



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 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 checked="" type="checkbox"/> Sep 27, 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.)	<input type="checkbox"/> Dec 14, 2010	Dec 3 (5:00p.m.)

* Subject to change – Sukkot

- NATURE OF AGENDA ITEM**
- Presentation
 - Resolution
 - Manager's Report
 - Public Safety Report
 - Quasi Judicial
 - Attorney's Report
 - Consent Agenda
 - Old Business
 - Other
 - Ordinance
 - New Business

SUBJECT TITLE: Ordinance 2010-06, Amending the Comprehensive Plan. (Attachment "1")

EXPLANATION: In mid-2009 the Town started the process of updating portions of the Comprehensive Plan and Supporting Documents in an effort to comply with various mandates of the State of Florida and Broward County. The proposed amendments are outlined below:

1. A Public School Facilities element, in accordance with Section 163.3177(12), Florida Statutes.
2. Revisions that the Broward County Planning Council is requiring the Town to make in order for the Town's comprehensive plan to be recertified as being in substantial conformity with the County's plan.
3. Provisions implementing greenhouse gas reduction strategies and energy-efficient land use patterns into various elements of the Town's comprehensive plan, as required by Chapter No. 2008-191, Laws of Florida.
4. Revisions to the transportation level of service standards to conform to previously adopted changes in the County's plan.
5. Revisions to the provisions applicable to the Coastal High Hazard Area to conform to the revised Section 163.3178, Florida Statutes.

Outlined below are the actions to date regarding the progress of the amendments:

1. June of 2009, Walter Keller (Consultant) started the revisions.
2. December 3, 2009 the Broward County Planning Council provisionally approved the proposed amendments.
3. June 16, 2010 & July 21, 2010 the Planning and Zoning Board reviewed the proposed amendments and recommended approval.
4. August 25, 2010 the Town Commission approved Resolution 2010-20.(Authorizing the issuance of a Notice of Intent(NOI)
5. September 14, 2010, A Public Hearing was held regarding the NOI. The Town Commission approved the further processing of the proposed regulations.

STAFF RECOMMENDATION: We recommend approval.

BOARD/COMMITTEE RECOMMENDATION: Approved by Planning and Zoning July 21, 2010

Town Attorney review required

Yes No

Town Manager's Initials: CS

ORDINANCE 2010-06

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AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE ELEMENT; HOUSING ELEMENT; TRANSPORTATION ELEMENT; CONSERVATION ELEMENT; CAPITAL IMPROVEMENTS ELEMENT; INTER-GOVERNMENTAL COORDINATION ELEMENT; ADOPTING THE PUBLIC SCHOOL FACILITIES ELEMENT; AND AMENDING LAND USE IMPLEMENTATION; ACCORDING TO THE PROVISIONS OF THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Town of Lauderdale-By-The-Sea (the "Town") proposes to amend (the "Amendment") the Town of Lauderdale-By-The-Sea Comprehensive Plan (the "Comprehensive Plan") as provided for in the attached Exhibit "A," and

WHEREAS, Section 163.3187 Florida Statutes, provides for amendments to the Comprehensive Plan; and

WHEREAS, the Town has updated portions of the Town's Comprehensive Plan and Supporting Documentation to address provisional certification requirements of the Broward County Planning Council, incorporate State requirements relative to Greenhouse Gas Emissions, add a Public School Facility Element, revise the Level of Service and Concurrency for Transportation, provide a definition of the Coastal High Hazard Area and other necessary revisions to portions of the Comprehensive Plan; and

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35 **WHEREAS**, staff has recommended approval of the requested Amendment; and

36 **WHEREAS**, the Planning and Zoning Board, sitting as the Local Planning
37 Agency, has reviewed this Ordinance at a duly noticed hearing on June 16, 2010 and July
38 21, 2010, and recommended its approval and transmittal of the Amendment to the Florida
39 Department of Community Affairs (“DCA”); and

40 **WHEREAS**, after having received input and participation by the public, the Town
41 Commission transmitted the proposed Amendment to DCA and other agencies required by
42 law, for their review pursuant to Section 163.3184, Florida Statutes; and

43 **WHEREAS**, the Town Commission conducted a first and second reading of this
44 Ordinance at duly noticed public hearings, as required by law, and after having received
45 input from and participation by interested members of the public and staff, the Town
46 Commission has determined that this Ordinance is consistent with the Town’s
47 Comprehensive Plan and is in the best interest of the Town; and

48 **WHEREAS**, this Ordinance is enacted to carry out the purpose and intent of, and
49 exercise the authority set out in, the Local Government Comprehensive Planning and Land
50 Development Regulation Act.

51 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION**
52 **OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AS FOLLOWS:**

53 **SECTION 1.** The foregoing “WHEREAS” clauses are hereby ratified and
54 confirmed as being true, correct and reflective of the legislative intent underlying this
55 Ordinance and are hereby made a specific part of this Ordinance.

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ORDINANCE 2010-06

81 issued by the Department of Community Affairs or the Administration Commission
82 finding the Amendment to be in compliance in accordance with Chapter 163.3184,
83 Florida Statutes, whichever occurs earlier. The DCA notice of intent to find the
84 Amendment in compliance shall be deemed to be the final order if no timely petition
85 challenging the Amendment is filed.

86 **SECTION 8. Adoption.**

87 Passed on the first reading, this ____ day of _____, 2010.

88 Passed on the second reading, this ____ day of _____, 2010.

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Mayor Roseann Minnet

94	First Reading	Second Reading
95 Mayor Minnet	_____	_____
96 Vice-Mayor Dodd	_____	_____
97 Commissioner Clottey	_____	_____
98 Commissioner Sasser	_____	_____
99 Commissioner Vincent	_____	_____

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103 Attest:

104 _____
105 Town Clerk, June White

106 (CORPORATE SEAL)

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107 Approved as to form:

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109 Town Attorney, Susan L. Trevarthen

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