

# **Attachment “A”**

**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**

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7       **WHEREAS**, Section 30-531 of the Code of Ordinances of the Town of Lauderdale-By-  
8 The-Sea (the "Code") provides for a procedure for the public and the development community to  
9 be notified of changes to the Town's land development regulations through the issuance of a  
10 notice of intent of pending land development regulations; and

11       **WHEREAS**, pursuant to Section 30-531(c) of the Code, the Town Commission shall  
12 authorize the investigation, study, development, drafting and consideration of all proposed  
13 amendments to the Town's land development regulations; and

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

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

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

24       **WHEREAS**, Town staff and the Town Attorney have identified the need to create a  
25 zoning relief process in Chapter 30 of the Code to enhance the defensibility of this Chapter,  
26 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.  
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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.

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MAYOR ROSEANN MINNET

54 ATTEST:

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58 June White, Town Clerk

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60 Approved as to form:

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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:**

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|--|---------------------------|
| a. Public Hearing and Town Commission Approval of Processing of Proposed Regulatory Changes: | <u>August 25, 2010</u>    |
| b. Planning and Zoning Board Hearing on Ordinance:   | <u>September 15, 2010</u> |
| c. First Reading of Ordinance By Town Commission:  | <u>October 12, 2010</u>   |
| d. Second Reading of Ordinance By Town Commission:   | <u>November 9, 2010</u>   |

**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.