

## **CHAPTER 9. –EQUESTRIAN PRESERVE AREA REGULATIONS**

### **Sec. 6.9.1. - Purpose and Intent.**

The purpose and intent of this section is:

- A. To preserve, maintain and enhance the Equestrian Preserve Area (EPA) of Wellington as created by the Comprehensive Plan.
- B. To preserve, maintain and enhance the equestrian lifestyle in Wellington.
- C. To identify and encourage land uses and development patterns that are supportive of the equestrian character and lifestyle within the Equestrian Preserve Area.

### **Sec. 6.9.2. - Applicability and Conflicts.**

This section shall apply to all land located within the Equestrian Preserve Area as identified in the Wellington Comprehensive Plan.

In the event of conflicts between this section and other requirements of the Land Development Regulations this section shall govern. Any lawfully approved and valid development order approved for property in the EPA prior to the effective date of this Code is subject to the time limitations of development orders in effect prior to the effective date of this Code and to procedures for amending such development orders pursuant to Sec. 1.2.

### **Sec. 6.9.3. – Equestrian Preserve Area (EPA) Subareas Established.**

The following subareas are established and shall be so indicated on the Official Zoning Map of Wellington:

- A. Subarea A, generally consisting of Section 2, Township 44S, Range 41E and Section 35, Township 43S, Range 41E, including the area described as "Palm Beach Little Ranches" and "Palm Beach Little Ranches East and a portion of the Northeast corner Section 3."
- B. Subarea B, generally consisting of those portions of the Wellington PUD located in Sections 8 and 17, Township 44S, Range 41E, including the developments known as Saddle Trail Park and Paddock Park No. 2 and Parcel "H", Greenview Shores No. 2 of Wellington—(P.U.D.), according to the Plat thereof, as recorded in Plat Book 31, Pages 120—136, of the Public Records of Palm Beach County, Florida.
- C. Subarea C, generally consisting of Sections 19, 27, 28, 29, 30, 32, 33, and 34, Township 44S, Range 41E and Section 25, Township 44S, Range 40E, located south of Lake Worth Road and west of 120<sup>th</sup> Avenue, including all of Palm Beach Point and that portion of the Orange Point PUD located in Section 34.
- D. Subarea D, generally consisting of portions of Sections 15 and 16 and Sections 20, 21, and 22, Township 44S, Range 41E, including the Wellington Country Place PUD and the Equestrian Club PUD.
- E. Subarea E generally consisting of Section 13, Township 44S, Range 40E; commonly known as "Rustic Ranches.

The Equestrian Overlay Zoning District (EOZD), Palm Beach Little Ranches and Rustic Ranches Overlay Districts shall correspond with the boundaries of the EPA subareas.

### **Sec. 6.9.4. - Applications and Development Review Process.**

The requirements of Article 5 Development Review Procedures shall apply within the EPA.

### Sec. 6.9.5. - Development Standards.

Minimum setbacks and development standards for principal and accessory uses within the EPA are established in Tables A and B and are also subject to relevant portions of Sec. 6.4 and Sec. 6.6.

#### A. Minimum Setbacks.

1. All setbacks shall be measured from property lines or from the outside edge of right-of-way or easement lines in those subdivisions without dedicated or platted rights-of-way.
2. Excluding dressage walls the required minimum setbacks for equestrian amenities are zero for amenities with improvements which are less than three (3) feet above grade and five (5) feet for amenities with improvements which are three (3) feet or more above grade and for any sand ring surfaces.

**Table A. Equestrian Preserve Area Minimum Setbacks as Noted**

Setback	Minimum Setback for Principal Structures in Feet (1)		Minimum Setback for Accessory Structures in Feet
	All Equestrian Areas	Exceptions (See Notes)	All Equestrian Areas
Front	100	(2)	100 (2)
Side Interior	50	(2)	25
Side Corner	80	(2)	25
Rear	100	(2)	25

Notes for Table A regarding additional standards for setbacks.

- (1) Single-family dwellings, barns and stables are considered principal uses. Covered arenas and temporary stabling tents if allowed shall also meet principal use setbacks.
- (2) The minimum setbacks for barns, stables, single-family dwellings and accessory structures in Paddock Park II, Saddle Trail Park and Mystic Equestrian is 25 feet.
- (3) If a proposed structure on a nonconforming residential lot cannot meet the minimum setback requirements of Table A the alternative reduced percentage setbacks in Sec. 1.3.2 may be used.

#### B. All development in the EOZD shall comply with the development standards in Table B.

**Table B. Development Standards**

<b>Description</b>	<b>Minimum Dimension or Standard unless otherwise provided in a current development order</b>
Minimum Lot Width	300 feet
Minimum Lot Depth	300 feet
Maximum Floor Area Ratio	0.20
Maximum Building Height**	35 feet
Maximum Building Coverage*	20%

\*For the purposes of this section building coverage shall include the ground floor area of a building or structure extended to include any additional area measured from the outside edge of the roof.

\*\* Subarea A, C, D and E of the EOZD: Principal and accessory structures are limited in height to 35 feet in accordance with the method of calculating maximum building height as set forth in section 6.5.8 of the LDRs. Residential properties proposed to have architectural features (including but not limited to chimneys, cupolas, parapets, towers and turrets) as part of the principal or accessory structures may exceed the 35 foot height limitation provided the architectural feature meets all of the following standards:

- a) The lot must be five (5) acres in size or greater;
- b) The architectural feature does not include habitable room(s);
- c) The architectural feature may exceed 50 feet;
- d) The architectural feature does not exceed ten (10) percent of the ground level floor area or roof area, whichever is less, of the principal/accessory structure; and
- e) The architectural feature shall be setback one (1) additional foot for each additional foot of height above 35 feet.

Subarea B of the EOZD; Principal and accessory structure shall maintain the maximum building height of 35 feet as set forth in section 6.5.8 of the LDRs. Non-habitable architectural features proposed on lots five (5) acres or greater shall be subject to the height limitations set forth in the regulations for Subarea A, C, D and E above.

**Sec. 6.9.6. - Uses.**

- A. Uses in the EPA are limited to the uses in Table C. To the extent Table C conflicts with Table 6.4-1 of the LDRs then Table C shall control. See Sec. 6.4.4 Supplementary Use Standards for applicable supplementary use standards.

**Table C Equestrian Preserve Area Use Regulation Table**

Category	Uses	Note Sec. 6.4.4	Zoning Districts							
			Residential			Commercial		Institutional		
			R A	R B	R C	C C	C R	I N	P K	U T
Commercial	Commercial Stable	47	P	P			P			
	Equestrian Retail or Service					P	P			
	Major Equestrian Venue	29					C			
	Non-Equestrian Outdoor Entertainment	16					S			
	Office	36				P				
	Restaurant, Catering or Food Service	9, 40				P	P			
	Veterinary Clinic	49	C			P	P			
Residential	Accessory Dwelling	1	P	P	P		P			
	Bed and Breakfast	7	P	P						
	Congregate Living Facility Type 1	10	P	P	P					
	Family Day Care Home		P	P	P					
	Groom's Quarters	21	P	P			P			
	Home Occupation	22	P	P	P					
	Single Family Detached Home		P	P	P					
	Zero Lot Line Home				P					
	Two Unit Attached Home				P					

**Table C Equestrian Preserve Area Use Regulation Table Continued**

Category	Uses	Note Sec. 6.4.4	Zoning Districts							
			Residential			Commercial		Institutional		
			R A	R B	R C	C C	C R	I N	P K	U T
Other	Agriculture	3	P	P						
	Agricultural Transshipment						C			
	Airplane Landing Strip or Heliport	6	C	C			C			
	Assembly	4						P		
	Barn or Stable	48	P	P			P			
	Electric Transmission Facility	14								P
	Government Services		P	P	P		P	P	P	P
	Livestock	26	P	P			P			
	Minor Equestrian Venue	31	C	C			C			
	Park		P	P	P	P	P	P	P	
	Place of Worship	38	P	P	P	P	P	P		
	School	43				C	C	C		
	Utility Minor	32	P	P	P	P	P	P	P	P
	Water or Treatment Plant	50								P
	Wireless Communication Facility	51	C	C		C	C	C	C	C

Notes for Table C Equestrian Preserve Area Use Regulation Table

P = Permitted; S = Special Permit; C = Conditional Use; Blank = Not Permitted

**Sec. 6.9.7. - Minimum Lot Size.**

Maximum density and minimum lot size requirements are established in Table D.

**Table D. Minimum Lot Size**

<b>Subarea</b>	<b>Maximum Density</b>	<b>Minimum Lot Size</b>
A	0.2 Dwelling Units per Acre	5 Acres
B	0.5 Dwelling Units per Acre	1 Acre
C	0.1 Dwelling Units per Acre	10 Acres
D	0.5 Dwelling Units per Acre	2 Acres
E	0.2 Dwelling Units per Acre	5 Acres

For determining compliance of existing single-family detached lots with minimum lot size requirements, a lot size with a fractional part of 0.9 or greater shall be rounded to the next whole number.

**Sec. 6.9.8. - Supplemental Regulations.**

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

**A. Dressage Walls.**

1. Setbacks for dressage walls shall be a minimum ten (10) feet measured from property line or outside edge of roadway easement.
2. Dressage walls shall not be located within easements and shall be located on a parcel consisting of at least one (1) acre.
3. A dressage wall shall not exceed the maximum dimensions listed below:
  - a. Maximum height ten (10) feet.
  - b. Maximum length seventy (70) feet.
  - c. Maximum width four (4) feet.
4. Dressage walls shall comply with all requirements for sight-distance clear zones for rights-of-way.
5. A dressage wall shall be constructed in a manner consistent with the architectural style, color and materials of the principal structure.
6. The reflective portion of a dressage wall shall be located so as to avoid reflecting the glare of the sun or lighting from any adjacent light source onto a public or private right-of-way or an abutting property.
7. The exterior portion of a dressage wall that is visible from a public right-of-way shall also be screened with hedges, shrubs or other suitable plant materials. A landscape plan for screening a dressage wall shall be submitted with a building permit application and the landscaping shall be installed prior to issuance of a certificate of completion for the wall. The plant materials shall be installed with such number and type as to completely screen the dressage wall within two (2) years of installation.

**B. Fences.**

1. Wire type fences including utility or hog wire fences, galvanized chain-link and vinyl-covered chain-link fences are permitted only if screened by either a hedge located on the

exterior side of the fence or by attaching the fence to a three or four board fence. Hedge material shall be installed to cover the fence within two (2) years after planting. A wire fence shall not exceed six feet in height within setback areas.

2. The use of barbed wire or razor wire is prohibited in the EPA.
3. Fences on collector and arterial roads shall be natural, clear-coat, black, gray or white-painted three-rail wooden fences.
4. Lots in the EPA shall be exempt from those provisions of Section 6.6.4.G.3 of the Land Development Regulations that prohibit fences located in front setback areas.
5. The Code of Ordinances Chapter 36, Article II, Section 36-22 (c) Fence and Wall Maintenance shall apply.

#### C. Temporary Stabling Tents.

The use of tents for temporary stabling shall comply with the standards listed below:

1. An application for an Equestrian Permit pursuant to Article 5 Development Review Procedures is required for all temporary stabling tents.
2. Temporary stabling tents are allowed on any lot in the EPA during construction of a permanent barn or stable for a continuous period not to exceed twenty-four (24) months after a building permit has been issued. The PZB Director may approve a one-time extension not to exceed an additional consecutive twelve (12) months if construction has proceeded and is ongoing. The temporary tent must be removed within two (2) weeks of issuance of certificate of occupancy, special permit expiration or building permit revocation whichever occurs first.
3. From November thru April temporary stabling tents are only allowed on the following lots:
  - a. Lots in the EPA which are designated Commercial Recreation on the Future Land Use Map.
  - b. Lots in the EPA in Subareas C and D which contain a permanent barn or which have an approved Equestrian Permit.
4. Temporary stabling tents shall comply with the property development regulations of the EPA for principal structure setbacks and lot coverage.
5. If Wellington is in a natural disaster area as declared by the Governor or the Council the prohibition of tents for recovery areas and time extensions may be temporarily suspended. A property owner must apply for an Equestrian Permit for any tent and shall be issued only after the Building Official determines there is substantial damage to a structure which warrants the use of a temporary stabling tent.

D. Parking of vehicles on public rights-of-way or designated easements within the EPA is prohibited.

#### E. Horse Trailer Parking and Storage.

Parking of horse trailers anywhere in the EPA shall be permitted subject to the limitations listed below:

1. Horse trailers may not be parked in roadways, swales, canals, rights-of-way or designated easements.
2. Parking of horse trailers in the EPA shall be permitted subject to the following limitations:
  - a. One (1) unscreened horse trailer may be parked adjacent to a barn or stable on an individual lot provided the trailer may not be parked between the front plane of the principal structure and the right-of-way.
  - b. Additional horse trailers up to a maximum of one trailer per acre may be kept provided:

On lots less than five (5) acres in size the additional trailers shall be screened from the view of adjacent roads and private properties in the manner provided in Section 62-9.(b).(1) of the Code of Ordinances.

- ii. Screened trailer parking areas shall meet the minimum setbacks for accessory structures listed in Table A Equestrian Preserve Area Minimum Setbacks.
- c. Temporary parking of horse trailers (i.e., trailers on site for daily instructional, show or other site-specific uses) shall be allowed provided temporary parking is not overnight and trailers are not parked in rights-of way or designated easements.
- 3. Property with a Comprehensive Plan designation of Commercial Recreation and approved Major Equestrian Venues are exempt from the provisions of this section except for screening.
- F. Within Paddock Park II, Saddle Trail Park and Mystic Equestrian stables shall contain no more than four (4) total stalls per acre.
- G. Compost bins and livestock waste storage areas shall meet the setback requirements for accessory buildings and shall be completely screened to a height of at least five (5) feet from the street and surrounding properties by walls, fences or hedges. Livestock waste storage areas shall be permitted only on lots of one (1) acre or more.
- H. Recreational Vehicles as Temporary Residences.
  - 1. The use of recreational vehicles as a temporary overnight residence on residential lots in the EPA is allowed with an approved Equestrian Permit between the months of November and April in accordance with Table E.

**Table E**

<b>Minimum Lot size in Acres</b>	<b>Maximum Number of RV's</b>
5.0 ac to 9.99 ac	1
10.0 ac or more	2

- 2. The use of recreational vehicles as temporary residence shall be in conjunction with a permanent residence or stable type structure(s), shall comply with the building setbacks applicable to principal structures and shall be screened from view of adjacent roads and private properties in the manner provided in Sec. 62-9(6)(1) of the Code of Ordinances.
- 3. The individual recreational vehicle shall be provided electrical, potable water and sanitary collection / or sewer service as indicated below.
  - a. Electrical service connections shall comply with all manufacturer's specifications and the Florida Building Code including Chapter 1 Amendments.
  - b. Water service connections shall comply with all requirements of the Florida Building Code including Chapter 1 Amendments, Wellington standards and those of other appropriate agencies including the Palm Beach County Health Department (PBCHD).
  - c. Connections to the waste water treatment system or a septic system in compliance with the PBCHD regulations shall be provided.



#### **I. Run-in Shade Structures.**

1. The primary purpose of the structure shall be to provide temporary shelter for horses.
2. The total area of all run-in shade structures on the property shall not exceed one hundred fifty (150) square feet.
3. The structure shall not include partial or complete walls.
4. The structure may have water service, but not other utility service.
5. The structure shall have the same roof materials and colors as principal structures, if they exist on the property.
6. The structure shall not have finished or impermeable floors.
7. The structure shall be included in floor area ratio and building coverage calculations.

