



Broward County

Legislation Details (With Text)

File #: 20-2206 **Version:** 1

Status: Agenda Ready

In control: County Commission

On agenda: 12/8/2020 **Final action:** 12/8/2020

Title: MOTION TO DIRECT Office of the County Attorney to draft an Ordinance amending Chapter 5, Article IX, of the Broward County Code of Ordinances (the "Land Development Code"), providing impact fee credit for demolition of buildings shown on an application for County Environmental Review Approval ("Application") that was received or under review on or after March 1, 2020, upon submission of satisfactory evidence of demolition of the previously existing building within ten years prior to the date of Application. (Mayor Geller)

Sponsors:

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Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Steve Geller
Department: County Commission

Information

Requested Action

MOTION TO DIRECT Office of the County Attorney to draft an Ordinance amending Chapter 5, Article IX, of the Broward County Code of Ordinances (the "Land Development Code"), providing impact fee credit for demolition of buildings shown on an application for County Environmental Review Approval ("Application") that was received or under review on or after March 1, 2020, upon submission of satisfactory evidence of demolition of the previously existing building within ten years prior to the date of Application. (Mayor Geller)

Why Action is Necessary

Board direction is required for the Office of the County Attorney to draft an Ordinance amending the Broward County Code of Ordinances.

What Action Accomplishes

Directs the Office of the County Attorney to draft an Ordinance amending the Land Development Code regarding impact fee credit for demolished buildings.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

Section 5-182.13 of the Land Development Code provides that an owner of property that is being redeveloped may obtain a credit from previously existing development that has been demolished and apply the credit towards impact fees that would be due for the redevelopment. The property owner must demonstrate, to the satisfaction of the Environmental Protection and Growth Management Department, Planning and Development Management Division, that the previously existing development had a demolition permit issued within the previous: 18 months, for buildings of up to 224,999 square feet; 24 months, for buildings of 225,000 square feet up to 499,999 square feet; and 30 months, for buildings of 500,000 square feet or more, all addressing the applicable time period prior to the date of Application.

The proposed amendments would allow property owners to obtain impact fee credit for demolished buildings, regardless of size, if a permit for demolition of the development was issued no more than ten years prior to the filing of an Application. The ten year period coincides with the length of time that building departments are required by the Florida Department of State to maintain public records related to permits, including demolition permits.

Because of the COVID-19 pandemic and delays in permitting and development associated with the related State and local Emergency Orders, property owners whose Applications were received or under review by the Planning and Development Management Division on or after March 1, 2020, the date Governor DeSantis issued Emergency Order 20 51 declaring a state of emergency related to COVID-19, could avail themselves of the extended time period for demolition.

Source of Additional Information

Fiscal Impact

Fiscal Impact/Cost Summary

The Fiscal Impact Statement by the Office of Management and Budget will be provided at the time of the public hearing, in compliance with Section 18.5(e)(7) of the Broward County Administrative Code.