



# AGENDA ITEM MEMORADUM

**Development Services**

**Linda Connors** *LC*

Department

Town Planner *BD*

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

**\*Subject to Change**

- Presentation       Reports       Consent       **Ordinance**
- Resolution       Quasi-Judicial       Old Business       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, Article VIII. Sign 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. 3, which included an analysis of those sections of the Code that reference signage. The implementation of this priority will complete the comprehensive rewrite the Commission began with the adoption of Ordinance 2010-16 that included severability provisions and enhanced the sign code's defensibility.

Since the authorization to proceed, the consultant has completed a review of the Town's sign regulations, conducted a review of signage in similar communities and is currently drafting proposed amendments to the Town's existing sign code based on her research. Our plan is to hold a round table discussion with the Planning and Zoning Board in early January to solicit input from the business community and then present the proposed sign code amendments to the January 18, 2012 Planning and Zoning Board meeting. The proposed ordinance, together with the P&Z Board recommendations, will be scheduled for Commission consideration in February and March 2012.

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 2011-42 (**Exhibit 1**) gives notice of Town's intent to consider sign code 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 2011-42, which provides the required Notice of Intent to amend the Code related to sign regulations prior to September 30, 2012.**

**EXHIBITS: Exhibit 1 –Resolution 2011-42**

Reviewed by Town Attorney  
 Yes     No

Town Manager Initials *CA*

RESOLUTION NO. 2011-42

**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 REGARDING SIGN REGULATIONS 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 sign 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:**

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

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

33           **SECTION 3. Effective Date of Resolution.** This Resolution shall become effective  
34 immediately upon passage and adoption.

35           **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**

**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 signage 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:

Chapter 30, Article VIII, "Sign Regulations" and

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"; and
- d. Subdivision H, "B-1 District Regulations."

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

- |  |                                |
|--|--------------------------------|
| a. Public Hearing and Town Commission Approval<br>of Processing of All Proposed Changes: | November 29, 2011              |
| b. Planning and Zoning Board Meetings:   | January, 2011 – September 2012 |
| c. Adoption of Ordinance:  | January, 2011 – 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 by ordinance(s) related to this Notice of Intent.