



# TOWN COUNCIL REGULAR MEETING AGENDA

February 18, 2025 at 1:00 PM

Council Chambers – 340 Ocean Drive and YouTube

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**NOTICE:** If any person decides to appeal any decision of the Town Council at this meeting, he or she will need a record of the proceedings and for that purpose, he or she 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 Caitlin E. Copeland-Rodriguez, Town Clerk, at least 48 hours in advance to request such accommodations.*

The meeting will be broadcast live on The Town of Juno Beach YouTube page and can be viewed any time at: <https://www.youtube.com/@townofjuno-beach477/streams>

**HOW CITIZENS MAY BE HEARD:** Members of the public wishing to comment publicly on any matter, including items on the agenda may do so by: Submitting their comments through the Public Comments Webform at: [https://www.juno-beach.fl.us/towncouncil/webform/public-comments#\\_blank](https://www.juno-beach.fl.us/towncouncil/webform/public-comments#_blank) (all comments must be submitted by Noon on day of Meeting). Please be advised that all email addresses and submitted comments are public record pursuant to Chapter 119, Florida Statutes (Florida Public Records Law). The Town Clerk or designee will read public comments into the record at the appropriate time for no more than three (3) minutes; or make their comment in-person; or participate from a remote location using Zoom – please contact the Town Clerk at [ccopeland@juno-beach.fl.us](mailto:ccopeland@juno-beach.fl.us) by Noon on the day of the meeting to receive the Meeting ID and Access Code. (Please note that all members participating via Zoom must login at least 15 minutes prior to the meeting and will be muted upon entry until Public Comments is called).

***\*Please note that the Zoom meeting will lock for public comments at 1:00pm and no other entries will be permitted.***

*All matters listed under Consent Agenda, are considered to be routine by the Town Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

**CALL TO ORDER**

**PLEDGE ALLEGIANCE TO THE FLAG**

**ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA**

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

**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.*

**CONSENT AGENDA**

1. Town Council Meeting Minutes for January 22, 2025

**COUNCIL ACTION/DISCUSSION ITEMS**

2. Discussion -Traffic Concerns
3. Chen Moore and Associates’ detailed proposal
4. Revised Code of Conduct and Enforcement Options
5. Resolution No. 2025-01 (Amending the Town’s Quasi-Judicial Procedures)
6. Approval of 2025 Town Council Meeting Dates
7. Approval of Town Event Dates for 2025
8. Discussion on Filling Vacant Seat on Audit Oversight Review Committee
9. Appearance Review Board (ARB) Criteria
10. Pelican Lake Sterile Grass Eating Carp Introduction

**COMMENTS FROM THE COUNCIL**

**ADJOURNMENT**



# TOWN COUNCIL REGULAR MEETING MINUTES

January 22, 2025 at 5:30 PM

Council Chambers – 340 Ocean Drive and YouTube

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

ALSO PRESENT: FRANK DAVILA, INTERIM TOWN MANAGER & DIRECTOR OF PLANNING & ZONING  
 EMILY ALVES, FINANCE/HR DIRECTOR  
 ANDREA DOBBINS, PROJECT COORDINATOR/RISK MANAGER  
 LEONARD RUBIN, TOWN ATTORNEY  
 CAITLIN E. COPELAND-RODRIGUEZ, TOWN CLERK

AUDIENCE: 56

## CALL TO ORDER – 5:30PM

## PLEDGE ALLEGIANCE TO THE FLAG

## ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA

*Council gave unanimous consensus to move Consent Agenda Items 3, 4, & 7 to the end of the agenda for discussion; and moved Item #14 up to Item #12.*

## PRESENTATIONS

1. Swearing In Newly Appointed Council Member for Seat #3

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

*Council gave unanimous consensus to: add a discussion on the Juno Beach Police Foundation proposed donation of video cameras and lighting for Pelican Lake; have a Coffee with the Council for The Waterford residents on February 14, 2025; have the Town Manager Candidates Reception on March 4, interviews on March 5 starting at 10:30AM, and a Special Town Council Meeting on March 7<sup>th</sup> at 3PM; and reschedule the February 5, 2025, Audit Oversight Committee Meeting to March 12, 2025.*

## 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 5:42pm.

Public Comments Closed at 5:50pm.

## CONSENT AGENDA

2. Approval of Town Council Meeting Minutes for December 17, 2024
- ~~3. Approval of Town Event Dates for 2025~~
- ~~4. Approval of 2025 Town Council Meeting Dates~~
5. Year to Date (YTD) Financial Statements
6. Asset Disposals
- ~~7. Request for Qualifications (RFQ) for Professional Engineering and Related Services~~

**MOTION:** Halpern/Davis 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.)

8. Request for Special Exception for a Vacant Parcel to become Supplemental Off-site Parking for Beach Plaza

**MOTION:** Davis/Hosta made a motion to approve the applicant's request for approval of a Special Exception use of the Property for supplemental off-site parking for Beach Plaza for two (2) years with the conditions set by the Planning and Zoning Board and to work with staff on additional landscaping on the western perimeter along U.S. Highway One.

**ACTION:** The motion passed unanimously.

9. Application for a Major Development and Site Plan Amendment to the 700 Ocean Drive Planned Unit Development (See attached presentations.)

Council gave unanimous consensus to add Councilmember Davis's list of the names of persons who provided comments on this item to the record (see attached).

**MOTION:** Callaghan/Hosta made a motion to approve the request for the Major Site Plan Amendment, subject to the Applicant providing the Town with the Approval letter from the HOA; and to approve the installation of the swimming pool between the CCCL and the Town's 50-foot setback west of the CCCL, subject to approval by FDEP.

**ACTION:** The motion passed 3-2 with Vice Mayor Halpern and Councilmember Davis opposed.

**Mayor Wheeler recessed the meeting at 7:45PM.**

**Mayor Wheeler reconvened the meeting at 8:00PM.**

10. Ocean Trace Reimbursement Request

Vice Mayor Halpern, Councilmember Davis, and Councilmember Callaghan gave consensus to discuss this item this evening.

**MOTION:** Halpern/Hosta made a motion to reimburse Ocean Trace dollar for dollar for what they paid to the Town for repairs to the Universe Boulevard stormwater infrastructure, based on staff's review, with the funds to come from contingency.

**ACTION:** The motion passed unanimously.

11. Request for Qualifications (RFQ) for Professional Engineering and Related Services (Originally Item #7)

**MOTION:** Halpern/Hosta made a motion to accept the ranking of the Evaluation Committee with the top three (3) qualified firms, WGI, Simmons & White and Engenuity Group, Inc., and authorize the interim Town Manager, Finance Director and Town Attorney to negotiate fees and enter into nonexclusive agreements with each of these firms for a period of 5 years.

**ACTION:** The motion passed unanimously.

12. Discussion -Traffic Concerns (Originally Item #14)

Council gave unanimous consensus to add Councilmember Davis's list of names of persons who provided comments on this item to the record (see attached).

**MOTION:** Davis made a motion to approve the letter to the County to oppose adding the additional lanes specifically to the lanes they are proposed; no to the additional left turn lane northbound onto US1; no to the additional US right lane; no to the additional US1 southbound lane; and add the language "please prioritize crosswalk improvements and seek funding for Donald Ross Road between US1 and Ocean Drive to add bike lanes but not to delay the improvements of the pedestrian crosswalk".

**ACTION:** Motion failed for lack of a second.

**MOTION:** Halpern/Davis made a motion to continue this item on the February agenda or to have a 2<sup>nd</sup> meeting in February to discuss this.

**ACTION:** The motion passed unanimously.

~~13. Chen Moore and Associates' detailed proposal~~

~~14. Revised Code of Conduct and Enforcement Options~~

~~15. Resolution No. 2025-01 (Amending the Town's Quasi-Judicial Procedures)~~

~~16. Discussion on Filling Vacant Seat on Audit Oversight Review Committee~~

~~17. Appearance Review Board (ARB) Criteria~~

~~18. Pelican Lake Sterile Grass Eating Carp Introduction~~

~~19. Approval of Town Event Dates for 2025 (Originally Item #3)~~

~~20. Approval of 2025 Town Council Meeting Dates (Originally Item #4)~~

**COMMENTS FROM THE COUNCIL**

**ADJOURNMENT**

Mayor Wheeler adjourned the meeting at 10:00pm.

\_\_\_\_\_  
Peggy Wheeler, Mayor

\_\_\_\_\_  
Caitlin E. Copeland-Rodriguez, Town Clerk



# 700 Ocean Drive Planned Unit Development

Major Development and Site Plan Amendment &  
Installation of Pool

TOWN COUNCIL MEETING 1/22/24

# Agenda

**Application Details & Request** 1-2

**Background** 3-4

**Site Plan & Project Data** 5-8

**Appearance Review** 9

**Renderings & Elevations** 10-13

**Harmony** 14-15

**Installation of a Pool** 16

**Applicant's Presentation** 17

# Application Details

- Applicant - 700 Ocean Drive Homeowners Association
- Agent – Leslie Thomas of ET Thomas Construction
- Properties – 714 and 716 Ocean Drive
- Property Owners – Natasha and Boris Ivanov
- Planned Unit Development – 700 Ocean Drive Community (consisting of 10 properties)



# Applicant's Requests

- Modifying the 700's Planned Unit Development (PUD) to go from 10 homes to 9 homes
- Demolish the homes on lot 714 and 716 to then combine both properties into one
- Construct one new single-family home on the combined lot



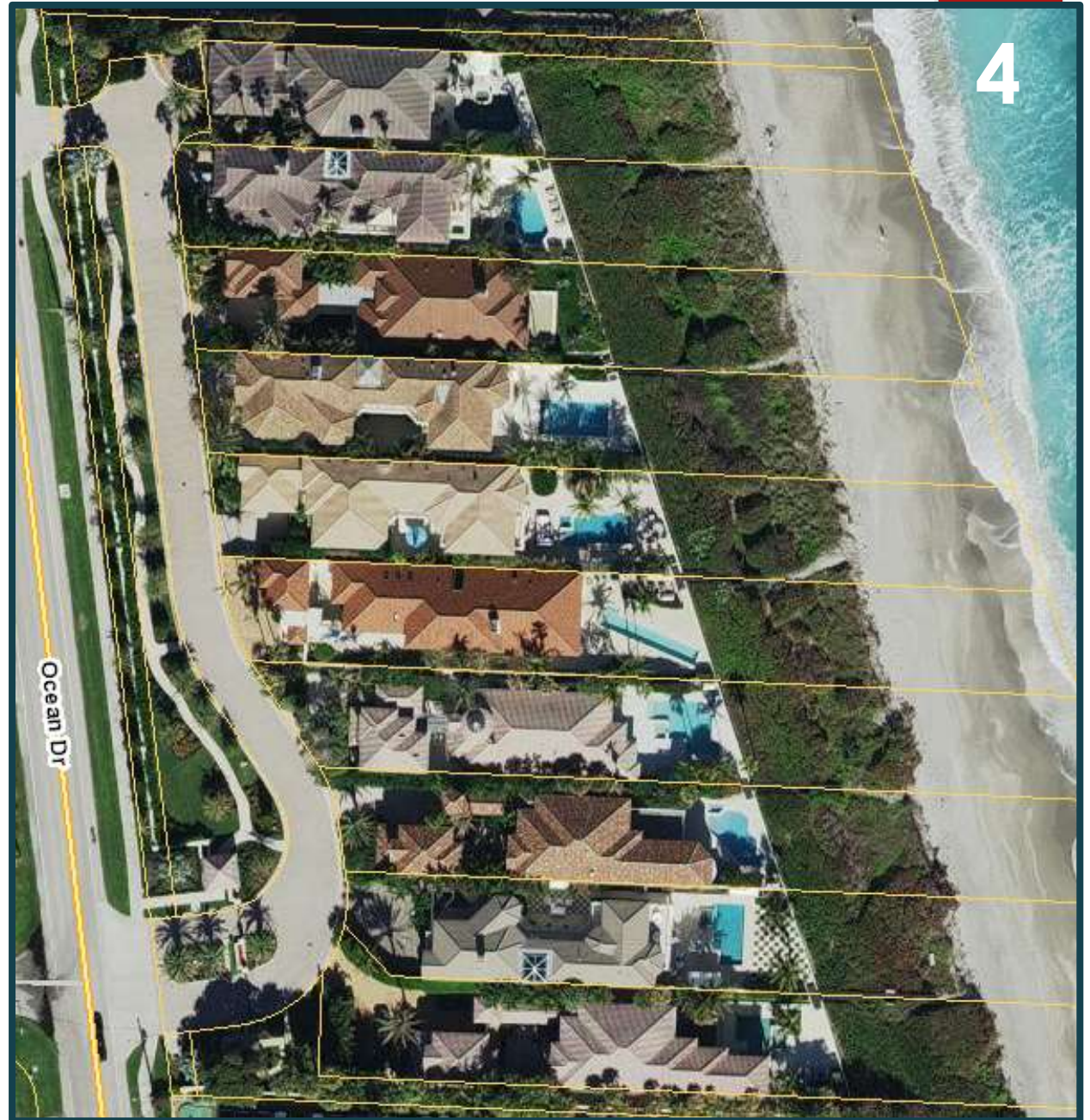
# Background

- Approval Date: January 18, 1989
- Location: 700 Ocean Dr, Juno Beach, FL 33408
- Approx. 5.37 acres, including 10 properties.
- Zoning District: RH - Multi-Family High Density
- Future Land Use: Moderate Density Residential  
(MODR up to 15 du/acre)
- Formerly known as the Ocean Plaza Planned Unit Development



# Background

- July 15, 2024, Planning and Zoning Board unanimously recommended approval for the application, subject to DEP approval
- October 7, 2024, the 700 Ocean Drive PUD Architecture Review Board (ARB) provided recommended changes
- January 9, 2025, the 700 Ocean Drive PUD ARB recommended approval of the current proposed design

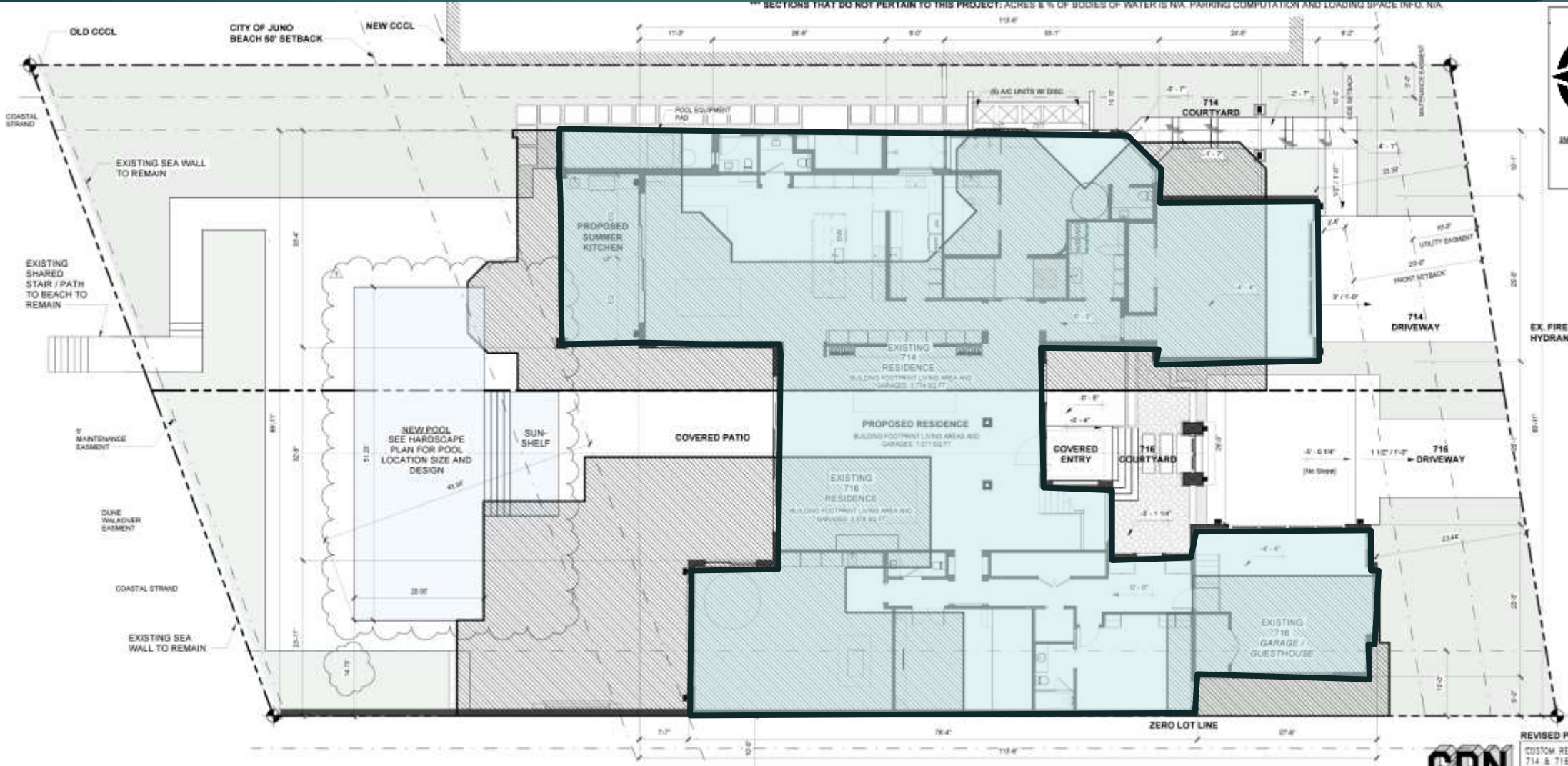


# Site Plan

Gross Building Footprint

Existing: 7,152 sq ft

Proposed: 7,231 sq ft



# Site Plan Data

	<u>EXISTING</u>	<u>EXISTING (COMBINING BOTH PROPERTIES)</u>	<u>PROPOSED (COMBINED PROPERTY)</u>
EXISTING / PROPOSED LAND USE AND ZONING	714: RESIDENTIAL MULTI-FAMILY 716: RESIDENTIAL MULTI-FAMILY ***PLANNED UNIT DEVELOPMENT (PUD) WITH UNDERLYING MULTI-FAMILY HIGH DENSITY (RH) RESIDENTIAL ZONING	PLANNED UNIT DEVELOPMENT (PUD) WITH UNDERLYING MULTI-FAMILY HIGH DENSITY (RH) RESIDENTIAL ZONING TO REMAIN	PLANNED UNIT DEVELOPMENT (PUD) WITH UNDERLYING MULTI-FAMILY HIGH DENSITY (RH) RESIDENTIAL ZONING TO REMAIN
TOTAL ACRES	714: 19,432 SQ. FT. = 0.4461 ACRES 716: 18,896 SQ. FT. = 0.4338 ACRES	38,328 SQ. FT. = 0.8799 ACRES	38,328 SQ. FT. = 0.8799 ACRES
INTENSITY (TOTAL GROSS BLD. SQ. FT.)	714: 7,987 SQ. FT. 716: 4,767 SQ. FT.	12,754 SQ. FT. COMBINED	14,665 SQ. FT.
GROSS BUILDING FOOTPRINT (SQ. FT.)	714: 3,774 SQ. FT. 716: 3,378 SQ. FT.	7,152 SQ. FT.	7,231 SQ. FT.
PERCENT OF OPEN SPACE/ LANDSCAPING, LOT, COVERAGE AND IMPERMIABLE SURFACE (SQ. FT.)	714: EXISTING 10,665 SQ. FT. BUILDING LOT COVERAGE: 4,552 SQ. FT. (42.7%) HARDSCAPE COVERAGE: 4,352 SQ. FT. (40.8%) LANDSCAPE COVERAGE: 1,761 SQ. FT. (16.5%) 716: 10,139 SQ. FT. BUILDING LOT COVERAGE: 4,369 SQ. FT. (43.1%) HARDSCAPE COVERAGE: 2,960 SQ. FT. (29.2%) LANDSCAPE COVERAGE: 2,810 SQ. FT. (27.7%)	EXISTING COMBINED LOTS 20,804 SQ. FT. BUILDING LOT COVERAGE: 8,921 SQ. FT. (42.9%) HARDSCAPE COVERAGE: 7,312 SQ. FT. (35.1%) LANDSCAPE COVERAGE: 2,810 SQ. FT. (22.0%)  *** ALL EXISTING COVERED PATIO CALCULATIONS ARE APPROXIMATED, AS FORMAL DRAWINGS OF EXISTING RESIDENCES ARE INACCESSIBLE.	PROPOSED COMBINED LOTS 20,804 SQ. FT. BUILDING LOT COVERAGE: 8,162 SQ. FT. (39.1%) HARDSCAPE COVERAGE: 6,358 SQ. FT. (30.7%) LANDSCAPE COVERAGE: 6,284 SQ. FT. (30.2%)  *** BUILDING LOT COVERAGE EXCLUDING PATIOS 7,071 SQ. FT. **33.99% OF BUILDABLE LOT SQ. FT.
DENSITY, NUMBER OF DWELLING UNITS (RESIDENTIAL)	714: 1 DWELLING UNIT 6,055 SQ. FT. LIVING AREA 716: 1 DWELLING UNIT 3,240 SQ. FT. LIVING AREA	2 DWELLING UNITS 9,295 SQ. FT. LIVING AREA	1 DWELLING UNIT 11,955 SQ. FT. LIVING AREA
BUILDING HEIGHT - TO CORRESPOND WITH DATA FROM SURVEY AND PROPOSED FINISH FLOOR ELEVATION	714: INSUFFICIENT DOCUMENTATION TO DETERMINE 716: INSUFFICIENT DOCUMENTATION TO DETERMINE	N/A	MAX. ROOF HEIGHT 35'-0" MEASURED FROM AVERAGE GRADE ON SITE (18.88' NAVD) TOP OF ROOF @ 31'-3" FROM PROPOSED FINISH FLOOR HEIGHT OR 53.88' NAVD.

# Lot Sizes

### Existing 716

Lot Size: 18,896 sq. ft.



### Existing 714

Lot Size: 19,432 sq. ft.



### Proposed 714-16




Lot Size: 38,328 sq. ft.



# Project Data

<b>Residential Multiple Family High Density (RH) Building Site Area Regulations</b>		
	<b>Required by the PUD</b>	<b>Applicant's proposal</b>
Maximum lot coverage	50%	<b>18.04%</b>
Building Height	Shall not exceed 40 feet above the highest point of the crown of the road along State Road AIA in front of the project site	<b>31' 3"</b>
Density	10	<b>9</b>
Front yard setback	20' to edge of street pavement	<b>23.3'</b>
Side yard setback	0' and 10'	<b>0' and 10'</b>
Rear yard setback	50 ft. west of CCCL	<b>60 ft. west of the CCCL</b>
Ocean setback	50 ft. west of CCCL	<b>60 ft. west of CCCL</b>
Landscaped Open Space	20%	<b>30.21%</b>
Minimum parking	2 spaces per dwelling unit	<b>9 spaces</b>

# Building Site Area Regulations

	Proposed
Maximum Lot Coverage 	18%
Building Height	31'3"
Front Setback	23.3'
Side Setback 	0' and 10'
Rear Setback 	60' west the CCCL
Landscape Open Space	30.21%
Gross Building Area (total)	14,665 sq ft
Gross Building Footprint	7,231 sq ft



Rendering showing pool and rear elevations



# Appearance Review Criteria

## ▶ Applicants Response

- **Style:** The Old Florida Style consisting of Key West Cracker Coastal and Mediterranean Vernacular
- **Harmony:** Will be kept in relation as setbacks, elevations from sea level, structure height, and materials will all be harmonious with the neighboring homes
- **Modern Operations:** Added stairwell will be an architectural element. Elevator shaft shall be hidden from public view
- **Accessory structures:** The pool, fireplace and outdoor bbq areas will be compatible in design

# Renderings



Proposed Rear



Proposed Street Elevation

# Renderings



Proposed Front

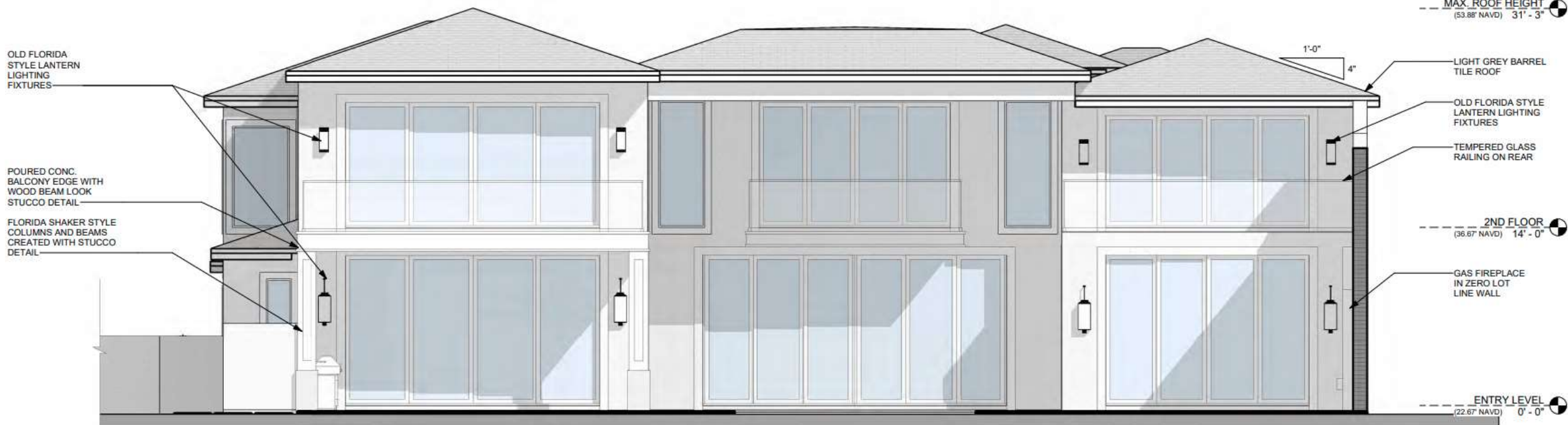


Rear Context

# Front Elevation



# Rear Elevation



# Harmony

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

Staff's response: The structure on 714 Ocean Drive is 7,987 total gross sq. ft., the lot size is 19,432 sq. ft. with a ratio of 41.1%. The structure on 716 Ocean Drive is 4,767 total gross sq. ft., the lot size is 18,896 sq. ft. with a ratio of 25.2%. The new proposed home is 14,665 total gross sq. ft. and the combined lot size is 38,328 sq. ft. with a ratio of 38.26%. The size and volume of the proposed single-family home is compatible with the newly increased lot size.

- **Mass** means the relationship and sizes between different volumes of a building or structure.

Staff's response: The total gross square footage for the other structures in the 700's at Ocean Drive ranges between 4,974 sq. ft. and 7,945 sq. ft., the proposed structure is 14,665 total gross sq. ft. The mass of the proposed single-family home is not compatible in the context of the other structures located within the Planned Unit Development

# Harmony

- **Proportion** means the visual effect of relationship of one portion to another or of a portion to the whole or of one thing to another.

Staff's response: The proportion (ratio) of the elements such as windows, doors, and garages are compatible with the façade (size) of the building.

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

Staff's response: The scale of the proposed single-family home (proportion) is not compatible with the adjacent properties, specifically the width of the structure

# Installation of a Pool

- Located within the Town's 50-foot setback west of the CCCL
- Expansion of the pool will not impact the beach, dune system, mangroves, and other natural resources such as marine and wildlife habitats
- Physical features of the coastal area will not be impacted by the pool
- The FDEP Permit will ensure that all state-mandated regulations are met



# Applicant's Presentation



# Existing 714 and 716 Homes

Item #1.



# New Proposed Residence

Item #1.









716 (North)



714 (South)



Item #1.





# Harmony

- Bulk
- Proportion
- Mass
- Scale

# Mass



Item #1.



Alicante  
Neighborhood



34



571 Ocean Drive



571 Ocean Drive

461 Venus Drive-  
Duplex





451 S Juno Lane

















# US 1 New Homes





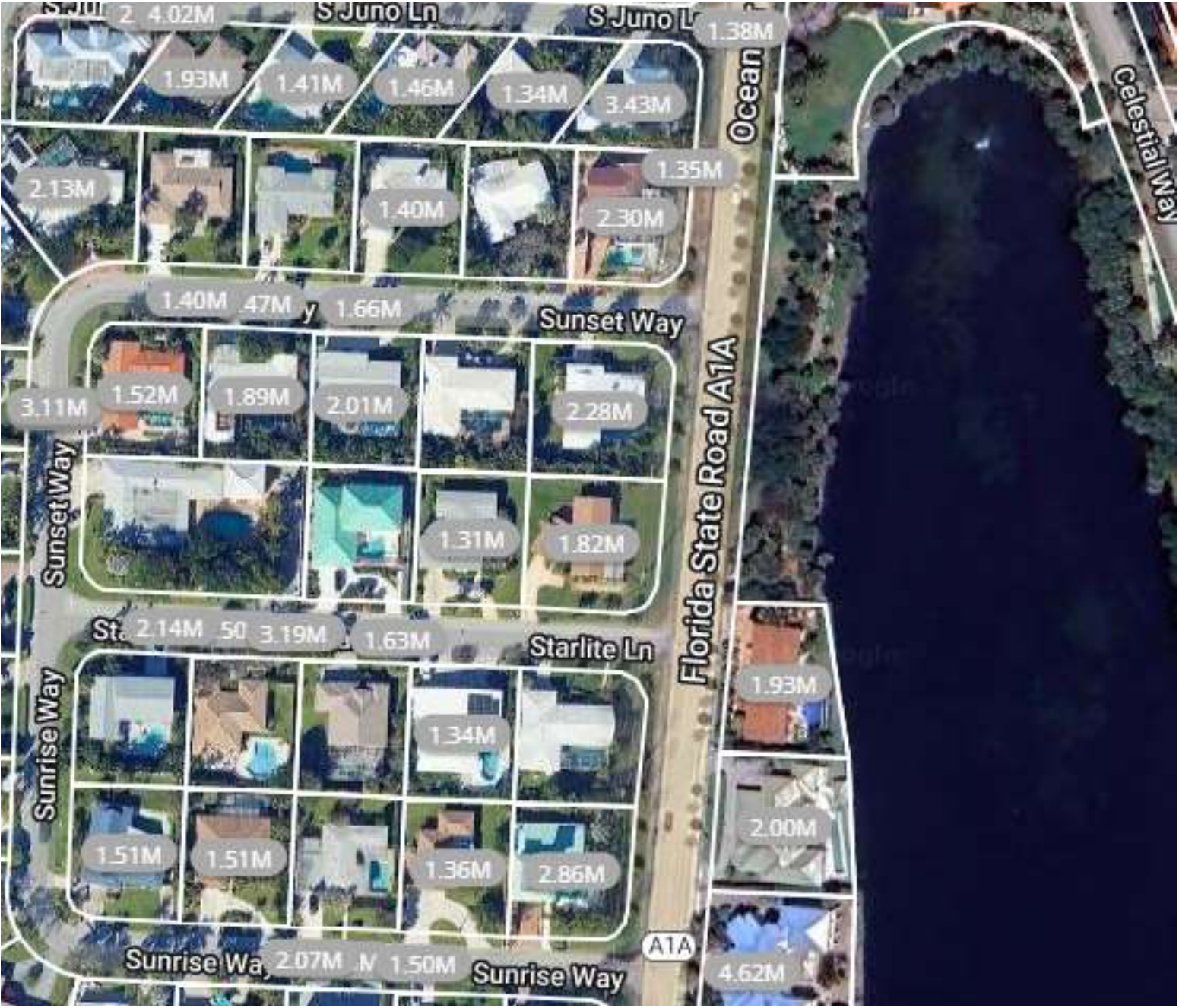
Item #1.

# Scale

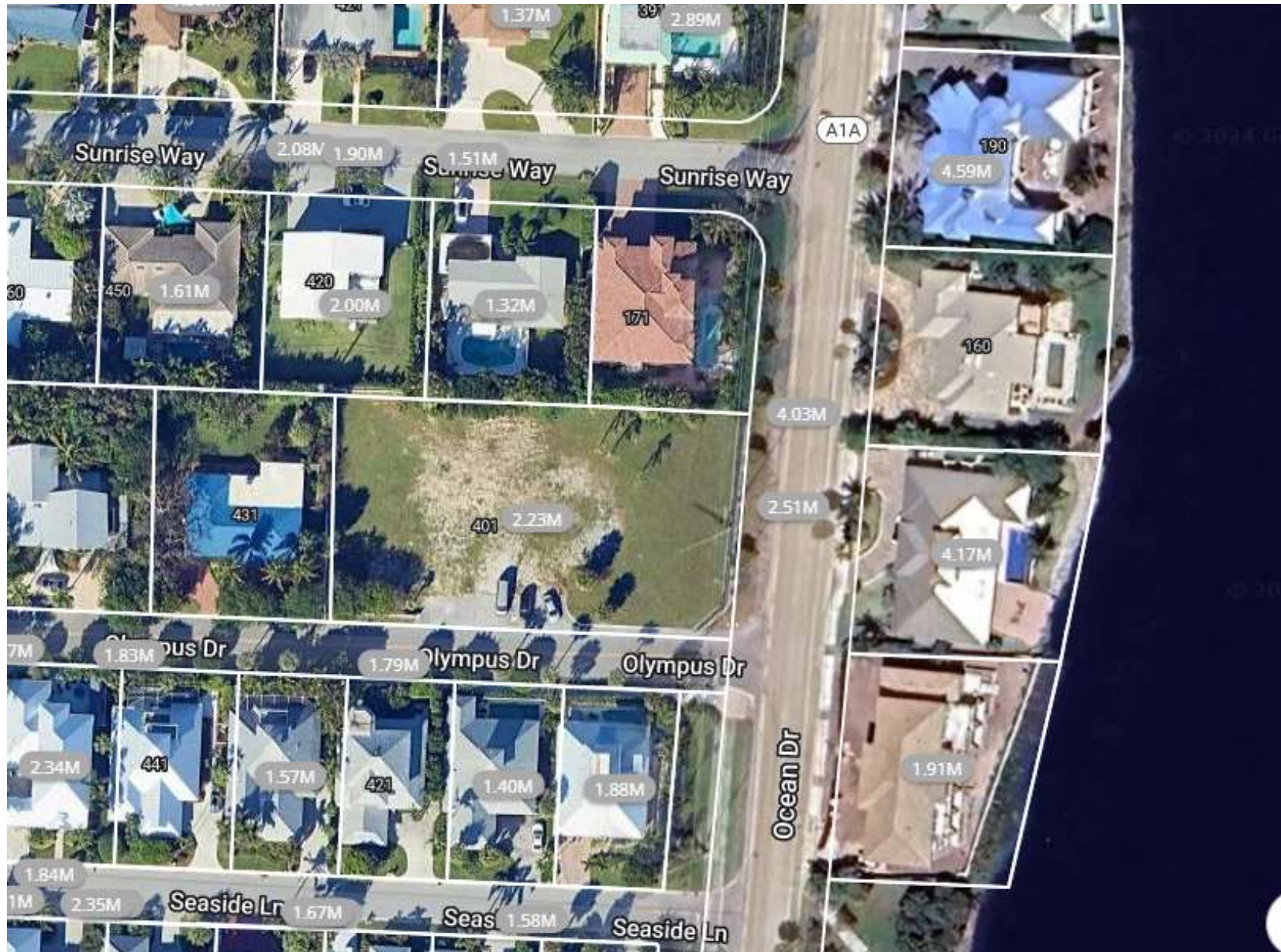


Alicante Neighborhood

# 510 Sunset Way



401  
Olympus



Item #1.





Item #1.

# Harmony Definition

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

# 700 Ocean Drive

Juno Beach, Florida

Prepared for  
**Businessmen's Assurance Company**

### Site Data

total site area	5.59 AC.
area east of C.C.C.L.	2.16 AC.
area west of C.C.C.L.	3.43 AC.
existing approved # units	106
proposed # units	10

### proposed bldg. data

50' wide patio home lots	
lots may be split only to create larger lots	
max. bldg. lot coverage	50%
min. floor area	2,500 s.f.

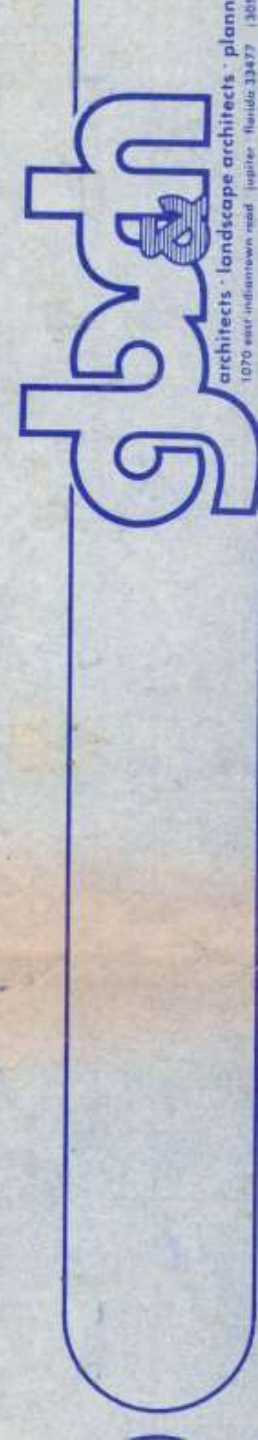
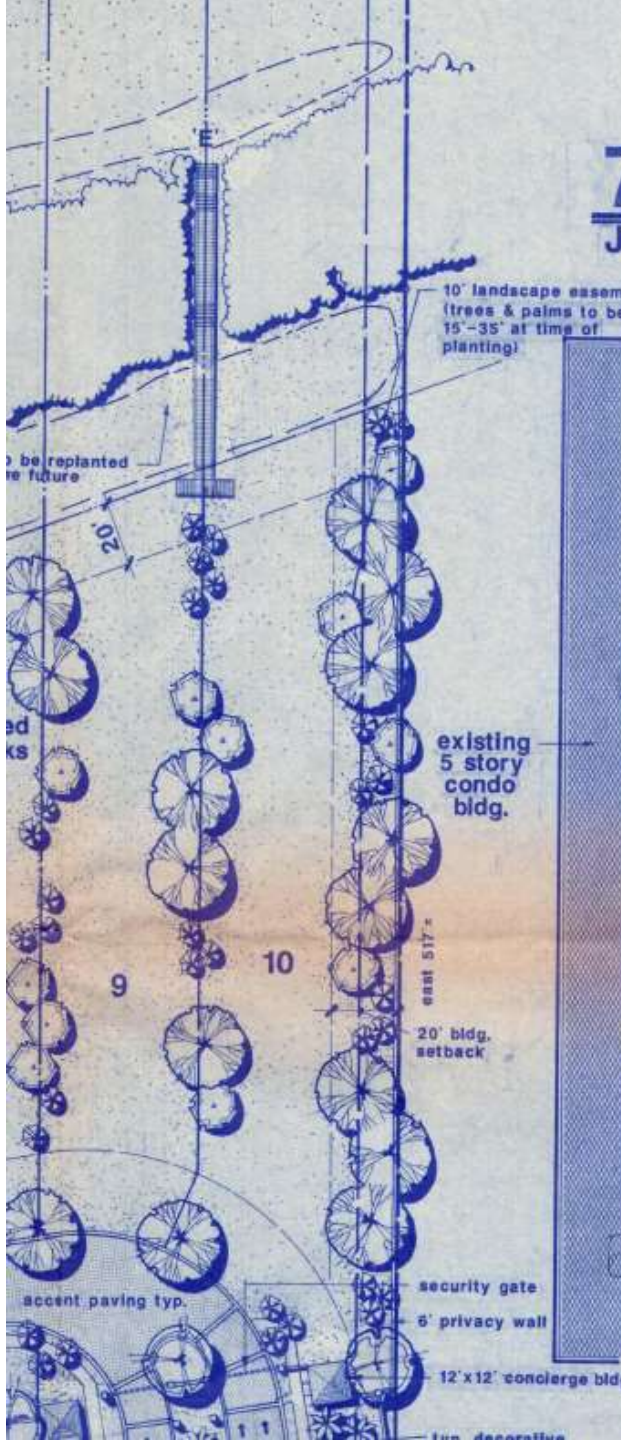
### bldg. setbacks

zero lot side	0'
opposite side	10'
front	20' to edge of street pvmt.
rear	20' to C.C.C.L. (line as of August 1988)

### pool setbacks

side	5'
rear	0' to C.C.C.L. (line as of August 1988)

### Location Map





Schools ▾

Draw

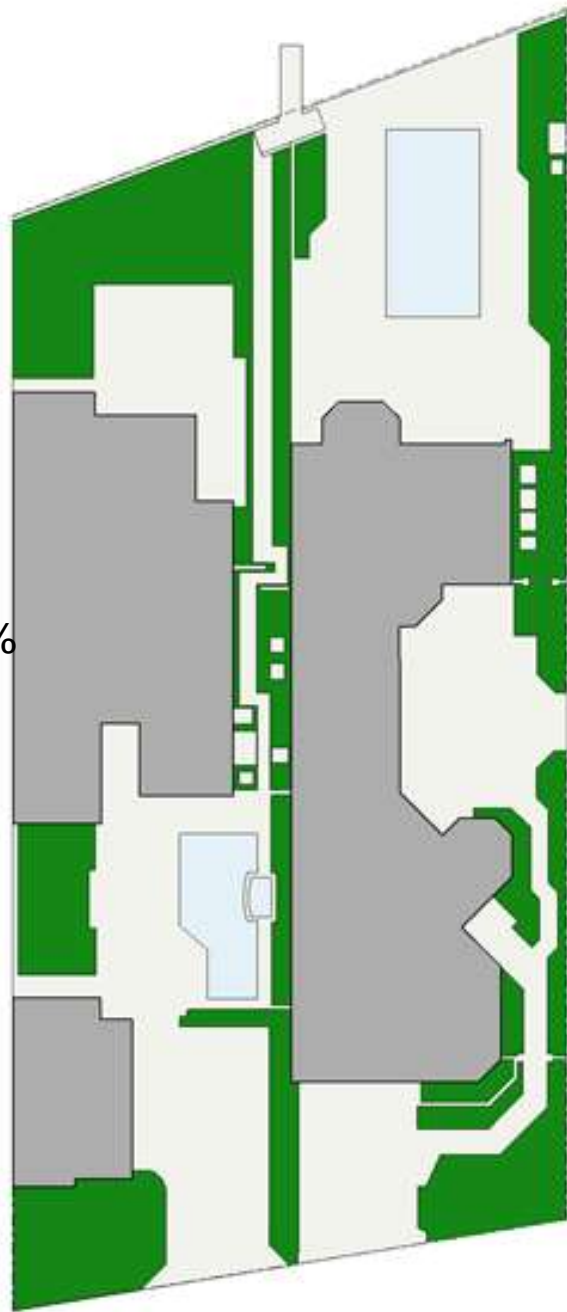
Item #1.





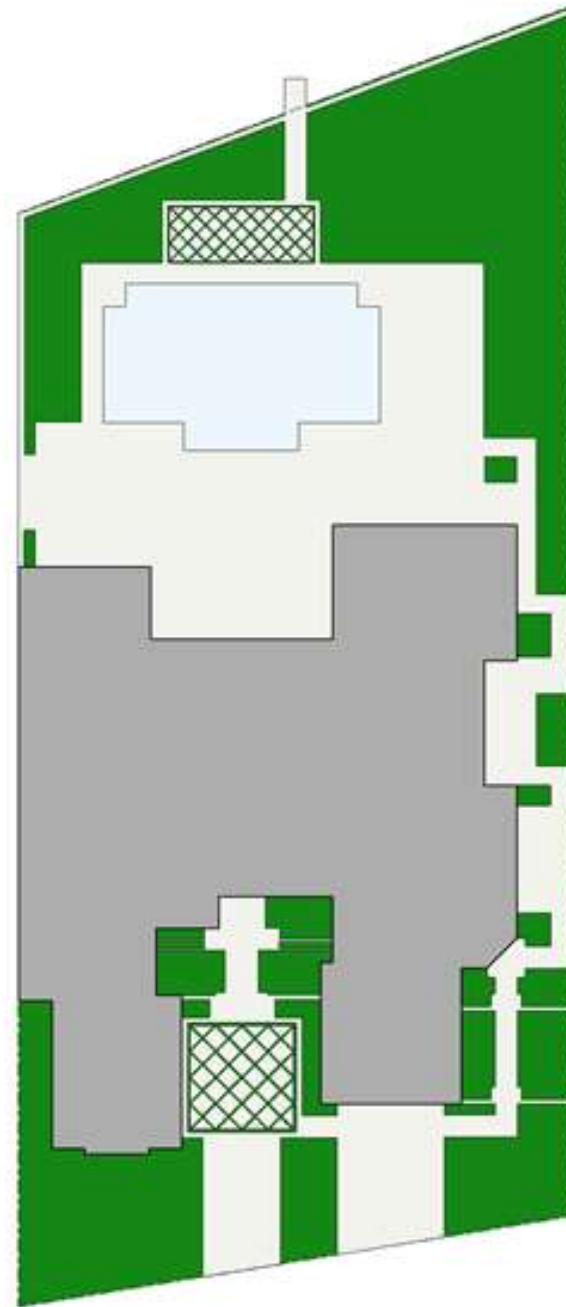


## Existing



Building lot coverage 42.9%  
Hardscape lot coverage 35.1%  
Landscape lot coverage 22%

## New Proposed



Building lot coverage 39.8%  
Hardscape lot coverage 30%  
Landscape lot coverage 30.2%

Landscaping went up by roughly 8% or 1600 sqft.

Hardscape went down by 5%, roughly 1000 sqft.



# Existing “landscaping space” at 716 Ocean Drive

Item #1.



Item #1.



716  
Damages -  
Home not  
kept well  
(31 yrs old)





Item #1.



Item #1.

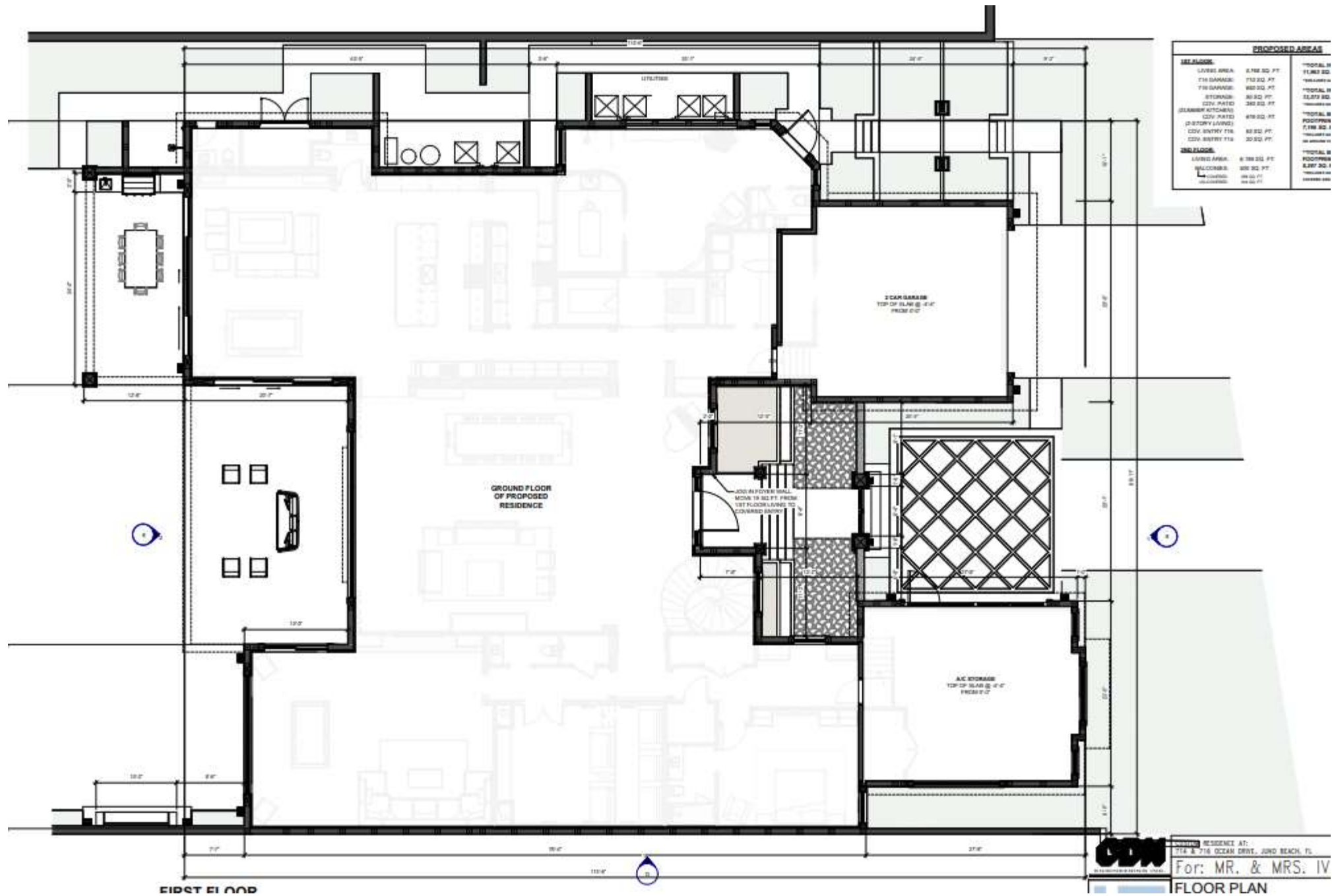




Item #1.



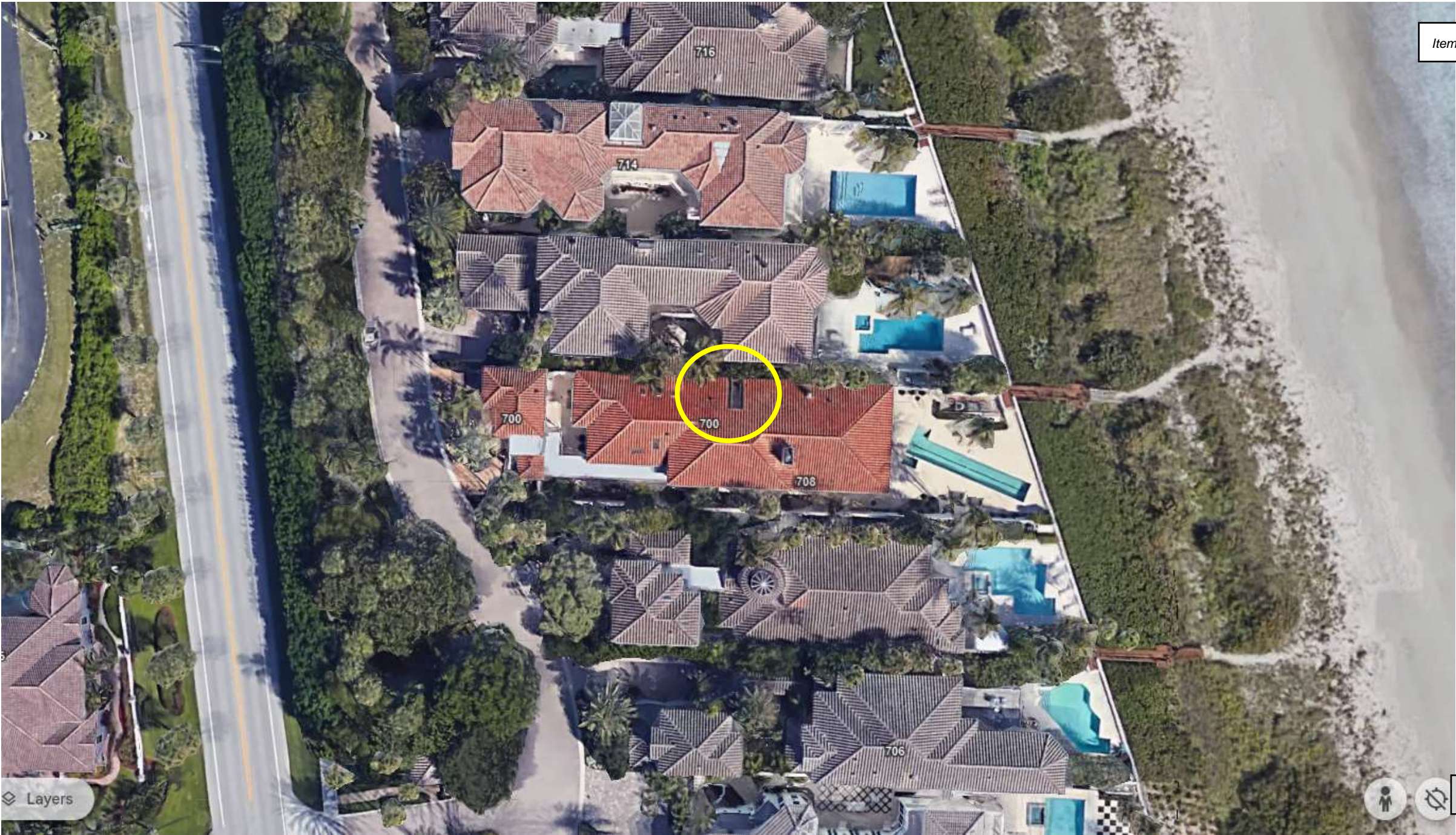




PROPOSED AREAS		
<b>1ST FLOOR</b>	LIVING AREA: 8,718 SQ. FT.	TOTAL #
	2 CAR GARAGE: 712 SQ. FT.	11,867 SQ.
	718 GARAGE: 80 SQ. FT.	12,487 SQ.
	STORAGE: 30 SQ. FT.	TOTAL #
	COV. PATIO: 340 SQ. FT.	13,273 SQ.
<b>2ND FLOOR</b>	2 CAR GARAGE: 676 SQ. FT.	TOTAL #
	2 STORY LIVING: 83 SQ. FT.	7,199 SQ. FT.
	COV. ENTRY TIS: 30 SQ. FT.	7,595 SQ. FT.
	COV. ENTRY TIS: 30 SQ. FT.	7,925 SQ. FT.
		TOTAL #
		15,850 SQ. FT.

**CDM** RESIDENCE AT:  
 714 & 716 OCEAN DR., JUND BEACH, FL  
 For: MR. & MRS. IV  
**FLOOR PLAN**

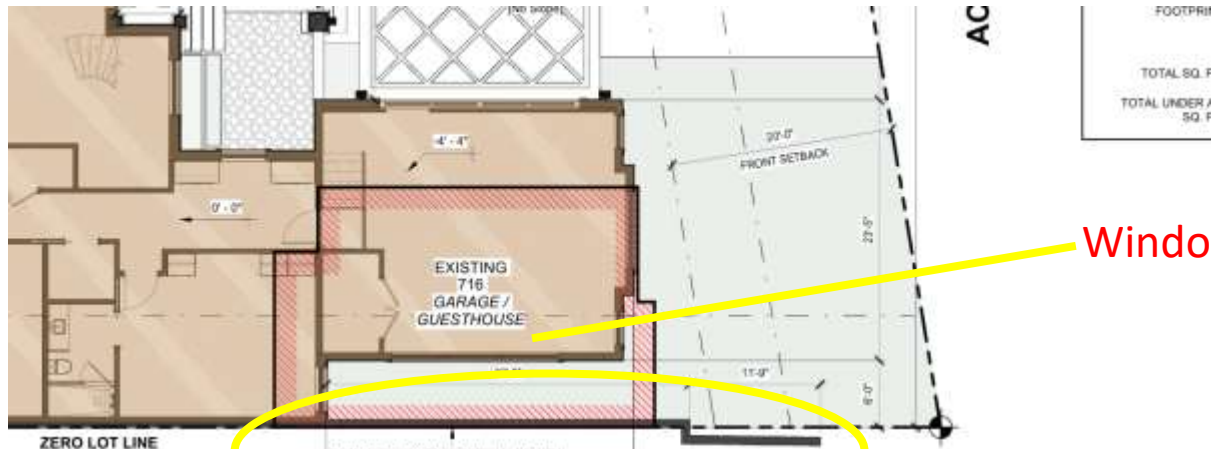
Item #1.



Layers



66



Windows facing wall

Zero Lot Line Wall

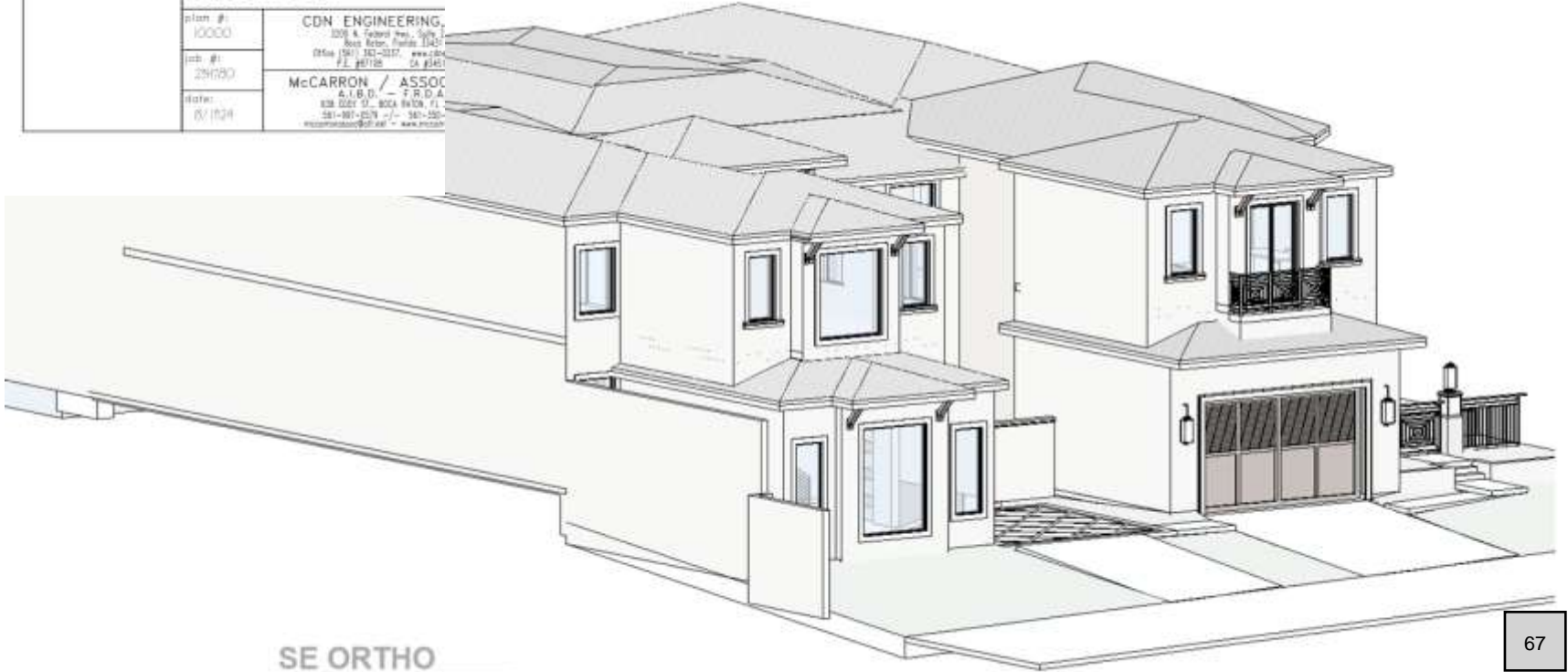
**CDN ENGINEERING INC.**

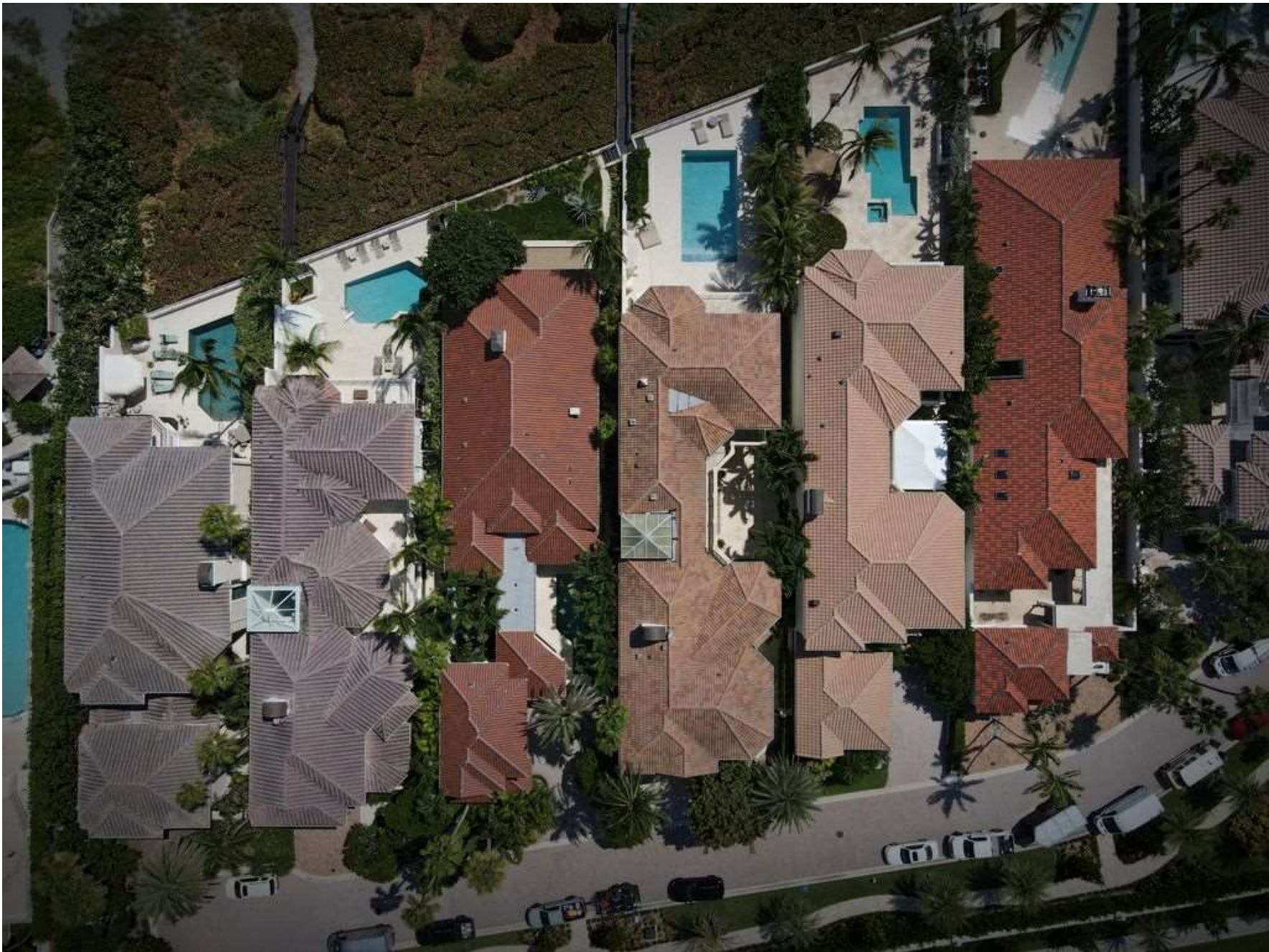
CUSTOM RESIDENCE AT:  
714 & 716 OCEAN DRIVE, JUNO BEACH, FL

For: MR. & MRS.

