

ORDINANCE NO. 2021-18

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO MODIFY SECTION 6.4.1.A.5 OF ARTICLE 6, FOR PURPOSES OF MAINTAINING A CONSISTENT APPEARANCE FOR HEDGES AND FENCES ALONG THOROUGHFARES, AS 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 January 13, 2020, Wellington's Council adopted the new LDR in its entirety; and

WHEREAS, maintaining a consistent appearance of privately owned hedges and fences along thoroughfares has been a continuous challenge for the community for decades; and

WHEREAS, improving consistency and creating uniformity along Wellington's thoroughfares and throughout the Village is vital to ensure the health, safety, welfare and overall quality of life for Wellington; and

WHEREAS, as part of visioning process and research, staff has analyzed ways to achieve a neat and orderly appearance of the fences, walls, and hedges Village-wide; and

WHEREAS, a Pilot Program was implemented on a temporary basis to help assist and achieve consistency among property owners; and

WHEREAS, the proposed text amendment to section 6.4.1.A.5 of the Land Development Regulations is consistent with the LDR and Wellington's Comprehensive Plan; and

WHEREAS, the Architectural Review Board, after notice and public hearing on August 18, 2021, has reviewed the proposed ordinance and made a recommendation for approval with a unanimous vote (5-0).

WHEREAS, the Planning, Zoning and Adjustment Board, acting as the Local Planning Agency, after notice and public hearing on September 8, 2021, has reviewed the proposed ordinance and made a recommendation for _____ with a _____ vote; 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 Article 6.4.1.A.5 of 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. Section 6.4.1.A.5 of the Wellington Land Development Regulations, is hereby amended, as specifically provided for 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 ordinance, resolution, or municipal code provision, then in that event the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 3. Should any section, paragraph, sentence, clause, or phase 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 of part thereof, other than the part so declared to be invalid.

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

PASSED this ____ day of _____ 2021, upon first reading.

PASSED AND ADOPTED this ____ day of _____ 2021, on second and final reading.

WELLINGTON

FOR AGAINST

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

ATTEST:

BY: _____
Chevelle Addie, MMC, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney