



TOWN OF HIGHLAND BEACH

AGENDA MEMORANDUM

MEETING TYPE: Natural Resources Preservation Advisory Board ("Board") meeting

MEETING DATE February 2, 2022

SUBMITTED BY: Ingrid Allen, Town Planner, Building Department

SUBJECT: Update on the November 3, 2021 Board recommendations to the Town Commission, and the previous recommendation pertaining to the palms located in the right-of-way along State Road A1A

SUMMARY:

On December 7, 2021, the Town Commission reviewed and considered the November 3, 2021 Board recommendations. The Board recommendations are provided below (in bold) along with corresponding Commission direction.

- **To emphasize the consideration of a marine patrol vessel or boat and implement a program which would protect manatee populations and mangrove populations by slowing down traffic on the Intracoastal.** The Town Commission did not provide any direction to the Board regarding this recommendation. In the Recommendation Memorandum provided to the Town Commission, staff provided the various laws that currently protect both manatees and mangrove populations. The Town Code of Ordinances does not currently have any provisions regarding manatee protection; however, the Code does provide provisions specific to mangrove protection which are found in Chapter 20 (Planning and Development") (see Attachment No. 1). Note that at the December 7, 2021 Town Commission meeting, the Commission approved the purchase of a marine boat for the Town's Police Department Marine Patrol Unit. The Police Department will be making a presentation to the Board at the February 2, 2022 meeting regarding the status of the marine patrol vessel.
- **Expand the obligations of our current code compliance officer to walk the beach or do an evaluation of the beach so as to know what is or is not appropriately being done on the beach.** Consensus from the Town Commission was that they thank the Board for their input and suggested scheduling a follow-up discussion early next year. Note that the Town Commission will be discussing Town Strategic Priorities in February/March 2022.

Attached is the recommendation memorandum as it was presented to the Town Commission as well as the minutes from the December 7, 2021 Town Commission meeting.

At the November 3, 2021 Board meeting, staff advised the Board that the Town had contracted with Bartlett Tree Experts to conduct an assessment of the population of palms situated in the right-of-way along State Road A1A. On November 5, 2021, the Board was emailed the "Assessment of Roadway Palms" report provided by Bartlett Tree Experts (see attached). In an effort to advise residents of the report's recommendations, the Board may want to consider uploading the report to the Board's webpage and providing a Board summary of the recommendations in the next Manager's Minute. Note that Section 28-10 of the Town Code of Ordinances provides the following provisions regarding landscaping on the public right-of-way:

Sec. 28-10. Maintenance standards for cultivated landscape areas.

(a) General: The owner, and/or lessee of land subject to this chapter shall be responsible for the maintenance of all landscaping located on their property and on adjacent public rights-of-way, which shall be maintained in good condition so as to present a healthy, neat and orderly landscape area which shall include, but not be limited to, weeding, mulching, fertilizing, pruning, mowing, and edging as generally set forth in this section.

(c) Maintenance of plants, trees and landscaping; replacement: All required plants, trees and landscaping shall be maintained in a healthy, pest-free condition. Within six (6) months of a determination by the building official that a plant, tree or other landscaping is dead or severely damaged or diseased, the plant, tree or landscaping shall be replaced by the property owner or owners in accordance with the standards specified in this chapter. If the plant, tree or other landscaping is located in the public right-of-way and the plant, tree or landscaping dies or is severely damaged or diseased, the adjacent property owner shall be required to replace the plant, tree or other landscaping. However, if the palm tree, that is dead, diseased or severely damaged, was initially installed by the town or the state, then the adjacent property owner shall not be required to replace the palm tree.

(d) Removal of dead, diseased or dangerous trees or shrubs: It shall be the responsibility of each private property owner to remove any dead, diseased or dangerous trees or shrubs, or parts thereof, which overhang or interfere with traffic control devices, public sidewalks, rights-of-way or property owned by the town. The town shall have the authority to order the removal of any such trees or shrubs.

ATTACHMENTS:

Attachment No. 1 – Mangrove-related provisions (Town Code of Ordinances).

Board Recommendation Memorandum provided to the Town Commission on December 7, 2021.

Town Commission minutes – December 7, 2021.

Bartlett Tree Experts report