**SITE PLAN**

plan #:	10000	CDN ENGINEERING, 3208 A Federal Hwy., Suite 100, Boca Raton, Florida 33431 (561) 361-2017, www.cdn.com P.L. #07186 CA #3451
job #:	201030	McCARRON / ASSOC A.I.B.D. - F.R.D.A. 133 22nd St., Boca Raton, FL 561-997-2579 / 1-800-368- 4444
date:	05/10/24	





Ariel  
Photo



Item #1.





Landscaping  
Changes  
the look  
of a  
Property









Diana Davis Exparte  
Communication  
List

Email Comments on 714-716 Ocean Drive

Stewart Brown Lee 1615 E Hemmingway Dr

Jennifer Pierce 900 Ocean Dr 707

Blake Niemann

Katheryn Flowers 200 Uno Largo Apt 103

John Flynn 50 Celestial Way 207

Paul and Karen Hugus 800 Ocean Dr. 802

Barbara Prancun 41 Grand Bay Circle

Siobhan O'Donnell

Linda Stroesser 911 Ocean Dr

Michael Wade 600 ocean 9A

Patricia Pilla 811 Bay Colony

Douglas Elder 401 Sea Oats Dr

Karen Nebel 530 Ocean Drive 502

Susan Chalko 500 Ocean Dr

Ross Tadross 750 Ocean Royale

Ciro Tacinelle 113 Oak Harbor Dr.

Todd Brown 500 Ocean W 3D

Kathleen & Jim Lynch

Stuart Katz 900 Ocean Dr

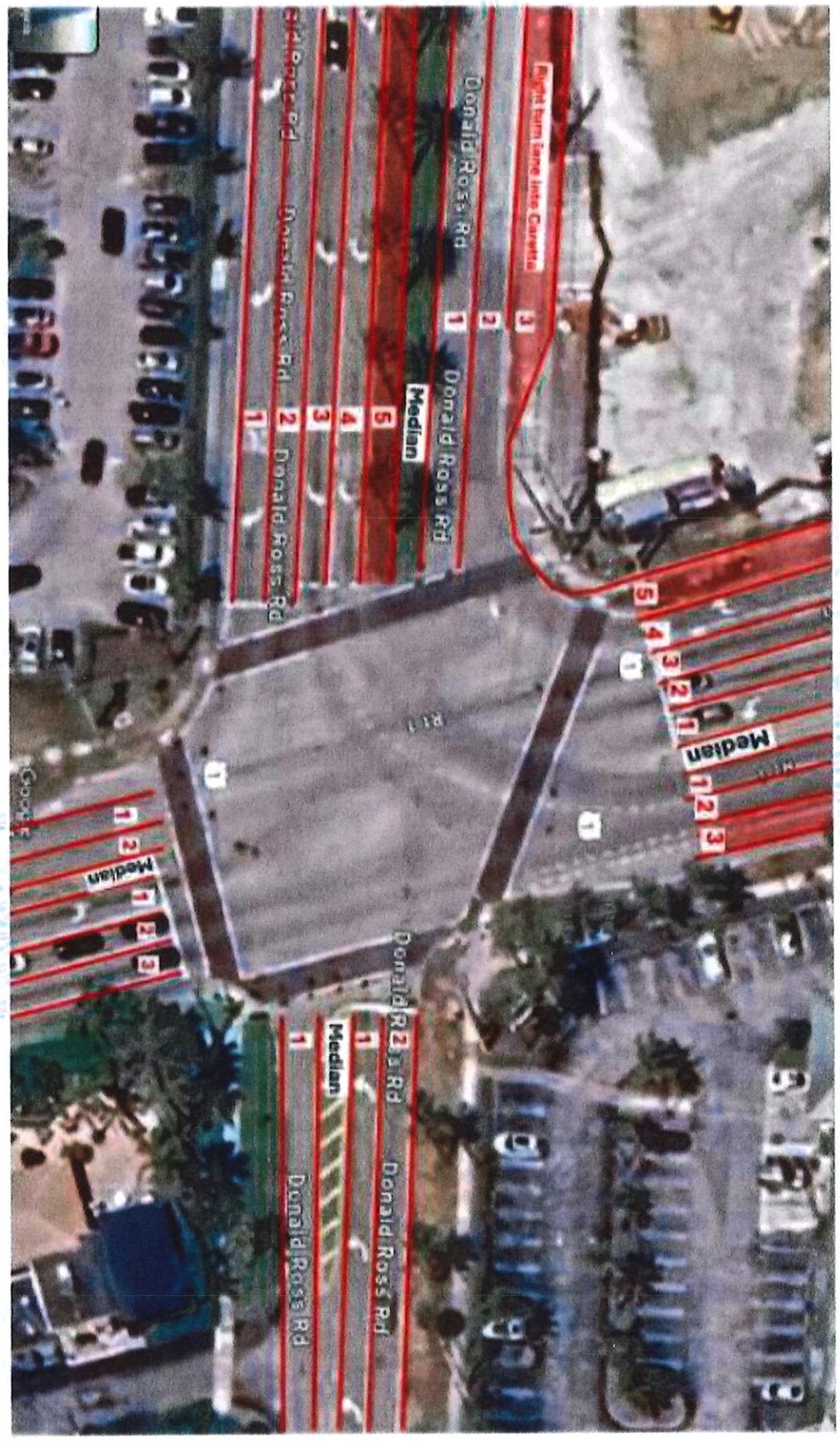
Brian Cole 380 Sunset Dr

Nancy Stone

Marilyn & Gregory Byers

Andrew Spilos & Dimitra Kalivas

Jacqueline Herbsman



116 comments  
against widening  
intersection

John Bartosek  
Paul Di Francesco  
Susan Van Lindt  
Nancy Hunter  
Barbara Bisceglia  
Bradley Warren  
Gloria Olszewski  
Nancy Blaney  
Diane Mc Murray  
Pat Ballard  
William Carricato  
Bob Cretella  
Toni Spinazzola  
Joan Milano  
Michael Paduano  
Krystyna Baker  
Cheryl Lobo  
Maria Bonsignore  
Maggie Pizzone  
Marc Licht  
Sheryl Klein  
Nadia Archambault  
Rosemary Young  
Bill and Rita McKenna  
Lee Conway  
Ann Marie Raftery  
Thomas Kubot  
Susan Ekhom  
Jean Skinner  
Doug Elder  
Toni & Cy Seymour  
Margo Crump  
Anne Keelmann  
Kathy DeStefano  
Damiann Bilotta  
Ken Koenig  
Pierre Mercier  
Mary jane Cappitelli  
Roberta  
Linda Paganno  
Carmen Valdivia  
Steve Haigh  
Denise Jakeway  
Joann Sanchez

Todd Brown  
Elayne Clkay  
Ilene Slagter  
Patsy Apicella  
Mary Ann Pierce-Luca  
Carol Julich  
Susan Chalko  
Susan Beyersdor  
Debbie Cummins  
Paul Harrington  
Lon Williams  
Tedda King  
Donald Hoffman  
Dwight Hottle  
Lisa Bonzzo  
Pat Kearney  
David Mcguire  
Camille Waser  
Isabelle Madonia  
Nancy Jones  
Susan Dunn  
Jacob and Amy Oved  
Victoria Moser  
Joe Verschueren  
Sid Slagter  
Jacqueline Herbsman  
Wendy Elder  
Casey (Consumer Marine Supply)  
Christine Bright  
Mike Lewis  
Gary Gelman  
Myra Warren  
MA McMilin  
Vaino Keelman  
Alice Doyle  
Franklin J. Barbosa  
Michele Cappellano  
Kari Yent  
Barbara Zech  
Elizabeth O'Reily  
Gonzalo Gonzalez  
Donna Baily  
Karen and Robert Vito  
Kathleen & Jim Lynch  
Pamela Rotondo

Priscilla Anselmo  
Terry Phillips  
Tom Block  
Ellie Bentley  
Betty Conroy  
Joe Verschueren  
Justin Lorch  
Sherm Linda Wolff  
Andrew Wilson  
Jeffrey Schwartz  
Jennifer Pierce  
Linda Mathews  
Ruth Green  
Martha Solowy  
Andrew Wilson  
Jessica Mayer  
Bill Viggiano  
Stewart Brownlee  
Tim Hurley  
Larry Brown  
Karen Kolstad  
Don Shapero

**Petition of Residents of the Ocean Trace Juno Beach Community**

We, the undersigned residents of the Ocean Trace community in Juno Beach, Florida, respectfully bring forth this petition to express our collective concerns and support regarding the refunding of expenses for the Universe Boulevard Stormwater Project. These expenses were incurred while we were regarded as "stakeholders" and reversed by a subsequent Town Council in 2023. While grateful for the decision, there remains over \$43,000 in expenses incurred by our Ocean Trace Community.

Our signatures below signify our shared agreement that our Ocean Trace Boards are justified in pursuing this reimbursement on our behalf. We ask the Juno Beach Town Council to approve their recommendation for reimbursement. Please take this action into serious consideration and respond to our concerns or suggestions in a timely and transparent manner.

**Signatures**

Name	Address (Unit #)	Signature
CAROL ROVERE	400 UNO LAGO DR, JUNO	Carol Rovere
Francine Hotaling	800 Uno Lago Dr. Juno Beach	Francine Hotaling
Christina Brehm	74 Uno Lago Dr. Juno Beach	Christina Brehm
JOSEPH BREHM	74 UNO LAGO DR. JUNO BEACH.	Joseph E. Brehm
GEORGE WOES	300 UNO LAGO DR	George Woes
ELIZABETH BOULANGER	800 UNO LAGO DR 401	Elizabeth Boulanger
Gantha Lorange	101-500 UNO LAGO	Gantha Lorange
Leonie Seed	300 Uno Lago #402	Leonie Seed
ELAINÉ BISHOP	600 UNO LAGO #203	Elaine Bishop
JOHN TROXEL	400 UNO LAGO DR #405	John Troxel
Margaret Troxel	400 UNO LAGO DR #405	Margaret M. Troxel
ERNEST TROXEL	1700 UNO LAGO 201	Ernest Troxel
Nancy Dweley	89 UNO LAGO # 89	Nancy Dweley
Louise Shaw	83 UNO LAGO # 83	Louise Shaw
Michael Gordan	800 UNO #205	Michael Gordan
IRA WEISS	57 UNO LAGO	Ira Weiss
PATRICIA STUART	208 UNO LAGO #300	Patricia Stuart
Jenny Jones	200 " " #301	Jenny Jones


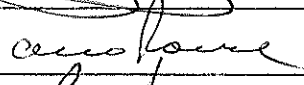
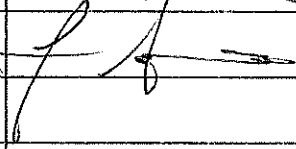


Name	Address	sig.
Maryann	31 Uno Lago Dr	
Diane Connors	31 Uno Lago Dr	Diane Connors
Robert Bishop	600 UNO LAGO DR 203	Robert Bishop
Tyler Schmitt	611 UNO LAGO DR 104	Tyler Schmitt
Brandi Schmitt	611 UNO LAGO DR 104	Brandi Schmitt
LORRAINE BARNETT	21 UNO LAGO DRIVE	Loraine Barnett
LUCY METZ	56 UNO LAGO DR	Lucy Metz
Vesuviana Francisco	700 Uno Lago Drive.	Vesuviana Francisco
Michael Jewell	39 UNO LAGO DRIVE	Michael Jewell
RICHARD METZ	56 UNO LAGO DRIVE	Richard P. Metz
Ed Connors	31 UNO DR. Sunbeach	Ed Connors
MARTIN DURAND	100 UNO LAGO DR	Martin Durand
Gloria Mercuri	100 UNO LAGO DRIVE <sup>201</sup>	Gloria Mercuri
Tammy Martin	100 UNO LAGO DR	Tammy Martin
MARTA M. BARNETT	400 UNO LAGO DR <sup>#104</sup>	Marta M. Barnett
CHRISTOPHER BARNETT	400 UNO LAGO DR <sup>#104</sup>	Christopher Barnett
LISA DURAND	100 UNO LAGO DR <sup>#301</sup>	Lisa Durand
HOWARD SYDNEY	700 UNO LAGO #301	Howard Sydney
IRA WEISS	57 UNO LAGO DRIVE	Ira Weiss
TRACY PILAND	55 UNO LAGO DRIVE	Tracy Piland
DITA WEISS	57 UNO LAGO DRIVE	Dita Weiss
Ann DeMartino	600 Uno Lago Dr	Ann DeMartino
John DeMartino	600 Uno Lago Dr	John DeMartino
Sony Karoly	400 UNO LAGO	Sony Karoly
Bill DeWitt	96 UNO LAGO	Bill DeWitt
Al Simpsons	100 UNO LAGO	Al Simpsons
DL. Prescott	800 UNO LAGO <sup>#105</sup>	DL Prescott
Denise Mariani	75 UNO LAGO DRIVE	Denise Mariani

Item #1.

200 Uno Lago Dr #402 Lillane Tarantelli	200 Uno Lago Dr #402	Debra Ta
Contone	5000530 uno Lago	
Michelle	GASSO #303	
Steve Funk	300 UNO LAGO DR #302	
Linda Bivalik Linda Kowalzy	60 Uno Lago Dr.	Lina Kowalzy
Mary Vichini	400 Uno Lago Drive, #302	
Mary Mason	100 Uno Lago #204	Mary Mason
Al Singers	100 Uno Lago #204	Al Singers
Ben Victor	100 Uno Lago Dr #105	Ben Victor
Jeff Rossi	62 Uno Lago DR	Jeff Rossi
MARCO BARTON	21 Uno Lago	Marco Barton
Lillian Devo	96 Uno Lago Dr	Lillian Devo
Linda Carson	500 Uno Lago 105	Linda Carson
Joann Augustyn	300 Uno Lago 305	Joann Augustyn
Joe	" " " "	"
Susie Ryan	200 Uno Lago 401	Susie Ryan
DONNA CUCY	700 UNO LAGO 101	Donna CUCY
Judy Hearn	300 Uno Lago 101	Judy Hearn
MARIE PULL	37 uno lago	Marie Pull
DAVE FATERSKI	600 UNO LAGO 201	DAVE FATERSKI
ANNA SPADACCINO	80 UNO LAGO DR	ANNA SPADACCINO
JOYCE SINGER	100 Uno Lago 102	Joyce SINGER
Jean Poulos	4 Uno Lago Dr.	Jean Poulos
Vivian Fragiskis	600 uno Lago	Vivian Fragiskis
Pan Fragiskis	600 Uno Lago	Pan Fragiskis
Elizabeth Santorello	200 Uno Lago	Elizabeth Santorello
Jeanie Antonacci	76 Uno Lago Dr.	Jeanie Antonacci
Barbara Murolo	800 Uno Lago Dr #302	Barbara Murolo
Gene Antonacci	76 Uno Lago Dr.	Gene Antonacci

Item #1.

Ivan Stuart	400 Uno Lago 205	Ivan F Stuart
Roberta Stuart	400 - " "	Roberta Stuart
J. Gordon	100 # 203	
ALDO ROVERE	400 UNO LAGO DR. JB	
LOU SANLORENZO	200 UNO LAGO DR.	

(Additional lines may be added as needed for signatures.)

We appreciate your time and attention to this matter and look forward to your response.

Sincerely,

The Residents of the Ocean Trace Juno Beach Community



# TOWN OF JUNO BEACH

Item #1.

## PUBLIC COMMENT CARD

ANY CITIZEN WISHING TO SPEAK SHOULD COMPLETE THIS CARD AND GIVE IT TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING.

AGENDA ITEM #: 2 DATE: \_\_\_\_\_

NAME: Cathy Murphy PHONE NO.: \_\_\_\_\_

REPRESENTING (IF APPLICABLE): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CHECK WHAT MAY APPLY:

SUPPORT       OPPOSE       I WISH TO SPEAK

I WOULD LIKE MY COMMENT READ INTO THE RECORD: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

KING STREET CAPITAL  
KFMG



# TOWN OF JUNO BEACH

Item #1.

## PUBLIC COMMENT CARD

ANY CITIZEN WISHING TO SPEAK SHOULD COMPLETE THIS CARD AND GIVE IT TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING.

AGENDA ITEM #:

DATE:

NAME:

MARCIA WOLF

PHONE NO.:

501 371-0243

REPRESENTING (IF APPLICABLE):

ADDRESS:

110 SUNRISE WAY

CHECK WHAT MAY APPLY:

SUPPORT

OPPOSE

I WISH TO SPEAK

I WOULD LIKE MY COMMENT READ INTO THE RECORD:



#9

Caitlin Copeland <ccopeland@juno-beach.fl.us>

**Comment for Item concerning 700 Ocean Dr.**

1 message

**Siobhan O'Donnell** <cjreinc@gmail.com>

Wed, Jan 22, 2025 at 12:00 PM

To: "Town Of Juno Beach Caitlin Copeland Rodriguez, MMC, Clerk" <CCopeland@juno-beach.fl.us>

Council must vote NO on the **700 Ocean Dr** development because the foreign owners behind this application are asking to destroy the 50 ft. construction set back from the Coastal Construction Control Line. This 50 ft set back from the Coastal Construction Control Line serves to protect all of us in this Town from overdevelopment and to prevent the harm it can bring to the habitat for nesting sea turtles. Juno Beach is known around the world for the very special Sea Turtle Nesting habitat and if anyone on Town Council votes to allow the violation of our 50 ft set back from the Coastal Construction Control Line they should not be permitted to remain on Council.

The vote on this 700 Ocean application also requests the combining of two lots which would allow the owners to build a huge mansion which Town Staff have already determined is NOT in compliance with the Harmony Ordinance for the Town of Juno Beach. If Council votes to approves this project it will set a destructive precedent that will allow others to combine lots and build mansions which will destroy the character and charm of Juno Beach turning it into Singer Island.

COUNCIL MUST VOTE NO TO PROTECT JUNO BEACH.

Siobhan O'Donnell  
431 N Lyra Cir  
561-510-5422



#9

Caitlin Copeland <ccopeland@juno-beach.fl.us>

### Comments for meeting 1/22/25

1 message

Natasha Duarte <nnducf@yahoo.com>

Wed, Jan 22, 2025 at 11:24 AM

To: Caitlin Copeland <CCopeland@juno-beach.fl.us>

Please see my comments to be read at today's meeting submitted via the town website. I have submitted before and my comments were not received via the website. Thank you.

My name is Natasha on Lyra circle. I have lived in Juno nearly 14 years, raising my family here in the hidden gem of our town. When I moved here 14 years ago, I loved how small town it felt and always thought the building landscape would stay the same, what was developed was developed already. It is disheartening and upsetting to see the decisions made in approval of the Carretta project, as well as the rezoning of the lot to make way for another development - Dunes of Juno, and now here we are again another proposed major change at 700 Ocean Drive. I wasn't involved or aware of Caretta at that time, that is my fault. My thoughts on the rezoning were not read aloud during the september meetings. I will not let my thoughts go unheard this next proposed project at 700 Ocean Drive. As far as I understand the property is proposed to have a pool between the CCCL line and the towns 50 foot set back. This clearly is a detail that MUST not to ignored OR approved. The line and set back are in place for a reason. I have gone and looked at the CCCL maps and Yes there are buildings the are encroaching on the line, but those are buildings already in place, not something new.

Juno Beach is world renowned Loggerhead Turtle nesting area, my gosh we even have our own world class turtle rehabilitation center within our town limits, and the image of Juno Beach is a sea turtle. How is that a project on the table that could encroach on their habitat.

Approving this project will open the gates to coastal redevelopment and habitat destruction . I also feel approving this could open more doors to individuals purchasing multiple lots to build mega mansions within our area. We can't turn into Juno Beach the mega mansion corridor along the ocean. Please FIGHT to keep our Juno the gem it is I hope it continues to be.

Thank you for your time, I am trusting you keep your town and the amazing sea turtles at the forefront!

Sent from my iPhone



image0.png  
315K

From: Pete Williams junopete@gmail.com  
Subject: Fwd: Ivanoff's residence  
Date: Nov 10, 2024 at 4:46:44 PM  
To: [REDACTED]

450 SEASIDE LN.  
JUNO BEACH

Item #1.

TOWN OF JUNO BEACH  
RECEIVED

JAN 22 2025

FV

#9

TIME: 10:02 am

Dear Members of the Juno Beach Town Council,

I am writing to express my strong support for the Ivanoffs' application to combine two single-family lots into one to construct a new, larger home. Recently, there has been a trend of proposed code changes backed by certain Juno Beach council members to support code changes that take away individual single-family owner property rights. If the Ivanoffs' application is denied, it will just be another example of property rights being taken away and likely to result in Juno Beach citizens demonstrating their displeasure at the voting booth.

In order to mitigate any concern about the size and scale of their proposed home, the Ivanoffs have taken great efforts to artfully design their new home to architecturally appear as two separate single-family homes from Ocean Drive. Since the HOA where the proposed home will be built is fenced off and due to the natural vegetation on the ocean side of the home, no person walking on Ocean Drive in front of their home or on the ocean in back of their home will be able to notice that it is a large single-family residence. The HOA, which governs a ten-home community where the Ivanoffs currently reside and intend to expand their home, has carefully considered and endorsed the proposal.

It is important to note that this ten-home oceanfront community is situated between multiple high-density high-rise and mid-rise residential buildings directly to the north and south. Given the existing scale and density of surrounding developments, the proposed home fits well within the context of the neighborhood. Some council members have expressed concerns that the Ivanoffs' proposed home may be too large to comply with the Harmony code. While it is essential to uphold community standards, it is equally important to apply common sense and consider the specific circumstances of each case. The surrounding buildings already set a precedent for larger structures, and the Ivanoffs' proposed home will not disrupt the character or harmony of the neighborhood. To me, it seems very disingenuous for any public official to object by alleging it would not fit into the harmony of the existing neighborhood.

The Ivanoffs have been respectful residents of Juno Beach for over 15 years and have a deep love for our quaint seaside village. The anonymous community group that has attempted to smear their name in an attempt to pressure public officials to deny their application purely due to their Russian heritage should be deeply ashamed of their actions.

The Juno Beach Planning and Zoning Board has already carefully reviewed and approved this application. Approving the Ivanoffs' application would demonstrate the council's willingness to support thoughtful and well-considered development that aligns with the broader context of our community. Their new home will enhance property values and contribute to the overall attractiveness of Juno Beach as a desirable place to live.

As a 30 year resident of Juno Beach, I believe this proposal is beneficial for our community and should be approved by the council. I strongly suggest that each town council member use their own common sense and approve the Ivanoffs' application.





# TOWN OF JUNO BEACH

Item #1.

## PUBLIC COMMENT CARD

ANY CITIZEN WISHING TO SPEAK SHOULD COMPLETE THIS CARD AND GIVE IT TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING.

AGENDA ITEM #: 9 DATE: 2 Jan 27<sup>th</sup> 2019  
NAME: PAUL HUGES PHONE NO.: 385-561-716-1126

REPRESENTING (IF APPLICABLE): \_\_\_\_\_

ADDRESS: WATERFRONT SW OCEAN DRIVE

CHECK WHAT MAY APPLY:

SUPPORT       OPPOSE       I WISH TO SPEAK

I WOULD LIKE MY COMMENT READ INTO THE RECORD:  
\_\_\_\_\_  
\_\_\_\_\_



# TOWN OF JUNO BEACH

Item #1.

## PUBLIC COMMENT CARD

ANY CITIZEN WISHING TO SPEAK SHOULD COMPLETE THIS CARD AND GIVE IT TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING.

AGENDA ITEM #: 700 Application DATE: 1-22-25

NAME: Mary Maynard PHONE NO.: 954-857-9387

REPRESENTING (IF APPLICABLE): \_\_\_\_\_

ADDRESS: 14661 Lot 1, US Highway 1, Juno Beach.

CHECK WHAT MAY APPLY:

SUPPORT

OPPOSE

I WISH TO SPEAK

I WOULD LIKE MY COMMENT READ INTO THE RECORD:

Who on earth would approve encroachment onto our precious beaches? Shame on them.



# TOWN OF JUNO BEACH

## PUBLIC COMMENT CARD

ANY CITIZEN WISHING TO SPEAK SHOULD COMPLETE THIS CARD AND GIVE IT TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING.

AGENDA ITEM #: 700 Application DATE: 1-22-25

NAME: Kelly Denney PHONE NO.: 813 546 8406

REPRESENTING (IF APPLICABLE): \_\_\_\_\_

ADDRESS: 14661 US Highway 1, Lot 1, Juno Beach

CHECK WHAT MAY APPLY:

SUPPORT

OPPOSE

I WISH TO SPEAK

I WOULD LIKE MY COMMENT READ INTO THE RECORD:

I can't believe our elected ~~for~~ leaders would even consider allowing building encroachment onto the most fragile ecosystem - our beaches.



# TOWN OF JUNO BEACH

Item #1.

## PUBLIC COMMENT CARD

ANY CITIZEN WISHING TO SPEAK SHOULD COMPLETE THIS CARD AND GIVE IT TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING.

AGENDA ITEM #: 8,9 DATE: \_\_\_\_\_

NAME: Anne Bossio PHONE NO.: \_\_\_\_\_

REPRESENTING (IF APPLICABLE): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

### CHECK WHAT MAY APPLY:

SUPPORT       OPPOSE       I WISH TO SPEAK  
 I WOULD LIKE MY COMMENT READ INTO THE RECORD: \_\_\_\_\_



# TOWN OF JUNO BEACH

12

## PUBLIC COMMENT CARD

ANY CITIZEN WISHING TO SPEAK SHOULD COMPLETE THIS CARD AND GIVE IT TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING.

AGENDA ITEM #: 14 DATE: 1/22/25

NAME: Susan Van Lindt  
Barbara Bisceglia PHONE NO.: 361-572-2138

REPRESENTING (IF APPLICABLE): Sea Oats POA

ADDRESS: 504-3 Sea Oats Dr., Juno Beach, FL 33408

### CHECK WHAT MAY APPLY:

SUPPORT       OPPOSE       I WISH TO SPEAK  
 I WOULD LIKE MY COMMENT READ INTO THE RECORD: \_\_\_\_\_



**Meeting Name:** Town Council  
**Meeting Date:** February 18, 2025  
**Prepared By:** Davila, F. CFM  
**Item Title:** Discussion -Traffic Concerns

### **BACKGROUND:**

At the December 17<sup>th</sup>, 2025, Town Council Meeting, after the presentation made by the County Engineer, Mr. David Ricks, and Director of the Traffic Division, Engineering and Public Works, Mr. Motasem Al-Turk, regarding traffic concerns within Juno Beach, the Town Council gave unanimous consensus to add a discussion on traffic concerns to the January agenda, and have staff draft a letter opposing the minimizing of the Donald Ross Road median.

For Councils' review and approval, staff is providing a draft letter to Palm Beach County opposing the reduction of the median on Donald Ross Road caused by the addition of turn lanes.

#### General Timeline of Events:

**2021** - The Palm Beach Transportation Planning Agency (TPA) released their 2045 Long Range Transportation Plan, in the plan they include proposed projects: 1) widening of Donald Ross Road from 4 to 6 lanes from Ellison Wilson Road to US Highway 1, and 2) widening of Donald Ross Road from 3 to 5 lanes from US Highway 1 to Ocean Drive (see attachment #1)

**September 2021** - Town of Juno Beach informs PBC of opposition to the widening of Donald Ross Road (see attachment #2)

**October/November 2021** - Town of Juno Beach Traffic Engineer, Bryan Kelly, P.E., engages in discussions with PBC to forego widening of Donald Ross Road.

