



Meeting Name: Special Town Council Meeting
Meeting Date: February 18, 2026
Prepared By: Gemma Torcivia, Esq., Town Attorney
Item Title: ORDINANCE NO. 797

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA AMENDING 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 REMOVE REVIEW OF PLATS AND REMOVE REVIEW OF SINGLE FAMILY SITE PLANS AND APPEARANCE (INCLUDING ARCHITECTURAL) FROM THE PLANNING AND ZONING BOARD TO ADMINISTRATIVE STAFF; PROVIDING FOR ADOPTION OF RECITALS; CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

REQUESTED ACTION:

Hold a public hearing (first reading) and consider adoption of Ordinance No. 797, amending Section 34-28, Town Code of Ordinances to:

1. Remove plat and replat review from the duties of the Planning and Zoning Board; and
2. Remove review of single-family and two-family site plans and appearance, including architectural review, from the Planning and Zoning Board and assign such review to administrative Staff.

BRIEF SUMMARY OF ORDINANCE NO. 797:

Ordinance No. 797 amending Section 34-28, Town Code of Ordinances, provides for the following changes:

1. Remove plat and replat review from the duties of the Planning and Zoning Board by deleting references to preliminary plat reviews in the duties of the Planning and Zoning Board; and
2. Remove review of single-family and two-family site plans and appearance, including architectural review, from the Planning and Zoning Board and assign such review to Administrative Staff by deleting references to the planning and zoning board decision-making authority of appearance and architectural review of single-family dwellings.

BACKGROUND:

At the November 12, 2025, Town Council Meeting, the Town Council approved a six-part motion to:

1. Create an ordinance that amends the Zoning Code to return appearance review for single family detached homes to the Town Planning & Zoning Department and removes it from the responsibilities of the Planning & Zoning Board;
2. Create an ordinance that adds clarifying language to our Zoning Code stating the original intent is to be followed when judging Harmony for single family homes, which is that the Harmony requirements adopted in 1992 restricted the Appearance of a proposed home (no castles or domes), but not the size, mass, bulk, scale, or proportion of the home;
3. Publicize the existing zoning code restrictions on house sizes by the height and lot coverage limits, and minimum setbacks listed for the various zoning districts;
4. Publicize that the existing harmony definition and statements in our code regarding aesthetically pleasing buildings, etc. are informational regarding the intent of town codes, but not enforceable requirements;
5. Create an ordinance that revises the architecture requirements in our zoning code to clarify that “building design elements” are not to be used in staff decision making as to whether a proposed single family detached home is acceptable; and
6. Continue with current plans to encourage voluntary compliance with the town’s preferred architectural styles such as with the Pattern Book now being produced.

The Town Attorney’s Office has subsequently worked with Town Staff to draft the attached Ordinance No. 797 amending Section 34-28, Town Code of Ordinances, which is attached hereto as Exhibit “A,” to:

1. Remove plat and replat review from the duties of the Planning and Zoning Board by deleting references to preliminary plat reviews in the duties of the Planning and Zoning Board; and
2. Remove review of single-family and two-family site plans and appearance, including architectural review, from the Planning and Zoning Board and assign such review to Administrative Staff by deleting references to the planning and zoning board decision-making authority of appearance and architectural review of single-family dwellings.

The amendments to Section 34-28, Town Code of Ordinances related to plat and replat duties are changes recommended by the Town Attorney’s Office for clarity and compliance with Section 177.071, Florida Statutes, that may be undertaken via this Ordinance already updating the duties of the Planning and Zoning Board.

The amendments to Section 34-28, Town Code of Ordinances related to the reassignment of site plan and appearance review for single-family and two-family dwellings are pursuant to part one of the Town Council’s November 12, 2025, motion.

At first reading, the Town Attorney’s Office provided an extensive legal analysis of the Town’s existing Code of Ordinances and the history of Appearance Review, the preparation of which was approved via consensus at the November 12, 2025, Regular Town Council Meeting. *See* Exhibit “B.”

COMMUNICATION WITH STAFF:

The Town Attorney’s Office has coordinated closely with Town Staff throughout the drafting process and has provided multiple opportunities for input on Ordinance No. 796 and accompanying memorandum. On November 25, 2025, the Town Attorney’s Office presented draft language to Town Staff via email and received feedback. On December 17, 2025, the Town Attorneys presented further revised draft language to Town Staff and met to discuss and receive feedback. On December 22, 2025, Town Staff

provided additional feedback prior to the publication of the Planning and Zoning Board Agenda. On January 11, 2026, Town Staff reviewed again as part of the agenda approval process for the January 28, 2026, Regular Town Council Meeting and the Town Manager approved the item on January 14, 2026, without providing any additional feedback or questions to the Town Attorney's Office.

PLANNING AND ZONING BOARD:

The Planning and Zoning Board held a public hearing on January 5, 2026, and have recommended that the Town Council approve Ordinance No. 797.

TOWN COUNCIL (FIRST READING):

The Town Council held a public hearing on January 28, 2026, approving Ordinance No. 797 at first reading.

RECOMMENDATION:

At this time, Staff recommends the Town Council hold a public hearing and consider adoption of Ordinance No. 797, at second and final reading.

EXHIBITS:

Exhibit "A" – Ordinance No. 797

Exhibit "B" – Transcript of November 12, 2025, Regular Town Council Meeting