



# Broward County

## Legislation Text

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File #: 21-990, Version: 1

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

**Director's Name:** Andrew J. Meyers

**Department:** County Attorney

### **Information**

#### **Requested Action**

**MOTION TO ADOPT** Resolution No. 2021-300 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 15, 2021, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO A FUTURE CONDITIONS 100-YEAR FLOOD ELEVATION MAP; AMENDING SECTIONS 27-192 AND 27-200 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING FOR DEFINITIONS; ESTABLISHING A FUTURE CONDITIONS 100-YEAR FLOOD ELEVATION MAP AND PROVIDING FOR ITS APPLICATION IN ESTABLISHING THE LOWEST HABITABLE FINISHED FLOOR ELEVATION; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

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

The proposed Ordinance was prepared by the Office of the County Attorney at the direction of the Board of County Commissioners at its meeting of February 9, 2021.

#### **What Action Accomplishes**

Enables the setting of a public hearing during which the Board may consider enacting an Ordinance pertaining to the Future Conditions 100-Year Flood Elevation Map.

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

Yes

#### **Previous Action Taken**

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

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

This item supports the Board's Value of "Encouraging investments in renewable energy, sustainable practices and environmental protection," and Goal 2: "Proactively lead in the planning, design, and construction of projects to support community resilience and climate adaptation, including

coordination with other entities to foster resilient design as part of all local and regional projects."

### Background

Broward County utilizes the highest of the following four (4) distinct measures in establishing required finished flood elevations: the Broward County 100-year flood map, the federal flood insurance rate maps ("FIRMs"), eighteen (18) inches above crown of road, and site-specific modeling. The County's 100-year flood map has been historically more protective than the FIRMs, accounting for future land use and the effects of development on flood elevation. However, there is a need to account for the combined effects of sea level rise, groundwater table rise, and rainfall intensification on flood elevations in order to reduce future flood risk and economic losses. To do so, the County contracted with Geosyntec Inc. to undertake modeling of future flood elevation conditions predicted in 2060 and consistent with the 2015 Unified Regional Sea Level Rise Projection, including two (2) feet of sea level rise and a thirteen percent (13%) increase in the 100-year/72-hour rainfall event. The final model results were converted to three hundred sixty-eight (368) flood zone areas and, in most instances, resulted in relatively small changes to flood elevations on the order of six (6) inches. These results are now the basis of the proposed Future Conditions 100-Year Flood Elevation Map - Plate WM 13.1 Future Conditions.

### Proposed Amendments

Establishing Plate WM 13.1 Future Conditions within the design criterion for surface water management applications and defining lowest habitable building finished floor for new development, major redevelopment, and major water management license modifications will provide important tools in reducing future flood risk under conditions of climate change and evolving compounded flooding.

### Additional Context

It is important to note that simultaneous with this effort, FEMA undertook new modeling of the coastal areas of the County, resulting in updated FIRMs being proposed for much of the coastal and southwestern parts of the County. It should also be noted that while the County's 100-year flood map is not used for establishing flood insurance rates, it is relevant to the pricing of flood insurance as many Broward County communities derive flood insurance discounts as participants in the Community Rating System ("CRS"). The establishment of stricter standards and planning for sea level rise can provide additional points that benefit CRS ratings. Additionally, resilience planning provides additional financial benefits in that bond rating agencies increasingly inquire about climate change as part of risk disclosures, and efforts to improve resilience are a necessary part of effectively responding to this risk.

The establishment of a future conditions 100-year flood elevation map constitutes yet another important milestone in the County's community resilience efforts by ensuring that future flood elevations are incorporated in the planning and design requirements for finished floor elevations for residential and commercial structures, while also informing infrastructure siting and redevelopment strategies, actions that will help protect against future flood risk and potential losses and serving to preserve the affordability of flood insurance in Broward County.

Development of this Ordinance included broad, engaged stakeholder input throughout the technical process and finalization of the proposed map, garnering broad support from industry and municipal workshops and presentations before the Water Advisory Board, its Technical Advisory Committee, the Broward League of Cities, the Local Planning Council, and the Broward Planning Council. The modeling for this updated map was supported via cost share with the South Broward Drainage

District and eight (8) municipalities (City of Coconut Creek, City of Dania Beach, City of Fort Lauderdale, City of Hallandale Beach, City of Hollywood, City of Oakland Park, City of Pompano Beach, and Town of Hillsboro Beach).

**Source of Additional Information**

Michael C. Owens, Senior Assistant County Attorney, 954-357-7600

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

The Fiscal Impact Statement by the Office of Management and Budget will be provided at the time of the public hearing, in compliance with Section 18.5(e)(7) of the Broward County Administrative Code.