

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

ROUNDTABLE MEETING

MINUTES

Jarvis Hall

4505 Ocean Drive

Tuesday, April 12, 2011

7:00 P.M. or soon thereafter

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Roseann Minnet called the meeting to order at 8:00 p.m. Vice Mayor Stuart Dodd, Commissioner Birute Ann Clotey, Commissioner Scot Sasser, and Commissioner Chris Vincent were present. Also present were Town Manager Connie Hoffmann, Town Attorney Susan Trevarthen, Town Clerk June White and Deputy Clerk Nekisha Smith.

Mayor Minnet added Short Term Rentals as item 3t, Pantry of Broward, Inc. as item 3u, and Announcement of an Essay Contest as item 3v.

2. PUBLIC COMMENTS

Arthur Franczak was against the expansion of the A1A parking lot as he did not believe it would solve the problem. Mr. Franczak believed the A1A parking lot was a failure due to its location and the fact that people would have to cross 2 lanes of traffic to visit the downtown area. He said it would be better if the parking lot was located on the other south side of Commercial Boulevard. Mr. Franczak did not favor the idea of giving the parking lot away to a developer.

Dick Wyzanski said that the Parkhill building was the only building on a portal that was leased. Mr. Wyzanski said when he moved in he purchased a hardship parking pass from his landlord which allowed him to park on the portal or on the other side of Hibiscus Avenue. He added that as of last year parking was no longer allowed at the portals from 9:00 p.m. to 6:00 a.m. and therefore, the 6 hardship permit holders at Parkhill were notified that they could no longer park there and had to park on Hibiscus Avenue. Mr. Wyzanski requested that the parking overnight at the portals be reinstated and allow the meters on Hibiscus Avenue to make money for the Town. He said having the residents park there would also discourage party parking.

Marvel Mayfield said she lived on Hibiscus Avenue and El Mar Drive for 7 1/2 years and up until last year she was able to park at the portal overnight. She said by taking that away it created undue hardship for the residents in that area; she had to walk a block at night, in the dark, on a deserted street, in all types of weather, carrying groceries. Ms.

Mayfield believed it was unsafe and did not make sense since there was available parking where she lived. Ms. Mayfield asked that the Commission separate their decisions on the portals from the rest of the parking code provisions and consider the needs of long term residents.

Marie Chiarello believed Code Enforcement needed more help and due to the paperwork they had to complete, they were not able to go outside and see the overflowing garbage, dirty roofs, broken driveways, Christmas lights and renovation materials. Ms. Chiarello believed Town Code should be followed and if the violation was not taken care of, a second fine should be applied. She believed that Code Enforcement should address broken driveways and overflowing garbage in Town prior to going forward with the master plan.

Geri Capotosto thanked the Commission for supporting the neighborhood beautification project for the 2011 budget. She noted that Terra Mar was unique in that their entryway was by way of a bridge. Ms. Capotosto hoped that the Commission would support Terra Mar Island's components of their entryway and move forth in developing a program that would provide some design leeway so that uniqueness could be supported, and help them be more competitive in the real estate market.

Bill Vitollo did not believe the Town should pay for the Terra Mar Island gates. He said the residents of Terra Mar Island paid for and maintained their gates as well as their signs and their lighting. Mr. Vitollo did not feel the Town should own Terra Mar Island gates; the Town could pay for the pilings on each side of the gate instead for beautification purposes. Mr. Vitollo pointed out that the residents paid \$40 a year that paid for the insurance, the lighting, and the electric bill. Mr. Vitollo stated that he was against short term weekly rentals unless; he preferred the code be changed to allow monthly rentals.

3. DISCUSSION ITEMS

a. Presentation of Analysis of Town's Planning & Land Development Regulations and Recommendations for Further Action by Planner Cecilia Ward (Town Manager Connie Hoffmann)

Town Manager Hoffmann introduced Cecilia Ward, professional planner, hired to review planning regulations and documents in order to identify and provide an overview of needed changes. She explained that the Comprehensive Plan had never been updated to reflect the recommendations in the 2004 Master Plan and only a few changes had been made in the Land Development Regulations (LDRs) that reflected the goals of the master plan.

Ms. Ward explained that key principals and goals of the Town's Comprehensive Plan were not fully supported by the Town's Land Development Regulations. She gave a presentation of her findings and recommendations. A detailed listing of Ms.

Ward's "Findings and Recommendations" are hereby attached to and made part of these minutes.

Vice Mayor Dodd was concerned with the cost to implement Ms. Ward's recommendations and questioned the source of funds. Commissioner Vincent inquired of recommendations for the hotel/motel industry, particularly allowing them to have restaurants. Ms. Ward stated that boutique hotels that served breakfast would allow for higher room rates.

The Commission agreed that changes had to be made to the master plan, the Town Charter and the Land Development Regulations.

The Commission directed the Town Attorney and Town Manager to meet with Cecilia Ward to group items together, recommend the priority order of the things that needed to be done, and bring them back to the Commission to determine priorities.

b. Neighborhood Improvement Program (Town Manager Connie Hoffman)

Town Manager Hoffmann stated that the Commission had previously directed staff to proceed with the neighborhood improvements program. She said however, that there was no definition as to what a neighborhood was and no decision on the components that would be included in the Town's funding. Town Manager Hoffmann requested direction on whether certain components would be allowed, provided the neighborhood agreed to maintain them and insure them.

