

STAFF REPORT

Section 6.4.1.A.5 - Zoning Text Amendment

Ordinance No: 2021-18

Applicant: Village of Wellington

Request: A Zoning Text Amendment to modify section 6.4.1.a.5 of Article 6 of Wellington's Land Development Regulations (LDR) to establish a consistent appearance of hedges and fences.

Project Manager:

Christian Santa-Gonzalez
Planner

csanta-gonzalez@wellingtonfl.gov
(561) 791-4000

Boards, Committees, and Council:

	Date	Vote
ARB	8/18/2021	Approve 5-0
PZAB	9/8/2021	Approve 6-0
Council (1 st)	10/12/2021	Approve 4-0
Council (2 nd)	10/26/2021	Pending

Wellington Vision

A Great Hometown: Great Neighborhoods, Great Schools, and Great Parks.

Wellington Mission

To provide high-quality services that create economic, environmental, and social sustainability for residents.

Wellington Goals

- Economic Development
- Neighborhood Renaissance
- Protecting Our Investment
- Respecting the Environment
- Responsive Government

Background

Maintaining a consistent appearance of 1247 privately owned hedges and fences along major thoroughfares has been a continuous challenge for the community for decades. The level of maintenance, the type of landscaping, and the fence materials all have a history that dates back, in many cases, to First Wellington, which was the original Homeowners Association for the areas first approved and developed under the County and prior to the incorporation of Wellington as a municipality. Over time, there have been changes to plant materials, fence materials, height requirements, and the level of enforcement Village-wide. A Pilot Program was launched in 2019 in an effort to reduce and resolve the number of complaints from the community regularly received by Code Compliance regarding dead hedges, stained/discolored fences, and hedges growing over sidewalks and pathways making them undesirable, and in some cases not accessible. When Phase I of the program was implemented to resolve these issues, Wellington's price to remove exotic trees and decade old hedge material tripled, making the program too costly to continue to Phase II and soon ended.

The following are some of the issues Wellington has regarding thoroughfares:

- Difficulty physically accessing hedges from rear of one's property
- Varied fence setbacks, 1 to 5 feet
- Inability to keep uniformity with hedge material because of the variables
- Fence discoloration and improper repair work

The Zoning Text Amendment proposes modifications to Sec.6.4.1.A.5 of Wellington's LDR, which relates to fences, walls, and hedges, to incorporate regulations that will facilitate maintaining a consistent appearance along thoroughfares and throughout the Village. The proposed amendments, in strikethrough/underline format in Exhibit A, of Ordinance No. 2021-18 will help facilitate a uniform look, reduce code complaints, and create standards that are enforceable by Wellington.

Additionally, a clean version of the proposed amendment is provided in Exhibit A and a modification log of the specific changes is provided in Exhibit B of the Staff report.

Proposed changes to Section 6.4.1.A.5 include:

- Require all hedges to be maintained at eight (8) feet high along major thoroughfares for rear and side yards;
- Include two (2) additional new hedge materials suitable along major thoroughfare;
- In an effort to bring all properties up to the proposed standards, a requirement for all non-conforming hedges to be replaced with one (1) of the five (5) recommended hedge materials and all non-conforming fence materials to be replaced with an ARB approved material by December 31, 2026 is proposed;
- Modification to the maintenance standards that requires any replaced materials to match the existing color of the fence or replace the fence in its entirety;
- Revised standards for the maximum height allowances for fences and walls in specific locations;
- Modifications to the regulations that applicants may apply to ARB for a hedge height be above the maximum maintained height of eight (8) feet;
- Modifications to the regulations for applicants to request ARB consideration of alternative designs, materials, and colors for fences and walls; and
- Various formatting, editing, and verbiage clarifications are proposed throughout the section.

Based on Council's comments from the first reading of Ordinance 2021-18, on October 12, 2021, the following changes are proposed to Section 6.4.1.A.5, as shown in Exhibit E – Proposed Changes from First Reading to Second Reading:

- Modification to mesh privacy screen be installed for the full length and height of the fence and for the screen to match the color of the fence;
- Modification to clarify major thoroughfare eight (8) feet hedge height only applies to rear and side setbacks;
- Modification to hedge material to be planted from two (2) feet on center to three (3) feet on center
- Modification to exclude PVC/Vinyl fence material to be treated like wood fencing when it is designed to look like wood;
- Removed references to colors of wood fences as the colors are included in the ARB approved fence designs, materials, and colors;
- Added concrete wall type as pre-fabricated walls may be acceptable construction material;
- Modification to clarify color of walls approved by ARB to match the existing color to avoid mismatched color sequence and create uniformity;
- Modification to non-conforming fences and hedges date to December 31, 2026 rather than December 31, 2028.
- Modification to hedge maintenance that requires hedges have more than 18 inches of visible trunk base, it be replaced, as opposed to the proposed three (3) feet of visible trunk base.

Planning and Zoning Division Recommendation

The Planning and Zoning Division recommends approval of Ordinance No. 2021-18 to amend Section 6.4.1.A.5 of Wellington's LDR modifying regulations related to fences, walls, and hedges along thoroughfares and throughout Wellington in order to maintain a consistent appearance.

List of Exhibits

- Exhibit A: Proposed Changes to Article 6 (Clean Version)
- Exhibit B: Modification Log
- Exhibit C: Wellington Functional Road Classifications
- Exhibit D: Proposed Hedge Materials
- Exhibit E: Proposed Changes to Section 6.4.1.A.5 (From First Reading to Second Reading)