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ORDINANCE NO. 2024-21

AN ORDINANCE OF WELLINGTON, FLORIDA’S COUNCIL, AMENDING THE LAND USE & COMMUNITY DESIGN ELEMENT OF WELLINGTON’S COMPREHENSIVE PLAN, (PETITION NUMBER 2024-0003-CPA), TO MODIFY TABLE LU&CD 1-1 LAND USE DESIGNATIONS: DENSITY AND INTENSITY; TO MODIFY POLICIES LU&CD 1.3.3, 1.4.1, AND 1.4.2 FOR CONSISTENCY WITH TABLE LU&CD 1-1; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wellington, Florida’s Council, pursuant to the authority in Chapter 163, and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its Comprehensive Plan; and

WHEREAS, Wellington desires to adopt an amendment to Table LU&CD 1-1 Land Use Designations: Density and Intensity, along with modifying policies 1.3.3, 1.4.1, and 1.4.2 to achieve and maintain consistency of the Land Use & Community Design Element of Wellington’s Comprehensive Plan and Land Development Regulations. Additionally, the amendment furthers the intent of Wellington’s current vision and future needs; and

WHEREAS, the amendment does not change the intent of the Land Use & Community Design Element of the Comprehensive Plan; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on November 20, 2024, recommended approval of the Comprehensive Plan Amendment to Table LU&CD 1-1 Land Use Designations: Density and Intensity Plan, along with Policies LU&CD 1.3.3 and 1.4.1, with a 7 to 0 vote. The proposed revision to include Policy 1.4.2 was based on a suggestion for clarification from PZAB but was not part of their original review packet; and

WHEREAS, Wellington’s Council has taken the recommendations from the Local Planning Agency, along with the Finding of Fact by staff, into consideration for the proposed amendment to the Comprehensive Plan subject to this ordinance; and

WHEREAS, Wellington’s Council, after notice of public hearing, _____ with a ____ to__ vote to transmit this proposed amendment to the Florida Department of Commerce in compliance with the applicable provisions of the Florida Statutes governing amendments to Local Comprehensive Plans.

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

SECTION 1. The Land Use & Community Design Element, specifically table LU&CD 1-1 and policies LU&CD 1.3.3, 1.4.1, and 1.4.2 of Wellington’s Comprehensive Plan are hereby amended as provided in Exhibit A.

SECTION 2. The Manager is hereby authorized and directed to transmit this Comprehensive Plan Amendment to the Florida Department of Commerce pursuant to Florida Statutes.

51 **SECTION 3.** The Manager is hereby directed to amend the Land Use & Community Design
52 Element of Wellington’s Comprehensive Plan as illustrated in Exhibit A and to include the adopted
53 date and ordinance number in accordance with this Ordinance and pursuant to the requirements of
54 Chapter 163, Florida Statutes.

55
56 **SECTION 4.** Should any section, paragraph, sentence, clause, or phrase of this Ordinance
57 conflict with any section, paragraph, clause, or phrase of any prior Wellington Ordinance,
58 Resolution, or Municipal Code provision; then in that event, the provisions of this Ordinance shall
59 prevail to the extent of such conflict.

60
61 **SECTION 5.** Should any section, paragraph, sentence, clause, or phrase of this Ordinance
62 be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the
63 validity of this ordinance as a whole or any portion or part thereof, other than the part to be declared
64 invalid.

65
66 **SECTION 6.** The effective date of this Comprehensive Plan Amendment shall be 31 days
67 after adoption by Wellington’s Council if there has not been a compliance challenge with the Division
68 of Administrative Hearings. If the ordinance is challenged within 30 days after adoption, this
69 Ordinance shall not become effective until the State Land Planning Agency or the Administrative
70 Commission, respectively, issues a final order determining the amendment to be in compliance.

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

103
104 **PASSED AND ADOPTED** this ____ day of _____ 2025, on second and final
105 reading.

106
107 **WELLINGTON**

108 **FOR** **AGAINST**

109 BY: _____

110 Michael J. Napoleone, Mayor

111 _____

112 John T. McGovern, Vice Mayor

113 _____

114 Tanya Siskind, Councilwoman

115 _____

116 Maria Antuña, Councilwoman

117 _____

118 Amanda Silvestri, Councilwoman

119 _____

120 _____

121 _____

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124 _____

125 **ATTEST:**

126 BY: _____

127 Chevelle D. Hall, MMC, Village Clerk

128 _____

129 _____

130 **APPROVED AS TO FORM AND**

131 **LEGAL SUFFICIENCY**

132 _____

133 BY: _____

134 Laurie Cohen, Esq., Village Attorney

135 _____

136 _____