



## Town of Southwest Ranches Comprehensive Plan Advisory Board Meeting Agenda

April 18, 2024  
7:00 pm

13400 Griffin Road  
Southwest Ranches, FL 33330

---

### Board Members

Joseph Altschul  
Renee Greene  
Newell Hollingsworth  
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. Public Hearing
  - A. Land Use Amendment Application No. PA-20-8 to change the Future Land Use Map designation of approximately 59 gross acres from Agricultural to US Highway 27 Business -**Withdrawn from Agenda**
6. Old Business
  - A. Approval of minutes for March 2024
  - B. Capital Improvement Element Policies 1.1-c
  - C. Wall Height Ordinance
  - D. Dark Skies Ordinance Discussion
7. New Business
8. Board Member / Staff Comments and Suggestions
9. Items for Next Meeting
10. 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

March 21, 2024  
7:00 PM

Town Hall  
13400 Griffin Road

### Call to Order

#### Roll Call

Joseph Altschul – Absent  
Renee Greene - Present  
Newell Hollingsworth – Present  
Lori Parrish – Present  
Robert Sirota – Present

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

### Pledge of Allegiance

### Discussion: Advisory Board Handbook

#### **Motion: To approve the February meeting minutes.**

<b>Result</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>JA</b>	<b>RG</b>	<b>NH</b>	<b>LP</b>	<b>RS</b>
<i>Passed</i>	<i>NH</i>	<i>RS</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

#### **Motion: To table CIE Policy 1.1-c until the next meeting until reviewed by Town staff and properly formatted for insertion into the Comprehensive Plan.**

<b>Result</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>JA</b>	<b>RG</b>	<b>NH</b>	<b>LP</b>	<b>RS</b>
<i>Passed</i>	<i>NH</i>	<i>RS</i>	<i>Abs</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

#### **Motion: To accept the draft Wall Ordinance as written.**

<b>Result</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>JA</b>	<b>RG</b>	<b>NH</b>	<b>LP</b>	<b>RS</b>
<i>Failed</i>	<i>LP</i>	<i>RG</i>	<i>Abs</i>	<i>Y</i>	<i>N</i>	<i>Y</i>	<i>N</i>

**Motion: To table the draft Wall Height Ordinance.**

<b>Result</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>JA</b>	<b>RG</b>	<b>NH</b>	<b>LP</b>	<b>RS</b>
<i>Failed</i>	<i>NH</i>						

**Motion: To approve the draft Wall Height Ordinance with two conditions: 1.) Any wall that is applied for must have a 5' swale 2.) In SBDD's District, the wall shall have no exits for water except in the back where the swale is.**

<b>Result</b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>JA</b>	<b>RG</b>	<b>NH</b>	<b>LP</b>	<b>RS</b>
<i>Failed</i>	<i>NH</i>						

**Meeting Adjourned**

Emil and I have conferred on Lori's proposed changes. Here are our comments:

**CIE POLICY 1.1-c:** The following standards regarding debt service payment per annum shall be adhered to, ~~where feasible~~: The total debt service payment per annum shall not exceed 15% of the Town's total revenues per annum. The average annual bond maturities shall not exceed 15 years. Debt payment shall not exceed 30 years.

Ok as proposed.

**CIE POLICY 1.1-d:** The Town Council shall not approve any bond issue or refinancing of a bond with a call date.

Although a "call date" may be a deterrent in proceeding with a bond issue or refinance, including language such as "shall not approve" could hinder the Town's ability to issue/refinance debt that would be beneficial to the Town under certain conditions. For example, the Series 2021 bond refinance included a call date. In doing so, the Town was able to reduce the rate to 1.92% for the following 10 years (Call date is 2031) thus reducing interest cost by over \$600K during this period. In the event TD Bank exercises the call date option, the Town can renegotiate the rate with TD Bank or refinance the loan with another institution for the remaining 5 years. For this reason, we would recommend the following changes (capital letters) to the proposed language:

The Town Council shall ONLY not approve any A bond issue or refinancing of a bond with a call date AFTER A DEBT CAPACITY ANALYSIS IS PREPARED AND BOND ISSUE OR REFINANCE IS DETERMINED TO BE FEASIBLE AS WELL AS A COST BENEFIT ANALYSIS THAT HIGHLIGHTS THE TOWN'S BENEFITS WHEN COMPARED WITH A NON-CALL DATE LOAN. To explain further, not considering a bond issue or refinancing of a bond with a call date may not be in the Town's best interest and should be determined by the Town Council after analysis by the Town Financial Administrator, Town Administrator, and Town Attorney.

