

## **ORDINANCE NO. 2017 – 15**

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING THE WELLINGTON COMPREHENSIVE PLAN FUTURE LAND USE MAP [PETITION NUMBER 16 – 109 (2016 – 46 CPA)] BY CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM PALM BEACH COUNTY CONSERVATION (CON) TO WELLINGTON RESIDENTIAL “B” (.1 DU – 1.0 DU/AC) FOR THE RECENTLY ANNEXED 2.8 ACRE PARCEL (PARCEL 3 OF THE FLYING COW RANCH PUD); EXTENDING THE BOUNDARIES OF THE EQUESTRIAN PRESERVE AREA TO ENCOMPASS PARCEL 3; ADDING PUBLIC AND PRIVATE BRIDLE TRAILS TO THE EQUESTRIAN TRAILS MASTER PLAN MAP AND THE EQUESTRIAN CIRCULATION MAP WITHIN THE EQUESTRIAN PRESERVATION ELEMENT FOR CERTAIN PROPERTY KNOWN AS FLYING COW RANCH PUD TOTALING 150 ACRES, MORE OR LESS, LOCATED ON THE NORTHWEST CORNER OF FLYING COW RANCH ROAD AND 160<sup>TH</sup> TRAIL S, APPROXIMATELY 4 MILES SOUTH OF SOUTHERN BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Wellington, Florida Council, pursuant to the authority in Chapter 163, Florida Statutes, is authorized and empowered to consider changes to its Comprehensive Plan; and

**WHEREAS**, the goal of the Equestrian Preserve Area is to ensure the preservation and protection of the neighborhoods which comprise this area, the equestrian industry and the rural lifestyle; and

**WHEREAS**, Flying Cow Ranch will provide public and private trails which will be included on the Wellington Equestrian Trails Master Plan and Equestrian Circulation Plan within the Wellington Comprehensive Plan Equestrian Preservation Element; and

**WHEREAS**, the Equestrian Preserve Committee recommended approval of the Comprehensive Plan Amendment to modify the Wellington Future Land Use Map, Equestrian Trails Master Plan and Equestrian Circulation Plan at the October 4, 2017 meeting with a 6 – 0 vote; and

**WHEREAS**, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on October 11, 2017, recommended approval of the Comprehensive Plan Amendment to modify the Wellington Future Land Use Map, Equestrian Trails Master Plan and Equestrian Circulation Plan with a 6 – 0 vote; and

**WHEREAS**, the Council has taken the recommendations from the Petitioner, Equestrian Preserve Committee, Local Planning Agency, Wellington staff and the comments from the public into consideration when considering the amendments to the Comprehensive Plan that are the subject of this Ordinance; and

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2       **WHEREAS**, the Council, after notice and public hearing, voted to transmit this  
3 proposed amendment to the Florida Department of Economic Opportunity and complied with  
4 applicable provisions of the Florida Statutes governing amendments of local Comprehensive  
5 Plans.

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

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10      **SECTION 1:** The Wellington Future Land Use Map designation for the property known  
11 as Flying Cow Ranch and legally described in Exhibit "A," is hereby designated as  
12 Residential "B." The Flying Cow Ranch property is allowed a maximum of 30 dwelling units.

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14      **SECTION 2:** The Equestrian Preserve Area boundary is hereby modified to include  
15 the property known as Flying Cow Ranch and legally described in Exhibit "A."

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17      **SECTION 3:** The Manager is hereby directed to amend the Wellington Future Land  
18 Use Map (Exhibit "B") to include the site specific designation for the property as described in  
19 Exhibit "A," including an adopted date and ordinance number and to extend the Equestrian  
20 Preserve Area boundary in accordance with this ordinance.

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22      **SECTION 4:** The Manager is hereby directed to amend the Wellington Equestrian  
23 Trails Master Plan (Exhibit "C") and the Equestrian Circulation Plan (Exhibit "D") to include  
24 the private and public trails proposed for the Flying Cow Ranch project.

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26      **SECTION 5:** The Manager is hereby authorized and directed to transmit this  
27 Comprehensive Plan amendment to the Florida Department of Economic Opportunity  
28 pursuant to Chapter 163 Florida Statutes.

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30      **SECTION 6:** Should any section paragraph, sentence, clause, or phrase of this  
31 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall  
32 not affect the validity of this ordinance as a whole or any portion or part thereof, other than  
33 the part to be declared invalid.

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35      **SECTION 7:** Should any section, paragraph, sentence, clause, or phrase of this  
36 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington  
37 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this  
38 Ordinance shall prevail to the extent of such conflict.

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40      **SECTION 8:** The effective date of this Comprehensive Plan Amendment shall be 31  
41 days after adoption by the Council, if there has not been a compliance challenge with the  
42 Division of Administrative Hearings. If the ordinance is challenged within 30 days after  
43 adoption, the ordinance shall not become effective until the state land planning agency or  
44 the Administrative Commission, respectively, issues a final order determining the  
45 amendment to be in compliance.

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47      **PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017, upon first reading.  
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**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2017, 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. Nubin, Village Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

BY: \_\_\_\_\_  
Laurie Cohen, Village Attorney