

**ORDINANCE NO. 2006 - 14**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF SOUTHWEST RANCHES, CHAPTER 39, "UNIFIED LAND DEVELOPMENT CODE (ULDC)," SECTION 080-190, "MINIMUM SEPARATION REQUIREMENTS" AND SECTION 090-080, "ACCESS TO DEVELOPMENT" TO MODIFY ACCESS AND SEPARATION STANDARDS FOR VEHICULAR USE AREAS; PROVIDING FOR INCLUSION IN THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, current ULDC regulations require certain minimum separations between driveways, buildings, structures and property lines; and

**WHEREAS**, said separation requirements can cause hardships based upon existing development and property characteristics; and

**WHEREAS**, said separation requirements can be reduced in certain instances using sound engineering standards; and

**WHEREAS**, the Town Council of the Town of Southwest Ranches desires to modify the current regulations.

**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 ULDC Section 090-080(E) is hereby amended as follows:

(E) *Number and location of driveway entrances.*

In order to provide the maximum safety with the least interference to the traffic flow on public streets, and to provide ease and convenience in ingress and egress to private property, the number and location of driveways shall be regulated relative to the intensity or size of the property served and the amount of frontage which that property has on a given street as follows:

- (1) One (1) driveway shall be permitted for ingress and egress purposes to a single property or development.

- (2) Two (2) driveways entering on a particular street from a single property or development may be permitted if all other requirements of this Section are met and if:
- a. the minimum driveway spacing between the two (2) driveways on the same plot equals or exceeds twenty (20) feet for single-family residential and agricultural use plots, and fifty (50) feet for all other plots; and
  - b. ~~the minimum driveway spacing between the two (2) driveways on the driveways on abutting plots equals or exceeds fifty (50) feet.~~ The recommended minimum spacing between driveways on abutting properties is fifty (50) feet. Requests for deviation from this standard shall be considered by the town engineer if the driveway layout is constrained by the property geometry and it will not create a safety hazard based upon existing field conditions, roadway classification and sound, professionally accepted engineering practice, but in no case shall the required spacing be less than twenty (20) feet
- (3) Three (3) driveways entering on a particular street from a single property or development may be permitted if all other requirements of this Section are met and if:
- a. the minimum driveway spacing between adjacent driveways on the same plot equals or exceeds forty (40) feet for single-family residential and agricultural use plots, and one hundred (100) feet for all other plots; and
  - b. each driveway is spaced at least one hundred (100) feet from any driveway on abutting plots, provided that service driveways need only be separated twenty (20) feet or more from driveways on abutting property. A service driveway is defined as a driveway that is not used on a daily basis, which generally provides access to one or more accessory uses to the rear or side of a property, including but not limited to, an equestrian barn, a storage structure for a boat or recreational vehicle, or a water body.
- (4) In general, not more than three (3) driveways will be permitted from a single property or development. However, in the case of extensive property development (property exceeding ten (10) acres in total land area and/or containing more than one thousand (1,000) parking stalls), additional driveways may be permitted provided all other requirements of this Section are met and the minimum driveway spacing between adjacent driveways equals or exceeds three hundred (300) feet.
- (5) ~~The minimum driveway spacing between driveways on adjacent properties shall be fifty (50) feet. This driveway spacing may be modified by the Town Engineer if a traffic engineering study acceptable to the engineer demonstrates that public safety will not be adversely affected by such modification.~~
- (6) Nonresidential parking facilities, when located along a collector residential street, shall be served by driveways having a minimum spacing of two hundred fifty (250) feet.

Underlined words are additions and ~~stricken~~ words are deletions.

- (7) Residential driveways, legally in existence, that do not meet the above separation requirements will not have to be relocated as a condition of any permit to pave or otherwise improve the existing driveway, provided a minimum twenty (20) foot separation is maintained to driveways on the same and adjacent properties.

**Section 3:** That ULDC Section 080-190 is hereby amended as follows:

- (A) Nonresidential pedestrian walkways shall be at least ten (10) feet from any building wall which provides less than twenty percent (20%) of clear, unobstructed glass in an imaginary band located between five (5) feet and five feet, six inches (5'6") above the finished floor elevation, and extending the length of the façade along the sidewalk. The intent of this provision is to enhance safety by providing cross-visibility between pedestrians and building occupants.
- (B) ~~Residential and nonresidential driveways, walkways, other pavement/ impervious areas and parking aisles shall be at least five (5) feet from any building, structure and property line, provided the Town Administrator may require additional setback as necessary to ensure on-site stormwater drainage.~~ Single-family residential driveways shall be separated from any property line by at least five (5) feet, provided that additional separation shall be required to accommodate drainage easements pursuant to the tertiary drainage plan. All other driveways, walkways, parking aisles and other pavement/impervious areas shall be separated from any building or structure by at least five (5) feet, and from any property line by at least ten (10) feet.

**Section 4: Inclusion in Code.** It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Town of Southwest Ranches Code; and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

**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 immediately upon its adoption.

**PASSED ON FIRST READING** this 11<sup>th</sup> day of May, 2006 on a motion made by Council Member Knight and seconded by Vice Mayor Maines.

**PASSED AND ADOPTED ON SECOND READING** this 1<sup>st</sup> of June, 2006, on a motion made by Vice Mayor Don Maines and seconded by Council Member Aster Knight.

Fink              Y        
Maines           Y        
Blanton          Y        
Knight           Y        
Nelson           Y      

Ayes              5        
Nays              0        
Absent            0        
Abstaining       0      

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Mecca Fink, Mayor

Attest:

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Susan A. Owens, Town Clerk

Approved as to Form and Correctness:

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