

**TOWN OF OCEAN RIDGE
PLANNING & ZONING REGULAR MEETING
AGENDA**



**May 20, 2025 at 9:00 AM
Town Hall - Meeting Chambers**

COMMISSIONERS

Chair P. Shields Ferber
Vice Chair Kenneth Kaleel
Member Neal Sigety
Member Marc de Baptiste
Member Fady Khairallah
Alt. Member Jason Sutherland

ADMINISTRATION

Interim Town Manager Michelle Heiser
Town Attorney Christy Goddeau
Town Clerk Kelly Avery
Building Official Mike Crisafulle
Town Planner Corey O'Gorman
Town Engineer Tara Bamber
Town Zoning Official Manual Palacios

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

PUBLIC COMMENT – (3-minute individual limit for items not on the agenda)

APPROVAL OF MINUTES

1. Adopt Minutes of the April 15, 2025 Meeting

DISCUSSION / ACTION ITEMS

2. Selection of Chair & Vice Chair
3. Discussion of Artificial Turf Ordinance - Can any changes be made?
4. Discussion of Deck Setback Ordinance - Could there be a reduction in setbacks or eliminate the setbacks for decks?
5. Discussion of Landscaping Ordinance/Tree Ordinance in Determining Whether Protecting the Canopy is Necessary

COMMISSIONER COMMENTS

This item is reserved for any Commissioner Comments that are not related to any item printed on the agenda.

ADJOURNMENT

**THE NEXT MEETING OF THE PLANNING & ZONING COMMISSION WILL BE
HELD ON TUESDAY, JUNE 17, 2025, AT 9:00 AM AT TOWN HALL.**

The Town of Ocean Ridge is holding all meetings in-person, with an additional option of listening to the audio live. Any person wishing to listen to the audio live can access the feed on the date and time of the meeting by dialing +1 (571) 317-3122 and using 471-955-997 as the access code. You can join from your computer, tablet or smartphone. <https://meet.goto.com/471955997>

If a person decides to appeal any decision made by the Planning & Zoning Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who need an accomodation in order to attend or participate in this meeting should contact the Town Clerk at 561-732-2635 at least 5 days prior to the meeting in order to request such assistance. Please take notice that one or more Town Commissioners may be present at any board or commission meeting of the Town of Ocean Ridge.

Notice: The public may view the hard copy of the meeting materials at Town Hall before the meeting.

PLANNING & ZONING COMMISSION MEETING MINUTES
APRIL 15, 2025

Meeting Minutes of the Planning and Zoning Commission of the Town of Ocean Ridge held on Tuesday, April 15, 2025, in the Town Hall Meeting Chambers.

CALL TO ORDER

The meeting was called to order at 9:00 a.m. by Chair Ferber.

ROLL CALL

Town Clerk Avery led the roll call, which was answered by the following:

Chair Shields Ferber	Present
Vice Chair Kenneth Kaleel	Present
Member Marc de Baptiste	Present
Member Neal Sigety	Present
Member Jason Sutherland	Present

PLEDGE OF ALLEGIANCE

Chair Ferber led the Pledge of Allegiance.

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

There was none.

PUBLIC COMMENT

There was none.

APPROVAL OF MINUTES

1. **Adopt Minutes of the March 18, 2025, Regular Meeting.**

Member Sigety moved to adopt the minutes of March 18, 2025, as amended; seconded by Vice Chair Kaleel. Motion carried 5-0.

DISCUSSION/ACTION ITEMS

2. **Discussion and Approval of Proposed Seawall Ordinance**

Town Attorney Goddeau presented the proposed seawall ordinance. She announced that several contractors were attending the meeting to provide feedback on what they think the town should consider in terms of seawalls.

Mitch Bryant, B & M Marine Construction, agreed with a 5.0 foot minimum and suggested not placing a maximum due to the elevations of the homes becoming higher. He recommended that the town clarify the width of the docks and boat lifts.

PLANNING & ZONING COMMISSION MEETING MINUTES
APRIL 15, 2025

Vice Chair Kaleel asked Mr. Bryant questions about his suggestion of a quick turnaround time for seawall approval with the agencies, and Mr. Bryant provided the times. Mr. Bryant advised that the Town's approval process is prompt. There was further discussion regarding the jurisdiction map.

Vice Chair Kaleel suggested that the Town obtain a jurisdiction map. He asked Mr. Bryant for clarification on his suggestion of seven feet (7 ft) from the wet face of the sea wall, and Mr. Bryant answered his question. There was further discussion about the restrictions on the wet face of the seawall.

