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ORDINANCE NO. 2022-30

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO MODIFY SECTION 6.2.2.G. TRANSPORTATION COMMUNICATIONS INFRASTRUCTURE, OF ARTICLE 6, TO PROVIDE STANDARDS FOR COMMERCIAL WIRELESS FACILITIES AND APPROVING A WIRELESS COMMUNICATION TOWER MAP WITH THE LOCATIONS OF PRELIMINARY APPROVED TOWERS AND APPROVED TOWERS WITHIN WELLINGTON, AS MORE SPECIFICALLY CONTAINED HEREIN; 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, Chapter 166 and Chapter 177, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (LDR); and

WHEREAS, residence, business owners and Wellington facilities are having issues with availability of cellular/wireless service coverage within Wellington; and

WHEREAS, the 2022 Council Directions meeting provided direction to identify ways to improve cellular/wireless service coverage within Wellington; and

WHEREAS, the proposed text amendment to Section 6.2.2.G. of the Land Development Regulations is to modify the regulations and process in support of expanding the cellular infrastructure consistent with the LDR and Wellington's Comprehensive Plan; and

WHEREAS, the Planning, Zoning and Adjustment Board, acting as the Local Planning Agency, after notice and public hearing on October 19, 2022, has reviewed the proposed ordinance and made a recommendation for _____ with a vote of ___ to ____; and

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

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

SECTION 1. Section 6.2.2.G.3 of the Wellington Land Development Regulations is hereby amended as specifically provided for in Exhibit A.

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

50 **SECTION 3.** Should any section, paragraph, sentence, clause, or phase of this
51 ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not
52 affect the validity of this ordinance as a whole, or any portion of part thereof, other than the part
53 so declared to be invalid.

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55 **SECTION 4.** This ordinance shall become effective immediately upon adoption of the
56 Wellington Council following second reading.

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58 **PASSED** this ____ day of _____ 2022, upon first reading.

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60 **PASSED AND ADOPTED** this ____ day of _____ 2022, on second and final
61 reading.

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63 **WELLINGTON**

	FOR	AGAINST
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82 **ATTEST:**

85 BY: _____
86 Chevelle Addie, MMC, Village Clerk

89 **APPROVED AS TO FORM AND
90 LEGAL SUFFICIENCY**

93 BY: _____
94 Laurie Cohen, Village Attorney