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**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 approval of the Zoning Text Amendment at the June 3, 2020 meeting with a 5-2 vote; and

**WHEREAS**, , the Planning, Zoning and Adjustment Board, acting as the Local Planning Agency, after notice and public hearing on June 10, 2020, recommended approval of the Zoning Text Amendment with a 7-0 vote; and

**WHEREAS**, the Council has taken the recommendations from the Equestrian Preserve Committee, Planning, Zoning and Adjustment Board, Wellington staff and the comments from the public into consideration when considering the amendments 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:** Table 6.8-2 of Wellington's Land Development Regulations is hereby amended as follows [~~strike-through~~ formatted text is to be deleted; underline formatted text is to be added]:

**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>20-10</del> ft.

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

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

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

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

85  
86 **Sec. 6.8.9 – Supplementary Standards for Principal and Accessory Equestrian**  
87 **Structures and Uses**  
88

89 F. Covered Equestrian Arenas:

90  
91 ~~1. Covered arenas are prohibited in Subarea F (Winding Trails).~~

92  
93 ~~2.1. Setbacks shall comply with Table 6.8 – 2 for principle structures.~~

94  
95 ~~3~~ 2. A ~~roofed~~ covered equestrian arena shall be designed and constructed to be  
96 consistent with the architectural style, color, and materials of the principal  
97 structures on the same property.  
98

99 **SECTION 3.** Should any section, paragraph, sentence, clause, or phrase of this  
100 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington  
101 Ordinance, Resolution, or Municipal Code provision, then in that event the provisions of  
102 this Ordinance shall prevail to the extent of such conflict.  
103

104 **SECTION 4.** Should any section, paragraph, sentence, clause, or phrase of this  
105 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision  
106 shall not affect the validity of this Ordinance as a whole or any portion or part thereof,  
107 other than the part so declared to be invalid.  
108

109 **SECTION 5.** This Ordinance shall become effective immediately upon adoption by  
110 the Wellington Council following second reading.  
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113  
114 (The remainder of this page left intentionally blank)  
115

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

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

**WELLINGTON**

**FOR                      AGAINST**

BY: _____	_____	_____
Anne Gerwig, Mayor		
_____	_____	_____
Tanya Siskind, Vice Mayor		
_____	_____	_____
John McGovern, Councilman		
_____	_____	_____
Michael Drahos, Councilman		
_____	_____	_____
Michael Napoleone, Councilman		

**ATTEST:**

BY: \_\_\_\_\_  
Chevelle Addie, Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

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