

**CONSERVATION
ELEMENT:**

*Goals, Objectives
and Policies*

Goal 1: To conserve, protect and enhance the functions and values of the natural resources within Jupiter to ensure the highest environmental quality possible.

Environmentally Sensitive Areas

Objective 1.1 To implement a program and a set of standards to protect environmentally sensitive areas from adverse impacts of urban development.

Policy 1.1.1 The Town shall maintain, periodically review and update the Vegetation and Environmental Preservation ordinance.

Policy 1.1.2 At a minimum, environmentally sensitive areas shall contain one or more of the following natural resources:

- a) rare, threatened and endangered wildlife and vegetation,. A complete list is defined by U.S. Fish and Wildlife Service, Florida Fish and Wildlife Conservation Commission, Treasure Coast Regional Planning Council, Florida Endangered Plant Advisory Council, Palm Beach County and the Florida Department of Environmental Protection (DEP);
- b) rare and unique upland habitat;
- c) wetlands and deepwater habitats;
- d) special geologic formations;
- e) artifacts of archaeological or historic significance;
- f) within public water supply system wellfield cone(s) of influence;
- g) within floodways and areas subject to flooding; and

- h) designated as a wild and scenic river by the Federal government.

Policy 1.1.3

All proposed development, in or abutting an environmentally sensitive area shall comply with the following:

- a) Proposed development in or abutting an environmentally sensitive area shall submit, as part of an application for a site plan an environmental assessment report which contains
 - 1) an inventory of existing vegetation and wildlife based on a field survey, including, where applicable, a submerged lands survey for coastal properties;
 - 2) an identification of wildlife or vegetation listed as endangered, threatened or species of special concern and whether or not the environmentally sensitive area potentially will attract and support off site species and wildlife use;
 - 3) an assessment of the land, including submerged lands, identifying the location of all environmentally sensitive habitat or vegetation;
 - 4) an analysis of the functional viability and quality of the various habitats;
 - 5) a discussion of the impacts, both positive and adverse, on the resources;
 - 6) a discussion concerning whether there is any irreplaceable or irretrievable environmental damage,
 - 7) a mitigation plan that describes actions to be taken to replace those

functions and values of the ecological community(s) lost as a result of developing the land, including submerged lands.

- 8) a marine stewardship plan, which inventories existing conditions and proposes environmental restoration or enhancement conducive to propagating a native living shoreline, and requirements for management to provide for long term maintenance, to be incorporated into development orders when development is proposed on waterfront property located on the Intracoastal Waterway, Loxahatchee River, Jones Creek, Sims Creek, Limestone Creek, Jupiter River, excluding development or redevelopment of individual single-family lots on manmade canals.
- 9) A maintenance and management plan which shall be submitted and approved for all environmentally sensitive areas and/or mitigation sites proposed, and shall at a minimum address the following:
 - a. Areas designated environmentally sensitive shall be identified and mapped on the approved site plan.
 - b. Maintenance schedules and methodologies for the removal of exotic and invasive species.
 - c. Wildlife enhancement provisions, including the installation of food sources, shelter, nesting and roosting facilities, etc., and the survivability of the habitat preserved.

Policy 1.1.4 The Town supports the protection of environmentally sensitive

lands by using the Jupiter Open Space Program to evaluate and purchase of properties or other means, such as conservation easements among others, for their long term protection.

Policy 1.1.5 The Town shall submit applications for eligible projects whenever appropriate, under the Florida Communities Trust matching land acquisition funding program to leverage land acquisition program monies.

Policy 1.1.6 Conservation or recreation protection easements or covenants, or other legal instruments recorded for the benefit of the town or public shall not be abandoned unless four members of the Town Council shall affirmatively vote to do so.

Objective 1.2 To cooperate with and assist the South Florida Water Management District (SFWMD) and the Department of Environmental Protection (DEP) in protecting and preserving the Loxahatchee Slough/River Corridor to ensure that the quality of freshwater and estuarine water is maintained at current levels or improved as determined by the SFWMD and the DEP using DEP established criteria for water quality classifications as reported in Chapter 17-3, F.A.C.

Policy 1.2.1 The Town will continue to require adequate conservation buffers for properties adjacent to the Loxahatchee Slough/River Corridor. If properties located within the Corridor are annexed into the Town, these properties will be assigned with a Conservation land use designation.

