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ARTICLE 2. CONCURRENCY MANAGEMENT

CHAPTER 1.

Sec. 2.1.1. Authority.

Wellington has the authority to adopt this article pursuant to Art. VIII, Sec. 2(b), Fla. Const., F.S. § 166.021 and F.S. § 163 Part II.

Sec. 2.1.2. Purpose and Intent.

This article is intended to implement the Comprehensive Plan by ensuring approved development shall not reduce levels of service for public facilities below those required in the Comprehensive Plan for Traffic, Infrastructure, and the Recreation and Open Space Element along with Article 9 Vehicular Traffic Performance Standards.

Sec. 2.1.3. Applicability.

This article shall apply to all development within Wellington.

Sec. 2.1.4. Concurrency Review and Approval.

To implement the comprehensive plan's concurrency level of service requirements Wellington establishes the regulatory program known as concurrency management as follows;

- A. Wellington shall ensure no final development orders are issued unless the Level of Service requirements of Sec. 2.1.5 and the following conditions are met for potable water, sanitary sewer, solid waste, drainage, transportation, and parks and recreation. Either there are adequate public facilities available to serve the proposed development concurrent with the impacts of such development on facilities or the development orders are conditioned upon the availability of facilities concurrent with the impacts of such development.
- B. The applicant shall consult the relevant departments to verify concurrency requirements for inclusion in the submission of a development application to Wellington as indicated in Table 2.1.4-1 below.

Table 2.1.4-1 Concurrency Departments.

Public Facility	Applicable Department
Potable Water	Wellington Utilities
Sanitary Sewer	Wellington Utilities
Solid Waste	Palm Beach County Solid Waste Authority
Drainage	Wellington Engineering
Transportation	Wellington Engineering and the Palm Beach County Traffic Division, if applicable
Parks and Recreation	Wellington Planning and Zoning

- C. Development order amendments and deviations which create an impact on public facilities shall be reviewed by Wellington for concurrency as indicated in Table 2.1.4-2 below. For items certified by DRC for public hearings the certification shall serve as an approval of concurrency requirements. Items approved by DRC or the Planning and Zoning Director shall serve as approval of concurrency requirements. Pursuant to Article 5, conditions of approval may be included in development orders to

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ensure concurrency requirement shall be met. Notification of the results of concurrency review shall be pursuant to the applicable Article 5 Development Review Procedures.

- D. Concurrency approvals are subject to the expiration requirements of Sec 5.11 Time Limitations of Development Orders and any other expirations associated with Palm Beach County approvals. Any expired concurrency approval shall be required to be reestablished before development associated with a development order can proceed and/or as part of a new development order.

Table 2.1.4-2 Concurrency Review.

Type of Development Order	Concurrency Review By	Development Order Approval
Master Plan or Amendment	Project Manager, Planning and Zoning Department	Council
Subdivision Plan	Project Manager, Planning and Zoning Department	DRC
Conditional Use	Project Manager, Planning and Zoning Department	Council
Site Plan	Project Manager, Planning and Zoning Department	DRC
Amendment of Conditions of Approval*	Project Manager, Planning and Zoning Department	Original approving body or Planning and Zoning Director
Equestrian Permit (Seasonal)	Planning and Zoning Director	Planning and Zoning Director
Administrative Extension of Time	Planning and Zoning Director	Planning and Zoning Director

Notes for Table 2.1.4-2

* Corresponds to development orders which require concurrency review if additional impacts on public facilities are created by the development order.

- E. The following types of development shall be exempt from the requirements of this article:
1. An alteration to a project which is the subject of a development order and does not create any additional impacts on public facilities;
 2. The construction of accessory buildings or structures which do not create additional impacts on public facilities;
 3. The replacement of an existing dwelling unit when no additional dwelling units are created or an existing nonresidential structure when the type of use is unchanged and no additional square footage is added;
 4. A single-family residential unit or a duplex to be constructed on a vacant legal platted lot of record.
- F. Appeals of determinations under this article shall be pursuant to Sec. 5.17 Appeals.

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Sec. 2.1.5. Level of service standards.

Level of Service (LOS) Standards used for concurrency review shall be obtained from the Transportation, Infrastructure and Recreation Elements of the Comprehensive Plan and from Article 9 Vehicular Traffic Performance Standards including applicable Palm Beach County Roadway standards.

Sec. 2.1.6. Standards of concurrency review.

The following standards shall be evaluated when deciding whether LOS has been met prior to certifying or approving a development order:

- A. For potable water, sewer, solid waste, drainage, parks, recreation, roads and transit the following:
 - 1. The necessary facilities and services are in place at the time the development order is issued;
 - 2. A development order is issued subject to the condition all necessary facilities and services will be in place when the impacts of the development occur;
 - 3. The necessary facilities are under construction and bonded for completion at the time a development order is issued; or
 - 4. The necessary facilities and services are guaranteed in an enforceable development agreement to be available within the applicable time frame, secured by a completion bond, letter of credit or other security acceptable to Wellington.
- B. For roads:
 - 1. The necessary facilities are scheduled to commence within the first three years of an adopted State or local work program; or
 - 2. When an applicant satisfies their transportation concurrency requirements by making a proportionate share contribution the requirements and procedures outlined in Article 9 Chapter 5 shall apply.

Sec. 2.1.7. Concurrency monitoring system.

Wellington shall establish the following monitoring practices;

- A. As provided in the comprehensive plan the capital improvement element shall be updated annually. A report shall be prepared by the Engineering Department in conjunction with the annual budget review process detailing the existing conditions of public facilities including available capacities based upon their LOS. The annual budget review shall include a forecast of the capacity for both existing and planned capital improvements identified in the five-year capital improvement schedule for each of the five succeeding years. Based upon the department's report the Wellington Engineer shall recommend to the Council needed amendments to the capital improvement element and the annual budget.