

PUBLIC HEARING OF MARCH 14, 2000

(The meeting convened at 2:00 p.m. and adjourned at 2:55 p.m.)

PLEDGE OF ALLEGIANCE was led by Steven Cohen and Alfred Ciffo III, honorees of the Prudential Spirit of Community Recognition Day in Broward County.

CALL TO ORDER

1. MOTION TO ADOPT Resolution 2000-432 to vacate and abandon a utility easement, lying and being in Broward County, Florida and located at 401 NW 44th Street in the City of Oakland Park. Petitioner: Donald M. Adams (Craven Thompson and Associates, Inc. - Agent) 25-V-99.

ACTION: (B-0994) Approved.

2. MOTION TO ADOPT Resolution 2000-433 to vacate and abandon a public access easement, lying and being in Broward County, Florida and located on the west side of Coral Ridge Drive approximately one half mile north of the Sawgrass Expressway in unincorporated Broward County. Petitioner: Paradise/BVT Sawgrass Associates (CV Consultants, Inc. - Agent) 5-V-00.

ACTION: (B-1003) Approved.

3. MOTION TO ADOPT supplemental budget Resolution 2000-434 within the Resource Recovery Enterprise fund in the amount of \$11,424,550 to recognize the audited fund balance and appropriate funds to reserves and other commitments. (Deferred from February 22, 2000, Item 11, 2:00 p.m. Public Hearing Agenda)

ACTION: (B-1008) Approved.

4. MOTION TO ADOPT budget Resolutions 2000-435 thru 2000-437 within the Solid Waste, Resource Recovery, and Mandatory Collections Enterprise Funds transferring \$24,120 from the reserves to fund a purchase of a new file server that is required due to relocation of the Office of Integrated Waste Management to a new location.

ACTION: (B-1020) Approved.

5. MOTION TO CONSIDER award of renewal licenses for Nonemergency Medical Transportation Service (NEMTS) to Medical Transportation d/b/a AMC, Inc., American Patient Transport Systems, All American Transport, Inc., Wheelcare, Inc., and the City of Pembroke Pines Fire Rescue.

ACTION: (B-1030) Approved.

6. MOTION TO CONSIDER enactment of an ordinance, amending Chapter 5, Article IX of the Broward County Code of Ordinances (The Broward County Land Development Code), the title of which is as follows: (Continued from February 8, 2000 Public Hearing; Item 1)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 5, ARTICLE IX OF THE BROWARD COUNTY CODE OF ORDINANCES, THE "LAND DEVELOPMENT CODE"; AMENDING SUBSECTION 5-182(m) RELATING TO ADEQUACY OF SCHOOL SITES AND FACILITIES AND SCHOOL

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

(Sponsored by Board of County Commissioners)

ACTION: (B-1039) Continued the public hearing until such time as a final order is issued regarding the Plan Amendment or until the County takes alternative action. See Page 29.

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 27 OF THE BROWARD COUNTY CODE OF ORDINANCES, BY REPEALING ARTICLE IV, "AIR POLLUTION," SECTIONS 27-171 TO 27-190 INCLUSIVE, IN ITS ENTIRETY; CREATING NEW ARTICLE IV, "AIR QUALITY," SECTIONS 27-171 THROUGH 27-179, INCLUSIVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-1076) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

8. MOTION TO ENACT an ordinance, the substance of which is as follows. This is not a Quasi-Judicial Public Hearing.

TEXT CHANGE 11-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 IX, "GENERAL PROVISIONS," BY REPEALING SECTION 39-158, "BOATHOUSES AND BOAT SLIPS"; REPEALING SECTION 39-160, "GROINS AND BREAKWATERS"; REPEALING SECTION 39-175, "MOBILE COLLECTION CENTERS"; REPEALING SECTION 39-186, "MOBILE FOOD UNITS AND MOBILE FOOD UNITS LIMITED TO THE PREPARATION AND SALE OF FRANKFURTERS"; REPEALING ARTICLE XXIV, "ADULT CONGREGATE LIVING FACILITIES"; REPEALING OF ARTICLE XXIX, "AGRICULTURAL-EXCAVATION A-5 DISTRICT"; REPEALING ARTICLE XXXII, "AGRICULTURAL-SANITARY FILL A-8 DISTRICT"; REPEALING OF ARTICLE XLIII, "RECREATIONAL VEHICLE RV-1 DISTRICT"; REPEALING ARTICLE XLVI, "TWO-FAMILY DWELLING R-2U DISTRICT"; REPEALING ARTICLE XLIX, "APARTMENT R-4 DISTRICT"; REPEALING ARTICLE L, "PLANNED APARTMENT R-4A DISTRICT"; REPEALING ARTICLE LI, "PLANNED APARTMENT R-4B DISTRICT"; REPEALING ARTICLE LIV, "HOTEL R-6 DISTRICT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Zoning Code Services Division)

ACTION: (B-1089) 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.

9. MOTION TO CONSIDER enactment of an ordinance, the substance of which is as follows. (This is

the first of two Public Hearings. The second Public Hearing will be held on Tuesday, April 11, 2000 at 2:00 p.m.) This is not a Quasi-Judicial Public Hearing.

TEXT CHANGE 12-T-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES (ZONING CODE); AMENDING ARTICLE XVII, "COMMERCIAL DISTRICTS"; AMENDING SECTION 39-292, "COMMERCIAL ZONING DISTRICTS" BY ADDING CERTAIN COMMERCIAL ZONING DISTRICTS; AMENDING SECTION 39-293, "PURPOSE OF DISTRICTS" BY ADDING THE PURPOSES OF CERTAIN ADDED COMMERCIAL ZONING DISTRICTS; AMENDING SECTION 39-295, "PERMITTED USES" BY ADDING CERTAIN PERMITTED USES; AMENDING SECTION 39-297, "PLOT SIZE" BY ADDING REFERENCE TO AN ADDITIONAL COMMERCIAL ZONING DISTRICT; AMENDING SECTION 39-300, "LIMITATIONS OF USES" BY ADDING, DELETING, AND AMENDING CERTAIN LIMITATIONS OF USES; REPEALING ARTICLE LX, "COMMERCIAL C-1 DISTRICT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Zoning Code Services Division)

ACTION: (B-1099) Filed proof of publication and continued the public hearing to Tuesday, April 11, 2000 at 2:00 p.m.

10. MOTION TO CONSIDER enactment of an ordinance, the substance of which is as follows. (This is the first of two Public Hearings. The second Public Hearing is to be held on Tuesday, April 11, 2000 at 2:00 p.m.) This is not a Quasi-Judicial Hearing.

TEXT CHANGE 13-T-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES (ZONING CODE), CREATING A NEW ARTICLE XXII, ENTITLED "COMMUNITY FACILITIES DISTRICTS"; CREATING A NEW SECTION 39-360, ENTITLED "COMMUNITY FACILITIES ZONING DISTRICTS," SETTING FORTH COMMUNITY FACILITIES ZONING DISTRICT CLASSIFICATIONS; CREATING A NEW SECTION 39-361, ENTITLED "PURPOSE OF DISTRICTS," SETTING FORTH THE PURPOSE AND INTENT OF COMMUNITY FACILITIES ZONING DISTRICTS; CREATING A NEW SECTION 39-362, ENTITLED "GENERAL PROVISIONS," PROVIDING GENERAL PROVISIONS FOR COMMUNITY FACILITIES ZONING DISTRICTS; CREATING A NEW SECTION 39-363, ENTITLED "PERMITTED USES," SETTING FORTH PERMITTED USES IN COMMUNITY FACILITIES ZONING DISTRICTS; CREATING A NEW SECTION 39-364, ENTITLED "PROHIBITED USES," SETTING FORTH PROHIBITED USES IN COMMUNITY FACILITIES ZONING DISTRICTS; CREATING A NEW SECTION 39-365, ENTITLED "PLOT SIZE," PROVIDING MINIMUM PLOT SIZES FOR COMMUNITY FACILITIES ZONING DISTRICTS; CREATING SECTION 39-366, ENTITLED "PLOT COVERAGE," PROVIDING FOR MAXIMUM BUILDING COVERAGES FOR COMMUNITY FACILITIES ZONING DISTRICTS; CREATING A NEW SECTION 39-367, ENTITLED "HEIGHT," PROVIDING FOR MAXIMUM HEIGHT OF BUILDINGS AND STRUCTURES IN COMMUNITY FACILITIES ZONING DISTRICTS; CREATING A NEW SECTION 39-368, ENTITLED "LIMITATIONS OF USES" SETTING FORTH LIMITATIONS OF CERTAIN PERMISSIBLE USES WITHIN

COMMUNITY FACILITIES ZONING DISTRICTS; REPEALING ARTICLE XXVII, ENTITLED "UTILITY A-3 DISTRICTS; REPEALING ARTICLE LXX, ENTITLED "INSTITUTIONAL-EDUCATIONAL I-1 DISTRICTS; REPEALING ARTICLE LXXVII, ENTITLED "CF COMMUNITY FACILITIES DISTRICT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Zoning Code Services Division)

ACTION: (B-1113) Filed proof of publication and continued the public hearing to Tuesday, April 11, 2000 at 2:00 p.m.

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.

11. MOTION TO ENACT an ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida.

REZONING PETITION 24-Z-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 30, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA; FROM B-2B, SPECIAL BUSINESS DISTRICT TO B-2, GENERAL COMMERCIAL BUSINESS DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING 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: (B-1187) 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. See Page 32.

12. MOTION TO CONSIDER enactment of an ordinance changing the zoning district of certain lands within the Unincorporated Area of Broward County, Florida. (This is the first of two Quasi-Judicial Public Hearings. The second Public Hearing will be held on Tuesday, April 11, 2000 at 2:00 p.m.)

REZONING PETITION 26-Z-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 16, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA; FROM M-4, LIMITED HEAVY INDUSTRIAL DISTRICT TO M- 3, INTENSE MANUFACTURING AND INDUSTRIAL DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING 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: (B-1290) Filed proof of publication and continued the public hearing to Tuesday, April 11, 2000 at 2:00 p.m. See Page 35.

13. MOTION TO ENACT an ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida.

REZONING PETITION 27-Z-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 28, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA; FROM M-4, LIMITED HEAVY INDUSTRIAL DISTRICT TO M- 3, INTENSE MANUFACTURING AND INDUSTRIAL DISTRICT; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAPS; PROVIDING FOR THE REPEAL OF ALL REZONING 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: (B-1350) 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. See Page 36.

END OF QUASI-JUDICIAL HEARING

NON AGENDA

14. DISCLAIMER FOR CLOSED-CAPTIONING - COMMISSIONER JACOBS

ACTION: (B-1420) See Page 38.

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