From:	Jeffrey
To:	Natasha Moore; David Stern; Donald Peters; Evalyn David; Judith Goldberg
Cc:	Marshall Labadie; Terisha Cuebas; Jeff Remas; Ingrid Allen
Subject:	Staff suggested lighting ordinance revision.
Date:	Sunday, December 3, 2023 5:07:27 PM

Subject: Concerns Over Proposed Lighting Ordinance.

Mayor, Vice Mayor, Commissioners,

I am expressing my deep concerns about the proposed lighting ordinance.

Firstly, The proposed ordinance is nearly impossible to understand. Staff's approach to crafting this ordinance selectively adopts parts of the state model while significantly embellishing others. This not only adulterates the original state model but also encroaches into areas that directly affect residents' quality of life. Any claim that this revision is merely an adoption of the state model is, unfortunately, not accurate. Revising an ordinance that is not related to health or public safety by our town's building department, which operates with enforcement authority akin to that of a police force, equates to staff proposing new laws governing the behavior of our residents. This is not in their domain.

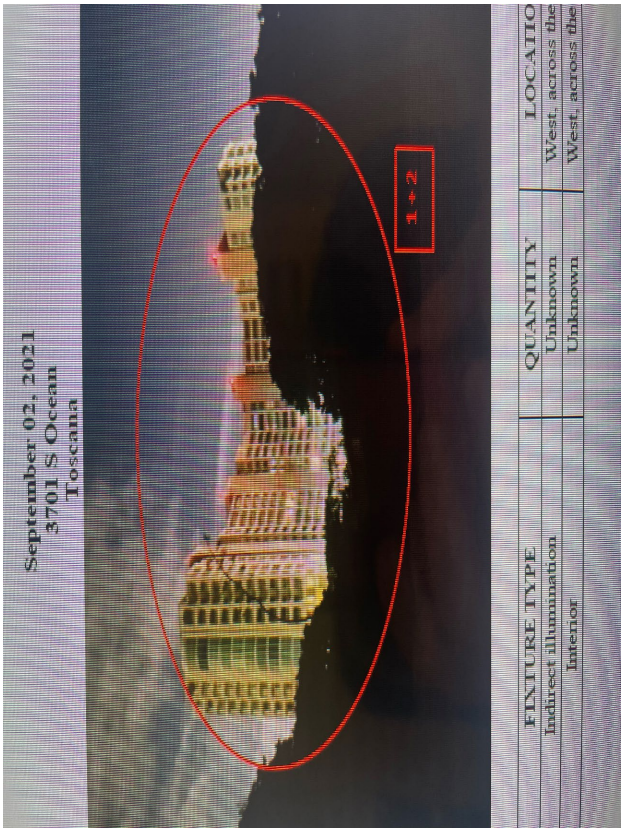
The proposal prohibits the installation of any lighting except for dim amber, orange, or red lights, not only during the seven-month nesting season but throughout the entire year. It ignores that our residents prefer well-lit patios and pool areas during our peak People Season, which is from November through February. These months are crucial for our community, and such a ban would dampen the enjoyment and atmosphere that our residents cherish.

It's noteworthy that the proposed ordinance omits the entire state model Geographic Boundary Clause; instead, harsher language was initially added and then revised to ambiguous language in this version. The introduction of new restrictions, harsher than the state code, appears to be an overreach. Furthermore, it's concerning that many additional new restrictions have been added since our Commission last reviewed the staff's proposal.

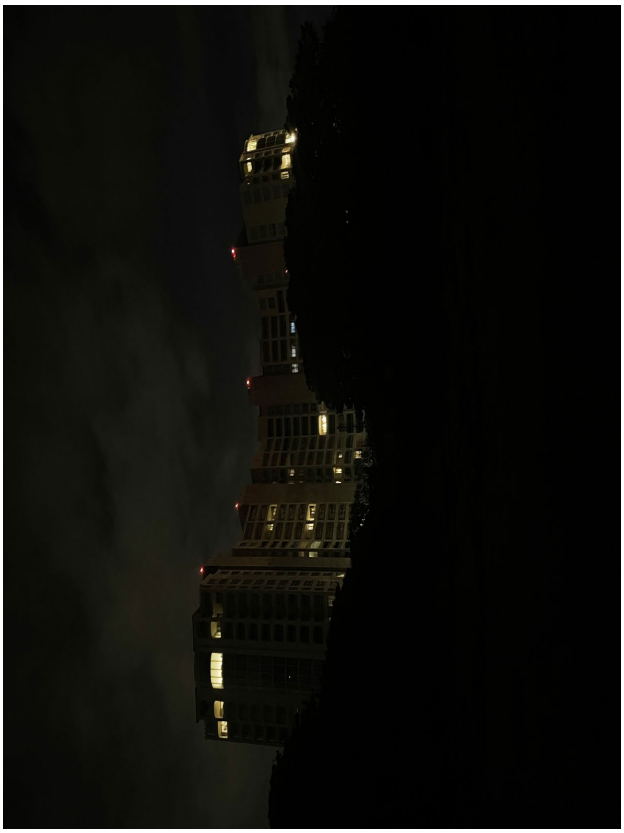
The imagery shown to our Commission during the original proposal, particularly the

night image of Tuscana, might have been deceptive. To address this, I personally captured an image from the same location with adjusted camera settings to more accurately reflect the actual lighting situation. This effort was necessary as automatic exposure often results in overly brightened pictures, which can misrepresent the true extent of the lighting.

Image from Commission Agenda Package-



The image I took from the same spot on the beach-



To the best of my understanding, there is no documented evidence suggesting that sea turtle hatchlings have been adversely affected by the current town ordinance — specifically, there are no records of hatchlings straying away from the ocean and perishing due to any shortcomings in our existing regulations. Additionally, there hasn't been a notable demand from a significant amount of our residents for any changes to the present ordinance.

Our town staff, while well-intentioned and a vital part of our community, were placed in a position well beyond their appropriate scope.
I respectfully propose that the revision of this ordinance be postponed until the residents of Highland Beach express a clear need or desire for such changes. This approach will ensure that any amendments are truly in line with the community's interests and requirements.

Sincerely.
Jeffrey Kleiman
Highland beach

This is what is being suggested for
the non-nesting months of
the People Season November through February.