Andrew Paul-Hus, APH Marine Construction, agreed with Mr. Bryant's suggestion regarding not placing a maximum due to the homes becoming higher. He suggested that the Town have an engineer sign off on major repairs. He discussed different observations from previous seawall work in Town. He suggested that the Town should not allow improvements that are not going to last just because of budgetary constraints and informed the Board of the PACE program, which could be an avenue for a financing perspective for the residents. There was further discussion regarding several types of seawalls.

Town Engineer Tropepe explained her position with the Town and emphasized that their focus is regarding elevation. She expressed her concern regarding the areas in the Town that need a seawall and needed assurance that they will not be prohibited from installing a new seawall. Town Attorney Goddeau stated that Town Engineer Tropepe has previously conveyed her concern, so she prepared some language that would exempt out sea walls that are necessary for government infrastructure and repairs real property.

Vice Chair Kaleel recommended that the Town Commission authorize the Town Engineer to complete an inventory and assessment of the seawalls that must be addressed.

There was consensus from the Commission to direct the Town Engineer to go before the Town Commission to request an assessment of the Town properties and bridges to ensure that seawalls are up to par.

There was further discussion regarding the maximum elevation bound to a property. Vice Chair Kaleel asked Town Engineer Tropepe to look at options before the Commission decides on establishing a maximum elevation. More discussion followed about the maximum height of seawalls.

Chair Ferber opened the floor for public comment.

The following spoke: Terry Brown

Chair Ferber closed the floor for public comment and called for the board discussion.

There was discussion regarding several sections throughout the proposed ordinance.

PLANNING & ZONING COMMISSION MEETING MINUTES
APRIL 15, 2025

Chair Ferber mentioned that the board will continue to research 7-foot wet face, jurisdictional map, PACE financing, and government exemption.

Vice Chair Kaleel moved to send the proposed ordinance to the Town Commission for their comments and passage, subject to further revisions from the Planning & Zoning Commission: seconded by Member de Baptiste. Motion carried 5-0.

3. Quasi-judicial Hearing: 6855 N Ocean Blvd (Continuation)

Chair Ferber asked if any of the board members had any ex-parte communications. All Commissioners replied that they had none. Town Clerk Avery swore in those who wished to give testimony.

Town Planner O’Gorman had no additional comments from the prior presentation.

Town Engineer Bamber proceeded with the first item on her list of comments. She explained that the pre-approval from the Department of Transportation (DOT) for the proposed sidewalk in the right-of-way was removed by the applicant. She proceeded with the remaining comments.

The board asked questions about the cross-section and Town Engineer Bamber answered their questions. Further discussion ensued regarding the egress and ingress in conjunction with where the location was currently located.

Vice Chair Kaleel questioned the type of landscaping. Town Engineer Bamber provided the types of trees and explained that applicants are not proposing anything in the right-of-way. Brian Donahue, Insite Studio, explained that they are not proposing anything in the right-of-way. He noted that there is vegetation in the DOT right-of-way.

Vice Chair Kaleel expressed his concern regarding ingress, the safety of pedestrians and bicyclists traveling up and down the road. Mr. Donahue explained that they are only proposing sod in the sightline.

Chair Ferber questioned the entryway and parking requirements, and Mr. Donahue answered his questions. Brian Kelly, Simmons & White, stated that they have reviewed the site circulation and it met standards. He also mentioned that they are reducing the number of units. There was further discussion regarding excessive traffic leaving the property. Vice Chair Kaleel suggested that a stop sign be placed before you get into the entrance and Town Planner O’Gorman mentioned that he would include the item as a condition.

There was further discussion regarding the ingress and egress on the south side, grading, retaining wall, and drainage.

Nelo Freojomel, Architect, spoke briefly about the architecture.

Chair Ferber opened the floor for public comment.

PLANNING & ZONING COMMISSION MEETING MINUTES
APRIL 15, 2025

Terry Brown, Harbour Drive South, spoke briefly on a crosswalk that he stated is not ADA compliant.

Mr. Kelly explained that the existing pedestrian crosswalk is not being modified from its current location. More discussion ensued regarding the crosswalk becoming ADA compliant.

Chair Ferber closed public comment.

Member de Baptiste thanked the applicant for proposing a more consistent look with the building in Town. He provided his comments on style and elevations.

Chair Ferber questioned the renderings, windows, and north exterior elevations. There was further discussion regarding adding additional shutters on the top floor. The board discussed approving the proposed project.

Vice Chair Kaleel moved to approve sending the item to the Town Commission based upon the conditions discussed, including a change in the design that incorporates what the architect has proposed, knowing that the Commission or this Board agrees with the review of stacking, and traffic pattern of the parking lot to include a hard stop at the intersection of the parking lot before the ingress and egress; to change the sidewalk or the pathway, driveway, between the two buildings, between the two property lines, from the hard asphalt to an impervious surface, roof screening, and softening of those particular areas with moldings and shutters: seconded by Member de Baptiste. Motion carried 5-0.

Member Sigety departed early from the meeting at 11:13 am.

4. Quasi-judicial Hearing: 11 Osprey Dr. (Continuation)

Chair Ferber asked if any of the board members had any ex-parte communications. All Commissioners replied that they had none. Town Clerk Avery swore in those who wished to give testimony.

Town Planner O’Gorman had no additional comments from the prior presentation. Town Engineer Bamber advised there were no changes from the prior presentation.

James Robson, the architect, presented the project.

The board commended the applicant on the proposed project.

Chair Ferber opened the floor for public comment, and there was none.

Member de Baptiste moved to approve the Development Plan Review Application for 11 Osprey Drive, subject to all conditions outlined by staff: seconded by Member de Baptiste. Motion carried 4-0.

PLANNING & ZONING COMMISSION MEETING MINUTES
APRIL 15, 2025

COMMISSIONER COMMENTS

There were none.

ADJOURNMENT

Meeting adjourned at 11:17 a.m.

Minutes prepared by Deputy Town Clerk Pinder and adopted by the Planning & Zoning Commission on May 20, 2025.

Shields Ferber, Chair

Attest:

Kelly Avery, Town Clerk

DRAFT

Agenda: Tuesday, May 20, 2025
Memo: Item #2.

Town of Ocean Ridge, Florida
Planning & Zoning Commission Agenda Memorandum

Kelly Avery, Town Clerk

Subject: Selection of Chair & Vice Chair

Chair and Planning and Zoning Members:

The Town Commission re-appointed Jason Sutherland as the Alternate for the Planning and Zoning Commission. We still have an open Alternate position that we are hoping will get an appointment at the next Town Commission Meeting. After each annual appointment cycle, the board has to choose a Chair and Vice Chair as indicated in the Code.

Per the Rules of Order and Procedure, the Chair and the Vice Chair shall be selected by ballot. The Town Clerk shall prepare the ballots, listing each Board Member's name. The Board may, by majority vote of the Board, change the voting process at any time.

The Chair will serve as the presiding officer for the meetings. The Presiding Officer shall preserve order during the meetings. In the case of absence or disability of the Chair, the Vice-Chair shall assume the responsibilities of the Chair as Presiding Officer. The Rules of Order and Procedure is attached for reference.

Suggested Motion:

Respectfully,
Kelly Avery, Town Clerk

TOWN OF OCEAN RIDGE
6450 NORTH OCEAN BOULEVARD
OCEAN RIDGE, FLORIDA 33435

www.oceanridgeflorida.com
(561) 732-2635 ♦ FAX (561) 737-8359

LYNNE LADNER
TOWN MANAGER

KELLY AVERY
TOWN CLERK



MAYOR
GEOFF PUGH

VICE MAYOR
STEVE COZ

COMMISSIONERS
CAROLYN CASSIDY
PHILIP BESLER
KENNETH KALEEL

TOWN COMMISSION & BOARDS RULES OF ORDER AND PROCEDURE
Adopted by Resolution No. 2021-24 on November 1, 2021

Rule 1. Public Meetings.

- 1.1 All Town Commission and Town Commission Appointed Board/Committee meetings shall be open to the public except as otherwise provided by law.

Rule 2. Regular Meetings.

- 2.1 The Town Commission shall meet the first Monday of each month at 6 p.m. in Town Hall. This date may be changed from time to time as needed by a majority vote of the Town Commission.
- 2.2 The Town Manager or designee shall prepare the agenda, notices, and package materials for the meetings as required by Florida law. Town Commissioners and Department Heads may make requests in writing to the Town Manager to place an item on the upcoming Town Commission meeting agenda by the deadline date set by the Town Manager. If the Town Manager refuses to accept any Commissioner's timely addition to the agenda, the Commissioner can bring up the matter during Commission discussion. The order of the items on the Town Commission agenda will be determined by the Town Manager, subject to change by a majority vote of the Town Commission at the beginning of the meeting.

Rule 3. Special Meetings

- 3.1 Special Meetings may be held on the call of the Mayor or of a majority of the members of the Town Commission and, whenever practicable, upon no less than twenty-four hours' notice to each member and the public, unless there is an immediate threat to the public health, safety or welfare. The Town Manager or designee shall prepare the agenda, notices, and package materials for the meetings as required by Florida law.
- 3.2 The Mayor, Town Manager, or a majority of the Commission Members may call an Emergency Town Commission meeting when a sudden,

urgent event or situation arises necessitating immediate action and judgment. The Town Clerk or designee shall post the agenda and notify each Town Commission Member, the Town Manager, and Town Attorney immediately. Such notification shall be given as soon as practicable before commencement of the meeting, which may be less than 24 hours' notice, and shall state the time, place, and subject of the meeting.