**CIE POLICY 1.1-e:** The Town Council shall not approve any bond issue or refinancing of a bond with a prepayment penalty.

Ok as proposed.

**CIE POLICY 1.1-c:** The Town Council shall not approve any refinancing of a bond issue longer than the term of the original debt. (Example: If refinanced in year six (6), the term of the debt shall not exceed nine (9) years.)

Ok as proposed with minor changes. See CAPs.

The Town Council shall not approve any refinancing of a bond issue longer than the term of the original debt. (Example: If A LOAN WITH A MATURITY DATE OF 15 YEARS IS refinanced in year six (6), the term of the REFINANCED debt shall not exceed nine (9) years).

**CIE POLICY 1.1-c:** The Town Council should review its fiscal policies and procedures annually in a workshop format.

We would recommend the following changes (CAPs) to the proposed language:

The Town Council should review its fiscal policies and procedures annually DURING THE BUDGET PROCESS AND PRESENT ANY PROPOSED/RECOMMENDED CHANGES AT THE BUDGET WORKSHOP.~~in a workshop format.~~

Let us know if you wish to discuss prior to your meeting.

Regards,

Russell Muñiz, MBA, MPA  
Town Administrator

## CAPITAL IMPROVEMENT ELEMENT

### III.I Capital Improvements Element (CIE)

#### 1. GOALS, OBJECTIVES AND POLICIES

##### CIE GOAL 1

**ENSURE THAT THE INFRASTRUCTURE NECESSARY TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC IS PROVIDED IN A TIMELY AND EFFICIENT MANNER, AND THAT PUBLIC FACILITIES ARE MAINTAINED AT OR ABOVE THE LEVEL OF SERVICE STANDARDS ADOPTED IN THIS PLAN.**

~~{9J-5.016(3)(a)}~~

##### CIE OBJECTIVE 1.1

**THE TOWN SHALL DEVELOP AND CONTINUOUSLY IMPROVE A PROCESS THAT GUIDES THE CAPITAL FACILITY PLANNING OF THE TOWN IN ORDER TO:**

1. Accommodate projected growth, maintain existing facilities, replace obsolete or deteriorated facilities.
2. Coordinate future land use decisions and fiscal resources with a schedule of capital improvements which maintain adopted LOS standards.
3. Upgrade public infrastructure serving developed lands that do not currently meet LOS standards.
4. Remain fiscally responsible.

~~{9J-5.016(3)(b)(1,3 &5)}~~

Measurement: Annual update of a 5 year schedule of capital improvements.

**CIE POLICY 1.1-a:** Public facilities and services needed to support development will be provided concurrent with the impacts of development, as measured by the Town's adopted LOS standards. The LOS standards are as established in other elements of the Comprehensive Plan, as follows:

- potable water: UE Policy 1.2-m;
- wastewater: UE Policy 1.2-z
- drainage: UE Policy 1.1-g
- solid waste: UE Policy 1.1-f
- traffic: TE Policy 1.1-l and TE Policy 1.1-m
- parks and recreation: ROS Policy 1.2-a
- public school facilities: PSFE Policy 1.2-c

- water quality: UE Policy 1.1-h

**CIE POLICY 1.1-b:** All capital improvement projects shall meet an initial objective standard test of furthering the Town's Comprehensive Plan, providing necessary infrastructure replacement/renewal, correcting existing deficiencies, maintaining adopted LOS and providing facilities concurrent with development. Prioritizing and funding of all projects shall be based on the nature of funds available.

~~{9} 5.016(3)(c)(1,3-6 & 7)~~

**CIE POLICY 1.1-c:** The following standards regarding debt payment service per annum shall be adhered to, ~~where feasible~~: The total debt service shall not exceed 15% of the Town's total revenues per annum. The average annual bond maturities shall not exceed 15 years. Debt payment shall not exceed 30 years.

~~{9} 5.016(3)(c)(2)~~

**CIE POLICY 1.1-d:** The Town Council shall not approve any bond issue or refinancing of a bond issue with a call date.

**CIE POLICY 1.1-e:** The Town Council shall not approve any bond issue or refinancing of a bond issue with a prepayment penalty.

**CIE POLICY 1.1-f:** The Town Council shall not approve any refinancing of a bond issue that extends the term of the original debt.

**CIE POLICY 1.1-g:** The Town Council should review its fiscal policies and procedures annually in a workshop format.

**CIE POLICY 1.1-dh:** The Town Council shall annually monitor, evaluate, adopt and prioritize the implementation of a 5-year schedule of capital improvements.

~~{9} 5.016(3)(c)(7)~~

**CIE POLICY 1.1-ej:** ~~All future developments~~ A developer shall be responsible for construct paying proportionate fair share of the cost of all public facilities and improvements thereto required to accommodate the portion of their development's impact ~~project's impact without that exceeds~~ exceeding the adopted level of service standards. Alternatively, the Town may accept payment in lieu of construction if the applicable improvement is programmed in the CIP. Administration of this policy shall be in compliance with requirements in F.S. 163.3180, as may be amended from time to time.

**CIE Policy 1.1-fj:** The Town shall annually update the five year capital improvements schedule included in this element as provided by law in order to

adjust the five year planning horizon, reflect project status, and ensure the Town's ability to meet its adopted level of service standards.

**CIE Policy 1.1-~~gk~~**: The five year schedule of capital improvements shall reflect the current City of Sunrise 10-Year Water Supply Facilities Work Plan, adopted (Amendment No. ~~1520-102~~ESR, ~~January-July 1420~~, 20~~1520~~), and the capital projects described therein for the purposes of ensuring that adequate water supply will be provided for the limited number of properties that are or will be served by City of Sunrise.

**CIE Policy 1.1-~~hl~~**: The Town hereby adopts by reference the Cooper City 10-year Water Supply Facilities Work Plan (Amendment No. ~~1520-01~~ESR, ~~December August 3025~~, 20~~1420~~) as incorporated and adopted in the Infrastructure Element of its Comprehensive Plan and the capital improvement projects contained therein.

**CIE POLICY 1.1-~~im~~**: The Town shall include in its land development regulations provisions to implement a proportionate fair-share mitigation system for transportation per the requirements of s. 163.3180, Florida Statutes.

## SCHOOL CAPITAL FACILITIES PLANNING

### CIE Objective 1.2

**THE TOWN, IN COLLABORATION WITH THE SCHOOL BOARD, BROWARD COUNTY AND THE LOCAL GOVERNMENTS WITHIN BROWARD COUNTY, SHALL ENSURE THAT PUBLIC SCHOOL FACILITIES ARE AVAILABLE FOR CURRENT AND FUTURE STUDENTS CONSISTENT WITH AVAILABLE FINANCIAL RESOURCES AND THE ADOPTED LEVEL OF SERVICE (LOS).**

Measurement:

- School enrollment projections compared to the School District's Adopted Five-Year District Educational Facilities Plan (DEFP)

**CIE Policy 1.2-a:** Consistent with policies and procedures within the Amended Interlocal Agreement for Public School Facility Planning (ILA), the DEFP shall contain a five year financially feasible schedule of capital improvements to address existing deficiencies and achieve and maintain the adopted LOS in all concurrency service areas (CSAs). Pursuant to the ILA, this financially feasible schedule shall be updated by the School Board on an annual basis. The Town's five-year schedule of capital improvements shall reflect each annual DEFP update.



**CIE Policy 1.2-b:** Pursuant to the ILA, ~~the~~ uniform, district-wide LOS shall be as follows:

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 at least 10% of its permanent FISH capacity available onsite in relocatables. The LOS for School Type A shall be 110% FISH capacity

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

**CIE Policy 1.2-c:** Pursuant to the ILA, the adopted LOS shall be applied consistently by Broward County, the Town, the municipalities and the School Board, district-wide to all schools of the same type.

**CIE Policy 1.2-d:** The five-year schedule of capital improvements shall reflect the School Board's current DEFP.

### **CIE Objective 1.3**

**FORMALLY RECOGNIZE THE CAPITAL EXPENDITURES OF OTHER AGENCIES THAT PROVIDE CAPITAL FACILITIES UPON WHICH THE TOWN OF SOUTHWEST RANCHES RELIES TO MEET ADOPTED LEVEL OF SERVICE STANDARDS.**

Measurement:

- Annual review and update of implementing policies as appropriate to reflect changes to capital facility plans upon which the Town of Southwest Ranches relies to meet adopted level of service standards.

