

ORDINANCE NO. 2021 - 002

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING ARTICLE 110, "CONCURRENCY REVIEW," SECTION 110-111, "PUBLIC SCHOOL CONCURRENCY" OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") TO UPDATE REQUIREMENTS FOR PUBLIC SCHOOL CONCURRENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Third Amended and Restated Interlocal Agreement for Public School Facility Planning in Broward County ("ILA"), to which the Town is a signatory, established a new district-wide Level of Service ("LOS") Standard for the purpose of administering public school concurrency; and

WHEREAS, all signatories are required to amend their comprehensive plans and land development regulations consistent with the new LOS Standard; and

WHEREAS, the Town Council, sitting as the Local Planning Agency, held a duly noticed public hearing on October 22, 2020 and recommended that the Town Council adopt the proposed amendment; and

WHEREAS, the Town Council finds the amendment complies with the ILA and amended Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1: Ratification. 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: ULDC Amendment. ULDC Article 110, "Concurrency Review," is hereby amended as follows:

Sec. 110-111. - Public school concurrency.

* * *

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

(B) *Applications subject to a public school concurrency determination.*

- (1) The town shall not approve an application for a plat, replat, plat note amendment, or any site plan with a residential component (hereafter referred to as "application[s]") that generates one (1) or more students, or is not exempt or vested from the requirements of public school concurrency, until the school board has reported that the school concurrency requirement has been satisfied. Residential development of up to four (4) single-family residences exempted in subsection ~~170-010(13)~~120-010(B) from the site plan approval requirement shall constitute a site plan for the purpose of this section.

* * *

(F) *Level of service standards.*

- (1) School Type A is a bounded elementary, middle or high school that has the equivalent of at least 10% of its permanent FISH capacity available onsite in relocatables. The LOS for School Type A shall be 100% gross capacity (including relocatables).~~The level of service standard (LOS) shall be one hundred (100) percent of gross capacity (with relocatable classrooms) for each concurrency service area until the end of the 2018/19 school year; and commencing at the 2019/20 school year, the LOS for each CSA shall be one hundred and ten (110) percent of permanent FISH capacity.~~
- (2) School Type B is a bounded elementary, middle or high school that has less than the equivalent of 10% of its permanent FISH capacity available onsite in relocatables. The LOS for School Type B shall be 110% permanent FISH capacity.
- (3) The LOS shall be achieved and maintained within the period covered by the five-year schedule of capital improvements contained in the effective five-year adopted District Educational Facilities Plan (DEFP).

* * *

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

Section 4: Conflict. 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.

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

Section 5: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

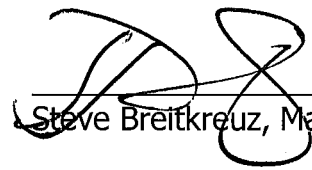
Section 6: Effective Date. This Ordinance shall take effect upon the effective date of Ordinance No. 2021-003 (Plan Amendment Application No. PA-20-6).

PASSED ON FIRST READING this 22nd day of October, 2020 on a motion made by Ym Jablonski and seconded by Vice Mayor Schraeder.

PASSED AND ADOPTED ON SECOND READING this 28th day of January, 2021, on a motion made by Ym Jablonski and seconded by Vice Mayor Hartmann.

Breitkreuz	<u>Yes</u>
Hartmann	<u>Yes</u>
Allbritton	<u>Yes</u>
Jablonski	<u>Yes</u>
Kuczenski	<u>Yes</u>

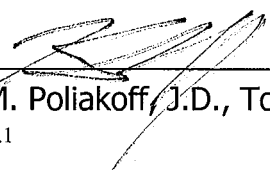
Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>


Steve Breitkreuz, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:


Keith M. Poliakoff, J.D., Town Attorney
37601761.1

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