

ORDINANCE NO. 2016 – 08

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL;  
APPROVING A COMPREHENSIVE PLAN TEXT AMENDMENT  
(PETITION NUMBER 15 – 80 / 2015 – 47 CPTA) TO THE VILLAGE OF  
WELLINGTON COMPREHENSIVE PLAN LAND USE ELEMENT POLICY  
1.3.25. MIXED USE; AMENDING THE REQUIREMENT FOR PARCELS  
WITH MIXED USE FUTURE LAND USE MAP DESIGNATION,  
REQUIRING BOTH COMMERCIAL AND OFFICE LAND USE FOR  
MIXED USE PROJECTS MORE THAN 30 ACRES, DELETING THE 60  
ACRE MAXIMUM LAND AREA AND REQUIRING FIVE (5) LAND USES  
FOR MIXED USE PROJECTS MORE THAN 60 ACRES; AUTHORIZING  
THE MANAGER TO AMEND THE COMPREHENSIVE PLAN;  
PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY  
CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

**WHEREAS**, the purpose and intent of the Mixed Use (MU) Future Land Use Map designation is to provide for a mixture of uses within a single project while ensuring the availability of public facilities, deterring urban sprawl and internalization of vehicular trips; and

**WHEREAS**, Wellington has determined removal of the 60 acre maximum land area and requiring both commercial and office uses for project's more than 30 acres with a MU Future Land Use Map designation is in the best interest of the community; and

**WHEREAS**, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on September 14, 2016, has reviewed the proposed amendments to Wellington's Comprehensive Plan and provided recommendation to the Village Council; and

**WHEREAS**, the Council has taken the recommendations from the Petitioner, Local Planning Agency, Wellington staff and the comments from the public into consideration when considering the amendments to the Comprehensive Plan that are the subject of this Ordinance.

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

**SECTION 1.** Land Use Element Policy 1.3.25. Mixed Use (MU) of Wellington's Comprehensive Plan is hereby amended, as presented in Exhibit 1.

**SECTION 2.** The Village Manager is hereby authorized and directed to transmit this proposed Comprehensive Plan Amendment to the Florida Department of Economic Opportunity pursuant to Chapter 163 of the Florida Statutes.

**SECTION 3.** 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 4.** Should any section, paragraph, sentence, clause, or phase 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 as a whole or any portion or part thereof, other than the part so declared to be invalid.

**SECTION 5.** The effective date of this plan amendment after adoption shall be 31 days after the Florida Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Florida Department of Economic Opportunity or the Administrative Commission enters a final order determining this adopted amendment to be in compliance or upon dismissal of challenge.

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1 **PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2016 on first reading.

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4 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2016, on second and final  
5 reading.

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7  
8 **WELLINGTON**

9  
10 **FOR** **AGAINST**

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

12 Anne Gerwig, Mayor

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14 \_\_\_\_\_

15 John T. McGovern, Councilman

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17 \_\_\_\_\_

18 Michael J. Napoleone, Councilman

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20 \_\_\_\_\_

21 Michael Drahos, Councilman

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23 \_\_\_\_\_

24 Tanya Siskind, Councilwoman

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27 **ATTEST:**

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

31 Rachel Callovi, Village Clerk

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34 **APPROVED AS TO FORM AND**  
35 **LEGAL SUFFICIENCY**

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37  
38 BY: \_\_\_\_\_

39 Laurie Cohen, Village Attorney