

**RESOLUTION NO. 2005 - 006**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ESTABLISHING A ZONING IN PROGRESS FOR ALL LIGHTING NOT DIRECTLY ASSOCIATED WITH A SINGLE FAMILY RESIDENCE FOR A PERIOD OF TIME NOT TO EXCEED SIX (6) MONTHS OR UNTIL THE TOWN'S REVISED OUTDOOR LIGHTING REGULATIONS HAVE BEEN ADOPTED, WHICHEVER IS SOONER; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the electorate formed the Town of Southwest Ranches on June 6, 2000; and

**WHEREAS**, pursuant to Section 9.05 of the Town's Charter all of Broward County's codes shall remain in effect until otherwise determined by the Town Council; and

**WHEREAS**, after working with the County's code for over four years the Town has found that the County's lighting code does not sufficiently protect the Town's interest in preserving its rural lifestyle; and

**WHEREAS**, the influx of new development and associated lighting has become an issue of great concern to the entire Town; and

**WHEREAS**, the Town has begun to prepare a revised lighting plan to better service the goals and the desires of the Town; and

**WHEREAS**, the Town fears that once its proposed revisions have been drafted that it will cause a flood of development submittals, which will attempt to qualify under the previous Code provisions; and

**WHEREAS**, in order to give the Town the necessary time to review its proposed code modifications, a zoning in progress on all lighting not directly associated with a single family residence 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 Ordinance.

**Section 2:** That in furtherance of the Town's Code, the Town Council hereby establishes a zoning in progress for all lighting not directly associated with a single family residence for a period of time not to exceed six (6) months or until the Town's revised outdoor lighting regulations have been adopted, whichever is sooner.

**Section 3:** That the zoning in progress shall provide a temporary hold on 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 4:** That this zoning in progress shall not be applied to complete and pending applications that have already appeared before the Town Council on first reading.

**Section 5. 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 6. 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 7. 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 10<sup>th</sup> day of November 2004, on a motion by Council Member Don Maines and seconded by Vice Mayor Aster Knight.

|         |          |
|---------|----------|
| Fink    | <u>Y</u> |
| Knight  | <u>Y</u> |
| Blanton | <u>Y</u> |
| Maines  | <u>Y</u> |
| Nelson  | <u>Y</u> |

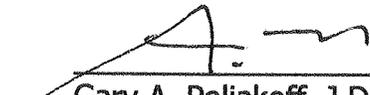
|                         |          |
|-------------------------|----------|
| Ayes                    | <u>5</u> |
| Nays                    | <u>0</u> |
| Absent or<br>Abstaining | <u>0</u> |

  
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Mecca Fink, Mayor

ATTEST:

  
\_\_\_\_\_  
Shari Canada, Town Clerk

Approved as to Form and Correctness:

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