



Southwest Ranches Town Council

LOCAL PLANNING AGENCY

Agenda of February 10, 2022

Southwest Ranches Council Chambers
7:00 PM Thursday

13400 Griffin Road
Southwest Ranches, FL 33330

<u>Mayor</u> Steve Breitreuz	<u>Town Council</u> Jim Allbritton Bob Hartmann David Kuczenski	<u>Town Administrator</u> Andrew D. Berns, MPA	<u>Town Attorney</u> Keith M. Poliakoff, J.D.
<u>Vice Mayor</u> Gary Jablonski		<u>Town Financial Administrator</u> Martin Sherwood, CPA CGFO	<u>Assistant Town Administrator/Town Clerk</u> Russell C. Muniz, MPA

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (954) 434-0008 for assistance no later than four days prior to the meeting.

1. **Call to Order**
2. **Roll Call**

Resolutions

3. **LPA RESOLUTION FOR SHARED DRIVEWAY ORDINANCE**

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LOCAL PLANNING AGENCY"), MAKING A RECOMMENDATION THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), TO MODIFY STANDARDS FOR CERTAIN INGRESS/EGRESS EASEMENTS; PROVIDING FOR AN EFFECTIVE DATE.

4. **Approval of Minutes**
 - a. **December 16, 2021 Local Planning Agency Meeting**
5. **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 COUNCIL 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.

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

(954) 434-0008 Town Hall
(954) 434-1490 Fax

Town Council
Steve Breitkreuz, Mayor
Gary Jablonski, Vice Mayor
Jim Allbritton, Council Member
Bob Hartmann, Council Member
David Kuczenski, Council Member

Andrew D. Berns, MPA, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell Muniz, MPA, Assistant Town Administrator/Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Andrew Berns, Town Administrator
FROM: Jeff Katims
DATE: 2/10/2022
SUBJECT: LPA RESOLUTION FOR SHARED DRIVEWAY ORDINANCE

Recommendation

The proposed Ordinance is a policy matter for consideration of the Town Council in its legislative capacity.

A. Sound Governance

Background

On September 22, 2021, the CPAB voted 8-0 to recommend the attached Ordinance, which increases the minimum width required for ingress/egress easements serving up to four landlocked plots. The minimum width would increase from 15 feet to 25 feet for an easement serving a single landlocked plot, and would increase from 25 feet to 35 feet for an easement serving two to four landlocked plots. Additionally, turnarounds would no longer be excluded from the ingress/egress easements.

Required driveway pavement width would remain unchanged, consistent with the intent to provide additional area for drainage and utilities within these easements and to increase separation of structures at the periphery of the easements to the travel ways within the easements.

The Ordinance would apply to easements created after Ordinance adoption and to existing easements that change in function from serving a single plot to multiple lots as a result of subdivision that occurs after Ordinance adoption. Easements existing as of the date of

Ordinance adoption that do not comply with the new minimum width requirement and which do not change in function would become grandfathered.

Fiscal Impact/Analysis

N/A

Staff Contact:

Jeff Katims

ATTACHMENTS:

Description	Upload Date	Type
LPA Resolution - Shared Driveways - TA Approved	1/31/2022	Resolution
Exhibit A - Ordinance - TA Approved	2/2/2022	Exhibit

LPA RESOLUTION NO. 2022-_____

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LOCAL PLANNING AGENCY"), MAKING A RECOMMENDATION THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), TO MODIFY STANDARDS FOR CERTAIN INGRESS/EGRESS EASEMENTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the ULDC authorizes narrow ingress/egress easements serving up to four landlocked plots as a less costly and less land-intensive alternative to construction of streets; and

WHEREAS, the Local Planning Agency finds that such ingress/egress easements should provide additional area for drainage and utilities while still constituting a less expensive and land-intensive alternative than construction of streets; and

WHEREAS, the Local Planning Agency finds the amendment is consistent with the goals, objectives and policies of the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1. ADOPTION OF RECITALS. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. RECOMMENDATION. The Local Planning Agency recommends that the Town Council adopt the proposed amendment, attached as Exhibit "A" hereto.

Section 3. EFFECTIVE DATE. This Resolution shall be effective immediately upon its passage.

PASSED this ____ day of February, 2022 on a motion made by Council Member _____ and seconded by Council Member _____.

(Signatures on the Following Page)

Breitkreuz _____
Jablonski _____
Allbritton _____
Hartmann _____
Kuczenski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney
1001.923.01

Key: underlined text is added and ~~stricken~~ text is deleted.

LPA Resolution No. 2022-_____

Page **2** of **3**

EXHIBIT "A"
PROPOSED ULDC AMENDMENT

(ATTACHED)

Key: underlined text is added and ~~stricken~~ text is deleted.

LPA Resolution No. 2022-_____

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- 1 a. *Individual access to a landlocked parcel.* One (1) landlocked lot or
- 2 parcel may be served by an ingress/egress easement at least
- 3 twenty-five (25) ~~fifteen (15)~~ feet wide, with a ten (10) foot-wide
- 4 travel surface connecting the landlocked lot or parcel to a public or
- 5 private street through an intervening lot or parcel. The easement
- 6 shall provide for access by emergency vehicles and government
- 7 officials, employees or contractual service providers during the
- 8 course of their official duties. Geometry shall be approved by the
- 9 town engineer, fire department and other applicable service
- 10 providers; or
- 11 b. *Shared access to multiple landlocked parcels.* Up to four (4) lots or
- 12 parcels may be served by an ingress/egress easement at least
- 13 thirty-five (35) ~~twenty-five (25)~~ feet wide, providing access for
- 14 emergency vehicles and government officials, employees or
- 15 contractual service providers during the course of their official
- 16 duties, and providing a travel surface, pull-off shoulders and traffic
- 17 markings as depicted by Figure 90-2.
- 18 * * *
- 19 i. A turn-around acceptable to the town engineer and/or fire marshal
- 20 shall be provided at the end of the shared driveway, consistent with
- 21 one of the details shown in Figure 90-1 and shall be fully contained
- 22 within the ingress/egress easement.

23 **Section 3: Codification.** The Town Clerk shall cause this ordinance to be
 24 codified as a part of the ULDC during the next codification update cycle.

25 **Section 4: Conflicts.** All Ordinances or parts of Ordinances, Resolutions or parts
 26 of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of
 27 such conflict.

28 **Section 5: Severability.** Should any section or provision of this Ordinance or
 29 any portion thereof, any paragraph, sentence or word hereof be declared unconstitutional
 30 or invalid, the invalidity thereof shall not affect the validity of any of the remaining
 31 portions of this Ordinance.

32 **Section 6: Effective Date.** This Ordinance shall take effect immediately upon
 33 passage and adoption.

Ordinance No. 2022-__
 New text is underlined and deleted text is ~~stricken~~

1 **PASSED ON FIRST READING** this ___ day of _____, 2022 on a motion made
2 by _____ and seconded by _____.

3 **PASSED AND ADOPTED ON SECOND READING** this ___ day of _____,
4 2022, on a motion made by _____ and seconded by
5 _____.

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8	Breitkreuz	_____	Ayes	_____
9	Jablonski	_____	Nays	_____
10	Allbritton	_____	Absent	_____
11	Hartmann	_____	Abstaining	_____
12	Kuczenski	_____		

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Steve Breitkreuz, Mayor

18 ATTEST:

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Russell Muñiz, Assistant Town Administrator/Town Clerk

23 Approved as to Form and Correctness:

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Keith Poliakoff, J.D., Town Attorney

28 1001.925.01

Ordinance No. 2022-__

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LOCAL PLANNING AGENCY MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

December 16, 2021

13400 Griffin Road

Present:

Chair Steve Breitzkreuz

Vice Chair Bob Hartmann

Board Member Jim Allbritton

Board Member Gary Jablonski

Board Member David S. Kuczenski

Andrew Berns, Town Administrator

Russell Muñiz, Assistant Town Administrator/Town Clerk

Martin D. Sherwood, Town Financial Administrator

Keith Poliakoff, Town Attorney

Local Planning Agency of the Town of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Chair Breitzkreuz at 7:00 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Resolutions

3. LPA RESOLUTION FOR POWER LINES ORDINANCE

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LOCAL PLANNING AGENCY"), MAKING A RECOMMENDATION THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), TO EXCLUDE CERTAIN POWERLINE TRANSMISSION EASEMENTS FROM NET PLOT AREA AND PROVIDE FOR NONCONFORMITIES; PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Vice Chair Jablonski and seconded by Board Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows Board Members Allbritton, Hartmann, Kuczenski, Vice Chair Jablonski, and Chair Breitzkreuz voting Yes.

MOTION: TO TABLE THE RESOLUTION TO THE MARCH 24, 2022 LPA MEETING.

4. LPA RESOLUTION FOR SURFACE WATER MANAGEMENT AREAS

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LOCAL PLANNING AGENCY"), MAKING A RECOMMENDATION THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), TO EXCLUDE CERTAIN SURFACE WATER MANAGEMENT AREAS FROM NET PLOT AREA AND PROVIDE FOR NONCONFORMITIES; PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Vice Chair Jablonski and seconded by Board Member Hartmann and passed by 5-0 roll call vote. The vote was as follows Board Members Allbritton, Hartmann, Kuczenski, Vice Chair Jablonski, and Chair Breitzkreuz voting Yes.

MOTION: TO TABLE ITEM AND RETURN TO THE COMPREHENSIVE PLAN ADVISORY BOARD FOR LANGUAGE CLARIFICATION.

5. LPA RESOLUTION FOR SHARED DRIVEWAY ORDINANCE

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LOCAL PLANNING AGENCY"), MAKING A RECOMMENDATION THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), TO MODIFY STANDARDS FOR CERTAIN INGRESS/EGRESS EASEMENTS BY NARROWING THE EASEMENTS REQUIRED TO SERVE UP TO FOUR LANDLOCK PLOTS OF LAND; PROVIDING FOR AN EFFECTIVE DATE.

THIS ITEM WAS WITHDRAWN BY STAFF

6. LPA RESOLUTION FOR FLAG PLOTS ORDINANCE

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LOCAL PLANNING AGENCY"), MAKING A RECOMMENDATION THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), TO AMEND THE MEANING OF THE TERM, "FLAG PLOT," TO REVISE THE STANDARDS FOR FLAG PLOTS AND PROVIDE FOR NONCONFORMITIES; PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Board Member Hartmann and seconded by Board Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows Board Members Allbritton, Hartmann, Kuczenski, Vice Chair Jablonski, and Chair Breitkreuz voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

7. LPA RESOLUTION FOR ORDINANCE AMENDING VARIANCES IN ULDC

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LOCAL PLANNING AGENCY"), MAKING A RECOMMENDATION THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), TO EXPAND THE TOWN COUNCIL'S AUTHORITY TO GRANT VARIANCES; PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Board Member Hartmann and seconded by Board Member Allbritton and passed by 5-0 roll call vote. The vote was as follows Board Members Allbritton, Hartmann, Kuczenski, Vice Chair Jablonski, and Chair Breitkreuz voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

8. LPA RESOLUTION FOR WAIVER OF PLAT CODE AMENDMENT

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LOCAL PLANNING AGENCY"), RECOMMENDING THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") TO ESTABLISH ELIGIBILITY REQUIREMENTS FOR WAIVER OF PLAT APPLICATIONS, AND TO MAKE CHANGES OF A HOUSEKEEPING NATURE; PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Board Member Hartmann and seconded by Board Member Allbritton and passed by 5-0 roll call vote. The vote was as follows Board Members Allbritton, Hartmann, Kuczenski, Vice Chair Jablonski, and Chair Breitzkreuz voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

9. Approval of Minutes

a. November 18, 2021 LPA Meeting

The following motion was made by Vice Chair Jablonski and seconded by Board Member Allbritton and passed by 5-0 roll call vote. The vote was as follows Board Members Allbritton, Hartmann, Kuczenski, Vice Chair Jablonski, and Chair Breitzkreuz voting Yes.

MOTION: TO APPROVE THE NOVEMBER 18, 2021 LPA MEETING MINUTES.

10. Adjournment - Meeting was adjourned at 8:00 PM.

Respectfully submitted:

Russell Muniz Assistant Town Administrator/Town Clerk, MMC

Adopted by the Town Local Planning Agency on this 10th day of February, 2022.

Steve Breitzkreuz, Chair

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL 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 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.