

ORDINANCE NO. 2013 - 006

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN; REVISING THE LIST OF PERMITTED USES IN FUTURE LAND USE CATEGORIES AND SUPPORTING POLICIES; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; REQUESTING RECERTIFICATION FROM THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Future Land Use Element of the Town of Southwest Ranches Comprehensive Plan sets forth a list of permitted uses in each of the several future land use plan map categories; and

WHEREAS, each list of permitted uses was adopted directly from the Broward County Land Use Plan; and

WHEREAS, the Town continues to evaluate its adopted Comprehensive Plan on an ongoing basis to ensure that the plan protects and furthers the Town's founding principle of rural character; and

WHEREAS, the Comprehensive Plan Advisory Board has issued a finding to the Town Council that the list of permitted community facility uses and the permitted intensities thereof are not fully consistent with the Town's rural character, and should be revised; and

WHEREAS, the Town Council finds that the recommendations of the Comprehensive Plan Advisory Board are appropriate to protect the Town's rural character.

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 Future Land Use 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: That the Town Planner is directed to transmit the revised Future Land Use Element, upon its adoption, to the Florida Department of Economic Opportunity.

SECTION 4: That the Town Planner is directed to apply to the Broward County Planning Council for recertification of the Future Land Use Element subsequent to the effective date of the amendment, and that the Town Council hereby requests such recertification.

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Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

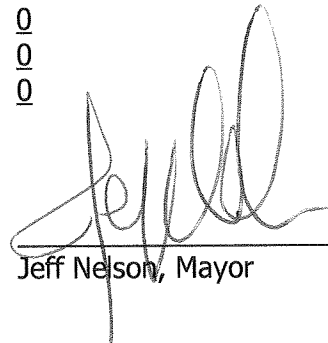
SECTION 6: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

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 13th day of December, 2012 on a motion made by Council Member McKay and seconded by Council Member Jablonski.


PASSED AND ADOPTED ON SECOND READING this 28th day of February, 2013, on a motion made by Vice Mayor Breitkreuz and seconded by Council Member Jablonski.

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



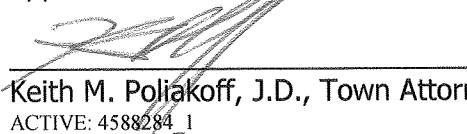
Jeff Nelson, Mayor

Attest:



Erika Gonzalez-Santamaria, CMC, Town Clerk

Approved as to Form and Correctness:



Keith M. Poliakoff, J.D., Town Attorney
ACTIVE: 4588284_1

ORDINANCE NO. 2013-__
EXHIBIT "A"

II. ADMINISTRATION

II.A. DEFINITIONS

Place of Worship - A place of assembly used for the regular, continuing exercise of an organized religion. Permitted accessory uses and facilities shall be limited to those necessary for the exercise of religion (ex: classrooms for religious, non-academic instruction) and the following additional accessory uses and facilities: day care for congregants only; social/fellowship gathering space, offices for the administration of the place of worship facility in which located; and any other facility or use that the Town determines is of an accessory scale and nature to the principal use.

III. Plan Elements

III.A. Future Land Use Element (FLUE)

1. Goals, Objectives and Policies

FLUE OBJECTIVE 1.12 PERMITTED USES IN COMMUNITY FACILITIES

FLUE POLICY 1.12-a: Permit those land uses, ~~not to exceed a Floor Area Ratio (F.A.R.) = 0.25,~~ within designated Community Facilities Land Use parcels per the Permitted Uses in Future Land Use Categories subsection of this Element.

FLUE POLICY 1.12-b: Permit compatible community facilities furthering the Town's rural lifestyle on parcels of up to five (5) net acres in size within all land use categories in which are identified in pursuant to the Permitted Uses in Future Land Use Categories subsection of this Element, provided that they front are placed along and exclusively access a Trafficway, and maintain ~~a~~ 1,000' feet of separation from other non-agricultural and non-residential land uses and properties with non-agricultural and nonresidential land use plan map designations. Public schools shall be permitted in ~~all residential~~ Community Facilities, Rural and Estate land use categories without limiting the size of the parcel.

Any parcel that was designated Community Facilities at the time of the Town's incorporation, but which does not comply with the minimum distance separation or size limitation, may be developed for Community Facilities use, provided that such parcel shall be neither subdivided, nor used, for a separately owned or operated community facility.

ORDINANCE NO. 2013-__
EXHIBIT "A"

FLUE POLICY 1.12-c: Community Facilities uses within all Future Land Use Categories shall not exceed a Floor Area Ratio (F.A.R.) of 0.25, except as follows.

- (1) The maximum F.A.R. for any parcel that exceeded the five (5) acre size limitation at the time of the Town's incorporation, and which does not front and access a State Principal Arterial road pursuant to the June, 2011 Broward Functional Highway Classifications Map produced by the Broward County Metropolitan Planning Organization, shall be a blended F.A.R. of 0.25 for the first five (5) acres, and 0.075 for the remaining parcel area.
- (2) For the purpose of this policy, the term "parcel" shall include land under common ownership that is separated only by a public or private way, including but not limited to a street or water body.
- (3) Any property owned by the Broward County School Board and designated Community Facility District on the zoning map or designated Community Facilities on the future land use plan map as of March 7, 2013, is not subject to the blended F.A.R. provisions of (1), above.

FLUE POLICY 1.12-d: All community facilities, and all land that is designated Community Facilities on the land use plan map or official zoning map shall be developed in a manner so as to minimize the amount of improved and impervious surface, and to retain (or restore) the maximum possible amount of the parcel as open space. Accordingly, paved and improved areas shall be limited to the minimum amount necessary for the operation of the permitted use(s) and for compliance with land development code requirements.

FLUE POLICY 1.12-ee: All proposed public and private uses and structures utilized for community facility purposes must be placed in a zoning district that permits community facilities.

3. COMMUNITY FACILITIES USE

Uses permitted in areas designated eCommunity fFacilities are as follows, provided that all permitted listed uses shall be permitted only on properties located at a minimum distance of one thousand (1,000) feet from any other property containing one of the permitted uses that comply with Objective 1.12.

- A. Public and private schools, medical, Town of Southwest Ranches governmental facilities, religious places of worship, civic, cultural, hospitals, governmental administration, police and fire stations, libraries, publicly owned cultural and civic uses, ~~prisons and courts of law~~, nursing homes, cemeteries, and parks and recreation facilities, accessory dwellings,

ORDINANCE NO. 2013-__
EXHIBIT "A"

agricultural uses, ~~electric sub-stations, outdoor events, daycare facilities as an accessory to place of worship.~~

- B. ~~Water and wastewater treatment plants,~~ Wireless communication facilities.
- C. Special residential Facility Category (2) development as defined in subsection 16 of the Town's Plan Implementation Requirements section; subject to the allocation of two (2) reserve or flexibility units in accordance with the Special Residential Facilities provisions and policies for application of these units as contained in the "Administrative Rules Document: Broward County Land Use Plan."
- D. Special residential Facility Category (3) development as defined in subsection 16 of the Town's Plan Implementation Requirements section; subject to the allocation of two (2) reserve or flexibility units in accordance with the Special Residential Facilities provisions and policies for application of these units as contained in the "Administrative Rules Document: Broward County Land Use Plan"; each flexibility or reserve unit shall permit two (2) sleeping rooms regardless of the number of kitchens or baths.