



Town of Southwest Ranches Comprehensive Plan Advisory Board Meeting Agenda

Thursday
June 17, 2021
7:00 pm

ZOOM

Board Members

Joseph Altschul
Jason Halberg
Newell Hollingsworth
Anna Koldys
Jorge Lorenzo
George Morris
Lori Parrish
Daniel Pradilla
Robert Sirota

Council Liaison

Steve Breitzkreuz

Staff Liaison

Emily Aceti

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment: Items relating to the Comprehensive Plan but not on the agenda
5. Old Business
 - A. Approval of minutes for May 2021
 - B. Nursery Ordinance
 - C. Discussion on how to limit extent and impact of new residential development in Southwest Ranches
6. New Business
7. Board Member / Staff Comments and Suggestions
8. Items for Next Meeting
9. Adjournment

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.



Town of Southwest Ranches Comprehensive Plan Advisory Board Meeting Minutes

Thursday
May 20, 2021
7:00 PM

Town Hall
13400 Griffin Road
Southwest Ranches, FL 33330-2628
and via Zoom

Board Members

Joseph Altschul	George Morris
Jason Halberg	Lori Parrish
Newell Hollingsworth	Daniel Pradilla
Anna Koldys	Robert Sirota
Jorge Lorenzo	

Council Liaison

Steve Breitzkreuz

Staff Liaison

Emily Aceti

Meeting called to order at 7:02 pm.

Roll Call:

Joseph Altschul – Present	George Morris - Present
Jason Halberg – Present	Lori Parrish - Present
Newell Hollingsworth – Present	Daniel Pradilla - Present
Anna Koldys – Present	Robert Sirota - Present
Jorge Lorenzo - Present	

Also present: **Town Council:** Mayor Steve Breitzkreuz, Vice Mayor Bob Hartmann, Council Member Gary Jablonski, Council Member David Kuczenszki; **Town Staff:** Community Services Manager Emily Aceti; Town Planner Jeff Katims; **Town Residents and other attendees:** Marianne Allen, Alex Collier, Fred Cox, Jim Lasky, Becky D. Mattina, Michele McBride, Fred Segal **and as identified on Zoom:** Fabi, Jeilen, Mr. Palma’s mobile, Note 2021, Zoom User.

The Pledge of Allegiance was recited.

There was no public comment on items relating to the Comprehensive Plan but not on the agenda.

Motion: To approve the minutes of the March 18, 2021 meeting

Result	1st	2nd	JA	JH	NH	AK	JL	GM	LP	DP	RS
<i>Passed</i>	<i>NH</i>	<i>LP</i>	Y	Y	Y	Y	Y	Y	Y	Y	Y

Motion: To approve the minutes of the April 15, 2021 meeting

Result	1st	2nd	JA	JH	NH	AK	JL	GM	LP	DP	RS
<i>Passed</i>	<i>LP</i>	<i>GM</i>	Y	Y	Y	Y	Y	Y	Y	Y	Y

Motion: To reopen discussion on Section 3 of the draft nursery ordinance

Result	1st	2nd	JA	JH	NH	AK	JL	GM	LP	DP	RS
<i>Passed</i>	<i>JA</i>	<i>GM</i>	Y	Y	N	Y	Y	Y	Y	Y	Y

Public comment: Jim Laskey, Michele McBride, Fred Segal

Motion: To approve Section 3 as revised. Revision to property with an agricultural classification. Line 16 and part of Line 17 of Section 3, specifically "are nonresidential, nonagricultural uses for the purpose of this provision" is replaced by "on property or a portion thereof without an agricultural classification requires a certificate of use."

Result	1st	2nd	JA	JH	NH	AK	JL	GM	LP	DP	RS
<i>Passed</i>	<i>NH</i>	<i>RS</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Public comment: Jim Laskey, Fred Segal

Section 4.1 was deleted in a prior meeting.

Motion: To approve Section 4.2 as revised. Revision to simplify description. Line 2, (J), specifically "Farm, and plant nursery retail sales and tree nursery site display and sales (commercial and noncommercial)" is replaced by "Farms, non-commercial farms and nursery retail sales."

Result	1st	2nd	JA	JH	NH	AK	JL	GM	LP	DP	RS
<i>Passed</i>	<i>NH</i>	<i>AK</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Motion: To amend Section 4.3

Result	1st	2nd	JA	JH	NH	AK	JL	GM	LP	DP	RS
<i>Withdrawn</i>	<i>JL</i>	<i>DP</i>									

Public comment: Marianne Allen, Alex Collier, Fred Cox, Michele McBride

Motion: To approve Section 4.3

Result	1st	2nd	JA	JH	NH	AK	JL	GM	LP	DP	RS
<i>Failed</i>	<i>NH</i>	<i>LP</i>	<i>N</i>	<i>N</i>	<i>Y</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>Y</i>	<i>N</i>	<i>Y</i>

Meeting adjourned at 9:24 pm.

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1 **WHEREAS**, the Town Council further finds it necessary to reinforce in the ULDC
2 the fact that landscape maintenance businesses are not a permitted use in the Rural and
3 Agricultural zoning districts of the Town; and

4 **WHEREAS**, the Town Council wishes to permit cottage food operations in
5 accordance with Florida Statutes.

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

8 **Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed
9 as being true and correct, and are hereby incorporated herein and made a part hereof.

10 **Section 2.** Section 10-30, "Terms Defined" is hereby amended as follows:

11 * * *

12 *Cottage foods.* The term "cottage foods" means the preparation of farm
13 products in an unlicensed kitchen that are sold directly to consumers without a
14 permit from the Florida Department of Agriculture and Consumer Services and in
15 compliance with Chapter 500.80, Florida Statutes. The term does not include
16 products sold wholesale.

17

18 * * *

19 *Farm.* The term "Farm" means the land, buildings, support facilities,
20 machinery, and other appurtenances used in the production of farm and
21 agricultural or aquaculture products when such land is classified agricultural
22 pursuant to F.S. § 193.461(3)(b), as may be amended from time to time. The term
23 includes equipment necessary to maintain the farm, provided that such equipment
24 is used exclusively on the farm for this purpose.

25

26 * * *

27 *Farm product.* The term "farm product" means any plant, ~~as defined in~~
28 F.S. § 581.011, ~~any or animal, except household pets,~~ useful to humans or
29 animals, and includes, but is not limited to, any product derived therefrom, ~~the~~

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New text is underlined and deleted text is ~~stricken~~

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Suggested language from individual CPAB member, public and staff input is shown in **yellow highlight**.

1 cultivation of crops, groves, thoroughbred and pleasure horse ranches, including
2 horse boarding, private game preserves, fish breeding areas, tree and plant
3 nurseries, cattle ranches, and other similar activities involving livestock or poultry.

4
5 * * *

6 Landscape materials. The term "landscape materials" means items sold by a
7 plant nursery that are accessory to plants, including stepping stones, river rocks,
8 railroad ties, cap rocks, ponds, tree-bracing kits, mulch, top soil, ~~and~~ fertilizer and
9 similar items. The term does not include trailers, wagons, lawn furniture, benches,
10 picnic tables, rocking chairs, outdoor fire pits, grilles, monuments, decorative
11 fountains, pools, hot tubs, Jacuzzis, rugs, household goods, statues, gazebos,
12 recreational and playground equipment, and similar items.

13
14 * * *

15 Nursery. The term "nursery" means any grounds or premises on or in which
16 nursery stock is grown, propagated, or held for sale or distribution, except where
17 aquatic plant species are tended for harvest in the natural environment.

18
19 Nursery retail sales. The terms "nursery retail sales" and "retail nursery"
20 means a nursery that sells plants directly to the public at a specific location with
21 established hours of operation.

22
23 Nursery stock. The term "nursery stock" means all plants, trees, shrubs, vines,
24 bulbs, cuttings, grafts, scions, or buds grown or kept for or capable of propagation
25 or distribution.

26
27 Nursery, wholesale. The term, "wholesale nursery" means a nursery that sells
28 plants for wholesale to a broker or other person for resale, and which does not
29 engage in nursery retail sales.

30
31 * * *

32 Plants. The term "plants" means trees, shrubs, vines, forage and cereal plants,
33 and all other plants and plant parts, including cuttings, grafts, scions, buds, fruit,
34 vegetables, roots, bulbs, and seeds.

35
36 * * *

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1
2 **Section 3.** Article 5, "Administrative and legal provisions," Section 005-120,
3 "Certificates Required" is hereby amended as follows:
4
5

6 (A) Conduct of any nonresidential, nonagricultural use, and any home occupation
7 as defined in Section 10-30, without a current and valid certificate of use from
8 the town is prohibited. A town certificate of use is required prior to any
9 change of a nonresidential, nonagricultural use or home occupation to
10 another use or to another location. Nursery retail sales and sale of landscape
11 materials on property or a portion thereof without an agricultural classification
12 requires a certificate of use. No nonresidentially zoned building or premises
13 or part thereof, except farm buildings or structures, or premises zoned to
14 permit any community facility, commercial or industrial use, except farms, or
15 premises established as a legal nonconforming use, existing as of the
16 effective date of the ordinance from which this ULDC is derived which
17 undergoes a change of occupancy or upon which a new or different use is
18 established, shall be occupied or used unless a certificate of use shall have
19 been issued therefor. The original certificate shall be posted at the business
20 location at all times.

21 * * *

22
23
24 **Section 4.1** [The proposed amendment to Section 045-030 (C),
25 parking and storage is deleted from this Ordinance. The existing Section
26 045-30(C) remains in the code, unaffected by this Ordinance]

27 **Section 4.2** Article 45, "Agricultural and Rural Districts," Section 045-030,
28 "General Provisions," Subsection (J) is hereby amended as follows:
29

30 * * *

31 (J) Farms, noncommercial farms and plant nursery retail sales and tree
32 nursery site display and sales (commercial and noncommercial).
33

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1 (1) On-premises sales and display for farms and noncommercial
2 farms are limited to farm products and cottage foods prepared
3 from farm products that are grown, raised or cultivated on the
4 plot where they are being sold, except as provided in paragraph
5 (2), below.

6 (2) A nursery may sell landscape materials as defined in Section 10-
7 030 that are customarily incidental to the installation,
8 maintenance, and use of such plant products. ~~On-premise sales~~
9 ~~and display for nurseries that are farms are limited to plants~~
10 ~~grown or cultivated on the plot where they are being displayed~~
11 ~~or sold, and to accessory on-premise sales and display of related~~
12 ~~landscaping materials that are customarily incidental to such~~
13 ~~plant sales and display, and that are an integral part of the~~
14 ~~landscape or hardscape, or are tools used to install landscaping~~
15 ~~and hardscaping. The display of incidental landscape materials~~
16 ~~must be screened from the view of adjacent streets and~~
17 ~~properties.~~

18 a. ~~By way of example, the following are classified as incidental~~
19 ~~materials: stepping stones, river rocks, railroad ties, ponds,~~
20 ~~mulch, topsoil, fertilizer, and tree bracing kits.~~

21 b. ~~By way of example, the following are not incidental~~
22 ~~materials: trailers, wagons, lawn furniture, including~~
23 ~~benches and picnic tables, gazebos, decorative fountains,~~
24 ~~statues, recreational and playground equipment, pools and~~
25 ~~hot tubs, household goods, and rugs.~~

26 c. ~~The outdoor display of incidental landscape materials must~~
27 ~~be screened from the view of adjacent streets and~~
28 ~~properties.~~

29
30 **Section 4.3** Article 45, "Agricultural and Rural Districts," Section 045-030,
31 "General Provisions," Subsection (K) is hereby amended as follows:

32
33 (K) Permitted nursery locations.

