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ORDINANCE NO. 2026-11

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING SECTION 6.4.2.A OF WELLINGTON'S LAND DEVELOPMENT REGULATIONS (LDR) RELATED TO RESIDENTIAL DISTRICT/PLANNED UNIT DEVELOPMENT SPECIFIC DEVELOPMENT STANDARDS; AMENDING SECTION 6.4.4.A OF WELLINGTON'S LDR RELATED TO DESIGN STANDARDS FOR RESIDENTIAL ZONING DISTRICTS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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, Section 6.4.4.A.2 of Wellington's LDR requires all accessory structures over 120 SF to match the colors and materials of the principal structure, and any alternative design requires Architectural Review Board (ARB) approval for aesthetic compatibility; and

WHEREAS, Wellington has received an increased number of requests for detached pergolas and shade structures within the last few years; and

WHEREAS, since 2023, ARB has reviewed and approved 13 requests for detached pergolas/shade structures that do not match the materials and colors of the principal structures; and

WHEREAS, modifying the language will allow these structures without requiring ARB approval, prior to obtaining a building permit, saving the homeowner the extra expense and time of getting ARB approval; and

WHEREAS, on April 22, 2026, the ARB, recommended approval of the Zoning Text Amendment with a 6 - 0 vote; and

WHEREAS, the Planning, Zoning and Adjustment Board, as the Local Planning Agency, after notice and public hearing held on June 17, 2026, recommended approval of the Zoning Text Amendment with a 7 - 0 vote; and

WHEREAS, the Council has taken the recommendations of the ARB and the Planning, Zoning and Adjustment Board, the Findings of Fact by Wellington staff, and the comments from the public into consideration in adopting the amendments to the LDR that are the subject of this ordinance.

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

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SECTION 1: Section 6.4.2.A is hereby amended as provided below in strikethrough (delete) and Underline (add) format:

The following development standards shall apply to all residential districts and residential pods of planned development districts:

1. The minimum dwelling unit size shall be as determined by Federal, State, or local building code/regulations.
2. For single-family and two (2)-family residential lots, impervious surfaces shall include buildings, driveways, walkways, patios, pool aprons, artificial turf systems, and other approved structures/surfaces. The front yard, defined as all area from the front property line to the front setback line of the structure, shall not exceed 50% of impervious surface area, and a minimum 50% pervious surface area with landscaping and green space areas. A total of 75%, but no more than 6,000 square feet, of the rear and side yards is allowed to be an impervious surface for a residential lot size less than 0.50-acre, ~~which shall not exceed 6,000 square feet in impervious area.~~ A total of 50%, but no more than 12,000 square feet, of the rear and side yards is allowed to be an impervious surface for lots ~~size~~ 0.50-acre or more, ~~which shall not exceed 12,000 square feet in impervious area.~~ Impervious surfaces ~~area~~ shall be setback a minimum of two (2) feet from all property lines, except as provided in other sections.
3. Above-ground pools are not permitted.
4. Basketball hoops may be portable ~~in nature~~ or permanently installed on a residential lot. The following regulations shall apply:
 - a. Permanent Backboards and hoops shall be mounted on a freestanding pole only and shall not be mounted on a wall or roof of a building;
 - b. Permanent Backboards and hoops shall be located at least 15 feet from the front property line and three (3) feet from the side property line;
 - c. Backboards, and the poles on which it is mounted, shall not exceed 14 feet in height, measured from the grade level at the closest point to the front property line or roadway, whichever is closest to the front plane of the home;
 - d. Backboards and poles shall not be painted or altered from the original manufacturer's finish or appearance; and
 - e. Portable basketball hoops shall not be placed in/on the street or sidewalk. They shall not exceed the regulations of permanent basketball hoops and may be subject to other regulations as provided in the LDR or Code of Ordinances.

- 93 5. All play equipment or playhouses that exceed 10 feet in height and 120 square
 94 feet shall match the colors and materials of the principal structure.
 95
 96 6. Prefabricated sheds shall meet the following ~~criteria~~ standards:
 97
 98 a. Shall be visually screened from adjacent properties;
 99
 100 b. Shall be finished to match the principal structure or be a neutral color; ~~and~~
 101
 102 c. Shall not exceed 120 square feet in area or eight (8) feet in height. Any
 103 prefabricated shed that exceeds this shall be considered an accessory
 104 structure and shall meet all accessory structure regulations.
 105
 106 d. One (1) shed shall be permitted on properties up to one (1) acre in size. Two
 107 (2) sheds shall be permitted on properties greater than one (1) acre in size.
 108
 109 7. Screen enclosures shall comply with the following standards:
 110
 111 a. Screen enclosures may be roofed with a screened roof or solid roof. Property
 112 development regulations vary based on the type of roof covering.
 113
 114 b. Setbacks shall be measured from the property line of the lot to the closest edge
 115 of the screen enclosure. Setbacks shall be as follows:
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 117

Setbacks	Front	Side Interior	Side Corner	Rear
Single Family	25 feet	7.5 feet	15 feet	5 feet
Zero lot line				
Zero lot line side	25 feet	0 feet	10 feet	5 feet
Non-zero lot line	25 feet	2 feet	10 feet	5 feet
Townhouse				
Measured from lot boundary	25 feet	0 feet	From lot line - 5 feet From ROW line - 15 feet	0 feet
Measured from inside edge of buffer of PD or Tract boundary	15 feet	15 feet	15 feet	15 feet
Separation between groups	25 feet	15 feet	N/A	15 feet
Quad or four-plex				
Measured from lot boundary	0 feet	0 feet	From lot line - 0 feet From ROW line - 15 feet	0 feet