Policy 1.2.2 Uses allowed within the Conservation future land use designation shall be limited to those which are compatible with and preserve the natural character of the area, such as passive recreation, observation areas, hiking and nature trails, canoeing, primitive camping and environmental education facilities. Active recreation uses, such as playing fields, tennis courts, etc. shall be prohibited. All residential, commercial, industrial and community service uses shall be prohibited.

Policy 1.2.3 The Town shall monitor and maintain public access to the river corridor so that the environmental values of the system can be enjoyed, but not overburdened, by users.

Policy 1.2.4 The Town shall participate with the South Florida Water Management District, Palm Beach County, Jupiter Inlet District, Loxahatchee River District and other appropriate agencies to re-establish the historic hydrologic connections between the three segments of the corridor.

Policy 1.2.5 The Town, coordinating with the South Florida Water Management District (SFWMD) and the Florida Department of Environmental Protection (DEP), as appropriate, shall continue to maintain land development regulations for protecting all aspects of the Loxahatchee River corridor from incompatible land development. Such regulations shall be consistent with and further the "Loxahatchee River National Wild and Scenic River Management Plan" (June 2000, as may be amended) as adopted by the SFWMD and DEP.

Policy 1.2.6 All applications for proposed amendments to the Town's

Future Land Use Map involving property abutting the Loxahatchee River corridor shall be transmitted to South Florida Water Management District and the Florida Department of Environmental Protection, as appropriate, for review and comment before formally being reviewed by the Town Council.

Policy 1.2.7 Subsurface water wells which adversely affect existing water users within the Loxahatchee River Corridor or would extend a zone of influence into the defined limits of the Loxahatchee River Corridor are prohibited.

Policy 1.2.8 A buffer of at least 100 feet shall be established along all portions of private property abutting portions of the Loxahatchee River identified by the Federal designation "Wild and Scenic" and a buffer of at least 25 feet shall be established along all portions of private property abutting the Loxahatchee River Corridor within the Town of Jupiter. Development applications for individual sites shall include an environmental assessment prepared by a qualified environmental scientist, engineer, biologist or ecologist. The assessment shall include specific recommendations, and supporting justification, for the establishment of appropriate buffer width to protect the corridor. The assessment shall identify properties possessing significant environmental, natural resources, topographic, and similar characteristics relating to the corridor. In the event of disturbance to properties abutting the corridor, the assessment shall include recommendations regarding the re-establishment of vegetative communities, drainage patterns, topographic features, and related improvements to provide protection to the corridor.

Policy 1.2.9 Within all buffers established for protection of the Loxahatchee River Corridor, all exotic plants shall be removed and maintained free of exotics. For the purposes of this policy, the term "exotic vegetation" shall include all plants listed as Category 1 on the Florida Exotic Pest Plant Council's list of invasive species.

Policy 1.2.10 Fences, walls, and similar barriers shall not be installed in a manner to separate the corridor from adjacent preserve or buffer areas. Fences, walls, and similar barriers may be installed as a means to limit or eliminate public access into the corridor and associated preserve or buffer areas. Secured access, as requested by the appropriate corridor management agency, shall be provided by owners of property abutting the corridor.

Policy 1.2.11 All properties directly abutting the Loxahatchee River Corridor and used for nonresidential purposes shall develop and implement a hazardous waste management and disposal plan. The hazardous waste management and disposal plan shall be consistent with all federal, state, regional, water management district, and county requirements.

Policy 1.2.12 All properties directly abutting the Loxahatchee River Corridor and used for residential and nonresidential purposes shall develop and implement an overall stormwater management plan. The stormwater management plan shall be consistent with all federal, state, regional, water management district, and county requirements. The stormwater management plan shall maintain the classification of the Loxahatchee River, Loxahatchee Slough, and associated wetland systems in a manner consistent with state legislative and administrative

requirements. The stormwater management facilities constructed pursuant to the overall plans shall ensure ground water and surface water inflow shall not degrade the existing water quality or hydrology of water-dependent ecological systems within the corridor, including the Loxahatchee River, the Loxahatchee Slough, and associated wetlands.

Policy 1.2.13 The Town shall continue to enforce the provisions of the Palm Beach County Wellfield Protection Ordinance (Ordinance No. 88-7) within all areas immediately adjacent to the corridor.

