

## **PUBLIC HEARING OF JANUARY 25, 2000**

(The meeting convened at 2:00 p.m. and adjourned at 4:15 p.m.)

PLEDGE OF ALLEGIANCE was led by State Senator Steven Geller.

### **CALL TO ORDER**

1. MOTION TO ADOPT Resolution 2000-228 to vacate and abandon utility easements, lying and being in Broward County, Florida and located at 2275 SW 66<sup>th</sup> Terrace in the Town of Davie. Petitioner: MMM&D, Inc. (Miller, Legg and Associates, Inc. - Agent) 1-V-00.

***ACTION: (B-0448) Approved.***

2. MOTION TO ADOPT Resolution 2000-229 to vacate and abandon right-of-way, utility and anchor easements, lying and being in Broward County, Florida and located at the 6900 Block Hawkes Bluff Avenue in the Town of Davie. Petitioner: Southwest Broward Theaters Holdings Ltd., et al (Robert B. Lochrie, Esquire - Agent) 20-V-99.

***ACTION: (B-0458) Approved.***

3. MOTION TO APPROVE stipulated settlement agreement between Department of Community Affairs and Broward County.

***ACTION: (B-2507) Approved.***

4. MOTION TO ENACT an Ordinance, the substance which is as follows: (This is the second of two public hearings. The first public hearing was held on Tuesday, January 11, 2000 at 2:00 p.m.) This is not a Quasi-Judicial Public Hearing.

### **TEXT CHANGE 10-T-99**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39 (ZONING CODE) OF THE BROWARD COUNTY CODE OF ORDINANCES, AMENDING ARTICLE II, "DEFINITIONS," SECTION 39-4, "TERMS DEFINED," BY ADDING CERTAIN DEFINITIONS; RENUMBERING AND AMENDING ARTICLE LXXXI, "PLANNED DEVELOPMENT DISTRICT (PDD)", AMENDING AND RENUMBERING SECTION 39-1313,"PURPOSE OF DISTRICTS," AMENDING AND RENUMBERING SECTION 39-1314, "DEFINITIONS," DELETING CERTAIN DEFINITIONS; AMENDING AND RENUMBERING SECTION 39-1315, "CONFORMANCE TO MASTER DEVELOPMENT PLAN," AMENDING AND RENUMBERING SECTION 39- 1316, "COMMON OPEN SPACE"; AMENDING AND RENUMBERING SECTION 39-1317, "LAND USE REGULATIONS," REVISING LAND USE STANDARDS AND RESTRICTIONS; RENUMBERING SECTION 39-1318, "PLANNED AGRICULTURAL CENTERS"; AMENDING AND RENUMBERING SECTION 39-1319, "PLANNED RESIDENTIAL COMMUNITIES"; AMENDING AND RENUMBERING SECTION 39-1320, "PLANNED COMMERCIAL CENTERS"; AMENDING AND RENUMBERING SECTION 39-1321, "PLANNED INDUSTRIAL PARKS"; AMENDING AND RENUMBERING SECTION 39-1322, "PLANNED SPECIAL COMPLEXES"; AMENDING AND RENUMBERING SECTION 39-1323, "MIXED USES PERMITTED"; CREATING A NEW SECTION 39-333, TO BE TITLED "PLANNED DEVELOPMENT DISTRICTS"; CREATING A

NEW SECTION 39-337, TO BE TITLED “MAJOR AND MINOR DEVIATIONS”; REPEALING ARTICLE LII, PLANNED UNIT DEVELOPMENT (PUD) DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-2527) Filed proof of publication and enacted the Ordinance, as amended, to become effective as provided by law. See Page 49.***

5. MOTION TO CONSIDER enactment of an Ordinance amending the Broward County Comprehensive Plan to adopt proposed Land Use Plan Text Amendment, PCT 97-5, as a remedial plan amendment in accordance with the provisions of the proposed Stipulated Settlement Agreement with the Department of Community Affairs, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A REMEDIAL AMENDMENT TO BROWARD COUNTY LAND USE PLAN AMENDMENT PCT 97-5 IN ACCORDANCE WITH THE PROVISIONS OF THE STIPULATED SETTLEMENT AGREEMENT WITH THE DEPARTMENT OF COMMUNITY AFFAIRS; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT RELATING TO PERMITTED USES WITHIN THE WATER CONSERVATION AREA AND NATURAL RESERVATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-2844) Filed proof of publication; accepted the recommendations of staff and the Broward County Zoning Board and enacted the Ordinance to become effective as provided by law.***

