



PLANNING & ZONING BOARD MEETING AGENDA

March 04, 2024 at 4:00 PM

Council Chambers – 340 Ocean Drive and YouTube

NOTICE: If any person decides to appeal any decision of the Planning & Zoning Board at this meeting, he or she will need a record of the proceedings and for that purpose, he or she may need to ensure that a verbatim record of the proceedings is made, such record includes the testimony and evidence upon which the appeal is to be based. The Town does not prepare or provide such record. ***Persons with disabilities requiring accommodations in order to participate in the meeting should contact Caitlin E. Copeland-Rodriguez, Town Clerk, at least 48 hours in advance to request such accommodations.***

The meeting will be broadcast live on The Town of Juno Beach YouTube page and can be viewed any time at: <https://www.youtube.com/@townofjuno-beach477/streams>

HOW CITIZENS MAY BE HEARD: Members of the public wishing to comment publicly on any matter, including items on the agenda may do so by: Submitting their comments through the Public Comments Webform at: https://www.juno-beach.fl.us/towncouncil/webform/public-comments#_blank (all comments must be submitted by Noon on day of Meeting). Please be advised that all email addresses and submitted comments are public record pursuant to Chapter 119, Florida Statutes (Florida Public Records Law). The Town Clerk or designee will read public comments into the record at the appropriate time for no more than three (3) minutes; or make their comment in-person; or participate from a remote location using Zoom – please contact the Town Clerk at ccopeland@juno-beach.fl.us by Noon on the day of the meeting to receive the Meeting ID and Access Code. (Please note that all members participating via Zoom must login at least 15 minutes prior to the meeting and will be muted upon entry until Public Comments is called).

****Please note that the Zoom meeting will lock for public comments at 4pm and no other entries will be permitted.***

All matters listed under Consent Agenda, are considered to be routine by the Planning & Zoning Board and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

CALL TO ORDER

PLEDGE ALLEGIANCE TO THE FLAG

ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA

COMMENTS FROM THE TOWN ATTORNEY AND STAFF

COMMENTS FROM THE PUBLIC

All Non-Agenda items are limited to three (3) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Board). The Board will not discuss these items at this time. Comments needing a reply will be referred to Staff for research; a report will be forwarded to The Board; and citizens will be contacted.

CONSENT AGENDA

1. Planning & Zoning Board Meeting Minutes for February 5, 2024

BOARD ACTION/DISCUSSION ITEMS

2. Ordinance No. 766 – Exterior Lighting on Residential Housing and Addressing Spillover to Neighboring Properties.
3. Discussion on LEED/Green Building

COMMENTS FROM THE BOARD

ADJOURNMENT



PLANNING & ZONING BOARD MEETING MINUTES

February 05, 2024 at 4:00 PM

Council Chambers – 340 Ocean Drive and YouTube

PRESENT: DIANA DAVIS, CHAIR
 JIM FERGUSON, VICE CHAIR
 MICHAEL STERN, BOARDMEMBER
 LAURE SHEARER, BOARDMEMBER
 NANCY WOLF, BOARDMEMBER
 JANE LE CLAINCHE, ALTERNATE BOARDMEMBER (*Via Zoom*)

ALSO PRESENT: FRANK DAVILA, DIRECTOR OF PLANNING & ZONING
 CURT THOMPSON, PRINCIPAL PLANNER
 ISABELLA HICKEY, SENIOR PLANNER
 CAITLIN E. COPELAND-RODRIGUEZ, TOWN CLERK
 LEONARD RUBIN, TOWN ATTORNEY

ABSENT:

AUDIENCE: 13

CALL TO ORDER – 4:00PM

PLEDGE ALLEGIANCE TO THE FLAG

ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA – *None*

COMMENTS FROM THE TOWN ATTORNEY AND STAFF – *None*

COMMENTS FROM THE PUBLIC

All Non-Agenda items are limited to three (3) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Board). The Board will not discuss these items at this time.

Public Comments Opened at 4:01pm.

Public Comments Closed at 4:01pm.

CONSENT AGENDA

1. Planning & Zoning Board Meeting Minutes for January 17, 2024

***MOTION:** Stern/Ferguson made a motion to approve the consent agenda.*

***ACTION:** The motion passed unanimously.*

BOARD ACTION/DISCUSSION ITEMS

2. Discussion on Artificial Turf

***MOTION:** Ferguson/Wolf made a motion to have staff propose a definition for the term “artificial turf” by referencing the Town of Palm Beach’s definition and incorporating verbiage that it resemble natural sod (see attached chart).*

***ACTION:** The motion passed unanimously.*

3. Discussion on Parking

***MOTION:** Ferguson/Stern made a motion to recommend that the Town Council have the Town’s Traffic Engineer conduct a study on parking issues in the Town with a focus on reducing the need for onstreet parking and emphasizing multi-family, hotels/motels, and commercial mixed-use designations; use staff’s table as a reference (see attached chart); and provide a professional opinion.*

***ACTION:** The motion passed unanimously.*

COMMENTS FROM THE BOARD

ADJOURNMENT

Chair Davis adjourned the meeting at 5:27pm.

