



LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)
EQUESTRIAN WASTE SUB-COMMITTEE

MARCH 19TH, 2018

AGENDA

2300 NORTH JOG ROAD, CONFERENCE ROOM VC-1W-47 – 1ST FLOOR
9:30 AM – 11:00 AM

A. CALL TO ORDER

1. Select Chair and Vice Chair From LDRAB Members
2. Interested Parties and Staff Introductions
3. Additions, Substitutions and Deletions to Agenda
4. Motion to Adopt Agenda

B. SUBCOMMITTEE MISSION AND GOALS – STAFF

- Address [Moratorium Adopted November 30, 2017](#)

C. OVERVIEW OF EQUESTRIAN WASTE MANAGEMENT USE – JON

- 2015 Address Equestrian Waste in Palm Beach County. (Maps-Attachment 1)

August 2015 – County Commissioner McKinlay chaired a meeting with representatives from Equestrian Industry, County and State Agency staff to discuss issues to handling equestrian waste.

- **October 21, 2015** – BCC Directed Staff to Prepare Comp Plan and ULDC language and Introduce New Use – Equestrian Waste Management
- **January 28, 2016** – BCC directs PZ Staff to Initiate Amendment to Comp Plan and ULDC to allow new use Equestrian Waste Bedding/Recycling in the Agricultural Residential (AR) and Agricultural Production (AP) Districts/
- **2016-2017** - BCC adopts Comp Plan and ULDC amendments
- **October 31, 2017** – Ordinance 2017-033 – BCC adopts the deletion of the Equestrian Waste Pilot Program from the AP Land Use
- **December 5, 2017** – Ordinance 2017-042 BCC adopts one year Moratorium (November 30 2017 to November 30, 2018), to restrict the acceptance of Zoning applications regarding Equestrian Waste Management Facilities or Composting Uses
- **February – August 2018** – Zoning Staff preparing ULDC Amendment for August 2018 Adoption

D. REVIEW DRAFT ULDC AMENDMENTS BASED ON BCC DIRECTION (ATTACHMENT 2)

E. SUMMARY OF TODAY'S DISCUSSION - CHAIR

F. FUTURE MEETING TOPICS - CHAIR

G. ADJOURN

ORDINANCE ORD2017-042

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4 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH
5 COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE
6 2003-067, AS AMENDED, AS FOLLOWS: **ENACTING A ONE YEAR MORATORIUM UPON**
7 **THE ACCEPTANCE OF ZONING APPLICATIONS AND ALL APPLICABLE REQUESTS FOR**
8 **ZONING APPROVALS FOR EQUESTRIAN WASTE MANAGEMENT FACILITIES, OR ANY**
9 **COMPOSTING USE THAT INCLUDES EQUESTRIAN WASTE, ANIMAL WASTE OR BIO**
10 **SOLIDS, LOCATED IN THE GLADES TIER OF UNINCORPORATED PALM BEACH**
11 **COUNTY, EXCLUDING ACCESSORY USES TO BONA-FIDE AGRICULTURAL**
12 **OPERATIONS, AMENDING ARTICLE 4, USE REGULATIONS: CHAPTER B, USE**
13 **CLASSIFICATION; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS**
14 **IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND**
15 **DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.**

16
17 **WHEREAS**, vegetable production in the Everglade Agricultural Area is a major
18 component in the economy of Palm Beach County:

19 **WHEREAS**, Food and Drug Administration Food Safety Modernization Act (FSMA)
20 Produce Safety Rule has increased food safety requirements regarding the growing and
21 harvesting and processing of vegetables;

22 **WHEREAS**, processing of equestrian waste in the proximity of vegetable production
23 may adversely impact the fresh vegetable industry, threatening a major component of the Palm
24 Beach County economy;

25 **WHEREAS**, the Land Development Regulation Commission has found these
26 amendments to the ULDC to be consistent with the Palm Beach County Comprehensive Plan;
27 and

28 **WHEREAS**, the BCC hereby elects to conduct its public hearings on this Ordinance at
29 9:30 a.m.; and

30 **WHEREAS**, the BCC has conducted public hearings to consider these amendments to
31 the ULDC in a manner consistent with the requirements set forth in Section 125.66, Florida
32 Statutes; and

33 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
34 **PALM BEACH COUNTY, FLORIDA, as follows:**

35 **Section 1. Adoption**

36 The amendments set forth in Exhibit A, attached hereto and made a part hereof, are
37 hereby adopted.

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Section 2. Interpretation of Captions

All headings of articles, sections, paragraphs, and sub-paragraphs used in this Ordinance are intended for the convenience of usage only and have no effect on interpretation.

Section 3. Providing for Repeal of Laws in Conflict

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 4. Severability

If any section, paragraph, sentence, clause, phrase, word, map, diagram, or any other item contained in this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, void, or otherwise invalid, such holding shall not affect the remainder of this Ordinance.

Section 5. Providing for a Savings Clause

All development orders, permits, enforcement orders, ongoing enforcement actions, and all other actions of the Board of County Commissioners, the Zoning Commission, the Development Review Officer, Enforcement Boards, all other County decision-making and advisory boards, Special Masters, Hearing Officers, and all other County officials, issued pursuant to the regulations and procedures established prior to the effective date of this Ordinance shall remain in full force and effect.

Section 6. Inclusion in the Unified Land Development Code

The provisions of this Ordinance shall be codified in the Unified Land Development Code and may be reorganized, renumbered or re-lettered to effectuate the codification of this Ordinance.

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Section 7. Providing for an Effective Date

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the 30th day of November, 2017.

SHARON R. BOCK, CLERK & COMPTROLLER

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____



Deputy Clerk

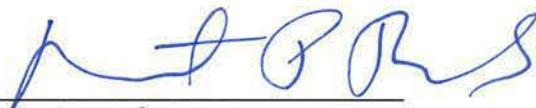
By: _____



Melissa McKinlay, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____



Assistant County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 5th day of December, 2017.

EXHIBIT A

EQUESTRIAN WASTE MORATORIUM SUMMARY OF AMENDMENTS

1
2 Part 1. ULDC Art. 4.B.5.C.4, Equestrian Waste Management Facility (page 87 of 204), is hereby
3 amended as follows:

4 **ARTICLE 4 USE REGULATIONS**

5 **CHAPTER B USE CLASSIFICATION**

6 **Section 5 Industrial Uses**

7 **C. Definitions and Supplementary Use Standards for Specific Uses**

8 **4. Equestrian Waste Management Facility**

9 **a. Definition**

10 An establishment used for the recovery, recycling, or transfer of equestrian waste, provided
11 used bedding is limited to organic materials, such as wood shavings, chips or sawdust,
12 straw or hay, peat moss, or paper limited to newspapers, but excluding plastics, textiles or
13 sand. Recovery may include collection, separation or sorting, or limited processing
14 necessary to reduce volume, render materials safe for transport, storage or disposal, or
15 the cleaning and packaging of materials for reuse. The facility may include manufacturing
16 of products utilizing the equestrian waste including, but not limited to, bedding, fertilizer,
17 pellets, and logs. Transfer may include the transfer of equestrian manure or bedding from
18 smaller vehicles used for collection to larger vehicles for shipment to another destination.

19 **b. Approval Process - AP Zoning District with SA FLU Designation**

20 An Equestrian Waste Management Facility may be allowed in the AP Zoning District with
21 an SA FLU designation, subject to BCC approval as a Class A Conditional Use.

22 **c. Location**

23 Shall have frontage and access from an Arterial or Collector Street. Access from
24 residential streets shall be prohibited.

25 **d. Separation Distance**

26 An Equestrian Waste Management Facility shall be separated a minimum of 1,000 feet
27 from a food processing or packing plant.

28 **e. Landscaping Adjacent to Residential**

29 The landscape buffer for any Equestrian Waste Management Facility located within 250
30 feet of a parcel with a residential use or FLU designation, shall be upgraded to a minimum
31 of 30 feet in width, a two-foot berm, and double the number of required trees, planted in
32 two staggered rows. Where outdoor activities are permitted within this distance but an
33 Incompatibility Buffer is not required, the buffer shall also be upgraded to include a
34 minimum six-foot hedge, fence or wall.

35 **f. Accessory Use**

36 Manufacturing and Processing shall be limited to a maximum of 30 percent new material
37 for supplementing recycling horse bedding, or for the production of other useful products
38 comprised of Equestrian Waste.

39 **g. Storage or Waste Processing Areas**

40 **1) Best Management Practices**

41 All storage areas, including the temporary or overnight parking of loaded trucks or
42 trailers, and any outdoor waste processing areas, shall comply with Art. 5.J.3.A,
43 Storage Related to Storage or Spreading of Livestock Waste].

44 **2) U/S Tier**

45 Outdoor storage shall be prohibited in the U/S Tier.

46 **3) Outdoor Storage**

47 Where permitted, the pile height of equestrian waste shall not exceed 12 feet, and
48 bollards shall be provided to delineate pile locations and height, tied to a finished grade
49 location designated on site.

50 **h. Application Requirements – Operation Functions**

51 An application for an Equestrian Waste Management Facility shall include a Justification
52 Statement and supporting documentation demonstrating acceptable industry design,
53 configuration and operational standards, including but not limited to:

54 **1) Site Plan**

55 The Plan shall illustrate how the operation functions, including circulation routes, and
56 the location and size of loading and processing areas, and storage piles.

57 **2) Waste Volume**

58 An explanation of the quantity of waste to be received, expressed in cubic yards per
59 day or tons per day.

60 **3) Dust Control Program**

61 A program to address how dust generated from traffic, storage and processing areas
62 will be managed pursuant to Art. 5.E.4.D.3, Dust and Particulate.

Notes:

- **Underlined** indicates **new** text.
- **Stricken** indicates text to be **deleted**. If being relocated, or partially relocated, destination is noted in bolded brackets **[Relocated to:]** or **[Partially relocated to:]**.
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EXHIBIT A

EQUESTRIAN WASTE MORATORIUM SUMMARY OF AMENDMENTS

4) Odor and Pest Control Program

A program to address how odors and pests resulting from any vehicles transporting waste, or storage and processing areas will be managed pursuant to Art. 5.E.4.D.4, Objectionable Odors.

i. Equestrian Waste Moratorium

1. The Board of County Commissioners of Palm Beach County does hereby impose a moratorium beginning on the effective date of this Ordinance, upon the acceptance of zoning applications and all applicable requests for zoning approval for an Equestrian Waste Management Facility, or any Composting use that includes equestrian waste, animal waste or bio solids, located in the Glades Tier of unincorporated Palm Beach County. While the moratorium is in effect the County shall not accept, process or approve any application relating to the zoning approval of an Equestrian Waste Management Facility, or any Composting use that includes equestrian waste, animal waste or bio solids. This moratorium does not prohibit accessory uses to Bona-fide Agriculture or composting facilities with County approvals as of June 6, 2017.

