

**RESOLUTION NO. 2022- 038**

**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 ("ULDC") TO FACILITATE PREPARATION AND ENACTMENT OF A NEW RURAL RESIDENTIAL ZONING CATEGORY INTENDED FOR REZONING NONRESIDENTIALLY DESIGNATED LAND; DIRECTING TOWN STAFF TO DEFER THE ACCEPTANCE AND PROCESSING OF LAND USE, ZONING AND SITE DEVELOPMENT APPLICATIONS FOR RESIDENTIAL USE ON NONRESIDENTIALLY DESIGNATED LAND FOR A PERIOD NOT TO EXCEED A PERIOD OF ONE HUNDRED EIGHTY (180) DAYS OR UNTIL THE TOWN COUNCIL ADOPTS AMENDED LAND DEVELOPMENT REGULATIONS, WHICHEVER OCCURS FIRST; AUTHORIZING AND DIRECTING THE PREPARATION OF A NEW ZONING CATEGORY THAT EXCEEDS THE REQUIREMENTS OF THE RURAL RANCHES CATEGORY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the Town contains large tracts of land that are designated for nonresidential use that are underutilized; and

**WHEREAS**, the Town Council wishes to consider creation of a new zoning category that could be applied to such lands in the event that the property owners initiate a rezoning for residential use; and

**WHEREAS**, the Town Council envisions the new zoning category will promote the Town's rural character in manner that is superior to the minimum requirements of the Town's existing residential zoning districts; and

**WHEREAS**, the Town Council finds that it is necessary to enact a Zoning in Progress to give the Town the necessary time to fully examine this matter and prepare regulations.

**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 the ULDC, the Town Council hereby establishes a Zoning in Progress, deferring the acceptance and processing of applications for land use plan amendment, rezoning, site plan, and plat.

**Section 3.** That the Zoning in Progress shall cease at the earliest of the expiration of one hundred eighty (180) days from the effective date of this Resolution, upon the effectiveness of an Ordinance addressing the subject matter of this Resolution, or upon the adoption of a Resolution terminating the Zoning in Progress.

**Section 4.** That Town staff shall evaluate options for creating a new zoning category to more effectively promote the Town's rural lifestyle and achieve greater compatibility with adjacent rural land uses than the existing zoning regulations provide, and shall submit an ordinance to the Town Council that accomplishes these objectives prior to the expiration of the Zoning in Progress.

**Section 5.** The Town Council hereby authorizes and directs the appropriate Town Officials to do all things necessary and expedient to effectuate the intent of this Resolution.

**Section 6.** All Resolutions in conflict herewith shall be and are hereby repealed to the extent of such conflict.

**Section 7.** If any section, paragraph, section, clause, or phrase of this Resolution is, for any reason, held by any court of competent jurisdiction to be invalid or unenforceable, such decision shall not affect the validity of the remaining sections, paragraphs, sections, clauses, or phrases of this Resolution.

**Section 8.** This Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 10<sup>th</sup> day of February, 2022 on a motion by Vice Mayor Jablonski and seconded by Council Member Kuczenski.

**[Signatures on Following Page]**

Breitkreuz yes  
Jablonski yes  
Allbritton yes  
Hartmann yes  
Kuczynski yes

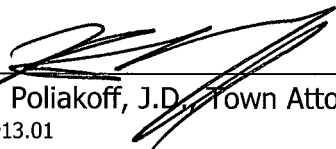
Ayes 5  
Nays 0  
Absent 0  
Abstaining 0

  
Steve Breitkreuz, Mayor

ATTEST:

  
Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

  
Keith Poliakoff, J.D., Town Attorney  
1001.913.01