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VILLAGE OF ESTERO, FLORIDA

ORDINANCE NO. 2021 - 04

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, AMENDING THE
VILLAGE LAND DEVELOPMENT CODE TO
ESTABLISH AUTHORITY TO APPOINT
CO-CHAIRPERSONS TO THE PLANNING ZONING
AND DESIGN BOARD; PROVIDING A SEVERABILITY
CLAUSE, A GENERAL REPEALER CLAUSE, AND AN
EFFECTIVE DATE.**

WHEREAS, the Village Council adopted the Village Land Development Code on January 27, 2021 which, among other things, established the Planning Zoning and Design Board ("Board") in Section 2-302; and

WHEREAS, paragraph 2-302.A.4 provides that the Village Council shall appoint a Board chairperson; and

WHEREAS, the Village has determined it is in the interest of the health, safety and welfare of its citizens to provide an option to appoint co-chairpersons for the Board; and

WHEREAS, the Planning Zoning and Design Board, sitting as the Local Planning Agency, reviewed this Ordinance at a duly noticed public hearing and recommended approval.

NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero, Florida:

Section 1. Amending Section 2-302.A.4.

The Village Land Development Code is hereby amended as follows:

2-302. Planning Zoning and Design Board

A. Generally

* * *

4. The Chairperson or Co-Chairpersons, as desired by the Village Council, of the PZDB shall be appointed by the Village Council. Members of the PZDB shall annually elect during the first regularly scheduled meeting of each calendar year, a Vice-Chairperson from among its members if Co-Chairpersons were not appointed, and may create and fill other officers as the Board deems needed.

46 **Section 2. Severability.**

47
48 If any provision of this Ordinance or its application to any person or circumstance is
49 held invalid, the invalidity does not affect other provisions or applications of this
50 ordinance which can be given effect without the invalid provision or application, and
51 to this end the provisions of this Ordinance are severable.
52

53 **Section 3. Repeal.**

54
55 All ordinances, resolutions, official determinations or parts thereof previously adopted
56 or entered by the Village or any of its officials and in conflict with this Ordinance are
57 hereby repealed to the extent inconsistent herewith.
58

59 **Section 4. Effective Date.**

60
61 This Ordinance shall take effect immediately upon adoption at second reading.
62

63 **PASSED** on first reading this 2nd day of June, 2021.
64

65 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,
66 Florida this 16th day of June, 2021.
67

68 Attest:

VILLAGE OF ESTERO, FLORIDA

69
70
71 By: Carol Sacco

72 Carol Sacco, Village Clerk

By: Katy Errington

73 Katy Errington, Mayor
74

75 Reviewed for legal sufficiency:

76
77 By: Nancy E. Stroud

78 Nancy E. Stroud, Village Land Use Attorney
79
80

81 Vote:	AYE	NAY
82 Mayor Errington	<u>X</u>	_____
83 Vice Mayor McLain	<u>X</u>	_____
84 Councilmember Ribble	<u>X</u>	_____
85 Councilmember Fiesel	<u>X</u>	_____
86 Councilmember Boesch	<u>X</u>	_____
87 Councilmember Ward	<u>X</u>	_____
88 Councilmember Wilson	<u>X</u>	_____