

ORDINANCE NO. 2021 – 16

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 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 13, 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 approval of the Rezoning to designate the subject 0.35-acre parcel of land as Multiple Use Planned Development (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:

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51 **SECTION 1:** Wellington's Official Zoning Map designation for the subject 0.35-acre
52 parcel of land, as legally described in Exhibit A, is hereby designated Multiple Use Planned
53 Development (MUPD).
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55 **SECTION 2:** The Manager is hereby directed to amend the Official Zoning Map (Exhibit
56 B) to include the property and amend the zoning designation for the property described in
57 Exhibit A, and to include the adopted date and ordinance number in accordance with this
58 ordinance and pursuant to the requirements of 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. 2021-15 is
71 adopted and in full effect.
72

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

PASSED this 13th day of September, 2021, upon first reading.

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

WELLINGTON

FOR AGAINST

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

ATTEST:

BY: _____
Chevelle D. Addie, Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney