



Item No. 13a

# AGENDA ITEM MEMORADUM

**Development Services**

**Linda Connors** *LC*

Department

Town Planner *CS*

<b>COMMISSION MEETING DATE (*) - 7:00 PM</b>	<b>Deadline to Town Clerk</b>
<input checked="" type="checkbox"/> November 29, 2011	

\*Subject to Change

- |  |   |                                       |  |
|--|---|---------------------------------------|--|
| <input type="checkbox"/> Presentation          | <input type="checkbox"/> Reports        | <input type="checkbox"/> Consent      | <input type="checkbox"/> <b>Ordinance</b>        |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Quasi-Judicial | <input type="checkbox"/> Old Business | <input checked="" type="checkbox"/> New Business |

**FY2011 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC**

**SUBJECT TITLE: Resolution Adopting a Notice of Intent to Revise the Town Land Development Code, Chapter 30, B-1-A and B-I District Regulations.**

**EXPLANATION:** The Town Commission established planning priorities at its June 21, 2011 Budget Workshop and authorized JC Consulting to proceed with Planning Priority No. 5, which included an analysis of the existing Town Code to improve the purpose and intent of districts and revise the code to be consistent with the Town's Charter.

Since the authorization to proceed, the consultant has reviewed the B-1-A and B-1 zoning district regulations and has drafted proposed amendments to the Town's Code in in Article V of Chapter 30.

The proposed amendments should be ready for the December 2011 Planning and Zoning Board meeting and then will be scheduled for Commission consideration in January and February.

Section 30-531 of the Town's Code requires the Town to adopt a notice of intent (NOI) to inform the public of any proposed changes to our Land Development Code. Resolution 2011-38 (**Exhibit 1**) gives notice of Town's intent to consider B-1-A and B-1 district regulation amendments. This NOI describes the proposed amendments, sets a projected time frame for adoption and sets the time when the pending changes related to this notice of intent will become effective and applicable.

**RECOMMENDATION:** We recommend the adoption of Resolution 2011-38 (**Exhibit 1**), which establishes a Notice of Intent to amend the Code related to B-1-A and B-1 zoning district regulations prior to September 30, 2012.

**EXHIBITS:** Exhibit 1 – Resolution 2011-38

Reviewed by Town Attorney  
 Yes  No

Town Manager Initials *CA*

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**RESOLUTION NO. 2011-38****A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA PROVIDING FOR ISSUANCE OF A NOTICE OF INTENT CONCERNING PENDING LAND DEVELOPMENT REGULATIONS TO ADDRESS B-1-A AND B-1 DISTRICT REGULATIONS**

**WHEREAS**, Section 30-531 of the Code of Ordinances of the Town of Lauderdale-By-The-Sea (the "Code") provides for a procedure for the public and the development community to be notified of changes to the Town's land development regulations through the issuance of a Notice of Intent of Pending Land Development Regulations (NOI); and

**WHEREAS**, pursuant to Section 30-531(b) of the Code, the Town Commission shall authorize the investigation, study, development, drafting and consideration of all proposed amendments to the Town's land development regulations; and

**WHEREAS**, the Town has worked with Town residents and businesses and design professionals to develop a vision for the future of the Town; and

**WHEREAS**, the Town Commission desires to issue a NOI to provide for revisions of the B-1-A and B-1 zoning regulations and definitions and review criteria to address the vision and achieve consistency between the Town's Master Plan and Land Development Regulations; and

**WHEREAS**, Section 30-531(f) of the Code provides for posted written notice of the pending amendments; and

**WHEREAS**, pursuant to Section 30-531(d) of the Code, the Town Commission held a public hearing concerning the Notice of Intent of Pending Land Development Regulations on November 29, 2011 and desires to approve the further processing of the proposed regulations.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA:**

27           **SECTION 1. Authorization.** Pursuant to Section 30-531 of the Code of Ordinances,  
28 the Town Commission authorizes the investigation, study, development, drafting, and  
29 consideration of the proposed zoning and land development code amendments, as described in  
30 the Notice of Intent of Pending Land Development Regulations attached hereto as Exhibit "A."

31           **SECTION 2. Effective date of notice.** The Town Commission hereby finds that the  
32 effective date of the Notice of Intent of Pending Land Development Regulations shall be  
33 November 29, 2011.

34           **SECTION 3. Effective date of resolution.** This Resolution shall become effective  
35 immediately upon passage and adoption.

36           **PASSED AND ADOPTED** this \_\_\_\_\_ of \_\_\_\_\_, 2011.

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MAYOR ROSEANN MINNET

ATTEST:

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June White, Town Clerk, CMC

Approved as to form:

\_\_\_\_\_  
Susan L. Trevarthen, Town Attorney

Exhibit "A"

**Notice of Intent of Pending Land Development Regulations**  
**Effective November 29, 2011 (Resolution 2011-38)**

**1. Statement of Purpose:**

In accordance with Section 30-531 of the Code of Ordinances, the Town hereby issues this **Notice of Intent** to notify the public of proposed changes to the land development regulations of Chapter 30 of the Code of Ordinances ("Code"). Upon Town Commission approval of the further processing of the proposed regulations, the amendments will be scheduled for hearing and adoption by ordinance.

**2. Description of Proposed Amendments to Chapter 30 "Unified Land Development Regulations" of the Code of Ordinances:**

Providing for revisions related to the purpose and intent, permitted and conditional uses, and development conditions, regulations and procedures of the B-1-A and B-1 zoning districts and to general zoning definitions to address the Town's vision and achieve consistency between the Town's Master Plan and Land Development Regulations, which may address regulations in the following Code sections:

- i. Chapter 30, Article V, "Zoning", Division 1, "Generally", Section 30-155, "Definitions;"
- ii. Chapter 30, Article V, "Zoning", Division 2, "Districts":
  - a. Subdivision G, "B-1-A District - Business;"
  - b. Subdivision H, "B-1 District - Business Regulations;"

**3. Projected Time Frame for Adoption of Regulations and Plan Amendments:**

- a. Public Hearing and Town Commission Approval  
to Proceed with Proposed Amendments: November 29, 2011
- b. Planning and Zoning Board Meetings: December, 2011 – September, 2012
- c. Adoption of Ordinances: December, 2011 – September, 2012

**4. Application of Pending Regulations:**

The proposed regulations shall become applicable to development within the Town on the Effective Date of this Notice of Intent.