

**ORDINANCE NO. 2011 - 03**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE (ULDC), ARTICLE 55 ENTITLED, "M, MANUFACTURING AND INDUSTRIAL DISTRICT", SECTION 55-080, "LIMITATIONS OF USES" TO ELIMINATE LIMITS ON GROSS FLOOR AREA AND NUMBER OF BEDS THAT APPLY TO PENAL INSTITUTIONS AND CORRECTIONAL FACILITIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 055-080 of the Town of Southwest Ranches Unified Land Development Code (ULDC) limits the gross floor area of penal institutions and correctional facilities to 100,000 square feet, and limits the number of beds to 750; and

**WHEREAS**, the Manufacturing and Industrial District establishes a maximum floor area ratio, maximum plot coverage, minimum pervious area, and maximum height limit for all uses within said district; and

**WHEREAS**, the Town Council of the Town of Southwest Ranches finds that the above-referenced development standards and limitations that apply generally within the Manufacturing and Industrial District are adequate and sufficient to govern the development of penal institutions and correctional facilities, without the need to directly limit the gross floor area and number of beds.

**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 Section 055-080 of the ULDC is hereby amended as follows:

(H) *Penal institutions and correctional facilities.*

- (1) The minimum distance separation is two thousand five hundred (2,500) feet from any plot in an agricultural or rural district.
- (2) ~~The maximum size is seven hundred fifty (750) beds and one hundred thousand (100,000) square feet of gross floor area.~~
- (3) The minimum plot size is twenty (20) acres.

**Section 3: 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Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.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 4: 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 5: Codification.** The Town Clerk shall cause this ordinance to be codified as a part of the ULDC during the next codification update cycle.

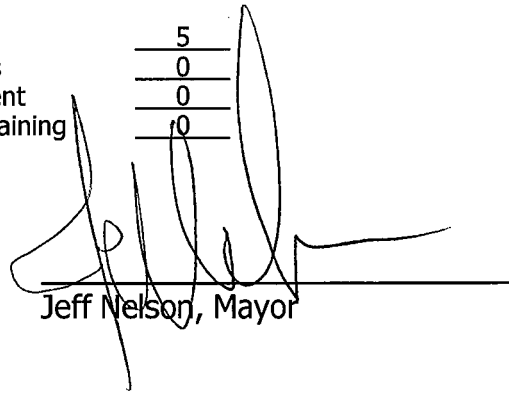
**Section 6: Effective Date.** This Ordinance shall take effect immediately upon adoption.

**PASSED ON FIRST READING** this 20<sup>th</sup> day of October, 2010 on a motion made by Council Member McKay and seconded by Council Member Fisikelli.

**PASSED AND ADOPTED ON SECOND READING** this 3<sup>rd</sup> day of November 2010, on a motion made by Council Member McKay and seconded by Council Member Breitkreuz.

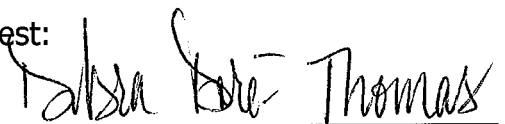
Nelson	<u>AYE</u>
Fisikelli	<u>AYE</u>
Breitkreuz	<u>AYE</u>
Jablonski	<u>AYE</u>
McKay	<u>AYE</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>




Jeff Nelson, Mayor

Attest:



Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:



Keith M. Poliako, J.D., Town Attorney  
ACTIVE: 3118298\_1

~~Strike thru~~ represents deleted text, and underline represents added text.