Rule 4. Adjourned Meeting

- 4.1 A Town Commission session may be adjourned or continued from day to day or for more than one day, but the adjournment shall not be extended beyond the next regular meeting.

Rule 5. Duties and Responsibilities of the Presiding Officer

- 5.1 The Mayor shall preside at Town Commission meetings and shall be recognized as head of the Town government for ceremonial purposes and by the Governor for martial law purposes. The Presiding Officer shall preserve order during Town Commission meetings. The Presiding Officer shall have discretion to make rulings for the progress of the meeting, subject to these rules. In the case of absence or disability of the Mayor, the Vice-Mayor shall assume the responsibilities of the Mayor as Presiding Officer, and if both are absent or disabled the Commissioner with the longest term of continuous service shall preside.

The Chair of a Board/Committee shall be designated as the Presiding Officer for the Board/Committee he/she serves, with the Vice-Chair presiding in the absence of the Chair, and if both are absent or disabled the committee member with the longest term of continuous service present at the meeting shall preside.

- 5.2 The Presiding Officer may call to order any member of the Commission, staff, or any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting.

Rule 6. Corporate Seal

- 6.1 The duly appointed Town Clerk shall keep in custody the Town's corporate seal and ensure its proper and lawful use on behalf of the Town. No person shall use the Town Seal for a purpose other than official Town business.

Rule 7. Presentations & Public Comment

- 7.1 Town Commission and Board/Committee meetings are business meetings of the Commission/Board/Committee and the right to limit discussion rests with the Commission/Board/Committee.
- 7.2 Except as otherwise set forth in these Rules, persons who make an approved, pre-scheduled presentation to the Town Commission must limit the duration of their presentation to 15 minutes. Exceptions may be granted by the Presiding Officer.

- 7.3 Public Comments made by a member of the public will be limited to one time per subject matter for a total of three minutes. Exceptions may be granted by the Presiding Officer or a majority of Commissioners agreeing to grant extended time not to exceed one minute. Individuals addressing the Commission on the same topic as an individual who has already spoken should attempt to provide new information. When possible, individual grievances should first be taken up with Town Staff before comments are made at a Town Commission meeting.
- 7.4 The Commission may withhold comment or direct the Town Manager to take action on requests or comments made by the public.
- 7.5 Each person addressing the Commission shall step up to the podium and state his/her name and address in an audible tone of voice for the record. All public comments must be addressed to the Commission as a body and not to individuals. Personal verbal attacks upon Commissioners, staff, and/or members of the public will not be tolerated. Any person making impertinent obscene, personally insulting, defamatory, or slanderous remarks or who becomes disruptive while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

Rule 8. Decorum and Order

- 8.1 The presiding officer shall preserve decorum and order during meetings. Any Commissioner may call point of order during the meeting and state the question of order along with the rule citation. The Presiding Officer decides all questions of order subject to the Commission's appeal by majority vote of all Commissioners present.
- 8.2 During all meetings of the Commission, Commissioners must preserve order and decorum and a Commissioner shall neither by conversation or otherwise, delay or interrupt the proceeding or the peace of the Commission nor disturb any Commissioner while speaking, or refuse to obey the rules of the Commission or its Presiding Officer, except as otherwise provided herein. Members of the Commission shall accord the utmost courtesy to each other, the Town employees, consultants, professionals presenting applications or other matters, and the public appearing before the Commission. Members of the Commission shall refrain at all times from rude and derogatory remarks and abusive comments or statements.
- 8.3 No member of the public shall, during a Commission meeting, make or cause to be made any intentional disruptive noise, or take any intentional disruptive action of any kind in the Commission Chambers.
- 8.4 The presiding officer shall have the authority to direct the removal of any member of the public who violates the rules of decorum as set forth herein.

- 8.5 Town Commissioners, Town Staff members and those individuals who address the Commission or its appointed boards or committees shall not use language which includes profanity or cursing, or which is presented in a belligerent or threatening manner toward the Commission, members of its staff or its consultants, the public or other individuals participating in a public meeting. All comments shall be directed to the Presiding Officer of the meeting and not to individual members of the Commission, town staff or consultants, or to members of the public in the audience. During public comment, on a regular agenda item, if a member of the public wishes to ask a question directly to town staff or a guest presenter, the member of the public will present the question to the Presiding Officer who may choose how or if to ask the question. However, Town staff or guest presenter has no obligation to respond to the question.