2. This Ordinance shall expire upon the earlier of the following: one year from the effective date of this Ordinance, or upon the effective date of ULDC amendments dealing with Equestrian Waste Management Facility or Composting uses that includes equestrian waste, animal waste or bio solids, in the Glades Tier of unincorporated PBC.

Part 2. ULDC Art. 4.B.5.C.2, Composting Facility (page 113 of 204), is hereby amended as follows:

ARTICLE 4 USE REGULATIONS

CHAPTER B USE CLASSIFICATION

Section 7 Utility Uses

C. Definitions and Supplementary Use Standards for Specific Uses

2. Composting Facility

a. Definition

A facility designed and used for transforming yard waste, clean wood and other organic material into soil or fertilizer through biological decomposition.

b. Approval Process

- 1) A Composting Facility accessory to a Bona Fide Agriculture use in the AP Zoning District may be Permitted by Right.
- 2) A Composting Facility may be allowed in the AR Zoning District in the RSA with a SA FLU designation, subject to Class A Conditional Use approval.

c. Access

Access shall be limited to Arterial, Collector, or Local Commercial Streets which do not serve residential lots. Entrances shall be gated and setback from the road as required by the County Engineer to prevent access during non-operating hours from unauthorized persons.

d. Lot Size

A minimum of five acres.

e. Separation Distance

The use shall be located a minimum of 500 feet from a parcel of land with a residential FLU designation or uses.

f. Outdoor Storage

- 1) Outdoor storage shall be set back a minimum of 25 feet from any property line or 50 feet from any property line abutting a parcel with a residential FLU designation, zoning district or use.
- 2) Outdoor storage of material shall be limited to 45 days
- 3) The pile height of storage materials shall be limited to 15 feet or less if required by the F.A.C 62-709, as amended.
- 4) The height of materials shall be tied to a finished grade benchmark delineated on site.
- 5) Bollards or other acceptable barricade to the Zoning Division shall be provided to delineate pile locations.

g. Hours of Operation

The hours of operation shall be limited to 9:00 a.m. to 5:00 p.m. Monday through Friday if within 1,000 feet of a residential FLU designation or use.

h. Operation Functions

Notes:

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EXHIBIT A

EQUESTRIAN WASTE MORATORIUM SUMMARY OF AMENDMENTS

1 The Zoning or Building application, whichever is submitted first, shall include a Justification
2 Statement and supporting documentation demonstrating acceptable industry design,
3 configuration and operational standards, based on the type of materials processed and
4 stored, including but not limited to the following:

5 **1) Site Plan**

6 The Site Plan shall illustrate how the operation functions including circulation routes;
7 and, the location and size of loading and processing areas and storage piles.

8 **2) Waste Volume**

9 An explanation of the quantity of waste to be received, expressed in cubic yards per
10 day or tons per day.

11 **3) Dust Control**

12 A plan to address how dust generated from traffic, storage and processing areas will
13 be managed pursuant to Art. 5.E.4.D.3, Dust and Particulate.

14 **4) SWA Permit**

15 Prior to operation of the facility, the owner or operator shall obtain a SWA Permit.

16 **i. Backyard Composting**

17 This use does not include backyard-composting bins serving individual families.

18 **j. Equestrian Waste Moratorium**

- 19 1. The Board of County Commissioners of Palm Beach County does hereby impose a
20 moratorium beginning on the effective date of this Ordinance, upon the acceptance of
21 zoning applications and all applicable requests for zoning approval for an Equestrian
22 Waste Management Facility, or any Composting use that includes equestrian waste,
23 animal waste or bio solids, located in the Glades Tier of unincorporated Palm Beach
24 County. While the moratorium is in effect the County shall not accept, process or
25 approve any application relating to the zoning approval of an Equestrian Waste
26 Management Facility, or any Composting use that includes equestrian waste, animal
27 waste or bio solids. This moratorium does not prohibit accessory uses to Bona-fide
28 Agriculture or composting facilities with County approvals as of June 6, 2017.
29 2. This Ordinance shall expire upon the earlier of the following: one year from the effective
30 date of this Ordinance, or upon the effective date of ULDC amendments dealing with
31 Equestrian Waste Management Facility or Composting uses that includes equestrian
32 waste, animal waste or bio solids, in the Glades Tier of unincorporated PBC.
33

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Palm Beach County

**AGRICULTURAL RESIDENTIAL (AR) DISTRICT IN RURAL SERVICE AREA
GENERALLY LOCATED WITHIN EXURBAN AND RURAL TIERS**

Palm Beach County

**AGRICULTURAL PRODUCTION (AP) DISTRICT
GENERALLY LOCATED WITHIN THE GLADES TIER**

EXHIBIT A

ARTICLE X – AMENDMENT FORMATTING DIRECTIONS SUMMARY OF AMENDMENTS

(Updated XX/XX/XX)

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- Part 1. ULDC Art. 3.B.5.C.4, Equestrian Waste Management Facility (page 86 of 204), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Clarify that Equestrian waste facility shall not include the process of agricultural waste.
2. Prohibit this use in those properties that have Agricultural Production (AP) Zoning District with a Specialized Agriculture (SA) Land Use designation since the Board of County Commissioners has adopted Ordinance 2017-033 on October 30, 2017. The Ordinance deleted the policies and definitions related to Equestrian Waste Pilot Project Repeal , and associated changes to the SA FLU designation . Ordinance 2017-005 (allowing the Pilot Project) was adopted in January 2017, with the intent of allowing additional opportunities for equestrian waste management in a more environmentally friendly manner through composting and other methods.
3. On April 6, 2017, during the review of the first Pilot project, Horizon Composting FLU designation amendment and zoning applications, local farmers came to the hearings and objected to the use stating that the concentration of equestrian waste composting and recycling in their areas could present a food safety issue, and hinder their ability to sell fresh produce. The hearings were postponed and subsequent meetings were held between Staff, District Commissioner, State Review Agencies and local farmers to discuss further the issues. Bothe the Agencies and farmers maintained that the Horizon site was not appropriate for the composting and equestrian waste use considering the proximity of the adjacent farms.
4. At the April 26, 2017 BCC Transmittal Hearing for the Horizon FLU Amendment application, the Planning Director advised that staff would return to the BCC in July with significant deletion or revision of the Pilot Project.

