

ORDINANCE NO. 2011 - 013

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN BY UPDATING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS FOR FY 2011-2015 PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AND BY REVISING POLICIES PERTAINING TO PUBLIC SCHOOL FACILITY PLANNING AND THE IMPLEMENTATION OF SCHOOL FACILITIES CONCURRENCY; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3177, F.S. requires that every local government annually update and amend the Five-Year Schedule of Capital Improvements ("Schedule") of the Capital Improvements Element ("CIE") of its Comprehensive Plan; and

WHEREAS, Section 163.3177, F.S. requires that every local government transmit to the Department of Community Affairs the updated Schedule as an amendment to the Comprehensive Plan; and

WHEREAS, the Town Council has updated and amended its Public School Facilities Element, according to the Second Amended Interlocal Agreement, to comply with the requirements of Section 163.3177; and

WHEREAS, the implementation of public school facility planning and concurrency requires a text amendment to the Capital Improvements Element of the Town's adopted Comprehensive Plan; and

WHEREAS, the Town Council has updated and amended its CIE, including the Schedule, to comply with the requirements of Section 163.3177, and is providing for transmittal the amendment to the Department of Community Affairs as required by law.

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

SECTION 1: 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: That the Capital Improvements Element of the adopted Town of Southwest Ranches Comprehensive Plan is hereby amended in compliance with Section 163.3177, F.S. as shown on Exhibit "A", which is attached hereto and made a part hereof.

SECTION 3: That the Town Planner is directed to transmit the revised Capital Improvement Element, upon its adoption, to the Florida Department of Community Affairs, as required by law.

SECTION 4: 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Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.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 5: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

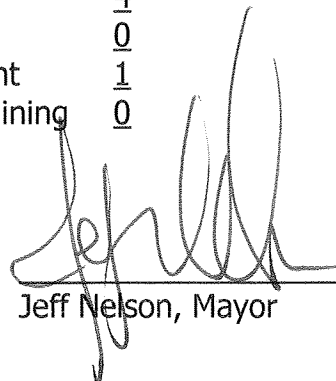
SECTION 6: Effective Date. This Ordinance shall take effect 31 days after adoption unless timely challenged pursuant to sec. 163.32465(6), F.S., in which case the Ordinance shall take effect on the date that the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

PASSED ON FIRST READING this 26th day of May, 2011 on a motion made by Vice Mayor Fisikelli and seconded by Council Member Jablonski.

PASSED AND ADOPTED ON SECOND READING this 22nd day of September, 2011, on a motion made by Council Member Breitkreuz and seconded by Council Member Jablonski.

Nelson	<u>ABSENT</u>
Fisikelli	<u>YES</u>
Breitkreuz	<u>YES</u>
McKay	<u>YES</u>
Jablonski	<u>YES</u>

Ayes	<u>4</u>
Nays	<u>0</u>
Absent	<u>1</u>
Abstaining	<u>0</u>



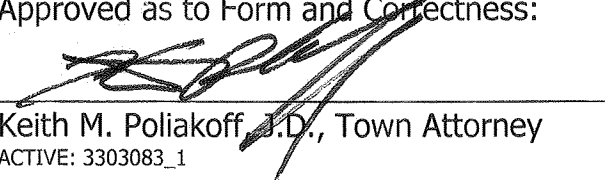
Jeff Nelson, Mayor

Attest:



Erika Gonzalez-Santamaria, Town Clerk

Approved as to Form and Correctness:



Keith M. Poliakoff, J.D., Town Attorney
ACTIVE: 3303083_1