



REPORT OF THE ORDINANCES, RULES AND STANDARDS COMMITTEE MEETING HELD ON THURSDAY, FEBRUARY 7, 2019

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules and Standards (ORS) Committee meeting was called to order on Thursday, February 7, 2019, at 9:30 a.m. in the Town Council Chambers. On roll call, all committee members were found to be present.

II. PLEDGE OF ALLEGIANCE

Chair Araskog led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

The agenda was approved, as presented.

IV. COMMUNICATIONS FROM CITIZENS - None

V. REGULAR AGENDA

A. Old Business

1. Update on Efforts to Affect Changes to Florida Fish and Wildlife Commission Regulations, Relative to Shark Fishing.
Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar reported that the Florida Fish and Wildlife Commission received the Town's input and requests for modifications to the proposed rule language for chumming and shark fishing near the shoreline favorably. He added that the final approval to rule language will be finalized at their meeting on February 20, 2019.

Chair Araskog expressed her appreciation to Mayor Coniglio and Coastal Program Manager Rob Weber for their advocacy efforts on the updated regulations.

2. Further Discussion and Review of Potential Modifications to Code of Ordinances at Chapter 66, Article IV, Relative to Regulation of Native Vegetation, Ficus Benjamina, Mulching, Hatracking, and Fertilization.

Josh Martin, Director of Planning, Zoning and Building

Chair Araskog thanked the sponsors, speakers and staff for the “*Where Have All the Songbirds Gone*” panel discussion that took place on Monday, February 4, 2019, in the Town Hall Council Chambers. She praised the panelists for their informative presentations on the harmful effects of pesticide use and best practices for greener landscapes to residents and landscape professionals.

Deputy Town Manager Boodheshwar spoke regarding the collaborative efforts over the years to modify Chapter 66 at Article IV. in order to promote greener, healthier and toxin-free landscapes without overregulating the residents. He provided a brief overview of the ordinance changes and the back-up material.

Josh Martin, Director of Planning, Zoning and Building, provided an overview of the revisions to Chapter 66 of the Town Code, which included specific recommendations provided to staff at the November Town Council meeting and the additional modifications related to the use of ficus benjamina based on the input received from the local garden club and landscape architects. He also presented staff’s recommendations to modify certain sections of Chapter 66 relative to design requirements and native vegetation requirements.

Discussion ensued regarding the various methods used for tree pruning such as pollarding, hat racking and pleaching, the Town’s approval process for landscape plans, the role of the Landmarks Preservation Commission and Architectural Commission (ARCOM) in reviewing and approving project plans and the goal of the *Purpose and Intent* section.

Chair Araskog requested the use of the word “encouraged” in the code language for Section 66-311 (d).

Committee Member Crampton expressed concerns with the enforcement and violation language used in the Code with respect to the removal or replacement of previously existing *Ficus benjamina* hedges. He also spoke regarding a reward system for the homeowners who make changes to their landscape plans to reduce the need for chemical pesticides.

In response to Mr. Crampton’s questions and concerns, Director Martin clarified that the proposed 50% rule only pertains to new landscape plans that are presented to the Planning and Zoning Department.

John David Corey, 426 Australian Ave., spoke regarding the recent

applications and landscape plans submitted to ARCOM and commented on how helpful the ordinance language is to the landscapers, residents and ARCOM.

Bill Metzger, 277 Esplanade Way, expressed concerns with property owners being issued code violations for any dead plant materials as a result of the easement and transformer installations.

In response to Mr. Metzger, Deputy Town Manager Boodheshwar explained that there will be no penalties issued for any dead or damaged material as a result of the transformer installations and the Town will work with the residents on a case by case basis. He also asked for clarification on the tree *hatracking* regulation.

Motion was made by Committee Member Crampton, and was seconded by Chair Araskog to approve the modifications to Chapter 66 with the addition of the word “encouraged” to Section 66-311(d) and present it to the Town Council at their March 19, 2019 meeting. The motion passed unanimously.

B New Business

1. Discussion Regarding Concerns about Lake Trail Regulations
Nick Caristo, Acting Police Chief

Deputy Town Manager Boodheshwar spoke regarding the variety of concerns that have been brought forward from residents and elected officials regarding the misuse of the Lake Trail.

Acting Chief of Police Caristo reported on the Police Department’s efforts to address safety issues for bicyclists and pedestrians who share the Lake Trail through education, increased patrols and enforcement.

Bill Metzger, 277 Esplanade Way, suggested the placement of “share the road” signs on the Lake Trail as a reminder to the bicyclists to be more pedestrian friendly.

Bill Bone, 322 Pendleton Lane, spoke in opposition to any new rules that may prohibit cyclists from using the Lake Trail. He pointed out that the Lake Trail was originally designed as a bicycle path and cited historical examples of its use. He thanked the Police Department and Chief Caristo for enforcing the rules equally fairly to pedestrians, cyclists and motorists.

**REPORT OF THE ORDINANCES, RULES, AND STANDARDS COMMITTEE MEETING
HELD ON THURSDAY, FEBRUARY 7, 2019**

John David Corey, 422 Australian Ave., spoke in support of Mr. Bone's comments and agreed that the Town does not need more regulation.

It was the consensus of the ORS Committee to direct the Police Department to continue with their pro-activeness and encourage courtesy on the Lake Trail.

VI. ANY OTHER MATTERS - *None*

VII. ADJOURNMENT

There being no further business to discuss, the Ordinances, Rules and Standards Committee Meeting was adjourned at 10:50 a.m.

APPROVED:

Julie Araskog
Chair

ATTEST:

Kathleen Dominguez
Town Clerk

Date

**REPORT OF THE ORDINANCES, RULES, AND STANDARDS COMMITTEE MEETING
HELD ON THURSDAY, FEBRUARY 7, 2019**