Diana Davis, Chair

Caitlin E. Copeland-Rodriguez, Town Clerk

COMPARATIVE ARTIFICIAL TURF STANDARDS – WITH JUNO BEACH, NORTH PALM BEACH, JUPITER, TEQUESTA AND PALM BEACH

	ARTIFICIAL TURF REQUIREMENTS				
	JUNO BEACH	NORTH PALM BEACH Section 45-29	JUPITER Memorandum & Attachment A (See attached)	TEQUESTA Ordinance No. 11-23 (See attached)	PALM BEACH Section 66-313 & 66-314
Definition	None Provided	Also referred to as synthetic grass	Additionally, staff notes that Section 27-1 of the Zoning Code defines a structure as “anything constructed, assembled or erected, the use of which requires location on the ground or attachment to something having location on or in the ground;” Most installation processes for artificial turf require the removal of a layer of topsoil and the addition of one or more layers of base materials which are then compacted to provide a subsurface upon which to place the synthetic turf material. Based on this installation process and the fact that artificial turf is a synthetic (not natural) material that is constructed and fastened to the ground, it is consistent with the definition of a structure as noted above.	"Artificial Turf: A man-made surface of synthetic fibers manufactured to look like sod or lawn."	A product manufactured from synthetic materials that simulates the appearance of natural turf, grass, sod or lawn.
Allows Turf	Yes – Not Specified	Yes	Yes	Yes	Yes
Turf Permitted in Back Yards/ Rear	Not Specified	Yes	Yes	Yes	Yes
Turf Permitted in Side Yards	Not Specified	Yes	Yes	Yes	Yes
Turf Permitted in Front Yards	Not Specified	No	Not Specified - artificial turf may be installed in side yards within setbacks, similar to sidewalks, stepping stones or mulched paths	Only as a decorative grid design in conjunction with approved pavement materials (pavers or the like) for a walkway and driveway.	Only as driveway accent
Counts Toward Landscape Open Space	Not Specified	Yes	No	Yes	No
Permeability Requirement	Reviewed by the Town’s Engineer	Minimum permeability of thirty (30) inches per hour per square yard	Drainage requirements reviewed and shall meet the satisfaction of the Town Engineer.	Artificial turf shall be installed to have a minimum permeability of thirty (30) inches	Calculated as imperious surface
Permitted in the following Zoning Districts	Not Specified	Single-family or Two-family dwelling	Policy only applied to properties in the Town that had green space requirements and not to single family residential units or MXD zoned properties	"A permitted use on lots improved with single family or two-family dwellings. Any commercial or mixed-use zoned property as a special exception."	Artificial turf installation shall be approved by either the Architectural Review Commission or the Landmarks Preservation Commission (depending upon the property designation) and all artificial turf installation requires a building permit.

COMPARATIVE ARTIFICIAL TURF STANDARDS – WITH JUNO BEACH, NORTH PALM BEACH, JUPITER, TEQUESTA AND PALM BEACH

USES	ARTIFICIAL TURF REQUIREMENTS				
	JUNO BEACH Section 34-980	NORTH PALM BEACH Section 45-31	JUPITER Section 27-2828	TEQUESTA Section 78-705	PALM BEACH Section 134-2176
Toxicity	Not Specified	Infill materials for artificial turf are limited to organic materials and sand with a non-toxic coating.	Consequences: <ul style="list-style-type: none"> • Materials used and compaction of base materials and sub-soil result in a product that is either impervious or less pervious than natural turf; • Effectively caps off the most productive layer of topsoil that contains the highest concentration of roots, hosts important microbial activity, sequesters carbon and provides food sources for urban wildlife; • Results in excessive heat radiation (up to 80 degrees higher than the ambient air temperature) and is significantly hotter than asphalt and concrete; • Potential leaching of Per- and Polyfluoroalkyl (PFAS) chemicals and micro-plastics into both surface and groundwater; • A limited lifespan (+10 years) resulting in more landfill waste; • Requires periodic cleaning and sanitization to control odors and bacteria growth. Cleaning/sanitizing solutions may result in chemical runoff; 	Artificial turf shall be lead-free. Infill materials for artificial turf must be organic or sand, with a non-toxic coating.	Artificial turf material shall be lead-free.

COMPARATIVE PARKING STANDARDS – WITH JUNO BEACH, NORTH PALM BEACH, JUPITER, TEQUESTA AND PALM BEACH

USES	PARKING REQUIREMENTS				
	JUNO BEACH Section 34-981	NORTH PALM BEACH Section 45-31	JUPITER Section 27-2828	TEQUESTA Section 78-705	PALM BEACH Section 134-2176
Accessory Apartments	1 space per dwelling unit if 750 sq. ft. or less; 2 spaces per dwelling unit if greater than 750 sq. ft.	1.25 per unit for all types except detached single family dwelling not permitted.	1 parking space for a one bedroom or studio dwelling unit; 1.5 parking spaces for two bedrooms; 2 parking spaces for accessory residential with three bedrooms + 1 for each bedroom over 3 bedrooms.	No specific regulations for this use.	Please see below.
Single and Two-Family Dwellings and Townhouses	2 spaces per dwelling unit. In addition, for developments with 3 or more attached units, one guest space shall be required for every 7 units.	1.25 per unit for all types except detached single family dwelling not permitted.	2 parking spaces for the first 3 bedrooms + 1 parking space for each bedroom over 3 bedrooms.	Two spaces per dwelling unit. For Two-Family, two spaces per dwelling unit.	For Two-Family Dwellings and townhouses: 2 per dwelling unit, plus one additional per each 5 family dwelling units or portion thereof. Any unit larger than 3,000 square feet shall provide 3 parking spaces plus one additional per each 5 dwelling units or portion thereof. For Single Family dwellings: Two per dwelling unit of 3,000 feet of floor area or less, plus one additional space per each 3,000 square feet or portion thereof of floor area above 3,000 square feet.
Multi Family	2 spaces per dwelling unit for the initial 20 units; 1.75 spaces for each from 21 through 50; 1.50 spaces for units 51 and more. In addition, one guest space shall be required for every 7 units.	For each multiple-family dwelling unit, there shall be provided two (2) or more parking spaces. in accordance with the following formula: Two (2) such spaces shall be provided for each dwelling unit containing not more than two (2) bedrooms, and two and one-half (2½) of such spaces shall be provided for each dwelling unit containing three (3) or more bedrooms.	1.5 parking spaces for a one-bedroom unit 1; 2 parking spaces for 2- and 3-bedroom units + 1 for each bedroom over 3 bedrooms + guest parking of 2 per 10 units for the first 50 units + 1.5 per 10 units for all units over 50 units.	Two spaces per dwelling unit.	a. 3 units - 8 spaces; b. 4 units - 11 spaces; 5 units - 13 spaces; 6 or more units - 2 per dwelling unit plus 1 per five units or portion thereof.
Beach, Swimming, Tennis, Golf and Yacht Clubs, etc.	1 space per each 300 sq. ft. of clubhouse space plus 20 spaces for each swimming pool, 2 spaces for each tennis court, 2 spaces for each golf hole and one space for each boat slip.	Private clubs, lodges, or union headquarters: One (1) per three (3) members based on the maximum design capacity of the facility. Non-Private Clubs: One (1) per five (5) members.	Greater of 1 per 3 seats or 1 per 300 SF of GFA (Gross Floor Area).	<i>Assembly uses, places of assembly:</i> One space per 50 square feet of floor area. Shared parking can be applied to a maximum of 30 percent of the total parking requirement.	One per four members.
Beauty Shops, Barbershop, medical and dental, etc.	1 parking space per 200 sq. feet of gross floor area.	Two (2) per barber or three (3) per beautician based on the design capacity of the structure.	1 per 200 SF of GFA.	One space per 200 square feet of gross floor area, or two spaces per barber chair or three spaces per beautician station, based on the design capacity of the establishment.	One per 200 square feet of gross leasable area (GLA).
Commercial Retail (excluding Convenience stores)	1 parking space per 200 sq. ft. of gross floor area.	One (1) per two hundred (200) square feet of retail floor space (includes convenience stores). For Shopping Center of 5 or more stores/or 15,000 sq. ft.: 4 sq. ft., there shall be a ratio of four (4) square feet of parking (including driveways required for ingress and egress and circulation) to each one (1) square foot of retail floor space.	1 per 250 SF of GFA.	One space per 250 square feet of gross floor area which is devoted to sales, display and customer service.	One per 200 square feet of gross leasable area (GLA).

COMPARATIVE PARKING STANDARDS – WITH JUNO BEACH, NORTH PALM BEACH, JUPITER, TEQUESTA AND PALM BEACH

USES	PARKING REQUIREMENTS				
	JUNO BEACH Section 34-981	NORTH PALM BEACH Section 45-31	JUPITER Section 27-2828	TEQUESTA Section 78-705	PALM BEACH Section 134-2176
Convenience Stores	1 space per 300 sq. ft. of gross floor area.	One (1) per two hundred (200) square feet of retail floor space.	1 per 250 SF of GFA.	One space per 250 square feet of gross floor area which is devoted to sales, display and customer service.	One per 200 square feet of gross leasable area (GLA).
Trust Companies	1 space per 300 sq. ft. of gross floor area.	One (1) per three hundred (300) square feet of usable floor area, plus one (1) per each three (3) employees.	Number of spaces to be determined by the director of planning and zoning (For Uses not listed in parking table).	<i>Uses not specifically mentioned:</i> For any use not specifically mentioned, off-street parking requirements for a use which is mentioned and to which the such use is similar shall apply.	One per 200 square feet of gross leasable area (GLA).
Commercial banks, savings and loan associations	1 space per 300 sq. ft. of gross floor area; stacking lane of 5 cars per window.	One (1) per three hundred (300) square feet of usable floor area, plus one (1) per each three (3) employees.	1 per 250 SF of GFA.	<i>Financial institutions:</i> One space per 200 square feet of gross floor area, plus five tandem waiting or loading spaces per drive-in lane.	One per 200 square feet of gross leasable area (GLA).
Furniture Stores (over 5,000 sq. ft.)	1 space per 600 sq. ft. of gross floor area.	One (1) per two hundred (200) square feet of retail floor space.	1 per 250 SF of GFA.	<i>Retail sales and service:</i> One space per 250 square feet of gross floor area which is devoted to sales, display and customer service.	One per 200 square feet of gross leasable area (GLA).
Furniture Stores (under 5,000 sq. ft.)	1 space per 350 sq. ft. of gross floor area.	One (1) per two hundred (200) square feet of retail floor space.	1 per 250 SF of GFA.	<i>Retail sales and service:</i> One space per 250 square feet of gross floor area which is devoted to sales, display and customer service.	One per 200 square feet of gross leasable area (GLA).
Business and professional offices	1 space per 300 sq. ft. of gross floor area.	One (1) per three hundred (300) square feet of usable floor area, plus one (1) per each three (3) employees.	1 per 250 SF of GFA.	<i>Business and professional service, except for financial institutions:</i> One space per 300 square feet of gross leasable area.	One per 250 square feet of gross leasable area (GLA).
Hotel/Motel	1.25 spaces per each occupancy unit plus one space for each three seats offered to the public for restaurant and lounge purposes and one space per 100 sq. ft. of meeting space. Additional spaces may be required for retail shops, beauty shops and barbershops, athletic clubs, etc. if expected to attract additional outside traffic.	Three (3) spaces, plus an additional space for each guest bedroom, plus an additional space for each fifteen (15) rooms or portions thereof. For example, a fifteen-room motel would need nineteen (19) parking spaces.	1 per room + 1 per 5 rooms for employees + 1 per 85 SF of GFA for restaurant or meeting areas + 1 per 2 seats for lounge areas.	<i>Hotel, bed and breakfast:</i> One space for each room or suite and one space for each employee on the shift of greatest employment. See subsection (2) of this section (assembly use) for conference facilities and see subsection (28) of this section (restaurants, standard) for those accessory use parking space requirements.	One and three-fourths per unit with two or fewer rooms, and 2.75 per unit with more than two rooms; plus one for each 2.5 seats of conference capacity including auditorium, ballroom, banquet facilities, convention hall, gymnasium, meeting rooms, or other similar places of assembly.
Restaurants, nightclubs and/or other eating places	1 space per 90 sq. ft. of gross floor area. For restaurants and shopping plazas with restaurants, a minimum of 60% of the required spaces shall occur on the back yard of the site, not on the street side.	One (1) space for each seventy-five (75) square feet of area devoted to patron use, or one (1) space per three (3) fixed seats, whichever is the greater, plus one (1) space for each one and one-half (1½) projected employees who would be actually working during peak employment hours.	1 per 85 SF of GFA including outdoor seating areas.	<i>Restaurants (standard):</i> One space per three seating accommodations, or one space per 100 square feet of gross floor area, whichever is greater, including permitted outdoor seating areas.	One for each three proposed fixed seats, and/or one for each 45 square feet of floor area in the proposed public seating area not having fixed seats, plus one for each 300 square feet of floor area in the remainder of the floor area.
Libraries & Museums	1 space per 500 sq. ft. of gross floor area.	One (1) per three (3) people based on the maximum design capacity of the structure - places of assembly without fixed seating.	1 per 250 SF of GFA.	<i>Public library:</i> One space per 300 square feet of gross floor area for public use.	One per 500 square feet.

COMPARATIVE PARKING STANDARDS – WITH JUNO BEACH, NORTH PALM BEACH, JUPITER, TEQUESTA AND PALM BEACH

USES	PARKING REQUIREMENTS				
	JUNO BEACH Section 34-981	NORTH PALM BEACH Section 45-31	JUPITER Section 27-2828	TEQUESTA Section 78-705	PALM BEACH Section 134-2176
Residential Substance Abuse Centers	1 parking space per four patient beds or residents plus one space per employee on shift of greatest employment.	Use is not permitted in C-MU District.	Number of spaces to be determined by the director of planning and zoning (For Uses not listed in parking table).	One space per patient bed. In addition, rehabilitation facilities that provide outpatient treatment to non-residential patients shall provide an additional number of parking spaces equivalent to five percent of the parking spaces required to be provided based on patient beds.	The Palm Beach Zoning Code does not address this use.

COMPARATIVE PARKING STANDARDS – WITH JUNO BEACH, NORTH PALM BEACH, JUPITER, TEQUESTA AND PALM BEACH



Meeting Name: Planning and Zoning Board
Meeting Date: March 4, 2024
Prepared By: Davila, F. CFM.
Item Title: Ordinance No. 766 – Exterior Lighting on Residential Housing and Addressing Spillover to Neighboring Properties.

BACKGROUND

At the March 6, 2023 Planning and Zoning Board meeting, the Board reviewed and discussed regulations regarding light spillover within the Town’s Code of Ordinances and how other communities regulate spillover of lighting to neighboring properties. The Board unanimously recommended that the Town Council direct staff to draft an ordinance to address spillover lighting by utilizing portions of the Town of Jupiter and the Town of Palm Beach’s regulations, including an examination of dark skies initiative principles and the appropriate foot candle limitations for residential properties, including those abutting environmentally sensitive lands.

At the March 22, 2023 Town Council meeting, Council gave consensus to direct Staff to proceed with the Board’s recommendation.

At the June 5, 2023, Planning and Zoning Board meeting, the Board discussed proposed Ordinance No. 766 and the Board gave consensus to have staff clarify the language for spillage; review the permitted uses for sconces, remove the term “incandescent” in section (d); and include a reference chart.

At the January 24, 2024, Town Council meeting, Council directed staff to move forward with the proposed code text amendment for exterior lighting on residential housing and addressing spillover to neighboring properties without the use of an Engineer and the incorporation of a reference chart.

As directed by the Town Council, staff is bringing back proposed Ordinance No. 766 for the Board’s review and recommendation. The proposed language includes the recommendations from the June 2023 Planning and Zoning Board meeting, with the exception of the reference chart.

DISCUSSION

The lighting regulation language from the Town of Jupiter, which had previously been provided to the Board, includes the following:

Town of Jupiter: Division 24. – Lighting Regulations

Sec.27-2592 (d)(4) Any exterior *lighting*, roof *lighting*, under canopy *lighting*, facade *lighting*, or *lighting* which forms a linear pattern shall be recessed and shielded or shall contain a cutoff luminaire within the structure or fixture in which it is located. The *lighting* source shall not be visible from adjacent properties and/or rights-of-way. Only white sources of *light* such as fluorescent, incandescent, metal halide or other similar *lights* shall be permitted.

Sec. 27-2592(g) Off-site *light* spillage.

(1) Off-site *light* spillage may be permitted according to Table 1. The maximum footcandle to be spilled off-site to another property, including streets, rights-of-way, road easements, alleys, etc., and shall not exceed 0.3 footcandle.

(2) Off-site *light* spillage for residential uses. No off-site *light* spillage shall occur when residential uses are located adjacent to residential uses. The maximum footcandle to be spilled off-site to a nonresidential property shall not exceed the minimum footcandle requirements for the adjacent *lighting* zone.

The Town of Palm Beach Exterior Lighting Regulations are as follows:

Town of Palm Beach Exterior Lighting Requirements

1. Cut sheets depicting lighting details, and a site/plot plan showing lighting locations must be submitted.
2. No light bulb or source of illumination shall be visible while standing at or outside of the property line. Wall sconces or column top fixtures are excluded. The light bulbs in eave fixtures must be shielded so that the lamp is not visible from off the property line. Decorative wall sconces that are visible from the street are allowed but shall be lamped with bulbs not exceeding 15 watts per bulb, and not more than 4 bulbs per fixture.
3. No high-pressure or low-pressure sodium light bulbs can be used for landscape lighting.
4. Any bulbs or sources of illumination in fixtures mounted in trees or above eye level on structures shall not be visible off the property. All down lighting shall not exceed 2 ft. candles on residential property and 8 ft. candles on commercial properties as measured at ground level directly below the source of illumination. Down lighting scheme must be approved by Town Staff through ARCOM or LPC Administrative Approval. The maximum wattage per acre for down lighting schemes shall not exceed 3,750 watts; however, shall not be counted as contributing to the total landscape (vertical illumination quantity) lighting system. The use of baffling, shielding techniques, internal hex louvers and screening should reduce the total output to 3,000 watts. Baffling, shielding, internal hex louvers and screening is encouraged.
5. Maximum cumulative wattage of light fixtures using mercury vapor and/or fluorescent light bulbs supplied at 120 volts, 24 volts and 12 volts, per acre is 5,000 watts.

6. Maximum cumulative wattage of light fixtures using mercury vapor and/or florescent light bulbs supplied at 120 volts, 220 volts, 208 volts, and 277 volts, per acre is 5,000 watts. The use of baffling, shielding techniques, internal hex louvers and screening is encouraged.
7. Maximum cumulative wattage of light fixtures using metal halide light bulbs supplied at 120 volts, 220 volts, 208 volts and 277 volts, per acre is 2,000.
8. Maximum number of landscape lighting fixtures per acre is 150 regardless of wattage.
9. Illumination on the elevation of a residence or commercial building is discouraged unless architectural features and anchor points are the purpose of illumination. Visible security flood lighting is prohibited unless approved directly by ARCOM.
10. No more than one half foot-candle of light may be reflected off or spill off of a property. Furthermore, lighting shall not be directed or aimed in such a manner as to create a nuisance or glare to any abutting properties or to any passers-by (either by foot or in a moving vehicle). Violation of any one of these requirements shall be subject to action by the Code Enforcement Board.
11. No light shall be unshielded where the lighting element is visible in any fashion, i.e. wall packs and any approved security fixtures. Any light that egresses its property of installation must be shielded and directed to reduce light trespass to the satisfaction of ARCOM, the Planning Administrator or assigned staff.
12. Red, yellow, blue, and green incandescent light bulbs that are visible from the street or public right-of-way are prohibited except during Town approved holiday intervals.
13. Mixture of Kelvin ratings by lamp types is discouraged where the difference is more than 25%, i.e. 5,500 Kelvin and 4,100 Kelvin is permissible. Exceptions may be allowed in circumstances such as where incandescent lamps are used to illuminate sculpture or fountains.
14. Light fixtures mounted on the ground, unless decorative types, path lights, etc., are to be hidden in landscape material, and not visible from outside the property line.

In addition, staff reviewed Palm Beach County's (PBC) regulations regarding lighting that is adjacent to Environmental Sensitive Lands, and the Dark Sky Initiative.

Currently, neither PBC nor the Palm Beach County Department of Environmental Resources Management (PBCERM), have regulations for light spillage onto their Natural Areas. However, PBCERM staff recommends that the principles behind the Dark Sky Initiative, as they relate to wildlife (<https://www.darksky.org/light-pollution/wildlife/>), be taken into consideration.

Therefore, Town staff proposes the following language for the regulation of light spillage from residential properties (additional language is underlined):

Sec. 12-4. Lighting regulations for residential structures.

(a) Definitions. For the purposes of this section, the following words, terms, and phrases shall have the meanings ascribed herein, except where the context clearly indicates a different meaning:

Cutoff-type luminaire means a light fixture with elements such as a shield, reflectors, or reflector panels which direct and cutoff the light at an angle that is less than seventy-five (75) degrees. Typically, this type of fixture conceals the light source, thus reducing glare and spill-over of light.

Light spillage means the transmission of light spilled off-site to another property, including streets, road easements, alleys, and other rights-of-way.

Sky glow means a large fraction of lighting shining directly upward that washes out the view of a dark night sky.

(b) Any exterior lighting, roof lighting, under canopy lighting, or façade lighting shall be recessed and shielded or shall contain a cutoff-type luminaire within the structure or fixture in which it is located.

(c) All lighting installations shall be designed to minimize light spillage, sky glow, and hazardous interference with vehicular traffic on adjacent rights-of-way. All newly constructed residential structures shall utilize a cutoff-type luminaire for all proposed light fixtures.

(d) The town encourages the use of fixtures that have the IDA (International Dark-Sky Association) Fixture Seal of Approval, a third-party certification for lighting that minimizes glare, reduces light trespass, and does not pollute the night sky.

(e) The use of red, yellow, blue, and green light bulbs visible from the street or the adjacent public right-of-way are prohibited except during town-approved holiday intervals.

RECOMMENDATION

Staff recommends that the Planning and Zoning Board review proposed Ordinance No. 766 and provide a recommendation to the Town Council.

Attachment(s):

1. Ordinance No. 766

Notes for Staff

Lighting professionals **use a light meter (also called an illuminance meter or lux meter)** to measure the amount of light in a space/on a particular work surface. The light meter has a sensor that measures the light falling on it and provides the user with a measurable illuminance reading.

Jupiter- Sec. 27-2592(g) (h) Method of measurements. The *light* meter sensor shall be read at ground level or the established grade in a horizontal position. Readings shall be taken only after the *light* source has been exposed long enough to provide a constant reading. Measurements shall be taken after dark with the *light* sources to be measure on and subsequently off. The difference between the two readings shall be multiplied by the estimated *light* loss factor of the fixtures and shall be compared to the permitted illumination level for each *lighting* zone.

2.

TOWN OF JUNO BEACH, FLORIDA

ORDINANCE NO. 766

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING ARTICLE I, "IN GENERAL," OF CHAPTER 12, "ENVIRONMENT," TO ADOPT A NEW SECTION 12-4 TO PROVIDE LIGHTING REGULATIONS FOR RESIDENTIAL STRUCTURES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Town Code does not currently regulate lighting installed on residential structures; and

WHEREAS, at the recommendation of the Planning and Zoning Board, the Town wishes to adopt regulations applicable to residential structures to limit light spillover to adjacent properties and rights-of-way and to minimize sky glow; and

WHEREAS, the Town Council determines that the adoption of such regulations is in the best interests of the health, safety and welfare of the residents and property owners of the Town of Juno Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA as follows:

Section 1. The foregoing "Whereas" clauses are hereby ratified and incorporated herein.

Section 2. The Town Council hereby amends Article I, "In General," of Chapter 12, "Environment," to adopt a new Section 12-4 to read as follows (additional language underlined):

Sec. 12-4. Lighting regulations for residential structures.

(a) Definitions. For the purposes of this section, the following words, terms, and phrases shall have the meanings ascribed herein, except where the context clearly indicates a different meaning:

Cutoff-type luminaire means a light fixture with elements such as a shield, reflectors, or reflector panels which direct and cutoff the light at an angle that is less than seventy-five (75) degrees. Typically, this type of fixture conceals the light source, thus reducing glare and spill-over of light.

Light spillage means the transmission of light spilled off-site to another property, including streets, road easements, alleys, and other rights-of-way.

Sky glow means a large fraction of lighting shining directly upward that washes out the view of a dark night sky.

1 **(b)** Any exterior lighting, roof lighting, under canopy lighting, or
2 façade lighting shall be recessed and shielded or shall contain a cutoff-type
3 luminaire within the structure or fixture in which it is located.

4
5 **(c)** All lighting installations shall be designed to minimize light
6 spillage, sky glow, and hazardous interference with vehicular traffic on
7 adjacent rights-of-way. All newly constructed residential structures shall utilize
8 a cutoff-type luminaire for all proposed light fixtures.

9
10 **(d)** The town encourages the use of fixtures that have the IDA
11 (International Dark-Sky Association) Fixture Seal of Approval, a third-party
12 certification for lighting that minimizes glare, reduces light trespass, and does
13 not pollute the night sky.

14
15 **(e)** The use of red, yellow, blue, and green light bulbs visible from
16 the street or the adjacent public right-of-way are prohibited except during town-
17 approved holiday intervals.

18
19 **Section 3.** The provisions of this Ordinance shall become and be made a part of
20 the Code of the Town of Juno Beach, Florida.

21
22 **Section 4.** If any section, paragraph, sentence, clause, phrase, or word of this
23 Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional,
24 inoperative, or void, such holding shall not affect the remainder of the Ordinance.

25
26 **Section 5.** All ordinances or parts of ordinances in conflict with this Ordinance are
27 hereby repealed to the extent of such conflict.

28
29 **Section 6.** This Ordinance shall become effective immediately upon adoption

30
31 FIRST READING this _____ day of _____, 2023.

32
33 SECOND, FINAL READING AND ADOPTION this _____ day of _____, 2023.

34
35
36
37 _____ _____ _____
38 AYE NAY ALEXANDER COOKE, MAYOR

39
40 _____ _____ _____
41 AYE NAY PEGGY WHEELER, VICE MAYOR

42
43 _____ _____ _____
44 AYE NAY MARIANNE HOSTA, VICE MAYOR PRO TEM

45
46 _____ _____ _____
47 AYE NAY DD HALPERN, COUNCILMEMBER

48
49 _____ _____ _____
AYE NAY JACOB ROSENGARTEN, COUNCILMEMBER

1 ATTEST:

2

3

4

5 _____
6 CAITLIN COPELAND-RODRIGUEZ
TOWN CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

LEONARD G. RUBIN
TOWN ATTORNEY



Meeting Name: Planning and Zoning Board
Meeting Date: March 4, 2024
Prepared By: Davila, CFM.
Item Title: Discussion on LEED/Green Building

DISCUSSION:

As part of the Board's prioritized agenda item list, item F, discussion on LEED/Green Building Designs, Town staff is bringing this item for board discussion.

For the Board's review and discussion, staff is providing the following information:

- **What is LEED?**
 LEED (Leadership in Energy and Environmental Design) is the world's most widely used green building rating system. LEED certification provides a framework for healthy, highly efficient, and cost-saving green buildings, which offer environmental, social and governance benefits.
- **What is a Green Building?**
 "Green building" fits within the concept of sustainable development, as it supports sustainability through construction practices that conserve energy and water resources, preserve open spaces, and reduce waste produced by the structure at any point in its life cycle. A building's life cycle includes the siting, design, construction, operation or use, maintenance, renovation and ultimately deconstruction.

 "Green buildings" are designed to reduce the overall impact of the built environment by:
 - Efficiently using energy, water, and other resources
 - Reducing waste, pollution, emissions and environmental degradation
 - Protecting occupant health and increasing productivity by improving indoor air quality, connecting the occupant with daylight, and providing natural spaces to enjoy
 - Integrating well within the community by increasing density, connecting to other places, inviting pedestrians and cyclists, and following sustainable design guidelines

- Which communities have this as part of their code?

Town of Jupiter

Sec. 27-2405. - Green building program Purpose and intent.

- (a) The purpose of this program is to provide green building standards which promote sustainable construction, water efficiency, energy efficiency, sustainable material selections and improved indoor environmental quality for new development and redevelopment projects.
- (b) It is the intent of this program to provide incentives by providing for waivers from the town's land development regulations provided new development or redevelopment projects achieve green building certification based upon the standards for green developments in either the Florida Green Building Coalition, Inc. (FGBC) or the United States Green Building Council (USGBC).

(Code 1992, § 27-1675.27; Ord. No. [5-16](#), § 2, 1-17-2017)

Sec. 27-2406. - Applicability, incentives, and public benefits.

The green building program, and the incentives herein, may be applied to Large-Scale Planned Unit Development Districts (PUD) or Small-Scale Planned Unit Developments (SSPUD) which are certified by the Florida Green Building Coalition (FGBC) or the United States Green Building Council (USGBC). As an incentive to incorporating green building standards into an applicant's project, the town may grant waivers to the building standards and land development regulations of the town Code. The number of the waivers to be approved for projects certified by either the FGBC or USGBC shall be commensurate with the number of green building standards incorporated into the buildings and the certification level achieved. Projects which are certified by the FGBC or USGBC shall be entitled to use the green building certification as a public benefit.

City of Palm Beach Gardens

Sec. 78-222. - Transit oriented development (TOD) overlay district.

Environmentally friendly design. Projects that qualify for LEED certification from the U.S. Green Building Council, or equivalent certification, or provide environmentally-friendly design elements are eligible for a density bonus of up to two units per acre upon demonstration of the following:

- i. An affidavit from the applicant detailing the proposed environmentally friendly components to be provided with the project shall be submitted with the development application for review.
- ii. LEED certification level of silver or better, or equivalent green building rating system shall be utilized. A checklist of the items to be provided to qualify for the certification shall be provided for staff review.
- iii. Elements provided to meet Code requirements, such as mobility QOS standards, may not be counted towards density bonuses unless specifically listed in this section.

Village of Tequesta

Comprehensive Plan

Objective: 2.14.0 The Village shall seek to reduce greenhouse gas emissions and conserve energy resources.

Policy: 2.14.2 The Village shall encourage the implementation of low impact development techniques and green building standards that reduce the negative environmental impacts of development and redevelopment by: locating building sites away from environmentally sensitive areas; promoting the preservation of natural resources; providing for on-site mitigation of impacts (i.e. retention and treatment of stormwater runoff, water reuse, Master Stormwater Management Systems); promoting energy conservation through design, landscaping and building techniques (i.e. solar power, increased tree canopies); promoting water conservation through landscaping and building design; ensuring environmentally friendly building practices (i.e. use of environmentally friendly building materials, recycled materials), and; considering the development of a Green Building Ordinance and a related LEED Certification Program for development and redevelopment, including the development of a Neighborhood Development Rating System that integrates the principles of smart growth, urbanism and green building into a national system for neighborhood design.

Policy: 2.14.3 The Village shall seek to limit greenhouse gas emissions through the implementation of strategies to reduce the number of vehicle miles travelled. These strategies may include but not be the promotion of mixed use development that provides for a mixture of residential and non-residential land uses in a pedestrian friendly environment with multi-modal transportation connectivity to other areas; promoting the use of alternate transportation modes as specified herein, including mass transit, bicycles, and pedestrianism, and; requiring Transportation Demand Management Programs as a condition for development approvals.

