



AGENDA ITEM REQUEST FORM

Item No. 13a

Development Services

Department Submitting Request

Jeff Bowman *JB*

Code and Zoning Supervisor

REGULAR
COMMISSION MTG
Meeting Dates - 7:00 PM

DEADLINE TO
Town Clerk

ROUNDTABLE
MEETING
Meeting Dates - 7:00 PM

DEADLINE TO
Town Clerk

- April 27, 2011
- May 24, 2011
- June 28, 2011
- July 26, 2011

- ** (5:00 pm)
- ** (5:00 pm)
- ** (5:00 pm)
- ** (5:00 pm)

- April 12, 2011
- May 10, 2011
- June 14, 2011
- July 12, 2011

- April 1 (5:00 pm)
- ** (5:00 pm)
- ** (5:00 pm)
- ** (5:00 pm)

*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 type="checkbox"/> New Business |

SUBJECT TITLE: Extension of time for the November 9, 2010 Notice of Intent (NOI) for the review of the Sign Code and Parking Regulations

EXPLANATION: Staff is recommending the Commission approve the attached Resolution (**Exhibit 1**), which extends the time deadline of the attached NOI -Resolution 2010-39 (**Exhibit 2**) to allow additional time to study and process proposed changes to the sign code and parking regulations.

Items of information that staff is currently studying include:

Parking Regulations

1. Appropriate parking requirements for retail type uses differentiating between customer service area and storage or office space.
2. Existing and future parking needs for hotels and motels.
3. Number of required parking spaces for piers.
4. Any other changes as may be discovered while processing these amendments.

Sign Regulations

1. Electronic/digital signage.
2. Any additional issues raised relevant to the comprehensive Master Plan review

In addition, we may want to amend the code to assure that signs in the Miami Modern style can be erected or replaced.



Item No. _____

AGENDA ITEM REQUEST FORM

Development Services

Department Submitting Request

Jeff Bowman

Code and Zoning Supervisor

RECOMMENDATION: Staff recommends extending the current NOI until December 2011. The Town Commission is authorized to extend the current NOI per Chapter 30-531 (g)(2), noted below:

(g) *Implementation time frame.*

- (1) A pending regulatory change that is subject to the notice of intent procedure shall be considered by the Town Commission at a public hearing within a time period prescribed by the Town at the time of the filing of the notice of intent.
- (2) **If additional time is required for study and deliberation due to the scope of the proposed regulatory changes or arising from procedural issues, upon a majority vote of the Town Commission, the time prescribed by the Town in the notice of intent may be extended for an additional period of time approved by the Town Commission upon expiration of the initial period of time stated in the notice of intent.**
- (3) If no final action has been taken by the Town Commission within the time limits set forth herein, the notice of intent will expire.

**EXHIBITS: Exhibit 1 – Proposed Resolution - Revised NOI
Exhibit 2 – Resolution 2010-39**

Reviewed by Town Attorney
 Yes No

Town Manager Initials CB

Exhibit 1

RESOLUTION NO. 2011-07

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA
PROVIDING FOR REVISION OF A NOTICE OF INTENT
CONCERNING PENDING 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; 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 related comprehensive plan amendments; and

WHEREAS, the Town Commission approved Resolution No. 2010-39 approving a Notice of Intent (NOI) which provided for revising the sign code, Article VIII. “Sign Regulations” to address comprehensive sign code revisions and to include additional amendments to enhance defensibility and for revising parking requirements Article V, “Zoning”, and Article VI,” “Site Plan Procedures and Requirements” to address parking standards and parameters; and

WHEREAS, the NOI provided for Planning and Zoning Board review between November 2010 and February 2011 and adoption of any related ordinances between January 2011 and April 2011; and

WHEREAS, additional issues related to the Parking Regulations are being researched by Town Staff including: Appropriate parking requirements for retail type uses differentiating between customer service area and storage or office space; existing and future parking needs for

27 hotels and motels; the number of required parking spaces for piers; and any other issues which
28 may arise while researching and processing these amendments; and

29 **WHEREAS**, Town Staff is researching additional sign regulations related to
30 electronic/digital signage and additional signage issues arising in the master plan review; and

31 **WHEREAS**, Section 30-351(g)(2) of the Code provides that the Town Commission,
32 may upon majority vote, approve an additional period of time if it is required for study and
33 deliberation due to the scope of the proposed regulatory changes or arising from procedural
34 issues.

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

37 **SECTION 1. Authorization.** Pursuant to Section 30-531 of the Code of Ordinances,
38 the Town Commission authorizes additional time for the investigation, study, development,
39 drafting and consideration of the proposed comprehensive plan amendments, as described in the
40 Notice of Intent of Pending Land Development Regulations attached hereto as Exhibit "A."
41

42 **SECTION 2. Effective date of resolution.** This Resolution shall become effective
43 immediately upon passage and adoption.

44 **PASSED AND ADOPTED** this _____ of _____, 2011.

45
46
47
48
49

MAYOR ROSEANN MINNET

50 ATTEST:

51
52
53

54 June White, Town Clerk, CMC

55
56
57

Approved as to form:

58
59
60 Susan L. Trevarthen, Town Attorney

Exhibit "A"
**REVISED Notice of Intent of Pending Land Development
Regulations**

Effective November 9, 2010

Revised April 26, 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:

- a. Revising the sign code, Article VIII. "Sign Regulations" to address comprehensive sign code revisions and to include additional amendments to enhance defensibility.
- b. Revising parking requirements which may address parking standards and parameters in the following Code sections:
 - i. Chapter 30, Article IV, "Site Plan Procedures and Requirements", Division 30-124, "Site Plan Requirements."
 - ii. Chapter 30, Article V, "Zoning", Division 2, "Districts:"
 - Subdivision E, "RM-25 District Regulations;"
 - Subdivision F, "RM-50 District Regulations;"
 - Subdivision H., "B-1 District Regulations;" and
 - Subdivision L, "Supplemental Regulations."
- c. The Town may also consider proposed changes to Chapter 19, "Traffic and Motor Vehicles," in conjunction with b. above (not a land development regulation).

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

- a. Public Hearing and Town Commission Approval
of Processing of All Proposed Changes: December 7, 2010
- b. Planning and Zoning Board Meetings: November, 2010 – **December, 2011**
- c. Adoption of Ordinance: January, 2011 – **December, 2011**

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.

Exhibit 2



Approved

2

Item No. 11a

AGENDA ITEM REQUEST FORM

Development Services

Department Submitting Request

Dept Head's Signature

REG COMMISSION Meeting Dates 7:00PM

DEADLINE TO Town Clerk

ROUNDTABLE Meeting Dates 7:00PM

DEADLINE TO Town Clerk

- Oct 12, 2010
- Nov 9, 2010
- Dec 7, 2010
- Jan 11, 2011
- Feb 8, 2011
- Mar 8, 2011

- Oct 1 (5:00 pm)
- Oct 29 (5:00 pm)
- Nov 23 (5:00 pm)
- Dec 31 (5:00 pm)
- Jan 28 (5:00 pm)
- Feb 25 (5:00 pm)

- Oct 26, 2010
- Nov 22, 2010
- Dec 14, 2010
- Jan 25, 2011
- Feb 22, 2011
- Mar 22, 2011

- Oct 15 (5:00 pm)
- Nov 12 (5:00 pm)
- Nov 30 (5:00 pm)
- Jan 14 (5:00 pm)
- Feb 11 (5:00 pm)
- Mar 11 (5:00 pm)

*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 type="checkbox"/> New Business |

SUBJECT TITLE: Public Hearing on Resolution 2010-39, Notice of Intent, for the Review of Sign Code and Review of Parking Requirements

EXPLANATION: Resolution 2010-39 authorizing NOI was approved on November 9, 2010 (Exhibit "1"). The NOI was subsequently posted at Development Services and Town Hall.

All proposed development regulations are subject to the NOI (Notice of Intent) procedures. The Commission has provided direction to staff for the below items.

Required Parking Regulations:

At the June 23, 2010 Roundtable, the Commission directed staff to research alternatives to provide more flexibility and options for Businesses to meet their required parking requirements. In addition, we were asked to evaluate the request to allow private property owners to offer parking to the public in limited circumstances.

At the October 26, 2010 Commission Roundtable staff provided the Commission with required parking options provided by Planning Consultant Walter Keller along with a copy of Delray Beach's Code that already incorporates some of the options. Staff was given direction to send the information to the Planning and Zoning Board to provide recommendations that would address these options and not be inclusive of.

On November 17, 2010 the Planning and Zoning held a Workshop to discuss this item. Direction was given to staff to draft two (2) versions of their recommendations for action at their next meeting.

At the November 22, 2010 Town Commission Roundtable meeting new direction was given to staff regarding required parking for restaurants and restaurant type uses.

Sign Regulations:

On August 25, 2010 Commission approved a NOI (Notice of Intent, Reso #2010-16) to move forward with amending Chapter 30, Article VIII, Sign Regulations, of the Town's Code of Ordinances. These revisions to the sign code enhance severability provisions, resolve internal conflicts, and enhance defensibility in light of recent case law.

10/13/2010



Item No. _____

AGENDA ITEM REQUEST FORM

Development Services

Department Submitting Request

Dept Head's Signature

As you know the Planning and Zoning Board reviewed the proposed ordinance amendments and recommended approval at its September 15, 2010 meeting.

At the October 12, 2010 Town Commission meeting the Commission voted in favor to send the item back to the Planning and Zoning Board with direction that they do not want to make piecemeal revisions to the sign code, but to do a comprehensive rewrite of the sign code that involves the business community's input.

On November 17, 2010 the Planning and Zoning held a Workshop to discuss this item, but continued it to their December 15, 2010 meeting.

The NOI schedule provides that amending ordinances for parking regulations and the sign ordinance would be adopted in the period January – April 2011.

RECOMMENDATION: We recommend the Commission hold the scheduled public meeting and after the hearing approve further processing of the proposed regulations.

EXHIBITS: Exhibit 1 Resolution 2010-39 and NOI

FISCAL IMPACT AND APPROPRIATION OF FUNDS:

- Amount \$ _____
- Acct # _____
- Transfer of funds required
- From Acct # _____

Town Attorney review required

- Yes
- No

Town Manager Initials CA

1 **A RESOLUTION OF THE TOWN COMMISSION OF THE**
2 **TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA**
3 **PROVIDING FOR ISSUANCE OF A NOTICE OF INTENT**
4 **CONCERNING PENDING LAND DEVELOPMENT**
5 **REGULATIONS**
6

7 **WHEREAS**, Section 30-531 of the Code of Ordinances of the Town of Lauderdale-By-
8 The-Sea (the "Code") provides for a procedure for the public and the development community to
9 be notified of changes to the Town's land development regulations through the issuance of a
10 notice of intent of pending land development regulations; and

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

15 **WHEREAS**, on July 27, 2010 the Town Commission issued a Notice of Intent
16 providing for the limited revision of the sign code to add severability provisions and enhance
17 defensibility and approved the processing of the proposed regulatory changes on August 25,
18 2010; and

19 **WHEREAS**, the Planning and Zoning Board reviewed the proposed sign ordinance on
20 September 15, 2010; and

21 **WHEREAS**, the Town Commission, at its October 12, 2010 meeting, reviewed
22 Ordinance 2010-16, the proposed sign ordinance, and directed that the ordinance be returned to
23 the Planning and Zoning Board and the scope be broadened to include a complete substantive
24 review of the sign code requiring issuance of a new notice of intent pursuant to Section 30-
25 531(h) of the Code; and

26 WHEREAS, the Town Commission, at its October 26, 2010 meeting directed that
27 parking requirements throughout the Code be reviewed and revised to meet the needs of the
28 Town consistent with current standards; and

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

31 WHEREAS, pursuant to Section 30-531(d) of the Code, the Town Commission shall
32 hold a public hearing at the next Commission meeting following issuance of a notice of intent,
33 and by majority vote shall either approve or disapprove the further processing of the proposed
34 amendments.

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

37
38 **SECTION 1. Authorization.** Pursuant to Section 30-531 of the Code of Ordinances,
39 the Town Commission authorizes the investigation, study, development, drafting and
40 consideration of the proposed comprehensive plan amendments, as described in the Notice of
41 Intent of Pending Comprehensive Plan Amendments attached hereto as Exhibit "A."

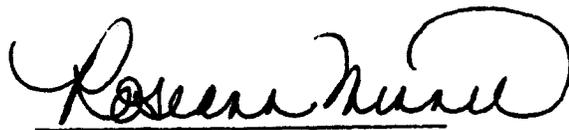
42 **SECTION 2. Effective date of notice.** The Town Commission hereby finds that the
43 effective date of the Notice of Intent of Pending Land Development Regulations shall be
44 November 9, 2010.

45 **SECTION 3. Public hearing.** The Town Commission shall hold a public hearing
46 concerning the Notice of Intent of Pending Land Development Regulations on December 7,
47 2010, and approve or disapprove of the further processing of the proposed regulations.

48 **SECTION 4. Effective date of resolution.** This Resolution shall become effective
49 immediately upon passage and adoption.

50 **PASSED AND ADOPTED** this 9th of November, 2010.

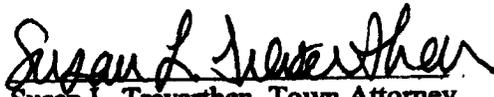
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66


MAYOR ROSEANN MINNET

ATTEST:


June White, CMC Town Clerk

Approved as to form:


Susan L. Trevarthen, Town Attorney

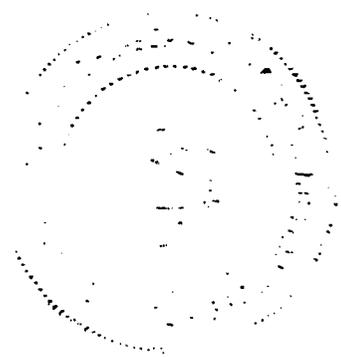


Exhibit "A"

Notice of Intent of Pending Land Development Regulations
Effective November 9, 2010

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:**

- a. Revising the sign code, Article VIII. "Sign Regulations" to address comprehensive sign code revisions and to include additional amendments to enhance defensibility.
- b. Revising parking requirements which may address parking standards and parameters in the following Code sections:
 - i. Chapter 30, Article IV, "Site Plan Procedures and Requirements", Division 30-124, "Site Plan Requirements."
 - ii. Chapter 30, Article V, "Zoning", Division 2, "Districts:"
 - Subdivision E, "RM-25 District Regulations;"
 - Subdivision F, "RM-50 District Regulations;"
 - Subdivision H., "B-1 District Regulations;" and
 - Subdivision L, "Supplemental Regulations."
- c. The Town may also consider proposed changes to Chapter 19, "Traffic and Motor Vehicles," in conjunction with b. above (not a land development regulation).

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

- a. Public Hearing and Town Commission Approval
to Proceed with Proposed Amendments: December 7, 2010
- b. Planning and Zoning Board Meetings: November, 2010 - February, 2011
- d. Adoption of Ordinance January, 2011 - April, 2011

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.