



Legislation Details (With Text)

File #: 20-4269 **Name:** ORDINANCE NO. 2021-06 WELLINGTON GREEN CPA

Type: Comp Plans **In control:** Village Council

On agenda: 3/23/2021 **Final action:**

Title: ORDINANCE NO. 2021-06 WELLINGTON GREEN CPA

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP (FLUM) OF WELLINGTON'S COMPREHENSIVE PLAN, (PETITION NUMBER 2020-0001-CPA), TO MODIFY THE LAND USE DESIGNATION FOR TRACT W-5 (CONSERVATION), TOTALING 17.62 ACRES, MORE OR LESS, AND THE LAND USE DESIGNATION FOR POD B (RESIDENTIAL F), TOTALING 25.96 ACRES, MORE OR LESS, TO REGIONAL COMMERCIAL/LARGE SCALE MIXED USE (RC/LSMU); TO DELETE THE MAP NOTATION FOR PROPERTIES DESIGNATED LSMU; TO DELETE THE SITE SPECIFIC TABLE THAT INDICATES THE MINIMUM AND MAXIMUM ACREAGE THRESHOLDS FOR EACH USE TYPE FOR THE SUBJECT SITE, KNOWN AS WELLINGTON GREEN, TOTALING 456.30 ACRES, MORE OR LESS, LOCATED ON THE SOUTHWEST CORNER OF STATE ROAD 7 AND FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Code sections:

Attachments: 1. 1. Location Map.pdf, 2. 2. Ordinance 2021-06 CPA Wellington Green, 3. 3. Ord. 2021-06 (CPA) Exhibit A, 4. 4. Ord. 2021-06 (CPA) Exhibit B, 5. 5. Staff Report-WG CPA-DOA, 6. 6. SR. Exhibit A - PBC Ord 96-26 (Land Use), 7. 7. SR. Exhibit B - PBC Res R96-1195 (Zoning), 8. 8. SR. Exhibit C - Summary of Amendments, 9. 9. SR. Exhibit D - Proposed WG Master Plan, 10. 10. SR. Exhibit E - CPA Justification Statement, 11. 11. SR. Exhibit F - DOA Justification Statement, 12. 12. SR. Exhibit G - Approved WG MP, 13. 13. SR. Exhibit H - List of Condition Numbers, 14. 14. SR. Exhibit I - List of Wellington CPA, 15. 15. SR. Exhibit J - Tract W-5 Environmental Report and Conservation Easement, 16. 16. Legal Ad

Date	Ver.	Action By	Action	Result
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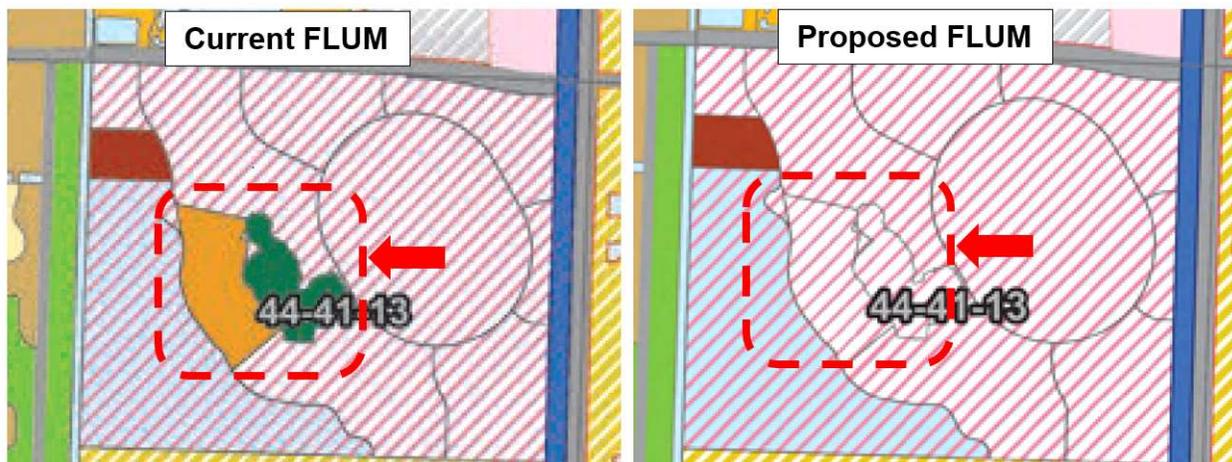
ITEM: ORDINANCE NO. 2021-06 WELLINGTON GREEN CPA

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP (FLUM) OF WELLINGTON'S COMPREHENSIVE PLAN, (PETITION NUMBER 2020-0001-CPA), TO MODIFY THE LAND USE DESIGNATION FOR TRACT W-5 (CONSERVATION), TOTALING 17.62 ACRES, MORE OR LESS, AND THE LAND USE DESIGNATION FOR POD B (RESIDENTIAL F), TOTALING 25.96 ACRES, MORE OR LESS, TO REGIONAL COMMERCIAL/LARGE SCALE MIXED USE (RC/LSMU); TO DELETE THE MAP NOTATION FOR PROPERTIES DESIGNATED LSMU; TO DELETE THE SITE SPECIFIC TABLE THAT INDICATES THE MINIMUM AND MAXIMUM ACREAGE THRESHOLDS FOR EACH USE TYPE FOR THE SUBJECT SITE, KNOWN AS WELLINGTON

GREEN, TOTALING 456.30 ACRES, MORE OR LESS, LOCATED ON THE SOUTHWEST CORNER OF STATE ROAD 7 AND FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

REQUEST: Approval of Ordinance No. 2021-06, a Comprehensive Plan Amendment (CPA) to amend the Future Land Use Map (FLUM) designations of the Comprehensive Plan for Tract W-5 from Conservation and Pod “B” from Residential “F” to Regional Commercial/Large Scale Mixed Use (RC/LSMU), to delete the map notation related to LSMU, and delete the acreage threshold related conditions of approval of PBC Ordinance No. 96-26.

EXPLANATION: The applicant is seeking a CPA to amend the FLUM designation of Wellington Green Tract W-5 (17.62 acres) from Conservation and Pod “B” from Residential “F” to RC/LSMU, and delete development conditions of approval. Wellington’s FLUM was amended in 2004 to depict Wellington Green Tract W-5 as Conservation and Pod “B” as Residential “F,” with no approved ordinances or amendments with the site-specific land use change for these properties. Since there are no records supporting the land use change to Tract W-5 or Pod “B,” they both should still be designated RC/LSMU on Wellington’s FLUM as illustrated below.



Tract W-5 was the only wetland preserve/buffer area designated as Conservation and Pod “B” the only area designated with a residential land use on Wellington’s FLUM for the properties within the Wellington Green project area. The Wellington Green Master Plan will be on the Council agenda with the second reading of the CPA, if approved at first reading.

The Wellington FLUM includes a notation for properties designated LSMU. The FLUM notation indicates properties designated LSMU should be shown in mosaic, minimum and maximum intensity shall be as stated in the ordinance, and allowed land uses may be anywhere within the site, subject to the project’s approved master plan. This notation is not needed on the FLUM. This amendment is included with the other amendments as a map clean, but requires Council approval.

The Wellington Green land use approval also includes conditions of approval with site specific minimum and maximum acreage thresholds which are duplicated on the other development orders for Wellington Green. Over the years the conditions of approval have been amended on the master plan for Wellington Green, but the conditions were never updated on the land use (Ordinance No. 96-26/Staff Report Exhibit “A”). The development orders for the Wellington Green project have inconsistent language for the same conditions. The current Wellington Green Master Plan (Resolution No. R2017-10/Staff Report Exhibit “G”) has the up-to-date conditions of approval. The Master Plan is the most appropriate development order to regulate the project and

the conditions are not required on the land use designation. The general density/intensity limits of the land use will continue to be the maximum potential for the LSMU land use. The proposed amendments to the land use and zoning will eliminate inconsistencies and duplications among development orders.

At the February 10, 2021 Planning, Zoning and Adjustment Board (PZAB) meeting, the Board received several objections to the CPA request from the public that the proposed change will destroy wildlife habitat and reduce green area/trees; the wetlands were a concession to allow development of the mall; and to utilizing vacant building and parking area for development instead of destroying the wetlands. The PZAB recommended approval (6-0 vote) of Ordinance No. 2021-06 to amend the Future Land Use Map (FLUM) designations of Tract W-5 from Conservation and Pod "B" from Residential "F" to RC/LSMU, to delete the map notation related to LSMU, and delete the acreage threshold related condition.

The staff report along with the supporting exhibits on the FLUM amendments, original approvals, current master plan approval, and Tract W-5 environmental report and conservation easement are provided for explanation of the overall request.

BUDGET AMENDMENT REQUIRED: NO

PUBLIC HEARING: YES **QUASI-JUDICIAL:** NO

FIRST READING: YES **SECOND READING:**

LEGAL SUFFICIENCY: YES

FISCAL IMPACT: N/A

WELLINGTON FUNDAMENTAL: Responsive Government

RECOMMENDATION: Approval of Ordinance No. 2021-06, a Comprehensive Plan Amendment (CPA) to amend the Future Land Use Map (FLUM) designations of the Comprehensive Plan for Tract W-5 from Conservation and Pod "B" from Residential "F" to Regional Commercial/Large Scale Mixed Use (RC/LSMU), to delete the map notation related to LSMU, and delete the acreage threshold related conditions of approval of PBC Ordinance No. 96-26.