



# Broward County

## Legislation Details (With Text)

**File #:** 21-2293      **Version:** 1

**Status:** Agenda Ready

**In control:** PUBLIC HEARING

**On agenda:** 1/25/2022      **Final action:** 1/25/2022

**Title:** MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD MUNICIPAL SERVICES DISTRICT ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, COASTAL MANAGEMENT ELEMENT, DEEPWATER PORT COMPONENT, INTERGOVERNMENTAL COORDINATION ELEMENT, RECREATION AND OPEN SPACE ELEMENT, TRANSPORTATION ELEMENT, AND WATER MANAGEMENT ELEMENT OF THE BROWARD COUNTY COMPREHENSIVE PLAN RELATED TO THE PERIL OF FLOOD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Ordinance, 2. Exhibit 2 - Staff Report, 3. Exhibit 3 - Support Document, 4. Exhibit 4 - County Response to State Agency Comments

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

### **Broward County Commission Regular Meeting**

**Director's Name:** Leonard Vialpando

**Department:** Resilient Environment      **Division:** Urban Planning Division

### Information

#### Requested Action

MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD MUNICIPAL SERVICES DISTRICT ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, COASTAL MANAGEMENT ELEMENT, DEEPWATER PORT COMPONENT, INTERGOVERNMENTAL COORDINATION ELEMENT, RECREATION AND OPEN SPACE ELEMENT, TRANSPORTATION ELEMENT, AND WATER MANAGEMENT ELEMENT OF THE BROWARD COUNTY COMPREHENSIVE PLAN RELATED TO THE PERIL OF FLOOD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

#### Why Action is Necessary

Florida Statutes Section 163.3178(2)(f) requires that local government comprehensive plans include provisions to eliminate development in coastal areas that may be inappropriate and unsafe due to potential flooding. The legislation is commonly referred to as the “peril of flood” legislation.

#### What Action Accomplishes

The proposed Ordinance adopts amendments to the Broward County Comprehensive Plan to

address requirements in Florida Statutes Section 163.3178(2)(f) that require local government comprehensive plans to include provisions to eliminate development in coastal areas that may be inappropriate and unsafe due to potential flooding. The legislation is commonly referred to as the “peril of flood” legislation.

**Is this Action Goal Related**

No

**Previous Action Taken**

On December 14, 2021 (Item No. 22), the Board of County Commissioners directed the County Administrator to publish Notice of Public Hearing to be held on January 25, 2022.

**Summary Explanation/Background**

THE RESILIENT ENVIRONMENT DEPARTMENT, THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT LOCAL PLANNING AGENCY (LPA), AND THE URBAN PLANNING DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

Florida Statutes Section 163.3178(2)(f) requires that local government comprehensive plans include provisions to eliminate development in coastal areas that may be inappropriate and unsafe due to potential flooding. The legislation is commonly referred to as the “peril of flood” legislation. As part of the BrowardNEXT comprehensive planning process, a new objective and policies were added to the Coastal Management Element to reflect Broward County’s commitment to address the peril of flood legislation. The proposed amendments address the peril of flood requirements, as such relate to the Broward Municipal Services District (BMSD) and regional infrastructure and facilities. Consequently, amendments are being proposed to multiple elements of the comprehensive plan, including the following:

- Broward Municipal Services District Element
- Capital Improvement Element
- Coastal Management Element
- Intergovernmental Coordination Element
- Port Component
- Recreation and Open Space Element
- Transportation Element
- Water Management Element

On July 23, 2021, the Environmental Protection and Growth Management Department Local Planning Agency found the proposed amendments consistent with the Broward County Comprehensive Plan.

On September 21, 2021, the Board of County Commissioners transmitted the proposed amendment to the Florida Department of Economic Opportunity and other required state agencies. No objections were received from state agencies; however, some objectives and policies have been refined in response to comments received (Exhibit 4).

**Source of Additional Information**

Josie P. Sesodia, AICP, Director, Planning and Development Management Division (954) 357-6602.

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

No fiscal impact.