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ORDINANCE NO. 2024-09

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE FUTURE LAND USE MAP (FLUM) OF WELLINGTON'S COMPREHENSIVE PLAN (PETITION NUMBER 2024-0002-CPA) BY AMENDING THE FLUM DESIGNATION FOR A PORTION OF CERTAIN PROPERTIES KNOWN AS ENTRADA ACRES FROM PALM BEACH COUNTY RURAL RESIDENTIAL – 5 (PBC RR-5) TO WELLINGTON RESIDENTIAL E (5.01 – 8.0 DU/AC), TOTALING 125.77 ACRES, MORE OR LESS, LOCATED APPROXIMATELY 650 NORTH OF SOUTHERN BOULEVARD (S.R. 80) AND 390 FEET EAST OF SEMINOLE PRATT WHITNEY ROAD, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wellington's Council, pursuant to the authority granted to it in Chapter 163 of the Florida Statutes, is authorized and empowered to consider and make changes to its Comprehensive Plan; and

WHEREAS, Wellington adopted Ordinance No. 2023-17 on February 13, 2024, which annexed the subject properties into Wellington subject to the passage of a referendum vote of the registered voters within the boundaries of the annexation area; and

WHEREAS, the referendum was held on March 19, 2024, and passed by a unanimous vote of its electoral voters; and

WHEREAS, under the provisions of Chapter 171 of Florida Statutes, the future land use map designations for an annexed property remain under the sending jurisdiction (Palm Beach County) until the annexing jurisdiction (Wellington) adds the annexed area onto their Future Land Use maps; and

WHEREAS, the Planning, Zoning & Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on July 17, 2024, recommended approval with a 4 - 0 vote; and

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

WHEREAS, Wellington's Council, after notice and public hearing, voted (5 to 0) to transmit this proposed amendment to the Florida Department of Commerce in compliance with applicable provisions of the Florida Statutes governing amendments of local Comprehensive Plans.

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

SECTION 1: The Wellington Comprehensive Plan Future Land Use Map designation for the properties legally described herein in Exhibit “A”, is hereby designated as Residential E (5.01 – 8.0 du/ac).

SECTION 2: The Manager is hereby authorized and directed to transmit this Comprehensive Plan amendment to the Florida Department of Commerce pursuant to Chapter 163, Florida Statutes.

SECTION 3: The Manager is hereby directed to amend the Wellington Comprehensive Plan Future Land Use Map (Exhibit “B”) to include the site-specific designation for the property as described in Exhibit “A,” including an adopted date and ordinance number in accordance with this ordinance and pursuant to the requirements of Chapter 163, Florida Statutes.

SECTION 4: Should any section paragraph, sentence, clause, or phrase 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 or part thereof, other than the part to be declared invalid.

SECTION 5: 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 6: The effective date of this Comprehensive Plan Amendment shall be 31 days after adoption by Wellington’s Council, or December 15, 2024, whichever is later, if there has not been a compliance challenge with the Division of Administrative Hearings. If the ordinance is challenged within 30 days after adoption, the ordinance shall not become effective until the state land planning agency or the Administrative Commission, respectively, issues a final order determining the amendment to be in compliance.

(The remainder of this page left intentionally blank)

1 **PASSED** this 3rd day of September, 2024 on first reading.

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4 **PASSED AND ADOPTED** this 22nd day of October, 2024, on second and final reading.

5
6 **WELLINGTON**

7 **FOR**

AGAINST

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9 BY: _____
10 Michael J. Napoleone, Mayor

11
12 _____
13 John T. McGovern, Vice Mayor

14
15 _____
16 Tanya Siskind, Councilwoman

17
18 _____
19 Maria Antuña, Councilwoman

20
21 _____
22 Amanda Silvestri, Councilwoman

23
24 **ATTEST:**

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27 BY: _____
28 Chevelle D. Hall, MMC, Village Clerk

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32 **APPROVED AS TO FORM AND**
33 **LEGAL SUFFICIENCY**

34
35
36 BY: _____
37 Laurie Cohen, Village Attorney

Exhibit A – Legal Description



DJG Surveying and Mapping, Inc.

LB# 7682
16889 W Edinburgh Drive
Loxahatchee, FL 33470
PHONE: 954-675-7244
EMAIL: admin@djgsurvey.com
www.djgsurvey.com

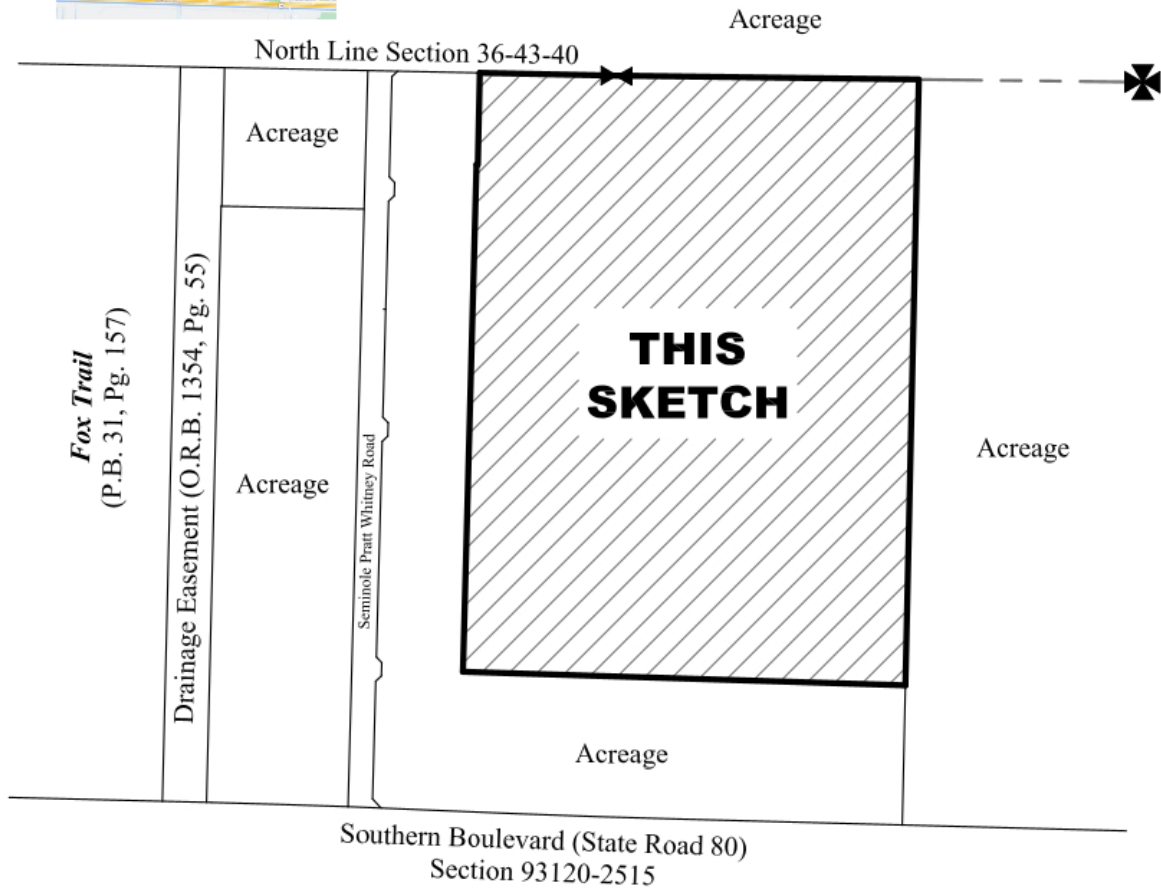
Sheet 1 of 3



SKETCH AND DESCRIPTION
VILLAGE OF WELLINGTON ANNEXATION
RESIDENTIAL AREA



LOCATION MAP NTS



Not valid without an authenticated electronic signature and electronic seal, or the original signature and seal of a Florida licensed Surveyor and Mapper

10/12/2023
DENNIS J. GABRIELE
Professional Surveyor and Mapper
NO. LS 5709
State of Florida



Digitally signed by Dennis Gabriele
Date: 2023.10.16 11:32:44 -04'00'

