



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
 Governor

COLLEEN CASTILLE
 Secretary

July 8, 2003

The Honorable Mecca Fink
 Mayor, Town of Southwest Ranches
 6589 Southwest 160 Avenue
 Southwest Ranches, Florida 33331

Dear Mayor Fink:

The Department of Community Affairs (Department) has completed its review of the Comprehensive Plan adopted by Ordinance No. 2003-7 on May 8, 2003, for the Town of Southwest Ranches and determined that it meets the requirements of Chapter 163, Part II, Florida Statutes (F.S.), for compliance, as defined in Subsection 163.3184(1)(b), F.S. The Department is issuing a Notice of Intent to find the plan amendment, In Compliance. The Notice of Intent has been sent to *Sun Sentinel* for publication on July 9, 2003.

The Department's Notice of Intent to find a Comprehensive Plan in compliance shall be deemed to be a final order if no timely petition challenging the amendment is filed. Any affected person may file a petition with the agency within 21 days after the publication of the Notice of Intent pursuant to Section 163.3184(9), F.S. No development orders, or permits for a development, dependent on the amendment may be issued or commence before the plan amendment takes effect. Please be advised that Section 163.3184(8)(c)2, Florida Statutes, requires a local government that has an internet site to post a copy of the Department's Notice of Intent on the site within 5 days after receipt of the mailed copy of the agency's Notice of Intent.

Please note that a copy of the adopted Town of Southwest Ranches Comprehensive Plan, and the Notice of Intent must be available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Town of Southwest Ranches Town Hall, 6589 Southwest 160th Avenue, Southwest Ranches, Florida 33331.

If this in compliance determination is challenged by an affected person, you will have the option of mediation pursuant to Section 163.3189(3)(a), F.S. If you choose to attempt to resolve this matter through mediation, you must file the request for mediation with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation will not affect the right of any party to an administrative hearing.

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The Honorable Mecca Fink
July 8, 2003
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If you have any questions, please contact Ken Metcalf, AICP, Regional Planning Administrator, or Paul Darst, Planner, at (850) 922-1764.

Sincerely yours,



Charles Gauthier, AICP
Acting Director
Division of Community Planning

CG/pds

Enclosure: Notice of Intent

cc: Richard S. Rubin, Planning Consultant
Carolyn A. Dekle, Executive Director, South Florida Regional Planning Council

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
NOTICE OF INTENT TO FIND THE
CITY OF SOUTHWEST RANCHES
COMPREHENSIVE PLAN
IN COMPLIANCE
DOCKET NO. PLAN-NOI-0632-(A)-(1)


The Department gives notice of its intent to find the City of Southwest Ranches Comprehensive Plan, adopted by Ordinance No. 2003-7 on May 8, 2003, IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted City of Southwest Ranches Comprehensive Plan and the Department's Objections, Recommendations and Comments Report, (if any), are available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Southwest Ranches Town Hall, 6589 S. W. 160 Avenue, Southwest Ranches, Florida 33331.

Any affected person, as defined in Section 163.3184, F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the City of Southwest Ranches Comprehensive Plan is In Compliance, as defined in Subsection 163.3184(1), F.S. The petition must be filed within twenty-one (21) days after publication of this notice, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to the local government. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

After an administrative hearing petition is timely filed, mediation is available pursuant to Subsection 163.3189(3)(a), F.S., to any affected person who is made a party to the proceeding by filing that request with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation shall not affect a party's right to an administrative hearing.


Charles Gauthier, AICP, Acting Director
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

INTRODUCTION

"The Vision of The Town of Southwest Ranches is to enhance and preserve the unique rural character of its community. The Town shall promote, maintain and protect its agricultural, residential and equestrian lifestyles, sensitive to the natural environment."

{Consensus of residents in attendance at September 19, 2001
Comprehensive Plan Vision Session #2}

Incorporation

On May 22, 2000, the Governor of Florida approved HB 177 and officially incorporated approximately Thirteen (13) square miles of unincorporated rural areas into the Town of Southwest Ranches. The Town's 2000 Census population was 7,100 residents with a density of 546 persons per square mile. The primary reason the Town's residents voted for incorporation is clearly stated in the Town's Charter, Section 1.01 of Article 1 which states:

"In order to preserve, protect and enhance the quality of life and residential character of the Southwest Ranches (The Town) is hereby created pursuant to the Constitution of the State of Florida."

The Town's Comprehensive Plan is dedicated to developing strategies and policies to ensure preserving, protecting and enhancing the quality of the Town's Rural Lifestyle.

Brief Description of the Town's first Comprehensive Plan:

The Town of Southwest Ranches' Comprehensive Plan consists of two volumes generally described as follows:

Volume I (Parts I & II) - Goals, Objectives and Policies, and other data such as capital improvements that are required to be adopted by Florida Statute 163 Part II and Rule 9J-5. It includes measures to evaluate the success of its objectives and includes a five (5) year capital improvements schedule to assure the Town is fiscally responsible for meeting its future infrastructure needs. It also contains a list of the major programs the Town plans to accomplish in the next five (5) years. The consistency of the Town's Plan with the State Plan is also provided. A definition section is included for the reader's assistance.

Volume II (Parts III & IV) - The Elements required to be prepared by Chapter 163 Florida Statutes, but not proposed to be adopted. This document consists of the eight elements required for compliance with F.A.C. 9J-5. It also contains the Appendix

consisting of support documents such as technical data, reports, and studies that were utilized in preparing the plan.

The Town's volunteers serving on the Comprehensive Planning Advisory Committee held 32 meetings over a two and a half year period to review and develop consensus for the material included in the initial document. Their dedication and time given to the process for preserving the rural character of the Town in the future deserve the appreciation of the community.

Both volumes were sent to the State of Florida Department of Community Affairs for their review. The Town held a transmittal public hearing on October 10, 2002. On May 8, 2003 the Town Council received two hours of public input and then voted unanimously to adopt Volume I as amended and transmit to the Department of Community Affairs for their "Compliance" review.

General Information:

1. **The Town of Southwest Ranches** adopts by reference those definitions of terms as delineated in Section 163.3164, Florida Statutes, Chapter 9J-5, Florida Administrative Code and Broward County Land Use Plan, as may be amended from time to time and provided in Volume-I, Part II-H to the Town's Plan.

2. **Consistency with Broward County's Adopted Comprehensive Plan**

In 1975 Broward County's Charter mandated that the County Commission prepare and adopt a Comprehensive Plan and designate the future use of all existing and vacant lands located in all municipalities and unincorporated portions of the County. In 1989 Broward County Commission adopted its Comprehensive Plan for the area within the Town of Southwest Ranches jurisdiction pursuant to Florida Statute 163, Part II. It was intentionally decided that the Town's Comprehensive Plan should generally follows the format of the County's plan to achieve maximum intergovernmental consistency and mutual coordination of policies and resolutions.

3. **Six (6) Land Use Plan Amendments:**

The Town has studied Broward County's current adopted Land Use designations for the lands within the Town's jurisdiction. The Comprehensive Plan Advisory Board reviewed all lands and back-up documentation during their 32 advertised public meetings held in 2001, 2002 and 2003. The following six parcels of land were decided to be revised in the Town's first Future Land Use Map:

6 Local Land Use Plan Amendments included in the Plan

Neighborhood	Approx. Acres	Current B.C. Adopted Land Use	Proposed Town's Land Use Designation	Revision to Town's Housing Units	Findings:
1. Sunshine Ranches	20	Rural Ranches	Parks & Open Space	<8 Units>	Recent transfer of Land from Broward County to the Town for park & open space
2. Ivanhoe Estates & adj. 6 vacant acres	106	3DU/AC	Rural Estate	<236 Units>	Ivanhoe PUD restricts density to 1 du/ac
3. Rolling Oaks	46	Rural Ranches	Parks & Open Space	<18 Units>	Recent purchase by Town for park & open space
4. SFWMD Lake Buffer west of US-27 owned by the SFWMD	336	Agriculture	Conservation	<174 Units>	Recent purchase by SFWMD
5. Calusa Corners Comm Flex parcel	11.8	Estate 1	Commercial	<12 Units>	Currently zoned B-3 Commercial
6. 16 du/ac MF 30 ac site	30	Rural Ranches	MF 165 du/ac	+468 Units	Satisfy identifying adequate sites for affordable housing
Totals:	549.8 Acres			-96 DU	
	Possible Future Broward County Land Use Plan Amendment				
F P & L PARCEL	100	Utility	Agriculture	40	Supports SFWMD's Development of Buffer Strip

PART I - B

EXECUTIVE SUMMARY AND KEY POINTS

The Town of Southwest Ranches is located in the southwestern portion of Broward County and abuts the eastern edge of the Everglades and Conservation areas. It consists of approximately thirteen (13) square miles. The community, in 2000, was 65% developed and contained a population of 7,024 residents. The Town's predominant land use is low density rural residential constructed on lots a minimum of one acre. Overall, the Town's average gross density is one home per three acres.

