

Staff Report: Exhibit C

ORDINANCE NO. 2007-19

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, RELATING TO PETITION NUMBER ZTA 07-002, PROVIDING FOR AN OFFICIAL ZONING MAP AND TO ADOPT THE OFFICAL ZONING MAP FOR THE VILLAGE OF WELLINGTON, CONSISTING OF APPROXIMATELY 45 SQUARE MILES OF LAND WITHIN THE CORPORATE LIMITS OF THE VILLAGE, LOCATED GENERALLY AS FOLLOWS, NORTH OF THE LOXAHATCHEE NATIONAL WILDLIFE REFUGE AND THE HOMELAND SUBDIVISION, SOUTH OF STATE ROAD 80/SOUTHERN BOULEVARD, EAST OF THE LOXAHATCHEE NATIONAL WIDELIFE REFUGE, AND GENERALLY WEST OF A LINE CONSISTING OF SR 7/US 441, AND AS MORE SPECIFICALLY DESCRIBED HEREIN; AMENDING CHAPTER 3 OF ARTICLE SIX OF THE LAND DEVELOPMENT REGULATIONS RELATING TO THE "ZONING MAP AND DISTRICT BOUNDARIES" REPLACING THE FUTURE LAND USE MAP OF THE VILLAGE WITH THE OFFICIAL ZONING MAP; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the notice and hearing requirements as provided in Article V of the Land Development Regulations, as adopted by the Village of Wellington, have been satisfied; and

WHEREAS, the Planning, Zoning and Adjustment Board, after notice and public hearing has considered the petition of ZTA 07-002, to adopt an official Zoning Map and to adopt the official zoning map for the village of Wellington for the Village of Wellington and has presented its recommendation to the Village Council; and

WHEREAS, in accordance with the requirements of Chapter 163, Florida Statutes, the Village Planning, Zoning and Adjustment Board, acting as the Land Development Regulation Commission, has reviewed the proposed regulations and has determined that the proposed regulations are consistent with the Village of Wellington Comprehensive Plan; and

WHEREAS, the Village Council has considered the evidence and testimony presented by the Village Staff and other interested parties and the recommendations of the various Village of Wellington review agencies and staff; and

WHEREAS, The Village Council has determined that the proposed adoption of an official zoning map and adoption of the official zoning map for the Village of Wellington is consistent with and furthers the purposes of the Comprehensive Plan.

1 NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE
2 VILLAGE OF WELLINGTON, FLORIDA that:

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4 **SECTION 1:** The Official Zoning Map, depicted in Exhibit "A," is hereby adopted as the
5 Official Zoning Map of the Village of Wellington.

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7 **SECTION 2:** The Village Manager is hereby authorized and directed to make
8 appropriate changes on the Official Zoning Map of the Village to effectuate the purpose of this
9 Ordinance.

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11 **SECTION 3:** Sections 6.3.1., 6.3.2 and 6.3.3 of Article 6, "Zoning Districts," Chapter 3,
12 "Official Zoning Map" of the Land Development Regulations (LDRs) are hereby amended to
13 read as follows:

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15 **Sec. 6.3.1 Establishment of ~~Future Land Use~~ Official Zoning Map.**

16 The location and boundaries of the districts established in this article shall be set forth
17 on the ~~Future Land Use~~ Official Zoning Map of The Village of Wellington, which is
18 incorporated herein by reference into this article as if fully described and set forth
19 herein. A copy of the ~~Future Land Use~~ Official Zoning Map shall be located at all times
20 for inspection by the general public during regular business hours in the offices of the
21 PZB Community Development Department.

22 **Sec.6.3.2 Amendment to the ~~Future Land Use~~ Official Zoning Map.**

23 If pursuant to the terms of this Code, amendments are made to the ~~boundaries of~~
24 the ~~Future Land Use~~ Official Zoning Map; such amendments shall be entered on
25 the ~~Future Land Use~~ Official Zoning Map by the Planning & Zoning Manager
26 within ~~twenty (20)~~ working days after the amendment.

27 **Sec. 6.3.3 Replacement of ~~Future Land Use~~ Official Zoning Map.**

28 In the event that the ~~Future Land Use~~ Official Zoning Map becomes damaged,
29 destroyed, lost, or difficult to interpret because of the nature or number of
30 changes and addition, the Village Council shall adopt a new ~~Future Land Use~~
31 Official Zoning Map that shall supersede the prior ~~Future Land Use~~ Official
32 Zoning Map.

33 The new ~~Future Land Use~~ Official Zoning Map may correct drafting and clerical errors or
34 omissions in the prior ~~Future Land Use~~ Official Zoning Map, but no such corrections
35 shall have the effect of amending the original ~~Future Land Use~~ Official Zoning Map or
36 subsequent amendments thereto without a duly noticed public hearing pursuant to the
37 procedures and standards of this Code.

38 **SECTION 4:** Should any section, paragraph, sentence, clause, or phrase of this
39 Ordinance conflict with any section, paragraph, clause or phrase of any prior Village
40 Ordinance, Resolution, or municipal Code provision, then in that event the provisions of this
41 Ordinance shall prevail to the extent of such conflict.

42
43 **SECTION 5:** Should any section, paragraph, sentence, clause, or phrase of this
44 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall

1 not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the
2 part so declared to be invalid.

