



DRAFT

**TOWN OF LOXAHATCHEE GROVES
ARI-TOURISM COMMITTEE
MEETING MINUTES**

FEBURARY 21, 2024, 6:00 P.M.

*audio available in the Town Clerk's Office
Meetings are also available on YouTube*

1. CALL TO ORDER

Town Manager Francine Ramaglia called the meeting to order at 6:03 p.m.

2. PRESENT

Committee members Darrin Swank, Simon Fernandez, Martin Holman, and Liza Holman; Town Manager Francine Ramaglia, Town Attorney Ruth Holmes, Public Works Coordinator Lexi Collegio were present.

Assistant Deputy Commissioner Steven Hall and Sarah Harris were present via Zoom as guest speakers.

3. COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

There were no public comments.

REGULAR AGENDA

1. Steven Hall, Assistant Deputy Commissioner, Department of Agriculture and Consumer Services
 - a. Agritourism FAQ
 - b. Comments on proposed ordinance/existing regulations/emergency vehicles

Town Manager Ramaglia informed **Assistant Deputy Commissioner Hall** that there are few zoning districts: the Town is primarily agricultural/residential with some commercial and mixed-use that was approved from the county before being incorporated into the Town.

Town Manager Ramaglia comments that the Town Council seeks information on how to modify the proposed Agritourism Ordinance so that there is a balance between agritourism and non-agritourism neighbors.

Town Manager Ramaglia lists out keep points from previous meeting with Asst. Deputy Commissioner Hall where they discussed 1) Uniform rules for everyone, not just specific for agritourism and 2) how to define “substantial”¹ which Asst Deputy Commissioner Hall had gone over before.

Committee member M. Holman remarks on the importance of Agritourism for small towns. He also seeks to know if everyone agrees that the ordinance will not restrict agritourism.

Committee member Fernandez finds that the ordinance is unnecessary since there are already previously existing laws in place.

Town Attorney Holmes comments on the importance of the ordinance because it was an attempt to inform agritourism operators of what’s expected in the community so that there is a balance between those in the industry and those who are not. The Agri-Tourism committee is meant to report to the Town Council what would constitute as “substantial off-site impacts and give recommendations on how to mediate or mitigate those potential impacts without greatly impacting the agritourism events.

Chair Swank challenges **Town Attorney Holmes** on the issue of noise level because some residents are too noisy while it appears that agritourism events are being singled out.

Committee member Fernandez asks **Asst. Deputy Commissioner Hall** how “substantial” is quantified by the state. The latter clarifies that it is “substantial off-site impact” and explains that there is no judicial definition, so the department relies on the general meaning of the words. He also says that local government can regulate a few things and that the consensus is that light, noise, some aspects of traffic/parking are some of the categories that local governments can apply regulations to. Some local governments use existing ordinances to regulate while others write specific guidelines for agritourism.

Committee member Fernandez insists that the agritourism laws are already clear. The committee simply seeks to clearly define what constitutes as “substantial”. **Asst. Deputy Commissioner Hall** provides some examples on how local governments can address different agritourism issues through additional or existing laws.

Town Manager Ramaglia adds that Special Events Rules and Regulations example is simply an example of how Town does codes.

Committee member M. Holman suggests that conflicts with agritourism be solved on a situational basis. Rather a committee should be formed rather than ordinances be passed. **Chair Swank** and **Town Manager Ramaglia** agree with this.

¹ Referenced in the proposed Agritourism Ordinance

Town Manager Ramaglia adds that businesses can get a voluntary Business Tax Receipt with an agricultural exemption so that if someone comes in to complain the Town can say that the business is within their rights or investigate using existing laws.

Asst Deputy Commissioner states that there is no government entity that can decide whether something is agricultural or not. Operators should be mindful of where they are getting their agricultural exemptions and where they are doing their business since the laws would apply to land declared as agricultural by Property Appraisers.

Town Manager Ramaglia explains that other businesses, along Okeechobee, must call PBSO for management of traffic wherein the business pays for it or the Town calls PBSO wherein the Town pays for it.

Committee member L. Holman mentions the Wellington Holiday Parade where they have large electronic signs for planned road closures and suggests that same concept can be applied for agritourism under special events.

Committee member M. Holman wants to discuss how can the committee address things on a case-by-case basis. **Town Manager Ramaglia** shares how the need for some rules allows for the Town to have the ability to resolve some complaints/conflicts.

2. Continued discussion of Best Management Practices

Ms. Harris describes how her association is working on a document regarding the topic of Best Management Practices. It is on the premise of “being a good neighbor”. Regulations that work for some may not work for others so these practices would be situational.

Town Manager Ramaglia asks **Ms. Harris** what can be done to regulate the off-site impacts of agritourism. She suggests a more laissez-faire approach so long as they have the agricultural exemption. **Ms. Harris** echoes Steven’s earlier points: some local governments use existing ordinances while others do not.

Committee member Fernandez suggests that membership in the agritourism association and having a sign should be enough identification that one is an agritourism operator. To do more would be redundant.

There is a public comment made by Robert Shorr.

Committee member Fernandez insists that there be uniform codes for everyone rather than singling out agritourism.

Town Manager Ramaglia suggests that agritourism operators can use off-site signs and how long they can be up. She also makes the suggestions that this can be refined as the sign code is being rewritten and then presented to Council.

Asst. Deputy Commissioner Hall suggests that the committee give recommendations and feedback regarding the current ordinances that relate to agritourism.

The committee members return to discussing what constitutes as substantial off-site impact. **Committee member L. Holman** suggests that rather than viewing traffic impact qualitatively, it can be viewed narratively to determine what is substantial on a case-by-case basis.

Committee member Swank claims that agritourism operators are being singled out for code and regulation while other groups are always breaking code.

Committee member Fernandez wants to make the motion to ask the Council for guidance and to make the change to traffic, smell, noise, signage, and lighting and then come back to council to make recommendations. No one seconds it.

Asst. Deputy Commissioner and **Ms. Harris** explain how other areas have gone about making their agritourism laws, such as the ones from Miami-Dade.

3. Next Meeting/Future Meeting Schedule

Committee members agree to meet two weeks from this meeting date on 3/6/24.

4. ADJOURNMENT

The community meeting was adjourned around 8:30 p.m.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Committee member Joseph Chammas

Committee member Simon Fernandez

Lexi Collegio, Public Works Coordinator

Committee member Liza Holman

Committee Martin Holman

Committee member Darrin Swank

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