

ORDINANCE NO. 2005-005

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA REPLACING CHAPTER 39, "ZONING CODE", OF THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES IN ITS ENTIRETY WITH REVISED ZONING REGULATIONS; REPLACING ARTICLE IX OF CHAPTER 5, "LAND DEVELOPMENT CODE," OF THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES IN ITS ENTIRETY WITH REVISED LAND DEVELOPMENT REGULATIONS; COMBINING THE REVISED ZONING AND LAND DEVELOPMENT REGULATIONS WITHIN CHAPTER 39 OF THE SOUTHWEST RANCHES CODE OF ORDINANCES TO CREATE A UNIFIED LAND DEVELOPMENT CODE; AMENDING THE OFFICIAL ZONING MAP OF THE TOWN TO RECLASSIFY AND TO REZONE ALL LAND ZONED 1-ACRE ESTATE (E-1) AND PLANNED UNIT DEVELOPMENT (PUD) TO RURAL ESTATES (RE), TO RECLASSIFY AND TO REZONE ALL LAND ZONED 2-ACRE ESTATE (E-2) TO RURAL RANCHES (RR), TO RECLASSIFY AND TO REZONE ALL LAND ZONED LIMITED HEAVY INDUSTRIAL (M-4) TO MANUFACTURING (M), TO RECLASSIFY AND TO REZONE ALL LAND ZONED INTENSE COMMERCIAL BUSINESS (B-3) TO COMMUNITY BUSINESS (CB), AND TO RECLASSIFY AND TO REZONE ALL LAND ZONED CEMETERY DISTRICT (A-9) TO COMMUNITY FACILITY (CF); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Southwest Ranches was created on June 6, 2000; and

WHEREAS, pursuant to Section 9.03 of the Town's Charter, until otherwise modified or replaced by the Town, all Codes, Ordinances, and Resolutions of Broward County, Florida, shall remain in effect; and

WHEREAS, the Town, after working under the Broward County Codes for the past four years, desires to create its own Unified Land Development Code to help preserve and to enhance the rural lifestyle of its community; and

WHEREAS, the Town desires to replace Chapter 39, "Zoning Code", of the Town of Southwest Ranches Code of Ordinances and Article IX of Chapter 5 of its Land

Development Regulations in its entirety and to combine these documents to create the Unified Land Development Code; and

WHEREAS, in creating its own Unified Land Development Code, the Town wishes to eliminate certain zoning classifications and desires to amend the Official Zoning Map of the Town to reclassify and to rezone all land zoned 1-Acre Estates (E-1) and Planned Unit Development (PUD) to Rural Estates (RE), to reclassify and to rezone all land zoned 2-Acre Estates (E-2) to Rural Ranches (RR), to reclassify and to rezone all land zoned Limited Heavy Industrial (M-4) to Manufacturing (M), to reclassify and to rezone all land zoned Intense Commercial Business (B-3) to Community Business (CB), and to reclassify and to rezone all land zoned Cemetery District (A-9) to Community Facility (CF); and

WHEREAS, to further preserve the Town's rural lifestyle the Town has made additional modifications to the remaining zoning classifications; and

WHEREAS, the Town Council believes that the Unified Land Development Code and the changes that have been made will help to protect the health, safety and welfare of its citizens.

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

Section 1. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the Town Council.

Section 2. That following an extensive review of the staff report, the recommendation from the Local Planning Agency, all written and oral evidence received during the public hearing, the criteria set-forth in the Town Code, and the standards

set-forth in both state and federal law, the Town Council hereby finds that it has been demonstrated by competent substantial evidence that all of the necessary criteria has been satisfied and therefore adopts its Unified Land Development Code.

Section 3. In adopting its Unified Land Development Code the Town specifically replaces Chapter 39, "Zoning Code", of the Town of Southwest Ranches Code of Ordinances in its entirety with revised Zoning Regulations and further replaces Article IX of Chapter 5, "Land Development Code" of the Town of Southwest Ranches Code of Ordinances in its entirety with revised Land Development Regulations.

Section 4. The Town hereby combines its revised Zoning and Land Development Regulations to create its Unified Land Development Code.

Section 5. The Town hereby amends the Official Zoning Map of the Town to reclassify and to rezone all land zoned 1-Acre Estates (E-1) and Planned Unit Development (PUD) to Rural Estates (RE), to reclassify and to rezone all land zoned 2-Acre Estates (E-2) to Rural Ranches (RR), to reclassify and to rezone all land zoned Limited Heavy Industrial (M-4) to Manufacturing (M), to reclassify and to rezone all land zoned Intense Commercial Business (B-3) to Community Business (CB), and to reclassify and to rezone all land zoned Cemetery District (A-9) to Community Facility (CF).

Section 6. Town Clerk is hereby directed to record a copy of this Ordinance in the Public Records of Broward County, Florida and to make the Unified Land Development Code easily accessible to the public.

Section 7. 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 8. 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.

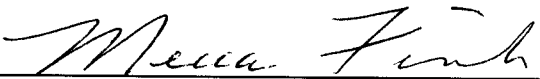
Section 9. Effective Date. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 10th day of February, 2005 on a motion made by Vice Mayor Aster Knight and seconded by Council Member Forest Blanton.

PASSED AND ADOPTED ON SECOND READING this 14th day of April, 2005, on a motion made by Vice Mayor Forest Blanton and seconded by Council Member Don Maines.

Fink	<u>Y</u>
Knight	<u>Y</u>
Blanton	<u>Y</u>
Maines	<u>Y</u>
Nelson	<u>Y</u>

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



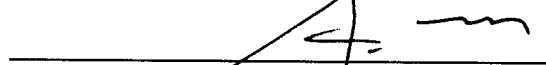
Mecca Fink, Mayor

Attest:



Shari Canada, Town Clerk

Approved as to Form and Correctness:



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

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