

**ORDINANCE NO. 2015 -004**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING OBJECTIVES AND POLICIES WITHIN SEVERAL ELEMENTS OF THE ADOPTED TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN PERTAINING TO BROWARD COUNTY LAND USE PLAN ("BCLUP") CONSISTENCY REQUIREMENTS, INTERGOVERNMENTAL COORDINATION, AND LOCAL STREET CONNECTIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, provisions of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985, as amended, require adoption of a comprehensive plan; and

**WHEREAS**, the Town of Southwest Ranches, Florida, pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, and in accordance with all of its terms and provisions, has prepared and adopted a comprehensive plan which has been found in compliance by the State Land Planning Agency; and

**WHEREAS**, the Town Council of the Town of Southwest Ranches ("Town Council") requested that the Broward County Planning Council ("BCPC") recertify amendments to the Future Land Use Element of the Town of Southwest Ranches Comprehensive Plan ("Comprehensive Plan"); and

**WHEREAS**, the BCPC issued a report ("Report") outlining several BCLUP objectives and/or policies that are not reflected or adequately referenced within the Comprehensive Plan; and

**WHEREAS**, the BCPC provisionally recertified several text amendments on June 26, 2014, subject to the Town agreeing to amend its Plan within one year to comply with the Report; and

**WHEREAS**, the Town Council desires to add policy language addressing interlocal coordination necessary to establish a "quiet zone" around any future rail corridor; and

1       **WHEREAS**, the Town Council desires to add policy language addressing local  
2 street connections to the proposed SW 184<sup>th</sup> Avenue and Rolling Oaks community; and  
3

4       **WHEREAS**, the Local Planning Agency of the Town of Southwest Ranches  
5 conducted a duly noticed public hearing on December 11, 2014 to consider the  
6 amendments; and  
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8       **WHEREAS**, the Town Council finds that the amendments are in the best interests  
9 of the residents of the Town of Southwest Ranches, and protect the Town's rural  
10 character.  
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12       **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**  
13 **TOWN OF SOUTHWEST RANCHES, FLORIDA:**  
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15       **Section 1:** That the foregoing "WHEREAS" clauses are hereby ratified and  
16 confirmed as being true and correct and are hereby made a specific part of this  
17 Ordinance.  
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19       **Section 2:** That the Future Land Use Element of the adopted Town of  
20 Southwest Ranches Comprehensive Plan is hereby amended as follows:  
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22       \* \* \* \* \*

23       FLUE POLICY 1.3-o In the event that the Florida Department of Transportation  
24 engages in project design for a rail corridor within or adjacent to the Town, the  
25 Town shall initiate a dialogue with FDOT and the Federal Railroad Administration  
26 ("FRA"), and use all available means to establish a "quiet zone" for the  
27 Southwest Ranches area in accordance with FRA rules for establishing New Quiet  
28 Zones, which may include the use of Supplemental Safety Measures and/or  
Alternative Safety Measures at any rail crossings.

29       \* \* \* \* \*

30       FLUE POLICY 1.15-i: The Town shall not accept a building permit application,  
31 nor issue a building permit, for new or additional residential units, unless the  
32 applicant presents evidence from Broward County that the impact of the  
33 proposed development on public educational sites and facilities has been  
34 mitigated by payment of school impact fees, based on the fee schedule and  
35 accompanying provisions of the Broward County Land Development Code.  
36 Alternative methods of mitigation for school impacts may only be approved via a  
37 recorded agreement among the property owner(s), Broward County, and/or the  
38 applicable local government(s) and the School Board of Broward County. {BCLUP  
39 Policy 8.07.02}  
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FLUE POLICY 1.15-j: The Town shall not accept a building permit application, nor issue a building permit, unless the applicant presents evidence from Broward County either that the impact of the proposed development on the regional transportation network has been mitigated by payment of road impact fees or transit impact fees, based on the appropriate provisions of the Broward County Land Development Code, or that no such payment is due. The County Commission may adopt land development regulations which exempt from this requirement categories of building permits that clearly do not create additional transportation impacts.  
{BCLUP Policy 12.01.10}

FLUE POLICY 1.15-k: The Town shall coordinate with the School Board of Broward County to achieve an expedited development review procedure for any proposed public elementary and secondary education facilities within the Town.  
{BCLUP Policy 8.07.03}

FLUE POLICY 1.15-l: Intergovernmental Coordination Element Policies 1.3-c and 1.3-e are hereby incorporated by reference.

\* \* \* \* \*

FLUE POLICY 1.19-g: Post disaster redevelopment and hazard mitigation plans shall include measures encouraging the acquisition of private property and/or redevelopment rights of hazard prone property, if applicable, to reduce future property damages and losses. {BCLUP Policy 8.08.03}

\* \* \* \* \*

FLUE POLICY 1.21-a: The Town of Southwest Ranches adopts the following Goals, Objectives and Policies as part of the Future Land Use Element in compliance with Broward County’s Land Use Plan and Administrative Rules:

**BCLUP  
POLICY**

**TOWN'S  
DIRECTIVE**

\* \* \* \* \*

**GOAL 5.00.00 – RECREATION & OPEN SPACE USES**  
OBJECTIVE 5.02.00  
POLICY 5.02.01  
POLICY 5.02.03  
POLICY 5.02.04  
OBJECTIVE 5.04.00

~~FE~~ ROS Obj. 1.1  
~~FE~~ ROS Obj. 1.2  
~~FE~~ ROS Policy 1.2-a  
~~FE~~ ROS Policy 1.2-b  
~~FE~~ ROS Policy 1.2-c  
~~FE~~ ROS Obj. 1.4

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POLICY 5.04.01

TE ROS Policy 1.4-a

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**GOAL 8.00.00 – PUBLIC FACILITIES & PHASED GROWTH**

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POLICY 8.07.02(A)

ICE Policy 1.3-f

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POLICY 8.07.09

TE Policy 1.1-m

POLICY 8.07.10

HE Policy 1.1-i

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OBJECTIVE 9.02.00 PROTECT WELL FIELDS  
POLICY 9.02.03  
POLICY 9.02.05  
POLICY 9.02.06

CONS Obj. F4 14  
CONS Policy II-F4.1.4-a  
UE Policy II-F4.3 1.2-w  
CONS Policy II-F41.4-d

OBJECTIVE 9.14.00 AIR QUALITY

CONS Obj. ~~1.10~~1.11

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POLICY 9.02.05  
POLICY 9.02.06

UE Policy 1.2-wy  
CONS Policy 1.4-d  
UE Policies 1.2-b, 1.2-c

**Section 3:** That the Transportation Element of the adopted Town of Southwest Ranches Comprehensive Plan is hereby amended as follows:

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TE POLICY 1.1-m: The land development regulations shall provide for safe pedestrian and/or bicycle access to public schools. {BCLUP Policy 8.07.09}

\*\*\*\*\*

TE POLICY 1.2-e: Local street connections with SW 184<sup>th</sup> Avenue shall not be permitted from the east.

TE POLICY 1.2.-f: Access to the Rolling Oaks community shall continue to be exclusively from Griffin Road via SW 178<sup>th</sup> Avenue. It shall be the policy of the Town to prohibit street connections that would provide additional access.

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2 **Section 4:** That the Housing Element of the adopted Town of Southwest  
3 Ranches Comprehensive Plan is hereby amended as follows:

4 \* \* \* \* \*

5 HE POLICY 1.1-i: Reserved. The Town shall support the efforts of the School  
6 Board of Broward County to achieve diversity within Broward County district  
7 schools. {BCLUP Policy 8.07.10}  
8

9 **Section 5:** That the Intergovernmental Element of the adopted Town of  
10 Southwest Ranches Comprehensive Plan is hereby amended as follows:

11 \* \* \* \* \*

12 ~~ICE POLICY 1.1-c: The Town has chosen to utilize the Broward County Land Use~~  
13 ~~Plan "Flexibility Rules," as per County Policies 1.01.03, 1.01.04, 1.02.01, 1.02.02,~~  
14 ~~2.04.04, 2.04.05, 3.01.06 and 3.02.02 in order to utilize Broward County's 5%~~  
15 ~~commercial flex rule on non-rural land use properties. All proposed uses shall be~~  
16 ~~subject to a determination by the Broward County Commission that such~~  
17 ~~allocation is compatible with adjacent land uses, and that impacts on public~~  
18 ~~school facilities have been adequately considered.~~

19 \* \* \* \* \*

20 ICE POLICY 1.3-f: The Town shall coordinate with the efforts of the School  
21 Board of Broward County to address school overcrowding and meet future school  
22 needs consistent with the provisions outlined in the Amended Interlocal  
23 Agreement for Public School Facility Planning. Also, should the Town at some  
24 future time initiate an amendment to the BCLUP and Future Land Use Element to  
25 include a mixed use category, said amendment shall also fully incorporate the  
26 BCLUP provisions regarding school impact coordination within mixed-use  
27 designations. {BCLUP Policy 8.07.02(A)}  
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30 **Section 6: Ch. 163, F.S. Transmittal.** That the Town Planner is hereby  
31 directed to transmit the amendments set forth herein to the state land planning agency  
32 immediately following first reading of this Ordinance, and is hereby directed to transmit  
33 the adopted amendments immediately following the second and final reading of this  
34 Ordinance.  
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1           **Section 7: Recertification.** That the Town Planner is hereby directed to  
2 apply to the Broward County Planning Council for recertification of the Future Land Use  
3 Element subsequent to the effective date of this Ordinance, and that the Town Council  
4 hereby requests such recertification.  
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6           **Section 8: Conflicts.** All Ordinances or parts of Ordinances, Resolutions or  
7 parts of Resolutions in conflict herewith, be and the same are hereby repealed to the  
8 extent of such conflict.  
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10           **Section 9: Severability.** If any word, phrase, clause, sentence or section of  
11 this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof  
12 shall not affect the validity of any remaining portions of this Ordinance.  
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14           **Section 10: Effective Date.** This Ordinance shall take effect 31 days after the  
15 Department of Economic Opportunity notifies the Town that the plan amendment  
16 package is complete, unless timely challenged pursuant to sec. 163.3184(5), F.S., in  
17 which case the Ordinance shall take effect on the date that the Department of  
18 Economic Opportunity or the Administration Commission enters a final order  
19 determining the adopted amendment to be in compliance.  
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22                                   **[Signatures on Next Page]**  
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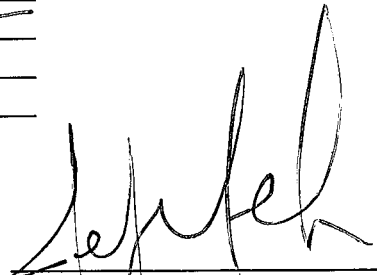
**PASSED ON FIRST READING** this 11th day of December, 2014 on a motion

made by Council Member Breitkreuz and seconded by Council Member McKay.


**PASSED AND ADOPTED ON SECOND READING** this 9th day of April, 2015,

on a motion made by Council Member McKay and seconded by Council Member Jablonski.


Nelson	<u><i>yes</i></u>	Ayes	<u>5</u>
Fisikelli	<u><i>yes</i></u>	Nays	<u>0</u>
Breitkreuz	<u><i>yes</i></u>	Absent	<u>    </u>
Jablonski	<u><i>yes</i></u>	Abstaining	<u>    </u>
McKay	<u><i>yes</i></u>		

  
 \_\_\_\_\_  
 Jeff Nelson, Mayor

Attest:

  
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 Russell Muñiz, MMC, Town Clerk

Approved as to Form and Correctness:

  
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 Keith M. Poliakoff, J.D., Town Attorney