

PUBLIC HEARING OF JUNE 24, 1997

(The meeting convened at 2:10 p.m. and adjourned at 3:54 p.m.)

1. MOTION TO ADOPT Resolution 1997-766 approving the Broward County Five- Year Transit Development Plan (TDP) Fiscal Years 1997/98-2001/2002 Update for the Division of Mass Transit.

ACTION: (B-146) Approved with addendum.

2. MOTION TO CONSIDER enactment of an ordinance amending Chapter 39, Broward County Zoning Code, the substance of which is as follows:

(This is the first of two public hearings, the second will be held on Tuesday, July 8, 1997 at 2:00 p.m.)

TEXT CHANGE 5-T-97

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39, BROWARD COUNTY ZONING CODE, BY AMENDING, RENUMBERING AND RENAMING ARTICLE XVI, "LIMITED AGRICULTURAL A-1 AND GENERAL AGRICULTURAL A-2 DISTRICTS"; ADDING SECTION 39-245, "GENERAL PROVISIONS"; AMENDING AND RENUMBERING SECTION 39-401, "PURPOSE OF DISTRICTS"; AMENDING AND RENUMBERING SECTION 39-402, "USES PERMITTED"; ADDING SECTION 39-247, "AGRICULTURAL ZONING DISTRICTS"; ADDING SECTION 39-248, "DENSITY"; AMENDING AND RENUMBERING SECTION 39-403, "USES PROHIBITED"; AMENDING AND RENUMBERING SECTION 39-405, "MINIMUM PLOT SIZE"; ADDING SECTION 39-252, "MAXIMUM PLOT SIZE FOR NONRESIDENTIAL AND NONAGRICULTURAL USES"; AMENDING AND RENUMBERING SECTION 39-406, "PLOT COVERAGE"; AMENDING AND RENUMBERING SECTION 39-404, "HEIGHT"; AMENDING AND RENUMBERING SECTION 39-407, "FRONT YARD" BY AMENDING REQUIRED FRONT, SIDE AND REAR YARDS; AMENDING AND RENUMBERING SECTION 39-412, "MINIMUM FLOOR AREA FOR DWELLINGS"; REPEALING SECTION 39-408, "SIDE YARD"; REPEALING SECTION 39-409, "REAR YARD"; REPEALING SECTION 39-410, "YARD MODIFICATIONS"; REPEALING SECTION 39-411, "LIMITATIONS OF USES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Code and Zoning Enforcement Division)

ACTION: (A-243) The Board filed proof of publications and will hold the second public hearing on July 8, 1997.

3. MOTION TO CONSIDER enactment of a proposed ordinance, the substance of which is as follows: (Deferred from June 10, 1997)

AN ORDINANCE OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS ENACTED PURSUANT TO THE FLORIDA LAND USE AND ENVIRONMENTAL DISPUTE RESOLUTION ACT ESTABLISHING SPECIAL MASTER PROCEDURES FOR MEDIATION OF DEVELOPMENT ORDER DISPUTES; PROVIDING FOR DEFINITIONS; PROVIDING FOR FILING OF REQUESTS FOR RELIEF; PROVIDING FOR SPECIAL MASTER SELECTION, QUALIFICATIONS, AND RESTRICTIONS; PROVIDING FOR CONDUCT OF SPECIAL MASTER

PROCEEDINGS INCLUDING REQUESTS FOR RELIEF, RESPONSES, SUFFICIENCY HEARINGS, NOTICES, SUBPOENAS, FACILITATION SESSIONS, AND OFFERS TO COMPROMISE; PROVIDING FOR SPECIAL MASTER RECOMMENDATIONS AND RESPONSES THERETO; PROVIDING FOR RIPENESS DECISIONS; PROVIDING

FOR TIME REQUIREMENTS AND CONSOLIDATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (A-415) The Board filed proof of publications and enacted Ordinance 1997-26 as amended to be effective as provided by law.

4. AMENDMENT PC 97-16

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF COOPER CITY

FROM: Estate (1) Residential

TO: Commercial

SIZE: Approximately 12.5 acres

LOCATION: in Section 5, Township 51, Range 41; located east of Palm Avenue and south of Northwest 29 Court; bound on the east by Northwest 98 Avenue and on the south by Sheridan Street.

ACTION: (B-567) Approved subject to the Planning Council's recommendations recognizing the voluntary commitment of the property owner to a 65' buffer, including a wall and landscaping to the east and the City of Cooper City's code requiring buffers to the north and west. Further, that the applicant address the wetlands issue to the satisfaction of the Department of Natural Resource Protection prior to consideration for adoption.

5. AMENDMENT PC 97-11

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF MARGATE

FROM: Office Park

TO: approximately 19.1 acres Low Medium (10) Residential and 3.3 acres Commercial

SIZE: Approximately 22.4 acres

LOCATION: in Section 1, Township 49, Range 41; located east of Southwest 64 Terrace, south of Southwest 7 Street, west of State Road 7/ U.S. 441 and north of Kimberly Boulevard.

ACTION: (B-1024) Withdrawn.

6. AMENDMENT PC 97-4

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF PEMBROKE PINES

FROM: Agricultural

TO: Low (2) Residential

SIZE: Approximately 72.7 acres

LOCATION: in Section 14, Township 51, Range 39; located east of Southwest 202 Avenue, bound on the north by Pines Boulevard and on the east by Southwest 196 Avenue; located north of Pembroke Road.

