



Town of Southwest Ranches Comprehensive Plan Advisory Board Meeting Agenda

February 16, 2023
7:00 pm

13400 Griffin Road
Southwest Ranches, FL 33330

Board Members

Joseph Altschul
Jason Halberg
Newell Hollingsworth
Anna Koldys
George Morris
Lori Parrish
Robert Sirota

Council Liaison

Steve Breitzkreuz

Staff Liaison

Emily Aceti

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment: Items relating to the Comprehensive Plan but not on the agenda
5. Old Business
 - A. Approval of minutes for January 2023
 - B. Review of Comprehensive Plan
 - I. Reconsideration of removing #7 Section 10 Part III of Element on Page 77
 - II. Review of revised language on IIE on Page 51
 - C. Review of Draft Fireworks Ordinance
6. New Business
7. Board Member / Staff Comments and Suggestions
8. Items for Next Meeting
9. 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 BOARD OR COMMITTEE 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.



Town of Southwest Ranches Comprehensive Plan Advisory Board Meeting Minutes

January 19, 2023
7:00 PM

Town Hall
13400 Griffin Road

Call to Order

Roll Call

Joseph Altschul - Present
 Jason Halberg - Present
 Newell Hollingsworth - Present
 Anna Koldys - Absent
 George Morris - Present
 Lori Parrish - Present
 Robert Sirota - Present

Also present: **Town Council:** Mayor Steve Breitkreuz, Vice Mayor Jim Allbritton, Council Member Bob Hartmann, Council Member Gary Jablonski, Council Member David Kuczenski, Town Planner Jeff Katims, Community Services Manager Emily Aceti (via phone), John Steven Gurate

Pledge of Allegiance

Motion: To elect Joseph Altschul as Chair.

Result	1 st	2 nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>NH</i>	<i>GM</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To elect Jason Halberg as Vice Chair.

Result	1 st	2 nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>GM</i>	<i>LP</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To elect Robert Sirota as Recording Secretary.

Result	1 st	2 nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>LP</i>	<i>GM</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To approve the November 2022 meeting minutes.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>LP</i>	<i>NH</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To defer reconsideration of removing #7 Section 10 Part III of Element on Page 77 to the next meeting.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>NH</i>	<i>GM</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To add the description to each revision 2003-7 through 2013-06.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>NH</i>	<i>LP</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To amend the definition of "Dwelling" by striking through the following language: ~~"...including nontransient rental units contained in a multi-unit structure or complex or liveboard vessels."~~

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>NH</i>	<i>LP</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To recommend to the Town Council that the definition of "Granny Flat" by included in the Town's Code of Ordinances.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Failed</i>	<i>NH</i>								

Motion: To add specific language from the full UDLC definition of "Net Acre" to the "Net Acre" definition in the Comprehensive Plan.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Withdrawn</i>	<i>JH</i>								

Motion: To add "equestrian" to the "Neighborhood Park" definition.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>LP</i>	<i>GM</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To add "BCLUP" to list of acronyms.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>JH</i>	<i>RS</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To extend the meeting 10 minutes.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>JH</i>	<i>LP</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To approve the definitions as amended, with the exception of IIE on page 51.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>NH</i>	<i>JH</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To extend the meeting five more minutes.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>JH</i>	<i>LP</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To review draft fireworks ordinance with penalties at the next meeting.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>NH</i>	<i>JH</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Items for Next Meeting:

- Reconsideration of removing #7 Section 10 Part III of Element on Page 77
- Review of revised language on IIE on Page 51
- Review of Draft Fireworks Ordinance

Motion: To adjourn.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	RS
<i>Passed</i>	<i>JH</i>	<i>JA</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Meeting Adjourned at 9:15 PM

AGENDA ITEM 5. B. I. (Review of Comprehensive Plan; Reconsideration of removing #7 Section 10 Part III of Element on Page 77

10. RURAL RANCHES CATEGORY

Areas are designated Rural Ranches on the Town's County Land Use Plan Map to protect the semi-rural character and lifestyle of existing low density rural ranch areas. Rural ranch areas are characterized by residential estates, horse ranches and related agricultural uses. The maximum permitted density within this category is one unit per two and one-half acres (measured per the definition of gross acreage) or one unit per two acres (measured per the definition of net acreage). Limited community facility and utility uses are permitted for the purposes of serving the rural ranch communities. Application of flexibility/reserve units and commercial flexibility is not permitted within areas designated Rural Ranches.

~~Part 3 of this Element, "Plan Implementation" provides for nonconforming lots within the Rural Ranches land use category. Within the Rural Ranches land use category, a legal nonconforming lot shall not be separately conveyed, nor shall any dwelling be constructed upon such lot, unless the lot has not, at any time subsequent to the original adoption of this Comprehensive Plan, been under common ownership with a contiguous lot or lots that, if combined, would form a single conforming lot. However, this rule shall not apply "Developed Areas" as set forth in the Future Land Use Implementation, Section C "Lot Size / Density Exceptions" subsection B.~~

Uses permitted in areas designated Rural Ranches are as follows:

- A. Dwelling units at a maximum density of one (1) unit per two (2) net acres or two and one-half (2.5) gross acres with no clustering permitted and a minimum plot width of one hundred twenty-five (125) feet.
- B. Home Office ~~(note: no employees or signage is permitted)~~ and other uses accessory uses which are normally subordinate to a dwelling unit.
- C. Open Space and Recreation uses designed to serve the residential area.
- D. Community facilities designed to serve the Town's rural residential areas, subject to the permitted uses in the Community Facilities land use category and provisions of Objective 1.12, excluding Category (2) and Category (3) Special Residential Facilities. Community facilities other than public schools shall not exceed five (5) acres in size. ~~(BCPC-Prev. Cert. #9)~~
- E. Public utilities limited to ~~water and wastewater treatment plants,~~ pumping stations, wireless telecommunications facilities, ~~and utility easement~~ electrical substations and electric transmission lines, and drainage facilities and structures, up to five (5) acres in size.

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- F. Agricultural uses including, but not limited to, cultivation of crops, groves, thoroughbred and pleasure horse ranches, private game preserves, fish breeding areas, tree and plant nurseries, cattle ranches and similar activities.
- G. Communication and telecommunication transmission lines ~~and easements~~. Wireless telecommunication antennas and accessory equipment are permitted on Town-owned properties and as providedrequired by law.

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[Referenced provision in Part 3]

c. Lot Size/Density Exceptions

This section sets forth exceptions for the construction of a single-family detached dwelling on a lot or parcel of record that is not in compliance with this Plan with regard to maximum density/minimum lot size and minimum lot dimensions. In all cases, it shall be the responsibility of the applicant to provide evidence of compliance with the listed exceptions.

- A. In the Rural Estates designation, a single-family detached dwelling may be constructed on a lot or parcel that is less than one (1) gross acre in area if the lot or parcel:
 - a. Contains thirty-five thousand (35,000) square feet or more in area and is not less than one hundred twenty-five (125) feet in width;
 - b. Was of public record prior to September 18, 1979;
 - c. Has not been at any time Since September 18, 1979, contiguous with another plot or plots in common ownership, which could be combined into a single-family plot of at least one (1) gross acre;
 - d. Is included within an approved plat in which the average density is not more than one (1) dwelling unit per gross acre;
 - e. Is located within a Developed Area as specified in C. (below).
 - f. Was a plot, which was recorded prior to January 1, 1973, and contained thirty-five thousand (35,000) square feet or more in area before being reduced in size due to dedication for right-of-way, resulting in a plot of at least one-hundred twenty-five (125) feet in width and thirty-thousand (30,000) square feet in net area. Said plot shall not be further subdivided.

- B. In the Agricultural and Rural Ranch designations, a single-family detached dwelling may be constructed on a lot or parcel that is less than two (2) net acres or two and one-half (2.5) acres in area if the lot or parcel:
- a. Is specifically designated on a plat approved by the Board of County Commissioners prior to May 16, 1979;
 - b. Was of public record prior to May 16, 1979, and has not been at any time since the effective date of Broward County Ordinance No. 79-34 (May 30, 1979) contiguous with another plot or plots in common ownership that could be combined into a single plot of at least two (2) net acres, and which has received the approval of the applicable agency for a sewage disposal system;
 - c. Within the Rural Ranches designation only, contains a minimum area of eighty thousand (80,000) square feet in net area, and was a plot of record as of February 8, 1993.
 - d. Is located within a Developed Area as specified below.
- C. Developed Areas: Development of one (1) single-family dwelling on a lot or parcel of land located within a developed area as defined below that has a density that is consistent with the established ~~density~~density of the developed area within which it is located, shall be in substantial conformity with the Town of Southwest Ranches Land Use Plan. For the purpose of this provision, a developed area means any portion of a residential zoning district in which the predominant density has been established by existing, lawful buildings, a lawful subdivision prior to May 8, 2003, which is the date of adoption of this Comprehensive Plan.

AGENDA ITEM 5. B. II. (Review of revised language on IIE on Page 51)

II.E LAND USE PLAN AMENDMENT PROCEDURES

The Town's Comprehensive Land Use Plan may be amended by a 5-0 vote of the Town Council and in accordance with the procedures and requirements for plan amendments set forth in F.S. ch. 163 Part II. Additionally, an amendment may require recertification by the Broward County Planning Council before becoming effective under the rules of the countywide land use plan in the manner provided by the Broward County Charter and the Florida Government Comprehensive Planning and Land Development Regulations Act.

ORDINANCE NO. 2023 -

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES, BY CREATING CHAPTER 11 ENTITLED, "MISCELLANEOUS OFFENCES," ARTICLE 1, "FIREWORKS;" PROHIBITING THE USE OF FIREWORKS WITHOUT A TOWN PERMIT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS,; and

WHEREAS,; and

WHEREAS,; and

WHEREAS,.

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct, and are hereby incorporated herein and made a part hereof.

Section 2. Chapter 11 entitled, "Miscellaneous Offenses," Article 1 entitled, "Fireworks" is hereby created.

Section 3. Section 11-1 entitled, "Scope and applicability" is hereby created to read as follows:

- (A) This article governs the discharge of products defined as fireworks in F.S. 791.01, as may be amended from time to the extent authorized, or which may be authorized, by Florida law.
- (B) The terms, "discharge," "use" and "display" may be used interchangeably in this article.

Section 4. Section 11-2 entitled, "Permit required" is hereby created to read as follows:

Ordinance No. 2023-____

New text is underlined and deleted text is ~~stricken~~

It is unlawful for any person to discharge fireworks within the Town of Southwest Ranches without a permit issued pursuant to this article.

Section 5. Section 11-3 entitled, "Permit process" is hereby created to read as follows:

- (A) An application for permit shall be submitted to the town no later than 20 days before the intended date of fireworks discharge.
- (B) The permit application shall be made on a form designated by the town for this purpose, and shall contain all of the information and include all documentation required on the form, including a certificate of insurance naming the town as additional insured in the amount of at least \$1,000,000 for bodily injury and \$100,000 for property damage per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to the location of the fireworks display or the general aggregate shall be twice the occurrence limit. The insurance shall cover or be endorsed to cover liability arising from the proposed event, and the liability assumed by the permit applicant.
- (C) The town shall provide notification, by certified mail, to the owners of all properties within 500 feet of the proposed fireworks discharge after receipt of a complete application. The notification shall advise each recipient of their right to submit comments on the application within a specified time period, which shall not be less than 10 calendar days following mailing of the notices.
- (E) The town administrator shall evaluate the application and any objections received from noticed property owners and any others within the general area of the proposed fireworks display. The administrator shall issue the permit within 20 days of the filing of a complete application upon finding that the application satisfies the following requirements after consideration of the application and feedback received from area residents and property owners:
 - (1) The location of the proposed fireworks display will:
 - a. Occur at least 1,000 feet from a property with one or more horses or livestock;
 - b. Occur at least 150 feet from any street, roofed structure, or flammable gases or liquids, including, but not limited to, tanks of gasoline, oil, propane, and/or oxygen;
 - (2) The location or manner of display will not result in sparks or any portion of the fireworks landing upon the property of another person without

that property owner's express written permission.

- (3) The location and manner of display will not present a danger to the public health, safety or welfare.
- (F) In issuing a permit, the town administrator may impose reasonable conditions that the administrator deems necessary or appropriate to ensure compliance with the criteria in this section. Such conditions may include, but are not limited to, a requirement for fire department overwatch during the firework display at the applicant's expense.
- (G) Denial of a permit application by the town administrator shall be in writing, and shall state the reason for denial.
- (H) Denial of a permit application may be appealed in accordance with Article 135 of this code.

Section 6. Section 11-4 entitled, "Effect of permit" is hereby created to read as follows:

- (A) The permit shall be valid only for the date(s) specified on the application.
- (B) The permit shall be null and void if wind velocity exceeds 25 miles per hour at the specified time for which the permit authorizes the use of fireworks.

Section 7. Section 11-5 entitled, "Penalties" is hereby created to read as follows:

- (A) Provision of false information on an application for permit is a violation of this code.
- (B) In addition to, and notwithstanding, any procedure, penalty or other sanction allowed by law, the use of fireworks without a permit or in violation of the terms of a permit constitutes an irreparable and irreversible offense, and as such is subject to a maximum fine as delineated in Section 162.09(2)(d), as may be amended from time to time.

Section 8 Codification. The Town Clerk shall cause this ordinance to be codified as a part of the ULDC during the next codification update cycle.

Section 9: 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 10: 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 11: Effective Date. This Ordinance shall take effect immediately upon passage and adoption.

PASSED ON FIRST READING this ____ day of _____, 2023 on a motion made by _____ and seconded by _____.

PASSED AND ADOPTED ON SECOND READING this ____ day of _____, 2023, on a motion made by _____ and seconded by _____.

Breitkreuz _____
Allbritton _____
Hartmann _____
Jablonski _____
Kuczenski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, J.D., Town Attorney

Ordinance No. 2023-____

New text is underlined and deleted text is ~~stricken~~