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4 **ORDINANCE NO. 2014-29**
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7 **AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL**
8 **AMENDING CHAPTER 62, ARTICLE I, SECTION 62-9.c.(2)(i) OF**
9 **THE WELLINGTON CODE OF ORDINANCES PERMITTING**
10 **EXCEPTIONS FOR COMMERCIAL VEHICLE PARKING ON**
11 **MULTI-FAMILY RESIDENTIAL PROPERTY WITH CERTAIN**
12 **LIMITATIONS; PROVIDING A CONFLICTS CLAUSE;**
13 **PROVIDING FOR CODIFICATION; PROVIDING A**
14 **SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE**
15 **DATE.**
16

17 **WHEREAS**, Wellington's Council, pursuant to the authority granted to it in Chapters 163
18 and 166, Florida Statutes, is authorized and empowered to consider changes to its land
19 development regulations; and
20

21 **WHEREAS**, the Wellington Council desires to amend portions of Chapter 62, Article I,
22 Section 62-9 of the Code of Ordinances to permit commercial vehicle parking with certain
23 restrictions on multi-family residential properties to increase housing options for a portion of the
24 local service-oriented work force who are required to have take-home commercial vehicles as
25 a part of their employment; and
26

27 **WHEREAS**, the multi-family residential properties that meet the proposed criteria for the
28 commercial parking exception generally consist of the following neighborhoods: Hawthorne,
29 Periwinkle, Goldenrod/Hyacinth, Mulberry, Yarmouth, Staghorn, Rye Terrace, Guilford, White
30 Pine, Westhampton/Riverside, Sturbridge, Shakerwood, French Quarter, Montauk, and multi-
31 family areas of Greenview Shores and Pine Valley
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33 **WHEREAS**, the Planning, Zoning and Adjustment Board, acting as the Local Planning
34 Agency, after notice and public hearing on September 8, 2014, has reviewed the proposed
35 Ordinance and determined that the proposed amendment is consistent with Wellington's
36 Comprehensive Plan; and
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38 **WHEREAS**, the Council has taken the recommendations from the Local Planning
39 Agency, Wellington staff and the comments from the public into consideration when
40 considering the amendments to the commercial parking regulations that are the subject of this
41 Ordinance.
42

43 **NOW, THEREFORE, BE IT ORDAINED BY THE WELLINGTON, FLORIDA COUNCIL**
44 **THAT:**
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46 **SECTION 1.** Chapter 62, Article I, Sec. 62-9.c.(2)(i) of Wellington's Code of Ordinances
47 (Exceptions for Commercial Vehicle Parking on Multi-family Residential Property) is hereby
48 amended, as follows:

(2) Exceptions:

i. Commercial vehicles.

1. ~~Single family detached residential: Commercial Vehicle.~~ One commercial vehicle per dwelling unit may be parked on a single family detached residential lot, providing all of the following conditions are met: The vehicle is operative, registered and displays a current license tag and provided no portion of the vehicle is visible from adjoining properties or the street. One vehicle which is deemed a commercial vehicle due to the display of outside lettering only may be parked provided the lettering is completely covered.
2. Multi-family residential: One commercial vehicle per dwelling unit may be parked on multi-family housing property where no garages exist; provided that such vehicles are rated as a maximum of ¾ ton (weight), are no higher than eight feet, are no longer than 20 feet and do not openly display tools, equipment or supplies. Vehicles which are deemed commercial vehicles due to the display of outside lettering only are allowed.

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 phrase 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 or part thereof, other than the part so declared to be invalid.

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

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PASSED this _____ day of _____, 2014 on first reading.

PASSED AND ADOPTED this _____ day of _____, 2014, on second and final reading.

WELLINGTON

FOR

AGAINST

BY: _____	_____	_____
Bob Margolis, Mayor		
_____	_____	_____
John Greene, Vice Mayor		
_____	_____	_____
Matt Willhite, Councilman		
_____	_____	_____
Howard K. Coates, Jr. Councilman		
_____	_____	_____
Anne Gerwig, Councilwoman		

ATTEST:

BY: _____
Awilda Rodriguez, Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney