

**ORDINANCE NO. 2021 -001**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN TO REPEAL THE RESIDENTIAL MEDIUM DENSITY LAND USE CATEGORY; AMENDING THE TEXT OF THE HOUSING ELEMENT TO REVISE RELATED POLICIES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; REQUESTING RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-5)**

**WHEREAS**, the Future Land Use Element of the adopted comprehensive plan provides a Medium Density Residential 16 du/ac land use category ("Medium 16 Category"); and

**WHEREAS**, the Medium 16 Category is incompatible and not consistent with existing and planned densities within the Town; and

**WHEREAS**, the Town Council, sitting as the Local Planning Agency, held a duly noticed public hearing on October 22, 2020 and recommended that the Town Council adopt the proposed amendment; and

**WHEREAS**, the Town Council finds that the amendment furthers the rural lifestyle and character upon which the Town was founded.

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

**Section 1: Ratification.** 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 to FLUE Part II.** Part II of the Future Land Use Element is hereby amended to repeal the Medium Density (16) Residential land use category.

~~15. MEDIUM DENSITY (16) RESIDENTIAL LAND USE CATEGORY~~

~~The primary uses permitted in areas designated for Medium density (16) on the Town's Future Land Use Map are as follows:~~

- A. ~~Multi-family housing to serve the needs of the Town's current and future very low income, low income, moderate income and affordable income families.~~
- B. ~~Home occupations and other normally accessory to a dwelling unit.~~
- C. ~~Parks and other outdoor recreational facilities, and recreational, civic, or other cultural buildings ancillary to the primary outdoor recreational use of the site.~~
- D. ~~Community facilities designed to serve the community consistent with the uses included in Section 2, Permitted Uses in Future Land Use Categories, Subsection 11, Utilities Use.~~
- E. ~~Utilities facilities designed to serve the community consistent with the uses included in Section 2, Permitted Uses in Future Land Use Categories, Subsection 11, Utilities Use.~~
- F. ~~Agricultural uses.~~
- G. ~~Neighborhood offices or services, subject to the review and approval requirements of Broward County's Comprehensive Plan Policy 13.01.10 as amended in November, 2002 and the following limitations and provisions:~~
  - 1. ~~No more than a total of five (5%) percent of the area designated for residential use on the Town's Future Land Use Map with the Town's Flexibility Zone 117 may be for neighborhood offices and/or services.~~
  - 2. ~~The maximum size of contiguous areas used for neighborhood offices and/or services may exceed ten (10) acres.~~
  - 3. ~~Regardless of the above constraints, space within residential buildings may be used for offices, as long as no more than 50% of the floor area is used for offices.~~

**Section 3: Amendment to Housing Element.** The Housing Element is hereby amended as follows:

\* \* \*

HE POLICY 1.1-a: The Town shall utilize the following principles and criteria to guide the location of affordable housing for the very low, low and moderate income households, mobile homes, group homes and foster care facilities, households with special needs including those with AIDS:

- A. Locate affordable housing along Trafficways.
- B. Locate affordable housing proximate to employment centers.
- C. Ensure that adequate infrastructure and public facilities are available to support affordable housing development.
- D. Ensure residential land is available on the Town's Future Land Use Map (FLUM) ~~at adequate densities up to 16 units per acre~~ to support affordable housing development.

HE POLICY 1.1-b: Within 6 months after the Shimberg Center at the University of Florida has completed an Affordable Housing Needs Assessment (AHNA) for the Town using updated data from the 2010 Census, the Town shall update the Housing Element as follows:

- A. Incorporate data from the 2010 Census and the AHNA the Housing Study necessary to complete all charts, and tables.
- B. Revise and adopt in the Town's Comprehensive Plan those Goals, Objectives and Policies, after (AHNA) has been completed necessary to implement the above new information.
- C. Review and revise as necessary the Town's established principles and criteria (adopted in HE Policy 1.1-a) above) guiding the location for very-low income, low income and moderate income households, manufactured homes, group homes and foster care facilities, households with special needs including rural and farm worker households.
- D. Based upon the AHNA evaluation described in Section A above, the Town shall either execute an Interlocal Agreement with a neighboring jurisdiction or implement an optional solution such as job training or job creation to satisfy the Town's affordable housing needs per Rule 9J-5.010 (3) (c) 8, FAC.
- E. Designate sufficient sites ~~at sufficient densities~~ within the Town's jurisdiction to accommodate the need for affordable housing over the planning time frame. If the Town seeks to enter into an Interlocal Agreement with another Municipality pursuant to 9J-5.010 (3) (c) (10) FAC, the Town shall prepare and submit data and analysis with future amendments to its Housing Element demonstrating consistency with Florida Statute 163, Part II, and Rule Chapter 9J-5.

**Section 4: F.S. Chapter 163 Transmittal.** That the Town Planner is hereby directed to transmit the amendment to the State Land Planning Agency immediately following first reading of this Ordinance, and is hereby directed to transmit the adopted amendments to the State Land Planning Agency immediately following the second and final reading of this Ordinance.

**Section 5: Recertification.** That the Town Planner is hereby directed to apply to the Broward County Planning Council for recertification of the Future Land Use Element text subsequent to the effective date of this Ordinance.

**Section 6: Effective Date.** This Ordinance shall take effect 31 days after the Department of Economic Opportunity notifies the Town that the plan amendment package is complete, unless timely challenged pursuant to sec. 163.3184(5), F.S., in which case the Ordinance shall take effect on the date that the Department of Economic Opportunity or the Administration Commission enters a final order determining the adopted amendment to be in compliance.


**PASSED ON FIRST READING** this 22<sup>nd</sup> day of October, 2020 on a motion made by Vice Mayor Schroeder and seconded by Council Member Jablonski.

**PASSED AND ADOPTED ON SECOND READING** this 28<sup>th</sup> day of January, 2021, on a motion made by Council Member Jablonski and seconded by Vice Mayor Hartmann.

**(Signatures on the Following Page)**

Breitkreuz Yes  
Hartmann Yes  
Allbritton Yes  
Jablonski Yes  
Kuczynski Yes

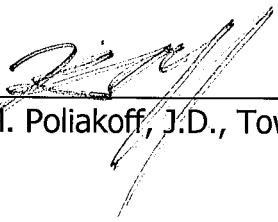
Ayes 5  
Nays 0  
Absent 0  
Abstaining 0

  
Steve Breitkreuz, Mayor

Attest:

  
Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

  
Keith M. Poliakoff, J.D., Town Attorney  
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