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**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 FUTURE 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 DWELLING UNITS PER ACRE (DU/AC) TO 1.0 DU/AC) TO EQUESTRIAN COMMERCIAL RECREATION (ECR), LOCATED AT THE NORTHEAST CORNER OF GRACIDA STREET AND GENE MISCHE WAY, TOTALING 114.65 ACRES, MORE OR LESS; TO AMEND THE FUTURE LAND USE DESIGNATION FOR CERTAIN PROPERTY KNOWN AS THE COMMERCIAL POD OF THE WELLINGTON COUNTRYPLACE PUD FROM COMMERCIAL TO RESIDENTIAL B (0.1 DU/AC – 1.0 DU/AC), 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.**

24       **WHEREAS**, Wellington, a Florida Council, pursuant to the authority in Chapter 163,  
25 Florida Statutes, is authorized and empowered to consider changes to its Comprehensive  
26 Plan; and

27  
28       **WHEREAS**, the Equestrian Commercial Recreation (ECR) Future Land Use Map  
29 designation allows for the designation of the site as an equestrian venue/facility on the master  
30 plan and future development as a commercial equestrian arena; and

31  
32       **WHEREAS**, Residential B (0.1 du/ac to 1.0 du/ac) Future Land Use Map designation  
33 allows development of the site within the density range of the land use subject to master plan  
34 approvals; and

35  
36       **WHEREAS**, the Comprehensive Plan Amendments were reviewed by the Equestrian  
37 Preserve Committee (EPC) on June 8, 2023, and recommended denial with a 7 to 0 vote. The  
38 request has been modified since recommendation by the EPC by modifying the FLUM  
39 designation of only the 5.8-acre Commercial property to Residential B, not the originally  
40 requested Residential C and maintaining the existing Residential B designation for Pod E;  
41 and

42  
43       **WHEREAS**, the Comprehensive Plan Amendments were reviewed by the Planning,  
44 Zoning and Adjustment Board (PZAB) on \_\_\_\_\_, 2023, and recommended  
45 approval with a \_ to \_ vote; and

46  
47       **WHEREAS**, Wellington's Council has taken the recommendations from the Local  
48 Planning Agency, Wellington staff and the comments from the public into consideration when

49 considering the amendments to the Comprehensive Plan Map amendment that are the  
50 subject of this Ordinance; and

51  
52 **WHEREAS**, Wellington’s Council, after notice and public hearing, voted (\_\_\_ to \_\_\_) to  
53 transmit this proposed amendment to the Florida Department of Economic Opportunity  
54 in compliance with applicable provisions of the Florida Statutes governing amendments of  
55 local Comprehensive Plans.

56  
57 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,**  
58 **FLORIDA, THAT:**

59  
60 **SECTION 1:** The Wellington Comprehensive Plan Future Land Use Map designation  
61 for the properties within the Wellington CountryPlace Planned Unit Development and legally  
62 described in Exhibit “A,” are hereby designated as Equestrian Commercial Recreation and  
63 Residential C, respectively.

64  
65 **SECTION 2:** The Manager is hereby authorized and directed to transmit this  
66 Comprehensive Plan amendment to the Florida Department of Economic Opportunity  
67 pursuant to Chapter 163, Florida Statutes.

68  
69 **SECTION 3:** The Manager is hereby directed to amend the Wellington Comprehensive  
70 Plan Future Land Use Map (Exhibit “B”) to include the site-specific designation for the property  
71 as described in Exhibit “A,” including an adopted date and ordinance number in accordance  
72 with this ordinance and pursuant to the requirements of Chapter 163, Florida Statutes.

73  
74 **SECTION 4:** Should any section paragraph, sentence, clause, or phrase of this  
75 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall  
76 not affect the validity of this ordinance as a whole or any portion or part thereof, other than  
77 the part to be declared invalid.

78  
79 **SECTION 5:** Should any section, paragraph, sentence, clause, or phrase of this  
80 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington  
81 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this  
82 Ordinance shall prevail to the extent of such conflict.

83  
84 **SECTION 6:** The effective date of this Comprehensive Plan Amendment shall be 31  
85 days after adoption by Wellington’s Council, if there has not been a compliance challenge with  
86 the Division of Administrative Hearings. If the ordinance is challenged within 30 days after  
87 adoption, the ordinance shall not become effective until the state land planning agency or the  
88 Administrative Commission, respectively, issues a final order determining the amendment to  
89 be in compliance.

90  
91 (The remainder of this page left intentionally blank)  
92

93 **PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023, upon first reading.

94  
95 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2023, on second and final reading.

96  
97 **WELLINGTON**

98 **FOR** **AGAINST**

99			
100	BY: _____	_____	_____
101	Anne Gerwig, Mayor		
102			
103	_____	_____	_____
104	Michael J. Napoleone, Vice Mayor		
105			
106	_____	_____	_____
107	John T. McGovern, Councilman		
108			
109	_____	_____	_____
110	Michael Drahos, Councilman		
111			
112	_____	_____	_____
113	Tanya Siskind, Councilwoman		

114  
115  
116 **ATTEST:**

117  
118  
119 BY: \_\_\_\_\_  
120 Chevelle D. Addie, Clerk

121  
122  
123 **APPROVED AS TO FORM AND**  
124 **LEGAL SUFFICIENCY**

125  
126  
127 BY: \_\_\_\_\_  
128 Laurie Cohen, Village Attorney

129

**Exhibit A – Legal Descriptions**

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

132  
133 ALL OF PBIEC ESTATES OF WELLINGTON COUNTRYPLACE, P.U.D. ACCORDING TO  
134 THE PLAT THEREOF AS RECORDED IN PLAT BOOK 128, PAGE 148 OF THE PUBLIC  
135 RECORDS OF PALM BEACH COUNTY, FLORIDA AND LOCATED WITHIN THE  
136 SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 41 EAST,  
137 PALM BEACH COUNTY, FLORIDA.

138 LESS THE FOLLOWING AREA BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

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

143 BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT "A"; THENCE NORTH 89°27'55"  
144 WEST ALONG THE SOUTH LINE OF SAID TRACT "A", A DISTANCE OF 621.10 FEET;  
145 THENCE NORTH 00°50'56" EAST, A DISTANCE OF 372.45 FEET TO THE SOUTHWEST  
146 CORNER OF A CONSERVATION EASEMENT AS RECORDED IN OFFICIAL RECORD  
147 BOOK 30821, PAGE 901, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;  
148 THENCE CONTINUE NORTH 00°50'56" EAST ALONG THE WEST LINE OF SAID  
149 CONSERVATION EASEMENT, A DISTANCE OF 735.56 FEET TO A POINT OF CURVE  
150 CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 180.00 FEET; THENCE NORTH  
151 AND EAST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF  
152 88°53'42"; A DISTANCE OF 279.27 FEET TO A POINT ON THE NORTH LINE OF SAID  
153 EASEMENT; THENCE NORTH 89°44'38" EAST, ALONG SAID NORTH LINE, A DISTANCE  
154 OF 444.97 FEET TO A POINT ON THE EAST LINE OF SAID TRACT "A"; THENCE SOUTH  
155 00°51'46" WEST ALONG THE EAST LINE OF SAID TRACT "A", A DISTANCE OF 1,293.15  
156 FEET TO THE POINT OF BEGINNING.

157 CONTAINING 114.65 ACRES MORE OR LESS.

158 **Commercial Site (Commercial to Residential B):**

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

162 CONTAINING 5.80 ACRES MORE OR LESS.

Exhibit B – Future Land Use Map

Wellington Comprehensive Plan 2023  
Land Use Element  
Future Land Use

