



Broward County

Legislation Details (With Text)

File #: 20-908 **Version:** 1

Status: Agenda Ready

In control: PUBLIC HEARING

On agenda: 5/19/2020 **Final action:** 5/19/2020

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

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE LAND DEVELOPMENT CODE; AMENDING AND RENUMBERING VARIOUS SECTIONS OF CHAPTER 5, ARTICLE IX, OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); DELETING REQUIREMENTS FOR FINDINGS OF ADEQUACY; DELEGATING APPROVAL AUTHORITY TO THE COUNTY ADMINISTRATOR FOR NONVEHICULAR ACCESS LINE AMENDMENTS, BUILDING PERMITS PRIOR TO PLAT RECORDATION, AND SOME PLAT NOTE AMENDMENTS AND AMENDMENTS TO PHASING MAPS AND SCHEDULES; AMENDING REQUIREMENTS AND PROCESS FOR SITE PLAN REVIEWS; PROVIDING GENERAL UPDATING AMENDMENTS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

ACTION: (T-4:17 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. Purple-Sheeted Additional Material 46, dated May 19, 2020, submitted at the request of Environmental Protection and Growth Management Department will travel with the Ordinance. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioners Bogen, Fisher, Rich and Vice-Mayor Geller voted in the affirmative telephonically.

(Sponsored by the Board of County Commissioners)

B. MOTION TO ADOPT a Resolution No. 2020-285, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT; AMENDING SECTIONS 27.13 AND 27.14 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"), PROVIDING THE PROCEDURE FOR AMENDMENT TO THE FUTURE LAND USE MAP FOR THE UNINCORPORATED AREA; AMENDING SECTION 27.40, PROVIDING FOR TRANSPORTATION CONCURRENCY ASSESSMENT CALCULATIONS; DELETING SECTIONS 27.41 AND 27.42, PROVIDING FOR CREDIT FOR TRANSIT ORIENTED DEVELOPMENT AND DEVELOPMENTS OF REGIONAL IMPACT; DELETING PART XV, SECTIONS 27.66 THROUGH 27.75, PROVIDING THE PROCEDURE FOR VESTED RIGHTS HEARINGS; AMENDING SECTION 27.88, PROVIDING FOR INCREASES IN IMPACT FEES RELATED TO PLAT NOTE AMENDMENTS; DELETING PART XXVI, SECTION 27.134, ESTABLISHING THE METHODOLOGY FOR DETERMINING CREDIT FOR EXISTING USES; DELETING EXHIBIT 27K, ESTABLISHING THE LEVELS OF CREDIT FOR TRANSIT CONCURRENCY ASSESSMENTS; DELETING EXHIBIT 27L, PROVIDING FOR THE DEGREE OF CREDIT AVAILABLE BASED ON LEVEL OF MITIGATION AND PROJECT LOCATION; DELETING APPENDICES A AND B, RELATED TO TRIP RATES BY LAND USE AND FEE SCHEDULE BY PEAK HOUR TRIP; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

ACTION: (T-4:17 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioners Bogen, Fisher, Rich and Vice-Mayor Geller voted in the affirmative

telephonically.

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - Copy of Proposed Ordinance, 2. Exhibit 2 - EPGMD/PDMD Staff Report, 3. Exhibit 3 - Copy of Proposed Resolution, 4. Additional Material - Information

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

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

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

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ASSESSMENT CALCULATIONS; DELETING SECTIONS 27.41 AND 27.42, PROVIDING FOR CREDIT FOR TRANSIT ORIENTED DEVELOPMENT AND DEVELOPMENTS OF REGIONAL IMPACT; DELETING PART XV, SECTIONS 27.66 THROUGH 27.75, PROVIDING THE PROCEDURE FOR VESTED RIGHTS HEARINGS; AMENDING SECTION 27.88, PROVIDING FOR INCREASES IN IMPACT FEES RELATED TO PLAT NOTE AMENDMENTS; DELETING PART XXVI, SECTION 27.134, ESTABLISHING THE METHODOLOGY FOR DETERMINING CREDIT FOR EXISTING USES; DELETING EXHIBIT 27K, ESTABLISHING THE LEVELS OF CREDIT FOR TRANSIT CONCURRENCY ASSESSMENTS; DELETING EXHIBIT 27L, PROVIDING FOR THE DEGREE OF CREDIT AVAILABLE BASED ON LEVEL OF MITIGATION AND PROJECT LOCATION; DELETING APPENDICES A AND B, RELATED TO TRIP RATES BY LAND USE AND FEE SCHEDULE BY PEAK HOUR TRIP; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

ACTION: (T-4:17 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioners Bogen, Fisher, Rich and Vice-Mayor Geller voted in the affirmative telephonically.

Why Action is Necessary

A. A Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its meeting of May 5, 2020.

B. A Resolution directing the County Administrator to publish notice of public hearing to consider adoption of the Resolution Amending the Broward County Administrative Code was adopted by the Board of County Commissioners at its meeting of May 5, 2020.

What Action Accomplishes

A. Allows the Board to consider a proposed Ordinance amending and updating various provisions of the Land Development Code.

B. Allows the Board to consider proposed amendments to the Broward County Administrative Code ("Administrative Code") relating to the Environmental Protection and Growth Management Department, which amendments are required to ensure consistency with the proposed Ordinance.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT (EPGMD) AND THE PLANNING AND DEVELOPMENT MANAGEMENT DIVISION (PDMD) RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

This item supports the Board's Value of "Consistently delivering responsive, efficient, quality services to the public and internal customers" and Goal 4: "Building into every process and service effective checks and balances that do not cause inefficiency, but rather ensure consistency, continuity, and quality."

The proposed Ordinance is the result of numerous meetings, workshops, and input from interested persons and provides a comprehensive update to the Broward County Land Development Code. The amendments include the streamlining of the platting process by providing for approval by the County Administrator of certain nonvehicular access line and plat note amendments and agreements for building permits prior to plat recordation. Additionally, the proposed Ordinance incorporates the time requirements for development permits established by Chapter 2019-165, Laws of Florida (HB 7103). A detailed description of the amendments is set out in the EPGMD/PDMD Staff Report contained in Exhibit 2.

The Broward County Planning Council, as the local planning agency for the Broward County Land Use Plan, and the EPGMD, as the local planning agency for the Broward County Comprehensive Plan, held public hearings on February 27, 2020, and March 23, 2020, respectively, at which time it was recommended to the Board of County Commissioners that the proposed Ordinance was generally consistent with the Broward County Comprehensive Plan and Land Use Plan.

The proposed Resolution updates procedures regarding Land Use Plan amendments consistent with Chapter 163, Florida Statutes, and the County Charter. The proposed Resolution also amends Chapter 27 of the Administrative Code consistent with the changes contained in the proposed Ordinance, including deleting provisions that have been incorporated into the Land Development Code.

Source of Additional Information

Maite Azcoitia, Deputy County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

Per the Office of Management and Budget, the estimated impact on the budget does not exceed the threshold required for a Fiscal Impact Statement.