

ORDINANCE NO. 2021 -006

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, PERTAINING TO THE US HIGHWAY 27 BUSINESS LAND USE CATEGORY; 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-20-4)

WHEREAS, the Future Land Use Element ("FLUE") of the Town of Southwest Ranches Comprehensive Plan includes objectives, policies and permitted uses for the US Highway 27 Business land use category ("US 27 Category"); and

WHEREAS, the Town Council wishes to amend the text of the FLUE to clarify that both the east and west sides of U.S. Highway 27 may be designated US 27 Category, to expand the list of permitted uses and to provide implementable directives for zoning regulations; and

WHEREAS, the Town Council, sitting as the Local Planning Agency, held a duly noticed public hearing on October 8, 2020 and recommended that the Town Council adopt the proposed amendment; and

WHEREAS, the Town Council finds that the amendment is internally consistent with goals, objectives and policies of the adopted Comprehensive Plan.

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 I. The Goals, Objectives and Policies in Part I of the Future Land Use Element are hereby amended as follows:

FLUE POLICY 1.8-a: The Town has identified the US 27 Corridor as appropriate for business uses on the land use plan map. The Town created the US Highway 27 Business Category for this purpose. Only parcels west of US Highway 27 and parcels that fronting

the east side of US Highway 27 that are buffered from Rural Ranch land use designations by an intervening open space or community facilities land use designation are eligible for this designation, including parcels that also front Griffin Road or Stirling Road. Parcels designated US Highway 27 Business on the land use plan map must only be developed and used in strict compliance with the following policies. The Town Council shall consider the extent to which each application submitted for land use plan amendment, rezoning and development furthers the intent and spirit of the policies hereunder in determining whether to approve the application.

Section 3: Amendment to FLUE Part II. The Permitted Uses in Part II of the Future Land Use Element are hereby amended as follows:

5. US HIGHWAY 27 BUSINESS CATEGORY

The US Highway 27 Business Category is intended to facilitate a limited range of “clean” light industrial and business uses along the US 27 corridor that are not a threat to the potable water quality of the Biscayne Aquifer or to the peaceful enjoyment of residential properties to the east. ~~This category may be applied only to properties fronting the east side of U.S. Highway 27 that are buffered from parcels designated Rural Ranches, Rural Estates and Agricultural by an intervening permanent open space or community facility land use.~~

The Town shall carefully consider potential environmental, traffic and quality of life impacts before changing the land use plan map designation of any parcel to US Highway 27 Business. An application for land use plan amendment to designate a property as US Highway 27 Business must affirmatively demonstrate that the amendment is consistent with all of the performance standards established herein. Every such application for plan amendment shall be submitted concurrently with a rezoning application to an implementing zoning district.

A. Performance Standards.

1. Development shall not generate levels of noise, vibration, odor, dust, fumes, smoke, glare, or night-time illumination that can be detected from are incompatible any property with residential land uses east of US Highway 27 ~~an Agricultural, Rural Ranch or Rural Estate land use plan map designation.~~
2. City of Sunrise sanitary sewer and potable facilities must be in place, or the provision of City of Sunrise sanitary sewer and potable facilities must be the subject of a binding agreement with the City of Sunrise to serve any parcel designated US Highway 27 Business, prior to issuance of any permit for the construction of any building or roofed structure. Such service must be in place prior to the issuance of a certificate of occupancy, temporary or otherwise.
3. Development shall not involve use of any chemicals, substances or processes that create byproducts that are combustible, carcinogenic, biohazardous, or are otherwise

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toxic to humans or animals. The land development regulations may permit fuel storage tanks for emergency generators and for the purpose of servicing vehicles or equipment used in the regular course of business, provided that any such tanks may be required to exceed the installation, containment, inspection and other requirements of Article 27, Chapter 10, "Storage Tanks" of the Broward County Code of Ordinances, as may be amended from time to time.

4. Any use – the nature of which may be considered dangerous, or which may potentially compromise the comfort, peace, enjoyment, health or safety of the community or any property with a Rural Ranches, Rural Estate or Agricultural land use plan map designation - shall be prohibited.
 5. All development shall provide for north-south cross-access to abutting parcels in accordance with the conceptual master access management plan for the US-27 corridor (see FLUE Policy 1.8-e.). Such access may include dedication and construction of a frontage drive and/or site design that anticipates driveway connections or drive aisle connections with abutting properties, and which provides cross-access easements for such connections.
- B. Uses permitted in areas designated US Highway 27 Business are as follows, subject to limitations, conditions of use and review requirements established within the Unified Land Development Regulations:

Light industrial uses:

1. Fabrication and assembly.
2. Contractor shops and similar uses.
3. Sales and display of agricultural equipment, construction equipment, utility trailers, boats, and similar uses.
4. A limited range of light manufacturing and light industrial uses that are consistent with the performance standards set forth herein.
5. Educational and scientific research businesses, including dental laboratories but excluding medical and industrial laboratories. Industrial laboratories may be approved on a case-by-case basis after review by the Town Council. All such uses shall be that are consistent with the performance standards set forth herein.
6. A limited range of commercial recreation uses that are consistent with the performance standards set forth herein.
7. Wholesaling, warehousing and storage provided that only storage or materials and items that are consistent with the performance standards set forth herein may be permitted.
8. Distribution uses that the Town determines are consistent with the performance standards set forth herein.

Other permitted uses:

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9. Communication facilities.
10. Non-residential agricultural uses.
11. Office uses, excluding call centers, ~~provided that principal office uses shall not exceed twenty percent (20%) of the land area within the Town designated Industrial on the Broward County Land Use Plan.~~
12. Utilities located on the site of a development and confined to serving only the specific development.
13. Recreation and open space that does not adversely affect the suitability of adjacent US 27 frontage parcels for business use.
14. One (1) residential caretaker or watchman unit within the same structure as a light industrial use.
- ~~15. Retail, restaurants, personal services and other ancillary commercial uses, limited to less than fifty percent (50%) of any building occupied by a light industrial use.~~
- ~~16. The following uses may also be permitted as long as the total area of these uses does not consume more than twenty percent (20%) of the land designated Industrial on the Future Broward County Land Use Plan Map (Series) within the Town, and as long as the location of these uses does not preclude or adversely affect the future use of surrounding areas for light industrial use:~~
 - ~~15. a. Commercial and retail business uses, including restaurants and personal services.~~
 - ~~16. b. Hotel, motel and similar lodging.~~
 17. Community facilities uses limited to cemeteries, mausoleums, trade and vocational schools, and theatrical studios.

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 Map 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

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Opportunity or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

PASSED ON FIRST READING this 8th day of October, 2020 on a motion made by Vice Mayor Schroeder and seconded by Council Member Amundson.

PASSED AND ADOPTED ON SECOND READING this 11th day of February, 2021, on a motion made by Vice Mayor Hartmann and seconded by Council Member Jablonski.

Breitkreuz	<u>Yes</u>	Ayes	<u>5</u>
Hartmann	<u>Yes</u>	Nays	<u>0</u>
Allbritton	<u>Yes</u>	Absent	<u>0</u>
Jablonski	<u>Yes</u>	Abstaining	<u>0</u>
Kuczenski	<u>Yes</u>		



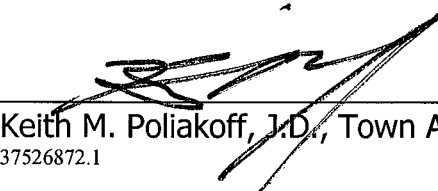
Steve Breitkreuz, Mayor

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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