

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO ZONING; CREATING AND AMENDING
3 VARIOUS SECTIONS OF CHAPTER 39 OF THE BROWARD COUNTY CODE OF
4 ORDINANCES ("CODE"), IMPLEMENTING CHAPTER 2025-140, LAWS OF FLORIDA,
5 REGARDING SYNTHETIC TURF LOCATED ON SPECIFIED SINGLE FAMILY
6 RESIDENTIAL PROPERTIES, CHAPTER 2025-182, LAWS OF FLORIDA,
7 ESTABLISHING PROCEDURES FOR THE REVIEW AND APPROVAL OF CERTIFIED
8 RECOVERY RESIDENCES, AND CHAPTER 2025-175, LAWS OF FLORIDA,
9 REGARDING CONDOMINIUM AND COOPERATIVE ASSOCIATIONS; AND
10 PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE
11 DATE.

12 (Sponsored by the Board of County Commissioners)

13
14 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
15 BROWARD COUNTY, FLORIDA:

16 Section 1. Section 39-4 of the Broward County Code of Ordinances is hereby
17 amended to read as follows:

18 **Sec. 39-4. Definitions.**

19 . . .

20 *Certificate of Use:* A document issued by the zoning official, after approval of
21 inspections of the premises by Broward County code enforcement officers, officially

authorizing buildings, structures, or uses consistent with the terms of the zoning code and any other applicable codes and statutes.

Certified recovery residence: A recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator, as defined in Section 397.311, Florida Statutes, as amended.

...

Section 2. Section 39-76 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 39-76. Definitions.

...

Groundcover: Low-growing plants, other than turf, used to cover the soil and form a continuous, low mass of foliage. Notwithstanding the foregoing, nothing in this chapter shall be construed to prohibit the installation of synthetic turf that complies with Department of Environmental Protection ("DEP") standards adopted pursuant to Section 125.572, Florida Statutes, as amended, on single family residential properties that are one (1) acre or less in size.

...

Swale: A low-lying or shallow trough-like depression that carries water, mainly during rainstorms, and that provides flood control and onsite water quality mitigation through removal of pollutants and nutrients associated with runoff.

Synthetic turf: A manufactured product that resembles natural grass and is used as a surface for landscaping and recreational areas.

...

Section 3. Section 39-85 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 39-85. Minimum landscaping requirements for single family and duplex dwellings.

All new single family and duplex residential dwellings shall conform to the following landscaping requirements:

...

(b) *Generalized minimum landscape and irrigation requirements.* The following table shall be used as a general interpretation of the required minimum landscape and buffering standards by lot size. Additional minimum landscape requirements, applicable to all new development, are contained in Section 39-85(c) below. Regulations for each zoning district may contain further landscape requirements related to specific uses.

Table 1

**Minimum Landscape Requirements; Single family, duplex residential uses
(subject to additional minimum landscape requirements in Section 39-85(c) of the
Code).**

60a	Lot Size (sq. ft.)	< 8,000	8,001 to 11,000	11,001 to 14,000	14,001 to 17,000	17,001 to 20,000	Each additional 3,000 up to one (1) acre
60b	...	...	...	...	...	...	...

60c	Turf/ groundcover*	Min 35%	Min 30%	Min 20%	Min 20%	Min 20%	Min 10%
60d	...	...	...	...	...	...	...
60e	<u>*Synthetic turf that complies with DEP standards adopted pursuant to Section 125.572, Florida Statutes, as amended, may be installed on single family residential properties that are one (1) acre or less in size.</u>						

- 61 (c) *Additional minimum landscape requirements.*
- 62 ...
- 63 (6) Turf and groundcover.
- 64 a. Either turf, synthetic turf (if permitted by Section 125.572, Florida
- 65 Statutes), or groundcover, or a combination thereof, shall be installed
- 66 on all areas of the property not covered by buildings, paving,
- 67 concrete slabs, or other impervious improvements. Synthetic turf that
- 68 complies with DEP standards adopted pursuant to
- 69 Section 125.572, Florida Statutes, as amended, may be installed on
- 70 single family residential properties that are one (1) acre or less in
- 71 size.
- 72 b. In areas where no turf or groundcover is required, the property shall
- 73 be maintained in its natural state; except that all invasive species
- 74 shall be removed. This requirement shall not apply to those single
- 75 family residential properties that are one (1) acre or less in size
- 76 where synthetic turf is installed that complies with DEP standards
- 77 adopted pursuant to Section 125.572, Florida Statutes, as amended.

c. All areas of disturbed soil shall be covered with either turf, synthetic turf (if permitted by Section 125.572, Florida Statutes), groundcover, or a combination thereof.

