

ORDINANCE NO. 2023-05

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING COMPREHENSIVE PLAN AMENDMENTS TO WELLINGTON'S FUTURE LAND USE MAP [PETITION NUMBER 2022-004-CPA] TO AMEND THE LAND USE DESIGNATION FOR CERTAIN PROPERTY KNOWN AS PARCEL B OF POLO HOUSE AT PALM BEACH POLO AND COUNTRY CLUB POA, INC. FROM OPEN SPACE RECREATION TO RESIDENTIAL C (1.01 DU/AC TO 3.0 DU/AC), LOCATED ON THE SOUTHWEST CORNER OF FOREST HILL BOULEVARD AND POLO CLUB ROAD, AS MORE SPECIFICALLY DESCRIBED HEREIN, TOTALING 22.983 ACRES, MORE OR LESS; 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**, Residential C (1.01 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 Planning, Zoning and Adjustment Board (PZAB) on April 19, 2023, and recommended approval with a 4 to 1 vote; and

**WHEREAS**, Wellington's 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 amendment that are 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 Economic Opportunity 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 Wellington Comprehensive Plan Future Land Use Map and the Bridle Trail Map is hereby amended to revise the boundary of the Equestrian Preserve Area by removing the properties known as Equestrian Village and White Birch Farms as legally described in Exhibit "A."

**SECTION 2:** The Wellington Comprehensive Plan Future Land Use Map designation for the properties within the Wellington Planned Unit Development and legally described in Exhibit "A," are hereby designated as Residential C.

50       **SECTION 3:** The Manager is hereby authorized and directed to transmit this  
51 Comprehensive Plan amendment to the Florida Department of Economic Opportunity pursuant  
52 to Chapter 163, Florida Statutes.  
53

54       **SECTION 4:** The Manager is hereby directed to amend the Wellington Comprehensive  
55 Plan Future Land Use Map (Exhibit "B") to include the site specific designation for the property  
56 as described in Exhibit "A", including an adopted date and ordinance number in accordance  
57 with this ordinance and pursuant to the requirements of Chapter 163, Florida Statutes.  
58

59       **SECTION 5:** Should any section paragraph, sentence, clause, or phrase of this  
60 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall  
61 not affect the validity of this ordinance as a whole or any portion or part thereof, other than the  
62 part to be declared invalid.  
63

64       **SECTION 6:** Should any section, paragraph, sentence, clause, or phrase of this  
65 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington  
66 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this  
67 Ordinance shall prevail to the extent of such conflict.  
68

69       **SECTION 7:** The effective date of this Comprehensive Plan Amendment shall be 31  
70 days after adoption by Wellington's Council, if there has not been a compliance challenge with  
71 the Division of Administrative Hearings. If the ordinance is challenged within 30 days after  
72 adoption, the ordinance shall not become effective until the state land planning agency or the  
73 Administrative Commission, respectively, issues a final order determining the amendment to  
74 be in compliance.  
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76  
77                               (The reminder of this page left blank intentionally)

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

79  
80 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2023, on second and final reading.

81  
82 **WELLINGTON**

83 **FOR** **AGAINST**

84  
85 BY: \_\_\_\_\_  
86 Anne Gerwig, Mayor

87  
88 \_\_\_\_\_  
89 Michael Drahos, Vice Mayor

90  
91 \_\_\_\_\_  
92 John T. McGovern, Councilman

93  
94 \_\_\_\_\_  
95 Michael J. Napoleone, Councilman

96  
97 \_\_\_\_\_  
98 Tanya Siskind, Councilwoman

99  
100  
101 **ATTEST:**

102  
103  
104 BY: \_\_\_\_\_  
105 Chevelle D. Addie, Clerk

106  
107  
108 **APPROVED AS TO FORM AND**  
109 **LEGAL SUFFICIENCY**

110  
111  
112 BY: \_\_\_\_\_  
113 Laurie Cohen, Village Attorney

114 **Exhibit A**

115  
116 **Legal Description**

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118 A PARCEL OF LAND LYING IN A PORTION OF SECTION 14, TOWNSHIP 44 SOUTH,  
119 RANGE 41 EAST, THE VILLAGE OF WELLINGTON, PALM BEACH COUNTY FLORIDA,  
120 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

121 BEGINNING AT THE NORTHWEST CORNER OF PARCEL B ACCORDING TO THE PLAT  
122 OF GOLF AND TENNIS VILLAGE PHASE 1 OF PALM BEACH POLO AND COUNTRY CLUB  
123 AS RECORDED IN PLAT BOOK 35, PAGE 185 OF THE PUBLIC RECORD OF PALM BEACH  
124 COUNTY FLORIDA; THENCE S51°06'48"W A DISTANCE OF 101.20 FEET TO A POINT ON  
125 A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 512.21 FEET;  
126 AND HAVING A RADIAL BEARING OF S38°45'40"W; THENCE NORTHWESTERLY ALONG  
127 THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 7°45'40" A DISTANCE OF  
128 69.38 FEET TO A POINT OF TANGENCY; THENCE N59°00'00"W A DISTANCE OF 100.00  
129 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST  
130 AND HAVING A RADIUS OF 429.11 FEET; THENCE NORTHWESTERLY ALONG THE ARC  
131 OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°00'00" A DISTANCE OF 299.58  
132 FEET TO THE POINT OF TANGENCY; THENCE N18°20'00"W A DISTANCE OF 70.49 FEET  
133 TO A POINT ON THE SOUTHERLY LINE OF ST. ANDREWS AT THE POLO CLUB  
134 CONDOMINIUM AS RECORDED IN OFFICIAL RECORD BOOK 17828, PAGE 1678 OF  
135 SAID PUBLIC RECORDS, THENCE LEAVING THE RIGHT—OF—WAY LINE AND ALONG  
136 SAID SOUTHERLY LINE N58°05'58"E A DISTANCE OF 174.46 FEET; THENCE LEAVING  
137 SAID SOUTHERLY LINE N20°57'41"W A DISTANCE OF 150.59 FEET; THENCE  
138 N28°22'58"W A DISTANCE OF 42.15 FEET TO THE POINT OF CURVATURE OF A CURVE  
139 CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 80.89 FEET; THENCE  
140 NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE  
141 OF 29°51'18" A DISTANCE OF 42.15 FEET TO A POINT OF NON—TANGENCY; THENCE  
142 N20°57'41"W A DISTANCE OF 10.18 FEET; THENCE N11°22'27"E A DISTANCE OF 142.51  
143 FEET TO A POINT ON THE SOUTHERLY RIGHT—OF—WAY LINE OF FOREST HILL  
144 BOULEVARD AS RECORDED IN OFFICIAL RECORD BOOK 2439, PAGE 992 OF SAID  
145 PUBLIC RECORDS; THENCE ALONG SAID SOUTHERLY RIGHT—OF-WAY LINE  
146 S89°48'25"E A DISTANCE OF 1643.98 FEET TO THE WESTERLY RIGHT—OF—WAY LINE  
147 OF POLO CLUB DRIVE (PLATTED LONG MEADOW DRIVE) AS RECORDED IN PLAT  
148 BOOK 35, PAGE 185 AS RECORDED IN SAID PUBLIC RECORDS; THENCE ALONG SAID  
149 RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES; S02°50'35"W A DISTANCE OF  
150 89.84 FEET; THENCE S63°13'33"W A DISTANCE OF 66.22 FEET; THENCE S30°02'04"W A  
151 DISTANCE OF 134.19 FEET; THENCE N87°11'32"W A DISTANCE OF 47.13 FEET;  
152 THENCE S02°39'52"W A DISTANCE OF 251.41 FEET TO A POINT ON THE NORTHERLY  
153 LINE OF PARCEL "B" GOLF & TENNIS VILLAGE PHASE 1 OF PALM BEACH POLO &  
154 COUNTRY CLUB P.U.D. AS RECORDED IN PLAT BOOK 35, PAGE 185 OF THE PUBLIC  
155 RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID NORTHERLY  
156 LINE THE FOLLOWING TWO COURSES; S76°31'35"W A DISTANCE OF 998.30 FEET;  
157 THENCE S61°06'48"W A DISTANCE OF 153.65 FEET TO THE POINT OF BEGINNING.

158  
159 SAID HEREIN DESCRIBED PARCEL CONTAINING 22.983 ACRES MORE OR LESS.