5 **CHAPTER B USE CLASSIFICATION**

6 **Section 5 Industrial Uses**

7 **C. Definitions and Supplementary Use Standards for Specific Uses**

8

9 **4. Equestrian Waste Management Facility**

10 **a. Definition**

11 An establishment used for the recovery, recycling, or transfer of equestrian waste, provided
12 used bedding is limited to organic materials, such as wood shavings, chips or sawdust,
13 straw or hay, peat moss, or paper limited to newspapers, but excluding plastics, textiles or
14 sand. Recovery may include collection, separation or sorting, or limited processing
15 necessary to reduce volume, render materials safe for transport, storage or disposal, or
16 the cleaning and packaging of materials for reuse. The facility may include manufacturing
17 of products utilizing the equestrian waste including, but not limited to, bedding, fertilizer,
18 pellets, and logs. Transfer may include the transfer of equestrian manure or bedding from
19 smaller vehicles used for collection to larger vehicles for shipment to another destination.

20 ~~**b. Approval Process – AP Zoning District with SA FLU Designation**~~

21 ~~An Equestrian Waste Management Facility may be allowed in the AP Zoning District with~~
22 ~~an SA FLU designation, subject to BCC approval as a Class A Conditional Use.~~

23 ~~**c.b. Location**~~

24 Shall have frontage and access from an Arterial or Collector Street. Access from
25 residential streets shall be prohibited.

26 ~~**d.c. Separation Distance**~~

27 An Equestrian Waste Management Facility shall be separated a minimum of 1,000 feet
28 from a food processing or packing plant. In addition to Art. 2.B.1.B.2, Standards for
29 Conditional Uses and Development Order Amendments, the BCC shall consider whether
30 the proposed 1,000 separation is adequate for this use at this location as part of the findings
31 for the final decision of the request.

32 ~~**e.d. Landscaping Adjacent to Residential**~~

33 ~~The landscape buffer for any Any~~ Equestrian Waste Management Facility located within
34 250 feet of a parcel with a residential use or FLU designation, shall ~~be upgraded~~ provide
35 to a Type 3 Incompatibility Buffer. This Buffer shall be a minimum of 30 feet in width, and
36 shall consist of a two-foot high berm, and double the number of required trees, planted in
37 two staggered rows. Where outdoor activities are permitted within this distance but an
38 Incompatibility Buffer is not required, the buffer shall also be upgraded to include a
39 minimum six-foot hedge, fence or wall. Measurement shall be taken from property line of
40 the Facility to the property line of the adjacent parcel of land.

41 ~~**f. Accessory Use**~~

42 ~~Manufacturing and Processing shall be limited to a maximum of 30 percent new material~~
43 ~~for supplementing recycling horse bedding, or for the production of other useful products~~
44 ~~comprised of Equestrian Waste.~~

Notes:

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EXHIBIT A

ARTICLE X – AMENDMENT FORMATTING DIRECTIONS SUMMARY OF AMENDMENTS

(Updated XX/XX/XX)

g.e. Storage or Waste Processing Areas

1) Best Management Practices

All storage areas, including the temporary or overnight parking of loaded trucks or trailers, and any outdoor waste processing areas, shall comply with Art. 5.J.3.A, Storage Related to Storage or Spreading of Livestock Waste].

2) U/S Tier

Outdoor storage shall be prohibited in the U/S Tier.

3) Outdoor Storage

Where permitted, the pile height of equestrian waste shall not exceed 12 feet, and bollards shall be provided to delineate pile locations and height, tied to a finished grade location designated on site.

h.f. Application Requirements – Operation Functions

An application for an Equestrian Waste Management Facility shall include a Justification Statement and supporting documentation demonstrating acceptable industry design, configuration and operational standards, including but not limited to:

1) Site Plan

The Plan shall illustrate how the operation functions, including circulation routes, and the location and size of loading and processing areas, and storage piles.

2) Waste Volume

An explanation of the quantity of waste to be received, expressed in cubic yards per day or tons per day.

3) Dust Control Program

A program to address how dust generated from traffic, storage and processing areas will be managed pursuant to Art. 5.E.4.D.3, Dust and Particulate.

4) Odor and Pest Control Program

A program to address how odors and pests resulting from any vehicles transporting waste, or storage and processing areas will be managed pursuant to Art. 5.E.4.D.4, Objectionable Odors.

Part 2. ULDC Art. 3.A.3.B.1.p, Standard District Exceptions and Limitations (page 18 of 212), is hereby amended as follows:

Reason for amendments: [Zoning]

1. Delete this Exception since Equestrian Waste Management Facility is only allowed in Industrial Zoning Districts or Planned Developments pursuant to the Use Matrix of Art. 4.B.5.A, Industrial Use.

CHAPTER A GENERAL

Section 3 Zoning District Consistency with the Future Land Use Atlas (FLUA)

B. Standard Districts

Any application for a rezoning to a Standard Zoning District shall correspond to a FLU designation indicated in the table below.

1. Standard District Exceptions and Limitations

The following list of exceptions shall be permitted:

....

~~p. The AP District is consistent with the Special Agriculture (SA) FLU designation where necessary to accommodate an Equestrian Waste Management Facility. [Ord. 2017-007]~~

Part 3. ULDC Art. 3.B.2, AZO, Airport Zoning Overlay (page 20- of 212), is hereby amended as follows:

Reason for amendments: [Zoning]

1. Add footnote to Chipping and Mulching to clarify that pursuant to Art. 4.B.7.C.1, Equestrian Waste Management Facility is prohibited in the AZO.

CHAPTER B OVERLAYS

Section 2 AZO, Airport Zoning Overlay

B. Applicability

1. Off-Airport Uses

For those properties around publicly owned airports, the provisions of the Airport zoning regulations create zones, based on the approach and departure pattern of aircraft, and regulate the height of structures and the use of land within these zones. The Airport zoning regulations for properties around publicly owned airports are contained in Art. 16, Airport Regulations. [Ord. 2006-036]

Notes:

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EXHIBIT A

**ARTICLE X – AMENDMENT FORMATTING DIRECTIONS
SUMMARY OF AMENDMENTS**

(Updated XX/XX/XX)

2. Uses on Airport Properties

The provisions of this Section shall apply to airport-related and non-airport related uses within the boundaries of the Airport Master Plans for those parcels with a U/T Land Use designation and in the PO district for the four County-operated airports identified as follows: PBC, PBC Glades Airport, PBC Park Airport (aka Lantana Airport), and North Palm Beach County General Aviation Airport. Development of these airports shall be in accordance with the Airport Master Plans as required by Plan Objective TE 1.7, Future Airport Expansion. **[Ord. 2006-036]**

a. Use Regulations

1) Airport-Related Uses

Airport-related uses are directly related to general airport operations and maintenance including, but not limited to, maintenance facilities, cargo distribution terminals, car rental operations, warehouses, hotels, airport administrative offices, and communication facilities, as well as uses found within the terminals, including, but not limited to, restaurants, general retail sales and personal services. **[Ord. 2006-036]**

2) Non-Airport Related Uses

Non-airport related uses are not related to the operation and maintenance of the airport, and can coexist in close physical proximity to airports and their related facilities. Non-airport related uses are additional uses that are encouraged by the Federal Aviation Administration (FAA) to generate income to help offset the costs of operating the airport and are compatible with surrounding development. These uses may include, but are not limited to, commercial, public and civic, recreation, agricultural, utilities and excavation, and industrial uses, but more specifically including, but not limited to, professional, business, and medical offices, retail centers, restaurants and hotels. **[Ord. 2006-036]**

3) Prohibited Uses

Prohibited uses include adult entertainment and billboards. **[Ord. 2006-036]** **[Ord. 2009-040]**

4) Specific Use Regulations

The following uses are permitted in the AZO on airport properties: **[Ord. 2006-036]**

Table 3.B.2.B - Airport Use Regulations

Use Type	Airport Related Uses	Non-Airport Related Uses	Corresponding Zoning District PDRs (1)	Note (2)	Use Applicable to Specific Airport
Utilities / Excavation Uses / Commercial Communication Towers					
Chipping and Mulching	****	D	IG	1	All
Composting Facility	****	D	IG	2	All
[Ord. 2006-036] [Ord. 2008-003] [Ord. 2010-022] [Ord. 2012-007] [Ord. 2013-001] [Ord. 2017-007]					
Notes:					
(1) For purposes of determining the applicable property development regulations (PDR) for non-airport related uses, the Corresponding Zoning District's PDR identified in Table 3.D.1.A-5, Property Development Regulations shall apply to lot dimension, density, FAR, building coverage and setbacks. [Ord 2018-002]					
(2) Reference Art.4, Use Regulations for additional Supplementary Use Standards <u>which includes exceptions, restrictions or prohibitions.</u> [Ord. 2017-007]					
(3) Temporary Use through the ZAR Process. [Ord. 2018-002]					
Key					
P Permitted by right					
D Permitted subject to approval by the DRO					
B Permitted only if approved by the Zoning Commission (ZC)					
A Permitted only if approved by the Board of County Commission (BCC)					
1 Palm Beach International Airport (PBCIA)					
2 PBC Glades Airport					
3 PBC Park Airport (aka Lantana Airport)					
4 North PBC General Aviation Airport					
PBCIA, PBC Glades Airport, PBC Park Airport (aka Lantana Airport), North PBC General Aviation Airport					

Part 4. ULDC Art. 3.B.4, Glades Area Overlay (page 25 to 29 of 212), is hereby amended as follows:

Reason for amendments: [Zoning]
1. The Glades Area Overlay has an area that is classified as Urban/Suburban Tier, and allows certain uses in the Light Industrial (IL) district. The proposed amendment will clarify that Equestrian Waste Management Facility is prohibited in the IL district in the Glades Tier Urban/Suburban Area.

