



Broward County

Legislation Details (With Text)

File #: 21-2255 **Version:** 1

Status: Agenda Ready

In control: PUBLIC HEARING

On agenda: 1/25/2022 **Final action:** 1/25/2022

Title: 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 AIRPORT ZONING REGULATIONS; REPEALING SECTIONS 2-144 THROUGH 2-144.8 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); REPEALING SECTIONS 39-359 THROUGH 39-359.10 OF THE CODE; AMENDING SECTION 5-181 OF THE CODE, PROVIDING FOR DEVELOPMENT REVIEW REQUIREMENTS; AMENDING SECTION 5-182.10 OF THE CODE, REQUIRING REVIEW OF PLAT-RELATED APPLICATIONS FOR HAZARDS TO AIR NAVIGATION AND ADOPTING AIRPORT IMAGINARY SURFACES; AMENDING SECTION 5-201 OF THE CODE, ADDING DEFINITIONS; AMENDING SECTION 27-66 OF THE CODE, PROVIDING FOR COMPLIANCE WITH AIRPORT ZONING REGULATIONS PRIOR TO ENVIRONMENTAL REVIEW APPROVAL; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.
(Sponsored by the Board of County Commissioners)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Copy of Proposed Ordinance, 2. Exhibit 2 - Fort Lauderdale-Hollywood International Airport and North Perry Airport Airspace Imaginary Surfaces Composite Map

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

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 AIRPORT ZONING REGULATIONS; REPEALING SECTIONS 2-144 THROUGH 2-144.8 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); REPEALING SECTIONS 39-359 THROUGH 39-359.10 OF THE CODE; AMENDING SECTION 5-181 OF THE CODE, PROVIDING FOR DEVELOPMENT REVIEW REQUIREMENTS; AMENDING SECTION 5-182.10 OF THE CODE, REQUIRING REVIEW OF PLAT-RELATED APPLICATIONS FOR HAZARDS TO AIR NAVIGATION AND ADOPTING AIRPORT IMAGINARY SURFACES; AMENDING SECTION 5-201 OF THE CODE, ADDING DEFINITIONS; AMENDING SECTION 27-66 OF THE CODE, PROVIDING FOR COMPLIANCE WITH AIRPORT ZONING REGULATIONS PRIOR TO ENVIRONMENTAL REVIEW APPROVAL; AND PROVIDING FOR SEVERABILITY, INCLUSION

IN THE CODE, AND AN EFFECTIVE DATE.

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Why Action is Necessary

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 December 7, 2021.

What Action Accomplishes

Enacts an Ordinance repealing and amending certain airport zoning regulations.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

Chapter 333 of the Florida Statutes requires every political subdivision having an airport hazard area within its territorial limits to adopt, administer, and enforce, under the police power, airport protection zoning regulations for such airport hazard area.

Broward County owns and operates Fort Lauderdale-Hollywood International Airport and North Perry Airport. Staff has determined that amendments to Chapter 333 of the Florida Statutes require amendments to Chapter 2 ("Airports and Aircraft"), Chapter 5 ("Building Regulations and Land Use"), Chapter 27 ("Pollution Control"), and Chapter 39 ("Zoning") of the Broward County Code of Ordinances.

Both airports have navigable airspace that extends over land regulated by multiple municipal zoning regulations. Therefore, in order to ensure that Chapter 333 can be enforced countywide, the proposed Ordinance adds new regulations to the development review process in the Land Development Code (Chapter 5) and to the Environmental Review Approval in Chapter 27. The proposed Ordinance also repeals existing, obsolete language from Chapters 2 and 39. The amendments will also include the adoption, by reference, of composite airspace maps for both airports, which demonstrate navigable airspace and height limits in order to protect the airports from hazards. The proposed Ordinance is attached as Exhibit 1, and the composite airspace map is attached as Exhibit 2.

At its August 26, 2021, meeting, the Broward County Planning Council reviewed the referenced proposed revisions to Chapters 2, 5, 27, and 39 of the Broward County Code of Ordinances for consistency with the BrowardNext - Broward County Land Use Plan. The Planning Council found the proposed revisions to be generally consistent with the policies of the BrowardNext - Broward County Land Use Plan.

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT AND THE AVIATION DEPARTMENT RECOMMEND APPROVAL OF THE ABOVE MOTION.

Source of Additional Information

Alexander J. Williams, Jr., Senior Assistant County Attorney, 954-357-7201

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.