



Southwest Ranches Town Council

LOCAL PLANNING AGENCY

Agenda of June 26, 2025

Southwest Ranches Council Chambers
7:00 PM Thursday

13400 Griffin Road
Southwest Ranches, FL 33330

<u>Mayor</u>	<u>Town Council</u>	<u>Town Administrator</u>	<u>Town Attorney</u>
Steve Breitkreuz	Jim Allbritton	Russell C. Muñiz, ICMA-CM	Keith M. Poliakoff, J.D.
<u>Vice Mayor</u>	Gary Jablonski	<u>Town Financial Administrator</u>	<u>Town Clerk</u>
Bob Hartmann	David Kuczenski, Esq.	Emil C. Lopez, CPM	Debra M. Ruesga

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (954) 434-0008 for assistance no later than four days prior to the meeting.

1. Call to Order

2. Roll Call

Resolutions

3. LPA Resolution for Outdoor Lighting Ordinance

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LOCAL PLANNING AGENCY"), MAKING A RECOMMENDATION THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") RELATING TO OUTDOOR LIGHTING; PROVIDING FOR AN EFFECTIVE DATE.

4. LPA Resolution for Noncommercial Signs Ordinance

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RECOMMENDING THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO SECTION 070-110 OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") PERTAINING TO NONCOMMERCIAL SIGNAGE; PROVIDING AN EFFECTIVE DATE.

5. LPA Resolution for Outdoor Assembly

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RECOMMENDING THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO SECTION 035-080 OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") PERTAINING TO INDOOR AND OUTDOOR ASSEMBLY IN RURAL AND AGRICULTURAL DISTRICTS; PROVIDING AN EFFECTIVE DATE.

6. Approval of Minutes

a. May 8, 2025 LPA Meeting Minutes

7. 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 COUNCIL 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
13400 Griffin Road
Southwest Ranches, FL
33330-2628
(954) 434-0008 Town Hall
(954) 434-1490 Fax

Town Council
Steve Breitkreuz, Mayor
Bob Hartmann Vice Mayor
Jim Allbritton, Council Member
Gary Jablonski, Council Member
David S. Kuczenski, Esq. Council Member

Russell Muñiz, ICMA-CM, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Debra Ruesga, Town Clerk
Emil C. Lopez, CPM, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Russell Muniz, Town Administrator
FROM: Jeff Katims
DATE: 6/26/2025
SUBJECT: LPA Resolution for Outdoor Lighting Ordinance

Recommendation

Staff recommends that the LPA pass the resolution, thereby transmitting a recommendation to the Town Council that it adopt the ordinance.

A. Sound Governance

Background

The proposed ordinance also establishes a rural lighting corridor along residential streets to further reinforce the Town's desired rural character. The corridor extends 45 feet from the right-of-way line on each side of a street, which accounts for the majority of a required front yard without impacting lights attached to roof overhangs. Lights within the rural lighting corridor must be fully shielded to prevent glare and must use bulbs with a relatively warm color appearance.

{This LPA resolution is being re-read due to advertising issues}

Fiscal Impact/Analysis

The proposed ordinance will not impose additional costs to the Town.

Business Impact/Analysis

Staff Contact:

Jeff Katims

ATTACHMENTS:

Description

Resolution - TA Approved - FINAL

Upload Date

6/18/2025

Type

Resolution

LPA RESOLUTION NO. 2025-004

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LOCAL PLANNING AGENCY"), MAKING A RECOMMENDATION THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") RELATING TO OUTDOOR LIGHTING; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council directed evaluation of the outdoor lighting regulations in the ULDC; and

WHEREAS, outdoor lighting practices that have changed since adoption of the current regulations in 2005; and

WHEREAS, it was determined that the current regulations are not adequate to maintain the Town's rural character and prevent nuisances, and should be amended; and

WHEREAS, the Local Planning Agency finds that the proposed text amendment is consistent with the goals, objectives and policies of the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1. ADOPTION OF RECITALS. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. RECOMMENDATION. The Local Planning Agency recommends that the Town Council adopt the proposed amendment, attached as Exhibit "A" hereto.

Section 3. EFFECTIVE DATE. This Resolution shall be effective immediately upon its passage.

PASSED this 8th day of May, 2025 on a motion made by Council Member Kuczenski and seconded by Vice Mayor Hartmann.

(Signatures on the Following Page)


Breitkreuz YES
Hartmann YES
Allbritton YES
Jablonski YES
Kuczynski YES

Ayes 5
Nays 1
Absent 1
Abstaining 1



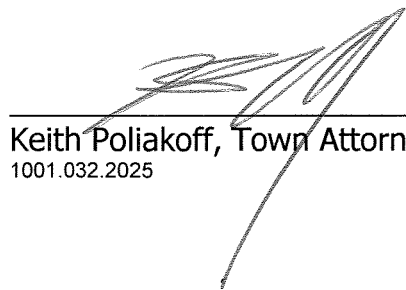
Steve Breitkreuz, Mayor

Attest:



Debra M. Ruesga, CMC, Town Clerk

Approved as to Form and Correctness:



Keith Poliakoff, Town Attorney
1001.032.2025

EXHIBIT "A"
PROPOSED ULDC AMENDMENT

(ATTACHED)

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ARTICLE 95. OUTDOOR LIGHTING STANDARDS

Sec. 095-010. Purpose, intent and applicability.

The purpose and intent of this article is to create lighting standards that preserve the rural character of the town and promote the health, safety and welfare of the residents by establishing maximum intensities of lighting and controlling glare from luminaires lighting fixtures. The provisions of this article shall apply to all permanent outdoor lighting from an artificial light source.

Sec. 095-020. Definitions.

In addition to terms defined in article 10, "Definition of Terms," the following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. In the absence of a specific technical definition, words and phrases shall have those definitions and meanings as provided by the Illuminating Engineering Society of North America.

Area light means ~~light~~ a luminaire that produces more than ~~six hundred (600)~~ six hundred (600) ~~eighteen hundred (1,800)~~ lumens.

Athletic field lighting means any lighting greater than 35 feet in height, utilized to illuminate sports facilities.

Bulb means the light-producing source in a luminaire; a device that produces light upon the application of electricity. Bulbs include, but are not limited to, the following technologies: incandescent; fluorescent; light emitting diode, and noble gasses such as neon.

Correlated color temperature (CCT) is a specification of the color appearance of the light emitted by a bulb, relating its color to the color of light from a reference source when heated to a particular temperature, measured in degrees Kelvin (K). The CCT rating for a lamp is a general "warmth" or "coolness" measure of its appearance. Lamps with a CCT rating below three thousand (3000) K are usually considered "warm" sources, while those with a CCT above three thousand (3000) K are usually considered "cool" in appearance.

Cutoff, full, means a lighting fixture luminaire that emits zero (0) percent of its light above ninety (90) degrees and ten (10) percent above eighty (80) degrees from horizontal.

Directional luminaire means a luminaire that primarily concentrates or exclusively emits light in a specific direction.

Downlighting means light projected below the horizontal plane formed by the bottom of a luminaire.

Floodlight means any light luminaire that produces no more than eighteen hundred (1,800) lumens in a broad beam designed to saturate or illuminate a given area with light. Generally, floodlights produce from one thousand (1,000) to eighteen hundred (1,800) lumens. Floodlights are directional fixtures luminaires.

Footcandle, horizontal means the number of footcandles at a given location measured on the horizontal plane at grade level, with the sensor of the light meter facing up, 180 degrees to the ground.

Footcandle, vertical means the number of footcandles at a given location, at any height above grade level, measured on the vertical plane, with the sensor of the light meter facing 90 degrees to the ground.

Glare means light entering the eye directly from a luminaire or reflection the sensation produced by lighting that results in annoyance, discomfort or a reduction of visual performance and visibility, and includes direct and reflected glare. All Directional fixtures luminaires, and any fixture-area lights that are not fully shielded and the reflection of any luminaire with an output of more than eighteen hundred (1,800) lumens that is visible, either directly or by reflection, from onto adjacent properties or streets shall be considered to cause glare.

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Luminaire, also known as a light fixture, means an electrical lighting device containing one or more light sources, such as bulbs, and all the accessory components required for its operation to provide illumination to the environment. All luminaires have a body and one or more bulbs.

Lumens is a term that is used in this article to describe the amount of light that a luminaire produces, measured at the light source.

Outdoor lighting means lighting located outside of an enclosed building, or otherwise installed in a manner that lights any area other than the inside of an enclosed building.

