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RESOLUTION NO. R2022-26

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL
RELATING TO THE PLANNING, ZONING, AND
ADJUSTMENT BOARD; PROVIDING FOR POWERS AND
DUTIES, MEMBERSHIP, TERMS OF OFFICE,
QUALIFICATIONS, AND VOTING REQUIREMENTS; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, pursuant to Chapter 163, Florida Statutes, Wellington created the Planning, Zoning, and Adjustment Board to function as the local Planning Agency and Zoning Board of Adjustment; and

WHEREAS, the creation of the Planning, Zoning, and Adjustment Board is codified in Chapter 2 of Wellington's Code of Ordinances; and

WHEREAS, Wellington has amended its Code of Ordinances to remove outdated and unnecessary provisions and simplify the provisions set forth therein; and

WHEREAS, the amended Code of Ordinances provides for the creation of the Planning, Zoning, and Adjustment Board but provides that the powers and duties of the Board, and the number, qualifications, and terms of office of the members thereof, shall be established by resolution; and

WHEREAS, the Wellington Council now desires to provide for the powers and duties, membership, terms of office, qualifications, and voting requirements for the Planning, Zoning, and Adjustment Board pursuant to the amended Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S COUNCIL that:

SECTION 1. Powers and Duties. The Planning, Zoning, and Adjustment Board shall have the following powers and duties:

- (1) Conduct hearings and make recommendations to the Wellington Council regarding:
 - a. Proposed amendments to the comprehensive plan or elements or portions thereof, and other matters as may be required by law or ordinance.
 - b. Proposed amendments to the land development regulations.
 - c. Applications for the rezoning of property.
 - d. Applications for development permits for class A, B conditional uses, requested uses, and development order amendments.

- 1
- 2 (2) Perform the functions, duties, powers, and responsibilities of a local
- 3 planning agency as set forth and established in the Local Government
- 4 Comprehensive Planning and Land Development Regulation Act, F.S. §
- 5 163.3161 et seq.
- 6
- 7 (3) Hear and approve, approve with conditions, or deny variances to the
- 8 terms of sections of the Wellington Land Development Regulations.
- 9
- 10 (4) Hear and approve or reverse decisions of the Director of Planning, Zoning,
- 11 and Building on zoning matters.
- 12
- 13 (5) Hear and approve or reverse decisions of Wellington Engineer on
- 14 subdivision requirements.
- 15
- 16 (6) Conduct review hearings pursuant to the provisions of Wellington's Impact
- 17 Fee Ordinance.
- 18

19 **SECTION 2. Membership; Terms of Office; Qualifications.** The Planning,

20 Zoning, and Adjustment Board shall consist of seven members. Appointments of

21 members shall be for a term of two years. Appointments shall be made by the

22 Wellington Council consistent with Chapter 2, Article VI of the Code of Ordinances and

23 be based on experience or interest in the businesses and professions involved in

24 building and development.

25

26 **SECTION 3. Quorum and Required Vote.** A quorum for the transaction of

27 business by the Planning, Zoning, and Adjustment Board shall consist of four members.

28 The affirmative vote of a majority of those present shall be necessary to take official

29 action.

30

31 **SECTION 4. Initial Composition of the Planning, Zoning, and Adjustment Board.**

32 The initial Planning, Zoning, and Adjustment Board shall be comprised of those

33 members appointed by the Wellington Council at the June 14, 2022 Council meeting or

34 thereafter. Such members shall serve on the Planning, Zoning, and Adjustment Board

35 through May 31, 2024 unless otherwise provided by Chapter 2, Article VI of the Code of

36 Ordinances. Subsequent appointments to the Planning, Zoning, and Adjustment Board

37 shall be made by the Wellington Council consistent with Chapter 2, Article VI of the

38 Code of Ordinances and this Resolution.

39

40 **SECTION 5.** This Resolution shall become effective immediately upon adoption.

41

42 **PASSED AND ADOPTED** this ____ day of _____, 2022.

43

44 **ATTEST:**

45

WELLINGTON

1
2 By: _____
3 Chevelle D. Addie, Village Clerk
4
5
6
7

By: _____
Anne Gerwig, Mayor

8 **APPROVED AS TO FORM**
9 **AND LEGAL SUFFICIENCY**
10
11

12 By: _____
13 Laurie S. Cohen, Village Attorney
14
15