



**Town of Southwest Ranches
Comprehensive Plan Advisory Board
Meeting Agenda**

Thursday
September 22, 2021
7:00 pm

13400 Griffin Road
Southwest Ranches, FL 33330

Board Members

Joseph Altschul
Jason Halberg
Newell Hollingsworth
Anna Koldys
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 August 2021
 - B. Discussion on how to limit extent and impact of new residential development in Southwest Ranches
6. New Business
 - A. Guest Houses
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.

Motion: To approve Section 2 Amendment of Definitions of the proposed ordinance.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	DP	RS
Failed	NH	LP (Second Withdrawn)								

Motion: To approve Section 2 Amendment of Definitions of the proposed ordinance but amend the language by removing "Within Rural Estate District Only" from (3) and (4).

Result	1st	2nd	JA	JH	NH	AK	GM	LP	DP	RS
Passed	JA	LP	Y	Y	Y	Y	Y	Y	N	Y

Motion: To approve Section 3 Amendment to Minimum Plot Size and Dimensions of the proposed ordinance and amend the entire ordinance to include all the other classifications.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	DP	RS
Passed	NH	AK	Y	Y	Y	Y	Y	Y	Abs	Y

Motion: To approve the draft language provided, amending Sec. 090-080 "Access to development" and Sec. 015-110, "Flag plots."

Result	1st	2nd	JA	JH	NH	AK	GM	LP	DP	RS
Passed	NH	JA	Y	Y	Y	Y	Y	Abs	Y	Y

Motion: To approve Section 090-080 Access to Developments proposed language.

Result	1st	2nd	JA	JH	NH	AK	GM	LP	DP	RS
Passed	LP	NH	Y	Y	Y	Y	Y	Y	Abs	Y

Meeting adjourned at 8:58 PM.

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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

Ordinance No. 2022-__
New text is underlined and deleted text is ~~stricken~~

1 (1) Any easement, reservation or other encumbrance existing, in whole or in
2 part, for the purpose of providing access to real property, provided that an
3 easement for ingress/egress and utilities shall be included as net acreage if
4 the town requires the easement to be granted for the purpose of fully
5 accommodating a town capital improvement to an existing street; and

6 (2) Water bodies that are not wholly contained within a single plot, including
7 but not limited to, canals, wet retention areas and lakes.

8 (3) Powerline transmission easements 50 feet or greater in width.

9 * * *

10 **Section 3. Amendment to minimum plot size and dimensions.** Article 45,
11 "Agricultural and Rural Districts," Section 045-070, "Minimum plot size and dimensions,"
12 is hereby amended as follows:

13 (A) *Agricultural districts.*

14 (1) Any plot in an agricultural district shall have at least one (1) dimension of
15 two hundred fifty (250) feet.

16 (2) No plot within an agricultural zoning district shall be developed for
17 residential use unless the plot contains two (2) net or two and one-half
18 (2½) gross acres of plot area, unless the plot satisfies one (1) of the
19 exceptions listed in subparagraphs a. through h. below, in addition to
20 subparagraph i.:

21 a. Became undersized due to a right-of-way dedication or change in district
22 regulations prior to the adoption of the ordinance from which this ULDC
23 is derived; or

24 b. Is specifically designated on a plat approved by the board or county
25 commissioners prior to May 16, 1979; or

26 c. Was of public record prior to May 16, 1979, and has not been at any
27 time since the effective date of county Ordinance No. 79-34 (May 30,
28 1979), contiguous with another parcel in common ownership that could
29 be combined into a single parcel of at least two (2) net acres, and which
30 has received the approval of the applicable agency for a sewage disposal
31 system; or

32 d. Is exempted from the minimum plot size requirement under the
33 "Developed Areas" provision of the comprehensive plan; or

