

RESOLUTION NO. 2021-068

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING A ZONING IN PROGRESS, APPROVED PURSUANT TO RESOLUTION NO. 2021-032, TO FURTHER REGULATE ANY NEW COMMERCIAL NURSERY, EXPANSION OF AN EXISTING COMMERCIAL NURSERY, OR STORAGE OR GROWTH OF ANY PLANT MATERIAL IN CONTAINERS; EXTENDING THE ZONING IN PROGRESS FOR A PERIOD OF TIME NOT TO EXCEED NINETY (90) DAYS 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, on March 11, 2021, the Town Council adopted Resolution No. 2021-032, to examine new commercial nurseries, the expansion of existing commercial nurseries, and the storage or growth of any plant materials in containers; and

WHEREAS, the Town has been thoroughly reviewing this matter since the adoption of the Zoning In Progress, and the Town's Comprehensive Plan Advisory Board has just sent this matter back to the Town Council for its consideration; and

WHEREAS, the Town Council believes that it can complete its review of this matter within ninety (90) days, and as such desires to extending the Zoning In Progress to give itself the time necessary to bring this matter to completion.

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. The Town Council hereby extends the Zoning In Progress enacted on March 11, 2021, pursuant to Resolution No. 2021- 032, for a period of time not to exceed ninety (90) days or until the Town's revised regulations have been adopted.

Section 3. The Town shall continue to prohibit the creation of any new commercial nursery operation until this zoning in progress has been terminated.

Section 4. This zoning in progress shall continue to place a temporary hold on the issuance of any permit, business tax receipt, or certificate of use, for any new, or the expansion of, a commercial nursery operation in the Town for a period of time not to exceed ninety (90) days 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or parts of Ordinances, Resolutions, or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.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 29th day of July, 2021 on a motion by

C/m Jablonski and seconded by V/m Hartmann.


Breitkreuz	<u>yes</u>
Hartmann	<u>yes</u>
Allbritton	<u>yes</u>
Jablonski	<u>yes</u>
Kuczenski	<u>yes</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</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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