**December 2021** - PBC abandoned the proposed projects to widen Donald Ross Road.

**July 2022** - PBC includes intersection improvements for US Highway 1 and Donald Ross Road on their 5-year road program (see attachment #3, pages 3 of 5).

**September 2022** - Town of Juno Beach informs PBC of opposition to the intersection improvements for US Highway 1 and Donald Ross Road (see attachment #4).

**October 26, 2022** - Town Manager Lo Bello provides Council with an update from staff's conversation with PBC. The Council directs staff to provide an updated letter to PBC that the Town is in support of the proposed improvements for the intersection for US Highway 1 and Donald Ross Road along with crosswalk improvements and sharing the design drawing with the Town for staff review and comments.

**12. COMMENTS FROM TOWN MANAGER** (Time: 3:56:20 – 4:02:02)

Town Manager Lo Bello explained Palm Beach County's 5-Year Road Project Proposal and asked Council for a consensus to revise the September letter sent to the County to show support for specified projects.

Council reviewed, discussed, and asked staff questions on this item.

*Council gave consensus to have staff send a revised letter to Palm Beach County in support of certain proposed 5-year plan projects for Juno Beach.*

<https://www.youtube.com/watch?v=juGOQYoUmWo>

**October 2022** - Town of Juno Beach informs PBC of support for the improvements for the intersection for US Highway 1 and Donald Ross Road (see attachment #5).

**Oct 2024** - PBC shares with staff preliminary plans for the intersection improvements for US Highway 1 and Donald Ross Road (see attachment #6).

**December 2024** - PBC made a presentation on the Traffic Concerns within Juno Beach. Town Council directed staff to draft a letter of opposition to the intersection improvements for US Highway 1 and Donald Ross Road (see attachment #7), and to add a discussion item to the January Town Council meeting.

**RECOMMENDATION:**

Staff is ready to answer any questions that Council may have.

**Attachments:**

1. 2045 PBTPA Long Range Plan summary sheet
2. Juno Beach opposition letter (September 2021)
3. PBC 5-year road program (2022)
4. Juno Beach opposition letter (September 2022)
5. Juno Beach support letter (October 2022)
6. PBC preliminary plans – intersection improvements
7. DRAFT – Juno Beach opposition letter

# PALM BEACH COUNTY

## PRIORITIZATION

Projects implemented through the Palm Beach County Road Program. Shown for information and planning consistency purposes.

Item #2.



# 2045 Long Range Transportation Plan

Provided to the Town Council at the September 22, 2021, Town Council meeting.

LRTP#	FM	SIS	Location	Description	FY 20-24 (TIP)				FY 25-30 (2030 Plan)				2031-2035 (2045 Plan)				2036-2045 (2045 Plan)			
					PD&E	PE	ROW	CST	PD&E	PE	ROW	CST	PD&E	PE	ROW	CST	PD&E	PE	ROW	CST
PBC001			Countywide Locations	Intersections, Pathways, Misc. Expenses		\$9,000	\$18,000	\$63,000		\$2,297	\$3,157	\$12,726		\$2,697	\$3,707	\$14,943		\$7,134	\$9,806	\$39,527
PBC002			6th Ave S from I-95 to south of A St	Widen 4L to 6L						\$792	\$1,188	\$1,980								
PBC003			10th Ave from Congress Ave to I-95	Intersection improvements		\$3,300	\$4,950	\$8,250												
PBC004			190th St North from 60th St N to northern terminus	New 4L						\$3,960	\$5,940	\$9,900								
PBC005	2016501		45th St from E of Haverhill Rd to W of Military Trail	Widen 4/5L to 6L				\$2,160												
PBC006			45th St at Military Trail	Intersection improvements		\$180	\$5,000	\$1,000												
PBC007			45th St from Village Blvd to I-95	Widen 6L to 8L		\$400	\$600	\$1,000												
PBC008			45th St from I-95 to Congress Ave	Intersection improvements		\$420	\$200	\$2,200												
PBC009			45th St from Greenwood Ave to Broadway Ave	Widen 3 to 5L						\$528	\$792	\$1,320								
PBC010			60th St North from 190th St N to M-Canal	New 4L						\$792	\$1,188	\$1,980								
PBC011			60th St North from M-Canal to Seminole Pratt Whitney Rd	Widen 2L to 4L						\$1,452	\$2,178	\$3,630								
PBC012			60th St North from Seminole Pratt Whitney Rd to 140th St N	New 4L		\$1,700	\$2,550	\$4,250												
PBC121			60th St North from W of 140th St N to Avocado Blvd	Widen 2L to 3L, M Canal relocation		\$1,800	\$2,700	\$4,500												
PBC013			60th St North from W of 140th St N to Avocado Blvd	Widen 3L to 5L		\$375	\$750	\$1,500												
PBC014	2017515	2017515	60th St North from Avocado Blvd to E of 120th Ave N	Widen 2L to 3L		\$200		\$7,000												
PBC015			60th St North from Avocado Blvd to SR 7	Widen 3L to 5L						\$2,376	\$3,564	\$5,940								
PBC016			Australian Ave from Mercer Ave to N of Okeechobee Blvd	Widen bridge from 4L to 6L, include 6L+2L auxiliary						\$2,112	\$3,168	\$5,280								
PBC018		2015509	Benoist Farms Rd from SR 80 to Belvedere Rd	Widen 2L to 3L										\$1,612	\$2,418	\$4,030				
PBC019			Boca Rio Rd from Palmetto Park Rd to Glades Rd	Widen from 2/3L to 5L				\$5,200												
PBC021			Central Blvd from Indiantown Rd to Roebuck Rd	Widen 2/3L to 5L with new bridge over C-18										\$1,240	\$1,860	\$3,100				
PBC119			Center St from Loxahatchee River Rd to Alt A1A	Widen 2L to 3L						\$1,320	\$1,980	\$3,300								
PBC022		2014503	Church St from Limestone Creek Rd to W of Central Blvd	New 2L				\$1,800						\$1,116	\$1,674	\$2,790				
PBC023	2017516	2017516	Clint Moore Rd from Oaks Club Dr to Long Lake Dr	Widen 4L to 6L				\$2,500												
PBC024		2018101 2018102	Clint Moore Rd from Jog Rd to Military Tr	Intersection improvements				\$1,700	\$2,380											
PBC025			Clint Moore Rd from Jog Rd to Military Tr	Widen 4L to 6L						\$1,320	\$1,980	\$3,300								
PBC027	2023009903	2018506	Coconut Blvd from S of Temple Rd to S of Northlake Blvd	Widen 2L to 5L				\$1,500	\$5,100											
PBC028			Community Dr from Military Tr to Village Blvd	Widen 2/3L to 5L										\$620	\$930	\$1,550				
PBC029	4330641	2012517	Congress Ave from Northlake Blvd to Alt A1A	New 3L				\$4,000	\$5,000											
PBC030			Coral Ridge Drive from Glades Rd to N Access S County Regional Park	New 2L		\$1,040	\$1,560	\$2,600												
PBC031			Crestwood Blvd from Folsom Rd to Sparrow Rd	Widen 5L to 6L										\$1,116	\$1,674	\$2,790				

PBC033			Donald Ross Rd from Ellison Wilson Rd to US 1	Widen 4L to 6L											\$400	\$600	\$1,000			
PBC034			Donald Ross Rd from US 1 to CR A1A	Widen 3L to 5L											\$200	\$300	\$500			

PBC036			Flavor Pict Rd from Lyons Rd to Hagen Ranch Rd	New 4L, including bridge over Florida's Turnpike						\$2,640	\$3,960	\$6,600								
PBC118		2016500	Florida Mango Rd from 10th Ave North to N of Edgewater Dr	Widen 2L to 3L				\$3,300												

Costs expressed in Year of Expenditure (YOE) dollars  
Values in thousands (000s)



# TOWN OF JUNO BEACH

340 OCEAN DRIVE

JUNO BEACH, FL 33408

PHONE: 561.626.1122 • FAX: 561.775.0812

WEBSITE: [www.juno-beach.fl.us](http://www.juno-beach.fl.us)

E-MAIL: [junobeach@juno-beach.fl.us](mailto:junobeach@juno-beach.fl.us)

Item #2.

Jason Haselkorn, Mayor  
Jim Lyons, Vice Mayor  
Peggy Wheeler, Vice Mayor Pro Tem  
Elaine K. Cotronakis, Councilmember  
DD Halpern, Councilmember

Joseph F. Lo Bello, Town Manager

September 23, 2021

Palm Beach County Engineering and Public Works  
Attn: David L. Ricks, P.E., County Engineer  
2300 North Jog Road  
West Palm Beach, FL 33411-2745

## Re: Projects PBC032, PBC033, PBC034 & PBC038

Dear Mr. Ricks:

Thank you for your letter and update on the County's Five-Year Road Program. As you are aware, our staff has been in communications with you and your staff regarding the proposed projects for Donald Ross Road. Recently, at the September 22, 2021, Town Council meeting, the Juno Beach Town Council directed staff to resend a letter to Palm Beach County regarding their support and opposition to items on Palm Beach County's Five-Year Program Exhibit A.

Therefore, on behalf of the Town of Juno Beach and the Juno Beach Town Council, I am writing to express our **support** for the following proposed projects:

- **PBC032:** Prosperity Farms Road to Ellison Wilson (4 to 6 Lanes)
- **PBC038:** Palmwood Road to Tidal Pointe Boulevard (including the Marcinski Bridge).

Due to the projected growth in northern Palm Beach County, we believe these projects would greatly benefit the surrounding communities.

I would also like to express the Town's **opposition** of the following proposed projects:

- **PBC033:** Ellison Wilson to US Highway 1 (4 to 6 lanes)  
*The Town of Juno Beach is opposed to any increase to the number of traffic lanes and modifications to the existing medians.*
- **PBC034:** US Highway 1 to Ocean Drive (A1A)  
*The Town of Juno Beach believes that this project would negatively impact the residents and businesses adjacent to Donald Ross Road.*

The Town of Juno Beach appreciates your consideration on this matter.

Sincerely,

Joseph F. Lo Bello, CPA  
Town Manager

/cc  
Commissioner Maria Marino  
Mayor Jason Haselkorn  
Vice Mayor Jim Lyons  
Vice Mayor Pro Tem Peggy Wheeler  
Councilmember Elaine K. Cotronakis  
Councilmember DD Halpern

**PALM BEACH COUNTY FIVE-YEAR ROAD PROGRAM - EXHIBIT A**

Mid-Year Adjustment - Adopted - July 12, 2022

	FY 2022 BUDGETED	FY 2022 PROJECTED	FY 2023 PROJECTED	FY 2024 PROJECTED	FY 2025 PROJECTED	FY 2026 PROJECTED	TOTAL PROJECTED
Local Option Gas Taxes Total	48,289,000	52,685,000	53,740,000	53,740,000	54,133,000	54,820,000	269,118,000
LESS Mass Transit (Palm Tran) Share	(32,516,000)	(33,760,000)	(34,040,000)	(34,040,000)	(34,182,000)	(34,470,000)	-170,492,000
LESS Engineering Operating	(6,047,000)	(8,296,000)	(8,858,000)	(8,858,000)	(9,001,000)	(9,181,000)	-44,194,000
<b>REMAINING ROAD PROGRAM ALLOCATION</b>	<u>9,726,000</u>	<u>10,629,000</u>	<u>10,842,000</u>	<u>10,842,000</u>	<u>10,950,000</u>	<u>11,169,000</u>	<u>54,432,000</u>
LESS 5% STATUTORY RESERVES	(486,300)	0	(542,100)	(542,100)	(547,500)	(558,450)	-2,190,150
OCEAN AVENUE LOAN REPAYMENT	(1,041,037)	(1,041,037)	(1,035,387)	(1,031,692)	(1,024,981)	(1,024,981)	-5,158,078
<b>GAS TAX AVAILABLE FOR NEW ALLOCATIONS</b>	<b>8,198,663</b>	<b>9,587,963</b>	<b>9,264,513</b>	<b>9,268,208</b>	<b>9,377,519</b>	<b>9,585,569</b>	<b>47,083,772</b>
INTEREST EARNINGS	289,987	192,880	293,645	137,682	116,775	95,856	836,838
MISCELLANEOUS	8,409,000	11,350,000 A	1,409,100 B	0	4,598,000 D	0	17,357,100
IMPACT FEES USED FOR PROJECTS	48,842,000	29,595,000	37,671,000	16,826,000	8,334,000	450,000	92,876,000
PROPORTIONATE SHARE USED FOR PROJECTS	8,076,525	8,086,017	6,560,804	10,866,630	692,000	0	26,205,451
GAS TAX RESERVE USED FOR PROJECTS	<u>20,800,000</u>	<u>9,700,000</u>	<u>20,100,000</u>	<u>4,500,000</u>	<u>2,300,000</u>	<u>0</u>	<u>36,600,000</u>
<b>TOTAL CURRENT REVENUES</b>	<b>94,616,175</b>	<b>68,511,860</b>	<b>75,299,062</b>	<b>41,598,520</b>	<b>25,418,294</b>	<b>10,131,425</b>	<b>220,959,161</b>
BALANCES FORWARD	<u>89,171</u>	<u>89,171</u>	<u>36,031</u>	<u>25,093</u>	<u>53,613</u>	<u>1,907</u>	<u>89,171</u>
<b>TOTAL REVENUES</b>	<b>94,705,346</b>	<b>68,601,031</b>	<b>75,335,093</b>	<b>41,623,613</b>	<b>25,471,907</b>	<b>10,133,332</b>	<b>221,048,332</b>
PROJECT COSTS AS PROPOSED	94,613,000	68,565,000	75,310,000	41,570,000	25,470,000	9,520,000	220,435,000
<b>REVENUES LESS PROJECT COSTS</b>	<u><b>92,346</b></u>	<u><b>36,031</b></u>	<u><b>25,093</b></u>	<u><b>53,613</b></u>	<u><b>1,907</b></u>	<u><b>613,332</b></u>	<u><b>613,332</b></u>

General note on interest projections:  
 Interest earnings on gas taxes are shown on this sheet.  
 Interest earnings on impact fees remain within each impact fee area and are not shown above.  
 See Footnotes A, B, and D on page 2 of 5

\*See Footnotes, Phase(s): S- Study; D=Design; M=Mitigation; R=R/W Acq.; C=Construction; P=Payment



**Footnotes:**

**A** Lyons Rd./Sansbury's Way, Forest Hill Blvd. to Okeechobee Blvd (Buffered Bike Lanes). This project was approved under TPA 2018 Local Initiative and based on the submitted estimates, Palm Beach County funded design of \$1,150,000 in FY 2020 and will fund \$1,354,360 for Construction in FY 2022, FDOT will fund **\$4,215,640** (Total Construction Cost \$5,570,000).

Includes Infrastructure Sales Tax of **\$2,700,000** in FY 2022 for CR880 over C-51 Bridge construction.

Includes Infrastructure Sales Tax of **\$700,000** in FY 2022 for Florida Mango Rd. over LWDD L-9 Canal Bridge Construction.

Includes Infrastructure Sales Tax of **\$2,000,000** in FY 2022 for Australian Ave., Banyan Blvd. to 45th St.

Includes Developer payment of **\$1,733,648** in FY 2022 for Flavor Pict Rd. SR-7 to Lyons Rd.

**B** Includes Infrastructure Sales Tax of **\$450,000** in FY 2023 for CR 880, Sam Senter Rd. over SFWMD Ocean Canal. Infrastructure Sales Tax includes **\$300,000** in FY 2023 for Cresthaven Blvd., Jog Rd.to Military Tr. (Buffered Bike Lanes). Anticipates reimbursement of **\$659,100** from Lake Clarke Shores FY 2024 for utility work.

**D** Funding for Cresthaven Blvd. Jog Rd. Military Tr. (Buffered Bike Lanes) was approved by the TPA 2020 Local Initiative Program, based on the submitted estimates. Palm Beach County will have to fund design & CEI of **\$758,510**. FDOT/TPA 2020 Local Initiative Program will fund construction of **\$4,598,000** in FY 2025, (Total Construction Cost estimated at \$5,000,000).

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000's)

Item #2.

Mid-Year Adjustment - Adopted - July 12, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2022		FY 2023		FY 2024		FY 2025		FY 2026	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
6th Ave. S.	over Lake Osborne Dr.	Bridge Replacement	680	C								
10th Ave. N.	Boutwell Rd.	Intersection Improvements			2,000	R/C						
45th St.	E. of Haverhill Rd. to E. of Military Trail	0.6 mi., 6 L	2,460	C								
60th St. N.	Seminole Pratt Whitney Rd. to 140th Ave. N.	2.7 mi., 4L									250	D
60th St. N.	W. of 140th Ave. N. to Avocado Blvd.	0.8 mi., 3L	500	D/R/M								
60th St. N.	Avocado Blvd. to E. of 120th Ave. N.	1.6 mi. 3L	50	D			6,000	C				
Admin. Support/Equipment	Countywide	Staff support and Computer Equip. for Program	370	P	370	P	370	P	370	P	370	P
Annual Contract Advertising	Countywide	Advertising	20	P	20	P	20	P	20	P	20	P
Australian Ave.	Banyan Blvd. to 45th St.	Drainage Improvements & Multipurpose Path	3,200	D								
Benoist Farms Rd.	S.R. 80 to Belvedere Rd.	0.9 mi, 3 L	3,750	C								
Boca Rio Rd.	Palmetto Park Rd. to Glades Rd.	1.3 mi., 4/5 L			400	R						
Center Street	Loxahatchee River Rd. to Alt. A-1-A	1.7 mi., 3 L	600	D	1,000	D/R			2,000	C		
Central Blvd.	Indiantown Rd. to Church St.	0.5 mi, 3 L			700	D			300	R		
Church St.	Limestone Creek Rd. to W. of Central Blvd.	0.5 mi, 2 L	2,000	R/M/C	2,000	C						
Clint Moore Rd.	Military Tr.	Intersection Improvements			2,100	C						
Coconut Blvd.	S. of 78th Place North to S. of Northlake Blvd.	1.3 mi. 5 L					3,300	C				
Congress Ave.	N. of Northlake Blvd. to Alt. A-1-A	0.6 mi, 2 L & 3 L	6,000	R/C								
Congress Ave.	Palm Beach Lakes Blvd.	Intersection Improvements	2,000	C								
CR 880	Belle Glade to Twenty Mile Bend	Rehabilitation/Heavy Maintenance	100	C	1,000	C	1,000	C	1,000	C	1,000	C
CR 880	Sam Senter Rd. over SFWMD Ocean Canal	Intersection Improvements & Bridge Replacement			4,000	C						
CR 880	over C-51 Canal	Bridge Replacement			4,500	C						
Cresthaven Blvd.	Jog Rd. to Military Tr.	Buffered Bike Lanes			760	D			5,000	C		
Donald Ross Rd.	Bascule Bridge	Equipment	8,000	C								
Donald Ross Rd.	Ellison Wilson Rd.	Intersection Improvements (add 2nd NBL)					700	C				
Donald Ross Rd.	U.S. 1	Intersection Improvements (add 3rd EBL & SBRTL)			400	D			500	R/M		
Flavor Pict Rd.	SR7 to Lyons Rd.	1.0 mi, 2 L	3200	C								
Flavor Pict Rd.	Lyons Rd. to Hagen Ranch Rd.	1.7 mi, 4 L			10	D	4,780	S/D/R				
Florida Mango Rd.	10th Ave. North to Edgewater Drive	0.9 mi, 3 L ( L.W.D.D. L-9 & L-10 Canals Bridge Replacements)			6,600	C						

\*See Footnotes, Phase(s): S- Study; D=Design; M=Mitigation; R=R/W Acq.; C=Construction; P=Payment

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000's)

Item #2.

Mid-Year Adjustment - Adopted - July 12, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2022		FY 2023		FY 2024		FY 2025		FY 2026	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Florida Mango Rd.	S. of Barbados Rd. to Myrica Rd.	0.7 mi, 3 L ( L.W.D.D. L-7 Canal Culvert Replacement)	50	D	2,000	C						
Florida Mango Rd.	Myrica Rd. to Summit Blvd.	0.5 mi, 3 L (L.W.D.D. L-6 Canal Bridge Replacement - Culvert)			2,300	R/C						
Forest Hill Blvd.	Military Tr.	Intersection Improvements	1,100	P								
George Bush Bascule Bridge	over Intracoastal	Study	1,000	S/D								
Glades Area	R&R Throughout the Glades	Repair/Reconstruction	700	C	700	C	700	C	700	C	700	C
Gun Club Rd.	Forest Estates Drive to LWDD E-3 Canal	0.5 mi., 3 L	250	R	3,320	C						
Haverhill Rd.	Hypoluxo Rd. to Lantana Rd.	1.0 mi., 4 L					2,360	C				
Haverhill Rd.	S. of Ceceile Ave. to N. of Century Blvd.	Intersection Improvements, 0.2 mi., 4/6 L			1,200	C						
Jog Rd.	Glades Rd. to Yamato Rd.	1.2 mi., 6L	500	S								
Kirk Rd.	LWDD L-7 Canal to Summit Blvd.	0,5 mi, 3/5 L					1,900	C				
Kirk Rd.	Summit Blvd. to Gun Club Rd.	0.8 mi, 3/5 L			3,950	C						
Lawrence Rd.	S. of Ponzia Place to Lantana Road	0.8 mi, 3 L	6,000	C								
Linton Blvd.	Military Tr.	Intersection Improvements	600	C								
Lyons Rd.	Atlantic Ave. to S. of Flavor Pict Rd.	2.4 mi, 4 L			500	R/M			6,000	C		
Lyons Rd.	S. of Flavor Pict Rd. to Boynton Beach Blvd.	3.0 mi, 4 L			12,000	C						
Lyons Rd.	S. of L.W.D.D. L-11 Canal to N. of L.W.D.D. L-10 Canal	0.6 mi, 3 L									100	P
Lyons Rd./Sansbury's Way	Forest Hill Blvd. to Okeechobee Blvd.	Buffered Bike Lanes	6,060	C								
Melaleuca Lane	Jog Rd.	Intersection Improvements			2,300	C						
Miner Rd.	Military Trail to Lawrence Rd.	0.6 mi, 3 L	500	R/M			3,800	C				
Northlake Blvd. TIM Amendment Study	Bay Hill Dr. to S.R. 7 & Beeline Hwy to Military Tr.	Corridor Impact Study	400	S								
Okeechobee Blvd.	Jog Road	Intersection Improvements			1,370	C						
Okeechobee Blvd.	Haverhill Rd.	Intersection Improvements	1,030	C								
Old Dixie Hwy.	Yamato Rd. to S. of Linton Blvd.	3.0 mi, 3 L					3,000	C				
Palmetto Park Rd.	Lyons Rd.	Intersection Improvements			900	C						
Palmetto Park Rd.	E. of Military Trail to I-95	Intersection Improvements	250	D								
Palmetto Park Rd. Bascule Bridge	over Intracoastal Waterway	Rehab/Painting	50	C								
Recording Fees	Countywide	Right-of-Way	20	R	20	R	20	R	20	R	20	R

\*See Footnotes, Phase(s): S- Study; D=Design; M=Mitigation; R=R/W Acq.; C=Construction; P=Payment

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000's)

Item #2.

Mid-Year Adjustment - Adopted - July 12, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2022		FY 2023		FY 2024		FY 2025		FY 2026	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Reserve-Bridges/Structures/Culverts/Pipes	Countywide	Rehab./Repair/Replacement	1,250	D/R/M/C	1,700	D/R/M/C	1,500	D/R/M/C	1,500	D/R/M/C	500	D/R/M/C
Reserve-Drainage	Countywide	Study, Design, R/W, Mitigation & Construction	1,000	S/D/R/M/C	900	S/D/R/M/C	500	S/D/R/M/C	500	S/D/R/M/C	500	S/D/R/M/C
Reserve-Intersections	Countywide	Design, R/W, Mitigation & Construction	2,155	D/R/M/C	10,520	D/R/M/C	4,460	D/R/M/C	1,800	D/R/M/C	200	D/R/M/C
Reserve-Pavement Markings	Countywide	Pavement Markings	400	D/R/C	400	D/R/C	400	D/R/C	400	D/R/C	400	D/R/C
Reserve-Study/Plans/Align.	Countywide	Study, Design & Mitigation	600	S/D/M	300	S/D/M	300	S/D/M	300	S/D/M	300	S/D/M
Reserve-Railroad Crossings	Countywide	Rehabilitation/Upgrade	600	D/C/P	600	D/C/P	600	D/C/P	600	D/C/P	600	D/C/P
Reserve-Resurfacing	Countywide	Resurfacing	2,000	D/R/C	2,000	D/R/C	2,000	D/R/C	2,000	D/R/C	2,000	D/R/C
Reserve-R/W	Countywide	Land Acquisition	300	R	300	R	300	R	300	R	300	R
Reserve-Traffic Calming	Countywide	Minor Improvements	100	D/C	60	D/C	60	D/C	60	D/C	60	D/C
Reserve-Traffic Signals	Countywide	Rehabilitation/Upgrade	600	D/C	600	D/C	600	D/C	600	D/C	600	D/C
Roebuck Rd.	S.R. 7 to Jog Rd.	3.0 mi, 4 L									100	D/M
Royal Palm Beach Blvd.	N. of Persimmon Blvd. to N. of M Canal	1.1 mi, 5 L	500	R								
Royal Palm Beach Blvd.	M Canal to S. of Orange Blvd.	1.0 mi, 5 L	1,500	R/C								
Royal Palm Beach Blvd. / Orange Blvd. / Coconut Blvd.	S. of Orange Blvd. to S. of 78th Place North	1.6 mi, 5 L	400	R								
Sidewalk Program	Countywide	Sidewalks	1,500	D/R/C	1,500	D/R/C	1,500	D/R/C	1,500	D/R/C	1,500	D/R/C
Sims Rd.	Lakes of Delray Blvd. to Atlantic Ave.	0.6 mi, 2 L			10	R/M						
State Road 7	Weisman Way	Intersection Improvements	120	C								
S.W.18th Street	Boca Rio Rd.	Intersection Improvements	1,900	C								
Woolbright Rd.	Seacrest Blvd.	Intersection Improvements	500	R			1,400	C				
Yamato Rd.	Lakeridge Blvd. to W. of FL Turnpike	1.4 mi, 6 L	1,700	C								

**PROJECT TOTALS**

**68,565**

**75,310**

**41,570**

**25,470**

**9,520**

\*See Footnotes, Phase(s): S- Study; D=Design; M=Mitigation; R=R/W Acq.; C=Construction; P=Payment



# TOWN OF JUNO BEACH

340 OCEAN DRIVE

JUNO BEACH, FL 33408

PHONE: 561.626.1122 • FAX: 561.775.0812

WEBSITE: [www.juno-beach.fl.us](http://www.juno-beach.fl.us)

[juno-beach@juno-beach.fl.us](mailto:juno-beach@juno-beach.fl.us)

Item #2.

DD Halpern, Mayor  
Elaine K. Cotronakis, Vice Mayor  
Peggy Wheeler, Vice Mayor Pro Tem  
Jason Haselkorn, Councilmember  
Alexander Cooke, Councilmember

Joseph F. Lo Bello, Town Manager

September 30, 2022

Palm Beach County Engineering and Public Works  
Attn: David L. Ricks, P.E., County Engineer  
2300 North Jog Road  
West Palm Beach, FL 33411-2745

## Re: Palm Beach County's Five-Year Program – Annual Update

Dear Mr. Ricks:

Thank you for your letter and update on the County's Five-Year Road Program. As you are aware, our staff has been in communications with you and your staff regarding the proposed projects for Donald Ross Road. Recently, at the September 28, 2022, Town Council meeting, the Juno Beach Town Council directed staff to send a letter to Palm Beach County regarding their position on the following three (3) items listed on Palm Beach County's Five-Year Program - Exhibit A.

On behalf of the Town of Juno Beach and the Juno Beach Town Council, I am writing to express our support for the following proposed project:

- **Donald Ross Road, Bascule Bridge - Equipment**

Due to the projected growth in northern Palm Beach County, we believe this project would greatly benefit the surrounding communities.

Also, the Town would like to express its opposition of the following proposed projects:

- **Donald Ross Road, Ellison Wilson Rd.:** Intersection Improvements (add 2<sup>nd</sup> NBL)  
*The Town of Juno Beach is opposed to any increase to the number of traffic lanes and modifications to the existing medians.*
- **Donald Ross Road, U.S. 1:** Intersection Improvements (Add 3<sup>rd</sup> EBL & SBRTL)  
*The Town of Juno Beach is opposed to any increase to the number of traffic lanes and modifications to the existing medians.*

Although opposed due to limited information, the Town requests additional information and a presentation on the above two projects to be conducted at a Town Council meeting on either Wednesday, October 26 at 5:30pm or Wednesday, November 9 at 5:30pm.

The Town of Juno Beach appreciates your consideration on this matter.

Sincerely,

  
Joseph F. Lo Bello, CPA  
Town Manager

/cc  
Commissioner Maria Marino  
Mayor DD Halpern  
Vice Mayor Elaine K. Cotronakis  
Vice Mayor Pro Tem Peggy Wheeler  
Councilmember Jason Haselkorn  
Councilmember Alexander Cooke



## TOWN OF JUNO BEACH

340 OCEAN DRIVE

JUNO BEACH, FL 33408

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WEBSITE: [www.juno-beach.fl.us](http://www.juno-beach.fl.us)

E-MAIL: [junobeach@juno-beach.fl.us](mailto:junobeach@juno-beach.fl.us)

Item #2.

DD Halpern, Mayor  
Elaine K. Cotronakis, Vice Mayor  
Peggy Wheeler, Vice Mayor Pro Tem  
Jason Haselkorn, Councilmember  
Alexander Cooke, Councilmember

Joseph F. Lo Bello, Town Manager

October 31, 2022

Palm Beach County Engineering and Public Works  
Attn: David L. Ricks, P.E., County Engineer  
2300 North Jog Road  
West Palm Beach, FL 33411-2745

### Re: Palm Beach County's Five-Year Program – Annual Update

Dear Mr. Ricks:

The Town would like to thank you and your team (Mo, Morton, and Joanne) for taking the time to explain in detail your plans for Juno Beach. We are revising our September letter in support of your efforts. Recently, at the October 26, 2022, Town Council meeting, the Juno Beach Town Council directed staff to send a revised letter to Palm Beach County regarding the Town's position on the following four (4) items listed on Palm Beach County's Five-Year Program - Exhibit A.

On behalf of the Town of Juno Beach and the Juno Beach Town Council, I am writing to express our **support** for the following proposed projects:

- **Donald Ross Road, Bascule Bridge - Equipment**
- **Donald Ross Road, Ellison Wilson Rd.:** Intersection Improvements (add 2<sup>nd</sup> NBTL)
- **Donald Ross Road:** 6 Lanes east and west bound from Ellison Wilson to Prosperity Road (*Not on proposed list*)
- **Donald Ross Road, U.S. 1:** Intersection Improvements (Add 3<sup>rd</sup> EBTL & SBRTL)

In addition, during our discussion you have agreed to:

- Share design drawings for Town staff's review and comments on the last above listed project item.
- Consider repositioning the crosswalk on the north side of the Donald Road/US1 intersection and explore the feasibility of installing a safe zone for pedestrian traffic.
- The Town would also like for the County to consider installing a bike lane from west to east bound from Donald Ross to Ocean Drive.

The Town of Juno Beach appreciates your consideration on this matter.

Sincerely,

Joseph F. Lo Bello, CPA  
Town Manager

/cc  
Commissioner Maria Marino  
Mayor DD Halpern  
Vice Mayor Elaine K. Cotronakis  
Vice Mayor Pro Tem Peggy Wheeler  
Councilmember Jason Haselkorn  
Councilmember Alexander Cooke

**PALM BEACH COUNTY FIVE-YEAR ROAD PROGRAM - EXHIBIT A**

Mid-Year Adjustment - Adopted - July 12, 2022

	FY 2022 BUDGETED	FY 2022 PROJECTED	FY 2023 PROJECTED	FY 2024 PROJECTED	FY 2025 PROJECTED	FY 2026 PROJECTED	TOTAL PROJECTED
Local Option Gas Taxes Total	48,289,000	52,685,000	53,740,000	53,740,000	54,133,000	54,820,000	269,118,000
LESS Mass Transit (Palm Tran) Share	(32,516,000)	(33,760,000)	(34,040,000)	(34,040,000)	(34,182,000)	(34,470,000)	-170,492,000
LESS Engineering Operating	(6,047,000)	(8,296,000)	(8,858,000)	(8,858,000)	(9,001,000)	(9,181,000)	-44,194,000
<b>REMAINING ROAD PROGRAM ALLOCATION</b>	<u>9,726,000</u>	<u>10,629,000</u>	<u>10,842,000</u>	<u>10,842,000</u>	<u>10,950,000</u>	<u>11,169,000</u>	<u>54,432,000</u>
LESS 5% STATUTORY RESERVES	(486,300)	0	(542,100)	(542,100)	(547,500)	(558,450)	-2,190,150
OCEAN AVENUE LOAN REPAYMENT	(1,041,037)	(1,041,037)	(1,035,387)	(1,031,692)	(1,024,981)	(1,024,981)	-5,158,078
<b>GAS TAX AVAILABLE FOR NEW ALLOCATIONS</b>	<b>8,198,663</b>	<b>9,587,963</b>	<b>9,264,513</b>	<b>9,268,208</b>	<b>9,377,519</b>	<b>9,585,569</b>	<b>47,083,772</b>
INTEREST EARNINGS	289,987	192,880	293,645	137,682	116,775	95,856	836,838
MISCELLANEOUS	8,409,000	11,350,000 A	1,409,100 B	0	4,598,000 D	0	17,357,100
IMPACT FEES USED FOR PROJECTS	48,842,000	29,595,000	37,671,000	16,826,000	8,334,000	450,000	92,876,000
PROPORTIONATE SHARE USED FOR PROJECTS	8,076,525	8,086,017	6,560,804	10,866,630	692,000	0	26,205,451
GAS TAX RESERVE USED FOR PROJECTS	<u>20,800,000</u>	<u>9,700,000</u>	<u>20,100,000</u>	<u>4,500,000</u>	<u>2,300,000</u>	<u>0</u>	<u>36,600,000</u>
TOTAL CURRENT REVENUES	94,616,175	68,511,860	75,299,062	41,598,520	25,418,294	10,131,425	220,959,161
BALANCES FORWARD	<u>89,171</u>	<u>89,171</u>	<u>36,031</u>	<u>25,093</u>	<u>53,613</u>	<u>1,907</u>	<u>89,171</u>
TOTAL REVENUES	94,705,346	68,601,031	75,335,093	41,623,613	25,471,907	10,133,332	221,048,332
PROJECT COSTS AS PROPOSED	94,613,000	68,565,000	75,310,000	41,570,000	25,470,000	9,520,000	220,435,000
<b>REVENUES LESS PROJECT COSTS</b>	<u>92,346</u>	<u>36,031</u>	<u>25,093</u>	<u>53,613</u>	<u>1,907</u>	<u>613,332</u>	<u>613,332</u>

General note on interest projections:  
 Interest earnings on gas taxes are shown on this sheet.  
 Interest earnings on impact fees remain within each impact fee area and are not shown above.  
 See Footnotes A, B, and D on page 2 of 5

\*See Footnotes, Phase(s): S- Study; D=Design; M=Mitigation; R=R/W Acq.; C=Construction; P=Payment

**Footnotes:**

**A** Lyons Rd./Sansbury's Way, Forest Hill Blvd. to Okeechobee Blvd (Buffered Bike Lanes). This project was approved under TPA 2018 Local Initiative and based on the submitted estimates, Palm Beach County funded design of \$1,150,000 in FY 2020 and will fund \$1,354,360 for Construction in FY 2022, FDOT will fund **\$4,215,640** (Total Construction Cost \$5,570,000).

- Includes Infrastructure Sales Tax of **\$2,700,000** in FY 2022 for CR880 over C-51 Bridge construction.
- Includes Infrastructure Sales Tax of **\$700,000** in FY 2022 for Florida Mango Rd. over LWDD L-9 Canal Bridge Construction.
- Includes Infrastructure Sales Tax of **\$2,000,000** in FY 2022 for Australian Ave., Banyan Blvd. to 45th St.
- Includes Developer payment of **\$1,733,648** in FY 2022 for Flavor Pict Rd. SR-7 to Lyons Rd.

**B** Includes Infrastructure Sales Tax of **\$450,000** in FY 2023 for CR 880, Sam Senter Rd. over SFWMD Ocean Canal. Infrastructure Sales Tax includes **\$300,000** in FY 2023 for Cresthaven Blvd., Jog Rd.to Military Tr. (Buffered Bike Lanes). Anticipates reimbursement of **\$659,100** from Lake Clarke Shores FY 2024 for utility work.

**D** Funding for Cresthaven Blvd. Jog Rd. Military Tr. (Buffered Bike Lanes) was approved by the TPA 2020 Local Initiative Program, based on the submitted estimates. Palm Beach County will have to fund design & CEI of **\$758,510**. FDOT/TPA 2020 Local Initiative Program will fund construction of **\$4,598,000** in FY 2025, (Total Construction Cost estimated at \$5,000,000).



PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000's)

Item #2.

Mid-Year Adjustment - Adopted - July 12, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2022		FY 2023		FY 2024		FY 2025		FY 2026	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
6th Ave. S.	over Lake Osborne Dr.	Bridge Replacement	680	C								
10th Ave. N.	Boutwell Rd.	Intersection Improvements			2,000	R/C						
45th St.	E. of Haverhill Rd. to E. of Military Trail	0.6 mi., 6 L	2,460	C								
60th St. N.	Seminole Pratt Whitney Rd. to 140th Ave. N.	2.7 mi., 4L									250	D
60th St. N.	W. of 140th Ave. N. to Avocado Blvd.	0.8 mi., 3L	500	D/R/M								
60th St. N.	Avocado Blvd. to E. of 120th Ave. N.	1.6 mi. 3L	50	D			6,000	C				
Admin. Support/Equipment	Countywide	Staff support and Computer Equip. for Program	370	P	370	P	370	P	370	P	370	P
Annual Contract Advertising	Countywide	Advertising	20	P	20	P	20	P	20	P	20	P
Australian Ave.	Banyan Blvd. to 45th St.	Drainage Improvements & Multipurpose Path	3,200	D								
Benoist Farms Rd.	S.R. 80 to Belvedere Rd.	0.9 mi, 3 L	3,750	C								
Boca Rio Rd.	Palmetto Park Rd. to Glades Rd.	1.3 mi., 4/5 L			400	R						
Center Street	Loxahatchee River Rd. to Alt. A-1-A	1.7 mi., 3 L	600	D	1,000	D/R			2,000	C		
Central Blvd.	Indiantown Rd. to Church St.	0.5 mi, 3 L			700	D			300	R		
Church St.	Limestone Creek Rd. to W. of Central Blvd.	0.5 mi, 2 L	2,000	R/M/C	2,000	C						
Clint Moore Rd.	Military Tr.	Intersection Improvements			2,100	C						
Coconut Blvd.	S. of 78th Place North to S. of Northlake Blvd.	1.3 mi. 5 L					3,300	C				
Congress Ave.	N. of Northlake Blvd. to Alt. A-1-A	0.6 mi, 2 L & 3 L	6,000	R/C								
Congress Ave.	Palm Beach Lakes Blvd.	Intersection Improvements	2,000	C								
CR 880	Belle Glade to Twenty Mile Bend	Rehabilitation/Heavy Maintenance	100	C	1,000	C	1,000	C	1,000	C	1,000	C
CR 880	Sam Senter Rd. over SFWMD Ocean Canal	Intersection Improvements & Bridge Replacement			4,000	C						
CR 880	over C-51 Canal	Bridge Replacement			4,500	C						
Cresthaven Blvd.	Jog Rd. to Military Tr.	Buffered Bike Lanes			760	D			5,000	C		
Donald Ross Rd.	Bascule Bridge	Equipment	8,000	C								
Donald Ross Rd.	Ellison Wilson Rd.	Intersection Improvements (add 2nd NBL)					700	C				
Donald Ross Rd.	U.S. 1	Intersection Improvements (add 3rd EBL & SBRTL)			400	D			500	R/M		
Flavor Pict Rd.	SR7 to Lyons Rd.	1.0 mi, 2 L	3200	C								
Flavor Pict Rd.	Lyons Rd. to Hagen Ranch Rd.	1.7 mi, 4 L			10	D	4,780	S/D/R				
Florida Mango Rd.	10th Ave. North to Edgewater Drive	0.9 mi, 3 L ( L.W.D.D. L-9 & L-10 Canals Bridge Replacements)			6,600	C						

\*See Footnotes, Phase(s): S- Study; D=Design; M=Mitigation; R=R/W Acq.; C=Construction; P=Payment

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000's)

Item #2.

Mid-Year Adjustment - Adopted - July 12, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2022		FY 2023		FY 2024		FY 2025		FY 2026	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Florida Mango Rd.	S. of Barbados Rd. to Myrica Rd.	0.7 mi, 3 L ( L.W.D.D. L-7 Canal Culvert Replacement)	50	D	2,000	C						
Florida Mango Rd.	Myrica Rd. to Summit Blvd.	0.5 mi, 3 L (L.W.D.D. L-6 Canal Bridge Replacement - Culvert)			2,300	R/C						
Forest Hill Blvd.	Military Tr.	Intersection Improvements	1,100	P								
George Bush Bascule Bridge	over Intracoastal	Study	1,000	S/D								
Glades Area	R&R Throughout the Glades	Repair/Reconstruction	700	C	700	C	700	C	700	C	700	C
Gun Club Rd.	Forest Estates Drive to LWDD E-3 Canal	0.5 mi., 3 L	250	R	3,320	C						
Haverhill Rd.	Hypoluxo Rd. to Lantana Rd.	1.0 mi., 4 L					2,360	C				
Haverhill Rd.	S. of Ceceile Ave. to N. of Century Blvd.	Intersection Improvements, 0.2 mi., 4/6 L			1,200	C						
Jog Rd.	Glades Rd. to Yamato Rd.	1.2 mi., 6L	500	S								
Kirk Rd.	LWDD L-7 Canal to Summit Blvd.	0,5 mi, 3/5 L					1,900	C				
Kirk Rd.	Summit Blvd. to Gun Club Rd.	0.8 mi, 3/5 L			3,950	C						
Lawrence Rd.	S. of Ponzia Place to Lantana Road	0.8 mi, 3 L	6,000	C								
Linton Blvd.	Military Tr.	Intersection Improvements	600	C								
Lyons Rd.	Atlantic Ave. to S. of Flavor Pict Rd.	2.4 mi, 4 L			500	R/M			6,000	C		
Lyons Rd.	S. of Flavor Pict Rd. to Boynton Beach Blvd.	3.0 mi, 4 L			12,000	C						
Lyons Rd.	S. of L.W.D.D. L-11 Canal to N. of L.W.D.D. L-10 Canal	0.6 mi, 3 L									100	P
Lyons Rd./Sansbury's Way	Forest Hill Blvd. to Okeechobee Blvd.	Buffered Bike Lanes	6,060	C								
Melaleuca Lane	Jog Rd.	Intersection Improvements			2,300	C						
Miner Rd.	Military Trail to Lawrence Rd.	0.6 mi, 3 L	500	R/M			3,800	C				
Northlake Blvd. TIM Amendment Study	Bay Hill Dr. to S.R. 7 & Beeline Hwy to Military Tr.	Corridor Impact Study	400	S								
Okeechobee Blvd.	Jog Road	Intersection Improvements			1,370	C						
Okeechobee Blvd.	Haverhill Rd.	Intersection Improvements	1,030	C								
Old Dixie Hwy.	Yamato Rd. to S. of Linton Blvd.	3.0 mi, 3 L					3,000	C				
Palmetto Park Rd.	Lyons Rd.	Intersection Improvements			900	C						
Palmetto Park Rd.	E. of Military Trail to I-95	Intersection Improvements	250	D								
Palmetto Park Rd. Bascule Bridge	over Intracoastal Waterway	Rehab/Painting	50	C								
Recording Fees	Countywide	Right-of-Way	20	R	20	R	20	R	20	R	20	R

\*See Footnotes, Phase(s): S- Study; D=Design; M=Mitigation; R=R/W Acq.; C=Construction; P=Payment

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000's)

Item #2.

Mid-Year Adjustment - Adopted - July 12, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2022		FY 2023		FY 2024		FY 2025		FY 2026	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Reserve-Bridges/Structures/Culverts/Pipes	Countywide	Rehab./Repair/Replacement	1,250	D/R/M/C	1,700	D/R/M/C	1,500	D/R/M/C	1,500	D/R/M/C	500	D/R/M/C
Reserve-Drainage	Countywide	Study, Design, R/W, Mitigation & Construction	1,000	S/D/R/M/C	900	S/D/R/M/C	500	S/D/R/M/C	500	S/D/R/M/C	500	S/D/R/M/C
Reserve-Intersections	Countywide	Design, R/W, Mitigation & Construction	2,155	D/R/M/C	10,520	D/R/M/C	4,460	D/R/M/C	1,800	D/R/M/C	200	D/R/M/C
Reserve-Pavement Markings	Countywide	Pavement Markings	400	D/R/C	400	D/R/C	400	D/R/C	400	D/R/C	400	D/R/C
Reserve-Study/Plans/Align.	Countywide	Study, Design & Mitigation	600	S/D/M	300	S/D/M	300	S/D/M	300	S/D/M	300	S/D/M
Reserve-Railroad Crossings	Countywide	Rehabilitation/Upgrade	600	D/C/P	600	D/C/P	600	D/C/P	600	D/C/P	600	D/C/P
Reserve-Resurfacing	Countywide	Resurfacing	2,000	D/R/C	2,000	D/R/C	2,000	D/R/C	2,000	D/R/C	2,000	D/R/C
Reserve-R/W	Countywide	Land Acquisition	300	R	300	R	300	R	300	R	300	R
Reserve-Traffic Calming	Countywide	Minor Improvements	100	D/C	60	D/C	60	D/C	60	D/C	60	D/C
Reserve-Traffic Signals	Countywide	Rehabilitation/Upgrade	600	D/C	600	D/C	600	D/C	600	D/C	600	D/C
Roebuck Rd.	S.R. 7 to Jog Rd.	3.0 mi, 4 L									100	D/M
Royal Palm Beach Blvd.	N. of Persimmon Blvd. to N. of M Canal	1.1 mi, 5 L	500	R								
Royal Palm Beach Blvd.	M Canal to S. of Orange Blvd.	1.0 mi, 5 L	1,500	R/C								
Royal Palm Beach Blvd. / Orange Blvd. / Coconut Blvd.	S. of Orange Blvd. to S. of 78th Place North	1.6 mi, 5 L	400	R								
Sidewalk Program	Countywide	Sidewalks	1,500	D/R/C	1,500	D/R/C	1,500	D/R/C	1,500	D/R/C	1,500	D/R/C
Sims Rd.	Lakes of Delray Blvd. to Atlantic Ave.	0.6 mi, 2 L			10	R/M						
State Road 7	Weisman Way	Intersection Improvements	120	C								
S.W.18th Street	Boca Rio Rd.	Intersection Improvements	1,900	C								
Woolbright Rd.	Seacrest Blvd.	Intersection Improvements	500	R			1,400	C				
Yamato Rd.	Lakeridge Blvd. to W. of FL Turnpike	1.4 mi, 6 L	1,700	C								

**PROJECT TOTALS**

**68,565**

**75,310**

**41,570**

**25,470**

**9,520**

\*See Footnotes, Phase(s): S- Study; D=Design; M=Mitigation; R=R/W Acq.; C=Construction; P=Payment





## TOWN OF JUNO BEACH

340 OCEAN DRIVE

JUNO BEACH, FL 33408

PHONE: 561.626.1122 • FAX: 561.775.0812

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Peggy Wheeler, Mayor  
 DD Halpern, Vice Mayor  
 Marianne Hosta, Vice Mayor Pro Tem  
 Diana Davis, Councilmember  
 John Callaghan, Councilmember  
 Frank Davila, CFM. Interim Town Manager

January 23, 2025

Palm Beach County Engineering and Public Works  
 Attn: David L. Ricks, P.E. County Engineer  
 2300 North Jog Road  
 West Palm Beach, FL 33411

### Re: Palm Beach County's Five-Year Program – Donald Ross Road and U.S. 1

Dear Mr. Ricks,

The Town would like to thank you and your team for attending the December 2024 Town Council meeting and for taking the time to explain in detail the plans the County has for Juno Beach. At the January 22<sup>nd</sup>, 2024, Town Council meeting, Town Council directed staff to provide this letter of opposition to Palm Beach County regarding the intersection improvements for Donald Ross Road and U.S. Highway 1 as listed on the Palm Beach County's Five-Year Road Program.

Upon review of the 35% plan, the Town cannot support this project as there are still several unanswered items and are of direct impact to our residents' quality of life. These are listed below:

- **Donald Ross Road Median** – the reduction of the median from 20' to approximately 5'5" is a drastic reduction which will require the removal of mature Medjool Palms and reduce the refuge area used by many walkers in this high pedestrian area.
- **US Highway 1 (east) Landscape Buffer** – by adding a third left turn lane (DRR), the necessity for a third northbound (US 1) lane is eminent, this will be accomplished by removing swale areas adjacent to US Highway 1. No drainage plans have been shared with the town at this time to assure proper water run-off.

The Town of Juno Beach appreciates the collaboration between the County and the Town and we look forward to continue to work together on this matter.

Sincerely,

Frank Davila  
 Interim Town Manager



**Meeting Name:** Town Council  
**Meeting Date:** February 18, 2025  
**Prepared By:** Davila, F. CFM.  
**Item Title:** Chen Moore and Associates’ detailed proposal

COUNCIL GOAL #2 (2024-2025)

**BACKGROUND:**

On December 17, 2024, at the Town Council meeting, staff recommended Chen Moore and Associates’ (CMA) to work with the Town to rewrite the Town’s code (see table #1) and serve as our consultant.

Table #1

Rank	Subject	Summary
1	Techniques for sound and slow growth	Council requested for staff to research planning techniques to promote slow growth and sound development in Juno Beach. Staff’s recommendations include parking, landscaping, setback/lot coverage, incentives for certain uses, elimination of <i>combination</i> of Architectural styles in our current code.
2	Landscape Requirements	Council requested for staff to benchmark the entirety of the Town’s landscape requirements with Palm Beach Gardens, and other communities. (discussed at Oct. P&Z Board meeting).
3	Floor Area Ratio / Volume and Massing of Single-Family dwellings.	Council requested for staff to have a consultant review and benchmark other communities for mass, size, scale, height, building area regulations, wall treatment, 2 <sup>nd</sup> floor area, floor area ration, cubic ratio, off-street parking for single family homes, and to specifically benchmark the city of Lake Worth Beach, North Palm Beach and Palm Beach.
4	Sign Regulations	Staff initiated – The Town’s sign code was last amended in 2006, with the changes in state legislature, some of our codes cannot be enforced

		effectively. Any amendments will require a legal review of the proposed language, this was planned to be addressed with a consultant.
5	Topographical Features	Council requested for staff to work with a consultant to review the Town’s Code regarding current topographical features, the installation of fill and excavations.
6	Wall and Fence	Council requested for staff to have a consultant review this section of the code. Most recently, council directed staff to discuss this item again without the need of a Geotechnical Engineer.
7	Exterior Lighting Spillover	Discussion – as part of the Planning and Zoning Board’s 2024 Topics, they wish to discuss limiting intrusive, spillover lighting from family residences. Previously, in January 2024, Town Council directed staff to proceed with the addition of a code section to address exterior lighting on residential housing and to not include a reference chart with foot candle criteria. At the March 2024 P&Z meeting, the Board requested for staff to work with an Engineer on creating lighting criteria, this was planned to be addressed with a consultant.

At the same meeting, Council approved to select CMA as the Code Rewrite consultant and have them provide an itemized cost sheet for each task for future consideration by the Council.

For the Council’s review, CMA provided an updated copy of their proposal which includes a breakdown of their cost by each task (attachment #1, page 2), please note that this cost (\$62,950) includes coordination with Town Staff, due diligence and research, and writing text to amend the zoning code. The breakdown of the cost, individually or as a total, **does not include** preparation and attendance at public workshops and hearings, these costs are separate.

Staff met with Mrs. Nilsa Zacarias, Director of Planning for CMA, and discussed the proposed cost for their attendance at two (2) public workshops and three (3) hearings, the anticipated total cost will not exceed the cost of \$74,550.00. All preparation and attendance to public workshops and hearings are to be billed on an hourly basis and may be expanded if necessary at an additional cost to the Town.

**RECOMMENDATION:**

Staff recommends that the Town Council direct the Town Manager or designee to execute a contract with CMA per the Town’s purchasing policy.

Attachment:

- 1. Updated CMA Proposal

1851 W. Indiantown Road Suite 100  
Jupiter, FL 33458  
Office: +1 (561) 401-9459



January 2, 2025

SENT VIA E-MAIL ([fdavila@juno-beach.fl.us](mailto:fdavila@juno-beach.fl.us))

Mr. Frank Davila, CFM  
Director of Planning and Zoning  
Town of Juno Beach  
340 Ocean Drive  
Juno Beach, FL 33408

**Subject: Proposal for the Town of Juno Beach  
Zoning Code Text Amendment / Land Development Regulations (LDRs)  
CMA Proposal No. O24.0769 / 24-0000.P0101**

Dear Mr. Davila,

Chen Moore and Associates (CMA) is pleased to submit this Scope of Services and Fee to provide professional planning services to update the Zoning Code of the Town of Juno Beach (the Town).

**PROJECT INTRODUCTION**

The Town’s Planning and Zoning Department has requested a proposal to prepare a Zoning Code amendment including due diligence, code research, writing text and attending public workshops and hearings. The purpose is to provide language to address current zoning code challenges that have been identified by the Town Council and Town Staff.

We are a local planning company located in Jupiter, close to the Town and proficient in writing Zoning Code Amendments. We have an in-depth understanding of the urban character and natural environment of Juno Beach. In 2013, Nilsa Zacarias, Director of Planning for CMA, assisted the Town of Juno Beach with the EAR-Based Comprehensive Plan Amendment. Ms. Zacarias prepared three elements of the Comprehensive Plan: Capital Improvement, Future Land Use, and Intergovernmental Coordination elements.

The CMA planning team has established a strong professional reputation in Palm Beach County as a local company that is deeply rooted in the community. CMA has provided planning services to several coastal municipalities, including the Village of Tequesta (since 2010), Village of North Palm Beach (since 2016), City of Lake Worth Beach (since 2015), Town of Manalapan (since 2010), and Town of Palm Beach (since 2023).

*Additionally, the CMA planning team has a history of collaborating with the Treasure Coast Regional Planning Council (TCRPC) on charrettes, code revisions, and the implementation of land development regulations. As examples of our experience with TCRPC, we recently completed an extended project with Dr. Kim DeLaney; and, we worked with Mr. Dana Little at the charrette that he conducted in Tequesta, and then, we wrote a detail code to implement and reflect the resident’s vision as a result of the charrette.*



The subject proposal is based on the information provided by Town Staff and includes a detailed scope and fee for each task required to amend the existing Land Development Regulations.

**PROJECT STAFFING**

Chen Moore and Associates – Land Planners & Civil Engineering

**SCOPE OF SERVICES**

The scope of services our firm shall provide under this agreement as per our recent discussions, correspondence, and the updated table provided by Town Staff (Exhibit C) includes the following Code Items and Tasks:

**Summary of Items, Tasks and Fees**

No.	CODE ITEMS	TASKS	FEE (\$)
1	TECHNIQUE FOR SOUND AND SLOW GROWTH	Coordination with Town Staff Due Diligence and Research Writing Text to Amend Zoning Code	8,862
2	LANDSCAPE REQUIREMENTS	Coordination with Town Staff Due Diligence and Research Writing Text to Amend Zoning Code	8,862
3	FLOOR AREA RATIO / VOLUME & MASSING OF SINGLE-FAMILY DWELLINGS	Coordination with Town Staff Due Diligence and Research Writing Text to Amend Zoning Code	8,862
4	SIGN REGULATIONS	Coordination with Town Staff Due Diligence and Research Writing Text to Amend Zoning Code	8,862
5	TOPOGRAPHICAL FEATURES	Coordination with Town Staff Due Diligence and Research Writing Text to Amend Zoning Code	9,320
6	WALL AND FENCE	Coordination with Town Staff Due Diligence and Research Writing Text to Amend Zoning Code	8,862
7	EXTERIOR LIGHTING SPILLOVER	Coordination with Town Staff Due Diligence and Research Writing Text to Amend Zoning Code	9,320
		TOTAL	\$62,950

**Note:** The above Code Items and Tasks do Not include preparation and attendance at public workshops and hearings. Preparation and attendance at public workshops and hearings will be billed hourly as follows:

- Principal Planner \$240
- Senior Planner \$140

## Detail Description of Items and Tasks

### Task 1. Coordination with Town Staff

- Consultant will meet with Town Staff for the project kick-off meeting to coordinate scope, project schedule, and deliverables.
- Consultant will meet with Town Staff throughout the project as needed.

### Task 2. Due Diligence and Research

- 2.1. **TECHNIQUE FOR SOUND AND SLOW GROWTH:** Consultant will research techniques that contribute to sustainable, sound, and slow development strategies for the Town, including recommendations for site requirements (such as parking, landscaping, setbacks, and lot coverage) and various architectural styles.
- 2.2. **LANDSCAPE REQUIREMENTS:** Consultant will research the existing land development code to address outdated landscape regulations, such as the removal of invasive exotic plant species, review of the existing tree and shrub requirement.
- 2.3. **FLOOR AREA RATIO / VOLUME & MASSING OF SINGLE-FAMILY DWELLINGS:** Consultant will research land development code regulations regarding size, scale, height, and building area regulations for single family residential. Due diligence will include code language from local governments such as Town of Palm Beach, City of Lake Worth Beach, Village of North Palm Beach, Village of Tequesta, and any other municipality suggested by Town Staff.
- 2.4. **SIGN REGULATIONS:** Consultant will research the sign code from similar municipalities for real estate signs, snipe signs, and other similar signs.
- 2.5. **TOPOGRAPHICAL FEATURES:** Consultant will research the existing topographic features, the excavation permit process, and the associated fill requirements and impacts.
- 2.6. **WALL AND FENCE:** Consultant will review the existing for walls and fences code and research code language from coastal municipalities, including the Town of Palm Beach, Village of Tequesta, and Village of North Palm Beach.
- 2.7. **EXTERIOR LIGHTING SPILLOVER:** Consultant will review the existing land development code for lighting criteria and assess local governments for lighting requirements for residential housing.

### Task 3. Writing Text to Amend Zoning Code

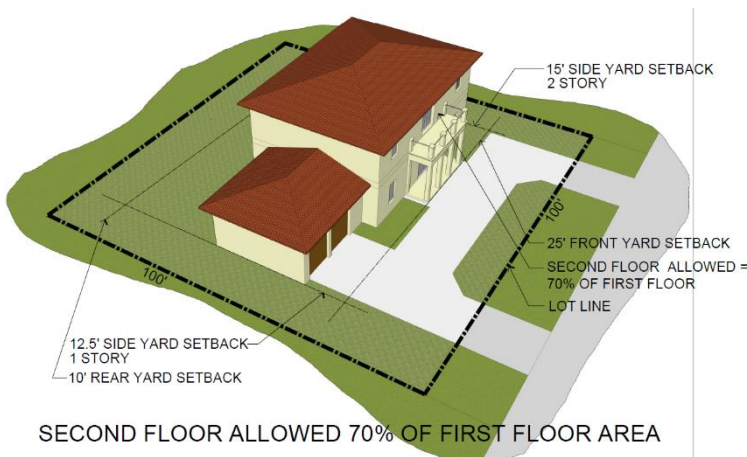
The Consultant will conduct the following Land Development Code Amendments:

- 3.1. **TECHNIQUE FOR SOUND AND SLOW GROWTH:** The Consultant will prepare amendments to the Land Development Code to implement sound growth and slow development techniques, incorporating new requirements for parking, landscaping, setbacks/lot coverage, and incentives for certain uses, while eliminating architectural style requirements from the existing code of ordinances.
- 3.2. **LANDSCAPE REQUIREMENTS:** The Consultant will prepare amendments to the Land Development Code to update the Town's landscape requirements, including the removal of invasive exotic plants, an evaluation of the existing number of trees and shrubs, and an update to the list of permitted tree species. *The CMA team includes certified landscape architects and arborists with in-depth knowledge of invasive species, Palm Beach County code and Florida natives that will write a code based on best practices and in compliance with Florida Statutes.*

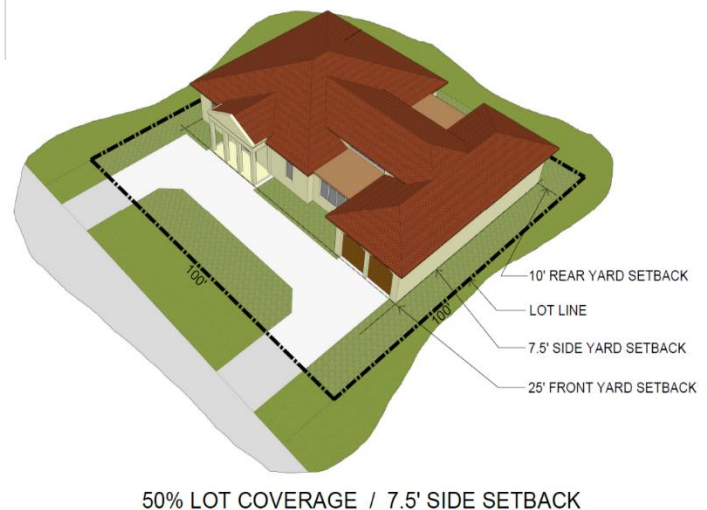
3.3. **FLOOR AREA RATIO / VOLUME & MASSING OF SINGLE-FAMILY DWELLINGS:** The Consultant will prepare amendments to the Land Development code that address massing, size, scale, and height. The subject amendment may include the preparation of graphics to demonstrate the proposed land development code regulations.

