

PUBLIC HEARING OF AUGUST 25, 1998

(The meeting convened at 2:00 p.m. and adjourned at 4:25 p.m.)

PLEDGE OF ALLEGIANCE was led by former State Representative Joel M. Gustafson.

CALL TO ORDER

1. Deferred from July 14, 1998 , Item 7

ITEM 1(A)AMENDMENT PC 98-4

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

FROM: Agricultural

TO: Commercial

SIZE: Approximately 30 acres

LOCATION: in Section 13, Township 51, Range 39; located east of Southwest 196 Avenue; bound on the north by Pines Boulevard and on the east by Southwest 184 Avenue; located north of Pembroke Road.

PLANNING COUNCIL RECOMMENDATION: Denial

ACTION: *(B-0100) The Commission submitted the proposed amendment to the Department of Community Affairs. The applicant voluntarily commits to the square footage and roadway improvements included with the staff report and further, committed to all responsibilities for legal repercussions and expenses incurred by staff/the County as stipulated on the record should DCA have objections.*

NOTE:

Before the amendment comes before the Board, the issue of consistency with respect to Policy 6.01.03 aquifer and groundwater recharge must be addressed by staff.

(B)MOTION TO ADOPT A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TRANSMITTING A PROPOSED AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN OF THE BROWARD COUNTY COMPREHENSIVE PLAN TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

ACTION: (B-0100) No action taken.

2. MOTION TO ADOPT Resolution 1998-792 amending the Flexibility Zones map by modifying the

boundary lines between Flexibility Zone 121 and Flexibility Zone 124 in the City of Miramar.

ACTION: (B-1531) Approved.

3. MOTION TO ADOPT Resolution 1998-793 revising the fee schedule for proposed map amendments to the Broward County Land Use Plan.

ACTION: (B-1550) Approved.

4. MOTION TO ENACT an ordinance, the substance of which is as follows: (This is the first of two public hearings. The second public hearing will be held on Tuesday, September 8, 1998 at 2:00 p.m.)

TEXT CHANGE 4-T-98

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39 OF THE BROWARD COUNTY CODE OF ORDINANCES (ZONING CODE) BY AMENDING ARTICLE II, "DEFINITIONS," ADDING A DEFINITION OF "PRINCIPAL BUILDING;" AMENDING ARTICLE XIII, "CONDITIONAL USES," BY AMENDING THE REFERENCE TO COMMERCIAL VEHICLES ASSOCIATED WITH HOME OFFICES; AMENDING ARTICLE XVI, "RESIDENTIAL ZONING DISTRICTS," AMENDING SECTION 39-277, "RESIDENTIAL ZONING DISTRICTS," ADDING RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-278, "DENSITY," PROVIDING FOR DENSITY FOR RD-4 TO RD-10 DISTRICTS AND PROVIDING ADDITIONAL DENSITY FOR COMMUNITY RESIDENTIAL FACILITIES; AMENDING SECTION 39-279, "USES PERMITTED," ADDING PERMITTED USES IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-281, "PLOT SIZE," ADDING MINIMUM SIZE OF PLOTS IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-282, "PLOT COVERAGE," ADDING MAXIMUM PLOT COVERAGE FOR RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-283, "COMMON OPEN SPACE," ADDING REQUIREMENTS FOR OPEN SPACE IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-284, "HEIGHT," ADDING A MAXIMUM HEIGHT FOR STRUCTURES IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-285, "FRONT YARD," ADDING A FRONT YARD REQUIREMENT IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-286, "SIDE YARDS," ADDING SIDE YARDS REQUIREMENTS IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-287, "REAR YARD," ADDING REQUIREMENTS IN RD-4 TO RD-10 DISTRICTS; AMENDING SECTION 39-288, "MINIMUM FLOOR AREA OF DWELLING UNITS," ADDING MINIMUM FLOOR AREA REQUIREMENTS FOR DWELLINGS IN RD-4 TO RD-10 DISTRICTS; ADDING A NEW SECTION 39-289, TO BE TITLED "PERMITTED ACCESSORY USES FOR HOTELS, MOTELS AND COMMUNITY RESIDENTIAL FACILITIES;" REPEALING ARTICLE LXXII, "ESTABLISHMENT OF NEW RESIDENTIAL ZONING DISTRICTS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Code and Zoning Enforcement Division)

ACTION: (B-1577) Filed proof of publication and continued the public hearing to September 8, 1998 at 2:00 pm. (Note Correction: Page 8 of Proposed Ordinance, line 4, which incorrectly references "plot" instead of "plots.")

