

ORDINANCE NO. 2022 - 28

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A REZONING (PETITION NUMBER 2021-0002-REZ), TO MODIFY THE OFFICIAL ZONING MAP OF WELLINGTON TO MULTIPLE USE PLANNED DEVELOPMENT (MUPD) FROM PALM BEACH COUNTY PUBLIC OWNERSHIP FOR CERTAIN PROPERTY KNOWN AS 441 PARTNERS (PARCEL 1) TOTALING 15.68 ACRES, MORE OR LESS, AGRICULTURAL RESIDENTIAL FOR CERTAIN PROPERTIES KNOWN AS 441 PARTNERS (PARCELS 2 AND 3) TOTALING 35.92 ACRES, MORE OR LESS, AND AGRICULTURAL RESIDENTIAL FOR CERTAIN PROPERTY KNOWN AS LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY TOTALING 1.49 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY A HALF MILE NORTH OF THE FOREST HILL BOULEVARD AND STATE ROAD 7 INTERSECTION, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wellington, Florida's Council, as the governing body of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulations (LDR), as adopted by Wellington, is authorized and empowered to consider petitions related to zoning and land development orders; and

WHEREAS, Wellington adopted Ordinance No. 2022-26 on September 21, 2022 annexing the subject property into the municipal boundary; and

WHEREAS, Wellington adopted Ordinance No. 2022-27 on November 8, 2022 approving the Mixed Use (MU) Future Land Use Map (FLUM) designation of Wellington's Comprehensive Plan for the subject properties; and

WHEREAS, the request is to amend the subject properties Official Zoning Map designation to Multiple Use Planned Development (MUPD); and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on August 17, 2022, recommended approval of the Rezoning to designate the subject properties as MUPD with a 5 to 0 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 for this request; and

WHEREAS, Wellington's Council, has determined the rezoning request is consistent with the FLUM designation of Wellington's Comprehensive Plan.

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

50 **SECTION 1:** Wellington's Official Zoning Map designation for the subject properties, as
51 legally described in Exhibits A and B, are hereby designated Multiple Use Planned
52 Development (MUPD).
53

54 **SECTION 2:** The Manager is hereby directed to amend the Official Zoning Map as
55 illustrated in Exhibit C to include the properties and amend the zoning designation for the
56 subject properties as legally described in Exhibits A and B, and to include the adopted date
57 and ordinance number in accordance with this ordinance and pursuant to the requirements of
58 Chapter 163, Florida Statutes.
59

60 **SECTION 3:** Should any section paragraph, sentence, clause, or phrase of this
61 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall
62 not affect the validity of this ordinance as a whole or any portion or part thereof, other than
63 the part to be declared invalid.
64

65 **SECTION 4:** Should any section, paragraph, sentence, clause, or phrase of this
66 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
67 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this
68 Ordinance shall prevail to the extent of such conflict.
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70 **SECTION 5:** This ordinance shall become effective after Ordinance No. 2022-27 is
71 adopted and in full effect.
72

73 (The remainder of this page left intentionally blank)
74

PASSED this 21st day of September, 2022, upon first reading.

PASSED AND ADOPTED this ____ day of _____ 2022, on second and final reading.

WELLINGTON

FOR AGAINST

BY: _____	_____	_____
Anne Gerwig, Mayor		
_____	_____	_____
Michael Drahos, Vice Mayor		
_____	_____	_____
John T. McGovern, Councilman		
_____	_____	_____
Michael J. Napoleone, Councilman		
_____	_____	_____
Tanya Siskind, Councilwoman		

ATTEST:

BY: _____
Chevelle D. Addie, Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Wellington Attorney