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**WHEREAS**, the Wellington Council, as the governing body, pursuant to the authority vested in it by Chapters 163 and 166 of the Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (LDR); and

**WHEREAS**, the Planning, Zoning and Adjustment Board, as the Local Planning Agency, after notice and public hearing held on October 15, 2025, recommended approval of the Zoning Text Amendment with a 7 - 0 vote; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,  
FLORIDA, that:

Table 5.1.2-1 Development Application Approvals Authority

A = Approval/~~Denial~~

R = Recommendation/Certification

<sup>\*1</sup> All applications for property in, or proposed to be in, the EPA/EOZD shall be ~~reviewed by~~ presented to the Equestrian Preserve Committee as they ~~are a~~ recommending body to the Planning, Zoning and Adjustment Board. All other applications would proceed to PZAB when applicable.

<sup>2</sup> Voluntary/uniform method annexations require a recommendation from PZAB.

<sup>\*\*2</sup> Requires two (2) readings by the Village Council for final adoption.

<sup>4</sup> Conditional Use requests for buildings with heights exceeding 35 feet require a recommendation from ARB and PZAB before the Village Council hearing.

Application Type	Administrative (PZB Director or DM)	*Equestrian Preserve Committee <sup>1</sup>	Planning, Zoning and Adjustment Board	Tree Board	Architectural Review Board	Village Council
Annexation	R	<del>R</del>	R <sup>2</sup>			A <sup>3</sup>
Comprehensive Plan Map and/or Text Amendments**	R	R	R			A <sup>3</sup>
Zoning Map and/or Text Amendments**	R	R	R			A <sup>3</sup>
Master Plan/Amendments	R	R	R			A
Minor Master Plan Amendment	A					
Site Plan or Subdivision Plan/Amendment	A					
Minor Site Plan or Subdivision Amendment	A					
Architectural Review Board Applications	R				A	
Conditional Use and/or Amendment	R	R	R		<u>R</u>	A <sup>4</sup>
Minor Conditional Use Amendment	A					
Variance	R	R	A			
Administrative Variance	A					
Amendment to Conditions of Approval (DOA)	<del>R</del>	<del>The decision-making body that originally approved the development order shall consider applications to amend conditions of approval.</del>				

A = Approval/~~Denial~~

R = Recommendation/Certification

<sup>\*1</sup> All applications for property in, or proposed to be in, the EPA/EOZD shall be ~~reviewed by~~ presented to the Equestrian Preserve Committee as they ~~are a~~ recommending body to the Planning, Zoning and Adjustment Board. All other applications would proceed to PZAB when applicable.

<sup>2</sup> Voluntary/uniform method annexations require a recommendation from PZAB.

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<sup>4</sup> Conditional Use requests for buildings with heights exceeding 35 feet require a recommendation from ARB and PZAB before the Village Council hearing.

Application Type	Administrative (PZB Director or DM)	*Equestrian Preserve Committee <sup>1</sup>	Planning, Zoning and Adjustment Board	Tree Board	Architectural Review Board	Village Council
Interpretation of the Code	A					
Zoning Confirmation	A					
Unity of Title/Control or Release	A					
Vegetation Removal Permit	A					
Tree Board Request	R			A		
Special Use Permit	A					
Equestrian Permit	A					
Seasonal Permits that exceed 30 event days within a 6-month period (equestrian and non-equestrian)	R					A
Seasonal Permit renewal	A					
Extended Hours Special Permit	A					
Reasonable Accommodation	A					

**SECTION 2:** Section 5.3.11 titled “Building Height Exceeding 35 Feet,” is hereby added as provided below in strikethrough (delete) and underline (add) format:

**Sec. 5.3.11 – Building Height Exceeding 35 Feet**

Requests for buildings exceeding 35 feet in height shall require Conditional Use approval as outlined in Section 5.3.7. The following shall apply to all buildings exceeding 35 feet in height:

- A. No building permits for buildings exceeding 35 feet in height shall be issued before the approval by Wellington's Council, unless specifically exempted by the LDR.
- B. Exterior elevations, materials, and renderings, along with proposed site plan and landscape plans, shall be required as part of the submittal.
- C. Modifications to the height of a portion of a building exceeding 35 feet shall require an amendment to the Conditional Use approved by the Council only. Elevation changes that do not affect the height of the building or more than 30% of an elevation shall only require ARB approval. Minor amendments to the approved finishes/materials may be approved administratively if consistent with the intent of the approval, as determined by the project's Development Review Manager (DM). If the amendments to the finishes/materials are determined not to be minor, then ARB approval is required.

**SECTION 4** Section 6.3.1.F titled "Building Height," is hereby amended as provided below in strikethrough (delete) and underline (add) format:

## **CHAPTER 3 – PROPERTY DEVELOPMENT REGULATIONS**

### **Sec. 6.3.1 – General**

F. Building Height: No building or part thereof shall be erected or altered to a height exceeding 35 feet unless specifically exempt and/or as allowed within this section.