**CIE Policy 1.3-a:** In order to ensure that adopted level of service standards for the transportation system are maintained, the Town of Southwest Ranches five year schedule of capital improvements shall reflect the following plans and programs as updated annually, to the extent that such improvements are required in order to maintain the Town's adopted levels of service for transportation facilities:

- Broward County Capital Improvements Program
- Broward County MPO Transportation Improvement Program
- Broward County MPO Cost Feasible Long-Range Transportation Plan
- FDOT's Adopted Work Program

**CIE Policy 1.3-b:** In order to ensure that adopted level of service standards for the parks and recreation system continue to be maintained, the Town of Southwest Ranches five year schedule of capital improvements shall reflect the current Broward County Capital Improvements Program to the extent that such improvements are required in order to maintain the Town’s adopted level of service standard for parks.

**CIE Policy 1.3-c:** In order to ensure that adopted level of service standards for the countywide public school system are maintained, the Town of Southwest Ranches five year schedule of capital improvements shall reflect the current Broward County School District’s Adopted Five-Year District Educational Facilities Plan.

**CIE Policy 1.3-d:** In order to ensure that adopted level of service standards for the solid waste disposal system continue to be maintained, the Town of Southwest Ranches five year schedule of capital improvements shall reflect the current Broward County Capital Improvements Program.

**2. CAPITAL IMPROVEMENT IMPLEMENTATION**

**THE TOWN OF SOUTHWEST RANCHES SHALL CONTINUE TO CONSIDER THE FOLLOWING:**

- 1. Pursue alternative methods for protecting, preserving and enhancing the Town’s rural lifestyle.
- 2. ~~Any~~ Coordinate Town–developed tertiary drainage systems ~~–must be coordinated~~ with the Central Broward Water Control District and the South Broward Drainage District.
- 3. Pursue discussions with government authorities in order to develop methods to protect the integrity of 8 archeological sites (LAPC) in environmentally sensitive areas, as designated by the Broward County Board of County Commissioners.
- 4. Evaluate the public benefits of annexing lands into the Town.
- 5. Maintain Land Development Code regulations which are consistent with the adopted comprehensive plan.
- 6. Explore methods of obtaining funds for purchasing and constructing public passive open space and trails.
- 7. Explore possibilities of securing funds for improving traffic capacity on Griffin Road and constructing 184th Avenue.
- 8. Encourage removing Dykes Road and S.W. 172nd Avenue as major collector roadways between Griffin Road and Sheridan Street and initiate amendments to Broward County Trafficways Plan ~~MPG~~.
- ~~9. Encourage enforcement of the Town’s current land development regulations.~~
- ~~910. Reserved. Analyze the 2010 Census data and evaluate the Comprehensive Plan to reflect new data.~~
- ~~1011.~~ 1011. Develop and maintain a tertiary drainage plan for all the areas within ~~our~~ the Town.
- ~~1112.~~ 1112. Adopt a procedure for upgrading and increasing landscaping along all major arterial roadways and designated multi-use Greenways to conform to Xeriscape landscape requirements.

~~13. The Evaluation and Monitoring System shall include an annual report of its five year capital improvements element to determine the status of its existing programs or any new programs.~~

124. Implement the capital improvements identified in this Comprehensive Plan as may be updated from time to time.

135. ~~Determine~~ Determine ~~The Town shall determine the~~ feasibility of constructing a Comprehensive Mitigation Bank in lieu of preserving and enhancing individual isolated wetlands.