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

- e. Was of public record as of October 6, 2005, and became nonconforming as a result of Town Ordinance No. 2006-02 (see section 010-030, definition of "Acre, net"), which excluded access easements and reservations from counting towards net plot area; or
- f. Was of public record as of March 2, 2006, and became nonconforming as a result of Town Ordinance No. 2006-06 (see section 010-030, definition of "Acre, net"), which excluded drainage canals and lakes from counting towards net plot area; ~~and~~ or
- g. Was of public record as of [date of adoption of ordinance] and became nonconforming as a result of Town Ordinance No. 2022-XXX (see section 010-030, definition of "Acre, net"), which excluded certain powerline transmission easements from counting toward net plot area; or
- h. Reserved. [and,]
- ~~g~~ i. Has not, at any time subsequent to May 8, 2003, been under common ownership with a contiguous lot that, if combined, would form a single conforming lot (this provision does not apply to "Developed Areas" under subsection (A)(2)d of this section).

(B) *Rural ranches district.* Every plot in a RR district shall be not less than one-hundred twenty-five (125) feet in width and shall contain not less than two (2) net or two and one-half (2½) gross acres unless the plot satisfies one (1) of the plot size exceptions established in ~~subsection paragraphs~~ paragraphs (A)(2) b, c, d, e, or f, g, or h, and subject to subparagraph g i. of this section, or has a minimum area of eighty thousand (80,000) square feet in net area, of record as of February 8, 1993.

(C) *Rural estate district.*

(1) Every plot in an RE district shall be not less than one hundred twenty-five (125) feet in width and contain not less than one (1) net acre. One-family dwellings may be permitted on smaller plots which satisfy one (1) of the ~~six (6)~~ exceptions listed below in subparagraphs a. through h. an in addition to satisfying subsection (C)(1)g subparagraph i. of this section:

a. Contain thirty-five thousand (35,000) square feet or more in net area and are not less than one hundred twenty-five (125) feet in width and:

1. Were of public record prior to September 18, 1979; and

- 1 2. Have not been at any time since September 18, 1979,
2 contiguous with another plot in common ownership which
3 could be combined into a single plot of at least one (1) gross
4 acre; or
- 5 b. Are included within an approved plat in which the average density
6 is not more than one (1) dwelling unit per gross acre, as defined in
7 the comprehensive plan; or
- 8 c. Comply with requirements of exemptions for developed areas
9 specified in the comprehensive plan; or
- 10 d. Were of public record as of October 6, 2005, and became
11 nonconforming as a result of Town Ordinance No. 2006-02 (see
12 section 010-030, definition of "Acre, net"), which excluded access
13 easements and reservations from counting towards net plot area;
14 or
- 15 e. Was of public record as of March 2, 2006, and became
16 nonconforming as a result of Town Ordinance No. 2006-06, (see
17 section 010-030, definition of "Acre, net"), which excluded
18 drainage canals and lakes from counting towards net plot area; or
- 19 f. Was of public record as of [date of adoption of ordinance] and
20 became nonconforming as a result of Town Ordinance No. 2021-
21 XXX (see section 010-030, definition of "Acre, net"), which
22 excluded certain powerline transmission easements from counting
23 toward s net plot area; or
- 24 g. Reserved.
- 25 h f. When a plot which was recorded prior to January 1, 1973, and
26 contained thirty-five thousand (35,000) square feet or more in area
27 was reduced in size due to dedication for right-of-way, the resulting
28 plot need be no larger than one hundred twenty-five (125) feet in
29 width and thirty thousand (30,000) square feet in net area. Said
30 plot shall not be further subdivided; and
- 31 ig. Has not at any time subsequent to May 8, 2003, been under
32 common ownership with a contiguous lot that, if combined, would
33 form a single conforming lot (this provision does not apply to
34 "Developed Areas" under subsection (A)(2)d of this section).

35 **Section 4: Codification.** The Town Clerk shall cause this ordinance to be
36 codified as a part of the ULDC during the next codification update cycle.

Ordinance No. 2022-__
New text is underlined and deleted text is ~~stricken~~

1 Breitkreuz _____ Ayes _____
2 Hartmann _____ Nays _____
3 Allbritton _____ Absent _____
4 Jablonski _____ Abstaining _____
5 Kuczenski _____

Steve Breitkreuz, Mayor

11 ATTEST:

14

15 Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

17 Approved as to Form and Correctness:

20

21 Keith Poliakoff, J.D., Town Attorney

1 subdivision will help the Town cope with the impacts of projected sea level rise and
2 protect the public health, safety and welfare.

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

5 **Section 1. Ratification.** The foregoing "WHEREAS" clauses are hereby ratified
6 and confirmed as being true and correct and are hereby incorporated herein and made a
7 part hereof.

8 **Section 2. Amendment to Definitions.** Article 10, "Definition of Terms,"
9 Section 010-030, "Terms defined" is hereby amended as follows:

10 * * *

11 *Acre, net.* The term "net acre" means forty-three thousand five hundred sixty
12 (43,560) square feet of land which includes contiguous, private property under
13 the same ownership, excluding the following:

14 (1) Any easement, reservation or other encumbrance existing, in whole or in
15 part, for the purpose of providing access to real property, provided that an
16 easement for ingress/egress and utilities shall be included as net acreage if
17 the town requires the easement to be granted for the purpose of fully
18 accommodating a town capital improvement to an existing street; and

19 (2) Water bodies that are not wholly contained within a single plot, including
20 but not limited to, canals, wet retention areas and lakes; and

21 (3) Reserved

22 (4) Portions of surface water management areas, drainage easements or
23 equivalent areas, designated by the Town or applicable drainage district for
24 retaining or conveying stormwater, that exceed ten (10) feet in width
25 measured along each property line.

26 * * *

27 **Section 3. Amendment to minimum plot size and dimensions.** Article 45,
28 "Agricultural and Rural Districts," Section 045-070, "Minimum plot size and dimensions,"
29 is hereby amended as follows:

Ordinance No. 2022-__
New text is underlined and deleted text is ~~stricken~~

1 (A) *Agricultural districts.*

2 (1) Any plot in an agricultural district shall have at least one (1) dimension of
3 two hundred fifty (250) feet.

4 (2) No plot within an agricultural zoning district shall be developed for
5 residential use unless the plot contains two (2) net or two and one-half
6 (2½) gross acres of plot area, unless the plot satisfies one (1) of the
7 exceptions listed in subparagraphs a. through h. below, in addition to
8 subparagraph i.:

9 a. Became undersized due to a right-of-way dedication or change in district
10 regulations prior to the adoption of the ordinance from which this ULDC
11 is derived; or

12 b. Is specifically designated on a plat approved by the board or county
13 commissioners prior to May 16, 1979; or

14 c. Was of public record prior to May 16, 1979, and has not been at any
15 time since the effective date of county Ordinance No. 79-34 (May 30,
16 1979), contiguous with another parcel in common ownership that could
17 be combined into a single parcel of at least two (2) net acres, and which
18 has received the approval of the applicable agency for a sewage disposal
19 system; or

20 d. Is exempted from the minimum plot size requirement under the
21 "Developed Areas" provision of the comprehensive plan; or

22 e. Was of public record as of October 6, 2005, and became nonconforming
23 as a result of Town Ordinance No. 2006-02 (see section 010-030,
24 definition of "Acre, net"), which excluded access easements and
25 reservations from counting towards net plot area; or

26 f. Was of public record as of March 2, 2006, and became nonconforming
27 as a result of Town Ordinance No. 2006-06 (see section 010-030,
28 definition of "Acre, net"), which excluded drainage canals and lakes from
29 counting towards net plot area; ~~and~~ or

30 g. Reserved.

31 h. Was of public record as of [date of adoption of ordinance] and became
32 nonconforming as a result of Town Ordinance No. 2022-XXX (see section
33 010-030, definition of "Acre, net"), which excluded certain surface water
34 management areas and drainage easements from counting toward net
35 plot area; and

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

1 ~~g.i.~~ Has not, at any time subsequent to May 8, 2003, been under common
2 ownership with a contiguous lot that, if combined, would form a single
3 conforming lot (this provision does not apply to "Developed Areas"
4 under subsection (A)(2)d of this section).

5 (B) *Rural ranches district.* Every plot in a RR district shall be not less than one-
6 hundred twenty-five (125) feet in width and shall contain not less than two
7 (2) net or two and one-half (2½) gross acres unless the plot satisfies one (1)
8 of the plot size exceptions established in ~~subsection~~paragraphs (A)(2) b, c,
9 ~~d, e, or f,~~ g or h. and subject to ~~subparagraph~~ g.i. of this section, or has a
10 minimum area of eighty thousand (80,000) square feet in net area, of record
11 as of February 8, 1993.

12
13 (C) *Rural estate district.*

14 (1) Every plot in an RE district shall be not less than one hundred twenty-
15 five (125) feet in width and contain not less than one (1) net acre. One-
16 family dwellings may be permitted on smaller plots which satisfy one (1)
17 of the ~~six (6)~~ exceptions listed below in subparagraphs a. through h. and
18 in addition to satisfying subparagraph subsection (C)(1)g.i. of this
19 section:

20 a. Contain thirty-five thousand (35,000) square feet or more in net
21 area and are not less than one hundred twenty-five (125) feet in
22 width and:

23 1. Were of public record prior to September 18, 1979; and

24 2. Have not been at any time since September 18, 1979,
25 contiguous with another plot in common ownership which
26 could be combined into a single plot of at least one (1) gross
27 acre; or

28 b. Are included within an approved plat in which the average density
29 is not more than one (1) dwelling unit per gross acre, as defined in
30 the comprehensive plan; or

31 c. Comply with requirements of exemptions for developed areas
32 specified in the comprehensive plan; or

33 d. Were of public record as of October 6, 2005, and became
34 nonconforming as a result of Town Ordinance No. 2006-02 (see
35 section 010-030, definition of "Acre, net"), which excluded access

1 easements and reservations from counting towards net plot area;
2 or

3 e. Was of public record as of March 2, 2006, and became
4 nonconforming as a result of Town Ordinance No. 2006-06, (see
5 section 010-030, definition of "Acre, net"), which excluded
6 drainage canals and lakes from counting towards net plot area; or

7 f. Reserved.

8 g. Was of public record as of [date of adoption of ordinance] and
9 became nonconforming as a result of Town Ordinance No. 2021-
10 XXX (see section 010-030, definition of "Acre, net"), which
11 excluded certain surface water management areas and drainage
12 easements from counting toward s net plot area; or

13 h f. When a plot which was recorded prior to January 1, 1973, and
14 contained thirty-five thousand (35,000) square feet or more in area
15 was reduced in size due to dedication for right-of-way, the resulting
16 plot need be no larger than one hundred twenty-five (125) feet in
17 width and thirty thousand (30,000) square feet in net area. Said
18 plot shall not be further subdivided; and

19 g i. Has not at any time subsequent to May 8, 2003, been under
20 common ownership with a contiguous lot that, if combined, would
21 form a single conforming lot (this provision does not apply to
22 "Developed Areas" under subsection (A)(2)d of this section).

23 **Section 4: Codification.** The Town Clerk shall cause this ordinance to be
24 codified as a part of the ULDC during the next codification update cycle.

25 **Section 5: Conflicts.** All Ordinances or parts of Ordinances, Resolutions or parts
26 of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of
27 such conflict.

28 **Section 6: Severability.** Should any section or provision of this Ordinance or
29 any portion thereof, any paragraph, sentence or word hereof be declared unconstitutional
30 or invalid, the invalidity thereof shall not affect the validity of any of the remaining
31 portions of this Ordinance.

32 **Section 7: Effective Date.** This Ordinance shall take effect immediately upon
33 passage and adoption.

Ordinance No. 2022-__
New text is underlined and deleted text is ~~stricken~~

1 **PASSED ON FIRST READING** this ___ day of _____, 2021 on a motion made
2 by _____ and seconded by _____.

3 **PASSED AND ADOPTED ON SECOND READING** this _____ day of _____,
4 2021, on a motion made by _____ and seconded by
5 _____.

6 **[Signatures on Next Page]**

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11	Breitkreuz	_____	Ayes	_____
12	Hartmann	_____	Nays	_____
13	Allbritton	_____	Absent	_____
14	Jablonski	_____	Abstaining	_____
15	Kuczenski	_____		

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Steve Breitkreuz, Mayor

21 ATTEST:

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Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

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Approved as to Form and Correctness:

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Ordinance No. 2022-__
New text is underlined and deleted text is ~~stricken~~

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3 Keith Poliakoff, J.D., Town Attorney

Ordinance No. 2022-__

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1 travel surface connecting the landlocked lot or parcel to a public or
2 private street through an intervening lot or parcel. The easement
3 shall provide for access by emergency vehicles and government
4 officials, employees or contractual service providers during the
5 course of their official duties. Geometry shall be approved by the
6 town engineer, fire department and other applicable service
7 providers; or

8 b. *Shared access to multiple landlocked parcels.* Up to four (4) lots or
9 parcels may be served by an ingress/egress easement at least
10 thirty-five (35) ~~twenty-five (25)~~ feet wide, providing access for
11 emergency vehicles and government officials, employees or
12 contractual service providers during the course of their official
13 duties, and providing a travel surface, pull-off shoulders and traffic
14 markings as depicted by Figure 90-2.

15 * * *

16 i. A turn-around acceptable to the town engineer and/or fire marshal
17 shall be provided at the end of the shared driveway, consistent with
18 one of the details shown in Figure 90-1 and shall be fully contained
19 within the ingress/egress easement.

20 **Section 3: Codification.** The Town Clerk shall cause this ordinance to be
21 codified as a part of the ULDC during the next codification update cycle.

22 **Section 4: Conflicts.** All Ordinances or parts of Ordinances, Resolutions or parts
23 of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of
24 such conflict.

25 **Section 5: Severability.** Should any section or provision of this Ordinance or
26 any portion thereof, any paragraph, sentence or word hereof be declared unconstitutional
27 or invalid, the invalidity thereof shall not affect the validity of any of the remaining
28 portions of this Ordinance.

29 **Section 6: Effective Date.** This Ordinance shall take effect immediately upon
30 passage and adoption.

31 **PASSED ON FIRST READING** this ___ day of _____, 2021 on a motion made
32 by _____ and seconded by _____.

Ordinance No. 2022-__

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

1 **PASSED AND ADOPTED ON SECOND READING** this ____ day of _____,
2 2021, on a motion made by _____ and seconded by
3 _____.

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5	Breitkreuz	_____	Ayes	_____
6	Hartmann	_____	Nays	_____
7	Allbritton	_____	Absent	_____
8	Jablonski	_____	Abstaining	_____
9	Kuczenski	_____		

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Steve Breitkreuz, Mayor

15 ATTEST:

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Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

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21 Approved as to Form and Correctness:

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Keith Poliakoff, J.D., Town Attorney

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Ordinance No. 2022-__

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

- 1 (2) Yards;
- 2 (3) Offstreet parking and loading;
- 3 (4) Landscaping and buffers;
- 4 (5) Separation of uses;
- 5 (6) Plot coverage;
- 6 (7) Such other provisions of the Code which do not specifically prohibit such
- 7 requests.
- 8 (B) No variance request may be acted upon by the town council that would allow
- 9 a use which is specifically or by inference prohibited in any zoning district
- 10 classification, including an increase in density, or any provisions for which the
- 11 ULDC specifically prohibits waiver or modification.
- 12 (C) Notwithstanding the foregoing subsections (A) and (B), the Town Council
- 13 may grant a variance from any provision of this chapter that a petitioner
- 14 claims violates state or federal law, upon a finding that the petitioner satisfies
- 15 the standard set forth in the applicable federal or state statutes, or legal
- 16 precedent interpreting the applicable statutes, to establish that the requested
- 17 relief is required by law.
- 18 ~~(D)~~ Applications for variances will not be considered with respect to the
- 19 following:
- 20 (1) Where application, either formal or informal, has been made for
- 21 construction or alteration of buildings, structures, or other
- 22 improvements that commenced subsequent to April 14, 2005 (the date
- 23 of adoption of the ordinance from which this provision is derived), and
- 24 for which all necessary development orders and permits have not been
- 25 issued or where the town has denied such application, but the building,
- 26 structure, or other improvement is later constructed.
- 27 (2) Where plans have been submitted and approved and permits issued and
- 28 the building, structure, or other improvement is not built according to
- 29 plan.
- 30 (3) Where plans have been submitted and approved and permits issued, but
- 31 additional work not shown on the approved plans has been performed.
- 32 (4) Where a property has been subdivided and as a result an existing
- 33 structure is in violation of the provisions of this ULDC.
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Ordinance No. 2022-__

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Breitkreuz	_____	Ayes	_____
Hartmann	_____	Nays	_____
Allbritton	_____	Absent	_____
Jablonski	_____	Abstaining	_____
Kuczenski	_____		

Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, J.D., Town Attorney

1 **Section 2. Plot coverage exception for barn.** Article 45, "Agricultural and
2 Rural Districts," Section 045-080, "Plot coverage, floor area ratio and pervious area" is
3 hereby amended as follows:

4 (A) The combined area occupied by all buildings and roofed structures shall not
5 exceed twenty (20) percent of the area of a plot in A-1, A-2, and RE districts,
6 and ten (10) percent of the area of a plot area in the RR district less any
7 public or private street right-of-way.

8 (1) Plot coverage for enclosed structures on plots designated agricultural
9 on the future land use plan map shall not exceed ten percent (10%), in
10 accordance with the maximum permitted floor area ratio of one-tenth
11 (0.10) as established by the adopted comprehensive plan.

12 (2) The aforesaid plot coverage limitations of this section shall not apply to
13 nonresidential farm buildings. To the extent that a noncommercial farm
14 applicant needs to exceed the plot coverage limitation, the applicant
15 must follow the review procedures set forth in article 155,
16 "Noncommercial farm special exceptions." The noncommercial farm
17 applicant must demonstrate that the requirement prohibits, restricts, or
18 otherwise limits a generally accepted farming practice.

19 (3) In order to ensure that the plot coverage limitations of this section do
20 not preclude a resident from having a barn, each plot is permitted an
21 additional six hundred (600) square feet of plot coverage for a barn that
22 is not a farm building.

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24 * * *

25 **Section 3. Agricultural reserve area requirement.** Article 45, "Agricultural
26 and Rural Districts," is hereby amended to create Section 045-081, "Agricultural reserve
27 area" to read as follows:

28 (A) Intent. The intent of this subsection is to preserve the opportunity of a future
29 property owner to engage in an agricultural use. The requirements of this
30 section are modeled after the best practices for a two-stall barn with tack
31 room and paddock. Construction of a barn is not required to comply with this
32 section.

33 (B) Prior to issuance of a building permit for a dwelling, the plot plan in the permit
34 plan set shall designate a single contiguous area within the plot for
35 agricultural use that meets the following requirements:

- 1 (1) Area of at least twelve hundred (1,200) square with a minimum
2 dimension of at least eighteen (18) feet.
- 3 (2) Setback of at least four (4) feet from property lines, surface water
4 management areas and drainage easements. The setback is intended to
5 allow for one (1) foot of fill above the elevation of adjacent water
6 retention and flowage areas at a transitional slope of 4:1.
- 7 (3) Setback of at least ten (10) feet from any pool, deck and patio, and any
8 roofed structure other than an agricultural structure.
- 9 (4) Setback of at least fifty (50) feet from a waterbody.
- 10 (5) Capable of accommodating a six hundred (600) square-foot barn with a
11 minimum eighteen-(18) foot dimension that complies with the setback
12 requirements in Sec. 045-100(A). This dimension is based upon twelve
13 (12) feet of stall depth and six (6) feet of roof overhang at the front of
14 the stall.
- 15 (C) The area shall remain reserved for agricultural use whether or not the then-
16 current owner intends to engage in any agricultural use. No structures are
17 permitted within the agricultural use area except barns, greenhouses, shade
18 houses, and other agricultural structure authorized by the Town
19 Administrator for bona fide agricultural use. Storage buildings are not
20 agricultural structures for the purpose of this section.
- 21 (D) The Noncommercial Farm Special Exception procedures of Article 155 are
22 not authorized to provide relief from the minimum requirements of this
23 section.

24 **Section 4: Codification.** The Town Clerk shall cause this ordinance to be
25 codified as a part of the ULDC during the next codification update cycle.

26 **Section 5: Conflicts.** All Ordinances or parts of Ordinances, Resolutions or parts
27 of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of
28 such conflict.

29 **Section 6: Severability.** Should any section or provision of this Ordinance or
30 any portion thereof, any paragraph, sentence or word hereof be declared unconstitutional
31 or invalid, the invalidity thereof shall not affect the validity of any of the remaining
32 portions of this Ordinance.

Ordinance No. 2022-__
New text is underlined and deleted text is ~~stricken~~

1 **Section 7: Effective Date.** This Ordinance shall take effect immediately upon
2 passage and adoption.

3 **PASSED ON FIRST READING** this ___ day of _____, 2021 on a motion made
4 by _____ and seconded by _____.

5 **PASSED AND ADOPTED ON SECOND READING** this ___ day of _____,
6 2021, on a motion made by _____ and seconded by
7 _____.

8

9	Breitkreuz	_____	Ayes	_____
10	Hartmann	_____	Nays	_____
11	Allbritton	_____	Absent	_____
12	Jablonski	_____	Abstaining	_____
13	Kuczenski	_____		

14

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Steve Breitkreuz, Mayor

18 ATTEST:

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20

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Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

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24 Approved as to Form and Correctness:

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Keith Poliakoff, J.D., Town Attorney

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Ordinance No. 2022-__

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

ORDINANCE NO. 2022 -

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE DEFINITION OF GUEST HOUSE IN THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-22-1)

WHEREAS, Section II.A. of the Town of Southwest Ranches Comprehensive Plan entitled, "Definitions," restricts the gross floor area of guest homes on parcels between 35,000 square feet and 43,560 square feet in area to six hundred (600) square feet; and

WHEREAS, Section II.A. allows guest homes of 1,200 square feet of gross floor area on plots of more than 43,560 square feet in area; and

WHEREAS, the Town Council wishes to standardize the allowable guest house size on all plots of 35,000 square feet and larger in area.

WHEREAS, the Town Council, sitting as the Local Planning Agency, held a duly noticed public hearing on September 23, 2021 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 Part II.A. The Definitions of Part II, Administration, of the Town of Southwest Ranches Comprehensive Plan are hereby amended as follows:

* * *

Guest house - A structure or any part of a structure ancillary to a detached single family dwelling unit, excluding mobile homes, and located on the same

parcel as the principle dwelling unit, that is occupied in whole or in part as the temporary residence or living quarters of one or more persons, that shall not exceed ~~600 square feet for parcels between 35,000 square feet to 43,560 square feet and shall not exceed 1,200 square feet in gross living area for parcels greater than 43,560 square feet.~~ Only one (1) guest house shall be permitted per parcel and it may not be rented, leased or sold separately from the overall property. A guest house may not contain, or be designed to contain, a complete kitchen facility. In no event shall a guest house be considered a dwelling unit, as defined herein. If a temporary or permanent residence or living quarter does not meet the definition of guest house, it shall be deemed to be a dwelling for purposes of density calculation. For purposes of this definition, a temporary residence or living quarter shall not have a separate mailing address or electric meter. A guest house shall not be permitted on parcels less than 35,000 square feet.

Section 3: 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 4: 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 5: 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 ___ day of _____, 2021 on a motion made by _____ and seconded by _____.

PASSED AND ADOPTED ON SECOND READING this ___ day of ____, 2021, on a motion made by _____ and seconded by _____.

Underlined text is added and ~~stricken~~ text is deleted.

Breitkreuz _____
Hartmann _____
Allbritton _____
Jablonski _____
Kuczenski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Russell Muñiz, MBA, MPA, MMCI , Town Clerk

Approved as to Form and Correctness:

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

Underlined text is added and ~~stricken~~ text is deleted.