- ~~1. No building or structure or part thereof shall be erected or altered to a height exceeding 35 feet unless the use is specifically exempt within this section.~~
- 1.2. Maximum building height: 25 feet - No building, structure, or part thereof shall be erected or altered to a height exceeding 25 feet in districts All properties with a Future Land Use Map designation of Conservation, Park, Equestrian Commercial Recreation, and Open Space Recreation.
- 2. 3. Maximum building height: 56 feet - No building, structure, or part thereof shall be erected or altered to a height exceeding 56 feet All properties within Planned Development districts with a Future Land Use Map designation of Residential E, F, G, and H, and Commercial and Mixed Use.
- 3. 4. Maximum building height: 72 feet - No building, structure, or part thereof shall be erected or altered to a height exceeding 72 feet in districts All properties with a Future Land Use Map designation of Regional Commercial/Large Scale Multiple Use or for the following uses within the State Road 7 Corridor, which is the area located within one (1) mile of State Road 7, from Southern Boulevard to Lake Worth Road:
  - a. Colleges or universities;

- 83
- 84 b. Employment centers ~~which shall be defined as non-retail development that~~  
85 ~~employs 100 or more people in predominantly technical or professional~~  
86 ~~occupations, such as medical or dental offices or laboratories, professional~~  
87 ~~business offices, and light industrial and research park uses;~~  
88
- 89 c. Government services;
- 90 d. Hospital or medical centers;
- 91 e. Hotel or motel;
- 92 ~~f. i-~~ Congregate Living Facilities; and
- 93 ~~g. j-~~ Multi-family residential buildings.
- 94 ~~f. —~~ Medical or dental laboratories;
- 95 ~~g. —~~ Professional business offices;
- 96 ~~h. —~~ Light industrial and research park uses;
- 97 5. All buildings ~~or structures in excess of~~ exceeding 35 feet shall ~~require a~~  
98 ~~Wellington Council approval and shall be subject to additional~~ the requirements  
99 as listed below:
- 100 ~~a.~~ e. The property shall be a minimum of two (2) acres in size.
- 101
- 102 ~~b.~~ f. Building(s) within a Residential E, F, G, and H land uses shall be located  
103 ~~within a Planned Development and shall be within 500 linear feet of a~~  
104 ~~collector road or road with a higher classification.~~
- 105
- 106 ~~c.~~ a. The building(s) shall provide one (1) foot of additional setback beyond the  
107 minimum requirement for every one (1) foot in height for all portions of the  
108 building ~~or structure~~ that exceeds 35 feet. The Council may approve  
109 exceptions if it is determined that the additional setbacks are inconsistent  
110 with the building's architectural style.
- 111
- 112 ~~d.~~ Buildings adjacent to single-family residential properties shall provide two  
113 (2) feet of additional setback beyond the minimum requirement for every  
114 one (1) foot in height for all portions of the building that exceed 35 feet on  
115 the side of the building adjacent to the single-family properties. The property  
116 shall not be located adjacent to single-family residential property. Non-  
117 collector roadways and canals are not considered separation.
- 118 ~~e. iv-~~ The ~~site design~~ project must include at least three (3) or more of the  
119 following ~~design criteria, as approved by the Council:~~

i. 4) A parking structure that results in reduced paved parking areas ~~and~~  
or additional open green space;

~~2) Provided on site amenities such as outdoor recreation, benches,  
civic spaces, and/or focal points;~~

~~ii. 3) Incorporate eEco-design or facilities such as electric vehicle ear  
charging stations, green roofs, solar panels and/or bio-swales;~~

iii. 4) Funding for Privately improved and maintained public amenities on  
or contiguous to the project site, such as replacing/widening  
sidewalks, adding or improving bus shelters/stops, public art, public  
open space, or pedestrian streetscape enhancements;

iv. 5) LEED based design or Florida Green Building design certification of  
silver or higher;

~~v.g.~~ Providing a minimum of 30% of the housing units with prices/rents  
available/accessible to households within 80% - 140% of  
Wellington's median income;

~~6) Architectural details that are unique and exceed the multi-family  
architectural design regulations of the LDR;~~

~~7) Landscape enhancements that exceed Article 7 of the LDR and the  
additional criteria as listed in this section;~~

~~8) Provide fee simple or for sale units;~~

~~f.d.~~ These buildings Buildings may be eligible for an additional 15% height  
allowance, approved by the Wellington Council, based on the following  
criteria:

i. For all buildings except when subsection iv. is applied, the area  
proposed to exceed the maximum building height shall be limited to  
mechanical equipment, architectural features, ~~and/or~~ common use  
areas such as rooftop pool, and shall not include ~~living area,~~  
occupiable floor area, or dwelling units;

ii. For all buildings except when subsection iv. is applied, the area  
proposed to exceed the maximum building height shall be limited to  
35% of the overall building footprint. ~~A technical deviation for  
additional height for a portion of the building footprint greater than  
35% shall be approved by Council;~~

iii. For all buildings except when subsection iv. is applied, the area  
proposed to exceed the maximum building height shall be setback  
an additional one and one-half (1½) feet beyond the ~~minimum~~

157 setback as provided above lines for every foot above the proposed  
158 maximum building height, ~~and~~

159 iv. Buildings eligible for a maximum building height of 72 feet may also  
160 be approved for an additional 20% of height if the following criteria  
161 are met:

162 1. Height allowance increase of 20% is limited to one (1) building  
163 within a Planned Development and/or project area.

