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ORDINANCE NO. 2018-02

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO REPEAL AND REPLACE ARTICLE 11, ADEQUATE PUBLIC FACILITY STANDARDS, IN ITS ENTIRETY; REPLACING IT WITH ARTICLE 2, CONCURRENCY MANAGEMENT, AS CONTAINED HEREIN; TO ESTABLISH SPECIFIC STANDARDS RELATED TO CONCURRENCY MANAGEMENT; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council, Florida, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (LDR); and

WHEREAS, upon incorporation in 1996, the Village elected to utilize the Palm Beach County (PBC) Unified Land Development Code (ULDC), as the LDR for the Village of Wellington; and

WHEREAS, over the years minor amendments to the LDR have been codified to address changed conditions or to modify the code to suit specific needs of the Village to ensure the health, safety, welfare and overall quality of life; and

WHEREAS, Wellington believes that it is in the best interest of the community to make additional modifications to the LDR to streamline the development review process, to establish a process that best serves the public, and to create an incentive for betterment of future development and redevelopment; and

WHEREAS, The Planning, Zoning and Adjustment Board, acting as the Local Planning Agency, after notice and public hearing on December 13, 2017, has reviewed the proposed Ordinance for consistency with Wellington's Comprehensive Plan and made a recommendation for approval with a 7 - 0 vote; and

WHEREAS, Village Council has taken the recommendations from the Local Planning Agency, Wellington staff and the comments from the public into consideration as part of the review of the proposed amendment to the LDR that are the subject of this Ordinance.

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

SECTION 1. Article 11 Adequate Public Facility Standards, of the Wellington Land Development Regulations, is hereby repealed in its entirety, and Article 2 Concurrency Management is hereby adopted, as specifically provided for in Exhibit A of the Ordinance.

SECTION 2. Should any section, paragraph, sentence, clause, or phrase of this Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington

1 Ordinance, Resolution, or Municipal Code provision, then in that event the provisions of this
2 Ordinance shall prevail to the extent of such conflict.

3
4 **SECTION 3.** Should any section, paragraph, sentence, clause, or phase of this
5 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall
6 not affect the validity of this Ordinance as a whole or any portion of part thereof, other than
7 the part so declared to be invalid.

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9 **SECTION 4.** This Ordinance shall become effective immediately upon adoption of the
10 Village Council following second reading.

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12 **PASSED** this 8th day of January, 2018, upon first reading.

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14 **PASSED AND ADOPTED** this _____ day of _____ 2018, on second and final
15 reading.

16	WELLINGTON		
17		FOR	AGAINST
18			
19	BY: _____	_____	_____
20	Anne Gerwig, Mayor		
21	_____	_____	_____
22	John T. McGovern, Vice Mayor		
23	_____	_____	_____
24	Michael Drahos, Councilman		
25	_____	_____	_____
26	Michael J. Napoleone, Councilman		
27	_____	_____	_____
28	Tanya Siskind, Councilwoman		

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36 **ATTEST:**
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39 BY: _____
40 Chevelle Nubin, Clerk
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43 **APPROVED AS TO FORM AND**
44 **LEGAL SUFFICIENCY**
45
46
47 BY: _____
48 Laurie Cohen, Village Attorney
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