

**ORDINANCE 21-38**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 118, "ZONING" OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES TO AMEND SECTIONS 118-727 AND 118-772 GOVERNING THE PERMITTED USES WITHIN THE I-1 (LIGHT INDUSTRIAL AND WAREHOUSING) AND I-2 (GENERAL INDUSTRIAL) ZONING DISTRICTS; PROVIDING FOR MOBILE FOOD DISPENSING VEHICLES AS DEFINED BY SECTION 509.102, FLORIDA STATUTES AS A PERMITTED USE IN THE I-1 AND I-2 ZONING DISTRICTS; PROVIDING FOR CODIFICATION, CONFLICTS, AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Winter Garden has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapters 163 & 166, Florida Statutes; and

**WHEREAS**, the City desires to amend the permitted uses for properties within the I-1 and I-2 zoning district to allow mobile food dispensing vehicles as defined by section 509.102, Florida Statutes; and

**WHEREAS**, this Ordinance is consistent with the City of Winter Garden Comprehensive Plan; and

**WHEREAS**, this Ordinance has received a recommendation from the City's local planning agency, has been properly read and advertised as provided by Florida law and the required meetings and hearings have been conducted on its adoption; and

**WHEREAS**, the City Commission finds that this Ordinance is in the best interest and welfare of the citizens of the City of Winter Garden.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA, AS FOLLOWS:**

**SECTION 1: Recitals.** The above referenced "Whereas" clauses are true and correct and constitute legislative findings of the City Commission.

**SECTION 2: Adoption.** Section 118-727 and 118-772 and of Chapter 118, Article IV, Division 9 of the City of Winter Garden Code is hereby amended to read as follows (words that are ~~stricken~~

out are deletions; words that are underlined are additions; provisions not included are not being modified):

Sec. 118-727. - Permitted uses.

Permitted uses in the I-1 light industrial and warehousing district are as follows:

- (1) Warehousing, wholesaling, and storage facilities within enclosed structures.
- (2) Ministorage warehouse facilities.
- (3) Light manufacturing, processing, and assembly, including precision manufacturing, electrical machinery, instrumentation, and similar uses.
- (4) Research and development facilities, provided that all activities are within an enclosed structure.
- (5) Vocational and trade schools.
- (6) Public utility equipment and facilities.
- (7) Radio or television transmitter, towers, or broadcasting facilities.
- (8) Communication towers and communication antennas.
- (9) Truck parking facilities (but not transportation terminals or freight handling facilities).
- (10) Urban farm.
- (11) Mobile food dispensing vehicle as defined by section 509.102, Florida Statutes.

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Sec. 118-772. - Permitted uses.

Permitted uses in the I-2 general industrial district are as follows:

- (1) Those uses permitted in the I-1 district.
- (2) Transportation terminals and freight handling facilities.
- (3) Commercial garages.
- (4) Food processing, bottling plants, bakeries, fruit packing, dairy products plants, and similar uses.
- (5) Textile and apparel manufacturing, processing, and storage.
- (6) Lumber and wood products manufacturing, processing, and storage.

(7) Communication towers and communication antennas.

(8) Urban farm.

(9) Mobile food dispensing vehicle as defined by section 509.102, Florida Statutes.

**SECTION 3: Codification:** Section 2 of this Ordinance shall be codified and made part of the City of Winter Garden Code of Ordinances. Sections of this Ordinance may be renumbered or re-lettered to accomplish the intent of this Ordinance; that the word, "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to correct scribes' errors, such as incorrect code cross references, grammatical, typographical and similar or like errors when codifying this Ordinance.

**SECTION 4: Control:** In the event of a conflict or conflicts between this Ordinance and other ordinances, this Ordinance controls.

**SECTION 5: Severability:** It is the intent of the City Commission of the City of Winter Garden, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

**SECTION 6: Effective Date:** This Ordinance shall become effective upon adoption at its second reading.

FIRST READING:

OCTOBER 14, 2021

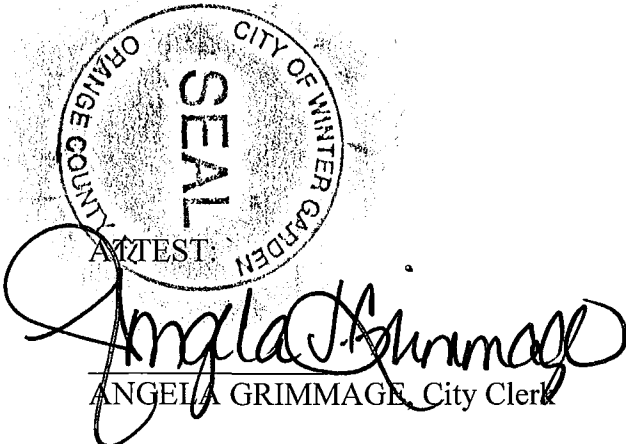
SECOND READING AND PUBLIC HEARING:

OCTOBER 28, 2021

ADOPTED this 28<sup>TH</sup> day of OCTOBER, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

  
JOHN REES, Mayor/Commissioner

  
ANGELA GRIMAGE, City Clerk