



Provided by VMPT Diana Davis
9/16/2025

Diana Davis <ddavis@juno-beach.fl.us>

Town Official Newsletters

Diana Davis <ddavis@juno-beach.fl.us>
To: Robert Cole <rcole@juno-beach.fl.us>

Wed, Sep 10, 2025 at 4:50 PM

Your legal conclusions are unsupported by memorandums from our Town Attorney and not true, in my opinion. Why would you say that our existing codes are illegal, especially when we are in litigation in both State and Federal Court? It cannot be the best "risk reduction" for our Town, even if it is your personal opinion.

The most egregious statements are highlighted, please note these are not the total of the statements that I believe are not your opinion only in your newsletters published to date.

Diana Davis, Vice Mayor Pro Tem

From the September 10th version of the facts:

Town Council voted at their meeting on Monday, September 08, to modify our zoning code to be consistent with state law, including exempting single-family homes from architectural review and appearance review, consistent with the details included in Option 1 of Town Attorney Len Rubin's July 2025 memorandum to Town Council (page 6). As part of the vote, staff were directed to proceed with creation of an Architectural Pattern Book to support voluntary compliance with preferred architecture and design elements. s.

This explains why staff can apply design criteria to commercial properties but not to single-family homes. It is not a question of staff ability or willingness to review single family homes for contextual fit, or even a question of whether doing so could help to improve outcomes, but more simply the fact that our team is prohibited by a combination of state law restrictions and the prospect of litigation associated with doing so – the option is thus off the table for single-family properties.

Prior to Monday's vote to make our single-family development regulations conform to state law and minimize litigation exposure, the rules in place were not only unlawful and risked litigation – sufficient cause to amend them, of course – but also yielded little to no contextually desired influence on bulk, mass, scale, proportion, or architectural design; they weren't in any meaningful way achieving the outcomes or protections that some have inaccurately attributed to them.

To illustrate, some have argued that appearance and architectural review of single-family dwellings prevents homes from being built that are larger than the largest homes currently in our neighborhoods. This is not an accurate portrayal. First, architectural review (and therefore appearance review) has not been undertaken since 2023, when the state preempted our authority to do so.

Furthermore, the unauthorized rules (metrics) that were being applied since 2023 allowed new homes to be constructed fully 20% larger than the largest home already existing within a 300' radius of the subject property. The staff memorandum attachment provided to Town Council as part of Monday's agenda highlighted the ineffectiveness of the regulations, having revealed that all but two of the 19 applications processed since March 30, 2022, were approved with either no architectural modifications, or only minor changes. Of the two denied, one was ultimately approved by the Planning and Zoning Board, as proposed by the applicant (with no changes made to their plans), and is now involved in litigation, while the other is pending reapplication. Because the existing rules were not compliant with state law and/or risked litigation,

ineffective at supporting their intended goals, and impossible for staff to properly administer, the Town Council voted to repeal them.




The Facts: Recognizing that neither Architectural Review nor Appearance Review of single family homes are legally or procedurally feasible, the Town Council has directed staff to move forward with developing tools that encourage voluntary efforts to design contextually desired single-family projects. The Town Council directed staff take the following actions discussed in the September 08 staff memorandum:

- Proceed with creation of an Architectural Pattern Book, which would be used to help educate property owners about architectural styles and features that our community embraces and believes important to reflect in our built environment. A contract will be advanced for Town Council consideration. (P a g e | 3 T h e Facts, September 10, 2025)
- Evaluate the mechanics and feasibility of a voluntary Overlay District for interested groups of contiguous single-family homeowners. A voluntary Overlay District would be subject to participant approval and impose defined restrictions on development of the subject properties such that there is an overall voluntary reduction in property rights. Staff will further research the matter and return a memorandum for consideration of any next steps.
- Develop a proposed program for increasing neighbor notification of pending single family home major addition or reconstruction projects, specifically the posting of a sign on the subject property to help increase awareness that a project is pending. Neighbors would thus have notice of the application and be able to inquire about the plans, if interested. Consistent with Town Code Section 34-64, an appeal may be filed with the Town Council sitting as the Board of Adjustment if an error has been made in interpreting any zoning ordinance or regulation. Staff will propose a neighbor notification protocol for Town Council consideration.
- Evaluate the procedural and code aspects of incentivizing front porches as a means to soften front facades and increase sense of community. Staff will further research the matter and return a memorandum for consideration of any next steps. The Facts: Monday's meeting was the latest scheduled in a series of meetings stemming back to May 02, 2025, with each focused on resolving identified legal and procedural problems associated with applying Architectural and Appearance Review to single-family home permit review. . . .

From: Robert Cole <rcole@juno-beach.fl.us>
Sent: Wednesday, September 10, 2025 4:18 PM
To: Diana Davis <ddavis@juno-beach.fl.us>
Subject: RE: Town Official Newsletters

[Quoted text hidden]

3 attachments

-  **1 - 2025-8-26 Official Newsletter Complaint.PDF**
574K
-  **2 - 2025-9-8 Council Goal Complaint not accurate.PDF**
740K
-  **3 - 2025-6-8 Email concern SB 180 considerations.PDF**
202K

Attachment 1

Open Letter to the Town of Juno Beach August 26, 2025

Subject: Town Manager's Newsletter and the Need for Council Oversight

Town Manager, Mayor, Council Members, and Residents,

The Town Manager's newsletter, titled *The Truth*, used a "rumor vs. truth" format to portray Diana Davis's August 18, 2025, Council person opinion newsletter communication as false. In my understanding, this goes beyond the Town Manager's administrative role and crosses into advocating policy positions, which is the prerogative of the elected Council. In several instances, the Town Manager official newsletter mischaracterized Council's August 6th actions by **omitting** that the failure to vote against the consultant's proposed residential development incentives of 90/10 **resulted in allowing the concepts of the 90/10 developer incentives to proceed forward in this taxpayer-funded in-progress Master Plan that is supposed to be the community's vision for our Town into the future.**

Similarly, subsequent newsletters from the mayor assert that **she did not vote for the 90/10 developer incentives.** While technically correct that no affirmative approval motion was adopted, the record reflects that motions to reject the developer residential incentives for our commercial area failed, leaving the consultant to continue developing those concepts. **To residents, the distinction is critical: not voting against a measure allows it to advance. Presenting the record otherwise is a misrepresentation that undermines public trust.** See, Draft Record of the Minutes (attached).

