

ORDINANCE NO. 2019-04

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO MODIFY ARTICLE 5, IN ITS ENTIRETY, AS CONTAINED HEREIN; TO ESTABLISH SPECIFIC STANDARDS RELATED TO THE DEVELOPMENT REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS; 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;

WHEREAS, on September 26, 2017, the Village Council adopted Ordinance 2017-11 to repeal and replace, in its entirety, Article 5 of the LDR;

WHEREAS, a Development Review Manual was adopted by Resolution No. R2017-40, in accordance with section 5.2.2(A) of the LDR;

WHEREAS, additional changes or minor modifications are required to further streamline the development process;

WHEREAS, The Planning, Zoning and Adjustment Board, acting as the Local Planning Agency, after notice and public hearing on _____, has reviewed the proposed Ordinance for consistency with Wellington's Comprehensive Plan and made a recommendation for approval 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 Article 5, Development Review Procedures of the Wellington Land Development Regulations, is hereby repealed and replaced, in its entirety, as specifically provided for in Exhibit A of the Ordinance.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, 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 _____ 2019, upon first reading.

PASSED AND ADOPTED this ____ day of _____ 2019, on second and final reading.

WELLINGTON

| | FOR | AGAINST |
|----------------------------------|------------|----------------|
| BY: _____ | _____ | _____ |
| Anne Gerwig, Mayor | | |
| _____ | _____ | _____ |
| Michael J. Napoleone, Vice Mayor | | |
| _____ | _____ | _____ |
| John T. McGovern, Councilman | | |
| _____ | _____ | _____ |
| Michael Drahos, Councilman | | |
| _____ | _____ | _____ |
| Tanya Siskind, Councilwoman | | |

ATTEST:

BY: _____
Chevelle D. Nubin, Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney