

1 TOWN OF JUNO BEACH, FLORIDA

2
3 ORDINANCE NO. _____

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; AMENDING ARTICLE I, "IN GENERAL," BY
8 AMENDING SECTION 34-4, "DEFINITIONS," TO INCLUDE A DEFINITION
9 FOR THE TERM BUILDING DESIGN ELEMENTS; AMENDING DIVISION 4,
10 "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II,
11 "ADMINISTRATION AND ENFORCEMENT," BY AMENDING SECTION 34-
12 116, "REQUIRED; CRITERIA," TO EXCLUDE REGULATION OF BUILDING
13 DESIGN ELEMENTS FOR SINGLE-FAMILY AND TWO-FAMILY
14 DWELLINGS; PROVIDING FOR CODIFICATION, SEVERABILITY,
15 CONFLICTS AND AN EFFECTIVE DATE.

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

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21 WHEREAS, the Town Council wishes to amend Chapter 34, "Zoning," of the Town
22 Code of Ordinances by modifying Section 34-116(3) to exclude the regulation of building
23 design elements from appearance review for single-family and two-family dwellings and
24 modifying Section 34-4 to incorporate a definition for the term building design elements; and

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26 WHEREAS, the Town's Planning and Zoning Board has conducted a public hearing
27 on this Ordinance and provided its recommendation to the Town Council; and

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29 WHEREAS, the Town Council has determined that adoption of this Ordinance is in
30 the best interests of the general welfare of the Town of Juno Beach.

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32 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUNO
33 BEACH, FLORIDA as follows:

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35 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and
36 confirmed and are incorporated herein.

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38 **Section 2.** The Town Council hereby amends Article I, "In General," of Chapter 34,
39 Zoning," of the Town Code of Ordinances by amending Section 34-4, "Definitions," to read as
40 follows (additional language underlined):

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42 **Sec. 34-4. Definitions.**

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44 For the purposes of this chapter, the following terms and words are
45 hereby defined. Words used in the present tense shall include the future; the
46 singular number shall include the plural; and the plural the singular; the term
47 "used for" shall include the meaning "designed for;" the term "structure" shall
48 include the term "building;" the term "lot" shall include the terms "plot" and "tract;"
49 the word "shall" is mandatory and not directory.

* * *

Building. See *Structure*.

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.

Building dimension means 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, porte-cocheres, and other similar features.

* * *

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):

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:

* * *

- (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 appearance review and approval or denial, or approval with modifications 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. Appearance review for single-family and two-family dwellings shall not include regulation of building

design elements. The criteria to be used in this review shall be to ascertain that the proposed site plan for new development meets the following criteria:

* * *

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 _____ day of _____, 2025.

SECOND, FINAL READING AND ADOPTION this _____ day of _____, 2025.

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 COPELAND-RODRIGUEZ
TOWN CLERK

LEONARD G. RUBIN
TOWN ATTORNEY