

# PUBLIC HEARING OF MAY 27, 1997

(Meeting convened at 2:00 p.m. and recessed at 4:30 p.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

1. MOTION TO CONSIDER enactment of an ordinance amending Chapter 39, Broward County Zoning Code.

(This is the first of two public hearings, the second will be held on Tuesday, June 10, 1997 at 2:00 p.m.)

TEXT CHANGE 2-T-97

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, AMENDING THE BROWARD COUNTY ZONING CODE, SECTION 39-178.1, "HOUSEHOLD PETS," ELIMINATING RESTRICTIONS ON THE PERMITTED NUMBER OF HOUSEHOLD PETS; AMENDING SECTION 39-275, "GENERAL PROVISIONS," DELETING RESTRICTIONS ON THE PERMITTED NUMBER OF HOUSEHOLD PETS IN RESIDENTIAL ZONING DISTRICTS; AMENDING SECTION 39-402, "USES PERMITTED," TO PERMIT AN UNLIMITED NUMBER OF HOUSEHOLD PETS IN AGRICULTURAL DISTRICTS; AMENDING SECTION 39-537 PROVIDING FOR AN UNLIMITED NUMBER OF HOUSEHOLD PETS AS A PERMITTED USE IN ESTATE DISTRICTS; AMENDING SECTION 39-558, "USES PERMITTED" PROVIDING FOR THE KEEPING OF AN UNLIMITED NUMBER OF HOUSEHOLD PETS AS PERMITTED USE IN AGRICULTURAL ESTATE DISTRICTS; AMENDING SECTION 39-1325, "USES PERMITTED," TO ELIMINATE RESTRICTIONS ON THE NUMBER OF HOUSEHOLD PETS WHICH MAY BE KEPT IN RURAL ESTATES DISTRICTS; AMENDING SECTION 39-1335, "USES PERMITTED," TO ALLOW FOR KEEPING OF AN UNLIMITED NUMBER OF HOUSEHOLD PETS IN RURAL ESTATES DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (C-045) The second public hearing will be held on Tuesday, June 10, 1997 at 2:00 p.m., at which time the Board will vote on the ordinance.***

2. MOTION TO CONSIDER enactment of an amending Chapter 39, Broward County Zoning Code.

(This is the first of two public hearings, the second will be held on Tuesday, June 10, 1997 at 2:00 p.m.)

TEXT CHANGE 3-T-97

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39, BROWARD COUNTY ZONING CODE, BY AMENDING ARTICLE IX, SECTION 39-167 ENTITLED "COUNTY USES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (C-479) The second public hearing will be held on Tuesday, June 10, 1997 at which time the Board will vote on the ordinance.***

3. MOTION TO CONSIDER enactment of an ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 12, ARTICLE III, SECTION 12-61 OF THE BROWARD COUNTY CODE OF ORDINANCES TO PROVIDE FOR THE INCLUSION OF ANY MUNICIPALITY WITHIN THE MUNICIPAL SERVICE BENEFIT UNIT CREATED FOR BROWARD COUNTY

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

(Sponsored by the Board of County Commissioners)

***ACTION: (C-580) Filed proof of publication, and enacted ordinance to be effective as provided by law.***

4. MOTION TO CONSIDER enactment of an ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING SECTION 4(d) OF ORDINANCE NO. 95-14, AS AMENDED BY SECTION 3 OF ORDINANCE NO. 95-38, AND SECTION 1 OF ORDINANCE NO. 95-47 TO PROVIDE FOR AN EXTENSION OF TIME FOR THE CITY OF WESTON TO ENTER INTO AN INTERLOCAL AGREEMENT AND TO FILE AN ORDINANCE WITH THE BOARD OF COUNTY COMMISSIONERS CONSENTING TO THE MUNICIPALITY'S INCLUSION IN THE MUNICIPAL SERVICE BENEFIT SUBUNIT FOR EMERGENCY MEDICAL SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (C-592) Filed proof of publication, and enacted ordinance to be effective as provided by law.***

5. A. MOTION TO CONSIDER enactment of an ordinance, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING ARTICLE III, LOCAL OPTION GAS TAX, SECTION 31½ - 35 OF THE BROWARD COUNTY CODE; AMENDING THE DISTRIBUTION OF THE LOCAL OPTION GAS TAX; AMENDING DIVISION 2, ADDITIONAL TAX (1993), SECTION 31½ - 42 OF THE BROWARD COUNTY CODE; AMENDING THE DISTRIBUTION OF THE ADDITIONAL LOCAL OPTION GAS TAX; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE, AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (C-598) Filed proof of publication, and enacted ordinance to be effective as provided by law.***

B. MOTION TO ADOPT Resolution 1997-664 establishing a policy within the Broward County Administrative Code on amending the percentage split of local option gas taxes between the County and the Municipalities.

