



# Broward County

## Legislation Text

File #: 20-169, Version: 1

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

**Director's Name:** Henry A. Sniezek

**Department:** Environmental Protection

**Division:** Planning & Development Management

### **Information**

#### **Requested Action**

**MOTION TO DIRECT** County Attorney to draft an Ordinance amending Chapter 8½ of the Broward County Code of Ordinances, "Code Enforcement" and Chapter 39 of the Broward County Code of Ordinances, "Zoning"; regarding updates to zoning related civil penalties, zoning, development standards, wayfinding signage regulations, other general housekeeping amendments to correct inconsistencies, and to remove obsolete provisions.

#### **Why Action is Necessary**

Pursuant to Section 18.5(e) of the Broward County Administrative Code, the subject matter of a proposed Ordinance must be considered by the Board prior to the drafting of the proposed Ordinance.

#### **What Action Accomplishes**

Provides required direction to the Office of the County Attorney.

#### **Is this Action Goal Related**

No

#### **Previous Action Taken**

None.

#### **Summary Explanation/Background**

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT AND THE PLANNING AND DEVELOPMENT MANAGEMENT DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item relates to activities in the Broward Municipal Services District (BMSD). The BMSD consists of 11.4 square miles with an estimated population of 15,304 in 2019. The Board of County Commissioners is the governing body of the BMSD and the provider of its municipal services that include, but are not limited to, business development, building permitting and housing development, libraries and parks facilities, roadway maintenance, street enhancements, and zoning and code enforcement.

Chapter 8½ of the Code of Ordinances relates to "Code Enforcement" and Chapter 39 of the Code of

Ordinances "Zoning" regulates zoning in the Broward Municipal Services District (BMSD). The Zoning code has been amended multiple times over the years, in some cases inadvertently creating internal inconsistencies. A recent review by Planning and Development Management staff identified several housekeeping amendments and other minor updates to the to both Codes, including but not limited to:

- Amending Section 8½-16 reducing one civil penalty to reflect statutory limits and, after consultation with zoning code field staff, adding several new categories;
- Amending Sections 39-70, 39-74 and 39-639 for consistency between reference to nonconforming uses;
- Amending inconsistencies, cross references, and conflicts between Sections 39-77, 39-84, 39-87, 39-214, 39-635 relating to landscaping;
- Amending Section 39-102 to clarify setbacks for communication towers;
- Amending Section 39-112 to provide for appropriate lighting at ATMs;
- Creating new Section 39-113 regarding hurricane preparation regulations;
- Updating Sections, 39-217, 39-219, 39-229, relating to drive isles, to drive-through facilities, and off-street loading;
- Updating Section 39-275 relating to yard encroachments and setbacks for accessory structures;
- Updating Section 39-17 to reflect process improvements;
- Adding regulations for pre-storm event storage of construction materials and the removal of hurricane shutters post-storm event;
- Deleting various text within Chapter 39 referencing obsolete Zoning Districts that are no longer shown on the Broward County Zoning Map (primarily due to annexation);
- Updating Section 39-4 Definitions;
- Updating Section 39-19 related to certificates of use;
- Adjusting Chapter 39 Sign Code provisions to provide, address nonconformity, flexibility for menu boards, and on-site way finding;
- Adjusting notice requirements in Sections 39-27 and 39-38;
- Amending Section 39-3 for consistency with House Bill 7103; and
- Amending various other sections within Chapter 39 related to yards and heights to provide for greater clarity.

**Source of Additional Information**

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

## Fiscal Impact

### Fiscal Impact/Cost Summary

The proposed ordinance adjusts the code enforcement civil penalty provisions which may have a modest to slight impact on revenue.