

## **I. PETITION DESCRIPTION**

Petitions:           **1.) Comprehensive Plan Amendment 16 – 109 (2016 – 46 CPA)**  
                             **2.) Zoning Text Amendment 16 – 110 (2016 – 47 ZTA)**  
                             **3.) Rezoning 16 – 115 (2016 – 49 REZ 1)**  
                             **4.) Master Plan 16 – 116 (2016 – 50 MP 1)**

Project Name:       Flying Cow Ranch

Owner:               Timothy, Mark and Patricia McCarthy  
                             (Trustees for the McCarthy Land Trust)

Applicant/  
Petitioner:          Flying Cow Ranch HC, LLC.

Agent:               Wantman Group, Inc.

Project Manager:   Damian Newell

Request:           **1.) Comprehensive Plan Amendment 16 – 114 (2016 – 48 CPA 2):**

- To amend the Future Land Use Map Designation of the recently annexed 2.8 acre parcel (Parcel 3) from Palm Beach County Conservation (CON) to Wellington Residential “B” (.1 du – 1.0 du/ac);
- Extend the Equestrian Preserve Area boundaries to incorporate Parcel 3 (2.8 acre) ; and
- Add additional public trails/paths to the Equestrian Trails Master Plan and Equestrian Circulation Plan within the Equestrian Preservation Element.

**2.) Zoning Text Amendment 16 – 110 (2016 – 47 ZTA):**

- To amend Article 6, Chapter 10 of Wellington’s Land Development Regulations (LDR) by creating Subarea G of the Equestrian Overlay Zoning District and to establish development regulations for Subarea G.

**3.) Rezoning 16 – 115 (2016 – 49 REZ 1):**

- To amend the Zoning Designation for:
  - Parcel 1 (98.64 acres more or less) from Palm Beach County Agricultural Residential to Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD).
  - Parcel 2 (49.15 acres more or less) from Wellington Agricultural Residential/Equestrian Overlay Zoning District (AR/EOZD) to Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD).

- Parcel 3 (2.8 acres more or less) from Palm Beach County Preservation/Conservation (PC) to Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD).
- Incorporate the overall 150 acre parcel (Parcel 1, 2 & 3) within the newly created Subarea G of the EOZD.

**4.) Master Plan 16 – 116 (2016 – 50 MP 1):**

- To allow 30 residential/equestrian/aviation lots, clubhouse, maintenance facility and enhance the existing private airstrip.

**II. SITE DATA**

Existing Use: Residential, tree/palm farm and private airstrip

Parcel Size: Approx. 150 acres more or less (Parcel 1: 98.64 ac. / Parcel 2: 49.15 ac. / Parcel 3: 2.8 ac.)

Existing Land Use: Residential “B” (Parcel 1 & 2) and Palm Beach County Conservation (Parcel 3)

Proposed Land Use: Residential “B” (.1 du – 1.0 du/ac)

Existing Zoning District: Palm Beach County Agricultural Residential (Parcel 1), Agricultural Residential/Equestrian Overlay Zoning District (Parcel 2) and Palm Beach County Preservation/Conservation (Parcel 3)

Proposed Zoning District: Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD)

Parcel Control No’s.: 73-40-44-24-00-000-5010 (Parcel 1)  
73-40-44-25-00-000-1040 (Parcel 2)  
73-40-44-25-00-000-1030 (Parcel 3)

Location: The Flying Cow Ranch project is located at the northwest corner of Flying Cow Ranch Road and 160<sup>th</sup> Trail S, approximately 4 miles south of Southern Boulevard. Exhibit “A” is a location map of the overall Flying Cow Ranch project. Exhibit “B” is the project legal description.

**III. LAND USE AND ZONING**

**EXISTING LAND USE, FUTURE LAND USE & ZONING**

| Dir.         | Existing Use  | Future Land Use           | Zoning District  |
|--------------|---|---------------------------|--|
| <b>North</b> | Mickelson Residential/<br>Agricultural              | Residential “B”           | Palm Beach County (PBC)<br>Agricultural Residential                          |
| <b>South</b> | L-40 Canal/ Loxahatchee<br>National Wildlife Refuge | PBC Conservation<br>(CON) | PBC Preservation/Conservation<br>(PC)  |
| <b>East</b>  | Palm Beach Point<br>Residential/Agricultural        | Residential “A”           | Agricultural Residential/<br>Equestrian Overlay Zoning District<br>(AR/EOZD) |
| <b>West</b>  | L-40 Canal/ Loxahatchee<br>National Wildlife Refuge | PBC Conservation<br>(CON) | PBC Preservation/<br>Conservation (PC)                                       |

#### **IV. SITE HISTORY**

The Flying Cow Ranch (a.k.a. McCarthy) parcels were approved by Palm Beach County Board of County Commissioners (BCC) on November 20, 1980 for a Special Exception (SE) to allow a private airstrip (PBC Resolution R-81-58). On May 22, 2003, BCC approved Resolution R-2003-755 to delete conditions of approval no longer applicable to the property. Parcels 1 and 2 (147.79 ac.) were annexed into Wellington on December 28, 2004 by Ordinance No. 2004 – 46. Parcel 3 (2.8 ac) was also annexed on June 14, 2016 by Ordinance No. 2016 – 07. An Annexation Agreement for Parcels 1 and 2 was entered into on December 28, 2004 between the property owner and Wellington by Resolution No. R2004 – 161. The roadway construction required by the agreement was completed with the paving of Flying Cow Ranch Road done by Wellington. The agreement also acknowledges the existing private airport (Loxahatchee Airport FDOT License Location ID No. 7FD6 and FAA Site No. 328887.71\*A) will be vested as a conforming use.

