

**AGENDA
TOWN OF JUPITER ISLAND
TOWN COMMISSION MEETING
FRIDAY, DECEMBER 6, 2024, 9:00 AM
ISLAND ROOM – TOWN HALL – 2 BRIDGE ROAD**

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMENTS*

Mayor/Commissioner Comments*

- a. Town Coffee Update
- b. Commissioner Comments
- c. Agenda Approval

Public Comment (Non-Agenda Related)*

Public Comment is an opportunity for the Mayor and Town Commissioners to listen to any issue(s) of importance to you. Public Comment is offered at the beginning of our meetings, in the event attendees cannot stay in chamber for the agenda item or meeting duration. If you elect to address an item on today's agenda during opening Public Comment, we ask that you please refrain from re-addressing the item during Public Comment at the agenda item. Residents also may submit comments, at any time, to the Mayor and Commissioners into the public record: THMail@tji.martin.fl.us. (Please email Public Comment at least one business day prior to the meeting to ensure timely distribution to the Mayor and Commissioners.)

CONSENT ITEMS

1. Consent Agenda

Category A- To be reviewed and approved (as is or as edited) by the Town Commission

- a. Minutes of the November 6, 2024, Town Commission Meeting

Category B- Other Informational Materials (No Action Required)

- a. Minutes of the September 11, 2024, Pension Board Meeting
- b. Minutes of the August 15, 2024, Jt. Town/SMRU Defined Contribution Plan Committee Meeting

PRIORITY MATTERS & PRESENTATIONS

2. Martin County Commissioner Ed Ciampi *
3. Comprehensive Plan Discussion and Timeline - Kimley Horn
4. Waterfront Setback Line Workshop & LPA Comments

COMMISSION ACTION ITEMS

5. Ordinance No. 401 - Alternative Development Standards and the Land Development Regulations - 2nd Reading
6. Ordinance No. 402 - Vacation Rentals - 2nd Reading
7. Lethal Yellowing Contract Renewals
8. Coastal Waste and Recycling Spending Authorization Request
9. Board and Committee Vacancies and Appointments

STANDING REPORTS

10. Town Attorney Report
 - a. Litigation Update*
 - b. Other Items*
11. Financial Report
 - a. Monthly Financial Report
 - b. Other Items*
12. Building Department Report
 - a. Building Department Reports
 - b. Code Compliance Report
 - c. Other Items*
13. Public Safety
 - a. Police Activity Report
 - b. Other Items*

OTHER ITEMS

14. Meeting Dates
 - December 12, 2024 – Annual Board/Committee Member & Town Employee Appreciation Luncheon – 12PM
 - January 8, 2025 - Town Coffee with Commissioner Scott – 9AM
 - January 8, 2025 – SMRU/ Beach Protection District Meetings – 10AM
 - January 9, 2025 – Town Commission Meeting – 9AM
 - February 18, 2025 – Town Coffee with Commissioner Taddeo – 9AM
 - February 18, 2025 – SMRU / Beach Protection District Meeting – 10AM
 - February 19, 2025 – Town Commission Meeting – 9AM

- March 18, 2025 – Municipal Election (3 seats)
- March 20, 2025 – Town Coffee with Commissioner Scott – 9AM
- March 20, 2025 – Beach Protection District Meetings – 10AM
- March 21, 2025 – Town Commission Meeting and Swearing in of newly elected officials

15. Other Items*

** No advanced materials provided*

TOWN COMMISSION

Penny Townsend, Mayor
Marshall Field VI, Vice Mayor
Anne Scott, Commissioner
Patricia Warner, Commissioner
Joseph Taddeo, Commissioner

ADMINISTRATIVE STAFF

Town Manager, Robert Garlo
Town Attorney, Thomas J. Baird
Town Clerk, Kimberly Kogos

TOWN VISION

The Town of Jupiter Island is a barrier island community, between the Indian River Lagoon and the Atlantic Ocean, where the beauty of nature will always dominate the presence of man. Our vision for the future is illustrated by the traditions of the past, formed by a community of caring individuals who, with imagination and heart, have combined the island's beautiful gifts of nature with those of tradition and family. Inherent in the character of the Town are tranquility, seclusion and safety. The residents of Jupiter Island will faithfully endeavor to preserve and nurture their unique community for all future generations

STATE MANDATED STATEMENT

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Town prior to the meeting. Please contact the Town Hall, 2 Bridge Road, Hobe Sound, FL 33455, telephone (772) 545-0103.

**MINUTES
TOWN OF JUPITER
ISLAND TOWN
COMMISSION
MEETING
WEDNESDAY,
NOVEMBER 6, 2024**

TIME: Wednesday, November 6, 2024 – 9:00 AM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Mayor Penny Townsend, Vice Mayor Marshall Field VI, and Commissioners Anne Scott, Patricia Warner and Joseph Taddeo. Also present were Town Manager Robert Garlo, Town Clerk Kimberly Kogos, Town Attorney Thomas Baird and IT Director Bill Sutton.

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMENTS*

Mayor/Commissioner Comments*

Mayor Townsend introduced the attending Town Attorney, Brett Lashley, as Tom Baird is out of town. She read the Town Vision.

a. Town Coffee Update

Commissioner Warner provided a review of the Town Coffee meeting and mentioned topics that were discussed including the state of the beaches, especially following recent storms, current litigation update, the Waterfront Setback Line study (WFSBL), Public Safety matters, and leaf blowers.

It was agreed that the Town Coffee would convene in the conference room going forward.

b. Commissioner Comments

There were none.

c. Agenda Approval

The agenda was approved.

d. Other Comments

It was noted that 18 people were online.

Public Comment*

There were none.

CONSENT ITEMS

1. Consent Agenda

Category A- To be reviewed and approved (as is or as edited) by the Town Commission

- a. Minutes of the October 3, 2024, Town Commission
- b. Fixed Asset Disposals

MOTION: Vice Mayor Field/Commissioner Taddeo moved to approve the consent agenda as presented.

ACTION: Motion Passed 5-0

PRIORITY MATTERS & PRESENTATIONS

2. Martin County Ocean Rescue Facility Presentation

Martin County Administrator, Don Donaldson greeted the Commission and introduced the Martin County Ocean Rescue Facility presentation.

Division Chief, Christian Montoya, Fire Rescue, greeted the Commission and provided an updated presentation of the proposed Ocean Rescue facility at the public beach. He reviewed data including the number of visitors (150,000+), medical calls and water rescues (6 in 2023). He reviewed the current conditions and the proposed facility, showing the footprint as well as a rendering of the proposed facility. Key features include equipment storage, a triage area and safe refuge for staff. He mentioned that the facility was presented to the Hobe Sound Chamber of Commerce a few weeks ago who provided a letter of support from them.

Vice Mayor Field explained that although the structure is needed, it is the gateway to the Island where the residents live. He noted a more appealing appearance would be helpful which had been suggested previously.

Commissioner Scott expressed concern that the proposal had not been discussed with residents and those who use the public beach facility. She stated that she understands the need of the facility for the lifeguards but does not see how the structure will benefit anyone else.

Vice Mayor Field summarized the key points and asked Fire Rescue to bring a different proposal back to the Commission.

Commissioner Warner stated she approves of the structure but prefers a different appearance. Commissioner Scott stated that she would prefer a collaborative effort.

Commissioner Taddeo expressed approval of a new facility as the current structure needs to be upgraded but agreed with the architectural appearance concerns already expressed.

Mayor Townsend stated that there are groups of people who gather at the pavilion daily,

including disabled veterans, who do not go to the beach. She asked if those regular visitors had been consulted regarding their use of the space.

Public Comment:

Resident Anne Geddes suggested researching other beach facilities that have "some charm" and apply some of that beauty to the proposed structure.

3. Public Safety Promotions

Chief Ewing greeted the Commission and announced Public Safety Department Promotions including:

- Captain Joseph Scolly (executive team member)
- Devan Wilson, Operations Support Administrator (executive team member)
- Officer Eric Hinson, Public Safety Corporal
- Officer Anthony Fusco, Public Safety Corporal

Chief Ewing noted the responsibilities and duties of each individual and recognized each of them.

COMMISSION ACTION ITEMS

4. Ordinance No. 401 - Alternative Development Standards and the Land Development Regulations- 1st Reading

a. Ordinance Discussion & Reading

Mayor Townsend introduced Ordinance No. 401, explaining that it has been seen and discussed previously in various forms.

Building Director Harding explained that the ordinance merges Alternate Development Standards with the Land Development Regulations, with no substantial changes. The text has been reorganized by section, such as fences or pools, to maintain existing standards. Minor updates include incorporating the commission's authority over public lands and conservation into section 3.03 of the regulations.

She noted a correction needed before the second reading: "prohibited uses" should read "permitted uses" in Article Three. Variances for accessory uses and reverse osmosis plants were also clarified by moving them to supplemental regulations. These updates do not change the Board of Adjustments' authority but streamline the variance process, like the pool fence requirement on waterfront lots.

Director Harding confirmed that language was also changed to be compliant with current statute.

Public Comment:

There were none.

Attorney Lashley read Ordinance No 401 by title only:

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING APPENDIX A, OF THE TOWN'S CODE OF ORDINANCES WHICH CONTAINS THE TOWN'S LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE AMENDMENT OF ARTICLE I, DIVISION 3, SECTIONS 3.01 AND 3.03 REGARDING THE AUTHORITY OF THE BOARD OF ADJUSTMENT AND TOWN COMMISSION; PROVIDING FOR THE AMENDMENT OF ARTICLE III, DIVISION 2, SECTIONS 2.00 B. AND 2.01 C PERTAINING TO USES IN THE A-80 DISTRICT, SECTIONS 3.00 B AND 3.01 C; DIVISION 4, SECTIONS 4.00 B. AND 4.01 C; DIVISION 5, SECTION 5.01 C; DIVISION 6, SECTION 6.00 D AND 6.01 C; DIVISION 7, SECTION 7.00 B AND 7.01 C; DIVISION 8, SECTION 8.00 B AND 8.01 C; DIVISION 9, SECTION 9.01; DIVISION 10, SECTION 10.01; DIVISION 11, SECTION 11.01; PROVIDING FOR THE AMENDMENT OF ARTICLE IV, DIVISION 2, SECTION 2.00 TO ADD A SUBSECTION "D" PERTAINING TO VARIANCES FOR THE INITIAL MEASURING POINT OF A BUILDING, ARTICLE IV, DIVISION 3, SECTION 3.01 PERTAINING TO VARIANCES FOR THE PLACEMENT OF MORE THAN THREE FEET OF FILL ON A PROPERTY, SECTION 3.04 PERTAINING TO SETBACK FOR EASEMENTS AND DRIVEWAYS, SECTION 3.05 PERTAINING TO TENNIS COURT DESIGN AND LOCATION, SECTION 3.06 PERTAINING TO WALLS, FENCES, AND BULKHEADS/SEAWALLS, SECTION 3.07 PERTAINING TO DOCKS AND DUNE CROSSOVERS, SECTION 3.10 PERTAINING TO OFF-STREET PARKING AND SECTION 3.12 PERTAINING TO WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS, AND CREATING A NEW DIVISION 5, ENTITLED ACCESSORY USES AND A NEW ARTICLE 6, ENTITLED REVERSE OSMOSIS PLANTS; PROVIDING FOR AMENDMENTS TO ARTICLE VI, DIVISION 2, PERTAINING TO SIGNS; PROVIDING FOR AMENDMENTS TO ARTICLE IX, DIVISION 2, SECTIONS 2.01 AND 2.02 PERTAINING TO NONCONFORMING STRUCTURES; PROVIDING FOR AMENDMENTS TO ARTICLE IX, DIVISION 4, SECTION 4.00 PERTAINING TO NONCONFORMING USES; PROVIDING FOR THE REPEAL OF ARTICLE X, DIVISIONS 3 AND 4 IN THEIR ENTIRETY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Field noted a potential scrivener's error in section 3.

MOTION: Vice Mayor Field/Commissioner Warner moved to approve Ordinance No. 401 on 1st reading as presented.

ACTION: Motion Passed 5-0

- b. Public Comment There was no public comment.
There was no public comment.

*The Town Commission recessed at 9:54 AM for a break and to convene a closed-door Attorney Client session at 10:00 AM.
The Town Commission reconvened at 12:31 PM.*

Mayor Townsend announced that the Attorney Client session was conducted, and the Attorneys gained the direction they needed.

*The Town Commission recessed at 12:32 PM for lunch.
The Town Commission reconvened at 12:54 PM.*

5. Ordinance No. 402 - Vacation Rentals - 1st Reading

a. Ordinance Discussion & Reading

Director Harding introduced Ordinance No. 402 pertaining to Vacation Rentals.

Chief Ewing provided an update pertaining to a recent incident that occurred at a vacation rental on North Beach Road. He explained multiple medical calls pertaining to an "Interventional Healer" who rented the property to film a documentary and "medicate" or "treat" with illegal substances. Afterward, it took several days to contact the property owner to address the situation.

Town Manager Garlo explained that state statute does not allow prohibition or regulation, but the Town is able to require registration for such rentals. The ordinance defines vacation rentals as renting for less than 30 days for more than 3 times per year.

Director Harding explained that the ordinance covers requirements like the building's floor plan, number of rooms, occupancy, and compliance with residential zoning regulations. Inspections include checking smoke detectors, fire extinguishers, and parking. She emphasized that these comprehensive measures would provide better oversight of rental properties. Discussion ensued.

Commissioner Warner noted that some residents rent their homes for 2–4-week periods.

MOTION: *Commissioner Taddeo/Vice Mayor Field moved to approve Ordinance No. 402 on first reading.*

ACTION: *Motion Passed 5-0.*

Attorney Lashley read Ordinance No. 402 by title only:

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING CHAPTER 6 OF THE JUPITER ISLAND CODE OF ORDINANCES, ENTITLED "LICENSES AND BUSINESS REGULATIONS" TO CREATE A NEW ARTICLE V ENTITLED "SHORT TERM AND VACATION RENTALS"; PROVIDING FOR REGULATIONS PERTAINING TO SHORT TERM OR VACATION RENTALS OPERATING WITHIN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION;

PROVIDING FOR AN EFFECTIVE DATE

b. Public Comment

Resident Jay Wilson asked about enforcement matters. Director Harding explained the enforcement process. Mayor Townsend read the enforcement process directly from the Ordinance. Discussion ensued regarding enforcement of violations.

Resident Kate Nelson suggested registering the vehicle(s) of renters. Town Attorney Lashley stated that he would have to confirm if that is permitted.

6. Waterfront Setback Line Study - Preliminary Mapping Criteria

Town Manager Garlo provided comment regarding the Waterfront Setback Line (WFSBL) study. He stated that no commissioner or staff member has done anything to try to influence the study or where the WFSBL may eventually be proposed.

Mayor Townsend stated that the only action taken thus far was to engage with the vendor.

Mayor Townsend asked the Commissioners to share their understanding of the purpose of the Waterfront Setback Line (WFSBL) for the Town. Commissioners discussed that, while the line ensures alignment

with the Department of Environmental Protection (DEP), it primarily aims to prevent development from harming the environment and to uphold safety standards. They highlighted that the setback line defines developable areas, with considerations for safety, environmental protection, and scientific criteria set in consultation with the DEP.

Mayor Townsend confirmed that the Town's policy is influenced by DEP guidelines but clarified that the Town retains decision-making authority. Commissioners agreed that public responsibility and protecting community interests are key reasons for maintaining the WFSBL.

Director Duchock referenced the memo to the Commission and stated that Cummins Cederberg would present the criteria definitions identified throughout the process. He noted that they would also discuss the application of these criteria and advance the preliminary direction and map into a finalized map set, with further discussions planned regarding the timing.

Vice Mayor Field asked about the number of monument locations on the Island. Director Duchock stated that there are locations from 127 to 76, but only 10 representative monuments have been mapped for the initial presentation, covering the Island from north to south. He noted that input on the criteria and approach is being sought before public review.

Discussion emphasized the need for a comprehensive and consistent approach, using all data points unless there is a strong reason to exclude any. The goal is to ensure an objective, Island-wide analysis and prevent future disputes, with further discussion on whether to expand beyond the current 10 representative sections.

Vice Mayor Field stated that the commission must be exhaustive in their use of data points.

Mayor Townsend noted that the report went online at 8:24 PM the previous night and noted that everyone has had the same amount of time to review the current material.

Director Duchock introduced Danielle Irwin of Cummins Cederberg. She explained that she is currently reporting on Task 3, Preliminary Maps & Field Verifications, which will develop preliminary maps based on the data and analysis and conduct field survey verifications. Task 4, Final Mapping, is the next and last task.

Ms. Irwin reviewed the Waterfront Setback Line (WFSBL), the R-Monument Locations, and the assessment of setback criteria. She referred to the "spaghetti map" and defined the various lines displayed on the map including the existing WFSBL, the CCCL (Coastal Construction Line), ECL (Erosion Control Line), MHWL (mean high water line), FEMA PFD (FEMA Primary Frontal Dune line), etc. Vice Mayor Field asked for a document that defines each of the lines and acronyms.

Ms. Irwin explained that the GPL (General Permit Line) should be the Western limit to the WFSBL. She explained the R-82 Storm Erosion Model Analysis and noted that a 25-year storm has a 4% chance of occurring annually, while a 100-year storm has a 1% chance. She explained that the top graph represents the 25-year storm and the bottom the 100-year storm, using recent 2023 data. The 25-year storm could erode the dune crest, while the 100-year storm would reach the R-monument. She advised against using storm erosion profiles as criteria for the waterfront setback line but expressed confidence that it would withstand a 25-year storm.

She referred to the 30-YEP (30 Year Erosion Projection line) and explained "credit years" for remaining nourishment project life, calculated using varying methods in CCCL rule/permit applications. She explained the Town's permit credit years is 18 that provides a distance from each R-Monument (30-YEP Related Variables and Calculated Results table).

Ms. Irwin highlighted the LOC (Line of Construction), stating the distance from MHW to Seaward edge of "Major Habitable Structure" (Houses within 1,000 LF of R-monument). She explained 3 positions for the LOC; Minimum - seaward-most house, Maximum - landward-most house, and average. So, LOC is the average location of all the homes within 1000 feet from each R-monument.

She referred to the reconsideration of the Dune Setback Criteria. She stated that CC has focused on the frontal dune, based on the definition that is in statute, "sufficient vegetation, height, continuity and configuration to offer protective value...". She added another tool called the Geomorphon Landforms Tool (GIS) and used it to apply a 50-foot setback to ridge for WFSBL criterion and the heel (landward) line of dune falls within 50-foot dune setback.

Ms. Irwin began showing the preliminary maps and noted the specific lines that were used to form these maps.

Ms. Irwin asked if the eastward movement of the WFSBL would be considered at the R-106 monument. In this area, the line could be moved 26 feet eastward. She stated that she would not recommend moving the line eastward if the Town does not continue renourishing the beach. She also noted that the line in the R-110 monument area would be moved to be more restrictive than it is today. She suggested not to move further westward than the CCCL - GP line. She noted in the R-114 area, the recommendation is moving the line 60' east of the current line, and the line in the R-126 area would move west of the current line.

Vice Mayor Field suggested having a larger presentation for

better visibility. Public Comment (22 people online):

Resident Adena Testa provided comment and noted a careful and detailed analysis by Cummins Cederberg. She noted that there were numerous people who attended earlier but could not stay any longer. She expressed the concern of not rushing the matter and providing residents with enough time to digest and provide feedback.

Vice Mayor Field stated that the mapping should be available to each resident in high resolution. Commissioner Scott noted that the consultant is seeking direction today to form final maps.

Vice Mayor Field stated there is no one line that is pertinent to each location. There are approximately 6 lines that are not relevant so the commission could eliminate those.

Ms. Irwin explained that Cummins Cederberg has simplified as much as they feel comfortable. She explained that the R monument, existing WFSBL, LOC, CCCL, CCCL GP, Dune Ridge, Dune Ridge 50 foot offset and 30 YEP are the most important lines to focus on (i.e. R-118 slide).

Ms. Testa explained that DEP rules require setbacks from the landward heel of the dune to allow natural restoration after storms and noted that dunes drift backward over time. She emphasized the need for careful review of specific factors and expressed hope for the town's future, highlighting the importance of this nearly four-year effort and urging serious consideration.

Vice Mayor Field stated that the new line is more like tweaks rather than gross changes. Discussed ensued about resident engagement.

Ms. Irwin explained that slide R-118 would be the lines that would be included, unless the commission also wants to add the ECL.

Director Duchock explained that the next project will utilize nearly all permitted templates, distributing material across areas with an ECL. He noted that future work will depend on storm-driven erosion and that widespread erosion typically requires addressing most areas. While he could not provide a specific timeline, he mentioned that generally, renourishment occurs every four years along the town's entire northern length.

MOTION: Vice Mayor Field/Commissioner Taddeo moved to request Cummins Cederberg to use criteria listed on the slide for R-Monument 78. This Included R-Monument, the existing 2019 WFSBL, LOC, CCCL, CCCL GP, Dune Ridge 50-foot offset, and 30-YEP.

ACTION: Motion passed 5-0

Vice Mayor Field requested a large, spiral-bound book with detailed graphics that would allow for an in- depth review and easy differentiation of the various lines. Mayor Townsend added that one or two physical copies should be available as well for residents to view.

Ms. Irwin stated a digital version would be available on November 13th.

MOTION TO AMEND: Vice Mayor Field/Commissioner Taddeo moved to amend the prior motion to add shading reflective of Cummins Cederberg recommendations.

ACTION: Motion passed 5-0.

Mayor Townsend stated that the criteria will be available online on November 13th, and a public workshop is set for November 21st at 9:00 AM for community input. She emphasized that no decisions can be made at the workshop, only at a regular meeting. Information will be posted on the website, with public notices and printed maps provided. Referring the matter to the LPA will require Commission direction after the workshop.

MOTION: Vice Mayor Field/Commissioner Taddeo moved to request the LPA consider the WFSBL Study.

ACTION: Motion passed 5-0.

Town Manger Garlo stated the LPA will meet quorum on November 25th.

Public Comment:

Resident Laurie Gaylord stated that the LPA will not have enough time to study the material between the 21st and 25th. She expressed concern that the Commission has had time to consider the information while the LPA has not. Mayor Townsend explained that this is the first time the Commission has heard this material as well.

ADDITIONAL COMMISSION MATTERS

7. Additional Commission Matters

a. Goals and Objectives FY 2025

Town Manager Garlo explained that they compiled all comments from each Commissioner regarding specific goals and objectives from the last meeting into one list.

Mayor Townsend brought up the topic of electric bikes. Town Manager Garlo agreed to meet with Town Attorney Baird to research regulations for electric bicycles.

Vice Mayor Field expressed a desire to discuss reviewing the LDRs concerning the minimum finished height for first floors, noting the inconsistency of building at an 8-foot elevation on the west side of North Beach Road while the east side is at 14 feet. Town Manager Garlo responded that initial discussions have begun with the consultant, Kimley-Horn, and this topic will be included as part of the comprehensive plan and LDR review.

b. Public Works Vehicle Purchases

Director Trent explained the request to replace two half-ton Chevrolet pickup trucks in the total amount of \$74,119.00.

MOTION: Commissioner Taddeo/Vice Mayor Field moved to approve the purchase as presented.

ACTION: Motion Passed 5-0

STANDING REPORTS

8. Town Manager's Report

a. Litigation Update*

Town Manager Garlo briefly commented that a lawsuit involving the Town from several years ago, which had been ongoing, was recently settled through informal mediation, and the case is now closed.

b. Other Items*

Ms. Kelly Layman, Legislative and External Relations Consultant,

Ms. Layman reported a high voter turnout in Martin County, with over 85% participation. Senator Harrell, Representative Snyder, and Representative Overdorf were re-elected, and Commissioner Vargas was formally elected. In Sewall's Point, the incumbent Mayor lost by 31 votes, with two incumbents and a newcomer winning seats. Two local measures passed: one requiring a year of residency for candidates (94%) and another enforcing forfeiture for commissioners with over three unexcused absences (91%).

She noted the Martin County Forever referendum and the half-cent school sales tax both passed. Statewide, voters addressed key amendments, including rejecting partisan school board elections and approving hunting rights. Jupiter Island saw record voter turnout, confirmed with the Supervisor of Elections.

The Commission expressed interest in bringing forth an ordinance to prohibit public smoking of marijuana

9. Town Attorney Report

Attorney Lashley provided a litigation update and noted that the town had won the mandamus cases.

Attorney Lashley stated Commissioner Scott had requested an investigation into the possibility of requiring the disclosure of property owned in trusts or similar interests. He

noted that Martin and Palm Beach counties already have such requirements and mentioned that Attorney Baird suggested working with staff to amend building applications accordingly.

Attorney Lashley requested an attorney client session during the December 6th Town Commission meeting. Commission agreed.

10. Finance Department Report

a. Fund Balance Reserve Policy

Director Pazanski stated that the Commission had requested he bring back the fund balance policy for review and discussion. He explained that the policy was approved in 2015. He stated it is the goal of the Town to maintain an unassigned fund balance reserve in an amount equal to 90-180 days of the Town's current year operating budget. He noted that the funds are making good earnings. It was suggested to bring this matter to the Finance Committee in January.

b. Monthly Finance Report

Director Pazanski reviewed the current finance report. He explained the total revenues at \$12,995,227 and expenditures at \$12,954,453.

c. Other Items*

There were no other items.

11. Building Department Report

a. Building Department Reports

Director Harding reviewed the building department report by providing permit details, and ordinances passed.

b. Code Enforcement Report

Director Harding explained the various violations and enforcement by category, with a total number of 28 violations for the month.

Mayor Townsend noted no winter construction waiver requests were submitted.

c. Other Items*

12. Public Safety Department Report

a. Activity Report - October

Chief Ewing noted 167 calls for service in the month of October with the majority being traffic related. He reviewed each ordinance violation in brief detail and explained that Public Safety works closely with Code Enforcement to respond to these violations.

Vice Mayor Field referred to the marine unit and enforcement of wake/no-wake zones.

Commissioner Scott asked about the undocumented aliens reported coming onto the island to

work. Chief Ewing stated they were workers going to a construction site.

