



Legislation Text

File #: 17-1166, Version: 1

ITEM: ORDINANCE NO. 2017-07 (CONGREGATE LIVING FACILITY TYPE 2B ZONING TEXT AMENDMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL; APPROVING A ZONING TEXT AMENDMENT [PETITION NUMBER 17-37 (2017-25 ZTA)] TO AMEND THE VILLAGE OF WELLINGTON LAND DEVELOPMENT REGULATIONS ARTICLE 6, CHAPTER 4, SECTION 6.4.4.30 CONGREGATE LIVING FACILITY (CLF) RELATED TO THE SEPARATION REQUIREMENT FOR TYPE 2(B) CLF TO ALLOW A MAXIMUM OF FOUR (4) TYPE 2(B) CLF WITHIN A HALF (1/2) MILE RADIUS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

REQUEST: Approval of Ordinance No. 2017-07, a Zoning Text Amendment.

EXPLANATION: Zoning Text Amendment (ZTA) to modify Wellington's Land Development Regulations (LDR) Article 6 "Zoning Districts", Chapter 4 "Use Regulations and Definitions", Section 6.4.4. "Supplemental use standards" sub section 30 "Congregate Living Facility." The request is specifically to amend LDR Sec. 6.4.3.30.c.i. and Sec. 6.4.3.30.c.iii.(a)2. to remove the 1,000 feet separation requirement between Type 2(B)'s and allow a maximum of four (4) Type 2(B)'s within a ½ mile radius. The following sections will explain the proposed changes. {Note regarding formatting: underline = added; strikethrough = deleted}

LDR Sec. 6.4.3.30.c.i. *"A congregate living facility, Type 1, 2(A), 3 and 4, shall not be located within a radius of one thousand (1,000) feet of another congregate living facility; and"*

LDR Sec. 6.4.3.30.c.iii.(a)2. *"Type 2 (B) shall be:*

- a. ~~p~~Prohibited in single-family residential districts; A Type 2 (B) shall*
- b. ~~Prohibited not be located within a radius of five hundred (500) feet of a single-family residential district unless approved by Council.~~*
- c. Prohibited within one thousand (1,000) feet of a Type 1, 2 (A), 3, or 4 congregate living facility; and*
- d. There shall be no more than four (4) Type 2 (B) congregate living facilities within a ½ mile radius."*

The petitioner is requesting to remove the 1,000 feet separation requirement and allow Type 2(B)'s next to each other with a maximum of four (4) in a ½ mile radius. In 2012 the petitioner proposed the Type 2(B) concept specifically for senior housing whose residents are 65 years of age or older with a maximum occupancy of 21 residents. Unlike the Type 2(B) that is limited to only senior housing, Type 1, 2(A), 3 and 4 CLF's allow boarding home, rehabilitative home, sober home, care of persons not capable of independent living, etc.

The petitioner is requesting this amendment based on current demands at their existing Type 2(B) facility in Wellington. Removal of the separation requirement and allowing four (4) within a ½ mile radius will allow for seniors to live in a home-like environment instead of the large institutional type CLF's and still preserve the multifamily neighborhood character.

PZAB recommended approval (6-0) of Ordinance No. 2017-07 as presented at their May 10, 2017 meeting.

Council approved (5-0) the first reading of Ordinance No. 2017-07 as presented at their May 23, 2017 meeting.

BUDGET AMENDMENT REQUIRED: NO

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

FIRST READING: **SECOND READING:** YES

LEGAL SUFFICIENCY: YES

FISCAL IMPACT: N/A

WELLINGTON FUNDAMENTAL: Responsive Government

RECOMMENDATION: Approval of Ordinance No. 2017-07, a Zoning Text Amendment.