(7) Irrigation.

a. All irrigation systems shall meet the irrigation standards developed pursuant to Section 373.228, Florida Statutes. Unless synthetic turf is installed as permitted by Section 125.572, Florida Statutes, All required landscape areas for single family residences and duplex dwellings shall be provided with an ~~automatically operating~~ automatically operating, underground irrigation system designed to have head-to-head coverage (one hundred percent (100%) coverage with one hundred percent (100%) overlap).

...

Section 4. Section 39-107 of the Broward County Code of Ordinances is hereby created to read as follows:

[Underlining omitted]

Sec. 39-107. Building Safety Inspection Program; repair requirements and timeframes.

(a) The Florida Legislature has found that maintaining a building's structural integrity throughout its life is essential to ensure that it remains structurally sound and does not pose a threat to public health, safety, or welfare. As such, the Florida Legislature has imposed a statewide structural inspection program for aging condominium and

cooperative buildings in this state in order to ensure that such buildings are safe for continued use.

(b) The Broward County Board of Rules and Appeals (“BORA”) has established a Building Safety Inspection Program for buildings and structures that are twenty-five (25) years of age or older. BORA has established the minimum guidelines and criteria for the Building Safety Inspection Program through written policy, as outlined in BORA Policy No. 05-05, as amended (“Policy”), which is incorporated by reference and made a part of this section. The Building Safety Inspection Program serves as the phase one and phase two milestone inspection requirements for buildings and structures as defined under Section 553.899, Florida Statutes, as amended, and the Florida Building Code, Existing Building (Chapter 18), as amended.

(c) In compliance with Section 553.899, Florida Statutes, as amended, the timelines and requirements found in Section G of the Policy, Required Repairs or Modifications, as amended, are incorporated by reference and made a part of this section. If an owner of the building fails to submit proof to the building official that repairs have been scheduled or have commenced within the required timeframes for substantial structural deterioration identified in a phase two inspection report, BORA’s Building Safety Inspection Program must review and determine if the building is unsafe for human occupancy.

Section 5. Section 39-114 of the Broward County Code of Ordinances is hereby created to read as follows:

[Underlining omitted]

Sec. 39-114. Certified recovery residences.

The Urban Planning Division (“UPD”), or successor agency, shall be the central intake point for filing all applications and supporting documents for certified recovery residences within the Broward Municipal Services District (“BMSD”). Except as otherwise provided in this section, the following procedures shall govern the review of applications for certified recovery residences:

(a) *Minimum application requirements.* An application for a certified recovery residence shall include:

(1) The name and contact information of the applicant or the applicant’s authorized representative.

(2) The property address and parcel identification number (“Property”).

(3) If any local land use regulation serves to prohibit the establishment of a certified recovery residence at the Property, a description of the accommodation requested and the specific regulation or policy from which relief is sought (“Reasonable Accommodation”) must be submitted to UPD. UPD shall not require public hearings beyond the minimum required by law to grant the Reasonable Accommodation.

(b) *Nondiscrimination:* The application and Reasonable Accommodation process shall be consistent with the Fair Housing Amendments Act of 1988, 42 U.S.C. ss. 3601 et seq., and Title II of the Americans with Disabilities Act, 42 U.S.C. ss. 12131 et seq, as amended. The land use regulation for which the applicant is seeking a Reasonable Accommodation must not facially discriminate against or otherwise disparately impact the applicant.

145 (c) *Date-stamp*. UPD shall date-stamp each application for a certified recovery
146 residence upon receipt. If additional information is required, UPD shall notify the applicant
147 in writing within the first thirty (30) days after receipt of the application and allow the
148 applicant at least thirty (30) days to respond.

149 (d) *Final written determination*. UPD shall issue a final written determination on
150 the application within sixty (60) days after receipt of a completed application. The
151 determination must (i) approve the request in whole or in part, with or without conditions;
152 or (ii) deny the request, stating with specificity the objective, evidence-based reasons for
153 denial and identifying any deficiencies or actions necessary for reconsideration. If a final
154 written determination is not issued within sixty (60) days after receipt of a completed
155 application, the request is deemed approved unless the parties agree in writing to a
156 reasonable extension of time.

157 (e) The application of this section does not supersede any current or future
158 declaration or declaration of condominium adopted pursuant to Chapter 718, Florida
159 Statutes; any cooperative document adopted pursuant to Chapter 719, Florida Statutes;
160 or any declaration or declaration of covenant adopted pursuant to Chapter 720, Florida
161 Statutes, as amended.

Section 6. 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 7. 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 to accomplish such intention.

175

Section 8. Effective Date.

176

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/ Alexis Marrero Koratich 08/06/2025
Alexis Marrero Koratich (date)
Assistant County Attorney

By: /s/ Maite Azcoitia 08/06/2025
Maite Azcoitia (date)
Deputy County Attorney

AIK/gmb
Zoning Code Amendment 2025 Legislative Session Ordinance
08/06/2025
#60049

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.