

**AGENDA**  
**TOWN OF JUNO BEACH, FLORIDA**  
**PLANNING AND ZONING BOARD MEETING**

October 20, 2014 4:30 pm  
 Council Chambers  
 340 Ocean Drive

NOTICE: If any person decides to appeal any decision of the Planning and Zoning Board at this meeting, he will need a record of the proceedings and for that purpose, he may need to ensure that a verbatim record of the proceedings is made, such record includes the testimony and evidence upon which the appeal is to be based. The Town does not prepare or provide such record. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact Vanessa Dunham, Town Clerk, at least 48 hours in advance to request such accommodations.*

- ~ CALL TO ORDER
- ~ PLEDGE OF ALLEGIANCE TO THE FLAG
- ~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA

1. PUBLIC COMMENTS

2. MINUTES

*Staff recommendation: Consider a motion to approve the Planning and Zoning Meeting minutes of October 6, 2014.*

3. ORDINANCE No. 678 - APPEARANCE REVIEW CRITERIA, ARCHITECTURAL STYLE

4. DISCUSS THE UPDATE OF CHAPER 34, ARTICLE IV, ARTICLE V AND VI (ZONING CODE)

5. COMMENTS FROM STAFF

6. COMMENTS FROM THE BOARD

7. ADJOURNMENT

OCTOBER 20, 2014	PLANNING AND ZONING BOARD MEETING	4:30 PM
OCTOBER 22, 2014	TOWN COUNCIL MEETING	5:30 PM
OCTOBER 24, 2014	OKTOBERFEST	5:30 PM
NOVEMBER 3, 2014	PLANNING AND ZONING BOARD MEETING	4:30 PM
NOVEMBER 11, 2014	VETERAN'S DAY – TOWN CENTER CLOSED	
NOVEMBER 12, 2014	TOWN COUNCIL MEETING	5:30 PM
NOVEMBER 27, 2014	THANKSGIVING HOLIDAY – TOWN CENTER CLOSED	
NOVEMBER 28, 2014	THANKSGIVING HOLIDAY – TOWN CENTER CLOSED	

**MINUTES**  
**TOWN OF JUNO BEACH**  
**PLANNING AND ZONING BOARD MEETING**

**October 6, 2014**  
Council Chambers  
340 Ocean Drive

PRESENT: SYDNEY VICKERS, CHAIR  
WARREN TURNER, VICE CHAIR  
MICHAEL STERN, BOARDMEMBER  
JACK KNEUER, BOARDMEMBER  
BOB HAMILTON, ALTERNATE BOARDMEMBER

ALSO PRESENT: FRANK DAVILA, PLANNING TECHNICIAN  
LEONARD RUBIN, TOWN ATTORNEY  
ADA OLIVER, ADMINISTRATIVE SECRETARY

ABSENT: DON FELICELLA, BOARDMEMBER  
RUBEN CRUZ DIRECTOR OF PLANNING & ZONING

Chair Vickers called the Planning and Zoning Board Meeting to order at 4:30 pm.

Audience: 0

- ~ CALL TO ORDER
- ~ PLEDGE OF ALLEGIANCE TO THE FLAG
- ~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA – None

1. **PUBLIC COMMENTS**- None

2. **MINUTES/MOTION**

**MOTION:** Stern/Turner *made motion to approve the September 22, 2014 minutes.*

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

3. **DISCUSS THE UPDATE OF CHAPTER 34, ARTICLE II – (ZONING CODE) Continued**  
Planning Technician Davila stated he will be sitting in for Director of Planning and Zoning Cruz.

Planning Technician Davila indicated to the Board that its continued review of Chapter 34, Article II, would commence on page 13.

Planning Technician Davila entered into the record written comments submitted by Boardmember Felicella. (See attached)

Chair Vickers asked if there were any questions on page 14.

Chair Vickers stated whether Sec. 34-139(b) should be amended to state that the Planning and Zoning Board would "suggest recommendations" rather than "adopt recommendations."

Group discussions indicated wording would remain the same.

Chair Vickers read Boardmember Felicella's comments for page 14.

Town Attorney Rubin indicated that the Town follows the statutory requirements for font sizes when placing advertisements.

Town Attorney Rubin indicated that he would modify the wording of Sec. 34-139(b) to indicate that the Board may transmit a recommendation of denial.

Chair Vickers asked if there were any questions on page 16.

Vice Chair Turner questioned if impact fees were reviewed every 5 years.

