

## PUBLIC HEARING OF NOVEMBER 12, 2002

(Meeting convened at 2:00 p.m. and adjourned at 3:53 p.m.)

PLEDGE OF ALLEGIANCE was led by Councilman Don Maines from Southwest Ranches, Mayor Suellen Fardelmann and Commissioner Debbie Eisinger, both of Cooper City.

### CALL TO ORDER

1. MOTION TO CONSIDER award of a new license for Nonemergency Medical Transportation Service (NEMTS) to M & N Transportation, Inc., contingent upon completion of all requirements of Chapter 3½ of the Broward County Code of Ordinances.

***ACTION: (Time-3:03 PM) Approved. See Page\*\*\*\*\****

2. MOTION TO ADOPT Resolution 2002-1045 to vacate and abandon a road, a ditch and a dike reservation, lying and being in Broward County, Florida and located at approximately 300 feet east of Banks Road on the north side of Sample Road in the City of Coconut Creek. Petitioner: Robert G. Berrin, Trustee (Calvin, Giordano & Associates - Agent) 5-V-99. **(Commission District 2)**

***ACTION: (Time-3:03 PM) Approved. See Page\*\*\*\*\****

3. MOTION TO ADOPT Resolution 2002-1046 to vacate and abandon a utility easement, lying and being in Broward County, Florida and located at Hawks Landing on the south side of Broward Boulevard between Nob Hill Road and Hiatus Road. Petitioner: Dunn, Urban, Valladares, et al. (CC Winingham Corporation - Agent) 2002-V-12. **(Commission District 1)**

***ACTION: (Time-3:04 PM) Approved. See Page\*\*\*\*\****

4. MOTION TO ADOPT Resolution 2002-1047 to vacate and abandon a canal maintenance easement, lying and being in Broward County, Florida and located at 2140 NW 69<sup>th</sup> Terrace, Margate, Florida, Petitioner: Richard & Rebecca Wildeman. 2002-V-13. **(Commission District 2)**

***ACTION: (Time-3:04 PM) Approved. See Page\*\*\*\*\****

5. MOTION TO ENACT an Ordinance to adopt a proposed amendment to the Future Unincorporated Area Land Use Element of Volume 2 of the Broward County Comprehensive Plan (02-2-T-1), the title of which is as follows:

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING VOLUME 2, BROWARD COUNTY COMPREHENSIVE PLAN WHICH IS AN AMENDMENT TO THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT BY CREATING AN ELECTRICAL GENERATION FACILITY LAND USE CATEGORY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (Time-3:04 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per the Department of Planning and Environmental Protection Planning Services***

*Division (PSD) and the Local Planning Agency (LPA) recommendations. See Page\*\*\*\*\**

6. MOTION TO ENACT an Ordinance to adopt a proposed amendment to the Future Unincorporated Area Land Use Element Map Series of Volume 2 of the Broward County Comprehensive Plan (02-2-M-1), the title of which is as follows (**Commission District 7**):

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING VOLUME 2, BROWARD COUNTY COMPREHENSIVE PLAN WHICH IS AN AMENDMENT TO THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT MAP SERIES BY REDESIGNATING THE SOUTH BROWARD RESOURCE RECOVERY PLANT FROM INDUSTRIAL TO ELECTRICAL GENERATION FACILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (Time-3:04 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per the Department of Planning and Environmental Protection Planning Services Division (PSD) and the Local Planning Agency (LPA) recommendation. See Page\*\*\*\*\****

7. MOTION TO ENACT an Ordinance to adopt a proposed amendment to the Future Unincorporated Area Land Use Element Map Series of Volume 2 of the Broward County Comprehensive Plan (02-2-M-2), the title of which is as follows (**Commission District 2**):

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING VOLUME 2, BROWARD COUNTY COMPREHENSIVE PLAN WHICH IS AN AMENDMENT TO THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT MAP SERIES BY REDESIGNATING THE NORTH BROWARD RESOURCE RECOVERY PLANT FROM INDUSTRIAL TO ELECTRICAL GENERATION FACILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (Time-3:05 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per the Department of Planning and Environmental Protection Planning Services Division (PSD) and the Local Planning Agency (LPA) recommendations. See Page\*\*\*\*\****

8. MOTION TO ENACT an Ordinance to adopt a proposed amendment to the Future Unincorporated Area Land Use Element Map Series of Volume 2 of the Broward County Comprehensive Plan (02-2-M-3), the title of which is as follows (**Commission District 8**):

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING VOLUME 2, BROWARD COUNTY COMPREHENSIVE PLAN WHICH IS AN AMENDMENT TO THE FUTURE UNINCORPORATED AREA LAND USE ELEMENT MAP SERIES BY REDESIGNATING THE SOUTHWEST BROWARD RESOURCE RECOVERY PLANT FROM UTILITIES TO ELECTRICAL GENERATION FACILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

***ACTION: (Time-3:05 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per the Department of Planning and Environmental Protection Planning Services Division (PSD) and the Local Planning Agency (LPA) recommendations. See Page\*\*\*\*\****

9. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Land Use Plan Amendment, PC 02-7, in the City of Coral Springs, as part of the second annual 2002 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:  
**(Commission District 3)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF CORAL SPRINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:05 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council recommendations. See Page\*\*\*\*\****

10. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Land Use Plan Amendment, PC 02-10, in the City of North Lauderdale, as part of the second annual 2002 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:  
**(Commission District 9)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF NORTH LAUDERDALE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:05 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. See Page\*\*\*\*\****

11. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan Amendment, PCT 02-7, as part of the second annual 2002 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 SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE GOALS, OBJECTIVES AND POLICIES AND PLAN IMPLEMENTATION REQUIREMENTS OF THE 1989 BROWARD COUNTY LAND USE PLAN BY CREATING AN ELECTRICAL GENERATION FACILITIES LAND USE CATEGORY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:06 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council recommendations. See Page\*\*\*\*\****

12. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Land Use Plan Amendment, PC 02-12, in the City of Dania Beach, as part of the second annual 2002

amendments to the Broward County Comprehensive Plan, the substance of which is as follows:  
**(Commission District 7)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF DANIA BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:08 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council recommendations. See Page\*\*\*\*\****

13. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Land Use Plan Amendment, PC 02-11, in the City of Hollywood, as part of the second annual 2002 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:  
**(Commission District 4)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE CITY OF HOLLYWOOD; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:16 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council recommendations. See Page\*\*\*\*\****

14. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Land Use Plan Amendment, PC 02-13, in Unincorporated Broward County, as part of the second annual 2002 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:  
**(Commission District 2)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE UNINCORPORATED AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:16 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council recommendations. See Page\*\*\*\*\****

15. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Land Use Plan Amendment, PC 02-14, in Unincorporated Broward County, as part of the second annual 2002 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:  
**(Commission District 7)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE UNINCORPORATED AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:17 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council recommendations. See Page\*\*\*\*\****

16. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Land Use Plan Amendment, PC 02-15, in Unincorporated Broward County, as part of the second annual 2002 amendments to the Broward County Comprehensive Plan, the substance of which is as follows:  
**(Commission District 8)**

AN ORDINANCE OF BROWARD COUNTY, FLORIDA, ADOPTING AN AMENDMENT AS PART OF THE SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE 1989 BROWARD COUNTY LAND USE PLAN MAP IN THE UNINCORPORATED AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:17 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council recommendations. See Page\*\*\*\*\****

17. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan Amendment, PCT 02-12, as part of the second annual 2002 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 SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; DELETING THE OBJECTIVE AND POLICIES REGARDING "LEVEL OF SERVICE WITHIN REDEVELOPMENT AREAS" AND PLAN IMPLEMENTATION REQUIREMENTS OF THE LAND USE PLAN REGARDING "CRITERIA FOR DESIGNATED REDEVELOPMENT AREAS."; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:17 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council recommendations. See Page\*\*\*\*\****

18. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan Amendment, PCNRM 02-1, of the Broward County Natural Resource Map Series, as part of the second annual 2002 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 SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE HISTORIC RESOURCES SITES OF THE 1989 BROWARD COUNTY LAND USE PLAN ADDING HISTORIC SITES TO THE CULTURAL RESOURCES/LOCAL AREAS OF PARTICULAR CONCERN MAP SERIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:17 PM) Filed proof of publication and enacted the Ordinance, as amended, and to become effective as provided by law, per Planning Council recommendations. (Properties withdrawn by the Planning Council will come before the Board for consideration on December 3, 2002. The Board directed staff to give appropriate notice to the owners of withdrawn properties. See Page\*\*\*\*\****

19. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan Amendment, PCNRM 02-2, of the Broward County Natural Resource Map Series, as part of the second annual 2002 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 SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; BY AMENDING THE WETLANDS MAP AS PART OF THE BROWARD COUNTY LAND USE PLAN NATURAL RESOURCES MAP SERIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:39 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council recommendations. See Page\*\*\*\*\****

20. MOTION TO ENACT an Ordinance amending the Broward County Comprehensive Plan to adopt Broward County Land Use Plan Amendment, PCNRM 02-3, of the Broward County Natural Resource Map Series, as part of the second annual 2002 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 SECOND ANNUAL 2002 AMENDMENTS TO THE BROWARD COUNTY COMPREHENSIVE PLAN; AMENDING THE POTENTIAL GREENWAYS SYSTEM MAP OF THE 1989 BROWARD COUNTY LAND USE PLAN NATURAL RESOURCES MAP SERIES ADDING STATE ROAD A1A AS A "PHASE 1" PRIORITY GREENWAYS AND ADD A PORTION OF SHERIDAN STREET AS A POTENTIAL GREENWAYS CORRIDOR TO THE GREENWAYS MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (Time-3:39 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law, per Planning Council recommendations. Further, the Board requested Planning Council staff set specific criteria for recreational activity center (RAC) designations. See Page\*\*\*\*\****

**CONTINUED FROM 10:00 AM MEETING**

**DEPARTMENT OF PLANNING AND ENVIRONMENTAL PROTECTION**

**PLANNING SERVICES DIVISION**

49. MOTION TO FIND Application 02-CF-04 for the allocation of four acres of commercial flexibility, in the City of Cooper City, compatible with adjacent land uses and, that impacts upon public school facilities have been adequately considered. (Commission District 5)

***ACTION: (Time-3:43 PM) Approved. See Page\*\*\*\*\****

**NON AGENDA**

21. MUNICIPAL SERVICES BOARD RECOMMENDATION - ANNEXATION - DE-ANNEXATION - THE CHAIR

***ACTION: (Time-3:43 PM) The Board approved amending the County's legislative package for the transfer of all powers of annexation and de-annexation, per the Municipal Services Board's recommendation. See Page\*\*\*\*\****

22. NEUTERING OF ANIMALS - COMMISSIONER GRABER

***ACTION: (Time-3:46 PM) Commissioner Graber suggested that the Board should start to work on a local ordinance for the neutering of animals. See Page\*\*\*\*\****

23. TIMELY SUBMISSION OF INVOICES - COMMISSIONER LIEBERMAN

***ACTION: (Time-3:47 PM) Commissioner Lieberman suggested that the County look into having contractors or anyone else doing business with the County, submit their bills from the previous month in a timely fashion, with the County having a reasonable enforcement mechanism added into their contracts to ensure compliance. See Page\*\*\*\*\****

24. NEW RESTRUCTURED COUNTY-WIDE AUDITOR - COMMISSIONER LIEBERMAN

***ACTION: (Time-3:50 PM) Commissioner Lieberman suggested an agenda item be put before the Board to discuss the new restructured County-wide Auditor's responsibilities. See Page\*\*\*\*\****

25. CHARTER AMENDMENTS - THE COUNTY ADMINISTRATOR

***ACTION: (Time-3:52 PM) The County Administrator asked to bring back the Charter Amendments, by the first of the year, so they would be able to do a full analysis. See Page\*\*\*\*\****

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