

PUBLIC HEARING OF FEBRUARY 26, 2002

(The meeting convened at 2:00 p.m. and adjourned at 4:41 p.m.)

PLEDGE OF ALLEGIANCE by Commander Carlos Del Toro, Commanding Officer of the USS Bulkely.

MOMENT OF SILENCE In memory of Emridge "EJ" Jones, musician, teacher and band director.

CALL TO ORDER

1. MOTION TO ENACT an Ordinance, the substance of which is as follows. (This is the second of two Public Hearings. The first Public Hearing was held on Tuesday, February 12, 2002 at 2:00 p.m.). This is not a Quasi-Judicial Hearing.

TEXT CHANGE 5-T-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES (ZONING CODE); ARTICLE XVII, "COMMERCIAL DISTRICTS"; AMENDING SECTION 39-300 (s), "MOBILE FOOD UNITS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Josephus Eggelletion, Jr.)

ACTION: (Time-2:32 PM) Filed proof of publication and enacted the Ordinance, as amended, to become effective as provided by law. See Page *****

2. MOTION TO ADOPT Resolution 2002-119 to transmit proposed amendment PC 99-5, in the City of Fort Lauderdale, as part of the first annual proposed 2002 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184 (15), Florida Statutes. (**Commission District 7**)

ACTION: (Time-2:36 PM) Approved per Planning Council's recommendations.

See Page *****

3. MOTION TO ADOPT Resolution 2002-120 to transmit proposed amendment PCT 02-1, regarding the creation of a "Local Activity Center" land use classification, as part of the first annual proposed 2002 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184 (15), Florida Statutes.

ACTION: (Time-2:49 PM) Approved per Planning Council's recommendations.

See Page *****

4. MOTION TO ADOPT Resolution 2002-121 to transmit proposed amendment PCT 02-2, regarding compatibility issues with airport/heliport facilities, as part of the first annual proposed 2002 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184 (15), Florida Statutes.

ACTION: (Time-2:58 PM) Approved per Planning Council's recommendations.

5. A. MOTION TO ADOPT Resolution 2002-122 to transmit proposed amendment PCT 02-3, regarding concurrency requirement for transportation facilities within a Regional Activity Center as part of the first annual proposed 2002 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184 (15), Florida Statutes.

ACTION: (Time-2:59 PM) Approved, as amended, per Planning Council's recommendations.

B. MOTION TO ADOPT amendment to Resolution to transmit proposed amendment PCT 02-3.

ACTION: (Time-2:59 PM) Approved per Planning Council's recommendations.

6. MOTION TO ADOPT Resolution 2002-123 to transmit proposed amendment PCT 02-5, regarding the utilization of Flexibility Rules for parcels located adjacent to Broward County parks or regional parks, as part of the first annual proposed 2002 amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Section 163.3184 (15), Florida Statutes.

ACTION: (Time-2:60 PM) Approved per Planning Council's recommendations. Approved transmittal of request to Broward County Planning Council to amend the Broward County Land Use Plan regarding the utilization of Flexibility Rules for parcels located adjacent to ESL sites. See Page *****

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 the quasi-judicial item 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.

7. MOTION TO ENACT an Ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida. (This is a Quasi-Judicial Public Hearing) **(Commission District 9)**

REZONING PETITION 1-Z-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 5, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, FROM RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT, TO B-1, LIMITED COMMERCIAL BUSINESS DISTRICT, UTILIZING THE 5% FLEXIBILITY RULE; PROVIDING FOR

AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL ZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-3:04 PM) Filed proof of publication and continued the public hearing to Tuesday, March 12, 2002, at 2:00 p.m.

8. **MOTION TO ENACT** an Ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County. (This is a Quasi- Judicial Public Hearing.) (**Commission District 8**)

REZONING PETITION 4-Z-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 24, TOWNSHIP 51 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA, FROM M-1, LIMITED MANUFACTURING AND INDUSTRIAL DISTRICT, TO M-2, GENERAL MANUFACTURING AND INDUSTRIAL DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL ZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-3:48 PM) Filed proof of publication; accepted the recommendations of staff and the Broward County Zoning Board and denied the proposed Ordinance. See Page *****

9. **MOTION TO ENACT** an Ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida. (This is a Quasi Judicial Hearing). (**Commission District 2**)

REZONING 5-Z-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 24, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, FROM RM-10, MULTIPLE-FAMILY DWELLING DISTRICT (10 DWELLING UNITS PER ACRE), TO B-3 INTENSE BUSINESS AND COMMERCIAL DISTRICT UTILIZING THE 5% FLEXIBILITY RULE; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL ZONING ORDINANCES AND ZONING RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING THAT THIS REZONING SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO DEVELOPMENT THAT FAILS TO

MEET THE REQUIREMENTS OF OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (Time-3:54 PM) Filed proof of publication; accepted the recommendations of staff and the Broward County Zoning Board and denied the proposed Ordinance. See Page *****

END OF QUASI-JUDICIAL HEARING

NON AGENDA

10. RESCHEDULE - COMMISSION LIAISON WORKSHOP - COMMISSIONER GUNZBURGER

ACTION: (Time-4:09 PM) The Commission Liaison workshop has been rescheduled from March 11 to Tuesday, March 12, 2002, following the Commission meeting, in Room 430 (brown bag lunch). See Page *****

11. RESCHEDULE SELECTION NEGOTIATION COMMITTEE MEETINGS - COMMISSIONER EGELLETON

ACTION: (Time-11:36 AM/4:29 PM) The Board rescheduled the presentations for the Cultural Center/Arts Park (RLI #071701-RB) from March 5 to Tuesday, April 2, 2002, at 2:00 p.m. See Page *****

12. RESCHEDULE - COMMISSION GOAL SETTING WORKSHOP - COUNTY ADMINISTRATOR

ACTION: (Time-11:37 AM) Tabled to the 2:00 p.m. public hearing.

See Page *****

ACTION: (Time-4:33 PM) The Commission Goal Setting Workshop was rescheduled from March 7 to Monday, April 15, 2002. The location of the workshop will be announced. See Page *****

13. VA PHARMACY CLOSED - PEMBROKE PINES, FLORIDA

ACTION: (Time-4:41 PM) The Board directed staff to research the matter.

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