Residential and agricultural recreational lighting means fixtures luminaires of a type or intensity designed or used to light sports courts or equestrian riding areas within a residential zoning district.

Spotlight means any lighting assembly luminaire designed to direct the output of a contained lamp bulb in a specific, narrow and focused beam, with a reflector located external to the lamp bulb, or any floodlight in excess of eighteen hundred (1800) lumens. Spotlights are directional fixtures luminaires.

Shielded luminaire, fully means a luminaire within which all bulbs are fully shielded from view.

Stadium lighting. See "Athletic field lighting."

Strip light means a linear, tube-like or ribbon-like luminaire that produces a linear lighting effect, typically used in exterior applications as accent or decorative lighting.

Temporary lighting means portable lights used for a special purpose, on a temporary and rare or infrequent basis, limited to motor vehicle lights during the normal operation of the vehicles, emergency services lights and handheld flashlights and spotlights.

Uplighting means light projected above the horizontal plane formed by the top of a fixture luminaire.

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Sec. 095-030. Prohibited outdoor lighting Regulations.

The following types of lighting are prohibited:

(A) Uplighting and downlightings, unless is limited to eighteen hundred lumens as follows:

(1) Only directional luminaires may be used.

(2) Uplights and either shall be shielded by an architectural overhang or landscape element unless, or used to illuminate the flag of the United States of America, or a freestanding sign when authorized in Article.

(B) Area lights other must be than those with full cutoff fixtures luminaires.

(C) Any directional light with a bulb visible from lighting that results in glare onto an adjacent properties or streets is prohibited; provided that fixtures luminaires activated only when motion is detected within the property upon which they are located may cause glare if the fixture luminaire shuts off within one five (15) minutes of being activated, is not aimed at any residential window or other translucent surface on an adjacent property, and is not consistently activated by human activity or animal activity for more than fifteen (15) minutes in any sixty (90) minute period after 11:00 p.m. Motion-activated directional luminaires that are not shielded shall be programmed for a sensitivity level that avoids unnecessary activation when not needed, and shall be maintained to ensure there is no malfunction.

(D) Athletic field lighting Luminaires shall not be mounted at a height greater than thirty-five (35) feet.

(E) Area lights shall be full cutoff.

(F) The following regulations apply to all luminaires within forty-five (45) feet of a street line:

a. Area lights shall be fully shielded.

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b. Any visible bulb that shall have a CCT of 3,000K or less, except as provided in Sec. 095-030.(C), above.

c. Luminaires on fences or walls that are not strip lights may only be affixed to structural columns or posts, and are limited to one (1) luminaire per column or post except adjacent to a driveway entrance as provided in Sec. 095-030 (I)(3). In the absence of structural posts or columns, luminaires shall be spaced at least twenty (20) feet apart.

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d. Strip lights may be affixed to a fence or wall if concealed. Exposed strip lights are prohibited.

(G) The following luminaires are prohibited:

(1) Spotlights

(2) ~~(E)~~ Street lights within residential zoning districts, except as determined necessary by the town council to protect the public health, safety and welfare based upon consideration of traffic volumes and roadway conditions.

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(3) Blinking, flashing, moving, revolving, flickering, changing intensity or color, and chase lighting, except lighting for temporary seasonal displays, lighting for public safety, or, required for air traffic safety.

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(4) Any luminaire that may be confused with or construed as a traffic control device.

(5) Laser source lights, strobe lights, or lights that flash or intermittently change intensity. Changes in color are allowed.

(6) Exposed strip luminaires affixed to the surface of a wall or fence located within any required streetside yard and visible from the street.

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Sec. 095-040. Compliance with standards required.

All applications for a development permit, submitted after the effective date of the ordinance from which this ULDC is derived, shall comply with the following standards:

(H) ~~The overspill of light originating from any plot, regardless of zoning, onto any other plot or street located within a residential zoning district in the town shall not exceed one-tenth (0.1) horizontal or vertical footcandle onto any other plot located within a residential or open space zoning district, measured at grade level at the property line any location on the adjacent plot.~~

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(I) The overspill of light originating from any plot onto a portion of any street that traverses a residential or open space zoning district, shall not exceed any of the following values, measured from within the public or private street right-of-way:

a. One (1) vertical footcandle measured five (5) feet from the street line closest to the plot.

b. Thirty hundredths (0.30) vertical footcandle, measured ten (10) feet from the closest street line.

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c. The values in a. and b. above may be increased by up to fifty percent (50%) for one vehicular driveway per street frontage of a plot. Overspill shall return to the maximum levels in a. and b. within fifteen (15) feet of the driveway centerline, measured perpendicular to the centerline and parallel to the street line.

~~(J)(B)~~ All vehicular use areas, other than those that are accessory to a single-family residence, shall be lighted in compliance with the minimum standards established by the Illuminating Engineering Society of North America. For purposes of this provision, "vehicular use area" does not include streets.

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~~(K)(C)~~ Vegetation screens shall not be employed as the primary means for controlling glare. Glare control shall be achieved primarily through the use of cutoff fixtures luminaires, shields and baffles, and the appropriate application of fixture luminaire mounting height, lighting intensity, placement and angle.

~~(L)(D)~~ Electrical feeds for all pole mounted fixtures luminaires installed after the effective date of the ordinance 2005-005 from which this ULDC is derived, shall run underground, not overhead.

(M)(E) Open air parking lighting shall be controlled by automatic devices that extinguish the lighting between 11:00 p.m. and dawn unless otherwise provided by law.

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(N) Recreational lights, such as those for tennis courts and equestrian arenas shall be turned off when the facilities are not in active use.

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Sec. 095-0450. Nonconforming outdoor lighting.

(A) Any legally installed outdoor lighting that ~~does did~~ not conform to all of the provisions of this article as enacted by Ordinance No. 2005-005 was required to comply no later than April, 2010.

(B) Any legally installed outdoor lighting that ~~does not conform to the amendments to this article adopted on~~ [day, month, 2025] shall come into compliance ~~within (5) years no later than the following dates: of the effective date of the ordinance from which this ULDC is derived,~~ except that approval of any application for a development permit that seeks to increase the existing total square footage of structures on a residential plot by ~~fifty-twenty (5020)~~ percent or more shall require that all lighting on site be brought into compliance with these regulations:-

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(1) Nonconformities that can be made compliant, or more compliant, by reducing the intensity setting of dimmable lamps or decreasing the sensitivity of motion sensors are required to comply or achieve greatest possible compliance immediately.

(2) Nonconformities that can be made compliant by replacing bulbs shall comply no later than [one year from date of adoption].

(3) Nonconformities that can be made compliant by installing shielding shall comply no later than [two years from date of adoption].

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(4) Nonconformities that require replacing or lowering the height of luminaires to achieve compliance shall comply no later than [five years from date of adoption].

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Sec. 095-060. Outdoor lighting permits.

- (A) ~~The erection or placement of any luminaire with output of six hundred (600) lumens or more within any required yard, and all area lights~~ All outdoor lighting on nonresidential plots and all applications for residential recreational lighting on residential plots shall require approval of a town development order prior to installation. The application for a development order shall be accompanied by a plans and specifications photometric plan, prepared by a licensed engineer, in of sufficient detail to demonstrate compliance with these regulations, including mounting heights, and fixture luminaire specifications. The Town may require a photometric plan, prepared by a licensed engineer, and with isofootcandle plots for individual fixture luminaire installations or a ten-foot by ten-foot (10'x10') foot luminance grid for multiple fixture installations. All photometric plans shall overlay a site plan showing all structures, vehicular use areas and walkways. ~~The Photometric plans for vehicular use area lighting~~ shall also show all existing and proposed trees within twenty-five (25) feet of any existing or proposed luminaire light fixture within the area that is the subject of the photometric plan.
- (B) Prior to final inspection and the subsequent issuance of a final approval of any development permit for the construction of outdoor lighting, a letter of compliance from a registered professional engineer shall be provided to the town stating that the installation has been field checked and meets the requirements of these regulations.
- (C) The town reserves the right to conduct a post-installation nighttime inspection to verify compliance with the requirements of this article, and if appropriate, to require remedial action at no expense to the town.

Sec. 095-070. Maintenance.

Lighting fixtures Luminaires and ancillary equipment shall be maintained so as to always meet the requirements of this article.

Sec. 070-070. - General sign requirements for permanent signs.

- (A) For any multi-tenant commercial development in the town, a uniform sign program shall be established and approved by the town council as required under section 120-020 of the Town Code of Ordinances. Existing multi-tenant commercial development shall have one (1) year from the effect date of this article, November 3, 2010, to provide a uniform sign program indicting all existing signs upon the property.
- (B) Illumination of signs. Where permitted, sign illumination shall be limited to one (1) of the following methods.
- (1) Internally illuminated message. The sign face is made of an opaque material and the copy is cut out of the material and replaced with translucent material. The sign's light source is inside the sign.
 - (2) Internally illuminated sign. The sign face is made of translucent material with an internal light source.
 - (3) Back lighting. The copy is raised beyond the sign face and the lighting illuminates the copy from behind in the form of back lighting or reversed channel lighting.
 - (4) Shielded ~~spotlight~~ directional luminaire. The sign face and copy are lighted by ~~spotlights~~ directional luminaires specifically directed at it. Such ~~spotlights~~ luminaires shall be fully shielded so that they are not visible from streets or adjoining property, and so that there is no light glare, including reflected glare, and no spillage beyond the sign face.

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33330-2628
(954) 434-0008 Town Hall
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Town Council
Steve Breitkreuz, Mayor
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Jim Allbritton, Council Member
Gary Jablonski, Council Member
David S. Kuczenski, Esq. Council Member

Russell Muñiz, ICMA-CM, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Debra Ruesga, Town Clerk
Emil C. Lopez, CPM, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Russell Muniz, MBA, MPA, ICMA-CM, Town Administrator
FROM: Jeff Katims
DATE: 6/26/2025
SUBJECT: LPA Resolution for Noncommercial Signs Ordinance

Recommendation

Recommend that the Town Council adopt the ordinance.

A. Sound Governance

Background

Election signage is an important means of freedom of speech and freedom of expression. The location and maintenance of election signage affects the public health, safety, and general welfare of the residents of the Town, and that in order to preserve and to enhance the Town as a desirable community in which to live, a pleasing and visually attractive environment is of utmost importance.

The regulation of election signage within the Town is a means by which the aesthetics and character of the Town may be maintained, and that the uncontrolled and unlimited proliferation of election signage would degrade the attractiveness of the rural lifestyle of the Town.

The Town Council has deemed it necessary to clarify and to simplify existing election signage regulations and to provide additional revisions necessary to ensure the delicate balancing of First Amendment and free speech principles while achieving the Town's goals of creating a healthy, safe, and attractive environment that does not contain excessive clutter and visual distractions throughout the Town.

The Town Council, sitting as the Local Planning Agency of the Town of Southwest Ranches,

finds that the amendment furthers the goals, objectives and policies of the Town's adopted Comprehensive Plan.

Fiscal Impact/Analysis

N/A

Business Impact/Analysis

Staff Contact:

Jeff Katims

ATTACHMENTS:

Description	Upload Date	Type
Resolution - TA Approved	6/17/2025	Resolution

LPA RESOLUTION NO. 2025-00

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RECOMMENDING THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO SECTION 070-110 OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") PERTAINING TO NON-COMMERCIAL SIGNAGE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, election signage is an important means of freedom of speech and freedom of expression; and

WHEREAS, the location and maintenance of election signage affects the public health, safety, and general welfare of the residents of the Town, and that in order to preserve and to enhance the Town as a desirable community in which to live, a pleasing and visually attractive environment is of utmost importance; and

WHEREAS, the regulation of election signage within the Town is a means by which the aesthetics and character of the Town may be maintained, and that the uncontrolled and unlimited proliferation of election signage would degrade the attractiveness of the rural lifestyle of the Town; and

WHEREAS, the Town Council has deemed it necessary to clarify and to simplify existing election signage regulations and to provide additional revisions necessary to ensure the delicate balancing of First Amendment and free speech principles while achieving the Town's goals of creating a healthy, safe, and attractive environment that does not contain excessive clutter and visual distractions throughout the Town; and

WHEREAS, the Town Council, sitting as the Local Planning Agency of the Town of Southwest Ranches, finds that the amendment furthers the goals, objectives and policies of the Town's adopted Comprehensive Plan.

NOW, THEREFORE, BE IT ENACTED BY THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

SECTION 1. Recitals. The above recitals are true, correct and incorporated herein by reference.

