

PUBLIC HEARING OF AUGUST 13, 1996

(The meeting convened at 2:12 p.m., recessed at 2:13 p.m., reconvened at 2:45 p.m., and adjourned at 3:38 p.m.)

1. MOTION TO ADOPT Resolution 96-700 to vacate and abandon a utility easement lying in Broward County, Florida and located at 3570 Southwest 49 Way in the Town of Davie. Petitioner: Vera Brosnahan (John Milledge - Agent) 21-V-96.

ACTION: (B-1088) Approved.

2. MOTION TO ADOPT Resolution 96-701 to vacate and abandon various rights-of-way and easements lying in Broward County, Florida and located north of Pines Boulevard, south of Sheridan Street and west of Dykes Road in the City of Pembroke Pines. Petitioner: Glassman Associates, Inc. (Robert H. Miller & Associates - Agent) 44-V-93.

ACTION: (B-1093) Approved.

3. MOTION TO ADOPT Resolutions 96-702 through 96-721 to assess land clearance liens.

ACTION: (B-1099) Approved.

4. MOTION TO ADOPT Resolution 96-722 adding "Area 23," the Broadview Park community, to the existing unincorporated area Street Lighting District.

ACTION: (B-1108) Approved.

5. MOTION TO ADOPT Resolution 96-723 adding "Area 23," the Davis Isles community, to the existing unincorporated area Street Lighting District.

ACTION: (B-1112) Approved.

6. MOTION TO CONSIDER staff's recommendation that no taxicab rate adjustment be granted.

ACTION: (B-1121) Approved. The Board accepted the County Attorney's suggestion that staff study the fees and charges to the taxicab rates and if an increase is warranted, the Board would consider any necessary changes to the administrative code.

7. A. MOTION TO FILE proof of publication of a public hearing to consider whether the issuance of 12 additional taxicab permits should be authorized.

ACTION: (B-1143) Approved.

B. MOTION TO FILE proof of publication of a public hearing to consider whether the issuance of 21 limousine permits (six new and 15 permits deemed abandoned) should be authorized.

ACTION: (B-1143) Approved.

C. MOTION TO ADOPT Resolution 96-724 directing the County Administrator to publish Notice of

Public Hearing for October 8, 1996 at 2:00 p.m. in Room 422 of the Broward County Governmental Center for the purpose of holding a drawing to award new taxicab and/or limousine permits to applicants.

ACTION: (B-1143) Approved.

8. MOTION TO ADOPT Resolution 96-725 of the Board of County Commissioners of Broward County, Florida granting a renewal of the non-exclusive right, privilege and franchise to Gulf & Pacific Communications Corporation to construct, operate and maintain a cable television system in certain unincorporated areas of Broward County; providing a time period certain; providing for severability; and providing for an effective date. (Deferred from June 11, 1996.)

ACTION: (B-1940) Approved staff's recommendations to amend the resolution to extend the current franchise to April 17, 1998 and assign the franchise to the City of Weston upon incorporation of the Indian Trace Community Development District. Further, the assignment agrees that Indian Trace will take over all the terms and conditions under the Gulf & Pacific Cable Television Franchise Ordinance 81-78 and will enforce them until such time as they have an opportunity to negotiate a new franchise on their own.

9. MOTION TO CONSIDER enactment of Ordinance 96-21 the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO REGULATION OF MOTOR VEHICLE REPAIR SHOPS; AMENDING DIVISION 4 OF CHAPTER 20 OF THE BROWARD COUNTY CODE OF ORDINANCES; REVISING DEFINITIONS AND ADDING DEFINITION OF RESTORATION SHOP; EXEMPTING RESTORATION SHOPS FROM REQUIREMENTS TO EMPLOY CERTIFIED TECHNICIANS AND TO USE CERTAIN EQUIPMENT; PROHIBITING MOTOR VEHICLE REPAIR SHOPS FROM EMPLOYING TECHNICIANS, TRAINEES, OR SPECIALISTS WHO DO NOT POSSESS CURRENT CERTIFICATES OR PERMITS; ESTABLISHING A CERTIFICATION FOR SOUND SYSTEM AND/OR SECURITY SYSTEM TECHNICIANS; PROVIDING FOR THE MECP TEST AS AN ALTERNATE METHOD OF CERTIFICATION FOR THOSE TECHNICIANS WHO ONLY PERFORM WORK ON SOUND SYSTEMS AND/OR SECURITY SYSTEMS; CONTAINING HOUSEKEEPING CHANGES; AMENDING SECTION 8½-16(d)(6) OF THE BROWARD COUNTY CODE TO DELETE THE FAILURE TO HAVE ALL APPLICABLE LOCAL/STATE AND FEDERAL LICENSES AS A CITABLE OFFENSE AND TO INCLUDE AS A CITABLE OFFENSE THE EMPLOYMENT OF TECHNICIANS, TRAINEES, OR SPECIALISTS WHO DO NOT POSSESS CURRENT CERTIFICATIONS OR PERMITS; PROVIDING FOR SEVERABILITY AND INCLUSION IN THE BROWARD COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-1424) The Board filed proof of publications, enacted Ordinance 96-21 as provided by law, as amended, deleting the text and the body of the ordinance which relate to anything other than restoration.

10. MOTION TO CONSIDER enactment of an ordinance amending the Broward County Land Development Code, the substance of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING ARTICLE IX, BROWARD COUNTY LAND DEVELOPMENT CODE IN ITS ENTIRETY; PROVIDING FOR THE DELETION OF DIVISION 5, SECTIONS 5-193 THROUGH 5-200, PLATTING PROCEDURES AND REQUIREMENTS FOR LAND WITHIN MUNICIPALITIES; AMENDING DIVISIONS 2 AND 3 TO PROVIDE FOR PLATTING PROCEDURES AND REQUIREMENTS IN BOTH MUNICIPALITIES AND THE UNINCORPORATED AREA; AMENDING SECTION 5-181(l) TO CLARIFY THE COUNTY'S VESTED RIGHTS PROCEDURE; AMENDING SUBSECTION 5-182(a)(1) REVISING THE REQUIREMENTS FOR DEVELOPMENT PERMITS IN DESIGNATED REDEVELOPMENT AREAS; AMENDING SUBSECTION 5-182(a)(4) RELATING TO DE MINIMIS EXCEPTIONS; ADDING SUBSECTION 5-182(a)(6) RELATING TO THE RESERVATION OF CAPACITY FOR AFFORDABLE HOUSING; AMENDING SUBSECTION 5-182(j) REGARDING ADDITIONAL CONSIDERATIONS OF THE IMPACT ON ENVIRONMENTALLY SENSITIVE LANDS; AMENDING SUBSECTION 5-182(n) RELATING TO PROTECTION OF AIR NAVIGATION FROM THE TERMINOLOGY CLEAR ZONE TO RUNWAY PROTECTION ZONE; AMENDING SUBSECTION 5-182(s) RELATING TO LOCAL PARKS TO REPLACE THE 2.5 MILE REQUIREMENT WITH A DELINEATION ON MAP I-1 OF THE BROWARD COUNTY COMPREHENSIVE PLAN MAP SERIES; ADDING A NEW SUBSECTION 5-182(v) RELATING TO THE ISSUANCE OF DEVELOPMENT PERMITS WHEN THERE IS A VIOLATION OF DEVELOPMENT ORDER CONDITIONS; ADDING A NEW SUBSECTION 5-182(w) RELATING TO THE COMPATIBILITY OF A COMMERCIAL USE IN A RESIDENTIAL LAND USE CATEGORY; ADDING A NEW SECTION 5-183 RELATING TO COUNTY RELIANCE ON MUNICIPAL REVIEW FOR CERTAIN MUNICIPAL SUBJECT MATTERS; AMENDING AND RENUMBERING FORMER SUBSECTION 5-183(b)(4) PROVIDING FOR THE MECHANISM FOR THE WAIVER OF IMPACT FEES FOR THE CONSTRUCTION OF AFFORDABLE HOUSING; AMENDING AND RENUMBERING FORMER SUBSECTION 5-183(c) RELATING TO IMPACT AGREEMENTS FOR THE CONSTRUCTION OF LOW AND VERY LOW AFFORDABLE HOUSING; ADDING SECTION 5-185, A PURPOSE SECTION TO DIVISION 3. PLATTING PROCEDURES AND REQUIREMENTS; ADDING SECTION 5-187 GENERAL PROVISIONS, WHICH IS THE SAME LANGUAGE AS THE FORMER SECTION 5-194; AMENDING AND RENUMBERING FORMER SECTION 5-186 TO PROVIDE THAT LOW INCOME AND VERY LOW INCOME AFFORDABLE HOUSING PROJECTS MAY FILE AN APPLICATION FOR FINAL PLAT APPROVAL WITHOUT PRELIMINARY PLAT REVIEW; RENUMBERING AND ADDING A NEW SUBSECTION (b) TO 5-190 TO PROVIDE FOR PROCEDURES FOR FULL AGENCY REVIEW TO INCLUDE MUNICIPAL AND NEIGHBORHOOD NOTIFICATION AND THE POSTING OF SIGNS WHEN SITE PLANS ARE CONSIDERED; RENUMBERING AND ADDING NEW SUBSECTIONS (b), (c) AND (d) TO FORMER SECTION 5-191 RELATING TO CONFORMITY TO THE RECORDED PLAT, CONFORMITY TO ZONING REGULATIONS AND COMPATIBILITY DOCUMENTATION FOR NON-RESIDENTIAL FINAL SITE PLANS; DELETING SECTION 5-202 RESERVED; AMENDING AND RENUMBERING FORMER SECTION 5-202 DEFINITIONS TO INCLUDE ADDITIONAL DEFINITIONS; PROVIDING FOR OTHER MISCELLANEOUS HOUSEKEEPING REVISIONS TO CHAPTER 5, ARTICLE IX; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-2173) The Board filed proof of publication and enacted the ordinance 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. You must be sworn before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations.

11. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida (Rezoning Petition 1-Z-96)

REZONING PETITION 1-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 2, TOWNSHIP 51 SOUTH, RANGE 39 EAST; FROM M-2, MEDIUM INDUSTRIAL DISTRICT TO M-4, LIMITED HEAVY 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-2187) The Board filed proof of publication, enacted the ordinance as provided by law, and accepted the Hearing Officer's findings that the current M-2 zoning district classification to the M-4 zoning district classification meets the requirements of applicable state law.

12. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida (Rezoning Petition 9-Z-96).

REZONING PETITION 9-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 5, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-1C, ONE-FAMILY DWELLING; RM-5, RESIDENTIAL MULTIPLE-FAMILY DWELLING DISTRICT AND R-3, LOW-DENSITY MULTIPLE DISTRICT TO RS-6, 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: (B-2309) This is the first of two public hearings; the second public hearing will be held on

Tuesday, September 10, 1996 at 2:00 p.m.

13. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida (Rezoning Petition 10-Z-96).

(This is the first of two public hearings; the second public hearing will be held on Tuesday, September 10, 1996 at 2:00 p.m.)

REZONING PETITION 10-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 5, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-3, LOW-DENSITY MULTIPLE DISTRICT AND B-3, GENERAL BUSINESS DISTRICT TO RM-10, RESIDENTIAL 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: (B-2350) The Board tabled the public hearing item and directed staff to research the zoning designation and report back to the Board.

14. MOTION TO ENACT an ordinance changing the zoning district of certain lands within the unincorporated area of Broward County, Florida (Rezoning Petition 11-Z-96).

REZONING PETITION 11-Z-96

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 5, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-3, LOW-DENSITY MULTIPLE DISTRICT AND B-3, GENERAL BUSINESS DISTRICT TO RM-16, RESIDENTIAL 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: (B-2765) This the first of two public hearings; the second public hearing will be held on Tuesday, September 10, 1996 at 2:00 p.m.

END OF QUASI-JUDICIAL HEARING

NON AGENDA

15. MOTION TO DIRECT the County Attorney's Office to draft a resolution amending the fee schedule to increase plat fees for funding for the Historical Commission. (Commissioner Cowan)

ACTION: (B-2829) Approved.

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