



AGENDA ITEM MEMORADUM

Development Services

Linda Connors *LC*

Department

Town Planner *EB*

COMMISSION MEETING DATE (*) - 7:00 PM	Deadline to Town Clerk
<input checked="" type="checkbox"/> February 14, 2012	February 3, 2012

***Subject to Change**

- Presentation Reports Consent Ordinance
 Resolution Quasi-Judicial Old Business New Business

FY2011 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC

SUBJECT TITLE: Revision to Previously Approved Notice of Intent to Amend the Town Code Related to Hotel/Motel and Apartment Hotel Zoning

EXPLANATION: At the November 29, 2011 meeting, the Town Commission approved Resolution 2011-39 establishing a Notice of Intent (NOI) to amend the Code related to hotel/motel and apartment hotel zoning. The Notice of Intent was necessary to begin work implementing the Commission's 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.

In preparing the staff's recommendations for the code revisions, we noticed that there were actually two sections of Chapter 30 that include definitions. The NOI Resolution 2011-39 included only Section 30-155 "Definitions." Since we need to revise definitions in both definition sections, we need to amend the NOI Resolution 2011-39 to also include Section 30-20 (definitions) and 30-19 (reserved) in the event that we merge the two definition sections.

RECOMMENDATION: We recommend the adoption of the proposed Resolution (**Exhibit 1**), which revises the current Notice of Intent to amend the Code related to hotel/motel and apartment hotel zoning prior to September 30, 2012 to include additional sections related to definitions.

EXHIBITS: Exhibit 1 – NOI Resolution

Reviewed by Town Attorney
 Yes No

Town Manager Initials *CA*

24 Section 30-20 (definitions) to address relevant definitions, and 30-19 (reserved) in the event that
25 the two definition sections should be merged; and

26 **WHEREAS**, pursuant to Section 30-531(d) of the Code, the Town Commission held a
27 public hearing concerning the proposed Revised Notice of Intent of Pending Land Development
28 Regulations on February 28, 2012 and desires to approve the further processing of the proposed
29 regulations.

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

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

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

38 **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 November 29, 2011 (Resolution 2011-39)
Revised February 28, 2012 (Resolution 2012-)

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 I, "In General", Sections 30-14-19, "Reserved."**
- ii. **Chapter 30, Article I, "In General", Section 30-20, "General Provisions."**
- iii. Chapter 30, Article II, "Development Review", Division 1, "Generally;"
- iv. Chapter 30, Article IV, "Site Plan Procedures and Requirements;"
- v. Chapter 30, Article V, "Zoning", Division 1, "Generally", Section 30-155, "Definitions;"
- vi. 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:

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|---|-------------------------------------|
| a. Public Hearing and Town Commission Approval to Proceed with Proposed Amendments: | November 29, 2011 |
| b. Public Hearing to Revise this Notice | February 28, 2012 |
| c. Planning and Zoning Board Meetings: | January-March, 2012-September, 2012 |
| d. 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.