Legislation Details (With Text)

File #:	21-4632	**Name:**	ORDINANCE NO. 2021-11 (LWDD-LOTIS (0.35-ACRE) ANNEXATION) AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING THE VOLUNTARY ANNEXATION (PETITION NUMBER 2021-0001-ANX) OF REAL PROPERTY TOTALING 0.35 ACRE, MORE OR LESS, KNOWN AS LAKE WORTH DRAINAGE
Type:	Annexation		
		In control:	Village Council
On agenda:	9/13/2021	**Final action:**	
Title:	ORDINANCE NO. 2021-11 (LWDD-LOTIS (0.35-ACRE) ANNEXATION) AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING THE VOLUNTARY ANNEXATION (PETITION NUMBER 2021-0001-ANX) OF REAL PROPERTY TOTALING 0.35 ACRE, MORE OR LESS, KNOWN AS LAKE WORTH DRAINAGE DISTRICT 25-FOOT WIDE RIGHT-OF-WAY, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY A HALF MILE NORTH OF THE FOREST HILL BOULEVARD AND STATE ROAD 7 INTERSECTION, IN PALM BEACH COUNTY, AS MORE SPECIFICALLY DESCRIBED HEREIN; DECLARING THAT THE VOLUNTARY ANNEXATION PETITION BEARS THE SIGNATURE OF THE PROPERTY OWNER; AMENDING SECTION 11 OF THE VILLAGE CHARTER BY REDEFINING THE CORPORATE LIMITS OF THE VILLAGE OF WELLINGTON; DIRECTING THE VILLAGE MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS ANNEXATION; DIRECTING THE VILLAGE CLERK TO FILE A COPY OF THIS ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT IN PALM BEACH COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF PALM BEACH COUNTY, AND THE FLORIDA DEPARTMENT OF STATE WITHIN SEVEN DAYS AFTER ADOPTION, IN ACCORDANCE WITH CHAPTER 171 OF THE FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.		
Code sections:			
Attachments:	1. 1. Location Map-LWDD Lotis, 2. 1a.Ordinance 2021-11 ANX, 3. 2b. Ord. 2021-11 (ANX) Exhibits, 4. 3. Staff Report-LWDD Lotis ANX_CPA_REZ(PZAB), 5. 3a. SR Exhibit A- LWDD Letter, 6. 3b. SR Exhibit B- Master Plan, 7. 3c. SR Exhibit C- FLUM, 8. 3d. SR Exhibit D-Zoning Map, 9. 3e. SR Exhibit E-ANX Justification, 10. 3f. SR Exhibit F-CPA Justification, 11. 3g. SR Exhibit G-REZ Justification, 12. 4. LWDD-ANNEX-Legal Ad		

Date	Ver.	Action By	Action	Result

ITEM: ORDINANCE NO. 2021-11 (LWDD-LOTIS (0.35-ACRE) ANNEXATION)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING THE VOLUNTARY ANNEXATION (PETITION NUMBER 2021-0001-ANX) OF REAL PROPERTY TOTALING 0.35 ACRE, MORE OR LESS, KNOWN AS LAKE WORTH DRAINAGE DISTRICT 25-FOOT WIDE RIGHT-OF-WAY, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY A HALF MILE NORTH OF THE FOREST HILL BOULEVARD AND STATE ROAD 7 INTERSECTION, IN PALM BEACH COUNTY, AS MORE SPECIFICALLY DESCRIBED HEREIN; DECLARING THAT THE VOLUNTARY ANNEXATION PETITION BEARS THE SIGNATURE OF THE PROPERTY OWNER; AMENDING SECTION 11 OF THE VILLAGE CHARTER BY REDEFINING THE CORPORATE LIMITS OF THE VILLAGE OF WELLINGTON; DIRECTING

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THE VILLAGE MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS ANNEXATION; DIRECTING THE VILLAGE CLERK TO FILE A COPY OF THIS ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT IN PALM BEACH COUNTY, THE CHIEF ADMINISTRATIVE OFFICER OF PALM BEACH COUNTY, AND THE FLORIDA DEPARTMENT OF STATE WITHIN SEVEN DAYS AFTER ADOPTION, IN ACCORDANCE WITH CHAPTER 171 OF THE FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

REQUEST: Approval of Ordinance No. 2021-11, an Annexation (ANX) to voluntary annex the 0.35-acre, LWDD 25-foot wide ROW into the municipal boundary of Wellington.

EXPLANATION: In 2004, it was believed that a portion of a 25-foot wide by 610 feet long (or 0.35-acre ROW) right-of-way (ROW) owned by the Lake Worth Drainage District (LWDD) was included with the annexation, land use, and zoning approval for three (3) other parcels. It was noticed recently when the LWDD requested the Palm Beach County Property Appraiser to provide a property control number for the subject property they will be selling to Lotis Wellington, LLC., that the legal description for the subject 0.35-acre ROW was not included with the previous approvals.

The applicant is seeking the annexation to amend the municipal boundary of Wellington and include the subject parcel into the overall 64-acre mixed-use project known as Lotis Wellington consisting of restaurants, retail, financial institution, professional/medical office, multi-family residential dwelling units, Congregate Living Facility (CLF) with independent living units and assisted living beds, daycare facility, and open space inclusive of a lake, cypress preserve, a dog park, and greenway with a multi-use pathway open to the public.

At the July 14, 2021 Planning, Zoning and Adjustment Board (PZAB) meeting, the Board recommended approval (5-0 vote, motion by Jeffrey Robbert and seconded by Sal Van Casteren) of Ordinance No. Ordinance No. 2021-11 to annex the subject 0.35-acre ROW into the municipal boundary.

The applicant is also seeking a supportive Future Land Use Map amendment for the Comprehensive Plan (CPA) and a Rezoning (REZ). The CPA and REZ request will be scheduled for a future Council meeting after first reading of the ANX. The combined staff report for all the applicant's request along with the supporting exhibits are provided for explanation of the overall request.

BUDGET AMENDMENT REQUIRED: NO

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

FIRST READING: **SECOND READING:** YES

LEGAL SUFFICIENCY: YES

FISCAL IMPACT: N/A

WELLINGTON FUNDAMENTAL: Responsive Government

RECOMMENDATION: Approval of Ordinance No. 2021-11, an Annexation (ANX) to voluntary annex the 0.35-acre, LWDD 25-foot wide ROW into the municipal boundary of Wellington.

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