CHAPTER B OVERLAYS

Section 4 GAO, Glades Area Overlay

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EXHIBIT A

ARTICLE X – AMENDMENT FORMATTING DIRECTIONS SUMMARY OF AMENDMENTS

(Updated XX/XX/XX)

D. Approval Process

1. DRO and BCC Thresholds

The density, intensity and acreage thresholds of Table 4.A.9.A, Thresholds for Projects Requiring DRO Approval, and Table 4.A.9.B, Thresholds for Projects Requiring BCC Approval, shall be multiplied by two within the GAO. [Ord. 2016-016] [Ord. 2018-002]

2. Administrative Approvals

a. General

Uses shown in a Use Matrix as Permitted by Right (P), or Development Review Officer (DRO) shall remain subject to the same approval process shown in the Use Matrix. [Ord. 2014-025]

b. Conditional Uses

Uses allowed as Conditional Uses in a non-residential Zoning district may be approved by the DRO after compliance with Art. 2.B.7.B.2, Standards. [Ord. 2016-016] [Ord. 2018-002]

1) Equestrian Waste Management Facility

Shall be prohibited in the GAO, except for those parcels with IL, IG Zoning districts and IND FLU designation.

c. Nonconformities

1) Nonconforming Use

A nonconforming use permitted to expand subject to DRO approval may be expanded through the ZAR process. [Ord. 2006-036] [Ord. 2014-025] [Ord. 2016-016] [Ord. 2018-002]

2) Permitted Uses and Uses Subject to DRO Approval within Nonconforming Structures

Uses permitted by right and uses subject to DRO approval may exceed the allowable percentages of Table 1.F.1.G, Nonconformities – Percentage and Approval Process for Maintenance, Renovation and Natural Disaster Damage Repair, provided all the standards below are met: [Ord. 2016-016]

a) Exterior Building and Site Elements Improvements

A minimum 25 percent of the total maintenance, renovation, or natural disaster damage repair improvement value shall be dedicated to exterior building and site elements. Of that percentage, a minimum of ten percent shall be dedicated to façade improvements abutting the R-O-W (frontage and side street frontages) and a minimum ten percent shall be dedicated to landscape improvements; [Ord. 2016-016]

b) Limitation

The total maintenance, renovation, or natural disaster damage repair improvements for the proposed use(s) may be allowed only if the proposed improvements will not cause an increase in building square footage or generate additional parking, unless the additional parking requirements or design is required to bring the site into compliance with the ULDC to the greatest extent possible; and, [Ord. 2016-016]

c) Certification of Improvements

The detailed justification statement of compliance to the above standards and calculations of the improvements, including the total improvement value for the project, shall be signed and sealed by the architect of record for the project, and shall be reviewed and certified by the Zoning Division Permitting Section for compliance with this section prior to submittal to the Building Division. [Ord. 2016-016]

d) Exceptions for Glades Area Housing Authorities

The following developments shall be exempt from limits on maintenance, renovations and natural disaster damage repairs for conforming residential, administrative, recreational or maintenance uses in nonconforming structures, provided that any addition or expansion is in compliance with the ULDC: [Ord. 2016-016]

1) Pahokee Housing Authority, Padgett Island and Fremd Village developments. [Ord. 2016-016]

2) Belle Glade Housing Authority, Everglades and Osceola developments. [Ord. 2016-016]

3. Public Hearing Approvals

a. Prohibited Uses in Non-Residential Districts

Uses not otherwise permitted in a non-residential Zoning district may be approved as a Class A Conditional Use, unless stated otherwise below, provided the BCC makes a finding that the proposed use meets the following: [Ord. 2014-025] [Ord. 2016-016] [Ord. 2018-002]

1) Increases jobs or provides needed housing; [Ord. 2016-016]

2) Does not adversely affect adjacent land uses; and [Ord. 2016-016]

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EXHIBIT A

**ARTICLE X – AMENDMENT FORMATTING DIRECTIONS
SUMMARY OF AMENDMENTS**

(Updated XX/XX/XX)

3) Helps to support existing or encourage additional Glades Area economic development or the GRMP. [Ord. 2016-016]

b. Equestrian Waste Management Facility

The above exception shall not apply to the Equestrian Waste Management Facility.

Part 5. ULDC Art. 3.B.11, SCGCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay (page 38 - of 212), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Add footnote to Chipping and Mulching to clarify that pursuant to Art. 4.B.7.C.1, Equestrian Waste Management Facility is prohibited in the SCGCFO.

Section 11 SCGCFO, Sugar Cane Growers Cooperative of Florida Protection Area Overlay

C. Use Regulations

The following uses may be permitted in the SCGCFO, subject to Art. 4, Use Regulations, and the following: [Ord. 2004-040] [Ord. 2017-007]

Uses Permitted by Right: (1)	DRO Uses: (1)
....
Agriculture research/development	Chipping and mulching
....
Agriculture, transshipment	Composting facility
....
Shadehouse, accessory (2,000 sq. ft. or less)	Potting Soil Manufacturing
....
Class A Conditional Uses:	ZAR:
Electrical Power Plant	Produce stand, Temporary
Livestock raising (more than five animals per acre)	Caretakers Quarters
Sugar mill or refinery	
Notes:	
<u>(1) Reference Art.4, Use Regulations for additional Supplementary Use Standards, which includes exceptions, restrictions or prohibitions.</u>	
[Ord. 2013-001] [Ord. 2017-007] [Ord. 2018-002]	

D. Property Development Regulations (PDRs)

All development within the SCGCFO shall be subject to the PDRs for the Light Industrial (IL) zoning district, pursuant to Table 3.D.1.A, Property Development Regulations.

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EXHIBIT A

ARTICLE X – AMENDMENT FORMATTING DIRECTIONS
SUMMARY OF AMENDMENTS

(Updated XX/XX/XX)

1 Part 6. ULDC Art. 4.B.6.C.15, Potting Soil Manufacturing (page 105 of 204), is hereby amended
2 as follows:

Reason for amendments: [Zoning]
1. Clarify that Equestrian Waste Management Facility is not allowed as a collated or accessory use to the Potting Soil Manufacturing facility.

