

ORDINANCE NO. 2023-04

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING COMPREHENSIVE PLAN AMENDMENTS TO WELLINGTON'S COMPREHENSIVE PLAN FUTURE LAND USE MAP [PETITION NUMBER 2022-003-CPA] TO AMEND THE LAND USE DESIGNATION FOR CERTAIN PROPERTY KNOWN AS POD F PHASE V, PHASE VI, AND A PORTION OF PHASE VII OF THE WELLINGTON COUNTRYPLACE PLANNED UNIT DEVELOPMENT (PUD) FROM RESIDENTIAL B (0.1 DU/AC TO 1.0 DU/AC) TO EQUESTRIAN COMMERCIAL RECREATION (ECR), LOCATED AT THE NORTHEAST CORNER OF GRACIDA STREET AND GENE MISCHÉ WAY, TOTALING 114.65 ACRES, MORE OR LESS; TO AMEND THE LAND USE DESIGNATION FOR CERTAIN PROPERTY KNOWN AS POD E, POD G, AND A PORTION OF POD F PHASE VII OF THE WELLINGTON COUNTRYPLACE PUD FROM RESIDENTIAL B (0.1 DU/AC TO 1 DU/AC) TO RESIDENTIAL C (1.0 DU/AC TO 3.0 DU/AC), LOCATED WEST OF SOUTH SHORE BOULEVARD, NORTH OF LAKE WORTH ROAD, TOTALING 167.66 ACRES, MORE OR LESS; TO AMEND THE LAND USE DESIGNATION FOR CERTAIN PROPERTY KNOWN AS THE COMMERCIAL POD OF THE WELLINGTON COUNTRYPLACE PUD FROM COMMERCIAL TO RESIDENTIAL C, LOCATED AT THE NORTHWEST CORNER OF SOUTH SHORE BOULEVARD AND GRACIDA STREET TOTALING 5.8 ACRES, MORE OR LESS, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wellington, a 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 Equestrian Commercial Recreation (ECR) Future Land Use Map designation allows for the designation of the site as an equestrian venue/facility on the master plan and future development as a commercial equestrian arena; and

WHEREAS, Residential C (1.0 du/ac to 3.0 du/ac) Future Land Use Map designation allows development of the site within the density range of the land use subject to master plan approvals; and

WHEREAS, the Comprehensive Plan Amendments were reviewed by the Equestrian Preserve Committee (EPC) on December 7, 2022, and recommended _____ with a _ to _ vote; and

WHEREAS, the Comprehensive Plan Amendments were reviewed by the Planning, Zoning and Adjustment Board (PZAB) on _____, 2023, and recommended approval with a _ to _ vote; and

49 **WHEREAS**, Wellington's Council has taken the recommendations from the Local
50 Planning Agency, Wellington staff and the comments from the public into consideration when
51 considering the amendments to the Comprehensive Plan Map amendment that are the
52 subject of this Ordinance; and
53

54 **WHEREAS**, Wellington's Council, after notice and public hearing, voted (___ to ___) to
55 transmit this proposed amendment to the Florida Department of Economic Opportunity
56 in compliance with applicable provisions of the Florida Statutes governing amendments of
57 local Comprehensive Plans.
58

59 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,**
60 **FLORIDA, THAT:**
61

62 **SECTION 1:** The Wellington Comprehensive Plan Future Land Use Map designation
63 for the properties within the Wellington CountryPlace Planned Unit Development and legally
64 described in Exhibit "A," are hereby designated as Equestrian Commercial Recreation and
65 Residential C, respectively.
66

67 **SECTION 2:** The Manager is hereby authorized and directed to transmit this
68 Comprehensive Plan amendment to the Florida Department of Economic Opportunity
69 pursuant to Chapter 163, Florida Statutes.
70

71 **SECTION 3:** The Manager is hereby directed to amend the Wellington Comprehensive
72 Plan Future Land Use Map (Exhibit "B") to include the site-specific designation for the property
73 as described in Exhibit "A," including an adopted date and ordinance number in accordance
74 with this ordinance and pursuant to the requirements of Chapter 163, Florida Statutes.
75

76 **SECTION 4:** Should any section paragraph, sentence, clause, or phrase of this
77 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall
78 not affect the validity of this ordinance as a whole or any portion or part thereof, other than
79 the part to be declared invalid.
80

81 **SECTION 5:** Should any section, paragraph, sentence, clause, or phrase of this
82 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
83 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this
84 Ordinance shall prevail to the extent of such conflict.
85

