

EXHIBIT 2

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY
3 LAND USE PLAN OF THE BROWARD COUNTY COMPREHENSIVE PLAN WITHIN
4 THE TOWN OF SOUTHWEST RANCHES; AND PROVIDING FOR SEVERABILITY AND
5 AN EFFECTIVE DATE.

6 (SPONSORED BY THE BOARD OF COUNTY COMMISSIONERS)

7
8 WHEREAS, Broward County adopted the Broward County Comprehensive Plan
9 on April 25, 2017 (the Plan);

10 WHEREAS, the Department of Commerce has found the Plan in compliance with
11 the Community Planning Act;

12 WHEREAS, Broward County now wishes to propose an amendment to the Land
13 Use Plan within the Town of Southwest Ranches;

14 WHEREAS, the Planning Council, as the local planning agency for the Broward
15 County Land Use Plan, held its hearing on August 28, 2025, with due public notice;

16 WHEREAS, the Board of County Commissioners held its transmittal public hearing
17 on October 21, 2025, having complied with the notice requirements specified in
18 Section 163.3184(11), Florida Statutes;

19 WHEREAS, the Board of County Commissioners held an adoption public hearing
20 on February 3, 2026, at 10:00 a.m. [also complying with the notice requirements specified
21 in Section 163.3184(11), Florida Statutes] at which public comment was accepted and

22 comments of the Department of Commerce, South Florida Regional Planning Council,
23 South Florida Water Management District, Department of Environmental Protection,
24 Department of State, Department of Transportation, Fish and Wildlife Conservation
25 Commission, Department of Agriculture and Consumer Services, and Department of
26 Education, as applicable, were considered; and

27 WHEREAS, the Board of County Commissioners, after due consideration of all
28 matters, hereby finds that the following amendment to the Broward County
29 Comprehensive Plan is consistent with the State Plan, Regional Plan, and the Broward
30 County Comprehensive Plan; complies with the requirements of the Community Planning
31 Act; and is in the best interests of the health, safety, and welfare of the residents of
32 Broward County,

33 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
34 BROWARD COUNTY, FLORIDA:

35 Section 1. The Broward County Comprehensive Plan is hereby amended by
36 Amendment PC 25-1, which is an amendment to the Land Use Plan within the Town of
37 Southwest Ranches, as set forth in Exhibit A, attached hereto and incorporated herein.

38 Section 2. Severability.

39 If any portion of this Ordinance is determined by any court to be invalid, the invalid
40 portion will be stricken, and such striking will not affect the validity of the remainder of this
41 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
42 legally applied to any individual, group, entity, property, or circumstance, such
43 determination will not affect the applicability of this Ordinance to any other individual,
44 group, entity, property, or circumstance.

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.

45 Section 3. Effective Date.

46 (a) The effective date of the plan amendment set forth in this Ordinance shall
47 be the later of:

48 (1) Thirty-one (31) days after the Department of Commerce notifies Broward
49 County that the plan amendment package is complete;

50 (2) If the plan amendment is timely challenged, the date a final order is issued
51 by the Administration Commission or the Department of Commerce finding
52 the amendment to be in compliance;

53 (3) If the Department of Commerce or the Administration Commission finds the
54 amendment to be in noncompliance, pursuant to Section 163.3184(8)(b),
55 Florida Statutes, the date the Board of County Commissioners nonetheless

elects to make the plan amendment effective notwithstanding potential statutory sanctions;

(4) If a Declaration of Restrictive Covenants is applicable, as per Exhibit B, the date the Declaration of Restrictive Covenants is recorded in the Official Records of Broward County; or

(5) If recertification of the municipal land use plan amendment is required, the date the municipal amendment is recertified.

(b) This Ordinance is effective as of the date provided by law.

ENACTED

EFFECTIVE

PROPOSED

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Maite Azcoitia 12/04/2025
Maite Azcoitia (date)
Assistant County Attorney

MA/gmb
12/04/2025
PC 25-1 Town of Southwest Ranches Ordinance
#80041

Coding: Words **stricken** are deletions from existing text. Words **underlined** are additions to existing text.

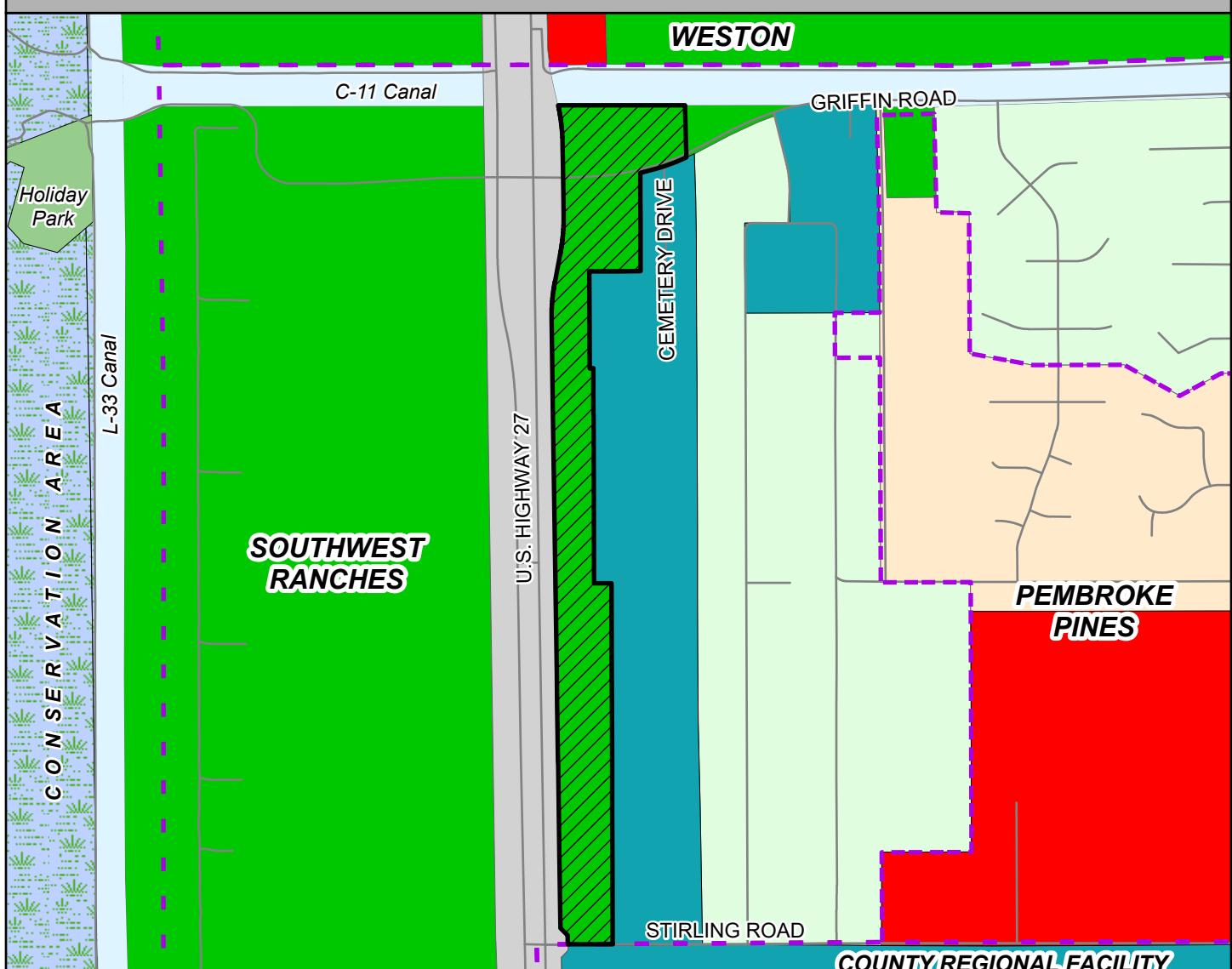
EXHIBIT A

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN FUTURE LAND USE DESIGNATIONS AMENDMENT PC 25-1

Current Land Use: Agricultural

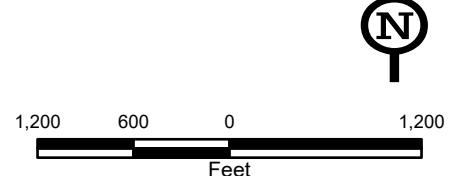
Proposed Land Use: Commerce

Gross Acres: Approximately 58.7 acres



- Site
- Municipal Boundary
- Rural Ranches
- Estate (1) Residential
- Commerce
- Agricultural

- Recreation and Open Space
- Community
- Transportation
- Water / Primary Drainage
- Conservation - Reserve Water Supply Areas



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 25-1
(SOUTHWEST RANCHES)

RECOMMENDATIONS/ACTIONS **DATE**

I.	<u>Planning Council Staff Transmittal Recommendation</u>	<u>August 19, 2025</u>
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Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext – Broward County Land Use Plan (BCLUP) and recommends approval, subject to the applicant's voluntary commitment to restrict development to a maximum of 716,000 square feet of commercial and industrial uses, of which a maximum of 116,000 square feet of development is designated for commercial use.

Effectiveness of the approval of the land use plan amendment shall not occur until the municipal recertification of the local amendment is complete, subject to the recordation in the public records of Broward County, Florida, to the satisfaction of Broward County, of a legally enforceable agreement, such as a Declaration of Restrictive Covenants, to memorialize the voluntary commitment proffered by the applicant, as an inducement for Broward County to favorably consider its application.

As the Planning Council is aware, the Broward County Charter requires at least one Planning Council public hearing and Article 1.2(A) of the *Administrative Rules Document: BrowardNext* outlines the following circumstances in which a second Planning Council public hearing may be recommended or required:

- (1) At its initial public hearing, the Planning Council takes an action to recommend denial of a proposed amendment; or
- (2) At its initial public hearing, the Planning Council takes an action to recommend approval subject to meeting specific criteria or policy prior to a second Planning Council public hearing; or
- (3) At its initial public hearing, the Planning Council votes by a majority of the members present with a minimum of six (6) affirmative votes for a second Planning Council public hearing; or
- (4) If the County Commission requests by a vote of the majority of members present to request a second Planning Council public hearing; or
- (5) If an objection or comment on adverse impacts to important state resources or facilities is issued during the State of Florida Chapter 163 review process; or
- (6) If State of Florida Chapter 163 requires or is modified to require a second local planning agency public hearing.

<u>RECOMMENDATIONS/ACTIONS (continued)</u>	<u>DATE</u>
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I. Planning Council Staff Transmittal Recommendation (continued) August 19, 2025

If the Planning Council chooses to require a second Planning Council public hearing per Article 1.2(A)(1)(2) or (3), such recommendation must be made as part of its motion.

In addition, if the Planning Council does not require a second Planning Council public hearing and the Broward County Land Use Plan amendment is adopted by the County Commission, this action by the Planning Council shall be considered the “conditional” recertification of the municipal land use plan amendment, which directly correlates to the referenced Broward County Land Use Plan amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans, as outlined in the *Administrative Rules Document: BrowardNext*. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

II. Planning Council Transmittal Recommendation August 28, 2025

Approval per Planning Council staff transmittal recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous; 17-0: Abramson, Brunson, Castillo, Fernandez, Fisher, Geller, Gomez, Greenberg, Hardin, Horland, Levy, Newbold, Railey, Rosenof, Ryan, Zeman and DiGiorgio)

III. County Commission Transmittal Recommendation October 21, 2025

Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments November 21, 2025

The State of Florida Review Agencies issued no comments or objections regarding the proposed amendment.

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 25-1

INTRODUCTION AND APPLICANT'S RATIONALE

I. Municipality: Southwest Ranches

II. County Commission District: District 1

III. Site Characteristics

A. Size: Approximately 58.7 acres

B. Location: In Sections 27 and 34, Township 50 South, Range 39 East; generally located on the east side of U.S. Highway 27, between the C-11 Canal and Stirling Road.

C. Existing Use: Vacant

IV. Broward County Land Use Plan (BCLUP) Designations

A. Current Designation: Agricultural

B. Proposed Designation: Commerce

C. Estimated Net Effect: Reduction of 58.7 acres of agricultural uses
Addition of 58.7 acres of commerce uses

V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site

A. Existing Uses:
North: Retail and vacant
East: Vacant and cemetery
South: Landfill
West: U.S. Highway 27 and vacant

B. Planned Uses:
North: Commerce and Agricultural
East: Agricultural and Community
South: Community
West: Transportation and Agricultural

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

VI. Applicant/Petitioner

- A. *Applicants:* Bergeron US 27, LLC and Bergeron SW Ranches US 27, LLC
- B. *Agent:* Heather Jo Allen, Esq., AICP, Keiser Legal, PLLC
- C. *Property Owner:* Bergeron US 27, LLC

VII. Recommendation of Local Governing Body:

The Town of Southwest Ranches recommends approval of the proposed amendment.

EXHIBIT B

The attached draft “Declaration of Restrictive Covenants” has been submitted and is required to be executed and recorded by the applicant prior to the effective date.

This instrument prepared by:

Heather Jo Allen, Esq.
Keiser Legal, PLLC
55 SE 2nd Avenue, Suite 102
Delray Beach, Florida 33444

RECEIVED
8/5/2025

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS (“Declaration”) made this _____ of _____, 2025, by **BERGERON US 27, LLC**, a Florida limited liability company, and **BERGERON SW RANCHES US 27, LLC**, a Delaware limited liability company, (hereinafter collectively referred to as the “Declarant”), which shall be for the benefit of **BROWARD COUNTY**, a Political Subdivision of the State of Florida (“County”).

Witnesseth:

WHEREAS, the Declarant is the owner of land located in the Town of Southwest Ranches (“Town”), Broward County, Florida, more particularly described in Exhibit “A” attached hereto and incorporated herein (the “Property”); and

WHEREAS, the Declarant has made applications to the Town (Application No. PA-20-8) and County (County Planning Council Application No. PC25-1) requesting that the land use plan designation on the Property be changed from Agricultural (Town and County) to US Highway 27 Business (Town) and Commerce (“County”) (“Amendment”); and

WHEREAS, the Declarant intends to develop the Property with a maximum of 716,000 square feet of commercial and industrial uses, of which a maximum of 116,000 square feet of development is designated for commercial use, as specifically allowed and permitted by right under the zoning district entitled the US Highway 27 Planned Business District and more particularly described in Section 051-020 of the Town’s Code of Ordinances (“Restricted Uses”) attached hereto as Exhibit “B” and incorporated herein; and

WHEREAS, an impact analysis of all of the allowable uses under the County’s Commerce designation would result in an overly broad and inaccurate depiction of what is actually permitted to be developed on the Property by the Town; and

WHEREAS, the Declarant requests that the County review the impacts of its Amendment based upon the Restricted Uses rather than inapplicable uses that might be allowed under the County's Commerce designation; and

WHEREAS, in connection with the Amendment, the Declarant has voluntarily agreed to place certain restrictions on the development of the Property as set forth below to provide assurances to and in favor of the County; and

NOW, THEREFORE, in consideration of the foregoing premises and the covenants herein contained, Declarant hereby voluntarily declares that the Property shall be subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with the land and which shall be binding upon all parties having any right, title, or interest in the Property or any part thereof, their heirs, successors and assigns.

1. Recitations. The recitals set forth above are true and correct and are incorporated into this Declaration by this reference.

2. Property Development Restriction. Declarant hereby declares that development of the Property is restricted to a maximum of 716,000 square feet of commercial and industrial uses, of which a maximum of 116,000 square feet of development is designated for commercial use, as specifically allowed and permitted by right under the zoning district entitled the US Highway 27 Planned Business District pursuant to the Town's Code of Ordinances.

3. Voluntary Declaration. This Voluntary Declaration has been offered by the Declarant as an inducement for the County to approve a land use plan amendment for the Property identified as PC25-1.

4. Amendments. Except as otherwise provided herein, this Declaration shall not be modified, amended, or released as to any portion of the Property except by written instrument, executed by the then owner or owner(s) of the portion of the Property affected by such modification, amendment, or release, and approved in writing by the County. The appropriate governmental authority of the County shall execute a written instrument effectuating and acknowledging such modification, amendment, or release. Any amendment, modification, or release of this Declaration shall be recorded in the Public Records of Broward County, Florida.

5. Recordation and Effective Date. This Declaration shall not be effective and shall not be recorded in the Public Records of Broward County, Florida, until after approval of the Amendment by the County and the expiration of all appeal periods or, if any appeal is filed, the conclusion of such appeal in a manner that does not affect the County's approval of the Amendment. Once recorded, this Declaration shall run with the Property for the sole benefit of the County and shall bind all successors-in-interest with respect to the Property. This Declaration shall not give rise to a cause of action by any party other than the County and no party other than the County shall be entitled to enforce this Declaration. Any failure by the County to enforce this Declaration shall not be deemed a waiver of the right to do so thereafter.

6. Severability. If any court of competent jurisdiction shall declare any section, paragraph, or part of this Declaration invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain in full force and effect.

7. Captions, Headings, and Titles. Articles and paragraph captions, headings, and titles inserted throughout this Declaration are intended as a matter of convenience only and in no way shall such captions, headings, or titles define, limit, or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this Declaration.

8. Context. Whenever the context requires or admits, any pronoun used herein may be deemed to mean the corresponding masculine, feminine, or neuter form thereof, and the singular form of any nouns or pronouns herein may be deemed to mean the corresponding plural form thereof and vice versa.

9. Counterparts. This Declaration may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same Declaration.

10. Jurisdiction. This Declaration shall be construed and interpreted, and the rights of the parties hereto determined, in accordance with Florida law. The Declarant agrees to submit to the jurisdiction of Florida courts and federal courts located in Florida. The parties agree that proper venue for any suit concerning this Declaration shall be Broward County or the Federal Southern District of Florida.

11. Notice. All notices required or permitted to be given to or delivered by any party hereunder, shall be in writing and shall be (as elected by the party giving such notice) hand delivered by messenger, courier service or prepaid overnight delivery service, by electronic transmission producing a written record, or alternatively shall be sent by United States Certified Mail with Return Receipt Requested. The effective date of any Notice shall be the date of delivery of the Notice if by personal delivery, courier services or prepaid overnight delivery service, or if mailed, upon the date which the return receipt is signed or delivery is refused or the Notice designated by the postal authorities as non-deliverable, as the case may be. The parties hereby designate the following addresses as the address to which Notices may be delivered, and delivery to such address shall constitute binding notice given to such Party:

If to the County:

Broward County Attorney's Office
Attn: Andrew Meyers, Esq.
115 S. Andrews Avenue, Suite 423
Fort Lauderdale, Florida 33301

If to the Declarant:
Ronald M. Bergeron, Sr.
Bergeron US 27, LLC and Bergeron SW Ranches US 27, LLC
19612 SW 69th Place
Pembroke Pines, Florida 33332

With a copy to:
Aleida Ors Waldman, Esq.
Aleida Ors Waldman, P.A.
19612 SW 69th Place
Pembroke Pines, FL 33332

[THE REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK]

DRAFT

In witness whereof, Declarant has executed this Declaration as follows:

Witnesses:

Bergeron US 27, LLC,
a Florida limited liability company

(Signature) _____

By: _____

Print Name: _____

Ronald M. Bergeron, Sr.,
Managing Member

(Signature) _____

Print Name: _____

State of _____)
County of _____) SS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by means of my physical presence or my online notarization, by Ronald M. Bergeron, Sr. as Managing Member of Bergeron US 27, LLC, a Florida limited liability company who is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2025.

Bergeron SW Ranches US 27, LLC,
a Delaware limited liability company

(Signature) _____

By: _____

Print Name: _____

Ronald M. Bergeron, Sr.,
Managing Member

(Signature) _____

Print Name: _____

State of _____)
) SS
County of _____)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by means of my physical presence or my online notarization, by Ronald M. Bergeron, Sr. as Managing Member of Bergeron SW Ranches US 27, LLC, a Delaware limited liability company who is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this ___ day of _____, 2025.

DRAFT

Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires:

Exhibit "A"
Legal Description
The Property

A PORTION OF TRACTS 51, 52, 61, AND 62, OF SECTION 27, TOWNSHIP 50 SOUTH, RANGE 39 EAST, "EVERGLADES LAND COMPANY'S SUBDIVISION", AS RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27; THENCE SOUTH $89^{\circ}46'19''$ WEST, ALONG THE SOUTH LINE OF SAID SECTION 27 FOR 1317.07 FEET; THENCE NORTH $01^{\circ}19'41''$ WEST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 27, FOR 874.72 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE SOUTH NEW RIVER CANAL; THENCE NORTH $89^{\circ}57'39''$ WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 90.08 FEET TO THE POINT OF BEGINNING; THENCE SOUTH $01^{\circ}20'39''$ EAST, 322.40 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF GRIFFIN ROAD AND A POINT ON A CIRCULAR CURVE CONCAVE NORTHWESTERLY FROM WHICH A RADIAL LINE BEARS NORTH $24^{\circ}26'02''$ WEST; THENCE SOUTHWESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 1849.86 FEET AND A CENTRAL ANGLE OF $24^{\circ}12'21''$, AN ARC DISTANCE OF 781.52 FEET TO A POINT OF TANGENCY; THENCE SOUTH $89^{\circ}46'15''$ WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE 97.45 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 86060-2516; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) NORTH $45^{\circ}14'08''$ WEST, 69.95 FEET; 2) NORTH $00^{\circ}50'31''$ WEST 150.00 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; 3) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1442.00 FEET AND A CENTRAL ANGLE OF $11^{\circ}36'38''$, AN ARC DISTANCE OF 292.21 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF THE SOUTH NEW RIVER CANAL; THENCE SOUTH $89^{\circ}57'39''$ EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 933.35 FEET TO THE POINT OF BEGINNING.

AND

TRACTS 71, 90, 103, & 122, AND PORTIONS OF TRACTS 6, 7, 8, 25, 26, 39, 40, 57, 58, 72, 89, 104, & 121, OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST, AND THE PLATTED RIGHTS-OF-WAY ADJACENT THERETO, "EVERGLADES LAND COMPANY'S SUBDIVISION", AS RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 34; THENCE NORTH $89^{\circ}51'57''$ EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 FOR 328.93 FEET; THENCE NORTH $02^{\circ}25'14''$ WEST 10.01 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF STATE

ROAD NO. 25 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 86060-2516 THE FOLLOWING EIGHT (8) COURSES AND DISTANCES: 1) CONTINUE NORTH $02^{\circ}25'14''$ WEST 45.04 FEET; 2) NORTH $45^{\circ}29'17''$ WEST 70.27 FEET; 3) NORTH $00^{\circ}50'31''$ WEST 4478.25 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; 4) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1358.00 FEET, A CENTRAL ANGLE OF $11^{\circ}47'41''$, FOR AN ARC DISTANCE OF 279.55 FEET TO A POINT OF TANGENCY; 5) NORTH $10^{\circ}57'10''$ EAST 200.00 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; 6) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1442.00 FEET, A CENTRAL ANGLE OF $11^{\circ}47'41''$, FOR AN ARC DISTANCE OF 296.85 FEET TO A POINT OF TANGENCY; 7) NORTH $00^{\circ}50'31''$ WEST 150.00 FEET; 8) NORTH $44^{\circ}45'52''$ EAST 71.46 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF GRIFFIN ROAD; THENCE NORTH $89^{\circ}46'15''$ EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE 94.04 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE EASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTH RIGHT-OF-WAY LINE, HAVING A RADIUS OF 1969.86 FEET, A CENTRAL ANGLE OF $12^{\circ}22'13''$, FOR AN ARC DISTANCE OF 425.29 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF "SHARON GARDENS MEMORIAL PARK", AS RECORDED IN PLAT BOOK 84, PAGE 40, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH $00^{\circ}12'20''$ EAST ALONG SAID WESTERLY BOUNDARY 665.12 FEET TO A POINT ON THE NORTH LINE OF "SHARON GARDENS MEMORIAL PARK REVISION THREE", AS RECORDED IN PLAT BOOK 110, PAGE 38, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH $89^{\circ}46'19''$ WEST ALONG SAID NORTH LINE 350.00 FEET TO THE NORTHWEST CORNER OF SAID PLAT; THENCE SOUTH $89^{\circ}23'54''$ WEST 27.00 FEET TO A POINT ON A LINE 27.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF SAID "SHARON GARDENS MEMORIAL PARK REVISION THREE"; THENCE SOUTH $00^{\circ}11'26''$ EAST ALONG SAID PARALLEL LINE 712.00 FEET; THENCE NORTH $89^{\circ}23'54''$ EAST 27.00 FEET TO A POINT ON SAID WEST LINE OF "SHARON GARDENS MEMORIAL PARK REVISION THREE"; THENCE SOUTH $00^{\circ}11'26''$ EAST ALONG THE WEST LINE OF SAID "SHARON GARDENS MEMORIAL PARK REVISION THREE" AND SAID "SHARON GARDENS MEMORIAL PARK" 1579.82 FEET; THENCE NORTH $89^{\circ}49'12''$ EAST ALONG SAID WESTERLY BOUNDARY OF "SHARON GARDENS MEMORIAL PARK" 128.21 FEET; THENCE SOUTH $00^{\circ}11'00''$ EAST ALONG THE EAST LINES OF SAID TRACTS 71, 90, 103, AND 122 AND THE EXTENSIONS THEREOF 2631.36 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 122; THENCE SOUTH $89^{\circ}51'57''$ WEST ALONG THE SOUTH LINE OF SAID TRACTS 121 AND 122 FOR 331.49 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA, AND CONTAINING 56.546 ACRES, MORE OR LESS.

Exhibit "B"
Town of Southwest Ranches
Code of Ordinances Section 051-020
The Restricted Uses

DRAFT

Sec. 051-020. - Permitted, prohibited and special exception uses.

- (A) *Unauthorized use.* No land or improvements thereon shall be used for any purpose other than as provided in this section. Further, no land shall be used for any use not authorized by an approved master development plan for a given parcel or tract.
- (B) *Permitted uses.* Uses followed by a "P" are permitted, subject to compliance with all applicable conditions for the use set forth in section 051-030.
- (C) *Special exception uses.* Uses followed by an "SE" are special exception uses that require town council approval pursuant to the procedures and requirements of article 112—Special exception uses, with an additional required finding that the use does not involve chemicals, substances or byproducts that are combustible, carcinogenic, biohazardous, or are otherwise toxic to humans or animals.
- (D) *Prohibited uses.* Uses followed by an "NP" are prohibited.
- (E) *Unlisted uses.* An unlisted use may be permitted if it is not a listed permitted, conditional, special exception, or prohibited use in any district, pursuant to the findings and procedures of this subsection.
 - (1) The town council may approve a use that it finds is similar to a listed special exception use in this district upon consideration of an application for similar special exception use that shall follow the process for special exception uses in article 112.
 - (2) The town administrator may approve a use upon finding the use similar to a listed permitted use in this district subject to the following requirements:
 - (a) Finding that the use possesses similar characteristics to a permitted use in this district, including but not limited to operating hours, emission of noise, odor, dust, smoke or other particulates, vibration, and glare. Approval of a similar use may be made subject to any master plan and site plan conditions that are applicable to the similar use, or as deemed appropriate by the town administrator to mitigate potential incompatibilities with residential uses.
 - (b) The use shall not involve chemicals, substances or byproducts that are combustible, carcinogenic, biohazardous, or that are otherwise toxic to humans or animals.
 - (c) The town administrator shall provide written notice to all town council members the intent to authorize the similar use. If no councilmember files a written objection with the town administrator within ten (10) business days, the town administrator may approve the use.
 - (d) If by the end of the ten (10)-day period any councilmember files an objection, the use may only be approved as a special exception use.
- (F) *Schedule of uses.* The schedule in this subsection enumerates those uses that are permitted, prohibited and subject to special exception permit.

	Use	
1.	Abrasive product manufacturing	NP

2.	Accessory uses and structures, including outdoor storage, incidental fuel storage and caretaker/watchman living quarters, [subject to subsections <u>051-030</u> (C), (D) and (E), respectively]	P
3.	Acid (corrosive) manufacturing, including hydrochloric, nitric, picric, sulfurous, and sulfuric	NP
4.	Adult entertainment	NP
5.	Agricultural equipment sales and display	P
6.	Agricultural uses (non-residential)	P
7.	Airport and airport hanger	NP
8.	Alkaline products manufacturing	NP
9.	Ammunition reloading	NP
10.	Animal burial ground	NP
11.	Animal hospital or veterinary clinic including equine [subject to subsection <u>051-030</u> (A)—Noise]	P
12.	Animal refuge	SE
13.	Asphalt manufacturing or refining	NP
14.	Asphalt paving plant	NP
15.	Assembly of appliances and instruments	P
16.	Assembly of pre-manufactured components	P
17.	Automobile, commercial vehicle, RV, boat, tractor, trailer storage, transport, parking or open-air storage [subject to subsection <u>051-030</u> (B)—Screening]	P
18.	Automobile, motor vehicle, motorcycle, vehicle accessories, parts sales and	P

	display—New and used	
19.	Automobile, motor vehicle detailing including car washes	P
20.	Automobile wrecking yard	NP
21.	Awning and canvas repair	P
22.	Battery repair and rebuilding	NP
23.	Boarding kennel [subject to subsection <u>051-030(A)</u> —Noise]	P
24.	Boat sales, including outdoor display, and indoor minor repair of components as an accessory use (ex: upholstery, wiring and electronics, switchgear, pumps, batteries, hydraulics, window seals, etc.) but excluding any work relating to the hull and power generating components.	P
25.	Body and paint shop, both as stand-alone use and accessory to auto sales	NP
26.	Bookbinding—No use of adhesives	P
27.	Bottling plant—Only liquids safe for human consumption	P
28.	Broadcasting, movie production, relay station	P
29.	Brewing and distilling subject to ability of municipal sewer to treat effluent	P
30.	Brick, tile, terra cotta manufacturing	NP
31.	Bulk storage excluding chemicals	P
32.	Building supplies sales and display. May be outdoors if roofed and if screened from view pursuant to subsection 51-030(B)	P
33.	Butane or propane manufacturing	NP
34.	Carnival, circus, circus quarters	NP

35.	Carpet manufacture, power looms	NP
36.	Cement and concrete products manufacturing, batching or mixing plant	NP
37.	Cemetery, columbarium, mausoleum	P
38.	Chemical manufacturing	NP
39.	Clothing fabrication—No use of chemicals	P
40.	Cold storage facility [subject to subsection <u>051-030(A)</u> —Noise]	SE
41.	Commercial recreation uses including rifle and gun range—Indoors only [subject to subsection <u>051-030(A)</u> —Noise]	P
42.	Contractor shops-indoor only; carpentry shops are subject to subsection <u>051-030(A)</u> —Noise	P
43.	Contractor yards, principal or accessory to a contractor shop	SE
44.	Courier, packing or delivery service	P
45.	Creosote manufacture or treatment	NP
46.	Daycare	P
47.	Dental lab	P
48.	Disinfectant and insecticide manufacturing	NP
49.	Distribution warehouse, truck or freight terminal [subject to <u>section 051-030(A)</u> —Noise]	SE
50.	Educational lab	P
51.	Electronics assembly	P
52.	Electronics manufacturing	NP

53.	Fabrication	P
54.	Feed, seed and fertilizer sales and display	P
55.	Fertilizer compounding	NP
56.	Food catering service	P
57.	Food processing, packaging and distribution without refrigeration	P
58.	Food processing, packaging and distribution with refrigeration [subject to subsection <u>051-030(A)</u> —Noise]	SE
59.	Foundry	NP
60.	Frozen food lockers, bulk storage & warehousing [subject to subsection <u>051-030(A)</u> —Noise]	SE
61.	Fruit packing and shipping	P
62.	Funeral home or mortuary including monument sales and display	P
63.	Furniture manufacturing [subject to subsection <u>051-030(A)</u> —Noise]	P
64.	Furniture, appliance repair [subject to subsection <u>051-030(A)</u> —Noise]	P
65.	Gas station, fuel sales	NP
66.	Glass and mirror shop	P
67.	Hazardous materials storage in bulk	NP
68.	Home improvement center including accessory outdoor sale and display of utility trailers, lawn furniture and barbeques	P
69.	Hospitals, sanitariums, orphanages, and similar institutions for the treatment of persons (excluding adult day care)	NP

70.	Hotel	P
71.	Household items repair shop	P
72.	House wrecking yards; used building materials yard	NP
73.	Ice manufacturing including storage, distributing and self-service ice station [subject to subsection <u>051-030(A)</u> —Noise]	P
74.	Incineration, reduction, or storage of garbage, oil, dead animal refuse, and rancid fats	NP
75.	Industrial lab	SE
76.	Junk yard	NP
77.	Laboratories/labs: see individual lab types: dental lab; educational lab; industrial lab; and research and development lab	—
78.	Lawnmower rental, sales, repair [repair subject to subsection <u>051-030(A)</u> —Noise]	P
79.	Light manufacturing	SE
80.	Livery stable, riding academy or dude ranch	P
81.	Livestock auction	P
82.	Lumber yard with planning mill	NP
83.	Machine shop, including use of screw machines [subject to subsection <u>051-030(A)</u> —Noise]	P
84.	Manufacturing of canvas, cork, textiles -no chemical treatment of textiles	P
85.	Manufacturing of glass products from previously manufactured glass	P

86.	Machinery sales and display	P
87.	Medical waste incineration, sterilization or transfer station	NP
88.	Metalsmithing [subject to subsection <u>051-030(A)</u> —Noise]	P
89.	Mobile collection center and food units	NP
90.	Motor vehicle repair, including body shops, both as a principal use and accessory use	NP
91.	Motor vehicle and equipment wholesale and public auctions including boat, RV, commercial vehicles (whole car or salvage)	NP
92.	New equipment and tool sales and display including tool rental (commercial and contractor)	P
93.	Night club, music hall, bar, tavern, pool or billiard room, penny arcades, games of skill and science	NP
94.	O#ces	P
95.	Paint or varnish manufacture	NP
96.	Paper or pulp mills	NP
97.	Penal Institutions and detention centers	NP
98.	Personal services	P
99.	Pest control service	NP
100.	Petroleum product manufacturing	NP
101.	Poisonous gas storage	NP
102.	Photographic, radio and TV studio	P

103.	Printing plant—No use of solvents or o"set printing	P
104.	Railroad freight or passenger station, transfer, storage or team tracks	NP
105.	Recycling facility	NP
106.	Research and development lab	SE
107.	Restaurant including bakery and delicatessen	P
108.	Restaurant and hotel supplies and equipment sales and display, including store fixtures	P
109.	Retail sales, including firearms, ammunition [subject to <u>051-030(F—Incidental retail sale of prepackaged chemicals)</u>]	P
110.	Rock, gravel, or sand distribution	P
111.	Self-storage and mini warehouses	P
112.	Sewage or water treatment, pumping and storage plants	NP
113.	Sharpening and grinding [subject to subsection <u>051-030(A)—Noise</u>]	P
114.	Sign printing shop - digital printing only	P
115.	Slaughterhouse	NP
116.	Smelting or refining of ores or metals	NP
117.	Swimming pool supplies retail sales and display [subject to subsection <u>051-030(F—Incidental sale of prepackaged chemicals)</u>]	P
118.	Tank storage of bulk oil or gas	NP
119.	Theatrical studio	P
120.	Tire recapping and vulcanizing	NP

121.	Tractor, construction equipment sales and display	P
122.	Trade and vocational schools	P
123.	Truck stop	NP
124.	Upholstery shop	P
125.	Utility trailer sales and display	P
126.	Welding equipment and supplies sales and display	P
127.	Wholesale (no chemicals)	P

(Ord. No. 2021-007, § 2(Exh. A), 2-11-2021)