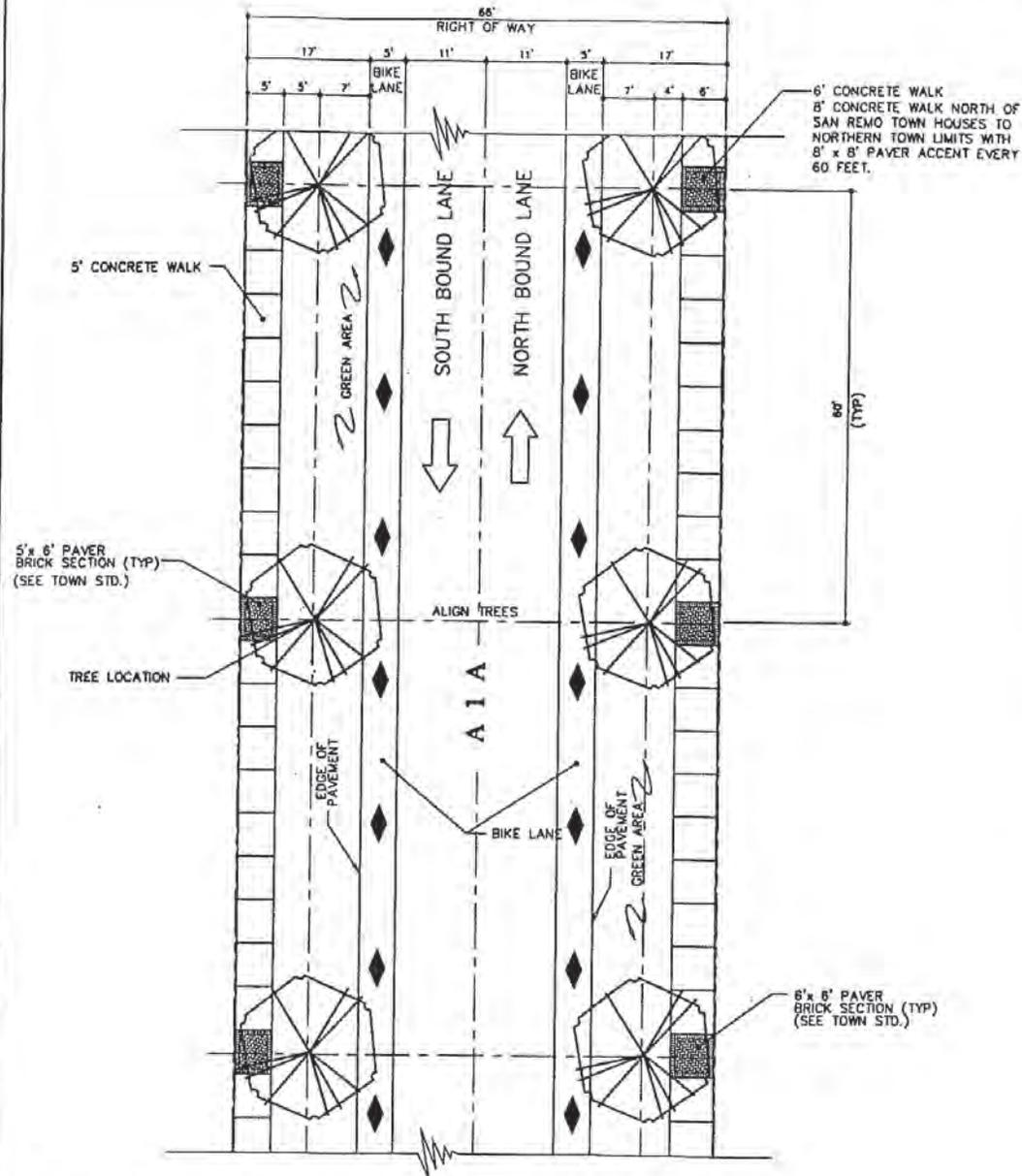
<p>100' (+) PROPERTY FRONTAGE ON BOTH US 1 AND DONALD ROSS RD.  OR</p>	<p>2, ONE PER STREET FRONTAGE (M)</p>	<p>102 60 SF</p>	<p>15'</p>	<p>10'</p>	<p>NAME OF BLDG OR CENTER MUST BE A MIN 40% OF SIGN AREA. MAX 60% OF 102 60 SF MAY BE ALLOTTED TO INDIVIDUAL TENANTS W/MIN 4 SF PER TENANT. LETTER &amp; LOGO HEIGHT NOT TO EXCEED 20" (A)(O)(R)</p>	<p>RETAIL CTRS W/LESS THAN 15,000 SF TOTAL FLOOR AREA MAY USE A MAX 30% OF 102 60 SF AS A TEMPORARY SPECIAL EVENT AND LEASING MESSAGE AREA (L)(N)</p>
<p>600' (+) PROPERTY FRONTAGE ON U.S. 1 OR DONALD ROSS ROAD  OR</p>	<p>2 (M)</p>	<p>102 60 SF</p>	<p>15'</p>	<p>10'</p>	<p>NAME OF BLDG OR CENTER MUST BE A MIN 40% OF SIGN AREA. MAX 60% OF 102 60 SF MAY BE ALLOTTED TO INDIVIDUAL TENANTS W/MIN. 4 SF PER TENANT. LETTER &amp; LOGO HEIGHT NOT TO EXCEED 20" (A)(O)(R)</p>	<p>THE 2 SIGNS MUST BE SEPARATED BY MIN 450'. RETAIL CTRS W/LESS THAN 15,000 SF TOTAL FLOOR AREA MAY USE A MAX 30% OF 102 60 SF AS A TEMPORARY SPECIAL EVENT AND LEASING MESSAGE AREA (L)(N)</p>

35 MPH OR LESS  
(PROPOSED)



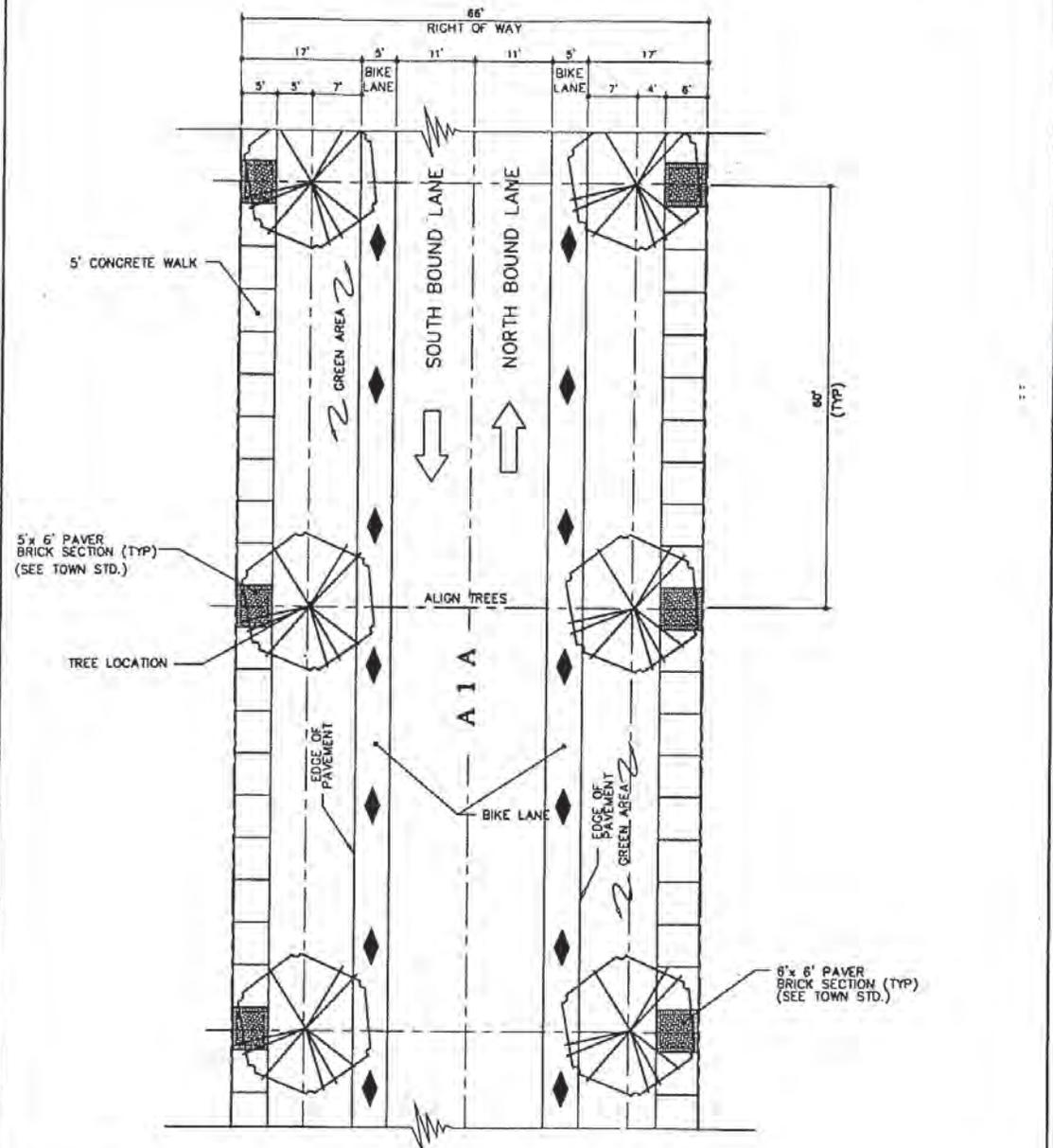
CA006425

**TOWN OF JUNO BEACH**  
**DONALD ROSS ROAD**  
**EAST OF U.S. HIGHWAY ONE**



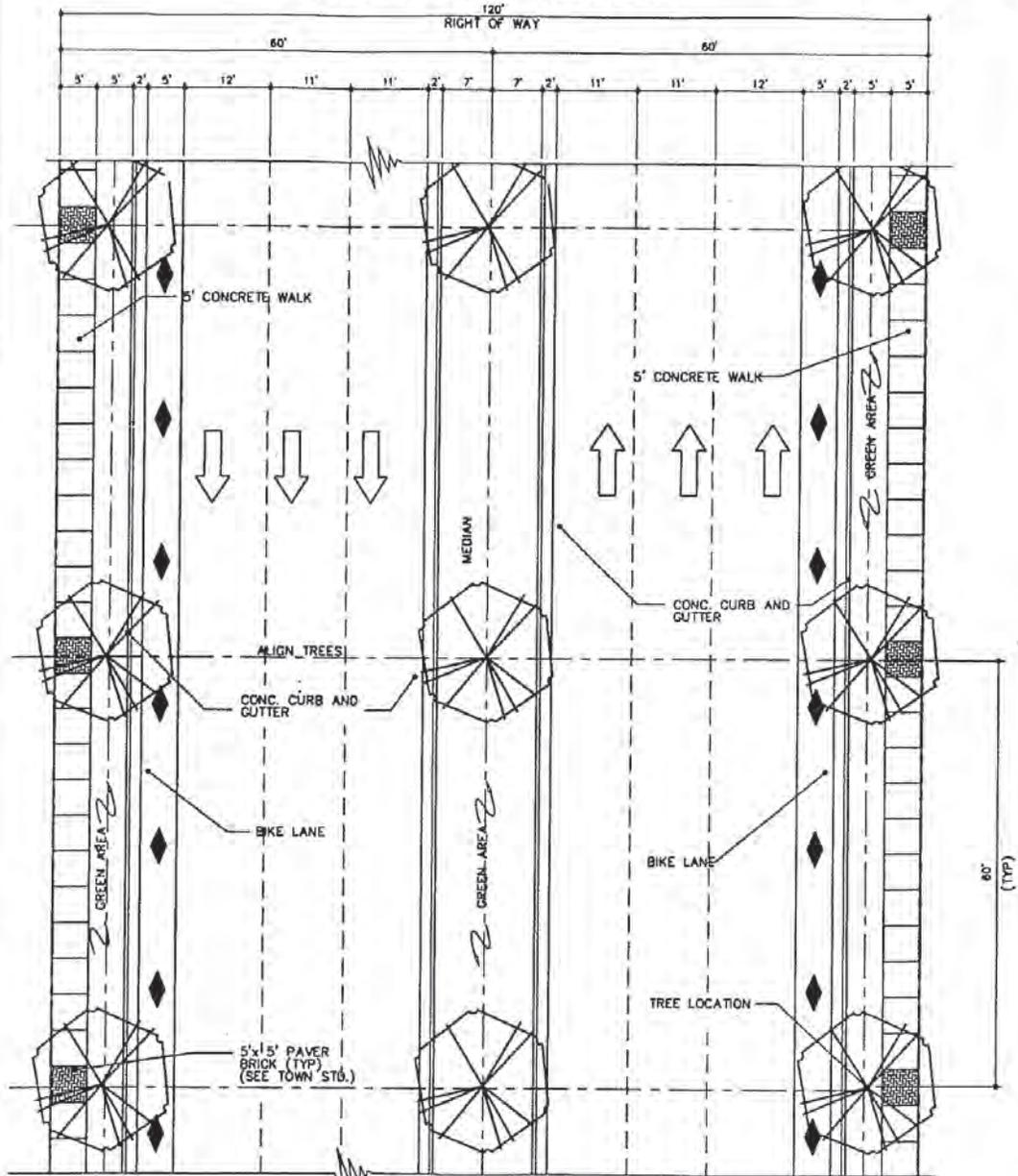
### TOWN OF JUNO BEACH A I A STREETSCAPE

CAD00397

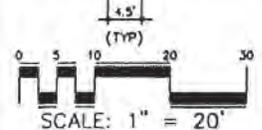


### TOWN OF JUNO BEACH GENERAL STREETScape

PROPOSED  
 FUTURE WIDENING FOR FLORIDA D.O.T. 55 MPH OR LESS (PROPOSED)

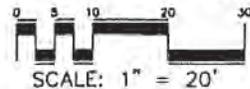
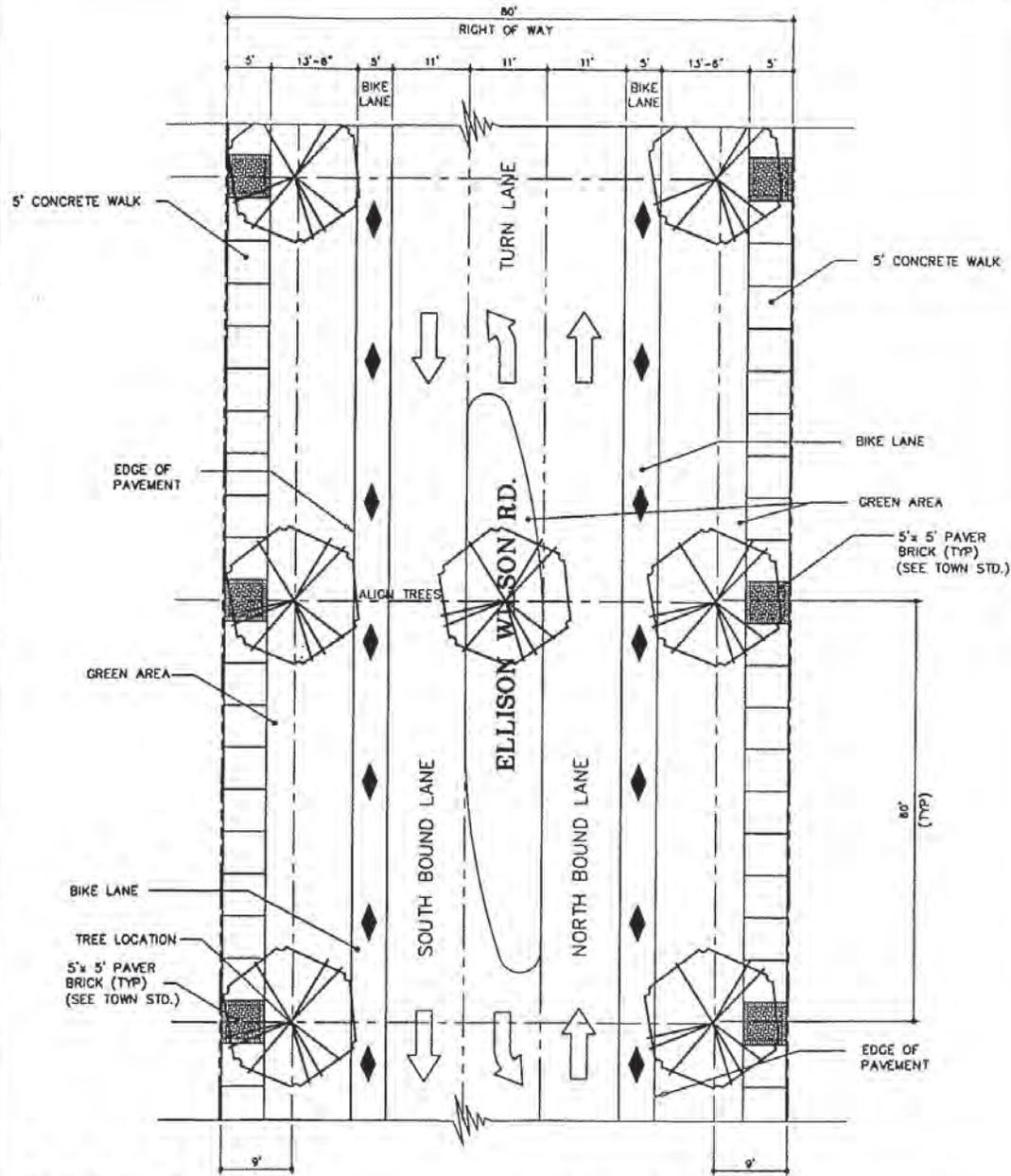


NOTE: ONLY CONCRETE WALK AND PAVER SECTION IMPROVEMENTS  
 REQUIRED PRIOR TO WIDENING BY FLA. D.O.T.



**TOWN OF JUNO BEACH**  
**STREETSCAPE**  
**DONALD ROSS RD WEST OF US 1**

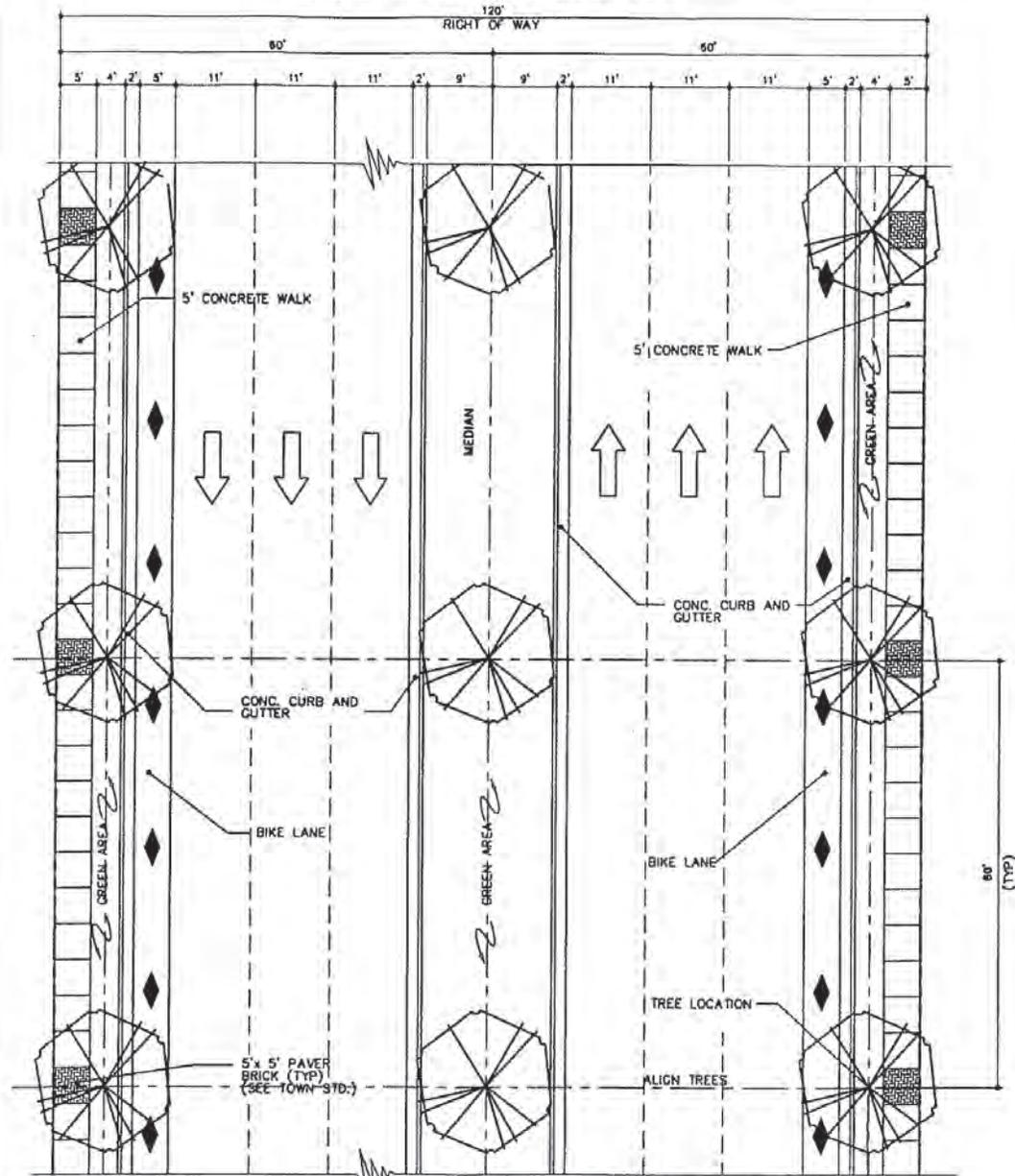
35 MPH OR LESS  
(PROPOSED)



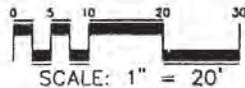
CAD00425

## TOWN OF JUNO BEACH ELLISON WILSON ROAD

PROPOSED  
 FUTURE WIDENING FOR FLORIDA D.O.T. - MPH OR LESS (PROPOSED)

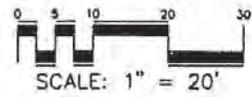
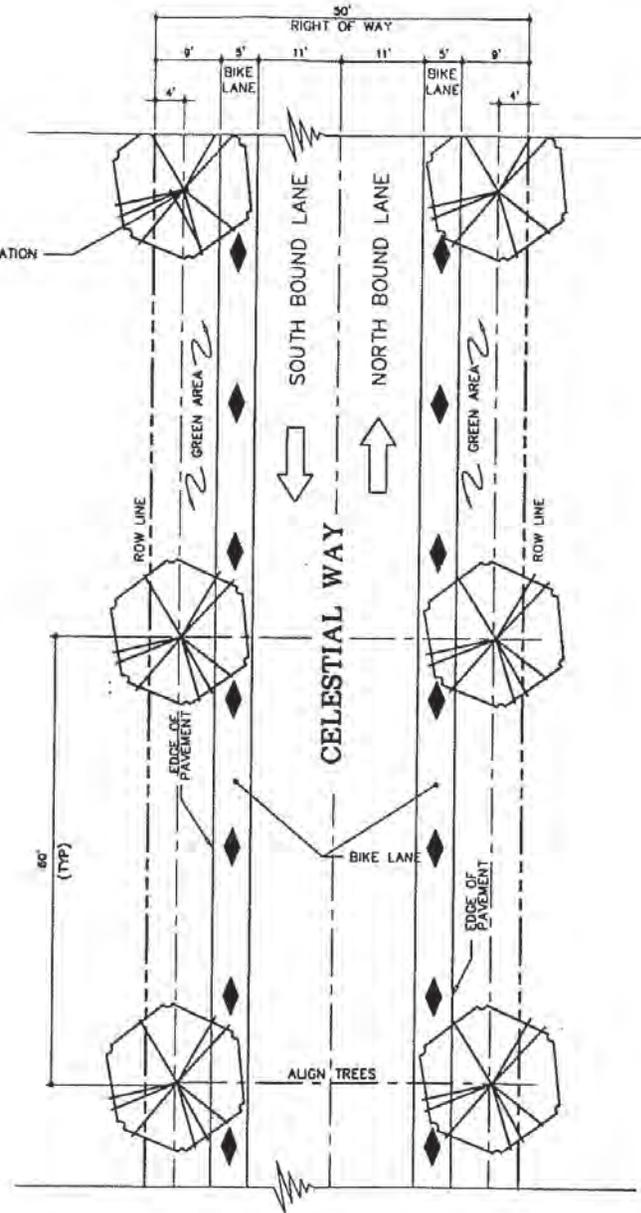


NOTE: ONLY CONCRETE WALK AND PAVER SECTION IMPROVEMENTS  
 REQUIRED PRIOR TO WIDENING BY FLA. D.O.T.



**TOWN OF JUNO BEACH**  
**STREETSCAPE**  
**US-1 (SR 5) STREETSCAPE**

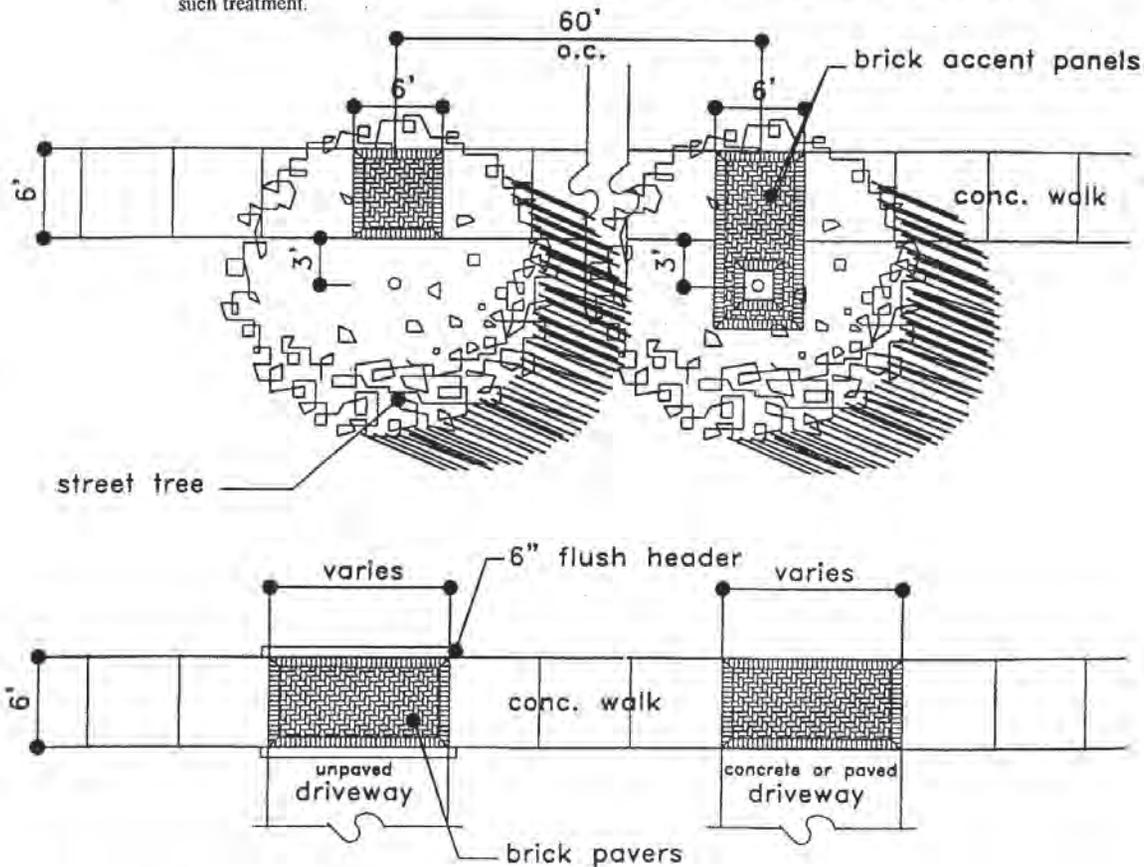
PELICAN LAKE



### TOWN OF JUNO BEACH CELESTIAL WAY STREETSCAPE

CA000481

- All new construction and alterations which meet the applicability section of these Standards shall be required to provide sidewalks/pedestrian paths along the abutting right-of-way. When such new sidewalk shall be within 100 feet of existing pavement (for example, an existing sidewalk or drive). Such new sidewalk shall be required to extend to the existing pavement in order to connect the system.
- Sidewalks/pedestrian paths shall be of poured concrete and meet the construction standards as shown in the details that follow.
- Brick paver accents, as shown in the street sections, shall be provided every 30 feet along the sidewalk. In addition, sidewalks across driveways shall be brick paved.
- Brick accents shall be "holland brick" by Paver Systems (or equal), Color Mix III and placed in a Herringbone pattern 90 degrees, or used in a running bond pattern as an edger.
- All brick pavers shall be edged appropriately per manufactures's requirements.
- Brick pavers shall be required for crosswalks across streets, provided the right-of way agency approves such treatment.



## Juno Beach Streetscape Standards

# WALKWAYS

1"=10'

**9. Ordinance 517**

Adoption of Comprehensive Zoning Ordinance  
December 1, 1999

ORDINANCE NO. 517

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA AMENDING THE TOWN OF JUNO BEACH COMPREHENSIVE ZONING ORDINANCE (ZONING CODE) BY REVISING SECTIONS 5.200 COMMUNITY APPEARANCE STANDARDS, AND 5.70 LANDSCAPING REQUIREMENTS: REVISING RECOMMENDED PLANT LIST; SECTION 5.40 PARKING REQUIREMENTS: REVISING REQUIRED PARKING FOR RESTAURANT USES; SECTION 4.90 PUBLIC RECREATION ZONING DISTRICT: CREATING SPECIFIC SITE PLAN CRITERIA; SECTION 11.20 SITE PLAN AND APPEARANCE REVIEW; PROVIDING FOR CODIFICATION, SEVERABILITY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**WHEREAS**, the Town Council of the Town of Juno Beach, Palm Beach County, Florida has received and reviewed Town staff recommendation to revise portions of the Town Comprehensive Zoning Ordinance; and

**WHEREAS**, the Town of Juno Beach Planning and Zoning Board has held a properly noticed public hearing and has recommended approval of the proposed revisions to the Comprehensive Zoning Ordinance; and

**WHEREAS**, the Town Council has received the Planning and Zoning Board's recommendation, has held two advertised public hearings on the proposed revisions, has determined that the proposed revisions to the Comprehensive Zoning Ordinance are consistent with the Comprehensive Plan of the Town of Juno Beach and are in the best interest of the general welfare in the Town of Juno Beach.

**NOW THEREFORE**, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AS FOLLOWS:

**SECTION 1: INCORPORATION OF RECITALS**

The above recitals are incorporated as though fully set forth herein.

**SECTION 2: REVISIONS TO THE COMPREHENSIVE ZONING ORDINANCE**

The Town Comprehensive Zoning Ordinance is amended to include the material attached

here as Exhibit "A" as though such material were fully set forth herein.

**SECTION 3.: CODIFICATION**

Specific authority is granted to codify this Ordinance. The provisions of this Ordinance shall become and be made a part of the Comprehensive Zoning Ordinance of the Code of Ordinances of the Town of Juno Beach. The Sections of this Ordinance may be renumbered or relettered to accomplish codification. The word "Ordinance" may be changed to "Section," "Article" or other appropriate words.

**SECTION 4.: REPEAL OF INCONSISTENT ORDINANCE PROVISIONS**

All Ordinances or part of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5.: SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this Ordinance, for any reason, is held to be unconstitutional, void or otherwise invalid, the validity of the remaining portions of this Ordinance shall not be effected thereby.

**SECTION 6.: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon its passage and adoption, in accordance with the law.

**READ AND APPROVED**, on First Reading by the Town Council on the 17<sup>th</sup> day of November, 1999.

**READ AND ADOPTED**, on Second Reading by the Town Council on the 1st day of December, 1999.

✓  
AY                      NAY

Frank W. Harris  
FRANK W. HARRIS, MAYOR

✓  
AY                      NAY

Robert C. Blomquist  
ROBERT C. BLOMQUIST, VICE MAYOR

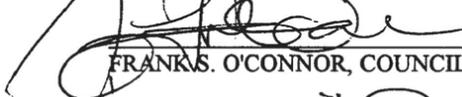
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AY

          
NAY

  
FRANK FAHY, COUNCILMEMBER

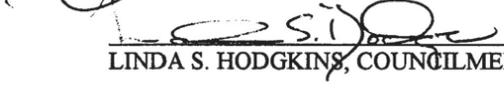
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FRANK S. O'CONNOR, COUNCILMEMBER

✓  
AY

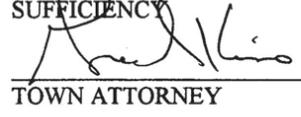
          
NAY

  
LINDA S. HODGKINS, COUNCILMEMBER

ATTEST:

  
DEBORAH MANZO, TOWN CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY

  
TOWN ATTORNEY

(EXHIBIT "A" ON FOLLOWING PAGES)

**EXHIBIT "A"**

**Town of Juno Beach, Florida  
Comprehensive Zoning Ordinance, Ordinance 207, Adopted August 8, 1979, and Amended  
by Subsequent Ordinances**

Section:

**5.200 Town of Juno Beach Community Appearance Standards**

(page 5.200-2A thru 3)

Delete page 5.200-2A and incorporate the following language to page 5.200-3:

**Town of Juno Beach Recommended Plant List**

The Town's recommended plant list will be kept on file and will be available to the public in the Planning & Zoning Department. This list will be continuously updated to eliminate those plants identified by the State as "invasive", or otherwise detrimental to healthy local environments. It will include plants that are recommended and not identified as detrimental.

**5.70 Landscaping Requirements**

(page 5.70-11)

Add new section to page:

**5.80 Town of Juno Beach Recommended Plant List**

The Town's recommended plant list will be kept on file and will be available to the public in the Planning & Zoning Department. This list will be continuously updated to eliminate those plants identified by the State as "invasive", or otherwise detrimental to healthy local environments. It will include plants that are recommended and not identified as detrimental.

**5.40 Parking Requirements**

(pages 5.40-4)

SCHEDULE OF OFF-STREET PARKING REQUIREMENTS  
JUNO BEACH, FLORIDA

...  
Restaurants... One (1) space per 100-200 sq. ft. of gross floor area. However, if part of a shopping ctr or mixed-use development, one (1) space per 200 sq. ft. of gross floor area shall be required. For restaurants and shopping plazas with restaurants, a minimum of 60% of the required spaces shall occur on the back yard of the site, not on the streetside.  
...

11.20 Site Plan Review  
(page 11.00-3)

4. shall have all on-site structures and accessory features (such as but not limited to light fixtures, benches, litter containers, including recycling bins, traffic and other signs, letter boxes, and bike racks) compatible in design, materials, and color;

4.94 Special Exception Uses Site Plan Approval Criteria:

Required for all uses, other than accessory uses.

Due to the potential for Town-wide impact of public recreation uses, the following criteria shall be considered by the Planning & Zoning Board and Town Council in addition to those required in Section 11.20 for all site plans proposed in this zoning district:

1. Whether or not the proposed development will adversely affect ground and surface waters;
2. Whether the proposed development is compatible with land categorized as environmentally sensitive;
3. Whether the proposed development is compatible with adjacent land which is considered environmentally sensitive, considering buffers and mitigation areas along such adjacencies;
4. Whether or not the proposed development will constitute a nuisance, as defined by the Town's Code of Ordinance;
5. Whether the proposed development will enrich human life in its educational and cultural dimensions;

6. Whether or not the proposed development will positively affect the economy or will create a positive image that will influence the future of the Town of Juno Beach, and
7. Weighing and balancing the affects and influences the proposed plan presents, whether the plan promotes the general improved economic development, as well as recreation value of the Town.

THE PALM BEACH POST  
Published Daily and Sunday  
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

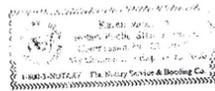
STATE OF FLORIDA  
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Tyler Dixon who on oath says that she is **Classified Advertising Manager, Inside Sales** of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being a Notice in the matter of Zoning (Text) Change in the --- Court, published in said newspaper in the issues of November 10, 1999.

Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before this 10 day of November A.D. 1999.

Personally known XX or Produced Identification  
Type of Identification Produced \_\_\_\_\_



NO. 637405

NOTICE OF ZONING  
(TEXT) CHANGE

The Town of Juno Beach Town Council proposes to adopt the following ordinance.

ORDINANCE NO. 517

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA AMENDING THE TOWN OF JUNO BEACH COMPREHENSIVE ZONING ORDINANCE (ZONING CODE) BY REVISING SECTIONS 5.200 COMMUNITY APPEARANCE STANDARDS, AND 5.70 LANDSCAPING REQUIREMENTS. REVISING RECOMMENDED PLANT LIST, SECTION 5.40 PARKING REQUIREMENTS; REVISING REQUIRED PARKING FOR RESTAURANT USES; SECTION 4.90 PUBLIC RECREATION ZONING DISTRICT; CREATING SPECIFIC SITE PLAN CRITERIA; SECTION 11.20 SITE PLAN AND APPEARANCE REVIEW; PROVIDING FOR CODIFICATION, SEVERABILITY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

A public hearing on the ordinance will be held on:

November 17, 1999, at 5:30 P.M.  
at the Town Center, 340 Ocean Drive,  
Juno Beach, FL 33408

This hearing is being conducted for the purpose of affording interested persons the opportunity to express their views concerning the proposed revisions. The proposal may be inspected in the office of the Planning & Zoning Department at Town Center, 340 Ocean Drive, Juno Beach, Florida, or call (407) 626-1122.

If a person decides to appeal any decision made by the Town Council with respect to any matter considered at any public hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Publish: November 10, 1999  
Palm Beach Post

**THE PALM BEACH POST**

Published Daily and Sunday  
West Palm Beach, Palm Beach County, Florida

**PROOF OF PUBLICATION**

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Peter W. Ortado who on oath says that he is Classified Advertising Supervisor of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being a Notice in the matter of ORD. NO. 517 in the --- Court, published in said newspaper in the issues of November 24, 1999.

Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*[Signature]*

Sworn to and subscribed before this 24 day of November A.D. 1999

*[Signature]*

Personally known XX or Produced Identification  
Type of Identification Produced \_\_\_\_\_



NO. 586082

**NOTICE OF ZONING (TEXT)  
CHANGE**

The Town of Juno Beach Town Council proposes to adopt the following ordinance:

**ORDINANCE NO. 517**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA AMENDING THE TOWN OF JUNO BEACH COMPREHENSIVE ZONING ORDINANCE (ZONING CODE) BY REVISING SECTIONS 5.200 COMMUNITY APPEARANCE STANDARDS, AND 5.70 LANDSCAPING REQUIREMENTS REVISING RECOMMENDED PLANT LIST, SECTION 5.40 PARKING REQUIREMENTS, REVISING REQUIRED PARKING FOR RESTAURANT USES; SECTION 4.90 PUBLIC RECREATION ZONING DISTRICT: CREATING SPECIFIC SITE PLAN CRITERIA; SECTION 11.20 SITE PLAN AND APPEARANCE REVIEW, PROVIDING FOR CODIFICATION, SEVERABILITY, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

A public hearing on the ordinance will be held on

December 1, 1999

at 5:30 P.M.

at the Town Center, 340 Ocean Drive, Juno Beach, FL 33408

This hearing is being conducted for the purpose of affording interested persons the opportunity to express their views concerning the proposed revisions. The proposal may be inspected in the office of the Planning & Zoning Department at Town Center, 340 Ocean Drive, Juno Beach, Florida, or call (407) 626-1122.

If a person decides to appeal any decision made by the Town Council with respect to any matter considered at any public hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**PUBLISH:** November 24, 1999  
Palm Beach Post

**10. Ordinance No. 610**  
Recodification February 13, 2008  
Adopted new Code of Ordinances

TOWN OF JUNO BEACH, FLORIDA

ORDINANCE NO. 610

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5       **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO**  
6       **BEACH, FLORIDA ADOPTING AND ENACTING A NEW CODE OF**  
7       **ORDINANCES FOR THE TOWN, INCLUDING A CODIFICATION OF**  
8       **THE TOWN OF JUNO BEACH COMPREHENSIVE ZONING**  
9       **ORDINANCE; PROVIDING FOR THE REPEAL OF CERTAIN**  
10       **ORDINANCES AND PARTS OR PROVISIONS THEREOF NOT**  
11       **INCLUDED IN OR IN CONFLICT WITH THE NEW CODE; PROVIDING**  
12       **FOR A GENERAL PENALTY FOR VIOLATION OF THE TOWN CODE;**  
13       **PROVIDING FOR THE MANNER OF AMENDMENTS; PROVIDING FOR**  
14       **SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR**  
15       **OTHER PURPOSES.**

16  
17       WHEREAS, the Town of Juno Beach has recodified its existing Code of  
18       Ordinances into a new Code of Ordinances administered by the Municipal Code  
19       Corporation ("New Code"); and

20  
21       WHEREAS, the New Code includes the codification of the existing Town of Juno  
22       Beach Comprehensive Zoning Ordinance; and

23  
24       WHEREAS, in the course of adopting the New Code, certain existing code  
25       provisions and ordinances adopted on or before September 27, 2006 have been  
26       revised, deleted or modified to correct typographical errors, to read more clearly, to  
27       address inconsistencies, to conform with standard practice; and to conform to state law;  
28       and

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30       WHEREAS, the New Code does not include ordinances adopted after  
31       September 27, 2006, and all such ordinances will be codified in the first supplement to  
32       the New Code; and

33  
34       WHEREAS, the Town wishes to adopt the New Code and determines that its  
35       adoption is in the best interests of the public health, safety and welfare.

36  
37       NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE  
38       TOWN OF JUNO BEACH, FLORIDA, as follows:

39  
40       **Section 1.** The foregoing recitals are ratified as true and correct and are  
41       incorporated herein.

42  
43       **Section 2.** The Town Council hereby adopts the New Code entitled "Code of  
44       Ordinances, Town of Juno Beach, Florida," published by Municipal Code Corporation,  
45       consisting of chapters 1 through 34, inclusive, a copy of which is on file with the Town.

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**Section 3.** Any ordinance of a general and permanent nature, or part or provision thereof, enacted on or before September 27, 2006 and not included or referenced in the New Code or in conflict with the New Code, is hereby repealed, with the exception of Ordinance No. 214 enacted on December 12, 1979, setting forth the Town's subdivision and platting regulations. Ordinance No. 214 shall remain in full force and effect and copies are available for inspection in the Town Clerk's Office.

**Section 4.** The repeal provided for in section 3 above shall not be construed to revive any ordinance, or part or provision thereof, that has been repealed by a subsequent ordinance that is repealed by this ordinance.

**Section 5.** Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not exceeding \$500.00 and/or imprisonment not exceeding 60 days in the discretion of the court. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the Town may pursue other remedies such as code enforcement proceedings, abatement of nuisances, injunctive relief and revocation of licenses or permits.

**Section 6.** Additions or amendments to the Code when passed in such form as to indicate the intention of the Town Council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

**Section 7.** Ordinances adopted after September 27, 2006 that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

**Section 8.** 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 9.** This Ordinance shall be effective immediately upon adoption.

