

**ORDINANCE NO. 2009 - 11**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT, UTILITIES ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, AND CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN CONSISTENT WITH THE TOWN'S TEN-YEAR WATER SUPPLY FACILITIES PLAN; AUTHORIZING TRANSMITTAL OF THE WATER SUPPLY FACILITIES PLAN AND COMPREHENSIVE PLAN AMENDMENTS TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND OTHER AGENCIES AS REQUIRED BY RULE 9J-11, F.A.C; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.3177, F.S. requires that every local government that is subject to a regional water supply plan prepare a local water supply facilities plan and revise its General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element, or equivalent (the "Utilities Element" of the Southwest Ranches Comprehensive Plan) within 18 months of the updated regional water supply plan approval;

**WHEREAS**, Section 163.3177, F.S. requires that every local government that is subject to a regional water supply plan revise its five year schedule of capital improvements to include any water supply, reuse, and conservation projects and programs to be implemented during the five year period;

**WHEREAS**, the Town relies on individual well water supply, and does not propose any capital improvements for water supply, reuse, or conservation projects; and

**WHEREAS**, Section 163.3177, F.S. requires that every local government that is subject to a regional water supply plan revise its Conservation Element to the extent necessary to maintain internal consistency; and

**WHEREAS**, the Town Council finds that it is not necessary to amend the Conservation Element for internal consistency; and

**WHEREAS**, Section 163.3177, F.S. requires that every local government that is subject to a regional water supply plan revise its Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with applicable regional water supply plans and regional water supply authority plans; and

**WHEREAS**, the Town Council finds it appropriate to amend the text of the Future Land Use Element of the Town of Southwest Ranches Comprehensive Plan for the purpose of internal consistency with the water supply policies being incorporated in other elements of the plan.

**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 Town of Southwest Ranches Water Supply Facilities Plan, attached as Exhibit "A" is hereby approved.

**Section 3:** That the Town of Southwest Ranches Comprehensive Plan is hereby amended to incorporate water supply policies consistent with the Town of Southwest Ranches Water Supply Facilities Plan into the Future Land Use Element, Utilities Element, Intergovernmental Coordination Element, and Capital Improvements Element, as shown in Exhibit "B" attached hereto.

**Section 4:** That the Town Administrator or designee is hereby authorized to transmit the amendment and work plan to the Department of Community Affairs and other agencies as required by state administrative rule for review.

**Section 5:** That the Town Administrator or designee shall, immediately following the effective date of this Ordinance, cause the Town of Southwest Ranches Comprehensive Plan to be updated to reflect this amendment.

**Section 6: 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 7: 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 8: Effective Date.** The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs, finding the amendment to be in compliance in accordance with Chapter 163.3184, Florida Statutes; or the date a final order is issued by the Administrative Commission finding the amendment to be in compliance in accordance with Section 163.3184, Florida Statutes.

**PASSED ON FIRST READING** this 10<sup>th</sup> day of July, 2008 on a motion made by Council Member Aster Knight and seconded by Council Member Steve Breitkreuz.

**PASSED AND ADOPTED ON SECOND READING** this 16<sup>th</sup> day of April, 2009, on a motion made by Vice Mayor Steve Breitkreuz and seconded by Council Member Freddy Fisikelli.

Nelson	<u>Y</u>	Ayes	<u>4</u>
Breitkreuz	<u>Y</u>	Nays	<u>0</u>
Fisikelli	<u>Y</u>	Absent	<u>1</u>
Knight	<u>Absent</u>	Abstaining	<u>0</u>
McKay	<u>Y</u>		

---

Jeff Nelson, Mayor

ATTEST:

---

Susan A. Owens, CMC, Town Clerk

Approved as to Form and Correctness:

---

Gary A. Poliakoff, J.D., Town Attorney  
FTL\_DB: 1125229\_1