

ORDINANCE NO. 2021 - 003

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE PUBLIC SCHOOL FACILITIES AND CAPITAL IMPROVEMENT ELEMENTS OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN TO UPDATE THE LEVEL OF SERVICE STANDARD FOR PUBLIC SCHOOL FACILITIES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-6)

WHEREAS, the Town Council of the Town of Southwest Ranches, Florida ("Town Council") approved the Third Amended and Restated Interlocal Agreement for Public School Facility Planning in Broward County ("ILA") on November 9, 2017, pursuant to Resolution No. 2018-006; and

WHEREAS, the 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 of the Town of Southwest Ranches, recommended approval of the amendment after conducting a duly noticed public hearing on October 22, 2020.

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

Section 1: Adoption of Recitals. 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: PSFE Amendment. That Policy 1.2-c of the Public School Facilities Element of the adopted Town of Southwest Ranches Comprehensive Plan is hereby amended as follows:

PSFE Policy 1.2-c: The adopted level of service standard shall be as follows: ~~100 percent of gross capacity (with relocatable classrooms) for each CSA until the end of the 2018/19 school year; and commencing at the 2019/20 school year, the LOS~~

~~for each CSA shall be 110 percent of permanent FISH capacity for each public elementary, middle and high school.~~

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).

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.

The LOS shall be achieved and maintained within the period covered by the five-year schedule of capital improvements.

Section 3: CIE Amendment. That Policy 1.2-b of the Capital Improvement Element of the adopted Town of Southwest Ranches Comprehensive Plan is hereby amended as follows:

~~CIE Policy 1.2-b: The uniform, district-wide LOS shall be as follows: 100 percent of gross capacity (with relocatable classrooms) for each CSA until the end of the 2018/19 school year; and commencing at the 2019/20 school year, the LOS for each CSA shall be 110 percent of permanent FISH capacity for each public elementary, middle, and high school.~~

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).

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.

The LOS shall be achieved and maintained within the period covered by the five-year schedule of capital improvements.

Section 4: Transmittal. That the Town Planner is hereby directed to transmit the amendments set forth herein to the State Land Planning Agency immediately following first reading of this Ordinance, and is hereby directed to transmit the adopted amendments immediately following the second and final reading of this Ordinance.

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

Section 5: Conflicts. 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.

Section 6: 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.

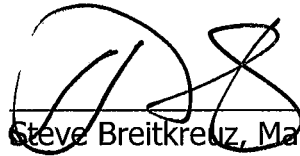
Section 7: Effective Date. This Ordinance shall take effect 31 days after the Department of Economic Opportunity notifies the Town that the plan amendment package is complete, unless timely challenged pursuant to sec. 163.3184(5), F.S., in which case the Ordinance shall take effect on the date that the Department of Economic Opportunity or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

PASSED ON FIRST READING this 22nd day of October 2020 on a motion made by Council Member Jablonski and seconded by Vice Mayor Schroeder.

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

Breitkreuz	<u>Yes</u>	Ayes	<u>5</u>
Hartmann	<u>Yes</u>	Nays	<u>0</u>
Allbritton	<u>Yes</u>	Absent	<u>0</u>
Jablonski	<u>Yes</u>	Abstaining	<u>0</u>
Kuczenski	<u>Yes</u>		

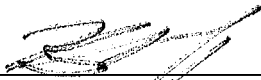
(Signatures on Following Page)


Steve Breitkreuz, Mayor

Attest:


Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:


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