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ORDINANCE NO.2019- 03

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF SEA RANCH LAKES, AMENDING THE CODE OF ORDINANCES BY SPECIFICALLY AMENDING ARTICLE IV OF THE LAND DEVELOPMENT CODE TO PROVIDE FOR A TIMEFRAME TO EXERCISE THE RIGHTS UNDER AN APPROVED LANDSCAPE PLAN AND TREE REMOVAL/RELOCATION PERMIT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Village Council takes legislative notice of the quality of life enjoyed by the residents of the Village due to its unique residential character; and

WHEREAS, the Village Council finds and determines that the quality of life unique to the Village of Sea Ranch Lakes can be and shall be preserved by requiring that the aesthetics of the Village are to be maintained and enhanced; and

WHEREAS, the Village Council deems it appropriate and in the best interests of the residents of the Village of Sea Ranch Lakes to amend its Land Development Code to continue landscaping preservation for the Village of Sea Ranch Lakes; and

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF SEA RANCH LAKES, FLORIDA THAT:**

**SECTION 1.** The foregoing "Whereas" clause is hereby ratified and confirmed as being true and correct is are hereby made a part of this Ordinance.

**SECTION 2.** The Village's Land Development Code is hereby amended by specifically amending the following existing section in Article IV entitled "Submission of Site Plan and Landscape Plan Approval":

**4.01.05 – Submission of Site Plan and Landscape Plan Approval.**

(d) Approved Landscape Plan Application. As of the effective date of a Development Order approving a Landscape Plan, the property owner shall have ninety calendar (90) days to install all trees and plant material as set forth in the approved Landscape Plan, unless extended by the Village Council. In the event the Landscape Plan Application is received by the Village in conjunction with a construction permit or Site Plan Approval, the property owner shall comply with the Landscape Plan Development Order prior to issuance of certificate of occupancy or final inspection, unless extended by the Village Council.

(e) In the event the property owner fails for whatever reason to perform in accordance with the Landscape Plan Development Order within the timeframe described in this section, the Landscape Plan Development Order shall automatically expire without any further action to be required of the Village. At

1 such time as the rights under the Landscape Plan Development Order expire, the  
2 property owner shall be required to submit a new application and pay all applicable  
3 fees.

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5 **SECTION 3.** The Village’s Land Development Code is hereby amended by specifically  
6 amending the following existing section in Article IV entitled “Tree Preservation”:

7•  
8• **4.01.06. – Tree Preservation.**

9 (b) *Tree Removal.*

10 (10) Approved Tree Removal/Relocation Application. At such time as a tree  
11 removal/relocation permit or Development Order has been issued in accordance  
12 with this Article, the property owner shall have ninety calendar (90) days to  
13 exercise the rights under the permit or Development Order, unless extended by the  
14 Village Council. In the event the property owner fails for whatever reason to  
15 perform in accordance with the permit or Development Order within ninety (90)  
16 days of issuance, the permit or Development Order shall automatically expire  
17 without any action to be required of the Village. At such time as the rights under  
18 the permit or Development Order expire, the property owner shall be required to  
19 submit a new application and pay all applicable fees.

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21 **SECTION 4.** All prior ordinances or resolutions or parts thereof in conflict herewith are  
22 hereby repealed to the extent of such conflict.

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24 **SECTION 5.** If any section, sentence, clause or phrase of this Ordinance is held to be  
25 invalid or unconstitutional by any court or competent jurisdiction, then said holding shall in no  
26 way affect the validity of the remaining portions of this Ordinance.

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28 **SECTION 6.** It is the intention of the Village Council of the Village of Sea Ranch Lakes,  
29 Florida, that the provisions of this Ordinance shall become and be made a part of the Village of  
30 Sea Ranch Lakes Code of Ordinances; and that the sections of this ordinance may be renumbered  
31 or relettered and the word "ordinance" may be changed to "section," "article," or such other  
32 appropriate word or phrase in order to accomplish such intentions.

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34 **SECTION 7.** This Ordinance shall become effective immediately upon its passage and  
35 adoption by the Village Council of the Village of Sea Ranch Lakes.

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37 **PASSED BY THE VILLAGE COUNCIL OF THE VILLAGE OF SEA RANCH LAKES,**  
38 **FLORIDA, ON THE FIRST READING, THIS \_16th\_ DAY OF \_\_\_OCTOBER\_\_\_, 2019.**

39  
40 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL OF THE VILLAGE OF SEA**  
41 **RANCH LAKES, FLORIDA, ON THE SECOND AND FINAL READING, THIS \_\_\_\_\_ DAY**  
42 **OF \_\_\_\_\_, 2019.**

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VILLAGE OF SEA RANCH LAKES, FLORIDA

BY: \_\_\_\_\_  
MAYOR ALEXANDER SOTO

- NEAL \_\_\_\_\_
- DICAROLIS \_\_\_\_\_
- NELSON \_\_\_\_\_
- HODGSON \_\_\_\_\_
- BRYAN \_\_\_\_\_
- FULMER \_\_\_\_\_
- TOMLINSON \_\_\_\_\_

ATTEST:  
\_\_\_\_\_  
VILLAGE CLERK