

ORDINANCE NO. 2007 - 05

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING ORDINANCE NO. 2001-07 BY INCLUDING A MEMBER APPOINTED BY THE BROWARD COUNTY SCHOOL BOARD TO SERVE AS A NON-VOTING MEMBER ON THE TOWN'S LOCAL PLANNING AGENCY, IN FURTHERANCE OF SECTION 163.3174, FLORIDA STATUTES, WHEN THE LOCAL PLANNING AGENCY CONSIDERS COMPREHENSIVE PLAN AMENDMENTS AND REZONINGS THAT WOULD, IF APPROVED, INCREASE RESIDENTIAL DENSITY FOR THE PROPERTY THAT IS THE SUBJECT OF THE APPLICATION; DIRECTING THE TOWN ADMINISTRATOR TO PROVIDE A COPY OF REZONING AND COMPREHENSIVE PLAN AMENDMENT APPLICATIONS THAT COULD INCREASE RESIDENTIAL DENSITY TO THE BROWARD COUNTY SCHOOLS SUPERINTENDENT A MINIMUM OF TWENTY-ONE DAYS PRIOR TO REVIEW BY THE TOWN'S LOCAL PLANNING AGENCY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 10th, 2001, in furtherance of Section 163.3174, Florida Statutes, the Town Council adopted Ordinance No. 2001-7 designating itself as the Town's Local Planning Agency; and

WHEREAS, on May 8th, 2003, in furtherance of Section 163.3177(6)(h) 1 and 2, Florida Statutes, the Town Council adopted Resolution No. 2003-49 entering into an interlocal agreement with the Broward County School Board in order to coordinate land use and public school facility planning pursuant to state law; and

WHEREAS, Section 7.2, Article VII of the Interlocal Agreement, states that the municipality will include a representative appointed by the School Board to Serve on its Local Planning Agency, when the Local Planning Agency considers comprehensive plan amendments and rezonings that would, if approved, increase residential density for the property that is the subject of the application; and

WHEREAS, Section 7.3, Article VII, of the Interlocal Agreement, further states that the Town shall provide a copy of rezoning and comprehensive plan amendment applications that could increase residential density to the Broward County Schools Superintendent; and

WHEREAS, the Town is desirous of satisfying the terms of the Interlocal Agreement.

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

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

Section 2: The Town hereby amends Ordinance No. 2001-07 by including a member appointed by the Broward County School Board to serve as a non-voting member on the Town's Local Planning Agency, in furtherance of Section 163.3174, Florida Statutes, when the Local Planning Agency considers Comprehensive Plan amendments and rezonings that would, if approved, increase residential density for the property that is the subject of the application.

Section 3: The Town hereby directs the Town Administrator to provide a copy of rezoning and comprehensive plan amendment applications that could increase residential density to the Broward County Schools Superintendent a minimum of twenty-one days prior to review by the Town's Local Planning Agency.

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.

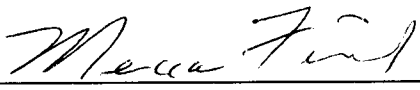
Section 6. Effective Date. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 12th day of April, 2007 on a motion made by Council Member Aster Knight and seconded by Vice Mayor Don Maines.

PASSED AND ADOPTED ON SECOND READING this 10th day of May, 2007, on a motion made by Council Member Aster Knight and seconded by Vice Mayor Don Maines.

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

[Signatures on Following Page]




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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