The reader is also invited to review Part IV – Appendix, Section H which is an additional description of the Town drafted by the South Florida Regional Planning Council as back-up for the Second Vision Session. The two Vision meetings were created to assist the Town Council and its Comprehensive Planning Advisory Board achieve consensus of the pertinent concerns of the Town's residents that need to be addressed in the Town's first Comprehensive Plan.

The Town's primary purpose for incorporating in 2000 was to protect its rural life style. However, for the Town to continue to maintain its traditional high quality of life and be financially sound, it must be carefully managed. The foresight and leadership shown by the State Legislature and Town in incorporating the rural neighborhoods is continued by the first Town Council's commitment to the future as shown in the adoption of its Comprehensive Plan. The Town's Charter has created a Town Council that acts more as policymakers than as service providers since all administration services are operated by private entities.

Collectively, the documents which make up the Town's Comprehensive Plan address the management of the Town's natural, cultural and rural resources necessary to sensibly serve its rural orientated population. The Plan is designed to provide a "comprehensive" approach toward managing the Town's future for the next five (5) and ten (10) years planning horizons. While the Plan has many technical components, the heart and soul of the Plan are the Goals, Objectives and Policies (GOPs) located in Part II, Section A united with its five (5) year Capital Improvement Program locate in Part II, Section B. The Town's adopted GOPs form the basis for all future Town Council's decisions on protecting, preserving and enhancing the growth and development of the community.

The Town's adopted five (5) year Capital Improvement Budget, Part II, Section B, ensures that the adopted GOPs are obtainable, and sets out estimated costs for capital improvements and projected revenues to pay for them. This budget as well as

the whole Plan should be reviewed every year by the Town to assess its effectiveness and modify as necessary to continue reaching towards the Town's overall Goals.

KEY POINTS FROM THE TOWN'S FIRST COMPREHENSIVE PLAN

The Summary key points incorporated in the Town's first Comprehensive Plan are outlined on the following pages for the reader's quick reference, not necessarily in order of priority. An asterisk with a Roman numeral following a KEY POINT refers to the capital budget assigned to construct the item in the Town's five (5) year Capital Improvement Program, Part II, Section B.

PART III-A:

FUTURE LAND USE ELEMENT KEY POINTS

[FAC 9J-5.006]

- a) Preserve and protect the Town's rural appearance and lifestyle (III)*
- b) Promote the equestrian community's activities and growth (I, II, VI)*
- c) The Town's Comprehensive Planning Advisory Board's Recommendations designating six (6) alternative Land Uses (by Neighborhood Study Areas) utilizing the Local Land Use Plan Amendment Process. Refer to the chart on page 4 in the Introduction for a detailed description of the specific items.
- d) The Town's Comprehensive Planning Advisory Board also recommends that the Town should consider designating an alternative Land Use on the 100 +/- acres of vacant land owned by the FPL Utility on the west side of US-27 to a land use more suitable for lands located within the SFWMD's Lake Buffer System such as Agriculture or Conservation if purchased by the SFWMD.
- e) The Town shall review the option of purchasing land to build a Future Town Hall complex. (IX)*
- f) The Town Council is recommended to review non-residential/non-agricultural permitted uses in residential communities for compatibility and implement Land Development Regulations to further the Town's Goals, Objectives and Policies as soon as possible due to the pending projects requesting development review.

PART III - B

HOUSING ELEMENT KEY POINTS

[FAC 9J-5.010]

- (a) The Town shall update the Housing statistics in its Housing Element in 2003 after US 2000 Census data is completed.
- (b) The Town shall continue to promote laws and polices which allow residents to use their properties for:
Children from foster and broken homes

Abused children
Persons with disabilities

- (c) The Town shall work in concert with its neighboring communities that provide affordable housing services.

PART III - C RECREATION - OPEN SPACE ELEMENT KEY POINTS

- (a)
 - (a) Purchase up to \$5 - \$8 million in parks and open space to meet the Town's adopted LOS for Parks and Open Space. (I, II, IV, X)*.
 - (b) Develop local parks in each Rural neighborhood with appropriate passive recreational amenities as determined by their residents. (V, VI)*.
 - (c) Coordinate placing passive recreation facilities in the SFWMD's Lake Buffer System. (VI)*.
 - (d) Link all open space to the multi use Greenway trail system and the existing trails in Davie (VI)*.
 - (e) Coordinate with Broward County to locate a new active regional park to serve the Town's residents.
 - (f) Initiate informal citizen/ technical parks and open space advisory groups to advise the Town Council.

