ORDINANCE NO. 2014-22

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

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

WHEREAS, Wellington has held all duly required public hearings in accordance 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

WHEREAS, Wellington has otherwise complied with applicable provisions of the Florida Statutes governing Small Scale Comprehensive Plan Amendments.

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

SECTION 1: The Wellington Comprehensive Plan Future Land Use Map designation for the property described in Exhibit 1 is hereby designated as Residential "E" but shall have no residential units assigned.

SECTION 2: The Manager is hereby authorized and directed to transmit this comprehensive plan amendment to the state land planning agency pursuant to Section 163.3184(3), Florida Statutes.

SECTION 3: The Manager is hereby directed to amend the Wellington Future Land Use Map to include the site specific future land use map designation for the property as described in Exhibit 1, an adopted date and ordinance number in accordance with this Ordinance.

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 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 the 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.

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1	PASSED this 24 th day of June, 2014 upon first	st reading.		
2 3	PASSED AND ADOPTED this day	of		2014. on
4	second and final reading.			- , -
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7	WELLINGTON			
8		FOR	AGAINST	
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10	BY:			
11	By:Bob Margolis, Mayor			
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14	John Greene, Vice Mayor			
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17	Matt Willhite, Councilman			
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20	Howard K. Coates, Jr., Councilman			
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23	Anne Gerwig, Councilwoman			
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26	ATTEST:			
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28	BY:			
29	Awilda Rodriguez, Clerk			
30				
31	APPROVED AS TO FORM AND			
32	LEGAL SUFFICIENCY			
33	- 24			
34	BY: Laurie Cohen, Village Attorney			
35	Laurie Cohen, Village Attorney			
36				

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