

ORDINANCE NO. 2025-11

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A DEVELOPMENT ORDER AMENDMENT TO MODIFY THE LAND USE DEVELOPMENT ORDER FOR CERTAIN PROPERTIES, KNOWN AS WELLINGTON GREEN, TOTALING 456.30 ACRES, MORE OR LESS, LOCATED ON THE SOUTHWEST CORNER OF STATE ROAD 7 AND FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN, TO DELETE PRIOR CONDITIONS OF APPROVAL, THAT WERE ORIGINALLY ADOPTED AS PART OF THE FUTURE LAND USE MAP (FLUM) OF THE COMPREHENSIVE PLAN BY PALM BEACH COUNTY, DUE TO THEIR SATISFACTION, OBSOLESCENCE, OR INCLUSION WITHIN THE WELLINGTON GREEN MASTER PLAN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Wellington Council, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulations (LDR), as adopted by Wellington, is authorized and empowered to consider changes related to zoning and land development orders; and

WHEREAS, Palm Beach County (PBC) adopted Ordinance No. 96-26 designating the subject properties, known as Wellington Green (F.K.A. Wellington Commons DRI), with a Future Land Use Map (FLUM) designation of Large Scale/Multiple Use (LS/MU) overlay with minimum and maximum acreage thresholds for the underlying land uses (including Commercial High, Residential High, Residential Medium, Wetland/Buffer, Active Park, and Lakes), which are allowed anywhere within the overall project; and

WHEREAS, Wellington Green was approved as a Development of Regional Impact (DRI) by PBC around the same time as Wellington's incorporation. The subject properties were included within the boundary of Wellington at the time of incorporation. The Wellington Charter indicated that "all development orders and development permits associated with the DRI shall be administered and issued by PBC for 48 months subsequent to the date Wellington commences corporate existence." Wellington became the responsible jurisdiction for the DRI on March 28, 2000. At that time, the Wellington Green DRI had a Regional Commercial/Large Scale Multiple Use (RC/LSMU) Future Land Use Map (FLUM) designation and a Planned Unit Development/Multiple Use Planned Development (PUD/MUPD) Zoning designation. Wellington also accepted the master plan and site plan(s) that were approved by PBC as valid development orders; and

WHEREAS, this amendment is to delete the development order conditions from the overall Wellington Green project land use approval, as all relevant and current conditions are included in the adopted master plan development order. This will delete the FLUM notation for

properties designated LSMU and delete the site-specific table with minimum and maximum acreage thresholds for each use type, as these thresholds are also regulated by the master plan; and

WHEREAS, the Wellington Green DRI sunset on December 31, 2016. The subject site is now regulated by the master plan and site plan(s) in accordance with Wellington’s Comprehensive Plan and LDR; and

WHEREAS, this amendment does not grant, modify, or eliminate entitlements related to the overall Wellington Green project. Further, any proposed changes to the master plan will require a public hearing and approval by Wellington’s Council; and

WHEREAS, the Planning, Zoning and Adjustment Board (PZAB), acting as the Local Planning Agency, after notice and public hearing on April 16, 2025, has reviewed the proposed ordinance and made a recommendation for approval with a vote of 7 to 0; and

WHEREAS, the Wellington Council has taken the recommendations from the Local Planning Agency, findings from Wellington staff, and comments from the public into consideration as part of the review of the proposed amendment that is the subject of 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 (DOC), in compliance with applicable provisions of the Florida Statutes governing amendments of local Comprehensive Plans.

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

SECTION 1. The following site-specific conditions for the Future Land Use designation for Wellington Green as established by Palm Beach County (PBC) Ordinance No. 96-26 is hereby deleted:

~~A. The following underlying uses shall apply to this amendment:~~

LAND USE	MINIMUM AC.	MAXIMUM AC.
Commercial High (CH)	185	250
Residential High 8 (HR 8)	10	50
Resid. Medium (MR 5) CLF Only	35	60
Wetland/Buffer	28	-
Active Park	10	-
Lakes/Drainage Control	132	-

—————Total

400

466

These uses shall be shown in a Mosaic pattern on the Future Land Use Atlas.

General location: Southwest corner of Forest Hill Boulevard and SR-7 (US 441).

Size: —————466 acres

- 77 ~~D. If significant physical development does not commence within three years from the~~
78 ~~effective date of this Plan Amendment, then development approval shall terminate. For~~
79 ~~the purposes of this condition, significant physical development shall be deemed to~~
80 ~~have been initiated after placement of permanent evidence of a structure or~~
81 ~~infrastructure on the site (other than a mobile home) such as internal roadways, internal~~
82 ~~utility and water management facilities, building slabs or footings, and/or sub-grade~~
83 ~~for parking lots or other work beyond the range of excavating or land clearing.~~
84 ~~E. Also, should the Royal Palm Mall DRI meet the following criteria prior in time to the~~
85 ~~Forest Hill Mall meeting the criteria, then this Future Land Use Map designation shall~~
86 ~~become void and the provision of paragraph F shall apply.~~
87 ~~a) obtain a DRI DO for a regional mall~~
88 ~~b) secure department store commitments from a minimum of three (3) department~~
89 ~~stores each committing to occupy at least 125,000 square feet of gross leasable area~~
90 ~~within the regional mall~~
91 ~~c) obtained one or more building permits for the vertical construction of the core of~~
92 ~~the regional mall which permit(s) authorize(s) the construction of a minimum of~~
93 ~~135,000 square feet of gross leasable area. The total gross leasable area of the~~
94 ~~department stores reflected in the department store commitments and the core of~~
95 ~~the regional store commitments and the core of the regional mall authorized by the~~
96 ~~building permit(s) shall be a minimum of 800,000 square feet~~
97 ~~d) commenced vertical construction of the core of the regional mall which for the~~
98 ~~purposes hereof shall mean the commencement of the pouring of the foundation~~
99 ~~and footings in connection with a continuous program of construction.~~
100 ~~F. If the Forest Hill Mall (a.k.a. Wellington Commons) does not proceed to development pursuant~~
101 ~~to Paragraph D of the Royal Palm Beach Mall proceeds pursuant to Paragraph E, the local~~
102 ~~government with land use jurisdiction may proceed to change the land use map designation~~
103 ~~to one which is deemed most appropriate given existing land uses and land uses as shown in~~
104 ~~the Palm Beach County and Village of Wellington Comprehensive Plans at that point in time.~~

105
106 **SECTION 2.** The Manager is hereby authorized and directed to transmit this
107 Comprehensive Plan amendment to the Florida Department of Commerce (DOC) pursuant to
108 Chapter 163, Florida Statutes.

109
110 **SECTION 3.** Should any section, paragraph, sentence, clause, or phrase of this ordinance
111 conflict with any section, paragraph, clause or phrase of any prior Wellington ordinance,

112 resolution, or municipal code provision, then in that event, the provisions of this ordinance shall
113 prevail to the extent of such conflict.

114
115 **SECTION 4.** Should any section, paragraph, sentence, clause, or phase of this ordinance
116 be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the
117 validity of this ordinance as a whole, or any portion of part thereof, other than the part so declared
118 to be invalid.

119
120 **SECTION 5.** The effective date of this Ordinance Comprehensive Plan Amendment shall
121 be 31 days after adoption by Wellington's Council, if there has not been a compliance challenge
122 with the Division of Administrative Hearings. If the ordinance is challenged within 30 days after
123 adoption, this Ordinance shall not become effective until the state land planning agency or the
124 Administrative Commission, respectively, issues a final order determining the amendment to be
125 in compliance.

126
127 (The remainder of this page left intentionally blank)

128

PASSED this 13th day of May, 2025, upon first reading.

PASSED AND ADOPTED this ____ day of _____ 2025, on second and final reading.

WELLINGTON

	FOR	AGAINST
BY: _____ Michael J. Napoleone, Mayor	_____	_____
_____	_____	_____
Tanya Siskind, Vice Mayor	_____	_____
_____	_____	_____
John T. McGovern, Councilman	_____	_____
_____	_____	_____
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