



AGENDA ITEM MEMORADUM

Development Services

Linda Connors

Department

Town Planner

COMMISSION MEETING DATE (*) - 7:00 PM	Deadline to Town Clerk
<input checked="" type="checkbox"/> July 10, 2012	June 29 th

***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 for Planning Priority #5: Code Clean-up.

EXPLANATION: The Town Commission adopted seven Planning Priorities during the 2012 Budget process. Planning Priority #5 is a basic code clean-up which will address pyramidal zoning from existing zoning districts, improve the purpose and intent of existing zoning districts, revise the code to be internally consistent with the Town Charter and review the Town's PUD regulations.

We started implementing this priority with the adoption of Ordinance 2012-01, which amended the B-1 and B-1A zoning districts to provide clarification and ensure consistency with the Town's Comprehensive Plan. We are now moving forward with the additional actions necessary to implement Priority #5.

All proposed amendments to the Town's development regulations are subject to the Notice of Intent (NOI) procedures of Chapter 30, Section 531 of the Town Code. The attached Resolution 2012-29 meets these requirements. The Commission approved a purchase order for JC Consulting to assist in completing this task.

RECOMMENDATION: We recommend the adoption of Resolution 2012-29 (Exhibit 1).

EXHIBITS: Exhibit 1 – Resolution 2012-29

Resolution Reviewed by Town Attorney

- Yes No

Town Manager Initials LC

RESOLUTION NO. 2012-29

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 INCLUDE CODE LANGUAGE THAT ADDRESSES PYRAMIDAL ZONING, IMPROVES THE PURPOSE AND INTENTS OF ZONING DISTRICTS, REVISES THE CODE TO BE CONSISTENT WITH THE TOWN CHARTER AND AMENDS THE PLANNED UNIT 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 adopted Planning Priorities for the Fiscal 2011 - 2012 year; and

WHEREAS, the Town Commission desires to issue a NOI to provide for the implementation of Planning Priority #5 to include language in the Code that addresses pyramidal zoning, improves the purpose and intents of zoning districts, revises the code to be consistent with the Town Charter and amends the Town’s Planned Unit Development Regulations; and

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

27 **WHEREAS**, pursuant to Section 30-531(d) of the Code, the Town Commission held a
28 public hearing concerning the Notice of Intent of Pending Land Development Regulations on
29 July 10, 2012 and desires to approve the further processing of the proposed 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 2. Effective date of notice.** The Town Commission hereby finds that the
37 effective date of the Notice of Intent of Pending Land Development Regulations shall be July 10,
38 2012.

39 **SECTION 3. Application of pending regulations.** The proposed regulations shall
40 become effective and applicable to development within the Town following second reading and
41 adoption any ordinance(s) related to proposed pending land development regulations.

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

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

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MAYOR ROSEANN MINNET

ATTEST:

54 June White, Town Clerk, CMC

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56 Approved as to form:

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Susan L. Trevarthen, Town Attorney

Exhibit "A"

Notice of Intent of Pending Land Development Regulations
Effective July 10, 2012 (Resolution 2012-29)

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 one of more ordinances 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 related to the Town Commission's Planning Priority #5 that includes adopting code language that addresses pyramidal zoning from existing zoning districts, improves the purpose and intent of existing zoning districts, revises the code to be internally consistent with the Town Charter and reviews the Town's PUD regulations. These proposed amendments may address regulations in the following Code sections:

- a. Article I. "In General."
- b. Article V. "Zoning," Division 2. "Districts," Subdivisions A- I and L
- c. Article VI. "Planned Unit Development Regulations."

3. Projected Time Frame for Adoption of Regulations:

- a. Planning and Zoning Board Hearing on Ordinance(s): August 1, 2012 – October 31, 2012
- b. First Reading of Ordinance(s) by Town Commission: September 1, 2012 – November 30, 2012
- c. Second Reading of Ordinance(s) by Town Commission: October 1, 2012 - January 31, 2013

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.