



TOWN OF LAUDERDALE-BY-THE-SEA

AGENDA ITEM REQUEST FORM

DEVELOPMENT SERVICES

Department Submitting Request

Dept Head's Signature

<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>	<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>	<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>
<input type="checkbox"/> May 25, 2010	May 14 (5:00 p.m.)	<input type="checkbox"/> July 27, 2010	July 16 (5:00 p.m.)	<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 checked="" type="checkbox"/> Aug 25 2010*	Aug 13 (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"/> Sept 14, 2010	Sept 3 (5:00 p.m.)	<input type="checkbox"/> Nov 23, 2010	Nov 12 (5:00p.m.)
<input type="checkbox"/> July 13, 2010	July 2 (5:00 p.m.)	<input type="checkbox"/> Sep 27, 2010	Sept 17 (5:00 p.m.)	<input type="checkbox"/> Dec 14, 2010	Dec 3 (5:00p.m.)
		<input type="checkbox"/> Oct 12, 2010	Oct 1 (5:00p.m.)		

* Subject to change

NATURE OF AGENDA ITEM

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

SUBJECT TITLE: Public Hearing and Town Commission Approval of Processing Proposed Regulatory Changes

EXPLANATION: At the July 27, 2010 Commission meeting the Commission approved Resolution 2010-16 providing for issuance of a Notice of Intent concerning pending amendments to Chapter 30 of the Code of Ordinances:

- Chapter 30-261 and 30-271 to allow pet grooming in B-1 and B1A
- Chapter 30-22 to provide Zoning relief procedures
- Chapter 30-313 (31) Accessory Buildings and Structures
- Chapter 30 Article VIII to provide severability provisions

RECOMMENDATION:

EXHIBITS:

08-12-10A09:46 RCVD

FISCAL IMPACT AND APPROPRIATION OF FUNDS:

- Amount \$ _____
- Acct # _____
- Transfer of funds required
- From Acct # _____

Town Attorney review required
 Yes No

Town Manager's Initials: CS

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 the Town Commission authorizes the investigation, study, development, drafting and
38 consideration of the proposed amendments to Chapter 30, as described in the Notice of Intent of
39 Pending Land Development Regulations attached hereto as Exhibit "A."

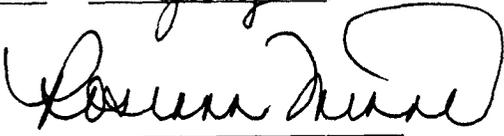
40 **SECTION 2. Effective date of notice.** The Town Commission hereby finds that the
41 effective date of the Notice of Intent of Pending Land Development Regulations shall be July 27,
42 2010.

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 August 25, 2010,
45 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 27 of July, 2010.

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MAYOR ROSEANN MINNET

54 ATTEST:

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June White
June White, Town Clerk

60 Approved as to form:

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Susan L. Trevarthen
Susan L. Trevarthen, Town Attorney

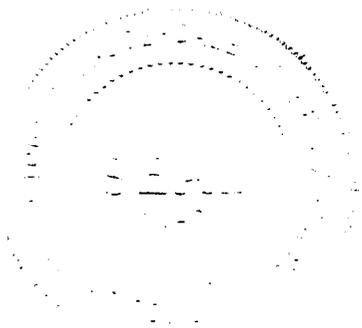


Exhibit "A"

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: August 25, 2010
- b. Planning and Zoning Board Hearing on Ordinance: September 15, 2010
- c. First Reading of Ordinance By Town Commission: October 12, 2010
- d. Second Reading of Ordinance By Town Commission: November 9, 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.