3 CHAPTER B USE CLASSIFICATION

4 Section 6 Agricultural Uses

5 C. Definitions and Supplementary Use Standards for Specific Uses

6
7 15. Potting Soil Manufacturing

- 8 a. **Definition**
9 An establishment engaged in producing potting soil, including the use of incineration.
- 10 b. **Approval Process - AR/RSA**
11 May be permitted in the AR/RSA District with a SA FLU, subject to a Class A Conditional
12 Use approval.
- 13 c. **Location**
14 The facility shall front on and access from a Collector or Arterial Street.
- 15 d. **Setbacks**
16 A minimum of 50 feet from any property line abutting a residential zoning district or use.
- 17 e. **Collocated Uses**
18 If a Potting Soil Manufacturing facility includes chipping, mulching, grinding, or air curtain
19 incinerator, adherence to the Supplementary Use Standards applicable to such uses shall
20 also be required.
- 21 **f. Equestrian Waste Management Facility**
22 An Equestrian Waste Management Facility shall be prohibited as a collocated or an
23 accessory use to a Potting Soil Manufacturing establishment.
- 24 **f.g. Storage**
25 Storage of unprocessed material shall be limited to 45 days and pile height of storage
26 material shall be limited to 15 feet. Outdoor storage piles shall be setback a minimum of
27 25 feet from any property line or 50 feet from any property line abutting a residential zoning
28 district or use. Storage areas shall be screened from view, pursuant to Art. 5.B, Accessory
29 Uses and Structures.
- 30 **g.h. Supplemental Application Requirements**
 - 31 1) **Site Plan**
32 The site plan shall illustrate how the operation functions including circulation routes,
33 square footage, height and location of buildings, equipment and storage piles.
 - 34 2) **Dust Control**
35 A plan to address dust control in traffic, storage and processing areas. Dust control
36 measures may include: additional setbacks, full or partial enclosure of chipper or
37 grinder and watering or enclosing mulch piles.

40 Part 7. ULDC Art. 4.B.7.C.1, Chipping and Mulching (page 114 of 204), is hereby amended as
41 follows:

Reason for amendments: [Zoning]
1. Clarify that Equestrian Waste Management Facility is not allowed as a collated or accessory use to the Chipping and Mulching facility.

42 CHAPTER B USE CLASSIFICATION

43 Section 7 Utility Uses

44 C. Definitions and Supplementary Use Standards for Specific Uses

- 45 1. **Chipping and Mulching**
 - 46 a. **Definition**
47 An establishment using equipment designed to cut tree limbs, yard trash, or brush into
48 small pieces for use as mulch.
 - 49 b. **Approval Process**
 - 50 1) A Chipping and Mulching Use accessory to a Bona Fide Agriculture use in the AP
51 Zoning District may be Permitted by Right.
 - 52 2) Chipping and Mulching may be allowed in the AR Zoning District of the RSA with a SA
53 FLU designation, subject to Class A Conditional Use approval.
 - 54 c. **Access**
55 Access shall be limited to Arterial, Collector, or Local Commercial Streets which do not
56 serve residential lots. Entrances shall be gated and set back from the road as required by

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EXHIBIT A

ARTICLE X – AMENDMENT FORMATTING DIRECTIONS
SUMMARY OF AMENDMENTS

(Updated XX/XX/XX)

- 1 the County Engineer to prevent access during non-operating hours from unauthorized
- 2 persons.
- 3 **d. Lot Size**
- 4 A minimum of five acres.
- 5 **e. Separation Distance**
- 6 The use shall be located a minimum of 500 feet from a parcel of land with a residential FLU
- 7 designation or uses.
- 8 **f. Collocated Uses to Recycling Plant**
- 9 Chipping and Mulching may be approved by the DRO subject to the Supplementary Use
- 10 Standards for Chipping and Mulching.
- 11 **g. Equestrian Waste Management Facility**
- 12 An Equestrian waste Management Facility shall be prohibited as a collocated or an
- 13 accessory use to a Chipping and Mulching establishment.
- 14 **g.h. Outdoor Storage**
- 15 1) Outdoor storage shall be set back a minimum of 25 feet from any property line or 50
- 16 feet from any property line abutting a parcel with a residential FLU designation or use.
- 17 2) Bollards or other acceptable barricade to the Zoning Division shall be provided to
- 18 delineate pile locations.
- 19 3) The pile height of storage materials shall be limited to 15 feet or less if required by the
- 20 F.A.C 62-709, as amended. Bollards shall be maintained to indicate maximum
- 21 permitted height, and tied to a finished grade benchmark delineated on site.
- 22 4) Outdoor storage of material shall be limited to 45 days.
- 23 **h.i. Hours of Operation**
- 24 The hours of operation shall be limited to 9:00 a.m. to 5:00 p.m. Monday through Friday if
- 25 within 1,000 feet of a residential zoning district.
- 26 **h.j. Operation Functions**
- 27 The Zoning application shall include but not limited to a Justification and supporting
- 28 documentation demonstrating acceptable industry design, configuration and operational
- 29 standards, based on the type of materials processed and stored, including but not limited
- 30 to the following:
- 31 **1) Site Plan**
- 32 The Site Plan shall illustrate how the operation functions including circulation routes;
- 33 and, the location and size of loading and processing areas, and storage piles.
- 34 **2) Waste Volume**
- 35 An explanation of the quantity of waste to be received, expressed in cubic yards per
- 36 day or tons per day.
- 37 **3) Dust Control**
- 38 A plan to address how dust generated from traffic, storage and processing areas will
- 39 be managed pursuant to Art. 5.E.4.D.3, Dust and Particulate.
- 40 **4) SWA Permit**
- 41 Prior to operation of the facility, the owner or operator shall obtain a SWA Permit.

Part 8. ULDC Art. 4.B.7.C.1, Chipping and Mulching (page 114 of 204), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Clarify that an Equestrian Waste Management Facility shall be prohibited to be collocated or accessory to the principal use of a Composting facility/
2. Delete the Equestrian Waste Moratorium as the Comprehensive Plan has been amended to eliminate the Equestrian Waste Recycling Pilot Project. The ULDC was amended in 2017 to prohibit any applications for the Waste Recycling facility to be processed until the Comprehensive Plan was amended. However, based on opposition and concerns raised by the local farmers related to pollution, contamination of the groundwater, and citing that this type of use is not compatible or appropriate within the Glades Tier. The BCC has directed Staff to eliminate the Pilot Project, and amend the ULDC to restrict this use to only to the Industrial Zoning Districts.

46 CHAPTER B USE CLASSIFICATION

47 Section 7 Utility Uses

48 C. Definitions and Supplementary Use Standards for Specific Uses

49 2. Composting Facility

50 a. Definition

51 A facility designed and used for transforming yard waste, clean wood and other organic

52 material into soil or fertilizer through biological decomposition.

53 b. Approval Process

54 1) A Composting Facility accessory to a Bona Fide Agriculture use in the AP Zoning

55 District may be Permitted by Right.

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EXHIBIT A

ARTICLE X – AMENDMENT FORMATTING DIRECTIONS SUMMARY OF AMENDMENTS

(Updated XX/XX/XX)

- 1 2) A Composting Facility may be allowed in the AR Zoning District in the RSA with a SA
2 FLU designation, subject to Class A Conditional Use approval.
- 3 **c. Access**
4 Access shall be limited to Arterial, Collector, or Local Commercial Streets which do not
5 serve residential lots. Entrances shall be gated and setback from the road as required by
6 the County Engineer to prevent access during non-operating hours from unauthorized
7 persons.
- 8 **d. Lot Size**
9 A minimum of five acres.
- 10 **e. Separation Distance**
11 The use shall be located a minimum of 500 feet from a parcel of land with a residential FLU
12 designation or uses.
- 13 **f. Outdoor Storage**
14 1) Outdoor storage shall be set back a minimum of 25 feet from any property line or 50
15 feet from any property line abutting a parcel with a residential FLU designation, zoning
16 district or use.
17 2) Outdoor storage of material shall be limited to 45 days
18 3) The pile height of storage materials shall be limited to 15 feet or less if required by the
19 F.A.C 62-709, as amended.
20 4) The height of materials shall be tied to a finished grade benchmark delineated on site.
21 5) Bollards or other acceptable barricade to the Zoning Division shall be provided to
22 delineate pile locations.
- 23 **g. Hours of Operation**
24 The hours of operation shall be limited to 9:00 a.m. to 5:00 p.m. Monday through Friday if
25 within 1,000 feet of a residential FLU designation or use.
- 26 **h. Operation Functions**
27 The Zoning or Building application, whichever is submitted first, shall include a Justification
28 Statement and supporting documentation demonstrating acceptable industry design,
29 configuration and operational standards, based on the type of materials processed and
30 stored, including but not limited to the following:
31 **1) Site Plan**
32 The Site Plan shall illustrate how the operation functions including circulation routes;
33 and, the location and size of loading and processing areas and storage piles.
34 **2) Waste Volume**
35 An explanation of the quantity of waste to be received, expressed in cubic yards per
36 day or tons per day.
37 **3) Dust Control**
38 A plan to address how dust generated from traffic, storage and processing areas will
39 be managed pursuant to Art. 5.E.4.D.3, Dust and Particulate.
40 **4) SWA Permit**
41 Prior to operation of the facility, the owner or operator shall obtain a SWA Permit.
- 42 **i. Backyard Composting**
43 This use does not include backyard-composting bins serving individual families.
- 44 ~~**j. Equestrian Waste Moratorium**~~
45 ~~1) The Board of County Commissioners of Palm Beach County does hereby impose a~~
46 ~~moratorium beginning on the effective date of this Ordinance, upon the acceptance of~~
47 ~~zoning applications and all applicable requests for zoning approval for an Equestrian~~
48 ~~Waste Management Facility, or any Composting use that includes equestrian waste,~~
49 ~~animal waste or bio solids, located in the Glades Tier of unincorporated Palm Beach~~
50 ~~County. While the moratorium is in effect the County shall not accept, process or~~
51 ~~approve any application relating to the zoning approval of an Equestrian Waste~~
52 ~~Management Facility, or any Composting use that includes equestrian waste, animal~~
53 ~~waste or bio solids. This moratorium does not prohibit accessory uses to Bona-fide~~
54 ~~Agriculture or composting facilities with County approvals as of June 6, 2017. [Ord.~~
55 ~~2017-042]~~
56 ~~2) This Ordinance shall expire upon the earlier of the following: one year from the effective~~
57 ~~date of this Ordinance, or upon the effective date of ULDC amendments dealing with~~
58 ~~Equestrian Waste Management Facility or Composting uses that includes equestrian~~
59 ~~waste, animal waste or bio solids, in the Glades Tier of unincorporated PBC. [Ord.~~
60 ~~2017-042]~~
- 61 **j. Equestrian Waste Management Facility**
62 An Equestrian waste Management Facility shall be prohibited as a collocated or an
63 accessory use to a Chipping and Mulching establishment.
- 64
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66 U:\Zoning\CODEREV\Research - Central\Recycling Animal Waste\2018\Draft\DRAFT Equestrian Waste Management Facility 3-16-
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