



Legislation Details (With Text)

**File #:** 24-6578      **Name:** ORDINANCE NO. 2024-02 (ZONING TEXT AMENDMENT TO SECTION 6.4.1.A.5. OF WELLINGTON'S LAND DEVELOPMENT REGULATIONS FENCES, WALLS, AND HEDGES)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFIC

**Type:** Zoning Text Amendment

**In control:** Village Council

**On agenda:** 7/16/2024

**Final action:**

**Title:** ORDINANCE NO. 2024-02 (ZONING TEXT AMENDMENT TO SECTION 6.4.1.A.5. OF WELLINGTON'S LAND DEVELOPMENT REGULATIONS FENCES, WALLS, AND HEDGES)

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 CLARIFYING FENCE SETBACK REQUIREMENTS, MODIFYING HEDGE HEIGHT REQUIREMENTS, AND PROVIDING ADMINISTRATIVE APPROVALS WITH CRITERIA REQUIREMENTS FOR NON-COMFORMING HEDGES ALONG MAJOR THOROUGHFARES IN EFFORTS TO ACHIEVING CONSISTENT APPEARANCE FOR HEDGES AND FENCES ALONG THOROUGHFARES, AS CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

**Code sections:**

**Attachments:** 1. 1. Ordinance No.2024-02, 2. 2. Ordinance No.2024-02 Exhibit A\_Strikethrough Reg 6.4.1.A.pdf, 3. 3. Staff Report, 4. 4. SR\_Exhibit A\_Hedge Waiver Application, 5. 5. SR\_Exhibit B\_Major Thoroughfares, 6. 6. Staff Report Exhibit C\_Required Hedge Materials, 7. 7. June-July 2024 Council Legal Ad

Date	Ver.	Action By	Action	Result
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**ITEM: ORDINANCE NO. 2024-02 (ZONING TEXT AMENDMENT TO SECTION 6.4.1.A.5. OF WELLINGTON'S LAND DEVELOPMENT REGULATIONS FENCES, WALLS, AND HEDGES)**

**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 CLARIFYING FENCE SETBACK REQUIREMENTS, MODIFYING HEDGE HEIGHT REQUIREMENTS, AND PROVIDING ADMINISTRATIVE APPROVALS WITH CRITERIA REQUIREMENTS FOR NON-COMFORMING HEDGES ALONG MAJOR THOROUGHFARES IN EFFORTS TO ACHIEVING CONSISTENT APPEARANCE FOR HEDGES AND FENCES ALONG THOROUGHFARES, AS CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

**REQUEST:** Approval of Ordinance No. 2024-02 to amend Section 6.4.1.A.5 of Wellington's LDR to modify the regulations related to fences, walls, and hedges along thoroughfares and throughout Wellington.

**EXPLANATION:** Article 6 establishes general standards for zoning districts in Wellington. In 2021, Wellington's Council adopted Ordinance No. 2021-18 which established regulations for hedge heights, identified five (5) specific hedge materials, increased setbacks for fences to five (5) feet, and addressed maintenance requirements in efforts to create a uniform appearance along a major thoroughfare. Since adoption, many efforts have been made to notify the public and residents that are affected by this ordinance. However, residents continue to face hardships and challenges to meet the adopted requirements. The proposed changes to Section 6.4.1.A.5, fences, walls, and fences regulations, attempt to address the hardships and challenges.

The Planning, Zoning and Adjustment Board has reviewed the proposed ordinance and made a recommendation for approval with a 5-0 vote at the March 28, 2024 meeting. The Planning and Zoning Department recommends updating Section 6.4.1.A.5 of the LDR, which relates to hedges and fences throughout Wellington, and specifically along thoroughfares, to incorporate regulations that will facilitate maintaining a consistent appearance. The proposed amendment is consistent with the LDR, Wellington's Comprehensive Plan, and shall be implemented in accordance with Wellington's policies and procedures.

**BUDGET AMENDMENT REQUIRED:** NO

**PUBLIC HEARING:** YES                      **QUASI-JUDICIAL:** NO

**FIRST READING:**                              **SECOND READING:** YES

**LEGAL SUFFICIENCY:** YES

**FISCAL IMPACT:** N/A

**WELLINGTON FUNDAMENTAL:** Responsive Government

**RECOMMENDATION:** Approval of Ordinance No. 2024-02 to amend Section 6.4.1.A.5 of Wellington's LDR to modify the regulations related to fences, walls, and hedges along thoroughfares and throughout Wellington.