

**ORDINANCE NO. 2015-05**

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS BY AMENDING ARTICLE 6, CHAPTER 10, "EQUESTRIAN OVERLAY ZONING DISTRICT;" AMENDING SECTION 6.10.3 REGARDING "DEFINITIONS," PROVIDING FOR THE DEFINITION OF "FLOOR AREA;" PROVIDING A CONFORMING CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Village Council of the Village of Wellington, Florida ("Village"), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its land development regulations; and

**WHEREAS**, the Village of Wellington has determined that the existing Village regulations should be amended for the Equestrian Overlay Zoning District (EOZD); and

**WHEREAS**, the recommended amendments to the EOZD were presented to the Equestrian Preservation Committee (EPC) at its public hearing conducted on February 11, 2015, and the EPC has made a recommendation of approval by a 4-3 vote to the Planning, Zoning and Adjustment Board; and

**WHEREAS**, the proposed amendments were presented to the Planning, Zoning and Adjustment Board (PZAB) at a public hearing conducted on April 1, 2015, and the PZAB has made a recommendation of approval/denial by a \_\_\_\_\_ vote to Council; and

**WHEREAS**, in accordance with the requirements of Chapter 163, Florida Statutes, the Village Planning, Zoning and Adjustment Board, acting as the Land Development Regulation Board, has reviewed the proposed Ordinance and has determined that the proposed regulation is consistent with the Village of Wellington's Comprehensive Plan; and

**WHEREAS**, the Council has taken the recommendations from the Planning, Zoning, and Adjustment Board, Wellington staff and the comments from the public into consideration when amending the Land Development Regulations which is the subject of this Ordinance; and

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

**SECTION 1:** Article 6. "Zoning Districts" Chapter 10 "Equestrian Overlay Zoning District (EOZD)" Section 6.10.3. "Definitions" of the Village of Wellington's Land Development Regulations is hereby amended to read as follows:

**Section 6.10.3. – Definitions.**

**For the purposes of this Article, the following definitions are established:**

- A. Cluster Development (Equestrian):** A residential development pattern that allows a lot size less than the minimum required within the applicable subarea and provides common areas for equestrian amenities, open space, preservation of environmentally-sensitive areas, or similar features consistent with the purpose and intent of the overlay district.
- B. Dressage Wall:** A structure utilized in dressage training, consisting of a permanent wall with a mirror located on one (1) side of the wall and facing a dressage training or practice ring.
- C. Equestrian Amenities:** Low-impact amenities that serve the purposes of equestrian use and training activities, including structural improvements such as fences and dressage walls, but not lighting standards or seating, and non-structural improvements such as banks, ditches, jumps, paddocks, polo fields, riding arenas, and riding rings. Equestrian amenities do not include livestock waste storage areas or similar facilities.
- D. Equestrian Arena, Private, Covered:** A roofed structure utilized for equestrian purposes, including practice sessions, shows, etc.
- E. Equestrian Arena, Private, Not Covered:** A structure utilized for equestrian purposes, including practice session, shows, etc.
- F. Equestrian Instruction:** Instruction related to such equestrian activities as polo, riding, dressage, and jumping.
- G. Floor Area:** The gross horizontal square footage of all floors of any building or part thereof within a roofed structure that has walls or enclosures (as defined) and the total length of the walls/enclosures is more than 50 percent of the length of the perimeter of the outermost structural supports of the roof.  
A wall or enclosure is an attached, solid, constructed barrier of concrete, stone, brick, tile, or wood, or similar type of material that is three feet in height or greater.
- G. H. General Store:** An equestrian or agriculturally-oriented retail establishment of a community-serving nature that sells convenience goods, equestrian-related products, agricultural-related products, prepared foods, fresh fruits, vegetables, flowers, and other products of a similar nature.
- H. I. Lot Coverage:** The building footprint of all principal and accessory structures constructed on a lot or parcel, not including shade houses or opened-sided roofed areas such as covered porches or carports.

**I. J. Recreational Vehicle:** A travel trailer, camping trailer, motor home, private motor coach, park trailer or fifth-wheel trailer as defined in Section 320.01, Florida Statutes, as amended.

**J. K. Stall:** A compartment for a domestic animal in a stable or barn.

**SECTION 2:** The provisions of this Ordinance shall not affect the validity of any current, valid development order, or buildings or plans approved prior to the effective date of this ordinance. Current, valid development orders and buildings or plans that were approved before the effective date of this ordinance shall be conforming structures.

**SECTION 3:** Should any section, paragraph, sentence, clause, or phrase of this Ordinance conflict with any section, paragraph, clause or phrase of any prior Village 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:** The provisions of this Ordinance shall become effective immediately upon adoption.

[This section intentionally left blank.]

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_ 2015, upon first reading.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2015, on second and final reading.

**VILLAGE OF WELLINGTON**

	<b>FOR</b>	<b>AGAINST</b>
BY: _____ Bob Margolis, Mayor	_____	_____
_____	_____	_____
John Greene, Vice Mayor	_____	_____
_____	_____	_____
Anne Gerwig, Councilwoman	_____	_____
_____	_____	_____
Matt Willhite, Councilman	_____	_____
_____	_____	_____
John T. McGovern, Councilman	_____	_____

**ATTEST:**

BY: \_\_\_\_\_  
Awilda Rodriguez, Village Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

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