

ORDINANCE NO. 2024-11

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE FUTURE LAND USE MAP (FLUM) OF WELLINGTON'S COMPREHENSIVE PLAN (PETITION NUMBER 24-0002-CPA) BY AMENDING THE FLUM DESIGNATION FOR A CERTAIN PROPERTY KNOWN AS SLUGGETT PROPERTY FROM PALM BEACH COUNTY COMMERCIAL LOW/RURAL RESIDENTIAL - 5 (CL/RR-5) TO WELLINGTON COMMERCIAL, TOTALING APPROXIMATELY 64.52 ACRES, MORE OR LESS; FOR A PORTION OF CERTAIN PROPERTY KNOWN AS ENTRADA ACRES FROM PALM BEACH COUNTY COMMERCIAL LOW/RURAL RESIDENTIAL - 5 (CL/RR-5) TO WELLINGTON COMMERCIAL, TOTALING APPROXIMATELY 5.38 ACRES, MORE OR LESS; FOR A PORTION OF CERTAIN PROPERTY KNOWN AS ENTRADA ACRES FROM PALM BEACH COUNTY INSTITUTIONAL (INST) TO WELLINGTON COMMERCIAL, TOTALING APPROXIMATELY 4.96 ACRES, MORE OR LESS; FOR A PORTION OF CERTAIN PROPERTIES KNOWN AS ENTRADA ACRES FROM PALM BEACH COUNTY RR-5 TO WELLINGTON COMMERCIAL, TOTALING APPROXIMATELY 49.04 ACRES, MORE OR LESS; FOR A GRAND TOTAL OF 123.94 ACRES LOCATED ON THE NORTH SIDE OF SOUTHERN BOULEVARD (S.R. 80) AND BOTH SIDES 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, 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

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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 (_ to__) 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.

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 Commercial.

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.

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PASSED this ____ day of _____, 2024 on first reading.

PASSED AND ADOPTED this ____ day of _____, 2024, on second and final reading.

WELLINGTON

FOR AGAINST

BY: _____	_____	_____
Michael J. Napoleone, Mayor		
_____	_____	_____
John T. McGovern, Vice Mayor		
_____	_____	_____
Tanya Siskind, Councilwoman		
_____	_____	_____
Maria Antuña, Councilwoman		
_____	_____	_____
Amanda Silvestri, Councilwoman		

