

ITEM #59-A

ADDITIONAL MATERIAL

PUBLIC HEARING

SEPTEMBER 16, 2025

SUBMITTED AT THE REQUEST OF

RESILIENT ENVIRONMENT

DEPARTMENT



Resilient Environment Department
URBAN PLANNING DIVISION

1 N. University Drive, Box 102 | Plantation, FL 33324 | 954-357-6634 | Fax 954-357-6521

DATE: September 15, 2025

TO: Board of County Commissioners

THROUGH: Leonard Vialpando, PE, Director

FROM: Darby P. Delsalle, AICP Director

**DARBY
DELSALLE**

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DARBY DELSALLE
Date: 2025.09.15
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SUBJECT: Additional Material Item 59

Attached please find Additional Material for Item 59 of the September 16, 2025, Commission meeting. On September 10, 2025, the Resilient Environment Department Local Planning Agency found the proposed ordinance consistent with the Broward County Comprehensive Plan. The Staff Report is attached.

Attachment – Staff Report

cc: Monica Cepero, County Administrator
Kevin Kelleher, Deputy County Administrator
Laurette Jean, Assistant County Administrator
Isami Ayala-Collazo, Assistant County Administrator
Andrew Meyers, County Attorney
Robert Melton, County Auditor

Resilient Environment Department, Urban Planning Division

STAFF REPORT

Amendment 25-Z4: Legislative Update

I. Item Summary

A. Applicant/Agent: Board of County Commissioners

B. Commission Districts Affected: 1, 2, 3, 5, 6, 7, 8, 9

C. Proposed Modifications (Exhibit 2): Broward County Code of Ordinances, Chapter 39.-Zoning

Article II, Section 39-4. Definitions:

- Adds *Certified recovery residence* definition.

Article VIII, Section 39-76. Definitions:

- Amends *Groundcover* definition,
- Adds *Synthetic turf* definition.

Article VIII, Section 39-85:

- Allows synthetic turf that complies with DEP standards adopted pursuant to Section 125.572, Florida Statutes, on single family residential properties that are one (1) acre in size or less.
- Allows synthetic turf, if permitted by Section 125.572, Florida Statutes, for all portions of residential properties not covered by impervious surfaces.
- Allows synthetic turf that complies with Section 125.572, Florida Statutes, or maintenance of property in its natural state, for single family residential properties that are one (1) acre in size or less.
- Allows single family and duplex residential properties to cover areas of disturbed soil with synthetic turf, if permitted by Section 125.572, Florida Statutes, in addition to turf or groundcover.
- Exempts synthetic turf from irrigation requirements.

Article IX, Section 39-107. Building Safety Inspection Program; repair requirements and timeframes:

- Creates a new section to address the requirement in Florida Statutes for a statewide structural inspection program to ensure the safety of aging condominium and cooperative buildings.
- Provides compliance with Section 553.899, Florida Statutes, that includes inspection requirements for buildings and structures, through the Building Safety Inspection Program, administered by the Broward County Board of Rules and Appeals.

Article IX, Section 39-114. Certified Recovery Residences:

- Creates a new section with procedures that govern the review of applications for certified recovery residences.

- Provides for minimum application requirements.
- Provides for reasonable accommodation if any local land use regulation serves to prohibit the establishment of a certified recovery residence.
- Provides for the reasonable accommodation to be consistent with the federal Fair Housing Amendments Act of 1988 that requires land use regulations for which the applicant is seeking a Reasonable Accommodation must not facially discriminate against or otherwise disparately impact the applicant.
- Provides for times frames to process an application for a certified recovery residence.
- Provides for final determinations to be issued with sixty (60) days of receipt of a completed application, unless the parties involved agree in writing to a reasonable extension of time.
- Provides for the determination to be:
 - Approved in whole or in part, with or without conditions; or,
 - Denied stating with specificity the objective, evidence-based reasons for denial and identifying any deficiencies or actions necessary for reconsideration.
- Stipulates that the requirements for Certified Recovery Residences do not supersede any current or future declarations of condominium or covenant or any copperative document.

D. Effect of Proposed Change.

Updates the zoning code to comply with state statute.

E. Comprehensive Plan Consistency.

Consistent: Broward Municipal Services District Element Policy BMSD 1.1.1. (See Section V. Data and Analysis, Good Planning and Zoning Practice).

II. Staff Recommendation

The Urban Planning Division staff recommend the Resilient Environment Department Local Planning Agency (LPA) find the proposed ordinance consistent with the Broward County Comprehensive Plan.

III. Background.

Florida Statues were amended, effective July 1, 2025, to add Section 125.572 – Regulation of synthetic turf. The new law preempts local government from prohibiting installation of synthetic turf on single-family residential property. The Florida Department of Environmental Protection (FDEP) must adopt rules for minimum standards for the installation of synthetic turf on single-family residential properties that are one (1) acre in size or less. Such standards must take into account the following:

- Material type;
- Color;
- Permeability,
- Tormwater management;
- Potable water conservation;
- Water quality;
- Proximity to trees and other vegetation, and;
- Other factors impacting environmental conditions on adjacent properties.

On July 10, 2025, the FDEP website stated that the Division of Water Restoration Assistance is working on rulemaking for synthetic turf standards:

[Division Rules and Rulemaking | Florida Department of Environmental Protection](#)

IV. Description of Amendment.

The proposed amendment updates the zoning code consistent with Florida Statutes and the Board of County Commissioners direction.

V. Data and Analysis.

Zoning, Section 39-24 provides for the Board to amend zoning regulations whenever the public necessity, convenience, general welfare, or good planning and zoning practice requires. It further provides that the Board of shall consider public input and the recommendations of staff in considering any ordinance amending the Zoning Code.

Staff conducted an analysis in accordance with the requirements of the Broward County Code of Ordinance, Chapter 39-Zoning, Section 39-24 and finds the following:

Public Necessity:

- *Aligns the landscape requirements for turf with Florida Statutes.*

Convenience:

- *Artificial turf is durable, low maintenance, saves water, and provides groundcover in areas where natural groundcover struggles (i.e. areas of poor soil, heavy shade, and substantial foot traffic).*

General Welfare:

- *Provides uniform surface for outdoor recreation and activities.*
- *Use of fertilizers, herbicides, and pesticides are not needed.*

Good Planning and Zoning Practice:

- *Provides for zoning verification letters,*
- *Provides entitlements for residential nonconforming plots.*
- *While the proposed amendment is consistent with state statute, it is not consistent with the Broward County Comprehensive Plan's Broward Municipal Services District Element Policy BMSD 1.1.1 that allows Special Residential Facilities in Residential, Commercial, and Community future land use designations. It also is not consistent with various portions of the Broward County Land Use Plan (BCLUP) that address Special Residential Facilities, including Section 2: Permitted Uses. The provisions in state statute prevail. This inconsistency will be corrected as part of updates to both the BCLUP and BMSD Element.*

VI. Proposed Ordinance (see Exhibit 2)