*[Remainder of this page intentionally left blank]*

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FIRST READING this 13<sup>th</sup> day of February, 2007.8

SECOND, FINAL READING AND ADOPTION this 27<sup>th</sup> day of February, 2007.8

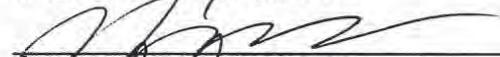
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LINDA S. HODGKINS, MAYOR

AYE

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JAMES LYONS, VICE MAYOR

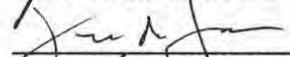
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JOHN THOMAS, MAYOR PRO TEM

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FRANK F. FAHY, COUNCILMEMBER

AYE

NAY

  
JOHN CALLAGHAN, COUNCILMEMBER

ATTEST:

  
VANESSA M. DUNHAM  
TOWN CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:  
  
LEONARD G. RUBIN  
TOWN ATTORNEY

MINUTES  
TOWN OF JUNO BEACH  
**TOWN COUNCIL REGULAR MEETING**

June 11, 2008  
Council Chambers  
340 Ocean Drive

PRESENT: JIM LYONS, MAYOR  
LINDA S. HODGKINS, VICE MAYOR  
JOHN CALLAGHAN, VICE MAYOR PRO TEM  
MORT LEVINE, COUNCILMEMBER  
BILL GREENE, COUNCILMEMBER

ALSO PRESENT: JEFFREY NAFTAL, TOWN MANAGER  
LEONARD RUBIN, TOWN ATTORNEY  
VANESSA M. DUNHAM, TOWN CLERK  
ANTHONY MERIANO, PUBLIC WORKS DIRECTOR  
ANDREA JOST, PROJECT COORDINATOR  
DAMIAN PEDUTO, DIRECTOR OF PLANNING & ZONING  
RUBEN CRUZ, PRINCIPAL PLANNER

Mayor Lyons called the Town Council regular meeting to order at 5:30 pm.

Audience: 10

~ CALL TO ORDER  
~ INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG  
~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA

1. **CONSENT AGENDA**

*All matters listed under Item 1, Consent Agenda, are considered to be routine by the Town Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

A. Consider approving the May 27, 2008 Town Council Meeting minutes.

***MOTION:*** *Levine/Hodgkins made motion to approve the consent agenda. The motion passed unanimously.*

2. **COMMENTS FROM THE PUBLIC**  
**Public Comments Opened at 5:31 pm**

Sal Vigliotti, 440 Jupiter Lane, commented on a drainage problem occurring on the north side of Jupiter Lane.

Town Manager Naftal said that he received Mr. Vigliotti's email and Mr. Vigliotti would receive a response to his problem by tomorrow.

Dan Corbett, 481 Olympus Drive, said that the Civic Association presented its Trail's Map at the Town Picnic. Mr. Corbett said that he is trying to get documents submitted to the Inland Navigation District in order to get their park on Ellison Wilson Road completed.

**Public Comments Closed at 5:41 pm**

3. **PUBLIC HEARING: RESOLUTION NO. 2008-05: WATERFORD PUD AMENDMENT—QUASI-JUDICIAL**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, APPROVING A MODIFICATION TO THE DEVELOPMENT PLAN FOR THE WATERFORD PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTION TO ALLOW A 11,355 SQUARE FOOT EXPANSION TO THE HOSPITAL WING; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Rubin read the resolution by title only.

- A. Disclosure of Ex Parte Communications – Mayor Lyons, Vice Mayor Pro Tem Callaghan and Councilmember Mort Levine.
- B. Swearing in of Witnesses – Town Attorney Rubin swore in all witnesses.
- C. Application Presentation – Representative for the Waterford Jim Saint Anton presented the expansion project to the Council.

Councilmember Greene asked how much disruption this expansion would create for the neighbors of the Waterford.

Mr. Saint Anton said that that it would be very minimal.

Vice Mayor Hodgkins thanked the Waterford for working with their neighbor Pleasant Ridge. She noted that the Pleasant Ridge HOA had submitted a memo supporting this project.

- D. Staff Presentation – Damian Peduto, Director of Planning and Zoning, requested that the staff report and all back up information be made part of the records. Director Peduto said that the staff supports this project, subject to the conditions set forth in the resolution.

- E. Public Comment –  
Dan Corbett, 481 Olympus Drive, stated that he supports this project.
- F. Council Motion/Second
- G. Council Discussion
- H. Council Action

***MOTION:** Levine/Hodgkins made a motion to approve Resolution 2008-05, approving a modification to the development plan for the Waterford Planned Unit Development Special Exception. The motion passed unanimously.*

4. **RESOLUTION NO 2008-06: SEACOAST REPRESENTATIVE**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, APPOINTING THE TOWN REPRESENTATIVE TO THE GOVERNING BOARD OF SEACOAST UTILITY AUTHORITY; PROVIDING THAT THE COMPENSATION DESIGNATED BY THE BOARD FOR SUCH REPRESENTATION SHALL BE PAYABLE TO THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Pro Tem Callaghan recused himself from this item based on his employment with Seacoast.

Vice Mayor Hodgkins said that she strongly recommends Town Manager Naftal for this position.

Councilmember Greene asked if he could have a little more information regarding this board.

Town Attorney Rubin said that the board meets monthly and it is made up of 5 members from four municipalities and Palm Beach County. Town Attorney Rubin said that it is usually the Town/City Manager who serves on this board.

***MOTION:** Hodgkins/Greene a motion to approve Resolution No. 2008-06, appointing Town Manager Jeffrey Naftal as the Town Representative to the Governing Board of the Seacoast Utility Authority. The motion passed unanimously 4-0.*

Vice Mayor Hodgkins excused herself from the meeting due to a family emergency.

5. **TOWN HARDENING PROJECT: ADDITIONAL PURCHASES**

Town Manager Jeffrey Naftal said that staff has completed estimating, from the available FEMA grant funds, the cost to harden windows, replace doors or install shutters at Town Center. Town Manager Naftal said that the cost of this work would be \$56,896, which puts the Town \$150,000 under budget.

***MOTION:** Callaghan/Greene made a motion to expend \$56,896.00 to harden the Town Center by replacing the necessary windows and doors with impact resistant glass, install*

*eleven additional roll down shutters and replace four aluminum doors. The motion passed unanimously.*

6. **APPEARANCE REVIEW DISCUSSION**

Councilmember Levine said that this discussion arose from the Goal Setting Workshop where Town Manager Naftal said that there had been a hold placed on enforcing any appearance review standards. Councilmember Levine said that a consensus was taken at this Goal Setting Workshop to resume enforcement. Councilmember Levine said that he does not think that this is legal because this action was not taken at a public meeting.

Town Attorney Rubin confirmed that no official action can be taken at a workshop meeting.

Councilmember Levine said that he questions the requirement in the code that states that once an item has been reviewed by the council it cannot be revisited until a year has elapsed.

Town Attorney Rubin said that he believed that the limitation applied to certain code changes and sought confirmation from Planning and Zoning Director Damian Peduto.

Councilmember Levine said that he had been told that the appearance review criteria would not apply to single family residences.

Damian Peduto, Director of Planning and Zoning, said that the appearance criteria applies to all development in Town. Mr. Peduto said that single family residences would not be required to go through a site plan approval process as this is done administratively by staff.

Town Manager Naftal said that since May 2007 the council indicated they would like the appearance review criteria standard to apply to single family residences as set forth in the code.

Councilmember Levine asked if the zoning or building code requirements trump the appearance criteria standards.

Town Attorney Rubin said that the appearance review is part of the code and a project must meet all applicable requirements.

Councilmember Levine said based on this, he felt that there was a conflict within the Town code and would like to open it up for discussion.

Councilmember Greene asked if the change that occurred during May 2007 was due to the recodification of the code.

Town Manager Naftal said that this change was not due to the recodification, and he added that one of the goals that Council decided on during May 2007 was to keep the small town feel in Juno Beach. Town Manager Naftal said the Council at that time decided, as a group, to have the appearance review criteria apply to single family homes the same as any other development in the Town. Town Manager Naftal said this decision was based on the reading of the code which states that single family homes are subject to the appearance review criteria. At some point in the past, this requirement had not been enforced and the Council determined that it should be enforced.

Town Manager Naftal said that since that time there have been two new members on the Council and as the Town Manager he wanted to get the consensus of the new Council regarding appearance review. Town Manager Naftal said that there was no new policy or any enforcement being resumed after the Goal Setting Workshop.

Councilmember Greene said that he fully endorses the uniform aspect of the appearance review criteria, but he feels that it is subjective rather than specifically oriented.

Vice Mayor Pro Tem Callaghan said at the Goal Setting Workshop, the Council did not change anything or suspend the code.

Councilmember Levine said that at the Goal Setting Workshop, Town Manager Naftal told the Council that the enforcement had been put on hold and he would now like to get a consensus from Council on whether or not to resume the enforcement.

Town Manager Naftal said that was not accurate and that there was no change since before May 2007.

Councilmember Levine asked why it was then brought up at the Goal Setting Workshop.

Town Manager Naftal said that he wanted to make sure the he still had the same Council directive.

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Councilmember Greene said that the Council should consider re-evaluating that section of the code.

Mayor Lyons said that the Town has been enforcing the zoning code and the appearance criteria. Mayor Lyons said he feels that the system being enforced right now is a good and fair system.

The following persons commented that the appearance review should not be applied to single-family homes:

Anne Bosso, 765 Hibiscus Avenue  
Michael Carp, 30 Uno Lago Drive  
Robert Bosso, 765 Hibiscus Avenue  
John Stelluto 401 Sunset Way  
Reid Magid, 220 Celestial Way

Mike Jelic, 381 Ocean Way  
Bill Kollmer, 460 Sunrise Way

The following persons commented that the appearance review should be applied to single-family homes:

Sal Viglotti, 440 Jupiter Lane

Council agreed to put this item on hold until the July 30<sup>th</sup> Council Meeting when Vice Mayor Hodgkins could participate in the discussion.

7. **COMMENTS FROM THE TOWN MANAGER**

Town Manager Naftal said that the picnic was a wonderful event.

Town Manager Naftal said that the Wi-Fi is active and the Town already had 8 people signed up with fairly little advertising.

Town Manager Naftal said that he has narrowed the police chief position down to 4 candidates. Town Manager Naftal said he has scheduled a reception for the council and public to meet these 4 finalists on Friday, June 27<sup>th</sup>.

8. **COMMENTS FROM THE TOWN ATTORNEY**

No Comments

9. **COMMENTS FROM COUNCIL**

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Councilmember Levine asked what the speed was on the Wi-Fi.

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Town Manager Naftal said that this is a highly competitive rate.

Mayor Lyons said that he wanted to commend Town Manager Naftal, staff and all the volunteers for a job well done on the picnic.

Mayor Lyons said that Jupiter Water would be increasing their rates by 20%.

Mayor Lyons read for the record a letter from Sarah Stover, a former reporter for the Hometown News, commending Town Staff.

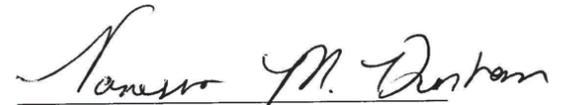
10. **ADJOURNMENT – 7:21 PM**

Mayor Lyons adjourn the meeting at 7:21 PM



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Jim Lyons, Mayor



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Vanessa M. Dunham, Town Clerk

**11. Minutes/Council Meeting**  
Temporary Suspension Discussions  
June 11, 2008

MINUTES  
TOWN OF JUNO BEACH  
**TOWN COUNCIL REGULAR MEETING**

June 11, 2008  
Council Chambers  
340 Ocean Drive

PRESENT: JIM LYONS, MAYOR  
LINDA S. HODGKINS, VICE MAYOR  
JOHN CALLAGHAN, VICE MAYOR PRO TEM  
MORT LEVINE, COUNCILMEMBER  
BILL GREENE, COUNCILMEMBER

ALSO PRESENT: JEFFREY NAFTAL, TOWN MANAGER  
LEONARD RUBIN, TOWN ATTORNEY  
VANESSA M. DUNHAM, TOWN CLERK  
ANTHONY MERIANO, PUBLIC WORKS DIRECTOR  
ANDREA JOST, PROJECT COORDINATOR  
DAMIAN PEDUTO, DIRECTOR OF PLANNING & ZONING  
RUBEN CRUZ, PRINCIPAL PLANNER

Mayor Lyons called the Town Council regular meeting to order at 5:30 pm.

Audience: 10

~ CALL TO ORDER  
~ INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG  
~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA

1. **CONSENT AGENDA**

*All matters listed under Item 1, Consent Agenda, are considered to be routine by the Town Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

A. Consider approving the May 27, 2008 Town Council Meeting minutes.

***MOTION:*** *Levine/Hodgkins made motion to approve the consent agenda. The motion passed unanimously.*

2. **COMMENTS FROM THE PUBLIC**  
**Public Comments Opened at 5:31 pm**

Sal Vigliotti, 440 Jupiter Lane, commented on a drainage problem occurring on the north side of Jupiter Lane.

Town Manager Naftal said that he received Mr. Vigliotti's email and Mr. Vigliotti would receive a response to his problem by tomorrow.

Dan Corbett, 481 Olympus Drive, said that the Civic Association presented its Trail's Map at the Town Picnic. Mr. Corbett said that he is trying to get documents submitted to the Inland Navigation District in order to get their park on Ellison Wilson Road completed.

**Public Comments Closed at 5:41 pm**

3. **PUBLIC HEARING: RESOLUTION NO. 2008-05: WATERFORD PUD AMENDMENT—QUASI-JUDICIAL**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, APPROVING A MODIFICATION TO THE DEVELOPMENT PLAN FOR THE WATERFORD PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTION TO ALLOW A 11,355 SQUARE FOOT EXPANSION TO THE HOSPITAL WING; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Rubin read the resolution by title only.

- A. Disclosure of Ex Parte Communications – Mayor Lyons, Vice Mayor Pro Tem Callaghan and Councilmember Mort Levine.
- B. Swearing in of Witnesses – Town Attorney Rubin swore in all witnesses.
- C. Application Presentation – Representative for the Waterford Jim Saint Anton presented the expansion project to the Council.

Councilmember Greene asked how much disruption this expansion would create for the neighbors of the Waterford.

Mr. Saint Anton said that that it would be very minimal.

Vice Mayor Hodgkins thanked the Waterford for working with their neighbor Pleasant Ridge. She noted that the Pleasant Ridge HOA had submitted a memo supporting this project.

- D. Staff Presentation – Damian Peduto, Director of Planning and Zoning, requested that the staff report and all back up information be made part of the records. Director Peduto said that the staff supports this project, subject to the conditions set forth in the resolution.

- E. Public Comment –  
Dan Corbett, 481 Olympus Drive, stated that he supports this project.
- F. Council Motion/Second
- G. Council Discussion
- H. Council Action

***MOTION:** Levine/Hodgkins made a motion to approve Resolution 2008-05, approving a modification to the development plan for the Waterford Planned Unit Development Special Exception. The motion passed unanimously.*

4. **RESOLUTION NO 2008-06: SEACOAST REPRESENTATIVE**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, APPOINTING THE TOWN REPRESENTATIVE TO THE GOVERNING BOARD OF SEACOAST UTILITY AUTHORITY; PROVIDING THAT THE COMPENSATION DESIGNATED BY THE BOARD FOR SUCH REPRESENTATION SHALL BE PAYABLE TO THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Pro Tem Callaghan recused himself from this item based on his employment with Seacoast.

Vice Mayor Hodgkins said that she strongly recommends Town Manager Naftal for this position.

Councilmember Greene asked if he could have a little more information regarding this board.

Town Attorney Rubin said that the board meets monthly and it is made up of 5 members from four municipalities and Palm Beach County. Town Attorney Rubin said that it is usually the Town/City Manager who serves on this board.

***MOTION:** Hodgkins/Greene a motion to approve Resolution No. 2008-06, appointing Town Manager Jeffrey Naftal as the Town Representative to the Governing Board of the Seacoast Utility Authority. The motion passed unanimously 4-0.*

Vice Mayor Hodgkins excused herself from the meeting due to a family emergency.

5. **TOWN HARDENING PROJECT: ADDITIONAL PURCHASES**

Town Manager Jeffrey Naftal said that staff has completed estimating, from the available FEMA grant funds, the cost to harden windows, replace doors or install shutters at Town Center. Town Manager Naftal said that the cost of this work would be \$56,896, which puts the Town \$150,000 under budget.

***MOTION:** Callaghan/Greene made a motion to expend \$56,896.00 to harden the Town Center by replacing the necessary windows and doors with impact resistant glass, install*

*eleven additional roll down shutters and replace four aluminum doors. The motion passed unanimously.*

6. **APPEARANCE REVIEW DISCUSSION**

Councilmember Levine said that this discussion arose from the Goal Setting Workshop where Town Manager Naftal said that there had been a hold placed on enforcing any appearance review standards. Councilmember Levine said that a consensus was taken at this Goal Setting Workshop to resume enforcement. Councilmember Levine said that he does not think that this is legal because this action was not taken at a public meeting.

Town Attorney Rubin confirmed that no official action can be taken at a workshop meeting.

Councilmember Levine said that he questions the requirement in the code that states that once an item has been reviewed by the council it cannot be revisited until a year has elapsed.

Town Attorney Rubin said that he believed that the limitation applied to certain code changes and sought confirmation from Planning and Zoning Director Damian Peduto.

Councilmember Levine said that he had been told that the appearance review criteria would not apply to single family residences.

Damian Peduto, Director of Planning and Zoning, said that the appearance criteria applies to all development in Town. Mr. Peduto said that single family residences would not be required to go through a site plan approval process as this is done administratively by staff.

Town Manager Naftal said that since May 2007 the council indicated they would like the appearance review criteria standard to apply to single family residences as set forth in the code.

Councilmember Levine asked if the zoning or building code requirements trump the appearance criteria standards.

Town Attorney Rubin said that the appearance review is part of the code and a project must meet all applicable requirements.

Councilmember Levine said based on this, he felt that there was a conflict within the Town code and would like to open it up for discussion.

Councilmember Greene asked if the change that occurred during May 2007 was due to the recodification of the code.

Town Manager Naftal said that this change was not due to the recodification, and he added that one of the goals that Council decided on during May 2007 was to keep the small town feel in Juno Beach. Town Manager Naftal said the Council at that time decided, as a group, to have the appearance review criteria apply to single family homes the same as any other development in the Town. Town Manager Naftal said this decision was based on the reading of the code which states that single family homes are subject to the appearance review criteria. At some point in the past, this requirement had not been enforced and the Council determined that it should be enforced.

Town Manager Naftal said that since that time there have been two new members on the Council and as the Town Manager he wanted to get the consensus of the new Council regarding appearance review. Town Manager Naftal said that there was no new policy or any enforcement being resumed after the Goal Setting Workshop.

Councilmember Greene said that he fully endorses the uniform aspect of the appearance review criteria, but he feels that it is subjective rather than specifically oriented.

Vice Mayor Pro Tem Callaghan said at the Goal Setting Workshop, the Council did not change anything or suspend the code.

Councilmember Levine said that at the Goal Setting Workshop, Town Manager Naftal told the Council that the enforcement had been put on hold and he would now like to get a consensus from Council on whether or not to resume the enforcement.

Town Manager Naftal said that was not accurate and that there was no change since before May 2007.

Councilmember Levine asked why it was then brought up at the Goal Setting Workshop.

Town Manager Naftal said that he wanted to make sure the he still had the same Council directive.

Vice Mayor Pro Tem Callaghan said that the code is the code, that the appearance review criteria apply to all single family homes and added that it is a good code.

Councilmember Greene said that the Council should consider re-evaluating that section of the code.

Mayor Lyons said that the Town has been enforcing the zoning code and the appearance criteria. Mayor Lyons said he feels that the system being enforced right now is a good and fair system.

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Council agreed to put this item on hold until the July 30<sup>th</sup> Council Meeting when Vice Mayor Hodgkins could participate in the discussion.

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No Comments

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Mayor Lyons said that he wanted to commend Town Manager Naftal, staff and all the volunteers for a job well done on the picnic.

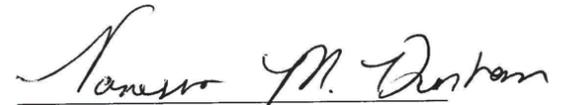
Mayor Lyons said that Jupiter Water would be increasing their rates by 20%.

Mayor Lyons read for the record a letter from Sarah Stover, a former reporter for the Hometown News, commending Town Staff.

10. **ADJOURNMENT – 7:21 PM**

Mayor Lyons adjourn the meeting at 7:21 PM

  
\_\_\_\_\_  
Jim Lyons, Mayor

  
\_\_\_\_\_  
Vanessa M. Dunham, Town Clerk

**12. Ordinance No. 678**  
Amending Chapter 34 "Zoning"  
Effective November 18, 2014

1 TOWN OF JUNO BEACH, FLORIDA

2  
3 ORDINANCE NO. 678

4  
5 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO  
6 BEACH, FLORIDA, AMENDING CHAPTER 34, "ZONING," OF THE  
7 TOWN CODE OF ORDINANCES TO EXPAND THE LIST OF PERMITTED  
8 ARCHITECTURAL STYLES WITHIN THE TOWN; AMENDING DIVISION  
9 4, "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II,  
10 "ADMINISTRATION AND ENFORCEMENT," BY AMENDING SECTION  
11 34-116, "REQUIRED; CRITERIA;" PROVIDING FOR CODIFICATION,  
12 SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR  
13 OTHER PURPOSES.

14  
15 WHEREAS, Section 34-116(2)(b) of the Town Code of Ordinances, governing site  
16 plan and appearance review, currently limits the permitted architectural styles within the  
17 Town to Victorian (Key West Cracker), Spanish revival (Mediterranean) or a combination  
18 thereof; and

19  
20 WHEREAS, the Town Council wishes to expand Section 34-116(2)(b) of the Town  
21 Code to include the modern architectural style; and

22  
23 WHEREAS, the Town's Planning and Zoning Board, as the Local Planning  
24 Agency, has conducted a public hearing on this Ordinance and provided its  
25 recommendation to the Town Council; and

26  
27 WHEREAS, the Town Council has determined that adoption of this Ordinance is  
28 in the best interests of the general welfare of the Town of Juno Beach.

29  
30 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
31 JUNO BEACH, FLORIDA as follows:

32  
33 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and  
34 confirmed and are incorporated herein.

35  
36 **Section 2.** The Town Council hereby amends Division 4, "Site Plan and Appearance  
37 Review," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town  
38 Code of Ordinances by amending Section 34-116 to read as follows (additional language  
39 underlined and deleted language ~~stricken through~~):

40  
41 **ARTICLE II. ADMINISTRATION AND ENFORCEMENT**

42 \* \* \*

43  
44  
45 **DIVISION 4. SITE PLAN AND APPEARANCE REVIEW**

46 \* \* \*

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**Sec. 34-116. - Required; criteria.**

No construction or clearing of land may begin in any district prior to review and approval of the site plan and appearance. The review shall consist of:

- (1) Consideration of the application by the town planning and zoning board, which may recommend approval, denial, or approval with modifications; and
- (2) Final review and approval or denial, or approval with modifications by the town council. Single-family detached dwellings shall be subject to review and approval only by the town planning and zoning department. The criteria to be used in this review shall be to ascertain that the proposed site plan for new development meets the following criteria:
  - a. Site plan criteria.
    1. Is in conformity with the comprehensive plan and is not detrimental to the neighboring land use;
    2. Has an efficient pedestrian and vehicular traffic system, including pedestrian, bicycle, and automotive linkages and proper means of ingress and egress to the streets;
    3. Has adequate provision for public services, including but not limited to access for police, fire and solid waste collection;
    4. Complies with the provisions of chapter 20, article III, regarding potable water, sanitary sewer, solid waste, drainage, recreation and open space, and road facilities;
    5. Is planned in accordance with natural characteristics of the land, including but not limited to slope, elevation, drainage patterns (low areas shall be used for lakes or drainage easements), natural vegetation and habitats, and unique physical features;
    6. Preserves environmental features and native vegetation to the maximum extent possible, and

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complies with the Environmentally Sensitive Lands Ordinance;

7. Protects estuarine areas when concerning marina siting, drainage plans, alteration of the shoreline, provisions for public access and other concerns related to water quality and habitat protection;

8. Complies with all sections of this chapter.

b. Appearance review criteria.

1. Is of an architectural style representative of or reflecting the vernacular of Old Florida style which is indigenous to the town and which is commonly known and identified by its late Victorian (Key West Cracker), Spanish revival (Mediterranean), Modern (early to mid-20<sup>th</sup> century), or combination thereof style of architecture. Summarized briefly, common features of the vernacular of Old Florida style that identify the Victorian (Key West Cracker), and Spanish revival (Mediterranean) architectural style include wood or concrete block with stucco siding; simple pitched roofs; tile, metal, or asphalt roofs; ornate details such as but not limited to exposed soffits, individualized vent and louver shapes, reliefs, and detailed window and door treatments; lush landscaping with private yards; and use of porches, balconies and patios; Common features of the vernacular of Old Florida Style that identify the Modern (early to mid-20<sup>th</sup> century) architectural style include clean geometric lines, often at right angles; an emphasis on function; materials such as glass, steel, iron, and concrete; and the use of natural light through large and expansive windows.
2. Is of a design and proportion which enhances and is in harmony with the area;
3. Is representative of the vernacular of Old Florida architectural style, such that — e Elevator and stairwell shafts and other modern operations

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and features of a building shall be either completely concealed or embellished with architectural treatments and features to minimize large spans of flat surfaces or vertical elements shall incorporate the elements of the architectural style of the structure; rooftop equipment and elevator and mechanical penthouse protrusions shall be concealed; ~~entirely flat building walls without architectural features shall be eliminated or minimized;~~ and parking garages and other accessory structures shall be designed with architectural features and treatments so that they are well proportioned and balanced and in keeping with the architectural style of the principal structure;

4. Shall have all on-site structures and accessory features (such as but not limited to light fixtures, benches, litter containers, including recycling bins, traffic and other signs, letter boxes, and bike racks) compatible in design, materials, and color;
5. Shall have a design in which buildings over 40 feet in height shall appear more horizontal or nondirectional in proportion rather than vertical, accomplished by the use of architectural treatments as described in these criteria;
6. Shall locate and design mechanical equipment with architectural treatments so that any noise or other negative impact is minimized;
7. Complies with the town's community appearance standards (see article IV, division 14 of this chapter).

**Section 3.** The provisions of this ordinance shall become and be made a part of the Code of Ordinances of the Town of Juno Beach.

**Section 4.** If any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

**Section 5.** All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are in conflict with this Ordinance, are hereby repealed to the extent of such

1 conflict.

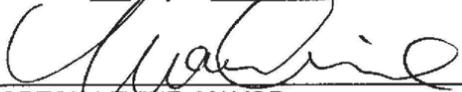
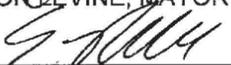
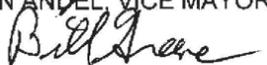
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**Section 6.** This ordinance shall be effective immediately upon adoption.

FIRST READING this 18<sup>th</sup> day of November, 2014.

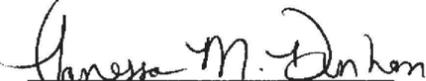
SECOND, FINAL READING AND ADOPTION this 10<sup>th</sup> day of December, 2014.

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_____ MORTON LEVINE, MAYOR

_____ ELLEN ANDEL, VICE MAYOR

_____ BILL GREENE, VICE MAYOR PRO TEM

_____ JIM LYONS, COUNCILMEMBER

_____ JASON HASELKORN, COUNCILMEMBER

ATTEST:  
  
\_\_\_\_\_  
VANESSA M. DUNHAM  
TOWN CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:  
  
\_\_\_\_\_  
LEONARD G. RUBIN  
TOWN ATTORNEY

**TOWN OF JUNO BEACH, FLORIDA  
NOTICE OF PROPOSED  
ZONING CODE TEXT AMENDMENT**

The Planning and Zoning Board of the Town of Juno Beach, sitting as the Local Planning Agency, shall conduct a public hearing on the following ordinance:

**ORDINANCE NO. 678**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING CHAPTER 34, "ZONING," OF THE TOWN CODE OF ORDINANCES TO EXPAND THE PERMITTED ARCHITECTURAL STYLES WITHIN THE TOWN; AMENDING DIVISION 4, "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," BY AMENDING SECTION 34-116, "REQUIRED; CRITERIA;" PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The public hearing will be held on Monday, October 20, 2014 at 4:30 p.m. at Juno Beach Town Center, 340 Ocean Drive, Juno Beach, Florida. All members of the public are invited to appear at the public hearing, which may be continued from time to time, and be heard with respect to this matter. A copy of the ordinance is on file at the Town Clerk's Office for inspection by members of the public.

If a person decides to appeal any decision made with respect to any matter considered at the subject meeting, he or she will need to ensure that a verbatim record of the proceedings is made, which record shall include the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). In accordance with the Americans with Disabilities Act, any person who may require special accommodation to participate in this meeting should contact the Town Clerk's Office at 626-1122 at least 72 hours prior the meeting date.

PUB: The Palm Beach Post  
10-15/2014 #313928

Signed

*Tiffani Everett*  
*April D. Emberton*

Sworn to and subscribed before 10/15/2014

Who is personally known to me.

TOWN OF JUNO BEACH PROOF OF PUBLICATION  
STATE OF FLORIDA COUNTY OF PALM BEACH  
Before the undersigned authority personally appeared Tiffani Everett, who on oath says that she is Call Center Legal Advertising Representative of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a Notice was published in said newspaper on First date of Publication 10/15/2014 and last date of Publication 10/15/2014 Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties.  
NOTICE OF PROPOSED Ad ID: 620355 Ad Cost: 189.20



APRIL D. EMBERTON  
NOTARY PUBLIC  
STATE OF OHIO  
Comm. Expires  
October 01, 2018

**13. FS §163.3202(5)(a) effective**  
State Law Preemption - January 1, 2020

Select Year: 2025 

## The 2025 Florida Statutes

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<a href="#">Title XI</a>	<a href="#">Chapter 163</a>	<a href="#">View Entire Chapter</a>
COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS	INTERGOVERNMENTAL PROGRAMS	

### 163.3202 Land development regulations.—

(1) Within 1 year after submission of its comprehensive plan or revised comprehensive plan for review pursuant to s. [163.3191](#), each county and each municipality shall adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan.

(2) Local land development regulations shall contain specific and detailed provisions necessary or desirable to implement the adopted comprehensive plan and shall at a minimum:

(a) Regulate the subdivision of land.

(b) Regulate the use of land and water for those land use categories included in the land use element and ensure the compatibility of adjacent uses and provide for open space.

(c) Provide for protection of potable water wellfields.

(d) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management.

(e) Ensure the protection of environmentally sensitive lands designated in the comprehensive plan.

(f) Regulate signage.

(g) Provide that public facilities and services meet or exceed the standards established in the capital improvements element required by s. [163.3177](#) and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development. A local government may not issue a development order or permit that results in a reduction in the level of services for the affected public facilities below the level of services provided in the local government's comprehensive plan.

(h) Ensure safe and convenient onsite traffic flow, considering needed vehicle parking.

(i) Maintain the existing density of residential properties or recreational vehicle parks if the properties are intended for residential use and are located in the unincorporated areas that have sufficient infrastructure, as determined by a local governing authority, and are not located within a coastal high-hazard area under s. [163.3178](#).

(j) Incorporate preexisting development orders identified pursuant to s. [163.3167](#)(3).

(3) This section shall be construed to encourage the use of innovative land development regulations which include provisions such as transfer of development rights, incentive and inclusionary zoning, planned unit development, impact fees, and performance zoning. These and all other such regulations shall be combined and compiled into a single land development code for the jurisdiction. A general zoning code shall not be required if a local government's adopted land development regulations meet the requirements of this section.

(4) The state land planning agency may require a local government to submit one or more land development regulations if it has reasonable grounds to believe that a local government has totally failed to adopt any one or more of the land development regulations required by this section. Once the state land planning agency determines after review and consultation with local government whether the local government has adopted regulations required by this section, the state land planning agency shall notify the local government in writing within 30 calendar days after receipt of the regulations from the local government. If the state land planning agency determines that the local government has failed to adopt regulations required by this section, it may institute an

action in circuit court to require adoption of these regulations. This action shall not review compliance of adopted regulations with this section or consistency with locally adopted plans.

(5)(a) Land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling unless:

1. The dwelling is listed in the National Register of Historic Places, as defined in s. [267.021\(5\)](#); is located in a National Register Historic District; or is designated as a historic property or located in a historic district, under the terms of a local preservation ordinance;
2. The regulations are adopted in order to implement the National Flood Insurance Program;
3. The regulations are adopted pursuant to and in compliance with chapter 553;
4. The dwelling is located in a community redevelopment area, as defined in s. [163.340\(10\)](#);
5. The regulations are required to ensure protection of coastal wildlife in compliance with s. [161.052](#), s. [161.053](#), s. [161.0531](#), s. [161.085](#), s. [161.163](#), or chapter 373;
6. The dwelling is located in a planned unit development or master planned community created pursuant to a local ordinance, resolution, or other final action approved by the local governing body before July 1, 2023; or
7. The dwelling is located within the jurisdiction of a local government that has a design review board or an architectural review board created before January 1, 2020.

(b) For purposes of this subsection, the term:

1. "Building design elements" means the external building color; the type or style of exterior cladding material; the style or material of roof structures or porches; the exterior nonstructural architectural ornamentation; the location or architectural styling of windows or doors; the location or orientation of the garage; the number and type of rooms; and the interior layout of rooms. The term does not include the height, bulk, orientation, or location of a dwelling on a zoning lot; or the use of buffering or screening to minimize potential adverse physical or visual impacts or to protect the privacy of neighbors.

2. "Planned unit development" or "master planned community" means an area of land that is planned and developed as a single entity or in approved stages with uses and structures substantially related to the character of the entire development, or a self-contained development in which the subdivision and zoning controls are applied to the project as a whole rather than to individual lots.

(c) This subsection does not affect the validity or enforceability of private covenants or other contractual agreements relating to building design elements.

(6) Land development regulations relating to any characteristic of development other than use, or intensity or density of use, do not apply to Florida College System institutions as defined in s. [1000.21\(5\)](#).

(7) The state land planning agency shall adopt rules for review and schedules for adoption of land development regulations.

**History.**—s. 14, ch. 85-55; s. 12, ch. 86-191; s. 14, ch. 93-206; s. 7, ch. 95-322; s. 6, ch. 96-416; s. 5, ch. 98-146; s. 20, ch. 2009-96; s. 188, ch. 2010-102; s. 6, ch. 2011-4; s. 6, ch. 2011-15; s. 1, ch. 2014-218; s. 6, ch. 2019-165; s. 1, ch. 2021-201; s. 3, ch. 2023-31; s. 3, ch. 2023-115; s. 11, ch. 2024-2.

**14. Ordinance No. 745**

Reassignment to PZB - September 22, 2021  
Assigned Site Plan & Appearance Review to PZB

TOWN OF JUNO BEACH, FLORIDA

ORDINANCE NO. 745

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, PROVIDING FOR ARCHITECTURAL REVIEW OF DETACHED SINGLE-FAMILY DWELLINGS; AMENDING DIVISION 1, "GENERALLY," AND DIVISION 4, "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," OF CHAPTER 34, "ZONING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTIONS 34-28 AND 34-116 TO PROVIDE FOR SITE PLAN AND APPEARANCE REVIEW, INCLUDING ARCHITECTURAL REVIEW, OF DETACHED SINGLE-FAMILY DWELLINGS BY THE PLANNING AND ZONING BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

WHEREAS, during its most recent session, the Florida Legislature enacted Section 163.3202(5)(a), Florida Statutes, which preempts the regulation of "building design elements" for single-family and two-family dwellings, unless the dwelling is located either in a planned unit development approved by the local governing body or in a jurisdiction of a local government that has a design review board or architectural review board; and

WHEREAS, the term "building design elements" includes, but is not limited to, external building color, the type or style of exterior cladding materials, the style or material of roof structures or porches, the exterior nonstructural architectural ornamentation, and the location or architectural styling of windows or doors; and

WHEREAS, Section 34-116(3)(b) of the Town Code provides for appearance review of all proposed structures within the Town; and

WHEREAS, appearance review includes architectural review, specifically a finding that the proposed site plan "is of an architectural style representative of or reflecting the vernacular of Old Florida and which is commonly known and identified as Victorian (Key West Cracker), Spanish revival (Mediterranean), Modern (early to mid-20<sup>th</sup> century) or any combination thereof;" and

WHEREAS, while architectural review of duplexes, multi-family structures and planned unit developments is performed by the Town Council with a recommendation from the Planning and Zoning Board, detached single-family dwellings are currently subject to review and approval only by the Town's Planning and Zoning Department; and

WHEREAS, in order to continue to apply the Town's approved architectural styles to detached single-family dwellings that are not located within planned unit developments, the Town Council wishes to amend the Town's Zoning Code to assign site plan and appearance review, including architectural review, of detached single-family dwellings to the Town's Planning and Zoning Board; and

WHEREAS, the Town's Planning and Zoning Board has conducted a public hearing on this Ordinance and provided its recommendation to the Town Council; 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,

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

**Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and confirmed and are incorporated herein.

**Section 2.** The Town Council hereby amends Division 1, "Generally," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town Code of Ordinances by amending Section 34-28, "Planning and zoning board duties," to read as follows (additional language is underlined):

**Sec. 34-28. - Planning and zoning board duties.**

The planning and zoning board shall issue recommendations to the town council and zoning board of adjustment and appeals, as applicable, on all matters involving community planning, including, but not limited to, the comprehensive plan, site plan and appearance reviews, preliminary plat reviews, variances, administrative appeals, and special exception uses. The planning and zoning board shall have final decision-making authority on site plan and appearance review, specifically including architectural review, of detached single-family dwellings not located within an approved planned unit development. It shall exercise its power as defined in this chapter and as further established by F.S. ch. 163, part II. The planning and zoning board shall be the local planning agency required to be designated as such by F.S. § 163.3174.

**Section 3.** The Town Council hereby amends Division 4, "Site Plan and Appearance Review," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town Code of Ordinances by amending Section 34-116 "Required; criteria," to read as follows (additional language underlined and deleted language ~~stricken through~~):

**Sec. 34-116. - Required; criteria.**

No construction or clearing of land may begin in any district prior to review and approval of the site plan and appearance. The review shall consist of:

- (1) Consideration of the application by the development review committee (DRC), which may recommend approval, denial, or approval with modifications and/or conditions;
- (2) Consideration of the application by the town planning and zoning board, which may recommend approval, denial, or approval with modifications and/or conditions; and
- (3) Final review and approval or denial, or approval with modifications by the town council. Single-family detached dwellings not located within an approved planned unit development shall be subject to site plan and appearance review and approval or denial, or approval with modifications only by the town planning and zoning department board. Single-family dwellings within an approved planned unit development shall be subject to site plan and appearance review and approval only by the town planning and zoning department in accordance with the established design criteria. The criteria to be used in this review shall be to ascertain that the proposed site plan for new development meets the following criteria:
  - a. Site plan criteria.
    1. Is in conformity with the comprehensive plan and is not detrimental to the neighboring land use;
    2. Has an efficient pedestrian and vehicular traffic system, including pedestrian, bicycle, and automotive linkages and proper means of ingress and egress to the streets;
    3. Has adequate provision for public services, including but not limited to access for police, fire and solid waste collection;
    4. Complies with the provisions of chapter 20, article III, regarding potable water, sanitary sewer, solid waste, drainage, recreation and open space, and road facilities;
    5. Is planned in accordance with natural characteristics of the land, including but not limited to slope, elevation, drainage patterns

(low areas shall be used for lakes or drainage easements), natural vegetation and habitats, and unique physical features;

6. Preserves environmental features and native vegetation to the maximum extent possible, and complies with the Environmentally Sensitive Lands Ordinance;
  7. Protects estuarine areas when concerning marina siting, drainage plans, alteration of the shoreline, provisions for public access and other concerns related to water quality and habitat protection;
  8. Complies with all sections of this chapter.
- b. Appearance review criteria.
1. Is of an architectural style representative of or reflecting the vernacular of Old Florida style which is indigenous to the town and which is commonly known and identified by its late Victorian (Key West Cracker), Spanish revival (Mediterranean), Modern (early to mid-20th century), or combination thereof style of architecture. Summarized briefly, common features of the vernacular of Old Florida style that identify the Victorian (Key West Cracker), and Spanish revival (Mediterranean) architectural style include wood or concrete block with stucco siding; simple pitched roofs; tile, metal, or asphalt roofs; ornate details such as but not limited to exposed soffits, individualized vent and louver shapes, reliefs, and detailed window and door treatments; lush landscaping with private yards; and use of porches, balconies and patios. Common features of the vernacular of Old Florida Style that identify the Modern (early to mid-20th century) architectural style include clean geometric lines, often at right angles; an emphasis on function; materials such as glass, steel, iron, and concrete; and the use of natural light through large and expansive windows;

2. Is of a design and proportion which enhances and is in harmony with the area;
3. Elevator and stairwell shafts and other modern operations and features of a building shall be either completely concealed or shall incorporate the elements of the architectural style of the structure; rooftop equipment and elevator and mechanical penthouse protrusions shall be concealed; and parking garages and other accessory structures shall be designed with architectural features and treatments so that they are well proportioned and balanced and in keeping with the architectural style of the principal structure;
4. Shall have all on-site structures and accessory features (such as but not limited to light fixtures, benches, litter containers, including recycling bins, traffic and other signs, letter boxes, and bike racks) compatible in design, materials, and color;
5. Shall have a design in which buildings over 40 feet in height shall appear more horizontal or nondirectional in proportion rather than vertical, accomplished by the use of architectural treatments as described in these criteria;
6. Shall locate and design mechanical equipment with architectural treatments so that any noise or other negative impact is minimized;
7. Complies with the town's community appearance standards (see article IV, division 14 of this chapter).

**Section 4.** The provisions of this ordinance shall become and be made a part of the Code of Ordinances of the Town of Juno Beach.

**Section 5.** If any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

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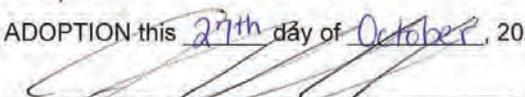
**Section 6.** All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

**Section 7.** This ordinance shall be effective immediately upon adoption.

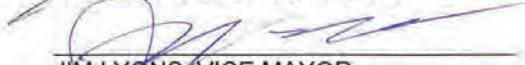
FIRST READING this 22nd day of September, 2021.

SECOND, FINAL READING AND ADOPTION this 27th day of October, 2021.