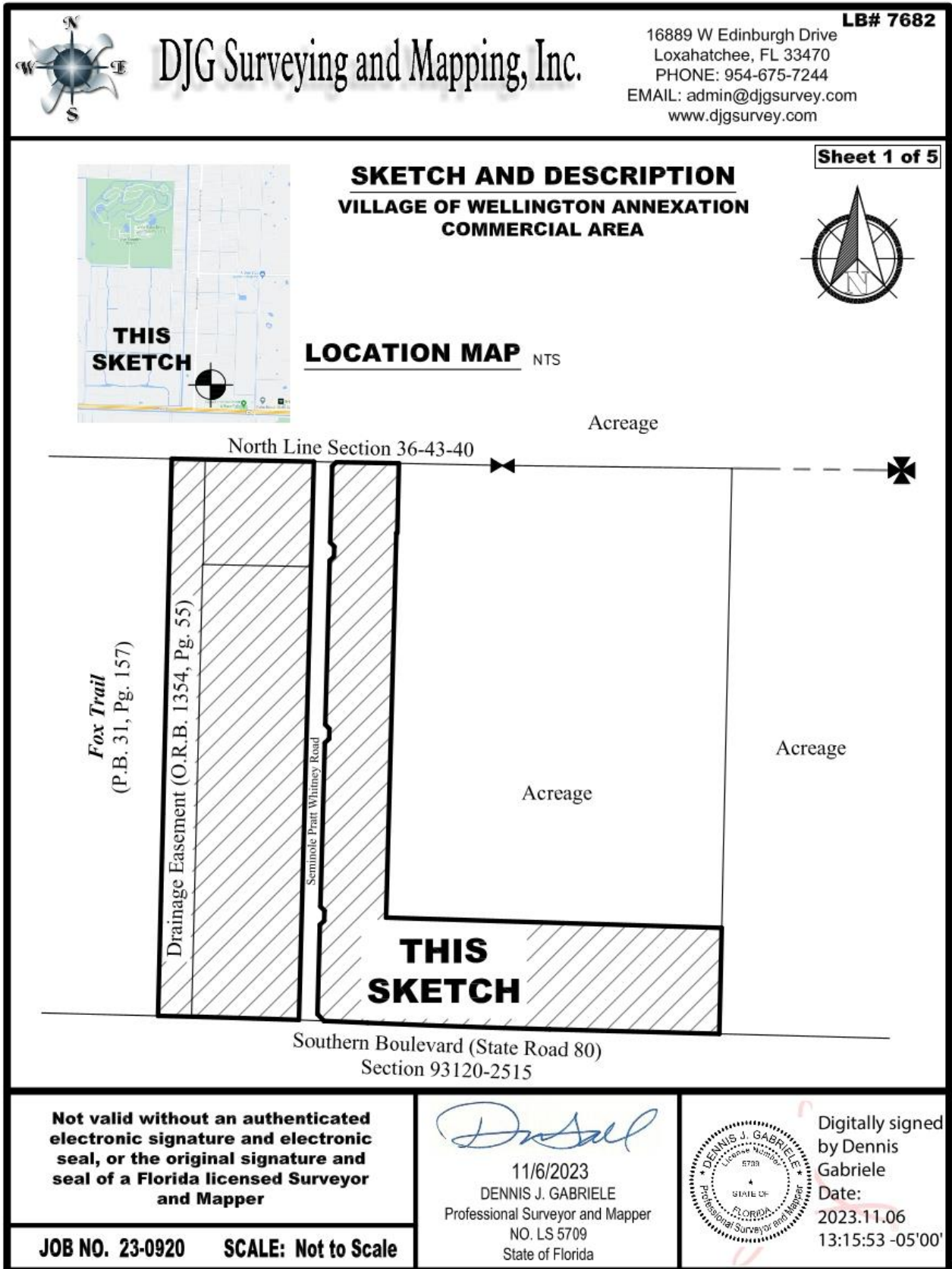
ATTEST:

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

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney

Exhibit A – Legal Description

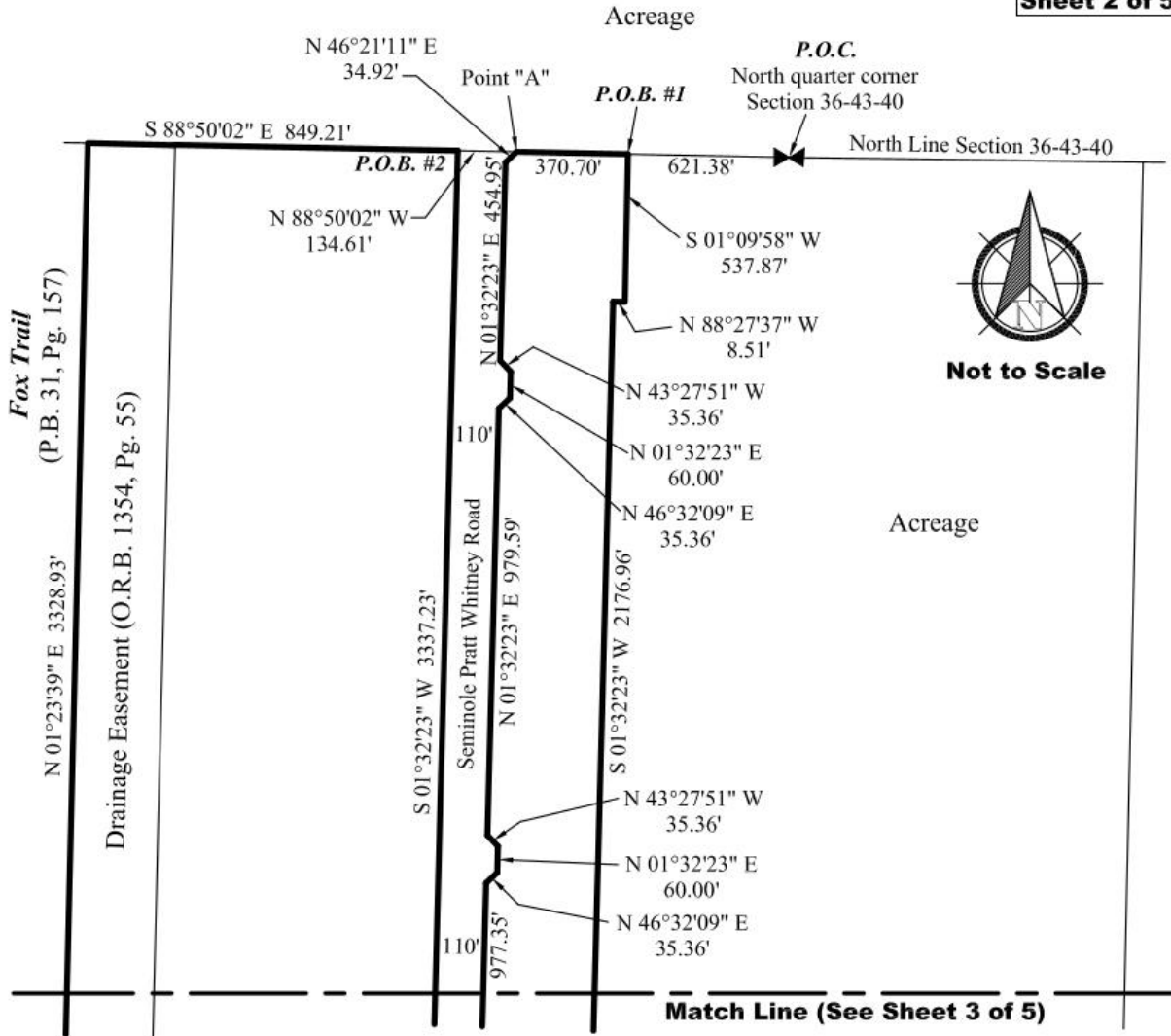




DJG Surveying and Mapping, Inc.

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Sheet 2 of 5



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
 R = Radius
 L = Arc Length
 D = Delta (Central Angle)

Survey Notes

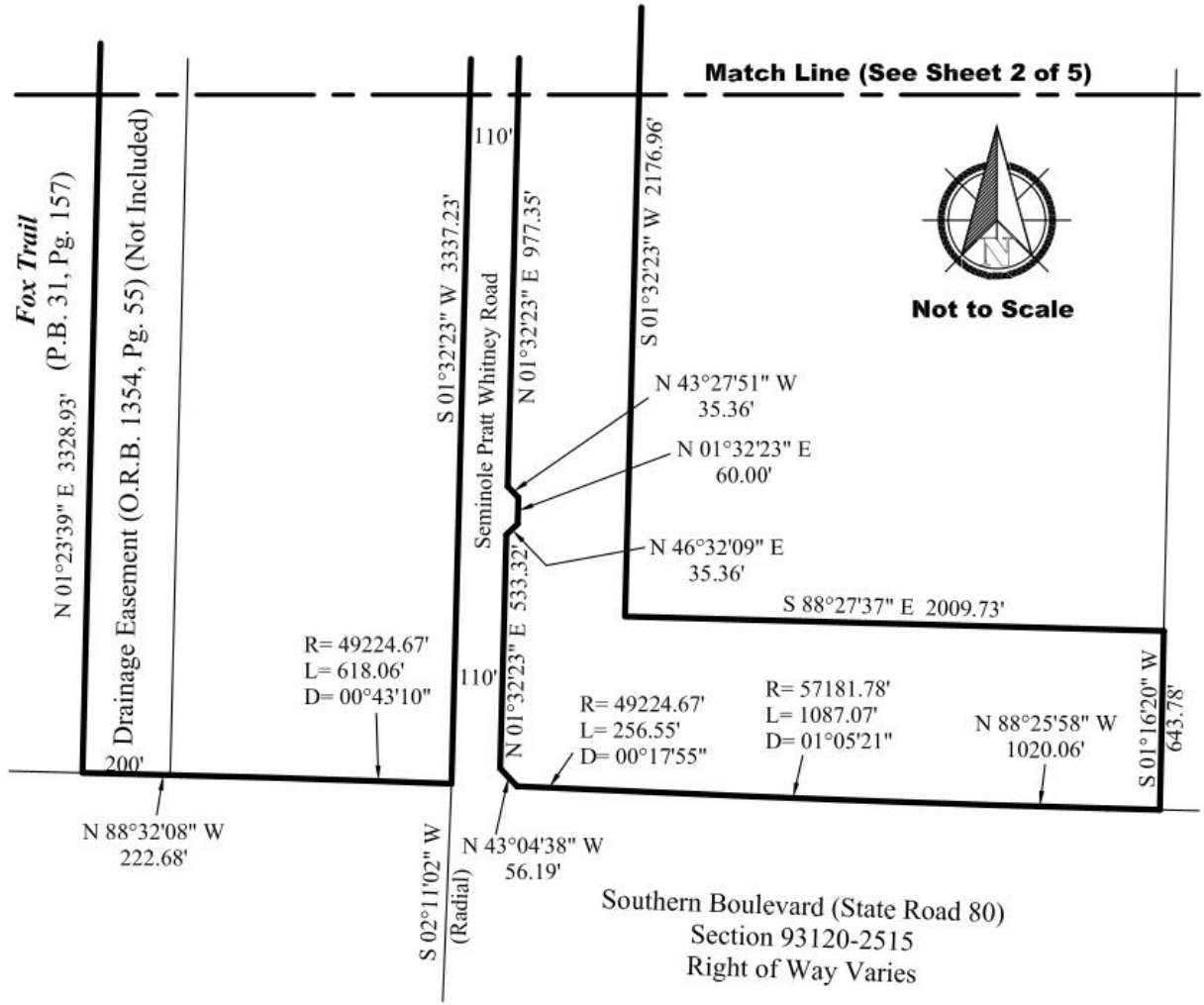
- BEARING REFERENCE:** The Bearings shown hereon are referenced to the North line of the Northwest one-quarter of Section 36-43-40 as published by Palm Beach County Engineering Department. Said line bears South 88°50'02" East.
- This is not a survey, but only a graphic depiction of the land shown hereon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



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Sheet 3 of 5





LEGAL DESCRIPTION

Sheet 4 of 5

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

Commencing at the North quarter corner of said Section 36;

Thence, North $88^{\circ}50'02''$ West, along the North line of Section 36, a distance of 621.38 feet to the **Point of Beginning (P.O.B.#1)**;

Thence, South $01^{\circ}09'58''$ West, along the East line of Lot 37 of the unrecorded plat of **Entrada Acres**, a distance of 537.87 feet;

Thence, North $88^{\circ}27'37''$ West, along the South line of said Lot 37, a distance of 8.51 feet to the Northeast corner of Lot 26, **Entrada Acres**;

Thence, South $01^{\circ}32'23''$ West, a distance of 2176.96 feet to the Southeast corner of Lot 13, **Entrada Acres**;

Thence, South $88^{\circ}27'37''$ East, a distance of 2009.73 feet to the Northeast corner of Lot 7, **Entrada Acres**;

Thence, South $01^{\circ}16'20''$ West, along the East line of Lot 7, a distance of 643.78 feet to a point on the North line of State Road 80 as shown on FDOT Right of Way Map Section No. 93120-2515;

Thence, North $88^{\circ}25'58''$ West, a distance of 1020.06 feet to the point of curvature of a circular curve, concave to the North, having a radius of 57181.78 feet and a central angle of $01^{\circ}05'21''$;

Thence, Westerly, along the arc of said curve, an arc distance of 1087.07 feet to the point of reverse curvature of a circular curve, concave to the South, having a radius of 49224.67 feet and a central angle of $00^{\circ}17'55''$;

Thence, Westerly, along the arc of said curve, an arc distance of 256.55 feet;

The previous three courses being coincident with the North line of State Road 80;

Thence, North $43^{\circ}04'38''$ West, a distance of 56.19 feet to a point on the East line of Seminole Pratt Whitney Road;

Thence, North $01^{\circ}32'23''$ East, a distance of 533.32 feet;

Thence, North $46^{\circ}32'09''$ East, a distance of 35.36 feet;

Thence, North $01^{\circ}32'23''$ East, a distance of 60.00 feet;

Thence, North $43^{\circ}27'51''$ West, a distance of 35.36 feet;

Thence, North $01^{\circ}32'23''$ East, a distance of 977.35 feet;

(Continued on Sheet 5 of 5)



LEGAL DESCRIPTION

Sheet 5 of 5

(Continued from Sheet 4 of 5)

Thence, North 46°32'09" East, a distance of 35.36 feet;

Thence, North 01°32'23" East, a distance of 60.00 feet;

Thence, North 43°27'51" West, a distance of 35.36 feet;

Thence, North 01°32'23" East, a distance of 979.59 feet;

Thence, North 46°32'09" East, a distance of 35.36 feet;

Thence, North 01°32'23" East, a distance of 60.00 feet;

Thence, North 43°27'51" West, a distance of 35.36 feet;

Thence, North 01°32'23" East, a distance of 494.95 feet;

Thence, North 46°21'11" East, a distance of 34.92 feet to Point "A", and a point on the North line of said Section 36;

The previous fourteen courses being coincident with the East line of Seminole Pratt Whitney Road;

Thence, South 88°50'02" East, a distance of 370.70 feet to the *Point of Beginning (P.O.B. #1)*.

Said lands lying and being in unincorporated Palm Beach County, Florida, and containing 2,592,180.67 square feet (59.508 acres) more or less.

Together With:

Commencing at aforementioned Point "A";

Thence, North 88°50'02" West, along the North line of Section 36, a distance of 134.61 feet to a point on the West line of Seminole Pratt Whitney Road and the *Point of Beginning (P.O.B.#2)*;

Thence, South 01°32'23" West, along said West line, a distance of 3337.23 feet to a point on the North line of State Road 80 as shown on FDOT Right of Way Map Section No. 93120-2515; Said point being a point on the arc of a circular curve, concave to the South, having a radius of 49224.67 feet and a central angle of 00°43'10"; A radial line bears from said point South 02°11'02";

Thence, Westerly, along the arc of said curve, and said North line, an arc distance of 618.06 feet;

Thence, North 88°32'08" West, a distance of 222.68 feet to a point on the East line of *Fox Trail*, according to the plat thereof, as recorded in Plat Book 31, Page 157, of the Public Records of Palm Beach County, Florida;

Thence, North 01°23'39" East, along said East line, a distance of 3328.93 feet to a point on the North line of Section 36;

Thence, South 88°50'02" East, along said North line, a distance of 849.21 feet to the *Point of Beginning*.

Said lands lying and being in unincorporated Palm Beach County, Florida, and containing 2,815,502.42 square feet (64.635 acres) more or less.

Wellington Comprehensive Plan 2024 Land Use Element Future Land Use