Parcels 1 and 2, Residential “B” Future Land Use Map (FLUM) designation was adopted August 31, 2010 by Ordinance No. 2010 – 07 allowing a maximum of 30 residential units and incorporating the property into the Equestrian Preserve Area (EPA). Parcel 3 FLUM designation and Zoning designation are still unincorporated Palm Beach County designations. Development of Parcel 3 will require Wellington’s FLUM and Zoning designations, which has not occurred since annexation of the parcel.

The agent, Wantman Group, Inc., on behalf of the owner/petitioner, initially submitted petitions to allow 30 residential/equestrian/aviation lots, enhance the existing private airstrip and commercial use. It was determined the proposed commercial use was not compatible with the existing surrounding residential area and elimination will allow for the safe circulation of the other uses. The petitioner amended their request to include the proposed Residential “B” FLUM designation and Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD) Zoning designation for the parcels to allow 30 residential/equestrian/aviation lots, clubhouse, maintenance facility and enhance the existing private airstrip.

#### **V. STAFF ANALYSIS**

The owner/applicant is requesting approval of a Comprehensive Plan Amendment (CPA), Zoning Text Amendment, Rezoning and Master Plan petitions for the proposed 150 acre Flying Cow Ranch project. The proposed project is for development of 30 residential lots with accessory equestrian and aviation uses allowed on each lot. Staff reviewed the petitions for consistency with Wellington’s Comprehensive Plan and Land Development Regulations (LDR) as indicated below.

##### **1.) Comprehensive Plan Amendment 16 – 109 (2016 – 46 CPA)**

The Comprehensive Plan Amendment (CPA) request is to amend the Future Land Use Map (FLUM) designation of the 2.8 acre parcel (Parcel 3) from Palm Beach County Conservation (CON) to Wellington Residential “B” (.1 du – 1.0 du/ac); extend the Equestrian Preserve Area boundaries to incorporate Parcel 3; and include additional public trails/paths to the Equestrian Trails Master Plan Map and Equestrian Circulation Plan within the Equestrian Preservation Element. The proposed Residential “B” FLUM designation for Parcel 3 will not allow any additional density for the overall project. Parcels 1 and 2 were previously changed to Wellington Residential “B” (.1 du – 1.0 du/ac) and incorporated within the Equestrian Preserve Area (Ordinance No. 2010-07) to allow the maximum of 30 dwelling units, so no changes to their current FLUM Designation is proposed with this amendment. The overall development of

the proposed project and recently annexed Parcel 3 into Wellington are reasons for this amendment. The Wellington Future Land Use Map (Exhibit "C") will be amended to indicate the Residential "B" (.1 du – 1.0 du/ac) FLUM designation and extend the Equestrian Preserve Area boundaries to include the 2.8 acre parcel (Parcel 3).

The Comprehensive Plan Amendment (CPA) petition will be processed in accordance with Section 163.3184 of the Florida Statutes regarding processing of amended comprehensive plans and comprehensive plan text amendments. This request is in compliance with the following policies/objectives of Wellington's Comprehensive Plan.

#### Land Use Element

***Policy 1.2.13*** Wellington hereby identifies on its Future Land Use Map an Equestrian Preservation Area. Wellington has adopted Land Development Regulations to implement the Equestrian Preserve Area. At a minimum these regulations shall limit density and intensity, provide for the preservation of green space, provide an equestrian circulation system, provide for safe crossing of roadways by equestrians and generally provide for the preservation of the rural lifestyles which exist in Wellington.

***Objective 1.1*** Maintain the density and intensity of the land uses in the community as reflected on Wellington's Future Land Use Map. Wellington shall develop criteria that shall be included in the Land Development Regulations for evaluating changes to the Future Land Use Map. At a minimum Wellington shall consider the need for the revised land use based on changed circumstances or demonstration of need, environmental suitability, infrastructure capacity, compatibility with surrounding land uses and consistency with the other Goals, Objectives and Policies of this plan. Such changes may only be effected by the affirmative vote of not less than four of the members of the Wellington Council.

***Objective 1.5*** Wellington shall adopt Land Development Regulations that encourage the use of innovative planning and development strategies such as Cluster Development, Planned Unit Developments, Traditional Neighborhood Developments, Economic Activity Centers, and Large Scale Mixed Use Developments which provide flexibility in design, a variety of housing types, an integration of uses, a balancing of land uses within the community and an efficient use of resources and facilities. Such uses are components of Wellington's GHG reduction strategies. These regulations shall be consistent with the density and intensity measures in the underlying land use plan category except as herein noted. This objective shall be made measurable by its implementing policies. Land Development Regulations have been adopted for planned unit developments and for mixed use developments.

The request to amend Parcel 3 FLUM designation to Wellington Residential "B" (.1 du – 1.0 du/ac) and incorporate the 2.8 acre parcel (Parcel 3) within the Equestrian Preserve Area to allow a maximum of 30 dwelling units with accessory equestrian and aviation uses will limit density, provide an equestrian circulation system and will be incorporated within a Planned Unit Development. The overall development with 30 dwelling units is proposed with a density of 0.2 du/acre which is significantly less than allowed per Policy 1.4.5 that allow a maximum of 1 du/acre for property with a Residential "B" FLUM designation.

## Transportation Element

**Policy 1.1.2** *Wellington shall review all proposed developments and issue development orders only when it finds that a proposed development will not cause roadway levels of service to fall below the above Policy 1.1.1 standards or cause further degradation of service if conditions at the time of the review indicate that standards are already below the above standards.*

**Policy 1.1.4** *As a condition for development approval, Wellington shall require that proposed new developments include internal connections with existing and proposed collectors where feasible and efficient to disperse traffic and alleviate congestion.*

**Policy 1.1.8** *Wellington shall require that on-site circulation and parking be designed to ensure adequate circulation isles, turning radii and parking spaces. Parking regulations shall establish the minimum number of parking spaces which shall be required to serve uses; minimums shall be based on intensity measures such as building square feet. Parking regulations shall establish appropriate minimum sizes for circulation isles, parking stalls and parking stall angles. General standards may provide guidance for discretionary review of parking lot layout in order to ensure that the layout will be safe, convenient and attractive. On-site traffic flow and on-site parking standards may be designed to encourage the use of bicycles by requiring bike racks under certain conditions. Pedestrian access ways may be required through large parking lots to connect building areas to public sidewalks.*

**Policy 1.1.18** *Wellington shall continue to ensure new development contains sidewalks, pedestrian and bicycle related amenities as required by the Land Development Regulations.*

**Policy 1.1.19** *Wellington shall ensure new development contains linkages to surrounding development and amenities where needed and feasible.*

The proposed development of 30 dwelling units with accessory equestrian and aviation uses will not cause roadway levels of service to fail. The project traffic impact analysis was reviewed for compliance with the Traffic Performance Standards and approved with a build-out date condition by Palm Beach County (PBC) Traffic Division (Exhibit "I") and Wellington's Traffic Consultant (Exhibit "J"). The project contains internal connections of roadways, sidewalks, taxiways, equestrian trails and multi-purpose paths as illustrated on the Flying Cow Ranch Circulation Plan (Exhibit "G"). The proposed circulation plan indicates integration of roadways, sidewalks, equestrian trails and multi-purpose paths into the exiting Wellington circulation system along Flying Cow Ranch Road.

## Infrastructure Element

**Policy 1.2.3** *Wellington shall ensure that annexed properties meet the standards contained herein or do not otherwise have a negative impact on Wellington's ability to meet stormwater quantity and quality requirements.*

**Policy 1.2.4** *Wellington shall monitor and ensure compliance with "Best Management Practices" to address water quality and quantity issues in the community. These regulations ensure the proper disposal of animal waste, the use of fertilizer and site design*

*principles in order to minimize the negative impacts of development within the Basin B area on water quality. "Best Management Practices" shall be shall be contained within Wellington's Code of Ordinances.*

***Policy 1.2.7*** Wellington shall not pay for the extension of water and sewer service to areas outside of its Urban Service Boundary nor shall neighborhood parks be provided outside this boundary. Water service may be extended to areas outside of the Urban Service Area only at the expense of individual property owners and shall be consistent with the Water Supply Facilities 10 Year Work Plan contained as a sub-element of the Infrastructure Element of the Comprehensive Plan. These regulations have been made part of Wellington's Land Development Regulations. Land Development Regulations have been adopted and implemented consistent with the requirements of Chapter 163. F.S.

***Policy 1.3.2*** Wellington shall maintain and implement a requirement that all new development pay a fee to reserve potable water and sanitary sewer capacity for future use. Each developer shall be required to fund a pro-rata share of connecting facilities and to totally fund on-site facilities.

***Policy 1.3.6*** In accordance with the Work Plan, Wellington shall ensure that its future land use plan is based upon availability of adequate water supplies and public facilities and services. Data and analysis demonstrating that adequate water supplies and associated public facilities will be available to meet projected growth demands must accompany all proposed Future Land Use Map amendments submitted to the Department of Community affairs for review. The submitted package shall also include an amendment to the Capital Improvements Element, if necessary, to demonstrate adequate public facilities will be available to serve the proposed Future Land Use Map modification.

***Objective 1.2 Drainage and Drainage Capacity:*** Maintain the drainage systems throughout Wellington so as not to degrade ambient water quality, and to comply with federal, state and regional requirements for on-site drainage of the first one-inch of runoff and no more runoff after development than before development. The drainage systems shall comply with requirements of Best Management Practices, South Florida Water Management District, National Pollutant Discharge Elimination Systems, and shall be consistent with the Water Supply Facilities 10 Year Work Plan, contained as a sub-element of this Element.

***Objective 1.3 Potable Water and Sanitary Sewer Capacity:*** Wellington does not have any deficiencies in its capacity for potable water and sanitary sewer however, this objective and the accompanying policies will enhance the efficiency of the system and prevent deficiencies from arising at some point in the future. All future activity shall be consistent with the Water Supply Facilities 10 Year Work Plan (Work Plan) as contained in the sub-element of this section.

This property is currently located within the Pine Tree Water Control District. The annexation agreement requires the property be annexed into the ACME Improvement District. Future annexation into the ACME Improvement District is required in accordance with district's governing regulations and state legislature prior to plating of the project.

The proposed development will require extension of the existing potable water lines located at Grand Prix Village. A looped system water line will be provided to the project at the developer's expense. The property is within ACME Drainage District Basin B and adjacent to SFWMD. The project water quality will be provided by on-site retention lakes with discharging to the existing ACME canal and follow Wellington's Best Management Practices (BMP). The project will utilize on-site sewage treatment systems as public sewer system is not available.

### Equestrian Preservation Element

**Objective 1.1:** *The Village of Wellington has adopted the Equestrian Overlay Zoning District (EOZD) to implement the Equestrian Preserve Area established within the Future Land Use Map. The EOZD includes several sub-areas to address the unique characteristics of the neighborhoods in the Equestrian Preserve Area. Among the purposes and intent of the EOZD is to:*

- (1) Provide for and encourage the creation of conservation easements to retain open space and paths for equestrian trails;*
- (2) Provide for the preservation of greenspace through the use of cluster development, open space zoning or other innovative planning techniques designed to maximize the preservation of open space and the agricultural, rural and equestrian character of the Equestrian Preserve, while maintaining the overall density in the Equestrian Preserve;*
- (3) Provide for the limited commercial uses which support the equestrian industry;*
- (4) Provide for the preservation of the rural lifestyles and land uses which exist in the overlay area while ensuring compatibility of land uses; and*
- (5) Establish site development regulations that recognize the characteristics of equestrian and similar uses and structures.*

*The density and intensity measures within the EOZD are consistent with the Comprehensive Plan. Wellington Council has created an Equestrian Preserve Committee (EPC) to provide advisory recommendations on land use applications in the Equestrian Preservation Area (EPA). Proposed changes to the EOZD shall be reviewed by the EPC prior to further action by the Planning Zoning and Adjustment Board (PZAB).*

**Objective 1.2** *The Village of Wellington has adopted as part of its Comprehensive Plan, a Future Equestrian Circulation Map. The objective of this map is to provide a plan for the creation of separation of vehicular and equestrian traffic to the greatest extent possible to ensure the safety of both motorists and equestrians. This objective shall be made measurable by its implementing policies and by creation of an equestrian transportation system in accordance herewith through the implementation of capital improvement projects and other actions by the Wellington Council.*

**Policy 1.2.4** *Wellington shall acquire equestrian trail easements where necessary as identified on the Future Equestrian Circulation Map and as provided for in the Capital Improvement Element.*

**Policy 1.2.5** *Wellington will pursue access to the Big Blue Forest, Loxahatchee National Wildlife Refuge, Section 24, Section 34 and other appropriate areas for equestrian trail riding purposes.*

The overall project proposed low density of 30 dwelling units (0.2 du/acre) with accessory

equestrian and aviation uses is intended to ensure the preservation and protection of neighborhoods within the Equestrian Preserve. The request is to combine equestrian and aviation uses on each lot within the project. Staff and applicant has researched the concept of combining these types of uses and found it's not unique to this project as other communities have similar type configuration. Exhibit "H" is an example of some communities around the country that has similar character of the proposed Flying Cow Ranch project with equestrian and aviation. This project will provide a unique neighborhood to the Equestrian Preserve that allows private landing strip for the proposed residences of the development. The request is consistent with the Equestrian Overlay Zoning District (EOZD) which allows landing strip. As indicated previously the site currently has approval (PBC Resolution R-81-58) to allow the private landing strip which is regulated by the Federal Aviation Administration (FAA) and Florida Department of Transportation (FDOT). The applicant is requesting to extend the landing strip to the recently annexed Parcel 3. A Zoning Text Amendment (ZTA) is also requested with this amendment to create Subarea G of the EOZD and provide additional standards for the project related to equestrian/aviation components and the landing strip.

The Flying Cow Ranch project is proposing a private equestrian bridle trail within the development and public equestrian bridle trail along the project's frontage adjacent to Flying Cow Ranch Road. The developer will provide a public equestrian bridle trail that connects to the existing White Trail on the east side of the C-1 Canal with a horse crossing north of the development northern property line. A private multi-purpose path will be provided within the development. The developer will construct a public multi-purpose pathway along the project's frontage within the Flying Cow Ranch Road right-of-way that will connect to the existing trail/pathway systems within Section 24 (Wellington Environmental Preserve at the Marjory Stoneman Douglas Everglades Habitat). The proposed public equestrian trail and multi-purpose paths will be maintained by Wellington. The private system will be maintained by the applicant/developer. This amendment will amend the Equestrian Trails Master Plan and Equestrian Circulation Plan (Exhibit "E") of the Comprehensive Plan Equestrian Element by expanding the equestrian trails and multi-purpose paths of Wellington's circulation system.

