



I. **PETITION DESCRIPTION:**

Petition Number: ZTA 2014-041, Ordinance 2014-28

Project Name: Land Development Regulations (LDR) Text Amendments – Chapter 5.7. Seasonal Equestrian Uses

Applicant/Petitioner: Village of Wellington

Request: Adoption of Ordinance 2014-28 amending Chapter 5.7 Seasonal Equestrian Uses of the Land Development Regulations addressing the varying degree of impacts and intensity of equestrian show uses and competitions through a three level permit type with the highest potential impact/intensity requiring approval by the Wellington Council.

II. **BACKGROUND:**

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 to 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.

Since the change to this code section in 2012, only five (5) permits have been issued. Only two (2) required Council approval due to the number of events and being open to the public. None of the five (5) permitted shows generated any complaints or were determined to have negative impacts on the EPA and neighboring properties.

The last two (2) years of the administration of the seasonal equestrian permits for equestrian shows have generated complaints from the applicants and those wanting to

host small equestrian shows. These small shows have been held in the Equestrian Preserve Area (EPA) and are an integral component of the equestrian community. The thresholds adopted in 2012 did not account for the historic activity within the EPA. The proposed changes are designed to allow these smaller, less intensive shows to occur within the EPA while still requiring review and approval of the larger to address potential community impacts. The proposed changes also clarify certain definitions, require any competition (i.e., polo) to be included along with equestrian shows, and also require any equestrian activity outside of the EOZD (on commercial recreation property) to obtain a seasonal equestrian permit (versus the general special use permit).

III. PROPOSED ZONING TEXT AMENDMENT:

The proposed changes are all contained in Chapter 5.7 Seasonal Equestrian Uses of the Land Development Regulations. The following changes are recommended text formatted with underline is to be added; text formatted with ~~strike-through~~ is to be deleted:

CHAPTER 7. SEASONAL EQUESTRIAN USES

Sec. 5.7.1. – Purpose and Scope.

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

Sec. 5.7.2. - Definitions.

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

Equestrian Show is a judged exhibition of horses from local to international levels. Most horse shows run from one (1) to three (3) days, sometimes longer for national and international championships in a given discipline. Most shows consist of a series of different performances or called classes, wherein a group of horses with similar training or characteristics compete against one another for awards and often, prize money. These shows are held at properties or facilities with uses typically associated with the equestrian show industry, including show rings competition arenas, and may include spectator facilities with either temporary or permanent seating.

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

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

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

Sec. 5.7.3. – General Standards.

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

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

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

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

D. Safe ingress and egress. Adequate and safe ingress and egress directly to a collector or rural collector roadway, such that the normal traffic pattern shall not be disrupted, shall be provided and maintained during the duration of the equestrian special use permit.

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

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

G. Parking. Adequate parking for the proposed activity, uses, and temporary structures shall be provided on-site based upon the parking requirements in Section 7.2.3. All parking

areas used during the duration of the equestrian special use permit shall be restored to the original condition.

H. Signs. No off premises signage is permitted.

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

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

Sec. 5.7.4. – Permitted Locations.

A. Seasonal equestrian shows and competitions. Seasonal equestrian permits for equestrian shows and competitions may be issued for property that meets the following:

1. Designated on the Wellington Future Land Use Map as Commercial Recreation; or
2. Property within the EOZD which the applicant/owner can demonstrate that the proposed show/competition can accommodate all activities, including parking, on-site and meet the standards in Sec. 5.7.3.

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

Sec. 5.7.5. – Duration.

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

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

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.

IV. ANALYSIS:

The proposed amendments are based upon a review of Chapter 5.7 and the equestrian show activity in the Equestrian Preserve Area. The definitions of an equestrian show and ancillary equestrian facilities needed modification. Definitions for other equestrian competitions are also included. The General Standards for seasonal equestrian permits are proposed to be revised as well to address issues experienced with permits issued since 2012.

The Permitted Locations section is proposed to be modified to expand where equestrian shows and competitions could occur within the Equestrian Preserve Area (EPA) and any property within the Village with a Future Land Use Map designation of Commercial Recreation. The Equestrian Preserve Committee (EPC) wanted to support the equestrian competition community by allowing equestrian competitions to occur with the EPA so long as the property was large enough and had sufficient facilities to support the activity. The intent is to continue to allow competitions that

have historically taken place throughout the EPA on equestrian properties of all sizes. The intensity and impacts of these smaller competitions has been negligible. This is the same justification for modifying the threshold for permitting. The proposed changes recognize that many of the smaller equestrian shows/competitions do not have an impact on the EPA and the properties are built and laid out for that express purpose, i.e. polo farms and hunter/jumper training farms. These smaller shows/competitions occur infrequently throughout the year and do not have the same elements as the larger shows such as seating, vendors, entertainment, etc.

The permit thresholds for equestrian shows/competitions are set up in three tiers or “permit types”, as follows:

Permit Type 1

The first level does not require a permit. These shows/competitions are limited to one day events which occur no more than 12 times per year with limited numbers of entries and attendance. There are also no vendors or entertainment permitted. To make sure it was clear the equestrian community knew which shows/competitions required a permit and which did not require a permit. These types of shows/competitions are consistent with what typically takes place in the EPA; where one farm hosts a local, one-day competition and invites neighboring riders. Many of these shows are fairly informal. Social media has changed the way shows are advertised and some may have prize money but the show’s minimal intensity and impact are much the same as it always has been.

Permit Types 2a and 2b

The second level of permit is reviewed and approved administratively. These shows/competitions are still low intensity with minimal (if any) impacts to the surrounding properties and community. However, because of the potential for increased impacts, additional review by Wellington staff is required as well as a permit which would identify possible conditions to address and/or offset any impacts.

Permit Type 3

The third level of permit is for shows/competitions which exceed any one (1) of the six (6) criteria for Type 2 permits. These permits would require Council approval. The shows/competitions which require this type of permit are of an intensity warranting a higher level of approval and will provide opportunity for community input.

V. STAFF RECOMMENDATION:

Staff recommends approval of Ordinance 2014-28 amending Chapter 5.7 Seasonal Equestrian Uses of the Land Development Regulations addressing the varying degree of impacts and intensity of equestrian show uses and competitions through a three level permit type with the highest potential impact/intensity requiring approval by the Wellington Council.

VI. REVIEW PROCESS:

1. Equestrian Preserve Committee

The zoning text amendment was reviewed by the Equestrian Preserve Committee at the January 8, 2014, meeting and at the March 12, 2014 meeting. The EPC recommended approval of the proposed amendments to Chapter 5.7. The EPC reviewed the proposed zoning text amendment on September 10, 2014, and recommended subsequent changes to the proposed permit types including adding an additional Type 2b and establishing a different approval process for permits outside of the EPA. The EPC recommended approval of the amendments to Chapter 5.7 as provided in the Staff Report.

2. Planning Zoning and Adjustment Board:

The zoning text amendment shall be reviewed by the Planning Zoning and Adjustment Board: October 1, 2014.

3. Council:

This application is tentatively scheduled to be reviewed by the Council (First Reading) on November 11, 2014 and (Second Reading/Adoption) on December 9, 2014.

VII. PUBLIC NOTIFICATION:

Public notification of this Zoning Text Amendment shall be accomplished by Newspaper Advertisement. Display advertisements shall be placed in The Palm Beach Post on:

- August 24, 2014 – Planning Zoning and Adjustment Board
- _____, 2014 – Council First Reading
- _____, 2014 – Council Second Reading