



Item No. 11a

# AGENDA ITEM REQUEST FORM

## Development Services

Department Submitting Request

Dept Head's Signature

### REG COMMISSION DEADLINE TO Meeting Dates 7:00PM Town Clerk

- |                                     |              |                  |
|-------------------------------------|--------------|------------------|
| <input type="checkbox"/>            | Oct 12, 2010 | Oct 1 (5:00 pm)  |
| <input type="checkbox"/>            | Nov 9, 2010  | Oct 29 (5:00 pm) |
| <input checked="" type="checkbox"/> | Dec 7, 2010  | Nov 23 (5:00 pm) |
| <input type="checkbox"/>            | Jan 11, 2011 | Dec 31 (5:00 pm) |
| <input type="checkbox"/>            | Feb 8, 2011  | Jan 28 (5:00 pm) |
| <input type="checkbox"/>            | Mar 8, 2011  | Feb 25 (5:00 pm) |

### ROUNDTABLE DEADLINE TO Meeting Dates 7:00PM Town Clerk

- |                          |              |                  |
|--------------------------|--------------|------------------|
| <input type="checkbox"/> | Oct 26, 2010 | Oct 15 (5:00 pm) |
| <input type="checkbox"/> | Nov 22, 2010 | Nov 12 (5:00 pm) |
| <input type="checkbox"/> | Dec 14, 2010 | Nov 30 (5:00 pm) |
| <input type="checkbox"/> | Jan 25, 2011 | Jan 14 (5:00 pm) |
| <input type="checkbox"/> | Feb 22, 2011 | Feb 11 (5:00 pm) |
| <input type="checkbox"/> | Mar 22, 2011 | Mar 11 (5:00 pm) |

\*Subject to Change

- |                                     |              |                          |                |                          |              |                          |              |
|-------------------------------------|--------------|--------------------------|----------------|--------------------------|--------------|--------------------------|--------------|
| <input type="checkbox"/>            | Presentation | <input type="checkbox"/> | Reports        | <input type="checkbox"/> | Consent      | <input type="checkbox"/> | Ordinance    |
| <input checked="" type="checkbox"/> | Resolution   | <input type="checkbox"/> | Quasi Judicial | <input type="checkbox"/> | Old Business | <input type="checkbox"/> | New Business |

**SUBJECT TITLE: Public Hearing on Resolution 2010-39, Notice of Intent, for the Review of Sign Code and Review of Parking Requirements**

**EXPLANATION:** Resolution 2010-39 authorizing NOI was approved on November 9, 2010 (Exhibit "1"). The NOI was subsequently posted at Development Services and Town Hall.

All proposed development regulations are subject to the NOI (Notice of Intent) procedures. The Commission has provided direction to staff for the below items.

### Required Parking Regulations:

At the June 23, 2010 Roundtable, the Commission directed staff to research alternatives to provide more flexibility and options for Businesses to meet their required parking requirements. In addition, we were asked to evaluate the request to allow private property owners to offer parking to the public in limited circumstances.

At the October 26, 2010 Commission Roundtable staff provided the Commission with required parking options provided by Planning Consultant Walter Keller along with a copy of Delray Beach's Code that already incorporates some of the options. Staff was given direction to send the information to the Planning and Zoning Board to provide recommendations that would address these options and not be inclusive of.

On November 17, 2010 the Planning and Zoning held a Workshop to discuss this item. Direction was given to staff to draft two (2) versions of their recommendations for action at their next meeting.

At the November 22, 2010 Town Commission Roundtable meeting new direction was given to staff regarding required parking for restaurants and restaurant type uses.

### Sign Regulations:

On August 25, 2010 Commission approved a NOI (Notice of Intent, Reso #2010-16) to move forward with amending Chapter 30, Article VIII, Sign Regulations, of the Town's Code of Ordinances. These revisions to the sign code enhance severability provisions, resolve internal conflicts, and enhance defensibility in light of recent case law.



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As you know the Planning and Zoning Board reviewed the proposed ordinance amendments and recommended approval at its September 15, 2010 meeting.

At the October 12, 2010 Town Commission meeting the Commission voted in favor to send the item back to the Planning and Zoning Board with direction that they do not want to make piecemeal revisions to the sign code, but to do a comprehensive rewrite of the sign code that involves the business community's input.

On November 17, 2010 the Planning and Zoning held a Workshop to discuss this item, but continued it to their December 15, 2010 meeting.

The NOI schedule provides that amending ordinances for parking regulations and the sign ordinance would be adopted in the period January – April 2011.

**RECOMMENDATION:** We recommend the Commission hold the scheduled public meeting and after the hearing approve further processing of the proposed regulations.

