

1 TOWN OF JUNO BEACH, FLORIDA

2
3 ORDINANCE NO. 763

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 TO DEFINE AND PROVIDE CRITERIA FOR THE
8 TERM HARMONY; AMENDING ARTICLE I, "IN GENERAL," BY
9 AMENDING SECTION 34-4, "DEFINITIONS," TO DEFINE HARMONY
10 AND RELATED TERMS; AMENDING DIVISION 4, "SITE PLAN AND
11 APPEARANCE REVIEW," OF ARTICLE II, "ADMINISTRATION AND
12 ENFORCEMENT," BY AMENDING SECTION 34-116, "REQUIRED;
13 CRITERIA," TO PROVIDE ADDITIONAL CRITERIA FOR DETERMINING
14 HARMONY WITH THE AREA; PROVIDING FOR CODIFICATION,
15 SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

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17 WHEREAS, the Town's Zoning Code currently provides that when reviewing an
18 application for site plan and appearance approval, the Planning and Zoning Board and the
19 Town Council determine that the proposed project "is of a design and proportion which
20 enhances and is in harmony with the area;" and

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22 WHEREAS, at the recommendation of the Planning and Zoning Board, the Town
23 Council wishes to amend Chapter 34, "Zoning," of the Town Code of Ordinances to define
24 the term harmony and related concepts and to provide additional criteria for determining
25 harmony during site plan and appearance review; and

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

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

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

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

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

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43 **Sec. 34-4. Definitions.**

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45 For the purposes of this chapter, the following terms and words are
46 hereby defined. Words used in the present tense shall include the future; the
47 singular number shall include the plural; and the plural the singular; the term
48 "used for" shall include the meaning "designed for"; the term "structure" shall

1 include the term "building"; the term "lot" shall include the terms "plot" and
2 "tract"; the word "shall" is mandatory and not directory.

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6 Bulk means the overall size and volume of a building or structure.

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10 Harmony means a quality which produces an aesthetically pleasing
11 whole as in an arrangement of varied architectural and landscape elements.
12 Harmony can be achieved through the proper consideration of scale, mass,
13 bulk, proportion, height, orientation, site planning, landscaping, materials and
14 architectural components, including, but not limited to, porches, roof types,
15 fenestration, entrances and stylistic expression.

16 * * *

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19 Mass means the relationship and sizes between different volumes of a
20 building or structure.

21 * * *

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23
24 Proportion means the visual effect of relationship of one portion to
25 another, or of a portion to the whole, or of one thing to another.

26 * * *

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29 Scale means the proportions of a building in relation to its surroundings,
30 particular other buildings in the surrounding context.

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34 **Section 3.** The Town Council hereby amends Division 4, "Site Plan and Appearance
35 Review," of Article II, "Administration and Enforcement," of Chapter 34, "Zoning," of the Town
36 Code of Ordinances by amending Section 34-116 "Required; criteria," to read as follows
37 (additional language underlined):

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39 **Sec. 34-116. - Required; criteria.**

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41 No construction or clearing of land may begin in any district prior to
42 review and approval of the site plan and appearance. The review shall consist
43 of:

44 * * *

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;
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;
3. Elevator and stairwell shafts and other modern operations and features of a building shall be either completely concealed or shall incorporate the elements of the architectural style of the structure; rooftop equipment and elevator and

mechanical penthouse protrusions shall be concealed; and parking garages and other accessory structures shall be designed with architectural features and treatments so that they are well proportioned and balanced and in keeping with the architectural style of the principal structure;

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

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 24th day of May, 2023.

SECOND, FINAL READING AND ADOPTION this 26th day of July, 2023.

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NAY

ALEXANDER COOKE, MAYOR

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PEGGY WHEELER, VICE MAYOR

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MARIANNE HOSTA, VICE MAYOR PRO TEM

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ELAINE K. COTRONAKIS, COUNCILMEMBER

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DD HALPERN, COUNCILMEMBER

ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

CAITLIN COPELAND-RODRIGUEZ
TOWN CLERK

LEONARD G. RUBIN
TOWN ATTORNEY