

ORDINANCE NO. 2012 - 06

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AMENDING THE CONSERVATION ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN TO ENSURE THAT FLOOD PLAIN PROTECTION STANDARDS ARE CONSISTENT WITH FEDERAL, STATE AND WATER MANAGEMENT DISTRICT STANDARDS; AMENDING THE UTILITIES ELEMENT TO CORRECT A SCRIVENER'S ERROR PERTAINING TO DRAINAGE LEVEL OF SERVICE; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, provisions of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985, as amended, require adoption of a comprehensive plan; and

WHEREAS, the Town of Southwest Ranches, Florida, pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, and in accordance with all of its terms and provisions, has prepared and adopted a comprehensive plan which has been found in compliance by the State Land Planning Agency; and

WHEREAS, the Town has identified a flood plain protection policy in Conservation Element Objective 1.8 that is inconsistent with the established federal, state and drainage district flood protection policies, standards and regulations; and

WHEREAS, the Town Council wishes to ensure that the drainage and flood plain protection provisions of the Comprehensive Plan are consistent with governing federal, state and water management district regulations and standards; and

WHEREAS, Utilities Element Policy 1.1-g contains a scrivener error pertaining to flood plain routing elevations that the Town wishes to correct, and road protection standard wording that the Town wishes to reword and clarify; and

WHEREAS, Town Council of the Town of Southwest Ranches, sitting as the Local Planning Agency, held an advertised public hearing on February 9, 2012; and

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

SECTION 1: Recitals Adopted. 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: Conservation Element Amendment. That the Conservation Element of the adopted Town of Southwest Ranches Comprehensive Plan is hereby amended as shown on Exhibit "A", which is attached hereto and made a part hereof.

SECTION 3: Utilities Element Amendment. That the Utilities Element of the adopted Town of Southwest Ranches Comprehensive Plan is hereby amended as shown on Exhibit "B", which is attached hereto and made a part hereof.

SECTION 4: Chapter 163 Part II, F.S. Transmittal. That the Town Planner is directed to transmit the proposed revisions to the Conservation and Utilities elements to the Florida Department of Economic Opportunity, upon adoption.

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.

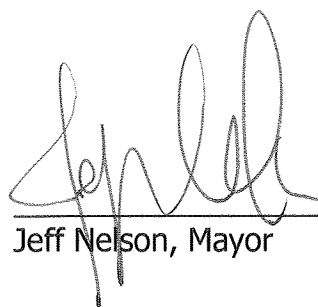
SECTION 6: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

SECTION 7: Effective Date. This Ordinance shall take effect 31 days after the Department of Economic Opportunity notifies the Town that the plan amendment package is complete, unless timely challenged pursuant to sec. 163.3184(5), F.S., in which case the Ordinance shall take effect on the date that the Department of Economic Opportunity or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

PASSED ON FIRST READING this 23rd day of February, 2012 on a motion made by Council Member Breitzkreuz and seconded by Council Member Jablonski.

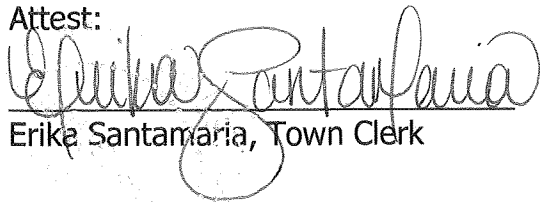
PASSED AND ADOPTED ON SECOND READING this 14th day of June, 2012, on a motion made by Council Member Breitzkreuz and seconded by Council Member Jablonski.

Nelson	<u>YES</u>	Ayes	<u>5</u>
McKay	<u>YES</u>	Nays	<u>0</u>
Breitzkreuz	<u>YES</u>	Absent	<u>0</u>
Fisikelli	<u>YES</u>	Abstaining	<u>0</u>
Jablonski	<u>YES</u>		



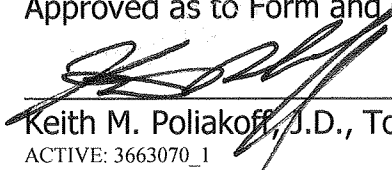
Jeff Nelson, Mayor

Attest:



Erika Santamaria, Town Clerk

Approved as to Form and Correctness:



Keith M. Poliakoff, J.D., Town Attorney
ACTIVE: 3663070_1