PART III - D TRANSPORTATION ELEMENT KEY POINTS

[FAC 9J-5.019]

- (a) Designate all roads in Town as_rural.
- (b) Maintain and prepare professional studies to develop methods for enhancing all local roadways. (VII)*
- (c) Provide traffic calming devices where needed. (VII, VIII)*
- (d) Place a comprehensive multi-use greenway trails system in and around the Town in coordination with Broward County with crosswalks and signage by 2006. (VI)*

- (e) Accelerate the construction of future SW 184 Avenue to an acceptable rural cross section design with a multi-use trail and find funds for construction.
- (f) Coordinate with Broward County the Town's decision to remove Dykes Road and SW 172 Avenue from the County's Trafficways Map.
- (g) Coordinate with Broward County the Town's decision for installing security lighting on local roads when they are supported by a majority of the residents living along the street.
- (h) Work with FDOT and the Town of Davie to construct a landscaped multi-use trail (Link) on the south 2 lanes of the Stirling Road bridge over I-75.
- (i) Support accelerating the widening of Sheridan Street and Griffin Roads east of I-75.
- (j) Work with Broward County and the Town of Davie to construct a Multi-use non-motorized bridge over the C-11 canal to link the greenways of the two equestrian communities together.

PART III – E INFRA-STRUCTURE (UTILITY) ELEMENT KEY POINTS

[FAC 9J05.011]

- 1. POTABLE WATER ELEMENT
- 2. SANITARY SEWER ELEMENT
- 3. SOLID WASTE ELEMENT
- 4. DRAINAGE & NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT. (VIII)*

- (a) Coordinate with Broward County DPEP the routine monitoring of the aquifer's potable water quality in each of the Town's rural neighborhood a minimum of once every three years.
- (b) The Town Council shall actively participate with adjacent Cities in the multi-jurisdiction drainage consortium's goal to reduce future flooding.
- (c) Continue to require on site drainage retention swales and buffers are constructed on all new properties in the Town.

PART III - F

CONSERVATION ELEMENT KEY POINTS

[FAC 9J-5.013]

- (a) Explore constructing a major wetland mitigation project on Town's property and remove the need for future residents to pay for jurisdictional wetlands applications and certificates for constructing isolated wetlands.
- (b) Encourage xeriscape landscape installation and maintenance.
- (c) Coordinate with the County alternative methods to preserve the 8 LAPC archeological sites located in the Town.

PART III - G

CAPITAL IMPROVEMENT ELEMENT KEY POINTS

[FAC 9J-5.016]

- (a) Adopt and continuously implement a five (5) year Capital Improvement Plan and review/ update annually, with the goal of "pay as you go".

PART III - H

INTERGOVERNMENTAL COORDINATION ELEMENT KEY POINTS

[FAC 9J-5.015]

- (a) Continue to volunteer to serve on County and Regional Agencies and Boards.
- (b) Continue to attend the League of Cities events and work with them on mutually important municipal projects

US 2000 CENSUS BASIC FACTS **SOUTHWEST RANCHES**

PRELIMINARY 4/17/01

COMMUNITY	GREEN MEADOWS DEEMS RANCHES	COUNTRY ESTATES	ROLLING OAKS	SUNSHINE RANCHES	IVANHOE ESTATES	TOTALS
TOTAL POPULATION	1,874	1,886	1,291	1,704	279	7,024
ONE RACE	1,843	1,877	1,261	1,664	270	6,915
TWO RACES	31	33	30	40	9	143
WHITE	1,699 90.7%	1,749 91.6%	1,165 90.2%	1,575 92.4%	213 76.3%	6401 90.7%
BLACK/ AFRICAN AMERICAN	51 2.7%	56 2.9%	46 3.6%	47 2.8%	21 7.5%	221 3.13%
AMERICAN INDIAN	8 .4%	6 .3%	2 .2%	1 .1%	0	17 .2%
ASIAN	52 2.8%	30 1.6%	14 1.1%	15 .9%	26 9.3%	137 1.9%
HISPANIC/ LATINO	363 19.4%	358 18.7%	313 24.2%	303 17.8%	53 19%	1,390 19.6%
OVER 18 YEARS OLD	1,328 70.8%	1,352 70.7%	911 70.5%	1,242 72.8%	177 63.4%	5,010 70.9%
UNDER 18 YEARS OLD	546 29.2%	558 29.3%	380 29.5%	462 27.2%	102 36.6%	2,048 29.1%

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PART I E

IMPLEMENTATION REGULATIONS AND PROCEDURES

I. PURPOSE

It is the purpose and intent of this Comprehensive Plan to coordinate and manage the growth and development of the Town of Southwest Ranches, while respecting those existing and constitutionally protected property rights of its individual land owners.