SECTION 2. That the Local Planning Agency recommends that the Town Council adopt the following amendments to Article 70, "Signs," Section 070-110 "Temporary Signs," of the Unified Land Development Code of the Town:

Sec. 070-110. – Temporary signs

* * *

- (e) Duration. Election signs may be placed on a parcel no earlier than ninety (90) days prior to the town's general election. In the event of a town special election, election signs may be placed on a parcel any time after the candidate qualification period. All election signs shall be removed within ten (10) calendar days following the election that pertains to the candidate or the issue that is the subject of the election sign. All signs shall be discarded in a proper manner so as to prevent litter and trash from accumulating within the town.

* * *

SECTION 4. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED this ____ day of _____, 2025 on a motion

made by _____ and seconded by _____.

Breitkreuz _____
Hartmann _____
Allbritton _____
Jablonski _____
Kuczenski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Debra Ruesga, CMC, Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney
1001.050.2025



Town of Southwest Ranches
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COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Russell C. Muñiz, Town Administrator
FROM: Jeff Katims
DATE: 6/26/2025
SUBJECT: LPA Resolution for Outdoor Assembly

Recommendation

Staff recommends the Local Planning Agency (LPA) pass the resolution.

A. Sound Governance

Background

The ULDC establishes a definition for a permissible assembly within Section 035-080(D) and provides for a permit process, subject to Town approval, to allow for assemblies that exceed the intended standards. The Town has received numerous complaints from residents relating to indoor and outdoor assemblies that have obtained permits but still disturb their quality of life and impacting their farm animals.

Providing for the quietude of residential and agricultural areas within the Town is an important governmental interest and in direct compliance with Article II, Section 7, of the Florida Constitution. The Town Council sitting as the Local Planning Agency of the Town of Southwest Ranches finds the ordinance to be consistent with the adopted Comprehensive Plan.

Fiscal Impact/Analysis

Business Impact/Analysis

Staff Contact:

Jeff Katims

ATTACHMENTS:

Description

Resolution - TA Approved

Upload Date

6/18/2025

Type

Resolution

LPA RESOLUTION NO. 2025-00

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RECOMMENDING THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO SECTION 035-080 OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") PERTAINING TO INDOOR AND OUTDOOR ASSEMBLY IN RURAL AND AGRICULTURAL DISTRICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the ULDC establishes a definition for a permissible assembly within Section 035-080(D) and provides for a permit process, subject to Town approval, to allow for assemblies that exceed the intended standards; and

WHEREAS, the Town has received numerous complaints from residents relating to indoor and outdoor assemblies that have obtained permits but still disturb their quality of life, and impacting their farm animals; and

WHEREAS, providing for the quietude of residential and agricultural areas within the Town is an important governmental interest and in direct compliance with Article II, Section 7, of the Florida Constitution; and

WHEREAS, the Town Council sitting as the Local Planning Agency of the Town of Southwest Ranches finds the ordinance to be consistent with the adopted Comprehensive Plan.

NOW, THEREFORE, BE IT ENACTED BY THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

SECTION 1. Recitals. The above recitals are true, correct and incorporated herein by reference.

SECTION 2. That the Local Planning Agency recommends that the Town Council adopt the following amendments to Article 35, "Conditional Uses," Section 035-080 "Indoor and Outdoor Assembly in Rural and Agricultural Districts," of the Unified Land Development Code of the Town:

. . .

- (D) *Permissible assembly.* Assembly shall be deemed an accessory use of an occupied single-family detached residence when the assembly complies with this subsection, as follows:

5. The issuance of a permissible assembly permit shall exempt the permittee from the "Noise" regulations set forth in Section 9-5 of Chapter 9 of the Town's Code of Ordinances; however, the permittee shall abide by the noise, sound, and vibration limitations set forth herein.

(E) *Permit submittal requirements.* To apply for an amplified assembly permit, a property owner or permanent resident of the premises shall submit an application to the Town no later than fifteen (15) business days prior to a proposed gathering, detailing at a minimum:

(13) The permittee shall work with the Town to establish a circumference ring that extends five hundred (500) feet from the edge of the property. The Town shall then delineate the property addresses of all properties that are contained, in whole or in part, within that circumference ring. This ring shall be known as the "affected area". The permittee, in its application, shall provide evidence of its plan to mitigate and to limit the sound being emanated and the steps being taken to avoid impacts beyond the "affected area". As part of the notice provision contained herein, the "affected area" property owners shall be provided written notice advising them that they are within the "affected area" and the steps that the permittee is taking to limit impacts. The permittee shall stipulate and agree in its application that it will not allow noise, sound, or vibration, to extend beyond the "affected area". If noise, sound, or vibration, is audible to a Town representative, using a plainly audible standard, outside of the "affected area" the permittee shall be told to immediately lower its noise to an acceptable level. Failure to do so, or failure to keep the noise level at an acceptable level, shall be documented and shall subject the permittee to a violation of this Code.

