

ORDINANCE NO. 2023-09

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A REZONING (PETITION NUMBER 2023-0001-REZ) TO MODIFY THE OFFICIAL ZONING MAP OF WELLINGTON FOR CERTAIN PROPERTY KNOWN AS MONCADA, FROM PALM BEACH COUNTY AGRICULTURE RESIDENTIAL (AR) TO WELLINGTON COMMUNITY FACILITIES (CF), TOTALING 45 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF FLYING COW ROAD, APPROXIMATELY 3.35 MILES SOUTH OF SOUTHERN BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; 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), as adopted by Wellington, is authorized and empowered to consider petitions related to zoning and land development orders; and

**WHEREAS**, the request is to amend the Moncada's Official Zoning Map designation to Community Facilities (CF); and

**WHEREAS**, the Rezoning request is consistent with the Future Land Use Map (FLUM) designation of Wellington's Comprehensive Plan; and

**WHEREAS**, the Village of Wellington desires to continue and expand its commitment to environmental stewardship; and

**WHEREAS**, Wellington purchased the Moncada subject property with a grant agreement from the Florida Department of Environmental Protection (FDEP) Florida Communities Trust in the amount of \$3,386,250 to further the Wellington Environmental Preserve Expansion Project; and

**WHEREAS**, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on March 15, 2023, recommended for approval of the Rezoning to designate the Moncada property as CF, with a unanimous vote (5-0); and

**WHEREAS**, Wellington's Council has taken the recommendations from the Local Planning Agency, Wellington staff, and the comments from the public into consideration for this request.

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

**SECTION 1.** Wellington's Official Zoning Map designation for the subject property, as legally described in Exhibit A, is hereby designated Community Facilities (CF).

**SECTION 2.** The Manager is hereby directed to amend the Official Zoning Map as illustrated in Exhibit B, to amend the zoning designation for the subject property described in Exhibit A, and to include the adopted date and ordinance number in accordance with this Ordinance and pursuant to the requirements of Chapter 163, Florida Statutes.

**SECTION 3.** 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 4.** 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 or part thereof, other than the part to be declared invalid.

**SECTION 5.** This ordinance shall become effective after Ordinance No. 2023-08, to modify the FLUM designation of the subject property, is adopted and in full effect.

**PASSED** this 11th day of April, 2023, upon first reading.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2023, on second and final reading.

**WELLINGTON**

	<b>FOR</b>	<b>AGAINST</b>
BY: _____ Anne Gerwig, Mayor	_____	_____
_____	_____	_____
Michael J. Napoleone, Vice Mayor	_____	_____
_____	_____	_____
Michael Drahos, Councilman	_____	_____
_____	_____	_____
John T. McGovern, Councilman	_____	_____
_____	_____	_____
Tanya Siskind, Councilwoman	_____	_____

**ATTEST:**

BY: \_\_\_\_\_  
Chevelle D. Addie, MMC, Village Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

BY: \_\_\_\_\_  
Laurie Cohen, Wellington Attorney

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**Ordinance No. 2023-09 Exhibit A:**

**LEGAL DESCRIPTION:**

THE SOUTH 1,400.00 FEET OF THE NORTH 2,391.00 FEET OF THE EAST 1,400.00 FEET OF SECTION  
24, TOWNSHIP 44 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA