

ORDINANCE NO. 2020-07

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, ADOPTING WELLINGTON'S WATER SUPPLY FACILITIES 10-YEAR WORK PLAN AND AMENDING WELLINGTON'S COMPREHENSIVE PLAN TO INCORPORATE THE WORK PLAN BY REFERENCE WITHIN THE INFRASTRUCTURE ELEMENT, AS REQUIRED BY FLORIDA STATUTE; AMENDING REFERENCES TO THE WORK PLAN IN THE FUTURE LAND USE, CONSERVATION, INFRASTRUCTURE, INTERGOVERNMENTAL COORDINATION, RECREATION AND OPEN SPACE, AND CAPITAL IMPROVEMENTS ELEMENTS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Section 163, Florida Statutes, established the Community Planning Act; and

**WHEREAS**, Section 163, Florida Statutes, requires each municipality in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Florida Department of Economic Opportunity; and

**WHEREAS**, Council adopted Wellington's Comprehensive Plan on January 19, 1999; and

**WHEREAS**, Wellington is required to prepare a 10-year Water Supply Facilities Work Plan and adopt revisions to the Village's Comprehensive Plan addressing the water supply requirements within 18 months of the regional water supply plan's approval; and

**WHEREAS**, the South Florida Water Management District (SFWMD) approved the Lower East Coast Water Supply Plan (LECWSP) on November 9, 2018; and

**WHEREAS**, Wellington determined it was necessary to update the current Water Supply Plan and incorporate it within the Infrastructure Element of the Comprehensive Plan. Additionally, all elements of the Comprehensive Plan were reviewed for references to the Water Supply Plan for updates; and

**WHEREAS**, the Planning, Zoning and Adjustment Board, sitting as the Local Planning Agency, after notice and public hearing on March 11, 2020, recommended \_\_\_\_\_ of the Comprehensive Plan Text Amendment with a \_\_\_\_\_ vote; and

**WHEREAS**, the Council has taken the recommendations from the Planning, Zoning and Adjustment Board, Wellington staff and the comments from the public into consideration when considering the text amendments to the Comprehensive Plan that are the subject of this ordinance; and

**WHEREAS**, the Village Council, after notice and public hearing, voted to transmit this

proposed amendment to the Florida Department of Economic Opportunity and complied with applicable provisions of the Florida Statutes governing amendments of local Comprehensive Plans.

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

**SECTION 1:** The Wellington Water Supply Facilities 10-Year Work Plan (Work Plan), attached as Exhibit "A", is hereby adopted and incorporated by reference into the Infrastructure Element of the Comprehensive Plan.

**SECTION 2:** The Future Land Use, Conservation, Infrastructure, Intergovernmental, Recreation and Open Space, and Capital Improvement Elements of the Comprehensive Plan shall be amended as attached in Exhibits "B" through "G".

**SECTION 3:** The Village Manager is hereby authorized to transmit this Comprehensive Plan Text Amendment to the Florida Department of Economic Opportunity for review pursuant to Chapter 163, Florida Statutes.

**SECTION 4:** The Village Manager is hereby directed to amend the Comprehensive Plan in accordance with this Ordinance.

**SECTION 5:** Should any section, paragraph, sentence, clause, or phrase of this Ordinance conflict with any section, paragraph, clause or phrase of any prior Village Ordinance, Resolution, or municipal Code provision: then in that event the provisions of this Ordinance shall prevail to the extent of such conflict.

**SECTION 6:** Should any section paragraph, sentence, clause, or phrase 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 or part thereof, other than the part to be declared invalid.

**SECTION 7:** The effective date of this Comprehensive Plan Text Amendment shall be 31 days after adoption by the Council, if there has not been a compliance challenge with the Division of Administrative Hearings. If the ordinance is challenged within 30 days after adoption, the ordinance shall not become effective until the state land planning agency or the Administrative Commission, respectively, issues a final order determining the amendment to be in compliance.

INTENTIONALLY LEFT BLANK

**PASSED** this 28<sup>th</sup> day of April, upon first reading.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2020, on second and final reading.

**VILLAGE OF WELLINGTON**

**FOR**

**AGAINST**

BY: \_\_\_\_\_

Anne Gerwig, Mayor

\_\_\_\_\_  
Michael J. Napoleone, Vice Mayor

\_\_\_\_\_  
John T. McGovern, Councilwoman

\_\_\_\_\_  
Michael Drahos, Councilman

\_\_\_\_\_  
Tanya Siskind, Councilman

**ATTEST:**

BY: \_\_\_\_\_

Chevelle D. Addie, Village Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

BY: \_\_\_\_\_

Laurie Cohen, Village Attorney