The CMA Planning team is proficient in 3D CAD renderings to showcase graphically the different options in terms of volumes and massing for single family residences that will facilitate a visual understanding and build consensus.

**The following graphics were prepared for the Town of Palm Beach to address volume, massing, FAR, cubic ratio, off street parking and setbacks for single residential homes in relationship to lot coverage and open space for 1 and 2-story homes.**



ONE STORY REGULATIONS  
INCENTIVE 50-7.5



- 3.4. **SIGN REGULATIONS:** The Consultant will prepare amendments to the Land Development Code that address sign regulations. The subject amendment will include the preparation of graphics to demonstrate the proposed sign code regulations. Our planning team is proficient in code language regarding sign codes including temporary and permanent, *we prepared sign code amendments for a number of municipalities including Town of Manalapan, Village of Tequesta and others. Also, we wrote a new sign code for the City of Westlake, a new municipality in Palm Beach County. This subject sign code includes definitions and graphics to reflect the requirements and clarify the text.*
- 3.5. **TOPOGRAPHICAL FEATURES:** The Consultant will prepare amendments to the Land Development Code to address current topographical features, the installation of fill, and excavations. *The CMA team includes civil engineers that are experienced in permitting and related code language.*
- 3.6. **WALL AND FENCE:** The Consultant will prepare amendments to the Land Development Code to update the existing walls and fences. Our planning team is proficient in code language regarding walls and fences.
- 3.7. **EXTERIOR LIGHTING SPILLOVER:** The Consultant will prepare amendments to the Land Development Code to establish lighting criteria aimed at limiting intrusive lighting and light spillover from residential properties. *The CMA team includes electrical engineers with expertise in lighting requirements.*

**Task 4. Public Workshops**

- Consultant will conduct workshops to present proposed code, listen to comments, gather feedback from the Board and Council, and allow for public input: one (1) with the Town’s Planning and Zoning Board and one (1) with the Town Council.

**Task 5. Final Approval**

- Consultant will attend the Local Planning Agency hearing for a recommendation of approval.
- Consultant will attend the Council hearing for the first and second reading of the proposed code amendment.

**DELIVERABLE AND TIMELINE**

Consultant will provide the Client with Final Text Amendment language within six (6) months of approval of each Code Item, and receiving a P.O.

**FEE SUMMARY**

CMA will provide services for a lump sum amount not to exceed **\$62,950**. The subject lump sum does Not include preparation and attendance at public workshops and hearings. Preparation and attendance at public workshops and hearings will be billed hourly as follows:

- Principal Planner \$240
- Senior Planner \$140

1851 W. Indiantown Road Suite 100  
Jupiter, FL 33458  
Office: +1 (561) 401-9459



Should you have any questions, please do not hesitate to contact me at my office at my cell phone at (561) 758-2252 or send me an electronic message at [nzacarias@chenmoore.com](mailto:nzacarias@chenmoore.com)

Respectfully submitted,

*Nilsa Zacarias*

CHEN MOORE AND ASSOCIATES  
Nilsa Zacarias, AICP  
Director of Planning

- Attachment(s):
- Exhibit A – Work Authorization
  - Exhibit B – Rate Schedule
  - Exhibit C – Juno Beach – Ranking of Items List (Town Staff Update from 10-24-24)
  - Exhibit D - November 14, 2024 - Zoning Code Text Amendment Proposal
  - Exhibit E - Nilsa Zacarias, AICP, Summary Resume
  - Exhibit F - CMA General Services and Planning Services Flyer

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Jupiter, FL 33458  
Office: +1 (561) 401-9459



EXHIBIT "A"

**AGREEMENT FOR PROFESSIONAL SERVICES - WORK AUTHORIZATION**

Client Name: **Town of Juno Beach**  
Client Contact: **Mr. Frank Davila**  
Client Address: **340 Ocean Drive; Juno Beach, FL 33408**  
Client Phone/Fax: **(561) 586-1634**  
Client E-mail: [fdavila@juno-beach.fl.us](mailto:fdavila@juno-beach.fl.us)  
CMA Proposal No. O24.0769 / 24-0000.P0101  
Agreement Date: January , 2025

FEE: Lump Sum for Professional Services is **not to exceed \$62,950**. The subject lump sum does Not include preparation and attendance at public workshops and hearings. Preparation and attendance at public workshops and hearings will be billed hourly as follows:

- Principal Planner \$240
- Senior Planner \$140

RETAINER: N/A

The undersigned agree to the attached General Conditions/Provisions which are incorporated and made a part of the current Continuing Services Contract. Any additional requested services will be addressed in a separate agreement.

**CHEN MOORE AND ASSOCIATES, INC. (CONSULTANT)**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Print Name/Title

\_\_\_\_\_  
Date

**Town of Juno Beach (CLIENT)**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Print Name/Title

\_\_\_\_\_  
Date

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**EXHIBIT "B"**  
**(Rate Schedule)**

**2023/2024 Hourly Rate Schedule**

<b>Labor Category</b>	<b>Hourly Rate</b>
<b>President</b>	<b>\$550</b>
<b>Principal</b>	<b>\$400</b>
<b>Principal Engineer</b>	<b>\$300</b>
<b>Senior Engineer</b>	<b>\$210</b>
<b>Project Engineer</b>	<b>\$185</b>
<b>Associate Engineer</b>	<b>\$130</b>
<b>Engineer</b>	<b>\$120</b>
<b>Principal Landscape Architect</b>	<b>\$230</b>
<b>Senior Landscape Architect</b>	<b>\$165</b>
<b>Project Landscape Architect</b>	<b>\$125</b>
<b>Associate Landscape Architect</b>	<b>\$110</b>
<b>Senior Landscape Designer</b>	<b>\$110</b>
<b>Landscape Designer</b>	<b>\$95</b>
<b>Principal Planner</b>	<b>\$240</b>
<b>Senior Planner</b>	<b>\$140</b>
<b>Project Planner</b>	<b>\$110</b>
<b>Associate Planner</b>	<b>\$95</b>
<b>Senior Project Manager</b>	<b>\$260</b>
<b>Senior Environmental Scientist</b>	<b>\$160</b>
<b>Senior Designer</b>	<b>\$160</b>
<b>Designer</b>	<b>\$120</b>
<b>Senior Technician</b>	<b>\$110</b>
<b>Technician</b>	<b>\$100</b>
<b>Senior Construction Specialist</b>	<b>\$150</b>
<b>Construction Specialist</b>	<b>\$100</b>
<b>Administrative Staff</b>	<b>\$100</b>
<b>Intern</b>	<b>\$70</b>

**EXHIBIT "C"**  
**Juno Beach Status of To-Do List**

1	Techniques for sound and slow growth	Council requested for staff to research planning techniques to promote slow growth and sound development in Juno Beach. Staff's recommendations include parking, landscaping, setback/lot coverage, incentives for certain uses, elimination of <i>combination</i> of Architectural styles in our current code.
2	Landscape Requirements	Council requested for staff to benchmark the entirety of the Town's landscape requirements with Palm Beach Gardens, and other communities. (discussed at Oct. P&Z Board meeting).
3	Floor Area Ratio / Volume and Massing of Single-Family dwellings.	Council requested for staff to have a consultant review and benchmark other communities for mass, size, scale, height, building area regulations, wall treatment, 2 <sup>nd</sup> floor area, floor area ration, cubic ratio, off-street parking for single family homes, and to specifically benchmark the city of Lake Worth Beach, North Palm Beach and Palm Beach.
4	Sign Regulations	Staff initiated – The Town's sign code was last amended in 2006, with the changes in state legislature, some of our codes cannot be enforced effectively. Any amendments will require a legal review of the proposed language, this was planned to be addressed with a consultant.
5	Topographical Features	Council requested for staff to work with a consultant to review the Town's Code regarding current topographical features, the installation of fill and excavations.
6	Wall and Fence	Council requested for staff to have a consultant review this section of the code. Most recently, council directed staff to discuss this item again without the need of a Geotechnical Engineer.
7	Exterior Lighting Spillover	Discussion – as part of the Planning and Zoning Board's 2024 Topics, they wish to discuss limiting intrusive, spillover lighting from family residences. Previously, in January 2024, Town Council directed staff to proceed with the addition of a code section to address exterior lighting on residential housing and to not include a reference chart with foot candle criteria. At the March 2024 P&Z meeting, the Board requested for staff to work with an Engineer on creating lighting criteria, this was planned to be addressed with a consultant.



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**EXHIBIT "D"**

**November 14, 2024 - Zoning Code Text Amendment Proposal**

November 14, 2024

SENT VIA E-MAIL ([fdavila@juno-beach.fl.us](mailto:fdavila@juno-beach.fl.us))

Mr. Frank Davila, CFM  
Director of Planning and Zoning  
Town of Juno Beach  
340 Ocean Drive  
Juno Beach, FL 33408

**Subject: Proposal for the Town of Juno Beach  
Zoning Code Text Amendment / Land Development Regulations (LDRs)  
CMA Proposal No. O24.0769 / 24-0000.P0101**

Dear Mr. Davila,

Chen Moore and Associates (CMA) is pleased to submit this Scope of Services and Fee to provide professional planning services to update the Zoning Code of the Town of Juno Beach (the Town).

**PROJECT INTRODUCTION**

The Town's Planning and Zoning Department has requested a proposal to prepare a Zoning Code amendment including due diligence, code research, writing text and attending public workshops and hearings. The purpose is to provide language to address current zoning code challenges that have been identified by the Town Council and Town Staff.

We are a local planning company located in Jupiter, close to the Town and proficient in writing Zoning Code Amendments. We have an in-depth understanding of the urban character and natural environment of Juno Beach. In 2013, Nilsa Zacarias, Director of Planning for CMA, assisted the Town of Juno Beach with the EAR-Based Comprehensive Plan Amendment. Ms. Zacarias prepared three elements of the Comprehensive Plan: Capital Improvement, Future Land Use, and Intergovernmental Coordination elements.

The CMA planning team has established a strong professional reputation in Palm Beach County as a local company that is deeply rooted in the community. CMA has provided planning services to several coastal municipalities, including the Village of Tequesta (since 2010), Village of North Palm Beach (since 2016), City of Lake Worth Beach (since 2015), Town of Manalapan (since 2010), and Town of Palm Beach (since 2023).

*Additionally, the CMA planning team has a history of collaborating with the Treasure Coast Regional Planning Council (TCRPC) on charrettes, code revisions, and the implementation of land development regulations. As examples of our experience with TCRPC, we recently completed an extended project with*

*Dr. Kim DeLaney; and, we worked with Mr. Dana Little at the charrette that he conducted in Tequesta, and then, we wrote a detail code to implement and reflect the resident's vision as a result of the charrette.* The subject proposal is based on the information provided by Town Staff and includes a detailed scope and fee for each task required to amend the existing Land Development Regulations.

### **PROJECT STAFFING**

Chen Moore and Associates – Land Planners & Civil Engineering

### **SCOPE OF SERVICES**

The scope of services our firm shall provide under this agreement as per our recent discussions, correspondence, and the updated table provided by Town Staff (Exhibit C) includes the following tasks:

#### **Task 1. Coordination with Town Staff**

- Consultant will meet with Town Staff for the project kick-off meeting to coordinate scope, project schedule, and deliverables.
- Consultant will meet with Town Staff throughout the project as needed.

#### **Task 2. Due Diligence and Research**

- 2.8. **TECHNIQUE FOR SOUND AND SLOW GROWTH:** Consultant will research techniques that contribute to sustainable, sound, and slow development strategies for the Town, including recommendations for site requirements (such as parking, landscaping, setbacks, and lot coverage) and various architectural styles.
- 2.9. **LANDSCAPE REQUIREMENTS:** Consultant will research the existing land development code to address outdated landscape regulations, such as the removal of invasive exotic plant species, review of the existing tree and shrub requirement.
- 2.10. **FLOOR AREA RATIO / VOLUME & MASSING OF SINGLE-FAMILY DWELLINGS:** Consultant will research land development code regulations regarding size, scale, height, and building area regulations for single family residential. Due diligence will include code language from local governments such as Town of Palm Beach, City of Lake Worth Beach, Village of North Palm Beach, Village of Tequesta, and any other municipality suggested by Town Staff.
- 2.11. **SIGN REGULATIONS:** Consultant will research the sign code from similar municipalities for real estate signs, snipe signs, and other similar signs.
- 2.12. **TOPOGRAPHICAL FEATURES:** Consultant will research the existing topographic features, the excavation permit process, and the associated fill requirements and impacts.
- 2.13. **WALL AND FENCE:** Consultant will review the existing for walls and fences code and research code language from coastal municipalities, including the Town of Palm Beach, Village of Tequesta, and Village of North Palm Beach.
- 2.14. **EXTERIOR LIGHTING SPILLOVER:** Consultant will review the existing land development code for lighting criteria and assess local governments for lighting requirements for residential housing.

#### **Task 3. Writing Text to Amend Zoning Code**

The Consultant will conduct the following Land Development Code Amendments:

- 3.8. **TECHNIQUE FOR SOUND AND SLOW GROWTH:** The Consultant will prepare amendments to the Land Development Code to implement sound growth and slow development techniques, incorporating new requirements for parking, landscaping, setbacks/lot coverage, and incentives

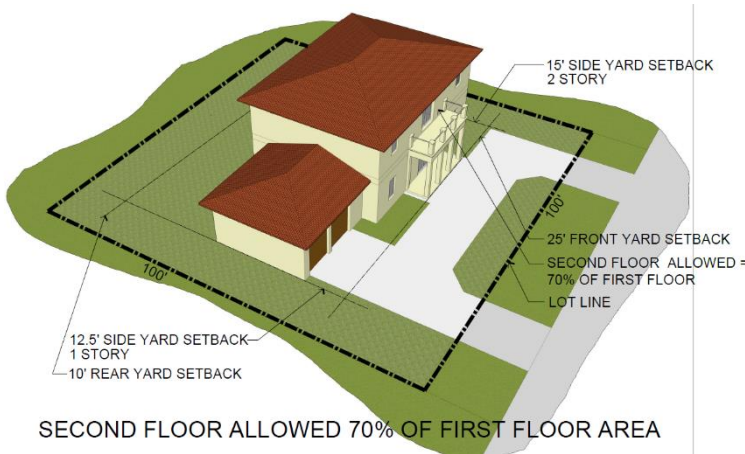
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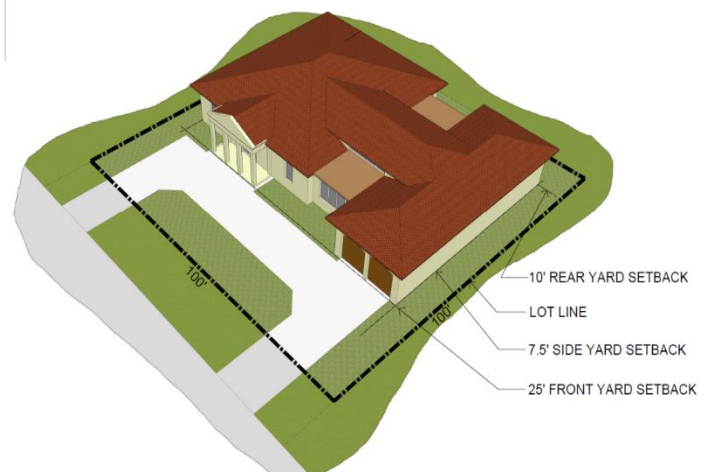
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**The following graphics were prepared for the Town of Palm Beach to address volume, massing, FAR, cubic ratio, off street parking and setbacks for single residential homes in relationship to lot coverage and open space for 1 and 2-story homes.**



ONE STORY REGULATIONS  
 INCENTIVE 50-7.5



50% LOT COVERAGE / 7.5' SIDE SETBACK

- 3.11. **SIGN REGULATIONS:** The Consultant will prepare amendments to the Land Development Code that address sign regulations. The subject amendment will include the preparation of graphics to demonstrate the proposed sign code regulations. Our planning team is proficient in code language regarding sign codes including temporary and permanent, *we prepared sign code amendments for a number of municipalities including Town of Manalapan, Village of Tequesta and others. Also, we wrote a new sign code for the City of Westlake, a new municipality in Palm Beach County. This subject sign code includes definitions and graphics to reflect the requirements and clarify the text.*
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- 3.14. **EXTERIOR LIGHTING SPILLOVER:** The Consultant will prepare amendments to the Land Development Code to establish lighting criteria aimed at limiting intrusive lighting and light spillover from residential properties. *The CMA team includes electrical engineers with expertise in lighting requirements.*

**Task 4. Public Workshops**

- Consultant will conduct two (2) workshops to present proposed code, listen to comments, gather feedback from the Board and Council, and allow for public input: one (1) with the Town’s Planning and Zoning Board and one (1) with the Town Council.

**Task 5. Final Approval**

- Consultant will attend the Local Planning Agency hearing for a recommendation of approval.
- Consultant will attend the Council hearing for the first and second reading of the proposed code amendment.

**DELIVERABLE AND TIMELINE**

Consultant will provide the Client with Final Text Amendment language within six (6) months of approval of this subject proposal, and receiving a P.O.

**FEE SUMMARY**

CMA will provide services for a lump sum amount not to exceed **\$74,550.00**.

Should you have any questions, please do not hesitate to contact me at my office at my cell phone at (561) 758-2252 or send me an electronic message at [nzacarias@chenmoore.com](mailto:nzacarias@chenmoore.com)

Respectfully submitted,



CHEN MOORE AND ASSOCIATES  
Nilsa Zacarias, AICP  
Director of Planning

**EXHIBIT "E"**  
**Nilsa Zacarias, AICP, Summary Resume**

*Nilsa Zacarias, AICP*  
*Director of Planning*

**Hire Date**  
07/27/2009  
Years with other firms: N/A

**Education**  
Master of Community and  
Regional Planning Minor in  
Housing, Iowa State  
University, Fulbright Scholar,  
Bachelor of Architecture,  
Catholic University Asuncion,  
Paraguay

**Professional Affiliations**  
Fulbright Alumni Association  
Palm Beach County Planning  
Congress  
Planning & Zoning  
Commission, Town of  
Jupiter

**Certifications**  
Certified Planner by the  
American Institute of  
Certified Planners (AICP)

**Presentations at  
Conferences**  
*Protecting Community  
Character: Lessons Learned*  
American Planning  
Association Florida  
Chapter Conference (FAPA),  
Tampa, Florida –  
September 2024 (upcoming)

*Chair of Affordable Housing  
Symposium: Solutions and  
Strategies.* Palm Beach  
County Planning Congress-  
West Palm Beach, Florida-  
April 2024

*Inclusive and Equitable Public  
Open Spaces.* American  
Planning Association Florida  
Chapter Conference (FAPA),  
Jacksonville, Florida –  
September 2023

Nilsa Zacarias, AICP is CMA's Principal Planner. She is a nationally and internationally recognized professional and Fulbright Scholar with over 25 years of experience working on challenging and complex planning initiatives including Comprehensive Planning, Public Engagement, Land Development Regulations, Annexations, Master Plans, Neighborhood Plans, Design Guidelines, Development Review & Processing, and others. She has an in-depth knowledge of Florida Statutes requirements.

**Project Experience**

**General Planning Services, Visioning, Comprehensive Plan, LDRs, and Development Processing, City of Westlake.** Palm Beach County's new 39th City was incorporated on June 20, 2016. The 38,000 acres of mostly vacant, previously agricultural land in western Palm Beach County will be the site of 4,500 homes and 2.2 million square feet of commercial space. Since its incorporation in 2016, CMA professionals serve as the planning department of the City responsible for preparing the first comprehensive plan adopted in 2018, and writing the Land Development Regulations to be consistent with the City's Comprehensive Plan Vision. CMA is also in charge of site plan reviews and processing development applications including staff reports, presentations to the Boards and City Council.

**General Planning Services, Land Development Regulations, Comprehensive Plan Amendments, Village of Tequesta-** Since 2010 provided planning services including EAR-based Comprehensive Plan Amendments, LDR amendments (writing code language to create overlays, Parking regulations, updating definitions, and others); Site Plan Reviews (DRC Meetings, Staff Reports, meetings with developers); presentations at workshops, hearings at P&Z Board and Village Council meetings; Annexations studies and analysis with public outreach; community outreach and vision for a Parks Master Plan and Design Guidelines.

**Comprehensive Plan based on the Evaluation and Appraisal Review (EAR) - Village of North Palm Beach -** CMA updated the Village of North Palm Beach Comprehensive Plan based on the Evaluation and Appraisal Review (EAR). The proposed scope includes a detail review of all the elements including Policy (Goals, Objectives and Policies) and Data and Analysis ensuring compliance with current Florida Statutes (F.S.) and updates to reflect changes in the Village's trends, vision and demographics.

**Urban Design, LDRs, EAR-based Comprehensive Plan Text Amendments, and Neighborhood Plans, City of Lake Worth Beach .** Since 2015 CMA is providing ongoing planning services to the City including 3D Renderings for specific sites illustrating the vision of the City and the compliance with Zoning Code as part of a City's marketing effort to attract quality development. Over the years, CMA has prepared Land Development Regulations (LDRs) and EAR-based Comprehensive Plan text amendments in compliance with Florida Statutes. Also, the CMA team developed 18 Neighborhood Plans for the City including utilities, transportation, signage, public safety, planning efforts and neighborhood public engagement.

**EAR based Comprehensive Plan Update, City of Dania Beach.** CMA was contracted by the City of Dania Beach to update the Comprehensive Plan based on the Evaluation and Appraisal Review (EAR) according to Chapter 163 Florida Statutes (F.S.). The proposed scope includes a detail review of the elements including Policy (Goals, Objectives and Policies) and Data and Analysis ensuring compliance with current Florida Statutes (F.S.); and, updates to reflect changes in the City's trends, vision and demographics.

Urban Design, Community Outreach, CRA Master Plan Update, City of Belle Glade. CMA was contracted to prepare the Finding of Necessity and CRA Plan Update for the City of Belle Glade, including a boundary extension, existing conditions analysis, compliance with Florida Statutes, list of priority projects, 3D Renderings of main street, community gardens and other public spaces, community engagement and presentations to the CRA Board and City Commission.

Design Guidelines, Public Participation and Zoning Code Amendment, Village of Tequesta. The Beach Road corridor was facing challenges because of aging condominium buildings, and active redevelopment initiatives. prepared Design Guidelines CMA and Zoning Code Text Amendments based on the Community input to protect the small village charm, natural resources, and provide clear direction to developers. The Design Guidelines included building aesthetics, site planning, landscaping, public streetscape, and a detail checklist. The Design Guidelines is a rich graphic driven document with 3D renderings showcasing the vision for the Beach Road corridors, and photographic display of examples of massing, articulations and architectural elevations.

Public Participation Program, Parks Master Plan “Our Parks Our Values” – Village of Tequesta  
CMA was responsible for land planning, community participation, branding, site analysis, site design and landscaping in compliance with local code and comprehensive plan, landscaping, parking lay outs, and permitting for the preparation of Village of Tequesta Parks Master Plan. The CMA team utilized a proactive public participation program (4Ps) to obtain community input and ensure maximum outreach. “Our Parks Our Values” main goal was to prepare a robust document based on the community vision to serve as a long-term strategic road map to guide improvements to the Village’s parks.

The Master Plan was approved by the Village Council in August 2022, and it is currently being implemented. Nilsa was the lead and project manager including the proactive public participation; conceptual designs and final document that was approved by the Village Council. This Master Plan was selected by the Florida Chapter of the American Planning Association to be presented at the State Conference held in Jacksonville in September 2023.

Town of Mangonia Park Visioning, Comprehensive Plan, & Land Development Regulations. Town of Mangonia Park. CMA was contracted by the Town of Mangonia Park to update their comprehensive plan. Florida Statutes require that each local government within the state must prepare, adopt, and submit an Evaluation and Appraisal Review of its comprehensive plan at least every seven years. This EAR based amendment should address changes in the state requirements and changes to local conditions since the last update of the comprehensive plan. In 2020, the Mangonia Park comprehensive plan prepared by the CMA planning team was adopted.

GIS Mapping, 2050 Long Range Transportation Planning (LRTP), Treasure Coast Regional Planning Council  
This project involved policy analysis and considerations for 107 TOD stations located in Palm Beach County including land uses, demographics and market studies. The CMA planning team prepared GIS maps and data tables based on ARC GIS Business Analyst to be used in the transit and roadway modeling of the 2050 Long Range Transportation Planning (LRTP) prepared by the Palm Beach Transportation Planning Agency’s (TPA), and Treasure Coast Regional Planning Council. The purpose of this work order was to analyze the development capacity surrounding the potential transit stations along the 561 corridors countywide in Palm Beach County. The analysis identified the existing and potential residential units and non-residential square footage of each station, factoring in desired station typology and land use regulations and entitlements. CMA was contracted by the Treasure Coast Regional Planning Council to conduct this study. The existing conditions analysis and mapping for the 107 TOD station included 1,926 GIS maps (Age of Structures, Assessed Value of Improvements, Taxable Value, Density, FAR, NAICS, MAZ, property acreage and others). Once the key sites for redevelopment were identified, CMA prepared 107 GIS maps showcasing the potential capacity of the subject sites.

**EXHIBIT "F"**  
**CMA General Services and Planning Flyers**



**CIVIL ENGINEERING**



**TRANSPORTATION ENGINEERING**



**ELECTRICAL ENGINEERING**



**LANDSCAPE ARCHITECTURE & PLANNING**



**ENVIRONMENTAL**



**CONSTRUCTION MANAGEMENT**

**OUR SERVICES**

Founded in 1986, Chen Moore and Associates, Inc. (CMA) specializes in civil engineering, water resources, water and sewer, landscape architecture, irrigation, planning, electrical engineering, transportation, environmental and construction engineering services. The firm commits to providing responsive quality services while meeting the schedules and specific project needs of our clients.



[www.chenmoore.com](http://www.chenmoore.com)

**cma**  
 chen moore and associates

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West Palm Beach

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			<b>PEOPLE THAT CARE</b> <a href="http://www.chenmoore.com">www.chenmoore.com</a>





Euclid Road Streetscape Master Plan, Miami Beach, FL



3D Visioning Rendering Phase 1, City of Lake Worth Beach, FL



Community Participation, Parks Master Plan, Village of Tequesta, FL

# PLANNING

Founded in 1986, Chen Moore and Associates, Inc. (CMA) specializes in planning, civil engineering, water resources, water and sewer, landscape architecture, irrigation, electrical engineering, transportation, environmental and construction engineering services. The firm commits to providing responsive quality services while meeting the schedules and specific project needs of our clients.



Land use planning is about community building, it is integral to the sustainable development of cities and towns. It involves looking at how land should be used, ranging from green space to residential areas, commercial and industrial sites. Land-use planning takes place within the framework of local zoning laws, state and federal regulations; and careful planning aims to preserve the environment, promote social gatherings, enhance communities, and support transportation, industry, and economic development. CMA provides long range and current planning services by focusing on sustainable principles with unparalleled graphic skills and superior analytical capabilities to local governments, communities, and private sector clients throughout Florida.

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**OUR PLANNING SERVICES INCLUDE:**

**Long Range Planning**

- Sustainable Comprehensive Plan & Text Amendments
- Neighborhood Plans
- Land Development Regulations & Zoning Codes
- Evaluation and Appraisal Reviews
- Annexation Plans & Processing

**Current Planning**

- Development Applications & Approvals
- Site Plan Designs & Reviews
- Technical Reports

**Community & Neighborhood Involvement**

- 24/7 Open Community Forums
- Vision & Master Plans
- Design Charrettes
- Neighborhood Participation & Plans

**Graphics and Geographic Information System (GIS)**

- GIS Maps
- 3D Computer Rendering/ Conceptual Design/CAD

**WE PLAN AND DESIGN MEMORABLE PLACES**



Mixed-Use District, 3D Visioning Rendering Phase 2, City of Lake Worth Beach, FL



Currie Park Phase I - Visioning, Public Participation, West Palm Beach, FL



Beach Road Corridor, Design Guidelines, Village of Tequesta, FL

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**Meeting Name:** Town Council Meeting  
**Meeting Date:** February 18, 2025  
**Prepared By:** Leonard G. Rubin, Town Attorney  
**Item Title:** Revised Code of Conduct and Enforcement Options

## DISCUSSION:

At the November 13, 2024 Town Council meeting, this office presented the Town Council with a revised Code of Conduct for members of the Town Council. The Council, by consensus, agreed to additional revisions, which are highlighted in yellow on the attached document. These revisions include:

- A revised preamble as proposed by former Councilmember Rosengarten. If the Council adopts the enforcement language, the italicized language would need to be removed.
- A revision to Section B.2 to include members of Town Staff.
- An additional revision to the end of Section B.2 regarding newsletters also proposed by former Councilmember Rosengarten.
- The deletion of “without the use of the Councilmember’s official title” from Section B.3.

The Council, by consensus, also indicated that it wished to include enforcement provisions (although former Councilmember Rosengarten was part of that consensus). However, as explained below, the Town Council’s authority is limited with respect to the methods available for enforcement.

The Town Charter currently provides for removal of a Councilmember “by the remaining members of the Town Council” if the member no longer meets the requirements for candidacy set forth in Article III, Section 1(b) of the Town Charter. Thus, a Councilmember may only be removed if the member is no longer a resident of the Town or the member has been convicted or pled nolo contendere to any felony or any crime of fraud or dishonesty including, by way of example, larceny, theft, burglary, forgery, perjury, or embezzlement.

In addition to the Town Charter, Section 112.51, Florida Statutes, authorizes the Governor to suspend (and ultimately remove) a municipal official for “malfeasance, misfeasance, neglect of duty, habitual drunkenness, incompetence, or permanent inability to perform official duties” or when arrested for a felony or for a misdemeanor related to the duties of office. Additionally, Section 100.361, Florida Statutes, provides a procedure whereby the electors of a municipality may initiate a petition remove a member of the governing body for “malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform official duties, or conviction of a felony involving moral turpitude.”

Based on the foregoing, the Council cannot, absent an amendment to the Town Charter, suspend or remove a Councilmember for violation of the Code of Conduct. Consequently, the enforcement provisions previously provided to the Council have been included within the Code of Conduct. At the suggestion of Councilmember Davis, these provisions have been revised to require that the Town Council determine whether to pursue the violation once a complaint is received. While Councilmember Davis suggested that such a decision require a supermajority vote, there is no supermajority of four (assuming one Councilmember has been named in the complaint and that there is a full Council with four other members). Consequently, the language has been revised to require a unanimous vote of the non-named Councilmembers to proceed. The potential consequences remain the same, listed from least consequential to most consequential: (1) admonishment; (2) written warning; and (3) censure.

Once the Council agrees on the revisions to the Code of Conduct and/or the enforcement options, a Resolution adopting the final version will be placed on the Town Council’s consent agenda.

**RECOMMENDATION:**

Consideration of revisions to the Town Council Code of Conduct and enforcement options.

## TOWN OF JUNO BEACH

### TOWN COUNCIL CODE OF CONDUCT

**Goal Statement:** Members of the Town Council shall serve as a model of leadership and civility in the community, inspire confidence in Town government, and demonstrate honesty and integrity in every action and statement both during public meetings and when engaging with members of the community.

The Code of Conduct describes the way members of the Town Council should treat each other, members of Town staff, constituents, and others when representing the Town of Juno Beach. The objective of the Code of Conduct is to engender more trust in government, thereby promoting its effectiveness while advancing harmony within the community. The Code aims to establish norms of behavior for Council by which legitimate disagreements and different points of view that may arise are handled in a professional manner – one that promotes the public’s confidence in government and enhances the reputation of the Council and the Town.

*The Code of Conduct represents aspirational goals that guide Councilmembers toward the highest principles of governance. Although this Code does not represent a body of enforceable rules, the Code should be considered by Councilmembers when arriving at an ethical course of action and course of behavior – each of which should be worthy of the public’s trust in government and the high office to which each Councilmember has been entrusted.*

The consistent theme through this Code of Conduct is respect. Elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each Councilmember and the Town’s constituents through words and actions is the “North Star” that guides Councilmembers to do the right thing, even in difficult situations.

#### A. **Conduct** During Public Meetings:

1. Members of the Town Council shall fully participate in all Town Council meetings and practice civility, professionalism, and respect in all discussions and debate.
2. Members of the Town Council shall prepare in advance of all Town Council meetings by reviewing agenda materials, speaking with the Town Manager and other members of Town Staff, speaking with constituents, and becoming familiar with issues.
  - a. When preparing for Town Council meetings, members of the Town Council should direct questions ahead of time to the Town Manager or Town Staff so that Staff can provide the desired information at the Council meeting.

- b. Members of Town Council should avoid asking questions that Town Staff will be unable answer on the spot or recognize that such questions may require additional time or research to formulate an answer.
  3. Members of the Town Council shall be respectful of other people's time, stay focused, and act efficiently during public meetings.
  4. Members of the Town Council shall honor and respect the role of the Mayor (or presiding officer) in maintaining order.
  5. Members of the Town Council shall make the public feel welcome and shall not demonstrate any signs of partiality, prejudice, discrimination, or disrespect toward an individual participating in a public meeting. To that end, members of the Town Council shall:
    - a. Actively listen to speakers;
    - b. Ask for clarification with the consent of the Mayor, but avoid debate and argument with members of the public; and
    - c. Be mindful of their tone and body language.
  6. Members of the Town Council shall refrain from personal comments, attacks, or innuendo directed toward other members of the Council or members of the public.
  7. Members of the Town Council shall ensure that all comments pertain to the topic under discussion.
  8. Members of the Town Council shall refrain from using cellular phones or any other type of audible device in a manner that would be disruptive to other members of the Council or members of the public.
  9. When attending meetings of other Boards, members of the Town Council shall refrain from commenting on quasi-judicial matters that will come before the Town Council for consideration. Furthermore, members of the Town Council shall clearly indicate on the record that any comments or questions are made in their capacity as a Town resident and not as a member of the Town Council.
- B. **Conduct** Outside of Public Meetings:
1. Members of the Town Council shall not make any promise or representation on behalf of the Town Council or Town Staff.
  2. Members of the Town Council shall not make derogatory personal comments about other members of the Council, **members of Town Staff**, members of the public, or members of any Town board, either orally or through the dissemination

of written materials, including newsletters. Newsletters issued by sitting members of the Town Council should take care not to insult or make demeaning, sarcastic, or disparaging statements about any Town resident because such conduct degrades the Council's reputation in the community, reduces the willingness of the public to engage with their government, and harms the trust that the residents have in government.

3. Members of the Town Council shall not make any representation or inquiry on behalf of the Council to any other public or private agency unless specifically authorized to do so by the Council. Any such representation or inquiry shall be made solely in the Councilmember's personal capacity without the use of the Councilmember's official title.
4. Members of the Town Council shall not publicly undermine the official Town Council position on any issue through the dissemination of written materials, including newsletters, unless such statement is included in official campaign materials relating to an upcoming Town Council election.
5. Members of the Town Council shall direct all questions or requests for additional information from Town Staff through the Town Manager, Department Heads, or the Town Attorney. Members of the Town Council shall be professional and courteous in their interactions with members of Town Staff and refrain from any public criticism.
6. Members of the Town Council shall comply with the following prohibitions set forth in Article IV, Section 6 of the Town Charter:
  - a. *Appointment and removals.* Neither the council nor any of its members shall in any manner dictate the appointment or removal of any town administrative officers or employees whom the manager or any subordinates are empowered to appoint, but the council may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officers and employees.
  - b. *Interference with administration.* Except for the purpose of inquiries and investigations, the council or its members shall deal with town officers and employees who are subject to the direction and supervision of the manager solely through the manager, and neither the council nor its members shall give orders to any such officer or employee either publicly or privately. Nothing in the foregoing is to be construed to prohibit individual members of the council from closely scrutinizing all aspects of town government operations so as to obtain independent information. It is the express intent of this charter, however, that recommendations for improvement in town government operations by individual council members be made to and through the town manager, so that the manager may coordinate efforts of

all town departments to achieve the greatest possible savings through the most efficient and sound means available.

7. Members of the Town Council recognize that their Town e-mail is the appropriate mechanism for communicating with members of the public and further understand that they are personally responsible for maintaining records of all communications that are conducted on a platform other than their Town e-mail, including all text messages.
8. Members of the Town Council are free to take public positions on local, county, state, and federal political issues. Similarly, members of the Town Council are free to endorse candidates for local, county, state, and federal office.

Proposed language:

**C. Enforcement:**

1. Complaints for violations of the Code of Conduct may be filed with Mayor, the Town Manager, the Town Attorney, or the Town's Human Resources Department.
2. The Complaint shall be forwarded to the Town Council, and the members of the Town Council not named in the complaint shall determine whether to pursue the violation. A decision to pursue a violation requires a unanimous vote by the non-named members. If the Council votes to pursue the violation, the named Councilmember or Councilmembers shall be afforded an opportunity to respond to the allegations.
3. If warranted under the circumstances, the Town Council may direct the Town Attorney to initiate an investigation.
4. The Town Council reviews the complaint and response, as well as the results of the investigation, if any.
5. After reviewing the complaint and response, or the results of the investigation, the Council may take one of the following actions:
  - a. Admonishment: A reminder that a particular type of behavior is a violation of the Code of Conduct.
  - b. Written Warning: Formal Council action determining that a violation occurred.
  - c. Censure: Formal Council statement of official reprimand in the case of a serious violation of the Code of Conduct.






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**Meeting Name:** Town Council Meeting  
**Meeting Date:** February 18, 2025  
**Prepared By:** Leonard G. Rubin, Town Attorney  
**Item Title:** Resolution No. 2025-01 (Amending the Town’s Quasi-Judicial Procedures)

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#### **DISCUSSION:**

At the Town Council’s October 23, 2024 meeting, I presented four revisions to the Town’s quasi-judicial procedures for the Council’s consideration: (1) prohibiting members of the Town Council and the Planning and Zoning Board from engaging in private oral or written communications with the Applicant or the Applicant’s agent prior to the completion of the quasi-judicial hearing; (2) adding site visits to the definition of ex parte communications; (3) changing the order of the hearing to comply with current practice by requiring the disclosure of ex parte communications prior to Town Staff’s presentation; and (4) adding a provision stating the Council and the Board shall not entertain any requests for rehearing or reconsideration of a quasi-judicial order.

The Town Council expressed no issues with revisions number 2 and 3; however, at the conclusion of the discussion, the Town Council, by consensus directed the following revisions:

- A. Allow members of the Town Council and Planning and Zoning Board to privately meet with the Applicant or the Applicant’s agents when accompanied by a member of Town Staff (incorporated into Section 2.A);
- B. Require two public workshops for all major projects (new commercial, multi-family residential, mixed use, and planned unit developments) prior to any quasi-judicial proceeding (incorporated into Section 8); and
- C. Allow the Town Council and Planning and Zoning Board to rehear or reconsider a quasi-judicial order prior to the expiration of the 30-day appeal period or the filing of a petition for writ of certiorari, whichever is earlier (incorporated into Section 15).

In addition to the foregoing, Councilmember Davis proposed numerous additional revisions to the quasi-judicial procedures (a copy of Councilmember Davis’s October 17, 2024 e-mail is included as additional back up). Because there was no Council consensus on these recommendations, they have not been included in the revised procedures. These additional revisions are summarized as follows, along with my comments on each):

- Add a provision allowing public participation so long as comments are on topic and not repetitive.  
*Comment:* Under the current provisions, members of the public are considered “participants” and have the full right to participate in the hearing.
- Add a provision that members of the Town Council and the Planning and Zoning Board may not testify for or against a project unless they have recused themselves from the vote.  
*Comment:* I agree that members of the Town Council should not testify at the Planning and Zoning Board meeting on quasi-judicial matters that will come before the Council for a final determination. However, there is nothing to prevent a member of the Planning and Zoning Board from testifying at the Council level in his or her capacity as a Town resident because the Board has already provided its recommendation to the Council.
- Require the Town Clerk to provide an ex parte communication list to be included within the record of the proceeding, with all or part of these comments being read into the record or summarized. Additionally, have the Town adopt an ex parte communication form that must be completed by each member of the Town Council and Planning and Zoning Board, which will be made part of the record.  
*Comment:* No issue with either recommendation – Council decision.
- If a mailing was received by the Town Council or received by one member of the Town Council and forward to the remaining members, the Town Clerk will include this information as part of the record.  
*Comment:* No issue with the recommendation – Council decision.
- Require Town Staff to act as a neutral fact-finder in its presentation and “the cadence of speech, tone, and vocabulary must be objective as to discerning competent substantial evidence that the projects either meets the Town Code requirements or does not,” and allow the Mayor or Councilmembers to move to cancel or reschedule the hearing if the Staff presentation is perceived as advocating on behalf of the project.  
*Comment:* The role of Town planning staff is to give its professional opinion as to whether the proposed project either meets or does not meet the applicable Code requirements. Determining that a project meets the Code requirements is not advocating on behalf of a project. Courts have determined that testimony given by professional planning staff constitutes competent, substantial evidence to support the legislative body’s decision on a quasi-judicial application. Mere opinion expressed by residents, on the other hand, is not competent, substantial evidence. Therefore, the findings of the Town’s planning staff play an important role in the quasi-judicial process and staff’s ability to provide their professional opinions and recommendations should not be hampered or restricted. Additionally, staff’s role goes beyond “fact finding” in determining whether more subjective criteria, such as determining whether a proposed project is in harmony with the surrounding area. Finally, neither the Town Council nor the Planning and Zoning Board is required to accept Staff’s recommendation and the Council or Board may base its decision on other competent, substantial evidence presented at the hearing and made part of the record.
- Allow the Applicant sufficient time to present based on the complexity of the project (with special permission for more than one hour), and give the participants (or members of the public) the same amount of time as given to the Applicant.  
*Comment:* The thirty minutes currently granted to the Applicant is likely too restrictive. Realistically, the Town has given the Applicant whatever amount of time required to make a full presentation. Members of the public should be limited to the standard three minutes (or whatever

amount of time the Council deems sufficient). As referenced above, comments from members of the public are generally more opinion-based than fact-based. Nevertheless, the Council may wish to consider granting persons with a special interest (such as those residing in close proximity to the project) elevated status as a party to the proceeding, which would allow them to actually present their case and even provide expert testimony. Many municipalities do have such a provision, and I have included North Palm Beach's procedures as additional back up (referenced language is highlighted).

**RECOMMENDATION:**

Town Staff requests Town Council consideration of Resolution 2025-01 amending the Town's quasi-judicial procedures.

RESOLUTION NO. 2025-01

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING THE TOWN'S QUASI-JUDICIAL PROCEDURES; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, through the adoption of Resolution No. 95-96, the Town Council established procedures for quasi-judicial proceedings before the Town Council and the Planning and Zoning Board; and

WHEREAS, the Town Council wishes to modify the Town's quasi-judicial procedures to limit communications between members of the Town Council and Planning and Zoning Board and the Applicant or the Applicant's agents prior to the completion of the quasi-judicial hearing, require public workshops, allow a limited time for rehearing or reconsideration, and make other substantive revisions; and

WHEREAS, the Town Council determines that the adoption of this Resolution is in the best interests of the Town and its residents.

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

Section 1. The foregoing recitals are hereby ratified as true and correct and are incorporated herein.

Section 2. The Town Council hereby amends the Town's quasi-judicial procedures as set forth in Exhibit "A" attached hereto and incorporated herein (additional language is underlined and deleted language is stricken through).

Section 3. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 4. This Resolution shall become effective immediately upon adoption.

RESOLVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Peggy Wheeler, Mayor

ATTEST:

\_\_\_\_\_  
Caitlin Copeland-Rodriguez, MMC  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
Leonard G. Rubin, Town Attorney

## TOWN OF JUNO BEACH PROCEDURES FOR CONDUCT OF QUASI-JUDICIAL HEARINGS

### 1. Definitions:

- A. *Applicant* - the owner of record, or owner's agent, or any person with a legal or equitable interest in the property that is the subject of the proceeding.
- B. *Council* - The Town Council, Planning and Zoning Board, or any other Board to which this policy is made applicable.
- C. *Ex parte Communications* - any written or oral communication with the Council members other than those made on the record at the time of the hearing and site visits to the property as set forth in Section 4(C) below.
- D. *Participants* - those members of the general public other than applicant who attends a public hearing for the purpose of being heard on a particular application.
- E. *Relevancy* - In order to be relevant, the evidence submitted must strengthen or weaken the application by supporting or disproving factual assertions contained in the application or be directly related to the application. The Council shall determine the relevancy of the evidence.

### 2. General Standards:

- A. Ex Parte Communications Between Council Members and Public. ~~Applicants, participants, and other members of the general public may communicate freely with the Council members regarding any issue which may be heard by the Council.~~ Members of the Town Council and the Planning and Zoning Board shall not engage in private oral or written communications with the Applicant or the Applicant's agents prior to the completion of the quasi-judicial hearing. Notwithstanding the foregoing, members of the Town Council and the Planning and Zoning Board may privately meet with the Applicant prior to the completion of the quasi-judicial hearing when accompanied by a member of Town Staff.
- B. Town Staff Report. The staff report on the case shall be sent to the Council members and be available to the general public at least three (3) days prior to the hearing on the case.
- C. Appearances and Evidence.
  - (l) Persons claiming to represent a group or organization must demonstrate proof of membership of that group and proof that the person representing the group has actual authority to do so.

- (2) All participants must state their name, address, and the party they represent at the time they wish to speak.

3. Communications Between Council and Town Staff

- A. Councilpersons may communicate with Town staff including discussions relative to the staff report and recommendations. Staff may answer questions and render opinions.
- B. The Town Attorney may render legal opinions when requested by the Council members, but shall not advocate one party's position over another, except to the extent necessary to respond fully to a legal question.

4. Ex-Parte Communications.

- A. Written Communications. All written communications received by the Council members concerning an application or pending case shall be deemed public information if made a part of the record prior to final action on the matter.
- B. Oral Communications. Except as prohibited by Section 2(A) above, oral ~~Oral~~ communication may be permitted and shall be deemed public information provided the substance of the communication and with whom the communication took place is divulged and made part of the record prior to final action in the matter.
- C. View of Property. Members of the Council may drive by and physically inspect the property. Such investigation or site visits shall be disclosed and made a part of the record prior to final action on the matter.

5. Town Staff File. All written communications shall be included in the file maintained by staff and available for public inspection. Any written communication received by staff shall be reported as part of the oral staff report. The staff report, any petitions or other submissions from the public, and all other documents pertaining to the case shall also be kept in the file and available for public inspection. During its presentation, staff shall offer all such written communications into evidence, subject to any objections imposed by participants.

6. Disclosure. At the public hearing at which a vote is to be taken on the matter, a Council person who has received an ex parte communication, conducted an investigation, received expert opinions, or has physically inspected the property, shall summarize for the record the substance of the communication, the person making the same, the nature of the investigation, substance of the expert opinion or the date of the inspection.

7. Basis of Decision. All decisions by the Council shall be based on the record of the evidence presented to the Council at the hearing on the case, which shall include staff testimony of all witnesses, and other evidence presented. Strict rules of evidence shall not apply, but evidence must be relevant to the issues before the Council.

8. Public Workshops. Prior to any quasi-judicial proceeding before the Planning and Zoning Board or Town Council, the Applicant shall conduct two public workshops for all major projects. For the purposes of this section, a major project includes all new commercial developments, multi-family residential developments, mixed-use developments, and planned unit developments.
9. Conduct of Hearing. The order of appearance at the hearing shall be as follows:
- ~~A.~~ ~~The Town Staff shall present its reports and offer its file into evidence;~~
  - ~~B.~~ A. Council members shall summarize the substance of any ex parte communication; including the identity of the person, group, or entity with whom the communication took place;
  - B. The Town Staff shall present its reports and offer its file into evidence.
  - C. The applicant shall present its case and/or respond to or refute any ex parte communication;
  - D. Participants shall present their case and/or respond to or refute any ex parte communications.
  - E. Cross-examination of the witnesses;
  - F. Council discussion and decision.

Testimony may be subject to cross-examination, upon request, by the applicant, the designated representative of the participants and the Town staff. The applicant or its representative, and the designated representative of the participants wishing to cross-examine witnesses must reserve that right at the beginning of their presentation. Council members may interpose questions at any time during the conduct of the hearing.

10. Testimony Under Oath or Affirmation.

The applicant, witnesses and all participants asking to speak shall be sworn collectively at the beginning of the hearing.

11. Cross Examination

- A. The applicant, participants and all witnesses are subject to cross-examination during the hearing.
- B. The cross-examination of the applicant, witnesses and participants shall be limited to five (5) minutes by the individual conducting the cross-examination for the adverse party.

- C. The scope of the cross-examination shall be limited to the facts alleged by the participant, witness, or applicant in relation to the application.
- D. The cross-examination cannot be designed to merely harass, intimidate, or embarrass the participants, applicant, or witnesses.
- E. The Mayor will determine the scope of the cross-examination on his or her own initiative, or when the individual being questioned objects to the cross examination for going beyond the scope of the facts alleged by the individual.
- F. The Mayor may defer to the Town Attorney to determine the scope of the cross-examination.
- G. The Mayor may direct the party conducting the cross-examination to stop a particular line of questioning that is not relevant and beyond the scope of the facts alleged by the individual being cross-examined.
- H. If the party conducting the cross-examination continuously violates directions from the Mayor to end a line of questioning deemed irrelevant and merely designed to harass, intimidate, or embarrass the individual, the Mayor may terminate the cross-examination.
- I. The purpose of cross-examination is not to debate a particular matter or issue but is permitted for the sole purpose of testing the credibility of a witness or the particular weight a particular piece of evidence should be given.

12. Time Limits.

- A. Applicant - Up to thirty (30) minutes.
- B. Participants –
  - i. members of the public - three (3) minutes each.
  - ii. speakers representing a group of six (6) or more in attendance at the meeting - five (5) minutes each.
  - iii. speakers representing an organization - five (5) minutes each.
- C. Participants shall be given one opportunity to present their evidence and/or comments and must present their testimony at that time. Multiple opportunities for the same participant to speak and a debate style format are not permitted.
- D. Expert Witnesses - ten (10) minutes.
- E. At the discretion of the Mayor the time allowed for any testimony may be extended.



13. Record of the Case. All evidence admitted at the hearing, Town staff reports, and the adopted resolution, ordinance or minutes setting forth the decision of the Council shall be maintained in a file constituting the record of the case. The record shall be kept in custody of the appropriate staff at all times during the pendency of the case, except that any member of the public may examine the file in the appropriate Town Staff Office.
14. Applicability. These rules shall apply to all site specific rezonings, special exception and variance proceedings and at any time the Town Council or Planning and Zoning Board sits in a quasi-judicial or an appellate capacity, including administrative appeals.
15. Rehearing/Reconsideration and Appeal. A final determination of the Town Council or the Planning and Zoning Board acting in its quasi-judicial capacity is subject to judicial review in a court of competent jurisdiction within thirty (30) days of the Council or Commission's rendition of its written determination. The Council or Board may only entertain a request for rehearing or reconsideration of a previously entered quasi-judicial order prior to the filing of a petition for writ of certiorari challenging the order or prior to the expiration of the thirty (30) day appeal period, whichever first occurs.

**Len Rubin**

**From:** ddavis@juno-beach.fl.us  
**Sent:** Thursday, October 17, 2024 7:36 AM  
**To:** Len Rubin; ddyess@juno-beach.fl.us  
**Cc:** 'Frank Davila'  
**Subject:** Item 12 - Quasi Judicial Proceeding - initial thoughts Town Council Meeting Agenda Packet - October 23, 2024 at 5:30PM

The proposal is very good. Enclosed are thoughts from my initial review. I have asked folks who have experience in other jurisdictions to provide additional insights, so please consider these as preliminary thoughts only. The thoughts here are intended to address allowing equal time for those who are opposed to a project to provide their insights. It is also to avoid any perceived bias by staff in their presentation. Preferably, we would have several open public forum workshops and all conditions of approval would be captured in the final site plan approval, we need language to make this preferred path happen. Thank you for your consideration.

**Suggestions to consider :**

Add page 191, line 12-14, “prohibit private oral and written communications between members of the Town Council and Planning and Zoning Board and the Applicant or the Applicant’s agents, prior to the completion of the quasi-judicial hearing, in favor of open public forum workshops regarding the development projects proposed; for a developer engaging citizen groups to advocate on their behalf, the general public in open public forum workshops must be given equal opportunity to comment on the project to prevent perceived project bias; and make other minor revisions; and

Add page 192, 2.c.(3). The public may participate so long as comments are on topic and not repetitive., 2.c.(4) Council or Board Members may not testify either for or against a project unless they have recused themselves from the vote.

Add page 193, 4. Ex-Parte Communications A. Written Communications. For comments submitted to all of Town Council, the Town Clerk provides the ex parte communication list to be included within the record of the proceeding, and all or part of these comments will either be read into the record or a summary will be provided, and the comments become part of the record of the proceeding. The Town adopts the ex parte form that must be completed by each board member and council member to be turned in as part of the record of the proceeding.

Add, page 194, Conduct of the Hearing 8.A. If there is a mailing that was received by all TC members or by one TC member that was then forwarded to the Town Clerk to share with all of Town Council members, then the clerk will summarize and put this information into the record of the proceeding.

Conduct of the Hearing 8.B. The Town Staff shall act as neutral fact finder in its presentation. The cadence of speech, tone and vocabulary used must be objective as to discerning competent substantial evidence that the project either meets code requirements or does not. The Mayor or Council members may move to cancel or reschedule a hearing if the staff presentation is perceived as advocating on behalf of a project rather than presented as neutral fact finder.

Add Page 195, 11. Time Limits – delete and substitute

- A. Applicant – the number of presenters and the time of the presentation be limited based on the complexity of the project. No matter how many presenters’ special permission must be received to spend more than one hour on the presentation. Whatever time is given to the applicant, to speak in favor of a project, then

an equal amount of time shall be given to members of the public who oppose the project to prevent perceived bias.

- B. Participants – allowed to speak so long as relevant on topic and not repetitive. The purpose of public participation is to give the decisionmakers on the project an opportunity to hear public opinion both for and against a project. The Town Staff in their P&Z review capacity will have spent many hours with the applicant reviewing the project. The open public forum workshops held prior to the quasi-judicial hearing and the public input at the quasi-judicial hearing is intended to level the playing field so that residents who are opposed to the project have an opportunity to express their opinions, to be heard, and for their evidence to be considered in the Town decision making. The preference is to have more than one open public forum workshop so that the public is involved in the process.
  - i. Members of the Public Opposed to the Project or with ideas to improve the project – given same amount of time as the applicant.
  - ii. Members of the Public in Favor of a Project are given a time less than the applicant and cannot repeat evidence already presented.
- C. Participants shall be given the opportunity to speak and rebut evidence submitted as fact.
- D. Expert Witnesses – as much time as necessary so long as relevant and not repetitive.

Page 196, item 14. **DELETE ALL.** *Discussion - I do not believe that we should remove our right to reconsider. Especially, if facts are presented that are later refuted as not true or if there was a misunderstanding of the law on an issue that is later clarified. We do not do great job on our Staff memos and applicant presentations are sometimes misleading so I believe that we should allow reconsideration. Often there are project changes that are not committed to the site plan but are oral at the hearing, if later it is determined that there was not a meeting of the minds on an oral promise by a developer, the Town Council should have the opportunity to object at a later date. [recent examples, Caretta approvals given based on a power point presentation for site plan amendments; also Pulte Project conditions of approval were not committed to a site plan to show what the work would entail.]*

**From:** Caitlin Copeland <ccopeland@juno-beach.fl.us>  
**Sent:** Wednesday, October 16, 2024 2:48 PM  
**To:** Town Council <town\_council@juno-beach.fl.us>; Len Rubin <len@torcivialaw.com>  
**Cc:** Leadership Team <leadership@juno-beach.fl.us>; Fiorella Verdecia <fverdecia@juno-beach.fl.us>  
**Subject:** Town Council Meeting Agenda Packet - October 23, 2024 at 5:30PM

Good Afternoon:

Please see the links below to the Agenda Packet for the Town Council Meeting on Wednesday, October 23, 2024 at 5:30PM:

[Town Council Meeting - October 23, 2024 \(PDF\)](#)

[Town Council Meeting - October 23, 2024 \(HTML\)](#)

**Do Not Reply to All.**

**Caitlin E. Copeland-Rodriguez, MMC**  
**Town Clerk**  
**Town of Juno Beach**  
 340 Ocean Drive

Juno Beach, FL 33408  
[ccopeland@juno-beach.fl.us](mailto:ccopeland@juno-beach.fl.us)  
Phone: (561)656-0316

Item #5.

**Please note:** Florida has a very broad public records law. Most written communications to or from local officials regarding town business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

**VILLAGE OF NORTH PALM BEACH**  
**QUASI-JUDICIAL PROCEDURES**

**Intent**

These procedures are intended to provide an equitable and efficient method for the Village Council and the Planning Commission to hear matters that are considered quasi-judicial in nature. These procedures shall apply to all quasi-judicial matters, except as otherwise set forth herein.

**Definitions**

For the purpose of these procedures, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*Interested person* means any person, natural or corporate, who owns property, owns a business or resides within five hundred (500) feet of the property that is the subject of the application or any person, natural or corporate, who will suffer a negative effect to a protected interest as a result of the quasi-judicial application, where such interest exceeds in degree the general interest of the community or public at large.

*Applicant* means any person, corporation or other legal entity who files an application with the Community Development Department determined by Village Staff to be quasi-judicial in nature.

*Party* or *parties* means the Applicant, the Village, and any Interested Person who has complied with the notice provisions set forth below and meets the applicable criteria.

*Quasi-judicial body* means the Village Council or the Planning Commission acting in its quasi-judicial capacity.

*Quasi-judicial in nature* means the application of a general rule or policy to specific individuals, interests, or activities by the quasi-judicial body, as more specifically set forth below.

**Quasi-judicial matters**

(a) Matters that are quasi-judicial in nature involve the actions of public officials who are required to investigate facts, or ascertain the existence of facts, hold hearings, weigh evidence and draw conclusions from such facts, as a basis for their official action, and to exercise discretion of a judicial nature and any other decision involving the implementation, rather than formation, of Village policy. Quasi-judicial matters include, but may not necessarily be limited to, the following:

- (1) Applications for the site-specific rezoning of real property;
- (2) Applications for site plan and appearance approval;
- (3) Applications for special exception uses;
- (4) Applications for Planned Unit Developments;
- (5) Applications for variances;
- (6) Administrative appeals; and
- (7) Applications for plat approval

(b) For all quasi-judicial matters which require more than one reading, the first reading shall constitute the quasi-judicial proceeding. Once a decision is rendered to grant or grant with conditions the relief sought by the applicant, then the second reading shall be procedural in nature with the Village Council ratifying and affirming its prior decision. If new evidence is introduced which, if brought to the attention

of the Village Council at the first reading, would have had a material impact on its decision, the Village Council may reopen the quasi-judicial hearing.

(c) The formal procedures set forth herein may be waived by the Village for applications seeking only appearance review and approval, such as sign face and color changes, or applications that are essentially ministerial nature, such as plat approval.