II. DEVELOPMENT REVIEW REQUIREMENTS

The Town of Southwest Ranches may grant an application for a development permit consistent with the Broward County Land Use Plan and its certified Local Land Use Plan when it has determined that the following requirements are met:

- A. Traffic circulation, recreational, drainage and flood protection, public potable water where applicable, solid waste and sanitary sewer public facilities, septic tanks, where applicable, and services will be available to meet established level of service standards, consistent with Chapter 163.3202(g) Florida Statutes and the concurrency management policies included with the goal of the Town's Land Use Plan.
- B. Local streets and roads will provide safe, adequate access between buildings within the proposed development and the traffic ways identified on the Broward County Traffic Ways Plan prior to occupancy.
- C. Fire protection service will be adequate to protect people and property in the proposed development.
- D. Police protection service will be adequate to protect people and property in the proposed development.
- E. School sites and school buildings will be adequate to serve the proposed development.
- F. Development does not include a structure, or alteration thereof, that is subject to the notice requirements of Federal Aviation Regulations (FAR), Part 77, Subpart B, unless the Federal Aviation Administration issues, or has issued within the previous ninety (90) days, a written

acknowledgment that said structure or alteration would not constitute a hazard to air navigation and does not require increases to minimum instrument right altitudes within a terminal area, increases to minimum obstruction clearance altitudes, or any other operational modifications at any existing airport or heliport or any planned or proposed airport as described in FAR Part 77.21 (c)(2).

III. PLATTING REQUIREMENTS

A. The Town may not grant an application for a building permit for the construction of a principal building on a parcel of land unless a plat including the parcel or parcels of land has been approved by the Broward County Commission and recorded in the official records of Broward County subsequent to June 4, 1953. This section will not apply to an application for a building permit which meets any of the following criteria:

- (1) Construction of one single family dwelling unit or duplex unit on a lot or parcel which lot or parcel was of record as such in the official records of Broward County as of March 1, 1989;
- (2) Construction on any multi-family or nonresidential lot or parcel which is less than five acres in size and specifically delineated on a plat recorded on or before June 4, 1953;
- (3) The building permit may be issued for a parcel of land for which plat approval has been given by the Board of County Commissioners although the plat has not yet been recorded, provided such authorization is granted in an agreement among the developer, the affected unit of local government and the County. Such agreements shall at a minimum require compliance with the applicable provisions of plat approval and shall prohibit the issuance of a certificate of occupancy until the plat is recorded. The municipality and county shall be required to make a finding that facilities and services will be available at the adopted level of service standards concurrent with the issuance of the building permit; or
- (4) A building permit may be issued for an essential governmental facility after preliminary plat review where the Broward County Commission finds that immediate construction of the governmental facility is essential to the health, safety, or welfare of the public and where the Board determines that public facilities and services will be available at the adopted level of

service standards concurrent with the impact of the development of the governmental facility. Such a finding shall be made in a resolution if Broward County is the government seeking to construct the facility and issue the permit, and by agreement with the affected units of local government in other circumstances. A certificate of occupancy shall not be issued until the plat is recorded, provided that in addition to meeting the above criteria, the issuance of the building permit shall be subject to all of the following:

- (a) Compliance with the Town's land development regulations; and
- (b) Any land within the lot or parcel which is necessary to comply with the Broward County Traffic Ways Plan has been conveyed to the public by deed or grant of easement.

