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WHEREAS, Wellington's Council, as the governing body of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Wellington Land Development Regulations are authorized and empowered to the consider petitions related to zoning and development orders; and

WHEREAS, the Commercial Equestrian Arena Compatibility Determination application as reviewed and certified by the Development Review Committee as of August 20, 2013; and

WHEREAS, the Commercial Equestrian Arena Compatibility Determination was reviewed and approved by the Planning, Zoning and Adjustment Board on October 2, 2013; and

WHEREAS, Wellington's Council has made the following findings of fact:

The Commercial Equestrian Arena property possesses a Commercial Recreation Future Land Use map designation and an Equestrian Overlay Zoning District designation, Wellington's Land Development Regulations (LDRs) Section 6.4.4.41 states a Commercial Equestrian Arena is permitted subject to a compatibility analysis since the property is within Wellington's Urban Service Area.

1. The Equestrian Village Commercial Equestrian Arena is consistent with the Comprehensive Plan;
2. The subject request is consistent with the stated purposes and intent of the Land Development Regulations;
3. The Equestrian Village Commercial Equestrian Arena is consistent with the surrounding land uses and zoning districts;
4. No adverse impacts to the natural environment are expected to occur as a result of the approval of the request;
5. The Equestrian Village Commercial Equestrian Arena would result in a logical and orderly development pattern;
6. The Equestrian Village Commercial Equestrian Arena is consistent with the applicable Equestrian Overlay Zoning District (EOZD); and
7. The requested Equestrian Village Commercial Equestrian Arena complies with Article 11, Adequate Public Facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE WELLINGTON, FLORIDA'S COUNCIL, THAT:

SECTION 1. The foregoing recitals are hereby affirmed and ratified. The Equestrian Village Commercial Equestrian Arena is hereby APPROVED as described in Exhibit "A", and for the Compatibility Determination described in Exhibit "B", subject to the following conditions:

Operation:

1. Commercial Equestrian Arena hours of operation, including preparation and clean-up of all rings, arenas, vendor areas and seating areas, shall be limited from 7:00 a.m. to 10:00 p.m. Music associated with all events will start no earlier than 8:00 a.m. and entertainment related to the event will start no earlier than 9:00 a.m.
2. One (1) night time event per weekend (Friday, Saturday, or Sunday) may have extended operational hours to 11:00 p.m., preferably on Friday or Saturday.
3. All events shall comply with Wellington's Code of Ordinances, Chapter 36-33 Noise Standards. Loudspeakers shall not be used after 10:00 p.m. (11:00 p.m. during the one (1) night time event per weekend, limited to a Friday, Saturday, or Sunday night only) and sounds emanating from the

subject property must comply with the provisions of the Code of Ordinances, Chapter 36, Article III.

4. Entertainment is only permitted during equestrian events and shall conclude at the end of the event at 10:00 p.m. (11 p.m. during the one (1) night time event per weekend, limited to a Friday, Saturday, or Sunday night only).

5. All live entertainment must be incidental to the equestrian shows/events and shall be limited to the Event Tent and in the Main Arena. Any source of amplification shall be directed away from adjacent residential properties which are located on the north and east property lines. This restriction shall not apply to dressage dance music for practice.

6. The owner/operator shall coordinate show/event start and let out times with the Winter Equestrian Festival to ensure that show/event start and let out times are not concurrent. Show/event let out times shall be a minimum of one (1) hour apart.

7. Use of any mechanical equipment to prepare or clean up the site or equestrian rings shall be permitted from 7:00 a.m. to 10:00 p.m. (11:00 p.m. during the one (1) night time event per weekend, limited to Friday, Saturday, or Sunday only).

8. The use of amplified sound systems and equipment including (radio, iPod, or similar devices with auxiliary speakers, record players, similar music devices) or televisions are prohibited in permanent barns or temporary stabling tents except to advise riders and exhibitors of upcoming competitive events. Electronic listening devices may be used with earphones.

9. Use of portable generators is prohibited unless "Quiet Pack" generators are utilized and all generators shall be located a minimum of 150 feet from adjacent residential property, measured from the property line.

10. All on-site storage trailers shall be screened from public rights-of-way and adjacent properties.

11. All vendors shall obtain a Business Tax Receipt if required by Wellington prior to selling or offering services.

12. Vendors selling food shall obtain a Palm Beach County Health Department inspection and approval prior to commencing sales.

13. For monitoring purposes, properly identified Wellington staff including, but not limited to, Building Inspectors, Code Compliance Officers and Planning and Zoning staff shall be allowed unrestricted access to the site.

14. Sound testing shall be conducted for the first event at the eastern and northern property lines and a report provided to the Village with the results. If the results of the testing exceed the Wellington noise limits, the owner shall modify the sound system and retest to ensure compliance. For one (1) year

from the approval date of this resolution, testing shall be reported on a monthly basis for all events. Should any of the testing results exceed the Wellington noise limits, mitigation may be imposed by the Planning and Development Services Director and will be required to be completed within two (2) weeks of notification.

Lighting:

15. All parking lot lighting shall be limited to a maximum of 15 feet in height.
16. Adequate lighting shall be provided on site and at the project access points based on the photometric plan submitted with the Site Plan Application and approved by Council. All new lighting required as a part of this approval shall be installed no later than December 31, 2014.

Traffic:

17. Parking of vehicles along any portion of adjacent road rights-of-way is **PROHIBITED**. Event parking is limited to on-site designated parking areas and on-site trailer parking areas designated in accordance with the conceptual site plan and circulation plan attached as Exhibits "B" and "C" respectfully.
18. Adequate ingress and egress directly to and from South Shore Boulevard and Pierson Road shall be maintained at all times to minimize impacts to normal traffic flow. Palm Beach Sheriff's Office deputies shall be utilized for traffic control for larger events (typically greater than 500 spectators) in accordance with the approved Circulation Plan. The Village Engineer may require additional officers to mitigate traffic issues that arise due to the equestrian shows/events.
19. Applicant shall construct the following off-site improvements prior to December 31, 2014:
 - a. New, horse crossing from south side of Pierson Road to north side of C-23 Canal.
 - b. Bridle Trail along south property line from the new access point to the east property line.
 - c. . Designated north bound right turn lane on South Shore Boulevard with a minimum of 280 feet of storage and 50 foot taper at the South Shore access to the property.
 - d. Provide a separate east approach left turn lane with 280 feet of storage at Pierson Road and South Shore Boulevard intersection.
 - e. Provide a separate west approach left turn lane with 370 feet of storage at Pierson Road and South Shore Boulevard intersection.
 - f. .
20. To comply with the mandatory Traffic Performance Standards, in place at the time of this approval, no building permits for the site shall be issued after December 31, 2016, excluding permits for approved temporary structures. A time extension for this condition may be approved by the County and Village Engineer based on an approved Traffic Study which complies with

the mandatory Traffic Performance Standards in place at the time of the request.

21. Prior to December 31, 2015, a queuing analysis of the southbound left turn lane at the South Shore Boulevard driveway, the northbound left turn lanes at the intersection of Greenview Shores Boulevard and South Shore Boulevard and the ingress/egress of Pierson Road entrance shall be submitted to the Village. The analysis will be based on existing peak season counts and queuing data at the time with traffic from unbuilt intensities included. If deficiencies are exposed by the queuing analysis additional off-site and on-site infrastructure improvements to the roadways and access points may be required. The monitoring shall continue until December 31, 2017. Annual reports shall be provided to the Village prior to December 31st for this period.

22. The South Shore entrance shall be designated as the primary entrance to the facility.

23. A perimeter road will be required along the northern property line for connectivity throughout the site and indicated on the approved site plan. The specific roadway material is to be approved by the Village Engineer.

BMP:

24. Applicant shall comply with the BMP Standards approved specifically for this site and in accordance with the South Florida Water Management District Permit.

25. Manure shall be removed from the premises on a daily basis during all horse show events and disposed in a manner approved by the Palm Beach County Health Department. Manure shall be collected and transported by a registered livestock waste hauler in accordance with the BMPs.

