



Southwest Ranches Town Council

LOCAL PLANNING AGENCY

Agenda of August 8, 2024

Southwest Ranches Council Chambers
7:00 PM Thursday

13400 Griffin Road
Southwest Ranches, FL 33330

<u>Mayor</u> Steve Breitkreuz	<u>Town Council</u> Jim Allbritton Bob Hartmann Gary Jablonski	<u>Town Administrator</u> Russell C. Muñiz, MBA, MPA	<u>Town Attorney</u> Keith M. Poliakoff, J.D.
<u>Vice Mayor</u> David S. Kuczenski, Esq.		<u>Town Financial Administrator</u> Emil C. Lopez, CPM	<u>Town Clerk</u> Debra M. Ruesga, CMC

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (954) 434-0008 for assistance no later than four days prior to the meeting.

1. **Call to Order**
2. **Roll Call**

Resolutions

3. **US Highway 27 Water and Sewer Text Amendment**
A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA (“LPA”), RECOMMENDING THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, PERTAINING TO POTABLE WATER AND SANITARY SEWER FACILITIES REQUIRED TO SERVE DEVELOPMENT DESIGNATED US HIGHWAY 27 BUSINESS CATEGORY ON THE FUTURE LAND USE PLAN MAP; PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-24-2) **{Tabled from May 23, 2024 Meeting}**
4. **Approval of Minutes**
 - a. **May 23, 2024 LPA Minutes**
5. **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 COUNCIL 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
13400 Griffin Road
Southwest Ranches, FL
33330-2628
(954) 434-0008 Town Hall
(954) 434-1490 Fax

Town Council
Steve Breitkreuz, Mayor
David S. Kuczenski, Esq., Vice Mayor
Jim Allbritton, Council Member
Bob Hartmann, Council Member
Gary Jablonski, Council Member

Russell C. Muñiz, MBA, MPA, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Debra M. Ruesga, CMC, Town Clerk
Emil C. Lopez, CPM, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Russell Muniz, Town Administrator
FROM: Jeff Katims
DATE: 5/23/2024
SUBJECT: US Highway 27 Water and Sewer Text Amendment

Recommendation

Staff recommends that the LPA find the proposed ordinance internally consistent with the adopted comprehensive plan.

A. Sound Governance

Background

The comprehensive plan requires development designated US Highway 27 Business to connect to City of Sunrise potable water and sanitary sewer systems prior to issuing a certificate of occupancy for a building or roofed structure. On April 25, Council directed preparation of an ordinance to also allow other municipal utilities to provide these services.

New buildings would require municipal water and sewer service. Unenclosed roofed structures and uses of land without buildings (storage yards, etc.) would be allowed to utilize septic and well as an alternative to municipal water and sewer.

Fiscal Impact/Analysis

N/A

Business Impact/Analysis

Staff Contact:

Jeff Katims

ATTACHMENTS:

Description	Upload Date	Type
LPA US HWY 27 Reso - TA Approved	5/17/2024	Resolution
Resolution Exhibit A: Text Amendment	5/17/2024	Exhibit

LPA RESOLUTION NO. 2024-_____

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LPA"), RECOMMENDING THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, PERTAINING TO POTABLE WATER AND SANITARY SEWER FACILITIES REQUIRED TO SERVE DEVELOPMENT DESIGNATED US HIGHWAY 27 BUSINESS CATEGORY ON THE FUTURE LAND USE PLAN MAP; PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-24-2)

WHEREAS, the Town of Southwest Ranches, Florida has initiated an amendment to the text of the Future Land Use Element of the Town's adopted Comprehensive Plan pertaining to the applicability and permitted uses of the US Highway 27 Business Land Use Category; and

WHEREAS, the Town Council, sitting as the Local Planning Agency, finds that the proposed amendment is internally consistent with the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1. ADOPTION OF RECITALS. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. RECOMMENDATION. The Local Planning Agency recommends that the Town Council adopt the proposed amendment, attached as Exhibit "A" hereto.

Section 3. EFFECTIVE DATE. This Resolution shall be effective immediately upon its passage.

PASSED this ___ day of _____, 2024 on a motion made by Council Member _____ and seconded by Council Member _____.

(Signatures on Following Page)

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Debra Ruesga, CMC, Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney
1001.021.2024

ORDINANCE NO. 2024-____

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT POLICY 1.8-P AND THE PERFORMANCE STANDARDS FOR THE US HIGHWAY 27 BUSINESS CATEGORY IN PART TWO OF THE FUTURE LAND USE ELEMENT ENTITLED, "PERMITTED USES IN FUTURE LAND USE CATEGORIES;" PERTAINING TO POTABLE WATER AND SANITARY SEWER FACILITIES REQUIRED TO SERVE DEVELOPMENT DESIGNATED US HIGHWAY 27 BUSINESS CATEGORY ON THE FUTURE LAND USE PLAN MAP; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND OTHER REVIEW AGENCIES DEFINED IN F.S. 163.3184(1)(C); PROVIDING FOR RECERTIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-24-2)

WHEREAS, the Town Council desires to allow for the most economical municipal potable water supply and sanitary sewage treatment services within the US Highway 27 Business Category; and

WHEREAS, the Town of Southwest Ranches Comprehensive Plan Advisory Board reviewed the proposed amendment at its May 16, 2024 meeting and recommended approval; and

WHEREAS, the Town Council, sitting as the Local Planning Agency, held a duly noticed public hearing on May 23, 2024 and recommended that the Town Council adopt the proposed Ordinance.

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

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

Section 2: Amendment. Part 1. of the Future Land Use Element entitled, " Goals, Objectives and Policies", is hereby amended as follows:

FLUE POLICY 1.8-p: All land designated US Highway 27 Business shall be connected to, or ~~shall enter into~~ be the subject of a binding agreement providing for the connection to, ~~the City of Sunrise a municipal water and sewer systems~~ 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.

Section 3: Amendment. Part 2. of the Future Land Use Element entitled, "Permitted Uses in Future Land Use Categories", is hereby amended as follows:

5. US HIGHWAY 27 BUSINESS CATEGORY

* * *

A. Performance Standards.

1. Development shall not generate levels of noise, vibration, odor, dust, fumes, smoke, glare, or night-time illumination that are incompatible with residential land uses east of US Highway 27.
2. ~~City of Sunrise Municipal~~ Municipal sanitary sewer and potable facilities must be in place, or the provision of municipal ~~City of Sunrise~~ sanitary sewer and potable facilities must be the subject of a binding agreement with a municipality, ~~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.

Section 4: F.S. Chapter 163 Transmittal. That the Town Planner is hereby directed to transmit the amendment to the state land planning agency under the expedited state review procedure.

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 upon adoption of the amendment.

Section 6: Conflict. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 7: Severability. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word hereof be declared unconstitutional or invalid, the invalidity thereof shall not affect the validity of any of the remaining portions of this Ordinance.

Section 8: Effective Date. This Ordinance shall take effect 31 days after the state land planning agency 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 state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

PASSED ON FIRST READING this ____ day of _____, 2024 on a motion made by _____ and seconded by _____.

PASSED AND ADOPTED ON SECOND READING this ____ day of _____, 2024, on a motion made by _____ and seconded by _____.

(Signatures on following page)

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

ATTEST:

Debra M. Ruesga, CMC, Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, J.D., Town Attorney
1001.020.2024

LOCAL PLANNING AGENCY MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

May 23, 2024

13400 Griffin Road

Present:

Chair Steve Breitkreuz

Vice Chair David S. Kuczenski, Esq.

Board Member Jim Allbritton

Board Member Bob Hartmann

Board Member Gary Jablonski

Russell Muñiz, Town Administrator

Debra M. Ruesga, Town Clerk

Emil Lopez, Town Financial Administrator

Keith Poliakoff, Town Attorney

Local Planning Agency of the Town of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Chair Breitkreuz at 7:01 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Resolutions

3. FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS UPDATE.

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ("LPA"), RECOMMENDING THAT THE TOWN COUNCIL ADOPT THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS 2024-2028 TOGETHER WITH HOUSEKEEPING AMENDMENTS TO THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Board Member Jablonski, seconded by Vice Chair Kuczenski, and passed by a 5-0 roll call vote. The vote was as follows: Board Members Allbritton, Hartmann, Jablonski, Vice Chair Kuczenski, and Chair Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

The following motion was made by Board Member Allbritton, seconded by Board Member Jablonski, and passed by a 5-0 roll call vote. The vote was as follows: Board Members Allbritton, Hartmann, Jablonski, Vice Chair Kuczenski, and Chair Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION SUBJECT TO AMENDING THE FIRST PARAGRAPH OF CIE POLICY 1.1-c, AMENDING THE WORD "SUPERMAJORITY" TO SIMPLE MAJORITY.

The following motion was made by Board Member Hartmann, seconded by Vice Chair Kuczenski, and passed by a 5-0 roll call vote. The vote was as follows: Board Members Allbritton, Hartmann, Jablonski, Vice Chair Kuczenski, and Chair Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION SUBJECT TO AMENDING CIE POLICY 1.1-C, TO REMOVE BULLET POINT 3 AND THE FOLLOWING LANGUAGE ("THE TOWN COUNCIL

SHALL NOT APPROVE ANY BOND ISSUE OR REFINANCING OF A BOND ISSUE WITH A CALL DATE”).

The following motion was made by Vice Chair Kuczenski, seconded by Board Member Hartmann, and passed by a 5-0 roll call vote. The vote was as follows: Board Members Allbritton, Hartmann, Jablonski, Vice Chair Kuczenski, and Chair Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION SUBJECT TO AMENDING CIE POLICY 1.1-d, TO REMOVE THE WORDS “AT THE BUDGET WORKSHOP” AND REPLACE WITH “AS NECESSARY”.

4. US HIGHWAY 27 WATER AND SEWER TEXT AMENDMENT

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA (“LPA”), RECOMMENDING THAT THE TOWN COUNCIL ADOPT AN AMENDMENT TO THE TEXT OF FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, PERTAINING TO POTABLE WATER AND SANITARY SEWER FACILITIES REQUIRED TO SERVE DEVELOPMENT DESIGNATED US HIGHWAY 27 BUSINESS CATEGORY ON THE FUTURE LAND USE PLAN MAP; PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-24-2)

The following motion was made by Board Member Jablonski, seconded by Board Member Allbritton, and passed by a 5-0 roll call vote. The vote was as follows: Board Members Allbritton, Hartmann, Jablonski, Vice Chair Kuczenski, and Chair Breitkreuz voting yes.

MOTION: TO TABLE THE ITEM TO THE AUGUST 8, 2024 LOCAL PLANNING AGENCY MEETING.

5. APPROVAL OF MINUTES

a. November 16, 2023 LPA Minutes

The following motion was made by Board Member Hartmann and seconded by Board Member Jablonski and passed by 5-0 roll call vote. The vote was as follows Board Members Hartmann, Jablonski, Kuczenski, Vice Chair Allbritton, and Chair Breitkreuz voting Yes.

MOTION: TO APPROVE THE NOVEMBER 16, 2023 LPA MEETING MINUTES.

6. Adjournment - Meeting was adjourned at 7:22 PM.

Respectfully submitted:

Debra M. Ruesga, CMC, Town Clerk

Adopted by the Town Local Planning Agency on this 8th day of August, 2024.

Steve Breitkreuz, Chair

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL 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 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.