

**ORDINANCE NO. 2003-01**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING SECTION 39-361 OF ARTICLE XXII OF THE CODE OF ORDINANCES TO CLARIFY THE PURPOSE AND APPLICATION OF THE DISTRICT; AMENDING SECTION 39-367 OF ARTICLE XXII TO AMEND THE PLOT COVERAGE ALLOWED; AMENDING SECTION 5-195 OF THE LAND DEVELOPMENT CODE TO ESTABLISH A MINIMUM PERVIOUS AREA FOR COMMUNITY FACILITY USES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Southwest Ranches was formed to preserve its rural residential character; and

**WHEREAS**, the Town Council of the Town of Southwest Ranches adopted a "CF, Community Facility District;" and

**WHEREAS**, the Town Council of the Town of Southwest Ranches desires to clarify the purpose of the "CF, Community Facility District;" and

**WHEREAS**, the Land Development Code of the Town of Southwest Ranches provides for a minimum forty percent pervious area for residential uses; and

**WHEREAS**, the Town Council of the Town of Southwest Ranches desires to establish a minimum pervious area for community facility uses consistent with the minimum pervious area for residential uses.

**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 39-361 of the Code of Ordinances is hereby amended as follows:

Sec. 39-361. Purpose of district.

The CF, Community Facility District, is intended to accommodate land uses providing governmentally owned or operated services and facilities, and a limited range of privately owned and operated services and facilities

necessary to serve the Southwest Ranches community or meet the needs of a particular neighborhood. The CF District shall apply only to properties with frontage and access, unless otherwise waived by Town Council, along Griffin Road, Sheridan Street, Dykes Road, U.S. Highway 27 and Flamingo Road. The CF District is not intended for application to interior residential areas, except as necessary to accommodate Town uses and facilities.

**Section 3:** That Section 39-367 of the Code of Ordinances is hereby amended as follows:

Sec. 39-367. Plot coverage.

Properties that have a Community Facilities land use plan designation and had a zoning designation of I-1 prior to May 9, 2002 shall have a maximum plot coverage of thirty five percent (35%). All other properties shall be limited to the most restrictive coverage allowed in the adjacent zoning districts.

**Section 4:** That Section 5-195(a)(12)a) of the Land Development Code is hereby amended as follows:

(12) Pervious Area and Greenspace.

a) The area covered by structures and impervious surface shall not exceed seventy-five percent (75%) for industrial, seventy percent (70%) for commercial and sixty percent (60%) for residential and community facility uses. For the purposes of this requirement all other uses, such as but not limited to, utilities, transportation and office park, shall be included in the commercial category. In mixed use developments, the most restrictive of the applicable impervious area limitations shall be utilized.

**Section 5: Conflicts.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith 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 be effective immediately upon its adoption.

**PASSED ON FIRST READING** this 13<sup>th</sup> day of June, 2002

**PASSED AND ADOPTED ON SECOND READING** this 10<sup>th</sup> day of October, 2002

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Mecca Fink, Mayor

Attest:

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Arielle Haze Tyner, Town Clerk

Approved as to Form and Correctness:

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Gary A. Poliakoff, J.D., Town Attorney

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