

Mayor David Browning, Seat 4
Vice Mayor Ronald D. Jarriel, Seat 1
Council Member Tom Goltzené, Seat 5
Council Member Ryan Liang, Seat 3
Council Member Jim Rockett, Seat 2



TOWN OF LOXAHATCHEE GROVES
Unified Land Development Code Review Committee
Thursday, May 16, 2013 at 5:30 p.m.
Central Palm Beach County Chamber of Commerce
13901 Southern Blvd., Loxahatchee, Florida 33470

Committee Chairman Virginia Standish
Committee Vice Chairman Katie Davis
Committee Member Beck Hyslop
Committee Member John Ryan
Committee Member Howard Voren

Town Manager Mark Kutney
Town Clerk Susan Eichhorn
Town Planning Consultant Jim Fleischmann
Town Planning Technician Braeden Garrett

MINUTES

1. OPENING

- a. Call to Order – *Chair Standish*

Chair Standish called the meeting of the Unified Land Development Code Review Committee to order at 5:40 p.m.

- b. Roll Call – *Town Clerk Eichhorn*

Upon roll call, all Committee members were found to be present. Also present were Town Manager Mark Kutney, Town Planning Consultant Jim Fleischmann, and Town Clerk Susan Eichhorn.

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- c. Approval of Agenda

Motion: Vice Chair Davis made a motion to approve the Agenda. The motion was seconded by Committee Member Ryan. The motion passed 5/0.

- 2. MINUTES:** Approval of ULDC Review Committee Minutes for: April 18, 2013

Motion: Committee Member Ryan made a motion to approve the minutes as listed in the Agenda. The motion was seconded by Committee Member Hyslop. The motion passed 5/0.

3. REGULAR AGENDA

a. New Business

1. Comments regarding: Commercial Equine operations relative to Special Exception Use Permits (*Keith Harris*)

Keith Harris addressed the ULDC Review Committee and discussed commercial equine operations and the ULDC requirements. He suggested that it become a permitted use. Discussion took place, and it was the consensus of the Committee to re-consider the commercial equine operations issue in a future discussion.

b. Old Business

1. Review of ULDC Section 50-010 – Excessive Noise

Town Manager Kutney suggested that the language in Section 50-010 should be revised as to the decibel level and the measurement system. Discussion took place, and Mr. Kutney pointed out that the Right to Farm Act was developed when subdivision had developed and they were getting noise, etc., from farms, and they trying to put bona fide farms out of business, and there were too many frivolous code enforcement complaints. Discussion took place.

Public Comment:

Todd McLendon 3481 D Road: Commented on the requirement of Palm Beach County that two people from two different households must complain, whereas the Town of Loxahatchee Groves required one complaint.

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Motion: Motion made by Committee Member Hyslop for staff to review Section 50-010 of the ULDC to modernize it and have an appropriate method to measure noise and to possibly increase the decibel level. Motion seconded by Committee Member Ryan. The motion passed 5/0.

Motion: Committee Member Voren for staff to review the Palm Beach County codes in regard to specific mechanical devices, and public versus private. The motion was seconded by Committee Member Ryan. The motion passed 5/0.

2. Review of ULDC Articles:

- Article 75 Nonconforming Uses, Structures and Plots

Motion: Committee Member Hyslop made a motion to direct staff to review Article 75 and propose appropriate changes. The motion was seconded by Committee Member Ryan. The motion passed 5/0.

Town Planning Consultant Jim Fleischmann commented that in Section 75-015 - "Determination of Non-Conformity", the first paragraph stated that the Town Council would make that determination and then in the second paragraph it stated that Town staff would make that determination. Discussion took place. It was the consensus of the Committee that Town staff should be making that determination, with any appeal of that going to the Town Council.

- Article 170 Special Exception Uses

Discussion took place, and Town Planning Consultant Fleischmann reviewed the suggested changes. Discussion took place, and the following recommendations were made:

Regarding mobile homes: Eliminate it as a special exception category, and put it back as a conditional use.

Regarding outdoor events: Take it out of all zoning categories/special exceptions at this time and further discussion will take place at a later date regarding its relationship to agriculture and whether permits would be required for private properties.

Committee Member Ryan requested that the following additions are made:

On page 31 of 39 of the Agenda Packet, at the end of Section 170-015 Category D: "and a property/building layout drawing with approximate dimensions."

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On Page 33 of 39, Paragraph "A" of the Agenda Packet, fourth line in Section 170-040: after word improvements, add "and/or documentation."

Town Manager Kutney advised that staff would move forward with the special exception portion of the Code, based on what was discussed this evening.

3. CLOSING & ADJOURNMENT

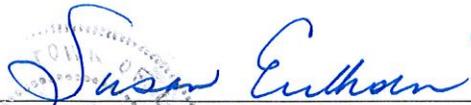
Committee Member Ryan commented that the Committee had covered a lot of ground and staff had a fair amount of work and that at the next meeting we will see the results of all of the comments.

Board Member Hyslop asked Town Manager Kutney if the Town Council would be voting on this or would he just be presenting the Committee comments to them. Town Manager Kutney replied that staff was going to start the process with special exceptions with Planning and Zoning Board and then proceed.

Chair Standish commented that she would attempt to keep committee discussion less lengthy. She also commented that she had concerns with nonconforming issues that may result when the roadway easement issues are clarified, and if the size of a private property would be affected by any change in the roadway, such as an easement.

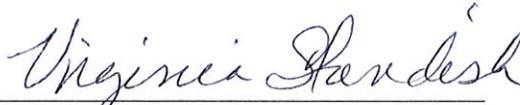
There being no further business, the Unified Land Development Code Review Committee meeting of May 16, 2013, was adjourned at 9:20 p.m.

**These minutes were approved by the ULDC Review Committee
On June 20, 2013**



Susan Eichhorn
Town Clerk

(SEAL)



Virginia Standish
Committee Chair