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**MEETING MINUTES  
WELLINGTON  
PLANNING, ZONING AND ADJUSTMENT BOARD  
March 10, 2021  
7:00 PM  
Wellington Village Hall  
12300 Forest Hill Boulevard  
Wellington, FL 33414**

Pursuant to the public notice, a meeting of Wellington Planning, Zoning and Adjustment Board held on March 10, 2021 at 7:00 p.m. at Village Hall, 12300 Forest Hill Boulevard, Wellington, Florida 33414.

**I. CALL TO ORDER/ROLL CALL**

Elizabeth Mariaca called the meeting to order at 7:00 p.m.

**Members present;** Elizabeth Mariaca; Jeffrey Robbert; Sal Van Casteren; John Bowers; Ron Herman and Adam Rabin.

Maureen Martinez arrived late.

**Staff present:** Rachel Bausch, Assistant Village Attorney; Cory Lyn Cramer, Planning and Zoning Manager; Tim Stillings, Planning, Zoning and Building Director; Michael O'Dell, Assistant Planning, Zoning and Building Director and Jennifer Fritz, Recording Secretary.

**II. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was done.

**III. REMARKS BY THE CHAIR**

None.

**IV. ADDITIONS/DELETIONS/REORDERING OF AGENDA**

Ms. Cramer advised the Board the Equestrian Element was postponed until the April 14, 2021 Planning, Zoning and Adjustment Board meeting.

**V. DISCUSSION**

## **PZ-0230 GOLF CART OPERATIONAL STUDY AND GOLF CART ORDINANCE PRESENTATION**

Michael O'Dell, Assistant Planning, Zoning and Building Director, presented the Golf Cart Operational Study to the Board. Mr. O'Dell stated Council is looking for comments and concerns from the Board for staff to present to Council before their hearing in March or April 2021.

Mr. O'Dell reviewed the Florida Statutes regarding golf cart usage; where golf carts can operate; the age a person can operate a golf cart; and the required safety equipment. Mr. O'Dell reviewed the criteria for multi-modal pathways, Wellington's existing multi-purpose paths, and the additional regulations for the pathways that Council would consider.

Deputy Harper, Palm Beach County Sheriff (PBSO) Community Policing, and Rachel Bausch, Assistant Village Attorney, attended to respond to questions.

Sal Van Casteren commented that this is a serious issue and inquired on who will be conducting the inspections of the golf carts. Mr. O'Dell stated that staff is currently looking at using an affidavit. Mr. Van Casteren expressed a problem for a 14 year old to drive and holding them accountable for the affidavit. Deputy Harper explained the difference on the age for driving on the pathways and roadways. Mrs. Bausch clarified that Florida Statutes specifies a 14 years old can drive on certain roadways. Deputy Harper explained that any modification to the golf cart would prohibit the use of the golf cart on the roadway. The liability will rest with the parents. Mr. Van Casteren asked if PBSO is prepared to enforce this and if signs would be sufficient to identify which roads the golf carts can be driven on. Mr. O'Dell stated that would be part of the educational programs. Mr. Van Casteren expressed concern on overextending PBSO. Mr. Van Casteren suggested using additional pavement marking, making it easier to identify where the golf carts can be driven. Mr. Van Casteren inquired on the leased golf carts. Mr. O'Dell stated all golf carts would have to be registered by the owner. Mr. Van Casteren again expressed concerned on public safety and over extending the PBSO.

Adam Rabin inquired on Wellington currently having any ordinance on the usage of golf carts in Wellington. Deputy Harper stated most of the time he sees responsible usage of golf carts. The interaction is already happening with golf carts and this ordinance could create a safer environment. Mr. Rabin commented on concerns at school hours and this could be a benefit for using a golf cart. Mr. Rabin stated the golf carts are already everywhere in Wellington and it is an issue. Mr. Rabin asked Mrs. Bausch about raising the age to 16 years old instead of 14 years old, which is allowed per the Florida Statutes. Mrs. Bausch stated no, Wellington has to follow the Florida Statutes and further stated that there is a difference between a golf cart and a slow speed vehicle. A slow speed vehicle is allowed on the roadways but not on the pathways. Mr. Rabin inquired on the funding for the increased enforcement.

Deputy Harper offered a thorough overview on how the funding could be done. Mr. Rabin inquired on outsourcing. Mr. O'Dell stated staff has spoken about outsourcing and reiterated the option of the owner supplying an affidavit on the installation of safety equipment on the golf cart.

Mr. Bowers inquired about Pierson Road not having pathways. Mr. O'Dell stated that due to the type of traffic on that roadway, staff had deemed it not feasible to have a golf pathway in this location. Mr. O'Dell commented that there would be parts of Wellington where golf carts would not be allowed. Deputy Harper explained the criteria as to where drivers 14 years of age can drive a golf cart. Mrs. Bausch pointed out that if the regulations are adopted, Wellington could not raise the age allowed to drive a golf cart on public roads.

Jeffrey Robbert asked about the connections with the pathways. Mr. O'Dell stated staff has continued to look at and address the missing pathway links over time. Mr. O'Dell stated private properties, like the Mall, would have to enact their own regulations.

Ms. Mariaca inquired about the current registration for a golf cart. Mr. O'Dell stated there is none. Ms. Mariaca inquired on Wellington's liability if there is not an ordinance in place. Ms. Bausch stated Wellington is not required to have an ordinance. Mr. Rabin stated that currently there is an increase in litigation on golf carts in Wellington. Ms. Mariaca commented that she did not care for the term "zero tolerance" and suggested on ways to educate the residents and that Wellington does need to address golf carts. Mrs. Bausch stated the term "zero tolerance" is in the study, not in the ordinance.

Ron Herman commented that the ordinance is about public safety. Mr. Herman asked if staff is receiving any data in regards to the interactions with PBSO currently dealing with golf carts. Mr. O'Dell stated that staff has received very little data on this to date. Mr. Herman inquired about the hours to operate a golf cart. Mrs. Bausch stated the provided hours of usage is verbatim from the Florida Statutes. Mr. Herman suggested expanding the definitions to include slow speed vehicles.

Maureen Martinez inquired about the pathways funded by grants. Mr. O'Dell commented that the pathways were presented as multi-modal pathways for the grant. Mrs. Martinez asked about golf carts not being allowed on the pathways. Mrs. Bausch stated the requirements for driving on the road is directly from the Florida Statutes; those pathways that are also considered sidewalks are what is addressed in the ordinance. Mrs. Bausch stated that staff would further review the definitions of slow speed vehicles. Mrs. Martinez suggested reaching out to Lake Clark Shores on their golf cart ordinance. Mr. Bowers congratulated staff on addressing this issue.

## **VI. NEW BUSINESS**

**PZ-0231 POSTPONED-EQUESTRIAN ELEMENT**

**PZ-0228 ORDINANCE NO. 2021-02: REPEALING THE EDUCATION AND PUBLIC SCHOOL FACILITIES ELEMENTS AND REPLACING WITH THE EDUCATION ELEMENT.**

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON COMPREHENSIVE PLAN, MORE SPECIFICALLY, TO REPEAL THE EDUCATION AND PUBLIC SCHOOL FACILITIES ELEMENTS AND REPLACING WITH THE EDUCATION ELEMENT, IN ITS ENTIRETY, AS CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

Tim Stillings, Planning, Zoning and Building Director, reviewed the continuing concepts of the Education Element and that staff had presented the Education Element to the Education Committee in January with the Committee having no comments.

Mr. Robbert asked whether this element addresses the traffic patterns on the roadways specifically for schools, commenting on the back-up for drop-off and pick-up at the schools. Mr. Stillings stated it could be addressed in this element. Staff will continue to try to educate school staff and parents.

**A motion was made by Adam Rabin, seconded by Ron Herman, to open public comment. The motion passed unanimously (7-0).**

There was no public comment.

**A motion was made by Adam Rabin, seconded by Ron Herman, to close public comment. The motion passed unanimously (7-0).**

**A motion was made by John Bowers, seconded by Jeffrey Robbert, to recommend approval of Ordinance 2021-02. The motion passed unanimously (7-0).**

**VII. COMMENTS FROM PUBLIC**

**A motion was made by Ron Herman, seconded by Jeffrey Robbert, to open public comment. The motion passed unanimously (7-0).**

Mr. Robbert read into the record a comment cards from Haakon Gangnes regarding the golf cart discussion.

**A motion was made by Jeffrey Robbert, seconded by John Bowers, to close public comment. The motion passed unanimously (7-0).**

**VIII. COMMENTS FROM STAFF**

Ms. Cramer advised the Board of the potential applications that would be heard at the April 14, 2021 meeting.

**IX. COMMENTS FROM THE BOARD**

Ms. Mariaca thanked staff.

**X. ADJOURN**

The meeting adjourned at 9:50 p.m.

APPROVED: \_\_\_\_\_  
Date

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Elizabeth Mariaca-Chair

\_\_\_\_\_  
Jennifer Fritz-Recording Secretary