Chief Ewing provided a follow-up on the E-verify discussion from the last meeting. He explained that the Town lacks statutory authority to enforce E-verify requirements. Enforcement falls under the Department of Law Enforcement, the Attorney General's Office, the State Attorney's Office in Martin County, and the Statewide Prosecutor, with the Department of Commerce managing E-verify enforcement. While cases can be referred, only FDLE can request to see an employer's E-verify records

b. Other Items*

Chief Ewing described a situational awareness regarding an individual trespassing on the Island and is facing suit per elderly abuse. He has been trespassed on Harbor Island and at the chapel. He is frequently on a bicycle and rides frequently with a few others.

Chief Ewing stated that the Public Notice on golf carts has been published as a reminder to residents as they return to the Island.

Hurricane Rafael does not appear to be a problem locally but will bring some wind and rain. Another system is building in the Bahamas and the Town is monitoring the situation.

13. Public Works Department Report

a. Septic to Sewer - Cost and Feasibility

Director Trent stated that Holtz Consulting was available to answer questions about the Septic to Sewer project, which offers an accessible alternative to on-site septic systems. He outlined benefits such as centralized treatment at a wastewater reclamation facility to prevent nutrient leaching into nearby water bodies. He also highlighted the project's reliability under climate pressures, like storms and sea level rise, and the added advantage of eliminating drain fields to free up space for hardscaping and landscaping in a sustainable manner.

He explained the various sections including the north, central (bridge to the forks/canon), and south (Gomez/forks to blowing rocks) sections. Next step is seeking funding options. He noted Holtz consulting has been engaged to assess the big-picture infrastructure needs, size potential improvements and to identify routing and phasing advantages to develop preliminary costs. The upcoming Town Vulnerability study will assess the exposure septic systems present to residents and the Town. This will improve the scientific basis for pursuing future projects.

Director Trent explained the Grinder System and on-site requirements. He provided a graphic to show how the system operates. He reviewed potential costs for all sections would total \$19,466,400 without grant or state-sponsored appropriation. A typical 3,500 sq. ft. 4-bedroom home would cost approximately \$20,000 inclusive of impact fees.

Director Trent stated that staff suggests in-season workshop(s) to provide a forum for resident feedback, perhaps in February. If the project receives proper support, grant sources would be

sought, phased design completed and construction could take place on a phased basis, starting on the North side.

Mayor Townsend asked about lessons learned from Sewalls Point. Director Trent stated he would be happy to reach out to them and noted that SMRU just completed projects on the mainland with Martin County and all 3 off-island sites have been completed.

Vice Mayor Field expressed great interest in the project. Mayor Townsend stated that residents have not been overly welcoming of the project. Vice Mayor Field stated that the workshop(s) can help educate residents and clear up misconceptions. It was suggested to bring this topic back in February or March. Director Trent noted that funding opportunities are ready in August. Commissioner Taddeo asked Kelly Layman about the legislative intention of pushing this matter out as a requirement.

b. Other Items*

OTHER ITEMS

- Meeting Dates

- December 4, 2024 – Town Coffee with Vice Mayor Field – 9AM
- December 4, 2024 – Beach Protection District – 10AM
- December 6, 2024- Town Commission Meeting – 9AM
- December 12, 2024 – Annual Board/Committee Member & Town Employee Appreciation Luncheon – 12PM
- January 8, 2025 - Town Coffee with Commissioner Scott – 9AM
- January 8, 2025 – SMRU/ Beach Meetings – 10AM
- January 9, 2025 – Town Commission Meeting – 9AM
- March 18, 2025 – Municipal Election (3 seats)
- March 20, 2025 – Town Coffee with Commissioner Scott – 9AM
- March 20, 2025 – SMRU/ Beach Meetings – 10AM
- March 21, 2025 – Town Commission Meeting and Swearing In of Newly Elected Officials

c. Potentially Schedule February Meetings The Commission agreed on the following:

- February 18, 2025, Town Coffee with Commissioner Taddeo (conference room)
- February 18, 2025, Beach Protection District meeting
- February 19, 2025, Town Commission Meeting

14. Other Items*

Mayor Townsend requested to add Board and Committee Vacancies on next agenda.

Town Garlo confirmed invitations will be issues for the new Martin County Commissioners to come speak at a Town Commission meeting.

Mayor Townsend suggested inviting state representatives and senators to come speak at a Town Commission meeting. Ms. Layman suggested waiting until after the legislative session. She noted Commissioner Cass was confirmed for the January Town Commission meeting and will be extending an invitation to Commission Vargas as well.

Mayor Townsend adjourned the meeting

at 4:25 PM. Respectfully submitted,

Kimberly Kogos, Town Clerk

MINUTES
TOWN OF JUPITER ISLAND
PENSION PLAN COMMITTEE MEETING
WEDNESDAY, SEPTEMBER 11, 2024

TIME: Wednesday, September 11, 2024

PLACE: Town Hall Conference Room – 2 Bridge Road, Hobe Sound, FL

PRESENT: Town Manager Robert Garlo, Finance Director Matthew Pazanski and Assistant Town Manager/Beach Protection Director John Duchock.

Present by conference call were Chair Ged Parsons, Member Craig Donaldson, PJ Gardner and Jimmy Robbins of AGW Capital Advisors.

Chair/Committee Member Parsons called the meeting to order at 9:04 a.m.

1. Approval of Minutes

Chair Parsons called for a motion to approve the minutes of the August 15, 2024, meeting.

Chair Parsons asked if the minutes reflect the intension of the rebalancing. Member Pazanski clarified that the asset targets as noted in the minutes are not what the IPS reflected when presented to the Town Commission. The Commission approved the Investment Policy Statement reflected the following asset targets: Income Lower Limit should be 10 (not 15) and the Reserves Lower Limit should be 5 (not 10).

MOTION: *Pazanski/Duchock moved to approve the minutes of the August 15, 2024, Pension Board meeting as discussed.*

ACTION: *5-0 motion passed.*

2. AGW Capital Advisors, Inc. - -

Member Pazanski explained that, as discussed in the August 2024 Pension Board meeting, the requested investment targets would require changes to the recommended Investment Policy Statement (IPS), which the Town Commission (TC) approved during their regularly scheduled meeting on September 9, 2024. The asset targets as approved are:

Asset Category	Lower Limit	Target	Upper Limit
Growth	20	35	50
Domestic Equity			
International Equity			
Absolute Return	0	10	20
Real Return	0	10	20
Income	10 15	25	40
Reserves	5 10	20	30

Mr. Gardner stated that based on the conversation during the August 2024 Pension Board meeting, language was added to clarify limits where domestic and international equity were removed.

MOTION: *Duchock/Garlo moved to approve the rebalancing as presented.*

ACTION: *5-0 motion passed.*

3. **Other Items**

The next meeting date was confirmed for Thursday, November 14, 2024, at 9am.

No other items were discussed at this time.

3. **Adjournment**

The meeting was adjourned at 9:15 a.m.

Respectfully submitted,

Kimberly Kogos, Town Clerk

MINUTES
TOWN OF JUPITER ISLAND AND JOINT MEETINGS OF
THE TOWN 401A DEFINED CONTRIBUTION PLAN (DC) COMMITTEE
AND THE SOUTH MARTIN REGIONAL UTILITY (SMRU) 401A
DEFINED CONTRIBUTION PLAN (DCP) COMMITTEE
THURSDAY, AUGUST 15, 2024, at 10:15 AM OR DIRECTLY FOLLOWING
PENSION BOARD MEETING

TIME: Thursday, August 15, 2024 – 10:15 AM

PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL

PRESENT: Present were Finance Director and Committee Chair Matthew Pazanski, Assistant Town Manager/Beach Protection Director and Plan Administrator John Duchock, Member/Public Services Director Stuart Trent, Member/Control System Specialist Dustin Lindholm, Member/Senior Planner Ruben Cruz, and Member/IT Director Bill Sutton.

ABSENT: Nicholas St. George, Water Operator/Committee Member and Town Manager/Committee Member Robert Garlo

The meeting was called to order by Member Duchock at 10:58 am.

1. Approval of Minutes – May 29, 2024, Meeting of the Town 401a DCP and SMRU 401a DCP meeting

Director/Member Duchock asked for comments regarding the May 29, 2024, minutes. Hearing none, he called for a motion to approve the minutes as presented.

MOTION: *Trent/Cruz moved to approve the Minutes of the May 29, 2024, meeting as presented.*

ACTION: *Motion Approved 6-0.*

2. AGW Capital Advisors, Inc. - Performance Review and Capital Markets Update

Mr. Gardner greeted the Committee and began his review with the Fiduciary Investment Review (pg 6). He noted the sum total of all 3 plans as \$15.5M as well as each individual plan total. He stated that it may be beneficial, although not urgent, to look at other investment management providers instead of Newport Group.

Mr. Gardner noted the Asset Allocation Strategies and reviewed the Manager Scorecard. He provided an Executive Summary noting good performers and those on the watch list.

Mr. Gardner reviewed the portfolio recommendations noting that market volatility has returned, and interest rates are normalizing. He explained that the U.S. Market has enjoyed an unusually strong period of success relative to other markets and stated that a return to fundamentals is expected.

Mr. Gardner briefly summarized candidates for manager change considerations. He explained his recommendation to add Fidelity Total Bond Fund in place of Metropolitan West.

MOTION: *Pazanski/Trent moved to change funds from Metropolitan West to Fidelity Total Bond Fund.*

ACTION: *6-0 motion passed.*

3. **Withdrawal Requests***

There were no requests for withdrawal to report.

4. **Other Items***

Members inquired about the status of the Roth IRA option. Member Pazanski explained that all requests that need to be presented to the Town Commission will be compiled and presented at the same time, thus the Roth option is still in process.

Hold November 14, 2024, directly following the Pension Board meeting at 9am for the next meeting (confirm with Pension Committee).

No other items were discussed.

5. **Adjournment***

The meeting was adjourned at 11:49am.

Respectfully Submitted,

Kimberly Kogos, Town Clerk

Memorandum



To: Mayor and Commission

From: Catherine Harding, Building, Planning and Zoning Director

Date: November 25, 2024

Re: Comprehensive Plan Update Presentation

Ali Palmer, of Kimley-Horn, will make an updated presentation of their current timeline for the Comprehensive Plan. The following schedule reflects their approximate completion dates.

Jupiter Island Comprehensive Plan

Project Milestones + Schedule

The following schedule reflects approximate completion dates for each task in the approved scope of work. The Consultant will provide the associated deliverable within one week of the date listed in this document.

Task	Date	
Kick-Off	10/28/2024	
Town Admin. Interview Questions	11/22/2024	
Evaluation and Appraisal	11/29/2024	
Town Council Interviews	December	Dates to be determined.
Data Inventory and Analysis and Map Series	12/20/2024	
Citizen Workshop Materials	12/27/2024	
Citizen Workshop	January 2025	Date to be determined. Public notice required.
Comprehensive Plan - 1 st Draft	02/28/2025	
Comp Plan Focus Group	March 2025	Date to be determine.
Joint Public Workshop	April 2025	Date to be determined. Public notice required.
Comprehensive Plan - 2 nd Draft	April 2025	
Local Planning Agency transmittal meeting	May 2025	Date to be determined. Public notice required.
Town Council transmittal meeting	June 2025	Date to be determined. Public notice required.
Transmit to the State	June 2025	
Comprehensive Plan - Final Draft	August 2025	Based on all state and agency comments being received at least 30 days prior to this date.
Town Council Adoption	November 2025	Date to be determined. Public notice required.
Land Development Regulation Consistency Review	November 2025	

TOWN OF JUPITER ISLAND

MEMORANDUM

TO: Mayor & Town Commission

THROUGH: Robert Garlo, Town Manager *RG*

CC: Kimberly Kogos, Town Clerk

FROM: John Duchock, Asst. Town Manager/Beach District Director

RE: Agenda Item 4.: Waterfront Setback Line Study – Public Workshop and LPA Comments

DATE: 11/26/2024

Background:

An important element of the Waterfront Setback Line Study is the collection of feedback from residents. To date, two public workshops have been held at Town Hall – the first on April 16th outlining the study process, and the second on November 21st presenting the setback criteria and potential shifts in the setback line. Public comments and questions posed during the November 21st workshop and received by the Town through e-mail (setbackline@tji.martin.fl.us) are presented below.

Many questions and comments seek to address the changes in development potential, as a result of a shift in the waterfront setback line. Town staff is engaging to collect and analyze additional information with the goal of addressing these questions during the next public workshop, to be scheduled for January. Other questions and comments are to be addressed following further Commission discussions and subsequent direction to staff.

The Town continues to take questions and comments on the study and will provide further updates to the Commission, along with the results of the additional development potential analysis when complete.

Public Comments (received as of 11/26/2024):

- Why was the 2000 waterfront setback line not included in the most recent map prepared by the town's consultants?
- Why is the town re-evaluating the line before the current litigation is resolved?
- What are the implications for the changes of any of these lines from the 2000 line on growth and density of the island?
- Are new building lots being created, effectively new rights being granted, and if so, how many?

- Even if the county and town are willing to renourish the town's beaches, how can the town assume sand will be available for 30 years when it has been said that the offshore sand supply may only be available for 21 years?
- Is this economically and politically rational to assume sand would be available?
- How does this sand replenishment assumption impact the location of the lines in the consultants' model, and by assuming the sand is effectively supplied in perpetuity are the lines being artificially pushed further east towards the water in an unsustainable and reckless fashion?
- How can residents participate in a similar informed discussion today?
- Would the town please consider continuing this important discussion when more residents are present on the island?
- Why wasn't the fifth line included, i.e., the Coastal Construction Control Line, that is established by the Florida DEP?
- Why wasn't the pre-2019 setback line included on the maps? If the plaintiffs win the notice lawsuit, then wouldn't the 2019 line would be null and void, and the line revert to the pre-2019 position? Shouldn't a decision on relocating the line wait until the resolution of the lawsuit?
- In light of climate change, sea level rise, and the increasing ferocity of storms and hurricanes, shouldn't the Town be interested in locating the line farther from the ocean than the pre-2019 setback line?
- Does the Town have a process for ensuring that the setback line meets the standards of the Comp Plan?
- The methodology for selecting the criteria appears to be based on the assumption that FEMA will continue to fund beach renourishment. Is it reasonable to expect that taxpayers will continue to subsidize beaches for billionaires indefinitely?
- There are several areas where there are substantial shifts of the line toward the ocean (e.g. the 96ft east shift at R-108) that appear to create new building sites. Is that correct? If so, how many new building sites would be created with the proposed line and where are they located?
- Is there a way to have ONE weighted line that extends the entire island? For example, using 80% weighting of the LOC, with 20% weighting of the CCCL-GP.... Or something like that?
- Why fund four setback line studies? What was wrong with the first three studies?
- Why does the new waterfront setback line only effect/prohibit homes at 210, 306, 322, and 332 South Beach Road? What about 41, 51, 67, 73 and 103 North Beach Road?
- Who pays for the \$ when the residents of Jupiter Island are sued for \$61 million dollars because the commissioners are prohibiting owners to build on 210, 306, 322, and 332 South Beach Road via use of the WFSBL?
- I would like to see the line before it was moved in 2019 1985? Did you go back 30 years?

- What is the purpose of these studies? It seems like they will be a tool for changing policy. Do we want to change policy?
- The presentations are too complicated and need to be simplified without using jargon. The maps are overwhelming and hard to figure out. Maybe focus on one stretch of beach to clearly talk about each line.
- Why would the Town set a line other than the DEP and CCCL?

Recommendation:

This summary is presented for discussion purposes only. No action is requested.

TOWN OF JUPITER ISLAND

MEMORANDUM

TO: Mayor & Town Commission

THROUGH: Robert Garlo, Town Manager

CC: Kimberly Kogos, Town Clerk

FROM: John Duchock, Asst. Town Manager/Beach District Director

RE: Agenda Item 4.: Waterfront Setback Line Study – Additional Public Workshop and LPA Comments

DATE: 12/2/2024

Background:

Additional comments from the public have been received since the preparation of the agenda memorandum dated November 26, 2024. Those additional comments and questions, along with a summary of the key comments and questions arising from the Local Planning Agency meeting held on November 25th are provided below.

The Town continues to take questions and comments on the study and will provide further updates to the Commission, along with the results of the additional development potential analysis when complete.

Additional Public Comments and Questions (received as of 12/2/2024):

- The current waterfront setback line discussion could benefit from the inclusion of additional relevant information. For example, data sets or lines reflecting NOAA's future projection curves for sea level rise; identifying current and future coastal vulnerabilities to public infrastructure (road, water, sanitary, electric, etc.) relative to coastal flood hazards, high tide flooding, and storm surge (SLOSH). Are those being considered? If not, why?
- How you have incorporated the town vision and comp plan into their criteria. Specifically.... How are the current set of criteria and preliminary lines DIFFERENT than what would be had you created them for Palm Beach or Miami or Vero Beach? Since our town has different priorities than most municipalities, it would be helpful for us to understand how our priorities are reflected in the work.
- What authority establishes the five lines recommended as criteria for establishing the Town's setback line? How often are these lines reevaluated or modified? Instead of establishing a static line, could the Town establish a method for defining the line based upon the location of the criteria lines at any point in time?

Wouldn't this method avoid the need to conduct periodic studies, which are time-consuming and expensive?

- During the waterfront setback line discussion at the November 25 LPA meeting there were concerns expressed about setback line changes that would restrict the rights of homeowners to build on their properties. What about the property rights of the neighbors whose beach views would be obstructed by newly permitted structures, not only limiting their enjoyment but also reducing the value of their properties?

LPA Comments and Questions (November 25, 2024 meeting):

- What conditions does the CCCL create in terms of a buildable structure?
- Why not use the CCCL as the WFSBL?
- Did the consultant refer to the Comprehensive Plan and Town Vision in the recommendation?
- Was beach renourishment considered in making the recommendation?
- Has the Town reviewed the number of homes that would become nonconforming and vice versa?
- There seems to be more comfort with westerly shifts versus the easterly shifts, especially considering erosion. Is there a way to logically limit or justify not moving the line further east than it already is?

In concluding the meeting, the LPA requested the following additional information:

- Properties that would become non-conforming
- Properties that are currently non-conforming that would become conforming
- Properties that would become buildable that are not currently buildable
- Properties that are currently buildable that would become not buildable due to loss of square footage.

Attached to this memo are DRAFT minutes from the November 21st Public Workshop and the November 25th LPA meeting.

Recommendation:

This summary is presented for discussion purposes only. No action is requested.

**MINUTES
TOWN OF JUPITER ISLAND
TOWN COMMISSION WORKSHOP
THURSDAY, NOVEMBER 21, 2024**

TIME: Thursday, November 21, 2024 – 9:00 AM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Mayor Penny Townsend, Vice Mayor Marshall Field VI (remotely), and Commissioners Anne Scott, Patricia Warner and Joseph Taddeo. Also present were Town Manager Robert Garlo, Town Clerk Kimberly Kogos, Assistant Town Manager/Beach Protection District Director John Duchock, Town Attorney Thomas Baird and IT Director Bill Sutton.

CALL TO ORDER*

Mayor Townsend called the meeting to order at 9:00 AM.

COMMENTS*

1. Mayor/Commissioner Comments

Mayor Townsend explained that there is no remote participation as today's purpose is an in-person workshop. She read the Town's Vision statement. She explained the reason for studying the Waterfront Setback Line (WFSBL) by reminding everyone that the Island has a responsibility to study the WFSBL to be more aligned with the state's Coastal Construction Control Line (CCCL) program.

She referred to the rules of procedure and encouraged civil conversation. She also noted that copies of the Town's Comprehensive Plan Coastal Management Element are available and explained their purpose.

Town Manager Garlo stated that there will be a second workshop in January and today's meeting will be recorded with no remote participation provided. It was noted that Vice Mayor Field is online.

2. Town Attorney Comment

Town Attorney Tom Baird explained the rules of procedure for today's workshop.

PRESENTATION AND DISCUSSION

3. Waterfront Setback Line Study Presentation - Cummins Cederberg*

Director John Duchock greeted the Commission and explained the public comment procedure (comment cards available on the table out front and the email created "setbackline@tji.martin.fl.us"). He explained that this is the second workshop provided by the consultant, the first taking place in April 2024. He introduced Jennifer Bistyga with Cummins Cederberg (CC).

Jennifer Bistyga, Project Manager with Cummins Cederberg, greeted the Commission and attendees. She explained the 2019 WFSBL location and noted the criteria used to establish that line.

- 50' landward of the mean high water (MHW)
- 50' landward of the dune (+14')
- 50' landward of existing seawall/coastal structure
- Line of Sight between closest habitable conforming buildings within

- 1,000 sf. Average setback from MHW of Closest conforming buildings within 1,000 sf.

The desire is to evaluate the WFSBL to be more aligned with the state's Coastal Construction Control Program and key criteria is aligning with the dune location as well as the 30-year erosion projection (30 YEP).

She continued by explaining the 2024 WFSBL Criteria.

1. Line of Construction (LOC) Uniform Construction Line

- a. Measure average distance between 2023 MHW Line and seaward projection of major habitable structures within 2000 ft of the R-monument.

Commissioner Warner asked Ms. Bistyga to explain what an R-monument is. She stated that R-monuments are specific locations used to measure beach topography. These points run along the entire state and are spaced 1,000 ft apart. They create a common location so every surveyor collecting data is working off the same point.

2. Frontal Dune Ridge

- a. Identify dune ridge line with Geomorphon Landforms Tool (GIS)
- b. Apply a 50' setback to ridge for WFSBL criterion
- c. Heel (landward) line of dune falls within 50' dune setback

3. Town-wide 30-Year Erosion Projection (30 YEP)

- a. Long-term shoreline erosion predicted over a period of 30-years based on historical shoreline changes.

Ms. Bistyga explained each criterion in more detail. She explained that the goal is to look at the 2019 line and analyzing based off the CCCL if the line is at a good location or should be shifted east or west based on criteria similar to the DEP standard when you apply for a CCCL permit. Commissioner Warner stated that she agreed that the 2019 line is not what is being debated but that the time to review it is now.

Ms. Bistyga continued with her presentation. She referred to each page or section of the preliminary maps and explained the definition of each line on the maps, noting where an eastward (yellow shading) or westward (orange shading) shift may occur. She explained that the goal of the new, preliminary line, is to align more with the CCCL, based on previous Commission discussion.

Commissioner Scott asked how often the DEP changes their line. Ms. Bistyga explained that DEP line is site specific based on the 30 YEP. The CCCL line (black Line) was established in 1985, the Erosion Control Line (ECL) was established in the 1970s. The mean high water (MHW) line changes every year when you do MHW surveys. But the 30 YEP is done site specific and done at the time of a permit request.

Commissioner Taddeo asked for clarification on the recommendation of the WFSBL be revisited every 5 years and at the end of 5 years what is being looked at. Ms. Bistyga explained that they recommend revisiting the WFSBL every 5 years as the coastal system is dynamic and everchanging.

Mayor Townsend opened the room to public comment.

4. Public Comment *

Resident Dede Brooks stated that there are 3 lines, and each house has to be approved by the DEP and CCCL. Why would the Town set a line other than the DEP and CCCL?

Mayor Townsend clarified that Mrs. Brooks is requesting that the Town not create anything more liberal than the DEP allows.

Commissioner Scott explained that this is a policy decision; does the Town want to allow construction as close to the ocean as the DEP will allow or does the Town want a more restrictive line?

Vice Mayor Field (remotely) stated that the DEP looks at construction on a case-by-case basis, thus the Town provides a line guideline across the entire shoreline.

Town Manager Garlo read submitted questions into the record:

Received from via email from resident Jay Wilson:

1. Of the five lines chosen as criteria, the methodology for recommending setback line changes uses the most landward line of just four of the lines. Why wasn't the fifth line included, i.e., the Coastal Construction Control Line, that is established by the Florida DEP?

2. Why wasn't the pre-2019 setback line included on the maps? If the plaintiffs win the notice lawsuit, then wouldn't the 2019 line would be null and void, and the line revert to the pre-2019 position? Shouldn't a decision on relocating the line wait until the resolution of the lawsuit?

3. In light of climate change, sea level rise, and the increasing ferocity of storms and hurricanes, shouldn't the Town be interested in locating the line farther from the ocean than the pre-2019 setback line? For example, to the CCCL line, which is the landward limit of the area that could be significantly damaged by a 100-year coastal storm

4. The Town has a legal obligation to follow its Comprehensive Plan. Does the Town have a process for ensuring that the setback line meets the standards of the Comp Plan? In particular, under the Coastal Management Element of the Plan there are provisions that "limit public expenditure in areas that are subject to natural disaster or sea level rise" and that "future construction along the beaches of the Town should be implemented in a manner to preserve existing dune vegetation," and "removal of natural existing dune vegetation should be prohibited.

5. The methodology for selecting the criteria appears to be based on the assumption that FEMA will continue to fund beach renourishment. Is it reasonable to expect that taxpayers will continue to subsidize beaches for billionaires indefinitely?

6. There are several areas where there are substantial shifts of the line toward the ocean (e.g. the 96ft east shift at R-108) that appear to create new building sites. Is that correct? If so, how many new building sites

would be created with the proposed line and where are they located?

Additional questions and comments were read into the record:

Received via email from resident Christina Boothe

It seems that Town residents should have an opportunity to study and evaluate the consequences of any changes not only to density on the island, but to hurricane escape routes and the long-term safety of island residents. Residents have been afforded the opportunity by the courts to thoughtfully evaluate and decide the best location of the line and whether it should be moved from the 2000 location. This discussion should not be rushed.

1. Why was the 2000 waterfront setback line not included in the most recent map prepared by the Town's consultants? My understanding is that the 2000 line is the baseline against which these other lines should be evaluated given the current status of the notice litigation.
2. Why is the Town re-evaluating the line before the current litigation is resolved?
3. What are the implications for the changes of any of these lines from the 2000 line on growth and density of the island?
4. Are new building lots being created, effectively new rights being granted, and if so, how many?
5. Even if the county and Town are willing to renourish the Town's beaches, how can the Town assume sand will be available for 30 years when it has been said that the offshore sand supply may only be available for 21 years. Is this economically and politically rational to assume sand would be available?
6. How does this sand replenishment assumption impact the location of the lines in the consultants' model, and by assuming the sand is effectively supplied in perpetuity are the lines being artificially pushed further east towards the water in an unsustainable and reckless fashion?
7. What was the thinking behind the creation of the line in 2000 and how it relates to the long-term comprehensive plan? How can residents participate in a similar informed discussion today?
8. Would the Town please consider continuing this important discussion when more residents are present on the island? It seems very quiet here at the moment as so many were here for the election and have since left, with plans not to return before December or January.

