

ORDINANCE NO. 2020 – 13

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING AN AMENDMENT TO WELLINGTON'S COMPREHENSIVE PLAN FUTURE LAND USE MAP [PETITION NUMBER 2019-0002-CPA] TO MODIFY THE LAND USE DESIGNATION FROM PALM BEACH COUNTY'S LOW RESIDENTIAL (LR-2) TO WELLINGTON'S MIXED USE (MU) FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON, TOTALING 10.36 ACRES, MORE OR LESS, LOCATED APPROXIMATELY 600 FEET WEST OF STATE ROAD 7 AND APPROXIMATELY ONE-HALF MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Wellington adopted Ordinance No. 2016-01 on February 23, 2016 annexing the subject parcel into the municipal boundary; and

WHEREAS, the current Future Land Use Map designation for the subject parcel is Palm Beach County (PBC) Low Residential (LR-2); and

WHEREAS, the request is to amend the subject 10.36 acre parcel, owned by Lotis Wellington, LLC., Future Land Use Map designation to Mixed Use and incorporate this parcel with the adjacent three (3) parcels owned by Lotis Wellington, LLC., to develop a 64-acre mixed use project known as Lotis Wellington; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on October 14, 2020, recommended approval of the Comprehensive Plan Future Land Use Map amendment to designate the subject parcel as Mixed Use with a seven (7) to zero (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 when considering the amendments to the Comprehensive Plan Map amendment that are 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 Economic Opportunity 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:

50
51 **SECTION 1:** The Wellington Comprehensive Plan Future Land Use Map designation
52 for the property, known as Lotis Wellington (10.36-acre parcel) and legally described in
53 Exhibit "A," is hereby designated as Mixed Use (MU) Type 1.
54

55 **SECTION 2:** The Manager is hereby authorized and directed to transmit this
56 Comprehensive Plan amendment to the Florida Department of Economic Opportunity
57 pursuant to Chapter 163, Florida Statutes.
58

59 **SECTION 3:** The Manager is hereby directed to amend the Wellington
60 Comprehensive Plan Future Land Use Map (Exhibit "B") to include the site specific
61 designation for the property as described in Exhibit "A," including an adopted date and
62 ordinance number in accordance with this ordinance and pursuant to the requirements of
63 Chapter 163, Florida Statutes.
64

65 **SECTION 4:** Should any section paragraph, sentence, clause, or phrase of this
66 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall
67 not affect the validity of this ordinance as a whole or any portion or part thereof, other than
68 the part to be declared invalid.
69

70 **SECTION 5:** Should any section, paragraph, sentence, clause, or phrase of this
71 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
72 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this
73 Ordinance shall prevail to the extent of such conflict.
74

75 **SECTION 6:** The effective date of this Comprehensive Plan Amendment shall be 31
76 days after adoption by Wellington's Council, if there has not been a compliance challenge
77 with the Division of Administrative Hearings. If the ordinance is challenged within 30 days
78 after adoption, the ordinance shall not become effective until the state land planning agency
79 or the Administrative Commission, respectively, issues a final order determining the
80 amendment to be in compliance.
81

82 (The remainder of this page left intentionally blank)
83

PASSED this 10th day of November, 2020, upon first reading.

PASSED AND ADOPTED this ____ day of _____ 2020, on second and final reading.

WELLINGTON

FOR AGAINST

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

ATTEST:

BY: _____
Chevelle D. Addie, Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney