

# PUBLIC HEARING OF OCTOBER 13, 1998

(Meeting will convene at 2:00 p.m.)

PLEDGE OF ALLEGIANCE

CALL TO ORDER

1. MOTION TO ADOPT Resolution to vacate and abandon a utility easement, lying and being in Broward County, Florida and located at the southwestern corner of I-75 and

Arvida Parkway in the City of Weston. Petitioner: Arvida/JMB Partners (CCL Consultants, Inc. - Agent) 23-V-98.

**ACTION: (B-38) Approved.**

2. MOTION TO HOLD drawing to award 15 new taxicab permits and 7 new limousine permits to eligible applicants as authorized by the Board on August 11, 1998.

***ACTION: (B-44) Approved, with drawings held awarding the new taxicab and limousine permits as authorized by the Board.***

3. MOTION TO CONSIDER enactment of an ordinance, the title of which is as follows:

AN ORDINANCE GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE IN THE UNINCORPORATED AREAS OF BROWARD COUNTY, FLORIDA; IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO;

PROVIDING FOR MONTHLY PAYMENTS TO BROWARD COUNTY, AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-260) Approved, to be effective upon the date the Grantee files such acceptance.***

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, RELATING TO TAXATION; AMENDING SECTION 31½- 16, "TOURIST DEVELOPMENT TAX," SUBSECTION (3) TO PROVIDE THAT SUCH TAX MAY ALSO BE USED TO ASSIST IN THE PAYMENT OF BONDS AND/OR NOTES ISSUED TO FINANCE THE CONSTRUCTION, RECONSTRUCTION, OR RENOVATION OF THE BROWARD COUNTY CONVENTION CENTER, AND TO PAY THE PLANNING AND DESIGN COSTS INCURRED PRIOR TO THE ISSUANCE OF SUCH BONDS AND/OR NOTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A CERTIFIED COPY TO BE SENT TO THE DEPARTMENT OF REVENUE; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-277) Approved, as amended, to become effective as provided by law.***

5. MOTION TO ENACT an ordinance, the substance of which is as follows. (This is the second of two public hearings. The first public hearing was held on Tuesday, September 8, 1998 at 2:00 p.m.) (Continued from September 28, 1998, Item 10)

TEXT CHANGE 7-T-98

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING SECTION 39-4, TERMS DEFINED, TO ADD ADDITIONAL DEFINITIONS; CREATING A NEW SECTION 39-150 RELATING TO WIRELESS COMMUNICATION FACILITIES, TOWERS, ANTENNAS, AND THE COLLOCATION OF WIRELESS COMMUNICATION ANTENNAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-434) Approved, as amended, to become effective as provided by law.***

6. A. 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, RELATING TO THE IMMOBILIZATION OF MOTOR VEHICLES; AMENDING CHAPTER 20 OF THE BROWARD COUNTY CODE OF ORDINANCES, (A/K/A THE TOWING ORDINANCE OF BROWARD COUNTY); PROVIDING FOR A DEFINITION OF CLASS "D" TOW TRUCKS; PROVIDING FOR THE LICENSING AND REGULATION OF THE BUSINESS OF IMMOBILIZING MOTOR VEHICLES; PROVIDING FOR DEFINITIONS, APPLICATION AND LICENSING OF OPERATORS ENGAGED IN VEHICLE IMMOBILIZATION ON PROPERTY; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-967) Approved, to become effective as provided by law.***

B. MOTION TO ADOPT Resolution of the Board of County Commissioners of Broward County, Florida, amending Section 24.50, Broward County Administrative Code; providing for the creation of a definition defining Class "A" tow, Class "B" tow, Class "C" tow, and Class "D" tow by towed vehicle gross vehicle weight classification; providing a mileage charge for Class "A," Class "B," Class "C," and Class "D" tows for each towed mile; amending Section 37.3; providing late fees for renewal of licenses and decals; providing for severability; providing for inclusion in the Administrative Code; and providing for an effective date.

**ACTION: (B-967) Approved.**

**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 items 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.

7. MOTION TO ENACT an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida. (This is the first of two public hearings. The second public hearing is to be held on Tuesday, October 27, 1998 at 2:00 p.m.)

#### REZONING PETITION 1-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 29, TOWNSHIP 49 SOUTH, RANGE 42 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT, R-1P, ONE-FAMILY DWELLING DISTRICT, R-2, TWO-FAMILY DWELLING DISTRICT, R-2U, TWO-FAMILY DWELLING DISTRICT, A-1, AGRICULTURAL ESTATE DISTRICT, AND R-2, TWO-FAMILY DWELLING DISTRICT, ALLOCATING 51 RESERVE UNITS, TO RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT, RD-5, DUPLEX AND ATTACHED ONE-FAMILY DWELLING DISTRICT, RD-10, DUPLEX AND ATTACHED ONE-FAMILY DWELLING DISTRICT, AND RD-10, DUPLEX AND ATTACHED ONE-FAMILY DWELLING DISTRICT, ALLOCATING 51 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-1036) No action taken. The Second Public Hearing will be held on Tuesday, October 27, 1998.***

8. MOTION TO ENACT an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida. (This is the first of two public hearings. The second public hearing is to be held on Tuesday, October 27, 1998 at 2:00 p.m.)

#### REZONING PETITION 2-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 31 AND 32, TOWNSHIP 49 SOUTH, RANGE 42 EAST; FROM R-1C, ONE-FAMILY DWELLING DISTRICT, R-2, TWO-FAMILY DWELLING DISTRICT, AND I-1, INSTITUTIONAL- EDUCATIONAL DISTRICT, TO RS-5, ONE-FAMILY DETACHED DWELLING DISTRICT, RS-6, ONE-FAMILY DETACHED DWELLING DISTRICT, AND RD-10, DUPLEX AND ATTACHED ONE-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-1404) No action taken. The Second Public Hearing will be held on Tuesday, October 27, 1998.***

9. MOTION TO ENACT an ordinance changing the Zoning District of certain lands within the Unincorporated Area of Broward County, Florida. (Deferred from September 28, 1998, Item 13)

REZONING PETITION 10-Z-98

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, CHANGING THE ZONING DISTRICT BOUNDARIES BY REZONING A PORTION OF SECTION 13, TOWNSHIP 50 SOUTH, RANGE 41 EAST; FROM B-3, GENERAL BUSINESS DISTRICT, TO C-1, COMMERCIAL 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-1705) Denied, per staff and Zoning Board recommendation.***

## **END OF QUASI-JUDICIAL**

10. ENVIRONMENTAL EVALUATION FOR HIGH SPEED RAIL: Discussion was held on the environmental impact in connection with the high speed rail.

***ACTION: (B-3896) Board directed that the County Attorney research the procedure necessary for the Commission to formally request an environmental impact statement with respect to the high speed rail.***

**(Item #56 at the morning meeting on the Arena and Art in Public Places was tabled to the 2:00 p.m. public hearing. (See Item #11 below))**

11. ARENA AND ART IN PUBLIC PLACES: The issue of Arena Development Corporation prevailing wage and the Art in Public Places was tabled from the morning meeting.

***ACTION: (B-3998) Board directed that the County Administrator contact Arena Development Corporation relating to the disputed compliance with Broward County's Art in Public Places Ordinance.***

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