

ORDINANCE NO. 2010 - 07

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 FISCAL YEARS 2010-2014 PURSUANT TO CHAPTER 163, FLORIDA STATUTES; 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 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Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.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.

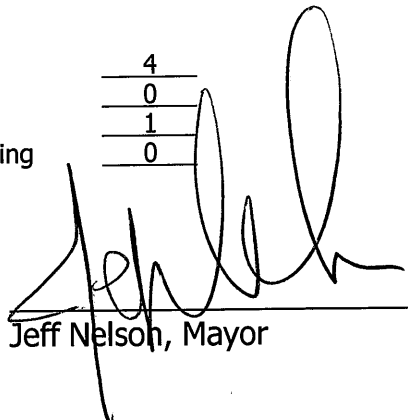
Section 6: Effective Date. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs, finding the amendment to be in compliance in accordance with Chapter 163.3184, Florida Statutes; or the date a final order is issued by the Administrative Commission finding the amendment to be in compliance in accordance with Section 163.3184, Florida Statutes.

PASSED ON FIRST READING this 18th day of February, 2010 on a motion made by Council Member Breitkreuz and seconded by Vice Mayor Knight.

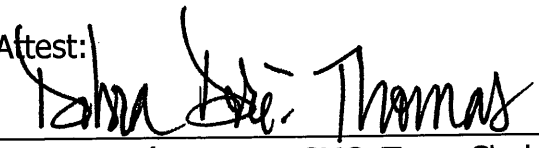
PASSED AND ADOPTED ON SECOND READING this 15th day of April, 2010, on a motion made by Council Member Breitkreuz and seconded by Council Member McKay.

Nelson	<u>AYE</u>
Knight	<u>ABSENT</u>
Breitkreuz	<u>AYE</u>
Fisikelli	<u>AYE</u>
McKay	<u>AYE</u>

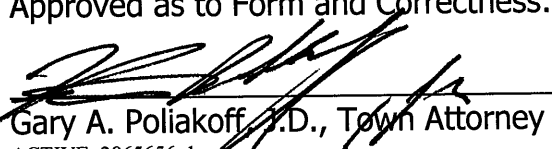
Ayes	<u>4</u>
Nays	<u>0</u>
Absent	<u>1</u>
Abstaining	<u>0</u>



Jeff Nelson, Mayor

Attest:


Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:


Gary A. Poliakoff, J.D., Town Attorney
ACTIVE: 2865656_1

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 and amendment 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.

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

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

{9J-5.016(3)(c)(2)}

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

{9J-5.016(3)(c)(7)}

CIE POLICY 1.1-e: All future developments shall be responsible for paying proportionate fair share of the cost of all public facilities required to accommodate the project's impact without exceeding the adopted level of service standards.

CIE Policy 1.1-f: The Town shall annually update the five year capital improvements schedule included in this element through the comprehensive plan amendment process in order to adjust the five year planning horizon, reflect project status, and ensure the plan's financial feasibility and the Town's ability to meet its adopted level of service standards.

CIE Policy 1.1-g: The Town hereby adopts by reference the Sunrise 10-Year Water Supply Facilities Work Plan as presented on April 3, 2008 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.

CIE Policy 1.1-h: The Town hereby adopts by reference the Cooper City 10-year Water Supply Facilities Work Plan as incorporated and adopted in the



Infrastructure Element of its Comprehensive Plan and the capital improvement projects contained therein.

CIE POLICY 1.1-i: 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(16), Florida Statutes.

CIE OBJECTIVE 1.2 SCHOOL CAPITAL FACILITIES PLANNING

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), as adopted by reference into the Capital Improvement Element (CIE).

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 and annually adopted into the Town's CIE.

CIE Policy 1.2-b: The uniform, district-wide LOS shall be 110 percent of the permanent Florida Inventory of School Houses (FISH) capacity for each public elementary, middle, and high school.

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 School Board's DEFP, adopted by the School Board on August 1, 2007, is adopted by reference into the Town's CIE.



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 hereby adopts by reference the following plans and programs:

- Broward County Capital Improvements Program FY2008-2012
- Broward County MPO 2008/09-2012/13 Transportation Improvement Program
- Broward County MPO Cost Feasible Long Range Transportation Plan 2030
- FDOT's FY2008/09-2012/13 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 hereby adopts by reference the following plans and programs:

- Broward County Capital Improvements Program FY2008-2012

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 hereby adopts by reference the following plans and programs:

- Broward County School District's Adopted Five-Year District Educational Facilities Plan 2009-2013.

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 hereby adopts by reference the following plans and programs:

- Broward County Capital Improvements Program FY2008-2012



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. Evaluate the public benefits of annexing lands into the Town.
3. Maintain Land Development Code regulations which are consistent with the adopted comprehensive plan.
4. Explore methods of obtaining funds for purchasing and constructing public passive open space and trails.
5. Explore possibilities of securing funds for improving traffic capacity on Griffin Road and constructing 184th Avenue.
6. 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 MPO.
7. Encourage enforcement of the Town's current land development regulations.
8. Analyze the 2010 Census data, when available, and evaluate the Comprehensive Plan to reflect new data.
9. Develop and maintain a tertiary drainage plan for all the areas within our Town.
10. Any Town developed tertiary drainage system must be coordinated with the Central Broward Water Control District and the South Broward Drainage District.
11. 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.
12. 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.
14. Implement the capital improvements identified in this Comprehensive Plan as may be amended from time to time.
15. The Town shall determine feasibility of constructing a Comprehensive Mitigation Bank in lieu of preserving and enhancing individual isolated wetlands.



3. FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

Transportation	FY08/09	FY09/10	FY10/11	FY11/12	FY12/13	Funding Plan
Non-Vehicle Bridge at Flamingo Rd.	\$408,000	\$161,500	\$0	\$0	\$0	Town of Southwest Ranches CIP FY08/09-12/13
Non-Vehicle Bridge at 163 rd Ave	\$408,000	\$161,500	\$0	\$0	\$0	Town of Southwest Ranches CIP FY08/09-12/13
Non-Vehicle Bridge at US 27	\$0	\$500,000	\$279,000	\$0	\$0	Town of Southwest Ranches CIP FY08/09-12/13
Office of Greenways and Trails - Trail	\$90,868	\$0	\$0	\$0	\$0	Town of Southwest Ranches CIP FY08/09-12/13
Parks and Recreation	FY08/09	FY09/10	FY10/11	FY11/12	FY12/13	Funding Plan
Rolling Oaks Park	\$66,000			\$350,000		Town of Southwest Ranches CIP FY08/09-12/13
Country Estates Fishing Hole Park				\$1,815,000	\$1,815,000	Town of Southwest Ranches CIP FY08/09-12/13
Frontier Trails Park					\$2,013,000	Town of Southwest Ranches CIP FY08/09-12/13
Calusa Corner Park				\$915,000	\$915,000	Town of Southwest Ranches CIP FY08/09-12/13
Southwest Meadows Sanctuary Park				\$2,855,000	\$2,855,000	Town of Southwest Ranches CIP FY08/09-12/13

Source: Town of Southwest Ranches Financial Administrator's Office, 5-Year Capital Improvements Program, November 5, 2008

Note: None of the projects listed above are required to achieve and/or maintain adopted levels of service. All projects are subject to available funding in light of the current economic downturn.