## **2.) Zoning Text Amendment 16 – 110 (2016 – 47 ZTA)**

A Zoning Text Amendment (ZTA) to amend Article 6, Chapter 10 of Wellington's Land Development Regulations (LDR) by creating a Subarea G of the Equestrian Overlay Zoning District (EOZD). The proposed Subarea G is to establish property development regulations for the unique character of the Flying Cow Ranch project with the combined equestrian and aviation uses. As indicated previously the current LDR has limited regulations for landing strip, taxiway and hangars. The setback for dwellings and barns within the Flying Cow Ranch project is proposed to be consistent with the recently adopted Winding Trails regulations due to the configuration of the lots. The following sections will identify the proposed changes with underline format for new text. Please note unedited text has been omitted.

### ***Sec 6.10.4. – Subareas Established.***

*For the purposes of this Article, the following subareas are established and shall be so indicated on the Official Zoning Map of the Village of Wellington:*

**G. Subarea G.** Subarea G generally consisting of those portions of Section 24 and 25, Township 44S, Range 40E; commonly known as "Flying Cow Ranch."

### ***Sec. 6.10.6. - Development Standards.***



Minimum setbacks and other development standards for principal and accessory uses within the Equestrian Preservation Areas are established in Table A.

**A. Minimum Setbacks.**

1. *Measurement.* All setbacks shall be measured from property lines or from right-of-way easement lines in those subdivisions without dedicated or platted rights-of-way.
2. *Exemptions.* Excluding dressage walls, there are no required setbacks for equestrian amenities.

Table A.

Minimum Setbacks for Principal and Accessory Uses

| <b>STRUCTURE SETBACKS</b> |  |  |  |   |
|---------------------------|--|--|--|---|
| <b>SETBACK</b>            | <b>MIN. SETBACK FOR PRINCIPAL STRUCTURES (1)</b> |  | <b>MIN. SETBACK FOR ACCESSORY STRUCTURES</b> |   |
|                           | <i>All Equestrian Areas</i>                      | <i>Exceptions (See Notes)</i>                            | <i>Conforming Lots</i>                       | <i>Nonconforming Lots/Exceptions</i>                  |
| <i>FRONT</i>              | 100 Feet   | 50 Feet (2)<br>25 Feet (3)<br>50 Feet (6)                | 100 Feet                                     | 100 Feet<br>55 Feet (7)<br>20 Feet (8)<br>30 Feet (9) |
| <i>SIDE, INTERIOR</i>     | 50 Feet  | 25 Feet (2)<br>25 Feet (3)<br>50 Feet (6)                | 25 Feet                                      | 15 Feet<br>10 Feet (7)<br>20 Feet (8)<br>30 Feet (9)  |
| <i>SIDE, CORNER</i>       | 80 Feet  | 50 Feet (2)<br>25 Feet (3)<br>50 Feet (6)                | 25 Feet                                      | 25 Feet<br>10 Feet (7)<br>20 Feet (8)<br>30 Feet (9)  |
| <i>REAR</i>               | 100 Feet   | 25 Feet (2)<br>25 Feet (4)<br>15 Feet (5)<br>10 Feet (6) | 25 Feet                                      | 15'<br>10 Feet (7)<br>20 Feet (8)<br>30 Feet (9)      |
| <i>RESIDENTIAL LOT</i>    |  | 50 Feet (6)  |  | 50 Feet (8)<br>50 Feet (9)                            |

*Notes and Additional Standards for Affected Setbacks:*

- (1) *Single-family dwellings, barns, stables, covered arenas and similar structures are always considered a principal use.*
- (2) *Setback for Little Ranches No. 2 and Little Ranches East.*
- (3) *Setback for Paddock Park II and Saddle Trail Park and Mystic Equestrian.*
- (4) *Setback for barns in Paddock Park II and Saddle Trail Park and Mystic Equestrian.*
- (5) *Setback for dwellings in Paddock Park II and Saddle Trail Park and Mystic Equestrian.*
- (6) *Setback for dwellings and barns in Winding Trails and Flying Cow Ranch.*
- (7) *Setback for accessory structures in Winding Trails.*
- (8) *Setback for riding ring, paddock and practice fields in Winding Trails.*
- (9) *Setback for manure bin in Winding Trails.*

**Sec 6.10.8. – Maximum Density and Minimum Lot Size.**

Maximum density and minimum lot size requirements for property within the Equestrian Preservation Areas are established in Table D.

