

PUBLIC HEARING OF NOVEMBER 28, 1995

(Meeting convened at 2 p.m. and adjourned at 2:22 p.m.)

PLEDGE OF ALLEGIANCE - Led by Commissioner Hart

QUASI-JUDICIAL PUBLIC HEARING

Please be advised that the following items on the County 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.

1. MOTION TO CONSIDER enactment of an ordinance changing the zoning district of certain lands within the Unincorporated Area of Broward County, Florida (Rezoning Petition 4-Z-95).

(This is the first of two (2) Public Hearings. The second Public Hearing will be held on Tuesday, December 12, 1995 at 2:00 p.m.)

REZONING PETITION 4-Z-95

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA AMENDING AND RESTATING ORDINANCE NO. 94-11, WHICH ORDINANCE IS THE DEVELOPMENT ORDER FOR THE INDIAN TRACE DEVELOPMENT OF REGIONAL IMPACT (WESTON), AND WHICH IS THE AMENDED AND RESTATED PLANNED UNIT DEVELOPMENT ZONING OF ARVIDA INCREMENTS I AND II AND THE AREA FORMERLY KNOWN AS TISHMAN/SPEYER INCREMENT II OF INDIAN TRACE, WHICH INCREMENTS CONSIST OF AN AREA OF APPROXIMATELY 7,022.64 ACRES LOCATED GENERALLY WITHIN AN AREA BOUNDED ON THE NORTH BY STATE ROAD 84, ON THE EAST BY INTERSTATE 75, ON THE SOUTH BY GRIFFIN ROAD, AND ON THE WEST BY U.S. ROAD 27; PROVIDING FOR A NEW CONCEPTUAL SITE DEVELOPMENT PLAN; PROVIDING FOR NOTICE TO PROPERTY OWNERS; PROVIDING FOR RESOLUTION OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-87) The Board held the public hearing. No action taken as this was the first of two public hearings.***

END OF QUASI-JUDICIAL PUBLIC HEARING

2. MOTION TO ENACT an ordinance, the substance of which is as follows:

TEXT CHANGE 6-T-95

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39 OF THE BROWARD COUNTY ZONING CODE; RENUMBERING ARTICLE II, "ADMINISTRATION" TO ARTICLE III AND RENAMING TO "ADMINISTRATION AND LEGAL PROVISIONS;" RENUMBERING ARTICLE VI, "AMENDMENTS" TO ARTICLE X; RENUMBERING ARTICLE VIII, "DEFINITIONS" TO ARTICLE II AND AMENDING NEW ARTICLE II BY ADDING DEFINITIONS; RENUMBERING ARTICLE XI, "NONCONFORMING USES AND STRUCTURES" TO ARTICLE VII, RENUMBERING ARTICLE XVII, "ALCOHOLIC BEVERAGE ESTABLISHMENTS" TO ARTICLE XI AND RENAMING TO "ALCOHOLIC BEVERAGE AND ADULT ENTERTAINMENT ESTABLISHMENTS;" INCORPORATING PROVISIONS OF ARTICLE XIII, "REGULATION OF CERTAIN DESIGNATED USES" INTO RENUMBERED ARTICLE XI AND RENAMING ARTICLE XIII TO "RESERVED;" RENUMBERING ARTICLE XXI, "FUNCTIONAL LANDSCAPE AND XERISCAPE CODE" TO ARTICLE VIII AND RENAMING TO "FUNCTIONAL LANDSCAPING AND XERISCAPING;" REPEALING ARTICLE XLI, "MOBILE HOME PARK MH-1 DISTRICT"; REPEALING ARTICLE LVIII, "SPECIAL BUSINESS B-2B DISTRICT;" RENUMBERING ALL CODE SECTIONS IN THE RENUMBERED ARTICLES; AMENDING 39-6 "PERMITS REQUIRED," BY ADDING REQUIREMENTS FOR PERMIT CARDS AND PLANS TO BE ON CONSTRUCTION SITES AND REQUIRING CONSTRUCTION LAYOUT SURVEYS; AMENDING 39-5 BY CHANGING THE REQUIREMENTS FOR PERMIT APPLICATIONS AND RENAMING 39-5 FROM "SITE PLAN" TO "PLANS AND SURVEYS;" DELETING 39-31, "APPLICATION OF ZONING REGULATIONS;" RENAMING 39-38 TO "CONSISTENCY WITH THE LAND USE PLAN;" AMENDING 39-993, "USES PERMITTED" IN THE GENERAL BUSINESS B-3 DISTRICT; CORRECTING ALL CODE SECTION REFERENCES IN CHAPTER 39 OF THE BROWARD COUNTY ZONING CODE TO CONFORM WITH RENUMBERED ARTICLES AND SECTIONS; DELETING REFERENCES IN CHAPTER 39 OF THE BROWARD COUNTY ZONING CODE TO BOARDS, COMMITTEES, PROVISIONS AND COUNTY AGENCIES WHICH NO LONGER EXISTS; ADDING REQUIREMENTS FOR COMPLIANCE WITH THE BROWARD COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners.)

***ACTION: (B-356) Filed proof of publication and enacted Ordinance 95-50 to be effective as provided by law.***

3. MOTION TO ENACT an ordinance, the substance of which is as follows:

TEXT CHANGE 5-T-95

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 39, ARTICLE XII, "OFF-STREET PARKING AND LOADING" OF THE BROWARD COUNTY ZONING CODE; AMENDING SECTION 39-215 TO REVISE OFF-STREET PARKING REQUIREMENTS; AMENDING AND RENUMBERING SECTION 39-216 REGARDING THE LOCATION, CHARACTER AND SIZE OF OFF-STREET PARKING FACILITIES; AMENDING AND RENUMBERING SECTION 39-217 REGARDING THE AMOUNT OF OFF-STREET PARKING REQUIRED FOR VARIOUS USES; AMENDING AND RENUMBERING SECTION 39-218 REGARDING COMBINED OFF-STREET PARKING; AMENDING AND RENUMBERING SECTION 39-219 REGARDING NONCONFORMING USES; DELETING 39-220 "USE OF REQUIRED OFF-STREET PARKING BY ANOTHER BUILDING;" DELETING SECTION 39-221 "PARKING OF COMMERCIAL VEHICLES;" AMENDING AND RENUMBERING 39-222 REGARDING OFF-STREET LOADING REQUIREMENTS; DELETING SECTION 39-223 "ALTERNATIVE PARKING SURFACES;" AMENDING AND RENUMBERING SECTION 39-224 REGARDING DISABLED AND HANDICAPPED PARKING REQUIREMENTS; CREATING SECTION 39-218 TO PROVIDE FOR ADDITIONAL AND OVERFLOW PARKING; CREATING SECTION 39-219 TO PROVIDE FOR STACKING SPACES FOR DRIVE-THROUGH FACILITIES; CREATING SECTION 39-220 TO PROVIDE FOR PLANS SUBMITTAL REQUIREMENTS; CREATING SECTION 39-221 TO PROVIDE FOR CALCULATION OF REQUIRED PARKING AND DEFINITIONS; CREATING SECTION 39-222 TO PROVIDE FOR SHARED USAGE OF PARKING FOR OCCUPANTS USING THE SAME OFF-STREET PARKING FACILITY AT DIFFERENT TIMES; CREATING SECTION 39-224 TO PROVIDE FOR USES AND ACTIVITIES NOT PERMITTED IN REQUIRED OFF-STREET PARKING FACILITIES; ADDING SECTION 39-225 TO PROVIDE FOR OPEN AIR STORAGE LOTS ON NON-PAVED SURFACES IN INDUSTRIAL ZONING DISTRICTS; ADDING SECTION 39-226 TO PROVIDE FOR LIGHTING OF OFF-STREET PARKING FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners.)

***ACTION: (B-363) Filed proof of publication and enacted Ordinance, 95-49 as amended, to be effective as provided by law.***

4. MOTION TO ENACT an ordinance, the substance of which is as follows:

TEXT CHANGE 4-T-95

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA; AMENDING CHAPTER 5, THE BROWARD COUNTY CODE OF ORDINANCES, SECTION 5-16, METHOD OF PROCEDURE REGARDING THE

PROCEDURES TO BE FOLLOWED BY THE COUNTY COMMISSION IN CONSIDERING ORDINANCES WHICH REZONE PRIVATE PROPERTY OR WHICH AFFECT THE USE OF LAND; AMENDING CHAPTER 39, THE BROWARD COUNTY ZONING CODE, ARTICLE IV, ZONING BOARD, SECTION 39-48, ESTABLISHMENT; DUTIES; SECTION 39-50, MEETINGS; SECTION 39-51, ZONING BOARD ACTION; SECTION 39-92, GENERAL; SECTION 39-99, LIMIT OF PETITIONS; SECTION 39-100, PROCEDURE FOR REZONINGS AND AMENDMENTS; SECTION 39-128, TERMS DEFINED; ARTICLE LXXXIV, ESTABLISHMENT OF HEARING EXAMINER; SECTION 39-1351, POSITION ESTABLISHED; SECTION 39-1352, FUNCTIONS, CONSIDERATIONS, DECISIONS AND AUTHORITY OF THE HEARING EXAMINER; SECTION 39-1353, FUNCTIONS, CONSIDERATIONS, DECISIONS AND AUTHORITY OF THE BOARD OF COUNTY COMMISSIONERS; SECTION 39-1355, PUBLIC PARTICIPATION; SECTION 39-1356, UNAUTHORIZED COMMUNICATIONS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

(Sponsored by the Board of County Commissioners)

***ACTION: (B-379) Filed proof of publication and enacted Ordinance 95-48 to be effective as provided by law.***

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