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ORDINANCE NO. 2022-02

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO MODIFY SECTION 3.2 – DEFINITIONS, OF ARTICLE 3, TO PROVIDE A DEFINITION FOR ARTIFICIAL TURF; TO MODIFY SECTION 6.4.2 – RESIDENTIAL DISTRICT/PUD SPECIFIC DEVELOPMENT STANDARDS, OF ARTICLE 6, TO PROVIDE STANDARDS FOR IMPERVIOUS SURFACE AREAS; AND TO MODIFY SECTION 7.8.1 – GENERAL LANDSCAPE STANDARDS, OF ARTICLE 7, TO ALLOW THE LIMITED USE OF ARTIFICIAL TURF FOR RESIDENTIAL AND NON-RESIDENTIAL USES, AS MORE SPECIFICALLY CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, on September 28, 2021, Council approved a Zoning in Progress (Resolution No. R2021-60) imposing a moratorium on the acceptance and processing of new applications for the installation of artificial turf for non-governmental uses for a period of 180 days, to allow time for research and draft proposed code amendment; and

WHEREAS, property owners have expressed an interest in the use of artificial turf instead of natural turf/grass for residential and non-residential uses; and

WHEREAS, the proposed text amendment to Sections 3.2.2.30, 6.4.2, and 7.8.1.K of the Land Development Regulations is consistent with the LDR and Wellington's Comprehensive Plan; and

WHEREAS, the Planning, Zoning and Adjustment Board, acting as the Local Planning Agency, after notice and public hearing on November 10, 2021, has reviewed the proposed ordinance and made a recommendation for approval with a vote of 6 to 1; and

WHEREAS, the Wellington Council has taken the recommendations from the Local Planning Agency, Wellington staff, and comments from the public into consideration as part of the review of the proposed amendment to the Land Development Regulations that are the subject of this ordinance.

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

SECTION 1. Sections 3.2.2.30, 6.4.2, and 7.8.1.K of the Wellington Land Development Regulations are hereby amended as specifically provided in Exhibit A.

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

50 ordinance, resolution, or municipal code provision, then in that event the provisions of this
51 ordinance shall prevail to the extent of such conflict.

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

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58 **SECTION 4.** This ordinance shall become effective immediately upon adoption of the
59 Wellington Council following second reading.

60 **PASSED** this 25th day of January 2022, upon first reading.

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62 **PASSED AND ADOPTED** this _____ day of _____ 2022, on second and final
63 reading.

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65 **WELLINGTON**

	FOR	AGAINST
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85 **ATTEST:**

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88 BY: _____
89 Chevelle Addie, MMC, Village Clerk

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92 **APPROVED AS TO FORM AND**
93 **LEGAL SUFFICIENCY**

94
95
96 BY: _____
97 Laurie Cohen, Village Attorney