

ORDINANCE NO. 01 - 2019

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA AMENDING CHAPTER 4 BUILDING AND BUILDING REGULATIONS, ARTICLE I. IN GENERAL, SECTION 4-8 LANDSCAPING OR REGRADING IN SWALE AREAS IN ORDER TO ALLOW CERTAIN LANDSCAPING AND OTHER MATERIALS TO BE PLACED IN THE TOWN RIGHT-OF-WAY UPON OBTAINING A PERMIT AUTHORIZING THE SAME; BY FURTHER AMENDING SECTION 4-8 TO REGULATE THE TOTAL WIDTH OF DRIVEWAYS AT RESIDENTIAL PROPERTIES; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

SECTION 1. Chapter 4 BUILDING AND BUILDING REGULATIONS, Article I. In General, Section 4-8 *Landscaping or regrading of swale areas* of the Code of Ordinances of the Town of Jupiter Inlet Colony, Florida is hereby amended to read as follows:

Sec. 4-8. *Landscaping or regrading in swale areas Town right-of-way.*

- (aA) The ~~town~~ requires recommends the installation of sod within the swale areas of the ~~town~~ right-of-way and accordingly no permit shall be required for the installation of sod within such areas. ~~No other vegetative or landscape material shall be planted or installed in such areas of town right-of-way.~~
- (bB) No person shall grade or regrade any lands within the ~~town~~ right-of-way without first obtaining a permit from the ~~town building official~~ Planning and Zoning Administrator upon consultation with the Building and Zoning Committee or Town engineer as appropriate.
- (cC) Landscaping in the swale areas of the Town right-of-way shall be installed only following issuance of a permit by the Planning and Zoning Administrator upon consultation with the Building and Zoning Committee or Town engineer as appropriate. Landscaping may include vegetative material, ground cover and non-floatable mulch only. Applicants for a permit shall submit a landscape plan depicting all vegetative and other materials proposed to be placed in the right-

of-way. In determining whether a permit should be issued, the Planning and Zoning Administrator shall consider whether the proposed installation:

- (1) Interferes with or impairs the Town storm-water drainage system;
- (2) Creates a safety hazard to vehicular or pedestrian traffic;
- (3) Otherwise impairs the health, safety or welfare of the citizens and visitors to the Town.

(eD) It shall be unlawful for any individual to place or have placed any pervious or impervious material, including, but not limited to, asphalt, concrete, crushed rock, landscape stone, bricks, pavers or other similar materials within the ~~€~~Town right-of-way that is not shown on an approved landscape plan. This subsection shall not preclude the installation of driveways extending from a public roadway to abutting privately-owned property; provided, the width of any one such entry driveway(s) shall not exceed thirty-two (32) feet in width, including flare areas, at the location of where the driveway abuts the public roadway. The total width of more than one (1) driveway for any lot or combination of lots improved with a two-story residential structure shall not exceed a total of thirty-two (32) feet in width, including flare areas, at the location where said driveways abut a public roadway. The total width of more than one (1) driveway for any lot or combination of lots improved with a one-story residential structure shall not exceed a total of forty (40) feet in width, including flare areas, at the location where said driveways abut a public road.

SECTION 2. Specific authority is hereby granted to codify and incorporate this ordinance into the existing Code of Ordinances of the Town of Jupiter Inlet Colony, Florida.

SECTION 3. That all ordinances or parts or ordinances, in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 4. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid

part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

SECTION 5. This Ordinance shall become effective upon its passage and adoption.

FIRST READING this 11th day of February, 2019.

SECOND READING and FINAL PASSAGE this 11th day of March, 2019.

TOWN OF JUPITER INLET COLONY, FLORIDA

MAYOR DANIEL J. COMERFORD, III

VICE-MAYOR MILTON J. BLOCK

COMMISSIONER JEROME A. LEGERTON

COMMISSIONER SAEED A. KHAN

ATTEST:

COMMISSIONER RICHARD D. BUSTO

TOWN CLERK JUDE M. GOUDREAU