

TOWN OF JUNO BEACH, FLORIDA

ORDINANCE NO. 795

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING DIVISION 4, "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II, "ADMINISTRATION AND ENFORCEMENT," OF CHAPTER 34, "ZONING" OF THE TOWN CODE OF ORDINANCES TO PROVIDE FOR ADMINISTRATIVE REVIEW AND APPROVAL OF APPEARANCE FOR SINGLE FAMILY DWELLINGS; AND CLARIFYING COMPLIANCE OF APPEARANCE REVIEW WITH FLORIDA LAW; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the Town Council of the Town of Juno Beach, Florida as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

WHEREAS, Section 163.3202(5)(a), Florida Statutes, prohibits a municipality from applying land development regulations relating to building design elements, as defined therein, to a single-family or two-family dwelling, subject to certain exceptions set forth therein; and

WHEREAS, the Town Council wishes to amend Division 4, "Site Plan and Appearance Review," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town Code of Ordinances by recognizing the existence of Section 163.3202(5)(a), Florida Statutes, and the preemption contained therein without exempting single-family and two-family dwellings from appearance, including architectural, review; and

WHEREAS, the Town Council wishes to further amend Division 4, "Site Plan and Appearance Review," of Article II, "Administration and Enforcement," or Chapter 34, "Zoning," of the Town Code of Ordinances by modifying appearance review of single-family dwellings to be subject to administrative review and approval by the Planning and Zoning Director or designee rather than requiring a public hearing before the Planning and Zoning Board; and

1 WHEREAS, the Town's Planning and Zoning Board, as the Local Planning
2 Agency, has conducted a public hearing on this Ordinance and provided its
3 recommendation to the Town Council; and
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5 WHEREAS, the Town Council has determined that adoption of this Ordinance is
6 in the best interests of the general welfare of the Town of Juno Beach.
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8 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
9 TOWN OF JUNO BEACH, FLORIDA as follows:
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11 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and
12 correct and are incorporated herein.
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14 **Section 2.** The Town Council hereby amends Division 4, "Site Plan and
15 Appearance Review," of Article II, "Administration and Enforcement," or Chapter 34,
16 "Zoning," of the Town Code of Ordinances is hereby amended as set forth below. For
17 purposes of this Ordinance, underlined type shall constitute additions to the original text,
18 *** shall constitute ellipses to the original text and ~~striketrough~~ shall constitute
19 deletions to the original text.
20

21 **Sec. 34-116. Required; criteria.**
22

23 No construction or clearing of land may begin in any district prior to review and approval
24 of the site plan and appearance. The review shall consist of:
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- 26 (1) Consideration of the application by the development review committee (DRC),
27 which may recommend approval, denial, or approval with modifications and/or
28 conditions;
29
- 30 (2) Consideration of the application by the town planning and zoning board, which
31 may recommend approval, denial, or approval with modifications and/or
32 conditions; and
33
- 34 (3) Final review and approval or denial, or approval with modifications by the town
35 council. Single-family detached dwellings not located within an approved
36 planned unit development shall be subject to appearance review and
37 approval or denial, or approval with modifications by the town planning and
38 zoning ~~board~~ director or designee, with site plan review by the town planning
39 and zoning department director or designee. Single-family dwellings within an
40 approved planned unit development shall be subject to site plan and
41 appearance review and approval only by the town planning and zoning
42 department director or designee in accordance with the established design
43 criteria. The criteria to be used in this review shall be to ascertain that the
44 proposed site plan for new development meets the following criteria:
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46 ***

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. The aforementioned architectural styles and building design elements shall be considered preferred, but not required when conducting review for approvals of single-family or two-family dwellings.

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 300 feet from the proposed site of the same zoning district. With respect to the review of single-family dwellings and two-family dwellings, size, mass, bulk, scale, and proportion of the structure is not to be considered in making a determination of whether the proposed dwelling is in harmony with the surrounding properties. The aforementioned architectural standards shall be considered preferred, but not required, when conducting review for approvals of single-family and two-family dwellings.

3. Elevator and stairwell shafts and other modern operations and features of a building shall be either completely concealed or

1 shall incorporate the elements of the architectural style of the
2 structure; rooftop equipment and elevator and mechanical
3 penthouse protrusions shall be concealed; and parking garages
4 and other accessory structures shall be designed with architectural
5 features and treatments so that they are well proportioned and
6 balanced and in keeping with the architectural style of the principal
7 structure. The aforementioned architectural styles shall be
8 considered preferred, but not required when conducting review for
9 approvals of single-family or two-family dwellings.

10
11 4. Shall have all on-site structures and accessory features
12 (such as but not limited to light fixtures, benches, litter containers,
13 including recycling bins, traffic and other signs, letter boxes, and
14 bike racks) compatible in design, materials, and color. The
15 aforementioned standards shall be considered preferred, but not
16 required when conducting review for approvals of single-family or
17 two-family dwellings.

18
19 5. Shall have a design in which buildings over 40 feet in height
20 shall appear more horizontal or nondirectional in proportion rather
21 than vertical, accomplished by the use of architectural treatments
22 as described in these criteria. The aforementioned standards shall
23 be considered preferred, but not required when conducting review
24 for approvals of single-family or two-family dwellings.

25
26 6. Shall locate and design mechanical equipment with
27 architectural treatments so that any noise or other negative impact
28 is minimized.

29
30 7. Complies with the town's community appearance standards
31 (see article IV, division 14 of this chapter).

32
33 **Section 3.** All ordinances or parts of ordinances of the Town of Juno Beach,
34 Florida, which are conflict with this Ordinance, are hereby repealed to extent of such
35 conflict.

36
37 **Section 4.** The provisions of this Ordinance shall become and be made a part
38 of the Zoning Code of the Town of Juno Beach, Florida. The sections of this Ordinance
39 may be renumbered or relettered to accomplish such, and the word "ordinance" may be
40 changed to "section," "article" or any other appropriate word.

41
42 **Section 5.** If any section, paragraph, sentence, clause, phrase, or word of this
43 Ordinance is for any reason held by a court of competent jurisdiction to be
44 unconstitutional, inoperative or void, such holding shall not affect the remainder of the
45 Ordinance.

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1 **Section 6.** This Ordinance shall be effective immediately upon final adoption.
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4 [Remainder of page intentionally blank]
5

FIRST READING this ____ day of _____, 2026.

SECOND, FINAL READING AND ADOPTION this ____ day of _____, 2026.

AYE

NAY

PEGGY WHEELER, MAYOR

AYE

NAY

JOHN CALLAGHAN, VICE MAYOR

AYE

NAY

DIANA DAVIS, VICE MAYOR PRO TEM

AYE

NAY

DD HALPERN, COUNCILMEMBER

AYE

NAY

MARIANNE HOSTA, COUNCILMEMBER

ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

CAITLIN E. COPELAND-RODRIGUEZ, MMC
TOWN CLERK

TG LAW PLLC
TOWN ATTORNEY