## **ACTION: (C-598) Approved.**

6. MOTION TO CONSIDER enactment of a proposed ordinance amending the Broward County Land Use Plan and the Unincorporated Area Land Use Element, elements of the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP OF THE BROWARD COUNTY LAND USE MAP SERIES TO REDESIGNATE THE LAND USE OF THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT DEVELOPMENT OF REGIONAL IMPACT LOCATED IN THE CITY OF FORT LAUDERDALE AND IN THE UNINCORPORATED AREA OF BROWARD COUNTY,

AMENDING THE UNINCORPORATED AREA FUTURE LAND USE ELEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (C-823) Filed proof of publication, and enacted ordinance to be effective as provided by law.***

## **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 CONSIDER enactment of a proposed ordinance regarding a development order for the Fort Lauderdale-Hollywood International Airport Development of Regional Impact, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING AND RESTATING THE DEVELOPMENT ORDERS FOR THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT DEVELOPMENT OF REGIONAL IMPACT LOCATED ON PROPERTY IN SECTIONS 20-22, 26-29 and 34, TOWNSHIP 50 SOUTH, RANGE 42 EAST, ALL AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR DEVELOPMENT IDENTIFICATION; PROVIDING DEVELOPMENT APPROVAL FOR AN EXPANSION OF THE FORT LAUDERDALE- HOLLYWOOD INTERNATIONAL AIRPORT SUBJECT TO

CONDITIONS; PROVIDING FOR GENERAL CONDITIONS; PROVIDING FOR CONFLICT;  
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (C-940) Public Hearing continued to July 8, 1997.***

8. MOTION TO CONSIDER enactment of an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 24-Z-96).

(This is the first of two public hearings, the second will be held on Tuesday, June 10, 1997 at 2:00 p.m.)

REZONING PETITION 24-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTIONS 12 AND 13, TOWNSHIP 48 SOUTH, RANGE 42 EAST AND SECTIONS 7 AND 18, TOWNSHIP 48 SOUTH, RANGE 43 EAST FROM R-1B, ONE-FAMILY DWELLING DISTRICT; R-1C, ONE-FAMILY DWELLING DISTRICT; R-1P, ONE-FAMILY DWELLING - PARKING DISTRICT; R-2, TWO-FAMILY DWELLING DISTRICT; RM-5, MULTIPLE-FAMILY DWELLING DISTRICT; R-4, APARTMENT DISTRICT; B-3, GENERAL BUSINESS DISTRICT; M-1, LIGHT INDUSTRIAL DISTRICT AND M-3, GENERAL INDUSTRIAL DISTRICT TO RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT; RS-6, ONE FAMILY DETACHED DWELLING DISTRICT; RM-10, MULTIPLE-FAMILY DWELLING DISTRICT; RM-12, MULTIPLE-FAMILY DWELLING DISTRICT; RM-25, MULTIPLE-FAMILY DWELLING DISTRICT AND CONSERVATION-2 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: (C-1796) The second public hearing will be held on Tuesday, June 10, 1997 at 2:00 p.m. at which time the Board will vote on the ordinance.***

9. MOTION TO CONSIDER enactment of an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 2-Z-97).

REZONING PETITION 2-Z-97

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 15, TOWNSHIP 48 SOUTH, RANGE 42 EAST; FROM R-6, HOTEL DISTRICT, AND S-2, OPEN SPACE DISTRICT, TO RM-25, MULTIPLE-FAMILY DWELLING 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: (C-1866) Filed proof of publication, and enacted ordinance to be effective as provided by law.***

10. MOTION TO CONSIDER enactment of an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 3-Z-97).

REZONING PETITION 3-Z-97

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 36, TOWNSHIP 50 SOUTH, RANGE 41 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT, AND S-2, OPEN SPACE DISTRICT, TO RS-5, ONE-FAMILY DETACHED DWELLING 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: (C-1939) Continued to Tuesday, June 3, 1997 at 10:00 a.m.***

## **END OF QUASI-JUDICIAL HEARING**

## **NON-AGENDA ITEMS**

11. (Item 36 from the 10:00 a.m. meeting was tabled to this 2:00 p.m. public hearing)

MOTION TO AWARD open-end contract to single bidder, Broker/Agent, Sedgwick of Florida, Inc. Sedgwick James of Florida for Associated Aviation Underwriters for Airport Comprehensive General Liability Coverage for Hollywood/Fort Lauderdale International and North Perry Airports (Bid No. D-04-97-02-12) in the amount of \$165,800.00, and authorize the Purchasing Director to renew the contract for two one- year periods. The initial contract period shall start on June 4, 1997 and end on June 31, 1998.

***ACTION: (C-2504) Recessed to the end of the special meeting at 12:00 noon on May 28, 1997 wherein the final action taken was to approve this contract as amended, providing that it is for only one year and the director is to send written notice 120 days prior to the expiration of the contract indicating that the company is no longer the exclusive agent.***

12. INFORMATIONAL ITEM: Commissioner Abramowitz advised that as a result of a letter he wrote to the White House on beach restoration, the Corps of Engineers have been directed to research the

issue. He hopes that South Florida will be the recipient of some action on beach nourishment.

***ACTION: (C-3131) For informational purposes.***

13. REQUEST: Commissioner Gunzburger said she would be interested in serving on the Florida Association of Counties (FAC) Solid Waste Trust Fund Review Commission, which is involved in statewide goals in recycling, etc.

***ACTION: (C-3171) Board requested that the Chair send a letter to the President of FAC asking that Commissioner Gunzburger be appointed to the Association, as cited above.***

14. REQUEST: Commissioner Parrish asked that the Chair send a letter to the Governor, on behalf of the County Commission, voicing disappointment on his failure to name a Broward resident to the 37 member Constitutional Revision Commission which will recommend changes to Florida's constitution.

**ACTION: (C-3266) Approved.**

15. SUGGESTION: Commissioner Cowan said he would like to see the current tax laws changed to the following: if property that escheats to the cities is sold within the first five years of ownership, the first dollars received shall pay the cities taxes, and anything else will go to back taxes owed to the county.

***ACTION: (C-3413) For informational purposes only.***

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