(F) *Disposition of permit.* The town administrator shall determine whether to issue the permit or deny the permit within three (3) business days of a complete application submittal, and shall notify the applicant immediately upon such determination. Failure of the administrator to act upon a complete application within the allotted time shall constitute an approval of the application. The town administrator shall approve the application if the administrator finds that it is consistent with all of the following criteria:

(6) The Town Administrator may waive any of the timeframes set forth herein, in the Town Administrator's sole discretion, for good cause shown.

(G) *Enforcement and penalty.* The code compliance department and the town's law enforcement agency are authorized to enforce the provisions of this section to the fullest extent allowed by law, including the authority to shut-down an assembly that is in violation of this section. All amplified noise that exceeds the timeframes set forth herein shall be immediately turned off by the responding officer.

(2) A violation of Article 35, repeat violations, and Section 9-8 of the Town's Code, shall constitute a violation that is irreparable or irreversible in nature, and may be assessed a fine to the maximum amount permitted by law. In addition, notwithstanding and without limitation to anything in the Town's Code or State law to the contrary, in the case of a habitual violation or repeat violation relating to a violation of Section 9-8 or Article 35 of the Town's Code, the Town shall utilize the alternative Code Enforcement Proceeding process outlined in Section 162.23 of the Florida Statutes, as may be amended from time to time, which may subject the violator to the penalties set forth in Section 162.22, Florida Statutes, as may be amended from time to time. A habitual violation shall be defined as a finding of three (3) or more violations of the Section 9-8 or Article 35 of the Town's Code.

SECTION 4. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED this ____ day of _____, 2025 on a motion
made by _____ and seconded by _____.

[Signatures on the Following Page]

Breitkreuz _____
Hartmann _____
Allbritton _____
Jablonski _____
Kuczenski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Debra Ruesga, CMC, Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney
1001.049.2025

LOCAL PLANNING AGENCY MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

May 8, 2025

13400 Griffin Road

Present:

Chair Steve Breitkreuz

Vice Chair Bob Hartmann

Board Member Jim Allbritton

Board Member Gary Jablonski

Board Member David S. Kuczenski, Esq.

Russell Muñiz, Town Administrator

Kathryn Sims, Deputy Town Administrator

Emil Lopez, Town Financial Administrator

Keith Poliakoff, Town Attorney

Local Planning Agency of the Town of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Chair Breitkreuz at 7:01 PM. Attendance was noted by roll call and followed by the Pledge of Allegiance.

Resolutions

3. LPA Resolution for Outdoor Lighting Ordinance

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LOCAL PLANNING AGENCY"), MAKING A RECOMMENDATION THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") RELATING TO OUTDOOR LIGHTING; PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Board Member Kuczenski, seconded by Vice Chair Hartmann, and passed by a 5-0 roll call vote. The vote was as follows: Board Members Allbritton, Jablonski, Kuczenski, Vice Chair Hartman, and Chair Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

5. APPROVAL OF MINUTES

a. LPA Meeting Minutes – November 21, 2024

The following motion was made by Board Member Jablonski, seconded by Board Member Allbritton, and passed by a 5-0 roll call vote. The vote was as follows: Board Members Allbritton, Jablonski, Kuczenski, Vice Chair Hartman, and Chair Breitkreuz voting yes.

MOTION: TO APPROVE THE NOVEMBER 21, 2024 LPA MEETING MINUTES WITH THE FOLLOWING CORRECTION: ADDING THE LETTER "C" TO VICE CHAIR KUCZENSKI'S LAST NAME, IN THE LAST LINE OF THE SECOND PARAGRAPH OF THE FIRST PAGE.

6. Adjournment - Meeting was adjourned at 7:04 PM.

Respectfully submitted:

Debra M. Ruesga, CMC, Town Clerk

Adopted by the Town Local Planning Agency on this 26TH day of June, 2025.

Steve Breitkreuz, Chair

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL 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 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.