Table D

Maximum Density and Minimum Lot Size Requirements

| <b>SUBAREA</b>  | <b>MAXIMUM DENSITY</b>                    | <b>MINIMUM LOT SIZE</b> | <b>CLUSTER DEVELOPMENT</b> |
|---|---|-------------------------|----------------------------|
| <i>A</i>  | <i>0.2 Dwelling Units per Acre</i>        | <i>5 Acres</i>          | <i>Prohibited</i>          |
| <i>B</i>  | <i>0.5 Dwelling Units per Acre</i>        | <i>1 Acre</i>           | <i>Prohibited</i>          |
| <i>C</i>  | <i>0.1 Dwelling Units per Acre</i>        | <i>10 Acres</i>         | <i>Prohibited</i>          |
| <i>D</i>  | <i>0.5 Dwelling Units per Acre</i>        | <i>21 Acres</i>         | <i>Permitted</i>           |
| <i>E</i>  | <i>0.2 Dwelling Units per Acre</i>        | <i>5 Acres</i>          | <i>Prohibited</i>          |
| <i>F</i>  | <i>0.5 Dwelling Units per Acre</i>        | <i>2 Acres</i>          | <i>Prohibited</i>          |
| <u><i>G</i></u>   | <u><i>0.2 Dwelling Units per Acre</i></u> | <u><i>2 Acres</i></u>   | <u><i>Prohibited</i></u>   |
| <p><i>Note</i></p> <p><i>1. In a cluster development minimum lot size is 0.33 acres provided that overall density of the cluster development shall be not more than one unit per two acres.</i></p> |   |                         |                            |

**Sec. 6.10.9. - Supplemental District Regulations.**

The requirements listed below shall apply to all uses within the Equestrian Preservation Areas.

**D. Use of Tents as Temporary Stalls.** The use of tents as temporary stalls shall comply with the standards listed below:

1. *Tents Prohibited.* After June 1, 2003, tents shall not be permitted in Subarea A, Subarea F and the residential-developed areas of Subareas B and D, and Subarea G, except in conjunction with the construction of a barn or stable. Any such temporary tent shall be removed within ten (10) working days of the issuance of a certificate of occupancy for the barn or stable.

**J. Hangars.**

1. Shall be accessory to a single family residential unit.  
2. Shall be consistent with the architectural style, color and materials of the principal structure.

**K. Airplane Landing Strip.**

1. Shall comply with the minimum required dimensions listed in the FDOT Chapter 14-60, F.A.C.  
2. No structure or navigation aid shall be located within fifty (50) feet of the edge of the runway primary surface area as defined in FDOT Chapter 14-60.007.

3. There shall be no landscape material or fences greater than six feet in height located within fifty (50) feet of the rear property line for residential lots adjacent to a landing strip.
4. Airplane taxiway shall be a minimum sixty (60) feet in width.

The proposed zoning text amendment will allow a new subarea to provide regulations for the unique characteristics of the Flying Cow Ranch project. As indicated this project is the only neighborhood with an approved private landing strip within the Equestrian Preserve Area (EPA) and EOZD. Subarea G will be required to meet regulations similar to other subareas to include 300 foot minimum lot width and depth, 20% maximum Floor Area Ratio (FAR), 20% maximum Lot Coverage and 35 feet maximum Building Height. The maximum density is 0.2 dwelling units per acre with a minimum lot size of two (2) acres which is consistent with the annexation agreement for the project. The text amendment complies with the goals, objectives and policies of the adopted Wellington Comprehensive Plan including Objective 1.1 of the Equestrian Element and preserves the rural lifestyles of the EPA.

### **3.) Rezoning 16 – 115 (2016 – 49 REZ 1)**

This Rezoning request is to change the Wellington Zoning Map designation of:

- Parcel 1 (98.64 acres more or less) from Palm Beach County Agricultural Residential to Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD);
- Parcel 2 (49.15 acres more or less) from Wellington Agricultural Residential/Equestrian Overlay Zoning District (AR/EOZD) to Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD);
- Parcel 3 (2.8 acres more or less) from Palm Beach County Preservation/Conservation (PC) to Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD); and
- Incorporate the overall 150 acre parcel (Parcel 1, 2 & 3) within the newly created Subarea G of the EOZD.

When reviewing the request it was determined the zoning for the overall site should now be changed to the PUD/EOZD Zoning designation in order to be consistent with the proposed Flying Cow Ranch project, Wellington Comprehensive Plan Equestrian Element and EOZD. The proposed Flying Cow Ranch project will provide a unique characteristic to the overall Equestrian Preserve Area and with the proposed ZTA regulations any potential impacts to Flying Cow Ranch residents and surrounding neighborhood will be mitigated. This site is surrounded on the north and east by other equestrian uses and Loxahatchee National Wildlife Refuge to the south and west. The existing approved on-site landing strip is not anticipated to cause impacts on surrounding properties except for those from potentially having additional airplanes in the area. The impact from this project is presumed to be of that characteristically found surrounding the Aero Club neighborhood landing strip. All applicable Land Development Regulations and Code of Ordinances regulations will be utilized to mitigate any potential impacts. This amendment will amend the Wellington Zoning Map (Exhibit "D") to illustrate the Flying Cow Ranch project PUD/EOZD Zoning designation and incorporation within Subarea G.

### **4.) Master Plan 16 – 116 (2016 – 50 MP 1)**

The applicant is requesting approval of the Flying Cow Ranch Master Plan to allow 30 residential lots with accessory equestrian and aviation uses, clubhouse, maintenance facility and private airstrip (landing strip). As the Flying Cow Ranch Master Plan (Exhibit "F") illustrates the overall 150 acre project is proposed with 30 residential lots each over 2.5 acres

and extended landing strip along the south. The strip will be extended to the recently annexed Parcel 3 (2.8 acres) to provide safety zones at the end of the runway.

The master plan indicates all applicable building height, setback, open space and parking requirements will be consistent with Wellington's Land Development Regulations (LDR). The proposed ZTA will provide needed regulations for landing strip and hangars. The principal access to the site is at the existing traffic roundabout located on Flying Cow Ranch Road at the project's northeast property line. There is a secondary emergency only access south of the principal access. A five (5) foot wide compatibility landscape buffer is provided along the north property line and 25 foot wide right-of-way (ROW) buffer on the east along the project's frontage as required per the LDR. Also required street trees are provided along both side of the street within the developments 60 foot ROW.

After staff recommendations and consulting with an aviation expert the applicant provided a circulation plan (Exhibit "G") for the project that help minimize potential conflicts of the various transportation modes proposed within the development. The circulation plan illustrates airplane traffic is located at the rear of the residential lots with minimal crossing at the roadways. The internal private equestrian and multi-purpose traffic are along both sides of the street within the internal ROW with limited crossing to help minimize conflicts with automotive/plane traffic. The private equestrian trail and multi-purpose path will connect to the public trail and path proposed along the project's frontage as illustrated on the circulation plan, Equestrian Trails Master Plan and Equestrian Circulation Plan (Exhibit "E"). As indicated in the CPA analysis above, the developer will construct a public equestrian trail connecting to the existing White Trail on the east side of the C-1 Canal with a horse crossing and public multi-purpose path connecting to the existing public trail/path systems within Section 24. The proposed public equestrian trail and multi-purpose path will be maintained by Wellington after construction.

The Rezoning and Master Plan request complies with the following:

**Consistency with Comprehensive Plan:** The proposed Rezoning and Master Plan are consistent with Wellingtons Comprehensive Plan Residential "B" Future Land Use Map (FLUM) designation Equestrian Preservation Element.

**Conformity with Zoning Standards:** The Rezoning and Master Plan were reviewed by DRC for compliance with all relevant and appropriate portions of the LDRs. The Flying Cow Ranch project will conform to the Subarea G regulation if the ZTA is adopted as proposed.

**Compatibility with Surrounding Land Uses:** The proposed Flying Cow Ranch site is surrounded by the existing Mickelson residential property (Residential "B") to the north and Palm Beach Point residential development (Agricultural Residential/ Equestrian Overlay Zoning District) to the east. These surrounding properties have similar equestrian uses and are buffered with landscaping. The existing canal and proposed 25 foot wide ROW buffer will provide additional buffering for the adjacent Palm Beach Point development. Also the project is compatible with the Loxahatchee National Wildlife Refuge (PBC Conservation) along the south and west.

**Environmental Resources:** The site is currently used as tree/palm farm and private airstrip. The existing trees/palms will removed prior to development and potential incorporation will be done where feasible. With the proposed development no additional impacts to the natural

environment are expected to occur as a result of the proposed modifications. The owner/applicant shall obtain all necessary permits or permit modifications from all agencies with jurisdiction for future improvements.

**Adequacy of Public Services:** As indicated in the above CPA, the site is to be annexed into the ACME Improvement District. This will require a legal action and is expected to be started in November 2017. The extension of the existing potable water lines located at Grand Prix Village is required with a looped system to the project at the developer's expense. The project will utilize on-site sewage treatment systems as public sewer system is not available. The property is within ACME Drainage District Basin B and adjacent to SFWMD. The traffic impact analysis was also reviewed and accepted for compliance with Traffic Performance Standards by Palm Beach County (PBC) Traffic Division (Exhibit "I") and Wellington's Traffic Consultant (Exhibit "J") with a condition for the project's build-out date.

Staff has concluded the proposed request for the Flying Cow Ranch project is consistent with Wellington's Comprehensive Plan and Land Development Regulations. The complete applications are available for review at the Planning and Zoning Division office.

## **VI. PUBLIC NOTIFICATION / COMMENTS**

As required by the Land Development Regulations and Florida Statutes, public notifications were placed in the Palm Beach Post, mailings were sent to surrounding property owners within 500 feet and the property was posted. All notices advised the public that a hearing on the proposed ordinance/resolution would take place on as noted below:

### **Planning, Zoning and Adjustment Board Meeting**

Mailings/Newspaper/Posted Signs: August 29, 2017

Meeting Date: September 13, 2017 postponed to October 11, 2017

### **Council Meeting (1<sup>st</sup> reading CPA/ZTA/REZ)**

Mailings/Newspaper/Posted Signs: October 30, 2017

Meeting Date: November 14, 2017

Staff has not receive any inquiries regarding the mailing, newspaper advertisement or posted signs from the general public as of September 27, 2017 when the staff report was published.

## **VII. DEVELOPMENT REVIEW COMMITTEE (DRC)**

The Flying Cow Ranch Comprehensive Plan Amendment 16 – 109 (2016 – 46 CPA), Zoning Text Amendment 16 – 110 (2016 – 47 ZTA), Rezoning 16 – 115 (2016 – 49 REZ 1) and Master Plan 16 – 116 (2016 – 50 MP 1) petition were certified for the public hearing process at the February 8, 2017 and July 12, 2017 DRC meeting.

## **VIII. EQUESTRIAN PRESERVE COMMITTEE (EPC)**

The September 6, 2017 Equestrian Preserve Committee meeting did not occur due to lack of quorum. The petitions are postponed to October 4, 2017.

## **IX. PLANNING, ZONING AND ADJUSTMENT BOARD (PZAB)**

At the September 13, 2017 PZAB meeting, staff requested the petitions be postponed to October 11, 2017 due to the EPC lack of quorum.

## **X. COUNCIL**

The Village Council meeting first reading of the Comprehensive Plan Amendment, Zoning Text Amendment and Rezoning petitions are tentatively scheduled for November 14, 2017.

## **XI. STAFF RECOMMENDATION**

Based on the findings contained within this staff report and consistency with both Wellington's Comprehensive Plan and Land Development Regulations, staff recommends approval of the following with conditions of approval as listed in the Ordinance and Resolution:

- 1.) Ordinance No. 2017 – 15, a Comprehensive Plan Amendment [Petition Number 16 – 109 (2016 – 46 CPA)] for the 150 acre parcel known as Flying Cow Ranch, located at the northwest corner of Flying Cow Ranch Road and 160<sup>th</sup> Trail S, approximately 4 miles south of Southern Boulevard, as legally described in Exhibit “B,” to amend the Future Land Use Map Designation of Parcel 3 (2.8 acre) from Palm Beach County Conservation (CON) to Wellington Residential “B” (.1 du – 1.0 du/ac); extend the Equestrian Preserve Area boundaries to incorporate Parcel 3; and add trails to the Equestrian Trails Master Plan and Equestrian Circulation Plan within the Equestrian Preservation Element.
- 2.) Ordinance No. 2017 – 16, a Zoning Text Amendment (Petition Number 16 – 110 (2016 – 47 ZTA)] to amend Article 6, Chapter 10 of Wellington's Land Development Regulations (LDR) by creating Subarea G of the Equestrian Overlay Zoning District and to establish development regulations for Subarea G. *{Note regarding formatting: underline = added; strikethrough = deleted}*
- 3.) Ordinance No. 2017 – 17, a Rezoning [Petition Number 16 – 115 (2016 – 49 REZ 1)] for the 150 acre parcel known as Flying Cow Ranch, located at the northwest corner of Flying Cow Ranch Road and 160<sup>th</sup> Trail S, approximately 4 miles south of Southern Boulevard, as legally described in Exhibit “B,” to amend the Zoning Designation for:
  - Parcel 1 (98.64 acres more or less) from Palm Beach County Agricultural Residential to Wellington Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD);
  - Parcel 2 (49.15 acres more or less) from Wellington Agricultural Residential/Equestrian Overlay Zoning District (AR/EOZD) to Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD);
  - Parcel 3 (2.8 acres more or less) from Palm Beach County Preservation/Conservation (PC) to Wellington Planned Unit Development/Equestrian Overlay Zoning District (PUD/EOZD); and
  - To incorporate the overall 150 acre Flying Cow Ranch project (Parcel 1, 2 & 3) within the newly created Subarea G of the EOZD.
- 4.) Resolution No. R2017 – 45, a Master Plan [Petition Number 16 – 116 (2016 – 50 MP 1)] to allow 30 residential lots with accessory equestrian and aviation uses, clubhouse, maintenance facility and enhance the existing private airstrip for the 150 acre parcel known as Flying Cow Ranch, located at the northwest corner of Flying Cow Ranch Road and 160<sup>th</sup> Trail S, approximately 4 miles south of Southern Boulevard, as legally described in Exhibit “B.”

### **List of Exhibits**

|             |   |
|-------------|---|
| Exhibit "A" | Location Map  |
| Exhibit "B" | Legal Description of Overall Flying Cow Ranch Project                 |
| Exhibit "C" | Amended Wellington Future Land Use Map                                |
| Exhibit "D" | Amended Wellington Zoning Map   |
| Exhibit "E" | Amended Equestrian Trails Master Plan and Equestrian Circulation Plan |
| Exhibit "F" | Proposed Flying Cow Ranch Master Plan and Regulating Plan             |
| Exhibit "G" | Proposed Flying Cow Ranch Circulation Plan                            |
| Exhibit "H" | Equestrian and Aviation Communities                                   |
| Exhibit "I" | Palm Beach County Traffic Division Letter (Dated August 25, 2016)     |
| Exhibit "J" | Wellington Traffic Consultant's Letter (Dated August 16, 2017)        |