B. Regulations:

- (1) No subdivision of land shall occur within the Town of Southwest Ranches without the prior issuance of a development order specifically permitting the subdivision to occur in accordance with all applicable Town zoning and land development regulations, including, but not limited to, minimum parcel size, adequacy of access and necessary dedications. For purposes of the platting provisions, the required development order shall be called a Certificate of Conformity. The Town may require that surveys, site plans and/or agreements, including but not limited to Unity of Title Agreements, be recorded in the Public Records of Broward County along with the development order in order to ensure that land subdivision occurs in the manner represented in the approved application for a Certificate of Conformity.
- (2) Notwithstanding the County-wide platting requirements codified in Broward County's Land Use Plan, Administrative Rules Document and Land Development Code, two (2) or more dwellings shall not be constructed or otherwise made to be located upon a single parcel of land.
- (3) All residential plats approved by the Town shall be lot-specific. Approval of boundary plats, wherein the number of dwelling units permitted by the restrictive use note exceeds the number of legal building lots shown on the plat, is prohibited.
- (4) Whenever land is to be subdivided, and said subdivision will result in parcels capable of being further subdivided in accordance with Town zoning and land development regulations; and whenever a guest house or other building is

proposed, which building the Town Administrator or designee determines can be illegally converted into a dwelling unit, the Town shall require recording of a Unity of Title Agreement in the Public Records of Broward County to ensure that further subdivision does not take place without issuance of a Town Certificate of Conformity.

IV. LAND USE PLAN AMENDMENT PROCEDURES

- A. The Town's Comprehensive Land Use Plan may be amended by the Town Council in the manner provided by the Broward County Charter, Florida Local Government Comprehensive Planning and Land Development Regulation Act.

V. LAND DEVELOPMENT REGULATIONS AND PROCEDURES

- A. The Town's Land Use Plan shall be implemented by adoption and enforcement of appropriate regulations on the development of lands and waters within the Town's jurisdiction.
- B. No public or private development may be permitted except in compliance with the Town's certified Local Land Use Plan.
 - (1) The proposed development would be consistent with the Broward County Land Use Plan, and
 - (2) The proposed development would be in compliance with local land development regulations, and
 - (3) The development permit is granted in compliance with the "Development Review Requirements" subsection of this plan or with local land development regulations which meet or exceed the requirements of said subsection.
- C. May adopt land development regulations, a land development code, or amendments thereto which are consistent with the Broward County Land Use Plan.

VI. PROCEDURES FOR FORMAL INTERPRETATIONS OF THE BROWARD COUNTY LAND USE PLAN

The Broward County Planning Council shall assist local governments with matters of interpretation of the Broward County Land Use Plan. Whenever a question of

interpretation has not been resolved on an informal basis, the governing body of a local government may request in writing that the Broward County Planning Council issue a letter of interpretation on the matter. Upon receipt of a letter of interpretation from the Broward County Planning Council, the governing body of a local government may request in writing that the Broward County Commission review such letter on any subject outside the scope of the Broward County Planning Council's adopted rules and regulations regarding certification of local land use plans and Broward County Land Use Plan amendment processing and recommendation procedures or matters as contained within this plan regarding Section 6.06 of the Broward County Charter.

The Broward County Commission, within thirty (30) days after receipt of the request, shall review and either approve or approve with modifications of the Broward County Planning Council's letter of interpretation which shall then be binding on the Broward County Commission, on the Broward County Planning Council, on the local government and on any property owner given written notice and an opportunity to be heard on the matter. A written request to the Broward County Planning Council or the Broward County Commission pursuant to this section must contain the following information:

- (1) A statement of the question(s).
- (2) A statement of the facts necessary to answer the question(s).
- (3) A statement of the position of the local government on the matter.

VII. MONITORING AND ENFORCEMENT PROCEDURES FOR THE BROWARD COUNTY LAND USE PLAN

A. The Town shall prepare and transmit to the Broward County Planning Council the information listed below within time periods as specified. This information is for the purposes of monitoring compliance with the Broward County Land Use Plan and for maintaining current, countywide records of land development activities on which to base future planning. Information shall be transmitted in a format to be prescribed by the Broward County Planning Council.

- (1) A quarterly summary of all permits issued for demolition of buildings.
- (2) A yearly summary regarding allocation of acreage proposed for commercial or residential uses within lands designated residential, commercial, industrial and employment center utilizing the "flexibility" provisions of the Broward County Land Use Plan as described within the

Permitted Uses subsection of this plan, if certified within the Town's Land Use Plan.

- B. Upon determination by the Broward County Commission that a local government has granted development permits or permitted uses which are inconsistent with the requirements of the Broward County Land Use Plan, or fails to act in substantial compliance with the Broward County Land Use Plan, the Broward County Commission shall take such actions as may be necessary and proper to enforce the requirements of the Broward County Land Use Plan.