6. A. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING, CHAPTER 10, ARTICLE V, SECTIONS 10-111 THROUGH 10-114, OF THE BROWARD COUNTY CODE; RELATING TO GAIN-TIME FOR COUNTY PRISONERS; PROVIDING FOR COMMUTATION OF TIME FOR GOOD CONDUCT; PROVIDING FOR COMMUTATION OF TIME FOR MERITORIOUS CONDUCT OR EXCEPTIONAL INDUSTRY; PROVIDING FOR FORFEITURE OF GAIN-TIME AND EXTRA GAIN-TIME; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-2866) Filed proof of publication and enacted the Ordinance, as amended, to become effective as provided by law.***

B. MOTION TO ADOPT Resolution 2000-230 amending Chapter 28 of the Administrative Code by rescinding Part II, Section 28.5 through and including Section 28.19, all of which pertains to gain-time allowances.

***ACTION: (B-2866) Approved.***

7. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 8½ OF THE BROWARD COUNTY CODE OF ORDINANCES ENTITLED "CODE ENFORCEMENT," ARTICLE II, "ALTERNATE CODE ENFORCEMENT PROCEDURE," AMENDING SECTION 8½-8, "ALTERNATE CODE ENFORCEMENT PROCEDURE," TO PROVIDE FOR THE ISSUANCE OF NOTICES TO APPEAR FOR VIOLATIONS OF THE BROWARD COUNTY CODE OF ORDINANCES; AMENDING SECTION 8½-9, "DEFINITIONS," SETTING FORTH THE DEFINITIONS OF TERMS; AMENDING SECTION 8½-10, "ENFORCEMENT PROCEDURES," SETTING FORTH THE PROCEDURES FOR ENFORCEMENT OF THE BROWARD COUNTY CODE OF

ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-2876) Filed proof of publication and enacted the Ordinance to become effective as provided by law.***

8. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO CAMPAIGN ETHICS; CREATING SECTION 11-4, ARTICLE 1, OF CHAPTER 11, BROWARD COUNTY CODE OF ORDINANCES; CREATING THE BROWARD COUNTY ETHICAL CAMPAIGN PRACTICES ACT; PROVIDING FOR APPLICABILITY; DEFINING THE TERM "CANDIDATE"; PROVIDING FOR VOLUNTARY PARTICIPATION IN ETHICAL CAMPAIGN PRACTICES; REQUIRING FILING OF EXECUTED STATEMENT WITHIN SPECIFIED TIMEPERIOD; PROVIDING A STATEMENT OF ETHICAL CAMPAIGN PRACTICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

(Sponsored by Commissioner Lori Nance Parrish)

***ACTION: (B-0464) Filed proof of publication and enacted the Ordinance, as amended, to become effective upon filing with the Department of State.***

***See Page 15.***

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**QUASI-JUDICIAL HEARING**

Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon these items, please indicate the item number you would like to address when the announcement regarding quasi-judicial items is made. All witnesses who will testify on any quasi-judicial item will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross-examination if they are not sworn. The Commission shall not assign unsworn testimony the same weight or credibility as sworn testimony in its deliberations.

9. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt a “Small Scale” amendment in the Town of Davie, PC 99-32, the substance of which is as follows: (Continued from November 30, 1999 Public Hearing, Item 12; December 14, 1999 Public Hearing, Item 21; and January 11, 2000 Public Hearing, Item 8)

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE TOWN OF DAVIE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

**ACTION: (B-2877) Withdrawn.**

**END OF QUASI-JUDICIAL HEARING**

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**NON AGENDA**

10. REVISITED BALLOT QUESTION FOR PRESIDENTIAL PREFERENCE PRIMARY - COMMISSIONER COWAN

**ACTION: (B-2903) See Page 58.**

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