Planning Technician Davila stated staff updates the impact fees yearly based on the Engineering News-Record Construction Cost Index.

Chair Vickers read Boardmember Felicella's comments for page 16.

Town Attorney Rubin stated that impact fees, by definition, cannot be used for reoccurring expenses.

Chair Vickers read Boardmember Felicella's comments for page 17.

Town Attorney Rubin indicated that the amount of the fees have increased with the cost index.

Chair Vickers read Boardmember Felicella's comments for page 18.

Town Attorney Rubin stated there is no need for amendment.

Chair Vickers read Boardmember Felicella's comments for page 19.

Planning Technician Davila stated he knew of no review of the impact fees that has occurred in the past 2 years.

Chair Vickers indicated moving into Chapter 34, Article III

Chair Vickers read Boardmember Felicella's comments for page 1.

Planning Technician Davila stated GIS is used for zoning maps.

Chair Vickers read Boardmember Felicella's comments for page 3.

Town Attorney Rubin stated that the word "morals" could be deleted.

Chair Vickers read Boardmember Felicella's comments for page 5.

Town Attorney Rubin indicated that the formula for proportional tower height is set forth in the definitions section.

Chair Vickers read Boardmember Felicella's comments for page 7.

Town Attorney Rubin stated "street line" likely should be changed to "property line" throughout. Town Attorney Rubin to follow up.

Chair Vickers read Boardmember Felicella's comments for page 8.

Town Attorney Rubin indicated that he believed the zero setback refers to townhomes where the area outside the units is owned by the condominium association. Planning Technician Davila indicated that the amount of required open space decreases with an increase in the number of units.

Town Attorney Rubin stated he will follow up on the guest parking space comment.

Chair Vickers read Boardmember Felicella's comments for page 11.

Town Attorney Rubin stated that the increase in the building height within the RMT district has been in the Code for many years and deletion of this provision could raise property rights issues.

Town Attorney Rubin indicated that Boardmember's Felicella's questions are essentially the same as those already posed.

Chair Vickers read Boardmember Felicella's comments for page 18.

Planning Technician Davila stated it is the standard for the zoning code.

Chair Vickers read Boardmember Felicella's comments for page 23.

Planning Technician Davila stated staff will handle.

Chair Vickers asked if there were any remaining questions under Article III.

Consensus indicated there were no additional questions.

4. **COMMENTS FROM STAFF- None**

5. **COMMENTS FROM THE BOARD- None**

6. **ADJOURNMENT** 5:04pm

Chair Vickers adjourned the meeting at 5:04pm

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Chair Sydney Vickers

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Ada Oliver, Administrative Secretary

Comments by Don Felicella

Reference Article II, Division 5, 6. & 7

Page 14, Sec. 34-138 (c) Need requirements for size of notice and font size.

Page 14, Sec. 34-139 (b) Need ability of planning and zoning board to express a recommendation of denial.

Page 16, Sec. 34-169 (a) Need discussion as to the basis of the amount of \$32.32 per dwelling unit.

Page 17, Sec. 34-169 (b) Need discussion as to the basis of the sum of \$0.0824 per square foot for new construction.

Page 17, Sec. 34-169 (c) Need discussion as to expenditures to be for non-reoccurring expenses.

Page 17, Sec. 34-170 (a) Need discussion as to the basis of the amount of \$298.35 per dwelling unit.

Page 17, Sec. 34-170 (b) Need discussion as to the basis of the sum of \$0.5134 per square foot for new construction.

Page 17, Sec. 34-170 (c) Need discussion as to expenditures to be for non-reoccurring expenses.

Page 18, Sec.34-173 (d) Replace six percent with prevailing rate.

Page 19, Sec. 34-175 When was the last review and how is that monitored?

Comments by Don Felicella

Reference Article III, Division 1 thru 8

Page 1, Sec.34-236 (c) Has any government agency converted to a CAD official zoning map?

Page 3, Sec. 34-243 Eliminate "morals"

Page 5, Sec34-268 Maximum tower height: How is the "proportion" determined

Page 7, Sec. 34-290 (5) Why not use property line instead of street line in order to eliminate confusion? (If appropriate then use through out)

Page 8, Sec. 34-290 (7) Where would the 0 ft. rear setback Townhouse be located?

Page 8, Sec. 34-290 (15) Why reduce the landscape open space to 20% and what is the explanation for the "not applicable"?

Page 8, Sec. 34-290 (16) Suggest using one guest space for each ten parking spaces.

Page 11, Sec. 34-314 (11) (a) What benefit does the Town received for this concession?

Page 11, Sec. 34-314 (15) Why reduce the landscape open space to 20% and 15% instead of 25%?

Page 12, Sec. 34-334 (5) Was this a topo or did we eliminate something?

Page 15, Sec. 34-337 (15) Why reduce the landscape open space to 20% and 15% instead of 25%?

Page 18, Sec. 34-368 (15) Why reduce the landscape open space to 20% and 15% instead of 25%?

Page 18, Sec. 34-368 (16) Suggest using one guest space for each ten parking spaces.

Page 22, Sec. 34-400 (16) Why reduce the landscape open space to 20% and 15% instead of 25%?

Page 22, Sec. 34-400 (17) (b) Suggest using one guest space for each ten parking spaces.

Page 23, Sec. 34-429 Needs to be modified, not sure about the reference of preservation of architectural features and styles.

Page 23, Sec. 34-430 (3) Should Group homes be allowed in this district?

Page 24, Sec. 34-435 Did this requirement apply to lot 20?

Page 27 The footprints need to be updated for many of the lots.

# Memorandum

*From the Town of Juno Beach Planning & Zoning Department*

**To:** Joseph Lo Bello, Town Manager; Planning and Zoning Board  
**From:** Ruben Cruz, Director of Planning & Zoning   
**Date:** October 13, 2014  
**Subject:** Ordinance No. 678 / Appearance Review Criteria, Architectural Style

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## Background

As a result of a recent Zoning Board of Adjustment and Appeals hearing, the Town Council directed staff to prepare an Ordinance expanding the scope of the permissible architectural styles within the Town. Section 34-114(b) of the Town Code currently requires that all structures erected within the Town be “of an architectural style representative of or reflecting the 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), or combination thereof style of architecture.”

## Discussion

The Town Council directed staff to amend Section 34-116(b) of the Town Code to allow for an additional “indigenous” style known as Modern (early to mid-20<sup>th</sup> century). Common features that identify this particular 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.

Pursuant to the Town Council’s direction, Staff is proposing for your review and recommendation the attached Ordinance No. 678 amending the Code to allow for Modern (early to mid-20<sup>th</sup> century) design to be an architectural style permitted under Section 34-116(b). Staff has proposed several additional revisions to accommodate the inclusion of this architectural style. The additional language is underlined and the deleted language is stricken through.

## Recommendation

Staff recommends that the Planning and Zoning Board review the proposed Ordinance No. 678 and provide a recommendation to the Town Council.

1 TOWN OF JUNO BEACH, FLORIDA

2  
3 ORDINANCE NO. 678

4  
5 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO  
6 BEACH, FLORIDA, AMENDING CHAPTER 34, "ZONING," OF THE  
7 TOWN CODE OF ORDINANCES TO EXPAND THE LIST OF PERMITTED  
8 ARCHITECTURAL STYLES WITHIN THE TOWN; AMENDING DIVISION  
9 4, "SITE PLAN AND APPEARANCE REVIEW," OF ARTICLE II,  
10 "ADMINISTRATION AND ENFORCEMENT," BY AMENDING SECTION  
11 34-116, "REQUIRED; CRITERIA;" PROVIDING FOR CODIFICATION,  
12 SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR  
13 OTHER PURPOSES.

14  
15 WHEREAS, Section 34-116(2)(b) of the Town Code of Ordinances, governing site  
16 plan and appearance review, currently limits the permitted architectural styles within the  
17 Town to Victorian (Key West Cracker), Spanish revival (Mediterranean) or a combination  
18 thereof; and

19  
20 WHEREAS, the Town Council wishes to expand Section 34-116(2)(b) of the Town  
21 Code to include the modern architectural style; and

22  
23 WHEREAS, the Town's Planning and Zoning Board, as the Local Planning  
24 Agency, has conducted a public hearing on this Ordinance and provided its  
25 recommendation to the Town Council; and

26  
27 WHEREAS, the Town Council has determined that adoption of this Ordinance is  
28 in the best interests of the general welfare of the Town of Juno Beach.