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1 (1) Nurseries may be established on plots that ~~front have legal~~
2 ~~access to~~ one of the following road ~~ways~~ **rights-of-way**, provided
3 ~~that~~ **the plot has one or more driveway openings onto**
4 **such roadway approved by the governmental entity with**
5 **jurisdiction over the roadway that all nursery-related**
6 ~~traffic shall~~ **must use** exclusively ~~use such roadways for~~ **to**
7 ~~access~~ **the plot:**

- 8 a. Griffin Road
- 9 b. Sheridan Street
- 10 c. Flamingo Road
- 11 d. Volunteer Road
- 12 e. Dykes Road
- 13 f. SW 172nd Avenue
- 14 g. U.S. Highway 27

15 (2) Any nursery not authorized in paragraph (1) above is permitted
16 only under the following circumstances:

- 17 a. Wholesale nurseries, as defined in Section 10-030 with
18 no retail sales, located on plots not exceeding 2.5 net acres
19 in area. If there is a dwelling on the plot, the nursery shall
20 not occupy more than 50 percent of the plot. If the plot has
21 not been developed for residential as of [*date of ordinance*
22 *adoption*] and remains undeveloped for residential use, the
23 nursery may occupy the entire plot.
- 24 b. By special exception permit in accordance with paragraph
25 (4), below and Article 112.

26 (3) Nurseries existing as of [*date of ordinance adoption*] that do not
27 comply with the requirements of paragraphs (1) or (2) are
28 nonconforming uses that may continue to operate until such time
29 that the use is changed to another use or is discontinued for a
30 period of six (6) consecutive months. The town administrator may
31 grant a single six (6) month extension upon request. In the event
32 the property is sold or leased within the extension period, the
33 balance of the extension shall be transferrable to the new owner
34 or lessee. A nursery that has lost its nonconforming use status
35 may be re-established on the same plot only upon issuance of a

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1 special exception use permit in accordance with paragraph (4)
2 Article 112.

3 (4) The following are requirements of all special exception use permits for
4 nurseries:

5 a. The applicant shall demonstrate how the nursery will be operated
6 in a manner that is consistent with the character of the surrounding
7 neighborhood and will not create a nuisance. Required information
8 shall include: hours of operation; detailed site plan that addresses
9 building size, location, screening and adequate parking for
10 employees and patrons (if applicable), including **handicap**
11 **disabled-accessible** parking, restrooms, ingress and egress of
12 vehicular traffic, setbacks from the street and adjacent properties,
13 outdoor equipment screening or storage, screening of items for
14 retail sale stored outside (if applicable), and use of outdoor lighting
15 in compliance with Article 95.

16 b. The applicant shall demonstrate how stormwater will be retained
17 onsite or appropriately conveyed, as applicable, in compliance with
18 the requirements of this chapter and the applicable drainage
19 district standards.

20 c. The property shall adequately buffer and screen abutting
21 residential uses and streets, to the satisfaction of the town council,
22 from the vehicular use areas and portions of the property
23 associated with retail sales, including any portion of the nursery
24 periphery where retail customers have access.

25 d. The nursery shall utilize commercial waste collection service.

26 *[existing subsections k. through u. are hereby re-numbered as l. through v.]*

27 **Section 4.4** Article 45, "Agricultural and Rural Districts," Section 045-030,
28 "General Provisions," Subsection (X) is hereby created as follows:

29 * * *

30 (X) *Conversion of single-family dwelling prohibited.* A building designed,
31 constructed or used as a single-family detached dwelling shall not

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1 thereafter be modified or utilized for any nonresidential purpose other
 2 than a permitted home occupation residential accessory use.

3
 4 * * *

5 **Section 4.5** Article 45, "Agricultural and Rural Districts," Section 045-050,
 6 "Permitted and Prohibited Uses" is hereby amended as follows:

7 Sec. 045-050. – Permitted, accessory, conditional, special exception and
 8 prohibited uses.

9 Plots in rural and agricultural districts may be used for one (1) or more of
 10 the uses that are specified below as being permitted, or conditionally permitted,
 11 accessory, or special exception uses. Special exception uses require town council
 12 approval pursuant to article 112:

Key to abbreviations:			
P=Permitted use	NP=Not permitted	C=Conditional use	<u>SE=Special exception use</u>

Permitted Principal Uses	A-1	A-2	RE	RR
One single-family detached dwelling on a lot of record	P	P	P	P
Nonprofit neighborhood social and recreational facilities	P	P	P	P
Cemetery (subject to section 045-030(U))	P	NP	NP	NP
Community residential facilities (subject to section 045-030(S))	P	P	P	P
Crop raising and nurseries (commercial and noncommercial (subject to section 045-030(J))	P	P	P	P
<u>Any business, activity, parking or storage relating to maintenance of offsite lawns and landscaping except as provided in section 045-030 (C)(4)a.</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
Essential services (subject to section 045-030(K))	P	P	P	P

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Fish breeding (commercial and noncommercial)	P	P	P	P
Keeping, breeding of animals (subject to section 045-030(F))	P	P	P	P
Commercial equestrian operations	P	P	P	P
Veterinary clinics (no overnight stay or animal runs)	<u>NP</u>	<u>NP</u>	NP	NP
Veterinary hospitals	NP	<u>NP</u>	NP	NP
Kennels, commercial boarding and breeding	NP	<u>NP</u>	NP	NP
Cannabis-related uses	NP	NP	NP	NP
Wireless communication facilities (subject to article 40, "Telecommunication Towers and Antennas.")	P	P	P	P
<i>Permitted accessory uses to a single-family dwelling</i>				
Detached guesthouse (subject to section 045-030(G))	P	P	P	P
Exhibition of Class I and Class II wildlife (subject to section 035-070 pertaining to conditional uses)	C	C	NP	C
Keeping, breeding of animals (subject to section 045-030(F))	P	P	P	P
Yard sales (subject to section 035-060 pertaining to conditional uses)	C	C	C	C
Home offices (subject to section 035-030 pertaining to conditional uses)	C	C	C	C
Family day care homes	P	P	P	P
Cannabis-related uses	NP	NP	NP	NP
Accessory structures and uses, other	P	P	P	P

- 1 **Section 5.** Article 60, "Community Facility District," Section 060-030, "Permitted
- 2 and Prohibited Uses" is hereby amended as follows:
- 3 0-030. – Permitted, accessory, conditional, special exception and prohibited uses.
- 4

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1 Permitted uses in the community facility district shall be limited to those uses
 2 specified as permitted, ~~or~~ conditionally permitted or special exception uses in the master
 3 use list. Special exception uses require town council approval pursuant to article 112. All
 4 permitted uses shall be governmentally owned (public) or operated, or not-for-profit,
 5 unless otherwise specified. Uses are subject to applicable provisions of section 060-090,
 6 "Limitations of uses." Specific subsection references are included in the following master
 7 use list:

8
 9 Master Use List

P=Permitted use	C=Conditional use	A=Accessory use only	<u>SP=Special exception use</u>	NP=Not permitted
-----------------	-------------------	----------------------	---------------------------------	------------------

10

Use	
Accessory dwelling (see section 060-090(A))	A
Agricultural uses (subject to sections <u>045-030(J), "Sale of farm products and incidental-nursery retail sales products,"</u> and 060-020(I), "Animals")	P
Cannabis-related uses	NP
Cemeteries (see section 060-090(B))	P
Cemeteries accessory to a place of worship (see section 060-090(B))	A, C
Civic center, incl. library, museum, art gallery and other such exhibitions	P
Community residential facilities (see section 060-090(C))	P
Day care or preschool, accessory to place of worship or primary school only	A
Essential services	P
Fire protection facilities	P
Funeral home accessory to a cemetery	A
Governmental administration offices	P
Outdoor events (see section 035-040, "Outdoor event permits")	C
Parks, public	P
Places of worship (see section 060-060, 060-090(D) and 060-090(E))	P

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Breitkreuz _____
Hartmann _____
Allbritton _____
Jablonski _____
Kuczenski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, J.D., Town Attorney

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