#### **Sec. 6.9.9. - Bridle Trails and Easements.**

To implement the Equestrian Circulation Plan of the Equestrian Element in the Comprehensive Plan Wellington may require dedication of bridle path easements as part of a development order or building permit for a principal equestrian structure or use. This requirement shall not have the effect of reducing the density or intensity of development to which a property owner would be entitled or cause an increase to any required setback.

#### **Sec. 6.9.10. - Commercial Development Standards.**

Commercial and Commercial Recreation uses in the EPA shall comply with the applicable standards of Chapter 6 Zoning Districts and Chapter 7 Site Development Standards, except as provided for barns and stables below.

Hours of operation for such uses shall be limited to between 7:00 a.m. and 10:00 p.m., including delivery of merchandise, restocking, and after-hours cleanup and maintenance unless extended in response to an emergency involving the treatment of human or animal patients or by a development order approved by Council.

#### **Sec. 6.9.11. - Stables.**

Stables on lots with a Future Land Use Map residential designation in the EPA shall be subject to the limitations in Table F.

**Table F. Supplemental Regulations for Barns & Stables on Residential Lots**

<b>Size of Lot</b>	<b>Principal Residential Structure Required<sup>(1)</sup></b>	<b>Square Footage of Stable</b>	<b>Approval Required</b>
Minimum 1 acre but less than 5 acres	Yes	1,250 square feet/acre	Building permit
Minimum 5 acres but less than 10 acres	No	Limited by FAR and building coverage in Table B	Building permit
Minimum 10 acres or more	No	Limited by FAR and building coverage in Table B	Building permit

Notes and Additional Standards for Table F.

<sup>(1)</sup> Grooms quarters shall not be considered a principal residential unit.

<sup>(2)</sup> Grand Prix Farms and Grand Prix Village South shall be exempt from the requirements of Table E and shall be developed according to the approved Master Plan.

<sup>(3)</sup> FAR means maximum allowed floor area ratio.

**Sec. 6.9.12. – Architectural and Materials Requirements for Principal Structures.**

In Paddock Park II, Saddle Trail Park and Mystic Equestrian and all lots designated Commercial Recreation on the Future Land Use Map principal structures including dwellings, barns, stables and covered arenas shall be constructed in a manner resulting in consistent architecture style, color and materials.

**Sec. 6.9.13. - Equestrian Development.**

Equestrian Developments (ED) are a type of Planned Development located in the EPA whose goal is to provide an equestrian oriented master plan. The ED shall be designed for compatibility with the objectives of this section along with the use of flexible property development regulations and design standards. To the extent of any conflict with other provisions of the LDR, this section shall apply.

An ED shall utilize the Sec. 5.3.5 Master Plan and 6.8.2 Planned Development (PD) process for approval, with the following additional requirements:

- A. An ED Master Plan application may be considered in all EPA subareas.
- B. Single-family detached residential is the only dwelling type permitted unless approved by a previous development order.
- C. ED Design Standards.

1. The Master Plan shall include the required components provided in Sec. 6.8.2 Planned Development and the provisions below.
2. The Master Plan shall provide that common equestrian amenities shall serve as the internal focus of the development which may include, but are not limited to, such common features stables, rings, paddocks, horse exercise areas, internal equestrian and bridle trails, connections to external equestrian bridle trails, other equestrian amenities, public spaces and/or preserve areas for environmentally sensitive lands.
3. The Master Plan shall provide that the installation of such common equestrian amenities is required prior to the issuance of a certificate of occupancy for any residential dwelling unit, accessory dwelling or groom's quarters.
4. Prior to the issuance of a final Master Plan certification by the Development Review Manager, a deed restriction in a form acceptable to the Wellington Attorney shall be executed and recorded to limit in perpetuity the use of common equestrian amenities to owners and residents or guests of owners within the ED.
5. An ED is not eligible for development incentives as provided in Sec. 6.7.

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