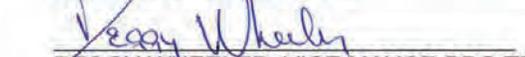
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JASON HASELKORN, MAYOR

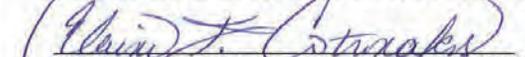
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JIM LYONS, VICE MAYOR

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PEGGY WHEELER, VICE MAYOR PRO TEM

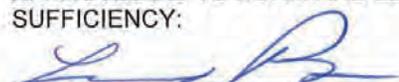
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ELAINE K. COTRONAKIS, COUNCILMEMBER

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DD HALPERN, COUNCILMEMBER

ATTEST:  
  
\_\_\_\_\_  
CAITLIN COPELAND  
TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:  
  
\_\_\_\_\_  
LEONARD G. RUBIN  
TOWN ATTORNEY

**15. Ordinance No. 753**  
Partial Rollback - September 28, 2022  
Returned Site Plan Review to Staff

**TOWN OF JUNO BEACH, FLORIDA**

**ORDINANCE NO. 753**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, RELATING TO ARCHITECTURAL REVIEW OF DETACHED SINGLE-FAMILY DWELLINGS; AMENDING DIVISION 1, "GENERALLY," AND DIVISION 4, "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," OF CHAPTER 34, "ZONING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTIONS 34-28 AND 34-116 TO ASSIGN ONLY APPEARANCE REVIEW, INCLUDING ARCHITECTURAL REVIEW, OF DETACHED SINGLE-FAMILY DWELLINGS TO THE PLANNING AND ZONING BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

WHEREAS, during its 2021 session, the Florida Legislature enacted Section 163.3202(5)(a), Florida Statutes, which preempts the regulation of "building design elements" for single-family and two-family dwellings, unless the dwelling is located either in a planned unit development approved by the local governing body or in a jurisdiction of a local government that has a design review board or architectural review board; and

WHEREAS, the term "building design elements" includes external building color; the type or style of exterior cladding material; the style or material of roof structures or porches; the exterior nonstructural architectural ornamentation; the location or architectural styling of windows or doors; the location or orientation of the garage; the number and type of rooms; and the interior layout of rooms; and

WHEREAS, Section 34-116(3)(b) of the Town Code provides for appearance review of all proposed structures within the Town, including architectural review to confirm that the proposed structure "is of an architectural style representative of or reflecting the vernacular of Old Florida and which is commonly known and identified as Victorian (Key West Cracker), Spanish revival (Mediterranean), Modern (early to mid-20<sup>th</sup> century) or any combination thereof;" and

WHEREAS, while the Town's Planning and Zoning Department historically conducted site plan and appearance review of detached single-family dwellings, through the adoption of Ordinance No. 745 on October 27, 2021, the Town Council amended the Town Zoning Code to assign both site plan and appearance review, including architectural review, of detached single-family dwellings not located within a planned unit development to the Planning and Zoning Board; and

WHEREAS, many of the site plan review criteria are not applicable to detached single-family dwellings, and in an effort to clarify the duties of the Planning and Zoning Board to more accurately reflect the intent and scope of Section 163.3202(5), Florida Statutes, Town Staff recommended assigning only appearance review, including architectural review, to the Planning and Zoning Board, with Town Staff retaining site

plan review; and

WHEREAS, the Town's Planning and Zoning Board has conducted a public hearing on this Ordinance and provided its recommendation to the Town Council; 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.

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

**Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and confirmed and are incorporated herein.

**Section 2.** The Town Council hereby amends Division 1, "Generally," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town Code of Ordinances by amending Section 34-28, "Planning and zoning board duties," to read as follows (deleted language is ~~stricken through~~):

**Sec. 34-28. - Planning and zoning board duties.**

The planning and zoning board shall issue recommendations to the town council and zoning board of adjustment and appeals, as applicable, on all matters involving community planning, including, but not limited to, the comprehensive plan, site plan and appearance reviews, preliminary plat reviews, variances, administrative appeals, and special exception uses. The planning and zoning board shall have final decision-making authority on ~~site plan and~~ appearance review, specifically including architectural review, of detached single-family dwellings not located within an approved planned unit development. It shall exercise its power as defined in this chapter and as further established by F.S. ch. 163, part II. The planning and zoning board shall be the local planning agency required to be designated as such by F.S. § 163.3174.

**Section 3.** The Town Council hereby amends Division 4, "Site Plan and Appearance Review," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town Code of Ordinances by amending Section 34-116 "Required; criteria," to read as follows (additional language is underlined and deleted language is ~~stricken through~~):

**Sec. 34-116. - Required; criteria.**

No construction or clearing of land may begin in any district prior to review and approval of the site plan and appearance. The review shall consist of:

- (1) Consideration of the application by the development review committee (DRC), which may recommend approval, denial, or approval with modifications and/or conditions;
- (2) Consideration of the application by the town planning and zoning board, which may recommend approval, denial, or approval with modifications and/or conditions; and
- (3) Final review and approval or denial, or approval with modifications by the town council. Single-family detached dwellings not located within an approved planned unit development shall be subject to ~~site plan and~~ appearance review and approval or denial, or approval with modifications only by the town planning and zoning board, with site plan review by the town planning and zoning department. Single-family dwellings within an approved planned unit development shall be subject to site plan and appearance review and approval only by the town planning and zoning department in accordance with the established design criteria. The criteria to be used in this review shall be to ascertain that the proposed site plan for new development meets the following criteria:
  - a. Site plan criteria.
    1. Is in conformity with the comprehensive plan and is not detrimental to the neighboring land use;
    2. Has an efficient pedestrian and vehicular traffic system, including pedestrian, bicycle, and automotive linkages and proper means of ingress and egress to the streets;
    3. Has adequate provision for public services, including but not limited to access for police, fire and solid waste collection;
    4. Complies with the provisions of chapter 20, article III, regarding potable water, sanitary sewer, solid waste, drainage, recreation and open space, and road facilities;
    5. Is planned in accordance with natural characteristics of the land, including but not

limited to slope, elevation, drainage patterns (low areas shall be used for lakes or drainage easements), natural vegetation and habitats, and unique physical features;

6. Preserves environmental features and native vegetation to the maximum extent possible, and complies with the Environmentally Sensitive Lands Ordinance;
  7. Protects estuarine areas when concerning marina siting, drainage plans, alteration of the shoreline, provisions for public access and other concerns related to water quality and habitat protection;
  8. Complies with all sections of this chapter.
- b. Appearance review criteria.
1. Is of an architectural style representative of or reflecting the vernacular of Old Florida style which is indigenous to the town and which is commonly known and identified by its late Victorian (Key West Cracker), Spanish revival (Mediterranean), Modern (early to mid-20th century), or combination thereof style of architecture. Summarized briefly, common features of the vernacular of Old Florida style that identify the Victorian (Key West Cracker), and Spanish revival (Mediterranean) architectural style include wood or concrete block with stucco siding; simple pitched roofs; tile, metal, or asphalt roofs; ornate details such as but not limited to exposed soffits, individualized vent and louver shapes, reliefs, and detailed window and door treatments; lush landscaping with private yards; and use of porches, balconies and patios. Common features of the vernacular of Old Florida Style that identify the Modern (early to mid-20th century) architectural style include clean geometric lines, often at right angles; an emphasis on function; materials such as glass,

- steel, iron, and concrete; and the use of natural light through large and expansive windows;
2. Is of a design and proportion which enhances and is in harmony with the area;
  3. Elevator and stairwell shafts and other modern operations and features of a building shall be either completely concealed or shall incorporate the elements of the architectural style of the structure; rooftop equipment and elevator and mechanical penthouse protrusions shall be concealed; and parking garages and other accessory structures shall be designed with architectural features and treatments so that they are well proportioned and balanced and in keeping with the architectural style of the principal structure;
  4. Shall have all on-site structures and accessory features (such as but not limited to light fixtures, benches, litter containers, including recycling bins, traffic and other signs, letter boxes, and bike racks) compatible in design, materials, and color;
  5. Shall have a design in which buildings over 40 feet in height shall appear more horizontal or nondirectional in proportion rather than vertical, accomplished by the use of architectural treatments as described in these criteria;
  6. Shall locate and design mechanical equipment with architectural treatments so that any noise or other negative impact is minimized;
  7. Complies with the town's community appearance standards (see article IV, division 14 of this chapter).

**Section 4.** The provisions of this ordinance shall become and be made a part of the Code of Ordinances of the Town of Juno Beach.

**Section 5.** If any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be

invalid, such decision shall not affect the validity of the remainder of this Ordinance.

**Section 6.** All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

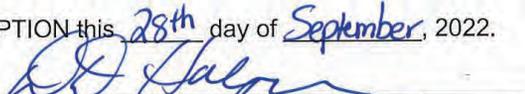
**Section 7.** This ordinance shall be effective immediately upon adoption.

FIRST READING this 14<sup>th</sup> day of September, 2022.

SECOND, FINAL READING AND ADOPTION this 28<sup>th</sup> day of September, 2022.

✓  
AYE

NAY

  
DD HALPERN, MAYOR

✓  
AYE

NAY

  
ELAINE K. COTRONAKIS, VICE MAYOR

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AYE

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PEGGY WHEELER, VICE MAYOR PRO TEM

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JASON HASELKORN, COUNCILMEMBER

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NAY

  
ALEXANDER COOKE, COUNCILMEMBER

ATTEST:

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
CAITLIN COPELAND-RODRIGUEZ  
TOWN CLERK

  
LEONARD G. RUBIN  
TOWN ATTORNEY

**16. Ordinance No. 761**  
Proposed to Reassign Site Plan  
May 16, 2023

# Memorandum

*From the Town of Juno Beach Planning & Zoning Department*

**To:** David Dyess, Town Manager; Town Council  
**From:** Frank Davila, Director of Planning & Zoning  
**Date:** May 16, 2023  
**Subject:** Ordinance No. 761 – Returning Site Plan Review to the Planning & Zoning Board – 1<sup>st</sup> Reading

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## **BACKGROUND**

At the September 22, 2021 Town Council meeting, Council adopted Ordinance No. 745 to assign site plan and appearance review, including architectural review, to the Planning and Zoning Board.

At the September 28, 2022, Town Council meeting, Council adopted Ordinance No. 753 to assign only appearance review to the Planning and Zoning Board, with Town Staff retaining site plan review.

At the March 22, 2023 Town Council meeting, Council gave consensus to restore the site plan review in ordinance form back to the Planning & Zoning Board.

At the May 1, 2023 Planning and Zoning Board meeting, the Board reviewed and discussed proposed Ordinance No. 761 and recommended, on a 3-2 vote, to Town Council to adopt Ordinance No. 761.

## **DISCUSSION**

Staff is proposing Ordinance No. 761 for the Council's review and direction (attachment #1). The Ordinance provides for the following:

- Amends the Town's Zoning Code to reassign site plan review of detached single-family dwellings to the Town's Planning and Zoning Board.

## **RECOMMENDATION**

Staff recommends that Town Council review proposed Ordinance No. 761 on first reading.

Attachment(s):

- Proposed Ordinance No. 761.

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**TOWN OF JUNO BEACH, FLORIDA**

**ORDINANCE NO. 761**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA AMENDING DIVISION 1, "GENERALLY," AND DIVISION 4, "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," OF CHAPTER 34, "ZONING," OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTIONS 34-28 AND 34-116 TO RETURN FINAL SITE PLAN AND APPEARANCE REVIEW, INCLUDING ARCHITECTURAL REVIEW, OF DETACHED SINGLE-FAMILY DWELLINGS TO THE PLANNING AND ZONING BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

WHEREAS, during its 2021 session, the Florida Legislature enacted Section 163.3202(5)(a), Florida Statutes, which preempts the regulation of "building design elements" for single-family and two-family dwellings, unless the dwelling is located either in a planned unit development approved by the local governing body or in a jurisdiction of a local government that has a design review board or architectural review board; and

WHEREAS, the term "building design elements" includes, but is not limited to, external building color, the type or style of exterior cladding materials, the style or material of roof structures or porches, the exterior nonstructural architectural ornamentation, and the location or architectural styling of windows or doors; and

WHEREAS, Section 34-116(3)(b) of the Town Code provides for appearance review of all proposed structures within the Town; and

WHEREAS, appearance review includes architectural review, specifically a finding that the proposed site plan "is of an architectural style representative of or reflecting the vernacular of Old Florida and which is commonly known and identified as Victorian (Key West Cracker), Spanish revival (Mediterranean), Modern (early to mid-20<sup>th</sup> century) or any combination thereof;" and

WHEREAS, in order to continue to apply the Town's approved architectural styles to detached single-family dwellings, which were formerly only subject to review by the Town's Planning and Zoning Department, on September 22, 2021, the Town Council adopted Ordinance No. 745 to assign site plan and appearance review, including architectural review, to the Planning and Zoning Board; and

WHEREAS, because of the more technical nature of site plan review and because Ordinance No. 745 went beyond the scope of Section 163.3203(5)(a), on September 28, 2022, the Town Council adopted Ordinance No. 753 to assign only appearance review to the Planning and Zoning Board, with Town Staff retaining site plan review; and

WHEREAS, notwithstanding the prior concerns, the Town Council wishes to return site plan review of detached single-family dwellings not located within an approved Planned

1 Unit Development to the Planning and Zoning Board for final action; and

2  
3 WHEREAS, the Town's Planning and Zoning Board has conducted a public hearing  
4 on this Ordinance and provided its recommendation to the Town Council; and

5  
6 WHEREAS, the Town Council has determined that adoption of this Ordinance is in  
7 the best interests of the general welfare of the Town of Juno Beach.

8  
9 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
10 JUNO BEACH, FLORIDA as follows:

11  
12 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and confirmed  
13 and are incorporated herein.

14  
15 **Section 2.** The Town Council hereby amends Division 1, "Generally," of Article II,  
16 "Administration and Enforcement," of Chapter 34, "Zoning," of the Town Code of Ordinances  
17 by amending Section 34-28, "Planning and zoning board duties," to read as follows (additional  
18 language is underlined):

19  
20 **Sec. 34-28. - Planning and zoning board duties.**

21  
22 The planning and zoning board shall issue recommendations to the  
23 town council and zoning board of adjustment and appeals, as applicable, on  
24 all matters involving community planning, including, but not limited to, the  
25 comprehensive plan, site plan and appearance reviews, preliminary plat  
26 reviews, variances, administrative appeals, and special exception uses. The  
27 planning and zoning board shall have final decision-making authority on site  
28 plan and appearance review, specifically including architectural review, of  
29 detached single-family dwellings not located within an approved planned unit  
30 development. It shall exercise its power as defined in this chapter and as  
31 further established by F.S. ch. 163, part II. The planning and zoning board  
32 shall be the local planning agency required to be designated as such by F.S.  
33 § 163.3174.