Building:

26. The applicant shall obtain permits for all structures and tents in accordance with Wellington's Land Development Regulations, the Florida Building Code and including the Fire Code.

27. All tents shall be inspected by the Palm Beach County Fire Rescue Department for compliance with applicable Federal, State, or Municipal fire protection standards. Tents shall be inspected and approved prior to occupancy.

Engineering:

28. Permanent sanitation facilities shall be constructed by December 31, 2015, and shall be sized to accommodate approved permanent structures. Portable/temporary sanitation facilities shall be permitted in accordance with health and safety standards until the construction of permanent sanitation facilities is completed. Further, portable/temporary sanitation facilities shall be permitted for temporary event use in accordance with health and safety

standards and shall be removed within 24 hours after the event. The location of the permanent and temporary sanitation facilities shall be provided on the approved site plan.

29. Applicant shall comply with all provisions of Article 7.2 and 6.10 of the Wellington Land Development Regulations for the grassed parking.

30. All basic infrastructure for the permanent structures and those temporary structures that will be serviced by the basic infrastructure (roads, drives, parking, lighting, bathrooms, seating, horse wash, manure bins, etc.) shall be permanent and shall comply with Wellington's Codes and Standards, except to the extent otherwise provided herein.

Planning:

31. Applicant must submit an application and receive approval for a Master Sign Plan for the site prior to the installation of any signage that is not currently approved for the site.

32. The Commercial Equestrian Arena Site Plan shall be approved by the Council and the general layout, uses and intensity of the uses shall be in substantial compliance with the conceptual site plan that is attached as Exhibit "B".

33. A Circulation Plan shall be submitted and approved with the Commercial Equestrian Arena Site Plan that includes on-site and off-site circulation.

34. The temporary tent stalls shall be limited to use by participants of this commercial equestrian arena only during the months of January through March. A one (1) month extension of this use may be granted administratively by the Planning Department when a written request is submitted by the Applicant. The tents may be erected up to one (1) month prior to use and must be taken down within two (2) weeks of the expiration of the period approved for use.

35. Annual reports of the spectator attendance counts and stall usage for all events shall be provided to Wellington by July 1 of each year or as otherwise requested by Wellington. Wellington reserves the right to require additional improvements if reports indicate attendance and stall usage significantly greater than that analyzed.

36. The stalls for this facility may not be used for overflow stabling. Overflow stabling shall mean stabling of horses that compete exclusively at venues other than on the property. Nothing herein shall be construed to prohibit the stabling of horses that compete both at the property and other venues within the Village. This condition does not apply to the Riding Academy participants

37. Applicant shall install a solid, opaque fence a minimum height of five feet and a minimum width of thirty (30) feet from the center of the drive aisle at the terminus of all approaching drive aisles on the eastern and northern property lines to screen the impact of headlights on adjacent

propertiesfencing on the east side of the property through the Eureka's to
address the headlight issue.

SECTION 3. Should a legal challenge to the approval of the Compatibility
Determination result in a temporary injunction or otherwise prohibit the developer from
completing any specific condition under this Compatibility Determination within the
time provided or executing any portion of the approved site or circulation plans herein,
the Village shall toll the time requirement for completion of such condition or
conditions until the resolution of the litigation. During such tolling period, no permits
will be issued and no temporary or permanent COs will issue.

SECTION 4. This Resolution shall become effective immediately upon adoption.
The Conditions of Approval for the Compatibility Determination adopted by this
Resolution shall become effective on May 1, 2014, immediately after the expiration
date of the 2013/2014 Equestrian Special Permit approved by Resolution No. 2013-
42 for Equestrian Sport Production, LLC.

PASSED AND ADOPTED this _____ day of _____ 2013.

RENDERED the _____ day of _____ 2013.

ATTEST:

WELLINGTON, FLORIDA

BY: _____ BY: _____
Awilda Rodriguez, Village Clerk Bob Margolis, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

BY: _____
Laurie Cohen, Attorney for Wellington