



AGRICULTURAL USES
A SUBCOMMITTEE OF THE LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)

MINUTES OF THE APRIL 21, 2009 SUBCOMMITTEE MEETING

PREPARED BY BARBARA PINKSTON-NAU, PRINCIPAL SITE PLANNER

On Tuesday April 21, 2009, the Agricultural Uses Subcommittee met at the Vista Center, Room VC-1E-58, at 2300 North Jog Road, West Palm Beach, Florida.

Attendance

LDRAB Members: Rosa Durando, Michael Zimmerman, Frank Palen

Interested Parties: Howard Voren, Todd McLenden

County Staff: Barbara P. Nau, Ann DeVeaux

Purpose for the Subcommittee

Barbara P. Nau began the meeting at 10:10 a.m. and summarized the focus of the subcommittee. She explained that the subcommittee was convened to examine the ULDC supplementary use standards related to: bonafide agriculture; aviculture; hobby breeders; and plant nurseries.

LDRAB Process

Barbara explained that the subcommittee would be charged with participating in discussions in an effort to assist in drafting potential amendments to the above referenced items. She further explained the steps in the code amendment process:

- 1) A recommendation from the subcommittee will be forwarded to the full LDRAB for their consideration as an advisory board,
- 2) LDRAB will review the proposed amendments and forward their recommendation to the BCC
- 3) The BCC will hold two public hearings for items in the 2009-01 round of ULDC amendments.
- 4) Adopted amendments will be incorporated into the ULDC.

Discussion Regarding Aviculture

Mr. Voren, a bird breeder, was involved in code amendments related to aviculture in the mid 1990s. He indicated that residents began breeding businesses in their backyards to satisfy the demand for exotic birds. This resulted in complaints from neighbors. Hobby Breeder was added to the ULDC to limit the number of birds and included additional standards to address noise related issues. Mr. McLenden added that the amount of noise birds make is difficult to gage and that when certain species are mixed with different species they could generate more or less noise.

Discussion continued regarding whether or not aviculture falls under bonafide agriculture pursuant to State Statutes. Mr. Zimmerman indicated that the uses indicated under our definition of bonafide ag. are consistent with state statutes. He also added that accessory structures fall under the "Right to Farm Act" and are not subject to the same permitting requirements as non-ag related structures. Ms. Durando concurred.

Goals for Next Meeting

Staff will research state statutes, and contact other counties and municipalities to determine how aviculture is addressed.

Meeting adjourned at 11:00 a.m.