34  
35 **Section 3.** The Town Council hereby amends Division 4, "Site Plan and Appearance  
36 Review," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town  
37 Code of Ordinances by amending Section 34-116 "Required; criteria," to read as follows  
38 (additional language underlined and deleted language ~~stricken through~~):

39  
40 **Sec. 34-116. - Required; criteria.**

41  
42 No construction or clearing of land may begin in any district prior to  
43 review and approval of the site plan and appearance. The review shall  
44 consist of:  
45

- 1 (1) Consideration of the application by the development review  
2 committee (DRC), which may recommend approval, denial, or  
3 approval with modifications and/or conditions;  
4
- 5 (2) Consideration of the application by the town planning and zoning  
6 board, which may recommend approval, denial, or approval  
7 with modifications and/or conditions; and  
8
- 9 (3) Final review and approval or denial, or approval with  
10 modifications by the town council. Single-family detached  
11 dwellings not located within an approved planned unit  
12 development shall be subject to site plan and appearance  
13 review and approval or denial, or approval with modifications  
14 only by the town planning and zoning board, ~~with site plan~~  
15 ~~review by the town planning and zoning department.~~ Single-  
16 family dwellings within an approved planned unit development  
17 shall be subject to site plan and appearance review and  
18 approval only by the town planning and zoning department in  
19 accordance with the established design criteria. The criteria to  
20 be used in this review shall be to ascertain that the proposed  
21 site plan for new development meets the following criteria:  
22  
23 a. Site plan criteria.  
24  
25 1. Is in conformity with the comprehensive plan and  
26 is not detrimental to the neighboring land use;  
27  
28 2. Has an efficient pedestrian and vehicular traffic  
29 system, including pedestrian, bicycle, and  
30 automotive linkages and proper means of ingress  
31 and egress to the streets;  
32  
33 3. Has adequate provision for public services,  
34 including but not limited to access for police, fire  
35 and solid waste collection;  
36  
37 4. Complies with the provisions of chapter 20, article  
38 III, regarding potable water, sanitary sewer, solid  
39 waste, drainage, recreation and open space, and  
40 road facilities;  
41  
42 5. Is planned in accordance with natural  
43 characteristics of the land, including but not  
44 limited to slope, elevation, drainage patterns (low  
45 areas shall be used for lakes or drainage

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easements), natural vegetation and habitats, and unique physical features;

6. Preserves environmental features and native vegetation to the maximum extent possible, and complies with the Environmentally Sensitive Lands Ordinance;

7. Protects estuarine areas when concerning marina siting, drainage plans, alteration of the shoreline, provisions for public access and other concerns related to water quality and habitat protection;

8. Complies with all sections of this chapter.

b. Appearance review criteria.

1. Is of an architectural style representative of or reflecting the vernacular of Old Florida style which is indigenous to the town and which is commonly known and identified by its late Victorian (Key West Cracker), Spanish revival (Mediterranean), Modern (early to mid-20th century), or combination thereof style of architecture. Summarized briefly, common features of the vernacular of Old Florida style that identify the Victorian (Key West Cracker), and Spanish revival (Mediterranean) architectural style include wood or concrete block with stucco siding; simple pitched roofs; tile, metal, or asphalt roofs; ornate details such as but not limited to exposed soffits, individualized vent and louver shapes, reliefs, and detailed window and door treatments; lush landscaping with private yards; and use of porches, balconies and patios. Common features of the vernacular of Old Florida Style that identify the Modern (early to mid-20th century) architectural style include clean geometric lines, often at right angles; an emphasis on function; materials such as glass, steel, iron, and concrete; and the use of natural light though large and expansive windows;

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2. Is of a design and proportion which enhances and is in harmony with the area;
  3. Elevator and stairwell shafts and other modern operations and features of a building shall be either completely concealed or shall incorporate the elements of the architectural style of the structure; rooftop equipment and elevator and mechanical penthouse protrusions shall be concealed; and parking garages and other accessory structures shall be designed with architectural features and treatments so that they are well proportioned and balanced and in keeping with the architectural style of the principal structure;
  4. Shall have all on-site structures and accessory features (such as but not limited to light fixtures, benches, litter containers, including recycling bins, traffic and other signs, letter boxes, and bike racks) compatible in design, materials, and color;
  5. Shall have a design in which buildings over 40 feet in height shall appear more horizontal or nondirectional in proportion rather than vertical, accomplished by the use of architectural treatments as described in these criteria;
  6. Shall locate and design mechanical equipment with architectural treatments so that any noise or other negative impact is minimized;
  7. Complies with the town's community appearance standards (see article IV, division 14 of this chapter).

**Section 4.** The provisions of this ordinance shall become and be made a part of the Code of Ordinances of the Town of Juno Beach.

**Section 5.** If any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

**Section 6.** All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.



**17. Ordinance No. 763**  
Harmony Standards - July 26, 2023  
Introduced Harmony definition and criteria

1 TOWN OF JUNO BEACH, FLORIDA

2  
3 ORDINANCE NO. 763

4  
5 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO  
6 BEACH, FLORIDA AMENDING CHAPTER 34, "ZONING," OF THE TOWN  
7 CODE OF ORDINANCES TO DEFINE AND PROVIDE CRITERIA FOR THE  
8 TERM HARMONY; AMENDING ARTICLE I, "IN GENERAL," BY  
9 AMENDING SECTION 34-4, "DEFINITIONS," TO DEFINE HARMONY  
10 AND RELATED TERMS; AMENDING DIVISION 4, "SITE PLAN AND  
11 APPEARANCE REVIEW," OF ARTICLE II, "ADMINISTRATION AND  
12 ENFORCEMENT," BY AMENDING SECTION 34-116, "REQUIRED;  
13 CRITERIA," TO PROVIDE ADDITIONAL CRITERIA FOR DETERMINING  
14 HARMONY WITH THE AREA; PROVIDING FOR CODIFICATION,  
15 SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

16  
17 WHEREAS, the Town's Zoning Code currently provides that when reviewing an  
18 application for site plan and appearance approval, the Planning and Zoning Board and the  
19 Town Council determine that the proposed project "is of a design and proportion which  
20 enhances and is in harmony with the area;" and

21  
22 WHEREAS, at the recommendation of the Planning and Zoning Board, the Town  
23 Council wishes to amend Chapter 34, "Zoning," of the Town Code of Ordinances to define  
24 the term harmony and related concepts and to provide additional criteria for determining  
25 harmony during site plan and appearance review; and

26  
27 WHEREAS, the Town's Planning and Zoning Board has conducted a public hearing  
28 on this Ordinance and provided its recommendation to the Town Council; and

29  
30 WHEREAS, the Town Council has determined that adoption of this Ordinance is in  
31 the best interests of the general welfare of the Town of Juno Beach.

32  
33 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
34 JUNO BEACH, FLORIDA as follows:

35  
36 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and confirmed  
37 and are incorporated herein.

38  
39 **Section 2.** The Town Council hereby amends Article I, "In General," of Chapter 34,  
40 "Zoning," of the Town Code of Ordinances by amending section 34-4, "Definitions," to read  
41 as follows (additional language is underlined):

42  
43 **Sec. 34-4. Definitions.**

44  
45 For the purposes of this chapter, the following terms and words are  
46 hereby defined. Words used in the present tense shall include the future; the  
47 singular number shall include the plural; and the plural the singular; the term  
48 "used for" shall include the meaning "designed for"; the term "structure" shall

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b. Appearance review criteria.

1. Is of an architectural style representative of or reflecting the vernacular of Old Florida style which is indigenous to the town and which is commonly known and identified by its late Victorian (Key West Cracker), Spanish revival (Mediterranean), Modern (early to mid-20th century), or combination thereof style of architecture. Summarized briefly, common features of the vernacular of Old Florida style that identify the Victorian (Key West Cracker), and Spanish revival (Mediterranean) architectural style include wood or concrete block with stucco siding; simple pitched roofs; tile, metal, or asphalt roofs; ornate details such as but not limited to exposed soffits, individualized vent and louver shapes, reliefs, and detailed window and door treatments; lush landscaping with private yards; and use of porches, balconies and patios. Common features of the vernacular of Old Florida Style that identify the Modern (early to mid-20th century) architectural style include clean geometric lines, often at right angles; an emphasis on function; materials such as glass, steel, iron, and concrete; and the use of natural light though large and expansive windows;
2. Is of a design and proportion which enhances and is in harmony with the area. The concept of harmony shall not imply that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of setback, scale, mass, bulk, proportion, overall height, orientation, site planning, landscaping, materials, and architectural components including but not limited to porches, roof types, fenestration, entrances, and stylistic expression;
3. Elevator and stairwell shafts and other modern operations and features of a building shall be either completely concealed or shall incorporate the elements of the architectural style of the structure; rooftop equipment and elevator and

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mechanical penthouse protrusions shall be concealed; and parking garages and other accessory structures shall be designed with architectural features and treatments so that they are well proportioned and balanced and in keeping with the architectural style of the principal structure;

4. Shall have all on-site structures and accessory features (such as but not limited to light fixtures, benches, litter containers, including recycling bins, traffic and other signs, letter boxes, and bike racks) compatible in design, materials, and color;
5. Shall have a design in which buildings over 40 feet in height shall appear more horizontal or nondirectional in proportion rather than vertical, accomplished by the use of architectural treatments as described in these criteria;
6. Shall locate and design mechanical equipment with architectural treatments so that any noise or other negative impact is minimized;
7. Complies with the town's community appearance standards (see article IV, division 14 of this chapter).

**Section 4.** The provisions of this ordinance shall become and be made a part of the Code of Ordinances of the Town of Juno Beach.

**Section 5.** If any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

**Section 6.** All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

**Section 7.** This ordinance shall be effective immediately upon adoption.

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FIRST READING this 24th day of May, 2023.

SECOND, FINAL READING AND ADOPTION this 26th day of July, 2023.

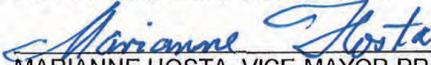
AYE NAY

  
ALEXANDER COOKE, MAYOR

AYE NAY

  
PEGGY WHEELER, VICE MAYOR

AYE NAY

  
MARIANNE HOSTA, VICE MAYOR PRO TEM

AYE NAY

  
ELAINE K. COTRONAKIS, COUNCILMEMBER

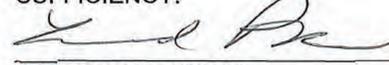
AYE NAY

  
DD HALPERN, COUNCILMEMBER

ATTEST:

  
CAITLIN COPELAND-RODRIGUEZ  
TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
LEONARD G. RUBIN  
TOWN ATTORNEY

**18. Ordinance No. 780**

Expansion of Review Radius - January 24, 2024

Expanded harmony review to 300-foot range

1 TOWN OF JUNO BEACH, FLORIDA

2  
3 ORDINANCE NO. 780

4  
5 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO  
6 BEACH, FLORIDA AMENDING CHAPTER 34, "ZONING," OF THE TOWN  
7 CODE OF ORDINANCES TO ADDRESS HARMONY; AMENDING  
8 DIVISION 4, "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II,  
9 "ADMINISTRATION AND ENFORCEMENT," BY AMENDING SECTION  
10 34-116, "REQUIRED; CRITERIA," TO PROVIDE A DEFINED RADIUS  
11 WHEN DETERMINING HARMONY WITH THE AREA; PROVIDING FOR  
12 CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE  
13 DATE.

14  
15 WHEREAS, the Town's Zoning Code currently provides that when reviewing an  
16 application for site plan and appearance approval, the Planning and Zoning Board and the  
17 Town Council determine that the proposed project "is of a design and proportion which  
18 enhances and is in harmony with the area;" and

19  
20 WHEREAS, at the recommendation of the Planning and Zoning Board, the Town  
21 Council wishes to amend Chapter 34, "Zoning," of the Town Code of Ordinances to provide  
22 additional criteria for determining harmony during site plan and appearance review; and

23  
24 WHEREAS, the Town's Planning and Zoning Board has conducted a public hearing  
25 on this Ordinance and provided its recommendation to the Town Council; and

26  
27 WHEREAS, the Town Council has determined that adoption of this Ordinance is in  
28 the best interests of the general welfare of the Town of Juno Beach.

29  
30 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
31 JUNO BEACH, FLORIDA as follows:

32  
33 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and confirmed  
34 and are incorporated herein.

35  
36 **Section 2.** The Town Council hereby amends Division 4, "Site Plan and Appearance  
37 Review," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town  
38 Code of Ordinances by amending Section 34-116 "Required; criteria," to read as follows  
39 (additional language underlined):

40  
41 **Sec. 34-116. - Required; criteria.**

42  
43 No construction or clearing of land may begin in any district prior to  
44 review and approval of the site plan and appearance. The review shall consist  
45 of:

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- b. Appearance review criteria.
  - 1. Is of an architectural style representative of or reflecting the vernacular of Old Florida style which is indigenous to the town and which is commonly known and identified by its late Victorian (Key West Cracker), Spanish revival (Mediterranean), Modern (early to mid-20th century), or combination thereof style of architecture. Summarized briefly, common features of the vernacular of Old Florida style that identify the Victorian (Key West Cracker), and Spanish revival (Mediterranean) architectural style include wood or concrete block with stucco siding; simple pitched roofs; tile, metal, or asphalt roofs; ornate details such as but not limited to exposed soffits, individualized vent and louver shapes, reliefs, and detailed window and door treatments; lush landscaping with private yards; and use of porches, balconies and patios. Common features of the vernacular of Old Florida Style that identify the Modern (early to mid-20th century) architectural style include clean geometric lines, often at right angles; an emphasis on function; materials such as glass, steel, iron, and concrete; and the use of natural light though large and expansive windows;
  - 2. Is of a design and proportion which enhances and is in harmony with the area. The concept of harmony shall not imply that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of setback, scale, mass, bulk, proportion, overall height, orientation, site planning, landscaping, materials, and architectural components including but not limited to porches, roof types, fenestration, entrances, and stylistic expression. For the purpose of this section, the comparison of harmony between buildings shall consider the preponderance of buildings or structures within three hundred (300) feet of the proposed site within the same zoning district.

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3. Elevator and stairwell shafts and other modern operations and features of a building shall be either completely concealed or shall incorporate the elements of the architectural style of the structure; rooftop equipment and elevator and mechanical penthouse protrusions shall be concealed; and parking garages and other accessory structures shall be designed with architectural features and treatments so that they are well proportioned and balanced and in keeping with the architectural style of the principal structure;
4. Shall have all on-site structures and accessory features (such as but not limited to light fixtures, benches, litter containers, including recycling bins, traffic and other signs, letter boxes, and bike racks) compatible in design, materials, and color;
5. Shall have a design in which buildings over 40 feet in height shall appear more horizontal or nondirectional in proportion rather than vertical, accomplished by the use of architectural treatments as described in these criteria;
6. Shall locate and design mechanical equipment with architectural treatments so that any noise or other negative impact is minimized;
7. Complies with the town's community appearance standards (see article IV, division 14 of this chapter).

**Section 3.** The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Juno Beach.

**Section 4.** If any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

**Section 5.** All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

**Section 6.** This Ordinance shall be effective immediately upon adoption.



**19. SB 180 effective Recent Legislative Context**  
August 1, 2025

### August 1, 2025 – Senate Bill 180 Effective Date

Senate Bill 180 became effective, further clarifying and reinforcing state-level limitations on local regulation of building design elements, with continued relevance to appearance and architectural review authority.

Milton, prior to October 1, 2027, the Town may **not**:

1. Propose or adopt any moratorium<sup>1</sup> on construction, reconstruction, or redevelopment of any property damaged by such hurricane;
2. Propose or adopt more restrictive or burdensome amendments to its comprehensive plan or land development regulations; or
3. Propose or adopt more restrictive or burdensome procedures concerning review, approval, or issuance of a site plan, development permit, or development order.

Any such moratorium or more restrictive or burdensome comprehensive plan amendments, land development regulations, or procedures shall be null and void ab initio.<sup>2</sup> These restrictions apply retroactively to August 1, 2024.