



ORDINANCE NO. 415

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 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 Florida Legislature has amended Section 177.071, Florida Statutes, to require that plats and replats be subject only to administrative review and approval by a designated local government official; and

WHEREAS, the recently adopted legislation provides that a plat shall be approved provided it complies with the statutory requirements for plats in the statute; and

WHEREAS, the amended statute requires that each local government designate, by ordinance or resolution, the administrative official responsible for the administrative approval of plats and replats; and

WHEREAS, the Town has complied with the amendments to Section 177.071, Florida Statutes and has designated the Town Manager as the administrative official responsible for the administrative approval of plats and replats; and

WHEREAS, in order to conform to the amendment of Section 177.071, Florida Statutes, the Town Commission finds it necessary to amend Article 1, Division 3, Section 3.03 of the Town's Code repealing the Town Commission's authority to approve applications for subdivisions. **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, Town Commission 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;
 - ~~a~~b. Applications for district boundary changes;
 - ~~b~~e. Applications for certificates of appropriateness for alterations to buildings and landmarks designated as historic by the Town;
 - ~~c~~d. Applications for text amendments to these land development regulations; ~~and~~
 - ~~d~~e. Applications for comprehensive plan amendments; and
 - ~~e~~f. Development orders approved by the Development Review Board in accordance with the procedure established in subsection 9., below.
 - 2. Hear appeals from decisions of the Development Review Board, and/or designated administrative official(s).
 - 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 his or her designee, 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 development orders of the Development Review Board upon a request made by a member of the Town Commission in accordance with the following procedures:

a. The member of the Town Commission requesting review must submit a written request to the Town Manager within ten (10) days of the date the development order was rendered. Upon the Town Manager's receipt of the request, the time for an appeal of the development order rendered shall be tolled as to appeals brought by third parties. The request shall be placed on the agenda of the next commission meeting that ensures compliance with state mandated notice requirements.

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 hearing.

c. Following the Town Commission's hearing, then by a super majority vote 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.

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 shall 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.

(Continued on next page)

ORDINANCE NO. 415 PASSED UPON FIRST READING THE 16th DAY OF January, 2026.

PASSED AND ADOPTED UPON THE SECOND READING FOLLOWING PUBLIC HEARING THE 25th DAY OF February, 2026.

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA

Penelope Townsend

Mayor

Anna [Signature]

Vice Mayor

[Signature]

Commissioner

[Signature]

Commissioner

[Signature]

Commissioner

ATTEST:

[Signature]
TOWN CLERK



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