Our residents deserve clear, accurate, and transparent communication. Town newsletters should report the impact of Council's actions objectively and within the bounds of the Town Charter, which assigns policy-making authority to the Council as a whole. Administrative publications that mischaracterize the result of Council's decisions during meetings risk confusing the public, eroding trust, and creating the perception of partisanship by staff.

The results of the Master Plan In Progress meeting on August 6th was that our contractor received the go-ahead on the concepts presented for our commercial corridor shown as: (1) an overlay district with developer incentives for rapid redevelopment of 90/10, (2) the maximum density of condominiums for Plaza Le Mar, (3) Reduction in commercial space from the existing 111,000 to 21,000 in Plaza Le Mar, and (4) There was also a discussion of the four corners of Donald Ross and U.S. 1 with the acknowledgement that this too will be within the 90/10 overlay district resulting in losing our CVS. The recharacterization of the results of the meeting is detrimental to civic engagement that is needed to improve the taxpayer-funded Master Plan product. The time to provide public comment ideally is the crafting of a "vision" that informs the formulation of the in-progress plan concepts, however the next best time is when the plan is in the "concept" stage. Our residents

deserve accurate neutral communication of the concepts presented, to encourage participation rather than discourage it.

By claiming "rumors," redefining what was presented at the meeting, redefining the results of the meeting, and claiming Council opinion newsletters are uninformed, the Town Manager's newsletter rather than being "the Truth" in my opinion is a partisan piece of advocacy designed for a particular policy outcome. If the Town Council have decided this is not the direction that they intended as a result of the August 6th meeting (90/10, rapid redevelopment, max. densities for residential Plaza Le mar, and redevelopment of the CVS location), I hope we can correct the record with accurate voting at the meeting on August 26, 2025 and accurate reporting of the voting outcome.

Pattern of Concern This is not an isolated matter. On April 22, 2025, I formally objected to a taxpayer-funded newsletter that was mailed to residents in which the Mayor presented a highly inflammatory legal interpretation of Town ordinances that was refuted by the Town Attorney. [i.e., reasonable regulation of size of new construction projects is not a "takings"] At that time, the Town Manager acknowledged in writing that Town official newsletters "would henceforth be neutral and fact-based" and that no oversight committee was needed. The most recent publication of the Town Manager's official newsletter "the Truth" in my opinion violates that commitment, and in doing so, undermines confidence in our official communications.

Recommendation for Oversight To restore public confidence and ensure neutrality in official publications, I respectfully move that Council establish a Council-led review committee for Town "official" newsletters and require Council approval prior to publication of a Town Manager newsletter. This oversight will safeguard transparency, ensure alignment with adopted policy, and protect the integrity of our communications.

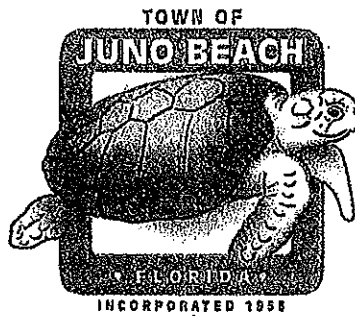
Conclusion As elected officials, we hold a fiduciary duty under both the Florida Constitution and state statutes to act in the public trust. Upholding transparency in the Town's official communications is central to that duty. A corrective step is necessary to prevent recurrence and to reinforce the Town's commitment to honest, accurate, and resident-focused communication.

Respectfully submitted,

Diana Davis

Vice Mayor Pro Tem

Town of Juno Beach



SPECIAL TOWN COUNCIL MEETING - WORK-IN- PROGRESS ON THE MASTER PLAN MINUTES

August 6, 2025 at 5:30 PM

Council Chambers – 340 Ocean Drive and YouTube

PRESENT: PEGGY WHEELER, MAYOR
JOHN CALLAGHAN, VICE MAYOR
DIANA DAVIS, VICE MAYOR PRO TEM
MARIANNE HOSTA, COUNCILMEMBER
DD HALPERN, COUNCILMEMBER

ALSO PRESENT: ROBERT A. COLE, TOWN MANAGER
LEONARD RUBIN, TOWN ATTORNEY
CAITLIN COPELAND-RODRIGUEZ, TOWN CLERK
FRANK DAVILA, DIRECTOR OF PLANNING & ZONING
STEPHEN MAYER, PRINCIPAL PLANNER
DANA LITTLE, URBAN DESIGN DIRECTOR (TCRPC)
TOM LAVASH, WTL ASSOCIATES
JESSICA SEYMOUR, PRINCIPAL PROGRAM COORDINATOR (TCRPC)
LAUREN CLARK, URBAN DESIGNER (TCRPC)

AUDIENCE: *(See attached Sign-in Sheet)*

CALL TO ORDER – 5:30PM

PLEDGE ALLEGIANCE TO THE FLAG

COUNCIL ACTION/DISCUSSION ITEMS

1. Discussion on Work-In-Progress on the Master Plan

Public Comments Opened at 6:26pm.

Public Comments Closed at 6:53pm.

(See attached comments from Vice Mayor Pro Tem Davis.)

Mayor Wheeler recessed the meeting at 7:24pm.

Mayor Wheeler reconvened the meeting at 7:31pm.

MOTION: Halpern/Davis made a motion to have staff send a rebuttal letter to the U.S. Coast Guard in reference to the bridge openings.

ACTION: The motion failed 2-3 with Mayor Wheeler, Vice Mayor Callaghan, and Councilmember Hosta opposed.

✓ *MOTION: Davis/Halpern made a motion to reject the proposed 90%/10% (residential/commercial use) breakdown for the Plaza La Mer property.*

ACTION: The motion failed 2-3 with Mayor Wheeler, Vice Mayor Callaghan, and Councilmember Hosta opposed.

Mayor Wheeler, Vice Mayor Pro Tem Davis, and Councilmember Halpern gave consensus to not push for a final Master Plan and reschedule another work-in-progress meeting in the fall.

Mayor Wheeler, Vice Mayor Callaghan, Vice Mayor Pro Tem Davis, and Councilmember Halpern gave consensus to have staff provide Dana Little with all the available historical information on these areas.

✓ *Mayor Wheeler, Vice Mayor Callaghan, and Councilmember Hosta gave consensus to have the four-corner area designed as a community downtown area/town center.*

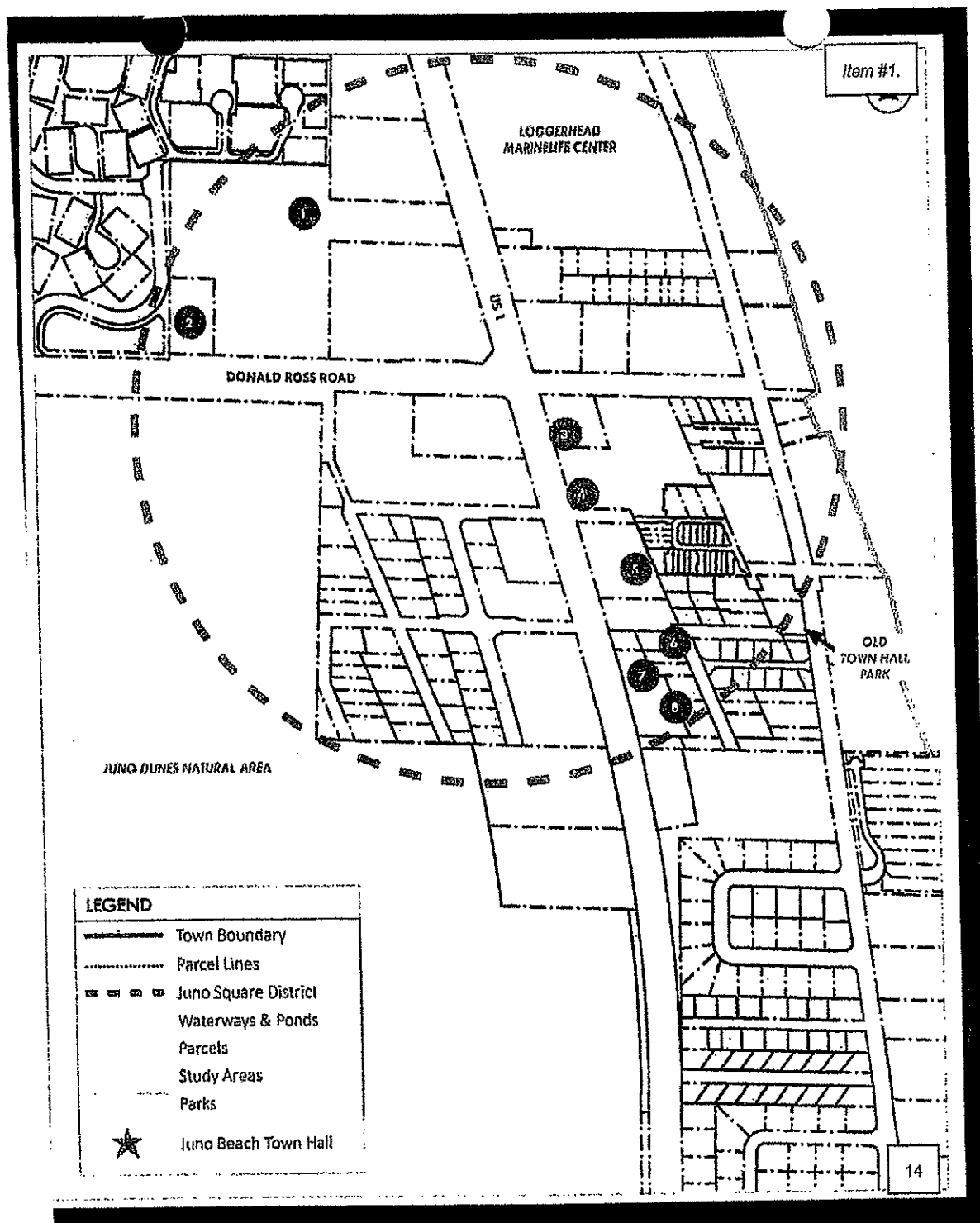
~~COMMENTS FROM THE COUNCIL~~

ADJOURNMENT

Mayor Wheeler adjourned the meeting at 10:00pm.

Peggy Wheeler, Mayor

Caitlin E. Copeland-Rodriguez, Town Clerk



Design Concept Details

PARCEL SIZE	10.24 Acres
ZONING	CG- Commercial General
MINIMUM LOT SIZE	15,000 sf for any freestanding building, or 12,000 sf in mixed use
MAXIMUM LOT COVERAGE	40%
CONCEPT USE	Residential Mixed-Use- 71,700 sf (total building footprint) Commercial- 21,100 sf Residential- 215,000 sf 10 % Commercial Use
CONCEPT HEIGHT	3 and 4 stories / up to 60'
CONCEPT DENSITY	RH density: 4 to 18 du/acre by use 18 du/acre with 10.24 acres = 184 units Provided- 184 units
PARKING RECOMMENDATIONS	Multiple-family dwelling 1.5 spaces per dwelling unit. Provided- 276 spaces Commercial retail establishments 1 parking space per 200 sq. ft. of gross floor area. Provided- 105 spaces Total Parking Required with Recommendations: 381 Total Provided Spaces: 400

Notes:

1. Code includes maximum building length requirements of 100' to 300' depending on the zoning and arrangement

PARCEL
CONCEPT

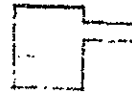
The Plaza Le Mer parcel details inclusive of recommendations to policy and regulations are listed in the table on this page.

RESIDENTIAL UNIT
CALCULATION EXAMPLE

10,000 SF footprint X 3 stories average = 30,000SF

30,000 ÷ 1,200 SF/Unit = 25 DU

Approximately 200 SF/Unit is allocated to mechanical and circulation, creating an average unit size of 1,000 SF.



Attachment 2

To: Town Council, Town Manager, Town Clerk, Town Attorney

From: Diana Davis, Vice Mayor Pro Tem

RE: Correction to Official Town Publication of Council Goals for appearance review 34-116(3)(b)2.

Date: 9/8/2025

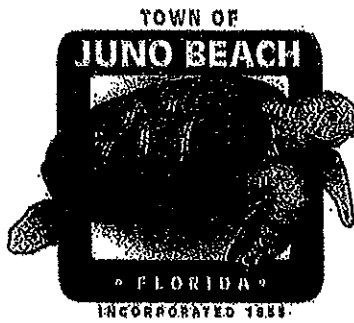
Latest Council Goals 2024-2025 Update Report. Page 3 Status 6/6/25, states a mischaracterization of the May 2nd workshop, omits a key vote on May 28th to retain ordinance 780, and then in the status updates fails to correct that the May 28th vote to follow the "maximum square footage" of 34-268, was repealed by Council vote on July 28th based on Len Rubin's July 21st memo that the proposed 34-268 site are regulation with the modifications proposed are not workable with SB 180; and there was a return to the appearance review of 34-116(3)(b)2 (with the harmony criteria of ordinance 780).

This was reiterated in the vote to remove the Zoning in Progress where it was confirmed to mean that the May 28th votes were negated. **Page 3, Status 6/6/25 states: "At the May 2nd workshop and May 28th Town Council meeting staff received direction from Council to move forward with code text amendments to emphasize harmony within the building site area regulations [34-268] for zoning districts with single-family detached dwelling as permitted uses."**

- May 2nd workshop direction was to keep our harmony review, 34-116(3)(b)2. (adopted in ordinance 780) See minutes. The direction was not for going with 34-268 only, I believe only the Mayor voted for this option that was proposed in the last slide of the presentation. It was the minority viewpoint and did not carry the meeting. See workshop minutes May 2
- May 28th Town Council meeting. A motion to repeal ordinance 780, [appearance review for harmony 34-116(3)(b)2], **failed to pass** which means a majority of Council 3-2, again stated the need to keep our appearance review criteria of 34-116(3)(b)2. See minutes May 28.
- May 28th Town Council meeting – vote to explore examining amendments to codes for the adoption of 2nd floor setbacks, 75% size of upper floors, etc.. and only using the maximum square footage of 34-268, passed, however this solution was not workable as it would require have required a Governor veto to the already passed Florida Legislature of SB 180. While this was one of many bullets that were put into the May 28th memo, when asked what was meant by

emphasize “harmony” in 34-268, there was not a satisfactory answer, as the harmony provisions appear in our appearance review, 34-116(3)(b)2., and using the term “Harmony” when discussing 34-268 building site area requirements seemed to confuse rather than clarify.

- The May 28th vote to go with the site area 34-268 criteria with modifications of step backs and to abandon our appearance review was repealed at the , See minutes. Further repealed by removing the Zoning in Progress to clarify that no part of the May 28th memo survived.
- The July 23rd vote of Council based on Len Rubin’s July 21st memo on SB 180, reversed the May 28th Council vote to go with 34-268 as modified by upper floor modifications. This was reiterated in the vote to remove the Zoning in Progress where it was confirmed to mean that the May 28th votes were negated. There was an affirmative vote to keep the harmony review of 34-116(3)(b)2., and asked the staff to come back with potential improvements to the process. See minutes July 28.



JOINT WORKSHOP - APPEARANCE REVIEW CRITERIA FOR SINGLE-FAMILY HOMES MINUTES

May 02, 2025 at 1:00 PM

Council Chambers – 340 Ocean Drive and YouTube

PRESENT: PEGGY WHEELER, MAYOR
JOHN CALLAGHAN, VICE MAYOR
DIANA DAVIS, VICE MAYOR PRO TEM
MARIANNE HOSTA, COUNCILMEMBER
DD HALPERN, COUNCILMEMBER
MICHAEL STERN, PLANNING & ZONING BOARD CHAIR. *(Via Zoom)*
JIM FERGUSON, PLANNING & ZONING BOARD VICE CHAIR
JIM EHRET, BOARDMEMBER
JONATHAN BUTLER, BOARDMEMBER
BRIAN COLE, BOARDMEMBER
CAROL RUDOLPH, ALTERNATE BOARDMEMBER

ALSO PRESENT: ROBERT A. COLE, TOWN MANAGER
LEONARD RUBIN, TOWN ATTORNEY
FRANK DAVILA, DIRECTOR OF PLANNING & ZONING
STEPHEN MAYER, PRINCIPAL PLANNER
FABINNE AZEMAR, PLANNING TECHNICIAN
CAITLIN COPELAND-RODRIGUEZ, TOWN CLERK

AUDIENCE: 45 (3 via Zoom) *(See attached sign-in sheet)*

CALL TO ORDER – 1:00PM

COMMENTS FROM THE PUBLIC *(This section relates to the item under discussion. See attached Comment Cards.)*

Public Comments Opened at 1:02pm.

Public Comments Closed at 1:42pm.

DISCUSSION ITEMS *(See attached staff presentation.)*

1. Appearance Review Criteria Work Session

Boardmember Ehret provided his comments via a letter *(see attached)*; and Vice Mayor Pro Tem Davis provided three (3) separate presentations *(see attached)*.

Vice Mayor Callaghan, Vice Mayor Pro Tem Davis, and Councilmember Halpern gave consensus to allow Vice Mayor Pro Tem Davis to present her information.

Planning & Zoning Boardmembers Ferguson and Butler were in support of repealing the code for Harmony. Boardmembers Ehret, Cole, and Alternate Boardmember Rudolph were opposed to repealing the code for Harmony.

Vice Mayor Callaghan, Vice Mayor Pro Tem Davis, and Councilmember Halpern gave consensus to not repeal the code for Harmony.

Mayor Wheeler, Vice Mayor Callaghan, and Councilmember Hosta gave consensus to continue not to perform architectural review for single-family homes and amend the Code accordingly.

Council gave unanimous consensus for staff to proceed with the status quo for appearance review; direct staff to return with additional options that incorporate tools such as FAR, increased setbacks, and other mechanisms that could help clarify the code; and have staff conduct a comprehensive analysis of the proposed language submitted by Vice Mayor Callaghan providing criteria for the assessment of Harmony (see attached) and provide a recommendation to the Town Council.

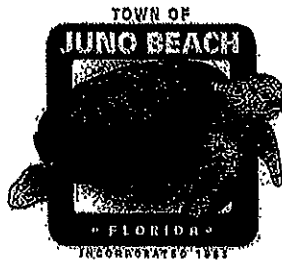
Council gave unanimous consensus to postpone the Traffic Mitigation Workshop.

ADJOURNMENT

Mayor Wheeler adjourned the Workshop at 5:10pm.


Peggy Wheeler, Mayor


Caitlin E. Copeland-Rodriguez, Town Clerk



TOWN COUNCIL REGULAR MEETING MINUTES

May 28, 2025 at 5:00 PM

Council Chambers - 340 Ocean Drive and YouTube

PRESENT: PEGGY WHEELER, MAYOR
JOHN CALLAGHAN, VICE MAYOR
DIANA DAVIS, VICE MAYOR PRO TEM
MARIANNE HOSTA, COUNCILMEMBER
DD HALPERN, COUNCILMEMBER

ALSO PRESENT: ROBERT A. COLE, TOWN MANAGER
FRANK DAVILA, INTERIM TOWN MANAGER
STEPHEN MAYER, PRINCIPAL PLANNER
ANDREA DOBBINS, PROJECT COORDINATOR/RISK MANAGER
LEONARD RUBIN, TOWN ATTORNEY
CAITLIN E. COPELAND-RODRIGUEZ, TOWN CLERK

AUDIENCE: 36

CALL TO ORDER - 5:00PM

PLEDGE ALLEGIANCE TO THE FLAG

ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA

Mayor Wheeler, Vice Mayor Callaghan, Vice Mayor Pro Tem Davis, and Councilmember Halpern gave consensus to move consent agenda items #11 and #12 to the end of the agenda.

PRESENTATIONS

1. Ceremonial Swearing In - Officer Ethan Curreri
2. Palm Beach County Fire Rescue Annual Report Presentation
3. Employee of the Year - 2024

***MOTION:** Halpern/Hosta made a motion to recognize Frank Davila and Tim Hannon as Employees of the year for 2024; and approve \$2,650 from contingency to support the 2024 Employee of the Year recognitions.*

***ACTION:** The motion passed unanimously.*

COMMENTS FROM THE TOWN MANAGER, THE TOWN ATTORNEY, AND STAFF

Mayor Wheeler, Vice Mayor Callaghan, Vice Mayor Pro Tem Davis, and Councilmember Halpern gave consensus to have an Executive Session on June 25, 2025 at 3:30pm.

COMMENTS FROM THE PUBLIC

All Non-Agenda items are limited to three (3) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Town Council). Town Council will not discuss these items at this time.

Public Comments Opened at 5:19pm.

Public Comments Closed at 5:27pm.

CONSENT AGENDA

4. Town Council Meeting Minutes for April 23, 2025
5. Minutes for Appearance Review Criteria for Single-Family Homes Workshop - May 2, 2025
6. Police Foundation Donation Request -- Blue Voice
7. Asset Disposals
8. Year to Date (YTD) Financial Statements
9. Special Event Request -- 2025 Loggerhead Triathlon
10. Special Event Request - Aloha Surf Camp
11. ~~Pelican Lake Aquatic Weed and Algae Control~~
12. ~~Juno Beach Ecology Group Native Plant Donation~~

MOTION: Davis/Callaghan made a motion to approve the consent agenda as amended.

ACTION: The motion passed unanimously.

COUNCIL ACTION/DISCUSSION ITEMS (A Public Comment Period was provided for each item below.)

13. Discussion - Appearance Review Criteria for Single-Family Homes (See attached staff presentation.)

Council gave unanimous consensus to include the emails recently received by the Town Council in reference to "Harmony" and "Codes" as part of the record.

Vice Mayor Pro Tem Davis provided handouts to the Council (see attached).

MOTION: Davis/Halpern made a motion to keep architectural review for single family homes as described in chapter 34-116(b3-1).

Davis/Halpern withdrew the motion.

Mayor Wheeler recessed the meeting at 7:38pm.

Mayor Wheeler reconvened the meeting at 7:47pm.

MOTION: Hosta made a motion to repeal Ordinance No. 780.

Mayor Wheeler passed the gavel and seconded the motion.

ACTION: The motion failed 2-3 with Vice Mayor Callaghan, Vice Mayor Pro Tem Davis, and Councilmember Halpern opposed.

Mayor Wheeler recessed the meeting at 9:02pm.

Mayor Wheeler reconvened the meeting at 9:08pm.

MOTION: Callaghan/Halpern made a motion to adopt the proposed Council direction as outlined in staff's memorandum and including a, b, c, and d:

- Amend the code to remove the architectural review of single-family and two-family homes from the Appearance Review criteria as directed at the May 2nd, 2025, workshop.
- Create a Zoning in Progress (ZIP) to provide staff with ample time to update the code as necessary, this will prevent applications for substantially improved and new single-family homes from going through the current Appearance Review and Building Permit process.
- Amend the code to remove Appearance Review from single-family homes. Please note that the Appearance Review will still apply to other projects (two-family and above). For single-family homes, with the addition of the proposed tools (a-d), harmony would be further emphasized within base zoning.
- Amend the code to revert the review and the approval/denial of single-family dwellings from the Planning and Zoning Board to staff. Please note that only staff review and approval would be required.
- Amend the code to remove the comparison of harmony language that reads "consider the preponderance of buildings or structures within 300 feet from the proposed site of the same zoning district" and replace it with "comparison of the buildings or structures within the same contiguous zoning district".