119 8. Freestanding, Accessory Shade Structures (Pergolas, Gazebos, or similar
120 structures):

- 121
- 122 a. Structures 120 square feet or less with a height less than 10 feet do not
123 need to be constructed of the same materials and colors as the principal
124 structure(s) and shall have a rear and side setback of 5 feet.
- 125
- 126 b. Structures greater than 120 square feet shall meet the following
127 requirements:
- 128
- 129 i. Structures shall meet the setbacks of the principal structure.
- 130
- 131 ii. All structures, including slat and flat roofs, that do not match the
132 materials and colors of the principal structure shall be completely
133 screened from view from the right-of-way/roadway and be located in
134 the side or rear yard. Structures that match the materials and colors
135 of the principal structures do not require screening.
- 136
- 137 iii. Structures shall not exceed 12 feet in overall height.
- 138
- 139 iv. Structures with a flat roof shall be open on a minimum of three (3)
140 sides. If the structure has fixed, opaque, or slatted siding more than
141 three (3) feet in height on one (1) side, not including screen
142 enclosures, then that side shall be completely screened from view
143 (including adjacent lot, public view, etc.) by an opaque
144 hedge/fence/wall or hedging.
- 145
- 146

147 **SECTION 2:** Section 6.4.4.A is hereby amended as provided below in strikethrough
148 (delete) and Underline (add) format:

149 Sec. 6.4.4 – Design Standards by District

150 A. The following are design standards for residential zoning districts:

- 151
- 152
- 153 1. No two (2) identical facades of single-family residential structures shall be
154 placed permitted next to, or across the street from, each other in residential
155 zoning districts. Identical facades shall mean two (2) or more of the same color,
156 material, and design. ~~If any of the elements differ, but have one (1) identical~~
157 ~~element, this requirement shall not apply.~~
- 158
- 159 2. Accessory structures or buildings, such as freestanding garages, cabanas,
160 accessory dwellings, shall match the colors and materials of the principal
161 structure, unless otherwise provided for in this Article. Any alternative design
162 shall require ARB approval for aesthetic compatibility prior to alterations or
163 construction.
- 164

165 3. The cumulative square footage of all accessory structures, including
166 freestanding shade structures, on a parcel/lot shall not exceed 30% of the
167 principal structure(s) gross floor area.
168

169 5.4. All roofs shall meet the following standards:
170

- 171 a. For all residential structures, 70% of under air footprint plus attached garage
172 shall have a minimum 3:12 roof pitch;
- 173
- 174 b. Flat roofed areas shall not be visible from the street, unless an alternative
175 design has been approved by ARB. The overall flat roof area on the entire
176 property (both attached and detached to the principal structure) shall not
177 exceed 30% of the principal structure(s) roofed area; and
- 178
- 179 c. Roof planes ~~over entry features~~ shall have a minimum of a three (3) foot
180 offset to be considered a separate roof plane.

181

182 4.5. All single-family residential structures, including zero lot line units, shall be
183 reviewed by Zoning as part of the building permit. The following ~~items~~ shall be
184 ~~taken into consideration~~ reviewed:
185

- 186 a. Exterior materials and colors;
- 187
- 188 b. Front, side, and rear elevations;
- 189
- 190 c. Roof pitch and number of roof planes.
- 191
- 192 ~~e.d.~~ Pervious and impervious area of the lot; and
- 193
- 194 ~~f.e.~~ Compliance with all other applicable bulk regulations of the LDR.
- 195

196 ~~d.6.~~ No building permits shall be issued for ~~initial~~ construction of a single-family
197 residence, including zero lot line homes, unless it is demonstrated that the
198 building has achieved ~~the~~ a minimum of 80 design criteria points provided in
199 Table 6.4-1 Design Criteria for Single-family and Multi-family Structures (4 units
200 or less), or unless an alternative design has been approved by ARB:

201 **SECTION 3:** Should any section, paragraph, sentence, clause, or phrase of this
202 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
203 Ordinance, Resolution, or Municipal Code provision, then in that event the provisions of
204 this Ordinance shall prevail to the extent of such conflict.
205

206 **SECTION 4:** Should any section, paragraph, sentence, clause, or phrase of this
207 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision
208 shall not affect the validity of this Ordinance as a whole or any portion or part thereof,
209 other than the part so declared to be invalid.
210

211 **SECTION 5:** This Ordinance shall become effective upon adoption by the
212 Wellington Council following second reading.

213
214 **PASSED** this _____ day of _____, 2026, upon first reading.

215
216 **PASSED AND ADOPTED** this _____ day of _____, 2026, on second and final
217 reading.

218
219 **WELLINGTON**
220 **FOR** **AGAINST**

221
222 BY: _____
223 Michael J. Napoleone, Mayor

224
225 _____
226 Maria Antuña, Vice Mayor

227
228 _____
229 Amanda Silvestri, Councilwoman

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231 _____
232 Johnny Meier, Councilman

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234 _____
235 Steven A. Levin, Councilman

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238 **ATTEST:**

239
240
241 BY: _____
242 Chevelle D. Hall, MMC, Village Clerk

243
244
245 **APPROVED AS TO FORM AND**
246 **LEGAL SUFFICIENCY**

247
248 BY: _____
249 Laurie Cohen, Village Attorney