

**DAVIE AGRICULTURAL ADVISORY BOARD  
FEBRUARY 4, 2013**

**1. ROLL CALL**

The meeting was called to order at 6:35 p.m. Board members present were: Chair Dave Parrish, Vice Chair Scott Weinstein, Julie Aitken, and Jason Hurley. Also present were Councilmember Caryl Hattan, Planning and Zoning Division Manager David Quigley (departed at 7:15 p.m.), and Board Secretary Janet Gale recording the meeting. Sam Scott was absent.

**2. APPROVAL OF MINUTES: January 7, 2013**

Ms. Aitken made a motion, seconded by Mr. Hurley, to approve the minutes of January 7, 2013. In a voice vote, with Dr. Scott being absent, all voted in favor. **(Motion carried 4-0)**

**3. OLD BUSINESS**

**3.1 Non-Organic Fertilizers by Bayardo Herrera of Agrium Advanced Technologies**

Chair Parrish advised that this presentation would be postponed until the next month's meeting.

**3.2 Sign Code and Banners – Planning and Zoning Division Manager, David Quigley**

Mr. Quigley explained that in the process of researching the issue of signage on farms, he had discovered Florida House Bill (HB) 11-97, which eliminated the authority of local government to regulate farm signage through building or sign codes. He stated that he would refer to this statute when making amendments to the Town's sign code, which had included standards for farm signage.

Mr. Hurley advised that it was not the Board's intent to call out Code Enforcement with regard to this issue: they had wished to make it clear that most regulations did not pertain to farms, such as building and sign code and permitting. Vice Chair Weinstein added that most farms were in existence before the development of residential areas. He felt it was part of the Board's job to remind residents that farms should be able to engage in some practices that may not be available to other businesses.

Ms. Aitken continued that agricultural classifications had recently expanded, as some counties had attempted to require a minimum size for farms. The State legislature had addressed this issue to ensure no minimum size ordinances were enforced.

Councilmember Hattan requested clarification of 479.11. Mr. Quigley replied that this regulated outdoor advertising, such as billboards. He explained that billboards were regulated by the State due to their impact on roadways: regulations address size, height, setbacks, and lighting used in outdoor advertising. The Town has co-opted these existing State rules.

Councilmember Hattan asked if State law prohibited any enforcement regarding the signage on Batten's Farm or other agricultural uses. She explained that she had concerns with the appearance of this signage. It was asked if locations such as Batten's Farm were considered to be farms. Ms. Aitken noted that agricultural classifications were granted on a per-acre basis, which meant this classification was granted to parts of areas such as Spike's Grove. Buildings that did not house agricultural uses, such as shops, did not receive an agricultural classification.

Mr. Quigley stated it was his belief that a farm would continue to be treated as a farm, irrespective of its tax assessment. Mr. Hurley added that whether or not a location was a bona fide commercial agricultural operation was considered to be a farm by the Town, there was an appeals procedure by which an applicant may ask to be listed as a "hobby farm" or another farm determination, even if they did not receive the agricultural classification for tax purposes.

Ms. Aitken stated that 604.50 referred to the Right to Farm Act to determine the meaning of a farm; this Act supplied a very broad definition of farming, including land, buildings, and facilities, without suggesting there was a need for an agricultural classification. With regard to limitation of regulation, however, it specifically referred to 193461, which stated that agricultural classifications cannot be regulated.

Vice Chair Weinstein remarked that the farms discussed during the meeting met County or Town farm classifications, and were recognized by the State as well; he suggested that in the absence of regulation, the Town could communicate with its farmers to recommend that signage was tasteful in appearance. Ms. Aitken agreed that farms were not encouraged to take undue advantage of the signage exemption or create a negative environment.

Councilmember Hattan asked if the exemption meant other residents who were prohibited from erecting signs would be told that farms were exempt from any sign regulation. Mr. Quigley said Code would be amended to clarify this, as it would need to be explained why farm signs were exempt from Town ordinances.

Ms. Aitken noted that “farm signs” were defined as signs erected, used, or maintained on a farm by the owner or lessee, which related solely to farm produce, merchandise, or services that were sold, produced, manufactured, or furnished on the farm property. She observed that this distinction may not apply to every activity that occurred on a farm, or the signage related to it.

It was asked if constituents had expressed concern regarding the appearance of farm signage. Councilmember Hattan replied that constituents in some locations, such as University Drive, may have concerns. She asserted that while her position was pro-agriculture, she shared these concerns regarding the appearance of some farm signs.

Mr. Hurley observed that if the signage at Batten’s Farm created a problem, there should be a way to arrive at a solution, as the property was owned by the Town. He suggested that Batten’s Farm might be allowed to advertise on the Town’s public access channel, or that a particular type of sign be used on other Town properties to be encouraged. Mr. Quigley explained that some Town residents may believe the property was exempt from regulation because it was owned by the Town. He agreed that some negotiation may be possible with regard to the Batten’s Farm signs.

Chair Parrish noted that the American flag on the property, in particular, should be subject to federal protocol, which required the flag to be either lit or removed at night. He felt this would not be an unreasonable request to make of the farm.

Ms. Aitken suggested that if Planning and Zoning was working on a definition of signs and the Sign Code, a definition could be given of the farm signs that were exempted by State law. She pointed out that every sign on a farm was not necessarily exempt, as discussed earlier; in addition, every structure on a property that received an agricultural exemption may not be related to agriculture.

Mr. Quigley stated that he would complete his work on the Sign Ordinance and provide Planning and Zoning, the Town Council, and the Agricultural Advisory Board with a copy as well.

Mr. Quigley left the meeting at this time.

### 3.3 Davie Farm Guide

Ms. Aitken stated that the last version of the Davie Farm Guide included State and Town laws and ordinances that apply to agriculture. She noted that there have been changes to State law since the Farm Guide’s last publication. Davie Ordinances were included on the first 12 pages of the Guide, followed by State law, beginning on p.13. The Guide also included exemptions that applied to farm-related vehicles on roadways, as this issue had arisen in the past.

Ms. Aitken continued that Mayor Judy Paul had asked her to update the Farm Guide with input from the Board, as the previous version was out of date. Although the last update to the Guide was made online, she suggested that the Board could recommend to Town Council that a published booklet be produced as well.

She recalled that previous guides included verbiage and photographs as well as the applicable laws and ordinances; the Board had prepared the verbiage, and the Town had published copies of the booklet. Ms. Aitken pointed out that if this was done once again, it would prevent Town Staff from the necessity of writing new verbiage to “tie [the document] together.”

Councilmember Hattan asked if information regarding the new Farm Park would be included in the Farm Guide. Ms. Aitken said this could be included, as well as information from the Property Appraiser. She suggested that the Board undertake revision of the verbiage at their next meeting, including the introduction. The Board discussed photographs and artwork that would be suitable for inclusion in the Farm Guide.

Councilmember Hattan observed that with the upcoming Orange Blossom Festival about to take place February 23rd and 24th, there was not one orange tree on the Town Hall site. Chair Parrish stated that he would see if he could get one donated.

Ms. Aitken recalled that a resident or residents had attempted at one time to close the public trail along 38<sup>th</sup> Street by placing illegal “No Trespassing” signs and impediments in the area. The improper signage and obstructions have since been removed by Town Police. She advised that since that time, the trail had become very overgrown, and several volunteers had worked to clear the trail and make sure it was safe for riders. It was believed that Hilda Testa spearheaded the reclamation. Board members were grateful for her efforts.

Chair Parrish read a copy of the Board’s 2012 Annual Report, which mentioned the attempt to close the trail and the resolution of this issue, as well as other issues discussed by the Board throughout the year.

#### **4. NEW BUSINESS**

Chair Parrish stated that the Florida Nurserymen and Growers’ Association, with which he was involved through work, had invited the Secretary of Agriculture to address the organization at Tropical Acres in 2012. He invited the Board members to attend an Association meeting or meetings in the future. Meetings were typically held at 6:30 p.m. at the Extension Office on Tuesday nights.

Chair Parrish added that at one time, the Association had invited a law enforcement officer to speak on the topic of moving plants and equipment legally on roadways. Since that time, there have been some changes to these laws with regard to securing equipment, trees, and other items. Chair Parrish noted that farms may legally transport produce and other items from “point A to point B” only, according to State law.

#### **5. ITEMS FOR NEXT AGENDA**

Ms. Aitken advised that the Board will continue discussion of the revised Davie Farm Guide at the next meeting. Chair Parrish said he would attempt to reschedule the presentation on non-organic fertilizers as well. The Board discussed sharing this information with the Parks, Recreation, and Cultural Arts Department so individuals using the community garden may have a choice of using either organic or acceptable synthetic fertilizers. Mr. Hurley recommended inviting David Flaherty, Parks, Recreation, and Cultural Arts Director, to attend this presentation, as he would oversee the community garden project.

**6. COMMENTS AND/OR SUGGESTIONS**

There were no comments and/or suggestions made.

**7. ADJOURNMENT**

There being no further business and no objections, the meeting was adjourned at 7:46 p.m.

Date Approved: \_\_\_\_\_

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Chair/Board Member