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4 **SECTION 6:** The provisions of this Ordinance shall take effect immediately upon
5 adoption.

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1 **PASSED** this 23rd day of October, 2007, upon first reading.

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3 **PASSED AND ADOPTED** this 13th day of November, 2007, on second and final reading.

4
5 **VILLAGE OF WELLINGTON**

	FOR	AGAINST
6 7 BY: <u>Thomas M. Wenham</u>	✓	
8 Thomas M. Wenham, Mayor		
9 10 <u>Robert S. Margolis</u>	✓	
11 Robert S. Margolis, Vice Mayor		
12 13 <u>Lizbeth Benacquisto</u>	✓	
14 Lizbeth Benacquisto, Councilwoman		
15 16 <u>Laurie S. Cohen</u>	✓	
17 Laurie S. Cohen, Councilwoman		
18 19 <u>Dr. Carmine A. Priore</u>	✓	
20 Dr. Carmine A. Priore, Councilman		

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23 **ATTEST:**

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25 BY: Awilda Rodriguez

26 Awilda Rodriguez, Village Clerk

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30 **APPROVED AS TO FORM AND**

31 **LEGAL SUFFICIENCY**

32
33 BY: Jeffrey S. Kurtz

34 Jeffrey S. Kurtz, Village Attorney

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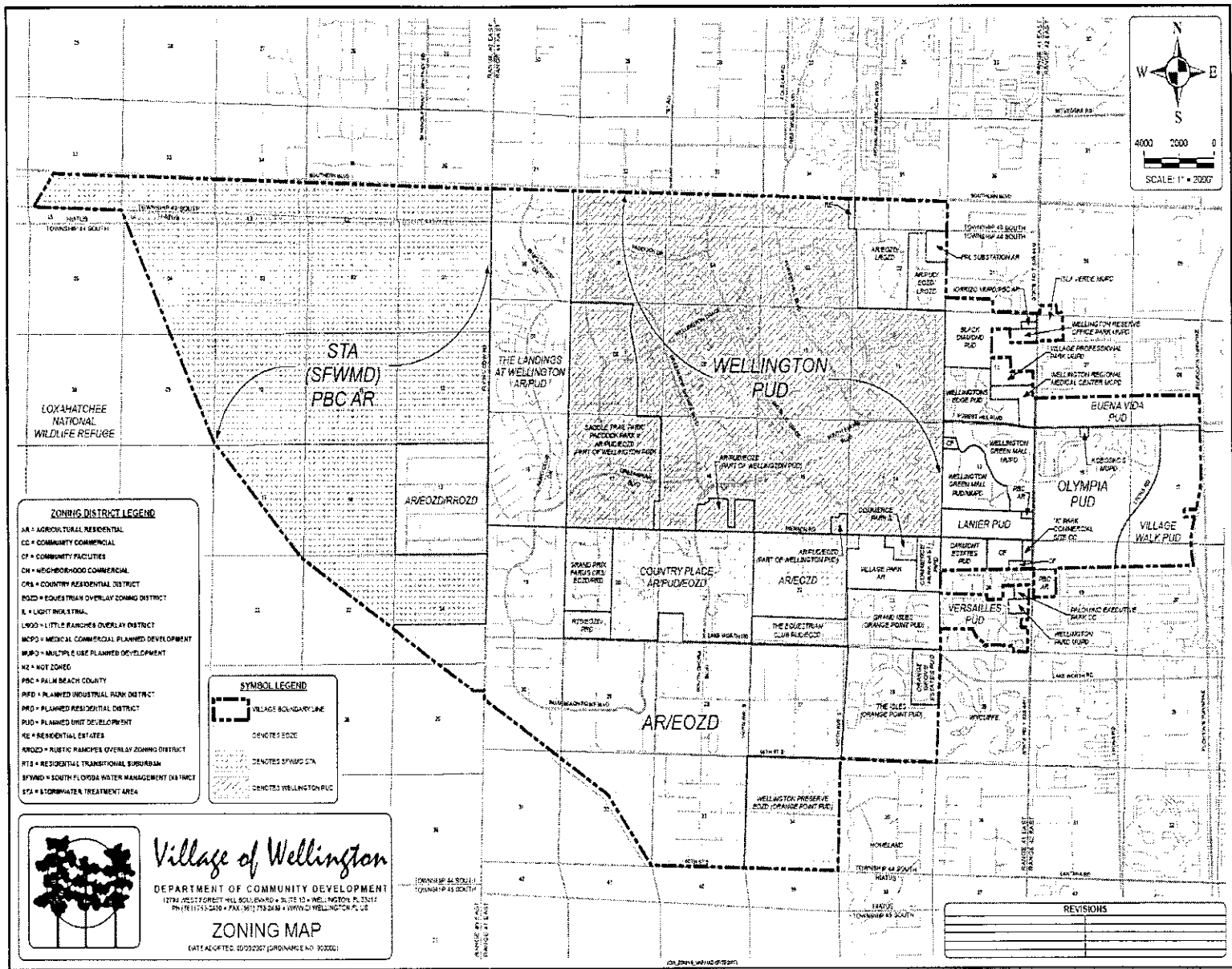


Exhibit "A"
Official Zoning Map