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RESOLUTION NO. R2017-40

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, ADOPTING THE DEVELOPMENT REVIEW MANUAL, AS MORE SPECIFICALLY DESCRIBED HEREIN, TO PROVIDE FORMS FOR PLANNING AND ZONING APPLICATION TYPES, SUBMITTAL REQUIREMENTS, REVIEW CRITERIA AND DETAIL THE PROCESS FOR DEVELOPMENT APPLICATIONS AS REQUIRED IN ARTICLE 5 OF WELLINGTON'S LAND DEVELOPMENT REGULATIONS AND TO COMPLY WITH FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Council, as the governing body of the Village of Wellington, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Land Development Regulation is authorized and empowered to consider petitions related to zoning and development orders; and

WHEREAS, the notice and hearing requirements, as provided in Article 5 of the Land Development Regulation, as adopted by Wellington, have been satisfied; and

WHEREAS, Article 5 of the Land Development Regulations provides that a Development Review Manual shall be adopted by the Village Council; and

WHEREAS, the Development Review Manual shall provide forms for planning and zoning application types, submittal requirements, review criteria and detail the process for development applications required for all development orders; and

WHEREAS, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on August 9, 2017, recommended _____ of the Development Review Manual with a _____ vote; and

WHEREAS, the Council has taken the recommendations from the Local Planning Agency, Equestrian Preserve Committee, Wellington staff and the comments from the public into consideration when considering the proposed Development Review Manual (Exhibit A); and

WHEREAS, The Council has made the following findings of fact:

1. The Development Review Manual is consistent with the Comprehensive Plan;
2. The Development Review Manual is consistent with the Land Development Regulations;

- 1 3. The Development Review Manual furthers the overall Village goal to streamline
2 the development review process and be user friendly; and
3
4 4. The Development Review Manual will become an official document of the
5 Planning, Zoning and Building Department.
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7

8 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF WELLINGTON,**
9 **FLORIDA, THAT:**

10
11 **SECTION 1.** The Development Review Manual is hereby adopted as provided for
12 in Exhibit A of this resolution.
13

14 **SECTION 2:** All development applications shall be processed in compliance with
15 the Development Review Manual.
16

17 **SECTION 2:** The Development Review Manual shall not be modified without
18 Council approval, unless modifications to the manual are required as a result of
19 changes to Florida Statutes.
20

21 **SECTION 3:** Should any section, paragraph, sentence, clause, or phrase of
22 this resolution conflict with any section, paragraph, clause or phrase of any prior
23 Wellington Ordinance, Resolution, or Municipal Code provision, in that event the
24 provisions of this resolution shall prevail to the extent of such conflict.
25

26 **SECTION 4:** Should any section, paragraph, sentence, clause, or phase of
27 this resolution be declared by a court of competent jurisdiction to be invalid, such
28 decision shall not affect the validity of this resolution as a whole or any portion of
29 part thereof, other than the part so declared to be invalid.
30

31 **SECTION 5:** This resolution shall become effective upon the approval of the
32 companion Zoning Text Amendment (Ordinance No. 2017-11) to repeal and replace
33 Article 5 of the Land Development Regulations.
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40 (Remainder of page intentionally left blank.)
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1 **PASSED AND ADOPTED** this ____ day of _____ 2017.

2
3
4 **WELLINGTON**

5 **FOR**

5 **AGAINST**

6
7 BY: _____

8 Anne Gerwig, Mayor

9
10 _____
11 John T. McGovern, Vice Mayor

12
13 _____
14 Michael Drahos, Councilman

15
16 _____
17 Michael J. Napoleone, Councilman

18
19 _____
20 Tanya Siskind, Councilwoman

21
22
23 **ATTEST:**

24
25
26 BY: _____

27 Chevelle Nubin, Clerk

28
29
30 **APPROVED AS TO FORM AND**
31 **LEGAL SUFFICIENCY**

32
33
34 BY: _____

35 Laurie Cohen, Village Attorney