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AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A REZONING (PETITION NUMBER 2021-0001-REZ), TO MODIFY THE OFFICIAL ZONING MAP OF WELLINGTON FROM PALM BEACH COUNTY AGRICULTURAL RESIDENTIAL (AR) TO MULTIPLE USE PLANNED DEVELOPMENT (MUPD) FOR CERTAIN PROPERTY KNOWN AS LAKE WORTH DRAINAGE DISTRICT 25-FOOT WIDE RIGHT-OF-WAY, TOTALING 0.35-ACRE, 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. 2021-11 on September 14, 2021, annexing the subject property into the municipal boundary; and

WHEREAS, Wellington adopted Ordinance No. 2021-15 on October 26, 2021, approving the Mixed Use (MU) Future Land Use Map (FLUM) designation of Wellington's Comprehensive Plan for the subject property; and

WHEREAS, the request is to amend the subject property Zoning Map designation to Multiple Use Planned Development (MUPD) and incorporate this parcel with the adjacent parcels owned by Lotis Wellington, LLC.; and

WHEREAS, this parcel was intended to be part of previous applications to modify the land use and zoning. Further, it was intended to be part of the master plan for Lotis Wellington; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on July 14, 2021, recommended _____ of the Rezoning to designate the subject 0.35-acre sliver of land as Multiple Use Planned Development (MUPD) 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 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:**

1
2 **SECTION 1:** Wellington's Official Zoning Map designation for the subject 0.35-acre
3 sliver of land, as legally described in Exhibit A, is hereby designated Multiple Use Planned
4 Development (MUPD).
5

6 **SECTION 2:** The Manager is hereby directed to amend the Official Zoning Map (Exhibit
7 B) to include the property and amend the zoning designation for the property described in
8 Exhibit A, and to include the adopted date and ordinance number in accordance with this
9 ordinance and pursuant to the requirements of Chapter 163, Florida Statutes.
10

11 **SECTION 3:** Should any section paragraph, sentence, clause, or phrase of this
12 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall
13 not affect the validity of this ordinance as a whole or any portion or part thereof, other than
14 the part to be declared invalid.
15

16 **SECTION 4:** Should any section, paragraph, sentence, clause, or phrase of this
17 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
18 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this
19 Ordinance shall prevail to the extent of such conflict.
20

21 **SECTION 5:** This ordinance shall become effective after Ordinance No. 2021-15 is
22 adopted and in full effect.
23

24 (The remainder of this page left intentionally blank)
25

1 **PASSED** this _____ day of _____, 2021, upon first reading.

2
3 **PASSED AND ADOPTED** this ____ day of _____ 2021, on second and final reading.

4
5 **WELLINGTON**

	FOR	AGAINST
6		
7		
8 BY: _____	_____	_____
9 Anne Gerwig, Mayor		
10		
11 _____	_____	_____
12 John T. McGovern, Vice Mayor		
13		
14 _____	_____	_____
15 Michael Drahos, Councilman		
16		
17 _____	_____	_____
18 Michael J. Napoleone, Councilman		
19		
20 _____	_____	_____
21 Tanya Siskind, Councilwoman		
22		

23
24 **ATTEST:**

25
26
27 BY: _____

28 Chevelle D. Addie, Clerk

29

30
31 **APPROVED AS TO FORM AND**

32 **LEGAL SUFFICIENCY**

33

34
35 BY: _____

36 Laurie Cohen, Village Attorney