

ORDINANCE NO. 2023-14

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING WELLINGTON'S LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT (PETITION 2023-0002-ZTA) TO MODIFY THE STANDARDS FOR MULTIPLE USE PLANNED DEVELOPMENT (MUPD) ZONING DISTRICT IN ARTICLE 6, SECTION 6.5.6, TO INCLUDE CONSERVATION AS A PERMITTED USE TYPE, AND TO AMEND THE MAXIMUM PERCENTAGE ALLOWED FOR A SINGLE USE WITHIN A MUPD, AS MORE SPECIFICALLY CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Wellington Council, as the governing body, pursuant to the authority vested in Chapter 163, Chapter 166 and Chapter 177, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (LDR); and

WHEREAS, the applicant, Lotis Wellington 2 LLC., requested to amend Wellington's Land Development Regulations by amending the Multiple Use Planned Development (MUPD) zoning district standards to include conservation as an allowed use type and to amend the maximum percentage allocation of each use type, not to exceed 60% of the total MUPD project acreage; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on September 28, 2023, has reviewed the proposed ordinance and made a recommendation for approval with a vote of 6 to 0; and

WHEREAS, Wellington's Council has taken the recommendations from the Local Planning Agency and Wellington staff, along with the applicant's presentation and comments from the public, into consideration for the proposed amendments to the LDR that are the subject of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON, FLORIDA THAT:

SECTION 1. Section 6.5.6 of Wellington's LDR are hereby amended as specifically provided for in Exhibit A.

SECTION 2. Should any section, paragraph, sentence, clause, or phrase of this ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington ordinance, resolution, or municipal code provision, then in that event the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 3. Should any section, paragraph, sentence, clause, or phase of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this ordinance as a whole, or any portion of part thereof, other than the part so declared to be invalid.

SECTION 4. This ordinance shall become effective immediately upon adoption of the Wellington Council following second reading.

PASSED this 7th day of November 2023, upon first reading.

PASSED AND ADOPTED this ____ day of _____ 2023, on second and final reading.

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

ATTEST:

BY: _____
Chevelle D. Addie, MMC, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie S. Cohen, Village Attorney