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**ORDINANCE NO. 2020 – 13**

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING AN AMENDMENT TO WELLINGTON'S COMPREHENSIVE PLAN FUTURE LAND USE MAP [PETITION NUMBER 2019-0002-CPA] TO MODIFY THE LAND USE DESIGNATION FROM PALM BEACH COUNTY'S LOW RESIDENTIAL (LR-2) TO WELLINGTON'S MIXED USE (MU) FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON, TOTALING 10.36 ACRES, MORE OR LESS, LOCATED APPROXIMATELY 600 FEET WEST OF STATE ROAD 7 AND APPROXIMATELY ONE-HALF MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Wellington, a Florida Council, pursuant to the authority in Chapter 163, Florida Statutes, is authorized and empowered to consider changes to its Comprehensive Plan; and

**WHEREAS**, Wellington adopted Ordinance No. 2016-01 on February 23, 2016 annexing the subject parcel into the municipal boundary; and

**WHEREAS**, the current Future Land Use Map designation for the subject parcel is Palm Beach County (PBC) Low Residential (LR-2); and

**WHEREAS**, the request is to amend the subject 10.36 acre parcel, owned by Lotis Wellington, LLC., Future Land Use Map designation to Mixed Use and incorporate this parcel with the adjacent three (3) parcels owned by Lotis Wellington, LLC., to develop a 64-acre mixed use project known as Lotis Wellington; and

**WHEREAS**, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on October 14, 2020, recommended \_\_\_\_\_ of the Comprehensive Plan Future Land Use Map amendment to designate the subject parcel as Mixed use with a \_\_ to \_\_ vote; and

**WHEREAS**, Wellington's Council has taken the recommendations from the Local Planning Agency, Wellington staff and the comments from the public into consideration when considering the amendments to the Comprehensive Plan Map amendment that are the subject of this Ordinance; and

**WHEREAS**, Wellington's Council, after notice and public hearing, voted (\_\_\_ to \_\_\_) to transmit this proposed amendment to the Florida Department of Economic Opportunity in compliance with applicable provisions of the Florida Statutes governing amendments of local Comprehensive Plans.

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

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**SECTION 1:** The Wellington Comprehensive Plan Future Land Use Map designation for the property, known as Lotis Wellington (10.36-acre parcel) and legally described in Exhibit "A," is hereby designated as Mixed Use (MU).

**SECTION 2:** The Manager is hereby authorized and directed to transmit this Comprehensive Plan amendment to the Florida Department of Economic Opportunity pursuant to Chapter 163, Florida Statutes.

**SECTION 3:** The Manager is hereby directed to amend the Wellington Comprehensive Plan Future Land Use Map (Exhibit "B") to include the site specific designation for the property as described in Exhibit "A," including an adopted date and ordinance number in accordance with this ordinance and pursuant to the requirements of Chapter 163, Florida Statutes.

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

(The remainder of this page left intentionally blank)

84 **PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020, upon first reading.

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86 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2020, on second and final  
87 reading.

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89 **WELLINGTON**

90 **FOR** **AGAINST**

91  
92 BY: \_\_\_\_\_

93 Anne Gerwig, Mayor

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95 \_\_\_\_\_

96 Tanya Siskind, Vice Mayor

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98 \_\_\_\_\_

99 John T. McGovern, Councilman

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101 \_\_\_\_\_

102 Michael Drahos, Councilman

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104 \_\_\_\_\_

105 Michael J. Napoleone, Councilman

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108 **ATTEST:**

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111 BY: \_\_\_\_\_

112 Chevelle D. Addie, Clerk

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115 **APPROVED AS TO FORM AND**

116 **LEGAL SUFFICIENCY**

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118

119 BY: \_\_\_\_\_

120 Laurie Cohen, Village Attorney