

**PROPOSED**

## ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD  
2 COUNTY, FLORIDA, PERTAINING TO ANTECEDENT GROUNDWATER AND  
3 SURFACE WATER STAGES USED TO DESIGN SURFACE WATER MANAGEMENT  
4 SYSTEMS; AMENDING SECTION 27-200 OF THE BROWARD COUNTY CODE OF  
5 ORDINANCES ("CODE"); INCORPORATING A GROUNDWATER ELEVATION MAP  
6 REFLECTING THE 2070 FUTURE CONDITIONS; AND PROVIDING FOR  
7 SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

8 (Sponsored by the Board of County Commissioners)  
9

10 WHEREAS, Broward County ("County") permits and licenses the construction and  
11 operation of surface water management systems;

12 WHEREAS, the County adopted design criteria to ensure the surface water  
13 management systems provide adequate flood and water quality protections;

14 WHEREAS, Plate WM 2.1 - Future Conditions estimates the 2060 groundwater  
15 elevations, assuming a 2.2 foot sea level rise;

16 WHEREAS, advances in the best available science and modeling necessitated a  
17 2019 update to the Unified Regional Sea Level Rise Projections, which projected a  
18 3.3 foot increase in sea level (relative to 2000 water levels);

19 WHEREAS, the County adopted the 2019 Unified Regional Sea Level Rise  
20 Projections in March 2020 and directed County staff to use this new baseline to update

21 the County's modeling and planning tools to account for the conditions anticipated over a  
22 50-year planning horizon;

23 WHEREAS, County staff utilized the 2019 Unified Regional Sea Level Rise  
24 Projections as a model input to generate an updated Plate WM 2.1, renamed as Plate  
25 WM 2.3 - 2070 Future Conditions Average Wet Season Groundwater Elevation, resulting  
26 in a more accurate projection of groundwater elevations over a 50-year planning horizon;  
27 and

28 WHEREAS, incorporating the updated Plate WM 2.3 - 2070 Future Conditions  
29 Average Wet Season Groundwater Elevation into the Broward County Code of  
30 Ordinances' surface water management design criteria will help ensure that new and  
31 major redevelopments are designed and constructed to deliver the necessary flood  
32 protection level of service and water quality treatment during their expected useful  
33 lifespan,

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

36 Section 1. Section 27-200 of the Broward County Code of Ordinances is hereby  
37 amended to read as follows:

38 **Sec. 27-200. Criteria for issuance or denial of licenses.**

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40 (b) *Surface water management:*

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42 (5) *Design criteria:*

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3. Criteria:

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b) Antecedent conditions: ~~Ground~~ Groundwater and surface water stages antecedent to a design event shall be the higher of the average wet season water levels or the applicable control elevations. The average wet season water levels shall be calculated using Plate WM 2.1 ~~may be used for determining the average wet season ground water levels for use in calculating a design event for existing projects, except for applications for major redevelopment as defined in Section 27-192 or for a major modification to a surface water management license~~ - Average Wet Season Groundwater Elevation, Plate WM 2.2 - 2060 Future Conditions Average Wet Season Groundwater Elevation, or Plate WM 2.3 - 2070 Future Conditions Average Wet Season Groundwater Elevation, as determined most appropriate for the project by RED. The applicant must provide the average wet season water level calculated using Plate WM 2.42 - 2060 Future Conditions ~~shall be used for determining the average wet season ground water levels for use in calculating a design event~~ Average Wet Season Groundwater Elevation and Plate WM 2.3 - 2070 Future Conditions Average Wet Season Groundwater Elevation for new applications for a surface

67 water management license, applications for major  
68 redevelopment of existing sites, and applications for major  
69 modifications to existing surface water management licenses  
70 ~~submitted after June 30, 2017.~~

71 . . .

72 Section 2. Severability.

73 If any portion of this Ordinance is determined by any court to be invalid, the invalid  
74 portion will be stricken, and such striking will not affect the validity of the remainder of this  
75 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be  
76 legally applied to any individual, group, entity, property, or circumstance, such  
77 determination will not affect the applicability of this Ordinance to any other individual,  
78 group, entity, property, or circumstance.

79 Section 3. Inclusion in the Broward County Code of Ordinances.

80 It is the intention of the Board of County Commissioners that the provisions of this  
81 Ordinance become part of the Broward County Code of Ordinances as of the effective  
82 date. The sections of this Ordinance may be renumbered or relettered and the word  
83 "ordinance" may be changed to "section," "article," or such other appropriate word or  
84 phrase to the extent necessary to accomplish such intention.

85 Section 4. Effective Date.

86 This Ordinance is effective as of July 1, 2024.

ENACTED

**PROPOSED**

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

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

By: /s/ Jennifer D. Brown 03/20/2024  
Jennifer D. Brown (date)  
Assistant County Attorney

By: /s/ Maite Azcoitia 03/20/2024  
Maite Azcoitia (date)  
Deputy County Attorney

JB/gmb  
Future Groundwater Elevation Map Ordinance  
03/20/2024  
#41027

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