



AGENDA ITEM MEMORADUM

Item No. 13C

Development Services

Linda Connors LC

Department

Town Planner 573

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|---|-------------------------------|
| COMMISSION MEETING DATE (*) - 7:00 PM | Deadline to Town Clerk |
| <input checked="" type="checkbox"/> August 21, 2012 | August 10th |

**Subject to Change*

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

FY2012 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC

SUBJECT TITLE: Resolution Adopting a Notice of Intent for SunShot Ordinance.

EXPLANATION: Last August, the Commission authorized the Mayor to execute a letter of support to Broward County's SunShot Initiative grant application. The County was applying for a grant to create a program that would offer a "one-stop" electronically approved permitting process for all of Broward County for photovoltaic energy structures (solar energy panels).

The County's grant application was approved, and now the County is asking that participating communities amend their local codes to allow for the implementation of this streamlined process. The proper location for this language is in Chapter 30 – Unified Land Development Regulations. 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 2012-33 meets these requirements.

RECOMMENDATION: We recommend the adoption of Resolution 2012-33 (Exhibit 1).

EXHIBITS: Exhibit 1 – Resolution 2012-33

Resolution Reviewed by Town Attorney

Yes No

Town Manager Initials CJA

RESOLUTION NO. 2012-33

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 ENCOURAGE THE USE OF PHOTOVOLTAIC SYSTEMS CONSISTENT WITH PARTICIPATION IN BROWARD COUNTY'S "SUNSHOT INITIATIVE: ROOFTOP SOLAR CHALLENGE PROGRAM"; PROVIDING FOR APPLICABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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, on August 23, 2011, the Town Commission approved the Town's participation in a partnership with Broward County, the "SunShot Initiative: Rooftop Solar Challenge Program" ("SunShot"); and

WHEREAS, the Town Commission desires to issue a NOI to provide for the implementation of Sunshot initiatives designed to encourage the use of photovoltaic systems; 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 August 21, 2012 and desires to approve the further processing of the proposed regulations.

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

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

35 **SECTION 2. Effective date of notice.** The Town Commission hereby finds that the
36 effective date of the Notice of Intent of Pending Land Development Regulations shall be August
37 21, 2012.

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

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

43 **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 August 21, 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 included in one or 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's Participation in Broward County's "SunShot Initiative: Rooftop Solar Challenge Program" ("SunShot") to encourage the use of photovoltaic systems. These proposed amendments may address regulations in the following Code sections:

- a. Article V. "Zoning," Division 2. "Districts," Subdivision L "Supplemental Regulations."

3. Projected Time Frame for Adoption of Regulations:

- a. Planning and Zoning Board Hearing on Ordinance: September 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.