

RESOLUTION NO. 2021-037

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ENACTING A ZONING IN PROGRESS, PURSUANT TO SECTION 005-240 OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE, TO FURTHER REGULATE ANY SUBDIVISION OF LAND ENCUMBERED BY A POWERLINE TRANSMISSION EASEMENT, OR THAT RESULTS IN A LOT OF LESS THAN 39,200 SQF. OF NET LOT AREA EXCLUSIVE OF DESIGNATED STORMWATER RETENTION AREA, LOCATED WITHIN THE RURAL ESTATES ZONING DISTRICT; ENACTING A ZONING IN PROGRESS FOR A PERIOD OF TIME NOT TO EXCEED SIX (6) MONTHS OR UNTIL THE TOWN'S REVISED REGULATIONS HAVE BEEN ADOPTED, WHICHEVER IS SOONER; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town was founded to preserve its rural character; and

WHEREAS, pursuant to the Town's adopted Comprehensive Plan, "The Vision of the Town of Southwest Ranches is to enhance and preserve the unique rural character of its community. The Town shall promote, maintain and protect its agricultural, residential and equestrian lifestyles, sensitive to the natural environment."

WHEREAS, subdivision of existing tracts that are encumbered by powerline transmission easements or substantial on-lot stormwater retention areas often result in residential lots with limited or no capacity to accommodate equestrian and agricultural pursuits consistent with the Town's founding principles; and

WHEREAS, as a result, the Town is now forced to enact guidelines to regulate subdivision in order to ensure that development is consistent with the adopted Comprehensive Plan; and

WHEREAS, in order to give the Town the necessary time to fully examine this matter, a zoning in progress is necessary;

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1. Recitals. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. That in furtherance of Section 005-240 of the Town's Unified Land Development Code ("ULDC"), the Town Council hereby establishes a zoning in progress to further regulate land subdivision;

Section 3. The Town shall prohibit the subdivision of land encumbered by a powerline transmission easement, or that results in a lot of less than 39,200 sqf. of net lot area exclusive of designated stormwater retention area, located within the rural estates zoning district as of the effective date of this Resolution until this zoning in progress has been terminated.

Section 4. This zoning in progress shall place a temporary hold on the approval of any plat, waiver of plat and site plan for land described in Section 3 for a period of time not to exceed six (6) months or until the Town's revised regulations have been adopted, whichever is sooner.

Section 5. Conflicts. All Ordinances or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

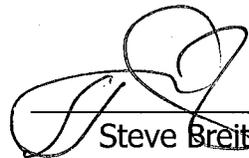
Section 6. Severability. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

Section 7. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

[Signatures on Following Page]

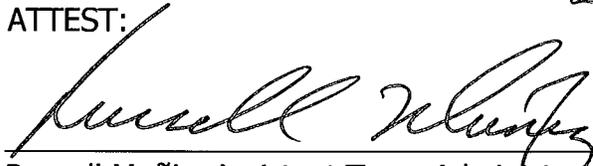
PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 25th day of March 2021 on a motion by Council Member Kuczenski and seconded by Vice Mayor Hartmann.

Breitkreuz	<u>Yes</u>	Ayes	<u>5</u>
Hartmann	<u>Yes</u>	Nays	<u>0</u>
Allbritton	<u>Yes</u>	Absent	<u>0</u>
Jablonski	<u>Yes</u>	Abstaining	<u>0</u>
Kuczenski	<u>Yes</u>		



Steve Breitkreuz, Mayor

ATTEST:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:



Keith Poliakoff, J.D., Town Attorney
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