

PUBLIC HEARING OF AUGUST 24, 1999

(Meeting convened at 2:00 p.m. and adjourned at 3:15 p.m.)

PLEDGE OF ALLEGIANCE - Led by Fort Lauderdale Commissioner Jack Latona.

CALL TO ORDER

1. MOTION TO ADOPT Resolution 1999-1039 to vacate and abandon right-of-way, lying and being in Broward County, Florida, and located at 200th Avenue, South of Sheridan Street in the City of Pembroke Pines. Petitioner: Florida Wetlandsbank, et al. (Miller Legg & Associates, Inc. - Agent) 13-V-99.

ACTION: (B-140) Approved.

2. MOTION TO CONSIDER award of renewal licenses for Nonemergency Medical Transportation Service (NEMTS) for the City of Margate Fire Rescue, AAA Wheelchair & Stretcher Services, Inc., and Village Care Service, Inc.

ACTION: (B-150) Approved.

3. MOTION TO CONSIDER Resolution 1999-1040 adoption of the Five-Year Transit Development Plan for the Division of Mass Transit.

ACTION: (B-165) 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, PROVIDING FOR THE ISSUANCE OF LICENSES TO TELECOMMUNICATIONS SERVICE PROVIDERS USING RIGHTS-OF-WAY OF BROWARD COUNTY; ESTABLISHING REQUIREMENTS AND CONDITIONS UPON THE USE OF RIGHTS-OF-WAY BY SUCH PROVIDERS; ESTABLISHING PROCEDURES FOR FILING AN APPLICATION FOR A LICENSE AND FEES FOR SUCH LICENSES; AMENDING SECTION 8½-16, BROWARD COUNTY CODE, RELATING TO SCHEDULE OF CIVIL PENALTIES TO PROVIDE FOR THE INCLUSION OF A NEW SUBSECTION FOR VIOLATIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-120) Deferred to September 7, 1999 at 10:00 a.m. after the consent agenda.

5. MOTION TO ENACT an ordinance amending Articles II, "Definitions," and XI, "Alcoholic Beverage and Adult Entertainment Establishments," of the Broward County Zoning Code.

TEXT CHANGE 1-T-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES, ARTICLE II, "DEFINITIONS," SECTION 39-4, "TERMS DEFINED," SETTING FORTH DEFINITIONS OF TERMS; AMENDING ARTICLE XI, "ALCOHOLIC BEVERAGE AND ADULT ENTERTAINMENT ESTABLISHMENTS," RENUMBERING AND AMENDING SECTION 39-125, "ALCOHOLIC BEVERAGE ESTABLISHMENTS IN GENERAL," PROVIDING FOR APPLICABILITY OF THE ARTICLE; RENUMBERING AND AMENDING SECTION 39-126, "SEPARATION REQUIREMENTS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS," ESTABLISHING MINIMUM DISTANCE REQUIREMENTS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS AND OTHER USES; DELETING SECTION 39-127, "LIMITATIONS AND QUALIFICATIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS"; DELETING SECTION 39-128, "DEFINITIONS"; RENUMBERING AND AMENDING SECTION 39-129, "ALCOHOLIC BEVERAGE ESTABLISHMENTS; APPLICATION TO NEW SCHOOLS, CHURCHES," SETTING FORTH DISTANCE REQUIREMENTS TO NEW EDUCATIONAL CENTERS, CHILD CARE CENTERS, AND PLACES OF WORSHIP; DELETING SECTION 39-130, "BEER AND WINE PACKAGE STORE"; RENUMBERING AND AMENDING SECTION 39-131, "EXISTING ALCOHOLIC BEVERAGE ESTABLISHMENTS"; PROVIDING FOR APPLICABILITY OF DISTANCE REQUIREMENTS TO EXISTING ALCOHOLIC BEVERAGE ESTABLISHMENTS; RENUMBERING SECTION 39-132, "ADULT ENTERTAINMENT ESTABLISHMENTS; FINDINGS AND PURPOSE"; SETTING FORTH PURPOSE OF DISTANCE REGULATIONS FOR ADULT ENTERTAINMENT ESTABLISHMENTS; RENUMBERING AND AMENDING SECTION 39-133, "DISTANCE LIMITATIONS BETWEEN DESIGNATED USES," ESTABLISHING MINIMUM DISTANCE REQUIREMENTS BETWEEN ADULT ENTERTAINMENT ESTABLISHMENTS AND OTHER USES; DELETING SECTION 39-134, "DESIGNATED USES"; RENUMBERING AND AMENDING SECTION 39-135, "ADULT ENTERTAINMENT ESTABLISHMENTS; APPLICATION TO NEW CHURCHES, SCHOOLS OR RESIDENTIALLY ZONED DISTRICTS"; PROVIDING FOR APPLICABILITY OF DISTANCE REQUIREMENTS TO EXISTING ADULT ENTERTAINMENT ESTABLISHMENTS; RENUMBERING AND AMENDING SECTION 39-136, "NONCONFORMING ADULT ENTERTAINMENT ESTABLISHMENTS," PROVIDING FOR REMOVAL OF NONCONFORMING USES; RENUMBERING SECTION 39-137, "PENALTY," ESTABLISHING PENALTY FOR VIOLATION OF ARTICLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

(Sponsored by the Zoning Code Services Division)

ACTION: (B-174) Filed proof of publication and enacted the ordinance, as amended, to be effective as provided by law.

6. MOTION TO ENACT an ordinance creating a new Article X, "Property Maintenance," within Chapter 39 (Zoning Code) of the Broward County Code of Ordinances.

TEXT CHANGE 6-T-99

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RENUMBERING AND AMENDING CHAPTER 14 OF THE BROWARD COUNTY CODE OF ORDINANCES, ARTICLE IV, "LAND CLEARANCE," DIVISION 1, "GENERALLY," TO CREATE A NEW ARTICLE X IN CHAPTER 39 ENTITLED "PROPERTY MAINTENANCE AND JUNK OR ABANDONED

PROPERTY;” AMENDING SECTION 14-96 ENTITLED “INTENT,” PROVIDING FOR PURPOSE OF ARTICLE; RENUMBERING AND AMENDING SECTION 14-97 ENTITLED “DEFINITIONS,” SETTING FORTH DEFINITIONS OF TERMS; RENUMBERING AND AMENDING SECTION 14-98 ENTITLED “DUTY TO MAINTAIN PROPERTY,” ESTABLISHING RESPONSIBILITY FOR THE CARE AND MAINTENANCE OF PROPERTY; RENUMBERING AND AMENDING SECTION 14-99 ENTITLED “PROCEDURES FOR VIOLATIONS; NOTICE,” ESTABLISHING PROCEDURES FOR ISSUING NOTICES OF VIOLATIONS; RENUMBERING AND AMENDING SECTION 14-100 ENTITLED “PROCEDURES FOR VIOLATIONS; REMEDIAL ACTION; FEES AND COLLECTION,” SETTING FORTH PROCEDURES FOR CORRECTION OF VIOLATIONS; RENUMBERING AND AMENDING SECTION 14-101 ENTITLED “SPECIAL ASSESSMENT PROCEDURES,” ESTABLISHING PROCEDURES FOR IMPOSITION OF SPECIAL ASSESSMENTS FOR LAND CLEARANCE; RENUMBERING AND AMENDING SECTION 14-102 ENTITLED “PRIORITY OF SPECIAL ASSESSMENT LIEN,” ESTABLISHING THE PRIORITY OF LAND CLEARANCE SPECIAL ASSESSMENT LIENS; AMENDING CHAPTER 39, SECTION 39-4, “TERMS DEFINED,” TO ADD, AMEND, AND DELETE CERTAIN DEFINITIONS; CREATING SECTION 39-132 ENTITLED “PUBLIC NUISANCES,” SETTING FORTH CONDITIONS CONSTITUTING PUBLIC NUISANCES; CREATING SECTION 39-136 ENTITLED “PRE-TAKING HEARINGS FOR JUNK VEHICLES, VESSELS, ITEMS, AND DERELICT AIRCRAFT,” SETTING FORTH HEARING REQUIREMENTS FOR THE REMOVAL OF JUNK VEHICLES, VESSELS, ITEMS, AND DERELICT AIRCRAFT; CREATING SECTION 39-137 ENTITLED “RESPONSIBILITY FOR COSTS OF JUNK PROPERTY REMOVAL,” PROVIDING FOR THE IMPOSITION OF JUNK PROPERTY CLEARANCE COSTS; REPEALING CHAPTER 39, ARTICLE XX ENTITLED “JUNK PROPERTY AS NUISANCE,” SECTIONS 39-351 THROUGH 39-355; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (B-183) Filed proof of publication and enacted the ordinance, as amended, to be effective as provided by law.

7. MOTION TO ADOPT Resolution to transmit proposed amendment PCT 99-1, pertaining to Agricultural land uses, as part of Broward County’s 1999 second group of proposed amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Chapter 163, Section 163.3184 (15), Florida Statutes.

ACTION: (B-309) Deferred to September 7, 1999 at 10:00 a.m. after the consent agenda.

8. A. MOTION TO ADOPT Resolution 1999-1041 to transmit proposed amendment PCT 99-6, consisting of permitted uses in Future Land Use Categories, Regional Activity Centers, for proposed map amendment PC 99-6 in the City of Fort Lauderdale, as part of Broward County’s 1999 second group of proposed amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Chapter 163, Section 163.3184 (15), Florida Statutes.

ACTION: (B-347) Approved.

B. MOTION TO ADOPT Resolution 1999-1042 to transmit proposed amendment PC 99-6, in the City of Fort Lauderdale, as part of Broward County’s 1999 second group of proposed amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs

pursuant to Chapter 163, Section 163.3184 (15), Florida Statutes.

ACTION: (B-347) Approved.

9. MOTION TO ADOPT Resolution 1999-1043 to transmit proposed amendment PCT 99-8, pertaining to Criteria for Designated Urban Infill, Urban Redevelopment and Downtown Revitalization Areas, as part of Broward County's 1999 second group of proposed amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Chapter 163, Section 163.3184 (15), Florida Statutes.

ACTION: (B-375) Approved.

10. MOTION TO ADOPT Resolution 1999-1044 to transmit proposed amendment PCT 99-12, regarding the availability of sanitary sewer service within the designated Urban Infill Area, as part of Broward County's 1999 second group of proposed amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Chapter 163, Section 163.3184 (15), Florida Statutes.

ACTION: (B-385) Approved.

11. MOTION TO ADOPT Resolution 1999-1045 to transmit proposed amendment PCT 99-13, regarding utilities uses, as part of Broward County's 1999 second group of proposed amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Chapter 163, Section 163.3184 (15), Florida Statutes.

ACTION: (B-405) Approved.

12. MOTION TO ADOPT Resolution to transmit proposed amendment PC 97-6, in the City of Miramar, as part of Broward County's 1999 second group of proposed amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Chapter 163, Section 163.3184 (15), Florida Statutes.

ACTION: (B-412) Denied.

13. MOTION TO ADOPT Resolution 1999-1046 to transmit proposed amendment PC 99-25, in the City of Miramar, as part of Broward County's 1999 second group of proposed amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Chapter 163, Section 163.3184 (15), Florida Statutes.

ACTION: (B-991) Approved.

14. MOTION TO ADOPT Resolution 1999-1047 to transmit proposed amendment PC 98-4, in the City of Pembroke Pines, as part of Broward County's 1999 second group of proposed amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs

pursuant to Chapter 163, Section 163.3184 (15), Florida Statutes.

ACTION: (B-1043) Approved.

15. MOTION TO ADOPT Resolution 1999-1048 to transmit proposed amendment PC 99-29, in the City of Pembroke Pines, as part of Broward County's 1999 second group of proposed amendments to the Broward County Comprehensive Plan to the State of Florida Department of Community Affairs pursuant to Chapter 163, Section 163.3184 (15), Florida Statutes.

ACTION: (B-1595) Approved as amended as follows: A total of 24 units on the property; accepting the applicant's voluntary offer to not seek ingress or egress onto this property from SW 54 Place; accepting the applicant's voluntary offer not to use flex in the City of Pembroke Pines, and entering the applicant's letter as part of the record.

16. MOTION TO ADOPT Resolution 1999-1049 to transmit to the State of Florida Department of Community Affairs and other required review agencies a proposed amendment consisting of revisions to the Broward County Public School Facilities Element to address the remedial actions outlined in the March 11, 1998 Final Order of the Florida Land and Water Adjudicatory Commission.

ACTION: (B-1969) Approved.

17. MOTION TO ADOPT Resolution 1999-1050 to transmit to the State of Florida Department of Community Affairs and other required review agencies a proposed amendment to the Capital Improvement Element (CIE) that would incorporate various Public School Facilities Element provisions related to a financially feasible plan into the CIE by reference.

ACTION: (B-2190) Approved.

18. MOTION TO ADOPT Resolution 1999-1051 to transmit to the State of Florida Department of Community Affairs and other required review agencies proposed amendments to the Intergovernmental Coordination Element (ICE).

ACTION: (B-2236) Approved.

19. MOTION TO ADOPT Resolution 1999-1052 to transmit to the State of Florida Department of Community Affairs and other required review agencies a proposed amendment to the Broward County Comprehensive Plan's Recreation and Open Space Element (ROSE). The ROSE amendment addresses the effects of annexation and incorporation on the local parks level of service standard.

ACTION: (B-2253) Approved.

DEFERRED ITEMS

Deferred to 9/7/99 - 4, 7

(10:00 a.m. after consent agenda)

[Back to previous page](#)