

Meeting: OHS - 5-4-2017
Location: IC Chambers
Start: 9:30 a.m. Adjourn: 10:43 a.m.

Date: 5-4-2017

-- MEETING ACTION SHEETS --

Chairman Lindsay / Cmte/Brd Member Araskog / Cmte/Brd Member _____

Item: I. Call to Order + Roll call

Motion: Approve - Deny - Withdraw - Defer - Recess - Reconsider - Other: _____

All present

MR/MS.

MR/MS.

MR/MS.

Item: II. Approval of Agenda

Motion: Approve - Deny - Withdraw - Defer - Recess - Reconsider - Other: _____

Approved as presented

MR/MS.

MR/MS.

MR/MS.

Item: III. Communication from Citizens

Motion: Approve - Deny - Withdraw - Defer - Recess - Reconsider - Other: _____

None

MR/MS.

MR/MS.

MR/MS.

Item: IV. Reg. Agenda A. Old Business 1. Regulation of Vehicle For Hire

Motion: Approve - Deny - Withdraw - Defer - Recess - Reconsider - Other: _____

Jay
Amey

MR/MS.

MR/MS.

MR/MS.

Meeting: ORS
Location: TC Chambers
Start: 9:30 Adjourn: 10:43 a.m.

Date: 5-4-2017

Item: IV. A. 2. Potential Code Change to Modify Rate of Construction

Motion: Approve - Deny - Withdraw - Defer - Recess - Reconsider - Other: JP

MR/MS.

MR/MS.

MR/MS.

Item: IV. A. 3. Potential Amendment of Term Code - False Alarms

Motion: Approve - Deny - Withdraw - Defer - Recess - Reconsider - Other: _____

MR/MS.

MR/MS.

MR/MS.

Item: _____ / _____

Motion: Approve - Deny - Withdraw - Defer - Recess - Reconsider - Other: _____

MR/MS.

MR/MS.

MR/MS.

Item: _____ / _____

Motion: Approve - Deny - Withdraw - Defer - Recess - Reconsider - Other: _____

MR/MS.

MR/MS.

MR/MS.

I. CALL TO ORDER AND ROLL CALL (Activated at 00:16:55)

Bobbie Lindsay, Committee Chair

Julie Araskog, Committee Member

II. APPROVAL OF AGENDA (Activated at 00:17:29)

arasskog approved agenda -- (Activated at 00:17:38)

III. COMMUNICATIONS FROM CITIZENS (Activated at 00:17:46)

None (Activated at 00:17:51)

IV. REGULAR AGENDA (Activated at 00:18:01)

A. Old Business (Activated at 00:18:06)

1. Regulation of Vehicles for Hire, Including Internet-Based Ride Sharing Programs (Jay Boodheshwar, Deputy Town Manager) (Activated at 00:18:07)

Jay B - provided update relative to recent action by the State Legislature regarding the regularion of internet based ride sharing programs. We have been discussing this issue for quite some time, and about one year ago the County adopted an ordinance with rules and regulations for recommended that we rescind our ordinance and follow the county's rules. Just prior to introducing an ordinance we realized that if we had rescinded completely, that would limit our ability on the number of permits we were issuing to taxis, The other thng that occurred was that we learned the state legislature was going to take up the issue of transportation The state did take action and adopted HB 221 which preemts any local rules that would impose a tax or license or any requirements for these companies, their drivewrs, or their vehicles. Included in your backup is a memo from Skip which summarizes same, and a copy of hte bill that was approved. pg 20, para 15 - page 24 & 25 in back up material. Our focus at this point would be on our current vehicle for hire ordinancew. There are some changes hat we would like to propose to you. Amy Wood, Finance Dept. is here -- her team administers the program for the taxis, and is here to respond to any questions. Araskog - preempt state law when the president is here? We are looking into that. Lindsay: we have this taxi limo ord on our books for many years. Asks Jay to summarize what that ordinanc really entails. Jay: Yes, we have been operating under our current rules Amy Wood explains the procedure in current ordinance for limousines and taxis. Insurance requirements and vehicle standards for vehicle functionality -- we depend upon the county to inspect for functionality -- we inspect mostly for aesthetics -- no

signage on top of the vehicle. Our Code Enf inspects the vehicles before they can get a permit. Lindsay: pointed out that the back up material outlines insurance requirements. Jay: our plan is to come back to you at the June meeting with changes proposed to our current ord. If you find it acc it will go to TC (Activated at 00:18:17)

2. Potential Code Change to Modify Dates of Construction Season (John Page, Director of Planning, Zoning and Building) (Activated at 00:28:41)

