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ORDINANCE NO. 2023-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, AMENDING THE CITY’S COMPREHENSIVE PLAN TO UPDATE THE FIVE-YEAR COMMUNITY INVESTMENT PROGRAM INCLUDED WITHIN THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Westlake, Florida (City), has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, formerly known as the Local Government Comprehensive Planning and Development Act and now known as the Growth Policy Act (the Act); and,

WHEREAS, the Florida Department of Community Affairs, now known as the Department of Economic Opportunity, previously determined that the City’s Comprehensive Plan was in compliance with the Local Government Comprehensive Planning and Development Act; and,

WHEREAS, the Florida Legislature has amended the Act such that local governments are no longer required to adopt a plan amendment to update the Capital Improvements Element of their comprehensive plans and to transmit them to the state land planning agency; and

WHEREAS, the City Council has considered this ordinance for adoption to update the Capital Improvement Element of the City’s Comprehensive Plan as set forth in attached **Exhibit “A”**; and

WHEREAS, the Westlake City Council has conducted the required public hearings in accordance with Florida Statutes to adopt this Ordinance.

1 **NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF**
2 **WESTLAKE, FLORIDA, AS FOLLOWS:**

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4 **SECTION 1. Recitals.** The foregoing recitals are confirmed, adopted and
5 incorporated herein and made a part hereof by this reference.

6 **SECTION 2.** Ordinance No. 2017-05 of the City of Westlake, entitled
7 "Comprehensive Plan of the City of Westlake," is hereby amended as set forth in the
8 attached Exhibit "A", which is incorporated herein.

9
10 **SECTION 3. Codification.** It is the intention of the City Council of the City of
11 Westlake that the provisions of this Ordinance shall become and be made a part of the Code
12 of Ordinances of the City of Westlake, Florida, and that the Sections of this Ordinance may
13 be renumbered, re-lettered and the word "Ordinance" may be changed to "Section,"
14 "Article" or such other word or phrase in order to accomplish such intention.

15
16 **SECTION 4. Conflicts.** All ordinances or parts of ordinances, resolutions or
17 parts of resolutions which are in conflict herewith, are hereby repealed to the extent of
18 such conflict.

19
20 **SECTION 5. Severability.** Should the provisions of this ordinance be declared to be
21 severable and if any section, sentence, clause or phrase of this ordinance shall for any
22 reason be held to be invalid or unconstitutional, such decision shall not affect the validity
23 of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall
24 remain in effect, it being the legislative intent that this ordinance shall remain
25 notwithstanding the invalidity of any part.

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27 **SECTION 6.** Effective Date. This ordinance shall be effective upon adoption on
28 second reading.

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1st Reading _____
2nd Reading _____

1
2 **PASSED** this ____ day of _____, 2023, on first reading.
3 **PUBLISHED** on this ____ day of _____, 2023 in the Palm Beach Post.
4 **PASSED AND ADOPTED** this ____ day of _____, 2023, on second reading.

5
6 _____
7 City of Westlake
8 John Paul O'Connor, Mayor

8 **ATTEST:**
9 _____
10 Zoie Burgess, City Clerk

11
12 APPROVED AS TO LEGAL FORM:

13
14 _____
15 OFFICE OF THE CITY ATTORNEY
16
17
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