ACTION: *(B-1031) Continued to the July 8, 1997 public hearing.*

7. AMENDMENT PC 97-5

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF PEMBROKE PINES

FROM: Estate (1) Residential

TO: Low (2) Residential

SIZE: Approximately 80.1 acres

LOCATION: in Section 5, Township 51, Range 40; bound on the west by Southwest 172 Avenue; located south of Stirling Road, west of Southwest 160 Avenue and bound on the south by Sheridan Street.

ACTION: *(B-1081) Continued to the July 8, 1997 public hearing.*

8. AMENDMENT PC 97-17

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN - CITY OF PEMBROKE PINES

FROM: approximately 2.7 acres Commercial and 113.3 acres Low (2) Residential

TO: Conservation

SIZE: approximately 116 acres

LOCATION: in Section 15, Township 51, Range 39; bound on the west by U.S. 27; located south of Pines Boulevard, west of Southwest 208 Avenue and north of Pembroke Road.

ACTION: *(B-1117) Approved the Planning Council's recommendation with the further recommendation that prior to the Planning Council's second public hearing, the Planning Council staff and appropriate county staff work with the South Florida Water Management District staff to propose an appropriate time efficient method to identify additional publicly controlled lands which*

may be suitable for the “Conservation” land use designation as part of the East Coast Buffer/Water Preserve Area.

9. AMENDMENT PCT 97-3

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT

Amendment consists of revisions to Section IV.D.7, “Monitoring and Enforcement Procedures”, pertaining to local governmental reporting requirements.

ACTION: (B-2448) Approved subject to the Planning Council’s recommendation.

10. AMENDMENT PCT 97-4

AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN TEXT

Amendment consists of revision to Policy 09.13.02 regarding clarification of Dredge Spoil Disposal Sites site selection criteria.

ACTION: (B-2460) Approved subject to the Planning Council’s recommendation.

11. PUBLIC SCHOOL FACILITIES ELEMENT AMENDMENT

Amendment proposes changes to Level of Service Standards.

ACTION: (B-2470) Approved subject to the Local Planning Agency’s recommendation.

12. PUBLIC SCHOOL FACILITIES ELEMENT AND CAPITAL IMPROVEMENT ELEMENT AMENDMENT

Amendment to the Public School Capital Facilities Program.

ACTION: (B-2620) Approved subject to the Local Planning Agency’s recommendation.

13. AMENDMENT TO THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT TEXT

Amendment proposes revisions to the Goals, Objectives and Policies of the Future Unincorporated Area Land Use Element based upon recommendations of the adopted Evaluation and Appraisal Report and Support Documents.

ACTION: (B-2633) Approved subject to the Local Planning Agency’s recommendation.

14. AMENDMENT TO THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT MAP

Amendment based on the adopted 1996 Evaluation and Appraisal Report.

ACTION: (B-2640) Approved subject to the Local Planning Agency’s recommendation.

15. AMENDMENT TO THE TRAFFIC CIRCULATION ELEMENT MAP NO. 4-6, YEAR 2010 HIGHWAY NETWORK MAP AND THE CAPITAL IMPROVEMENT ELEMENT

Amendment proposes to add a new interchange on the Sawgrass Expressway between Oakland Park Boulevard and Sunrise Boulevard for the Broward County Arena.

ACTION: (B-2670) Continued to July 8, 1997 and directed the County Attorney's Office to contact the Arena Operating Company Ltd., to guarantee to the county, in writing, that with respect to the roadway improvements on the Sawgrass Expressway with the development of the arena, it would pay for any revenue shortfall through an agreement with the county.

16. MOTION TO ADOPT Resolution 1997-767 of the Board of County Commissioners of Broward County transmitting the second Proposed 1997 Amendments to the Broward County Comprehensive Plan to the Department of Community Affairs; providing an effective date.

ACTION: (B-33779) Approved PC 97-17, under A, and B through G, Section 1.

Further the Board approved striking Amendments PC 97-4, PC 97-5, (continued to July 8, 1997 public hearing) and PC 97-11 (withdrawn), under A and approved striking the amendment to the Traffic Circulation Element Map No. 4-6, Year 2010 Highway Network Map to add a new interchange on the Sawgrass Expressway between Oakland Park Boulevard and Sunrise Boulevard for the Broward County Arena under H, Section 1.

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.

DEPARTMENT OF STRATEGIC PLANNING

AND GROWTH MANAGEMENT

CODE AND ZONING ENFORCEMENT DIVISION

17. MOTION TO CONSIDER enactment of an ordinance changing the zoning district of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 8-Z-96) the substance of which is as follows:

REZONING PETITION 8-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 25, TOWNSHIP 50 SOUTH, RANGE 40 EAST; FROM A-1, LIMITED AGRICULTURAL DISTRICT, TO B-2, COMMUNITY BUSINESS DISTRICT, UTILIZING THE 5% FLEXIBILITY RULE; 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)

END OF QUASI-JUDICIAL HEARING

ACTION: (B-130) Continued to August 12, 1997 at staff's request for further consideration.

NON AGENDA

18. MOTION TO APPROVE the appointment of Ms. Mae Francis Jenkins to the joint Broward County/Fort Lauderdale Emergency Medical Services (EMS) Advisory Committee. (Commissioner Lieberman)

ACTION: (B-3420) Approved.

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