JP provides overview of the issue refers to pg 26 of back up -- includes existing language regulating construction hours. Refers to season restrictions. Reviewed comments and suggestions from contractors Araskog: I had asked the amount. Concerns with seasonal and year round residents. Sees a problem that people are construction weary of traffic and noise. I just did construction on my home and my neighbors asked me to keep it in check and I did. Maybe we can get feedback from the residents and see what they want. Also, making work go to October and maybe allow quiet work on Saturdays. JP not surprised re: comments from contractors -- they face more rules and regs in PB than any other community. With regard to how I feel, we do control construction by limiting hours, duration, weekends. Could we get tighter -- yes we could. Who knows what unintended consequences would happen. I am sure the contractors would oppose any additional . Quiet work -- why not, as long as it is not troubling anyone -- that is a valid idea. Araskog: more time to complete the home . Bill : There are 2 big issues: parking and noise. If we can find a way to bring those two items into control, there may not be a need to address the constriction of time. We are going to start tightening up the parking situation, and we have informed the contractors that it is coming. The noise issue -- maybe we need to take a close look at that and get some involvement from Code Enf. maybe limit the hours for noisy work. We do get complaints about noise and parking. There has to be a balance. Lindsay: how many ROW permits ? Bill: a max of 3 onstreet parking permits per job. Where do they Park? VC: PW will allow them to park on designated streets. Could be several projects on the same street, so PW watches that closely. Lindsay: I would say in general that the residents do not have a good understanding of the rule. We have to be clear that the parkers have to display their permit, and also getting the owners involved early in the permit to set some ground rules. Cited a neighbor and construction parking. Thinks we could do a little work with the homeowners for construction parking. We would like you to look into things you could do that would improve the noise situation particularly on Saturdays. We would be willing to look at extending the inside work. Bill: Could go 60/40 or 70/30 for inside/outside noise. Lindsay: homeowners should get neighbors involved. Look at some more educational ways. Araskog: parking last summer parking complaints, because a ROW permit was given to block Ocean Blvd. If undergrounding goes forward, people will be facing that and construction as well. Second thing: Code Enf -- the ROW permits are issued that block N and S Ocean, and that creates a hardship for residents. Would really like to reach out to residents and see how they feel about construction hours.

JP: Staff from multiple depts have coordinated efforts to come up with additional restrictions with our 3 strike rules. Mentions 2 or 3 changes that have been proposed: Part of the proposed change is to have teh ower acknowledge right away that they are aware of the 3 strike rule and know what it means. 2. When someone applies for permits, they will have to submit a parking plan to us 3. Proposal to include an onsite parking monitor for each construction site, where onstreet parking permits are being applied for. Lindsay: When PW issued the permits blocking N Ocean Blvd we got a lot o complaints. I want to understand if you are looking at arterial involvemet and the options that you have. Interdepartmental coordination. JP: those apps are reviewed by P/W, and there has been a heightened awareness on everyone's behalf on the issues that parking permits have been involved. Staff is trying to limit, as best we can, those sort of problems. Lindsay: make it mandatory that PW and PZ & B coordinate with parking when an arterial is involved. **** JP: bring it up on Tuesday when the issue is being discussed with TC. Araskog: thnk it is a safety issue, and is glad that it is being worked on. Don't you have a new system where you can actually look at everything on a computer? JP: I will address that issue at the TC. PW has devised an online tool that they are now using for an interactive map detailing the location of all of the ROW permits that have been issued in Town. We are looking at a number of possibilities for getting a better grip on all of these things. Jay B: Your point is not lost on us regarding internal communication. Staff realizes that there is a need for better internal coordination. We do communicate, but we knew that there was room for improvement and those are the steps we are taking right now to have a better communication system. Lindsay: Noise and parking are the primary issues. Come back after you have had more discussion, and talk to residents. Araskog: Maybe write up something that we are reviewing noise and parking. Lindsay: let them come back to us and see if they can come up with some creative solutions. I would invite residents to come to that meeting. (Activated at 00:28:46)

3. Potential Amendment of Town Code, Relative to Service Charges for False Alarms (Martin DeLoach, Fire Marshal) (Activated at 00:59:17)

