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ORDINANCE NO. 2024-12

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A REZONING (PETITION NUMBER 2024-0002-REZ) TO MODIFY WELLINGTON'S OFFICIAL ZONING MAP FOR CERTAIN PROPERTY KNOWN AS SLUGGETT PROPERTY FROM PALM BEACH COUNTY COMMERCIAL TO WELLINGTON COMMUNITY COMMERCIAL (CC), TOTALING APPROXIMATELY 64.52 ACRES, MORE OR LESS; FOR A PORTION OF CERTAIN PROPERTY KNOWN AS ENTRADA ACRES FROM PALM BEACH COUNTY COMMERCIAL TO WELLINGTON CC, TOTALING APPROXIMATELY 5.38 ACRES, MORE OR LESS; FOR A PORTION OF CERTAIN PROPERTIES KNOWN AS ENTRADA ACRES FROM PALM BEACH COUNTY INSTITUTIONAL AND PUBLIC FACILITY TO WELLINGTON CC, TOTALING APPROXIMATELY 4.96 ACRES, MORE OR LESS; FOR A PORTION OF CERTAIN PROPERTIES KNOWN AS ENTRADA ACRES FROM PALM BEACH COUNTY RESIDENTIAL TO WELLINGTON CC, TOTALING APPROXIMATELY 49.04 ACRES, MORE OR LESS; FOR A GRAND TOTAL OF 123.94 ACRES; LOCATED ON THE NORTH SIDE OF SOUTHERN BOULEVARD 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 and Chapter 166, Florida Statutes, and the Land Development Regulations (LDR) as adopted by Wellington, is authorized and empowered to consider and make changes and/or additions to property zoning designations and other development orders; 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 zoning designations for annexed properties remain under the sending jurisdiction (Palm Beach County) until the annexing jurisdiction (Wellington) adds the annexed area onto their zoning maps; and

WHEREAS, Wellington adopted Ordinance No. 2024-11 on _____, 2024 approving the Commercial Future Land Use Map designation of Wellington's Comprehensive

1 Plan for the subject properties; and

2

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

6

7 **WHEREAS**, Wellington’s Council has taken the recommendations from the Local
8 Planning Agency, the Wellington staff and the comments from the public into consideration for
9 this request; and

10

11 **WHEREAS**, Wellington’s Council has determined that this rezoning request is
12 consistent with the Comprehensive Plan and consistent with the developing character of the
13 area.

14

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

17

18 **SECTION 1:** Wellington’s Official Zoning Map designation for the subject properties, as
19 legally described in Exhibit A, is hereby designated Community Commercial.

20

21 **SECTION 2:** The Manager is hereby directed to amend the Zoning Map as illustrated in
22 Exhibit B to amend the zoning designation for the subject properties as legally describe in
23 Exhibit A, and to include the adopted date and ordinance number in accordance with this
24 ordinance and pursuant to the requirements of Chapter 163, Florida Statutes.

25

26 **SECTION 3:** Should any section, paragraph, sentence, clause, or phrase of this
27 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
28 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this
29 Ordinance shall prevail to the extent of such conflict.

30

31 **SECTION 4:** Should any section, paragraph, sentence, clause, or phrase of this
32 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall
33 not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the
34 part so declared to be invalid.

35

36 **SECTION 5:** This Ordinance shall become effective after Ordinance No. 2024-11 is
37 adopted and in full effect.

38

39 (The remainder of this page is left blank intentionally)

40

1 **PASSED** this 3rd day of September, 2024 on first reading.
2

3
4 **PASSED AND ADOPTED** this ____ day of _____, 2024, on second and final reading.
5

6 **WELLINGTON**

7 **FOR** **AGAINST**

8
9 BY: _____

10 Michael J. Napoleone, Mayor

11 _____

12 John T. McGovern, Vice Mayor

13 _____

14 Tanya Siskind, Councilwoman

15 _____

16 Maria Antuña, Councilwoman

17 _____

18 Amanda Silvestri, Councilwoman
19
20
21

22
23 **ATTEST:**

24
25
26 BY: _____
27 Chevelle D. Hall, MMC, Village Clerk
28
29

30
31 **APPROVED AS TO FORM AND**
32 **LEGAL SUFFICIENCY**
33

34
35
36 BY: _____
37 Laurie Cohen, Village Attorney
38
39

Exhibit A – Legal Description

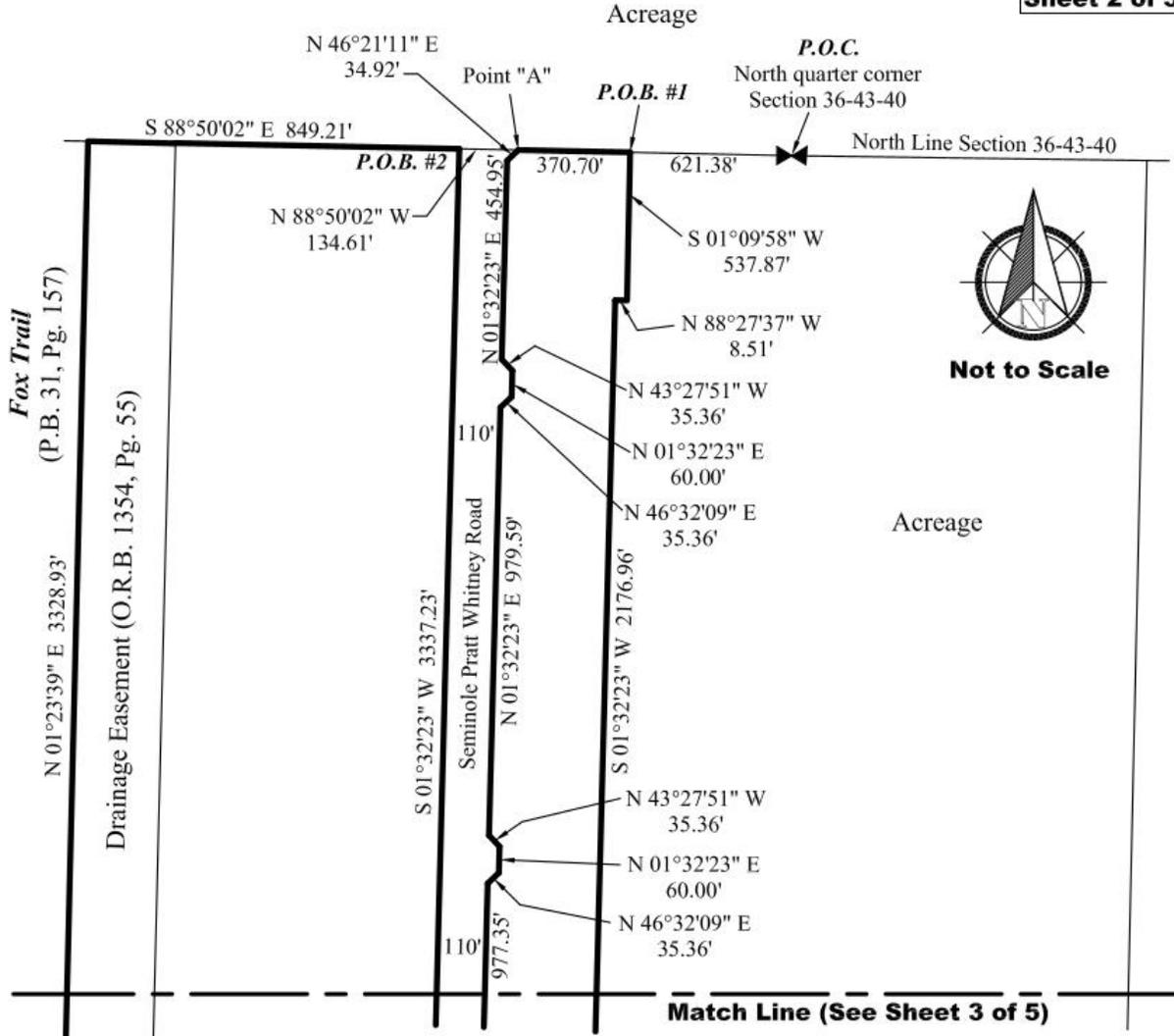
	<h1>DJG Surveying and Mapping, Inc.</h1>	LB# 7682 16889 W Edinburgh Drive Loxahatchee, FL 33470 PHONE: 954-675-7244 EMAIL: admin@djgsurvey.com www.djgsurvey.com
 <p>THIS SKETCH</p>	<h2>SKETCH AND DESCRIPTION</h2> <h3>VILLAGE OF WELLINGTON ANNEXATION COMMERCIAL AREA</h3>	Sheet 1 of 5 
<p>LOCATION MAP NTS</p>		
<p>North Line Section 36-43-40</p>		
<p><i>Fox Trail</i> (P.B. 31, Pg. 157)</p>	<p>Drainage Easement (O.R.B. 1354, Pg. 55)</p>	<p>Seminole Pratt Whitney Road</p>
<p>Acreage</p>		
<p>Acreage</p>		
<p>Acreage</p>		
<p>THIS SKETCH</p>		
<p>Southern Boulevard (State Road 80) Section 93120-2515</p>		
<p>Not valid without an authenticated electronic signature and electronic seal, or the original signature and seal of a Florida licensed Surveyor and Mapper</p>	 11/6/2023 DENNIS J. GABRIELE Professional Surveyor and Mapper NO. LS 5709 State of Florida	 <p>Digitally signed by Dennis Gabriele Date: 2023.11.06 13:15:53 -05'00'</p>
<p>JOB NO. 23-0920 SCALE: Not to Scale</p>		



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 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

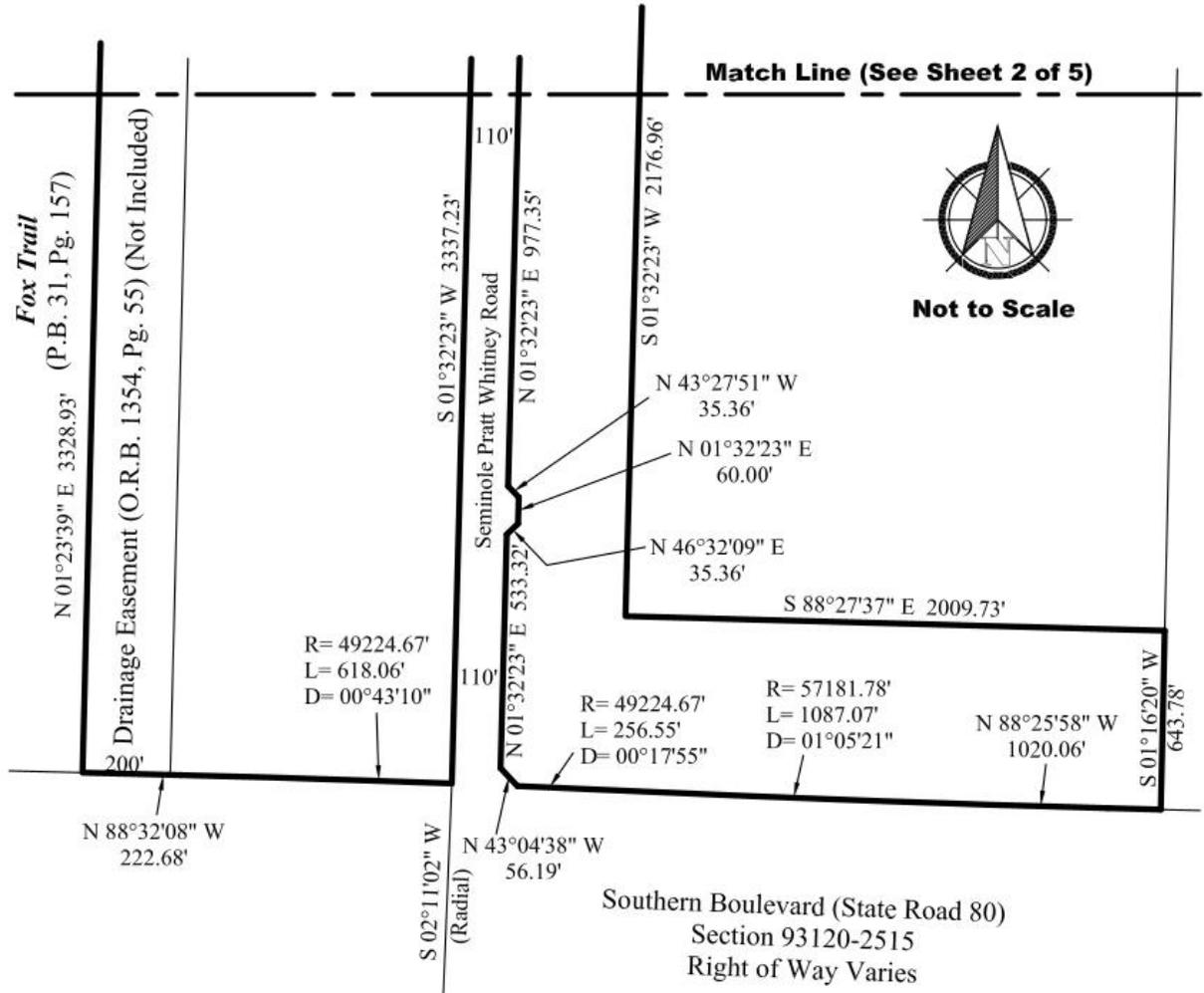
- BEARING REFERENCE:** The Bearings shown hereon are referenced to the North line of the Northwest one-quarter of Section 36-43-40 as published by Palm Beach County Engineering Department. Said line bears South 88°50'02" East.
- This is not a survey, but only a graphic depiction of the land shown hereon 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;

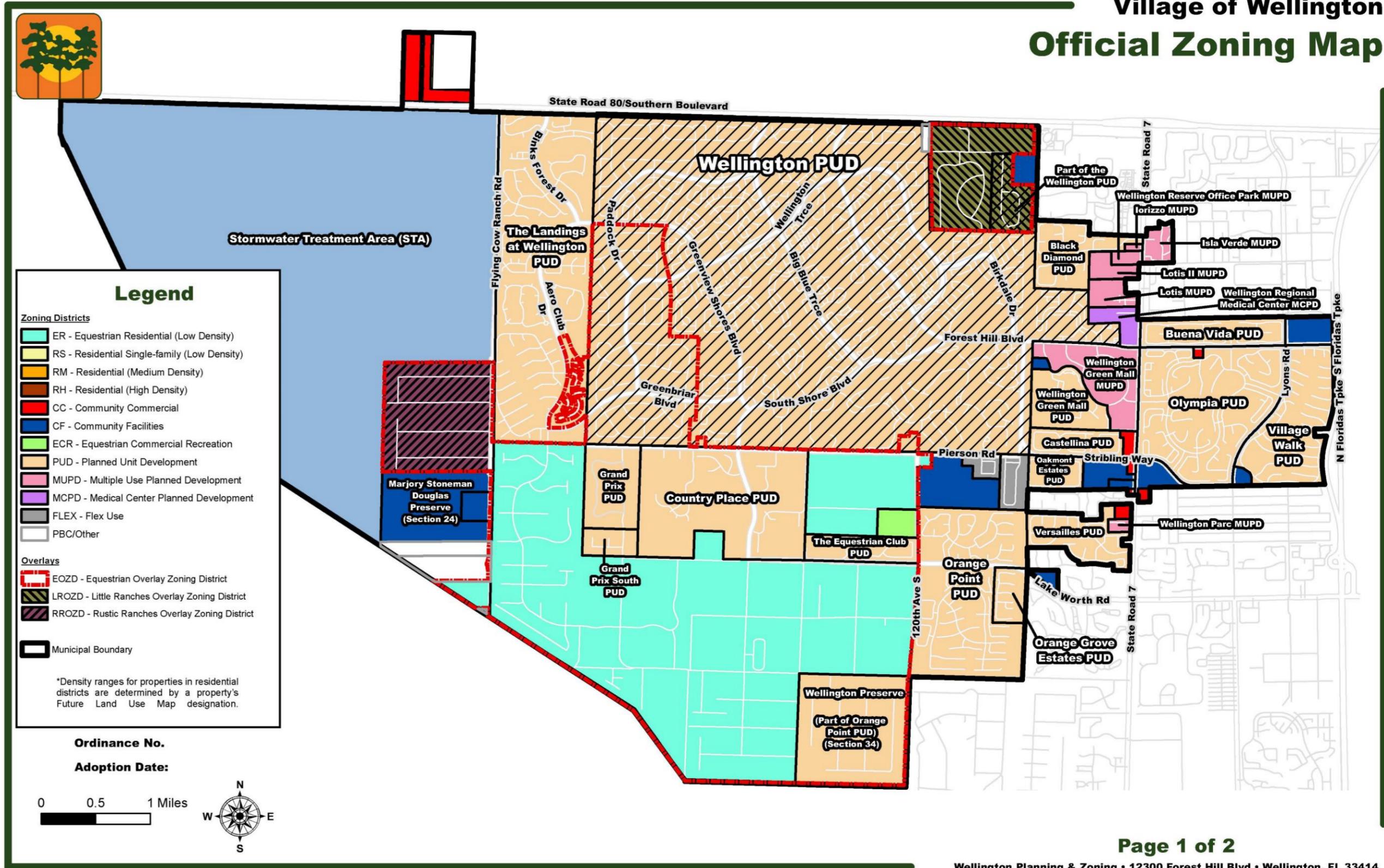
Thence, North 88°32'08" West, a distance of 222.68 feet to a point on the East line of *Fox Trail*, according to the plat thereof, as recorded in Plat Book 31, Page 157, of the Public Records of Palm Beach County, Florida;

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;

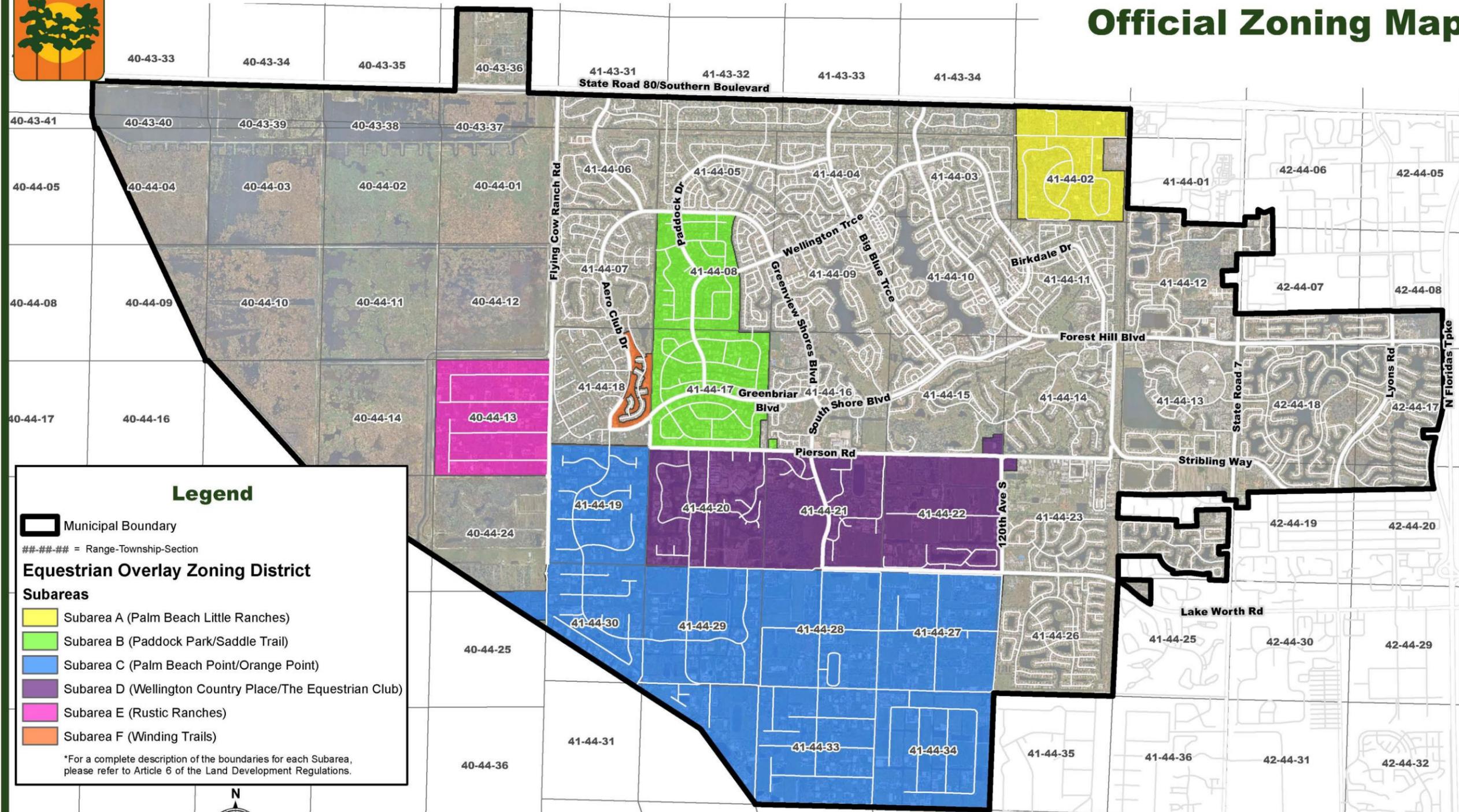
Thence, South 88°50'02" East, along said North line, a distance of 849.21 feet to the *Point of Beginning*.

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.

Village of Wellington Official Zoning Map



Village of Wellington Official Zoning Map



Legend

- Municipal Boundary
 - #### = Range-Township-Section
 - Equestrian Overlay Zoning District**
 - Subareas**
 - Subarea A (Palm Beach Little Ranches)
 - Subarea B (Paddock Park/Saddle Trail)
 - Subarea C (Palm Beach Point/Orange Point)
 - Subarea D (Wellington Country Place/The Equestrian Club)
 - Subarea E (Rustic Ranches)
 - Subarea F (Winding Trails)
- *For a complete description of the boundaries for each Subarea, please refer to Article 6 of the Land Development Regulations.