5. MOTION TO ENACT an ordinance, the substance of which is as follows: (This is the first of two public hearings. The second public hearing will be held on Tuesday, September 8, 1998 at 2:00 p.m.)

TEXT CHANGE 5-T-98

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," TO ADD, AMEND, AND DELETE CERTAIN DEFINITIONS; CREATING A NEW ARTICLE VI ENTITLED "SIGNS," CREATING SECTION 39-50 ENTITLED "PURPOSE, INTENT AND SCOPE," PROVIDING FOR INTENT OF ARTICLE; CREATING SECTION 39-51 ENTITLED "DEFINITIONS," DEFINING TERMS WITHIN ARTICLE; CREATING SECTION 39-52 ENTITLED "PROHIBITED SIGNS," SETTING FORTH TYPES OF PROHIBITED SIGNS; CREATING SECTION 39-53 ENTITLED "NONCONFORMING SIGNS," SETTING FORTH REQUIREMENTS OF NONCONFORMING SIGNS; CREATING SECTION 39-54 ENTITLED "SIGN PERMITS," ESTABLISHING REQUIREMENTS FOR SIGN PERMITS; CREATING SECTION 39-55 ENTITLED "MAINTENANCE AND REMOVAL," REQUIRING MAINTENANCE AND REMOVAL OF SIGNS; CREATING SECTION 39-56 ENTITLED "GENERAL SIGN REQUIREMENTS FOR PERMANENT SIGNS," PROVIDING REQUIREMENTS FOR SIGNS; CREATING SECTION 39-57 ENTITLED "BASIC DESIGN SCHEDULE FOR NONRESIDENTIAL SIGNS," SETTING FORTH DESIGN REQUIREMENTS FOR SIGNS; CREATING SECTION 39-58 ENTITLED "PERMITTED PERMANENT SIGNS"; ESTABLISHING LIMITATIONS ON PERMANENT SIGNS; CREATING SECTION 39-59 ENTITLED "MASTER SIGN PLANS," SETTING FORTH REQUIREMENTS FOR SIGN PLANS; CREATING SECTION 39-60 ENTITLED "TEMPORARY SIGNS," SETTING FORTH REQUIREMENTS FOR TEMPORARY SIGNS; AMENDING ARTICLE IX, "GENERAL PROVISIONS," SECTION 39-144, "APPLICABILITY," PROVIDING FOR APPLICATION OF PROVISIONS; AMENDING ARTICLE XIII, "CONDITIONAL USES," SECTION 39-242, "TEMPORARY PROMOTIONAL SIGNS," PROVIDING FOR PROMOTIONAL SIGNS; AMENDING ARTICLE XIV, "AGRICULTURAL ESTATE A-1 AND GENERAL AGRICULTURAL A-2 DISTRICTS," SECTION 39-245, "GENERAL PROVISIONS," SETTING FORTH GENERAL PROVISIONS FOR AGRICULTURAL DISTRICTS; DELETING ARTICLE XVIII, "SIGN REGULATIONS," IN ITS ENTIRETY; AMENDING ARTICLE LXXIV, "OFFICE PARK (OP) DISTRICT," TO DELETE SECTION 39-1194, "LANDSCAPING REQUIREMENTS," AND SECTION 39-1195, "SIGN REGULATIONS," AMENDING ARTICLE LXXVIII, "PLANNED EMPLOYMENT CENTER DISTRICT," SECTION 39-1273, "LAND USE REGULATIONS," TO DELETE SIGN REGULATIONS; AMENDING ARTICLE LXXXI, "PLANNED DEVELOPMENT DISTRICT (PDD)," SECTION 39-1317, "LAND USE REGULATIONS," TO DELETE SIGN REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Code and Zoning Enforcement Division)

ACTION: (B-1648) Amended proposed ordinance; filed proof of publication and continued the public hearing to September 8, 1998 at 2:00 pm.

Staff was directed to place the Billboard Ordinance on the agenda for amendments.

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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 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.

6. Deferred from July 14, 1998, Item 8

ITEM 6(A) AMENDMENT PC 97-3

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

FROM: Agricultural

TO: Commercial

SIZE: Approximately 4.3 acres

LOCATION: in Section 13, Township 51, Range 39; located east of Southwest 196 Avenue; bound on the north by Pines Boulevard; located west of Southwest 184 Avenue and north of Pembroke Road.

PLANNING COUNCIL RECOMMENDATION: Denial

ACTION: *(B-2411) Withdrawn at the applicant’s request.*

(B) MOTION TO ENACT an ordinance amending the Broward County Comprehensive Plan to adopt a “Small Scale” amendment in the City of Pembroke Pines, 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: *(B-2411) Withdrawn at the applicant’s request.*

7. MOTION TO ENACT ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida. (This is the second of two public hearings. The first public hearing was held on Tuesday, August 11, 1998 at 2:00 p.m.)

REZONING PETITION 3-Z-98

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 DISTRICT; R-1P, ONE-FAMILY DWELLING-PARKING DISTRICT; R-2, TWO-FAMILY DWELLING DISTRICT; R-2P; TWO-FAMILY DWELLING-PARKING DISTRICT; AND R-3, LOW-DENSITY MULTIPLE DISTRICT; TO RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT; RS-6; ONE-FAMILY DETACHED DWELLING DISTRICT; RD-10, RESIDENTIAL DUPLEX DWELLING DISTRICT; AND RM-10, 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-3214) Filed proof of publication; accepted the recommendations of staff and the Broward County Zoning Board, and enacted the Ordinance to become effective as provided by law.

8. MOTION TO ENACT ordinance changing the zoning district classification of certain lands within the Unincorporated Area of Broward County, Florida. (This is the second of two public hearings. The first public hearing was held on Tuesday, August 11, 1998 at 2:00 p.m.)

REZONING PETITION 4-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 7, TOWNSHIP 50 SOUTH, RANGE 42 EAST; FROM R-1B, ONE-FAMILY DWELLING DISTRICT; R-1C, ONE-FAMILY DWELLING DISTRICT; R-2, TWO-FAMILY DWELLING DISTRICT; R-3, LOW-DENSITY MULTIPLE DISTRICT; AND R-5, MOTEL DISTRICT; TO RS-4, ONE-FAMILY DETACHED DWELLING DISTRICT; RD-9, RESIDENTIAL DUPLEX DWELLING DISTRICT ALLOCATING ONE (1) RESERVE UNIT; RD-10, RESIDENTIAL DUPLEX DWELLING DISTRICT; AND RM-15, 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-3290) Filed proof of publication; accepted the recommendations of staff and the Broward County Zoning Board, and enacted the Ordinance to become effective as provided by law.

9. MOTION TO ENACT ordinance changing the zoning district of certain lands within the Unincorporated Area of Broward County, Florida.

REZONING PETITION 9-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 24, TOWNSHIP 51 SOUTH, RANGE 41 EAST; FROM M-1, LIGHT INDUSTRIAL DISTRICT, TO M-2, MEDIUM 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-3402) Filed proof of publication and enacted the Ordinance, as amended, to become effective as provided by law. The applicant voluntarily agreed to enter into a restrictive covenant that will limit his business to its current use (auto body and frame shop) within M-2. (Uses on this property are all M-1 uses, plus the M-2 use solely for an auto body/frame shop.)

10. MOTION TO ENACT ordinance changing the zoning district of certain lands within the Unincorporated Area of Broward County, Florida.

REZONING PETITION 11-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 19, TOWNSHIP 48 SOUTH, RANGE 43 EAST; FROM B-2, COMMUNITY BUSINESS DISTRICT, AND B-3, GENERAL BUSINESS DISTRICT, TO RM-25, MULTIPLE-FAMILY DWELLING DISTRICT ALLOCATING FORTY-SIX (46) RESERVE UNITS; 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-4492) Filed proof of publication; accepted the recommendations of staff and the Broward County Zoning Board, and enacted the Ordinance to become effective as provided by law.

END OF QUASI-JUDICIAL HEARING

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NON AGENDA

11. SOUTHWEST REGIONAL COMPLEX: The Chair commented that she was told by someone

involved with the proposals that staff needed clarification of the Board's intent for obtaining the appraisals on the Miramar and Davie sites.

ACTION: (B-4685) The County Administrator advised the Chair that staff understood the Board's direction and did not need clarification for obtaining the appraisals.

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