

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

**ORDINANCE NO. 2020-10**

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING SECTION 6.8 OF THE WELLINGTON LAND DEVELOPMENT REGULATIONS TO ALLOW COVERED AREAS WITHIN SUBAREA F OF THE EQUESTRIAN OVERLAY ZONING DISTRICT; PROVIDING SETBACKS FOR COVERED ARENAS WITHIN SUBAREA F; PROVIDING A CONFLICTS CAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Wellington Council, as the governing body, pursuant to the authority vested in it by Chapter 163, Chapter 166 and Chapter 177, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (LDR); and

**WHEREAS**, the Equestrian Overlay Zoning District (EOZD) was adopted on August 27, 2002, to provide regulations to protect and preserve the equestrian and rural lifestyle that exists in the Equestrian Preserve Area (EPA). The EOZD is divided into subareas establishing specific land development regulations for each subarea; and

**WHEREAS**, Subarea F consisting of the Winding Trails subdivision was adopted by Ordinance No. 2016-17 that established regulations for principal and accessory structure setbacks, stall restrictions, and tents and covered arenas; and

**WHEREAS**, covered arenas are permitted in all other subareas of the EOZD; and

**WHEREAS**, the Applicant voluntarily offered to prohibit tents and covered arenas in Subarea F as part of the zoning text amendment request in efforts to accommodate the adjacent neighborhood; and

**WHEREAS**, the lots in Subarea F are wide and shallow which limits the size and configuration of the sand rings and riding rings. The Applicant has found this configuration to be most suitable for dressage rings. The prohibition on covered arena with Subarea F limits the use of the properties to only dry and cooler months which deters potential buyers, particularly dressage riders; and

**WHEREAS**, the adjacent neighborhood, Lakefield South Homeowners Association, has provided a letter supporting the zoning text amendment and has no objection to permitting covered arenas in Subarea F, of the EOZD; and

**WHEREAS**, the Wellington Council desires to amend Section 6.8 of Wellington's Land Development Regulations to allow covered arenas within Subarea F and providing setbacks for same; and

**WHEREAS**, The Equestrian Preserve Committee recommended \_\_\_\_\_ of the Zoning Text Amendment at the June 3, 2020 meeting with a \_\_\_\_\_ vote; and

50 **WHEREAS**, , the Planning, Zoning and Adjustment Board, acting as the Local  
 51 Planning Agency, after notice and public hearing on June 20, 2020, recommended  
 52 \_\_\_\_\_ of the Zoning Text Amendment with a \_\_\_\_\_ vote; and  
 53

54 **WHEREAS**, the Council has taken the recommendations from the Equestrian  
 55 Preserve Committee, Planning, Zoning and Adjustment Board, Wellington staff and the  
 56 comments from the public into consideration when considering the amendments to the  
 57 Land Development Regulations that are the subject of this ordinance.  
 58

59 **NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,**  
 60 **FLORIDA THAT:**  
 61

62 **SECTION 1:** Table 6.8-2 of Wellington’s Land Development Regulations is hereby  
 63 amended as follows [~~strike-through~~ formatted text is to be deleted; underline formatted  
 64 text is to be added]:  
 65  
 66

**Table 6.8 – 2 EPA Setbacks Table**

Overlay District/ Subarea	Minimum Setbacks For <del>Principle</del> <u>Principal</u> Structures <sup>(1)</sup>				Minimum Setbacks For Accessory Structures <sup>(2)</sup>				Minimum Setbacks For Dressage Walls, Sand Rings and Riding Rings
	Front	Side	Corner	Rear	Front	Side	Corner	Rear	From Any Property Line
EOZD/LROZD/A	50 ft.	25 ft.	50 ft.	25 ft.	100 ft.	25 ft.	25 ft.	25 ft.	10 ft.
EOZD/B	25 ft.	25 ft.	25 ft.	Dwelling Units: 15 ft. Barns: 25 ft.	100 ft.	25 ft.	25 ft.	25 ft.	10 ft.
EOZD/C	100 ft.	50 ft.	80 ft.	100 ft.	100 ft.	25 ft.	25 ft.	25 ft.	10 ft.
EOZD/D	100 ft.	50 ft.	80 ft.	100 ft.	100 ft.	25 ft.	25 ft.	25 ft.	10 ft.
EOZD/RROZD/E	100 ft.	50 ft.	80 ft.	100 ft.	100 ft.	25 ft.	25 ft.	25 ft.	10 ft.
EOZD/F <sup>(3)</sup>	50 ft.	50 ft.	50 ft.	10 ft.	55 ft.	10 ft.	10 ft.	10 ft.	<del>20</del> <u>10</u> ft.

67  
 68 (1) *Singe family dwellings, barns, stables, covered arenas, temporary stabling tents, and*  
 69 *similar structures ~~shall always be considered principle uses~~ are principal structures and*  
 70 *shall meet the ~~principle use~~ principal structure setback requirements, except as provided*  
 71 *in (3) below.*  
 72

73 (2) *All nonconforming lots shall follow the setbacks ~~determined as set forth~~ established in*  
 74 *Article 1 of the LDR.*  
 75

76 (3) *Subarea F, ~~known as Winding Trails,~~ shall have a 50-foot setback from residential lots of*  
 77 *Lakefield at the Landings PUD for riding rings, paddocks, covered arenas, and practice*  
 78 *fields. Additionally, covered arenas shall have a 10-foot setback from all other property*  
 79 *lines. Additionally, In addition to the requirements of Subsection 6.8.9.E, manure bins must*  
 80 *be setback at least 30 feet from the rear property line.*  
 81

82 **SECTION 2:** Section 6.8.9 of Wellington’s Land Development Regulations is  
 83 hereby amended as follows [~~strike-through~~ formatted text is to be deleted; underline  
 84 formatted text is to be added]:

85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115

**Sec. 6.8.9 – Supplementary Standards for Principal and Accessory Equestrian Structures and Uses**

F. Covered Equestrian Arenas:

~~1. Covered arenas are prohibited in Subarea F (Winding Trails).~~

~~2.1. Setbacks shall comply with Table 6.8 – 2 for principle structures.~~

~~3 2. A ~~roofed~~ covered equestrian arena shall be designed and constructed to be consistent with the architectural style, color, and materials of the principal structures on the same property.~~

**SECTION 3:** 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 4:** 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.

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

(The remainder of this page left intentionally blank)

116 **PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2020, upon first reading.

117  
118 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2020, on second and final  
119 reading.

120	<b>WELLINGTON</b>		
121		<b>FOR</b>	<b>AGAINST</b>
122			
123			
124	BY: _____	_____	_____
125	Anne Gerwig, Mayor		
126			
127	_____	_____	_____
128	Tanya Siskind, Vice Mayor		
129			
130	_____	_____	_____
131	John McGovern, Councilman		
132			
133	_____	_____	_____
134	Michael Drahos, Councilman		
135			
136	_____	_____	_____
137	Michael Napoleone, Councilman		

138

139 **ATTEST:**

140

141

142

143 BY: \_\_\_\_\_

144 Chevelle Addie, Clerk

145

146 **APPROVED AS TO FORM AND**

147 **LEGAL SUFFICIENCY**

148

149

150

151 BY: \_\_\_\_\_

152 Laurie Cohen, Village Attorney