ORDINANCE NO. 2024 - 04

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP (FLUM) OF WELLINGTON'S COMPREHENSIVE PLAN, (PETITION NUMBER 2023-0002-CPA), TO MODIFY THE FUTURE LAND USE MAP DESIGNATION FROM COMMERCIAL TO RESIDENTIAL C (1.01 DU/AC – 3.0 DU/AC) FOR CERTAIN PROPERTY KNOWN AS EQUESTRIAN CENTER OF THE ORANGE POINT PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN, TOTALING 10 ACRES, MORE OR LESS; LOCATED APPROXIMATELY TWO (2) MILES WEST OF STATE ROAD 7, AT THE NORTHEAST CORNER OF 50TH STREET SOUTH AND 120TH AVENUE SOUTH, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

WHEREAS, the property owner desires to amend the Future Land Use Map (FLUM) designation of Wellington's Comprehensive Plan for the subject property to Residential C (1.01 du/ac to 3.0 du/ac); and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on March 28, 2024, recommended _____ of the Comprehensive Plan FLUM amendment to designate the subject property as Residential C 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 amendment to the Comprehensive Plan FLUM amendment that is 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 Commerce, 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:

SECTION 1: The Wellington Comprehensive Plan Future Land Use Map (FLUM)

designation of the subject property, Pod O of the Orange Point Planned Unit Development, as legally described in Exhibit A, is hereby designated as Residential C.

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

SECTION 3: The Manager is hereby directed to amend the FLUM of Wellington's Comprehensive Plan as illustrated in Exhibit B, to amend the land use 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 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, this 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)

PASSED this ____ day of _____, 2024, upon first reading.

PASSED AND ADOPTED this ___ day of _____ 2024, on second and final reading.

WELLINGTON

		FOR	**AGAINST**
BY:	_____	_____	_____
	Michael Napoleone, Mayor		
	_____	_____	_____
	, Vice Mayor		
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

ATTEST:

BY: _____
Chevelle D. Hall, MMC, Village Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
Laurie Cohen, Village Attorney