

**Wellington
Equestrian Preserve Committee Meeting
January 6, 2021
Village Hall
12300 Forest Hill Boulevard**

MINUTES

I. Call to Order

The meeting was called to order at 6:30 P.M. Jane Cleveland, Glen Fleischer, Annabelle Garrett, and Haakon Gangnes were present. Dr. Rachel Eidelman and Dr. Kristy Lund arrived late. Carlos Arellano was absent.

Staff present: Michael O'Dell, Ryan Harding, D.J. Helkowski, and Rachel Bausch.

II. Pledge of Allegiance

III. Remarks by Committee Chair

Chair Cleveland mentioned that the committee would be discussing the draft Equestrian Element of the Comprehensive Plan as well as the draft golf cart ordinance.

IV. Additions/Deletions/Reordering of Agenda

There were no additions to the agenda.

V. Approval of Minutes

Annabelle Garrett motioned to approve the December EPC minutes. Glen Fleischer seconded, and the motion passed unanimously.

VI. New Business

Equestrian Element of the Comprehensive Plan

Ryan Harding began a presentation detailing how the committee's recommendations from the previous meeting have been worked into the Equestrian Element.

Goal #3 of the element was changed to "support the equestrian industry and particularly the competitive component as integral to the equestrian economic sector in Wellington".

Policy 1.1.1. #3 and #4 were combined into the Policy 1.1.1. #3, which reads "provide for the limited commercial, civic, and institutional uses, which support the equestrian industry, including primary and secondary schools".

Policy 1.1.3 was added, which reads "coordinate with State and County emergency managers to provide support to the equestrian community within the EPA if impacted by area-wide incidents".

Policy 1.2.2 was modified to read "coordinate with state and federal agencies to assess and address water quality standards in the EPA and identify policies or programs to support water quality improvement, which may be jointly implemented".

Policy 2.2.2 was modified to include South Shore Boulevard in addition to Lake Worth Road. The new policy reads "continue to develop Lake Worth Road and South Shore Boulevard as major collector roadways that serve the entire Village by expanding high-volume sections of these roadways within the EPA from two lanes to four to improve traffic flow".

Policy 3.2.2 was added, regarding equestrian venues. It reads "maintain Wellington's world-class equestrian status by proactively coordinating with the competition venues on proposed changes that are a result of market conditions or conditions that result from an increase in the numbers of competitors and equines within Wellington to assure potential impacts are effectively addressed by the venues and expeditiously process development applications/permits".

Ryan Harding then began listing changes that were recommended by the committee that were not supported by staff. The first item was the word "exurban". Mr. Harding said that staff felt it was a fitting description for the community. The definition of exurban is "a region or settlement that lies outside of a city and usually beyond its suburbs, and is often inhabited chiefly by well-to-do families". Mr. Harding said that staff did remove the term from the goals, objectives, and policies of the plan to be adopted, but recommended leaving it in the introduction. Haakon Gangnes asked what advantages there are to leaving it in. Mr. Harding responded that staff feels it is an accurate description of the EPA. Annabelle Garrett said she has never heard the term "exurban" as Mr. Harding defined. She said that she sees no value added in keeping the term in the introduction. Dr. Kristy Lund said that she wasn't as concerned with the word "exurban" being left in the introduction as she was with the definition of it that Mr. Harding read. Dr. Rachel Eidelman suggested revising the definition of exurban in the introduction to say "the character of the EPA is a region or settlement that lies outside a city and beyond its suburbs", which would leave out the portion of the definition which says "and is often inhabited chiefly by well-to-do families". Chair Cleveland asked if this means that the word exurban will be deleted completely. Mr. O'Dell said that he will commit to revising the definition to what Dr. Eidelman suggested, but will not commit to removing the word "exurban" entirely from the document. He said that whatever the committee's recommendation on doing with this word is, it will be passed on to the Planning, Zoning and Adjustment Board. Glen Fleischer suggested simply stating in the introduction "Wellington's Equestrian Preserve is unique".