Those addressing the Commission or its appointed boards or committees shall avoid personal verbal attacks toward members of the Commission, members of its appointed boards or committees, town staff or consultants, or members of the public in order to preserve decorum during the conduct of public meetings. The Presiding Officer may remove individual(s) from the Commission Chambers if such conduct persists after the Presiding Officer has provided the offending individual with a warning that the individual is in violation of this policy.

- 8.6 It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
1. The Presiding Officer will identify out loud the out-of-compliance behavior and request for the behavior to stop;
 2. The Presiding Officer will ask the speaker to have a seat if he/she continues to disrupt the meeting;
 3. If the speaker refuses to have a seat and/or stop the out-of-compliance behavior, the Presiding Officer will recess the meeting; and,
 4. Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

Rule 9. Rules of Debate

- 9.1 Sequence of Debate: With the exception of quasi-judicial matters, items before the Commission shall be commenced by presentation of the item by a staff member, followed by public comment on the item. Once the Presiding Officer closes public comment, he or she opens the floor for debate by Commissioners, and shall not re-open public comment on the item unless there is a majority vote by all Commissioners present to do so. Once all Commissioners have had the opportunity to speak on the item,

the Presiding Officer may call for a motion and a second on the item and then open debate on the motion by the Commission. Once debate by Commissioners has concluded on the motion, the Presiding Officer shall call for a vote on the motion. A roll call vote may be requested by any Commissioner on any item.

- 9.2 Presiding Officer May Move, or Second, & Debate: The Presiding Officer may make a motion or second on any item subject only to such limitations of debate as are imposed by these rules on all Commissioners and shall not be deprived of any of the rights and privileges of the Commissioner by reason of the Commissioner acting as the Presiding Officer. However, the Presiding Officer may only make a motion once he/she has called for a motion and no other Commission Member has offered a motion on the floor.
- 9.3 Responsibility of Presiding Officer: The Presiding Officer has the responsibility of controlling and expediting debate. A Commissioner who has been recognized to speak on a question has a right to the undivided attention of the Commission. The Presiding Officer's responsibility is to keep the subject clearly before the Commissioners, to rule out irrelevant discussion, and to restate the question whenever necessary.
- 9.4 All Members Shall Vote: No member of the Commission who is present at any meeting of the Commission at which an official decision, ruling or other official action is to be taken or adopted may abstain from voting in regard to such decision, ruling or act and a vote shall be recorded or counted for each such member present, except when, with respect to any such Commissioner, there is a conflict of interest under the provisions of Chapter 112, Florida Statutes. In such cases, such Commissioner shall comply with the disclosure requirements of Section 112.313, Florida Statutes.
- 9.5 Interruptions: A Commissioner, once recognized, shall not be interrupted when speaking except to call the Commissioner to order or as herein otherwise provided. If a Commissioner while speaking is called to order, said Commissioner shall cease speaking until the question of order is determined, and if in order, the Commissioner shall be permitted to proceed.
- 9.6 Withdrawal of Motions: Any motion before the Commission may be withdrawn at any time prior to a vote being taken thereon by the Commissioner making such motion, upon agreement by the Commissioner seconding said motion to withdraw the second.
- 9.7 Amending of Motions: At any time during discussion of a motion on the floor, a motion to amend said motion may be made. If the amending motion is seconded, the Commission shall at the conclusion of discussion, first vote on the amending motion and then vote upon the original motion in its amended form. An amending motion may be withdrawn in the same manner as set forth in sub-paragraph 9.76 above.

- 9.8 Motion to Reconsider: A motion to reconsider any action taken by the Commission may be made only during the meeting that such action was taken. Such motion must be made by one of the Commissioners on the prevailing side, but may be seconded by any Commissioner. The motion to reconsider may be made at any time and have precedence over all other motions. Nothing herein contained shall be construed to prevent any member of the Commission from making or remaking the same or any other motion at a subsequent meeting of the Commission.

Rule 10. Appointments to the Commission and Boards & Committees

- 10.1 Vacancies on the Town Commission or any Board or Committee of the Town of Ocean Ridge shall be announced on the Town Commission agenda, and on the Town website. All interested persons shall submit a letter of interest and resume to the Town Clerk by the deadline stated in the announcement. The Town Clerk shall determine whether or not the interested person is a qualified elector of the Town and submit that information to the Town Commission. No nominations from the floor are allowed unless otherwise set forth herein.
- 10.2 To fill a vacancy on the Town Commission, the Town Commission shall vote by ballot. The Town Clerk shall prepare the ballots, listing the qualified candidates that submitted a letter of interest and resume by the stated deadline. If no letters of interest or resumes are received by the stated deadline, or only one letter of interest and resume is received by the stated deadline, the Commission may choose to fill the vacancy by a motion and second, nominating any qualified elector to fill the vacancy. The Town Commission may, by majority vote of the Commission, change the voting process at any time.
- 10.3 To fill a vacancy on any Board or Committee of the Town other than the Town Commission, the Town Commission shall vote by ballot as set forth in 10.2 above.
- 10.4 To fill the positions of Mayor and Vice-Mayor, the Town Commission shall vote by ballot. The Town Clerk shall prepare the ballots, listing each Town Commissioner's name. The Town Commission may, by majority vote of the Commission, change the voting process at any time.

To fill the positions of Chair & Vice-Chair on the Planning & Zoning Commission, Board of Adjustment, or any other committee created by the Town Commission, the Members of each Board shall vote by ballot. The Town Clerk shall prepare the ballots, listing each Board Member's name. The Board may, by majority vote of the Board, change the voting process at any time.

Rule 11. Suspension and Amendment of these Rules

- 11.1 Suspension of Rules: Any provision of these rules not governed by the Town Charter or Town Code may be temporarily suspended by a vote of a majority of the Town Commission Members.

11.2 Amendment of Rules: These rules may be amended, or new rules adopted, by a majority vote of the full membership of the Town Commission, provided that the proposed amendments or new rules shall have been introduced into the record.

Agenda: Tuesday, May 20, 2025
Memo: Item #3.

Town of Ocean Ridge, Florida
Planning & Zoning Commission Agenda Memorandum

Kelly Avery, Town Clerk

Subject: Discussion of Artificial Turf Ordinance - Can any changes be made?

The Town Commission has assigned different topics for the Planning & Zoning Board to discuss and come up with solutions for the Town Commission to decide on. This particular item is regarding the Artificial Turf ordinance that has been becoming more popular lately. They want to see if any changes can be considered with this ordinance. I have included the section of the Town Code for your reference.

Suggested Motion:

Respectfully,
Kelly Avery, Town Clerk

Sec. 66-142. - Artificial turf/synthetic grass.

(a) *Minimum material standards.* All artificial turf also referred to as synthetic grass, shall comply with the following minimum standards:

- (1) Artificial turf shall consist of green lifelike individual blades of grass that emulate natural turf in look and color, as approved by the town building official, and shall have a minimum pile height of one and one-half inches, unless otherwise approved by the town building official, and shall have a minimum tufted weight of 56 ounces per square yard.
- (2) Artificial turf installations shall have a minimum permeability of 30 inches per hour per square yard.
- (3) All artificial turf shall have a minimum eight-year manufacturer's warranty that protects against color fading and a decrease in pile height.
- (4) Artificial turf shall be lead free.
- (5) All materials must include test documentation which declares that the artificial turf yarn and backing materials are disposable under normal conditions, at any U.S. landfill station (Total Content Leach Protocol (TCLP) test).
- (6) The use of indoor or outdoor plastic or nylon carpeting as a replacement for artificial turf or natural turf shall be prohibited.

(b) *Installation, maintenance and repair.*

- (1) All artificial turf shall at a minimum, be installed according to the manufacturer's specifications.
- (2) All artificial turf installations shall be anchored to ensure that the turf will withstand the effects of wind.
- (3) All seams shall be nailed and glued, not sewn, and edges shall be trimmed to fit against all regular and irregular edges to resemble a natural look.
- (4) If artificial turf is planned to be installed immediately adjacent to a seawall, the artificial turf shall be pinned or staked behind the seawall. No artificial turf or installation mechanism shall be attached directly to or placed on a seawall or seawall cap.
- (5) Proper drainage shall be provided for all artificial turf installations to prevent excess runoff or pooling of water.
- (6) Artificial turf shall be visually level, with the grain pointing in a single direction.
- (7) An appropriate barrier device (e.g., concrete mow strip, bender board, brick pavers, river rock, landscaping) is required to separate artificial turf from soil and live vegetation.
- (8) Precautions for installation around existing trees shall be monitored and may be restricted to ensure tree roots are not damaged with the installation of the base material and that the overall health of the tree will not be compromised.