## Five Year Capital Improvement Plan All Funds Project Expenditure Summary FY 2024 - FY 2028

FUND		FY 2024		FY 2025		FY 2026		FY 2027		FY 2028		Total
		AMT	FUNDING SOURCE	AMT	FUNDING SOURCE	AMT	FUNDING SOURCE	AMT	FUNDING SOURCE	AMT	FUNDING SOURCE	
<b>FUND</b>	<b>General Fund Total</b>	<b>FY 2024</b>	-	<b>FY 2025</b>	-	<b>FY 2026</b>	-	<b>FY 2027</b>	-	<b>FY 2028</b>	-	
	Fire Wells Replacement and Installation	20,000	FA	20,000	FA	20,000	FA	20,000	FA	20,000	FA	100,000
	Town Hall Multi-Purpose Storage Building	50,000	ARPA	-	NF	-	NF	-	NF	-	NF	50,000
	Public Safety Facility\Emergency Operations Center (EOC)	430,500	ARPA	-	NF	-	NF	-	NF	7,600,000	NF	8,030,500
	Dykes Road Piping	514,780	ARPA	-	NF	-	NF	-	NF	-	NF	514,780
	GF-FB	1,058,293	ARPA	-	NF	-	NF	-	NF	-	NF	1,058,293
<b>FUND</b>	<b>Capital Projects Fund Total</b>											
	SW Meadows Sanctuary Park - Grant Requirements	45,000	CIP-FB	308,031	NF	318,406	NF	318,406	NF	318,406	NF	1,308,249
	Rolling Oaks Passive Open Space Park Parking Area Lighting	45,000	NF	-	NF	-	NF	-	NF	-	NF	45,000
	Town Wide Parks Master Plan	50,000	NF	-	NF	-	NF	-	NF	-	NF	50,000
	Frontier Trails Conservation Area	125,000	NF	223,500	NF	689,650	NF	841,500	NF	841,500	NF	2,721,150
	Country Estates Fishing Hole Park	150,000	NF	175,000	NF	240,000	NF	229,575	NF	270,425	NF	1,065,000
	Calusa Corners Park	296,000	NF	503,225	NF	195,500	NF	211,000	NF	211,000	NF	1,416,725
<b>FUND</b>	<b>Transportation Fund Total</b>											
	Flashing Speed Limit Signs	66,000	GF Tfr	66,000	GF Tfr	66,000	GF Tfr	-	NF	-	NF	198,000
	Surface and Drainage Ongoing Rehabilitation (TSDOR): Non-Surtax	295,000	GF Tfr	155,000	GF Tfr	155,000	GF Tfr	155,000	GF Tfr	155,000	GF Tfr	915,000
	Southwest Meadows Sanctuary Water Quality and Drainage Project	750,000	G, GF Tfr	-	NF	-	NF	-	NF	-	NF	750,000
	Drainage Improvement Projects: Non-Surtax	1,300,216	G, GF Tfr, TFB	138,000	GF Tfr	138,000	GF Tfr	138,000	GF Tfr	138,000	GF Tfr	1,852,216
	Pavement Striping and Markers	20,000	NF	20,000	NF	20,000	NF	20,000	NF	20,000	NF	100,000
	Guardrails Installation Project	450,000	NF	400,000	NF	205,000	NF	205,000	NF	-	NF	1,260,000
	<b>PROJECT TOTALS</b>	<b>\$5,665,789</b>		<b>\$2,008,756</b>		<b>\$2,047,556</b>		<b>\$2,138,481</b>		<b>\$9,574,331</b>		<b>\$21,434,913</b>

Funding Source Code	Funding Source Name
---------------------	---------------------

ARPA	American Recovery Plan Act
CIP-FB	Capital Projects Fund Fund Balance
FA	Fire Assessment
G	Grant Funding
GF Tfr	General Fund Transfer from Operating Revenues
NF	Not Funded
TFB	Transportation Fund Fund Balance

The following documents are hereby incorporated by reference:

[\\*Broward County Capital Improvement Program for FY 2024-2028](#)

[\\* Broward County Transportation Improvement Program for FY 2024 – 2028](#)

[\\* Broward County MPO Cost Feasible Long-Range Transportation Plan 2045](#)

[\\*FDOT Adopted Work Program FY 2024 – 2028](#)

[\\* City of Sunrise 10-Year Water Supply Facilities Work Plan adopted on July 14, 2020, and the capital projects described therein for the purposes of ensuring adequate water supply. will be provided for the limited number of properties that are or will be served by City of Sunrise.](#)

[\\* Cooper City 10-year Water Supply Facilities Work Plan adopted on August 25, 2020, as incorporated and adopted in the Infrastructure Element of its Comprehensive Plan and the capital improvement projects contained therein.](#)

[\\*District Educational Facilities Plan adopted by the Broward County School Board on September 25, 2023](#)

**ORDINANCE NO. 2024 - XXX**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 10, "DEFINITION OF TERMS," SECTION 010-030, "TERMS DEFINED" AND ARTICLE 45, "AGRICULTURAL AND RURAL DISTRICTS," SECTION 045-030, "GENERAL PROVISIONS" PERTAINING TO FENCE AND WALL HEIGHT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council wishes to clarify the method for measuring structure height, and to ensure that the height of fences and walls is measured from a datum that is not subject to filling by a property owner, thereby increasing the overall height of the wall or fence relative to adjacent properties and rights-of-way; and

**WHEREAS**, the Comprehensive Plan Advisory Board considered the proposed amendments on March 21, 2024 and recommended adoption.

**WHEREAS**, after holding a duly noticed public hearing on \_\_\_\_\_, the Local Planning Agency found the proposed amendments to be consistent with the adopted Town of Southwest Ranches Comprehensive Plan.

**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.** Article 010, "Definition of Terms," Section 010-030, "Terms Defined," is hereby amended as follows:

*Grade, established or grade, finished.* The term "established grade" or "finished grade" means the elevation of land above mean sea level (~~NAVGD 1929~~ NAVD 88), in its final, graded condition.

Ordinance No. 2024-\_\_\_\_

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

\* \* \*

*Height.*

- 1) For all buildings and roofed structures, ~~except as provided below~~, the vertical distance from the highest point of finished grade at the location of the building pad to the highest point of the roof surface for a flat roof, to the deck line for a mansard roof, and to the mean height level between eaves and ridge for gable, hip and gambrel roofs, ~~and to the highest point of any nonroofed structure~~, provided that any portion of the finished grade exceeding ~~ten (10)~~ 8.5 feet NAVGD NAVD 88 shall be included in the height calculation.
- 2) For ~~s~~Signs, ~~as height is defined within~~ article 70, "Sign Regulations."
- 3) For fences, freestanding walls, retaining walls, all other structures, and berms, ~~other than buildings and signs~~, height shall be the vertical distance from the lowest finished grade below abutting the structure or berm to the highest point of the structure or berm; provided that:
  - a. ~~The the height calculation of structures and berms placed within any required yard abutting a public or private street right-of-way on berm shall be measured from the include the height of the berm. finished grade at the public or private right-of-way line of the street. Where a street is not contained within a public or private right-of-way, height shall be measured from the elevation of the edge of street pavement.~~
  - b. The height of structures and berms placed within any required yard abutting a canal shall be measured from the finished grade at the public or private right-of-way line of the canal, except as follows:

When spoil from canal dredging has been deposited primarily on one side of a canal, as determined by the town engineer, height shall be measured from the finished grade at the lower of the opposing right-of-way lines.
  - c. The height measurement of any structure placed on a berm, or placed on property elevated by a retaining wall, shall include the height of the berm or retaining wall. Berms height shall be the vertical distance from the height of the crown of the adjacent street to the top of the berm.
  - d. Walls shall not be designed to allow stormwater to flow onto adjoining properties in violation of Town or drainage district onsite retention standards.



**Section 3.** Article 045, "Agricultural and Rural Districts," Section 045-030, "General Provisions" is hereby amended as follows:

(A) *Fences, walls and hedges.* Fences and walls, not including entrance features, shall be permitted to a maximum height of eight (8) feet ~~above the established grade~~ within any required yard, and in any location on a residential or agricultural plot; provided that a fence enclosing a tennis court or other customary enclosure may be higher if located outside of a required yard. Fences on farms shall be governed by F.S. ch. 588.

**Section 4 Codification.** The Town Clerk shall cause this ordinance to be codified as a part of the ULDC during the next codification update cycle.

**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 immediately upon passage and adoption.

**PASSED ON FIRST READING** this \_\_\_ day of \_\_\_\_\_, 2024 on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

**PASSED AND ADOPTED ON SECOND READING** this \_\_\_ day of \_\_\_\_\_, 2024, on a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_.

Breitkreuz \_\_\_\_\_  
Kuczenski \_\_\_\_\_  
Allbritton \_\_\_\_\_  
Hartmann \_\_\_\_\_  
Jablonski \_\_\_\_\_

Ayes \_\_\_\_\_  
Nays \_\_\_\_\_  
Absent \_\_\_\_\_  
Abstaining \_\_\_\_\_

\_\_\_\_\_  
Steve Breitkreuz, Mayor

Ordinance No. 2024-\_\_\_\_

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

ATTEST:

---

Debra Ruesga, CMC, Town Clerk

Approved as to Form and Correctness:

---

Keith Poliakoff, J.D., Town Attorney

Ordinance No. 2024-\_\_\_\_

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