

ORDINANCE NO. 2014-20

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING THE SITE SPECIFIC MIXED USE FUTURE LAND USE MAP DESIGNATION (PETITION NUMBER 2013-64 CPA 2) FOR CERTAIN PROPERTY KNOWN AS ISLA VERDE OF WELLINGTON, TOTALING 53.57 ACRES, MORE OR LESS, LOCATED ON THE EAST SIDE OF STATE ROAD 7 AND APPROXIMATELY 1/2 MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO INCREASE THE ALLOWED RESIDENTIAL UNITS FROM 230 TO 350 DWELLING UNITS, UPDATE THE FUTURE LAND USE MAP DESIGNATION TO THE CURRENT MIXED USE (TYPE 1) DESIGNATION AND DESIGNATE THE MAXIMUM DEVELOPMENT THRESHOLD; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Council of Wellington, Florida, previously adopted Ordinance No. 2003-17 on October 26, 2004 to establish a Mixed Use Future Land Use Map designation for this property; and

**WHEREAS**, the Wellington Comprehensive Plan Mixed Use future land use designation Policy 1.3.25.(4) requires the site specific Mixed Use Type be designated and Policy 1.3.25.(15)e. requires the site specific maximum development threshold be designated; and

**WHEREAS**, the Wellington Comprehensive Plan Mixed Use future land use designation Policy 1.3.25.(15)f. requires substantive change to a site specific Mixed Use future land use designation be considered a Comprehensive Plan Amendment; and

**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 Mixed Use 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**, the Council has taken the recommendations from the Local Planning Agency, Wellington staff, the Petitioner and comments from the public into consideration when considering amending the site specific Mixed Use Future Land Use Map designation for the property, which is the subject of this Ordinance; and

**WHEREAS**, the Council, after notice and public hearing, voted to transmit the proposed amendment (Ordinance 2014-20) to the state land planning agency for written comment; and

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

1  
2       **WHEREAS**, Wellington has otherwise complied with applicable provisions of the  
3 Florida Statutes governing amendments of the Comprehensive Plans.  
4

5       **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,**  
6 **FLORIDA, THAT:**  
7

8       **SECTION 1:** The Wellington Comprehensive Plan Future Land Use Map  
9 designation for the property described in Exhibit 1 is hereby established as Mixed Use  
10 Type 1. The Mixed Use Future Land Use Map designation for this property previously  
11 adopted by Ordinance No. 2003-17 is hereby abandoned.  
12

13       **SECTION 2:** The development/use of the property as described in Exhibit 1 shall  
14 be subject to the site specific conditions contained herein, which are in addition to the  
15 general requirements otherwise provided by ordinance:  
16

- 17       1. The project shall be developed consistent with the Master Plan (Exhibit 2)  
18       and limitations presented below:  
19

LAND USE TYPE*	INTENSITY/DENSITY LIMITATIONS
Conservation	Minimum 3.56 Acres (6.64 %) Preserve Area
Open Space	Minimum 6.62 Acres (12.37 %) Lakes and Tract L3
Commercial	Maximum 210,000 Sq. Ft. Retail/Commercial** 22.91 Acres (42.77 %)
Residential	Maximum 350 multi-family rental units 20.48 Acres (38.22 %)

20       \* This project shall contain a minimum of four (4) land use types.

21       \*\*The commercial portion may also contain restaurant, personal service,  
22       professional office and medical office uses.

- 23       2. The buildings within the residential portion shall obtain National Association  
24       of Home Builders (NAHB) Silver or higher rating. The Village's Planning and  
25       Zoning, Building, Engineering and Utilities permitting process shall be  
26       expedited for the residential portion in accordance with Land Development  
27       Regulations (LDR) Section 5.1.17. as it relates to LEED developments.
- 28       3. This Mixed Use project shall include interconnecting pedestrian ways and  
29       plazas. The vehicular and pedestrian connections on the Master Plan  
30       (Exhibit 2) are required. The central pedestrian plaza connecting the  
31       commercial and residential portion is required to reduce internal vehicular  
32       traffic and shall create an open space connection that is safe for pedestrian.

