

ORDINANCE NO. 2006 - 16

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF SOUTHWEST RANCHES, CHAPTER 39 ENTITLED, "TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE," (ULDC) SECTION 045-080, "PLOT COVERAGE, FLOOR AREA RATIO AND PERVIOUS AREA"; PROVIDING FOR INCLUSION IN THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Southwest Ranches is a rural and agrarian community;
and

WHEREAS, a primary purpose and intent of the ULDC is to protect the rural and agrarian character of the Town of Southwest Ranches; and

WHEREAS, the Town Council of the Town of Southwest Ranches, in order to promote open space and protect the rural and agrarian character, desires to increase the required amount of pervious areas for agricultural and rural districts.

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 045-080, "Plot coverage, floor area ratio and pervious area," is hereby amended as follows:

- (A) The combined area occupied by all buildings and roofed structures shall not exceed twenty percent (20%) of the ~~net-area of a plot area~~ in A-1, A-2, and RE districts, and ten percent (10%) of the ~~net-area of a plot area~~ in the RR District less any public or private street right-of-way, except that farm buildings and roofed farm structures may exceed the total net plot coverage allowance in the RR District by an additional ten percent (10%) of the ~~net-plot area~~ less public or private street right-of-way.
- (B) Development on plots designated Agricultural on the Future Land Use Plan Map shall not exceed a Floor Area Ratio of one-tenth (0.10).
- (C) The aforesaid limitations shall not apply to buildings used for growing plants, including but not limited to shade houses, greenhouses, and hydroponics nurseries. To the extent

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

that a farm applicant needs to exceed the plot coverage, the farm applicant must follow the review procedures set forth in Article 155, "Administrative Farm Claim Determinations." The farm applicant must demonstrate that the requirement prohibits, restricts, or otherwise limits a generally accepted farming practice.

- (D) The minimum pervious area shall be forty percent (40%) of the plot area for plots under two (2) net acres in area, and sixty percent (60%) of the ~~net acreage~~ plot area for plots of two net acres and greater in area. The pervious area calculation shall be for the entire plot less any public or private street right-of-way in the agricultural and rural districts.

Section 3: 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 4: 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 5: 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 6: Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED ON FIRST READING this 11th day of May, 2006 on a motion made by Council Member Nelson and seconded by Council Member Knight.

PASSED AND ADOPTED ON SECOND READING this 1st day of June, 2006, on a motion made by Vice Mayor Don Maines and seconded by Council Member Forest Blanton.

Fink	<u>Y</u>	Ayes	<u>5</u>
Knight	<u>Y</u>	Nays	<u>0</u>
Blanton	<u>Y</u>	Absent	<u>0</u>
Maines	<u>Y</u>	Abstaining	<u>0</u>
Nelson	<u>Y</u>		

[SIGNATURES ON FOLLOWING PAGE]

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

Mecca Fink, Mayor

Attest:

Susan A. Owens, Town Clerk

Approved as to Form and Correctness:

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

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