

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1.** Article 11 Adequate Public Facility Standards, of the Wellington Land Development Regulations, is hereby repealed in its entirety, and Article 2 Concurrency Management is hereby adopted, as specifically provided for in Exhibit A of the Ordinance.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

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

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

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

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_ 2018, upon first reading.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2018, on second and final reading.

**WELLINGTON**

	<b>FOR</b>	<b>AGAINST</b>
BY: _____ Anne Gerwig, Mayor	_____	_____
_____	_____	_____
John T. McGovern, Vice Mayor	_____	_____
_____	_____	_____
Michael Drahos, Councilman	_____	_____
_____	_____	_____
Michael J. Napoleone, Councilman	_____	_____
_____	_____	_____
Tanya Siskind, Councilwoman	_____	_____

**ATTEST:**

BY: \_\_\_\_\_  
Chevelle Nubin, Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

BY: \_\_\_\_\_  
Laurie Cohen, Village Attorney