A final question and comment was received via email from resident Kate Nelson:

Thanks for all of your diligence and hard work on this project. I am curious about why there seem to be DIFFERENT choices for the line depending on the location. It appears that there are places where the consultants choose to follow one criteria (i.e. The dune ridge or the LOC in parts of the 300 block) versus another (for example, the CCCL or LOC in the southern part of NB Road).

I think it will be very important to have clear and compelling reasons for changing the basis of the WFSBL depending on the location on the island. Otherwise, I fear that the line will continue to be a source of conflict.

Is there a way to have ONE weighted line that extends the entire island? For example, using 80%

weighting of the LOC, with 20% weighting of the CCCL-GP.... Or something like that?

Mayor Townsend explained that this is the time to express any additional comments and questions.

Resident Ruth Mead stated that she has come to the island since 1935 when she was 5 years old. She explained that there was one road that ran the length of the Island and explained the creation of the S curve and new location of the road. Her family built a house at 320 SB on the intercoastal in the 1960s and provided an explanation of the property and shared property for parking, fishing and showering, noting that those spaces no longer exist. She explained that just before you get to the S curve, there was a beach cottage with a huge dune and in 1967 the house was washed away. She expressed that it is at great risk to construct along the ocean as the waterline does shift regularly, as history has proved.

Resident Adena Testa urged the Town to step back, think of the rationale behind the submitted questions. She noted that the island is subject to erosion and asked everyone to carefully consider the policy that the Town should maintain (away from the beach or closer to the beach). She stated that the Town is now aware of the risks the Island faces including sea level rise, storms and hurricanes, continued beach renourishment, etc. She asked if the Town should follow the science or follow what is right for the residents/island. She noted the history of the island of conserving land for the future.

Resident Jay Wilson asked if any of the questions read into the record can be responded to today, or if written responses will be provided. Mayor Townsend suggested that well-thought-out questions should receive well-thought-out answers, as well as additional analysis and the Maintenance Maps for South Beach Road relating to the western boundary. Commissioner Taddeo stated that a lot of this comes down to policy and that Cederberg cannot answer those. Director Duchock stated the preference of collecting all questions and discussing the questions during the December 6th Commission meeting.

Commissioner Warner asked about the funding for beach renourishment and how long the Town expects it to continue and what the guidelines of receiving such are. Director Duchock noted that there is no definitive answer at this time since these funds are not dictated by the Town and primarily given by FEMA. Mayor Townsend stated that we only receive FEMA funds when there is a named storm, and an emergency declared.

Commissioner Scott suggested having an easier way to fill out the maps with all the addresses listed. She also stated the LOC is based on what the Town and DEP have allowed in the past. She requested analysis of how moving the line would affect the Town (both westward and eastward). She also asked for a layover that would include the 2000 WFSBL for comparison purposes.

Commissioner Taddeo noted that there are 14 variances, and every single one was approved. Mayor Townsend said that the variances allowed for people to build seaward.

Commissioner Scott requested if those variances can be marked on the maps. She also encouraged residents to provide feedback on moving the line east or west.

Resident Jenny Banks stated that the WFSBL has created division and explained that she thought this meeting was a policy meeting. Mayor Townsend clarified this is an information gathering meeting to be informed of what the residents want. Mrs. Banks explained that the study is very complicated and is being used by outside attorneys to divide the community. Mayor Townsend agreed with the angst and expressed the Commission's goal of making this process as transparent and easy as possible. She explained that the end may not be agreeable to all, but everyone should have an opportunity to express their thoughts. Mayor Townsend asked Mrs. Banks to share her thoughts. Mrs. Banks stated that she initially wanted a house that was both on the ocean and the riverside but was told that the ocean side construction is "as is", with a few "historical mistakes", but nothing could be changed so they purchased

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on the intracoastal and have enjoyed that property. She said she now feels there has been a change in policy in that every property on the ocean can be built on and is a potential lawsuit.

Resident Adena Testa stated that she personally has been a victim of the "attacks" from outside attorneys. and stated residents are afraid to speak up. She encouraged all residents to speak up and participate.

Resident Joyce Bullen Gay stated that she has been a victim of the bullying and lies. She stated she has not had the courage to speak up previously. She explained that development "impacts" affect the entire Island, not just neighbors within 1000'.

Resident Ken McBrayer agreed with Adena Testa's comments and asked which entity has the final decision-making authority. If it is the state, then should the Town's lines be a guide as to what can be approved by the state, but not decided by the Town. Mayor Townsend explained the building permit procedure for better clarification. Town Manager Garlo further clarified the process. Attorney Baird explained that the DEP has a rule that they require a letter of approval from the municipality before they will approve a permit.

Resident Anne Geddes stated that she and her husband have been bullied and defamed without evidence and have never received an apology. She stated that she does not recall a meaningful lawsuit on this island prior to 5 years ago.

Mayor Townsend again encouraged all residents to participate and provide feedback.

**** There were comment/question cards received at the end of the workshop, not read on record****

1. It would be nice to see the line before it was moved in 2019. Did we go back 30 years? What is the purpose of these studies? It seems like they will be a tool for changing policy. Do we want to change policy? Become dependent on renourishment? It seems like a divisive measure.

2. Why fund 4 WFSBL studies? What's wrong with the first 3 studies? The proposed, new WFSBL - why does this line only effect/prohibit homes at 210,306,322 and 332 South Beach Road? What about 41,51,67,73 and 103 North Beach Road? Who pays the money when the residents of Jupiter Island are sued for \$61 million dollars because the Commissioners are prohibiting owners to build on 210, 306, 322 and 332 South Beach Road via the use of the WFSBL?

3. The consultant presentation is WAY too complicated for anyone to comprehend. Draft a great public speaker and significantly simplify things – the consultant is speaking in jargon that is impossible to understand. Like in the movie Philadelphia, "Explain this to me like I am a 4-year-old." The maps are overwhelming and hard to figure out. Maybe take just one stretch of beach only and clearly talk about each line on the map, so everyone is clear. Also think it is critical to set this up in plain English why the Town is doing this. Thanks.

5. Final Commission Comment and Adjournment*

Mayor Townsend adjourned the workshop at 10:37 AM.

Respectfully submitted,

Kimberly Kogos, Town Clerk

**MINUTES
TOWN OF JUPITER ISLAND
LOCAL PLANNING AGENCY MEETING
MONDAY, NOVEMBER 25, 2024**

TIME: Monday, November 25, 2024 – 9:00 AM
PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL
PRESENT: Present were Chair Trent Steele, and Board Members Scott Hughes, Kate Nelson, Laurie Gaylord, and Jim Hauslein, and Alternate Members Cynthia Keegan and Wendy Nolan. Also present were Town Attorney Thomas Baird, Building Department Director Catherine Harding, Assistant Town Manager/Beach Protection Director John Duchock, IT Director Bill Sutton and Town Clerk Kimberly Kogos.

CALL TO ORDER AND COMMENTS*

The meeting was called to order at 9:00 AM. The Committee members introduced themselves.

1. Minutes of the meeting held January 23, 2024

MOTION: Hughes / Nelson moved to approve the minutes of the Local Planning Agency held on January 23, 2024.

ACTION: 5-0 motion passed.

2. Waterfront Setback Line Study Review and Discussion

The Town Commission is requesting the LPA provide recommendations on the selection and application of the Waterfront Setback Line Study criteria, thus enabling the consultant to advance further towards preparing a setback line that would be further reviewed by the LPA and Town Commission.

Chair Steele explained the purpose of today's meeting and summarized the Waterfront Setback Line (WFSBL) Study. He noted that the Town Commission at their last meeting had asked the LPA to provide recommendations on the selection and application of the WFSBL study criteria which would enable the consultant to advance further in preparing a setback line that will be reviewed again by the LPA and Town Commission. He mentioned that from the original group of setback criteria provided in the report, criteria numbers 1, 3 and 6 had been eliminated by the Town Commission and the task today is to review criteria numbers 2, 4, 5, 7.

Director Duchock provided an explanation of today's meeting and the WFSBL Study being presented. He introduced the Town's coastal engineering consultant, Jennifer Bistyga, Project Manager with Cummins Cederberg.

Ms. Bistyga greeted the Committee. Chair Steele asked for a brief summary of Cummins Cederberg credentials and confirmed that the organization has completed similar studies. Member Gaylord asked if Cummins Cederberg worked closely with the Department of Environmental Protection (DEP) and Ms. Bistyga confirmed.

Ms. Bistyga began her presentation. She explained that the Town's WFSBL is a line of prohibition which limits the encroachment of upland development into the beach dune system based on specific criteria. The criteria applied for the 2019 WFSBL were:

- 50' landward of the mean high water (MHW)
- 50' landward of the dune (+14')
- 50' landward of existing seawall/coastal structure
- Line of sight between closest habitable conforming buildings within 1,000'
- Average setback from MHW of closest conforming buildings within 1,000'

Member Gaylord asked how long the 50' measuring point had been used. Ms. Bistyga and Director Duchock confirmed that the 50' line has been used since the 2000 and 2019 studies for offset measurements. Director Duchock stated 50' is used as a standard along the state coastlines. He stated that other municipalities use different measuring points (i.e. Palm Beach uses less than 50'). Member Hughes explained that prior to the creation of the WFSBL, the Town used Line of Site as a measuring point, in order to maximize the residents' view. He added that when construction met critical mass and maintaining a line of sight became challenging, the Town opted to create the WFSBL.

Ms. Bistyga continued with the presentation explaining that Florida dune systems are controlled by local and state regulatory agencies, including the DEP. She stated that the DEP utilizes a line called the Coastal Construction Control Line (CCCL) as their governing line. She explained that the goal of the current study has been to be more aligned with the state's CCCL.

Member Hughes asked what conditions the CCCL creates in terms of a buildable structure. He noted that the CCCL does not restrict the location of a structure rather defines the strength or armament of a building. Ms. Bistyga stated that the CCCL was established in Martin County in 1985 and is a line of jurisdiction, not prohibition. She added that it defines the landward limit with the FDEP's authority to regulate construction. If a building is seaward of the CCCL, one must apply for specific permits.

Ms. Bistyga continued to explain the criteria being applied for the new setback line study. Those include:

1. Line of Construction (LOC)/ Uniform Construction Line (seafoam green line)
 - a. Measure average distance between 2023 MHWL and seaward projection of major habitable structures within 1,000 ft of R monument
2. Frontal Dune Ridge
 - a. Identify dune ridge line with Geomorphon Landforms Tool (GIS)
 - b. Apply a 50' setback to ridge for WFSBL criterion
 - c. Heel (landward) line of dune falls within 50' dune setback
3. Townwide 30-Year Erosion Projection (30-YEP)
 - a. Long-term shoreline erosion predicted over a period of 30 years based on historical shoreline changes.

Chair Steele asked why not use the CCCL as the WFSBL? Ms. Bistyga noted that this could be the decision, but the CCCL is a very restrictive line. She stated that the recommendation is not to construct further west of the General Permit Line.

Ms. Bistyga explained the 2024 WFSBL criteria in more detail.

Discussion ensued regarding the various construction lines considered for a construction permit. Ms. Bistyga explained that the DEP reviews permit applications on a site-specific basis while the Town is developing the waterfront setback line on a town-wide basis.

Member Nelson asked if Cummins Cederberg had referred to the Comprehensive Plan and Town Vision in the recommendation. Ms. Bistyga explained that the project team is aware of these documents and looked at this criteria, but is basing the recommendations on the criteria presented. Attorney Baird noted that the Town is conducting a Comprehensive Plan review, and the two studies will be combining their information in some capacity.

Member Nelson asked if beach renourishment was considered in making the recommendation. Ms. Bistyga confirmed that the beach nourishment program is a factor in the formula and referred to the Development of Conceptual Townwide 30-Year Erosion Projection (YEP) presentation slide.

Ms. Bistyga defined the various lines along the preliminary maps. She reviewed the LOC as requested by Member Gaylord and confirmed that the DEP utilizes the minimum position where this current study has recommended using the average LOC position.

Chair Steele referred to his previous home along the 100 block which is close to the ocean and stated that it is helpful to give real world examples for better understanding. Discussion ensued pertaining to a new line potentially creating both non-conforming structures as well as new buildable envelopes.

Member Gaylord asked if the Town has reviewed the number of homes that would become nonconforming and vice versa. Director Duchock noted that the Town will be reviewing and providing that information.

Ms. Bistyga continued with the map review.

Member Hughes asked about today's recommended line versus the 2019 line in regard to the 300 block line, where there is a significant change in the current recommended line. Director Duchock explained that in 2019, the Town looked at the 14' dune elevation, and noted that the dune elevation dips down in the 300 block. He explained that today, the study is using a different methodology that includes the DEP's frontal dune which is not tied to an elevation.

Ms. Bistyga continued reviewing the preliminary maps. Discussion ensued regarding the nourished beach versus a non-nourished beach (in the 400 block and near Blowing Rocks).

Ms. Bistyga concluded her presentation.

Member Hauslien asked about the 2019 WFSBL. Director Duchock confirmed that the 2019 line reviewed both shorelines (ocean side and intracoastal side) while this current study focuses only on the ocean side. Member Hughes referred to the 2019 line and unintended consequences noting that the motivation at that time was to reduce the number of nonconforming structures, and there was no indication that they would be creating buildable sites. He stated that he is hopeful that this time, they would be able to inform property owners of any change and give them a chance to understand what those changes are.

Member Hauslien stated that he has heard that the recommended line helps some and hurts some. He explained that the residents who are negatively impacted do not benefit in any way from those who are positively impacted.

Chair Steele noted that there seems to be more comfort with westerly shifts versus the easterly shifts, especially considering erosion. He asked if there is a way to logically limit or justify not moving the line further east than it already is?

Member Hughes expressed appreciation for conservative views but focused on fairness. He stated that the Town has hired experts to analyze what is fair based on criteria provided by the Town Commission, and if the recommendation is not accepted, a valid explanation as to why it was rejected must be provided.

Chair Steele agreed but asked how much wiggle room is in this report, noting that the consultant stated that the recommended line at this point is not set in stone.

Member Nelson stated she would like to see a Line of Construction that does not incorporate non-conforming structures, and she recommends allowing construction westward of CCCL-GP (General Permit) line.

Member Gaylord asked for a list of oceanfront properties that were purchased since the 2019 line, and the potential impacts to them if the line changes. She read the Florida Statute that speaks to private property rights.

Member Hughes expressed concern over “cherry picking” the data in the report and opined that the two choices are to accept the report as is or simply reject it and stay with the 2019 line. He noted that this report creates buildable envelopes that do not currently exist and expressed concern over the risk the Town exposes itself to if moving the 2019 line.

Member Hauslien agreed that they must be very sensitive to private property rights. He noted that the report creates three different “buckets”:

- The lines seem to line up with each other
- The lines create non-conforming properties
- The lines create buildable envelopes

He expressed that the Commission must be careful and not penalize existing residents.

Chair Steele stated that this line goes west as well as east and will negatively impact some property owners. He noted that this report is purely objective using data points which cannot be argued.

Member Nelson questioned if it makes sense to wait until the comprehensive plan is reviewed. Member Hughes stated that there are time sensitive issues including the ZIP which expires in February.

4. Public Comment*

Resident Tucker Johnson referred to the Town’s consistent attitude toward pre-existing and non-conforming structures and finding a way to protect the homeowners in storm events and protecting them legally.

He stated that more priority should be placed on not creating a non-conformity where houses exist. He opined that perhaps it may be worth waiting and adding into the equation the value of not creating additional non-conformity where it is not necessary, because it places a burden on the homeowner and creates a potential loss of value on the property.

Member Hughes stated the 2000 line literally moved around houses to reduce creating non-conformity while the 2019 line did it with very few exceptions. He opined that the Town’s priority has always been to support the status quo.

Member Gaylord stated that the current line is very closely aligned to the 2019 line. She suggested approving the recommended line, or rejecting it and keep the 2019 line.

Member Hughes restated the desire to analyze the number of non-conforming homes the recommended line would create, as well as the number of buildable envelopes. He added that there is a front yard setback line and would like to analyze the impacts to those parcels where the potential line changes. Additionally, he suggested creating a new zoning district for beach homes.

Member Hauslien suggested keeping the 2019 line and keep the seafoam green line as well (keep 2019 and not penalize current homeowners).

Member Gaylord referred to the Cummins Cederberg Task 4 that is still to be completed and consists of creating the final maps and report. Director Duchock explained the scope of work and task process. He explained that the town is gathering feedback and public input, then the Commission will review that information and use that to shape a final line. He explained the process as it has evolved which will add another workshop and LPA meeting.

Chair Steele summarized by asking the committee if there were any criteria the committee would like to add to or delete from the current criteria.

Member Nelson recommended not permitting the creation of any non-conforming structures, referring to criteria #4. She stated, "If you look at the existing setback, it actually says, 'Every setback of closest conforming building'. I think our LOC for major...? [verbiage not clear]...should be *conforming* buildings, not 'all'...right now, it includes 'all'." She expressed how existing homes in the 600 block will not be conforming because they are in the dune...they would not qualify for a DEP permit.

Member Hughes suggested controlling such a situation with a policy shift in the LDRs which would say that permitting ability to improve their property would be limited in such a way that an expected "life span" is created that would change attitudes about existing structures. He emphasized treating everyone fairly across the board.

Chair Steele stated that the task before them is to decide if the criteria is what should be considered when creating the final line, or if there is something else that should be considered. Member Hughes expressed that the criteria is exactly what the Town Commission wanted and the Committee should support it.

Member Hauslien recommended using the criteria in such a way that would not create nonconforming structures and shrink building envelopes. He emphasized not to penalize homeowners relative to the 2019 line.

Member Hughes stated that he feels each homeowner should have the opportunity to see exactly how the recommended line would affect their individual property. In order to do that, he noted that the committee is requesting additional information:

- Properties that would become non-conforming
- Properties that are currently non-conforming that would become conforming
- Properties that would become buildable that are not currently buildable
- Properties that are currently buildable that would become not buildable due to loss of square footage.

Chair Steele noted that the Committee agrees on these recommendations.

Resident and LPA Alternate, Wendy Nolan, stated that she is concerned about eastward movement of permitted development, especially considering climate change. She expressed that dunes come and go, sharing that her property was washed out to the ocean years ago. She stated that she does not agree with adding buildable property closer to the water.

Chair Steele emphasized that this study is based on scientific criteria so no one can state that any specific property is receiving favor or is being penalized. Since the data is scientific, it is indisputable.

Member Nelson asked if the Town is engaged in an overall risk assessment. Director Duchock stated that the Town is beginning a vulnerability study that reviews the effects of sea level rise, among other risk factors including 100-year storm erosion. However, the study is focused on Town-owned property and assets versus private property.

Chair Steele again gained consensus on the comfort of the committee pertaining to the criteria that has been advanced by the Town and consultant for the purpose of redrawing the line, with the understanding that more information has been requested.

Chair Steele stated that the next comment is not on the agenda but is a matter that needs to be addressed. He stated that the committee is currently without a Vice Chair and asked the Commission to appoint a Vice Chair.

5. **Next meeting date - To be determined***

6. **Adjourn***

The meeting adjourned at 11:03am.

Respectfully Submitted,

Kimberly Kogos, Town Clerk

TOWN OF JUPITER ISLAND

MEMORANDUM

TO: Mayor & Town Commission

THROUGH: Rober Garlo, Town Manager

CC: Kimberly Kogos, Town Clerk

FROM: John Duchock, Assistant Town Manager / Beach District Director

RE: Agenda Item 4b. – Waterfront Setback Line Study Additional Services
(Cummins Cederberg)

DATE: 12/3/2024

Background:

In response to a need for additional services to complete the waterfront setback line study, Cummins Cederberg has provided a proposal to accomplish the following:

- Conduct one additional public outreach meeting (targeted for January 2025);
- Attend one additional Local Planning Agency (LPA) meeting (date TBD);
- Attend two additional Town Commission meetings (January 9 and February 19, 2025);
- Respond to public comments received during public outreach meetings, through the Town's dedicated e-mail address (setbackline@tji.martin.fl.us), and those resulting from two LPA meetings;
- Conduct an analysis of the changes to conformity of primary residential structures due to the potential shifts in the setback line, including a listing of all addresses along the waterfront setback line (ocean side only) and the nature of any change (i.e., conforming to non-conforming, non-conforming to conforming, unchanged); and,
- Provide full-size setback line maps (13 copies each) depicting: (1) the criteria/potential shift maps (completed); (2) the preliminary setback line maps (to be presented at future Commission, workshop, and LPA meetings); and, (3) final setback line maps (to be presented at a future Commission meeting).

It should be noted that this scope of work does not include an analysis of new development potential on a parcel-by-parcel basis. It is recommended that this work be conducted utilizing a surveying company, equipped and licensed to produce survey drawings reflecting the preliminary setback line (as directed by the Town Commission), as well as all property boundaries, easements, and other setbacks established under the Town's Code of Ordinances.

Recommendation:

Town staff is seeking approval of the additional services as detailed in the attached proposal prepared by Cummins Cederberg for a lump sum amount of \$46,440.00.

December 2, 2024

73010-A1R3

Town of Jupiter Island

Attn: Mr. John Duchock, Beach District Director

2 Bridge Road

Hobe Sound, FL 33455

Sent via email: jduchock@tji.martin.fl.us

RE: Proposal for Engineering Work related to the Waterfront Setback Line along the Oceanfront Shoreline in the Town of Jupiter Island

Dear Mr. Duchock:

Pursuant to our recent discussions, Cummins Cederberg, Inc. (Cummins Cederberg) is pleased to present this revised proposal addendum for engineering and environmental consulting services for the on-going Town of Jupiter Island Waterfront Setback Line Assessment (Project).

Project Introduction

The scope of Task 3 has changed from the original concept. We recommend a no-fee change to the scope of Task 3 as described below. Additionally, it is our understanding that the Town of Jupiter Island would like to add scope into Task 5 Public Outreach and Task 6 (Project Management) from the original scope.

Scope of Services

The following section details the revised scope of services for the Town of Jupiter Island (Client). The tasks outlined below are sequentially numbered to align with the previously approved contract.

Task 3 Preliminary Mapping and Field Verifications

THIS SCOPE REPLACES TASK 3 IN THE ORIGINAL CONTRACT – NO CHANGE IN FEE. Upon completion of Task 2 Cummins Cederberg will develop preliminary maps based on the data and analysis. Maps may include the CCCL, ECL, cadastral, MHWL, frontal dune line, 30-year erosion projection, sea level rise scenarios, seawalls, buffers and any other applicable Waterfront Setback Line criteria. The preliminary map set will have a proposed 2024 WFSBL.

Additional mapping effort will be directed toward the frontal dune determination to identify the frontal dune crest (i.e. ridge) and heel along the dune system where the east WFSBL is present in the Town. This additional effort utilizes the Geomorphon tool in GIS to discern landform features from the 2018 LiDAR, compared with the LiDAR contour elevations and the most recently available aerial imagery from the County. Field ground-truthing of the frontal dune crest and heel positions will be performed by Cummins Cederberg biologists with results incorporated into the preliminary maps. This task includes a virtual meeting with the Client to review the preliminary maps.

Deliverable: Preliminary Map Set (PDF).

Task 5 Public Outreach Meetings

The original contracted Task includes Cummins Cederberg attendance at up to two (2) public outreach meetings, with the preparation and submission of a slide deck for each meeting as well as posters of the proposed setback lines. Additionally, this task included the solicitation of public feedback via physical comment cards as well as a specific email address set up by the Client.

This task will be expanded to accommodate an additional public outreach meeting anticipated for early 2025 as well as responses to the public feedback based on the public outreach meeting held on November 21, 2024, LPA meeting held on November 25, 2024 and the public outreach meeting anticipated in early 2025.

Task 5.1 Additional Public Outreach meeting

As part of the ongoing public engagement for the project, Cummins Cederberg will attend one (1) additional public outreach meeting between now and the completion of the Project. Cummins Cederberg will provide a slide deck for this meeting ensuring the Client has the relevant materials prior to meeting. The slide deck will be submitted in PDF format prior to the meetings for review.

Deliverables: Meeting slide deck for one (1) public outreach meeting (PDF)

Fees for Task 5.1 are lump sum.....\$7,480.00

Task 5.2 Response to Public Comments

Public comments were solicited during the November 21, 2024 public outreach meeting via physical comment cards as well as a specific email address set up by the Client. Comments were also received during the November 25, 2024 LPA meeting. Additionally, public input will continue to be solicited at the upcoming public outreach meeting scheduled for early 2025. Based on the feedback gathered, Cummins Cederberg will prepare draft responses to all relevant public comments related to the 2024 WFSBL, excluding those that pertain to policy decisions made by the Client.

In response to specific requests raised during the November 21, 2024 and November 25, 2024 meetings, Cummins Cederberg will also conduct a desktop review of existing oceanfront properties to assess their compliance/conformance with the 2019 WFSBL as compared to the

proposed east/west shifts introduced during those meetings. The analysis will involve comparing the properties' current status (conforming or non-conforming) with the proposed boundary adjustments. Following this review, Cummins Cederberg will provide the Client with a detailed list of all oceanfront parcels within the project area that shift from conforming to non-conforming, or vice versa, or remain the same based on the proposed changes.

Deliverables

- *Draft responses to public comments related to the 2024 WFSBL (excluding policy-related feedback) in PDF.*
- *A list of addresses for all oceanfront properties affected by the proposed shifts (conforming vs. non-conforming status) in PDF.*

Fees for Task 5.2 are hourly, Not To Exceed:.....\$7,220.00

Task 6 Project Management

The original contracted Task includes Cummins Cederberg attendance at up to four (4) Commission meetings throughout the course of the project, with the preparation and submission of a slide deck for each meeting.

This task will be expanded to accommodate additional meetings and map products as outlined below. Based on the below changes, the Schedule of Work in the original contract is anticipated to be extended by the Town into early 2025. The timeline is dependent on the Town getting the Project agenda'd at the respective meetings described in Task 6.1 below, and the guidance arising from the Town in those meetings.

Task 6.1: Additional Public Meetings

This task will include attendance at two (2) additional Town Commission meetings and one (1) meeting of the Town's Local Planning Agency between now and the completion of the Project. Cummins Cederberg will provide a slide deck for each meeting, ensuring the Client has the relevant materials prior to each session. The slide decks will be submitted in PDF format prior to the meetings for review.