Jay B summarizes the issue. Code modifications to provide consequences to those who are actually setting off the false alarms. Mainly the contractors. Two things: not appropriate to fine owners when contractors cause the issue. 2. Because contractors are careless in deploying false alarms, we are deploying resources to monitor those. ORS wanted staff to get with town atty for his review. Martin Deoach, Fire Marshal: Staff had met with contractors. A question was whether general or sub contractor. In most cases it was the subcontractor who caused the problem. I suggested a para to Skip and he had issues with it. I think he will modify it a little bit, and he is reviewing. In terms of notice -- example in back up. Araskog: Have a Section A. and B. in the ordinance A for the owner, B for the contractor. addresses changes that should be made in a, and then follow the same parallel

in b. MD: we have included alarm companies. They are a contractor for the homeowner or business. Araskog: will we let the owner know -- will they be notified that there has been a false alarm. MD: we always send a letter, and we can modify it if the contractor has violated the ordinance. Jay: when we get this into ord format we will count on Skip to wordsmith it and **WE WILL take your suggestions to him.** Jay: From our perspective the issue is the affect on our resources - fire rescue apparatus and personnel leaving the station and being deployed to falso alarms. We want to insure that our personnel are ready to respond and not dealing with a false alarm. MD: I think all contractors will address it very quickly. Julie: for the public -- remind them of the number of false alarms per year caused by contractors MD: 90 contractor derived false alarms discussed number of alarms and number caused by contractors. Julie: it is to preserve our resources, and also to ensure that contractors are following the rules. Chief of Fire -- urges them to support this effort. Discusses that it takes away services from someone who really needs it. We need to send the right message to contractors, educate them. His recommendations are spot on and will make a big difference. Lindsay: says a whole document on the education side. We will recommend that we proceed to Town Council. ay: we will work with Skip and this will be on he TC agenda for first reading in June. (Activated at 00:59:36)

4. Study Regulations Regarding Landscape Activity within the Conservation Zoning District (Veronica Close Assistant Director of Planning, Zoning and Building) (Activated at 01:13:56)

VC: provides overview of changes since last meeting. Use of heavy equipment -- we think we should reword the heavy equipment issue to allow the Town to regulate it if we need to. We will await your direction if that is the way you would like to go. Reviewed the proposed changes to Chapter 134 that require conformance to Chapter 66. Staff did some research o Happy to answer any questions. Staff recommends that ORS direct us to bring it back for first reading. Lindsay: in the current draft there is actually a prohibition for using heavy equipment. We want to have designated areas -- we will remove item that says there is a prohibition and reword it. Araskog: (a) on pg 33 -- Lindsay: there was some erroneous info from the PZ & B meeting that heavy equipment had caused heavy damage. Now, having seen the DEP letter and listening to Audobon people, I do not think that is necessary and I am much more comfortable that they will come to the Town to do what the need to do with heavy equipment. I think it is over regulation and we didn't need it. VC: I think the idea is to give the applicant some latitude in using or not using heavy equipment. Araskog: we need to make sure it is overseen. Lindsay: there will be some areas where they can use heavy equipment, and other areas where they cannot. That is all we are trying to do here. I see ther eis someone here Katy Carpenter, 206 Seaspray Avel, and part of the committee that Audbon has got to take care of the islands. Thanks ORS and staff who have helped navigate the process. I think we are starting to see the progress on Bingham Island. One of the most importnat lessons we learned was that if we wanted to

do the project without a front end loader it would have taken six months. Our DEP report was good. Our damage was deminimis. We will be submitting an application for the next phase soon. We have the opportunity to work together, and I just want to express the gratitude of the whole Audubon team. Lindsay: native trees in the ROW which is controlled by FDOT and if they are not relocated they will be destroyed. Katy: yes. there are at least 25 seagrasses, 10 buttonwoods, and 8 cabbage palms. If we can rescue them from there and fill in some gaps on the sanctuary. Lindsay: understand that the Town does not control that area. We may be able to encourage FDOT to assist you in relocating those trees, but it is not our jurisdiction. Katy: we got a response from FDOT that says if you can afford it you can do it. We are hoping to raise some money to do the project. We have Jay: Marching orders regarding language for ordinance for first reading at the June TC meeting. Araskog: We could still require certain aspects of the companies that will go into clear and do this work. I think it would be good to have that in the ordinance so that we know that we have someone who is qualified. VC: we would have to do quite a bit of research to determine that. State law covers mangroves. Lindsay: it is too complicated to have a list of registered companies. (Activated at 01:14:08)

Jay announces that the June ORS meeting has been moved to June 2, Monday at 9:30 a.m. (Activated at 01:30:00)

B. New Business

1. None

V. ANY OTHER MATTERS

VI. ADJOURNMENT (Activated at 01:30:22)

10:43 (Activated at 01:30:26)