

ORDINANCE NO. 2023-06

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT (PETITION 2022-0001-ZTA) TO MODIFY ARTICLE 6, SECTION 6.2.1, TABLE 6.2-1 - USE REGULATIONS SCHEDULE, TO ALLOW SELF-STORAGE AS A CONDITIONAL USE WITHIN COMMERCIAL PODS OF THE MULTIPLE USE PLANNED DEVELOPMENT (MUPD) ZONING DISTRICT; TO AMEND SECTION 6.2.2.E.9. TO PROVIDE STANDARDS FOR SELF-STORAGE FACILITIES WITHIN AN MUPD; TO AMEND ARTICLE 7, SECTION 7.5.1, TABLE 7.5-1 - MINIMUM OFF-STREET PARKING STANDARDS, TO MODIFY PARKING STANDARDS FOR SELF-STORAGE USES, AS MORE SPECIFICALLY CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Wellington Council, as the governing body, pursuant to the authority vested in Chapter 163, Chapter 166 and Chapter 177, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (LDR); and

WHEREAS, the applicant, BRB Development LLC., requested to amend Sections 6.2.1, 6.2.2.E.9, and 7.5.1 of Wellington's Land Development Regulations to allow self-storage as a Conditional Use within commercial pods of a Multiple Use Planned Development (MUPD) zoning district and amend the parking standard for self-storage uses; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on January 18, 2023, has reviewed the proposed ordinance and made a recommendation for approval with a vote of 7 to 0; and

WHEREAS, Wellington's Council has taken the recommendations from the Local Planning Agency and Wellington staff, along with the applicant's presentation and comments from the public, into consideration for the proposed amendments to the LDR that are the subject of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON, FLORIDA THAT:

SECTION 1. Sections 6.2.1, 6.2.2.E.9, and 7.5.1 of Wellington's LDR are hereby amended as specifically provided for in Exhibit A.

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

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

PASSED this 21st day of February 2023, upon first reading.

PASSED AND ADOPTED this _____ day of _____ 2023, on second and final reading.

WELLINGTON

| | FOR | AGAINST |
|----------------------------------|------------|----------------|
| BY: _____ Anne Gerwig, Mayor | _____ | _____ |
| _____ | _____ | _____ |
| Michael Drahos, Vice Mayor | _____ | _____ |
| _____ | _____ | _____ |
| John T. McGovern, Councilman | _____ | _____ |
| _____ | _____ | _____ |
| Michael J. Napoleone, Councilman | _____ | _____ |
| _____ | _____ | _____ |
| Tanya Siskind, Councilwoman | _____ | _____ |

ATTEST:

BY: _____
Chevelle D. Addie, MMC, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie S. Cohen, Village Attorney