

TOWN OF JUNO BEACH, FLORIDA

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.

WHEREAS, Article VIII of the Florida Constitution and Chapter 166, Florida Statutes, provide municipalities with governmental, corporate, and proprietary powers to conduct municipal government, perform municipal functions, and render municipal services, and to exercise any power for municipal purposes except as expressly prohibited by law; and

WHEREAS, the Town Council of the Town of Juno Beach, Florida, as the governing body of the Town, is authorized pursuant to Chapters 163 and 166, Florida Statutes, to adopt and amend land development regulations; and

WHEREAS, Section 177.071, Florida Statutes, provides that a local government may not require plat approval by the governing body and authorizes the delegation of plat review and approval to administrative officials in accordance with adopted regulations; and

WHEREAS, the Town Council of the Town of Juno Beach has expressly recognized and implemented the requirements of section 177.071, Florida Statutes, by adopting Resolution No. 2025-12 on August 26, 2025, which delegates authority for the administrative review and approval of plats and replats to Town staff, including designation of the Town Manager as the administrative official authorized to approve plats and replats; and

WHEREAS, the Town Council has expressed its intention 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 to modify appearance, including architectural, review procedures for detached single-family dwellings so that such review is 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

WHEREAS, the Town's Planning and Zoning Board, acting as the Local Planning Agency, has conducted a duly noticed public hearing on this Ordinance and transmitted its recommendation to the Town Council; and

WHEREAS, notwithstanding prior concerns regarding administrative review, the Town Council has determined that site plan and appearance (including architectural) review of detached single-family dwellings not located within an approved Planned Unit Development should be returned to the Planning and Zoning Board for final action and shall be authorized for review by administrative staff; and

WHEREAS, the Town Council finds that adoption of this Ordinance is in the best interests of the public health, safety, and 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. Adoption of Recitals. The foregoing "Whereas" clauses are hereby ratified as true and confirmed and are incorporated herein.

Section 2. Amendments. 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. Conflicts. All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are conflict with this Ordinance, are hereby repealed to extent of such conflict.

Section 4. Codification. The provisions of this Ordinance shall become and be made a part of the Zoning Code of the Town of Juno Beach, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word “ordinance” may be changed to “section,” “article” or any other appropriate word.

Section 5. Severability. 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 6. Effective Date. This Ordinance shall be effective immediately upon final adoption.

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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