



# AGENDA ITEM MEMORADUM

**Development Services**

**Linda Connors** *LC*

Department

Town Planner *BB*

<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"/> Ordinance               |
| <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: Notice of Intent to Revise Hotel/motel and Apartment Hotel Zoning Requirements and Related Land Development Regulations**

**EXPLANATION:** The Town Commission established planning priorities at its June 21<sup>st</sup> Budget Workshop and authorized JC Consulting to proceed with Planning Priority No. 2, which included an analysis of the existing Town Code to encourage investment in and redevelopment of existing hotels, the development of strategies to discourage the conversion of hospitality units to residential use, and to facilitate the development of new hotels.

Since the authorization to proceed, the consultant has completed an extensive review of the current regulations, conducted a review of regulations in similar communities, surveyed local hoteliers and is ready to initiate proposed amendments to the Town's Code in the following sections of Chapter 30: Article II - Development Review; Article IV - Site Plan Procedures and Requirements; and Article V - Zoning.

We are on schedule to bring the proposed amendments that implement the intent of Planning Priority #2 to the Commission in January for presentation and to receive Commission input.

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. This requirement is a higher standard of public notice than state statutes currently require. To fulfill the public notice requirement, we have prepared Resolution 2011-39 (**Exhibit 1**), which gives notice of the Town's intent to consider hotel/motel and apartment hotel zoning 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 2011-39 (Exhibit 1), which establishes a Notice of Intent to amend the Code related to hotel/motel and apartment hotel zoning prior to September 30, 2012.**

**EXHIBITS:** Exhibit 1 -Resolution 2011-39

Reviewed by Town Attorney

- Yes     No

Town Manager Initials *CS*

## RESOLUTION NO. 2011-39

**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 HOTEL/MOTEL AND  
APARTMENT HOTEL ZONING REQUIREMENTS AND  
RELATED LAND DEVELOPMENT 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 Commission desires to issue an NOI to provide for revisions to address the hotel/motel and apartment hotel zoning requirements and related land development regulations including definitions and review criteria to address the Town 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:

\_\_\_\_\_  
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 2011-39)**

**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 hotel/motel and apartment hotel definitions, zoning regulations and review criteria 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 II, "Development Review", Division 1, "Generally;"
- ii. Chapter 30, Article IV, "Site Plan Procedures and Requirements;"
- iii. Chapter 30, Article V, "Zoning", Division 1, "Generally", Section 30-155, "Definitions;"
- iv. Chapter 30, Article V, "Zoning", Division 2, "Districts":
  - a. Subdivision B, "R-5 District Regulations;"
  - b. Subdivision E, "RM-25 District Regulations;"
  - c. Subdivision F, "RM-50 District Regulations;"
  - d. Subdivision L, "Supplemental 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:  | January, 2012 – September, 2012  |
| c. Adoption of Ordinances   | February, 2012 – September, 2012 |

**4. Application of Pending Regulations:**

The proposed regulations shall become effective and applicable to development within the Town following second reading and adoption of ordinance(s) related to this Notice of Intent.