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## MEMORANDUM

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**DATE:** March 12, 2014

**TO:** Equestrian Preserve Committee

**FROM:** Tim Stillings, Planning & Development Services Director  
Kelly Ferraiolo, Project Management Assistant

**RE:** Repeal of Chapter 12 of Article 6 “Temporary Suspension of the Prohibition of the Use of Tents as Stalls within Certain Areas of the Equestrian Overlay Zoning District” and Amending Section 6.10.9.D “Use of Tents as Temporary Stalls” to include provisions

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In 2005, Wellington experienced extensive damage to equestrian facilities caused by Hurricane Wilma. On November 29, 2005, Emergency Ordinance 2005-22 was adopted to temporarily suspend the prohibition of the use of tents as stalls within certain areas of the equestrian overlay zoning district (Subareas A, B and D). The Emergency Ordinance suspended provisions of Section 6.10.9.D.1 “Tents Prohibited from the Equestrian Overlay Zoning District (EOZD)” and Section 6.11.8 “Use of Tents as Temporary Stalls” of the Land Development Regulations (LDR) to allow for a recovery period beginning on October 21, 2005 and ending on May 1, 2006.

Property owners had to apply for a Special Permit (SPU) and meet all requirements of the LDR to take advantage of the temporary suspension. A Village Building Official had to determine if there was actual hurricane damage to the existing structure prior to any SPU being issued. All tents were to be removed by May 1, 2006.

The Emergency Ordinance was added as Chapter 12 of Article 6 of the LDR. The suspension is no longer in effect; therefore Section 6.12 is proposed to be repealed.

Section 6.10.9.D is proposed to be amended to include temporary suspension of the prohibition of tents within all subareas of the EOZD after a natural disaster. A Village Building official must determine the existing structure has substantial damage and cannot be occupied in relation to a declared natural disaster. A property owner must apply for a SPU and must comply with the requirements set forth in Section 5.5.4 of the LDR. The tent must be removed with 24 months (with a potential for a one (1) time, six (6) month extension) or within two (2) weeks of issuance of a certificate of occupancy, whichever occurs first.