- Amend the code to implement additional regulations (see options a through d below) to the Building Site Area Regulations (base zoning) for each zoning district with the "Single-family detached dwellings" use to promote harmony through base zoning;
- a. ~~Step-Back / Setbacks for 2nd stories~~ – a similar regulation is currently referred to in the Saturn Lane Historic Zoning District which requires "All floors above the first floor level shall be set back an additional five feet from the first floor front yard setback", another example is the Commercial General Zoning District which requires "For all buildings higher than two stories, all stories above the first two stories shall be set back a minimum of five feet from the first story building facade and shall include an architecturally compatible roof treatment or element along such building line break". The proposed language would require a second story and above to provide an additional 5-foot minimum setback for all yards.
- b. ~~2nd Story Floor Area Limit (FAL)~~ – The Village of North Palm Beach adopted a second story floor area regulation for their residential zoning district which reads: "Second-Story Floor Area. The floor area of the second story of a single-family dwelling shall not exceed seventy-five percent (75%) of the floor area of the first story. For the purposes of this subsection, floor area shall include all areas lying within the building perimeter established by the interior side of the exterior walls of the building, including garages, covered patios, and other open-air exterior areas that are under roof. The floor area for the second story shall include areas open to below." Staff would propose adopting the same language.
- c. ~~Increase Minimum Landscape Open Space Percentage~~ – the Town's minimum Landscape Open Space Percentage for single-family dwelling uses range between 20-25%. The increase in the percentage would require for the balance of the lot coverage to not be used for non-permeable surfaces, such as driveways, concrete pads, pool decks, artificial turf, etc... The Town's consultant Chen Moore & Associates (CMA) is currently reviewing the Town's Landscape Requirements in its entirety, where regulations for single-family homes such as minimum landscape open space, and the addition of trees, hedges and/or other landscape materials may be recommended.
- d. ~~Design Review~~ – At the workshop, the implementation of a design/pattern book was discussed. The Town cannot enforce the architecture of single-family homes not located in a PUD but may provide a pattern/design book which highlights the Town's desired architectural styles reflecting the vernacular of Old Florida as identified in Code Section 34-116 (3)(h)(1) that would serve as a recommendation guide for single-family projects. The pattern book would be helpful as the Town can still enforce Architectural Styles for projects other than single-family and two-family dwellings.

ACTION: The motion passed 3-2 with Mayor Wheeler and Vice Mayor Pro Tem Davis opposed.

14. Engineering Analysis Report for the Pelican Lake Gazebo

Mayor Wheeler, Vice Mayor Callaghan, and Councilmember Halpern gave consensus to move this item to the next meeting.

15. (Originally Item #11) Pelican Lake Aquatic Weed and Algae Control

MOTION: Davis/Callaghan made a motion to authorize staff to implement any combination of management techniques recommended by the Town's environmental consultant, as needed, to maintain the health and appearance of Pelican Lake without requiring prior approval from the Town Council for each treatment; have spray logs available for Town Council; and notify Council when the chemical changes.

ACTION: The motion passed unanimously.

16. (Originally Item #12) Juno Beach Ecology Group Native Plant Donation

MOTION: Halpern/Callaghan made a motion to approve the donation.

ACTION: The motion passed 4-1 with Mayor Wheeler opposed.

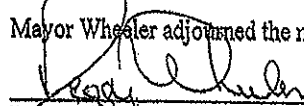
COMMENTS FROM THE COUNCIL

Mayor Wheeler, Vice Mayor Callaghan, and Councilmember Halpern gave consensus to have the Town Manager facilitate the June 2nd Workshop.


Council gave unanimous consensus to proceed with a roundtable format for the June 2nd workshop, contingent upon microphone compatibility with the proposed layout.

ADJOURNMENT

Mayor Wheeler adjourned the meeting at 9:59pm.



Peggy Wheeler, Mayor



Caitlin B. Copeland-Rodriguez, Town Clerk



TOWN COUNCIL REGULAR MEETING MINUTES

July 23, 2025 at 5:00 PM

Council Chambers – 340 Ocean Drive and YouTube

PRESENT: PEGGY WHEELER, MAYOR
JOHN CALLAGHAN, VICE MAYOR
DIANA DAVIS, VICE MAYOR PRO TEM
MARIANNE HOSTA, COUNCILMEMBER
DD HALPERN, COUNCILMEMBER (*Via Zoom*)

ALSO PRESENT: ROBERT A. COLE, TOWN MANAGER
LEONARD RUBIN, TOWN ATTORNEY
CAITLIN COPELAND-RODRIGUEZ, TOWN CLERK
FRANK DAVILA, DIRECTOR OF PLANNING & ZONING
EMILY ALVES, FINANCE/HR DIRECTOR

AUDIENCE: 17

CALL TO ORDER – 5:00pm

PLEDGE ALLEGIANCE TO THE FLAG

ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA

Council gave unanimous consensus to move Consent Agenda Items #3 and #4 to the end of the agenda; move Item #9 before Item #8; and add a discussion on the Town Attorney position during Comments from the Council; and have Comments from the Council start at 9PM.

COMMENTS FROM THE TOWN MANAGER, THE TOWN ATTORNEY, AND STAFF

Mayor Wheeler, Vice Mayor Pro Tem Davis, Councilmember Halpern, and Councilmember Hosta gave consensus for the Town Manager to contact the City of Palm Beach Gardens by phone and to send a formal letter expressing the Town's opposition to the proposed annexation of 12010 U.S. Highway One.

COMMENTS FROM THE PUBLIC

All Non-Agenda items are limited to three (3) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Town Council). Town Council will not discuss these items at this time.

Public Comments Opened at 5:19PM.

Public Comments Closed at 5:27PM.

CONSENT AGENDA

1. Town Council Meeting Minutes - June 25, 2025
2. Resolution 2025-01 (Amending the Town's Quasi-Judicial Procedures)
3. ~~Resolution No. 2025-09 Agreement with Seacoast Utility Authority~~
4. ~~Resolution No. 2025-10 Rules of Procedure & Town Council Protocols~~
5. Resolution No. 2025-11 - MPSCC Fourth Amendment to Interlocal Agreement
6. Proclamation – Florida Water Professionals Month 2025
7. Year to Date (YTD) Financial Statements

MOTION: Davis/Callaghan made a motion to approve the consent agenda as amended.

ACTION: The motion passed unanimously.

COUNCIL ACTION/DISCUSSION ITEMS

9. Resolution No. 2025-08: Annual Garbage Assessment Collection (Non-Ad Valorem) FY 2025-2026

MOTION: Davis/Hosta made a motion to approve Resolution No. 2025-08 – adopting the non-ad valorem assessment for garbage collection for single-family properties in the amount of \$260.52 per unit for Fiscal Year 2025-2026.

ACTION: The motion passed unanimously.

8. Impact of Senate Bill 180 on Appearance Review (Harmony) for Single-Family Dwellings

Mayor Wheeler passed the gavel.

MOTION: Wheeler/Hosta made a motion to go with option 1 and revert back to base zoning.

ACTION: The motion failed 2-3 with Vice Mayor Callaghan, Vice Mayor Pro Tem Davis, and Councilmember Halpern opposed.

Mayor Wheeler recessed the meeting at 7:26PM.

Mayor Wheeler reconvened the meeting at 7:32PM.

MOTION: Halpern/Davis made a motion to have a consultant review this scenario and come up with an alternative that is not more restrictive or burdensome and that allows people to build the second story or towers that they're entitled to while adding definitions to bulk, scale, and mass.

MOTION AMENDMENT: Davis made a motion to amend the motion above to continue the zoning in progress for single-family homes to allow time for code changes to be put in place; to grant planning & zoning staff final authority over appearance review 34-1163(b)2 for harmony with the language comparison of the buildings or structures within the same contiguous zoning code as suggested in the May 28, 2025, memorandum; and continue with improving our zoning codes with Chen Moore & Associates; and pursue the architectural pattern book prices; and continue working on landscape improvements.

ACTION ON AMENDMENT: Motion to amend failed for lack of a second.

ACTION: The motion failed 2-3 with Mayor Wheeler, Vice Mayor Callaghan, and Councilmember Hosta opposed.

Base Zoning
34-2608,
option
one
failed

come back
with

34-
116(3)(b)

2.
options

still -
34-116(3)(b)
2.

May 28
proposal
failed
rescinded

MOTION: Callaghan/Davis made a motion to have staff come back with best options to move forward that are less restrictive and amend the current Ordinance.

MOTION AMENDMENT: Callaghan made a motion to amend the above motion to include having staff look at ways to clarify harmony review of 34-116(3)(b)(2) for RS1 – RS5 zoning codes.

ACTION ON AMENDMENT: The motion failed for lack of a second.

ACTION: Vice Mayor Callaghan withdrew the motion.

MOTION: Callaghan/Halpern made a motion to have staff come back with available options and a recommendation for a course of action at the next meeting.

ACTION: The motion passed 3-2 with Mayor Wheeler and Councilmember Hosta opposed.

Mayor Wheeler passed the gavel.

MOTION: Wheeler made a motion to rescind the zoning in progress.

ACTION: Motion fails for lack of a second.

MOTION: Davis made a motion to rescind the zoning in progress that anticipates moving forward with the May 28th memorandum due to Senate Bill 180.

Mayor Wheeler passed the gavel and seconded the motion.

ACTION: The motion passed 4-1 with Vice Mayor Callaghan opposed.

MOTION: Halpern made a motion to amend the language set forth in section 34-116 to state: "for the purpose of this section, the comparison of harmony between buildings shall consider the buildings and structures within the same zoning district."

ACTION: The motion failed for lack of a second.

MOTION: Callaghan/Davis made a motion to have a special meeting.

ACTION: The motion passed 4-1 with Mayor Wheeler opposed.

Council gave unanimous consensus to go through the budget item up until 9:30PM.

10. FY 2025-2026 Proposed Ad Valorem Millage Tax Rate and Public Hearing Date

Council gave unanimous consensus to go through the faster version of the budget presentation.

MOTION: Davis/Hosta made a motion to approve a tentative millage rate of 1.8195 mills for Fiscal Year 2025-2026; and set the first public hearing date for September 8, 2025, at 5:30PM.

ACTION: Motion withdrawn.

MOTION: Callaghan/Halpern made a motion to approve a tentative millage rate of 1.98 mills for Fiscal Year 2025-2026; and set the first public hearing date for September 8, 2025, at 5:30PM.

ACTION: Motion failed 2-3 with Mayor Wheeler, Vice Mayor Pro Tem Davis, and Councilmember Hosta opposed.

MOTION: Davis/Hosta made a motion to approve a tentative millage rate of 1.8195 mills for Fiscal Year 2025-2026; and set the first public hearing date for September 8, 2025, at 5:30PM.

ACTION: The motion passed unanimously.

11. One-Cent Surtax – FY2025/2026 Projects List for Oversight Committee

MOTION: Callaghan/Hosta made a motion to approve the proposed Fiscal Year 2025-2026 One-Cent Discretionary Surtax Projects List and submit the Projects List to the Palm Beach County League of Cities Infrastructure Surtax Citizen Oversight Committee as requested.

Vice Mayor Callaghan withdrew the motion.

MOTION: Halpern/Hosta made a motion to approve the proposed Fiscal Year 2025-2026 One-Cent Discretionary Surtax Projects List with the Universe Boulevard project being added to year 2027; and submit the Projects List to the Palm Beach County League of Cities Infrastructure Surtax Citizen Oversight Committee as requested.

ACTION: The motion passed 4-1 with Vice Mayor Pro Tem Davis opposed.

~~12. Discussion on Legal Risks~~

~~3. Resolution No. 2025-09 Agreement with Seacoast Utility Authority~~

~~4. Resolution No. 2025-10 Rules of Procedure & Town Council Protocols~~

COMMENTS FROM THE COUNCIL

MOTION: Davis/Halpern made a motion to have the Strategic Plan placed on as an agenda item.

ACTION: The motion passed 3-2 with Mayor Wheeler and Councilmember Hosta opposed.

Council gave unanimous consensus to add the following items to a future agenda: Discussion on Town Communications; Discussion on Record Keeping with Volunteers; Discussion on Legislative updates; and have a Special Meeting on August 7, 2025, at 3PM.

Council gave unanimous consensus to have the Town Attorney present the legislative updates at the next regular Town Council meeting.

MOTION: Halpern/Davis made a motion to revert to staff review for the approval or denial of new single-family applications.

ACTION: Motion withdrawn.

ADJOURNMENT

Mayor Wheeler adjourned the meeting at 10:00PM.


Peggy Wheeler, Mayor


Caitlin Copeland-Rodriguez, Town Clerk



Attachment 3

Clarification regarding "appearance review" (single family RS1 - RS5) and applicability of SB 180

From Diana Davis <ddavis@juno-beach.fl.us>

Date Sun 6/8/2025 8:58 AM

To Robert Cole <rcole@juno-beach.fl.us>; Len Rubin <len@torcivialaw.com>; Frank Davila <fdavila@juno-beach.fl.us>; Stephen Mayer <smayer@juno-beach.fl.us> <smayer@juno-beach.fl.us>

Dear Rob Cole, Len Rubin, and Team,

I had hoped we would have a definitive timeline for SB 180's disposition, but as Matt Singer's note below clarified, the 7-day clock for the Governor's signature does not begin until the bill is formally presented during session or 14-days after session.

In light of this, I believe it is our duty—as prudent stewards of the public trust—to prepare for the likelihood that SB 180 will be signed. Our planning and recommendations to Council should, in my view, proceed with that assumption in mind.

Specifically, I am concerned that if appearance review criteria in Juno Beach Municipal Code Section 34-116(3)(b)2., (referred to as "the harmony review") are not maintained for single-family homes in RS-1 through RS-5 districts, to compare mass, bulk, scale and proportion, then **Town will lose the ability to evaluate and mitigate the size and impact of new construction using the proposed mitigation tools of step-backs for second stories, and smaller second stories that were in the staff memo presented at the May 28th meeting.** SB 180 will prohibit any more stringent or burdensome regulations than were in effect August 2024, similar to the previous SB 250. **The "harmony review" of 34-116(3)(b) 2, was in effect as of August 2024.** It provides a complying ordinance that could be "further clarified" to include the suggested mitigation tools of stepping back the second story and a 75% second story size. SB 180 would not prohibit clarifying or further defining ordinances that existed at the time of August 2024, however a new requirement that is considered more stringent or burdensome would be prohibited, such as a new ordinance to only use 34-268 plus step backs for a 2nd floor plus 2nd floor at 75% which is what I understand the May 28th memo to propose.

Without section 34-116(3)(b)2 in effect, the effect of the staff memo that was approved by Council in a split vote will be only the base zoning provisions of Section 34-268 (i.e., setbacks and 35% lot coverage). That would significantly narrow our ability to achieve compatibility and protect neighborhood character. If that will be the effect, then it should be clearly communicated to Town Council so that they know that the mitigation measures suggested by the staff memo at the May 28th meeting (step backs and smaller 2nd stories) are not possible under SB 180, unless it is to further clarify the existing harmony review of section 34-116(3)(b)2, to compare mass, bulk, scale and proportion in context (for RS1 – RS5). Also the relevant time frame to go back to these mitigation factors, should be explained that we could not have any of the additional mitigation if 34-116(3)(b)2, is removed for single family RS1 – RS 5, until possibly October 2027, if Council were to bring it back at that time.

Because at least some on Council who voted to approve the staff memo concepts at the May 28th Town Council meeting, believe that the harmony review of 34-116(3)(b)2, was part of the solution presented for the single family home reviews for RS1 through RS 5; then bringing this concept back would be both consistent with the majority Appearance Review Workshop vote, and consistent with the testimony at

22

the May 28th meeting that referred to "harmony" remaining, which was interpreted by some on Council who voted yes, to mean that the 34-116(3)(b)2, concept remained for single family homes RS1 through RS2. (Eyes on Juno Blog)

[In my opinion, the conversions regarding "harmony remaining" in our code and "architectural Old Florida style" remaining in our code, was not clearly communicated that it is no longer applicable to the single family home reviews of RS1-RS5, if the Council vote on May 28th is implemented through resolution language for the zoning in progress or implemented through ordinance and two readings]

As to architectural review, it is also important to communicate that this is a forever decision, that there will be no going back, even if the three members of Town Council are not re-elected, this would have been decided forever, unless Florida Statute Section 163.3202 is amended. I am still working to obtain information as to the costs of a Writ of Cert action, which is the only downside of continuing with architectural review and then being challenged if we turn down a project based on architectural review. I would like to further define the litigation risk that Bert Harris Act may present to the evaluation of Mass, Bulk, Scale and proportion; in contrast to factors such as height.

There should also be communication to Town Council that removal of 34-116(3)(b)1 and 2, for review of single family homes in zoning codes RS1-RS5, will limit the Town's opportunities with our consultants TCRPC contracted and budgeted for our Master Plan and for our code improvements with Chen Moore and Associates approved by Town Council to look at "sound and slow growth" (highest priority of Town Council) and FAR, due to SB 180.

I'm aware that our Town staff and Town attorney understands these implications. However, they were not clearly articulated in the memorandum or during the discussion at the last Council meeting. I felt it was important to formally note that omission. **If we are to function effectively as a team and offer the best guidance to our community, we must over-communicate—especially on matters of such lasting consequence. Clear and complete information builds trust and strengthens collaboration.**

As communicated to Frank Davila and Steven Mayer, I am working on finding examples in our community of the resulting FAR represented by the proposal in the May 28th Town Council meeting to understand the mass, bulk, scale and proportion it represents. I am also working on understanding potential litigation risks with the Bert Harris Act for mass, bulk, scale and proportion types of land development regulations, including damages awarded, and mitigation such as insurance. I am gathering information on Writ of Cert cases that are brought if someone opposes a land development decision and what costs it represents.

I look forward to speaking with each of you regarding these issues in the coming weeks prior to our next Town Council meeting. Thank you for taking the time to consider these concepts.

Best regards,

Diana Davis

Vice Mayor Pro Tem

561-267-7772

From: Matt Singer <MSinger@flcities.com>
Sent: Saturday, June 7, 2025 10:38 AM
To: Diana Davis <ddavis@juno-beach.fl.us>
Subject: Re: Is there any news on the signing of SB 180?

23


Hi Vice Mayor,

Thank you so much for the kind words — I really appreciate it!

SB 180 has not yet been presented to the Governor, so the 7-day window to sign or veto the bill hasn't started. There's no formal "drop dead" date for presentation — the Legislature can technically hold it for weeks or as long as they desire. Once it's presented, the Governor will have 7 consecutive days to act, since we're still technically in session. If they do not present the bill until after session, the Governor will have 14 consecutive days to act. The bill becomes effective upon signage.

I'll be sure to let you know as soon as any action is taken on it.

Thanks again,
Matt

Matt Singer
Legislative Advocate
Florida League of Cities, Inc.
(850) 701-3652
 Image

From: Diana Davis <ddavis@juno-beach.fl.us>
Sent: Friday, June 6, 2025 5:04:32 PM
To: Matt Singer <msinger@flcities.com>
Subject: Is there any news on the signing of SB 180?

Hi Matt,

I appreciate what a great job you did this legislative session on behalf of the League of Cities & Juno Beach! If you find out that Senate Bill 180 is signed, please let me know.

Also, what is the drop dead date to sign SB 180, if there is one.

Thanks again for all that you do,
Diana Davis, Vice Mayor Pro Tem
Juno Beach