

LIVESTOCK KEEPING IN THE RURAL & EXURBAN TIERS OF THE AGRICULTURAL RESIDENTIAL (AR) ZONING DISTRICT



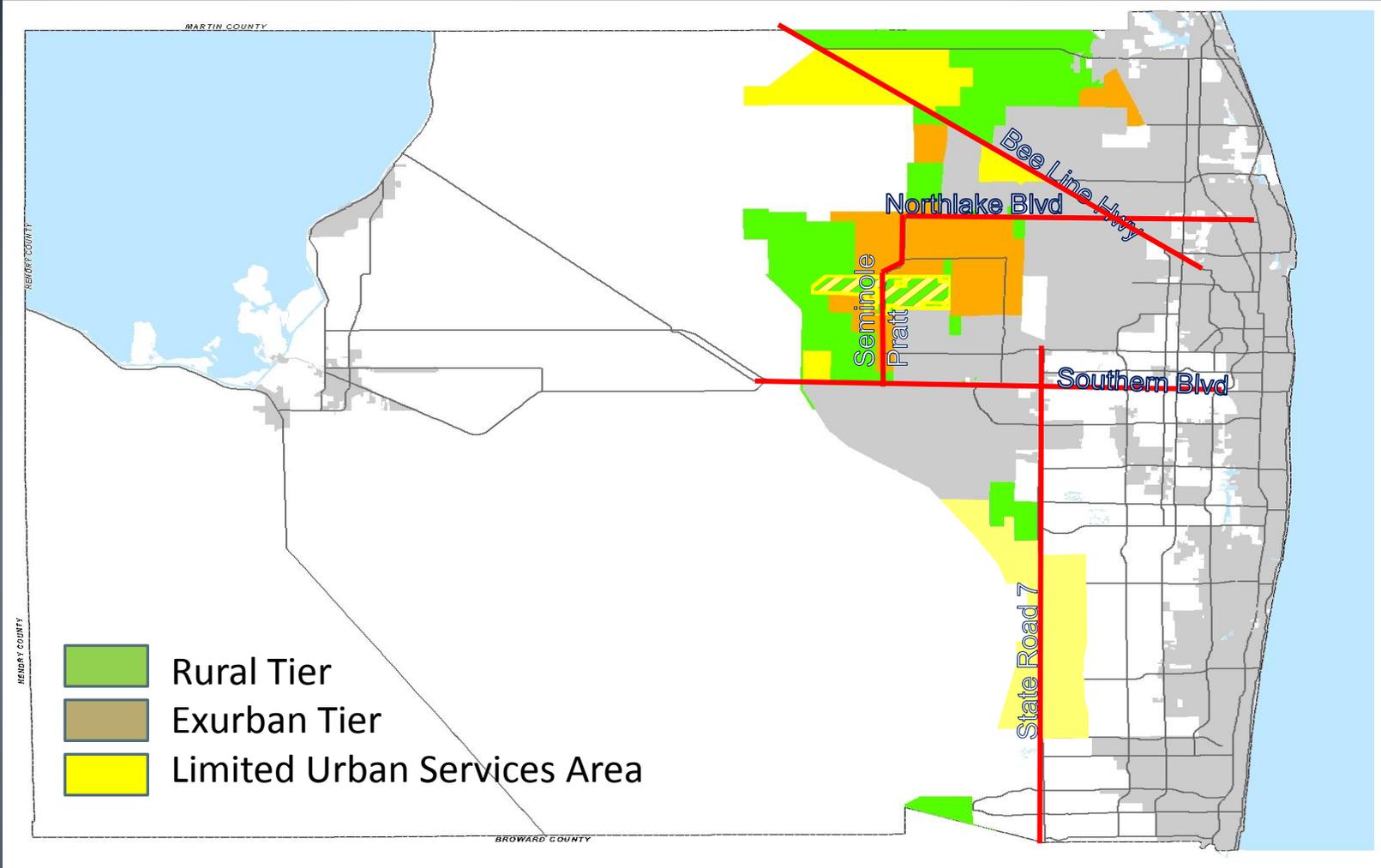
THE PLANNING, ZONING, & BUILDING DEPARTMENT IS CHARGED WITH CARRYING OUT THE COUNTY POLICIES THAT PRESERVE AND PROTECT THE RIGHTS OF ALL RESIDENTS OF PALM BEACH COUNTY. THESE PROPOSED REGULATIONS ARE PUT FORTH IN AN EFFORT TO ACHIEVE THAT MISSION.

BACKGROUND:

PROPERTIES HAVE ONLY ONE PRINCIPAL USE.
THERE ARE NO PROPERTIES, IN ANY DISTRICTS,
THAT HAVE DUAL PRINCIPAL USES.

IN THESE AFFECTED AREAS, THE PRINCIPAL USE IS
EITHER RESIDENTIAL OR BONAFIDE
AGRICULTURE WHEN THERE IS A RESIDENCE and
THERE ARE AGRICULTURAL ACTIVITIES.





THE REGULATIONS ARE NARROWLY
TAILORED TO SEPARATE POULTRY FROM
BIRDS IN THE UNIFIED LAND
DEVELOPMENT CODE (ULDC), AND TO
PROTECT THE RIGHTS OF THE RESIDENTS
IN THE RURAL & EXURBAN COMMUNITIES
TO HAVE DOMESTIC LIVESTOCK, AS
GUARANTEED IN THE COMPREHENSIVE
PLAN.



THE LANGUAGE

ADDRESSES ONLY THE STANDARDS FOR *ACCESSORY STRUCTURES* ASSOCIATED WITH KEEPING LIVESTOCK, AND THE NEW STANDARDS ARE MORE LENIENT THAN THOSE CURRENTLY IN THE ULDC.





**THE STANDARDS ARE RELATED
TO WHETHER THE STRUCTURES
ARE PORTABLE OR
PERMANENT.**



PORTABLE STRUCTURES ARE THOSE THAT ARE NOT FIXED, & ARE EASILY MOVEABLE. THEY ARE ALLOWED IN THE FRONT AND SIDE STREET YARDS, BUT PERMANENT STRUCTURES ARE NOT.

PERMANENT STRUCTURES REQUIRE BUILDING PERMITS IN ACCORDANCE WITH SECTIONS 104 & 105 OF THE FLORIDA BUILDING CODE. THEY HAVE ALWAYS REQUIRED BUILDING PERMITS, AS THEY ARE NOT NON-RESIDENTIAL STRUCTURES ON A BONAFIDE AGRICULTURAL PROPERTY.



“GRANDFATHERING” IS A METHOD USED TO ALLOW A SCENARIO THAT WAS ONCE LEGAL, CONTINUE TO BE LEGAL, EVEN THOUGH THE LAWS HAVE CHANGED.....

PERMANENT ACCESSORY STRUCTURES THAT ARE UNPERMITTED, CANNOT BE “GRANDFATHERED”, BECAUSE THEY ARE NOT LEGAL.....

THESE REGULATIONS WILL NOT AFFECT:

- ✓ Horses – They are covered under Commercial and Private Stables in Articles 4.B.1.A.125 & 126
- ✓ Hobby Breeders (Aviculture) – They are addressed in Article 4.B.1.A.19, or
- ✓ Bonafide Agriculture – This is addressed in Article 4.B.1.A.3 of the ULDC.

SINCE THE REGULATIONS DO NOT ADDRESS BONAFIDE AGRICULTURAL USES, THE DUPLICATION OF REGULATION PROHIBITIONS IN THE RIGHT TO FARM ACT DO NOT APPLY TO THEM.

AS STATED IN THE RIGHT TO FARM ACT, BONAFIDE AGRICULTURAL STATUS IS DETERMINED BY THE PROPERTY APPRAISER.



▶ CURRENT HOME OCCUPATION REGULATIONS, DO NOT ALLOW THE PUBLIC TO COME TO A RESIDENCE TO PURCHASE ITEMS. THERE MAY BE OTHER THAN LOCAL RESTRICTIONS ON SALES, DEPENDING ON THE PRODUCT.

▶ THE NEW REGULATIONS WILL BE MORE LENIENT, ALLOWING 6 SEPARATE SALES OF *MULTIPLE ITEMS* PER YEAR. THIS WILL ACCOMMODATE 4-H AND OTHER SIMILAR ACTIVITIES.

WHAT WILL THESE REGULATIONS AFFECT? THEY WILL AFFECT:

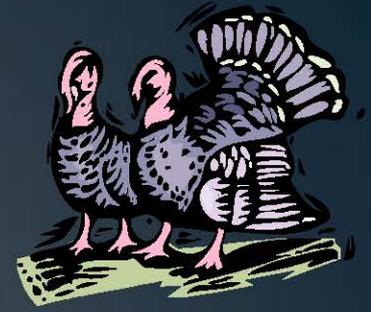
- ✓ PROPERTIES THAT DO NOT HAVE A BONAFIDE AGRICULTURAL DETERMINATION BY THE PROPERTY APPRAISER'S OFFICE.
- ✓ PROPERTIES WITH A RESIDENTIAL PRINCIPAL/PRIMARY USE.



✓ PROPERTIES IN THE RURAL AND EXURBAN TIERS OF THE AGRICULTURAL RESIDENTIAL (AR) ZONING DISTRICT (EXCLUDING PLANNED DEVELOPMENT DISTRICTS)

✓ RESIDENTS THAT WANT TO KEEP COWS, PIGS, GOATS, SHEEP, AND POULTRY.