### **Notice procedures for Interested Persons**

(a) Interested persons are entitled to a fair and impartial hearing, notice of the hearing, and an opportunity to be heard.

(b) Any Interested Person desiring to become a party in a quasi-judicial proceeding shall provide written notice to the Community Development Department which notice shall, at a minimum, set forth the Interested Person's name, address, e-mail address (if applicable) and telephone number, and indicate how the person qualifies as an Interested Person for the proceeding at issue. The filing of notice with the Community Development Department shall serve as notice of the Interested Person's request to appear at the applicable quasi-judicial proceeding to testify, present evidence, bring forth witnesses, and cross-examine witnesses. The required notice must be received by the Community Development Department no later than the close of business (5:00 p.m.) five (5) business days prior to the hearing. The Department, in consultation with the Village Attorney, shall verify that the person seeking designation as an Interested Person satisfies the requirements for such status and shall provide written confirmation. In the event multiple Interested Persons seeking to become a party in a quasi-judicial proceeding share the same protected interest and are members of the same community association, the Village shall recognize the community association as the Interested Person absent a compelling reason for each Interested Person to be recognized as a separate party.

(c) The written confirmation from the Community Development Department in subsection (b) above shall serve as the notice for the Interested Person to appear at the quasi-judicial proceeding, where he/she will be afforded party status. A copy shall also be provided to the Applicant.

### **Procedures for quasi-judicial proceedings**

- (a) The following is a guideline for conducting quasi-judicial hearings:
- (1) *Introduction.* The presiding officer will introduce the case and, if appropriate, defer to the Village Attorney for the reading of the ordinance or resolution caption.
  - (2) *Swearing in.* All persons wishing to speak on a quasi-judicial matter shall take an oath to tell the truth. This includes attorneys representing parties, as well as members of the public providing comment.
  - (3) *Presentation of evidence.* The presiding officer shall have the option of determining the order to expedite the proceedings. However, all parties shall be provided the opportunity to present their case. The general order of the presentation of evidence shall be as follows:
    - a. *Presentations.* The Applicant, Village staff, and any Interested Person, in that order, shall each have twenty (20) minutes to make an initial presentation.
    - b. *Rebuttal.* The Applicant, Village staff, and any Interested Person, in that order, shall each have five (5) minutes for rebuttal. During this time, the parties may

present rebuttal testimony, cross-examine opposing witnesses, impeach witnesses, and rebut evidence.

- c. *Public comment.* Any person who did not speak during presentations and rebuttals may speak for not more than three (3) minutes. Prior to being heard, each speaker must state his/her name and address for the record.
- d. *Questions.* The presiding officer and any member of the Village Council or Planning Commission, as applicable, may ask questions of any party, witness, or person providing public comment.
- e. *Closing argument.* Any Interested Person, Village staff, and the Applicant, in that order, shall each have five minutes for closing argument.

(5) *Action by the quasi-judicial body.*

- a. At the conclusion of the presentation of the evidence and testimony, the quasi-judicial body shall close the public hearing. The presiding officer shall entertain any motions, and the quasi-judicial body shall proceed to deliberate and vote on the motion(s).
- b. If after notice of hearing, a party does not appear, the hearing may be conducted and an order entered in the absence of the party.
- c. If during the deliberations a question arises which the quasi-judicial body desires to ask, it shall reopen the public hearing, pose the question and allow each party the opportunity to respond to the question posed prior to closing the public hearing again and resuming deliberations.

(b) *Representation of parties*

(1) *Attorney.* Any natural person or party may represent himself/herself or may be represented by an attorney. If the party chooses to be represented by an attorney, a notice of representation, signed by the attorney, shall be filed with the Community Development Department prior to the hearing.

(2) *Non-attorney.* In the event any party (other than a corporation or the Village) chooses to be represented by a non-attorney, such party shall file a written, notarized power of attorney with the Community Development Department prior to the hearing stating that the person appearing has the full power and authority to act on behalf of the party in the matter.

(3) *Business representative.* A corporation or limited liability company may appear through a representative who is listed with the Florida Department of State as a current officer or manager of an active corporation or limited liability company entity. The representative must identify himself/herself in that business capacity.

(c) *Evidence.*

(1) All relevant evidence shall be admitted. The quasi-judicial body may exclude irrelevant, immaterial, or unduly repetitious evidence.

(2) Except as provided herein, neither the Federal Rules of Evidence nor the Florida Evidence Code shall apply, but fundamental due process shall be observed and shall govern said proceedings at all times.

(d) *Orders.*

(1) If the quasi-judicial body denies relief to the Applicant, the village shall issue a subsequent written order setting forth the reasons therefor.

(2) The quasi-judicial body shall have the authority to issue any and all orders to afford the proper relief, and this authority shall include the authority to grant continuances to a date certain.

(e) *Hearing record.* The Village Clerk shall maintain custody of all recordings of testimony, evidence, and documents submitted into evidence at the hearing. This shall include all back up documentation, as well as any document presented at the hearing or demonstrative exhibit seen by the Village Council or Planning Commission while making its decision. Nothing herein shall be deemed to prohibit any party from providing a court reporter for the proceedings. Any party wishing to appeal the decision of a quasi-judicial body shall have the responsibility to ensure compliance with F.S. §286.0105.

(f) *Continuances.* At the request of the Applicant, Village staff or an Interested Person who is a party to the proceeding or on its own volition, the Village Council or the Planning Commission may continue a quasi-judicial proceeding to a time and date certain. The decision to grant a continuance shall be in the sole discretion of the quasi-judicial body.

(g) *Rehearing/Reconsideration and Appeal.* While there is no specific rule or statutory authority for the rehearing or reconsideration of a quasi-judicial decision, a local government body or board has the inherent power and authority to rehear and reconsider a previously entered order. Notwithstanding this inherent power and authority, the Village determines that neither the Village Council nor the Planning Commission shall entertain any request for rehearing or reconsideration of a previously entered quasi-judicial order. A final determination of the Village Council or Planning Commission acting in its quasi-judicial capacity is subject to judicial review in a court of competent jurisdiction within thirty (30) days of the Council or Commission's rendition of its written determination.





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**Meeting Name:** Town Council Meeting  
**Meeting Date:** February 18, 2025  
**Prepared By:** C. Copeland-Rodriguez, Town Clerk  
**Item Title:** Approval of 2025 Town Council Meeting Dates

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**DISCUSSION:**

Per the Town's Charter, the Council meets monthly on the fourth (4<sup>th</sup>) Wednesday. Due to the budget season, Thanksgiving holiday, and Christmas holiday, the Council will meet on the 2<sup>nd</sup> Wednesday of September, November, and December. Therefore, the staff has prepared a list of recommended meeting dates for the 2025 calendar year (see attached) for the Council's approval.

**RECOMMENDATION:**

Staff Recommends that the Town Council approve the attached list of the 2025 Town Council Meeting dates.

**Town Council Meeting Dates for 2025**

- 1) January 22, 2025 at 5:30pm
- 2) February 26, 2025 at 5:30pm
- 3) March 26, 2025 at 5:30pm
- 4) April 23, 2025 at 5:30pm
- 5) May 28, 2025 at 5:30pm
- 6) June 25, 2025 at 5:30pm
- 7) July 23, 2025 at 5:30pm
- 8) August 27, 2025 at 5:30pm
- 9) September 10, 2025 at 5:30pm – 1<sup>st</sup> Budget Hearing
  - *(This date may vary due to the Palm Beach County School District Meeting Dates.)*
- 10) September 24, 2025 at 5:30pm – 2<sup>nd</sup> Budget Hearing
- 11) October 22, 2025 at 5:30pm
- 12) November 12, 2025 at 5:30pm
- 13) December 10, 2025 at 5:30pm

*All Town Council meetings will start at 5:30pm unless Council deems otherwise.*



## **REVISED - AGENDA ITEM**

**Meeting Name:** Town Council Meeting  
**Meeting Date:** February 18, 2025  
**Prepared By:** C. Copeland, MMC, Town Clerk  
**Item Title:** Approval of Town Event Dates for 2025

### **DISCUSSION:**

Town Staff proposes the following list of public events for the 2025 fiscal year and their proposed budgets:

- ~~Juno Beach Night Out Against Crime (Tuesday, February 11, 2025, from 4PM-7PM);~~
- Arbor Day Celebration (Friday, April 25, 2025, from 9AM-9:30AM);
- Food Truck Night (Friday, May 23, 2025, from 5PM-7PM);
- 9/11 Remembrance Ceremony (Thursday, September 11, 2025, from 9AM-10AM);
- Oktoberfest (Friday, October 17, 2025, from 4PM-7PM);
- Veteran's Day Event (Tuesday, November 11, 2025, 8:30AM-9:30AM);
- Christmas by the Lake (Friday, December 5, 2025, from 5PM-7PM);
- Hanukkah Celebration (Tuesday, December 16, 2025, from 5PM-7PM).

### **PROPOSED "TASTE OF JUNO BEACH" EVENT UPDATE:**

In October 2024, the Council directed staff to reach back out to the local businesses for their interest in participating in such an event in late April instead of February. Staff sent out letters and conducted follow up phone calls to all the local restaurants inquiring about participating in such an event but only received **four** verbal responses in support of such event from Matty's Gelato, Mystic Lobster, **Subs & Grubs**, and Juno Beach Cafe.

Unfortunately, due to the lack of interest/response from local restaurants/businesses, staff recommend that the Town not proceed with the "Taste of Juno Beach" event at this time.

### **RECOMMENDATION:**

Town Staff recommends that the Town Council make a motion to approve the above event list for 2025 and at a budget to not exceed of \$19,000; and to not proceed with the proposed "Taste of Juno Beach" event at this time.



**Meeting Name:** Town Council Meeting  
**Meeting Date:** February 18, 2025  
**Prepared By:** C. Copeland, MMC, Town Clerk  
**Item Title:** Discussion on Filling Vacant Seat on Audit Oversight Review Committee

#### **DISCUSSION:**

On November 20, 2024, the Chair of the Audit Oversight Committee, Nancy Wolf, resigned from the Committee.

The Audit Oversight Committee shall consist of five (5) members to serve at the pleasure of the Town Council for a term of two years (2024-2026). Each of the members shall be town residents with educational and/or practice experience in the fields of accounting, finance, auditing, or in related fields involving operational compliance or oversight.

On March 20 and March 26, 2024, the Council had received two late application submissions for the Audit Oversight Committee from Anita Bloom and Larry Sorsby. The following motion was made by the Town Council at the April 1, 2024, Special Town Council Meeting for selection of the Audit Oversight Committee Members:

***MOTION:*** Halpern/Davis made a motion to appoint Anthony Pace, Nancy Wolf, Andrew Spilos, William Viggiano, and Anita Bloom to the Audit Oversight Committee.

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

#### **RECOMMENDATION:**

Appoint a member to the Audit Oversight Committee to fulfill the remainder of the term for the vacant seat (2024-2026).



**Meeting Name:** Town Council  
**Meeting Date:** February 18, 2025  
**Prepared By:** Davila, F. CFM  
**Item Title:** Appearance Review Board (ARB) Criteria

### **BACKGROUND:**

At the July 24<sup>th</sup>, 2024, Town Council meeting, the Town Council directed staff to draft new language for the appearance review of single-family homes not located within a planned unit development.

Currently, under Code Section 34-116(3), **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 Planning and Zoning department.**

The Town's appearance review criteria encompass 7 criteria (see attachment #1), due to state statute 163.3202(5)(a), which states that land development regulations relating to building design elements may not be applied to single-family or two-family dwellings (see attachment #2), town staff has not been enforcing the first criterion (#1) of the Town's appearance review criteria.

As directed by Council, staff has drafted new language to address the appearance review criteria for single-family dwellings, the proposed language is a *combination of the site plan criteria and appearance criteria* and the creation of two definitions, substantial damage and substantial improvement, which are aimed to clarify when a remodel or upgrade to a single-family home needs to be reviewed by the Planning and Zoning Board. Please see below, the underline is new language, and the ~~strikethrough~~ is deleted language, the yellow highlights are recommendations made by the Planning and Zoning Board at their October 2024 meeting:

#### Sec. 34-4. Definitions

Substantial damage. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure as determined by the Palm Beach County Property Appraiser before the damage occurred.

Substantial improvement. Any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a ten-year period, the cumulative cost of which equals or exceeds 50 percent of the fair market value of the building or structure as determined by the Palm Beach County Property Appraiser before the improvement or repair is started. For each building or structure, the ten-year period begins on the date of the first permit issued for improvement or repair of that building or structure. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

(1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

(2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

### 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 development review committee (DRC), which may recommend approval, denial, or approval with modifications and/or conditions;
- (2) Consideration of the application by the town planning and zoning board, which may recommend approval, denial, or approval with modifications and/or conditions; and
- (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.~~ 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 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-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. For the purpose of this section, the comparison of harmony between buildings shall consider the preponderance of buildings or structures within 300 feet from the proposed site of the same zoning district;

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).

(4) New Single-family detached dwellings, substantial damaged or substantial improvements to existing 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. Minor amendments to 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. The criteria to be used in this review shall be to ascertain that the proposed new single-family detached dwelling development meets the following criteria:

a. Appearance Review Criteria.

1. Is compatible with and/or reflects the natural characteristics of the land, including, but not limited to, slope, elevation, drainage patterns, natural vegetation and habitats, and unique physical features;

2. All reasonable efforts to preserve environmental features and native vegetation shall be made, and complies with the County's Environmentally Sensitive Lands Ordinance per article 14, chapter C of the Palm Beach County Unified Land Development Code;

3. 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. For the purpose of this section, the comparison of harmony between buildings shall consider the preponderance of buildings or structures within 300 feet from the proposed site of the same zoning district;

4. Shall have a design in which buildings over 30 feet in height (including tower structure) shall appear the same or more horizontal or nondirectional in proportion rather than vertical, accomplished by the use of architectural treatments. 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).~~

5. Shall locate and design mechanical equipment with architectural treatments so that any noise or other negative impact is minimized;

6. The proposed addition or accessory structure is similar in style and massing to the principal or main structure.

In addition to the information provided by staff, Councilmember Davis has shared various information pertaining to this item (see attachment #3).

**RECOMMENDATION:**

Staff recommend that the Town Council review and direct staff on how to proceed with the proposed code text amendment.

Attachments:

1. Town of Juno Beach Code of Ordinance, Code Section 34-116.
2. Florida Statute 163.3202(5)(a).
3. Councilmember Davis backup material.



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 though 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. For the purpose of this section, the comparison of harmony between buildings shall consider the preponderance of buildings or structures within 300 feet from the proposed site of the same zoning district;
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).

F.S. 163.3202

(5)(a) Land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling unless:

1. The dwelling is listed in the National Register of Historic Places, as defined in s. [267.021\(5\)](#); is located in a National Register Historic District; or is designated as a historic property or located in a historic district, under the terms of a local preservation ordinance;
2. The regulations are adopted in order to implement the National Flood Insurance Program;
3. The regulations are adopted pursuant to and in compliance with chapter 553;
4. The dwelling is located in a community redevelopment area, as defined in s. [163.340\(10\)](#);
5. The regulations are required to ensure protection of coastal wildlife in compliance with s. [161.052](#), s. [161.053](#), s. [161.0531](#), s. [161.085](#), s. [161.163](#), or chapter 373;
6. The dwelling is located in a planned unit development or master planned community created pursuant to a local ordinance, resolution, or other final action approved by the local governing body before July 1, 2023; or
7. The dwelling is located within the jurisdiction of a local government that has a design review board or an architectural review board created before January 1, 2020.

(b) For purposes of this subsection, the term:

1. "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. The term does not include the height, bulk, orientation, or location of a dwelling on a zoning lot; or the use of buffering or screening to minimize potential adverse physical or visual impacts or to protect the privacy of neighbors.
2. "Planned unit development" or "master planned community" means an area of land that is planned and developed as a single entity or in approved stages with uses and structures substantially related to the character of the entire development, or a self-contained development in which the subdivision and zoning controls are applied to the project as a whole rather than to individual lots.

(c) This subsection does not affect the validity or enforceability of private covenants or other contractual agreements relating to building design elements.

**To: Town Council, Frank Davila, Town Manager, and Len Rubin, Town Attorney**  
**From: Diana Davis, Council member**  
**Date: 1-17-2025**  
**RE: 1-22-2025 Town Council Meeting Agenda Item # 16, Titled ARB Review Criteria**

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**Whether the State has pre-empted all architecture review from the Town of Juno Beach for its historic areas (Beach Bound, Zephyr Way and Saturn Lane) and other single-and-two-family homes is a major policy question for our Town that requires additional discussion.**

The Town of Juno Beach staff agenda item memo for the Appearance Review Board criteria cites Florida Statute 163.3202(5)(a), as **not allowing “building design elements” to be regulated in single and two-family dwellings in the Town of Juno Beach**. Building design elements includes “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 . . .”, which are **the elements of architectural style for the Town of Juno Beach’s historical areas and of our “Old Florida style” architecture for our single family home zoning districts**.

**Action:** Due to the magnitude of the potential impact to our Town of this policy decision, and the need ability to preserve our policy options, suggest having our Town Attorney brief options or perhaps hiring an outside municipal land use attorney to determine our options as to how the law (effective 7/2021 with amendments in 7/2023) applies to the Town of Juno Beach municipal code.

**Policy Matter – maintain local authorities.** As a policy matter, it is the preferred path **NOT** to give away authorities that are traditionally within the Town’s control such as architectural review of single-and two-family homes and architectural review of our historical neighborhoods. As a policy matter, the Town of Juno Beach has advocated for “Home Rule,” as a municipal charter government to maintain its jurisdiction to make local decisions locally rather than ceding these decisions to Tallahassee, our State Government.

**Policy Matter – whether to regulate architectural styles in our residential single family zoning districts and historical areas.** The Town of Juno Beach has historically regulated architectural styles for single family homes, with the styles known as “Old Florida.” We also have distinctive historic districts with their own architectural features described.

**Explore Alternative Interpretations of the legislation as applied to Juno Beach:** We are fortunate that Juno Beach Municipal Code 34-28, assigns the duty to our Planning and Zoning Board to include appearance review and site plan review. The state legislation requires a “design review board” or an “architectural review board” but there is no definition for these boards and no requirement that these boards were active prior to January 1, 2020. Our appearance review criteria that have been in effect prior to 1/2020

contains language regarding building design elements for our “Old Florida style” and for our historical areas.

- Potential interpretation is that the state legislation will allow the regulation of “building design elements” for our historic districts under the provisions of Florida Statutes 163.3202(5)(a)1.
- Potential interpretation is that the state legislation will allow the regulation of “building design elements” for single family and two-family homes under the provisions of Florida Statutes 163.3202(5)(a)7, because Juno Beach Municipal Code 34-28, prior to January 1, 2020, assigned the duty to our Planning and Zoning Board for appearance review and site plan review.

**ACTION:** Before any of the proposed code changes are enacted, we need to understand our legal options for policy making for our Town. The Town Council should have our Town Attorney, Len Rubin outline the options that we have for interpretation of the state statute; or hire a land use attorney for an analysis specific to Juno Beach and our municipal codes. This is a policy matter with huge ramifications for our Town for years to come. Maintaining our legislative code options is critical to our pledge to residents to Keep Juno Beach, Juno Beach. **NOTE:** In researching this issue, two different land use attorneys, who both have their master’s degrees in planning, agreed that the interpretations above are valid interpretations for Juno Beach to maintain its historical districts and its architectural style codes.

#### **PLANNING AND ZONING BOARD MEMBERS REQUESTED AN ADDITIONAL TOOL FOR**

**APPEARANCE REVIEW:** Code language that could be added to the appearance review criteria, **now**, independent of a policy decision on whether we can continue to regulate architectural styles [i.e., building design elements] in our historical areas and other single family home locations is the following:

**3-D Visualization of Project in Context.** The site plan shall be illustrated to scale and shall sufficiently indicate the above information for consideration of visual, safety and economic factors including, three-dimensional (3-D) scene GIS plans for any building proposed and it must include at least the buildings within 300 feet of the proposed structure in the same zoning district to show the project in context, unless exempted by the Planning and Zoning Department. [PB sect. 18-207(a)(15)]

*In the November 2024 Town Council meeting when this additional criteria for ARB review was previously raised, I had a number of other ARB criteria to add that would protect existing property owners – property rights, which are not reproduced here for the purpose of placing the emphasis on the need for options to pursue appropriate policies for the Town in regard to its ability to review architectural styles.*



**Town of Juno Beach Municipal Code 34-116(4) a. Appearance review criteria, proposed for single family homes.**

1. **Architectural Integrity.** Buildings or structures shall have a unity of character, style, integrity and design. Their architectural style shall be clearly expressed and detailed appropriately to vocabulary of the style and be of high quality in terms of materials, craftsmanship and articulation. The relationship of building forms through the use, texture and color of materials shall be such as to create one harmonious whole. [LWB sect. 23.2-31(d)1].

2. **Character of Façade.** All facades visible to public or adjacent property shall be designed to create a harmonious whole. Materials shall express their function clearly and not appear foreign to the rest of the building. All exterior walls shall contain articulation creating visual interest. The massing of elements of each façade shall have a height to width ratio approximating the golden ratio of 1.618, either vertically or horizontally. [LWB sect. 23.2-31(d)3 and NPB p. 3&4 wall treatments]

3. **Protect Private Property values.** The elements of the site plan shall be arranged so as to have minimum negative impact on the property values of adjoining property. [LWB sect. 23.2-31(c)13].

4. **Screening and buffering for residential privacy.** The site plan shall provide reasonable, visual and acoustical privacy for the project and to protect adjacent existing residents from undesirable views, lighting, noise, or odors. Fences, walls, barriers and vegetation shall be arranged for the protection and enhancement of the subject property and to enhance the privacy of the occupants and for the benefit of the adjoining property. This section may be interpreted to require screening and buffering in addition to that specifically required by other sections of these LDRs, but not less. [LWB sect. 23.2-31(c)4 and (c)13].

5. **3-D Visualization of Project in Context.** The site plan shall be illustrated to scale and shall sufficiently indicate the above information for consideration of visual, safety and economic factors including, three-dimensional (3-D) scene GIS plans for any building proposed and it must include at least the buildings within 300 feet of the proposed structure to show the project in context, unless exempted by the Planning and Zoning Department. [PB sect. 18-207(a)(15)]

*Nancy E. Stroud, P.A.*

*Nancy Stroud, Esq.*

*Direct Dial: 561 826 2804*

January 22, 2025

Ms. Diana Davis  
440 Sunset West  
Juno Beach, FL 33408

Re: Architectural Review of Building Design Elements

Dear Ms. Davis,

Thank you for asking me to review the question of whether the Town of Juno Beach has the authority for building design element review under Florida Statutes Section 163.3202(5)(a)7. The statute says:

**(a) Land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling unless:**

**... 7. The dwelling is located within the jurisdiction of a local government that has a design review board or an architectural review board created before January 1, 2020.**

The highlighted provision was adopted in 2023 by the Florida legislature by 2023 Fla. Laws Ch. 31.

The Town of Juno Beach Planning and Zoning Board as of January 1, 2020 authorized the Town Planning and Zoning Board to review site plan and appearance and to issue recommendations for the same to the Town Council. See Section 34-28:

**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. 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.

As of January 1, 2020, the Town code "appearance" review included and still includes architectural review, as well as review of multiple design features. See Section 34-116(3)(b), Code of Ordinances.

*1875 NW Corporate Blvd., Suite 100, Boca Raton, FL 33431*  
*Telephone -- 561 826 2800*

Based on the language of the statute, and the Town code that existed as of January 1, 2020, the Town Planning and Zoning Board was authorized to provide design review and architectural review. I believe that although the Planning and Zoning Board is not specifically named “design review board” or “architectural review board,” clearly it is authorized to function to review design and appearance and thus falls within the statute. The statute does not define what is a “design review board” or “architectural review board”, but the names of the boards point to the relevant requirement that the board perform design and/or appearance review. It also is notable that the statute only requires that the board had been created prior to January 1, 2020. It does not mandate that the board must have a more specified scope or detailed duties, just that it has been created for design and appearance review.

For these reasons, it is my opinion that the Town of Juno Beach is not precluded from applying land development regulations relating to building design elements to single family and two family dwelling units.

Sincerely,



Nancy Stroud, J.D., FAICP





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**Meeting Name:** Town Council Meeting  
**Meeting Date:** February 18, 2025  
**Prepared By:** Steven J. Hallock, Director of Public Works  
**Item Title:** Pelican Lake Sterile Grass Eating Carp Introduction

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**DISCUSSION:**

On December 6, 2024, Special Town Council meeting, Council directed Town Staff to investigate the introduction of Sterile Grass Eating Carp into Pelican Lake. The concept is that these fish will be able to biologically control algae by eating the Chara and Marine Naiad (aquatic vegetation) that caused the algae to overgrow in Pelican Lake last year. This biological control should work in tandem with the chemical control previously approved by the Town Council to prevent algae overgrowth and expensive mechanical removal in future years.

Our Environmental Consultant, Stocking Savvy/Prof. Sean Patton, noted this biological control in his “Pelican Lake Management Plan” (6/5/2020). The section relating to it is attached. Prof. Sean Patton still supports the idea, as does Town Staff, and we have secured tentative approval from the Florida Fish and Wildlife Conservation Commission. We are recommending an initial stocking of sixty (60) young Sterile Grass Eating Carp, which will cost approximately \$1,000. This funding is available and can be absorbed within the Public Works Department approved budget.

**RECOMMENDATION:**

Town Council discussion and direction on the introduction of Sterile Grass Eating Carp into Pelican Lake.

<http://plants.ifas.ufl.edu/plant-directory/panicum-repens/>

### Grass Carp Feeding Preferences

Grass Carp *Ctenopharyngodon idella* - are a species of carp from Asia that have become known worldwide for their voracious appetite and ability to eat many noxious aquatic weeds namely Hydrilla. Much research and application has been done with these fish but due to their size, diet, and prodigious breeding they have become invasive in many areas. In the United States you can obtain permits for sterile Triploid Grass Carp. These carp can no longer reproduce giving you a fixed number to control a certain biomass of plants. The amount generally ranges between 8-30 fish per treatment acre of infested water due to: plant type, carp size, predation, initial removal, total plant biomass, and feeding preferences. Due to these various factors you will need to talk to a carp supplier after obtaining a permit. These fish can easily live ten or more years and have quite a bit of personality in a small water body giving a long term, no chemical control. If the water body is heavily overgrown grass carp may shift the plant types from thick algae mats and invasive plants to planktonic algae which turns water green. This type of algae is more easily controlled with chemicals, dyes, fish, beneficial plants, and may even just leave ponds with routine flow. Talk to local dealers after obtaining a permit from the Florida Fish and Wildlife (FWC) for exact stocking information to your particular pond.

While the FWC recommends a stocking rate of 3-10 carp per acre it can be extremely variable between the total biomass, area of pond, type of vegetation, and number of predators<sup>1</sup>. Lakewatch has also found that should too few carp be used then vegetation control might not be achieved or eradication of invasive species such as hydrilla be obtained with less than 10 fish per acre<sup>2</sup>. For this reason when dealing with very low biomass or trying to reduce but not eliminate the amount of native species we recommend 3-5 carp per treatment acre. However for dense infestations of invasive plants such as Hydrilla or less readily eaten species such as Hygrophila or Limnophila we highly suggest at least 10-13 carp per acre if not more to provide adequate removal and attempted eradication. In areas of mixed native and non-native plants that are still in high abundance look to the below species chart to see what species are most affected and stock between 3-10 carp per acre.

Readily Eaten – Actively selected for by grass carp and are removed first, even if other vegetation is present.

- Brazilian Elodea
- Duckweed - Sometimes Native
- Elodea - Native
- Hydrilla
- Muskgrass / Chara - Native
- Pondweeds - Usually Native
- Slender Spikerush - Native
- Southern Naiad - Native
- Widgeon Grass - Native

Occasionally Eaten – These are selected after preferred food choices are removed, may require higher stocking densities to remove these plants.

- Filamentous Algae - Variable but usually Native

- Baby Tears - Native
- Bacopa - Native
- Banana Lily - Native
- Bog Moss - Native
- Young Bulrush - Native
- Young Cattails - Native
- Coontail - Native
- Fanwort - Native\* Invasive captive bred strain released
- Hygrophilia
- Knotgrass
- Limnophila
- Maidencane - Native
- Marine Naiad - Native
- Stonewort *Nitella sp.* - Native
- Rush Fulrena - Native
- Young Soft Rush - Native
- Southern Water Grass - Native
- Water Meal - Native
- Water Shield

Rarely Eaten - Do not stock for these, carp will not eat them. They may have small amounts of damage.

- Planktonic Algae - Variable but usually Native
- Alligator Weed
- American Lotus - Native
- Azolla - Native
- Burhead Sedge - Native
- Arrowhead: Common, Duck Potato, Dwarf - Native
- Valisneria Eelgrass - Native
- Frog's Bit - Native
- Para Grass
- Parrot's Feather
- Pennywort - Native
- Pickerelweed - Native
- Red Ludwigia - Native
- Salvinia
- Sedges - Native usually
- Smartweed - Native
- Spatterdock - Native
- Torpedograss
- Water paspalum
- Water Hyacinth
- Water Lettuce
- Water Lily - Native most species
- Wild Taro

For more information and applications to receive Triploid Grass Carp see the below links.

FWC information on grass carp <http://myfwc.com/wildlifehabitats/invasive-plants/grass-carp/>

FWC Permit for New Applicants  
<https://public.myfwc.com/crossdoi/triploidgrasscarp/PrShowQuestionnaire.aspx>

1. <https://myfwc.com/wildlifehabitats/habitat/invasive-plants/grass-carp/>
2. Sandra G. Hanlon, et. al. 2000. Journal of Aquatic Plant Management. Evaluation of macrophyte control in 38 Florida lakes using triploid grass carp. 38: 48-54

Most Triploid Grass Carp are stocked as juveniles around 8in to 12in long and as juveniles eat more than their adult counterparts. At this life stage they often fall prey to bass, otters, gators, and wading birds with adults generally surviving the full ten years after they hit 36in. At this point only age, disease, or fishing can remove them and they offer long term plant control. It is important to always release carp near shelter or structures in a pond so they can hide from predators such as the picture below where they were released next to a deep water planting where they could hide but not be trapped. Also some carp simply die during transit or do not survive the stocking such as the below individual from stress or poor water quality. This further necessitates the need to overstock especially with the desire to eradicate plants and not simply reduce invasive species.

