

PROPOSED

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE LAND DEVELOPMENT CODE; AMENDING SECTION 5-180 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), PROVIDING FOR ADMINISTRATIVE APPROVAL OF TEMPORARY USES AND TEMPORARY NONVEHICULAR ACCESS LINE OPENINGS; AMENDING SECTION 5-201, ESTABLISHING THE DEFINITION OF TEMPORARY USE; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

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

Section 1. Section 5-180 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 5-180. Application and requirement for development permits.

...

(c) *Administrative approvals.* The Board of County Commissioners hereby delegates to the County Administrator the authority to approve the following applications, after review as set forth in this article:

...

(5) Agreements for building permits prior to plat recordation pursuant to Section 5-187(c); ~~and~~

(6) Amendments to plat notes to delete previously required Findings of Adequacy from the plat;

(7) Temporary uses including, but not limited to, temporary outdoor storage of construction materials, staging for vehicles and equipment, temporary trailers associated with construction or sales, and temporary surface parking during construction; and

(8) Temporary nonvehicular access line openings associated with construction or other temporary uses.

...

Section 2. Section 5-201 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 5-201. Definitions.

...

Surface water management system. The collection of devices, improvements, or natural systems whereby surface waters are controlled, impounded, or obstructed. The term includes dams, impoundments, reservoirs, and appurtenant works as defined in ~~§ 373.403(1) — (4), F.S.~~ Sections 373.403(1) through (4), Florida Statutes, as well as all artificial structures including, but not limited to, ditches, canals, conduits, channels, culverts, pipes, and other construction that conveys, impounds, or controls surface water.

Temporary use. A use that is of a short-term nature or fixed duration, that is established with the intent to discontinue such use upon the expiration of a period of time, and that does not involve the construction or alteration of any permanent building(s).

...

Section 3. Severability.

If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this

Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 4. Inclusion in the Broward County Code of Ordinances.

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

Section 5. Effective Date.

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

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

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

By /s/ Maite Azcoitia 04/11/2022
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
LDC Temporary Use Ordinance
04/11/2022
#60053-0046

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscoring type are additions.