THE REGULATIONS WILL COVER:



✓ DEFINITIONS OF DOMESTICATED LIVESTOCK AND CROSS FENCING,

✓ SETBACKS OF PERMANENT ACCESSORY STRUCTURES ,

✓ TEMPORARY STRUCTURE LOCATIONS,

- ✓ **CROSS FENCING REGULATIONS,**
- ✓ **STATUS OF EXISTING STRUCTURES,
AND THE GRACE PERIOD THAT MAY BE
NEEDED FOR NON-COMPLIANT
STRUCTURES,**
- ✓ **FREQUENCY OF SALES OF LIVESTOCK
AND LIVESTOCK PRODUCTS**

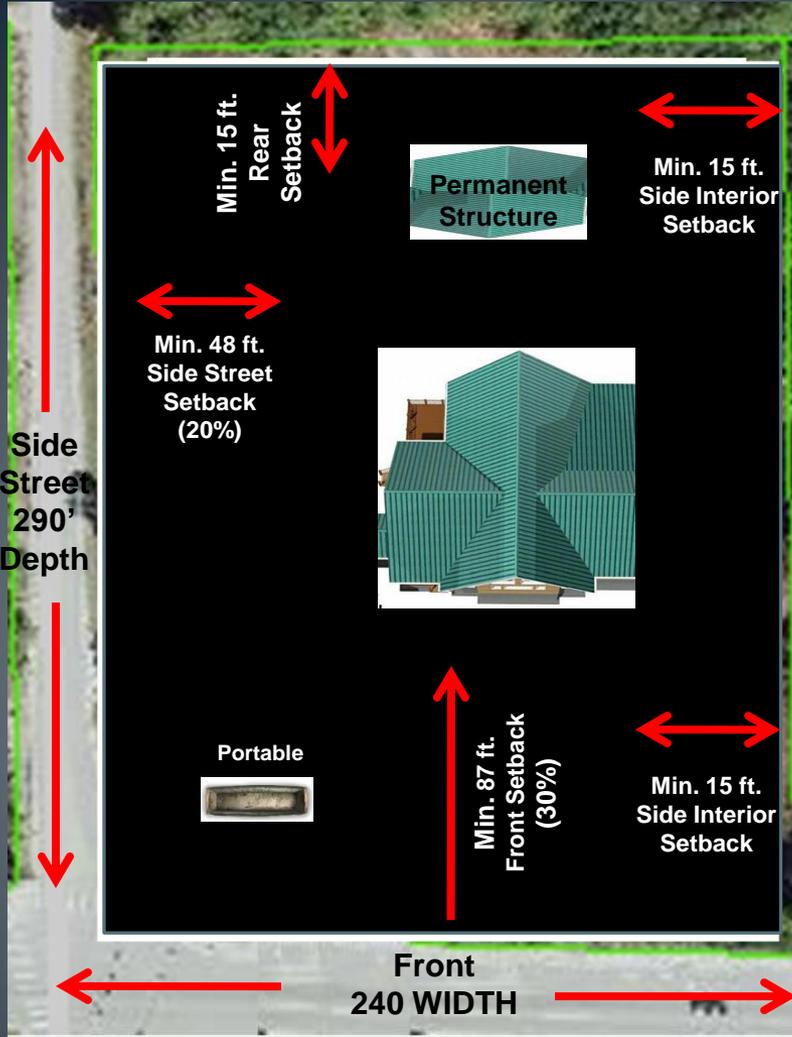


	<u>EXISTING REGULATIONS</u> BONA FIDE AGRICULTURE	<u>EXISTING REGULATIONS</u> HOBBY BREEDER (BIRDS)	<u>PROPOSED REGULATIONS</u> LIVESTOCK KEEPING – ACCESSORY
MINIMUM ACREAGE REQUIREMENTS	Depends upon the use (Rural) 5 acres (Urban)	2 acres (Rural)	None
PERMANENT ACCESSORY STRUCTURE SETBACKS	50' or district setbacks (Rural) 100' (Urban)	50' in AR/USA	15' for non- conforming lots 25' for conforming lots
TEMPORARY / PORTABLE STRUCTURES (BUILDING PERMIT NOT REQUIRED)	Cannot be located in the front or side street yard	Cannot be located in the front or side street yard	Can be located in the front or side street yard

	<u>EXISTING REGULATIONS</u> BONA FIDE AGRICULTURE	<u>EXISTING REGULATIONS</u> HOBBY BREEDER (BIRDS)	<u>PROPOSED REGULATIONS</u> LIVESTOCK KEEPING – ACCESSORY
NUMBER OF ANIMALS	Depends upon the use (Rural) 5 large animals per acre (pigs, cows, goats, etc.)	40 – 200 birds (Rural) 40 birds (Urban)	None
SCREENING REQUIREMENTS	None	Screened from view with a 6' opaque fence or wall	None
FENCING REQUIREMENTS	PBCACC requires animals be contained on the owners' property	Screened from view with a 6' opaque fence or wall	PBCACC requires animals be contained on the owners' property

THE PROPOSED REGULATIONS WILL
BENEFIT THE RESIDENTS IN THESE AREAS,
BY CODIFYING REASONABLE
STANDARDS TO IMPLEMENT THE
GUARANTEED RIGHT, FOUND IN THE
COMPREHENSIVE PLAN, TO KEEP
LIVESTOCK AS AN ACCESSORY USE,
RECOGNIZING THEIR PRESENCE WITHIN
A RURAL/EXURBAN COMMUNITY.

Example Parcel





THANK YOU