Deliverables: Meeting slide deck for four (4) public meetings (PDF)

Fees for Task 6.1 are lump sum (including expenses): **\$14,020.00**

Task 6.2: Physical Map Products

This task includes the development of three (3) sets of 24"x36" colored map products between now and the completion of the Project, each with thirteen (13) printed, bound copies of maps depicting first the polygons of Potential WFSBL Movement East / West of the 2019 WFSBL, followed by the Preliminary 2024 WFSBL, and then the final 2024 WFSBL. The bulk of this effort is in the development of and production cost of the map book indicating the potential east / west movement of the 2019 WFSBL along the entire east shoreline (excluding Blowing Rocks). These

maps will visually represent the Town's current 2019 WFSBL and the limited criteria for potential re-alignment of the 2019 WFSBL as discussed by the Town Commission during the November Commission meeting.

The additional map books in this task represent the production costs for the efforts outlined in our contracted Task 3 (Preliminary Mapping) and 4 (Final Mapping).

Deliverables:

- *Map Set of Potential WFSBL Movement East / West.*
- *Map Set of Preliminary 2024 WFSBL.*
- *Map Set of Final 2024 WFSBL.*

Fees for Task 6.2 are lump sum (including expenses): **\$17,720.00**

Fees

Fees for services are noted above. Cummins Cederberg shall invoice the Client on a percent complete basis each month and/or completion of tasks.

Task	Task Description	Total Fees
5.1	Additional Public Outreach Meeting	\$7,480.00
5.2	Response to Public Comments (NTE)	\$7,220.00
6.1	Additional Public Meetings	\$14,020.00
6.2	Physical Map Products	\$17,720.00
	Project Additional Costs:	\$46,440.00

Conditions/Assumptions

- Client shall notify Cummins Cederberg of any known conditions related to the Project that may affect the scope of services.
- Client shall provide safe access to the Project site as needed by Cummins Cederberg to complete the scope of services.
- This scope of work does not include an evaluation of any coastal structures within the Town of Jupiter Island limits.
- Lump sum fees include expenses and equipment rental.
- This scope of work does not include a tree or mangrove survey, or in-water work.
- Legal, agency, or permit fees not included.
- Scope of work does not include utilities, such as electrical, potable water, and fire water.

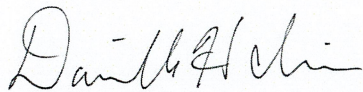
General

This proposal is valid for 14 days and was prepared based on the information provided by the Client to date. This proposal is subject to the terms and conditions in our 2019 Continuing Services Consultant Agreement for Beach Restoration, Coastal and Environmental Engineering, as

renewed in 2024. If you wish us to provide the services detailed above, please sign this Proposal Addendum and return a copy to us.

We appreciate the opportunity to prepare a proposal for our marine engineering and environmental consulting services and look forward to working together on this important project. Should you have any questions or require additional information, please do not hesitate to contact me at 904-537-5013 or dirwin@CumminsCederberg.com.

Sincerely,
CUMMINS CEDERBERG, INC.



Danielle H. Irwin
Senior Director

Read and Accepted by **Client:**

By: _____

Name: _____

Title: _____

Date: _____

ORDINANCE NO. 401

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING APPENDIX A, OF THE TOWN'S CODE OF ORDINANCES WHICH CONTAINS THE TOWN'S LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE AMENDMENT OF ARTICLE I, DIVISION 3, SECTIONS 3.01 AND 3.03 REGARDING THE AUTHORITY OF THE BOARD OF ADJUSTMENT AND TOWN COMMISSION; PROVIDING FOR THE AMENDMENT OF ARTICLE III, DIVISION 2, SECTIONS 2.00 B. AND 2.01 C PERTAINING TO USES IN THE A-80 DISTRICT, SECTIONS 3.00 B AND 3.01 C; DIVISION 4, SECTIONS 4.00 B. AND 4.01 C; DIVISION 5, SECTION 5.01 C; DIVISION 6, SECTION 6.00 D AND 6.01 C; DIVISION 7, SECTION 7.00 B AND 7.01 C; DIVISION 8, SECTION 8.00 B AND 8.01 C; DIVISION 9, SECTION 9.01; DIVISION 10, SECTION 10.01; DIVISION 11, SECTION 11.01; PROVIDING FOR THE AMENDMENT OF ARTICLE IV, DIVISION 2, SECTION 2.00 TO ADD A SUBSECTION "D" PERTAINING TO VARIANCES FOR THE INITIAL MEASURING POINT OF A BUILDING, ARTICLE IV, DIVISION 3, SECTION 3.01 PERTAINING TO VARIANCES FOR THE PLACEMENT OF MORE THAN THREE FEET OF FILL ON A PROPERTY, SECTION 3.04 PERTAINING TO SETBACK FOR EASEMENTS AND DRIVEWAYS, SECTION 3.05 PERTAINING TO TENNIS COURT DESIGN AND LOCATION, SECTION 3.06 PERTAINING TO WALLS, FENCES, AND BULKHEADS/SEAWALLS, SECTION 3.07 PERTAINING TO DOCKS AND DUNE CROSSEOVERS, SECTION 3.10 PERTAINING TO OFF-STREET PARKING AND SECTION 3.12 PERTAINING TO WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS AND CREATING DIVISION 5, ACCESSORY USES AND ARTICLE 6 REVERSE OSMOSIS PLANTS; PROVIDING FOR AMENDMENTS TO ARTICLE VI, DIVISION 2, PERTAINING TO SIGNS; PROVIDING FOR AMENDMENTS TO ARTICLE IX, DIVISION 2, SECTIONS 2.01 AND 2.02 PERTAINING TO NONCONFORMING STRUCTURES; PROVIDING FOR AMENDMENTS TO ARTICLE IX, DIVISION 4, SECTION 4.00 PERTAINING TO NONCONFORMING USES; PROVIDING FOR THE REPEAL OF ARTICLE X, DIVISIONS 3 AND 4 IN THEIR ENTIRETY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Jupiter Island, Martin County, Florida (Town) has such powers and authority as conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and,

WHEREAS, the Town Commission has previously created Land Development Regulations (LDR) codified in Appendix A of the Code of Ordinances of Jupiter Island, Florida (Code); and,

WHEREAS, as part of the review of the Town's LDR, the Town's Administrative Official has concluded that amendments to certain Articles of the LDR are necessary and appropriate; and,

WHEREAS, the Town Commission has reviewed the proposed revisions to the Town's LDR and has determined that it is appropriate to amend the LDR contained in Appendix A of the Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AS FOLLOWS:

Section 1: The whereas clauses are incorporated herein as the legislative findings of the Town Commission.

Section 2. Article 1, Division 3, Establishment, Authority, Composition and Meetings of Development Review Boards, Sections 3.01 Board of Adjustment and 3.03, Town Commission are hereby amended to read as follows:

Sec. 3.01. Board of adjustment.

A. *Establishment.* A board of adjustment for the town is created and established.

B. *Authority; functions; powers and duties in general.*

1. The board of adjustment has the following powers and duties.

- a. ~~Alternative development standards, increases in floor area, and variances.~~ The board of adjustment shall hear and decide application for the approval of certain variances based upon specific criteria for the uses as set forth herein. ~~approval using alternative development standards, increase in floor area, pursuant to article X, division 4, and variances~~
- b. *Other powers and duties.* The board of adjustment has the authority to carry out any other powers and duties provided in these land development ~~regulations, or regulations~~ delegated to it by the town commission.

2. ~~The chair, or in his or her absence the acting chair, may administer oaths and compel the attendance of witnesses.~~

2. No member shall abstain from voting unless he has a conflict of interest pursuant to the provisions of law, F.S. ch. ~~112~~.

Sec. 3.03. Town Commission.

8. The Town Commission shall have the authority to review any application or proposal for development or improvements in the PLD or CPD zoning districts. The Town Commission may apply standards set forth in Division 2, Section 2.02 for impact review and any goals, objectives, or policies of the Town's Comprehensive Plan it determines to be appropriate. The Town Commission shall have the authority to apply conditions to [mitigate the impact] of any application or proposal for development or improvements within the PLD or CPD Zoning Districts.

Section 3. Article III, Division 2. "A-80 ~~District~~ District: 1-Acre Residential District,

Sections 2.00 B and 2.01 C are hereby amended to read as follows:

Sec. 2.00. Permitted uses.

The following uses are permitted in the A-80 District:

A. *Single-family dwelling.*

- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are

prohibited, unless approved as ~~an alternative accessory use~~ a variance by the Board of Adjustment in accordance with Art. IV, Division 5.

Sec. 2.01. Prohibited uses.

The following uses are prohibited in the A-80 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the ~~single family~~ single-family dwelling, which is the principal building on the lot.
- B. Storage of manure or odor- or dust-producing substances or uses within 50 feet of any lot line.
- C. Reverse osmosis plants, except if the reverse osmosis plant is approved by the Board of Adjustment as an accessory use in accordance with Art. IV, Division 6. ~~pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.~~
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Section 4. Article III, Division 3. "B-40 District": 1-acre Estate Residential District, Sections 3.00 and 3.01, are hereby amended to read as follows:

Sec. 3.00. Permitted uses.

The following uses are permitted in the B-40 District:

- A. Single-family dwelling.
- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an ~~alternative~~ accessory use by the Board of Adjustment in accordance with Art. IV, Division 5.

Sec. 3.01. Prohibited uses.

The following uses are prohibited in the B-40 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the ~~single family~~ single-family dwelling which is the principal building on the lot.

- B. Storage of manure or odor- or dust- producing substances or uses within 50 feet of any lot line.
- C. Reverse osmosis plants, except if the reverse osmosis plant is approved by the Board of Adjustment as an accessory use in accordance with Art. IV, Division 6. ~~pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.~~
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Section 5. Article III, Division 4. "C-35 District": Central Riverfront Residential

District, Sections 4.00 and 4.01 are hereby amended to read as follows:

Sec. 4.00. Permitted uses.

The following uses are permitted in the C-35 District:

- A. Single-family dwelling.
- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an ~~alternative~~ accessory use by the Board of Adjustment in accordance with Art. IV, Division 5.

Sec. 4.01. Prohibited uses.

The following uses are prohibited in the C-35 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the ~~single family~~ single-family dwelling which is the principal building on the lot.
- B. Storage of manure or odor- or dust- producing substances or uses within 50 feet of any lot line.
- C. Reverse osmosis plants, except if the reverse osmosis plant is approved by the Board of Adjustment as an accessory use in accordance with Art. IV, Division 6. ~~pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.~~
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Section 6. Article III, Division 5. "D-25 District", Island Core Residential District,

Sections 5.00 and 5.01 are hereby amended to read as follows:

Sec. 5.00. Permitted uses

The following uses are permitted in the D-25 District:

- A. Single-family dwelling.
- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, ~~included~~ including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an ~~alternative~~ accessory use by the Board of Adjustment in accordance with Art. IV, Division 5.

Sec. 5.01. Prohibited uses.

The following uses are prohibited in the D-25 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the ~~single-family~~ single-family dwelling which is the principal building on the lot.
- B. Storage of manure or odor- or dust- producing substances or uses within 50 feet of any lot line.
- C. Reverse osmosis plants, except if the reverse osmosis plant is approved by the Board of Adjustment as an accessory use in accordance with Art. IV, Division 6, ~~pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.~~
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Section 7. Article III, Division 6. "E-12 District": Island Core Residential District,

Sections 6.00 and 6.01 are hereby amended to read as follows:

Sec. 6.00. Permitted uses

The following uses are permitted in the E-12 District:

- A. Single-family dwelling.

- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, ~~included~~ including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an ~~alternative~~ accessory use by the Board of Adjustment under Art. IV., Division 5.

Sec. 6.01. Prohibited uses.

The following uses are prohibited in the E-12 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the ~~single-family~~ single-family dwelling which is the principal building on the lot.
- B. Storage of manure or odor- or dust- producing substances or uses within 50 feet of any lot line.
- C. Reverse osmosis plants, except if the reverse osmosis plant is approved by the Board of Adjustment as an accessory use Art. IV, Division 6. ~~pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.~~
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Section 8. Article III, Division 7. "F-15 District": Island Core Residential District,

Sections 7.00 and 7.01 are hereby amended to read as follows:

Sec. 7.00. Permitted uses

The following uses are permitted in the F-15 District:

- A. Single-family dwelling.
- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, ~~included~~ including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an ~~alternative~~ accessory use by the Board of Adjustment in accordance with - Art. IV, Division 5.

Sec. 7.01. Prohibited uses.

The following uses are prohibited in the F-15 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the ~~single family~~ single-family dwelling which is the principal building on the lot.
- B. Storage of manure or odor- or dust- producing substances or uses within 50 feet of any lot line.
- C. Reverse osmosis plants, except if the reverse osmosis plant is approved by the Board of Adjustment as an accessory use in accordance with Art. IV, Division 6.5. ~~pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.~~
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Section 9. Article III, Division 8. "G-35 District": South Island Residential District,

Sections 8.00 and 8.01 are hereby amended to read as follows:

Sec. 8.00. Permitted Uses.

The following uses are permitted in the G-35 District:

- A. Single-family dwelling.
- B. Accessory uses which are customarily and typically incidental to a single family detached dwelling and do not involve any business activity, ~~included~~ including staff quarters, garages and surface parking, guest houses, beach houses, greenhouses, garden storage structures, tennis courts, swimming pools, docks and dune crossovers. No more than two accessory buildings for living quarters shall be permitted. Pickleball courts shall be prohibited. Accessory uses not listed herein are prohibited, unless approved as an alternative accessory use by the Board of Adjustment in accordance with Art. IV, Division 5.

Sec. 8.01. Prohibited uses.

The following uses are prohibited in the G-35 District:

- A. The rental of any portion of a lot or building which does not include the use and occupancy of the ~~single family~~ single-family dwelling which is the principal building on the lot.
- B. Storage of manure or odor- or dust-producing substances or uses within 50 feet of any lot line.

- C. Reverse Osmosis plants, except if the Reverse Osmosis plant is approved by the Board of Adjustment as an accessory use in accordance with Art. IV, Division 6. ~~pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.~~
- D. Executive/employee/group vacation/retreats are prohibited in this zoning district.
- E. Any other use not specifically permitted in these regulations.

Section 10. Article III, Division 9. "RCD District". Recreation Club District, Section

9.01 Prohibited uses are hereby amended to read as follows:

Sec. 9.01. Prohibited uses.

Any use not specifically permitted in these regulations is prohibited in the RCD District.

Reverse osmosis plants, except if the reverse osmosis plant is approved by the Board of Adjustment as an accessory use in accordance with Art. IV, Division 5. ~~pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.~~

Section 11. Article III, Division 10. "PLD District": Public Lands District, Section

10.01, is hereby amended to read as follows:

Sec. 10.01. Prohibited uses.

Any use not specifically permitted in these regulations is prohibited in the PLD District.

Reverse osmosis plants, except if the reverse osmosis plant is approved by the Board of Adjustment as an accessory use in accordance with Art. IV, Division 6. ~~pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.~~

Section 12. Article III, Division 11. "CPD District"; Conservation/Preservation

District, Sections 11.01 is hereby amended to read as follows:

Sec. 11.01. Prohibited uses.

Any use not specifically permitted in these regulations is prohibited in the CPD District.

Reverse osmosis plants, except if the reverse osmosis plant is approved by the Board of Adjustment as an accessory use in accordance with Art. IV, Division 56. ~~pursuant to the provisions of article X, section 3.13 of the Land Development Regulations.~~

Section 13. Article IV. Supplemental Regulations, Division 2. Measurements,

Sections 2.00 is hereby amended to read as follows:

Sec. 2.00. Building height.

Building height is measured as follows:

- A. The initial measuring point is the highest elevation of the following:
 - 1. The lower of:
 - a. The average elevation of the finished grade across the front building line prior to the placement of fill, or
 - b. The finished floor elevation; or
 - 2. ~~8~~ 6.5 feet ~~NGVD~~; NAVD ~~or~~
 - 3. ~~A point established by the Board of Adjustment using alternative development standards.~~
- B. The height of exterior walls is measured from the initial measuring point to the point at which the outside wall meets the horizontal eave of the roof or the bottom of a parapet wall.
- C. The height of the building is measured from the initial measuring point to the highest point on the building, excluding chimneys, ventilators, skylights, spires, belfries, cupolas, and similar architectural features that are usually carried above the roof level and not used for human occupancy, provided that each such feature shall be erected only to such height and size as is necessary to accomplish the purpose it is to serve.
- D. The Board of Adjustment may approve a variance to Article IV, section 2.00, regarding the initial measuring point for building height, if the applicant demonstrates:
 - 1. The new initial measuring point will not result in a building which is taller in elevation (NAVD) than the tallest building which could be constructed on a contiguous lot.
 - 2. Will not result in a building which is more visible from adjacent properties or the public right-of-way than the existing surrounding structures.

Section 14. Article IV, Division 3, Development Standards, Sections 3.01, 3.04, 3.05, 3.06, 3.06A, 3.07, 3.07A, 3.10, 3.10A, 3.12, 3.12A. are hereby amended to read as follows:

Sec. 3.01. Fill.

If authorized as part of an approved site plan, up to three feet of fill may be placed on a lot. The Board of Adjustment may approve a variance for a greater amount of fill using alternative development standards if the applicant demonstrates that:

- A. The additional fill will not result in a building which is taller than the maximum height permitted on an adjacent lot; and
- B. Fill shall be placed in a manner that will not create an additional stormwater runoff onto an adjacent property or public right-of-way; and
- C. Fill shall be placed in a manner that will not create significant soil erosion; and
- D. The portion of the lot for where the fill is proposed to be added has not been previously filled pursuant to the approval of a special exception or the use of alternative development standards; or the elevation of said portion of the lot has decreased by more than three feet since the fill was placed; and
- E.
 - 1. The fill shall not result in a building which is more visible from adjacent property or a public right-of-way; and
 - 2. The fill is necessary to build the finished floor of the building at an elevation of 6.5 NAVD.

Sec. 3.04. Setbacks for easements and driveways.

- A. *Setback from access easement or private right-of-way.* No building shall be constructed within 20 feet of any access easement or right-of-way in favor of another party. ~~unless the board of adjustment approves such construction using alternative development standards~~
- B. *Driveway setback.* Driveways shall be set back from side lot lines as follows:
 - 1. In the A-80, B-40 and G-35 Districts, the improved surface of any driveway shall be set back at least eight feet from side and rear lot lines.
 - 2. In all other zoning districts, the improved surface of any driveway shall be set back at least three feet from side and rear lot lines.

Sec. 3.05. Tennis court design and location.

- A. *Required setbacks.*
 - 1. A tennis court shall be set back as if it were a building.
 - 2. No part of a tennis court shall be located within 50 feet of the mean ~~high water~~ highwater mark.
 - 3. The required setback shall be measured from the outer edge of an apron, fence, or appurtenance to a tennis court.

B. *Lights.* A tennis court shall not be lit for night play, except that the board of adjustment may approve a variance ~~lights using alternative development standards~~ for tennis courts in the RCD District if the applicant demonstrates:

1. The lighting does not spill over onto any adjacent lot in a residential zoning district; and
2. The lighting standards and fixtures shall not be visible from any of the neighboring lots in the applicable zoning district; and
3. The lighting shall be turned off between the hours of 9:30 p.m. and 6:00 a.m.

C. *Backboards.* Tennis backboards are prohibited.

Sec. 3.06. Walls, fences, and bulkheads/seawalls.

A. *Location and design of walls and fences.*

1. *Front yards.* Walls and fences may be constructed in required front yards provided that:
 - a. The walls or fences are set back at least 30 feet from the front lot line; and
 - b. The area between the walls or fences and the front lot line is comprehensively landscaped; and
 - c. Sight triangles with no leg smaller than 15 feet are preserved in both directions for each driveway that connects to the contiguous street.
2. *Side and rear yards.* Walls and fences may be constructed in required side yards, or rear yards of lots which are not waterfront, provided that:
 - a. The walls or fences are set back at least three feet from side lot lines unless an agreement to locate the wall or fence closer to the property line is executed by the applicant and the owner of the property which shares the property line and is provided to the town in recordable form; and;
 - b. The walls or fences are not constructed in or over any utility or other public easement; and
 - c. The area between the wall or fence and the side lot line is landscaped with hardy, low maintenance landscape material.
3. *Rear yards of waterfront lots.* No wall or fence may be constructed in a required rear yard of a ~~water front~~ waterfront lot unless the Board of Adjustment approves a variance and finds wall or fence meets all of the following standards: unless it is approved by the board of adjustment. using alternative development standards.

That the wall will be used to enclose a pool, and

- A. The wall or fence does not exceed four feet in height; and
 - B. The wall or fence is designed and constructed in a manner which will be visually compatible with the character of the buildings on the lot where the wall or fence is proposed; and
 - C. The wall or fence will not interfere with the visual access to the water from the building envelopes of adjacent lots; and
 - D. The wall or fence is constructed to comply with F.S. Ch. 515 or Section 424 of the Florida Building Code; and
 - E. In the area waterward of the waterfront setback line, the wall or fence does not extend more than ten feet from the edge of the pool which it encloses.
4. *Within the building envelope.* Walls and fences may be constructed within the building envelope provided that the manner in which walls or fences are attached to buildings does not create apparent mass in excess of the floor area and building volume permitted in the zoning district in which the lot is located.
- B. *Height.*
- 1. Within the front and side yards, no wall, gate or fence shall be constructed which exceeds six feet in height, measured as follows:
 - a. In front yards, the vertical distance from the crown of the public road on which the front yard abuts to the highest point on the wall or fence; and
 - b. In other areas, the vertical distance from the finished grade adjacent to the wall or fence to the highest point on the wall or fence.
 - 2. Within the building envelope, no wall, gate or fence which is not attached to a building shall be constructed which exceeds six feet in height, except that mesh fences enclosing tennis courts may be constructed up to ten feet in height. For the purpose of this paragraph, height is measured as the vertical distance from the finished grade adjacent to the wall or fence to the highest point on the wall or fence.
- C. *Materials.* Walls and fences shall be made of durable materials that are consistent and compatible with the design and materials of the principal building on a lot.
- D. *Bulkheads/seawalls.* Bulkheads/seawalls may be constructed, provided that:
- 1. The height of the bulkhead/seawall is no greater than necessary to accomplish its purpose; and
 - 2. The environmental impacts of the construction of the bulkhead/seawall are mitigated according to all applicable requirements; and
 - 3. All approvals from other governmental agencies with jurisdiction over seawall construction have been submitted to the ~~α~~Administrative ~~θ~~Official.

Sec. 3.07. Docks and dune crossovers.

- A. *Location.* Docks may be constructed only in the waters of the Indian River and waters tributary thereto. Dune crossovers may be constructed over the primary dune to provide access to the beach. Each dock or dune crossover and its associated pilings shall be located in the middle one-third of the lot on which the dock is an accessory use and oriented such that such that a docked boat would also be in a location that corresponds to the middle one-third of the lot on which the dock is an accessory use (See Illustration 20: Location of Dock, Exhibit A), unless the Board of Adjustment approves another location ~~and provide using alternative development standards.~~

if the applicant demonstrates:

1. The proposed dock or dune crossover will not result in an obvious departure from the aesthetic character of the neighborhood, considering the existing structures and open space; and
 2. The proposed dock or dune crossover will not result in the destruction or removal of a significant tree within a required setback, or the significant tree is relocated in a manner that preserves the aesthetic and shade qualities on the same side of the lot; and
 3. The proposed dock or dune crossover is designed in a manner that does not materially obstruct the waterfront views from neighboring properties; and
 4. The proposed dock or dune crossover:
 - a. Provides materially better protection for seagrass beds, environmentally sensitive littoral zones, dune vegetation, or sea turtle nesting areas. than a dock or dune crossover that could be constructed pursuant to the underlying regulations of the applicable zoning district; or
 - b. Is located such that it is significantly smaller than any functional dock or dune crossover that could be constructed pursuant to the applicable zoning district regulations; or
 - c. ~~Is feasible only using alternative development standards because~~ Due to the conditions of the lot (which, for docks, includes the relationship between the lot and the location of the channel), no dock or dune crossover could feasibly be constructed pursuant to the applicable zoning district regulations.
- B. *Size.* No dock shall exceed 500 square feet, and no dune crossover shall have a sitting or reviewing deck exceeding 100 square feet in addition to the area of the walkway, unless approved by the Board of Adjustment. ~~approves a variance for additional area using alternative development standards.~~
- C. *Height.*
1. *Docks.*
 - a. The deck of a dock shall not be higher than four feet above mean high water, or five feet above mean high water if the Department of Environmental

Protection so requires after performing an official survey and providing a statement of seagrass that is acceptable to the administrative official. (See Illustration 21: Dock Dimensions, Exhibit A)

- b. Pilings supporting such dock or used in conjunction therewith shall not be higher than eight feet above mean high water. (See Illustration 21: Dock Dimensions, Exhibit A)

2. *Dune crossovers.*

- a. The deck of a dune crossover shall not be higher than one foot above the existing grade, unless a variance for a greater height is approved by the Board of Adjustment in accordance with this section ~~using alternative development standards.~~
- b. Dune crossover posts and railings shall not be higher than three feet above the deck of the dune crossover.

D. *Design.*

- 1. Railings shall be of post and rail construction that does not create a material visual obstruction to the waters of the Indian River or tributaries, or to the Atlantic Ocean from contiguous lots or rights-of-way.
- 2. Fencing, screening, walls or louvered windbreaks on docks or dune crossovers are prohibited unless approved by the Board of Adjustment. ~~using alternative development standards.~~
- 3. Covered structures or buildings of any type are prohibited on docks and dune crossovers.
- 4. Dock boxes not exceeding 30 inches in height are permitted on docks; provided that such boxes are limited to one dock box per boat regularly moored at the dock. (See Illustration 21: Dock Dimensions, Exhibit A)
- 5. Overhead hoists, davits or machinery connected therewith shall not exceed eight feet above mean high water.
- 6. Dock construction shall meet the standards for dock construction as prescribed by the United States Army Corps of Engineers.

- E. *Utilities.* All electrical and water service supplied to any dock or dune crossover in the town shall meet the standards for service as provided in the Florida Building Code.

