

ORDINANCE NO. 2010- 01

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS; ADOPTING VARIOUS UPDATES AND AMENDMENTS TO THE TOWN'S COMPREHENSIVE LAND USE PLAN; ADOPTING SIX PROPOSED AMENDMENTS TO THE FUTURE LAND USE MAP (FLUM) TOTALING 92.459 ACRES; AUTHORIZING TRANSMITTAL TO FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature intends that local planning be a continuous and ongoing process; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to periodically assess the success or failure of the adopted plan to adequately address changing conditions and state policies and rules; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

WHEREAS, the Town adopted its Evaluation and Appraisal Report on January 10, 2008; and

WHEREAS, on April 11, 2008 the Florida Department of Community Affairs found the adopted EAR sufficient; and

WHEREAS, the Town has completed its proposed Evaluation and Appraisal Report-based amendments consistent with the requirements of Chapter 163, Part II, F.S., and Rule 9J-5 and 9J-11, F.A.C.; and

WHEREAS, the Town has conducted two advertised public hearings on August 4, 2009 and December 3, 2009 to discuss the plan amendments; and

WHEREAS, the Town Council authorizes transmittal of the EAR-Based Amendments to the Department of Community Affairs and review agencies for the purpose of a review in accordance with Sections 163.3184, 163.3187, 163.3189 and 163.3191, Florida Statutes.

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

Section 1. The Town Council hereby approves the Town of Southwest Ranches Comprehensive Plan Evaluation and Appraisal Report (EAR) Based Amendments; various updates and amendments to the Town's Comprehensive Land Use Plan; and six proposed amendments to the Future Land Use Map (FLUM) totaling 92.459 acres, as attached hereto and incorporated herein by reference as Exhibit "A".

Section 2. The Town Council hereby authorizes transmittal of the Town of Southwest Ranches Comprehensive Plan EAR-Based Amendments to the Florida Department of Community Affairs in accordance with Florida Statute 163.3191.

Section 3: 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 4: 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.

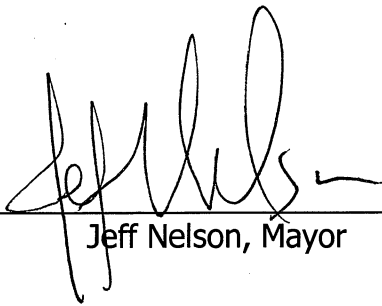
Section 5: Effective Date. The effective date of the Town's EAR-Based Amendments shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the Town's amendments to be in compliance with Section 163.3184, Florida Statutes.

PASSED ON FIRST READING this 4th day of August, 2009, on a motion made by Vice Mayor Breitkreuz, seconded by Council Member McKay.

PASSED AND ADOPTED this 3rd day of December, 2009, on a motion made by Vice Mayor Knight and seconded by Council Member Breitkreuz.

Nelson	<u>No</u>	Ayes	<u>4</u>
Knight	<u>Yes</u>	Nays	<u>1</u>
Breitkreuz	<u>Yes</u>	Absent	<u>0</u>
Fisikelli	<u>Yes</u>	Abstaining	<u>0</u>
McKay	<u>Yes</u>		

[Signatures on Following Page]



Jeff Nelson, Mayor

ATTEST:



Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:



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

ACTIVE: 2644222_1