JOB NO. 23-0920 SCALE: Not to Scale



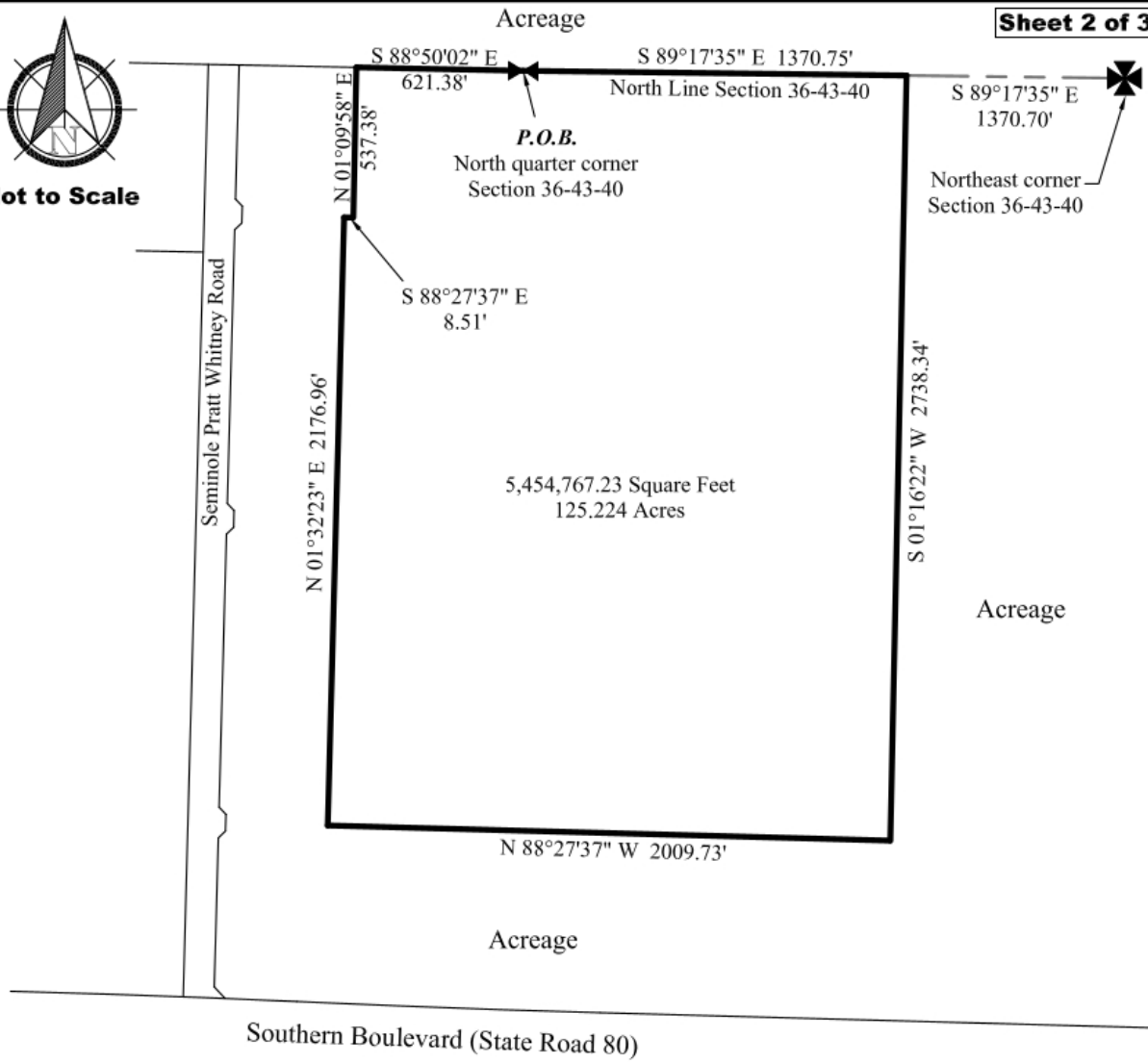
DJG Surveying and Mapping, Inc.

LB# 7682
 16889 W Edinburg Drive
 Loxahatchee, FL 33470
 PHONE: 954-675-7244
 EMAIL: admin@djgsurvey.com
 www.djgsurvey.com



Not to Scale

Sheet 2 of 3



Legend

P.O.B. = Point of Beginning
 P.O.C. = Point of Commencement
 O.R.B. = Official Records Book
 P.B. = Plat Book
 Pg. = Page

Survey Notes

1. BEARING REFERENCE: The Bearings shown hereon are referenced to the North line of the Northwest one-quarter of Section 36-43-40 as published by Palm Beach County Engineering Department. Said line bears South 88°50'02" East.
2. This is not a survey, but only a graphic depiction of the land shown hereon and its calculated legal description. No boundary corners were set in the field related to this sketch.
3. All recordings shown hereon are referenced to the Public Records of Palm Beach County, Florida.



LEGAL DESCRIPTION

Sheet 3 of 3

A portion of lands located in Section 36, Township 43 South, Range 40 East, Palm Beach County, Florida, being more particularly described as follows:

Beginning at the North quarter corner of said Section 36;

Thence, South $89^{\circ}17'35''$ East, along the North line of the Northeast one-quarter of Section 36, a distance of 1370.75 feet. Said point being 1370.70 feet, along the North line of Section 36, from the Northeast corner of Section 36, and also being the Northeast corner of Lot 32 of the unrecorded plat of **Entrada Acres**;

Thence, South $01^{\circ}16'22''$ West, along the East line of **Entrada Acres**, a distance of 2738.34 feet to the Southeast corner of Lot 8;

Thence, North $88^{\circ}27'37''$ West, along the South line of Lots 8 through 12, a distance of 2009.73 feet;

Thence, North $01^{\circ}32'23''$ East, along the West line of Lots 12, 15, 24 and 27 of said **Entrada Acres**, a distance of 2176.96 feet to the Northwest corner of Lot 27;

Thence, South $88^{\circ}27'37''$ East, along the North line of Lot 27, a distance of 8.51 feet to the Southwest corner of Lot 36;

Thence, North $01^{\circ}09'58''$ East, along the West line of Lot 36, a distance of 537.38 feet to the Northwest corner Lot 36 and a point on the North line of the Northwest one-quarter of said Section 36;

Thence, South $88^{\circ}50'20''$ East, along said North line, a distance of 621.38 feet to the **Point of Beginning**.

Said lands lying and being in unincorporated Palm Beach County, Florida, and containing 5,454,767.23 Square Feet (125.224 acres) more or less.

Wellington Comprehensive Plan 2024 Land Use Element Future Land Use

