



AGENDA ITEM MEMORADUM

Development Services

Linda Connors *LC*

Department

Town Planner *LC*

COMMISSION MEETING DATE (*) - 7:00 PM	Deadline to Town Clerk
<input checked="" type="checkbox"/> May 8, 2012	April 27th

***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 |

FY2011 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC

SUBJECT TITLE: Resolution Adopting a Notice of Intent to Revise the Town Land Development Code, Chapter 30, Minimum Parking Requirements.

EXPLANATION: As part of normal daily operations, staff noticed some improvements needed to the Town's existing minimum parking requirements. These improvements include:

1. Establishing a parking requirement for the pier; and
2. Revising the text as to how parking requirements for restaurants are calculated to reflect our historical practice.

Staff will also take this opportunity to reorganize this section for clarity. 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 2012-24 (**Exhibit 1**) gives notice of Town's intent to minimum parking requirement standards. 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 2012-24 (**Exhibit 1**), which establishes a Notice of Intent to amend the Code related to minimum parking standards prior to September 2012.

EXHIBITS: Exhibit 1 – Resolution 2012-24

Resolution Reviewed by Town Attorney:

- Yes No

Town Manager Initials *CA*

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

32 **SECTION 2. Effective date of notice.** The Town Commission hereby finds that the
33 effective date of the Notice of Intent of Pending Land Development Regulations shall be May 8,
34 2012 and that the proposed regulations shall become applicable to development within the Town
35 immediately following second reading and adoption of ordinance(s) related to this Notice of
36 Intent.

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

39 **PASSED AND ADOPTED** this _____ of _____, 2012.

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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 May 9, 2012(Resolution 2012-24)

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 included in an ordinance and scheduled for hearing and adoption.

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

Providing for revisions to parking requirements to include pier parking standards; alphabetize the list for clarity and to amend the parking space requirements for restaurants.

Section 30-318 in Article V. "Zoning," Division 2. "Districts," Subdivision L. "Supplemental Regulations,"

3. Projected Time Frame for Adoption of Regulations:

- | | |
|--|------------------------------|
| a. Public hearing and Town Commission approval to proceed with proposed amendments | May 8, 2012 |
| b. Planning and Zoning Board Hearing on Ordinance(s): | May, 2012 - June, 2012 |
| c. Adoption of Ordinance(s) By Town Commission: | June, 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 by ordinance.

Exhibit "A"
Notice of Intent of Pending Land Development Regulations
Effective May 8, 2012 (Resolution 2012-23)

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 window screening for commercial uses including hotels and motels, 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 V, "Zoning", Division 2, "Districts", 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 | <u>May 8, 2012</u> |
| b. Planning and Zoning Board Hearing on Ordinance(s): | <u>May, 2012 - June, 2012</u> |
| c. Adoption of Ordinance(s) By Town Commission: | <u>June, 2012 – September, 2012</u> |

4. Application of Pending Regulations:

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