

## **PUBLIC HEARING OF JUNE 27, 2006**

(The meeting convened at 2:00 p.m. and adjourned at 5:02 p.m.)

PLEDGE OF ALLEGIANCE was led by Milor Dagobert, Junior NBA/Junior WNBA Miami Heat Coach of the Year

### **CALL TO ORDER**

1. MOTION TO CONSIDER approval of the renewal of Nonemergency Medical Transportation Service (NEMTS) licenses to Gent-Trans, Inc., Handi-Van, Inc., and M & T Transportation, Inc.

***ACTION: (T-3:09 PM) Approved.***

2. 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 31½, ARTICLE II, SUBSECTION 31½-16(10) AND SUBSECTION 31½-16(15) OF THE BROWARD COUNTY CODE OF ORDINANCES TO PROVIDE CONSISTENCY WITH SECTION 212.11, FLORIDA STATUTES, TO ALLOW MONTHLY, QUARTERLY, SEMIANNUAL, AND ANNUAL TAX RETURNS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-3:12 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.***

3. MOTION TO ADOPT Resolution 2006-486 of the Board of County Commissioners of Broward County, Florida, amending Chapter 22 of the Broward County Administrative Code adopting a policy for reimbursing deployed employees during extreme weather conditions for damage incurred to their personal vehicle while serving in this capacity; finding a public purpose; providing for inclusion in the administrative code; providing for severability; and providing for an effective date.

***ACTION: (T-3:12 PM) Approved.***

4. 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, ARTICLE IV, AIR QUALITY; AMENDING SECTION 27-171 TO CLARIFY THE INTENT OF ARTICLE IV; AMENDING SECTION 27-172 TO CLARIFY OPEN BURNING APPLICABILITY AND THE INAPPLICABILITY OF ARTICLE IV TO PETROLEUM PRODUCT STAGE I OR STAGE II VAPOR RECOVERY EQUIPMENT AT STORAGE TANK FACILITIES; AMENDING SECTION 27-173 BY UPDATING THE REFERENCE TO STATE OPEN BURNING REGULATIONS, ADDING A REFERENCE TO THE STATE ASBESTOS PROGRAM REGULATIONS, AND PROVIDING FOR APPLICATION OF THE MORE STRINGENT REGULATIONS; AMENDING SECTION 27-174 TO MODIFY THE DEFINITION OF AMBIENT AIR QUALITY STANDARD AND PARKING FACILITY, AND REPEALING DEFINED TERMS NO LONGER APPLICABLE TO ARTICLE IV; AMENDING SUBSECTION 27-175(h) TO DELETE REFERENCES TO OPACITY OR PROCESS WEIGHT TABLES; AMENDING SUBSECTION 27-175(j) TO CLARIFY RESTRICTIONS ON VISIBLE SMOKE FROM MOTOR VEHICLES; AMENDING SECTION 27-176 TO DELETE THE REQUIREMENT FOR AIR MODELING AND MINIMUM GROUND CONCENTRATION ISOPLETH FOR COUNTY LICENSED VACUUM EXTRACTION SYSTEMS AND AIR STRIPPERS; AMENDING SECTION 27-177 RELATING TO FUGITIVE PARTICULATE MATTER EMISSIONS BY DELETING THE USE OF OIL AND CHEMICAL AS A DUST SUPPRESSANT AND ADDING THE USE OF POLLUTION CONTROL DEVICES OR OPERATIONAL METHODS CONSISTENT WITH INDUSTRY STANDARDS AND LIMITING THE HEIGHT OF OPEN STORAGE PILES; REPEALING SECTION 27-179, HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS, HUMAN CREMATORIES AND ANIMAL CREMATORIES AND REPLACING IT WITH SECTION 27-179, HUMAN AND ANIMAL CREMATORY EMISSIONS; ADDING SECTION 27-180 BY

ESTABLISHING ADDITIONAL ASBESTOS REMOVAL COMPLIANCE REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-3:12 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.***

5. MOTION TO ENACT an Ordinance, to adopt a proposed amendment to the Capital Improvements Element, the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2006 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN BY AMENDING THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-3:12 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Urban Planning and Redevelopment Department (UPRD) Local Planning Agency (LPA) and Planning Services Division staff recommendations.***

6. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 06-4, located in the city of Coral Springs, as a part of the first annual proposed 2006 amendments to the Broward County Comprehensive Plan (**Commission District 3**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2006 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF CORAL SPRINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-3:13 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council's recommendation.***

7. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 06-5, located in the city of Miramar, as a part of the first annual proposed 2006 amendments to the Broward County Comprehensive Plan (**Commission District 8**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2006 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF MIRAMAR; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-3:15 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council's recommendation. (Refer to minutes for full discussion.)***

8. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 06-6, located in the city of Sunrise, as a part of the first annual proposed 2006 amendments to the Broward County Comprehensive Plan (**Commission District 3**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2006 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF SUNRISE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-3:16 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council's recommendation. (Refer to minutes for full discussion.)***

9. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 06-7, located throughout Broward County, as a part of the first annual proposed 2006 amendments to the Broward County Comprehensive Plan (**Commission Districts 1, 2 and 7**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2006 AMENDMENTS TO THE BROWARD COUNTY

COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP THROUGHOUT BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-3:32 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council's recommendation.***

10. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 06-8, located throughout Broward County, as a part of the first annual proposed 2006 amendments to the Broward County Comprehensive Plan **(Commission Districts 1, 2, 3, 4, 5, 6, 7, 8 and 9)**, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2006 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP THROUGHOUT BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-3:32 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council's recommendation.***

11. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text amendment, PCT 06-1, amending the permitted uses of the "Local Activity Center" located in the city of Pembroke Pines, as a part of the first annual proposed 2006 amendments to the Broward County Comprehensive Plan (**Commission District 6**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2006 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE PEMBROKE PINES "LOCAL ACTIVITY CENTER"; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-3:09/3:11 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council's recommendation. (Refer to minutes for full discussion.)***

12. A. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text amendment, PCT 06-4, establishing a "Transit Oriented Corridor" in the city of Lauderhill, as a part of the first annual proposed 2006 amendments to the Broward County Comprehensive Plan (**Commission District 9**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2006 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS THE LAUDERHILL "TRANSIT ORIENTED CORRIDOR"; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-3:33 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council's recommendation. (Refer to minutes for full discussion.)***

- B. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan map amendment, PC 06-3, designating a “Transit Oriented Corridor” in the city of Lauderhill, as a part of the first annual proposed 2006 amendments to the Broward County Comprehensive Plan (**Commission District 9**), the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2006 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP LOCATED IN THE CITY OF LAUDERHILL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-3:33 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council’s recommendation. (Refer to minutes for full discussion.)***

13. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan text amendment, PCT 06-5, to address affordable housing, as a part of the first annual proposed 2006 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE FIRST ANNUAL 2006 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN TEXT TO ADDRESS AFFORDABLE HOUSING; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-4:17 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council’s recommendation.***

14. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt “Small Scale” land use plan amendment, PC 06-14, in the city of Oakland Park (**Commission District 9**) the substance of which is as follows:

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 CITY OF OAKLAND PARK; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-4:18 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council's recommendation.***

15. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" land use plan amendment, PC 06-15, in the city of Pembroke Pines (**Commission District 8**) the substance of which is as follows:

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 CITY OF PEMBROKE PINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-4:15 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council's recommendation. (Refer to minutes for full discussion.)***

16. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" land use plan amendment, PC 06-16, in the city of Pembroke Pines (**Commission District 6**) the substance of which is as follows:

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 CITY OF PEMBROKE PINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

(Sponsored by the Board of County Commissioners)

***ACTION: (T-4:40 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council's recommendation.***

17. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt "Small Scale" land use plan amendment, PC 06-18, in the city of Plantation (**Commission District 5**) the substance of which is as follows:

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 CITY OF PLANTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-4:47 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council's recommendation.***

18. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt “Small Scale” land use plan amendment, PC 06-31, in the city of Pembroke Pines (**Commission District 8**) the substance of which is as follows:

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 CITY OF PEMBROKE PINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)


***ACTION: (T-4:48 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council’s recommendation.***

19. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt “Small Scale” land use plan amendment, PC 06-32, in the city of Plantation (**Commission District 7**) the substance of which is as follows:

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 CITY OF PLANTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (T-4:49 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council’s recommendation.***

20.  MOTION TO ADOPT Resolution 2006-487 amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY ADMINISTRATIVE CODE, CHAPTER 19, PART IV, TO CREATE A NEW PROGRAM ENTITLED “AFFORDABLE HOUSING PROGRAM”; CREATING SECTION 19-30 ENTITLED “ESTABLISHMENT,” PROVIDING FOR THE CREATION OF AN AFFORDABLE HOUSING PROGRAM; CREATING SECTION 19.31 ENTITLED “ANNUAL FUNDING APPROPRIATION,” PROVIDING FOR FUNDING OF THE PROGRAM; CREATING SECTION 19.32 ENTITLED

“ELIGIBLE PROJECTS,” PROVIDING ELIGIBILITY FOR FUNDING; CREATING SECTION 19.33 ENTITLED “CRITERIA FOR INVESTMENT,” PROVIDING CRITERIA FOR INVESTMENT IN AFFORDABLE HOUSING PROJECTS; CREATING SECTION 19.34 ENTITLED “PROJECT APPLICATION AND SELECTION PROCESS; INVESTMENT AMOUNT,” ESTABLISHING CRITERIA FOR RECEIPT OF COUNTY FUNDING AND AMOUNT OF FUNDING FOR PROJECTS UNDER THE PROGRAM; CREATING SECTION 19.35 ENTITLED “COUNTY INVESTMENT; METHOD OF INVESTMENT,” PROVIDING TIMING FOR ISSUANCE OF COUNTY FUNDING AND MEANS OF FUNDING; CREATING SECTION 19.36 ENTITLED “PROGRESS REPORTS,” PROVIDING FOR ANNUAL PROGRESS REPORTS ON PROJECTS FUNDED UNDER THE PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE ADMINISTRATIVE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by Commissioner Jacobs, Commissioner Gunzburger, and Commissioner Wexler)

***ACTION: (T-4:49 PM) Approved, as amended, with the deletion of a sentence in Section 19.35 County Investment; Method of Investment. Delete: “If the project falls within a community redevelopment area created pursuant to Chapter 163, Part III, Florida Statutes and funded through tax increment financing, investment may be predicated on successful renegotiation of the amount of the County’s tax increment contribution.” (Refer to minutes for full discussion.)***