

ORDINANCE NO. 368

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE TOWN OF JUPITER ISLAND, BY AMENDING ARTICLE IV, SUPPLEMENTAL REGULATIONS, DIVISION III, DEVELOPMENT STANDARDS, SECTION 3.17, EXTERIOR LIGHTING; AMENDING ARTICLE X, DEVELOPMENT REVIEW AND APPROVAL: STANDARDS AND UNIFORM PROCEDURES, DIVISION I, ADMINISTRATIVE REVIEW, SECTION 1.00, APPLICABILITY; AMENDING ARTICLE X, DEVELOPMENT REVIEW AND APPROVAL: STANDARDS AND UNIFORM PROCEDURES, DIVISION II, SECTION 2.02, STANDARDS FOR IMPACT REVIEW; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. The Land Development Regulations of the Town of Jupiter Island are hereby amended at Article IV, Supplemental Regulations, Division III, Development Standards, Section 3.17, Exterior Lighting, to read as follows:

Sec. 3.17 Exterior Lighting.

“These standards govern new and replacement exterior lighting on private residential properties. Existing exterior lighting plans, that were approved and permitted by the Town, are exempt from these regulations, until such time that a new lighting plan is submitted and approved. Exterior lighting shall include exterior security lighting and exterior landscape / aesthetic lighting, as defined below.

Exterior Security Lighting – exterior lighting that is used to provide a level of illumination to: illuminate areas of a property during security or emergency events, identify persons or objects (detection) or create a psychological deterrent to unwanted or criminal activity in the area being protected (deterrent). Exterior security lighting is stand-by lighting, such as motion-actuated lights or lighting operated by switch or alarm. Exterior security lighting shall be activated only by motion activation or during security or emergency events and will remain off during other times.

Exterior Landscape / Aesthetic / Utility Lighting – exterior lighting that is used to provide a level of illumination to safely ingress and egress buildings and structures on a property, to accent or highlight landscape and/or structures on a property, which includes up-lighting and down-lighting of trees and their canopies, pathlights, and building-mounted light fixtures.

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.

Lumens per Acre – the total number of lumens produced by all bulbs or fixtures utilized in exterior lighting on a property divided by the number of acres, or partial acre, on such property.

In all cases, the intent of exterior lighting within 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 exterior lighting projects, other than exterior 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. The point source of light or any reflective surface of the light fixture shall not be directly visible from outside the property line. This includes, without limitations, eave lights, tree-mounted lighting, exterior security lighting, and gate keypads.
- C. All up-lighting fixtures shall have a glare shield. Fixtures shall be hidden by vegetative landscape materials so that they are not visible from outside the property.
- D. Light trespass onto adjacent properties and public rights of way shall be limited to 0.2 footcandles measured at the property lines.
- E. Lighting fixtures, other than those used solely to illuminate property identification signs and those which have been approved by the Town Building and Public Safety Departments, shall not be installed in any public right-of-way.
- F. Direct illumination of or illumination directly on the elevation of any wall or residence (wall washes) is prohibited.
- G. Metal halide bulbs, high-intensity bulbs such as high pressure sodium, and mercury vapor bulbs are prohibited.
- H. Down lighting fixtures shall not be placed more than 15 feet above grade in palm trees and no more than 25 feet in canopy trees.
- I. All lighting sources shall have a temperature rating between 2700 – 3500 Kelvin with a minimum beam spread of 24 degrees. DEP-required amber turtle lights may be lower than 2700 Kelvin.
- J. Colored lights that are visible from the street are prohibited with the exception of temporary lighting intended for recognized holiday celebrations from Thanksgiving (the last Thursday in November) until January 8th.

K. All lighting projects shall conform to the Town of Jupiter Island Code, Chapter 3, Article II, for Sea Turtle lighting.

L. Maximum lumens per single fixture is 1,000. Swimming pool and spa (underwater) lights and flagpole lights are exempt from these standards, including Kelvin ratings and beam spread.

M. All second floor exterior lighting shall be shrouded on the sides so as to direct light down towards the ground.

N. Plans, specifications, records and reports of a "security system plan" are exempt under Florida Statute 119.07(1) and s. 24(a), Article I of the State Constitution.

O. The maximum lumens permitted on any lot shall not exceed the total lumens calculated in accordance with the following formulas:

- (i) Lots less than or equal to one-half (1/2) acre: The maximum lumens on any lot less than or equal to one-half (1/2) acre shall not exceed the product of 50,000 lumens per acre multiplied by the lot size in acres.

Example: A 0.3 acre property.

0.3 acres multiplied by 50,000 lumens per acre = 15,000 total lumens

- (ii) Lots greater than one-half (1/2) acre, but less than or equal to six and one-half (6.5) acres: The maximum lumens on any lot greater than one-half (1/2) acre, but less than or equal to six and one-half (6.5) acres shall not exceed the product of (i) (a) 52,000, minus (b) the product of 4,000 multiplied by the lot size in acres, multiplied by (ii) the lot size in acres.

Example: A 3.5 acre property.

1) $52,000 - (4,000 \times 3.5) = 38,000$

2) $3.5 \text{ acres} \times 38,000 \text{ lumens/acre} = 133,000 \text{ total lumens}$

- (iii) Lots greater than six and one-half (6.5) acres: The maximum lumens on any lot greater than six and one-half (6.5) acres shall not exceed the product of 25,300 lumens per acre multiplied by the lot size in acres.

Example: A 7.4 acre property.

7.4 acres multiplied by 25,300 lumens per acre = 187,220 total lumens

P. All lighting project applicants must submit the Town of Jupiter Island Exterior Lighting Self-Certification Form to the Building Department.

Section 2. The Land Development Regulations of the Town of Jupiter Island are hereby amended at Article X, Development Review and Approval: Standards and Uniform Procedures, Division I, Administrative Review, Section 1.00, Applicability, Subsection J, to read as follows:

Sec. 1.00 Applicability.

Approval may be granted administratively for all of the following:

- J. Exterior lighting that is landward of the coastal construction control line and is fully compliant with the Exterior Lighting regulations contained in Article IV, Section 3.17.

Section 3. The Land Development Regulations of the Town of Jupiter Island are hereby amended at Article X, Development Review and Approval: Standards and Uniform Procedures, Division II, Impact Review, Section 2.02, Standards for Impact Review, Subsection G, to read as follows:

Sec. 2.02 Standards for Impact Review.

The decision-maker shall approve an application for impact review....

- G. The location, design and character of ~~outdoor~~ lighting and sound will not adversely affect adjacent properties; and

Section 4. Repeal of Ordinances in Conflict.
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 6. Codification.
This ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Jupiter Island.

Section 7. Effective Date.
This Ordinance shall become effective immediately upon passage.

PASSED UPON FIRST READING THE 12th DAY OF June, 2018.

PASSED AND ADOPTED UPON SECOND READING THE FOLLOWING PUBLIC HEARING THE 17th DAY OF July, 2018.

(SEAL)



ATTEST:

Vanessa N.A.
Clerk

TOWN OF JUPITER ISLAND, FLORIDA

Whitby R.H.
Mayor

Maura M. Callen
Vice Mayor

Peter Lopez
Commissioner

Denise D. Townsend
Commissioner