ORDINANCE NO. 2014-22

2 3 AN ORDINANCE OF WELLINGTON, FLORIDA'S AMENDING **WELLINGTON** 4 COUNCIL. THE COMPREHENSIVE PLAN FUTURE LAND USE MAP 5 6 (PETITION NUMBER 2013-61 CPA 2) BY CHANGING THE MAP DESIGNATION FROM 7 FUTURE LAND USE 8 COMMERCIAL RECREATION TO RESIDENTIAL "E" FOR 9 CERTAIN PROPERTY KNOWN AS PARCEL "V" OF THE 10 LANDINGS AT WELLINGTON PUD, TOTALING 0.26 ACRE, MORE OR LESS, LOCATED APPROXIMATELY 11 12 1/2 MILE SOUTH OF SOUTHERN BOULEVARD ON THE 13 WEST SIDE OF BINKS FOREST DRIVE, AS MORE SPECIFICALLY DESCRIBED HEREIN: PROVIDING A 14 15 CONFLICTS CLAUSE: PROVIDING A SEVERABILITY 16 CLAUSE; AND PROVIDING AN EFFECTIVE DATE. 17

18 **WHEREAS**, on May 7, 2014, the Planning, Zoning & Adjustment Board, sitting 19 as the Local Planning Agency, after notice and public hearing, has considered 20 amending the site specific future land use map designation for the property which is the 21 subject of this Ordinance and has submitted its recommendation to the Council; and 22

24 **WHEREAS**, Wellington has held all duly required public hearings in accordance 25 with Section 163.3184(3), Florida Statutes; and

WHEREAS, the Council has taken the recommendations from the Local Planning Agency, Wellington staff, the Petitioner and the comments from the public into consideration when considering amending the site specific future land use map designation for the property, which is the subject of this Ordinance; and

32 **WHEREAS,** Wellington has otherwise complied with applicable provisions of the 33 Florida Statues governing Small Scale Comprehensive Plan Amendments.

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

38 <u>SECTION 1</u>: The Wellington Comprehensive Plan Future Land Use Map
39 designation for the property described in Exhibit 1 is hereby designated as Residential
40 "E" but shall have no residential units assigned.
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42 <u>SECTION 2</u>: The Manager is hereby authorized and directed to transmit this
43 comprehensive plan amendment to the state land planning agency pursuant to Section
44 163.3184(3), Florida Statutes.
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46 **SECTION 3:** The Manager is hereby directed to amend the Wellington Future 47 Land Use Map to include the site specific future land use map designation for the 48 property as described in Exhibit 1, an adopted date and ordinance number in

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1 accordance with this Ordinance.

3 **SECTION 4:** Should any section paragraph, sentence, clause, or phrase of this 4 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision 5 shall not affect the validity of this Ordinance as a whole or any portion or part thereof, 6 other than the part to be declared invalid.

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8 **SECTION 5**: Should any section, paragraph, sentence, clause, or phrase of any 9 prior Wellington ordinance, resolution, or municipal code provision, then in that event 10 the provisions of this Ordinance shall prevail to the extent of such conflict.

12 **SECTION 6:** The effective date of this Comprehensive Plan Amendment shall 13 be 31 days after adoption by the Council, if there has not been a compliance challenge 14 with the Division of Administrative Hearings. If the ordinance is challenged within 30 15 days after adoption, the ordinance shall not become effective until the state land 16 planning agency or the Administrative Commission, respectively, issues a final order 17 determining the amendment to be in compliance.

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- 19 20

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1	PASSED this day of, 2014 upo	on first readin	g.		
2 3 4 5	PASSED AND ADOPTED this day of second and final reading.	of		2014,	on
6 7 8	WELLINGTON	FOR	AGAINST		
9					
10 11 12	BY: Bob Margolis, Mayor				
13 14	John Greene, Vice Mayor				
15	John Greene, vice Mayor				
16 17 18	Matt Willhite, Councilman				
19 20 21	Howard K. Coates, Jr., Councilman				
22 23 24	Anne Gerwig, Councilwoman				
25 26 27	ATTEST:				
28 29	BY: Awilda Rodriguez, Clerk				
30 31 32 33	APPROVED AS TO FORM AND LEGAL SUFFICIENCY				
34 35 36	BY: Laurie Cohen, Esq., Village Attorney				

1 **EXHIBIT 1** 2 Legal Description 3 ALL OF PARCEL "V" OF BINK'S FOREST OF THE LANDINGS AT WELLINGTON 4 P.U.D. PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT 5 BOOK 70, PAGE 162 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, 6 FLORIDA. 7 8 9 CONTAINING: 0.26 ACRE, MORE OR LESS. 10 SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-11 WAY OF RECORD. 12 13