29  
30 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
31 JUNO BEACH, FLORIDA as follows:

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

35  
36 **Section 2.** The Town Council hereby amends Division 4, "Site Plan and Appearance  
37 Review," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town  
38 Code of Ordinances by amending Section 34-116 to read as follows (additional language  
39 underlined and deleted language ~~stricken through~~):

40  
41 **ARTICLE II. ADMINISTRATION AND ENFORCEMENT**

42 \* \* \*

43  
44  
45 **DIVISION 4. SITE PLAN AND APPEARANCE REVIEW**

46 \* \* \*

**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:

(1) Consideration of the application by the town planning and zoning board, which may recommend approval, denial, or approval with modifications; and

(2) Final review and approval or denial, or approval with modifications by the town council. Single-family detached dwellings shall be subject to review and approval only by the town planning and zoning department. The criteria to be used in this review shall be to ascertain that the proposed site plan for new development meets the following criteria:

a. Site plan criteria.

1. Is in conformity with the comprehensive plan and is not detrimental to the neighboring land use;
2. Has an efficient pedestrian and vehicular traffic system, including pedestrian, bicycle, and automotive linkages and proper means of ingress and egress to the streets;
3. Has adequate provision for public services, including but not limited to access for police, fire and solid waste collection;
4. Complies with the provisions of chapter 20, article III, regarding potable water, sanitary sewer, solid waste, drainage, recreation and open space, and road facilities;
5. Is planned in accordance with natural characteristics of the land, including but not limited to slope, elevation, drainage patterns (low areas shall be used for lakes or drainage easements), natural vegetation and habitats, and unique physical features;
6. Preserves environmental features and native vegetation to the maximum extent possible, and

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complies with the Environmentally Sensitive Lands Ordinance;

7. Protects estuarine areas when concerning marina siting, drainage plans, alteration of the shoreline, provisions for public access and other concerns related to water quality and habitat protection;
8. Complies with all sections of this chapter.

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-20<sup>th</sup> 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 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.
2. Is of a design and proportion which enhances and is in harmony with the area;
3. ~~Is representative of the vernacular of Old Florida architectural style, such that~~ Elevator and stairwell shafts and other modern operations and features of a building shall be either

1 completely concealed or embellished with  
2 architectural treatments and features to  
3 minimize large spans of flat surfaces or vertical  
4 elements shall incorporate the elements of the  
5 principal architectural style of the structure;  
6 rooftop equipment and elevator and mechanical  
7 penthouse protrusions shall be concealed;  
8 ~~entirely flat building walls without architectural~~  
9 ~~features shall be eliminated or minimized;~~ and  
10 parking garages and other accessory structures  
11 shall be designed with architectural features and  
12 treatments so that they are well proportioned  
13 and balanced and in keeping with the  
14 architectural style of the principal structure;

- 15
- 16 4. Shall have all on-site structures and accessory  
17 features (such as but not limited to light fixtures,  
18 benches, litter containers, including recycling  
19 bins, traffic and other signs, letter boxes, and  
20 bike racks) compatible in design, materials, and  
21 color;
- 22
- 23 5. Shall have a design in which buildings over 40  
24 feet in height shall appear more horizontal or  
25 nondirectional in proportion rather than vertical,  
26 accomplished by the use of architectural  
27 treatments as described in these criteria;
- 28
- 29 6. Shall locate and design mechanical equipment  
30 with architectural treatments so that any noise  
31 or other negative impact is minimized;
- 32
- 33 7. Complies with the town's community  
34 appearance standards (see article IV, division  
35 14 of this chapter).
- 36

37 **Section 3.** The provisions of this ordinance shall become and be made a part of  
38 the Code of Ordinances of the Town of Juno Beach.

39

40 **Section 4.** If any section or provision of this Ordinance or any portion thereof, any  
41 paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid,  
42 such decision shall not affect the validity of the remainder of this Ordinance.

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44 **Section 5.** All ordinances or parts of ordinances of the Town of Juno Beach,  
45 Florida, which are in conflict with this Ordinance, are hereby repealed to the extent of such  
46 conflict.

**Section 6.** This ordinance shall be effective immediately upon adoption.

FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2014.

SECOND, FINAL READING AND ADOPTION this \_\_\_\_ day of \_\_\_\_\_, 2014.

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MORTON LEVINE, MAYOR

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ELLEN ANDEL, VICE MAYOR

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BILL GREENE, VICE MAYOR PRO TEM

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JIM LYONS, COUNCILMEMBER

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JASON HASELKORN, COUNCILMEMBER

ATTEST:

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

\_\_\_\_\_  
VANESSA M. DUNHAM  
TOWN CLERK

\_\_\_\_\_  
LEONARD G. RUBIN  
TOWN ATTORNEY