



Item No. 11a

TOWN OF LAUDERDALE-BY-THE-SEA

AGENDA ITEM REQUEST FORM

Development Services

Department Submitting Request


Dept Head's Signature AS

Commission Meeting Dates	Last date to turn in to Town Clerk's Office	Commission Meeting Dates	Last date to turn in to Town Clerk's Office	Commission Meeting Dates	Last date to turn in to Town Clerk's Office
<input type="checkbox"/> May 25, 2010	May 14 (5:00 p.m.)	<input checked="" type="checkbox"/> July 27, 2010 August 2010	July 16 (5:00 p.m.) Commission Recess	<input type="checkbox"/> Oct 26, 2010	Oct 15 (5:00 p.m.)
<input type="checkbox"/> June 8, 2010	May 28 (5:00 p.m.)	<input type="checkbox"/> Sept 14, 2010	Sept 3 (5:00 p.m.)	<input type="checkbox"/> Nov 9, 2010	Oct 29 (5:00p.m.)
<input type="checkbox"/> June 22, 2010	June 11 (5:00 p.m.)	<input type="checkbox"/> Sep 28, 2010*	Sept 17 (5:00 p.m.)	<input type="checkbox"/> Nov 23, 2010	Nov 12 (5:00p.m.)
<input type="checkbox"/> July 13, 2010	June 2 (5:00 p.m.)	<input type="checkbox"/> Oct 12, 2010	Oct 1 (5:00p.m.) * Subject to change - Sukkot	<input type="checkbox"/> Dec 14, 2010	Dec 3 (5:00p.m.)

NATURE OF AGENDA ITEM

- | | | |
|---|--|--|
| <input type="checkbox"/> Presentation | <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Manager's Report |
| <input type="checkbox"/> Public Safety Report | <input type="checkbox"/> Quasi Judicial | <input type="checkbox"/> Attorney's Report |
| <input type="checkbox"/> Consent Agenda | <input type="checkbox"/> Old Business | <input type="checkbox"/> Other |
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> New Business | |

SUBJECT TITLE: Resolution for Amendments to the Unified Land Development Code

EXPLANATION:

- (1) Amending Chapter 30-261 and 30-271 to allow pet grooming in B-1 and B-1A. (Direction from Round Table 7-14-10)
- (2) Adopting Chapter 30-22 to provide Zoning relief procedures.
- (3) Amending Chapter 30-313 (31) Accessory Buildings and Structures. (Direction from Round Table 6-9-10)
- (4) Amending Chapter 30 Article VIII to provide severability provisions

STAFF RECOMMENDATION: Approval of Resolution

BOARD/COMMITTEE RECOMMENDATION: N/A

FISCAL IMPACT AND APPROPRIATION OF FUNDS: N/A

- | | |
|---|--|
| <input type="checkbox"/> Amount \$ _____ | <input type="checkbox"/> Acct # _____ |
| <input type="checkbox"/> Transfer of funds required | <input type="checkbox"/> From Acct # _____ |
| <input type="checkbox"/> Bid | <input type="checkbox"/> Grant <input type="checkbox"/> Amount represents matching funds |

Town Attorney review required
 Yes No

07-16-10P03:59 RCVD

Town Manager's Initials: CA

RESOLUTION NO. 2010-16

**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 AMENDMENTS TO CHAPTER
30 OF THE CODE OF ORDINANCES**

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(c) 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, proposed amendments to Section 30-313(31) of the land development regulations of Chapter 30 of the Code regarding sheds, storage buildings and accessory structures were considered by the Town Commission on June 9, 2010, requiring issuance of a notice of intent pursuant to Section 30-531(h) of the Code; and

WHEREAS, proposed amendments to list of permitted uses in the B-1 and B-1-A zoning districts of Chapter 30 of the Code were considered by the Town Commission on July 14, 2010, requiring issuance of a notice of intent pursuant to Section 30-531(h) of the Code; and

WHEREAS, Town staff and the Town Attorney have identified changes to the Town's sign regulations in Chapter 30 of the Code which will enhance their legal defensibility, requiring issuance of a notice of intent pursuant to Section 30-531(h) of the Code; and

WHEREAS, Town staff and the Town Attorney have identified the need to create a zoning relief process in Chapter 30 of the Code to enhance the defensibility of this Chapter, requiring issuance of a notice of intent pursuant to Section 30-531(h) of the Code; and

27 **WHEREAS**, Section 30-531(e) of the Code provides for posted and written notice of the
28 pending amendments to the land development regulations; and

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

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

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

39 **SECTION 2. Effective date of notice.** The Town Commission hereby finds that the
40 effective date of the Notice of Intent of Pending Land Development Regulations shall be July 27,
41 2010.
42

43 **SECTION 3. Public hearing.** The Town Commission shall hold a public hearing
44 concerning the Notice of Intent of Pending Land Development Regulations on September 14,
45 2010, and approve or disapprove of the further processing of the proposed regulations.

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

48 **PASSED AND ADOPTED** this _____ of _____, 2010.

49
50
51
52
53

MAYOR ROSEANN MINNET

54 ATTEST:

55

56

57

58 _____
June White, Town Clerk

59

60 Approved as to form:

61

62

63 _____
Susan L. Trevarthen, Town Attorney

Exhibit "A"

Notice of Intent of Pending Land Development Regulations
Effective July 27, 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 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:

- a. Amendment to Section 30-313(31) in Article V. "Zoning," Division 2. "Districts," Subdivision L. "Supplemental Regulations," to modify the regulations for accessory buildings and structures, and specify regulations for sheds and storage buildings;
- b. Revising the list of permitted uses in the B-1 and B-1A zoning districts to include pet grooming and possibly other uses in Article V. "Zoning," Division 2. "Districts," Subdivision G. "B-1-A District Regulations" and Subdivision H. "B-1 District Regulations;"
- c. Adopting zoning relief procedures as a new Section 30-22 of Article I. "In General," to address possible unintended violations of federal and state laws in the implementation of this code or its related rules, policies, and procedures; and
- d. Revising the sign code, Article VIII. "Sign Regulations" to include additional severability provisions and possibly other amendments to enhance defensibility.

3. Projected Time Frame for Adoption of Regulations:

- a. Public Hearing and Town Commission Approval of Processing of Proposed Regulatory Changes: September 14, 2010
- b. Planning and Zoning Board Hearing on Ordinance: October 20, 2010
- c. First Reading of Ordinance By Town Commission: November 9, 2010
- d. Second Reading of Ordinance By Town Commission: November 23, 2010

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.