Groundwater Resources

Objective 1.3 **The quality and quantity of the Town's groundwater shall be maintained at current levels as determined by the Department of Environmental Protection using DEP established criteria for water quality and quantity classifications as reported in Chapter 17-3, F.A.C.**

Policy 1.3.1 The Town will continue to monitor the quality and quantity of its groundwater resources to insure that the long-term withdrawal of water does not exceed the system's ability to recharge or replenish itself naturally.

Policy 1.3.2 All proposed new development or modified existing development within the Zones of Influence as defined in the Palm Beach County Wellfield Protection Ordinance shall be subject to the Conditional Approval process until such time that all the appropriate development regulations have been brought into compliance with the Wellfield Protection Ordinance.

Policy 1.3.3 New potable water wells and wellfields shall be located in areas where no regulated materials (e.g., hazardous or toxic materials) will be used, handled, stored or produced within the projected zones of influence of such wells or wellfields. At the time future wellfield locations are identified, establishment of incompatible land uses within the zones of influence of such wells or wellfields shall be prohibited.

Policy 1.3.4 The Town will continue to withdraw from the Floridian Aquifer and use reverse osmosis water treatment.

Policy 1.3.5 New development whose anticipated non-potable water consumptive use is expected to be significant shall make application to the Loxahatchee River District or the Seacoast Utility Authority for the purchase of I.Q. water. Existing development with major non-potable water uses, e.g., golf course irrigation, shall be encouraged to enter into contract with the Loxahatchee River District or Seacoast Utility Authority to purchase irrigation (I.Q.) water in order to reduce non-potable water demands on the surficial aquifer.

Policy 1.3.6 The Town will maintain its Water Shortage Conservation Program, and will review it every five years to assure that the ordinance remains current with changing technology and regulations.

Policy 1.3.7 The Town shall require water saving devices, e.g., irrigation systems, plumbing fixtures, be installed in all new developments. Existing homes not containing such devices are encouraged to retrofit such systems.

Policy 1.3.8 The Town supports and will continue to implement the utilization of water from the C-18 Canal for the purpose

of maintaining adequate water levels in lake systems adjacent to Town’s wellfields in order to protect them from salt water contamination.

Policy 1.3.9 To encourage the conservation of potable water the Town shall maintain and periodically update measures that discourage excessive use of potable water.

Policy 1.3.10 Utilize the concept of planned unit type and cluster development in an attempt to provide maximum open space and promote recharge.

Policy 1.3.11 All wetlands located in direct recharge area shall be retained and preserved.

Policy 1.3.12 To promote recharge, the Town supports lake management plans that maintain historical groundwater levels.

Policy 1.3.13 Within 18 months of the adoption of SFWMD’s 10-year Lower East Coast Regional Water Supply Plan update and any future updates to the Plan, the Town shall amend its Infrastructure Element to consider the District’s plan updates. These updates will include the following:

- a) The Town’s 10-year water supply plan;
- b) Identification of adequate water supply sources to meet future demand;
- c) Identification of alternate water supply projects.

Policy 1.3.14 The Town’s Utility Department shall continue to update and implement the recommendations of the Water System Master Plan and inclusive 10-year Water Supply Facilities Work Plan, which shall assess projected water

needs and sources for at least a 10-year planning period while considering the SFWMD’s Lower East Coast Regional Water Supply Plan.

Surface Water Resources

Objective 1.4: The quality of the Town’s surface water shall be maintained at appropriate levels as determined by the Department of Environmental Protection using DEP established criteria for water quality classifications as reported in Chapter 17-3 F.A.C.

Policy 1.4.1 The Town’s stormwater management practices shall be directed by the Stormwater Management Plan.

Policy 1.4.2 The Town shall require new development to preserve permanent open space buffer zones of natural vegetation along waterways and within the floodplain.

Policy 1.4.3 The Town shall maintain and periodically update its Stormwater Management Plan.

Policy 1.4.4 The Town will maintain active membership on the Loxahatchee River Management Coordinating Council, and the Treasure Coast Regional Planning Council.

Policy 1.4.5 The Town supports the Loxahatchee River Management Plan.

Policy 1.4.6 Runoff from streets and yards should be carefully controlled to prevent flooding in adjacent areas or pollution of water bodies. Catchment basins should be constructed at storm sewer outfalls to prevent silt and other pollutants from entering water areas.

French drains, properly engineered, will be considered an acceptable stormwater runoff drainage practice. The Town will continue its program of upgrading the drainage systems of each basin, and will give priority to those areas with the most severe problem.

Policy 1.4.7 Commercial shoreline development should be restricted to those activities that require a waterfront location.

Policy 1.4.8 Parking facilities should be located away from the bodies of water and their runoff controlled.

Policy 1.4.9 The Town shall require unique environmental characteristics be incorporated into the overall site design.

Policy 1.4.10 Coastal bulkheads should only be allowed when an environment for native vegetation is provided waterward of the bulkhead for at least 50 percent of the shoreline. Existing coastal bulkheads in need of repair may be replaced.

Policy 1.4.11 Coastal bulkheads should be located at, or landward of, coastal wetlands and their ecotones.

Policy 1.4.12 Sloping revetments, riprap, native vegetation including but not limited to mangroves, or interlocking blocks or some combination of the foregoing, shall be used in high energy areas to more effectively dissipate wave forces, boat waves and reduce the effects of bottom scouring.

Policy 1.4.13 Land development activities that are feasible only through dredging and filling of submerged and wetland areas shall be prohibited unless permitted by the appropriate federal or state agency or has been properly

mitigated as determined by an appropriate federal or state agency. To maintain the Town's current level of evapotranspiration, existing surface waters and stormwater retention/detention areas shall be protected so that development does not reduce or replace surface waters with underground systems.

Policy 1.4.14 Buffer zones of vegetation should be established between any area of urban development and adjacent waterways.

Policy 1.4.15 Waterway connections to open water should be located to minimize adverse environmental impact. Avoid connections that disrupt wetlands, marine grasses and shellfish beds.

Policy 1.4.16 Approved upland waterway construction should be done in the dry, if possible, so that shaping and stabilization of the banks can be completed before the "plug" is removed for connection to open waters.

Policy 1.4.17 New artificial waterways are discouraged.

Policy 1.4.18 Dredging for navigational access or flood control should be planned to prevent unnecessary channels. In areas having shallow water shorelines, peripheral canals on the upland, leading to a central navigational channel, should be considered rather than separate access channels for each waterfront landowner.

Policy 1.4.19 All dredging spoil material should only be placed on suitable upland areas. Where feasible, sandy spoil should be used for dune construction and restoration projects.

Policy 1.4.20 Effective turbidity control mechanisms and procedures should be

used to protect water quality in areas adjacent to construction activities.

Policy 1.4.21 Docks and piers should not obstruct navigation or public use of waters, and they should be constructed in a manner that does not restrict water flow, nor block views to the water.

Habitats & Wildlife

Objective 1.5: To protect and conserve all ecological communities and wildlife, especially endangered and rare species, for present and future generations

Policy 1.5.1 Protection and management of wetland and deepwater habitats shall be in a manner consistent with the adopted policies of the Treasure Coast Regional Planning Council, and the South Florida Water Management District, as well as, the Loxahatchee River Aquatic Preserve Management Plan, and the Loxahatchee River Management Plan.

Policy 1.5.2 The Town will continue to encourage the re-establishment of wetlands in previously drained areas where feasible, and will encourage future development and use of wetlands only for purposes which are compatible with their natural values and functions.

Policy 1.5.3 The Town will encourage site planning and development practices that conserve wooded areas by minimizing damage or destruction to trees and maximizing the design opportunities presented by native vegetation.

Policy 1.5.4 The Town will require new developments to install no less than 50% of the landscape in native vegetation. Vegetation includes not only shrubs and trees, but also grasses.

Policy 1.5.5 The Town shall maintain land development regulations that require all development to set aside through selective clearing and other construction activity, as a minimum, 25 percent of the native plant community which occurs on-site.

Policy 1.5.6 New transportation and utilities development should take place, to the extent possible in existing rights of way, in areas that avoid wetlands and ecotones and areas of historic and scenic value. Where wetlands cannot be avoided, bridging rather than filling should be utilized to the maximum degree feasible.

Policy 1.5.7 All slopes, cuts and fills should be stabilized immediately with vegetation or other effective means in order to prevent unnecessary erosion. Natural vegetation should be retained whenever possible.

