

## ORDINANCE 2022-05

**AN ORDINANCE OF THE CITY OF WESTLAKE, FLORIDA, RE-ADOPTING AND RE-CONFIRMING THE CITY'S PREVIOUSLY ADOPTED ORDINANCES RELATED TO THE DEVELOPMENT OF LAND WITHIN THE CITY AND CONSOLIDATING SUCH ORDINANCES AS A COMPREHENSIVE SET OF LAND DEVELOPMENT REGULATIONS FOR THE CITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Westlake ("City") seeks to re-adopt and re-confirm a number of ordinances that comprise the City's Land Development Regulations ("LDRs") with the intent of codifying the City's LDRs as a single, comprehensive set of standards, rules and conditions related to the development of land in the City; and

**WHEREAS**, on August 14, 2017, the City Council adopted Ordinance No. 2017-2, thereby amending the City's previously adopted "interim land development code," to establish certain regulations related to entrance design standards and other signage (a copy of Ordinance No. 2017-2 is attached as Exhibit "A"); and

**WHEREAS**, on September 9, 2019, the City Council adopted Ordinance No. 2019-7, thereby establishing landscaping design and buffer guidelines for the City as Chapter 4 of the City's LDRs (a copy of Ordinance No. 2019-7 is attached as Exhibit "B"); and

**WHEREAS**, on September 23, 2019, the City Council adopted Ordinance No. 2019-9, thereby establishing zoning districts within the City as Chapter 3 of the LDRs (a copy of Ordinance No. 2019-9 is attached as Exhibit "C"); and

**WHEREAS**, on October 28, 2019, the City Council adopted Ordinance No. 2019-12, thereby providing for the administration of land development regulations for the City and establishing the initial framework for the City's future land development as Chapter 1 of the LDRs (a copy of Ordinance No. 2019-12 is attached as Exhibit "D"); and

**WHEREAS**, on October 28, 2019, the City Council also adopted Ordinance No. 2019-13, thereby establishing comprehensive land development procedures for the City, including application review

and approval requirements, fees, notice requirements and appeal procedures, as Chapter 2 of the City's LDRs (a copy of Ordinance No. 2019-13 is attached as Exhibit "E"); and

**WHEREAS**, on July 12, 2021, the City Council adopted Ordinance No. 2021-04, thereby establishing mandatory land development requirements, including subdivision and site development standards, as Chapter 5 of the City's LDRs (a copy of Ordinance No. 2021-04 is attached as Exhibit "F"); and

**WHEREAS**, on September 27, 2021, the City Council adopted Ordinance No. 2021-09, thereby establishing mobility plans for the City, including the utilization of Palm Beach County's traffic performance standards for motorized vehicles, as Chapter 7 of the City's LDRs (a copy of Ordinance No. 2021-09 is attached as Exhibit "G"); and

**WHEREAS**, on September 27, 2021, the City Council also adopted Ordinance No. 2021-06, thereby amending the City's parking regulations and providing for residential and commercial parking standards as Chapter 8 of the City's LDRs (a copy of Ordinance No. 2021-06 is attached as Exhibit "H"); and

**WHEREAS**, it is the intent and desire of the City Council to re-adopt and re-confirm the City's previously adopted ordinances related to land development within the City as a single comprehensive ordinance, which shall be the City's Land Development Regulations (LDRs), and which maybe further amended by the City Council from time to time; and

**WHEREAS**, the City Council finds that consolidating its various land development ordinances a single, comprehensive set of LDRs will provide for a more efficient land development process and better serve both the City, as well as citizens, residents and businesses seeking to live, work and operate within the City; and

**WHEREAS**, the City Council further finds that re-adopting, re-confirming and consolidating its land development ordinances as a single set of LDRs is in the best interests of the citizens, residents and businesses in the City.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, THAT:**

**Section 1: Incorporation.** The facts and recitations contained in the preamble of this ordinance are adopted and incorporated by reference as if set forth herein. All exhibits attached hereto are expressly incorporated herein and made a part of this ordinance.

**Section 2:** The City Council of the City of Westlake hereby re-adopts and re-confirms the following ordinances, which are hereby consolidated and shall be considered the comprehensive Land Development Regulations for the City of Westlake to be identified as Article:

- Article I - Ordinance No. 2019-12
- Article II - Ordinance No. 2019-13
- Article III - Ordinance No. 2019-9
- Article IV - Ordinance No. 2019-7
- Article V - Ordinance No. 2021-04
- Article VI - Reserved.
- Article VII - Ordinance No. 2021-09
- Article VIII - Ordinance No. 2021-06

**Section 3: Codification.** It is the intention of the City Council of the City of Westlake that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Westlake, Florida, and that the Sections of this ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in order to accomplish such intention.

**Section 4: Conflicts.** All ordinances and parts of ordinances which conflict with this ordinance are hereby repealed.

**Section 5: Severability:** Should the provisions of this Ordinance be declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held

to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall remain notwithstanding the invalidity of any part.

**Section 6:**     **Effective Date:** This Ordinance shall be effective upon adoption on second reading.

**PASSED AND APPROVED** on this 9<sup>th</sup> day of May 2022, on first reading.

**PUBLISHED** on this 25<sup>th</sup> day of May 2022 in the Palm Beach Post.

**PASSED AND ADOPTED** on this 7<sup>th</sup> day of June 2022, on second reading.

CITY OF WESTLAKE, FLORIDA

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JohnPaul O'Connor, Mayor

ATTEST:

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City Clerk, Zoie P. Burgess, CMC

Approved as to Form and Sufficiency

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City Attorney's Office