

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

WORKSHOP MEETING MINUTES

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, June 13, 2006

6:00 P.M. to 7:00 P.M.

1. CALL TO ORDER, MAYOR OLIVER PARKER

The meeting was called to order by Mayor Parker at 6:10 p.m. Present were Mayor Parker, Vice Mayor Yanni, Mayor Pro Tem Clark, Commissioner Silverstone and Commissioner McIntee. Also present were Town Manager Robert Baldwin, Town Attorney James Cherof, Acting Development Services Director Bradford Townsend, and Town Clerk Medina.

Mayor Parker announced that the agenda for the regular Commission meeting scheduled for 7:00 p.m. had been amended to show that Town Attorney James Cherof would be providing a report on the claims filed against the Town under the Burt J. Harris Act. Ms. Medina advised that a typographical correction had also been offered by Commissioner McIntee on page 4, under item 14H, discussion and/or action regarding why the Mayor was not following precedence in making motions and seconding motions made. There were no objections to the corrections.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

3. DISCUSSION ITEMS

- A. General discussion on proposed Unified Land Development Regulations

Mayor Parker stated that he had asked that Mr. John Thompson attend the meeting to advise what the intent of the Citizens Initiative Committee was with respect to the height referendum. Commissioner Silverstone advised it was his understanding that Mr. Thompson would be in attendance later in the evening.

Mayor Parker referenced the language of the referendum, asking Attorney Cherof to advise what changes the Commission could implement without going to referendum for a vote. Attorney Cherof stated that he believed the term "use" applied to specific activity within a specific zoning district. He believed, too, that the restrictions effectuated by the referendum did not include business districts. Attorney Cherof stated that it was his understanding that the Charter Amendment intended to limit the authority of the Commission to change uses within the residential districts currently existing within the Town. Attorney Cherof stated that the referendum did not prohibit Commissioners from considering and taking action on changing building setbacks, etc.

Town Commission Workshop Meeting Minutes
June 13, 2006

Commissioner Silverstone asked Attorney Cherof if he had reviewed the recommended changes made by Mr. Townsend. Attorney Cherof replied affirmatively. Commissioner Silverstone asked that the Commission move forward with the consideration of the proposed changes as presented, with the exception of those issues that Attorney Cherof agreed could present a problem with respect to the existing Charter Amendment.

Attorney Cherof stated that it was certain that the Charter Amendment altered the Commission's ability to implement Land Development changes; however, he explained that the majority of the proposal prepared by staff in this matter, based on recommendations received in the past, could be considered without limitation. He indicated that based on the referendum document, there were changes the Commission could pursue without further delay. Brief discussion followed.

Mr. Townsend provided a PowerPoint presentation (a copy of which is attached hereto and made a part of these minutes), reviewing the proposed changes and explained the effects it would have within the corresponding zoning districts. Mayor Parker asked if changing RS-4 to RS-5 was permitted. Mr. Townsend felt the proposed change was permitted as there were no changes being made to the district itself. He explained that the proposed change only affected the side setback being changed to seven and one-half feet. Mayor Parker expressed concern that the district designation was being changed and wished that the people who had drafted the referendum had attended to provide some assurances. He felt that the Town had an obligation to fulfill the intent of the people who proposed this referendum and were successful in having it enacted.

Commissioner McIntee asked if he was correct in assuming that there were currently no RS-5 in the northern section of Town. He expressed his belief that there were no building lots available that could be rezoned to RS-5 as there were no locations where five lots were available for building. Mr. Townsend explained that there was no buildable land to pursue RS-5 at this time.

Vice Mayor Yanni asked for clarification as to when the Commission would need to pursue a zoning change. Attorney Cherof stated that the proposed changes were based upon staff and his review of the Charter Amendment, and their interpretation of what could be changed without the need for a referendum. He explained that the referendum addressed zoning as it pertained to height and land use, not the title of the zoning district. Brief discussion followed.

Commissioner Silverstone stated that based on his conversations with Mr. John Thompson, he felt that Mr. Thompson would agree with Attorney Cherof's explanation of the Amendment.

Mayor Parker asked that Attorney Cherof attend all workshops addressing the issue of the Unified Land Development Regulations. Attorney Cherof had no objections.

Town Commission Workshop Meeting Minutes
June 13, 2006

Mr. Townsend referenced the PowerPoint presentation and described each of the changes being proposed. Additionally, Mr. Townsend explained staff's recommendations for each of the proposed changes and provided examples of how the proposed changes would affect the Town's Land Use Plan and zoning districts. The Commission discussed each individual section of the proposal, with Mr. Townsend identifying those sections that would require consideration by referendum.

Lengthy discussion followed concerning the regulations pertaining to boat docks. Attorney Cherof pointed out that this section did not only affect boat owners, but property owners who had "view" issues as they lived on waterfront properties, but were not necessarily boat owners. It was agreed that this item would require additional discussion or should be left unchanged.

It was agreed that during the next workshop, each of the Commissioners would address their concerns for staff's consideration.

The Commission discussed a meeting date for an additional workshop to continue discussing the Unified Land Development Regulations. There was full consensus to meet on Saturday, June 17, 2006, at 9:30 a.m.

Commissioner McIntee asked if it were possible to also schedule a "talking" work session to discuss miscellaneous items. Some discussion followed, with the Commission agreeing that the work session would be scheduled for Saturday, June 17, 2006, from 9:00 a.m. to 9:30 a.m.

4. ADJOURNMENT

Commissioner Silverstone made a motion to adjourn the meeting. As there were no objections and no other business to discuss, the meeting was adjourned at 6:55 p.m.

Oliver Parker, Mayor

ATTEST:

Alina Medina, Town Clerk

Date Accepted: _____