Policy 1.5.8 Protection of 25 percent of each native plant community which occurs on-site may be reduced only if the native plant community types are determined not to be rare or endangered. Reduction may be approved only in exchange for increased conservation of native plant types which are rare. In cases where plant types are considered to be rare or endangered increased conservation of these plants may be encouraged by providing an incentive. One unit of rare or endangered plant habitat for two units of common habitat.

Policy 1.5.9 Site clearing, vegetation removal and/or building demolition shall be phased concurrent with construction activity to minimize soil erosion and generation of airborne dust. Construction practices such as seeding, wetting and

mulching which minimize airborne dust and particulate emission generated by construction activity shall be undertaken within sixty (60) days of completion of clearing work. Building construction will occur not later than thirty days after vegetation removal and site clearance.

Policy 1.5.10 Landscaping should utilize native species that are adapted to soil, water and temperature conditions of the area. No less than 50% of the vegetation shall be native. This allows ground cover without introduction of fertilizers, pesticides and other potentially harmful materials that are often necessary for survival of non-indigenous plants. Many times native plants can be salvaged before development occurs and later used for landscaping. To the extent possible, native trees and shrubs located within buildable areas shall be relocated and used on the site.

Policy 1.5.11 Wetlands shall be protected by all development, unless proven to be of overriding public interest and/or determined to be an isolated, non-functioning or a diminishing system by the appropriate jurisdictional agency.

Policy 1.5.12 Any development that does occur in wetlands shall take special care to avoid unnecessary ecological or hydrological damage to the area. Development that occurs adjacent to wetlands shall be designed and developed in a manner that has no negative impact on the wetland and associated systems.

Policy 1.5.13 Wetlands shall have a development potential of ½ dwelling unit per acre, with density transferred to the adjacent non-wetland area of the site.

Policy 1.5.14 Submerged lands shall receive no density allocation.

Policy 1.5.15 In cases where it appears ownership of land extends into waters of the state, ownership of those submerged lands must be established prior to seeking a development order.

Policy 1.5.16 A buffer zone of native upland edge (i.e., transitional) vegetation shall be provided and maintained around wetland and deepwater habitats which are constructed or preserved on new development sites. The buffer zone may consist of preserved or planted vegetation, but shall include canopy, understory and ground cover of native species only. The edge habitat shall begin at the upland limit of any wetland or deepwater habitat. As a minimum, ten square feet of such buffer shall be provided for each linear foot of wetland or deepwater habitat perimeter that lies adjacent to uplands. This upland edge habitat shall be located such that no less than 50 percent of the total shoreline is buffered by a minimum width of ten feet of upland habitat.

The upland buffer requirement does not apply to those created deepwater habitats (e.g., stormwater management ponds) less than one-half acre in size nor to drainage canals or stormwater conveyance requiring periodic maintenance.

Policy 1.5.17 Development of non-wetland areas shall preserve a minimum of 25% open space.

Policy 1.5.18 Land that is environmentally sensitive shall be preserved for the purposes of open space, passive recreation uses, traffic mitigation, flood protection and environmental enhancement.

Policy 1.5.19 The Town's Department of Planning and Zoning shall review proposals for developments that are adjacent to environmentally sensitive lands for possible adverse effects to these lands.

Policy 1.5.20 All nuisance and invasive exotic vegetation defined as Category 1 by the Florida Exotic Pest Plant Council shall be removed and replaced with native plant species adapted to existing soil and climatic conditions. Removal shall be in a manner that avoids seed dispersal by any such species. Planting of invasive exotic vegetation shall be prohibited. On privately owned land implementation shall occur at the time of development or redevelopment. On publicly owned land implementation shall occur at the time of development or as soon as possible. It should be noted that private environmental groups may voluntarily implement this work as an organized project. In all cases, implementation shall be consistent with the overall objective of protecting the functions and values of native habitats. All lands shall be maintained exotic free.

Flood Prone Areas

Objective 1.6: To protect the surface and ground water supply, prevent erosion and prevent the loss of life and property through the restriction of building in the flood zone areas, the Town shall continue to enforce its adopted Flood Zone Ordinance and shall maintain requirements.

Policy 1.6.1 No development will be approved in flood hazard areas and floodways, that is, on land immediately adjacent to major drainage and receiving streams, rivers or low areas which are known to be subject to flooding or rushing water and which therefore, create a hazard

to life and property. Rather, the Town will encourage that these lands be reserved for conservation, open space, and recreation.

Policy 1.6.2 The Town shall prevent and regulate the construction of flood barriers which will unnaturally divert flood hazards to other lands.

Policy 1.6.3 Filling, grading and mineral extraction within the 100-year flood prone area is prohibited unless it can be proven that there will be no increase in flood hazards to other lands, and it is being accomplished in the public interest.

Air Quality

Objective 1.7 To maintain air quality standards at current or improved levels as determined by the Department of Environmental Protection using DEP established criteria for air quality classifications.

Policy 1.7.1 In accordance with Section 163.3202, F.S., the Town shall continue to maintain land development regulations to provide for fuel saving techniques such as promoting car pooling, public transit, bicycling, traditional neighborhood design, pedestrian walkways and Transit Oriented Developments.

Policy 1.7.2 The Town shall maintain, and amend as necessary, the adopted Bicycle Transportation Master Plan, to reduce reliance upon automotive travel.

Policy 1.7.3 By the time the Town revises its development codes, it shall have studied and identified those uses that should be treated as special exceptions.

Policy 1.7.4 Vegetation and buffering along major trafficways shall be required.

Policy 1.7.5 The removal of natural vegetation shall be timed such that it will occur only to those areas in which construction is anticipated during the succeeding three (3) months.

Hazardous Waste

Objective 1.8 The Town will continue to maintain a contract with Palm Beach County to address a hazardous waste management program for the inventory, storage, recycling, collection and disposal of hazardous waste.

Policy 1.8.1 The Town should require notification of hazardous waste generation, handling or storage as part of the occupational license application procedure.

Policy 1.8.2 The Town should cooperate with the County in implementing and maintaining an emergency hazardous waste response program.

Policy 1.8.3 The Town should require automobile service stations to accept waste motor oil and lead acid batteries for subsequent recycling.

Policy 1.8.4 The Town should cooperate with Palm Beach County in sponsoring Amnesty Days to collect household hazardous waste for proper disposal.

Policy 1.8.5 Commercial mining within the jurisdictional limits of the Town is prohibited.

Greenways and Blueways

Objective 1.9 Provide a linked open space program for the conservation of greenways, blueways (water corridors used for conservation or recreation),

and wildlife corridors that serve as connections to environmentally significant lands and conservation areas.

Policy 1.9.1 Provide incentives which encourage developers to provide linkages and connections between conservation areas and environmentally significant lands through buffers and upland set asides.

Policy 1.9.2 The Town shall preserve environmentally significant land and wildlife habitat areas using the Jupiter Open Space Program or other opportunities, to support endangered species, threatened species and species of special concern as part of a linked open space network, in order to ensure the survival of species which would otherwise be jeopardized by isolation.

Policy 1.9.3 Amend the Town Code to make consideration of greenways and wildlife a component of the development review and approval process.

Policy 1.9.4 Allow for off-site mitigation to create greenways and to enhance existing greenways as noted on the Town’s Blueways and Greenways Map.

Policy 1.9.5 The Town’s Blueways and Greenways Map should be used to guide the future acquisition of property or dedication of easements to establish new blueway and greenway connections or to enhance the existing blueways and greenways.

Green Design

Objective 1.10 To encourage and promote effective green design theories and techniques for new development, redevelopment and infill projects including sustainable site development, water efficiency (including stormwater runoff), energy efficiency, sustainable material selections (including alternate paving materials to reduce heat island effects), urban agriculture and improved indoor environmental quality.

Policy 1.10.1 The Town shall maintain and amend as necessary land development regulations to promote and support green design theories and techniques, and which provide incentives for same.

Policy 1.10.2 The Town shall maintain a Florida Green Building Coalition “Florida Green Local Government Silver Certification” and adopt a Sustainability Plan by December 2024.

Policy 1.10.3 The Town will continue to support existing farmers markets, public markets, and similar activities and encourage the development of additional markets throughout the Town to provide residents with access to fresh, local produce.

Policy 1.10.4 The Town shall support the creation of community gardens at a scale that is appropriate to the Town’s neighborhoods, particularly in areas that have vacant or underutilized land.