



Thursday  
March 21, 2019  
7:00 pm

## Town of Southwest Ranches Comprehensive Plan Advisory Board Meeting Agenda

Town Hall  
13400 Griffin Road  
Southwest Ranches, FL 33330-2628

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### **Board Members**

Steve Breitzkreuz  
Mary Gay Chaples  
Josh Dykes  
Jason Halberg  
George Morris  
Robert Sirota

### **Council Liaison**

Bob Hartmann

### **Staff Liaison**

Emily Aceti

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment: Items relating to the Comprehensive Plan but not on the agenda
5. Election of Recording Secretary
6. Old Business
  - A. Approval of minutes for February 2019
  - B. Excuse absences
  - C. Nursery Ordinances
    - I. Nursery
    - II. Special Exceptions
    - III. Landscape Maintenance
7. New Business
  - A. Nursery Ordinance Minimum Plot Size
8. Board Member / Staff Comments and Suggestions
9. Items for Next Meeting
10. Adjournment

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR

HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.



**Town of Southwest Ranches**  
Comprehensive Plan Advisory Board  
**Meeting Minutes**

February 21, 2019  
7:00 PM

Town Hall  
13400 Griffin Road

**Call to Order**

**Roll Call**

Steve Breitkreuz - Present  
Stephanie Cawein - Present  
Josh Dykes - Present  
Jason Halberg - Present  
Newell Hollingsworth - Present  
George Morris – Present  
Robert Sirota – Present

**Also Present:** Bob Hartmann, Council Member; Doug McKay, Mayor; Gary Jablonski, Council Member; Emily Aceti, Town Staff; Jeff Katims, Town Planner; Robert Solera; Richard Ramcharitar; Joi Marques; Mary Gay Chaples

**Pledge of Allegiance**

**Motion:** To excuse Steve Breitkreuz.

<b>Result</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>SB</b>	<b>SC</b>	<b>JD</b>	<b>JH</b>	<b>NH</b>	<b>GM</b>	<b>RS</b>
<i>Passed</i>	<i>JH</i>	<i>GM</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

**Motion:** Industrial Use review of the Comp Plan be delayed until time certain of February 2020.

<b>Result</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>SB</b>	<b>SC</b>	<b>JD</b>	<b>JH</b>	<b>NH</b>	<b>GM</b>	<b>RS</b>
<i>Passed</i>	<i>NH</i>	<i>GM</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

**Discussion: Nursery Ordinance**

Steve Breitkreuz arrived 8:02 PM

**Motion:** To change the date to apply for Certificate of Use to six (6) months.

<b>Result</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>SB</b>	<b>SC</b>	<b>JD</b>	<b>JH</b>	<b>NH</b>	<b>GM</b>	<b>RS</b>
<i>Passed</i>	<i>NH</i>	<i>JH</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

**Motion:** To extend the meeting.

<b>Result</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>SB</b>	<b>SC</b>	<b>JD</b>	<b>JH</b>	<b>NH</b>	<b>GM</b>	<b>RS</b>
<i>Failed</i>	<i>NH</i>								

**Meeting Adjourned at 9:00 PM**

## Emily Aceti

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**From:** Jeff Katims <Jeff@floridaplanning.net>  
**Sent:** Thursday, March 14, 2019 2:14 PM  
**To:** Emily Aceti  
**Subject:** March CPAB  
**Attachments:** 2019 LS Maintenance Ordinance Revised 3\_7\_19.docx; 2019 Nursery Ordinance Revised 3\_7\_19.docx; SPECIAL EXCEPTION Ordinance Revised 3\_7\_19.docx

Emily,

At last month's meeting, we all spent a lot of time and energy trying to make the sequential deadlines in the ordinance work. I am referring to the yellow-highlighted dates that would require existing retail nurseries and landscape maintenance businesses (LSM) to apply for a certificate of use, 2) apply for or receive a special exception, and 3) cease operation if no special exception is granted or applied for.

Clearly, no one, including myself, was all that comfortable with the alternatives we discussed. What is the purpose of setting all of these sequential deadlines? There is only one, and it is the goal of proactively enforcing the ordinance once deadlines have passed. Proactive enforcement is the root of the problems we are having with this process. Katie's wrote the ordinance with the understanding that the town was going to proactively enforce it.

The best possible process would:

1. eliminate the bad apples quickly
2. not unduly burden the ones that are good neighbors
3. not create multiple deadlines for folks to keep track of and inevitably miss
4. not overwhelm the town with applications
5. actually have a chance of being adopted

Staff has concluded that it's unrealistic to achieve these objectives using proactive enforcement model, and that the best approach is not to change the way the town has been enforcing its code from the outset. We believe that we have found the most practical, fair and easily administered process for handling retail nurseries and LSM businesses.

First, LSM businesses and nurseries with retail sales are two different animals. LSM businesses are illegal as of now, and nursery retail is not. Therefore, we need to treat them differently.

Secondly, the discussions have not clearly differentiated between the two, and treating both uses with one ordinance perpetuates that. Therefore, staff split the ordinance into 3 separate ordinances: one for retail nurseries, one for LSM businesses, and one that creates the special exception process. Below is a brief summary of the changes we are recommending.

### Landscape Maintenance Businesses

All of the language concerning these businesses that we've been working on is now in its own ordinance. There are no more compliance dates. These businesses remain illegal under the ordinance. Code compliance would not go on a "round up." When complaints come in about a LSM business, the business will have to either apply for a special exception permit or face fines and legal action to close them down. The key

difference here is that we would no longer be shutting the door forever on the ability of a LSM business to seek a special exception. The current language shuts that door.

### Retail Nurseries

All of the language concerning retail nurseries that we've been working on is now in its own ordinance. The difference is that the compliance dates have been eliminated, except for the requirement to obtain a certificate of use. But an existing retail nursery that obtains a certificate of use and does not violate the code more than twice over during a "transition period" of 15 years would be allowed to to operate for as long as it remains under the same ownership, and will not have to apply for a special exception permit. Nurseries that violate the code 3 times during the 15 year period will either apply for and receive a special exception permit, or cease operation/face enforcement actions. If ownership changes hands, the new owner must obtain a special exception permit.