- (9) All artificial turf shall be maintained in a green fadeless condition and shall be maintained free of dirt, mud, stains, weeds, debris, tears, holes, and impressions. Maintenance shall include, but not be limited to cleaning, brushing, debris removal; repairing of depressions and ruts to maintain a visually-level surface; elimination of any odors, flat or matted areas, weeds, and evasive roots; and all edges of the artificial turf shall not be loose and must be maintained with appropriate edging or stakes.
- (10) All artificial turf must be replaced if it falls into disrepair with fading or holes or loose areas. Replacement and/or repairs shall be done with like for like materials from the same manufacturer, if possible, and done so in a manner that results in a repair that blends in with the existing artificial turf.
- (11) An owner or applicant shall obtain a duly-authorized building permit from the town's building department prior to the installation of any artificial turf.
- (12) The town or other public entity or utility company may remove artificial turf at any time and for any reason, including but not limited to, in order to provide underground access for utility work. The property owner shall bear and pay any and all costs to replace or reinstall the artificial turf.
- (c) *Locations allowed.* Artificial turf/synthetic grass shall be allowed in rear and side yards, but not to exceed 25 percent of the total lot area (this area is defined as the total parcel area defined as a side or rear yard minus the area of the primary structure) of the rear and side yards. Artificial turf/synthetic grass shall not be allowed in any front yard areas or in any area visible from the public right-of-way (regardless of whether it is in the rear or side yard), unless it is placed in between paver blocks or similar items in a manner where the area for the artificial turf does not exceed four inches in width, provided that the synthetic turf area does not exceed 50 percent of the total area using the paver blocks. Screening, as approved by the building official, may be used in order to comply with the visibility requirement, further any turf/synthetic grass placed in between paver blocks shall not count toward the 25 percent maximum amount allowed. No artificial turf shall be installed in the public right-of-way.
- (d) *Existing artificial turf.* For those properties where artificial turf is currently installed that is not in compliance with this section, when the existing artificial turf is replaced or repaired, in an amount exceeding 50 percent, then compliance with this section shall be required. Further, all existing artificial turf, not in compliance with this section, must be replaced within ten years of the adoption of this ordinance [from which this section derives].
- (e) *Pervious area.* Artificial turf shall be considered as 100-percent pervious area.

(Ord. No. 2019-15, § 4, 3-2-2020)

Town of Ocean Ridge, Florida

Planning & Zoning Commission Agenda Memorandum

Kelly Avery, Town Clerk

Subject: Discussion of Deck Setback Ordinance - Could there be a reduction in setbacks or eliminate the setbacks for decks?

The Town Commission has assigned different topics for the Planning & Zoning Board to discuss and come up with solutions for the Town Commission to decide on. This particular item is regarding the Deck Setbacks ordinance. They want to see if any reduction or elimination of setbacks for the decks could be considered with this ordinance. This topic refers to the requirement in Section 64-60 for a 5' setback of decks, patios, driveways, parking areas, etc. This section of the code goes on to say that these areas shall be maintained and drained so as to prevent nuisance conditions. We are not sure if the inquiry into the setback is just for decks, but if it also extends to the other improvements, such as patios, driveways etc., this should be considered in more detail to see if there are any issues that property owners have experienced which precipitated the request, and if so we should address the issue. Also, if this code section is revised to reduce the setback of these improvements, the language regarding beginning properly maintained and drained may need to be amended to ensure that property drainage is provided and any related impacts on neighboring properties are addressed. And, we would discourage the reduction of the setbacks for parking and driveways. Perhaps something to consider is to allow pedestrian pathways to encroach into this setback area, but not driveways, parking areas or deck areas that might adversely impact the neighboring property. I have included the section of the Town Code for your reference.

Suggested Motion:

Respectfully,
Kelly Avery, Town Clerk

Sec. 64-60. - Decks, patios, driveways, parking areas, steps, stoops, and terraces (unenclosed and uncovered).

Unenclosed and uncovered decks, patios, driveways, parking areas, steps, stoops, and terraces shall be setback at least five feet from any property line or right-of-way line, whichever is closer. These improvements shall be maintained and drained so as to prevent nuisance conditions, which include, but is not limited to, nuisances as described in this Code, to the public and/or abutting property owners. In those instances where that portion of the property containing the deck, patio, steps, stoops or terraces abuts a sea wall, the setback requirement for the primary area where the deck, patio, steps, stoops or terraces abuts the sea wall shall be waived. Flat roof usable areas as defined in section 64-1(f)(3) shall comply with all applicable building setbacks.

(Ord. No. 620, § 2, 5-1-2017; Ord. No. 638, § 3, 11-5-2018; Ord. No. 2022-09, § 9, 8-1-2022)

Editor's note— Ord. No. 638, § 3, adopted Nov. 5, 2018, changed the title of § 64-60 from "Decks, patios, steps, stoops, and terraces (unenclosed and uncovered)" to read as herein set out.

Agenda: Tuesday, May 20, 2025
Memo: Item #5.

Town of Ocean Ridge, Florida

Planning & Zoning Commission Agenda Memorandum

Kelly Avery, Town Clerk

**Subject: Discussion of Landscaping Ordinance/Tree Ordinance in
Determining Whether Protecting the Canopy is Necessary**

The Town Commission has assigned different topics for the Planning & Zoning Board to discuss and come up with solutions for the Town Commission to decide on. This particular item is regarding the Landscaping/Tree Ordinance. They want to determine whether protecting the canopy is necessary with this ordinance.

- In a general sense, there are some comprehensive plan goals/objectives/policies that encourage the protection of natural resources, including the policies below from the Conservation Element. There is also language regarding the protection of dune vegetation, and vegetative cover that impact marine resources.
 - Policy 1.1.1: Continue to require landscaping as a part of new private development, adding single-family residential to the code requirements, and to landscape public areas.
 - Policy 1.1.2: The Town shall continue to seek and develop opportunities to implement sustainability practices regarding, but not limited to, water conservation and reuse, recycling, waste and energy reduction, reuse of resources, reduction of greenhouse gas emissions, greater operational efficiency, pollution prevention and environmental improvements.

I have included the section of the Town Code for your reference.

Suggested Motion:

Respectfully,
Kelly Avery, Town Clerk

Sec. 66-119. - Installation; maintenance; removal; plant material.

- (a) *Installation.* All landscaping shall be installed in a sound workmanlike manner and according to accepted planting procedures, with the quality of plant materials adhering to standards provided for in this section. All elements of landscaping, exclusive of plant material, shall be installed so as to meet all other applicable ordinances and code requirements of the town. All landscaped areas shall be inspected by the administrative official, and no certificates of occupancy and use shall be issued unless the landscaping has been inspected and meets the requirements of this land development code.
- (b) *Maintenance.* All property owners or their agents shall be responsible for the maintenance of all landscaping thereon, which shall be maintained in a good condition to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. Dead, dying or defoliated hedges or trees are not allowed and must be removed. Any landscaping infected by any exotic pests including but not limited to whitefly [*Singhiella simplex* (Singh) (Hemiptera: Aleyrodidae)] must be removed provided however that property owners shall be permitted to treat infected plantings if treatment is sought within 30 days of any town notice. If treatment does not successfully result in the eradication of the infestation as evidenced through re-growth of viable plant material within 60 days of application then the infected plantings must be removed. All landscaped areas shall be provided with a readily available water supply with at least one outlet located within 50 feet of all plant material to be maintained. An approved irrigation system may be substituted for such outlets.
- (c) *Plant materials.*
- (1) *Quality.* Plant materials used in conformance with the provisions of this division shall conform to the standards for Florida No. 1 or better as given in Grades and Standards for Nursery Plants, part I, 1963, and part II, of the state department of agriculture, or equal thereto. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases. Grass seed shall be delivered to the job site in bags with state department of agriculture tags attached indicating the seed grower's compliance with the town's quality control program.
- (2) *Trees.*
- a. Trees shall be species having an average mature spread of crown in the canopy of greater than 15 feet and having trunks which can be maintained in a clear condition over five feet of clear wood. Trees having an average mature spread of crown less than 15 feet may be substituted by grouping the trees so as to create the equivalent of a 15-foot crown spread. Palms shall be considered trees and exempt from the 15-foot crown spread requirement. Tree species shall be a minimum of eight feet overall height immediately after planting.
- b.

Trees with roots known to cause damage to public roadways or other public works facilities shall not be planted closer than 12 feet to such public improvements, unless the tree root system is completely contained within a barrier for which the minimum interior dimensions shall be five feet square and five feet deep, and for which the container construction requirements shall be four-inch-thick concrete, reinforced with no. 6 road mesh (six × six × six) or an equivalent approved by the administrative official.

- (3) *Shrubs and hedges.* Shrubs and hedges shall be a minimum of 18 inches in height when measured immediately after planting. Hedges, where required, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen within a maximum of one year after time of planting.
- (4) *Vines.* Vines shall be a minimum of two feet in height immediately after planting and may be used in conjunction with fences, screens or walls to meet physical barrier requirements as specified.
- (5) *Ground cover.* Ground covers, either vegetative or nonliving, used in whole or in part, shall present a finished appearance and reasonably complete coverage within three months after planting; however, when slow-maturing ground covers are used they shall be mulched.
- (6) *Lawn grass.* Grass areas shall be planted in species normally grown as permanent lawns in the town. Grass areas may be sodded, plugged, sprigged or seeded, except that solid sod or other acceptable erosion control measures shall be used in swales or other areas subject to erosion. In areas where other than solid sod or grass seed is used between the months of October and March, nursery grass seed shall be sown for immediate effect and protection until coverage is otherwise achieved.

(Ord. No. 540, 3-13-2003; Ord. No. 598, § 3, 7-9-2012)

Editor's note— Ord. No. 598, § 3, adopted July 9, 2012, changed the title of § 66-119 from "Installation; maintenance; plant material" to read as set out herein.