33       **SECTION 3:** The Manager is hereby authorized and directed to transmit this  
34       comprehensive plan amendment to the state land planning agency pursuant to Section  
35       163.3184(3), Florida Statutes.  
36

1       **SECTION 4:** The Manager is hereby directed to amend the Wellington Future  
2 Land Use Map to include an adopted date and ordinance number in accordance with  
3 this Ordinance.  
4

5       **SECTION 5:** Should any section paragraph, sentence, clause, or phrase of this  
6 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision  
7 shall not affect the validity of this Ordinance as a whole or any portion or part thereof,  
8 other than the part to be declared invalid.  
9

10       **SECTION 6:** Should any section, paragraph, sentence, clause, or phrase of this  
11 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington  
12 ordinance, resolution, or municipal code provision, then in that event the provisions of  
13 this Ordinance shall prevail to the extent of such conflict.  
14

15       **SECTION 7:** The effective date of this plan amendment, if the amendment is not  
16 timely challenged, shall be 31 days after the state land planning agency notifies the  
17 local government that the plan amendment package is complete. If timely challenged,  
18 this amendment shall become effective on the date the state land planning agency or  
19 the Administrative Commission enters a final order determining this adopted  
20 amendment to be in compliance. No development orders, development permits, or land  
21 uses dependent on this amendment may be issued or commence before it has become  
22 effective. If a final order of noncompliance is issued by the Administrative Commission,  
23 this amendment may nevertheless be made effective by adoption of a resolution  
24 affirming its effective status, a copy of which resolution shall be sent to the state land  
25 planning agency.  
26

27                               (The remainder of this page left intentionally blank)  
28

**PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2014 upon first reading.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2014, on second and final reading.

## WELLINGTON

**FOR**

## AGAINST

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

Bob Margolis, Mayor

John Greene, Vice Mayor

Matt Willhite, Councilman

Howard K. Coates, Jr., Councilman

Anne Gerwig, Councilwoman

**ATTEST:**

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

Awilda Rodriguez, Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

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

Laurie Cohen, Village Attorney

**EXHIBIT 1**  
Legal Description

ALL OF ISLA VERDE OF WELLINGTON RESIDENTIAL REPLAT, ACCORDING TO  
THE PLAT THEREOF RECORDED IN PLAT BOOK 115, PAGE 69 OF THE PUBLIC  
RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND

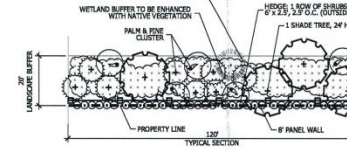
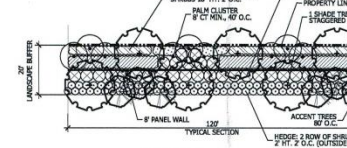
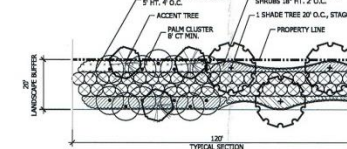
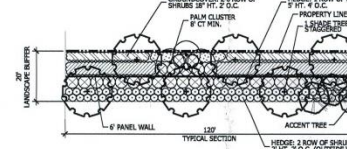
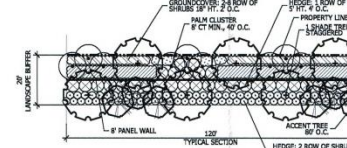
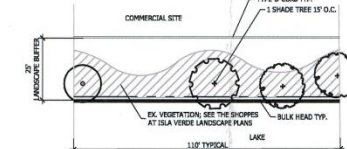
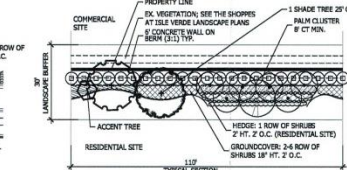
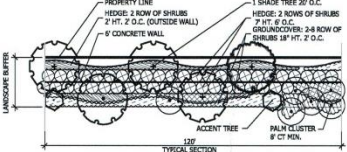
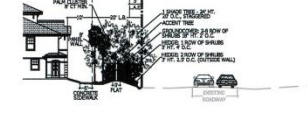
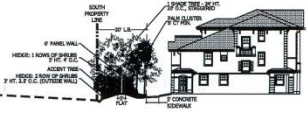
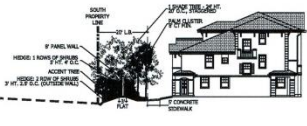
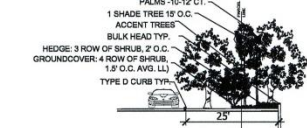
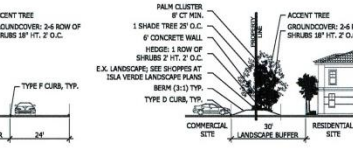
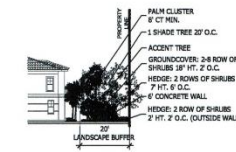
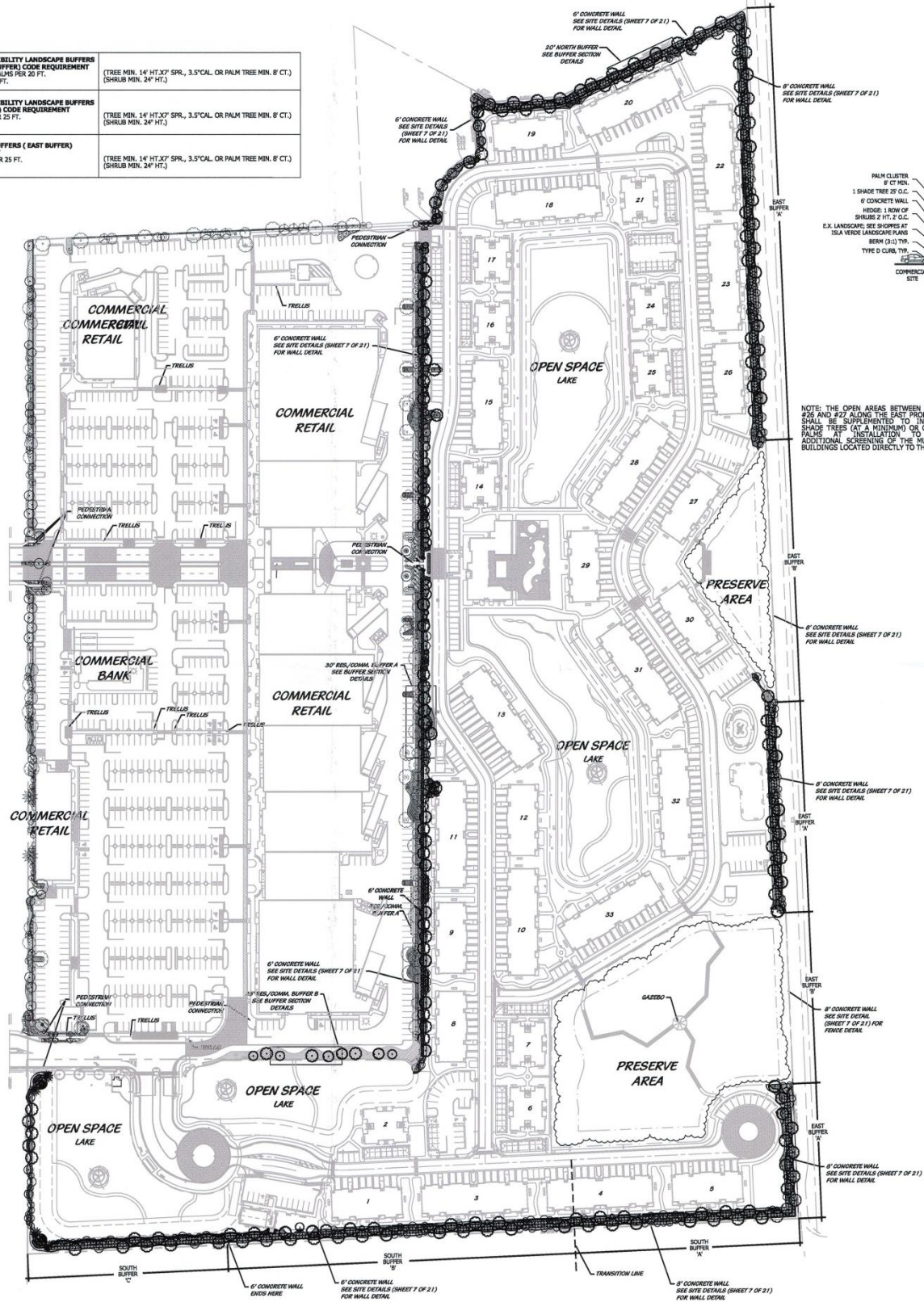
ALL OF ISLA VERDE OF WELLINGTON COMMERCIAL REPLAT, ACCORDING TO  
THE PLAT THEREOF RECORDED IN PLAT BOOK 115, PAGE 62 OF THE PUBLIC  
RECORDS OF PALM BEACH COUNTY, FLORIDA.







<b>PERIMETER INCOMPATIBILITY LANDSCAPE BUFFERS (NORTH AND SOUTH BUFFERS) CODE REQUIREMENT</b> 1 TREE OR 3 PALMS PER 25 FT. 1 SHRUB PER 2 FT.	(TREE MIN. 14" HT. X 7" DBH, 3.5" CAL. OR PALM TREE MIN. 8" CT.) (SHRUB MIN. 24" HT.)
<b>PERIMETER COMPATIBILITY LANDSCAPE BUFFERS (RES/COMM BUFFERS) CODE REQUIREMENT</b> 1 TREE OR 3 PALMS PER 25 FT. 1 SHRUB PER 2 FT.	(TREE MIN. 14" HT. X 7" DBH, 3.5" CAL. OR PALM TREE MIN. 8" CT.) (SHRUB MIN. 24" HT.)
<b>ROW LANDSCAPE BUFFERS (EAST BUFFER) CODE REQUIREMENT</b> 1 TREE OR 3 PALMS PER 25 FT. 1 SHRUB PER 2 FT.	(TREE MIN. 14" HT. X 7" DBH, 3.5" CAL. OR PALM TREE MIN. 8" CT.) (SHRUB MIN. 24" HT.)



NORTH BUFFER  
Scale: 1" = 30'

RES/COMM BUFFER A  
Scale: 1" = 30'

RES/COMM BUFFER B  
Scale: 1" = 30'

SOUTH BUFFER A  
Scale: 1" = 30'

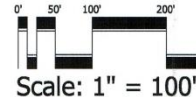
SOUTH BUFFER B  
Scale: 1" = 30'

SOUTH BUFFER C  
Scale: 1" = 30'

EAST BUFFER A  
Scale: 1" = 30'

EAST BUFFER B  
Scale: 1" = 30'

## Conceptual Landscape Buffer Plan



Scale: 1" = 100'



**Cotleur  
Hearing**

Landscape Architecture  
Planning  
Environmental Consulting  
Graphic Design

1934 Commerce Lane  
Suite 1  
Jupiter, Florida 33458  
561-747-6336 Fax-747-1377

**Isla Verde Residential**  
Wellington Isles, LLC  
Village of Wellington, Florida

RECEIVED  
AUG - 7 2014

VILLAGE OF WELLINGTON  
PLANNING DEPARTMENT

DESIGNED	DEH
DRAWN	RM
APPROVED	DEH
JOB NUMBER	04-1216.03
DATE	10-17-13
REVISIONS	02-13-14
	03-20-14
	07-26-14

August 07, 2014 9:09:59 a.m.  
Drawn by: 041216.03 LANDSCAPE\_BUFFER.DWG

SHEET 2 OF 2

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