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ORDINANCE NO. 2024-22

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL,
AMENDING ARTICLE 6 OF THE LAND DEVELOPMENT
REGULATIONS RELATED TO VACATION RENTALS BY AMENDING
THE SUPPLEMENTARY USE REGULATIONS FOR VACATION
RENTALS FOUND IN SEC.6.2.2.A; PROVIDING A CONFLICTS
CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Chapter 509, Florida Statutes, establishes certain regulations for lodging establishments, including vacation rentals and transient lodging; and

WHEREAS, the Florida Statutes provide definitions, including but not limited to, vacation rentals, transient lodging, and third-party rental platforms; and

WHEREAS, third-party rental online platforms have made vacation rentals easily available to the general public; and

WHEREAS, Section 509.032, Florida Statutes, restricts local governments from enacting regulations that prohibit vacation rentals or regulate the duration or frequency of rentals, but otherwise allows local governments to enact new regulations governing vacation rentals that protect the health, safety, and welfare of its residents; and

WHEREAS, Wellington acknowledges the potential impacts of transitory uses of residential properties on the character and quality of its neighborhoods and has determined that to protect the public health, safety, and welfare, it is necessary to adopt certain regulations and impose certain remedies and penalties appropriate to said uses to prevent and/or mitigate impacts created by such transitory uses of residential property; and

WHEREAS, Wellington revised its vacation rental regulations in February 2024 to protect the character of its residential neighborhoods and provide the public with the opportunity to offer and use vacation rentals in a manner that is consistent with state and local regulations while preserving the quiet nature and atmosphere of residential uses; and

WHEREAS, the Wellington Council, as the governing body, pursuant to the authority vested in it by Chapters 163 and 166 of the Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (LDR); and

42 **WHEREAS**, the proposed amendments to the vacation rental regulations are
43 designed to address issues raised in administering the February 2024 changes, including
44 clarification of the suspension and revocation process, penalties for delays in obtaining
45 the required permit, and an adjustment to the noise monitoring requirement; and
46

47 **WHEREAS**, the Planning, Zoning and Adjustment Board, as the Local Planning
48 Agency, after notice and public hearing held on October 16, 2024, recommended
49 approval of the Zoning Text Amendment with a 7-0 vote; and
50

51 **WHEREAS**, the Council has taken the recommendations of the Planning, Zoning
52 and Adjustment Board, Wellington staff, and the comments from the public into
53 consideration in adopting the amendments to the LDR that are the subject of this
54 ordinance.
55

56 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,**
57 **FLORIDA, THAT:**
58

59 **SECTION 1:** Sec.6.2.2. titled "Supplementary Standards for Principal Uses,"
60 subsection A.5 "Vacation Rentals" is hereby amended as provided in Exhibit A.
61

62 **SECTION 2:** Should any section, paragraph, sentence, clause, or phrase of this
63 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
64 Ordinance, Resolution, or Municipal Code provision, then in that event the provisions of
65 this Ordinance shall prevail to the extent of such conflict.
66

67 **SECTION 3:** Should any section, paragraph, sentence, clause, or phrase of this
68 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision
69 shall not affect the validity of this Ordinance as a whole or any portion or part thereof,
70 other than the part so declared to be invalid.
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72 **SECTION 4:** This Ordinance shall become effective upon adoption by the
73 Wellington Council following second reading.
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78 (The remainder of this page left intentionally blank)
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82 **PASSED** this _____ day of _____, 2024, upon first reading.

83

84 **PASSED AND ADOPTED** this _____ day of _____, 2024, on second and final
85 reading.

86

87 **WELLINGTON**

88

FOR **AGAINST**

89

90 BY: _____

91 Michael J. Napoleone, Mayor

92

93 _____

94 John T. McGovern, Vice Mayor

95

96 _____

97 Tanya Siskind, Councilwoman

98

99 _____

100 Maria Antuña, Councilwoman

101

102 _____

103 Amanda Silvestri, Councilwoman

104

105

106 **ATTEST:**

107

108

109 BY: _____

Chevelle D. Hall, MMC, Village Clerk

111

112

113 **APPROVED AS TO FORM AND**
114 **LEGAL SUFFICIENCY**

115

116 BY: _____

Laurie Cohen, Village Attorney

117