Another staff recommendation regarded Policy 1.1.1 #3, which reads "provide for the limited commercial uses which support the equestrian industry". Mr. Harding explained that staff recommends leaving this the way it is, as it's been in the comprehensive plan since 1999. Deleting it now could also remove protections regarding existing equestrian-related commercial uses in the EPA. Mr. Gangnes asked Mr. O'Dell if he would describe a manure transfer station as a commercial equestrian activity. Mr. O'Dell responded that it depends on the operation. Mr. Gangnes asked if the state has an FDACS (Florida

Department of Agriculture & Consumer Services) BMP (best management practices) guidance for Manure Transfer Station operations. Mr. O'Dell responded that FDACS BMP's are virtually the same as the Village's BMP's. The only difference is that FDACS' BMP's are voluntary while the Village's are not. Glen Fleischer suggest changing Policy 1.1.1 #3 to read "provide for the limited commercial retail uses which support the equestrian industry". Ms. Garrett suggested that the word consumer could take the place of commercial. Mr. O'Dell explained that the Village has no definition in its Land Development Regulations nor its Land Use map for "consumer", although it does for retail. Mr. Gangnes suggested re-writing this policy to say what is excluded (i.e. manure transfer stations), as opposed to what is included. Mr. O'Dell said he is concerned that re-writing this policy would narrow the scope of commercial uses in the EPA, and we may have land owners who will not take kindly to limitations. Mr. Gangnes asked Mr. O'Dell to explain this. Mr. O'Dell responded that if you're a commercial land owner and you have certain rights today, if this begins to limit them, then that's a taking.

The final staff recommendation regarded Policy 2.2.1 (Local Roadway Travel Lanes). A slight wording change was recommended by the committee. Currently it reads "local roadways within the EPA shall be maintained at a maximum of two travel lanes except for Lake Worth Road and South Shore Boulevard which are identified as collector roads in the Mobility Element". A committee recommendation was made to change this wording to "local roadways within the EPA should be maintained at a maximum of two travel lanes, except for collector roads in the Mobility Element, which are currently Lake Worth Road and South Shore Boulevard". Staff, however, recommends keeping the wording as it is currently within the draft, because there are other collector roads in the EPA (50th Street, 120th Street, Flying Cow Ranch Road, and Pierson Road). Mr. Fleischer stated that he agreed with staff's recommendation. Dr. Eidelman and Ms. Garrett also agreed. Mr. Fleischer on a separate note suggested that 2.3.2 (Shared Use) include the white trail.

Chair Cleveland opened up the floor to the rest of the committee to discuss their thoughts on the three staff recommendations to not change the current text of the element as requested by the committee. Mr. O'Dell asked if the committee is satisfied with all of the other changes that the committee requested that have been implemented within the document. The committee said that they were satisfied with them.

Dr. Kristy Lund said that she doesn't see the justification for adding the word "exurban". She said she thinks that are other ways to describe Wellington. She then said that she agreed with Mr. O'Dell that we don't want to exclude people that have already bought land in the EPA that have commercial intentions. She said because of this, she'd be concerned with changing the wording too dramatically in policy 1.1.1 #3. As far as policy 2.2.1 is concerned, she said she is fine with the current wording.

Mr. Fleischer said that he could go either way on leaving the word "exurban" in the introduction. He suggested re-writing this statement to say "the character of the EPA is neither suburban nor classically rural". Ms. Garrett said that she thought this was an elegant solution. Mr. Fleischer then said that he shares Dr. Lund's concerns regarding excluding commercial property owners by re-wording in policy 1.1.1 #3, but as we think about our long term vision, anything we can do to limit commercial uses so that we can maintain the current character of the EPA is a good thing. He also added that the plan should be

explicit about avoiding waste transfer stations. He had no issue with staff's recommendation on policy 2.2.1.

Ms. Garrett said that she is against staff recommendations on both keeping the word "exurban" in the introduction as well as keeping the wording of policy 1.1.1 #3, but agrees with staff's recommendation regarding policy 2.2.1. She reiterated that she likes Mr. Fleischer's solution to re-word the introduction.

Dr. Eidelman said that while she understand why staff wants to keep the word exurban, she believes Mr. Fleischer's proposed re-wording of this section is preferable. Regarding policy 1.1.1 #3, she suggested re-wording it to "provide for the limited commercial uses which support the equestrian industry and can be widely used or enjoyed by the Wellington community". She said that way, you're including a large number of people (not only equestrians), and you can't have a transfer station. Regarding policy 2.2.1, Dr. Eidelman said she agreed with staff's recommendation to keep as is.

