



Inst. # 3148290
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Carolyn Trimmann
Clerk of the Circuit Court & Comptroller
Martin County, FL
Rec Fees: \$35.50

ORDINANCE NO. 409

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, SECTION 3.03 REGARDING THE AUTHORITY OF THE TOWN COMMISSION; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; 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, the Town Commission has reviewed the revisions to the Town's LDR as set forth herein and finds that their adoption will further the public health, safety and general welfare.

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, Section 3.03, is hereby amended to read as follows:

Sec. 3.03. Town commission.

The Town Commission's powers and duties under these land development regulations shall be as follows:

A. *Authority.* The Town Commission has the authority to:

1. Review and decide:
 - a. Applications for subdivision approval;
 - b. Applications for district boundary changes;
 - c. Applications for certificates of appropriateness for alterations to historic buildings and landmarks;
 - d. Applications for text amendments to these land development regulations; and
 - e. Applications for comprehensive plan amendments
 - f. Development Orders approved by the Development Review Board in accordance with the procedure established in 9., below.
2. Hear appeals from decisions of the Development Review Board ~~board of adjustment, impact review committee, and administrative official.~~
3. Amend the comprehensive plan.
4. Amend or repeal any or all of these land development regulations, including the official zoning map.
5. Determine whether a proposed use is of the same general character as a permitted use.
6. Exercise all other powers and carry out all other duties provided by Florida Law and these land development regulations.
7. The mayor, or in his or her absence the vice mayor, may administer oaths and compel the attendance of witnesses.
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.

9. The Town Commission shall have the authority to review a development order of the Development Review Board upon a request made by a member of the Town Commission in accordance with the following:

(a) The member of the Town Commission requesting review must submit a written request to the Town Manager within 10 days of the date of the development order approved and rendered. Upon the Town Manager's receipt of the request, the time for the appeal of the development order rendered shall be tolled. The request shall be placed on the agenda of the next commission meeting.

(b) If three members of the Town Commission vote to consider the request, the Town Manger shall then schedule the request for consideration by the Town Commission at its next meeting. The hearing to review the request shall be conducted as a de novo, quasi-judicial public hearing of the Town Commission.

(c) Following the Town Commission's hearing, then by a vote of a supermajority of the Town Commission, the development order rendered by Development Review Board may be denied, or affirmed with amendments to the development order. If the development order rendered by the Development Review Board is denied, or affirmed with amendments, the Town Attorney shall prepare a final order reflecting the Town Commission's decision.

(d) The final order of the Town Commission may be appealed within 30 days of its rendition by a person or entity with standing to the Circuit Court in and for the 19th Judicial Circuit of Florida.

Section 3. 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 4. 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 5. Codification. This ordinance may be codified and made a part of the official Code of Ordinances of the Town of Jupiter Island.

Section 6. Effective Date. This ordinance shall become effective immediately upon execution.

ORDINANCE NO. ⁴⁰⁹~~408~~ PASSED UPON FIRST READING THE 22nd DAY OF JULY, 2025.

PASSED AND ADOPTED UPON THE SECOND READING FOLLOWING PUBLIC HEARING THE ^{16th}~~17th~~ DAY OF September 2025.

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA
Penelope D. Lawrence
Mayor
Ann M. Smith
Vice Mayor
Michael W. ...
Commissioner
... Taddeo
Commissioner
... Swanner
Commissioner

ATTEST:

Kimberly Kogus
TOWN CLERK



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