PROPOSED

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO ANTECEDENT GROUNDWATER AND SURFACE WATER STAGES USED TO DESIGN SURFACE WATER MANAGEMENT SYSTEMS; AMENDING SECTION 27-200 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); INCORPORATING A GROUNDWATER ELEVATION MAP REFLECTING THE 2070 FUTURE CONDITIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, Broward County ("County") permits and licenses the construction and operation of surface water management systems;

WHEREAS, the County adopted design criteria to ensure the surface water management systems provide adequate flood and water quality protections;

WHEREAS, Plate WM 2.1 - Future Conditions estimates the 2060 groundwater elevations, assuming a 2.2 foot sea level rise;

WHEREAS, advances in the best available science and modeling necessitated a 2019 update to the Unified Regional Sea Level Rise Projections, which projected a 3.3 foot increase in sea level (relative to 2000 water levels);

WHEREAS, the County adopted the 2019 Unified Regional Sea Level Rise Projections in March 2020 and directed County staff to use this new baseline to update

the County's modeling and planning tools to account for the conditions anticipated over a 50-year planning horizon;

WHEREAS, County staff utilized the 2019 Unified Regional Sea Level Rise Projections as a model input to generate an updated Plate WM 2.1, renamed as Plate WM 2.3 - 2070 Future Conditions Average Wet Season Groundwater Elevation, resulting in a more accurate projection of groundwater elevations over a 50-year planning horizon; and

WHEREAS, incorporating the updated Plate WM 2.3 - 2070 Future Conditions Average Wet Season Groundwater Elevation into the Broward County Code of Ordinances' surface water management design criteria will help ensure that new and major redevelopments are designed and constructed to deliver the necessary flood protection level of service and water quality treatment during their expected useful lifespan,

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

Section 1. Section 27-200 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 27-200. Criteria for issuance or denial of licenses.

. . .

(b) *Surface water management*:

. . .

(5) *Design criteria*:

. . .

Coding: Words ~~stricken~~ are deletions from existing text. Words <u>underlined</u> are additions to existing text.

3. Criteria:

. . .

b) Antecedent conditions: ~~Ground~~ Groundwater and surface water stages antecedent to a design event shall be the higher of the average wet season water levels or the applicable control elevations. The average wet season water levels shall be calculated using Plate WM 2.1 ~~may be used for determining the average wet season ground water levels for use in calculating a design event for existing projects, except for applications for major redevelopment as defined in Section 27-192 or for a major modification to a surface water management license~~ - Average Wet Season Groundwater Elevation, Plate WM 2.2 - 2060 Future Conditions Average Wet Season Groundwater Elevation, or Plate WM 2.3 - 2070 Future Conditions Average Wet Season Groundwater Elevation, as determined most appropriate for the project by RED. The applicant must provide the average wet season water level calculated using Plate WM 2.~~1~~2 - 2060 Future Conditions ~~shall be used for determining the average wet season ground water levels for use in calculating a design event~~ Average Wet Season Groundwater Elevation and Plate WM 2.3 - 2070 Future Conditions Average Wet Season Groundwater Elevation for new applications for a surface

water management license, applications for major redevelopment of existing sites, and applications for major modifications to existing surface water management licenses ~~submitted after June 30, 2017~~.

. . .

Section 2. 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 3. 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.

Section 4. Effective Date.

This Ordinance is effective as of July 1, 2024.

ENACTED **PROPOSED**

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: */s/ Jennifer D. Brown* 03/20/2024
Jennifer D. Brown (date)
Assistant County Attorney

By: */s/ Maite Azcoitia* 03/20/2024
Maite Azcoitia (date)
Deputy County Attorney

JB/gmb
Future Groundwater Elevation Map Ordinance
03/20/2024
#41027

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