



Legislation Text

File #: 21-4870, Version: 1

ITEM: ORDINANCE NO. 2022-02 (ARTIFICIAL TURF - ZONING TEXT AMENDMENT TO WELLINGTON'S LAND DEVELOPMENT REGULATIONS)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO MODIFY SECTION 3.2 - DEFINITIONS, OF ARTICLE 3, TO PROVIDE A DEFINITION FOR ARTIFICIAL TURF; TO MODIFY SECTION 6.4.2 - RESIDENTIAL DISTRICT/PUD SPECIFIC DEVELOPMENT STANDARDS, OF ARTICLE 6, TO PROVIDE STANDARDS FOR IMPERVIOUS SURFACE AREAS; AND TO MODIFY SECTION 7.8.1 - GENERAL LANDSCAPE STANDARDS, OF ARTICLE 7, TO ALLOW THE LIMITED USE OF ARTIFICIAL TURF FOR RESIDENTIAL AND NON-RESIDENTIAL USES, AS MORE SPECIFICALLY CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

REQUEST: Approval of Ordinance No. 2022-02 to amend Sections 3.2, 6.4.2 and 7.8.1 of Wellington's LDR to modify the regulations related to the limited use of artificial turf for residential and non-residential uses.

EXPLANATION: Currently LDR Section 7.8.1.K limits the installation of artificial turf to governmental use. We have seen an increase use of artificial turf on residential lots in back yards and within commercial centers. On September 28, 2021, Council approved a Zoning in Progress (Resolution No. R2021-60) imposing a moratorium on the acceptance and processing of new applications for the installation of artificial turf for non-governmental uses for a period of 180 days, to allow time for research and draft proposed code amendment.

Proposed changes to the LDR will allow limited use of artificial turf to include:

- Residential properties, in rear and side yards only.
- Residential common areas, in recreation/amenity areas.
- Commercial, not allowed in landscape buffers, or areas visible from rights-of-way.
- Recreational areas, athletic/activity fields.

At the October 13, 2021 Planning, Zoning and Adjustment Board workshop meeting, the Board recommended the below revisions, which were included in the proposed text amendment:

- Removal of the requirement for artificial turf to have a 15-year warranty from a United States manufacturer. There are still standards to ensure the artificial turf surface fibers/blade and backing are made of durable materials.
- Provide limitation on the area allowed for artificial turf. Clarification is provided that a maximum 75% impervious surface area is allowed in the rear and side yard of residential properties,
- Include the three (3) feet setback for the side yard on residential properties to continue the landscape strip. The setback will be required when a residential property has 15 feet or more setback/separation between the side property line(s) and on-site building(s)/structure(s).

On November 10, 2021, Wellington's Planning, Zoning and Adjustment Board (PZAB) recommended approval of the text amendment with a 6-1 vote. The PZAB did have a discussion on the 75% area allowed for artificial

turf in the side and back yards for residential properties being too much impervious surface area.

On December 1, 2021, Wellington's Tree Board recommended approval (5-1 vote) of the text amendment with a recommendation to reduce the area allowed for impervious surface in the side and back yards, and limit impervious surface area per lot size for residential properties.

It should be noted the proposed 75% impervious surface area in the side and back yards of residential properties is the maximum, and each lot may not be allowed the 75% due to requirements to still maintain on-site drainage and landscaping (trees and shrubs/hedges). On residential lots the impervious surface areas in the side and back yards typically include walkways, patios, pools, etc., and now artificial turf system with the proposed text amendment.

BUDGET AMENDMENT REQUIRED: NO

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

FIRST READING: YES **SECOND READING:**

LEGAL SUFFICIENCY: YES

FISCAL IMPACT: N/A

WELLINGTON FUNDAMENTAL: Responsive Government

RECOMMENDATION: Approval of Ordinance No. 2022-02 to amend Sections 3.2, 6.4.2 and 7.8.1 of Wellington's LDR to modify the regulations related to the limited use of artificial turf for residential and non-residential uses.