Mr. Gangnes said he disagrees with staff's recommendation to leave the word "exurban" in the introduction. He also said he sees no mention of preserving green space within the Equestrian Element, which he thinks should be included. Mr. Fleischer asked Mr. Gangnes where he thinks should be added. Mr. Gangnes said it should be in the same paragraph within the introduction where the EPA's character is mentioned. He then stated that his position on staff's recommendation to keep 1.1.1 #3 worded as it is currently has been made clear already earlier in the conversation. He said he doesn't disagree with staff's recommendation to keep policy 2.2.1 worded as is. He then asked why there aren't any capital improvements recommendations within the plan. Mr. O'Dell said there are capital improvements mentioned in the plan - the multi-purpose pathway system and the widening of South Shore Boulevard and Lake Worth Road.

Chair Cleveland said that she can't support the word "exurban" being used in the introduction, as it was the word used in the proposed bill to remove Wellington from being subject to state statute 604.50. Mr. O'Dell reminded Ms. Cleveland and the committee that there was no bill pending in Tallahassee and that this element in no way seeks to alter the state statute 604.50.

Chair Cleveland said that given that the committee has spent hours working on this document, unless we say we love it the way staff loves it, we are either going to have to not approve it or approve with recommendations. In either case, this committee needs to go with this plan to the planning board and council meetings and make their point. Chair Cleveland then stated that the PZAB and council members don't know the horse industry the way that EPC members do. So if EPC does the work and PZAB and Council don't listen to us, what are we doing here? Dr. Lund asked what happens if the committee doesn't approve the Equestrian Element. Chair Cleveland responded that staff will move it forward to PZAB anyway.

Annabelle Garrett asked the committee members who implied that they would be against approving the Equestrian Element for their reasoning. Dr. Lund replied that it would draw attention to the fact that there are problems in the document that the committee doesn't agree with. She said otherwise, it would be brought forward to other committees along with other items, and the Equestrian Preserve Committee's recommendations will likely be swept under the rug. Ms. Garrett asked if it would even matter considering

that committee members will be speaking at other board and council meetings on their problems with the document regardless. Mr. Gangnes said that it sends a message without having to speak. Chair Cleveland added that the other Comprehensive Plan elements that the Planning, Zoning, and Adjustment Board as well as Council will be looking at are far more detailed, so the Equestrian Element won't get much attention.

Glen Fleischer motioned to approve the Equestrian Element of the Comprehensive Plan as is alongside the committee's further recommendations as discussed previously in the meeting (specifically regarding the word "exurban" in the introduction as well as the re-wording of policy 1.1.1 #3). There was no second, and the motion failed.

Ms. Garrett asked if the EPC could ask to be, either as a group or individually, invited to discuss their position on the document as it stands with the Planning, Zoning, and Adjustment Board. Mr. O'Dell responded that all meetings are public hearings, so they could individually give their comments during the public comment portion of the meeting.

Haakon Gangnes motioned to hear a public comment. Glen Fleischer seconded this motion, and it passed unanimously.

Cynthia Gardner of 13268 Polo Club Road said that as a commercial/residential appraiser and realtor, exurban is a word that she uses every day. She said that it refers to areas such as the Acreage and Jupiter Farms which are not recorded plats, but they are residential. She said there is absolutely nothing elegant about it with regard to the market's opinion of it. Regarding limited commercial uses, Ms. Gardner mentioned that in 2002, someone tried to develop the 5 acre commercial site on the corner of South Shore Boulevard and Lake Worth Road with a public shopping center, and there was an enormous outcry. In 2006, the Village tried to create a land use term called "Equestrian Commercial", which was going to be limited commercial usage for equestrian purposes. This included shopping centers, retail, hotels, and fast food restaurants. There was also a large public outcry over this. She stated that there are currently 5 acres of limited commercial where the Tackeria is, but it didn't happen that way because it was planned or zoned that way. It happened that way because those were the people who came in wanted to rent the spaces. She said to keep in mind that there is an additional 17 acres of commercial across the street from Global Dressage, which has been sitting vacant for decades, and that is not within the EPA. She said there is nothing more damaging that could be done than 4-laning Lake Worth Road and South Shore Boulevard. She said the traffic on the roads generally isn't heavy, and a great deal of the traffic during rush hour comes from the Acreage. She said if it's 4-laned, this will only get worse. She recommended that the Village host a largely advertised public meeting to explain to the equestrian community exactly what it means when you 4-lane roads. She said that once Lake Worth Road and South Shore Boulevard are 4-laned, and there is limited commercial activity, you're going to see enormous development. She then said that Chair Cleveland made an excellent point regarding EPC members going to speak publicly at council meetings regarding their thoughts on the Equestrian Element.

Dr. Kristy Lund motioned to close the public hearing. Annabelle Garrett seconded, and the motion passed unanimously.

Chair Cleveland asked that while the document hasn't been approved by the committee, can the changes recommended by the committee be added into it as it's passed forward to the Planning, Zoning, and Adjustment Board. Mr. O'Dell responded that changes that the committee recommended tonight will be part of the staff report that will go forward to the Planning Zoning, and Adjustment Board. He reiterated that committee members are welcome to attend the Planning, Zoning, and Adjustment Board meeting and give their public comment.

Mr. Fleischer asked the committee about their thoughts on Cynthia Gardner's comment on allowing just two travel lanes on South Shore Boulevard and Lake Worth Road within policy 2.2.1 of the element. Dr. Eidelman said that she agrees with Ms. Gardner's point that the roads will get busier by adding an extra two travel lanes to turn them into 4-lane roadways. Ms. Garrett added that she doesn't know how now having the south end of the horse show open for vehicles to go in and out changes the traffic on South Shore Boulevard. Presumably it alleviates traffic, but unfortunately we will not know this year if that alone truly alleviates the traffic coming from the horse show onto South Shore Boulevard. Mr. O'Dell said that the widening of the two roads in question isn't happening anytime soon. Mr. Fleischer suggested that he agrees with Ms. Gardner's comment about road widening, and suggested that in the interest of preserving the character of the EPA, we may need to take a step back on suggesting potentially widening South Shore Boulevard and Lake Worth Road in policy 2.2.1 of the Equestrian Element.

Chair Cleveland said that while she doesn't like to tackle something brand new towards the end of a meeting, the committee hasn't approved the Equestrian Element of the Comprehensive Plan anyway, so nothing needs to be finalized. Mr. Fleischer responded that he still thinks the committee should recommend what they believe in their hearts, and that it should go forward. Annabelle Garrett stated that there is enough in the document that the committee is uncomfortable with that most committee members are not going to approve it for various reasons. She noted that Dr. Lund didn't want to approve it due to the word exurban, she (Ms. Garrett) didn't want to approve it because of the commercial section, and so on. Glen Fleischer asked why the committee doesn't just have their own recommended version go forward. Ms. Garrett responded that it will be swept under the rug if the Equestrian Element is approved.

Chair Cleveland asked if the committee made changes to policy 2.2.1, would staff maintain their current position. Mr. O'Dell responded that this particular policy came directly from the Equestrian Plan of Action, which was approved by the committee. Mr. Fleischer asked if the committee were to back off from it, would staff be okay with that. Mr. O'Dell responded that staff wouldn't really care if the committee decided to take it out versus leave it in. He added that the discussion over this in the past occurred before several access points were added. He said a warrant for the named roadways to be widened would have to be undertaken, and the Village hasn't begun that process yet. Chair Cleveland stated that she agreed with Mr. Fleischer that the two named roads (South Shore Boulevard and Lake Worth Road) should be dropped, and policy 2.2.1 should indicate a maximum of two travel lanes throughout the EPA. The rest of the committee agreed.

Annabelle Garrett motioned to not approve the Equestrian Element of the Comprehensive Plan. Haakon Gangnes seconded, and the motion passed 4-1.

Golf Cart Operational Study and Golf Cart Ordinance

Ryan Harding explained to the committee that Village Council reviewed the Golf Cart operational study and ordinance in October, and recommended that public input be obtained on the draft ordinance, beginning with committees and boards. The draft ordinance as being presented to EPC is for comments and questions. This draft ordinance is anticipated to be presented to Council in March/April 2021. The operational study was written in June of 2020, and it examined the safety aspects of golf cart operation including speed, volume and character of traffic within the Village. This study is what provided the basis for the draft ordinance.

Mr. Harding then went through several state statutes regarding golf carts. Statute 320.01 defines a golf cart as a motor vehicle that is not capable of exceeding speeds of 20 miles per hour. Statute 316.212 regulates golf cart use on roadways. Regulations for pathways in Wellington can be more restrictive than local road regulations. Statute 316.212 also requires that a municipality designate which roadways are allowed to be used by golf carts.

Mr. Harding then presented a map depicting gated and private communities in Wellington which would not fall under Wellington's jurisdiction. The map also shows roadways in Wellington that have speed limits of 25 MPH and less. These Wellington-maintained roadways would be the only ones where golf cart usage would be allowed, as suggested by the operational study.

Mr. Harding then presented a different map showing existing 8 ft. wide multi-purpose pathways in Wellington. He then referred to several other state statutes regarding golf cart usage on roadways. Golf carts may only be operated on designated roads in which the speed, volume, and character of traffic uses have been deemed safe for golf carts. They also may not be operated by any person under the age of 14. State statutes also require safety equipment for golf carts, namely efficient brakes, reliable steering, safe tires, rearview mirror, and red reflectorized warning devices. If Council decides that they would allow nighttime operation of golf carts, then the state would require headlights, brake lights, turn signals, and windshields. State statutes regarding multi-modal pathways state that the pathways must be a minimum of 8' -wide. There must be a posted speed limit of 15 MPH maximum on these pathways. The same safety equipment is required on pathways as is on roadways. Appropriate signs must also be posted regarding the ordinance.

Additional Wellington regulations on Village pathways for Council consideration include the following: persons operating golf carts must be age 16 and over, possess a driver's license, and have registration and insurance. Other regulations would include an occupancy limit and the need to yield to other traffic. Annabelle Garrett asked if the Village would be requiring a minimum age of 16 to operate a golf cart, versus the minimum age of 14 which is the requirement under state statute to operate a golf cart. Mr. Harding replied that it would be Council's decision whether or not to adopt this additional regulation. Ms. Garrett then asked if the golf carts would have to be tagged, given that registration is required. Michael O'Dell responded that the registration comes from the Village of Wellington and not the State of Florida, so the golf carts wouldn't need license tags. Haakon Gangnes asked where the proceeds for the registrations would go. Mr. O'Dell responded that it would cover the cost of the registration general fund.

Mr. Harding presented a draft expansion plan for golf cart pathways. This map showed planned pathways as well as planned areas for widening current pathways. Chair Cleveland asked staff if this proposed ordinance would change the way equestrians use golf carts to get to the horse show. Mr. O'Dell responded that this would actually allow them to use the roadways, as well as the 8'-wide+ pathways. So this ordinance essentially legalizes the use of golf carts throughout the Village. Dr. Kristy Lund asked if only the sheriff oversees golf cart problems. Mr. O'Dell responded that the Village has been working with PBSO on drafting regulations that they can properly enforce. Mr. O'Dell said that you would not be able to operate a golf cart on Pierson Road. Ms. Garrett mentioned that in many other states, you can't get a driver's license until you're at least a year older than 16. With many equestrians coming from other states during season, many of the younger riders won't be able to operate a golf cart in Wellington depending on what state they are from. She then noted that junior riders make up a large portion of those who operate golf carts in the EPA. She then said that if the Village recommends that the minimum age to operate a golf cart is 16, then she doesn't think a driver's license should be required since it is unfair to those who live in other states where you cannot obtain a driver's license at 16 years of age.

Assistant Village Attorney Rachel Bausch stated that technically golf carts are not allowed on roadways or pathways today. State statutes require that municipalities designate the roadways and pathways on which golf carts can be operated, which is what this ordinance seeks to do. Ms. Bausch reiterated that this ordinance only addresses golf cart usage on pathways and roadways, not private property. Mr. Gangnes asked if the committee should make a recommendation to make the minimum age to operate golf carts on pathways and roadways 14 instead of 16. Dr. Lund and Ms. Garrett agreed that 14 makes more sense as a minimum age requirement.

Mr. O'Dell reiterated Ms. Bausch's point that the reason for moving the ordinance forward as Council has asked for staff to do is to legalize the use of golf carts. Secondly, it is to bring a set of standards to their use. Ms. Garrett suggested that an online test that one has to pass in order to obtain a registration to operate a golf cart in the Village, mirroring the type of test one has to pass to get a learner's permit to drive a car, may be useful.

VII. Staff Comments

There were no staff comments.

VIII. Board Comments

Jane Cleveland suggested the following topics of discussion for February's meeting: horse crossings, livestock waste removal, and Ocala's rise as an equestrian destination. Mr. Gangnes added that a discussion on what it would look like if the Polo discipline were to leave Wellington. Mr. Fleischer said that in addition to discussing waste removal, it would be useful to have some of the larger waste haulers join the committee for a conversation.

IX. Public Comments

There was one public comment which was stated in the Equestrian Element of the Comprehensive Plan (under New Business) section of the minutes.

X. Adjournment

The meeting adjourned at 9:35 PM.

Jane Cleveland, Chair

D.J. Helkowski, Recording Secretary