

ATTACHMENT 2

EQUESTRIAN WASTE MANAGEMENT FACILITY SUMMARY OF AMENDMENTS

(Updated 04/18/2018)

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

Reason for amendments: [Zoning]

- | |
|---|
| 1. Delete an exception that allows Equestrian Waste Management Facilities in the Agricultural Production (AP) Zoning District since the use is limited to industrial zoning districts or Planned Developments Districts (PDDs) with an Industrial Future Land Use (FLU) designation pursuant to the Use Matrix of Art. 4.B.5.A, Industrial Use. |
|---|

4 **CHAPTER A GENERAL**

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

6 **B. Standard Districts**

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

9 **1. Standard District Exceptions and Limitations**

10 The following list of exceptions shall be permitted:

11

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

16 Part 2. ULDC Art. 3.B.4, Glades Area Overlay (page 25 to 29 of 212), is hereby amended as
17 follows:
18

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 Glades Tier regardless of the industrial zoning district or industrial FLU designation. |
|---|

19 **CHAPTER B OVERLAYS**

20 **Section 4 GAO, Glades Area Overlay**

21 **D. Approval Process**

22 **1. DRO and BCC Thresholds**

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

26 **2. Administrative Approvals**

27 **a. General**

28 Uses shown in a Use Matrix as Permitted by Right (P), or Development Review Officer
29 (DRO) shall remain subject to the same approval process shown in the Use Matrix. [Ord.
30 2014-025]

31 **b. Conditional Uses**

32 Uses allowed as Conditional Uses in a non-residential Zoning district may be approved by
33 the DRO after compliance with Art. 2.B.7.B.2, Standards. [Ord. 2016-016] [Ord. 2018-
34 002]

35 **c. Nonconformities**

36 **1) Nonconforming Use**

37 A nonconforming use permitted to expand subject to DRO approval may be expanded
38 through the ZAR process. [Ord. 2006-036] [Ord. 2014-025] [Ord. 2016-016] [Ord.
39 2018-002]

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

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

46 **a) Exterior Building and Site Elements Improvements**

47 A minimum 25 percent of the total maintenance, renovation, or natural disaster
48 damage repair improvement value shall be dedicated to exterior building and site
49 elements. Of that percentage, a minimum of ten percent shall be dedicated to

Notes:

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets **[Relocated to:]**.

Italicized indicates text to be relocated. Source is noted in bolded brackets **[Relocated from:]**.

.... A series of four bolded ellipses indicates language omitted to save space.

ATTACHMENT 2

EQUESTRIAN WASTE MANAGEMENT FACILITY SUMMARY OF AMENDMENTS

(Updated 04/18/2018)

- 1 façade improvements abutting the R-O-W (frontage and side street frontages) and
2 a minimum ten percent shall be dedicated to landscape improvements; [Ord.
3 2016-016]
- 4 **b) Limitation**
5 The total maintenance, renovation, or natural disaster damage repair
6 improvements for the proposed use(s) may be allowed only if the proposed
7 improvements will not cause an increase in building square footage or generate
8 additional parking, unless the additional parking requirements or design is required
9 to bring the site into compliance with the ULDC to the greatest extent possible;
10 and, [Ord. 2016-016]
- 11 **c) Certification of Improvements**
12 The detailed justification statement of compliance to the above standards and
13 calculations of the improvements, including the total improvement value for the
14 project, shall be signed and sealed by the architect of record for the project, and
15 shall be reviewed and certified by the Zoning Division Permitting Section for
16 compliance with this section prior to submittal to the Building Division. [Ord. 2016-
17 016]
- 18 **d) Exceptions for Glades Area Housing Authorities**
19 The following developments shall be exempt from limits on maintenance,
20 renovations and natural disaster damage repairs for conforming residential,
21 administrative, recreational or maintenance uses in nonconforming structures,
22 provided that any addition or expansion is in compliance with the ULDC: [Ord.
23 2016-016]
- 24 1) Pahokee Housing Authority, Padgett Island and Fremd Village developments.
25 [Ord. 2016-016]
- 26 2) Belle Glade Housing Authority, Everglades and Osceola developments. [Ord.
27 2016-016]
- 28 **3. Public Hearing Approvals**
- 29 **a. Prohibited Uses in Non-Residential Districts**
30 Uses not otherwise permitted in a non-residential Zoning district may be approved as a
31 Class A Conditional Use provided the BCC makes a finding that the proposed use meets
32 the following: [Ord. 2014-025] [Ord. 2016-016] [Ord. 2018-002]
- 33 1) Increases jobs or provides needed housing; [Ord. 2016-016]
- 34 2) Does not adversely affect adjacent land uses; and [Ord. 2016-016]
- 35 3) Helps to support existing or encourage additional Glades Area economic development
36 or the GRMP. [Ord. 2016-016]
- 37 **b. Equestrian Waste Management Facility**
38 Shall be prohibited in the Glades Tier.
- 39
- 40
- 41 **Part 3. ULDC Art. 3.B.5.C.4, Equestrian Waste Management Facility (page 86 of 204), is hereby**
42 **amended as follows:**
43

| Reason for amendments: [Zoning] |
|--|
| <p>1. 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.</p> <ul style="list-style-type: none">• 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.• 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. Both 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.• 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. |
| <p>2. 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</p> |

Notes:

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets [**Relocated to:**].

Italicized indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:**].

.... A series of four bolded ellipses indicates language omitted to save space.

ATTACHMENT 2

EQUESTRIAN WASTE MANAGEMENT FACILITY SUMMARY OF AMENDMENTS

(Updated 04/18/2018)

| |
|---|
| Management Facility is prohibited in the Glades Tier regardless of the industrial zoning district or industrial FLU designation. |
| 3. Clarify that Equestrian Waste Management Facility may be allowed as a collocated use subject to BCC approval to a Potting Soil Manufacturing, Chipping and Mulching, or Composting Facility only if the establishment is located in a parcel with an industrial zoning district or Future Land Use designation. |
| 4. 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 directed Staff to eliminate the Pilot Project, and amend the ULDC to restrict this use to only to the industrial zoning districts. |

1 CHAPTER B USE CLASSIFICATION

2 Section 5 Industrial Uses

3 C. Definitions and Supplementary Use Standards for Specific Uses

4 4. Equestrian Waste Management Facility

5 a. Definition

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

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

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

18 Glades Tier

19 Equestrian Waste Management Facility shall be prohibited in the Glades Tier.

20 c. Location

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

23 ~~d.c.~~ Separation Distance

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

29 d. Collocated Use

30 Equestrian Waste Management Facility may be collocated with a Potting Soil
31 Manufacturing, Composting Facility, or Chipping and Mulching subject to a Class A
32 Conditional Use approval, only when located in a parcel with an industrial zoning district or
33 FLU designation.

34 e. Landscaping Adjacent to Residential

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

43 f. ~~Accessory Use~~

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

47 g. Storage or Waste Processing Areas

48 1) Best Management Practices

Notes:

Underlined indicates new text.

~~Stricken~~ indicates text to be ~~deleted~~. ~~Stricken and italicized~~ means text to be totally or partially relocated.
If being relocated destination is noted in bolded brackets [**Relocated to:**].

Italicized indicates text to be relocated. Source is noted in bolded brackets [**Relocated from:**].

.... A series of four bolded ellipses indicates language omitted to save space.

ATTACHMENT 2

EQUESTRIAN WASTE MANAGEMENT FACILITY
SUMMARY OF AMENDMENTS

(Updated 04/18/2018)

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-g. 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.

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. [Ord. 2017-042]

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. [Ord. 2017-042]

Part 4. ULDC Art. 4.B.7.C.2, Composting Facility (page 115-116 of 204), is hereby amended as follows:

Table with 1 row: Reason for amendments: [Zoning]
1. 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 directed Staff to eliminate the Pilot Project, and amend the ULDC to restrict this use to only to the industrial zoning districts.

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.

Notes:

- Underlined indicates new text.
Stricken indicates text to be deleted. Stricken and italicized means text to be totally or partially relocated.
If being relocated destination is noted in bolded brackets [Relocated to:].
Italicized indicates text to be relocated. Source is noted in bolded brackets [Relocated from:].
.... A series of four bolded ellipses indicates language omitted to save space.

ATTACHMENT 2

EQUESTRIAN WASTE MANAGEMENT FACILITY SUMMARY OF AMENDMENTS

(Updated 04/18/2018)

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
- 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**

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

 - 1) **Site Plan**

The Site 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**

A plan 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) **SWA Permit**

Prior to operation of the facility, the owner or operator shall obtain a SWA Permit.
 - i. **Backyard Composting**

This use does not include backyard-composting bins serving individual families.
 - ~~j. **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. [Ord. 2017-042]~~~~
 - ~~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. [Ord.~~~~

U:\Zoning\CODEREV\Research - Central\Recycling Animal Waste\2018\Subcommittee\4-23-18\Attachments\Exh. C - Equestrian Waste Mngmnt Fclts.docx

Notes:

Underlined indicates **new** text.

~~Stricken~~ indicates text to be **deleted**. ~~Stricken and italicized~~ means text to be totally or partially relocated. If being relocated destination is noted in bolded brackets **[Relocated to:]**.

Italicized indicates text to be relocated. Source is noted in bolded brackets **[Relocated from:]**.

.... A series of four bolded ellipses indicates language omitted to save space.