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WHEREAS, the Wellington, Florida Council, pursuant to the authority in Chapters 163 and 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

WHEREAS, Wellington is the “Winter Equestrian Capital of the World” and experiences demand for seasonal equestrian uses and facilities during the “equestrian season” regulated by Chapter 5.7 Seasonal Equestrian Uses of the Wellington Land Development Regulations (LDRs); and

WHEREAS, Chapter 5.7 of the LDRs was amended by Ordinance No. 2012-03 on February 14, 2012 and established that a seasonal equestrian use permit related Ancillary Equestrian Uses and Equestrian Show Uses of not more than two (2) events per year with each event being four (4) days or less in duration shall be processed and decided upon the Growth Management Director in the same manner as a special permit use and Equestrian Show Uses open to the public for more than four (4) days and/or more than two (2) events during the course of one (1) year shall only be permitted upon the approval of Wellington's Council; and

WHEREAS, Ordinance No. 2012-03 and the approval thresholds established do not address the varied types and intensities of shows which have historically taken place within the Equestrian Preserve Area and discouraged the smaller shows/competitions that have been an integral part of the equestrian community; and

WHEREAS, the potential impacts and intensity of equestrian show uses and competitions on adjacent properties and the Equestrian Preserve Area are generated by the number of days of the event as well as the number of shows/competitions per year, the number of entries for each show/competition, the number of expected attendees anticipated, the number of vendors present, and any entertainment; and

1 **WHEREAS**, the proposed amendments to Chapter 5.7 are intended to address
2 the varying degree of impacts and intensity of equestrian show uses and competitions
3 through a tiered permit with the highest potential impact/intensity requiring approval by
4 the Wellington Council; and

5
6 **WHEREAS**, the Equestrian Preserve Committee has reviewed the proposed
7 Ordinance and recommended approval to the Planning, Zoning and Adjustment Board;
8 and

9
10 **WHEREAS**, the Planning, Zoning and Adjustment Board, acting as The Land
11 Development Regulation Board, after notice and public hearing on October 1, 2014, has
12 reviewed the proposed Ordinance and determined that the proposed amendment is
13 consistent with Wellington's Comprehensive Plan; and

14
15 **WHEREAS**, the Council has taken the recommendations from the Local
16 Planning Agency, Wellington staff and the comments from the public into consideration
17 when considering the amendments to the Land Development Regulations that are the
18 subject of this Ordinance.

19
20 **NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,**
21 **FLORIDA THAT:**

22
23 **SECTION 1.** Chapter 5.7 Seasonal Equestrian Uses of Wellington's Land
24 Development Regulations is hereby modified, as follows text formatted with underline is
25 to be added; text formatted with ~~strike-through~~ is to be deleted:

26 27 **CHAPTER 7. SEASONAL EQUESTRIAN USES**

28 29 **Sec. 5.7.1. – Purpose and Scope.**

30
31 These Seasonal Equestrian Uses and facilities are those which are generally
32 temporary in nature. The uses and facilities are also generally compatible with the other
33 uses, but require review of the location, design, configuration and intensity of use,
34 buildings and facilities, and may require the imposition of conditions to ensure the
35 appropriateness of the use/activity at a particular location. A Seasonal Equestrian Use
36 permit is required for all equestrian shows, equestrian competitions including polo and
37 any temporary ancillary equestrian uses as defined in Sec. 5.7.2.

38 39 40 **Sec. 5.7.2. - Definitions.**

41
42 The following words, terms, and phrases, when used in this Article, shall have the
43 meanings ascribed to them in this Section:

44
45 Equestrian Show is a judged exhibition of horses from local to international levels. Most
46 horse shows run from one (1) to three (3) days, sometimes longer for national and

1 international championships in a given discipline. Most shows consist of a series of
2 different performances or called classes, wherein a group of horses with similar training
3 or characteristics compete against one another for awards and often, prize money.
4 These shows are held at properties or facilities with uses typically associated with the
5 equestrian show industry, including show rings competition arenas, and may include
6 spectator facilities with either temporary or permanent seating.
7

8 Equestrian competition includes equestrian shows, as well as all other competitions
9 involving horses including, but not limited to, polo matches, derby races, eventing,
10 reining, steeple chase, vaulting or similar events.
11

12 Polo competitions are a team sport played on horseback in which the objective is to
13 score goals by driving a small white plastic or wooden ball into the opposing team's goal
14 using a long-handled mallet. The traditional sport of polo is played at speed on a large
15 grass field up to 300 yards long by 160 yards wide and each polo team consists of four
16 riders and their mounts. In arena polo, only three players are required per team and
17 play with an air-filled ball similar to a small soccer ball.
18

19 Temporary Ancillary Equestrian Facilities include temporary equestrian facilities such as
20 bleachers, vendor tents, sanitary facilities, and stabling tents. Facilities approved by a
21 Seasonal Equestrian Use permit are required to be removed at the end of the permit
22 period and the subject area returned to its original condition or better.
23

24 **Sec. 5.7.3. – General Standards.**

25
26 Seasonal Equestrian Use permits for equestrian shows/competitions and temporary
27 ancillary facilities may be issued in accordance with the following standards:
28

29 A. Construction. No structure of a permanent nature may be approved or
30 constructed as a part of a seasonal equestrian use permit, but the seasonal equestrian
31 permit for an equestrian show or competition may utilize all or a portion of an existing
32 structure(s). No structure shall be located in a public right-of-way. Permanent structures
33 may be approved and constructed under a separate development permit.
34

35 B. Removal. Removal of all temporary structures and facilities shall be guaranteed
36 in writing and bonded to ensure and such structures shall be removed within two (2)
37 weeks of the expiration of the seasonal equestrian use permit.
38

39 C. Owner's authorization. Written authorization of the owner of the site shall be
40 obtained and provided to the Village. This authorization shall identify the site address,
41 owner's name, mailing address, telephone number, and owner's acknowledgement of
42 proposed activity and dates the activity is to operate.
43

44 D. Safe ingress and egress. Adequate and safe ingress and egress directly to a
45 collector or rural collector roadway, such that the normal traffic pattern shall not be

1 disrupted, shall be provided and maintained during the duration of the equestrian
2 special use permit.

3
4 E. Trash or debris. Removal of all trash or debris from the site and the immediate
5 vicinity, upon termination of the activity, shall be guaranteed in writing and subsequently
6 accomplished during the duration of the equestrian special use permit.

7
8 F. Sanitary facilities. Adequate sanitary facilities shall be provided for the intended
9 activity and, when necessary, documentation shall be provided that rest rooms or other
10 sanitary facilities are available during the duration of the activity.

11
12 G. Parking. Adequate parking for the proposed activity, uses, and temporary
13 structures shall be provided on-site based upon the parking requirements in Section
14 7.2.3. All parking areas used during the duration of the equestrian special use permit
15 shall be restored to the original condition.

16
17 H. Signs. No off premises signage is permitted.

18
19 I. Use. Proposed equestrian shows must meet all the development criteria
20 currently listed in the LDR (Section 6.4.4.41) for Commercial Equestrian Arenas,
21 relating to buffering, noise and loudspeakers, lighting, and other potentially negative
22 impacts such as dust and odors.

23
24 J. Approval. Prior to commencement of a use, structure, or facility pursuant to a
25 seasonal equestrian use permit, the property must receive approval from the Palm
26 Beach County Fire Department.

27 28 **Sec. 5.7.4. – Permitted Locations.**

29
30 A. **Seasonal equestrian shows and competitions.** Seasonal equestrian permits
31 for equestrian shows and competitions may be issued for property that meets the
32 following:

33
34 1. Designated on the Wellington Future Land Use Map as Commercial Recreation;
35 or

36
37 2. Property within the EOZD which the applicant/owner can demonstrate that the
38 proposed show/competition can accommodate all activities, including parking, on-site
39 and meet the standards in Sec. 5.7.3.

40
41 B. **Temporary ancillary equestrian uses.** Seasonal equestrian permits for
42 temporary ancillary equestrian facilities may be issued for property located within the
43 EOZD and consistent with Section 6.10.9.D.

44 45 **Sec. 5.7.5. – Duration.**

46

Seasonal Equestrian Use permits shall be limited to a cumulative duration not to exceed six (6) months in one (1), 12-month period on the same property unless approved by Council.

Sec. 5.7.6. – Procedure.

Seasonal Equestrian Use permits for equestrian shows/competitions within the EOZD shall be regulated by permit type as provided in the following table. If any of the six (6) criteria is exceeded by a proposed equestrian show/competition, the permit type shall be elevated to the next level, i.e. if a Permit Type 1 exceeds any single criterion, it shall require a Permit Type 2 and meet all respective standards. For equestrian shows/competitions, please refer to Note B.

Table 5.7.6.1 – Seasonal Equestrian Use Permits – Equestrian Shows/Competitions in EOZD

| Permit Type | 1 | 2a | 2b | 3 ^A |
|--|---------------------------|--|-----|----------------|
| Approval Level ^B | <u>No permit required</u> | <u>Planning Director</u> , or designee | | See below |
| Maximum days per week per <u>show/competition</u> ^D | 1 | 2 | 4 | |
| Maximum events per year | 12 | 12 | 2 | |
| Maximum entries per <u>show/competition</u> | 50 | 75 | 100 | |
| Maximum spectator attendance per <u>show/competition</u> | 100 | 100 | 500 | |
| Vendors | 0 | 4 | 10 | |
| Entertainment | None | Event-oriented only ^C | | |

Note:

- A. Seasonal Equestrian Use Permit Type 3 is any proposed equestrian show/competition which exceeds any one (1) of the six (6) criteria for a Permit Type 2 in Table 5.7.6.1 and shall require Council approval.
- B. Seasonal Equestrian Use Permits for equestrian shows/competitions outside of the EOZD shall require the following approvals: Type 1 – Planning Director, or designee approval; Type 2a, 2b, and 3 – Council approval.
- C. Event-oriented entertainment is any entertainment which is ancillary or part of the show/competition and does not include concerts.
- D. Consecutive events on the same property on consecutive days are considered a single event.

SECTION 2. Should any section, paragraph, sentence, clause, or phrase of this Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this Ordinance shall prevail to the extent of such conflict.

SECTION 3. Should any section, paragraph, sentence, clause, or phase of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole as a whole or any portion or part thereof, other than the part so declared to be invalid.

SECTION 4. This Ordinance shall become effective immediately upon adoption of the Village Council following second reading.

[This space intentionally left blank.]

1 **PASSED** this ____ day of _____, 2014 on first reading.
2
3

4 **PASSED AND ADOPTED** this ____ day of _____, 2014, on second and final
5 reading.
6
7

8 **WELLINGTON**

9
10 **FOR**

AGAINST

11 BY: _____

12 Bob Margolis, Mayor

13
14 _____

15 John Greene, Vice Mayor

16
17 _____

18 Matt Willhite, Councilman

19
20 _____

21 Howard K. Coates, Jr. Councilman

22
23 _____

24 Anne Gerwig, Councilwoman

25
26
27
28 **ATTEST:**

29
30
31 BY: _____

32 Awilda Rodriguez, Clerk
33
34

35 **APPROVED AS TO FORM AND**
36 **LEGAL SUFFICIENCY**
37

38
39 BY: _____

40 Laurie Cohen, Village Attorney
41
42
43