**EXHIBITS:** Exhibit 1 Resolution 2010-39 and NOI

**FISCAL IMPACT AND APPROPRIATION OF FUNDS:**

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

Town Attorney review required  
 Yes  No

Town Manager Initials CJA

1           **A RESOLUTION OF THE TOWN COMMISSION OF THE**  
2           **TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA**  
3           **PROVIDING FOR ISSUANCE OF A NOTICE OF INTENT**  
4           **CONCERNING PENDING LAND DEVELOPMENT**  
5           **REGULATIONS**

6  
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(b) 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 related comprehensive plan  
14 amendments; and

15           **WHEREAS**, on July 27, 2010 the Town Commission issued a Notice of Intent  
16 providing for the limited revision of the sign code to add severability provisions and enhance  
17 defensibility and approved the processing of the proposed regulatory changes on August 25,  
18 2010; and

19           **WHEREAS**, the Planning and Zoning Board reviewed the proposed sign ordinance on  
20 September 15, 2010; and

21           **WHEREAS**, the Town Commission, at its October 12, 2010 meeting, reviewed  
22 Ordinance 2010-16, the proposed sign ordinance, and directed that the ordinance be returned to  
23 the Planning and Zoning Board and the scope be broadened to include a complete substantive  
24 review of the sign code requiring issuance of a new notice of intent pursuant to Section 30-  
25 531(h) of the Code; and

26           **WHEREAS**, the Town Commission, at its October 26, 2010 meeting directed that  
27 parking requirements throughout the Code be reviewed and revised to meet the needs of the  
28 Town consistent with current standards; and

29           **WHEREAS**, Section 30-531(f) of the Code provides for posted written notice of the  
30 pending amendments; and

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

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

37  
38           **SECTION 1. Authorization.** Pursuant to Section 30-531 of the Code of Ordinances,  
39 the Town Commission authorizes the investigation, study, development, drafting and  
40 consideration of the proposed comprehensive plan amendments, as described in the Notice of  
41 Intent of Pending Comprehensive Plan Amendments attached hereto as Exhibit "A."

42           **SECTION 2. Effective date of notice.** The Town Commission hereby finds that the  
43 effective date of the Notice of Intent of Pending Land Development Regulations shall be  
44 November 9, 2010.

45           **SECTION 3. Public hearing.** The Town Commission shall hold a public hearing  
46 concerning the Notice of Intent of Pending Land Development Regulations on December 7,  
47 2010, and approve or disapprove of the further processing of the proposed regulations.

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

50           **PASSED AND ADOPTED** this 9<sup>th</sup> of November, 2010.

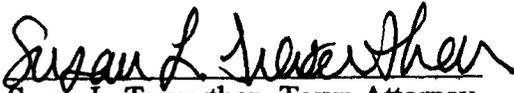
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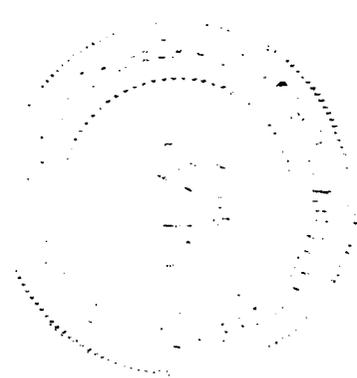
  
MAYOR ROSEANN MINNET

ATTEST:

  
June White, CMC Town Clerk

Approved as to form:

  
Susan L. Trevarthen, Town Attorney



**Exhibit "A"**

**Notice of Intent of Pending Land Development Regulations**  
**Effective November 9, 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 scheduled for hearing and adoption by ordinance.

**2. Description of Proposed Amendments to Chapter 30 "Unified Land Development Regulations" of the Code of Ordinances:**

- a. Revising the sign code, Article VIII. "Sign Regulations" to address comprehensive sign code revisions and to include additional amendments to enhance defensibility.
- b. Revising parking requirements which may address parking standards and parameters in the following Code sections:
  - i. Chapter 30, Article IV, "Site Plan Procedures and Requirements", Division 30-124, "Site Plan Requirements."
  - ii. Chapter 30, Article V, "Zoning", Division 2, "Districts:"  
Subdivision E., "RM-25 District Regulations;"  
Subdivision F, "RM-50 District Regulations;"  
Subdivision H., "B-1 District Regulations;" and  
Subdivision L, "Supplemental Regulations."
- c. The Town may also consider proposed changes to Chapter 19, "Traffic and Motor Vehicles," in conjunction with b. above (not a land development regulation).

**3. Projected Time Frame for Adoption of Regulations and Plan Amendments:**

- a. Public Hearing and Town Commission Approval  
to Proceed with Proposed Amendments: December 7, 2010
- b. Planning and Zoning Board Meetings: November, 2010 – February, 2011
- d. Adoption of Ordinance January, 2011 – April, 2011

**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.