164 2. The building shall be no more than seven (7) stories, not including  
165 parking levels, with minimum story heights of 11 feet. Stories are  
166 measured from the floor to the lowest structural member that  
167 supports the story above.

168 3. The entire building shall be setback an additional two (2) feet for  
169 every one (1) foot above 35 feet.

170 4. No additional height allowance is permitted as referenced in  
171 subsections i, ii, and iii.

172 ~~4. Pods or parcels with building heights in excess of 35 feet shall provide and~~  
173 ~~maintain, additional palm/tree plantings, based upon a ratio of one tree per 20~~  
174 ~~linear feet within, and in addition to, the required Landscape Buffer, or fraction~~  
175 ~~thereof.~~

176 ~~5. All buildings or structures exceeding 35 feet shall be required to meeting the~~  
177 ~~landscape requirements as provided in Article 7 of the LDR and shall also provide~~  
178 ~~the following:~~

179 g. Additional landscape requirements for pods/parcels with buildings  
180 exceeding 35 feet in height:

181 i. a. A minimum of 25% of the palms shall have a gray or brown wood  
182 height equal or greater than one-third (1/3) the overall height of the  
183 buildings or structure. These palms shall be located within the  
184 foundation plantings areas of the structure subject building.

185 ii. b. A minimum of 25% of the palms shall have a minimum gray or  
186 brown wood height in excess of over 12 feet and be placed within  
187 the foundation plantings areas of the structure subject building.

188 ~~a. 5% of the palms shall have a minimum gray or brown wood height~~  
189 ~~in excess of eight (8) feet and can be placed anywhere within the~~  
190 ~~project.~~

191 ~~b. All palm plantings under this section are credited 1:1 towards the~~  
192 ~~tree planting standards requirements.~~

c. ~~Exception can be made for using "Phoenix" palms wherein this palm will receive credit for four (4) palms if:~~

i. ~~The phoenix palm size (as measured by clear wood below the root remnants) is equal in height to the tallest measurement of the palms that it is replacing; and~~

ii. ~~The phoenix must be placed in the area of the project where the palms it is replacing is located.~~

h. Any required palms landscaping approved to obtain a height bonus shall remain as a condition of the approval and must remain as long as the structure building remains. Any and all palms landscaping that die, become diseased, or disfigured must be replaced in a reasonable time period and be the same size as the palm(s) they replaced.

5. 8. Exclusions from Height Limitations:

a. ~~For buildings 35 feet in height or less, Spires, ornamental belfries, towers, stage towers or scenery loft appurtenant to civic or cultural buildings, chimneys, mechanical equipment, mechanical equipment rooms and parapet walls used to screen mechanical equipment shall not be included in measuring the overall height of a building or structure if:~~

i. They do not exceed ~~30~~35% of the ~~roof area in gross area~~ building footprint; or

ii. They do not exceed 25% of the ~~proposed maximum~~ building height.

b. Water Towers, Public Utilities, ~~Civic Buildings~~, and publicly-owned facilities shall be exempt from height regulations in all zoning districts.

c. Wireless communications towers and facilities, including accessory radio towers, amateur radio/TV antennas, and commercial communication towers and antennas may be erected subject to the ~~Supplementary Standards of the LDR.~~

**SECTION 2:** Should any section, paragraph, sentence, clause, or phrase of this Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington Ordinance, Resolution, or Municipal Code provision, then in that event the provisions of this Ordinance shall prevail to the extent of such conflict.

**SECTION 3:** Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part so declared to be invalid.



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**SECTION 4:** This Ordinance shall become effective upon adoption by the Wellington Council following second reading.

**PASSED** this 12<sup>th</sup> day of November, 2025, upon first reading.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025, on second and final reading.

**WELLINGTON**

	<b>FOR</b>	<b>AGAINST</b>
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BY: _____	_____	_____
Michael J. Napoleone, Mayor		
_____	_____	_____
Tanya Siskind, Vice Mayor		
_____	_____	_____
John T. McGovern, Councilman		
_____	_____	_____
Maria Antuña, Councilwoman		
_____	_____	_____
Amanda Silvestri, Councilwoman		

**ATTEST:**

BY: \_\_\_\_\_  
Chevelle D. Hall, MMC, Village Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

BY: \_\_\_\_\_  
Laurie Cohen, Village Attorney