

RESOLUTION NO. 2009 - 051

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ESTABLISHING A ZONING IN PROGRESS, PURSUANT TO SECTION 005-240 OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE, TO PROHIBIT NEW SIGNS AND MODIFICATIONS TO EXISTING SIGNS THAT UTILIZE INTERNAL ILLUMINATION OR OTHERWISE USE LIGHT OR ELECTRICITY; ESTABLISHING THE 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; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council has determined that the signage regulations of the Town of Southwest Ranches Unified Land Development Code (ULDC) do not adequately regulate illuminated signs and other signs that utilize electricity; and

WHEREAS, Section 005-240 of the Town's Unified Land Development Code provides for zoning in progress when the Town Council is initiating an amendment to the ULDC; and

WHEREAS, the Town Council is concerned that once the proposed revisions are drafted, there will be a surge of signage applications submitted in attempt to qualify under the current ULDC provisions; and

WHEREAS, in order to give the Town Council the necessary time to review this matter, a zoning in progress is necessary to protect the health, safety, and welfare of the Town's residents;

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

Section 1: 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 Town's Unified Land Development Code ("ULDC"), the Town Council hereby establishes a zoning in progress to modify its regulations governing illuminated and electronic signs.

Section 3: That the Town shall prohibit the addition of new signs as well as modification of existing signs that can be illuminated or otherwise utilize electricity.

Section 4: That this zoning in progress shall provide a temporary hold on the issuance of development orders and development permits for a period of time not to exceed six (6) months where the issuance of such permit or development order would result in the nonconforming or unlawful use of a property should such code amendment be adopted.

Section 5: That this zoning in progress shall not be applied to complete and pending applications that have already appeared before the Town Council.

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.

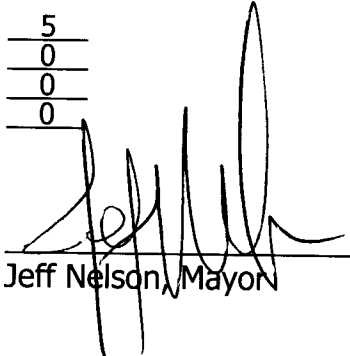
Section 7: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 8: Effective Date. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 16th day of April 2009, on a motion made by Council Member Doug McKay and seconded by Vice Mayor Steve Breitkreuz.

Nelson	<u>Y</u>
Breitkreuz	<u>Y</u>
Fisikelli	<u>Y</u>
Knight	<u>Y</u>
McKay	<u>Y</u>

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



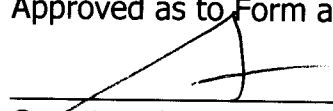
Jeff Nelson, Mayor

ATTEST:



Susan A. Owens, CMC, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney

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