1           WHEREAS, plant nurseries that wish to use a portion of their property for retail  
2 sales should be afforded an opportunity to use their property for these accessory uses,  
3 provided that the zoning district allows for these accessory uses, and that the property  
4 owner obtains a certificate of use and a special exception use permit for such use; and

5           **WHEREAS**, plant nurseries with retail sales existing as of the date of adoption of  
6 this Ordinance may continue engaging in retail sales, after first obtaining a certificate of  
7 use, until the earlier of [DATE] 2035 or a change of property ownership, after which a  
8 special exception use permit is required for continued operation; and

9           **WHEREAS**, the purpose of requiring a special exception use permit is to ensure  
10 that the retail component of plant nurseries are compatible with adjacent rural  
11 residential uses and neighborhoods; and

12           **WHEREAS**, the Town Council finds that metrics should be established for  
13 nonconforming retail operations that continue to operate under the same continuous  
14 ownership as a demonstrably “good neighbor” through the year 2035, and that such  
15 “good neighbors” should be exempt from the special exception use process; and

16           **WHEREAS**, the Town Council also finds that metrics should be established for  
17 nonconforming retail operations that fail to operate in the above manner, and that such  
18 retail operations should be required to apply for a special exception use permit prior to  
19 the year 2035; and

20           **WHEREAS**, the Town Council, sitting as the Local Planning Agency, has  
21 reviewed the contents of this Ordinance at a duly noticed public hearing on \_\_\_\_\_and  
22 has issued its recommendation to the Town Council, finding that the Ordinance is  
23 consistent with the adopted comprehensive plan.

24           **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**  
25 **TOWN OF SOUTHWEST RANCHES, FLORIDA:**

Ordinance No. 2019-\_\_\_\_  
New text is underlined and deleted text is ~~stricken~~



1           **Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed  
2 as being true and correct, and are hereby incorporated herein and made a part hereof.

3           **Section 2.** Section 10-30, "Terms Defined" is hereby amended as  
4 follows:

5           \* \* \*

6           Cottage foods. The term "cottage foods" means the preparation of farm  
7 products in an unlicensed kitchen that are sold directly to consumers without a  
8 permit from the Florida Department of Agriculture and Consumer Services and in  
9 compliance with Chapter 500.80, Florida Statutes. The term does not include  
10 products sold wholesale.

11           \* \* \*

12           Farm product. The term "farm product" means any plant or animal useful  
13 to humans and includes, but is not limited to, any product derived therefrom.

14           \* \* \*

15           Landscape materials. The term "landscape materials" means items sold by a  
16 plant nursery at that are accessory to plants and plant products, including  
17 stepping stones, river rocks, cap rocks, tree-bracing kits, mulch, top soil, and  
18 fertilizer. The term does not include lawn furniture, picnic tables, rocking chairs,  
19 outdoor fire pits, grilles, monuments, decorative fountains, hot tubs, Jacuzzis,  
20 rugs, statues, gazebos and playground equipment.

21           \* \* \*

22           Plant nursery. The term "nursery" means any grounds or premises on or in  
23 which nursery stock is grown, propagated, or held for sale or distribution, except  
24 where aquatic plant species are tended for harvest in the natural environment,  
25 owned and operated by a person that has a valid certification of registration from  
26 the Florida Department of Agriculture and Consumer Services for the sale and  
27 distribution of any nursery stock.

28           Nursery stock. The term "nursery stock" means all plants, trees, shrubs,  
29 vines, bulbs, cuttings, grafts, scions, or buds grown or kept for or capable of  
30 propagation or distribution.

31           \* \* \*

32           Ordinance No. 2019-\_\_\_

33           New text is underlined and deleted text is ~~stricken~~

1 Plants and plant products. The term "plants and plant products" means  
2 trees, shrubs, vines, forage and cereal plants, and all other plants and plant  
3 parts, including cuttings, grafts, scions, buds, fruit, vegetables, roots, bulbs,  
4 seeds, wood, lumber, and all products made from them.

5  
6 Plant nursery retail sales. The term "plant nursery retail sales" means a  
7 plant nursery that sells plants and plant products or landscape materials directly  
8 to the public at a specific location with established hours of operation. The term  
9 does not include the sale of plants grown on the property for wholesale to a  
10 broker or other person for resale.

11 \* \* \*

12  
13 **Section 3.** Article 45, "Agricultural and Rural Districts," Section 045-030,  
14 "General Provisions" is hereby amended as follows:

15 \* \* \*

16 (J) ~~Farm, plant and tree nursery on site display and sales (commercial~~  
17 ~~and noncommercial). Sale of farm products and incidental plant~~  
18 ~~nursery products.~~

19 ~~(1) On premise sales and display for farms and noncommercial farm~~  
20 ~~are limited to farm products grown, raised or cultivated on the~~  
21 ~~plot where they are being sold.~~

22 ~~(2) On premise sales and display for nurseries that are farms are~~  
23 ~~limited to plants grown or cultivated on the plot where they are~~  
24 ~~being displayed or sold, and to accessory on premise sales and~~  
25 ~~display of related landscaping materials that are customarily~~  
26 ~~incidental to such plant sales and display, and that are an~~  
27 ~~integral part of the landscape or hardscape, or are tools used to~~  
28 ~~install landscaping and hardscaping. The display of incidental~~  
29 ~~landscape materials must be screened from the view of~~  
30 ~~adjacent streets and properties.~~

31 (1) Farm products ~~grown, raised or cultivated~~ may be sold for  
32 wholesale on the same plot ~~where grown, raised or cultivated~~  
33 ~~for wholesale~~ without a special ~~use~~ exception use permit.

34 (2) Farm products may be sold for retail on the same plot where  
35 grown, raised or cultivated only with a special exception use  
36 permit.

Ordinance No. 2019-\_\_

New text is underlined and deleted text is ~~stricken~~

1                    (a) Persons engaged in the sale of cottage foods must  
2                    comply with Ch. 500.80, Florida Statutes.

3                    (32) A plant nursery may sell materials that are customarily  
4                    incidental to the installation, maintenance, and use of such  
5                    plant products with a special use exception permit.

6                    a. By way of example, the following are classified as  
7                    incidental materials: stepping stones, river rocks, railroad  
8                    ties, ponds, mulch, topsoil, fertilizer, and tree-bracing kits.

9                    b. By way of example, the following are not incidental  
10                    materials: lawn furniture, including benches and picnic  
11                    tables, gazebos, decorative fountains, statues, recreational  
12                    and playground equipment, pools and hot tubs, household  
13                    goods, and rugs.

14                    c. The outdoor display of incidental landscape materials must  
15                    be screened from the view of adjacent properties.

16                    (3) The following are requirements of all special exception use permits for  
17                    plant nurseries with incidental retail sales:

18                    a. The applicant must possess an active agricultural classification  
19                    from the Property Appraiser on the plant nursery for which the  
20                    special exception use permit for incidental retail sales is sought,  
21                    pursuant to Chapter 193.461, Florida Statutes, as may be  
22                    amended from time to time.

23                    b. The applicant must possess a valid certificate of registration from  
24                    the Florida Department of Agriculture and Consumer Services.

25                    c. The applicant shall make an application for a special use  
26                    exception permit using the form prescribed by the Town and shall  
27                    provide the following information to demonstrate how the  
28                    incidental retail sales will be conducted in a manner that is  
29                    consistent with the character of the surrounding neighborhood  
30                    and will not create a nuisance: hours of operation; detailed site  
31                    plan that addresses building size, location, screening and  
32                    adequate parking for employees and patrons including  
33                    handicapped parking, restrooms, ingress and egress of vehicular  
34                    traffic, setbacks from the street and adjacent properties, outdoor  
35                    equipment screening or storage, and screening of items for retail  
36                    sale stored outside.

- d. Paved driveway aprons deemed suitable by the town engineer are required to prevent degradation of adjacent street surfaces.
- e. The applicant shall demonstrate how stormwater will be retained onsite or appropriately conveyed, as applicable, in compliance with the requirements of this chapter and the applicable drainage district standards.
- f. The property shall adequately buffer and screen abutting residential uses and streets, to the satisfaction of the Town Council, from the vehicular use areas and portions of the property associated with retail sales, including any portion of the nursery periphery where retail customers have access.
- g. The property shall comply with the outdoor lighting regulations in Article 95, and the sign regulations in Article 70.

(4) The following are minimum guidelines for plant nurseries with incidental retail sales. The Town Council may grant a special exception use permit that does not follow one or more of the guidelines based upon unique operational, locational or other circumstances pertaining to the proposed use.

- a. The property should front and exclusively access an arterial roadway.
- b. The property should have a minimum plot size of five (5) acres.
- c. Parking of passenger vehicles should be limited to patrons and not more than one (1) personal passenger vehicle for each employee or worker who have driven to the site, and who are engaged in onsite work for the entire time that the vehicle is parked on the plot.
- d. The property should provide at least ten (10) paved off-street parking spaces
- e. No business should be conducted before 7:00 a.m. and after 6:00 p.m.

\* \* \*

**Section 4.** Article 45, "Agricultural and Rural Districts," Section 045-050, "Permitted and Prohibited Uses" is hereby amended as follows:

Ordinance No. 2019-\_\_\_\_  
New text is underlined and deleted text is ~~stricken~~

1 Sec. 045-050. – Permitted, accessory, conditional, special exception and  
 2 prohibited uses.

3 Plots in rural and agricultural districts may be used for one (1) or more of  
 4 the uses that are specified below as being permitted or conditionally permitted  
 5 uses. Special exception uses require town council approval pursuant to article  
 6 112:

Key to abbreviations:			
P=Permitted use	NP=Not permitted	C=Conditional use	SE=Special exception use

Permitted Principal Uses	A-1	A-2	RE	RR
One single-family detached dwelling on a lot of record	P	P	P	P
Nonprofit neighborhood social and recreational facilities	P	P	P	P
Cemetery (subject to section 045-030(U))	P	NP	NP	NP
Community residential facilities (subject to section 045-030(S))	P	P	P	P
<del>Crop raising and plant nurseries (commercial and noncommercial, subject to section 045-030(J))</del> <u>Sale of farm products for wholesale (subject to section 045-030(J))</u>	P	P	P	P
<u>Retail sale of farm products and items incidental to plant product sales (subject to section 045-030(J))</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
<u>Sale of cottage food products for retail (subject to section 045-030(J))</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Essential services (subject to section 045-030(K))	P	P	P	P
Fish breeding (commercial and noncommercial)	P	P	P	P
Keeping, breeding of animals (subject to section 045-030(F))	P	P	P	P
Commercial equestrian operations	P	P	P	P
Veterinary clinics (no overnight stay or animal runs)	P	P	NP	NP
Veterinary hospitals	NP	P	NP	NP
Kennels, commercial boarding and breeding	NP	P	NP	NP
Cannabis-related uses	NP	NP	NP	NP

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 New text is underlined and deleted text is ~~stricken~~

Wireless communication facilities (subject to article 40, "Telecommunication Towers and Antennas.")	P	P	P	P
<i>Permitted accessory uses to a single-family dwelling</i>				
Detached guesthouse (subject to section 045-030(G))	P	P	P	P
Exhibition of Class I and Class II wildlife (subject to section 035-070 pertaining to conditional uses)	C	C	NP	C
Keeping, breeding of animals (subject to section 045-030(F))	P	P	P	P
Yard sales (subject to section 035-060 pertaining to conditional uses)	C	C	C	C
Home offices (subject to section 035-030 pertaining to conditional uses)	C	C	C	C
Family day care homes	P	P	P	P
Cannabis-related uses	NP	NP	NP	NP
Accessory structures and uses, other	P	P	P	P

1           **Section 5.** Article 60, "Community Facility District," Section 060-030, "Permitted  
2 and Prohibited Uses" is hereby amended as follows:

3           Sec. 060-030. – Permitted, accessory, conditional, special exception and prohibited  
4 uses.

5  
6           Permitted uses in the community facility district shall be limited to those uses  
7 specified as permitted or conditionally permitted uses in the master use list. Special  
8 exception uses require town council approval pursuant to article 112. All permitted  
9 uses shall be governmentally owned (public) or operated, or not-for-profit, unless  
10 otherwise specified. Uses are subject to applicable provisions of section 060-090,  
11 "Limitations of uses." Specific subsection references are included in the following master  
12 use list:

13  
14           Master Use List

P=Permitted	C=Conditional	A=Accessory	SP=Special	NP=Not permitted
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Ordinance No. 2019-\_\_\_

New text is underlined and deleted text is ~~stricken~~

use	use	use only	exception use	
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1

Use		
Accessory dwelling (see section 060-090(A))		A
Agricultural uses (subject to section 060-020(I), "Animals")		P
Cannabis-related uses		NP
Cemeteries (see section 060-090(B))		P
Cemeteries accessory to a place of worship (see section 060-090(B))		A, C
Civic center, incl. library, museum, art gallery and other such exhibitions		P
Community residential facilities (see section 060-090(C))		P
Day care or preschool, accessory to place of worship or primary school only		A
Essential services		P
Fire protection facilities		P
Funeral home accessory to a cemetery		A
Governmental administration offices		P
Outdoor events (see section 035-040, "Outdoor event permits")		C
Parks, public		P
Places of worship (see section 060-060, 060-090(D) and 060-090(E))		P
<u>Farm product and plant nursery retail sales (subject to article 45, section 045-030(J))</u>		<u>SE</u>
Police protection facilities		P
School, primary and secondary, public or private (see section 060-090 (D))		C
Wireless communication facilities (see article 40, "Telecommunication Towers and Antennas")		P

2

3 **Section 6.** Article 112, "Special Exception Uses," Section 112-100 is

4 hereby amended as follows:

Ordinance No. 2019-\_\_\_

New text is underlined and deleted text is ~~stricken~~

1 Sec. 112-100. Status of uses lawfully established prior to designation as a  
2 special exception use.

3  
4 (A) Generally. Except as may otherwise provided herein, when a use that was  
5 established as permitted by right (a permitted use or use indicated by a "P"  
6 in a particular zoning district), and the ULDC is later amended to designate  
7 the use as a special exception use, that use shall be considered a lawful  
8 special exception use. Town Council approval pursuant to this Article is  
9 required before any expansion of the use outside of the plot or portion  
10 thereof occupied by the use as of the date the ULDC is amended to  
11 designate the use as a special exception use.

12 (B) ~~Reserved.~~ Plant nursery retail sales. Retail sales of plant products on  
13 plant nurseries, and items incidental to same in compliance with Sec.  
14 045-030(J)(3), existing as of [DATE OF ORDINANCE ADOPTION], may  
15 continue to operate as a nonconforming use during the transition period  
16 ending [MONTH, 2035], provided that the owner of the nursery obtains a  
17 certificate of use no later than [DATE 6 MONTHS AFTER ORDINANCE  
18 ADOPTION], and further provided that:

19 (1) Failure to obtain the certificate of use by [SAME DATE] shall render  
20 the use unlawful, and retail sales shall cease.

21 (2) The nonconforming use status shall run with the owner of the  
22 property as of [DATE OF ADOPTION]. A special exception use  
23 permit is required for change of ownership.

24 (3) Within the transition period, a third violation of this Code of  
25 Ordinances pursuant to Chapter 2, Article XII shall terminate the  
26 nonconforming use status, and retail sales shall cease unless the  
27 owner obtains a special exception use permit within the timeframe  
28 established by the Special Magistrate;

29 (C) At the conclusion of the transition period, a plant nursery with  
30 nonconforming retail sales that complied with Subsec. (B)(1) above,  
31 remained under the same ownership throughout the transition period and  
32 was not subject to (B)(3) above, shall be considered to have a valid  
33 special exception use permit for the retail sales, but without the need to  
34 follow the application process set forth in this Article. Such special  
35 exception use permit shall be subject to the provisions of this Article  
36 governing expiration and modification of the use permit.

Ordinance No. 2019-\_\_\_

New text is underlined and deleted text is ~~stricken~~



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**Section 7: Codification.** The Town Clerk shall cause this ordinance to be codified as a part of the ULDC during the next codification update cycle.

**Section 8: 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 9: Severability.** If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**Section 10: Effective Date.** This Ordinance shall take effect immediately upon passage and adoption.

**PASSED ON FIRST READING** this \_\_\_ day of \_\_\_\_\_, 2019 on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

**PASSED AND ADOPTED ON SECOND READING** this \_\_\_ day of \_\_\_\_\_, 2019, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

McKay	_____	Ayes	_____
Fisikelli	_____	Nays	_____
Jablonski	_____	Absent	_____
Schroeder	_____	Abstaining	_____
Hartman	_____		

Ordinance No. 2019-\_\_\_\_  
New text is underlined and deleted text is ~~stricken~~

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Doug McKay, Mayor

ATTEST:

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Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

---

Keith Poliakoff, J.D., Town Attorney

[115100125.1](#)



1           **WHEREAS**, the Town Council, sitting as the Local Planning Agency, has reviewed  
2 the contents of this Ordinance at a duly noticed public hearing on \_\_\_\_\_and has issued  
3 its recommendation to the Town Council, finding that the Ordinance is consistent with  
4 the adopted comprehensive plan.

5           **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**  
6 **TOWN OF SOUTHWEST RANCHES, FLORIDA:**

7           **Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed  
8 as being true and correct, and are hereby incorporated herein and made a part hereof.

9           **Section 2.** Section 10-30, "Terms Defined" is hereby amended to add the  
10 following definitions:

11           \* \* \*

12           *Special exception use.* The term, "special exception use" means a use with  
13 one or more characteristics that may be incompatible with the permitted uses and  
14 intended character of a particular zoning district, and which therefore requires  
15 special review and consideration to ensure that each instance of the proposed use  
16 is appropriately sited, designed and operated within the zoning district.

17  
18           *Special exception use permit.* The term "special exception use permit" means  
19 a resolution of the Town Council authorizing a special exception use on a specific  
20 property, including terms and conditions of such authorization.

21  
22           \* \* \*

23           **Section 3.** Article 100, "Application Submittal and Notice Procedures,"  
24 Section 100-020, "General Application Requirements," is hereby amended as  
25 follows:

26           \* \* \*

27           (C) *Traffic study.* Applications for plan amendment, site plan, special exception  
28 use, variance, or rezoning that could result in an increase in the density or  
29 intensity of permitted uses, specifically excluding any variance for one (1)  
30 single-family residence, shall submit to the town a traffic study assessing the  
31 proposed development's vehicular, pedestrian and bicycle access; on-site

1 circulation; parking; any proposed roadway or easement vacations or road  
2 closures, whether permanent or temporary for construction purposes; and  
3 off-site roadway impacts, including net traffic impact and traffic impact within  
4 adjacent neighborhoods. The traffic study shall utilize the most current  
5 edition of the Institute of Transportation Engineers' Trip Generation manual  
6 and shall use generally accepted methodologies. The town administrator may  
7 waive any or all of the traffic study requirements upon consideration of a  
8 report issued by the town's zoning department determining that the study or  
9 any portion thereof is not necessary based upon the location, intensity of use.  
10 and other facts specific to an application.

11  
12 **Section 4.** Article 100, "Application Submittal and Notice Procedures,"  
13 Section 100-030, "Minimum Required Content For All Public Hearing Notifications,"  
14 is hereby amended as follows:

15 \* \* \*

16 (C) *Sign notices.* The petitioner shall be responsible for posting a sign along each  
17 property line of the subject property with street frontage for the following  
18 applications: land use plan amendments, zoning map amendments,  
19 variances, special exception uses, and site plans. The notice shall be posted  
20 so as to be visible from each public right-of-way abutting the subject  
21 property, and shall be at least six (6) square feet in area. The sign shall state  
22 the nature of the request and the phone number to call for further  
23 information. The town administrator shall provide the applicant with the  
24 specific language required to appear on the sign for each application. The  
25 petitioner shall provide proof of the sign posting no later than one (1)  
26 business day following the posting date required by section 100-040, "Timing  
27 of public notice." Proof shall consist of one (1) or more photographs of the  
28 sign placed upon the site, as necessary to demonstrate the location of the  
29 real property upon which the sign is posted, and the exact location of the  
30 sign upon the property. A notarized affidavit, signed by the petitioner or sign  
31 company responsible for posting the sign, shall accompany the photographs.  
32 Other proof may be provided if acceptable to the town administrator. If the  
33 applicant fails to submit the affidavit, processing of the application shall cease

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1 until such affidavit is received. The sign shall be removed by the applicant  
2 within five (5) working days after the application receives final disposition.  
3 The sign shall be exempt from all sign and permit regulations.  
4

5 **Section 5.** Article 100, "Application Submittal And Notice Procedures," Section  
6 100-060, "Mail Notice Requirements For Public Hearings" is hereby amended as follows:

7 \* \* \*

8 (B) *Prescribed distances for notification.* Properties located within the distances  
9 prescribed in subsections (B)(1) through (B)(5) of the section shall be notified  
10 by mail of any of the following pending application types:

11 (1) *Variances:* One thousand five hundred (1,500) feet, except that variance  
12 requests from minimum distance separations required by the ULDC shall  
13 be noticed using the same distance as the request for variance.

14 (2) *Rezoning:* One thousand five hundred (1,500) feet.

15 (3) *Future land use plan map amendments:* One thousand five hundred  
16 (1,500) feet.

17 (4) *Site plans:* One thousand five hundred (1,500) feet.

18 (5) *Appeal of administrative decisions:* One thousand five hundred (1,500)  
19 feet.

20 (6) *Plats and waiver of plats:* One thousand five hundred (1,500)  
21 feet.

22 (7) *Special exception uses:* One thousand five hundred (1,500) feet.

23  
24  
25 **Section 6.** Article 112, "Special Exception Uses" is hereby created as  
26 follows:

27 ARTICLE 112. -SPECIAL EXCEPTION USES.

28 Sec. 112-010. Purpose.

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1           This Article establishes the procedures and requirements for review of applications  
2 to establish special exception uses.

3           Sec. 112-020. Applicability.

4           Uses identified in zoning district regulations as special exception uses shall be  
5 established only after submittal of an application for special exception use and approval  
6 by the Town Council.

7           Sec. 112-030. - Procedure.

8           (A) *Filing of petition.* Applications for special exception use shall be filed on forms  
9 provided by the Town and shall be submitted to the Town Administrator. The  
10 property owner must be the applicant for the special exception use. The  
11 applicant as owner must be the operator of the use unless otherwise provided  
12 in the special exception use permit.

13           (B) *Review and scheduling of petition for public hearing.* Upon receipt of a  
14 completed application and processing fee, and upon receipt of any additional  
15 documentation that the Town Administrator may request, the Town  
16 Administrator shall review the application and prepare a report which, at a  
17 minimum, details the facts and circumstances pertaining to the requested  
18 special exception use. Upon completion of such report, the application shall  
19 be duly advertised and scheduled before the Town Council, at the next  
20 available regular council meeting that considers quasi-judicial items.

21           (C) *Notice.* Notice shall be provided pursuant to the requirements in Article 100  
22 pertaining to special exception uses.

23           (D) *Application fee.* There shall be an application fee deposit for each application  
24 in an amount set by the town administrator. The petitioner shall be  
25 responsible for all costs associated with petition processing plus costs  
26 incurred by the town.

27           (E) *Public hearing procedure.* The Town Council shall hear the application  
28 pursuant to the town's quasi-judicial procedures set forth in Article 105.

29           (F) *Burden of proof under quasi-judicial procedures.* In making a presentation,  
30 the petitioner shall bear the burden of demonstrating by competent  
31 substantial evidence that the evidence on the record demonstrates that the  
32 special exception use should be granted.

33           (G) *The vote.* A special exception may be granted upon receiving five (5)  
34 affirmative votes of the Town Council.

1 (H) Recordation. The Town Council's decision concerning any special exception  
2 use application shall be recorded in the Public Records of ~~the~~Broward County.  
3

4 Sec. 112-040. Review criteria.

5 A special exception use shall be granted only when the Town Council determines  
6 that the use together with sufficient safeguards established in the special exception  
7 use permit, will be congruous and in harmony with the uses, improvements and  
8 character of the surrounding area, such that it will not create or foster  
9 undesirable health, safety or aesthetic conditions, or otherwise constitute a  
10 disruption that detracts from the peaceful enjoyment or value of surrounding and  
11 nearby properties arising from any of the following:

- 12 (a) Density or intensity of use
- 13 (b) Scale of use and improvements
- 14 (c) Placement, design and orientation of functions and improvements
- 15 (d) Hours of operation
- 16 (e) Aesthetics
- 17 (f) Noise
- 18 (g) Vibration
- 19 (h) Dust
- 20 (i) Fumes and emissions
- 21 (j) Odor
- 22 (k) Glare
- 23 (l) Nighttime lighting
- 24 (m) Shadow effect
- 25 (n) Vehicular traffic generation including vehicle type, site access and  
26 circulation
- 27 (o) Drainage
- 28 (p) Impact on adjacent properties
- 29 (q) Parking
- 30 (r) Fueling of vehicles and equipment
- 31 (s) Number of employees
- 32 (t) Outdoor storage
- 33 (u) Other conditions, effects or impacts that may be applicable

34  
35 Sec. 112-050. Effect of approval.

36 (A) A special exception use permit, issued pursuant to the requirements of this  
37 article, grants to the applicant the right to develop and/or utilize the subject

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1 premises in accordance with the terms and conditions contained in the  
2 resolution approving the special exception use, unless otherwise provided in  
3 such resolution.

4 (B) Operation of an approved special exception use shall not be commenced until  
5 the Town has verified that all conditions of approval applicable to the  
6 establishment of the use have been satisfied, and has issued a certificate of  
7 use.

8 (C) Approval of a special exception use shall run with the property owner once  
9 established (i.e., not expired or revoked), and shall not be transferable.

10 (D) Representations made in the application and on the record at the public  
11 hearing shall be part of the conditions of approval of such use, whether or  
12 not such representations are incorporated into the special exception use  
13 permit.

14  
15 Sec. 112-060. Expiration of special exception uses.

16 (A) *Expiration.* All special exception use approvals shall expire unless the  
17 applicant obtains a certificate of use from the town within one hundred eighty  
18 (180) days of the date of approval, unless otherwise provided in the special  
19 exception use permit. A certificate of use shall not be issued unless all  
20 conditions of special permit use approval pertaining to the establishment of  
21 the use have been satisfied.

22 (B) *Due diligence.* It shall be the responsibility of the applicant to ensure that a  
23 special exception permit does not expire.

24 (C) *Extensions.* The Town Administrator may grant a single extension of not more  
25 than six (6) months upon written request from the applicant, prior to  
26 expiration, that includes a demonstration of good cause for the delay. Good  
27 cause may include, but shall not be limited to, delay caused by governmental  
28 action or inaction or other factors beyond the control of the applicant. The  
29 Town Administer may grant subsequent extensions of not more than six (6)  
30 months each only upon demonstration of delay caused by governmental  
31 action or inaction, or other factors beyond the control of the applicant.

32 (D) *Discontinuance.* If, for any reason, the special exception use ceases or is  
33 discontinued for a period of six (6) or more months, the premises shall not  
34 thereafter be used for that special exception use without the subsequent  
35 approval of a new special exception use application in accordance with this  
36 article.

1  
2 Sec. 112-070. Modification of approved special exception use.

3 Applicant-initiated amendments to an approved special exception use shall be  
4 processed and reviewed in accordance with the procedures and standards set forth  
5 in this article for new special exception uses.

6  
7 Sec. 112-080. Inspections.

8 All premises for which the Town has granted a special exception use permit are  
9 subject to inspection by the Town on a periodic basis, but not less than annually,  
10 to ensure compliance with all requirements of this article and conditions of  
11 approval.

12  
13 Sec. 112-090. Revocation.

14 (A) The Town council may revoke or modify a special exception use permit or  
15 modify its terms of approval after conducting a public hearing that is noticed  
16 pursuant to the requirements in Article 100 for special exception uses upon  
17 any of the following occurrences:

18 (1) Failure to adhere to the representations made in the application and to  
19 the terms and conditions of the approval.

20 (2) A repeat violation as defined in Sec. 2-149 of this code.

21 (3) Code violation that is not remedied within the timeframe the town has  
22 allotted.

23 (4) Violations of three (3) code provisions within any five (5) year period.

24 (B) Upon any of the foregoing instances, the Town Administrator shall refer the  
25 matter to the Town Council for public hearing, with written notice given to  
26 the special exception use permit holder and the general public as provided in  
27 Article 100 for special exception uses. At the conclusion of the hearing, the  
28 Town Council may modify the terms of the permit or revoke the permit.

29 (C) Upon revocation of special exception use permit, the Town shall not process  
30 any subsequent application for the same property or by the same applicant  
31 for twelve (12) months.

32  
33 Sec. 112-100. Status of uses lawfully established prior to designation as a special  
34 exception use.

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1 (A) Except as may otherwise provided herein, when a use that was  
2 established as permitted by right (a permitted use or use indicated by a "P"  
3 in a particular zoning district), and the ULDC is later amended to designate  
4 the use as a special exception use, that use shall be considered a lawful  
5 special exception use. Town Council approval pursuant to this Article is  
6 required before any expansion of the use outside of the plot or portion  
7 thereof occupied by the use as of the date the ULDC is amended to designate  
8 the use as a special exception use.

9 (B) Reserved.  
10

11 **Section 7: Codification.** The Town Clerk shall cause this ordinance to be  
12 codified as a part of the ULDC during the next codification update cycle.

13 **Section 8: Conflicts.** All Ordinances or parts of Ordinances, Resolutions or parts  
14 of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of  
15 such conflict.

16 **Section 9: Severability.** If any word, phrase, clause, sentence or section of  
17 this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof  
18 shall not affect the validity of any remaining portions of this Ordinance.

19 **Section 10: Effective Date.** This Ordinance shall take effect immediately upon  
20 passage and adoption.

21 **PASSED ON FIRST READING** this \_\_\_\_ day of \_\_\_\_\_, 2019 on a motion made  
22 by \_\_\_\_\_ and seconded by \_\_\_\_\_.

23 **PASSED AND ADOPTED ON SECOND READING** this \_\_\_\_ day of \_\_\_\_\_,  
24 2019, on a motion made by \_\_\_\_\_ and seconded by  
25 \_\_\_\_\_.

26  
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1 accessory use, and that the property owner obtains a certificate of use and a special use  
2 exception permit for such use; and

3 **WHEREAS**, the Town Council finds it necessary to establish a definition for  
4 commercial landscape maintenance operations and to establish regulations to ensure that  
5 such use is located and operated in a manner that is compatible with the surrounding  
6 neighborhood and avoids the creation of a nuisance; and

7 **WHEREAS**, the Town Council, sitting as the Local Planning Agency, has reviewed  
8 the contents of this Ordinance at a duly noticed public hearing on \_\_\_\_\_ and has issued  
9 its recommendation to the Town Council, finding that the Ordinance is consistent with  
10 the adopted comprehensive plan.

11 **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**  
12 **TOWN OF SOUTHWEST RANCHES, FLORIDA:**

13 **Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed  
14 as being true and correct, and are hereby incorporated herein and made a part hereof.

15 **Section 2.** Section 10-30, "Terms Defined" is hereby amended as follows:

16 \* \* \*

17 Commercial Landscape Maintenance Operation. The term "commercial  
18 landscape maintenance operation" means a person engaged in the installation,  
19 removal and maintenance of plants and plant products on other properties.

20 \* \* \*

21 Yard trash means vegetative matter resulting from landscaping maintenance,  
22 land clearing operations and any other offsite source, and includes materials such  
23 as tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps,  
24 and associated rocks and soils.

25  
26 **Section 3.** Article 45, "Agricultural and Rural Districts," Section 045-030,  
27 "General Provisions" is hereby amended by creating subsection (V), as follows:

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1 \* \* \*

2 (V) Commercial landscape maintenance operations.

3 (1) Commercial landscape maintenance operations are permitted as an accessory  
4 use to a plant nursery provided that the owner obtains a special use permit  
5 and that the use is incidental to the plant nursery's primary use of the  
6 premises for the cultivation of plants.

7 (2) The following are requirements of all special exception use permits for  
8 commercial landscape maintenance operations incidental to plant nurseries.

9 a. The landscape maintenance business must be located on the same  
10 premises as the plant nursery to which it is an accessory use. The  
11 nursery must possess an active agricultural classification from the  
12 Property Appraiser pursuant to Chapter 193.461, Florida Statutes, as  
13 may be amended from time to time, and a valid certificate of registration  
14 from the Florida Department of Agriculture and Consumer Services.

15 b. The applicant shall make an application for a special exception use  
16 permit using the form prescribed by the Town and shall provide the  
17 following information to demonstrate how the incidental commercial  
18 landscape maintenance operation will be conducted in a manner that is  
19 consistent with the character of the surrounding neighborhood and will  
20 not create a nuisance, cause premature wear of Town streets or create  
21 traffic congestion during times of fleet ingress and egress through the  
22 neighborhood where the nursery is located; hours of operation; the  
23 number of landscape maintenance trucks that will operate from the  
24 property; the method of fueling the trucks; detailed site plan that  
25 addresses building size, location, screening and adequate provision of  
26 parking for employees, including the number of employee vehicles to be  
27 parked, handicapped parking, restrooms, ingress and egress of vehicular  
28 traffic, setbacks from the street and adjacent properties, fuel storage,  
29 the location and screening of areas for the storage of outdoor  
30 equipment, trucks, and materials such that the storage is undetectable  
31 from abutting residential properties and streets.

32 b. The applicant must obtain all local, state and federal permits and  
33 insurance for the on-site storage of fuel for the trucks or equipment  
34 used in the commercial landscape maintenance operation.

35 c. Storage, recycling or processing yard trash on the property is prohibited.

36 d. Mulching or grinding of yard trash is not permitted.

- e. The parking and storage of equipment, machinery and trucks that are not owned or leased by the applicant or are not used solely in the commercial landscape maintenance operation is prohibited.
- g. Fueling is prohibited within any public or private street right-of-way. All fueling tanks must have all required licenses from Broward County.
- h. Paved driveway aprons deemed suitable by the town engineer are required to prevent degradation of adjacent street surfaces.
- i. The property shall adequately buffer abutting residential uses and street lines to the satisfaction of the Town Council from the vehicular use areas and portions of the property associated with the commercial landscape maintenance operation, including but not limited to worker parking and commercial vehicle and equipment parking.
- j. The property shall comply with the outdoor lighting regulations in Article 95, and the sign regulations in Article 70.
- k. All special exception use permits granted in whole or in part for commercial landscape maintenance operations shall establish a specific limit as to the number of commercial vehicles that may be used for the commercial landscape maintenance operation.

(3) The following are minimum guidelines for commercial landscape maintenance operations accessory to a plant nursery. The Town Council may grant a Special Exception Use Permit that does not follow one or more of the guidelines based upon unique operational, locational or other circumstances pertaining to the proposed use.

- a. The property should front and exclusive access an arterial roadway.
- b. The property should have a minimum plot size of five (5) acres.

\* \* \*

**Section 4.** Article 45, "Agricultural and Rural Districts," Section 045-050, "Permitted and Prohibited Uses" is hereby amended as follows:

Sec. 045-050. – Permitted, accessory, conditional, special exception and prohibited uses.



1 Plots in rural and agricultural districts may be used for one (1) or more of  
 2 the uses that are specified below as being permitted or conditionally permitted  
 3 uses. Special exception uses require town council approval pursuant to article  
 4 112:

Key to abbreviations:						
P=Permitted use	NP=Not permitted	C=Conditional use	SE=Special exception use			
Permitted Principal Uses			A-1	A-2	RE	RR
* * *						
<u>Commercial landscape maintenance operations incidental to a plant nursery (subject to section 045-030(V))</u>			<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
* * *						

6 **Section 5.** Article 60, "Community Facility District," Section 060-030, "Permitted  
 7 and Prohibited Uses" is hereby amended as follows:

8 Sec. 060-030. – Permitted, accessory, conditional, special exception and prohibited  
 9 uses.

10 Permitted uses in the community facility district shall be limited to those uses  
 11 specified as permitted or conditionally permitted uses in the master use list. Special  
 12 exception uses require town council approval pursuant to article 112. All permitted uses  
 13 shall be governmentally owned (public) or operated, or not-for-profit, unless otherwise  
 14 specified. Uses are subject to applicable provisions of section 060-090, "Limitations of  
 15 uses." Specific subsection references are included in the following master use list:  
 16

17  
 18 Master Use List

P=Permitted use	C=Conditional use	A=Accessory use only	SE=Special exception use	NP=Not permitted
Use				
* * *				

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<u>Commercial landscape maintenance operations incidental to a plant nursery</u>	<u>SE</u>
* * *	

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**Section 6.** Chapter 8, Emergency Management, of the Code of Ordinances is hereby amended as follows:

Sec. 8-1. - Authority of town administrator.

- (a) The town administrator is hereby designated as the town's emergency coordinator, and is hereby granted the authority to create and implement a disaster plan for the town and to declare a "state of local emergency" in the event of an emergency affecting the limits of the town, when the administrator, in his sole judgment, determines that the magnitude and extent of damages will necessitate outside assistance.
- (b) The town administrator is granted such authority as may be necessary to direct and coordinate the development of the emergency management mitigation, preparedness and response operations, as well as the performance of public work and to take such other actions as may be deemed necessary and appropriate to protect the safety, health and welfare of the residents of the town.
- (c) As part of the authority granted herein, the Town Administrator may permit the use of air curtain incinerators on plant nurseries with five (5) or more acres of property after a Presidential or Gubernatorial state of emergency declaration resulting from a tropical cyclone. Such approval shall be contingent upon Broward County's authorization pursuant to its code of ordinances, which provides for the use of air curtain incinerators under declared emergencies.

**Section 7: Codification.** The Town Clerk shall cause this ordinance to be codified as a part of the ULDC during the next codification update cycle.

**Section 8: 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.

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1 Approved as to Form and Correctness:

2

3 \_\_\_\_\_

4 Keith Poliakoff, J.D., Town Attorney

5 [115100125.1](#)

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30 Plots in rural and agricultural districts may be used for one (1) or more of the  
 31 uses that are specified below as being permitted or conditionally permitted uses:

32 Key to abbreviations:

- 33 P = Permitted use
- 34 NP = Not Permitted
- 35 C = Conditional use

a.	Permitted Principal Uses	A-1	A-2	RE	RR
b.	One single-family detached dwelling on a lot of record	P	P	P	P
c.	Nonprofit neighborhood social and recreational facilities	P	P	P	P
d.	Cemetery (subject to section 045-030(U))	P	NP	NP	NP
e.	Community residential facilities (subject to section 045-030(S))	P	P	P	P
f.	Crop raising and plant nurseries (commercial and noncommercial, subject to section 045-030(J)) <u>only on plots exceeding 2.3 net acres in area.</u>	P	P	P	P
g.	Essential services (subject to section 045-030(K))	P	P	P	P
h.	Fish breeding (commercial and noncommercial) <u>only on plots exceeding 4.5 net acres in area.</u>	P	P	P	P
i.	Keeping, breeding of animals (subject to section 045-030(F))	P	P	P	P
j.	Commercial equestrian operations	P	P	P	P
k.	Veterinary clinics (no overnight stay or animal runs)	P	P	NP	NP
l.	Veterinary hospitals	NP	P	NP	NP
m.	Kennels, commercial boarding and breeding	NP	P	NP	NP
n.	Cannabis-related uses	NP	NP	NP	NP
o.	Wireless communication facilities (subject to article 40, "Telecommunication Towers and Antennas.")	P	P	P	P
p.					
q.	Permitted accessory uses to a single-family dwelling				

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**PASSED ON FIRST READING** this \_\_\_ day of \_\_\_\_\_, 2019 on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

**PASSED AND ADOPTED ON SECOND READING** this \_\_\_ day of \_\_\_\_\_, 2019, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

McKay	_____	Ayes	_____
Fisikelli	_____	Nays	_____
Jablonski	_____	Absent	_____
Schroeder	_____	Abstaining	_____
Hartman	_____		

\_\_\_\_\_  
Doug McKay, Mayor

ATTEST:

\_\_\_\_\_  
Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

\_\_\_\_\_  
Keith Poliakoff, J.D., Town Attorney

Ordinance No. 2019-\_\_\_\_\_  
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