F. *Hoisting and daviting of boats.*

- (a) No boat shall be hoisted or davited if:

- (1) Any part of the boat is position outside of the middle one-third of the lot, extended waterward; or
 - (2) The dock to which the hoist or davit is attached does not conform to this section.
- (b) No boat shall be hoisted or davited to such a height that the top of the main superstructure, but not including masts, antennas, outriggers or other attachments to said boat, shall be more than eight feet above mean high water, and no boat exceeding 31 feet in overall length shall be hoisted or davited from the water and supported by a dock, unless approved by the impact review committee using the standards set forth in article X, division II, section 2.04.
- G. *Dock lighting.* These standards govern new and replacement dock lighting, and shall not apply to existing dock lighting, except for items (2)(c) and (2)(i).
1. Definitions:
 - *Dock lighting:* (1) Lighting that is used to provide a level of illumination to safely ingress and egress docks on and from a property, which includes, dock/piling-mounted light fixtures; (2) Security lighting; and (3) fishing lighting, which includes down-lighting fixtures into water (a.k.a. Snook Light, Goose neck, Bracket bar, Cobra head, etc.) and underwater/submergible lighting fixtures.
 - *Security lighting:* Lighting that is used to provide a level of illumination of a dock during security or emergency events, identify persons or objects (detection) or create a psychological deterrent to unwanted or criminal activity on the dock (deterrent). Security lighting is stand-by lighting, such as motion-actuated lights or lighting operated by switch or alarm. Security lighting shall be activated only by motion activation or during security or emergency events and will remain off during other times.
 - *Lumen:* The unit of measurement used to quantify the amount of light produced by a bulb or emitted from a fixture. The lumen rating associated with a given lamp is generally indicated on its packaging or may be obtained from the manufacturer.
 - *Special RCD lighting:* Lighting provided in connection with properties located within the Recreation Club District (RCD).
 2. In all cases, dock lighting associated with a specific property is to have minimal, if any, effect upon the adjoining properties as well as on any adjacent public rights-of-way. The following standards should be applied to all dock lighting projects, other than security lighting, which shall only be subject to subsection b. below:

- a. All lighting shall be designed to prevent misdirected or excessive artificial light.
- b. All lighting fixtures shall have a glare shield, and the point source of light shall not be directly visible from adjacent properties. This includes, without limitations dock/piling-mounted light fixtures, down-lighting fixture into water (a.k.a. Snook Light, Goose neck, Bracket bar, Cobra head, etc.), underwater/submergible lighting fixture, flag poles, and security lighting.
- c. Metal halide bulbs, high-intensity bulbs such as ~~high-pressure~~ high-pressure sodium, and mercury vapor bulbs are prohibited.
- d. Special RCD lighting and marine navigation lights are exempt from this section.
- e. Plans, specifications, records and reports of a "security system plan" are exempt under F.S. § 119.07(1) and § 24(a), Article I of the State Constitution.
- f. Maximum lumens per single dock/piling-mounted lighting fixture shall not exceed 300 lumens; maximum lumens per single down-lighting fixture (a.k.a. Snook Light, Goose neck, Bracket bar, Cobra head, etc.) shall not exceed 500 lumens; and maximum lumens per single underwater/submergible light shall not exceed 10,000 lumens.
- g. Dock/piling-mounted lighting fixtures shall not exceed one per dock piling; down-lighting fixtures (a.k.a. Snook Light, Goose neck, Bracket bar, Cobra head, etc.) shall not exceed two per dock; and underwater/submergible light fixtures must be white in color and shall not exceed two per dock.
- h. Dock/piling-mounted lighting and down-lighting fixture(s) shall be mounted no higher than eight feet above mean high water. When used to illuminate the beginning and/or end of a dock, only one pole light at each section may be permitted, and shall be installed no higher than eight feet above top of dock deck.
- i. Multicolor and/or flashing light fixtures shall be prohibited.
- j. All lighting project applicants must submit the Town of Jupiter Island Dock Lighting Self-Certification Form to the Building Department.

Sec. 3.10. Off-street parking.

- A. The maximum number of parking spaces provided shall be one and one-half parking spaces for each bedroom located on a lot.
- B. *Minimum dimensions.* A parking area of at least 20 feet by ten feet exclusive of driveway or aisle, must be provided for each bedroom located on a lot. The Board of Adjustment may approve a ~~smaller parking area~~ variance provided using alternative development standards, the applicant demonstrates that it is not

needed to achieve compliance with the landscaped open space requirement of the applicable zoning district and at least one of the following is met:

1. The reduced parking area will reasonably accommodate one car per bedroom; or
 2. The required parking is provided on an adjacent lot under common ownership, and the applicant provides an executed unity of title that ensures that a parking easement will be provided if the common ownership ceases to be effective until the required parking is provided on the lot which it serves; or
 3. Required parking is provided on an adjacent lot that is subject to a parking easement agreement with the adjacent lot owner until or unless the applicant provides the required parking for the lot which it serves; or
 4. Clear and convincing evidence is provided to the Town supports a finding that the most likely use of the lot will require less parking area than is otherwise required by these land development regulations.
- C. *Parking in public rights-of-way prohibited.* The construction, maintenance or use of the public road rights-of-way for off-street parking within the town is prohibited.
- D. *Head in parking prohibited.* The construction of a driveway or a head-in parking area which requires or allows a vehicle to back into a public street is prohibited.

Sec. 3.12. Wireless communications towers and antennas

A. *Findings and purpose.* The Town finds that it is in the public interest to regulate the placement, construction or modification of wireless communications towers and antennas within the municipal boundaries of the Town ~~in order~~ to protect the Town's unique aesthetic environment and community character. The Town Commission may approve a variance regarding the placement of communication towers and/or antennas, if the applicant demonstrates that:

1. The tower/antenna is in a PLD or RCD District; and
2. The tower/antenna will not interfere with the use and enjoyment of adjacent and nearby properties; and
3. The visual impact of the tower/antenna and associated structures is substantially mitigated by either or both of the following:
 - (a). A combination of topography and existing or provided landscaping in the surrounding area; or
 - (b). A "stealth" design; and
4. The proposed ingress and egress to the tower and/or antenna will not interfere with the safe flow of traffic on adjacent rights-of-way; and
5. Off-street parking for at least one maintenance vehicle is provided; and

6. There are no suitable existing towers, antennas, or other structures, or alternative technologies, that the applicant can utilize to provide the same service; and
7. The tower is set back at least 110 percent of the height of the tower from any neighboring properties in an RD zoning district; and
8. The tower is set back at least 130 percent of the height of the tower from any neighboring property in a residential zoning district; and
9. Guy wires and accessory buildings satisfy the minimum zoning district setback requirements; and
10. The structure is designed to accommodate co-locations of equipment and attachments with a minimum wind load rated at 130 mph or more; and
11. A performance bond is posted in favor of the Town to cover the cost of the Town's removal of the structure if it is abandoned or otherwise violates these land development regulations.

B. *Tower permitted in PLD District as accessory use.*

1. *License or lease authorizing use.* Towers which are permitted as accessory uses in the PLD District are subject to joint use to provide public safety communications, and further subject to town commission approval of a license or lease authorizing the use of said tower. In considering approval of a license or lease, the Town Commission shall assess:
 - a. The inventory of the applicant's existing towers, antennas, or sites approved for towers or antennas that provide service or coverage within the Town, including specific information about the location, height, and design of each tower, antenna or site; and
 - b. The availability of space on the tower, which shall be allocated on a first-come, first-served basis.

All costs relating to the installation of the antenna or any ancillary equipment relating thereto shall be borne by the applicant.

2. *Location and design standards.* Wireless communications antennas are permitted on towers as provided for in this subsection B, or on light pole structures which are ~~located~~ in rights-of-way or easements within the Town, subject to the following location and design standards:
 - a. The height of the antenna shall not exceed two feet above the existing light pole structure.
 - b. All light pole-mounted antennas shall be of a "stealth design" (to the maximum extent possible, the design shall use materials, colors, textures, screening, and landscaping that will blend the tower/antenna site and structures into the natural setting and surrounding buildings), except that antennas located in A-

80, B-40, C-35, D-25, E-12, F-15 and G-35 Districts must be screened from the view of residents and pedestrians.

- c. Equipment cabinets associated with light pole-mounted antennas shall be of a scale that makes them no more visually obtrusive than other types of utility equipment boxes normally located within the rights-of-way within the town; and architecturally designed or camouflaged to be compatible with surrounding land uses, except that such equipment cabinets located in A-80, B-40, C-35, D-25, E-12, F-15 and G-35 Districts must be screened from the view of residents and pedestrians.
- d. The Town must approve the noise level and location of any generators or other equipment.
- e. Equipment cabinets associated with light pole-mounted antennas which are located outside the public right-of-way shall meet the requirements for accessory structures for the zoning districts in which the equipment cabinets are located.

C. Other towers and antennas.

- 1. No other tower or antenna shall be permitted in the Town, except pursuant to subsection B, above, unless the applicant demonstrates to the Town Commission that no reasonable alternative exists that can accommodate the applicant's proposed telecommunications service because:
 - a. No existing towers or structures located within the relevant geographic area accommodate antennas adequate to provide the applicant's service within the Town; and
 - b. The fees, costs, or contractual provisions required by the owner ~~in order~~ to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable; and
 - c. There are other limiting factors that render existing towers and structures unsuitable; and
 - d. The applicant demonstrates that an alternative technology, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wire line system, is unsuitable.
- 2. If the applicant demonstrates that no reasonable alternative exists that can accommodate the applicant's proposed telecommunications service, the Town ~~Board of Adjustment Commission shall refer the application to the board of adjustment to be heard using alternative development standards~~ may consider the variance application and whether it meets the criteria in this Sec. 3.12 A-K.

D. Operation and maintenance. All tower and wireless communications antenna owners shall comply with the following operation and maintenance requirements:

- 1. All towers and antennas must meet or exceed current standards and regulations of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and any other agency of the state or federal government

with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations.

2. The owner of a tower shall ensure the structural integrity of the tower and related structures. The tower and structures must be maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the administrative official determines that the tower or a related structure fails to comply with such codes and standards and constitutes a danger to persons or property, then the owner shall bring such tower or structure into compliance with such codes or standards within 30 days of receiving written notice from the Town.
 3. No signs, other than those required by law and approved by the Town, shall be allowed on a tower, antenna or related structure or enclosure, including fences.
- E. *Abandonment of towers or antennas.* Any tower or antenna that is not operated for a continuous period of two years shall be considered abandoned, and the owner of such tower or antenna shall remove same, along with any related structures, with 90 days of receipt of written notice from the town notifying the owner of such abandonment.

Section 15. Article VI – Signs, Division 2, Standards, 2.02, sign design standards

is hereby amended to read as follows.

Sec. 2.02. Sign design standards.

All signs within the Town shall be designed and constructed according to the following standards:

- A. *Materials.* Permanent signs shall be constructed of first-class quality materials, such as marine plywood, plexiglass or aluminum, and all lettering and other identification markings shall be permanently affixed. Residential building identification affixed to mailboxes and signs relating to security are exempt from this requirement.
- B. *Prohibited elements.* The following are prohibited design elements:
 1. Flashing, moving, rotating, revolving, oscillating, or animated elements; and
 2. Changeable copy; and
 3. Extruding figures; and
 4. Illumination ~~in excess of~~ more than 600 lumens. unless a variance is approved by the Board of Adjustment. ~~using alternative development standards;~~ and
 5. Neon tubes, strip lighting of any nature, and flashing or intermittent illumination.

C. *Size and proportions.* The size and proportions of signs shall be as follows:

1. In the A-80, B-40, C-35, D-25, E-12, F-15 and G-35 Districts, the ratio of the horizontal dimension to the vertical dimension of the sign area shall be 3:2, and no sign shall be larger than 18 inches horizontally by 12 inches vertically.
2. In the PLD, CPD, and RCD Districts, no sign area shall exceed six square feet unless the ~~Board of Adjustment~~ Town Commission finds that all of the standards of Sec. 2.02 F below are met. ~~approves the larger sign area using alternative development standards.~~

D. *Maximum number of permanent signs.*

1. In the A-80, B-40, C-35, D-25, E-12, F-15 and G-35 Districts, no more than two permanent signs shall be permitted on any lot, unless the additional signs are not visible from any public contiguous lot, public right-of-way, private access easement, or waterway.
2. In the PLD, CPD, and RCD Districts, no more than one sign shall be permitted per street frontage, except that additional signs designating ingress and egress shall be permitted in such numbers as required for safety, provided that each additional sign:
 - a. Has a sign area of no greater than four square feet; and
 - b. Is no higher than six feet above the adjacent paving; and
 - c. None of the additional signs are within two feet of a lot line.

E. *Illumination.* Permanent signs in any zoning district may be illuminated with low-level reflective lighting not exceeding 600 lumens, provided that neon tubes, strip lighting, and flashing or intermittent lights are not used. The Board of Adjustment may approve a variance under Sec. 2.02 (F). below.

F. Variance for signs.

1. The Town Commission may approve a sign variance in the PLD, RCD, and CPD zoning districts, provided an applicant demonstrates:

A. The proposed sign:

1. Is demonstrably more attractive than a sign that could otherwise be constructed in the underlying zoning district; and
2. Is no more than six feet in height; and
3. Is less than 12 square feet in area: or

B. The sign area of the proposed sign is necessary to convey critical information that will protect the public health and safety.

2. The Board of Adjustment or Town Commission, as applicable may approve a variance to section 2.02(E), regarding illumination if the applicant demonstrates that:

- A. The lighting will not spill over onto any adjacent lot in a residential zoning district; and
- B. The lighting standards and fixtures are not visible from any neighboring lot in a residential zoning district; and
- C. The lighting will be turned off between the hours of 9:30 p.m. and 6:00 a.m.

Section 16. Article IX. - Nonconformities. Division 2. Nonconforming Structures,

Sections 2.01 and 2.02 are hereby amended to read as follows.

Sec. 2.01. Nonconforming docks or dune crossovers.

A nonconforming dock or dune crossover shall be considered a "building," subject to the provisions of section 2.02, below. However, if the nonconforming dock or dune crossover is nonconforming due to location, the property owner may apply for ~~approval a~~ variance from the Board of Adjustment using alternative development standards to make the dock or dune crossover "conforming" in accordance with Sec. 2.02 D below.

Sec. 2.02. Nonconforming buildings.

- A. *Continuation.* Any building which was lawfully in existence on the effective date of these land development regulations, or any amendment thereto, which is made nonconforming by the adoption of these land development regulations or any such amendment thereto, may be continued and maintained or repaired notwithstanding such nonconformity.
- B. *Extension or expansion.* No nonconforming building shall be enlarged, increased, expanded or altered in any way unless such enlargement, increase, expansion or alteration complies with each and every requirement of these ~~Land & Development~~ ~~r~~ Regulations.
- C. *Replacement.* In the event part or all of a nonconforming building is destroyed or made structurally unsound by fire, casualty, or other Act of God (which shall include, but not be limited to, wood eating organisms, degraded concrete, or similar factor not within the control of the property owner) to the point where repair is impracticable, the building may be reconstructed or replaced if approved by the ~~b~~ Board of a Adjustment using Sec. 2.02(C).A. below. using alternative development standards.
- D. The Board of Adjustment may approve a variance for the replacement of a destroyed nonconforming building, dock, or dune crossover, provided the applicant demonstrates that all of the standards below are met:
 - A. All or a material part of the nonconforming building has been destroyed by fire, casualty, or an Act of God; and
 - B. The building will be replaced with a building that:
 - 1. Is located in either:

- a. The same location as the destroyed building, and is designed and configured such that the extent of the prior nonconformity is not increased; or
- b. A different location than the building to be replaced, and is designed and configured such that the replacement building does not have a greater apparent mass when viewed from public rights-of-way or neighboring properties; and:
 - (1) The extent of the totality of nonconformities of the building to be replaced reduced by the replacement building, and if an individual nonconformity is increased, the increase is not material; or
 - (2) The totality of nonconformities of the replacement building is unchanged and the Building Official determines that there will be a material safety benefit realized by the relocation of the building; and
- 2. Is of the character and architectural style of the building that previously existed, unless such character or architectural styles is impracticable due to state or federal regulations; and
- C. The Building Official determines that the replacement building complies with these land development regulations to the maximum extent possible; and
- D. The replacement building contains no more floor area than the building to be replaced.
- E. The application for approval has been submitted to the Town within three years of the date on which the destruction occurred.

Section 17. Article IX, Division 4. - Nonconforming Uses, Sections 4.00 is hereby amended to read as follows:

Sec. 4.00. Nonconforming uses.

- A. *Continuation.* Any use which was lawfully in existence on the effective date of these land development regulations, or any amendment thereto, which is made nonconforming by the adoption of these land development regulations or any such amendment thereto, may be continued and maintained notwithstanding such nonconformity.
- B. *Extension or expansion.* A nonconforming use shall not be enlarged, increased, intensified, or expanded to occupy a greater floor or land area than it occupied on the effective date of these land development regulations or an amendment thereto, which adoption or amendment rendered the use nonconforming.
- C. *Conversion.* The Board of Adjustment may approve a variance for the conversion of a nonconforming use to another nonconforming use with fewer external impacts alternative development standards. if an applicant demonstrates:
 - A. The existing nonconforming use has not been terminated by discontinuance or destruction; and

- B. The proposed use is more compatible with the predominant character of the uses in the zoning district than the existing nonconforming use; and
- C. The proposed use will have no greater adverse effect on the surrounding lots than the existing nonconforming use, in that:
 - 1. It will generate the same or lower level of traffic; and
 - 2. It will have no impact or a positive impact on surrounding property values; and
 - 3. It involves the same or lower level of dust, noise, or odors; and
 - 4. If the existing nonconforming use also includes a nonconforming sign, the nonconforming sign shall be removed.

D. *Termination.*

- 1. *By discontinuance.* If a nonconforming use is discontinued for a period of six consecutive months, the nonconforming use shall not be resumed or re-established, and any subsequent use of the land or structure shall conform to each and every requirement of these land development regulations.
- 2. *By destruction or partial destruction.* In the event that 50 percent or more of the existing floor area of a building occupied by a nonconforming use is destroyed by fire or other casualty, Act of God, or by the acts of the owner or any lessee, agent or representative of the owner thereof, the nonconforming use shall be deemed terminated and shall not be resumed or re-established, and any subsequent use of the land or structure shall conform to each and every requirement of these land development regulations.

Section 19. Article X, Division 2, Impact Review, Sections 2.01 and 2.05 are hereby amended to read as follows:

Sec. 2.01. Applicability.

Impact review by the Impact Review Committee is required if:

- 1. The total floor area on the lot proposed for development, including existing and proposed floor area, will be greater than 70 percent of the maximum floor area permitted in the underlying zoning district; and
- 2. The application:
 - a. Is for a required approval that is not subject to administrative review pursuant to any paragraph of article X, section 1.00 or board of adjustment review pursuant to any provision of article X, division ~~3, 4, or~~ 5; or
 - b. Has been referred to the Impact Review Committee pursuant to article X, section 1.02; or
 - c. Requests approval of the demolition of a principal building or guest house and is not part of, or concurrently filed with, an application for development approval of a new principal building or guest house.

Sec. 2.05. Duration of approval.

Approvals granted either administratively or as a result of referral to the Impact Review Committee, shall be valid for one year from the time granted. Commencement of work under said approval shall be considered as the date upon which a building permit is granted and work actually having begun on the project. ~~In the event that if work is not commenced within one year of the approval, then an extension of up to one year may be approved on good cause shown by application to the Board of Adjustment. Projects approved under article X, divisions 1 and 2, which have not been commenced prior to the adoption of this section shall have 12 months from the adoption of this section to commence work.~~

Section 18. Article X, Division 3., Sections 3.00 – 3.16 Alternative Development Standards and Division 4, Sections 4.00 – 4.04, Increase in Floor Area are hereby repealed in their entirety.

Section 19. Article X, Division 10, Development Permits, Sections 10.06 and 10.08 are hereby amended to read as follows:

Sec. 10.06. Validity and Duration of Permit.

In accordance with Section 105.4.1 of the Florida Building Code, a permit shall expire unless the work commences within a 6-month period after issuance, or where the work authorized under such permit has been abandoned for a period of 6 months after the work has commenced.

A development permit shall lapse where there is no longer an any active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in the case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process, in accordance with Section 105.4.1.3 of the Florida Building Code.

~~Sec. 10.08. Permit extensions.~~

- ~~A. The Administrative Official may issue, for good cause shown, a permit extension of up to 180 days.~~
- ~~B. In the event all work is not completed and a certificate of occupancy issued within the 180 days extension granted by the Administrative Official, all work shall cease on the property, until a further extension is approved by the Board of Adjustment for good cause shown.~~

Section 20. Article IV, Supplemental Regulations is hereby amended to create Division 5, entitled "Accessory Uses and Article 6, Reverse Osmosis Plants, as follows:

ARTICLE IV. SUPPLEMENTAL REGULATIONS

DIVISION 5. ACCESSORY USES

Section 1.00. Applicability.

The Board of Adjustment may approve as accessory uses that are not otherwise listed as "Permitted Uses" in the residential districts of Article III, Divisions 2, 3, 4, 5, 6, 7, and 8 provided the it finds that all of the following standards have been met:

Sec. 2.00. Standards.

- A. The proposed accessory use will not adversely affect the public interest; and
- B. The proposed accessory use is consistent with the surrounding neighborhood character; and
- C. The visibility of the proposed accessory use from public rights-of-way, adjacent properties, the beach, the ocean and the intracoastal waterway is minimized in a manner that is consistent with the surrounding neighborhood character; and there are screens and buffers that are sufficient to ensure compatibility of the proposed accessory use with adjacent properties; and
- E. The location, design and character of the proposed accessory use will not adversely affect adjacent properties; and
- F. The proposed accessory use is designed and located so that all buildings and structures associated with the accessory use are screened from view from adjacent properties and public of rights-of-way; and
- G. The proposed accessory use will generate the same or lower level of traffic than another permitted accessory uses; and
- H. The proposed accessory use is customarily and typically incidental to and subordinate to the principal use; and
- I. The proposed accessory use will not result in substantial noise, dust, glare, or odor impacts on any other property in the neighborhood where it is to be located, nor shall said use result in such noise, dust, glare or odor impacts greater that those which accompany listed permitted accessory uses.

DIVISION 6. REVERSE OSMOSIS PLANTS

Sec. 1.00. Applicability.

The Board of Adjustment may consider a variance for an application for the installation of a reverse osmosis plant as an accessory use to a primary use on properties

of two acres or greater. Applications must be prepared by appropriately licensed professionals.

Sec. 2.00. Requirements for submission of applications.

- A. All plans, reports, letters of assurances, and other documents related for an RO plant shall be prepared by a licensed, professional hydrogeologist (P.G.), or a licensed professional engineer with experience and practice in the design and implementation of reverse osmosis facilities. The certification of documents indicates that they were prepared under a licensed engineer or hydrogeologist's who shall be responsible for supervision, direction or control. Any plans or documents prepared by an individual who is not properly licensed may result in the town referring the individual to the appropriate agencies, i.e. the South Florida Water Management District and Florida Department of Environmental Protection and/or the Department of Professional Regulation.
- B. Applications for a reverse osmosis plant accessory use shall provide the following information, which shall be subject to the review and approval of the town engineer for completeness and technical compliance:
 - 1. Reverse osmosis plant systems shall include the certification and seal, if applicable by a professional licensed engineer with sufficient experience with reverse osmosis plant systems that the reverse osmosis plant meets all design conditions. The following submissions shall be submitted to the Town and shall be subject to the Town Engineer's review. The Town Engineer shall prepare a report of his findings, which shall be presented to the Board of Adjustment at its hearing on the application.
 - 2. Drawings shall include the location of the system on the property, topography of the lot, location of on-site wastewater disposal drain field on the property, and proximity to buildings and on-site wastewater disposal drain fields on adjoining properties.
 - 3. Plans shall include the size of the system, anticipated water supply, product and wastewater flow rates, maximum capacity, anticipated locations of water supply withdrawals, depths, appurtenant facilities, and wastewater or system concentrate discharge disposal locations.
 - 4. Chemical handling plan and storage. Copies of Material Data Status Sheets (MSDS) sheets for all known chemicals shall be submitted.
 - 5. Plans and calculations showing anticipated product water storage location and size of storage system.
 - 6. Plans for the structure housing the proposed system.

7. A landscape plan for screening of said structures.

8. Plans for emergency generator facilities and fuel.

9. Electric plans.

10. Monitoring systems and data collection.

11. As-built plans.

C. *Hydrogeology and geotechnical.* Shall evaluate the impacts to existing surficial freshwater resources from saline or hypersaline wastewater or concentrate discharge from the reverse osmosis plant by professional geologist with experience in shallow barrier island aquifer systems and shall submit the following.

1. Plans identifying the location and use of surface water bodies and existing surficial aquifer wells within a 1,000-foot radius of the project site.

2. A subsurface study including:

a. Geologic formations within zones of surficial aquifer water supply and area of wastewater or concentrate discharge.

b. Water quality profile of the surficial aquifer that identifies fresh and saline water layers.

c. Permeability tests of proposed wastewater or concentrate discharge zone including a bench scale load test performed in the presence of the Town's representative.

d. Modeling of expected migration of wastewater or concentrate discharge plume with evaluation of impact to adjacent properties irrigation water withdrawal wells, on-site wastewater disposal drain-fields, and surface water bodies.

3. Design report that includes proposed facilities, testing results, modeling results and certification by a State of Florida licensed geologist or engineer.

D. *Permits.* All applicable federal, state and local permits shall be identified and obtained and provided to the Town.

1. Permitting wastewater or concentrate discharge and proper disposal of same.

2. If wastewater or concentrate discharge is exempt from permitting, provide written proof that agency reviewed data submitted by reverse osmosis applicant and issued a written exemption.
 3. Certificate from a licensed engineer that no overflows of wastewater or concentrate discharge to surface water will occur.
- E. *Chemicals.* A certificate of a licensed engineer as to the chemical hazards from chlorine, acid storage for reverse osmosis plant and identification of the plan for chemical delivery, storage, use and disposal, including:
1. Anticipated chemicals used for the system, quantities used per month, along with the MSDS sheets for each chemical, and quantities to be stored on the lot.
 2. A storage system that safely houses and contains chemicals from escaping onto the ground or into the air.
 3. The method for and frequency of delivery of chemicals to the lot and removal of spent chemical containers for disposal off-site.
- F. *Noise.* A certificate of a licensed engineer that the maximum sound level from the reverse osmosis plant operation shall not exceed 72 decibels measured at the exterior of the reverse osmosis plant and shall not exceed 65 decibels measured at the property lines with a plan for addressing noise abatement from high pressure pumps.
- G. *Odor.* A certificate of a licensed engineer addressing odor control if source water for reverse osmosis contains hydrogen sulfide demonstrating that no odors will leave the lot.
- H. *Setbacks.* A certificate of a licensed engineer that all reverse osmosis plant facilities and appurtenances shall be located within the building envelope as defined by the yard setback requirements for the subject zoning districts.
- I. *Minimum lot size.* A certificate of a licensed engineer that the lot size is a minimum of two acres.
- J. *Adverse impacts.* A certificate of a licensed engineer providing assurances that there will not be any adverse impacts on adjoining property owner's irrigation water withdrawal wells, on-site wastewater disposal drain- fields, and surface water bodies.

Sec. 3. Standards for approval of applications.

- A. The Board of Adjustment may approve a reverse osmosis plant provided it finds that all of the following provisions have been:
1. All requirements relating to lot size, setbacks, noise and odor.

2. There would not be any adverse environmental impacts created by the installation of the reverse osmosis plant upon the property.
3. All chemicals and machinery relating to the operation of the reverse osmosis plant is contained within a safe, noise-proof structure.
4. The reverse osmosis plant shall be totally screened from view from adjoining properties, rights-of-way and waterways.
5. The town engineer has determined, based upon a review of the engineering and any other applicable plans, that would not be any adverse impacts on an adjoining property owner's irrigation water withdrawal wells, on-site wastewater disposal drain-fields, and surface water bodies.

Sec. 4. Conditions subsequent to approval of a reverse osmosis plant.

- A. Prior to the final issuance of a Certificate of Occupancy for reverse osmosis plants a completion report shall be filed which includes test results of the installed as-built facilities including:
1. Load test installed wastewater or concentrate disposal system that includes monitoring of water levels within the disposal trench and at least one monitor well outside the disposal trench and in the path of the discharge plume.
 2. Evaluate load test results and certification that the disposal system performs as designed without impact to existing Town water resources, natural resources or adjoining property owner's irrigation water withdrawal wells, on-site wastewater disposal drain-fields, and surface water bodies.

Sec. 5. Requirements relating to monitoring of disposal system for reverse osmosis plants.

Property owners who have installed a reverse osmosis plant on their property shall annually provide on, or before the anniversary date of the permit issued authorizing the installation of the system the following information:

1. Assurance that surface flooding has not occurred.
2. Assurance that wastewater is not being discharged to surface water.
3. Assurance that the surficial aquifer (if present) is not being adversely impacted by wastewater.
4. Assurance that an adjoining property owner's irrigation water withdrawal wells, on-site wastewater disposal drain-fields, and surface water bodies are not being impacted.

5. Assurance that the reverse osmosis plant is in compliance with all federal, state, county and town regulations.
6. The property owner shall submit to an inspection of the reverse osmosis plant by Town staff and/or Town consultants.

In the event a property owner fails to provide any of the above assurances pursuant to the annual inspection report, the Town may suspend the operation of the reverse osmosis plant until the property owner demonstrates that it is in compliance with this criterion.

Sec. 6. Application fees, permits, annual operations and maintenance fees for reverse osmosis plants.

The application fee for the proposed installation of a reverse osmosis plant is \$7,500.00. In the event the Board of Adjustment approves the installation of a reverse osmosis plant, the property owner shall pay to the Town such additional fees as are required by ordinance. Once the reverse osmosis plant has been permitted and installed, the property owner shall obtain from the Town an annual operation and maintenance permit and pay the annual fee of \$2,000.00.

Section 20. Repeal of ordinances in conflict.

All other ordinances of the Town of Jupiter Island, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 21. Severability.

If any court of competent jurisdiction holds any word, part, section, paragraph or provision hereof to be unlawful or unconstitutional, such ruling or finding shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect.

Section 22. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Jupiter Island.

Section 23.

This Ordinance shall become effective immediately upon execution.

(Continued on Next Page)

PASSED UPON FIRST READING THE 6th DAY OF NOVEMBER, 2024.

**PASSED AND ADOPTED UPON THE SECOND READING FOLLOWING
PUBLIC HEARING THE 6th DAY OF DECEMBER, 2024.**

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA

Mayor

Vice Mayor

Commissioner

Commissioner

ATTEST:

Commissioner

TOWN CLERK

#5854059 v5 18270-00002

ORDINANCE NO. 402

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING CHAPTER 6 OF THE JUPITER ISLAND CODE OF ORDINANCES, ENTITLED "LICENSES AND BUSINESS REGULATIONS" TO CREATE A NEW ARTICLE V ENTITLED "SHORT-TERM AND VACATION RENTALS"; PROVIDING FOR REGULATIONS PERTAINING TO SHORT-TERM OR VACATION RENTALS OPERATING WITHIN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, prior to 2011, municipalities in Florida were free to regulate local land use issues pertaining to vacation or short-term rental properties under the Home Rule authority granted by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, in 2011, the Florida Legislature enacted Chapter 2011-119 Laws of Florida, preempting the local regulation of a specific land use known as short-term or vacation rentals, preventing municipalities from enacting new regulations necessary to address any consequential or negative impacts caused by vacation rentals; and

WHEREAS, in 2014, the Florida Legislature enacted Chapter 2014-71, Laws of Florida, rescinding the complete preemption of the regulation of short-term or vacation rentals, and specifically mandating that local laws, ordinances or regulations could not prohibit vacation rentals or regulate the duration or frequency of vacation rentals; and

WHEREAS, Chapter 2014-71, Laws of Florida, returned some local control back to municipalities to mitigate the effects of short-term or vacation rentals to make them safer and more compatible with existing neighborhood regulations and to hold operators of such properties accountable for their proper operation; and

WHEREAS, the occupants of vacation rentals, due to the transient nature of such occupancy, may be unfamiliar with local hurricane evacuation plans, the location of fire extinguishers, exit routes, pool and home safety features, and other similar safety measures that would ordinarily be provided to guests in traditional lodging establishments (i.e., hotels and motels); and

WHEREAS, when unregulated, there is the potential that occupants of short-term or vacation rentals located within established neighborhoods may disturb the quiet enjoyment of the neighborhood and create secondary impacts, including noise, traffic, parking and a greater demand for public services; and

WHEREAS, traditional short-term lodging establishments are typically restricted to commercial and other non-residentially zoned areas of a community where the intensity of these uses can be separated from single family and other residential uses; and

WHEREAS, the Town Commission desires to adopt standards both to provide for the safety and welfare of occupants of short-term or vacation rentals and to minimize, to the extent possible, the negative impacts caused by short-term or vacation rentals in the Town's single family residential neighborhoods throughout the Town; and

WHEREAS, by the enactment of these regulations, the Town Commission seeks to ensure, to the extent possible, that any property owner in the Town that chooses to operate a short-term or vacation rental is safely operating the property and that its operation conforms to the low intensity residential neighborhood character that exists within the Town;

WHEREAS, by enacting these regulations, the Town Commission seeks to ensure, to the extent possible, that any property being operated as a short-term or vacation rental property does not detract from the property values of other properties in proximity to the short-term or vacation rental, or throughout the Town; and

WHEREAS, by enacting these regulations, the Town Commission seeks to maintain, to the extent possible, the compatibility of short-term or vacation rentals with neighboring residential properties and properties throughout the Town; and

WHEREAS, the Town Commission finds that the enactment of regulations applicable to short-term or vacation rentals is necessary to preserve the integrity of the Town's residential areas and neighborhoods and corresponding property values; and

WHEREAS, the Town Commission finds that the enactment of these regulations will further and protect the health, safety and general welfare of the Town's residents, property owners, and transient occupants of any short-term or vacation rental properties in the Town; and

WHEREAS, the Town Commission finds that these regulations are necessary to address potential life safety issues associated with the short-term or vacation rental of properties within the Town; and

WHEREAS, the Town Commission finds that these regulations are necessary to address the compatibility and secondary effects derived from the operation of short-term or vacation rentals in conformance with current state law; and

WHEREAS, the Town Commission finds that consistent with current state law, these regulations neither prohibit vacation rentals nor restrict the duration or frequency of short-term or vacation rentals and are otherwise consistent with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, THAT:

Section 1: Chapter 6. Licenses and Business Regulations of the Code of Ordinances of the Town of Jupiter Island is hereby amended to create Article V to be entitled "Short-Term and Vacation Rentals" to read as follows:

ARTICLE V. VACATION RENTALS

Sec. 6.72. Vacation or Short-Term Rental defined: permit required.

A short-term or vacation rental is hereby defined as residence or dwelling unit that is used, whether part-time or full-time for transient public lodging establishment but that is not a timeshare project. A transient public lodging, which is rented out to guests more than three (3) times in a calendar year for periods of less than thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or held out to the public as a place that can be rented to guests or tenants of the property owner for periods of less than 30 days or one calendar month whichever is less. It shall be unlawful for any person or entity to operate a short-term or vacation rental or offer such property for rent as a short-term or vacation rental within the Town, unless the owner of the property has registered such property with the Town and obtained a permit in accordance with the requirements of this Article. Separate permits are required for each individual rental unit. All rental permits shall be renewed annually and shall be considered delinquent if not renewed by September 30 of each year. Vacation or Short-Term Rental Permits are separate and distinct requirements that must be obtained in addition to any other applicable business tax receipts and certificates of use.

Sec. 6.73. Vacation rental permit application.

The owner or operator of a property available for rent as a short-term or vacation rental property shall register with the Town by submitting to the Building Department a completed application in a form promulgated by the Town, together with the payment of registration and inspection fees in amounts established by the Town, which amounts may be amended from time to time at the Town's discretion.

Permit application. A complete permit application form shall include the following:

- a. Property card printout from the Martin County property appraiser database;
- b. Current transient public lodging establishment license issued by the Florida Department of Business and Professional Regulation;
- c. Current certificate of registration with the Florida Department of Revenue for remittance of applicable state taxes or proof that payment is arranged through a third party such as an on-line platform;
- d. Current Martin County Business Tax Receipt;

- e. Evidence of the rental's current and active account with the Martin County Tax Collector for the purpose of collecting and remitting tourist development taxes and any other taxes required by law to be remitted to the Tax Collector;
 - f. The total number of individuals that can stay overnight at any one time is two per sleeping room, not to exceed 12;
 - g. The maximum number of individuals that may gather at or occupy the property at any one time is 12;
 - h. Floorplan of the structures on the property to be rented which include stairways, hallways, bedroom exits and which identifies all fire extinguisher locations;
 - i. Site survey which includes all residential units, any swimming pools, hot tubs, spas and fencing;
 - j. A copy of the lease agreement used;
 - k. A completed responsible party designation, in the format prescribed by the Town;
 - l. Proof that the vacation rental has satisfied the inspection requirements contained in this Code; and
 - m. A commercial Certificate of Insurance evidencing coverage to cover bodily injury and property damage liability for injury or harm to occupants and other invitees. With respect to the use of the property as a short-term or vacation rental with minimum limits of liability as follows:
 - i) Each Occurrence: \$1,000,000.00; and
 - ii) Policy Aggregate: \$2,000,000.00.
1. Modification of permit. An application for modification of a permit shall be required in the event that any of the following changes to the residential structures being rented are proposed:
 - a. An increase in gross square footage;
 - b. An increase in the number of bedrooms;
 - c. An increase in the maximum occupancy;
 - d. An increase in the number of parking spaces or a change in the location of parking spaces;
 - e. An increase in the number of bathrooms;
 - f. Any other material modifications that would increase the intensity of use on the rental property; or
 - g. A change in the designation of the responsible party.
 2. Duration of permit. A permit issued under this Article shall expire each September 30 and may be annually renewed thereafter provided the property is in compliance with this Article.
 3. Renewal of permit. The renewal of a permit shall be completed by September 30 of each year, through the execution of a renewal affidavit, in the format prescribed by the Town, and the payment of the renewal fee as established by the Town. A

property owner may apply for renewal of a permit after July 1 prior to the expiration of the annual license.

4. *Incomplete permit application/renewal.* If the permit application or renewal form submitted pursuant to this Article is incomplete the applicant shall be informed of such deficiency and shall have 10 calendar days to correct the deficiency. If any deficiency is not corrected, the permit application shall be deemed withdrawn.
5. *Outstanding code violations.* The Town shall not process any vacation rental registration or renewal if the property has any current code violations.
6. *Non-transferability and non-assignability of permit.* Permits issued under this Article are non-transferable and non-assignable. If the ownership of any property is sold or otherwise transferred, the new owner must obtain a new permit.
7. *Permit application or renewal fees.* The Town charges reasonable administrative fees to process a permit application or renewal. Fees are non-refundable.
8. *False or misleading information.* It shall be unlawful for any person to give false or misleading information in connection with any application for modification, or renewal of a permit as required by this article. Permit applications shall be notarized. Any false statements made in an application shall be a basis for the revocation of the permit issued pursuant to such application.

Sec. 6.74. Responsible party.

Any rental property permitted under this Article must designate a responsible party to respond to routine inspections as well as non-routine complaints and any other problems related to the rental operation. The property owner may serve in this capacity or shall otherwise designate another person 18 years or older to perform the following duties:

1. Be available by telephone at the listed phone number 24 hours per day, seven days per week and be capable of handling any issues relating to the operation of the rental;
2. If required, be able to return to the vacation rental within 60 minutes following notification from occupant of the rental property, law enforcement officer emergency personnel. or the Town to address any issues relating to the operation of the property;
3. Maintain for three years a record of all lease/rental agreements for the short-term or vacation rental property, and a record of all guests of the rental property. Both of these records shall be available for inspection upon request;
4. Receive service of any legal notice on behalf of the rental owners or operators for violation of the requirements set forth in this article; and
5. Conduct an on-site inspection of the rental property at the end of each rental period to ensure continued compliance with the requirements of this Article.

Sec. 6.75. Vacation rental standards.

No person or entity shall own or operate a vacation rental within the Town unless such vacation rental complies with the following standards:

1. Minimum life/safety requirements.

a. Swimming pool, spa and hot tub safety. A swimming pool, spa or hot tub shall with the current standards of the Residential Swimming Pool Safety Act as set forth in F.S. ch. 515.

b. Smoke and carbon monoxide (CO) detection and notification systems. Each rental property must be outfitted with an operational smoke and carbon monoxide (CO) detection notification system. Every smoke and carbon monoxide (CO) detection notification system must be hard-wired or have a sealed ten-year battery. A smoke alarm shall be installed in each sleeping room. A carbon monoxide alarm shall be installed outside each sleeping room and adjacent to the garage door. All smoke and carbon monoxide alarms shall be interconnected.

c. Fire extinguisher. A portable, multi-purpose dry chemical 2A: 108:C fire extinguisher shall be installed inspected and maintained in accordance with NEPA 1 on each floor/level of the residential unit and/or any accessory residential unit. The fire extinguishers shall be installed on the wall in an open common area or in an enclosed space with appropriate markings visibly showing the location.

d. Local telephone service. At least one land line telephone with the ability to call 911 shall be available in the main level common area of the property.

e. Secondary means of escape. Every sleeping room and living area shall have a secondary means of escape. It shall be a minimum of one (1) doorway or one window directly to the exterior. The window shall have a clear opening compliance with the following:

1. Clear width shall be no less than 20 inches;
2. Clear height shall be no less than 24 inches;
3. Opening shall be no less than 5.7 square feet; and
4. Opening shall be no more than 44 inches above the floor.

2. Solid waste handling and containment. Solid waste and recycling collection services shall be provided. For purposes of this section a solid waste or recycling container shall not be placed at curbside before the day prior to solid waste pickup and each solid waste or recycling container shall be removed from curbside before midnight of the day of pickup.

3. Short-Term or Vacation Rental lease agreement requirements.

- a. There shall be a written or online lease, or other recorded written agreement memorializing each rental tenancy between the owner/operator or its responsible party and the tenants. The agreement shall, at a minimum, contain the following information:
 1. The maximum number of occupants for the unit;
 2. The number of parking spaces associated with the property, and a sketch or photograph showing the location of each parking space;
 3. The names and ages of all tenants who will be occupying the property;
 4. The dates of such occupancy; and
 5. A statement that all tenants must evacuate from the property following any evacuation order issued by local, state, or federal authorities.
 - b. Submit a copy of any short-term or vacation rental lease or agreement from the owner/operator or responsible party at any time.
4. Posting requirements.
- a. The property which is the subject of a short term or vacation rental shall be posted with the following information next to the main entrance door:
 1. The name, address and telephone number of the responsible party;
 2. The maximum occupancy permitted;
 3. The days and times of solid waste and recycling pick up and a notification that all garbage or trash must be placed in a garbage or trash can or other approved solid waste receptacle and that all recyclables must be placed in approved recyclable containers;
 4. The location of the nearest hospital; and
 5. The location of all designated parking spaces/areas.
 - b. There shall also be posted next to the interior door of each bedroom. a building evacuation map (at least 8 ½ inches by 11 inches)

Sec. 6.76. Initial and subsequent compliance inspections of vacation rentals.

(a) Initial inspection. An initial inspection of the short-term or vacation rental by the Town public safety and/or Building Department personnel for compliance with this Article is required prior to the issuance of a permit. If a violation is determined to exist on the property, all violations must be corrected within the time specified by the Town, and the property or dwelling unit must be re-inspected prior to issuance of the vacation rental permit as provided herein.

(b) Subsequent inspections. Once a permit is issued the property shall be maintained in accordance with the standards herein and reinspected thereafter annually. For an inspection, all violations must be corrected and re-inspected within 30 calendar days. Failure to correct such inspection deficiencies in the timeframes provided shall result in the suspension of the permit until such time as the violations are corrected and re-inspected.

(c) *Inspection appointments.* The responsible party shall schedule all inspections with the Town's inspector. If the Town inspector has made an appointment with the responsible party to complete an inspection, and the responsible party fails to admit the Town's inspector at the scheduled time, the owner shall be charged a "no show" fee in an amount established by the Town to cover the Town's inspection expense.

(d). *Notice of failure of inspections.* If the Town's inspector is denied admittance by the responsible party or if the inspector fails in at least three attempts to complete an initial or subsequent inspection to the property, the inspector shall provide notice of failure of inspection to the owner to the address shown on the issued permit.

(1). For an initial inspection the notice of failure of inspection results in the permit not being issued, the property shall not be operated as a short-term or vacation rental property until a valid permit has been obtained from the Town.

(2). For a subsequent inspection, the notice of failure of inspection is considered a violation and is subject to enforcement remedies as provided herein.

Sec. 6.77. Prohibitions; evidence of unlawful vacation rental operation.

a. It shall be unlawful for any person or entity to rent, lease, advertise or hold out for rent any property for short-term or vacation rental use without a permit.

b. Prima facie evidence of the operation of a short-term or vacation rental use of a property shall include but are not limited to:

1. Registration or licensing for short-term rental or vacation rental use by the state under F.S. chapters 212 (Florida Tax and Revenue Act) and 509 (Public Lodging and Food Service Establishments);

2. Advertising, listing, posting, or otherwise holding out any structures on a property for short term or vacation rental use on internet platforms, print, or any other mass communication medium;

3. Reservations, booking arrangements or more than one signed lease, sublease, assignment or any other agreement for compensation or other legal consideration addressing or overlapping any period of 30 days or less; or

4. The use of a real estate agent or other third person or agent to make reservations or booking arrangements.

c. Nothing set forth herein precludes the Town from presenting other forms of evidence of unlawful vacation rental use or operation.

Sec. 6.78. Administration of Short-Term or Vacation Rental Permits; criteria for denial, suspension, cancellation, or revocation of permits: appeals: enforcement.

a. *Issuance or denial by the Town upon application.* The Town may approve or deny a permit application/renewal in conjunction with the issuance of a notice of denial upon finding that one or more of the criteria at subsections b (1)-(5) of this section are not

met. In addition, the Town may impose reasonable conditions on the operation of the property as a short-term or vacation rental property as it deems necessary to protect the public health, safety and welfare.

b. *Specific criteria which may result in the denial, suspension, or revocation of a permit by the Town or Special Magistrate.* A permit may be denied, suspended, or revoked by the Town, or suspended or revoked by the Special Magistrate as further provided herein, when it is determined that:

1. A property owner through its application has misrepresented or failed to disclose material facts or information which is required to be included in the permit;
2. The same or substantially similar activities on the property during a 12-month period has been conducted in such a manner as to have violated any Town Code provisions or the provisions of this Article and/or any of the following determinations have been made by the Town:
 - a. The activity has become a public nuisance by code;
 - b. The activity constitutes a public nuisance at common law;
 - c. The activity violates the Town's regulations as set forth in Chapter 6 alcoholic beverages;
 - d. The activity is injurious to the public morals, safety, or general welfare or;
 - e. The property has been operated in such a manner as to injure the health, safety, or general welfare so as to disturb the quiet enjoyment of neighboring residents or the residents of the Town.
3. The issuance or renewal of the permit was contingent upon the owner's/applicant's compliance with specific conditions;
4. An owner has violated any provision of this Article and has failed or refused to cease or correct the violation after having been notified to do so by the Town or by an order of the Special Magistrate; or

c. *Enforcement procedures.*

1. *First-time violations.* Upon determination by the Town that a property is being operated in a manner not consistent with the requirements of this Article, the Town shall notify the property owner of the of a violation and schedule a hearing before the Special Magistrate. The Special Magistrate's findings and order shall constitute the final administrative action of the Town for purposes of judicial review under state law.
2. *Subsequent violations, suspension.* Upon determination by the Special Magistrate that a property owner has committed a repeat violation of the provisions of this Article, then addition to any applicable fines, the Town may immediately suspend or revoke the permit that was issued.
4. *Fees.* No permit fees shall be refunded if a permit has been suspended, revoked or cancelled.

5. Additional remedies. Nothing contained herein shall prevent the Town from seeking all other available remedies which may include but not be limited to injunctive relief, the foreclosure of liens, and /or any other civil or criminal penalties as provided by law.

Section 2. Repeal of Ordinances in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability. If any court of competent jurisdiction holds any word, part, section, paragraph or provision hereof to be unlawful or unconstitutional, such ruling or finding shall not affect the remaining portions of this ordinance, which shall remain in full force and effect.

Section 4. Codification. This ordinance may be codified and made a part of the official Code of Ordinances of the Town of Jupiter Island.

Section 5. Effective Date. This ordinance shall become effective immediately upon execution.

(Continued on next page)

ORDINANCE NO. 402 PASSED UPON FIRST READING THE 6th DAY OF NOVEMBER, 2024.

PASSED AND ADOPTED UPON THE SECOND READING FOLLOWING PUBLIC HEARING THE 6th DAY OF DECEMBER, 2024.

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA

Mayor

Vice Mayor

Commissioner

Commissioner

ATTEST:

TOWN CLERK

#5840110 v4 18270-00002



MEMORANDUM

TO: Mayor and Town Commission

FROM: Stuart Trent, PE, Director of Public Services

THROUGH: Robert Garlo, Jupiter Island Town Manager

DATE: November 21, 2024

SUBJECT: Lethal Yellowing Contract Renewals

Presently the Town of Jupiter Island treats all palm trees susceptible to Phytoplasma Diseases that cause Lethal Yellowing & Lethal Bronzing (Texas Phoenix Palm Decline), with numbers now approximating 12,000 trees. This is in accordance with Jupiter Island Code Sec. 16-53 Inoculation Required: schedule and Sec. 16-55 Inoculation of trees – authorized.

The Town issued two contract awards on October 15, 2020, for Phytoplasma Disease Control (Lethal Yellowing) which has proven historically effective in controlling cost through an economy of scale. The first agreement is with the company Tree Saver which supplies the “Tree Saver Injection Formula – Oxytetracycline hydrochloride (OTC) 39% active ingredient” that is used to control the effects of Phytoplasma disease. The Town purchases this product at wholesale without tax. The second agreement is with King Tree Service (KTS) who injects the trees with OTC.

Pricing remains unchanged and is based upon the number of trees treated. The quantity of trees treated changes from year to year as trees are added or removed from landscaping. Staff anticipates \$115,000 of labor (via KTS) and up to \$50,000 of materials (via Tree Saver) will be expended annually. The approved budget of \$165,000 for program administration was passed in September 2024.

King Tree Service and Tree Saver have provided a letter stating that they wish to renew contracts for their final renewal period in accordance with the original contract terms and pricing through the end of FY 2024-25.

Recommendation:

Staff recommends exercising the option to exercise the final one-year renewal option for extension for both King Tree Service and Tree Saver through the end of the current fiscal year.

New contracts will be bid and drafted for commission approval in September 2025.

KING TREE SERVICE

OF SOUTH FLORIDA

P.O. Box 210847
Royal Palm Beach, FL 33421-0847

November 15, 2024

Town of Jupiter Island
Stuart Trent
2 Bridge Road
Hobe Sound, FL 33455
RE: Contract Renewal 2024-2025

Dear Mr. Trent,

King Tree Service wishes to extend its contract for 2024-2025.

Sincerely,



Brian Fischer
Vice President
ISA Certified Arborist FL-5287A

Palm Beach (561) 798-3977

Martin (772) 283-5009

info@kingtreeservice.com





www.palmtreesaver.com

P.O. Box 210847 Royal Palm Beach, Florida 33421-0847 561-798-3977 Fax 561-798-0445

November 15, 2024

Town of Jupiter Island
Stuart Trent
2 Bridge Road
Hobe Sound, FL 33455
RE: Contract Renewal 2024-2025

Dear Mr. Trent,

Tree Saver wishes to extend its contract for 2024-2025.

Sincerely,

Brian Fischer
Vice President
ISA Certified Arborist FL-5287A





MEMORANDUM

TO: Mayor and Town Commission

FROM: Stuart Trent, PE, Director of Public Services

THROUGH: Robert Garlo, Jupiter Island Town Manager

DATE: 11/13/2024

SUBJECT: Yard Waste Disposal

Background

The Town provides yard waste and debris recycling services to Town residents in the form of curbside brush pickup at a fee of \$250/load. Disposal of yard waste is through a licensed recycling facility and the waste is subsequently used for mulch and soil amendments.

Coastal Waste, Inc. has been providing yard waste disposal service to the Town for several years and is the only licensed facility in Hobe Sound of its kind. Staff has considered alternative options for disposal at other permitted service providers as follows.

Analysis

Three permitted providers operate within reasonable proximity to the Town, Coastal Waste, Inc. (CWI), Martin County Solid Waste (MCSW), and the Palm Beach County Solid Waste Authority (SWA).

Coastal Waste, Inc. is less than 5 miles from Town limits. The Palm Beach County Solid Waste Authority and Martin County Solid Waste provide service to this area and are both a 45-mile round trip per visit. The table below demonstrates the total cost for a 20 cubic yard truck, which is equivalent to a single brush service call, the estimated weight per cubic yards is 270 lbs.

Yard Waste Disposal Alternatives – four-ton Cost Analysis (Equal to One Brush Call)

	Coastal Waste	MCSW	SWA
\$/four ton load	\$200	\$130	\$150
Additional Staff Time \$/load	N/A	\$66	\$66
Additional Vehicle travel \$/load	N/A	\$50	\$50
Total	\$200	\$246	\$266

MCSW and SWA are one and one-half additional hours of travel time over Coastal Waste. While operating two trucks to transport debris, one truck is traveling while the other is being loaded, and the loader operator is idle when both trucks are on the road. The estimated tractor operator will be sitting idle for over 30 minutes between loads. The total additional man-hours needed to provide disposal at MCSW and SWA would include both the drive time and the idle time of the loader operator. The total would be an additional 1.5 man-hours per load at an average cost to the Town of an additional \$66.00 per load. Both SWA and MCSW options would also reduce the number of loads that could be serviced in a day, in turn reducing the revenue provided by this service and the present level of service to the town due to lost time in transit. Additionally, the 45-mile additional distance per round trip would add an average \$42.5 of wear and tear, fuel, and lifecycle costs at today's rates.

The present yard waste collection fee considers the average cost of a service call and includes the tipping fee, equipment operation and maintenance costs, staff time to collect the load, and for billing/administration, totaling \$250/load.

Recommendation

Based on this analysis, staff has determined that disposal at Coastal Waste, Inc. remains the most cost-effective option for the Town and allows the staff to retain the expected level of service.

Staff requests purchase approval in the amount of \$65,000.00.



P.O. BOX 632201
CINCINNATI, OH 45263
PHONE: (954) 947-4000

INVOICE
CUSTOMER NO. CW0000431999
DATE 10/06/2024

BILL TO:

TOWN OF JUPITER ISLAND
2 BRIDGE ROAD
HOBE SOUND, FL 33455

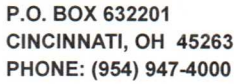


THIS OR YOUR NEXT INVOICE MAY REFLECT A RATE INCREASE.
YOUR INVOICE REFLECTS THE 11.99% RECOVERY FEE.

AMOUNT: _____ CHECK #: _____
APPLY THIS PAYMENT TO:
[] INVOICE NUMBER: _____
[] OLDEST OPEN INVOICES _____
IF A POSTING OPTION IS NOT SELECTED OR BACKUP IS NOT PROVIDED,
PAYMENT WILL BE POSTED TO THE OLDEST OPEN INVOICES.
DISCOVER MASTERCARD VISA AMEX [] ONE TIME [] RECURRING
CHARGE CREDIT NAME: _____
CARD SIGNATURE: _____
CARD #: _____ EXP: _____ CVC: _____

INVOICE NO. CW0000431999 CUSTOMER NO. INVOICE DATE 10/06/2024 Page 1 of 2

DATE	MATERIAL	FACILITY-TICKET	RATE	QTY.	AMOUNT
10/03/2024	YARDWASTE (VEG) Vehicle: JI32	C1-133610	\$50.00	3.28TN	\$164.00
10/03/2024	RECOVERY FEE	SC429497			\$19.66
10/03/2024	YARDWASTE (VEG) Vehicle: JI32	C1-133628	\$50.00	4.69TN	\$234.50
10/03/2024	RECOVERY FEE	SC429552			\$28.12
10/03/2024	YARDWASTE (VEG) Vehicle: JI32	C1-133643	\$50.00	2.42TN	\$121.00
10/03/2024	RECOVERY FEE	SC429619			\$14.51
10/03/2024	YARDWASTE (VEG) Vehicle: JI32	C1-133672	\$50.00	2.86TN	\$143.00
10/03/2024	RECOVERY FEE	SC429696			\$17.15
10/03/2024	YARDWASTE (VEG) Vehicle: JI32	C1-133687	\$50.00	1.72TN	\$86.00
10/03/2024	RECOVERY FEE	SC429732			\$10.31
10/04/2024	YARDWASTE (VEG) Vehicle: JI32	C1-133709	\$50.00	1.98TN	\$99.00
10/04/2024	RECOVERY FEE	SC429842			\$11.87
10/04/2024	YARDWASTE (VEG) Vehicle: JI38	C1-133790	\$50.00	2.23TN	\$111.50
10/04/2024	RECOVERY FEE	SC430135			\$13.37
10/04/2024	YARDWASTE (VEG) Vehicle: JI32	C1-133803	\$50.00	2.23TN	\$111.50
10/04/2024	RECOVERY FEE	SC430168			\$13.37
TOWN OF JUPITER ISLAND AMOUNT: \$1,198.86 A/C #: 001.142.543-105 PO#: _____ APPROVED: DATE: 10/14/2024					
CURRENT			31 - 60 DAYS	61 - 90 DAYS	OVER 90 DAYS
ACCOUNT TOTAL					
Sub Total					
Fee Total					
INVOICE TOTAL					



INVOICE	CW0000431999
CUSTOMER NO.	2170
DATE	10/06/2024

BILL TO:

TOWN OF JUPITER ISLAND
2 BRIDGE ROAD
HOBE SOUND, FL 33455

THIS OR YOUR NEXT INVOICE MAY REFLECT A RATE INCREASE.
YOUR INVOICE REFLECTS THE 11.99% RECOVERY FEE.

AMOUNT: _____ CHECK #: _____

APPLY THIS PAYMENT TO:

☐ INVOICE NUMBER: _____

☐ OLDEST OPEN INVOICES _____

IF A POSTING OPTION IS NOT SELECTED OR BACKUP IS NOT PROVIDED,
PAYMENT WILL BE POSTED TO THE OLDEST OPEN INVOICES.





☐ ONE TIME ☐ RECURRING

CHARGE CREDIT CARD NAME: _____

SIGNATURE: _____

CARD #: _____ EXP: _____ CVC: _____

INVOICE NO. CW0000431999

CUSTOMER NO.

INVOICE DATE 10/06/2024

Page 2 of 2

[illegible]



**SOLID WASTE AUTHORITY OF PALM BEACH COUNTY
TIPPING FEE RATE SCHEDULE
EFFECTIVE DATE: 10/1/2024**

RATES APPLY TO ALL SOLID WASTE AUTHORITY FACILITIES

Waste Categories (Refer to Notes on Reverse Side)	Per Ton	Per Cubic Yard⁽¹⁾	Other
Garbage	\$42.00	\$15.23	
Trash ⁽²⁾	42.00	6.30	
Construction/Land Clearing ⁽³⁾	80.00	28.00	
Vegetation ⁽⁴⁾	35.00	5.25	
C/D Recycling Residue ⁽⁵⁾	25.00	3.75	
Restricted Use Fill ⁽⁶⁾	4.00	5.00	
Tires: Whole (without rims) ^(7a)	100.00	10.00	
Whole Truck/Oversized	190.00	21.38	
Shredded/Segmented (8 or more pieces) ^(7b)	10.00	2.65	
Livestock Waste ⁽⁸⁾	25.00	7.50	
Special Waste – Class A ⁽⁹⁾	65.00	17.23	
Special Waste – Class B ⁽¹⁰⁾	150.00	22.50	
Whole Animals ⁽¹¹⁾	30.00	7.95	
White Goods (Appliances)	10.00	1.50	
Trailers (Mobile Homes & RVs) ⁽¹²⁾	90.00	10.35	\$11.00 per ft
Minimum Charge			\$10.00
Unsecured Load Surcharge ⁽¹³⁾			\$10.00 each
Out of County (for Garbage, C/D & Trash) ⁽¹⁴⁾	148.00	53.67	

Disposal Locations	Hours	Days
Renewable Energy Facilities #1/ #2 (REF#1/#2) 6895 N. Jog Road, West Palm Beach	7:00 A.M. to 5:00 P.M.	Monday - Saturday
North County Landfill Complex 6330 N. Jog Road, West Palm Beach	7:00 A.M. to 5:00 P.M.	Monday - Saturday
Jupiter Transfer Station 14185 N. Military, Jupiter		
Royal Palm Beach Transfer Station 9743 Weisman Way, Royal Palm Beach	7:00 A.M. to 5:00 P.M.	Monday - Friday
West Delray Transfer Station 13400 S. State Rd. 7, Delray Beach	7:00 A.M. to 3:00 P.M.	Saturday
Delray Transfer Station 1901 SW 4 th Avenue, Delray Beach		
Lantana Transfer Station 1810 Lantana Road, Lantana	7:00 A.M. to 5:00 P.M. 7:00 A.M. to Noon	Monday – Friday Saturday
Belle Glade Transfer Station 1701 State Road 15, Belle Glade	7:30 A.M. to 4:00 P.M.	Monday - Friday

- All disposal locations will be closed on: Thanksgiving and Christmas. **Authority facilities are not open on Sundays.**
- All customers are required to weigh out unless they have a tare weight on file. If you leave without weighing out, your fee will be based on the full weight of the load as well as the vehicle.
- Transfer stations and REF#1/#2 **cannot** accept the following **materials**: concrete, chain link fencing, farm plastic, block, brick, tile, steel, rebar, roofing material, construction lumber, trusses, pallets, trailers, dirt, fill, sod, stumps and tree remains greater than 50 pounds or 6 feet in length, and other similar materials which may damage the facility or equipment. Loads containing more than a small quantity of these materials will be rejected. Additionally, loads of tires, animals, animal waste, sludge, loads delivered in a tractor trailer and other items that require special handling are never accepted at transfer stations. The Landfill will accept these items. Acceptance or rejection of loads at a Transfer Station or at the Renewable Energy Facilities is at the Authority's discretion.
- The SWA accepts cash or business checks at the Weigh Stations. Payment by check requires prior approval and completion of a Check Cashing Application. Credit Cards are also accepted (VISA, Mastercard and Discover).
- Mixed loads will be charged at the higher waste category rate.

Rev: 6

NOTES:

1. Yardage rates **ONLY APPLY** if the scales are inoperative and are based on the full volume of the vehicle.
2. **TRASH** – Household and commercial waste free of garbage and consisting of furniture, appliances, textiles, plastics, some wood, cardboard, paper, glass, street sweepings, 4 or less passenger tires and other similar materials that would typically be found in a household garage. May include small amounts of construction and demolition debris with the exception of concrete, metal weighing more than 50 pounds or more than six feet in length, roofing material, ceramic tile, rock, soil, and stumps or tree trunks weighing more than 50 pounds or more than 6 feet in length. *Also, boats and watercraft are usually charged at this rate but must first be inspected by Hazardous Waste staff at 6161 N Jog Rd, Monday – Friday 7:00a.m. – 5:00p.m., prior to disposal at the North County Landfill.*
3. **CONSTRUCTION AND DEMOLITION DEBRIS (CD)** - Materials including but not limited to steel, glass, brick, block, concrete, asphalt roofing material, pipe, gypsum wallboard, lumber, plywood, cabinetry, pallets, fencing, stumps and any other material from a construction or demolition project or from the renovation of a structure. The term also includes rocks, soils, sod, tree remains, trees and other vegetative matter that normally results from land clearing or land development operations exceeding the vegetation limits shall be classified as CD. Generally, dump trucks and open top roll-off containers will be charged at this rate. **Please also refer to the note on the front regarding Prohibited Materials Delivered to Transfer Stations and REF#1/#2.**
4. **VEGETATION** - Vegetative matter resulting from yard and landscaping maintenance including materials such as tree and shrub materials, grass clippings, palm fronds, tree branches and similar other matter usually produced as refuse in the care of lawns, landscaping and yards. The vegetation cannot be mixed with garbage, trash, sand, or other types of contamination. Vegetative Waste must be no more than 6 feet in length and no single item shall weigh more than 50 pounds. Mulch will also be charged at the vegetation rate.
5. **C/D RECYCLING RESIDUE** - Unrecoverable combustible waste delivered by SWA permitted recyclers after all recyclable material has been recovered from construction debris. This waste is primarily trash like in appearance and does not contain any substantial quantities of readily recoverable components. Loads with more than de minimis amounts of recoverable components will be charged the CD rate. Authority employees will verify this waste type at the time of delivery. Not accepted at our transfer stations.
6. **RESTRICTED USE FILL** – Soil like material with limited use applications as determined by the Authority based on appearance, structural characteristics and/or physical contents. Receipt of this material is subject to the needs of the Authority at the Landfill only. Prior arrangement is required. Non-conforming material may be charged the full tipping fee or may be rejected.
- 7a. **TIRES** – Whole passenger tires or whole truck tires without rims will be charged the “Tire” rate. Tires with rims, large tires and all others will be charged the higher rate (\$190/ton). Mixed loads will be charged the higher rate.
- 7b. **SHREDDED /SEGMENTED TIRES** - Passenger tires, including tractor trailer tires, cut into at least eight (8) substantially equal pieces or oversized/off-road tires shredded to less than 4” x 4” x 2” pieces.
8. **LIVESTOCK WASTE** – Waste composed of excrement from animals with residual materials that have been used for bedding, sanitary, or feeding purposes for such animals and must be accepted at the REF#2 to receive this rate.
9. **SPECIAL WASTE-A** - Waste that **cannot** be processed through transfer stations or the REF #1/#2 including incinerator ash, animal processing residues, treated biohazardous waste, waste water residue, sewage residues, lime sludge and animal excrement. Does not include dewatered sludge or material accepted under a separate contract. Also, includes debris that requires special handling such as liquor/beer/saleable goods. Must be delivered to the Landfill.
10. **SPECIAL WASTE-B** - Material requiring disposal on a special manifest, such as asbestos or fuel contaminated soils.
* Cubic yard rates for Special Waste - Class B vary depending on the debris. For specific rates contact the Solid Waste Authority Administration Office.
11. **WHOLE ANIMALS** - Whole deceased animal carcasses.
** If scales are inoperative the unit cost of \$3.00 each for small (cats/dogs) and \$15.00 each for large will apply.
12. **TRAILERS** - Charged by weight when possible. Empty trailers that are unable to fit on the scales will be charged by the linear foot.
13. **UNSECURED LOADS** – An unsecured load fee will be charged for any load that is not secured with a rope, tarp or object that prevents **any** debris from falling out of the vehicle. Loads must remain secured until reaching the tipping floor.
14. **OUT OF COUNTY** – This rate only applies to garbage, trash, and C/D from other counties (not delivered under contract).
- Notice to Late Arriving Customers – Cash customers arriving 60 minutes prior to closing of a facility will be required to provide a larger deposit and to mail or present the scale ticket with vehicle weight noted to Accounts Receivable within a week of the transaction to obtain a refund. We also reserve the right to not accept cash within 60 minutes of closing if payment by credit card is available:

Solid Waste Authority, Attn: Accounts Receivable, 7501 N. Jog Road, West Palm Beach, FL 33412

For more information, please visit our website www.swa.org or call (561) 640-4000

Rev: 6

Exhibit A
Rates and Regulations
Solid Waste Facility

1. The rate for all Solid Waste Facility users shall be in accordance with the following schedule effective October 1, 2024.

A. Rates and Fees:	<u>Rates</u>	<u>*Alternative Rates</u>
1. Class I (Garbage)	\$72.70/Ton	\$20.20/Cubic Yard
2. Class III (Bulky Waste & C&D)	\$51.50/Ton	\$13.20/Cubic Yard
3. Special Wastes as Follows:		
a. Clean Cardboard	\$0.00/Ton	\$0.00/Ton
b. Tires (Small Tires)	\$145.50/Ton	\$6.50 Each
c. Loaders & Truck Tires	\$335.80/Ton	\$59.30 Each
d. Yard Waste (Vegetation)	\$32.50/Ton	\$4.20/Cubic Yard
e. Clean Debris (Source Separated Concrete, Wood, and metal for recycling)	\$25.80/Ton	\$11.20/Cubic Yard
4. Other Services/Charges:		
a. Minimum Charge	\$6.00/Vehicle	\$6.00 Each
b. Certified Tare/Gross Weight on Vehicles	\$5.00/Vehicle	\$5.00 Each
c. Uncovered loads or loads received or completing transactions outside normal operational hours shall be at two (2) times the standard rate.		
d. Surcharge for bulky waste or construction and demolition debris in roll-off containers shall be equal to five percent (5%) of the County's rate for the disposal of such materials.		
B. Rates for FY26 shall be increased up to 4%. Rates for FY27 shall be increased up to 4%.		
C. Solid Waste Facility hours of operation: Monday thru Friday 8:00 a.m. to 5:00 p.m. All vehicles must be weighed in before 4:45 p.m. The transfer station gates are closed at 5:00 p.m. All transactions must be completed, and vehicles must be out of the site by this time or subject to the rate stated in A.4.c.		
D. Saturday 8:00 a.m. to 12:00 p.m. All vehicles must be weighed in by 11:45 a.m. The transfer station gates are closed at 12:00 p.m. All transactions must be completed, and vehicles must be out of the site by this time or subject to the rate stated in A.4.c.		
E. The landfill is closed on the following holidays: Memorial Day, Labor Day, 4 th of July, Thanksgiving Day and Christmas Day and New Year's Day.		

*Alternative rates shall be used only when scales are down, and accurate weights are not available.

ANN WILLIAMS JACKSON

Professional History

ANN JACKSON has been an operating executive in both large public companies and private equity portfolio companies for more than 30 years.

Ms. Jackson began her career at Time Inc., a division of Time Warner. After graduating from Columbia Business School in 1980 she joined Time Inc. as a financial analyst. Over the next 23 years she held positions as a Business Manager at Money Magazine and Sports Illustrated, Direct Mail Manager for Time Life Books based in London, General Manager of People Magazine and then launched the first two successful magazines in 20 years – InStyle and Real Simple. During her last three years at the Firm Ms. Jackson was responsible for The Women’s Magazine Group, and all print and online development as well as acquisitions in this market.

In 2004 Ms. Jackson joined Ripplewood Holdings LLC in New York where her role was Chief Executive Officer of WRC Media, a Ripplewood Portfolio Company. WRC was an online and print educational publisher with divisions across the country. Ms. Jackson developed a strategy for the company, recruited key team members including a new CFO, General Counsel, and COO. This team re-organized the company, closing unprofitable divisions and building high growth businesses. WRC was successfully sold at EV 15X and EBITDA11x in 2007.

From 2007 to 2008 Ms. Jackson was EVP Global Business Development at Sotheby’s based in New York with offices in London and Hong Kong. At Sotheby’s Ms. Jackson built a global marketing and business development team around a shared strategic plan.

Another private equity firm, Catterton Partners, recruited Ms. Jackson in 2009 as a turnaround agent for their portfolio company, Healthy Advice Networks, based in Cincinnati, Ohio. Ms. Jackson acted as advisor to the senior management team of this healthcare education company. Their businesses included consumer facing television programming in doctors offices, professional education for medical professionals directly fed to back offices, and an online site serving both the consumer and the medical community. Ms. Jackson helped the CEO and his team build the brand and develop new sources of revenue, significantly increasing profitability.

Ms. Jackson has served on non profit boards throughout her career, including God’s Love We Deliver, Cosmetic Executive Women, Cancer Research Institute (dedicated to funding research in the area of cancer immunology), the Board of Trustees of Middlebury College in Middlebury, Vermont, Destination College and The International Biomedical Research Alliance, a collaboration of the NIH, Oxford and Cambridge Universities. Ms. Jackson served on the Cancer Research Board for 10 years and acted as Chairman for 5. Her current board responsibilities are The International Biomedical Research Alliance and Destination College (not for profit).

Ms. Jackson graduated from Middlebury College in 1974 with a degree in English Literature, Phi Beta Kappa, Magna Cum Laude. She earned her MBA at Columbia University with a concentration in Finance in 1980. She has three children who live and work in New York City.



November 2024 General Fund Financial Report

**Town Commission Meeting
December 6, 2024**

Topics To Be Covered

General Fund

- 2024-2025 Revenues
- 2024-2025 Expenses
- Balance Sheet

**Town of Jupiter Island
FY 2024/2025 Budget**

Account Description	Adopted Budget 2024-2025	11/30/2024	Target 16%
Total General Fund Revenues	\$12,530,781	\$2,972,235	24%
Transfers from Reserves	\$510,000	\$0	0%
Total Revenues	\$13,040,781	\$2,972,235	23%
Total Administration	\$3,480,425	\$346,887	10%
Total Public Safety	\$6,055,175	\$602,631	10%
Total Building Department	\$1,352,285	\$132,302	10%
Total Public Works	\$2,152,896	\$216,406	10%
Total General Fund Expenditures	\$13,040,781	\$1,298,226	10%
Year to Date Net Income		\$1,674,009	

2024-2025 Revenue

Town of Jupiter Island

Account Description	Adopted Budget 2024-2025	PYTD Actual 11/30/2023 2023-2024	YTD Actual 11/30/2024 2024-2025	Actual % of Budget (Target 16%) 2024-2025
Ad Valorem	\$9,927,402	\$3,224,438	\$2,661,760	27%
Total Other Taxes and Fees	\$333,000	\$26,851	\$43,360	13%
Total Licenses and Permits	\$850,500	\$38,819	\$114,294	13%
Total Intergovernmental Revenue	\$325,100	\$2,321	\$19,219	6%
Total Charges for Services	\$131,000	\$23,970	\$10,500	8%
Total Fines and Forfeits	\$2,000	\$231	\$589	29%
Total Miscellaneous Revenues	\$257,700	\$110,656	\$6,733	3%
Transfers from Interfunds	\$704,079	\$113,586	\$115,780	16%
Subtotal Revenues	\$12,530,781	\$3,540,872	\$2,972,235	24%
Transfer from Reserves	\$510,000	\$0	\$0	
Total General Fund Revenues	\$13,040,781	\$3,540,872	\$2,972,235	23%

2024-2025 Expenses by Department

Account Description	Adopted Budget 2024-2025	PYTD Actual 11/30/2023	YTD Actual 11/30/2024	Actual % of Budget (Target 16%)
Total Administration - Payroll	\$1,395,679	\$183,982	\$173,391	12%
Total Administration - Benefits	\$892,571	\$43,883	\$46,807	5%
Total Administration - Operating	\$1,160,175	\$263,271	\$126,689	11%
Subtotal	\$3,448,425	\$491,135	\$346,887	10%
Total Administration - Capital	\$32,000	\$0	\$0	0%
Total Administration	\$3,480,425	\$491,135	\$346,887	10%
Total Public Safety - Payroll	\$3,033,324	\$426,481	\$369,488	12%
Total Public Safety - Benefits	\$1,031,813	\$128,363	\$143,257	14%
Total Public Safety - Operating	\$1,433,908	\$89,744	\$43,509	3%
Subtotal	\$5,499,045	\$644,587	\$556,253	10%
Total Public Safety - Capital	\$556,130	\$30,433	\$46,378	8%
Total Public Safety	\$6,055,175	\$675,020	\$602,631	10%
Total Building - Payroll	\$524,794	\$49,653	\$61,906	12%
Total Building - Benefits	\$171,337	\$22,378	\$27,585	16%
Total Building - Operating	\$646,154	\$40,338	\$42,812	7%
Subtotal	\$1,342,285	\$112,369	\$132,302	10%
Total Building - Capital	\$10,000	\$0	\$0	0%
Total Building Department	\$1,352,285	\$112,369	\$132,302	10%
Total Public Works - Payroll	\$729,866	\$93,849	\$77,722	11%
Total Public Works-Benefits	\$457,028	\$63,078	\$65,742	14%
Total Public Works - Operating	\$780,002	\$52,323	\$62,578	8%
Subtotal	\$1,966,896	\$209,251	\$206,043	10%
Total Public Works - Capital	\$186,000	\$0	\$10,363	6%
Total Public Works	\$2,152,896	\$209,251	\$216,406	10%
Total General Fund Expenditures	\$13,040,781	\$1,487,775	\$1,298,226	10%

Balance Sheet as of 11/30/2024

Assets

CASH GENERAL ACCOUNT - SEACOAST	\$	2,474,387
MONEY MARKET-SEACOAST	\$	224,208
CASH PAYROLL - SEACOAST	\$	50,000
CASH FLEX SPENDING - SEACOAST	\$	67,438
INVESTMENT POOL	\$	6,815,394
INVESTMENT - SBA	\$	3,478,868
PETTY CASH	\$	550
ACCOUNTS RECEIVABLE	\$	12,000
ACCOUNTS REC. - RETIREE BENEFITS	\$	3,532
DUE FROM BEACH PROTECTION	\$	85,026
DUE FROM CONSERVATION FUND	\$	23,228
DUE FROM UTILITIES	\$	1,022,255
PREPAID ITEMS	\$	46,867
Total Assets	\$	14,303,753

Liabilities

ACCOUNTS PAYABLE	\$	49
DUE TO BEACH PROTECTION	\$	70,213
DUE TO SPECIAL LAW ENFORCEMENT	\$	34
DUE TO O&M	\$	227
DUE TO OTHER GOV. UNITS	\$	952
ACCRUED PAYROLL LIABILITIES	\$	8,946
OVERPAYMENTS	\$	1,237
DONATIONS	\$	62
Total Liabilities	\$	81,721

Reserves/Fund Balances

NONSPENDABLE PREPAID	\$	127,833
RESTRICT- ENFORCE FL BLDG CODE	\$	3,865,046
ASSIGNED FOR EMERGENCIES	\$	1,000,000
ASSIGNED FOR COMPENSATED AB	\$	115,000
ASSIGNED FOR UNINSURED LOSS	\$	80,000
FUND BALANCE	\$	7,490,515
CHANGE IN FUND BALANCE - Current	\$	1,674,009
CHANGE IN FUND BALANCE - PY	\$	(130,371)
Total Reserves/Fund Balances	\$	14,222,032

Total Liabilities and Fund Balance

\$ 14,303,753

General Fund Reserves

Account Description	Audited YE 2022	Audited YE 2023	Adopted Budget FY 2024*	Adopted Budget FY 2025*
Beginning Fund Balance (Reserves)	9,033,098	6,237,564	9,298,494	9,298,494
Transfer from / to General Fund Reserves	2,247,916	3,060,930	-	-
Amount Budgeted From Reserves	(793,404)		(335,000)	(510,000)
Amount Budgeted From Reserves - UnSpent			335,000	
Budget Amendment From Reserves	(385,000)			
Total Available Fund Balance	10,102,610	9,298,494	9,298,494	8,788,494
Assigned to Uninsured Losses	80,000	80,000	80,000	80,000
Assigned to Compensated Absences	115,000	115,000	115,000	115,000
Assigned to Beautification, Scholarship, Public Safety		176,170	176,170	176,170
Assigned to Conservation Projects		431,989	415,992	415,992
Assigned to Emergencies	1,000,000	1,000,000	1,000,000	1,000,000
Assigned to ARPA	312,393			
Restricted-Enforcement of FL Building Code		3,865,046	3,865,046	3,865,046
Unassigned Fund Balance (Reserves)	8,595,217	7,495,335	7,511,333	7,001,332
Total Fund Balance (Reserves)	10,102,610	13,163,540	13,163,540	12,653,540

*Estimated/Unaudited at time of this Report

Memorandum



To: Mayor and Town Commission

From: Catherine Harding, Building, Planning and Zoning Director

Date: November 25, 2024

Re: Building Department Report for November 2024

This report covers the period from October 28th to November 21st, 2024. There were 16 Building Permits issued totaling a value of \$256,878. with \$32,110. in permit fees collected. Our inspectors made 164 inspections, of that 43 were issued a C.O. and we closed out 20 old permits.

Year to date there were 180 permits issued with a total value of \$72,652,756.

Code Compliance responded to 7 construction site maintenance and 7 landscape maintenance issues; 4 noise complaints; 3 property maintenance issues; 11 vehicles in the right-of-way and 2 violations of the Land Development Regulations, for a total of 34 responses.

We introduced two new ordinances for first reading. One, Ordinance No. 401, Merging the Alternate Development Standards with the Land Development Regulations, consolidates building standards to make the LDR's more user friendly. The second, Ordinance No. 402, provides for the regulation of short-term or vacation rentals. This Ordinance requires registration with the Town and stipulates how many occupants may stay at any one time. It further guarantees proper safety for the occupant and provides assurance to the neighboring properties that the zoning regulations will be respected.

On another subject, we are in the process of revising our Comprehensive Plan with Kimley Horn. Their consulting firm is evaluating our Land Development Regulations to update and unify them. They are still in the information gathering stages.

There was 1 Impact Review Committee Meeting and no Board of Adjustment Meetings. We had no applications for either Board.

Winter Season has begun, and a letter was sent to all contractors, asking them to respect our work regulations and preserve the peace and quiet we long for.

Cah/11-25-24

Building Department Activity Report
2024



Monthly Report

Month		Calendar Year Totals	July		August		September		October		November		Year to Date	
Category	Item	Jan 2023- Dec 2023	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount
Year	Previous / Current		2023	2024	2023	2024	2023	2024	2023	2024	2023	2024	2023	2024
						8/1 - 8/26		8/27 -9 /24		9/25 - 10/28		10/28 - 11/21		
Permits & Fees	Building Permits Issued	238	24	20	27	25	21	20	21	23	11	16	177	180
	Value of Construction	\$83,737,334.31	\$5,038,631.28	\$4,229,910.95	\$2,683,187.42	\$2,469,438.14	\$3,591,688.20	\$4,153,065.00	\$1,047,646.00	\$695,596.87	\$106,534.00	\$256,878.00	\$76,686,157.90	\$72,652,756.20
	Cost Certification Fees	\$324,306.91	\$7,420.00	\$0.00	\$0.00	\$0.00	\$110,966.17	\$0.00	\$12,350.04	\$213.80	\$722.50	\$14,102.53	\$273,886.63	\$21,310.50
	Permit Extension Fee (1%)	\$10,742.74	\$0.00	\$0.00	\$0.00	\$3,000.00	\$0.00	\$80.00	\$0.00	\$70,657.50	\$0.00	\$4,859.75	\$10,742.74	\$143,795.53
	Permit Expansion Fees	\$22,407.42	\$95.00	\$0.00	\$150.00	\$0.00	\$570.00	\$0.00	\$2,050.92	\$0.00	\$0.00	\$700.00	\$22,407.42	\$0.00
	Work Without a Permit Fee	\$1,430.76	\$1,367.76	\$1,008.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00	\$0.00	\$1,405.76	\$1,008.00
	Permit Fees (2%)	\$1,678,378.73	\$100,472.63	\$88,603.89	\$55,853.08	\$50,628.76	\$71,518.77	\$84,621.30	\$20,952.92	\$14,534.56	\$2,145.68	\$12,447.95	\$1,609,174.01	\$1,524,344.34
	Total Permit Fees	\$2,037,266.56	\$109,355.39	\$89,611.89	\$56,003.08	\$53,628.76	\$183,054.94	\$84,701.30	\$35,353.88	\$85,405.86	\$2,893.18	\$32,110.23	\$1,917,616.56	\$1,690,458.37
Applications Received														
	DRC	14		4		0		1		1		0	14	11
	IRC	20		1		1		0		0		0	20	19
	BOA	7		0		0		0		0		0	7	8
Inspections														
	Inspections	1100	137	230	137	118	118	157	192	258	50	121	877	1154
	Final Inspections	321	32	15	32	15	47	22	62	24	34	43	233	177
	Certificate of Occupancy	4	0	0	0	0	0	0	1	0	2	0	1	7
	Permits Finaled/Closed	196	29	21	29	14	15	11	32	14	23	20	171	135
Other														
	Demolition Permits	8	3	2	3	1	0	0	2	0	0	0	10	1
	Locate Tickets	963	91	66	91	66	69	78	94	78	54	60	697	708

Enforcement Totals By Category

11/25/24

Agenda Item 12b

CONSTRUCTION SITE MAINTENANCE	Total Entries:	7
LANDSCAPE MAINTENANCE	Total Entries:	7
NOISE COMPLAINT	Total Entries:	4
PROPERTY MAINTENANCE	Total Entries:	3
VEHICLE IN RIGHT OF WAY	Total Entries:	11
VIOLATION OF LDR'S	Total Entries:	2

Total Records: 34

Population: All Records

Enforcement.DateFiled Between 10/28/2024 12:00:00 AM AND 11/25/2024 1

Enforcement List - Inspection Summary

11/25/24

Enforcement Number	Address	Filed	Status	Closed
E2024-0220	15 N BEACH RD	10/30/24	CLOSED - COMPLIED	
TRACTOR TRAILERIN RIGHT OF WAY WITH NO FLAGMEN				
I DIRECTED TRAFFIC FOR ABOUT 15 MIN WHEN HE UNLOADED DELIVERY				
Inspection Type	Status	Result	Scheduled	Completed Inspector
Enforcement Number	Address	Filed	Status	Closed
E2024-0221	55 S BEACH RD	10/29/24	CLOSED - VERBAL WARNING ISS	10/29/24
XFINITY PARKED ON RIGHT OF WAY				
Inspection Type	Status	Result	Scheduled	Completed Inspector
Initial	Complete	02	10/31/24	10/30/24 FRANK LOGALBO
Enforcement Number	Address	Filed	Status	Closed
E2024-0222	202 S BEACH RD	11/04/24	CLOSED - COMPLIED	11/05/24
DUM,PSTER IS OUTSIDE THE GATE IN PLAIN VIEW				
11/5/24THE DUMPSTER IS HIDDEN				
Inspection Type	Status	Result	Scheduled	Completed Inspector
Follow-Up	Scheduled	00	11/05/24	FRANK LOGALBO
Enforcement Number	Address	Filed	Status	Closed
E2024-0223	169 S BEACH RD	11/04/24	CLOSED - VERBAL WARNING ISS	
GETTING SOD DELIVREY USING A LARGE FORKLIFT TO UNLOAD THE SOD FROM THE				
TRACTOR TRAILER LANDSCAPERS (JENKINS)				
Inspection Type	Status	Result	Scheduled	Completed Inspector

Enforcement Number	Address	Filed	Status	Closed
E2024-0224	133 N BEACH RD	11/01/24	CLOSED - VERBAL WARNING ISS	11/01/24

Enforcement List - Inspection Summary

11/25/24

WORKING WITH A TILE SAW OUTSIDE AFTER NOV 1
THEY WERE TOLD TO MOVE OR HIDE THE PORTA POTI

Inspection Type	Status	Result	Scheduled	Completed	Inspector
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Enforcement Number	Address	Filed	Status	Closed
E2024-0225	2 CLEARVIEW AVE	11/01/24	CLOSED - VERBAL WARNING ISS	11/01/24

OUTSIDE LIGHTS TO BRIGHT. PROPERTY MANAGER WAS CALLED AND EMAILED

Inspection Type	Status	Result	Scheduled	Completed	Inspector
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Enforcement Number	Address	Filed	Status	Closed
E2024-0226	16 N BEACH RD	11/01/24	CLOSED - VERBAL WARNING ISS	11/01/24

SOD DELIVRY FORKLIFT NO FLAGMEN , I DIRECTED TRAFFIC

Inspection Type	Status	Result	Scheduled	Completed	Inspector
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Enforcement Number	Address	Filed	Status	Closed
E2024-0227	103 N BEACH RD	11/01/24		

DEAD PALM LIMS IN TREES

Inspection Type	Status	Result	Scheduled	Completed	Inspector
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Follow-Up	Scheduled	00	11/28/24		FRANK LOGALBO
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Enforcement Number	Address	Filed	Status	Closed
E2024-0228	75 N BEACH RD	11/01/24	CLOSED - COMPLIED	11/01/24

WORKING ON NOV 1 FORK LIFFT UNLOADING SOD

Inspection Type	Status	Result	Scheduled	Completed	Inspector
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Enforcement Number	Address	Filed	Status	Closed
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Enforcement List - Inspection Summary

11/25/24

E2024-02293 HARBOR WAY11/01/24CLOSED - COMPLIED11/01/24

MAAYOR CALLED A BLUEWATER LANDSCAPING TRUCK ON THE SIDE OF THE ROAD NO ONE AROUND. I CALLED BLUEWATER AND THEY SAID THE TRUCK BROKEDOWN THEY GOT IT MOVED

Inspection Type	Status	Result	Scheduled	Completed	Inspector
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Enforcement Number	Address	Filed	Status	Closed	
E2024-0230	185 GOMEZ RD	11/05/24	CLOSED - COMPLIED	11/07/24	
DUMPSTER IN PLAIN VIEW					

INSPECTION 11/6/24 MOVED TO BEHIND A FENCE

TRENT STEELE CALLED THEN EMAILED THE BUILDING DEPT

Inspection Type	Status	Result	Scheduled	Completed	Inspector
Follow-Up	Scheduled	00	11/15/24		FRANK LOGALBO

Enforcement Number	Address	Filed	Status	Closed	
E2024-0231	488 S BEACH RD	11/04/24	CLOSED - VERBAL WARNING ISS	11/04/24	
SAND BLASTING DRIVEWAY AFTER NOV 1 (TO MUCH NOISE) THEY WERE SHUT DOWN					

Inspection Type	Status	Result	Scheduled	Completed	Inspector
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Enforcement Number	Address	Filed	Status	Closed	
E2024-0232	486 S BEACH RD	11/05/24	CLOSED - VERBAL WARNING ISS	11/04/24	
DDI MARINE CONTRACTORS VAN IN RIGHT OF WAY WARNED AND THEY MOVED THIER VAN					

Inspection Type	Status	Result	Scheduled	Completed	Inspector
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Enforcement Number	Address	Filed	Status	Closed	
E2024-0233	75 S BEACH RD	11/05/24			

Enforcement List - Inspection Summary

11/25/24

GARBAGE MEN CAN NOT OPEN BRUSH BIN DOORS DUE TO BUSHES BLOCKING THE DOORS

Inspection Type	Status	Result	Scheduled	Completed	Inspector
Enforcement Number	Address	Filed	Status	Closed	
E2024-0234	15 N BEACH RD	11/05/24	CLOSED - VERBAL WARNING ISS		
AFTER NOV 1ST NOTICED A CEMENT MIXER VERY LOUD					
Inspection Type	Status	Result	Scheduled	Completed	Inspector

Enforcement Number	Address	Filed	Status	Closed	
E2024-0235	222 S BEACH RD	11/06/24	CLOSED - VERBAL WARNING ISS		
BLOWING GRASS ONTO THE ROAD I GAVE THEM A CARD EXPLAINING THE CODE					
Inspection Type	Status	Result	Scheduled	Completed	Inspector

Enforcement Number	Address	Filed	Status	Closed	
E2024-0236	87 LINKS RD	11/07/24	CLOSED - VERBAL WARNING ISS		
USING A NAIL HAMMER ON THE ROOF AND A SAW AFTER NOV 1ST					
Inspection Type	Status	Result	Scheduled	Completed	Inspector

Enforcement Number	Address	Filed	Status	Closed	
E2024-0237	310 S BEACH RD	11/08/24	CLOSED - COMPLIED	11/08/24	
LANDSCAPE TRUCK IN FRONT 310 ON SOUTH BEACH					

I ASKED THEM TO MOVE THEIR TRUCK

Inspection Type	Status	Result	Scheduled	Completed	Inspector
Initial	Complete	02	11/11/24	11/08/24	FRANK LOGALBO

Enforcement List - Inspection Summary

11/25/24

Enforcement Number	Address	Filed	Status	Closed
E2024-0238	150 S BEACH RD	11/08/24	CLOSED - VERBAL WARNING ISS	11/08/24
GREAT WHITE PRESSURE CLEANING PARKED ON RIGHT OF WAY				
Inspection Type	Status	Result	Scheduled	Completed Inspector
Initial	Complete	02	11/13/24	11/12/24 FRANK LOGALBO

Enforcement Number	Address	Filed	Status	Closed
E2024-0239	402 S BEACH RD	11/13/24	CLOSED - COMPLIED	11/13/24
USEING A CRANE AFTER NOV 1ST				
THEY STOPPED AND REMOVED THE CRANE				
Inspection Type	Status	Result	Scheduled	Completed Inspector
Follow-Up	Complete	02	11/14/24	11/13/24 FRANK LOGALBO

Enforcement Number	Address	Filed	Status	Closed
E2024-0240	15 N BEACH RD	11/13/24	CLOSED - VERBAL WARNING ISS	11/12/24
CEMENT TUCK MAKING A DELIVERY AFTER NOV 1 ST				
Inspection Type	Status	Result	Scheduled	Completed Inspector

Enforcement Number	Address	Filed	Status	Closed
E2024-0241	15 N BEACH RD	11/13/24	CLOSED - COMPLIED	11/13/24
TRUCK AND TRAILER PARKED IN THE ROAD				
Inspection Type	Status	Result	Scheduled	Completed Inspector

Enforcement Number	Address	Filed	Status	Closed
E2024-0242	111 N BEACH RD	11/13/24	CLOSED - COMPLIED	11/13/24
TRUCK AND TRAILER PARKED IN ROADWAY				
GETTING THE HOUSE AND DRIVEWAY GETTING PRESSURE WASHING (TO LOUD) AFTER NOV 1ST				

Enforcement List - Inspection Summary

11/25/24

Inspection Type	Status	Result	Scheduled	Completed	Inspector
Enforcement Number	Address	Filed	Status	Closed	
E2024-0243	402 S BEACH RD	11/13/24	CLOSED - COMPLIED	11/13/24	
THAT SHE COULD SEE CONSTRUCTION WOOD FOR THE BEACH WALK WAY FROM THE ROADWAY					
Inspection Type	Status	Result	Scheduled	Completed	Inspector
Enforcement Number	Address	Filed	Status	Closed	
E2024-0244	162 N BEACH RD	11/18/24		11/19/24	
REALTOR SIGN COLORS					
Inspection Type	Status	Result	Scheduled	Completed	Inspector
Follow-Up	Scheduled	00	11/20/24		FRANK LOGALBO
Enforcement Number	Address	Filed	Status	Closed	
E2024-0245	486 S BEACH RD	11/19/24	CLOSED - COMPLIED		
LANDSCAPER TRUCK WAS ON THE SIDE OF THE ROAD					
Inspection Type	Status	Result	Scheduled	Completed	Inspector
Enforcement Number	Address	Filed	Status	Closed	
E2024-0246	12 N BEACH RD	11/19/24	CLOSED - COMPLIED		
PLANT DELIVERY TRUCK BLOCKING THE ROAD WITH A FORKLIFT NO FLAGMEN					
Inspection Type	Status	Result	Scheduled	Completed	Inspector

Enforcement Number	Address	Filed	Status	Closed
E2024-0247	36 N BEACH RD	11/19/24		

Enforcement List - Inspection Summary

11/25/24

VEHICLE PARK ON THE ROADWAY AND ANOTHER PARK ON A VACANT LOT

Inspection Type	Status	Result	Scheduled	Completed	Inspector
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Enforcement Number	Address	Filed	Status	Closed	
E2024-0248	275 S BEACH RD	11/20/24	OPEN - VERBAL WARNING ISSUE		
RECIEVED A COMPLAINT ABOUT INOP VEHICLES AND TRASH ON THE PROPERTY					
Inspection Type	Status	Result	Scheduled	Completed	Inspector
Follow-Up	Scheduled	00	12/02/24		FRANK LOGALBO

Enforcement Number	Address	Filed	Status	Closed	
E2024-0249	472 S Beach RD	11/20/24	CLOSED - VERBAL WARNING ISS		
BLOWING GRASS CLIPPINGS INTO THE ROAD					
Inspection Type	Status	Result	Scheduled	Completed	Inspector

Enforcement Number	Address	Filed	Status	Closed	
E2024-0250	150 N BEACH RD	11/20/24	OPEN - VERBAL WARNING ISSUE		
REALTORS SIGN NOT TO CODE WRONG COLORS AND SIZE					
Inspection Type	Status	Result	Scheduled	Completed	Inspector
Follow-Up	Scheduled	00	11/22/24		FRANK LOGALBO

Enforcement Number	Address	Filed	Status	Closed	
E2024-0251	7 SOUTH BEACH RD	11/21/24	CLOSED - COMPLIED	11/22/24	
CALLED ABOUT SEEING THE PORTA POTTI FROM HER DRIVEWAY					
Inspection Type	Status	Result	Scheduled	Completed	Inspector
Follow-Up	Complete	02	11/22/24	11/22/24	FRANK LOGALBO

Closed

Status

Filed

Address

Enforcement Number

Enforcement List - Inspection Summary

11/25/24

E2024-0252	101 SOUTH TRL	11/22/24	OPEN - VERBAL WARNING ISSUE	11/22/24		
CONSTRUCTION SITE NOISE USING A NAIL GUN ON THE ROOF (TO LOUD) AFTER NOV 1ST						
Inspection Type	Status	Result	Scheduled	Completed	Inspector	
Follow-Up	Scheduled	00	11/25/24		FRANK LOGALBO	
Enforcement Number	Address		Filed	Status		
E2024-0253	186 GOMEZ RD		11/21/24	CLOSED - NO VIOLATION		11/21/24
MR. JOHNSON CALLED AND AND WANTED HIS PROPANE TANK FOR HIS FIRE PIT TO BE DICONNECTED						
Inspection Type	Status	Result	Scheduled	Completed	Inspector	

Population: All Records
Enforcement Date Filed Between 10/28/2024 12:00:00 AM AND 11/25/2024 11:59:59 PM



Jupiter Island Public Safety Department
November 2024
Activity Report



Monthly Activity

	November 2023	November 2024	YTD - 2023	YTD - 2024
<i>Calls for Service</i>	155	131	1,964	1,526
<i>Arrests</i>	0	2	7	18

Traffic & Marine Activity

	November 2023	November 2024	YTD - 2023	YTD - 2024
<i>Traffic Stops</i>	57	105	642	745
<i>Vehicle Citations</i>	5	17	99	122
<i>Parking Citations</i>	0	1	68	68
<i>Vehicle Crashes</i>	1	0	11	16
<i>Marine Unit Activity</i>	-	40	-	418

Major Crimes

<i>Crime Type</i>	November 2023	November 2024	YTD - 2023	YTD - 2024
<i>Robbery</i>	0	0	0	1
<i>Burglary</i>	0	0	1	1
<i>Theft</i>	0	0	2	4
<i>Auto Theft</i>	0	0	2	0
<i>Assault</i>	0	0	0	0
Total	0	0	5	6

Other Crimes

<i>Type</i>	November 2023	November 2024	YTD - 2023	YTD - 2024
<i>Fraud</i>	0	0	1	1
<i>Drug Violations</i>	0	0	0	1
<i>Trespassing</i>	0	1	1	1
<i>Vandalism</i>	0	0	0	1
<i>Disorderly Conduct</i>	0	0	0	1
<i>Lewd & Lascivious</i>	0	0	1	0
Total	0	1	3	5



Jupiter Island Public Safety Department
November 2024
Activity Report



Code Compliance

<i>Violation Type</i>	November 2023	November 2024	YTD - 2023	YTD - 2024
<i>Parking in Right of Way</i>	-	2	-	126
<i>No Flag Persons Present</i>	-	8	-	44
<i>Working Outside Hours</i>	-	1	-	7
<i>Work with No Permit</i>	-	0	-	0
<i>All Other Violations</i>	-	1	-	28
<i>Total Violations</i>	-	12	-	205

ALS Fire Rescue Responses

<i>Medical calls this month</i>	8	<i>Avg. response time</i>	1.7 minutes
<i>Fire calls this month</i>	4	<i>Avg. response time</i>	1.8 minutes

Criminal Activity

Trespassing/ November 3, 2024; while working the Chapel detail, Officers were contacted by the chapel representative and asked to issue a trespass warning to a subject, John Marino. Mr. Marino had been warned against trespassing at Harbor Island and remained a subject of concern. After being warned, Mr. Marino continued to harass members of the Chapel staff and from Nov. 19 through Nov. 22, he continued to harass staff through phone calls, text messages, and cyberstalking. On November 22, 2024, a warrant was issued for Mr. Marino for Harassment and Cyberstalking. Mr. Marino was arrested on November 23 for the warrant and transported to the Martin County jail with a \$25, 000 bond.

Suspicious Package/Found Property; November 3, 2024, Public Safety received a report of several suspicious packages on the beach in the area of the 200 block of South Beach Rd. Upon arrival, officers discovered a total of 18, one kilo packages of suspected cocaine. The packages had washed ashore during the night and were collected by Public Safety and turned over to Customs and Border Patrol (CPB) for destruction. Extra patrols were conducted of the beach for several days which resulted in no other packages being located.



Jupiter Island Public Safety Department November 2024 Activity Report



Marine Arrest/BUI; November 9, 2024, during a lawful marine vessel stop for a Wake Zone violation, the operator of the personal watercraft was found to be impaired. Officers conducted a localized field sobriety test on the operator and he was placed under arrest for operating a vessel while impaired and transported to the M.C. Jail.

Hobe Sound Beach Statistics

<i>Calls for Service- Day</i>	4
<i>Calls for Service- Night</i>	3
<i>Patrols</i>	91
<i>Traffic Stops</i>	6

Hobe Sound Beach Activity

Medical Calls

November 1 Year to Date 12

DAYTIME 7am-7pm

Sick, Injured / November 3, 2024, 1:30 pm, Subject arrived at the Public Safety office in reference to a possible needle stick at the public Beach. The patient was checked by Medic 34 and released.

Police Service Call/ November 5, 2024, 5:28 pm, Public Safety responded to a flag down from a visitor at the public beach inquiring about overnight parking. The subject was advised it was not permitted.



***Jupiter Island Public Safety Department
November 2024
Activity Report***



Police Service Call/ November 10, 2024, 9:06 am, Public Safety received a report of a suspicious vehicle parked at the public beach. No occupants were discovered in the vehicle.

Found Property/ November 15, 2024, 12:30 pm, Public Safety was contacted by a subject that left his shirt at the public beach on a bench. The shirt was located and returned to the owner.

NIGHTTIME 7pm-7am

Suspicious Vehicle/ November 2, 2024, 6:20 am, Public Safety Officers observed a vehicle in the parking lot of the public beach that had been there all night. The vehicle was later removed, and no contact was made with the owner.

Police Service Call/ November 8, 2024, 7:26 pm, Officers were flagged down in the parking lot of the public beach from an elderly subject confused and looking for directions.

Police Service Call/ November 8, 2024, 10:21 pm, Officers responded to the public beach in reference to a group of young adults in the parking lot. The subjects were parking and preparing to go on the Florida Walking Trail down the island.

Upcoming Town Meetings and Events 2024

Date	Day	Time	Event/Meeting	Location
December 12	Thursday	12 noon	Town/Board Holiday Luncheon	Jl Club
December 25-26	Wednesday- Thursday	All Day	Christmas Holiday - Town Hall Closed	
January 1	Wednesday	All Day	New Year Holiday - Town Hall Closed	
January 2	Thursday	9am	Impact Review Committee	Island Room (If Required)
January 8	Wednesday	9am	Town Coffee with Commissioner Scott	Island Room
January 8	Wednesday	10am	SMRU Board / Beach Protection Meeting	Island Room
January 9	Thursday	9am	Town Commission Meeting	Island Room
January 20	Monday	All Day	MLK Day Holiday - Town Hall Closed	
January 30	Thursday	9am	Board of Adjustment Meeting	Island Room (If Required)
February 5	Thursday	9am	Impact Review Committee	Island Room (If Required)
February 17	Monday	All Day	President's Day - Town Hall Closed	
February 18	Tuesday	9am	Town Coffee w/ Commissioner Taddeo	Conference Room
February 18	Tuesday	10am	SMRU Board and Beach District Meetings	Island Room
February 19	Wednesday	9am	Town Commission Meeting	Island Room
February 27	Thursday	9am	Board of Adjustment Meeting	Island Room (If Required)
March 6	Thursday	9am	Impact Review Committee	Island Room (If Required)
March 18	Tuesday	7am - 7pm	Municipal Election	Island Room
March 20	Thursday	9am	Town Coffee with Commissioner Scott	Conference Room
March 20	Thursday	10am	SMRU Board and Beach Protection Meetings	Island Room
March 21	Friday	9am	Town Commission Meeting and Swearing in of Newly Elected Officials	Island Room
March 27	Thursday	9am	Board of Adjustment Meeting	Island Room (If Required)

December 1, 2024

Key
Changes from Previous Schedule
Board of Adjustment
Impact Review Committee
Town Hall Closed
Election Day

Agendas posted on Town Website: www.townofjupiterisland.com prior to the meeting