

ORDINANCE NO. 2004 - 8

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ADOPTING THE TOWN'S FIRST COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE TEXT OF VOLUME I, GOALS OBJECTIVES, AND POLICIES, II-F 2.2 BY ENHANCING THE PROVISION PERTAINING TO THE PROTECTION OF THE TOWN'S SURFACE AND GROUND WATER; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS; REQUESTING BROWARD COUNTY PLANNING COUNCIL RECERTIFICATION; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR INCLUSION IN THE TOWN'S COMPREHENSIVE LAND USE PLAN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Town Council adopted its first Comprehensive Plan on May 8, 2003, pursuant to Chapter 163, Part II, Florida Statutes, Section 163.3161, as amended; and

WHEREAS, this Ordinance was duly advertised pursuant to Chapter 163, Part II, Florida Statutes, Subsection 163.3184(15), and all parties in interest and all citizens so desiring had an opportunity to be, and were, heard; and

WHEREAS, the Town Council of the Town of Southwest Ranches has determined that, pursuant to the public participation procedures incorporated in its Comprehensive Plan, the public has adequately participated in the planning process as required by Florida Statutes, Section 163.3161, during the preparation and adoption process; and

WHEREAS, the Town Council, sitting as the Local Planning Agency and then as the Town Council, approved on first reading this amendment to the Town's Comprehensive Plan and authorizes the transmittal of this first amendment to Department of Community Affairs.

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

Section 1: Recitals adopted. 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: Amendment of Plan. Volume I of the of the Comprehensive Plan, Part II-F 2.2 is hereby amended as follows:

Volume I Goals, Objectives, and Policies, II-F 2.2

Protect the natural functions and quality of, surface and groundwater, seasonal flow and water levels in of the Town's ~~surface waters~~ as established by the South Florida Water Management District (SFWMD) and applicable local drainage district.

Section 3: Transmittal Authorized. The Town Clerk is hereby authorized and instructed to submit this amendment to the Department of Community Affairs and any other agencies pursuant to Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., both as amended, and to keep copies of the amendment available for public review.

Section 4: Requesting recertification. The Town Clerk is hereby authorized and instructed to submit this amendment, once adopted, to the Broward County Planning Council for recertification.

Section 5: Inclusion. 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 Comprehensive Plan; 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 6: 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 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 or Administration Commission finding the Town's Comprehensive Plan amendment in compliance in accordance with Section 163.3184, Florida Statutes,

and upon recertification of the affected plan element by the Broward County Planning Council.

PASSED ON FIRST READING this 13 day of May, 2004 on a motion made by Council Member Forest Blanton and seconded by Vice Mayor Aster Knight.

PASSED AND ADOPTED ON SECOND READING this 28 day of July, 2004, on a motion made by Vice Mayor Aster Knight and seconded by Council Member Don Maines.

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