86 **SECTION 6:** The effective date of this Comprehensive Plan Amendment shall be 31
87 days after adoption by Wellington's Council, if there has not been a compliance challenge with
88 the Division of Administrative Hearings. If the ordinance is challenged within 30 days after
89 adoption, the ordinance shall not become effective until the state land planning agency or the
90 Administrative Commission, respectively, issues a final order determining the amendment to
91 be in compliance.
92

93 (The remainder of this page left intentionally blank)
94

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

WELLINGTON

FOR AGAINST

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

ATTEST:

BY: _____
Chevelle D. Addie, Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney

Exhibit A – Legal Descriptions

Pod F Phase V, Phase VI, and a portion of Phase VII (Residential B to Equestrian Recreation):

ALL OF PBIEC ESTATES OF WELLINGTON COUNTRYPLACE, P.U.D. ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 128, PAGE 148 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

LESS THE FOLLOWING AREA BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF TRACT "A", PBIEC ESTATES OF WELLINGTON COUNTRYPLACE P.U.D., AS RECORDED IN PLAT BOOK 128 PAGES 148 THROUGH 151, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT "A"; THENCE NORTH 89°27'55" WEST ALONG THE SOUTH LINE OF SAID TRACT "A", A DISTANCE OF 621.10 FEET; THENCE NORTH 00°50'56" EAST, A DISTANCE OF 372.45 FEET TO THE SOUTHWEST CORNER OF A CONSERVATION EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 30821, PAGE 901, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE CONTINUE NORTH 00°50'56" EAST ALONG THE WEST LINE OF SAID CONSERVATION EASEMENT, A DISTANCE OF 735.56 FEET TO A POINT OF CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 180.00 FEET; THENCE NORTH AND EAST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°53'42"; A DISTANCE OF 279.27 FEET TO A POINT ON THE NORTH LINE OF SAID EASEMENT; THENCE NORTH 89°44'38" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 444.97 FEET TO A POINT ON THE EAST LINE OF SAID TRACT "A"; THENCE SOUTH 00°51'46" WEST ALONG THE EAST LINE OF SAID TRACT "A", A DISTANCE OF 1,293.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 114.65 ACRES MORE OR LESS.

Pod E, Pod G, and a portion of Pod F Phase VII of The Wellington Countryplace PUD (Residential B to Residential C):

ALL OF THE PLAT OF WELLINGTON COUNTRYPLACE ESTATES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 122, PAGE 166. PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 69.16 ACRES MORE OR LESS.

TOGETHER WITH:

A PARCEL OF LAND IN SECTION 21, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 21, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE NORTH 00°51'46" EAST ALONG THE WEST LINE OF SAID SECTION 21, A DISTANCE OF 2622.47 FEET; THENCE

SOUTH 89°27'28" EAST, A DISTANCE OF 50.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF ACME IMPROVEMENT DISTRICT C-4 AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89° 27' 28" EAST, A DISTANCE OF 1724.60 FEET; THENCE NORTH 00° 27' 01" EAST, A DISTANCE OF 81.70 FEET TO THE SOUTHWEST CORNER OF CIVIC SITE OF WELLINGTON COUNTRYPLACE-P.U.D., ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 38, PAGES 190 AND 191 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE CONTINUE NORTH 00° 27' 01" EAST ALONG THE WEST LINE OF SAID CIVIC SITE, A DISTANCE OF 784.53 FEET TO A POINT IN THE SOUTH LINE OF LOT 3, BLOCK 2, MALLET HILL OF WELLINGTON COUNTRYPLACE-P.U.D., ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 37, PAGES 123 AND 124 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 81° 05' 03" WEST ALONG SAID SOUTH LINE OF LOT 3, A DISTANCE OF 208.43 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3, BLOCK 2, MALLET HILL; THENCE NORTH 67° 54' 20" WEST ALONG THE SOUTHERLY LINE OF LOTS 4 AND 5 OF SAID BLOCK 2, MALLET HILL, A DISTANCE OF 622.57 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE SOUTH 79° 35' 13" WEST ALONG THE SOUTH LINES OF LOT 8 AND LOT 9 OF SAID BLOCK 2, MALLET HILL, A DISTANCE OF 574.06 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9; THENCE NORTH 89° 37' 49" WEST ALONG THE SOUTH LINE OF LOT 10 OF SAID BLOCK 2, MALLET HILL, A DISTANCE OF 368.68 FEET TO THE SOUTHWEST CORNER OF SAID LOT 10 AND THE INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF SAID ACME IMPROVEMENT DISTRICT C-4; THENCE SOUTH 00° 51' 46" WEST ALONG SAID EAST RIGHT-OF-WAY LINE OF ACME IMPROVEMENT DISTRICT C-4; SAID EAST RIGHT-OF-WAY LINE BEING 50.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SECTION 21, A DISTANCE OF 1015.09 FEET TO THE POINT OF BEGINNING.

CONTAINING 40.14 ACRES MORE OR LESS.

TOGETHER WITH:

A PARCEL OF LAND IN SECTION 21, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 21, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE NORTH 00°51'46" EAST ALONG THE WEST LINE OF SAID SECTION 21, A DISTANCE OF 1751.00 FEET; THENCE SOUTH 89°17'07" SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE EAST RIGHT OF WAY LINE OF ACME IMPROVEMENT DISTRICT C-4 AND THE POINT OF BEGINNING, SAID POINT BEING THE MOST WESTERLY NORTHWEST CORNER OF TRACT 1 WELLINGTON COUNTRYPLACE ESTATES, AS RECORDED IN PLAT BOOK 122, PAGE 166, PUBLIC RECORDS OF PALM BEACH COUNTY, THENCE CONTINUE SOUTH 89°17'07" EAST, A DISTANCE OF 149.92 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 260.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45°00'00", A DISTANCE OF 204.20 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 44°17'07" EAST, A DISTANCE OF 187.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 140.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45°00'00", A DISTANCE OF 109.96 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89°17'07" EAST, A DISTANCE OF 532.16 FEET TO THE POINT OF

218 CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 452.84
219 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A
220 CENTRAL ANGLE OF 45°00'00", A DISTANCE OF 355.66 FEET TO THE POINT OF
221 TANGENCY; THENCE NORTH 45°42'53" EAST, A DISTANCE OF 200.00 FEET TO THE
222 POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS
223 OF 463.85 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE
224 THROUGH A CENTRAL ANGLE OF 25°12'11", A DISTANCE OF 204.04 FEET TO A NON-
225 RADIAL INTERSECTION WITH A TANGENT BEARING NORTH 70°55'04" EAST; THENCE
226 NORTH 00°27'01" EAST, A DISTANCE OF 744.16 FEET; THENCE NORTH 89°27'28"
227 WEST, A DISTANCE OF 1724.60 FEET; THENCE SOUTH 00°51'46" WEST, ALONG SAID
228 EAST RIGHT OF WAY LINE OF ACME IMPROVEMENT DISTRICT C-4; SAID EAST RIGHT
229 OF WAY LINE BEING 50.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF
230 SAID SECTION 21, A DISTANCE OF 871.46 FEET TO THE POINT OF BEGINNING.

231 CONTAINING 40.14 ACRES MORE OR LESS.

232 TOGETHER WITH:

233 BEING A PORTION OF TRACT "A", PBIEC ESTATES OF WELLINGTON COUNTRYPLACE
234 P.U.D., AS RECORDED IN PLAT BOOK 128 PAGES 148 THROUGH 151, PUBLIC
235 RECORDS OF PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY
236 DESCRIBED AS FOLLOWS:

237 BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT "A", THENCE NORTH 89°27'55"
238 WEST ALONG THE SOUTH LINE OF SAID TRACT "A", A DISTANCE OF 621.10 FEET;
239 THENCE NORTH 00°50'56" EAST, A DISTANCE OF 372.45 FEET TO THE SOUTHWEST
240 CORNER OF A CONSERVATION EASEMENT AS RECORDED IN OFFICIAL RECORD
241 BOOK 30821, PAGE 901, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;
242 THENCE CONTINUE NORTH 00°50'56" EAST ALONG THE WEST LINE OF SAID
243 CONSERVATION EASEMENT, A DISTANCE OF 735.56 FEET TO A POINT OF CURVE
244 CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 180.00 FEET; THENCE NORTH
245 AND EAST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF
246 88°53'42", A DISTANCE OF 279.27 FEET TO A POINT ON THE NORTH LINE OF SAID
247 EASEMENT; THENCE NORTH 89°44'38" EAST, ALONG SAID NORTH LINE, A DISTANCE
248 OF 444.97 FEET TO A POINT ON THE EAST LINE OF SAID TRACT "A"; THENCE SOUTH
249 00°51'46" WEST ALONG THE EAST LINE OF SAID TRACT "A", A DISTANCE OF 1,293.15
250 FEET TO THE POINT OF BEGINNING.

251 CONTAINING 18.22 ACRES MORE OR LESS.

252

253 COMBINED AREA OF 167.66 ACRES MORE OR LESS.

254 **Commercial Site (Commercial to Residential C):**

255 THAT COMMERCIAL SITE AND PARCEL "A" OF THE PLAT OF COMMERCIAL SITE-
256 WELLINGTON COUNTRYPLACE-P.U.D., AS RECORDED IN PLAT BOOK 45, PAGE 12
257 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

258 CONTAINING 5.80 ACRES MORE OR LESS.

Wellington Comprehensive Plan 2023
Land Use Element
Future Land Use