Palm Bay

§ 170.153 INCENTIVES.

The program shall provide the following incentives for participants:

(A) Submittal, Review, and Construction Phase.

(1) *Expedited Permitting.* Applications for building permits and site plan reviews shall be reviewed on an expedited basis by city staff. Expedited shall be prioritizing such permitting and review ahead of non-participant projects.

(2) *Signage.* Participants shall be permitted to erect signage promoting their participation in the program as well as the certifying agency promotional materials on the site. Said signage shall not count toward the number of construction or future improvement signage normally permitted by the Sign Code.

(3) *Web Page Promotion.* The participant's project shall be listed on the city's website under the program's heading for a minimum of one year. City staff will develop the promotion with input from the participant.

(4) *Reduction in Building Permit Fees.* The calculation of building fees due shall exclude the marginal cost for compliance with the program standards. Therefore, only standard valuations as are typically utilized to calculate value shall be employed. Alternatively, the contractor may provide specific cost differential calculations for use by the Building Division when calculating fees.

(B) Upon Completion.

(1) *Fee Refunds*. The participant shall be entitled to a refund of 50% of the administrative site plan fee upon provision of the final certification from the appropriate rating agency.

(2) *Green Building Program Proclamation*. The participant shall receive a proclamation from the city at a City Council meeting recognizing the achievement under the City of Palm Bay Green Building Incentive Program.

(Ord. 2010-54, passed 10-21-10)

Fort Lauderdale

The City supports sustainable building primarily through the implementation of the South Florida Building Code which was recently updated to strengthen efficiency requirements. We also encourage the use of LEED and other green building standards and certification programs, whether to apply for recognition or simply to follow the guidelines. Finally, we offer a variety of Green Building Tips to help you make decisions about new construction, renovation, home repairs and maintenance.

- Example of LEED/Green Buildings cities and projects

FPL NextEra Energy Inc. Building GOLD Juno Beach

Resilience initiatives undertaken by the West Palm Beach (GOLD):

- Ongoing efforts to decrease greenhouse gas emissions through electrification of 18 city fleet vehicles, with a goal to transition all available fleet vehicles away from petroleum.
- Monitoring, maintenance and protection of Grassy Waters Preserve, the city's primary drinking water supply source, and
- Distribution of 6,000+ free, native trees to residents to increase the city's tree canopy and reduce heat impacts.

Palm Beach County (Gold)

Palm Beach County achieved LEED certification by implementing practical strategies and solutions with measurable outcomes aimed at improving sustainability and the standard of living for residents including:

- Maintaining over 30,000 acres of natural areas in the county. Along with natural areas maintained by federal, state, and other local governments, almost 400,000 acres of South Florida's unique ecosystem are preserved in Palm Beach County
- Founding membership in the Southeast Florida Regional Climate Change Compact, a four-county collaboration to cooperate on climate change adaptation and mitigation across the region
- Working on reducing the county's per-person greenhouse gas emissions, which are already roughly half the national average

Solid Waste Authority (SWA) in Palm Beach County (Platinum)

The Authority's Education Center is LEED Platinum Certified. LEED stands for Leadership in Energy and Environmental Design. This building was built to be energy efficient and relies on renewable energy. Some items that make this building LEED Platinum Certified are outlined in the next few sections:

- The tile floors in the building are made from recycled tires.
- There are many windows, so we don't need to use a lot of artificial light. This is called day lighting. Also, the metal shades on the windows redirect the sunlight away from the building, which helps to keep the building cooler.
- The light bulbs are energy efficient and motion activated. They also change their intensity depending on the amount of light coming in through the windows.
- The building's green roof is another aspect that makes it LEED Platinum Certified.
- Just outside the doors on the third level, is the green roof. It houses multiple species of plants, all of which are Florida natives and adapted to the weather here. These plants are used to living in the hot, wet summers and dry winters, which means we don't have to add a lot of extra fertilizer and water for them to survive. The plants are great alternatives for a South Florida yard, and provide food for bees and butterflies. This rooftop garden helps to absorb heat, carbon dioxide and storm water. This keeps the building cooler and allows us to use the captured water for our restrooms, sinks and landscaping. The cistern next to the Education Center can hold 12,000 gallons of rainwater.

RECOMMENDATION:

Staff is ready to answer any questions the Board may have on this item.

Reference(s):

US Green Building Council

<https://www.usgbc.org/leed>

Town of Jupiter

https://library.municode.com/fl/jupiter/codes/code_of_ordinances?nodeId=SPBLADERE_CH27ZO_ARTXISUDIRE_DIV18GRBUPR

City of Palm Beach Gardens

https://library.municode.com/fl/palm_beach_gardens/codes/code_of_ordinances?nodeId=SPBLADERE_CH78LADE_ARTVSUDIRE_DIV2PGBOCOVS78-222TRORDETOOVDI

Village of Tequesta

<https://www.tequesta.org/DocumentCenter/View/9973/CLEAN-GOPS-COMPLETE-COMP-PLAN>

Palm Bay

https://codelibrary.amlegal.com/codes/palmbay/latest/palmbay_fl/0-0-0-47217

Fort Lauderdale

<https://gyr.fortlauderdale.gov/greener-government/responsible-development-land-use/sustainable-building>