

ORDINANCE NO. 240-03-112

AN ORDINANCE BY THE CITY COMMISSION AMENDING THE CITY OF LAUDERHILL LAND DEVELOPMENT REGULATIONS, ARTICLE V, FLOODPLAIN, RESOURCE, AND SURFACE WATER MANAGEMENT REGULATIONS, SECTION 5.1, FLOODPLAIN MANAGEMENT REGULATIONS RULES AND REGULATIONS, SUBSECTION 5.1.2, APPLICABILITY, TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS; AMENDING SUBSECTION 5.1.9, DEFINITIONS, GENERALLY, TO AMEND THE DEFINITION OF "MARKET VALUE"; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH)

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon municipalities the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Lauderhill participates in the National Flood Insurance Program and the City Commission desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, the Federal Emergency Management Agency has revised and reissued the Flood Insurance Study for Broward County, Florida and Incorporated Areas, with an effective date of July 31, 2024; and

WHEREAS, the City Commission has determined that it is in the public interest to amend Article V – Floodplain, Resource and Surface Water Management Regulations, Section 5.1 – Floodplain management regulations to identify the effective date of the revised Flood Insurance Study and Flood Insurance Rate Maps;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERHILL, THAT:

SECTION 1. That the City of Lauderhill Land Development Regulations, Article V, Floodplain, Resource and Surface Water Management Regulations, Section 5.1, Floodplain management regulations, Subsection 5.1.2, applicability, is hereby amended to read as follows:

Section 5.1.2, applicability.

* * *

C. Basis for establishing flood hazard areas. The Flood Insurance Study for Broward County, Florida and Incorporated Areas dated July 31, 2024 ~~August 18, 2014~~, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a

part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the City Clerk's Office, 5581 W. Oakland Park Blvd., Lauderhill, FL 33313.

SECTION 2. That the City of Lauderhill Land Development Regulations, Article V, Floodplain, Resource and Surface Water Management Regulations, Section 5.1.9, Definitions, generally, is hereby amended to read as follows:

Section 5.1.9.

* * *

D. Definitions, generally.

* * *

Market value. ~~The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsions to buy or sell and both having reasonable knowledge of relevant facts. As used in this article, the term refers to the market~~ The value of buildings and structures, excluding the land and other improvements on the parcel. ~~Market value may be established by a qualified independent appraiser, is the actual cash value (in-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction) determined by a qualified independent appraiser, or tax assessment value adjusted to approximate market value by a factor provided by the county property appraiser.~~

SECTION 3. APPLICABILITY. For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Lauderhill. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

SECTION 4. INCLUSION INTO THE LAND DEVELOPMENT REGULATIONS. It is the intent of the City Commission that the provisions of this ordinance shall become and be made a part of the City of Lauderhill Land Development Regulations, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 6. CONFLICT. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the

extent of such conflict.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption and passage.

DATED this ____ day of _____, 2024.

PASSED on first reading this _____ day of _____, 2024.

PASSED AND ADOPTED on second reading this ____ day of _____, 2024.

PRESIDING OFFICER

ATTEST:

CITY CLERK

FIRST READING

SECOND READING

MOTION
SECOND

M. DUNN
D. GRANT
L. MARTIN
S. MARTIN
K. THURSTON

