

ORDINANCE NO. 2020-12

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON COMPREHENSIVE PLAN, MORE SPECIFICALLY, TO REPEAL AND REPLACE THE CAPITAL IMPROVEMENTS ELEMENT IN ITS ENTIRETY, AS 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 it by Chapter 163, Chapter 166 and Chapter 177, Florida Statutes, is authorized and empowered to consider changes to its Comprehensive Plan (Plan); and

WHEREAS, after incorporation, the Wellington Council adopted the first Comprehensive Plan in 1999; and

WHEREAS, Chapter 163, Florida Statutes, requires an Evaluation and Appraisal Report (EARs) every seven years to update information and evaluation what changes may be required; and

WHEREAS, since its initial adoption in 1999 minor amendments to the Comprehensive Plan have been adopted to address changed conditions and/or to suit specific needs of Wellington 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 update the Comprehensive Plan to identify and set the future direction for the next 10 to 20 years; and

WHEREAS, the proposed amendments to the Comprehensive Plan address updates and new goals, objectives, and policies (GOPs) for all required and optional elements pursuant to Florida Statutes; and

WHEREAS, each element of the Comprehensive Plan is based upon relevant and appropriate data and analysis, including population projections, studies, plans, and maps, available at the time of adoption of the Comprehensive Plan; and

WHEREAS, the Planning, Zoning and Adjustment Board, acting as the Local Planning Agency, after notice and public hearing on November 17, 2020, has reviewed the proposed Ordinance for consistency with Wellington's Comprehensive Plan and made a recommendation of approval with a 5-0 vote; and

WHEREAS, the 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 Comprehensive Plan that are the subject of this Ordinance.

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

SECTION 1. The Capital Improvements Element of the Comprehensive Plan is hereby repealed and replaced, in its entirety as presented in Exhibit A, of the Ordinance.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 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 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 8th day of December, 2020, upon first reading.

PASSED AND ADOPTED this ____ day of _____ 2021, on second and final reading.

WELLINGTON

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

ATTEST:

BY: _____
Chevelle D. Addie, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
Laurie Cohen, Village Attorney