

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

TOWN OF LOXAHATCHEE GROVES
Unified Land Development Code Review Committee
Thursday, June 20, 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 5:30 p.m.

- b. Roll Call – *Town Clerk Eichhorn*

Upon roll call, Committee members present were Chair Standish, Vice Chair Davis, Member Hyslop, Member Ryan. Member Voren arrived at 6:00 p.m. Also present were Town Manager Mark Kutney, Town Planning Consultant Jim Fleischmann, and Town office Coordinator Dennise Rodriguez.

c. Approval of Agenda

Motion: Motion made by Committee Member Ryan to approve the Agenda. The motion was seconded by Vice Chair Davis. The motion passed 4/0.

2. MINUTES: Approval of ULDC Review Committee Minutes for: May 16, 2013

Motion: Committee Member Hyslop made a motion to approve the minutes. Committee Member Ryan seconded the motion for discussion. Committee Member Ryan commented that minutes can be brief and did not need to include lengthy discussion, since all of the meetings were posted on the Town website. The motion passed 4/0.

Public Comment:

Keith Harris, 2580 C Road: Commented regarding the minutes of the last ULDCRC meeting and the suggestion made at that meeting that commercial equine operations be dropped from special exception uses.

Town Planning Consultant Fleischmann advised that the ULDCRC had wanted to see several changes to the Table "Recommended Special Exception Categories by Zoning District," and one of them was to eliminate special exception approval for commercial equestrian operations, however, there was not a formal motion, and that was why special exceptions were again on the Agenda this evening.

3. REGULAR AGENDA

a. Old Business

1. ULDC Article 170 – Special Exception Uses

Town Planning Consultant Fleischmann advised that the changes discussed at the last meeting had been incorporated within the ordinance itself; additions are underlined and deletions were struck through. Staff was recommending approval of the changes made to Article 170, as well as changes to advertising requirements.

Motion: Committee Member Hyslop made a motion to approve Article 170 as recommended by staff, with the following changes:

Section 170-010: Tent for private personal use should be Category B. Add a list of events/items that are exempted or under Category B include some type of wording for private events for a period of 24 hours that would require minimum notification;

Section 170-015: adding a section for exemptions that would cover such things for private events that would be less than 24 hours;

Section 170-015 (C): Clarify that the layout is prepared by applicant; the zoning confirmation letter is prepared by staff.

Section 170-020 (B): change last line -- notification to the Town Council (not of)

Section 170-040 (C): change two year waiting period to one year waiting period

All subject to any further changes by legal review and Town Council.

The motion was seconded by Vice Chair Davis. The motion passed 5/0.

Motion: Vice Chair Davis made a motion to approve Section 115-010, "Table of Public Notice Requirements," as recommended by staff, subject to any other changes that may need to be made by legal review. The motion was seconded by Committee Member Ryan. The motion passed 5/0.

Motion: Committee Member Hyslop made a motion to approve the uses on the table entitled "Recommended Special Exception Categories by Zoning District" on page 14 of 129 of the Agenda Packet for the 6-20-13 ULDCRC meeting, with the exception that commercial equestrian operations are not required to obtain special exception approval. Rather, commercial equestrian operations are to be listed in the AR District as a permitted principal use. The motion was seconded by Vice Chair Davis. The motion passed 5/0.

Town Planning Consultant Jim Fleischmann discussed the issue of mobile homes.

Public Comment:

Kevin Gareau: Commented regarding what constituted a mobile home.

Motion: Committee Member Voren made a motion that the ULDC Review Committee review the mobile home issue when the AR (residential district) is reviewed. The motion was seconded by Committee Member Ryan. The motion passed 5/0.

2. Information Regarding Noise Regulations (*Committee Member John Ryan*)

Committee Member Ryan stated that the information provided to the Committee was background on the existing noise ordinance. Town Manager Kutney noted that the gentleman who had provided noise training to staff had indicated that the provision that the Town was working under was not state of the art. That was the reason that it was brought to the attention of the Committee in order to review it and consider appropriate modifications.

Public Comment:

Larry Lefkowitz, 3485 "D" Rd.: Distributed some information regarding noise, and commented on the material he distributed, regarding noise levels, public versus private nuisance, and new technology that records noise levels. He stated that he would provide the technological information to Town Manager Kutney.

Chair Standish commented that enforcement of noise issues in the Town should be done equally across the board, and no favoritism should be involved. Town Manager Kutney replied that staff tries to enforce the ordinance fairly; each case is different depending upon the respondent and the individual making the complaint. There were three types of cases that were quite costly for the government: overcrowding issues; when a church is operating out of a home, and the third one is the noise issue.

b. New Business

Town Manager Kutney noted that there were four items below for which staff would provide a quick overview, and the Committee members could digest the information and then discuss the issues fully at the July 18, 2013, ULDC Review Committee meeting.

1. Food Insurance Rate Maps and Flood Plain Ordinance
 - a. Draft Map
 - b. FEMA Model Ordinance
 - c. Palm Beach County Model Ordinance

Town Manager Kutney stated that he would keep the Committee updated with the interaction between the cities and FEMA.

2. Ordinance 2010-002 – Pain Management Clinics

Town Manager Kutney explained that Ordinance 2010-002 declared a moratorium and zoning in progress on pain management clinics. The Management Company came on board in 2011, and brought it to the attention of the Town Council. As part of the study of the ULDC, the Committee could provide input to the Town Council in this regard.

3. ULDC Article 87 - Native Tree Preservation, Soil Stabilization and Invasive Exotic Removal

Town Manager Kutney explained that there were typos and other issues with this article, and this was something that the Committee could review and provide input.

4. Discussion of Vermiculture and Other Agricultural Issues

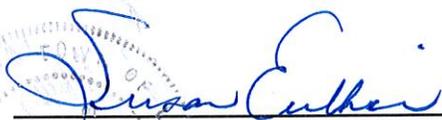
Town Planning Consultant Fleischmann explained that with the change in administration in the Property Appraiser's office, the County will not give a bona-fide agriculture classification based upon a business plan; you would have to be up and running and show tax receipts. There was thus a time period, or gap, between start up and designation.. He questioned whether the Town would now have the right to require site plans and approvals on new agricultural operations prior to their attaining bona fide agriculture status. That was the issue that staff had been struggling with.

Mr. Fleischmann explained that permit requests are made at the Town Hall daily for different uses that people would like to have on their property. He gave as an example a person who wanted to start a vermiculture farm in the Town and he provided information on the plan that was proposed. Staff was struggling with the process to use, and whether to take advantage of the gap between start up and bona fide agriculture designation by the Property Appraiser to try to control these type of operations, for example with a special exception.

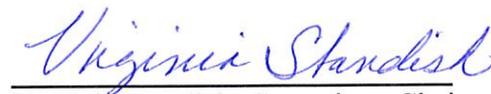
Discussion took place.

3. CLOSING & ADJOURNMENT

There being no further business, the ULDCRC meeting was adjourned at 7:50 p.m.



Susan Eichhorn, Town Clerk



Virginia Standish, Committee Chair