The Commission agreed to the following neighborhood definitions as outlined by Town Manager Hoffmann:

- a. Lauderdale Surf & Yacht Estates (Codrington Drive, Imperial Lane, and Thomas Way)
- b. Tropic Drive, Hibiscus Avenue, and Allenwood Drive
- c. South Seagrape (S. Seagrape Drive, Garden Court, Lake Court, Marine Court, Shore Court)
- d. South Silver Shores (Tradewinds Drive south of Commercial Boulevard, Miramar Avenue, Capri Avenue)
- e. North Silver Shores (Commercial Boulevard to Pine Avenue, including north Seagrape Drive.
- f. North Bougainvillea Drive and North Poinciana Street
- g. South Bougainvillea Drive and South Poinciana Street
- h. Terra Mar
- i. Bel-Air

Entryway signs, entryway pillars, entryway lighting, entryway enhanced landscaping, and entryway road surface treatment were considered allowable and accepted by the Commission. In addition, the Commission accepted street furniture, public art, bus shelter or shade at a bus stop, and holiday lighting displays (non-secular) as allowable

items.

The Commission agreed to move forward with the Terra Mar Project as proposed by the Terra Mar Homeowners Association, but directed the project come back for formal approval once the costs were available; the Terra Mar Association was to sign an agreement that they would maintain the security features and insure them.

The Commission agreed that future projects consisting of security issues and ongoing maintenance costs, such as cameras, gates and guardhouses, would be considered on a case by case basis.

c. Proposed Revisions to the Town's Purchasing Manual (Town Manager Connie Hoffmann) Deferred at the March 8, 2011 Roundtable 2011

Vice Mayor Dodd recommended that the Audit Committee review the document and submit their recommendation. Mayor Minnet requested that staff contact the Audit Committee. Town Manager Hoffmann agreed to get the document out to the Audit Committee and set up a meeting with them to obtain their recommendations.

Town Manager Hoffmann believed the current Purchasing Manual did not allow for the use of modern purchasing techniques and asked the Commission to authorize her to utilize an RFQ process in order to have multiple qualified vendors with particular professional abilities, such as an Architect or an Engineer. She added that would eliminate the need to be constantly issuing RFPs, save time, and would make the pricing on such services more competitive, as it would give the Town the ability to negotiate with several vendors while still abiding by Florida's CCNA.

There were no objections from the Commission. Direction was given to move forward with the RFQ process and with the Audit Committee review of the purchasing manual.

Town Manager Hoffmann said the RFQ process would be used to select a firm to do the engineering and landscape architecture work necessary to design the downtown drainage project.

d. Possible Expansion of the A1A Parking Lot (Assistant Town Manager Bud Bentley & Town Manager Connie Hoffmann)

Mayor Minnet stated that she was not in favor of pursuing this property as it was not a priority at this time. There was Commission consensus not to pursue the acquisition of property for a possible expansion of the A1A parking lot at this time.

e. Design Direction for El Mar Drive (Town Manager Connie Hoffmann)

Town Manager Hoffmann stated that there have been many ideas on what the cross-section of El Mar Drive should look like. She said that Commission direction regarding the number of lanes, width of the sidewalk, the median and multipurpose lane was

needed before staff and RMA could cost out the project..

Commissioner Clotley believed there should be 4 lanes, sidewalks and leave the median the same as recommended by the MPSC (Master Plan Steering Committee) in their July 20, 2010 proposal. She believed the condition of some of the swales were in need of upgrading as well.

Vice Mayor Dodd and Mayor Minnet favored 4 lanes as in the MPSC July 20, 2010 proposal.

Commission consensus was to go forward with a minimum 6 foot wide sidewalk; 4 lanes as per the MPSC recommendations in their July 20, 2010 proposal; and incorporate as much green space as possible in the swales.

f. Community Center Participation Fees (Commission Requested)

Mayor Minnet believed the Commission should look at options to allow all residents, full or part time, to use the Community Center.

Town Manager Hoffmann suggested an individual class fee. She said that our current policy allowed annual renters to use the Community Center for free but did not allow for 2 or 3 month renters. Town Manager Hoffmann suggested a daily fee, reducing the lease term requirement to a minimum of 2 months with a lower payment of perhaps \$15. Mayor Minnet wanted to keep it from being a burden to staff and suggested creating a simple policy.

There was Commission consensus to allow a minimum of 2 month rentals with proof of lease or hotel statement to use the Community Center without charge; allow a per class fee and a weekly fee; Town Manager to determine fees.

g. Code Enforcement Issues

i. Code Enforcement (Commissioner Birute Ann Clotley)

Commissioner Clotley believed that prior to branding the community there were some properties in Town that required maintenance. She said the Town needed to devise a way to check the properties, both residential and commercial, especially the hotels. Commissioner Clotley suggested a type of rating program. Mayor Minnet inquired of the number of code enforcement officers currently employed by the Town. Town Manager Hoffmann said Code Enforcement was budgeted for one full time and one part time person. She explained that one of those positions became vacant in January 2011 and the other position had become involved in other work.

Town Manager Hoffmann suggested that staff come back before the Commission with recommendations on what the Code Enforcement priorities should be, whether it was hotels or other type of code issues, and whether there should be more than one full time

and one part time position. She said at that time staff would submit different types or class of code issues for Commission review.

Mayor Minnet stated that many buildings, including businesses and condominiums were close to 40 years old and should be looked at as well.

Commissioner Clotney asked whether 6 month or annual inspections could be instituted on these type of problematic properties. Attorney Trevarthen stated that would be Town policy; could require additional inspections. Commissioner Sasser and Vice Mayor Dodd believed the Chamber of Commerce could be involved in making the Town aware of problem properties.

Vice Mayor Dodd believed the fire department could do additional inspections, and favored bringing the Code Enforcement Division up to the level in which it needed to be in to perform effectively. Mayor Minnet agreed that a full Code Enforcement staff was needed.

Town Manager Hoffmann stated that staff could ask the Chamber of Commerce to obtain the hotel room number where the problem existed when the Chamber received a complaint.

ii. 4116 Ocean Drive Report (Town Manager Connie Hoffmann)

Development Services Bowman clarified that a NTA (Notice to Appear) was not issued to the property manager as the report indicated, as the building had been shut down and it was determined that the NTA did not need to be issued.

h. Report on Status of Priorities Set for the Town Manager (Town Manager Connie Hoffmann)

Town Manager Hoffmann said that in the process of doing this report she realized that many non-priority items had been worked on. She suggested that everyone review the report and ask each other which projects were priority. Town Manager Hoffmann pointed out that there has been a good deal of discussion implementing master plans projects, yet that was not on her work plan. She suggested a re-order of the priorities list.

Commissioner Clotney asked for a status update on the BSO contract. Town Manager Hoffmann indicated that he first negotiating session was scheduled.

There was Commission consensus to move the priority called "Accelerate Recycling" off this year's list and add to next year's list when the Choice Environmental contract expired.

Commissioner Clotney inquired of public restrooms. Town Manager Hoffmann stated that the Commission had voted them off the priority list. Mayor Minnet believed that

"Restrooms" should be addressed in the master plan and in the RMA report as to location and cost.

Commissioner Sasser questioned whether the Coral Reef agreement was finalized. Town Manager Hoffmann said the agreement was executed and the Town received word of a tentative start date of April 22, 2011 but that the deployment of the artificial reef structure would not occur until late May, pending good weather conditions.

Attorney Trevarthen suggested adding a check box for Priority to the Agenda Item Request Form. Mayor Minnet believed that to be a great idea. There was no objection from the Commission.

i. Schedule Workshop Dates (Town Manager Connie Hoffmann)

The Commission agreed to schedule the following:

Monday April 26, 2011 6:00 p.m., a Commission Workshop on citizen input regarding the Master Plan.

Saturday, May 21, 2011, 9:00 a.m. to 5:00 p.m. - design charrette with the University of Miami School of Architecture - public invited

Monday, May 23 thru Wednesday, May 25, 2011, 9:00 a.m. to 5:00 p.m. -University of Miami design team at work - public invited

Thursday, May 26, 2011, 6:30 p.m. - Commission Workshop with the University of Miami's public presentation of their designs and recommendations

j. Retention of Second Code Enforcement Special Magistrate (Assistant Town Manager Bud Bentley)

Attorney Trevarthen explained that with a second Code Enforcement Magistrate issues with calendar conflicts or conflict of interest would be avoided. She suggested a rotation method for equal amount of cases and for the second Magistrate to become familiar with the community.

The Commission agreed to move forward with recommendations to retain a second Code Enforcement Magistrate under a rotation method.

k. Resource Recovery Board's proposed 12th Amendment to the ILA (Assistant Town Manager Bud Bentley)

Assistant Town Manager Bentley said that the amendment was in the interest of all participating cities; it minimized increases in the tipping fee and addressed the effective date. He said that staff recommended this item be placed on the April 27, 2011 Commission agenda for approval.

Commissioner Sasser asked whether the Town would be locked in for next year or whether the decision would be for the following year. Assistant Town Manager Bentley

said the Town would continue to be a participant in the Resource Recovery Board until an amendment to the agreement was approved. He noted that the City of Miramar had issued an RFP for alternative disposal options which would allow any city to participate. Town Manager Hoffmann explained that the Town was locked into the ILA unless it expired or they voluntarily let the Town drop out.

It was the consensus of the Commission to move forward and to place this item on the April 27, 2011 Commission agenda.

I. Revisions to the Parking Code (Assistant Town Manager Bud Bentley)

Assistant Town Manager Bentley explained that he proposed revisions to Chapter 19 of the Town Code and changes in the parking rates. He said they moved things around to improve readability, added 3 new definitions, addressed motor vehicles, overnight parking, and swale parking. Assistant Town Manager Bentley said there were no changes to the \$25 ticket penalty but staff recommended an increase in the delinquent fee from \$12 to \$15 and recommended allowing 30 days, rather than 10 days, to receive payment to avoid late notices crossing in the mail with those that paid. He added that another revision was that after 60 days, there would be a \$20 late fee.

Assistant Town Manager Bentley said shorter time limits for specific spaces in the Oceanfront Center would change and meter rate increases were proposed. Mayor Minnet preferred that all the meters on the western portion of Commercial Boulevard had the same hourly meter rate.

It was the consensus of the Commission to do the following:

- 1) Allow hardship permits parking east of El Mar Drive overnight
- 2) Allow public parking until 11:00 pm on Friday and Saturday nights east of El Mar Drive
- 3) Have the same rate on the street for west Commercial Boulevard as in front of the stores
- 4) Consider a 21 day payment deadline versus proposed 30 days
- 5) Limit resident parking permits to residents only (not business owners)
- 6) Place an implementing ordinance on the April 27, 2011 Commission agenda for 1st reading
- 7) Place a resolution on the April 27, 2011 Commission agenda to approve new meter rates
- 8) Place a resolution on the April 27, 2011 Commission agenda to ask FDOT for permission to put meters on Commercial Boulevard.

m. Suspend Roundtable Meetings (Vice Mayor Stuart Dodd)

Vice Mayor Dodd withdrew this item due to the late hour.

n. Pelican Hopper Survey (Public Information Officer Steve d'Oliveira)

Mayor Minnet believed that due to the current issues, an additional bus stop at the Imperial Point Hospital was not necessary at this time. She stated that the issue of funding the Pelican Hopper should be addressed during budget time and the bus stops should be analyzed at that time also.

The Commission agreed there would be no additional stop at Imperial Point Hospital.

- o. Ordinance 2011-06: Proposed Amendments to Chapter 30-313 (32), Generators and Related Fuel Storage Tanks (Development Services Director Jeff Bowman) Adopted on 1st Reading March 22, 2011

Vice Mayor Dodd put this on the Roundtable to allow additional time for thought. He said no issues arose since the discussion on March 22, 2011.

Town Manager Hoffmann said that staff provided additional language that stated that the property owner could place the tank in a portion of the setback, only if there was no space to place it in the back yard.

Commissioner Sasser said that one of the concerns expressed was whether it would cause danger to the neighbors. Mr. Bowman said he had discussed the safety issue with the Fire Marshall. He said that if the 5 foot setback could not be met, the setback could be reduced to 3 feet within the property line.

The consensus of the Commission was to follow staff recommendation to allow the Town Manager to approve a waiver to the minimum tank setback requirement, provided the tank is set as close as possible to the building, fully screened, and the tank is set back a minimum of 3 feet from the property line; the owner must show proof that the tank cannot be placed in the rear yard. This language was to be incorporated into the ordinance for second reading on April 27, 2011.

- p. Ordinance 2011-07: Conditional Uses within the Business District and Conditional Use Procedures (Development Services Director Jeff Bowman) Adopted on 1st Reading March 22, 2011

Town Manager Hoffmann stated that staff recommended parking garages be added as a conditional use since the Commission had expressed a desire to see the private sector develop a garage.

Development Services Director Bowman said the Town received a request for a Pet Shop to kennel some animals. He added that the request included retail and jewelry in the same location. Mr. Bowman requested the Commission consider this as a conditional use also.

Attorney Trevarthen pointed out new language in the ordinance that stated that the Town Manager shall determine if the request was a level 1 amendment or a level 2

amendment, through consideration of the requirements of Section 30-54(m)(4)c of the Town Code.

Vice Mayor Dodd said he was not in favor of retail of pets and jewelry. Mayor Minnet believed there would be certain standards they would have to maintain. Town Manager Hoffmann said it would require monitoring. Director Bowman explained that by adding Pet Shops as a conditional use, the Commission could consider each one individually, and entertain it with conditions or deny it.

Mayor Minnet reminded the Commission that the Ordinance would be on the April 27, 2011 Commission agenda for 2nd reading and could be changed at that time should the Commission so desire.

The consensus of the Commission was to incorporate staff's recommendation to add parking garages and pet shops as a conditional use for 2nd reading.

q. Proposed Ordinance 2010-16 Amendments to Chapter 30 Article VIII Sign Regulations (Development Services Director Jeff Bowman)

Director Bowman indicated that staff recommended that the Commission hold off the proposed changes regarding pole and pylon signs and sandwich signs to allow time to consider design styles and the visual impact these changes would have on the community. He added that staff recommended approval of the remaining amendments for this ordinance.

Vice Mayor Dodd inquired of the Code regarding signs on the ends of buildings. Director Bowman stated that Town Code said that signs had to front a street, but there were alternatives in some instances, such as going through the variance process.

The consensus of the Commission was not to consider sandwich signs and defer the changes on pole and pylon signs for now and follow the recommendations of staff.

r. Creation of Advisory Charter Review Board (Town Clerk June White) Requested at the November 15, 2010 Special Workshop - Deferred at the February 8, 2011 Roundtable

This item was deferred to after the March 9, 2012 elections.

s. Wine Bar Update (Town Manager Connie Hoffmann)

Attorney Trevarthen explained that the Commission had asked whether a Wine Bar could be included as a conditional use. She said that her research determined that Beer and Wine would be the way to go. Attorney Trevarthen added that the Commission previously indicated that they did not wish to have Beer and Wine as a conditional use they wanted to focus only on the Wine Bar; therefore, she did not include Wine Bars as

a conditional use in the ordinance.

There was no further discussion.

t. Short Term Rentals (Commissioner Birute Ann Clottey)

This item was added earlier in the evening.

Commissioner Clottey explained that the previous Commission set the minimum period on short term rentals to 7 days with the understanding that several court cases would be watched. She explained that the short term rental issue was being worked through the State Legislature and if the Town did not change their current ordinance before June 1, 2011, they would not be able to change it in future. She suggested changing the short term limit to 28 days.

Attorney Trevarthen explained further that the House Bill had been amended to grandfather existing regulations prior to June 1, 2011. She said the current regulations were safe under that amendment should the Bill go forward. Attorney Trevarthen stated that the shorter the stay, the greater risk of a challenge. She added however, that the current code had strong provisions, and if they were not followed, the license could be revoked.

Commissioner Sasser requested to see the number of licenses that have been revoked, those businesses that were in violation of the code. Director Bowman stated that there were a total of 16 that were taken to the Code Enforcement Board for non-payment; 3 of them have not yet complied. Mayor Minnet believed the process was working.

No changes were to be made to the existing ordinance.

u. The Pantry of Broward, Inc. (Mayor Roseann Minnet)

This item was added earlier in the evening.

Mayor Minnet stated that at the last Broward League of Cities meeting, Mayor Frank Ortis of Pembroke Pines asked that the cities provide information regarding The Pantry of Broward, Inc., a non-for profit organization that assisted low income citizens and senior citizens within Broward County. She asked whether the Commission would be interested in advertising The Pantry of Broward on Channel 78. The Commission was silent on this issue.

There was no further discussion.

v. Announcement Regarding Essay Contest (Town Attorney Susan L. Trevarthen)

This item was added earlier in the evening.

Attorney Trevarthen explained that the law firm, Weiss Serota Helman Pastoriza Cole & Boniske, P.L. was celebrating their 20th anniversary this year. She added that in honor of that milestone, they were sponsoring an essay contest for Lauderdale-By-The-Sea high school seniors. Attorney Trevarthen explained that the essay entitled "Why My Town is Special" should be no longer than 500 words and submitted online at essays@wsh-law.com

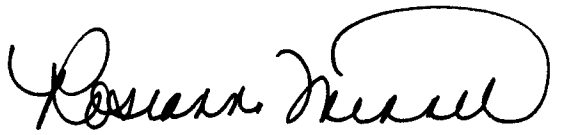
She added that winners would be selected by a panel of three judges and the winning essay will win \$1,000 for the writer, and will have the opportunity to read the essay at a future Town Commission meeting; first day of submission was April 19, 2011 and the last day was May 17, 2011.

Attorney Trevarthen requested that the information regarding the essay contest be placed on the Town website. There was no objection from the Commission.

4. OTHER TOWN BUSINESS

5. ADJOURNMENT

With no further business before the Commission, Mayor Minnet adjourned the meeting at 11:40 p.m.

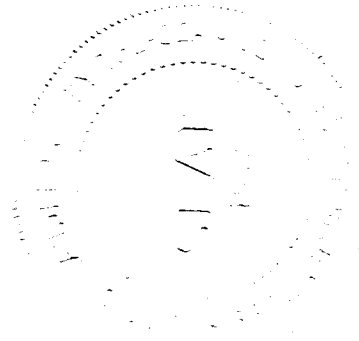


Mayor Roseann Minnet

ATTEST:


Town Clerk, June White

5/26/2011
Date



V. FINDINGS AND RECOMMENDATIONS

The results of this study are detailed in **TABLE I - FINDING AND RECOMMENDATIONS**.

[Underlined Goals, Objectives and Policies are pending 2010 proposed Comprehensive Plan amendments.]

TABLE I - FINDINGS AND RECOMMENDATIONS		
CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#1 HOTEL/ MOTEL USES	<i>Guiding Principle "Irrespective of future redevelopment efforts, the Town Land Use Plan provides for":</i> • <i>Discouraging the conversion of tourist units to condominiums;</i> <i>Goal 1.0 Future Land Use Plan</i> To maintain a coastal, resort oriented residential community characterized by a land use mix which reflects a balancing of year round, seasonal and tourist population needs with minimal disruption to natural systems <u>that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.</u> <i>Objective 2.3 Housing</i> Provide for redevelopment of selected multi-family and tourist residential areas in a manner sensitive to existing residents and the Town's historical resources. <i>Goal 10.0 Economic Development</i> To promote the continued economic vitality of the Town's seasonal residential and business areas in a manner sensitive to the overall best interests of existing Town residents. <i>Objective 10.3.</i> To broaden the tourist market base by encouraging innovation and modernization in the type, character and appearance of local tourist residential and business uses. <i>Policy 10.5.2</i> The Town shall emphasize the siting of new beachfront hotels landward of the coastal control building line wherever possible.	A. One of the three guiding principles contained within the Comprehensive is to discourage the conversion of tourist units to condominiums. However, two major condominium developments have replaced existing hotels in the RM-25 zoned area. The current Land Development Regulations (LDRs) make "this principle" difficult to enforce. For example, RM-25 zoning allows residential multifamily as well as motel/ hotel uses. [LDR § 30-241 (a)]. Additionally, as noted in the 2004 Goodkin Market study [pg II-12] competition with other Broward County tourist areas, such as Fort Lauderdale, is difficult. This is even truer in the current difficult economic times. B. The Comprehensive Plan discourages the conversion of tourist units for residential uses and recognizes that the renovation and redevelopment of existing motels and hotels are key to the economic vitality of the Town. Current LDR provisions, however, do not provide incentives to otherwise encourage the renovation of existing hotels/ motels, such as in providing a "fast track" site plan review process for renovation of tourist accommodations. The LDRs also limit the ability to renovate existing motels, which would potentially lose grandfathering rights for parking and landscaping as a result of certain renovations.

CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#1 HOTEL/ MOTEL USES Cont...		Revisions to the LDRs are recommended to provide incentives for renovation and preservation of existing tourist units as a means of "discouraging" the replacement of the Town's tourist facilities to residential uses. These incentives may include: • Reduced off-street parking requirements, coupled with alternative modes of transportation, such as bike paths, pedestrian paths, shuttle services, shared parking agreements, valet parking and the like. [LDR § 30-318 (c) , 30-321] • Reductions in setback requirements and landscape regulations may also be used as a means to allow for on-site improvement of existing tourist facilities. [LDR § 30-242 (b)] • Renovation of the exterior and interior of existing buildings should be allowed to a greater extent {more than 25% of assessed value/ 50% of replacement cost - LDR § 30-21} without losing grandfathered rights that are currently enjoyed by existing tourist units. • The LDRs prohibit restaurants in small hotels. Allowing restaurants in smaller sized hotels [less than 100 rooms- LDR § 30-241 (b)] would also allow smaller sized hotels to provide food and beverage services for its guests, which may attract a broader market. • The Town should perform a comprehensive analysis of its hotel/ motel accommodations to determine what other types of incentives may be developed to help improve the overall marketability of the existing motel/ hotel stock. [i.e. - LDR § 30-241 (l) re limitations on hotel open areas]. C. In order to preserve the existing character of the Town's hotel/ motel buildings, the Town should also identify opportunities for creating design standards that support the existing architectural style of these buildings, which appears to have "Miami Modern" architectural design characteristics. This would require revisiting the current mandatory "Mediterranean" architectural requirements of the LDRs [§ 30-9 (c) , 30-124 (15)]

CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#1 HOTEL/ MOTEL USES Cont...		This would help to create a more distinctive image for the hotel industry within the Town building on the unique characteristics of the community, and creating a sense of place different from other beachfront communities, the results of which can also be used in marketing the Town for tourism. D. The Charter provides that existing buildings that are legal nonconforming (taller) may be replaced by a new building at the same height that exists. The renovation and/ or replacement of such buildings would also be subject to compliance with other governing limitations, such as the restrictions under the State's "Coastal Construction Line- CCL" regulations. The Town should identify which hotels are legal non-conforming that because of their location and size could be redeveloped at their current height and square footage, consistent with the Charter, to help anchor the hotel industry in the Town. The Town should also proactively work with those hotel property owners to make sure that they are aware of these redevelopment opportunities. E. The Town LDRs permit the rental/ lease of single family and townhouse dwellings as vacation rentals, requiring a business tax receipt. [LDR§ 30-327]. The Town should continue to monitor the legal environment regarding the potential to further regulate vacation rentals of single family homes in single family neighborhoods and the potential impact that this existing practice may have on motels competing for the same tourist business within the community

CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#2 COMMERCIAL BOULEVARD IMPROVEMENTS	<i>Guiding Principle "Irrespective of future redevelopment efforts, the Town Land Use Plan provides for":</i> • <i>Encouraging quality commercial development along Commercial Boulevard; and</i> <i>Objective 1.3 Future Land Use Plan</i> To provide for local year round, seasonal and tourist resident needs by maintaining business land uses. <i>Policy 1.3.1</i> Support ongoing efforts to maintain and improve existing local retail or other business establishments. <i>Policy 1.3.2</i> Continue to evaluate and adopt revisions to planning or regulatory means to improve the appearance of the Town's business areas. Efforts could include local signage regulations, provision or requirement for increased property landscaping and open space. <i>Objective 1.6</i> To improve the overall physical appearance of the Town's business and seasonal residential areas. <i>Policy 1.6.1</i> Within three years the Town will initiate a Study to develop a set of community development guidelines which, at a minimum, govern signage, color, and facade treatments.	A. The Charter allows development of three habitable stories over a non-habitable first story [see 2006 Town Charter - also see LDRs § 30-30-20 General Provisions - Terms Defined (4) Building Height]. If more than 3 stories above grade, up to a maximum of 44 ft in height. • First floor must be parking or other supporting uses (storage, lobby, etc.) • If in B district, first floor may also be used for commercial uses if specific parking requirements are met (off street parking provided or no backing onto the street from the parking) • Can have one or more stories below grade However, the LDRs limit the height of commercial uses to 2 stories on 25 ft lot / 3 stories on 50 ft lots. The Comprehensive Plan also contains this same height limiting language [see <i>Policy 1.5.12</i> Commercial land uses shall be limited to 2 stories for 25 foot lots and 3 stories for 50 foot lots.] The Plan and the LDRs should be modified to be consistent with the height maximums permitted by the Charter for commercial zoning districts. B. The Comprehensive Plan calls for continued improvements to provide quality commercial development. The Town should clarify the disposition of areas currently being used for public parking that are fronting the businesses on Commercial Boulevard, to determine if such areas can be improved to encourage and support pedestrian activity. [LDRs 30-124 (c) (2) (b)]. If possible, then a coordinated landscape and pedestrian improvement plan should be developed for Commercial Boulevard, in concert with the adjacent property owners, to provide for a uniform, attractive and pedestrian oriented redesign of the parking areas. Awnings, pedestrian arcades, landscaping, and other elements may be used to improve the pedestrian experience in this area, creating a pedestrian promenade that invites customers to park and walk.

CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#2 COMMERCIAL BOULEVARD IMPROVEMENTS <i>Cont...</i>		Restrictions imposed the design of sidewalks and limitations regarding the placement of awnings and canopies as per LDR § 30-273 (c) and (d) 30-326 (k), should be reviewed and revised to accommodate such improvements. Facade improvements of the businesses may also be achieved through the development of a facade improvement program. Such improvements may be accomplished through the creation and implementation of a business improvement plan supported by grants or other programs where there is a sharing of costs through matching funds to assist property owners in the renovation of existing commercial buildings. C. Adding live work units, such as artists' studios, above retail shops on west Commercial Boulevard, may also be a way of creating a 'niche' market for Commercial Boulevard, as discussed in the "Goodkin Report," [see pg II-9 of that study] and a way of creating commercial destination area for local residents and visitors alike. The LDRs [LDR§ 30-261 (b) (4) and 30-271 ((d)] should be revised to conform with Broward County requirements and limitations on how residential units may be allocated to commercial land use areas. [Note: The Broward County Flexibility Rules permit the Town to revise and rearrange land uses and permit additional residential dwelling units in commercial land use areas without requiring an amendment to the City and Broward County Land Use Plans. The intent of these provisions is support "mixed residential /commercial uses."]

CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#3 LAND DEVELOPMENT REGULATIONS PROCESSES & CRITERIA	<i>Guiding Principles: "Irrespective of future redevelopment efforts, the Town Land Use Plan provides for":</i> • <i>Discouraging the conversion of tourist units to condominiums;</i> • <i>Encouraging quality commercial development along Commercial Boulevard; and</i> • <i>Protecting its single-family neighborhoods</i> <i>Objective 1.2.Future Land Use</i> To maintain the Town's year round residential character, with particular emphasis on preserving the single family areas. <i>Policy 1.2.1</i> Perpetuate the existing pattern of segregating single family areas from higher density multi-family and tourist oriented land uses. <i>Objective 1.4</i> To develop or modify existing local land development regulations to be consistent with the Town's adopted Comprehensive Plan. <i>Policy 1.4.1</i> Where necessary, modify all zoning and subdivision regulations to be consistent with the Comprehensive Plan <i>Policy 1.4.3</i> Subdivision regulations shall provide for both the timely completion and regular maintenance of required improvements. <i>Policy 1.4.4</i> Develop and implement land use programs to encourage the elimination or reduction of existing and the prevention of future incompatible land uses and prevent future incompatible land uses. <i>Objective 1.6</i> To improve the overall physical appearance of the Town's business and seasonal residential areas. <i>Policy 1.6.1</i> Within three years the Town will initiate a Study to develop a set of community development guidelines which, at a minimum, govern signage, color, and facade treatments.	A. The current structure of the code is "pyramidal" which results in allowing incompatible uses to be located in the same zoning district. Pyramidal zoning is when the uses allowed in lower density zoning category are carried through to the higher density zoning category. For example, Single Family use is permitted in the RM-25 Zoning, which also allows Motel use [LDR § 30-241 (a)]. In trying to prevent a conflict between land uses and to preserve the integrity of zoning districts, especially those established to support and preserve the Town's tourist accommodations, it is suggested that the Town amend its code to classify and segregate the different types of uses by specifically listing in each zone the uses permitted, and allowing only certain uses [i.e. single family in RM-25} as conditional uses. This listing may duplicate previous lists or could be converted to a table of uses for ease of reference. All revisions would need to be reviewed in terms of compliance with the provisions of the Charter regarding changes in uses in residential zoning districts. B. The purpose and intent provisions of each zoning district contained within the LDRs § 30-182 (b) should be improved to provide a greater foundation for and distinction of the different zoning districts. By improving the purpose and intent of each zoning district, the Town will improve the basis the regulations applicable to each district, and thus help the Town in defending itself against legal challenges. C. Consider developing neighborhood compatibility standards (i.e. buffers) for review of certain types of development permitted within areas of the Town that are in close proximity to single family residential neighborhoods. Such standards should be as clear as possible, but also retain some discretion in the application of these standards. [LDRs § 30-241 (c), LDRs - Division 2. Development Review Requirements]

CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#3 LAND DEVELOPMENT REGULATIONS PROCESSES & CRITERIA Cont...	<i>Objective 1.8</i> Identify, conserve and protect the Town's historic resources. <i>Policy 1.8.1</i> The Town will seek funding to conduct an archaeological and historic survey. If funding is obtained, this survey will be completed within one year of receiving funding. <i>Policy 1.8.2</i> Review and investigate revising the Town's Land Development Code to promote the conservation and preservation of historic resources in coordination with state and federal law. <i>Objective 1.10</i> <u>The Town will promote "Smart Growth" type initiatives providing for energy efficient development and land use patterns which also account for existing and future electrical power generation and transmission systems in an effort to discourage urban sprawl and reduce greenhouse gasses.</u> <i>Policy 1.10.01</i> <u>The Town shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.</u> <i>Policy 1.10.02</i> <u>The Town will encourage and implement the use of compact building design principles which preserve more open space, contain mixed use, support multimodal transportation options, make public transportation viable, reduce infrastructure costs and take advantage of recycled building materials.</u> <i>Policy 1.10.03</i> <u>The Town will encourage and implement energy conservation and the reduction of greenhouse gasses by encouraging land developers and builders to implement the Florida Green Building Coalition, US Green Building Council Leadership in Energy and Environmental Design (LEED) which generally include the following:</u> <u>Use of compact building design; energy efficient street lighting; energy efficient automobiles/transit;</u> <u>• Priority use of small properties in urban areas; use of "brownfield" lands that can be cleaned; use of lands close to sewer and power lines; mass transit or green space;</u> <u>• Use of very efficient clothes washers; Low-flow toilets or waterless urinals; use of reclaimed water; innovative irrigation or drought tolerant plants; use of rain gardens.</u>	D. Modify and/or remove levels of review, and streamline all development review procedures, especially for development that maintain the scale of existing development. Encourage upgrades to older buildings by reducing the time it takes to obtain site plan approval. (i. e requiring staff level site plan review -within certain parameters - as provided to a degree in Minor Review - LDRs § 30-54 (h). E. The Town should review current development procedures to ensure that proper time periods are also established for applicants to respond to development review comments and provide for expiration of applications that are not amended within a certain period of time (i.e. 60-days from development review by the Town). Time limits are provided in LDRs § 30-54, for review of development applications. However, there does not appear to be a "time limit" on the submission of revised/ amended application. This can result in projects pending/ and lagging over a period of years, which may no longer be deemed appropriate or may not be subject to new regulations imposed by the Town. F. Consider "fast track" permitting [i.e. expedited building permit reviews] for certain types of renovation and redevelopment. Develop a cost recovery program to assist the Town in recapturing the cost of "fast track" development review. G. Review development processes and fees in an effort to reduce costs for housing improvements. H. The LDRs should be revised to also include and /or provide for greater detail regarding development standards that support smart growth design principles, best management construction techniques, environmental protection, reduction of greenhouse gas emissions, green building design (i.e. green roofs), CPTED, etc., as part of the site plan review process. [LDRs § 30-241(d) (2) should be reviewed to encourage green roof treatments - - Article VII. Landscape Code §30-471 mentions CPTED but does not expound on how these principles can be properly addressed].

CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#3 LAND DEVELOPMENT REGULATIONS PROCESSES & CRITERIA <i>Cont...</i>	<u>bioswales and cisterns;</u> <u>•Use of light-colored exterior walls; buildings shaded on the east and west by trees; properly sized air-conditioners; use of ceiling fans; energy efficient appliances and indoor lighting; efficient well-pumping; use of alternate electrical grids, and/or use of wind/solar/natural gas energy;</u> <u>• Use of building materials with recycled content; eco-friendly insulation; lumber from sustainable sources; or locally produced materials; and</u> <u>• Use of detached garage; carbon monoxide alarm; central dehumidification systems; energy efficient bathroom exhaust fans with timer; humidistat whole house filtration.</u> <i>Goal 2.0 Housing</i> <i>To ensure that structurally safe and adequate residential shelter is available to all residents and visitors of the Town using energy efficient design and construction principles and renewable energy resources.</i> <i>Objective 2.3</i> Provide for redevelopment of selected multi-family and tourist residential areas in a manner sensitive to existing residents and the Town's historical resources. <i>Policy 2.3.1 Housing Element</i> Support redevelopment proposals, which maintain the overall scale of the Town through proper height and bulk designs. <i>Policy 2.3.2</i> Require appropriate perimeter buffers or landscape treatments in all residential development proposals. <i>Policy 2.3.3</i> Modify local subdivision regulations so as to preclude back-out parking on the Town's arterial or collector roadways. <i>Policy 2.3.4</i> Require all redevelopment proposals provide a summary of impacts on adjacent local historical resources. <i>Policy 2.4.4</i> Amend the Zoning regulations to provide criteria for siting group homes and foster care facilities consistent with F.S. 419 as defined and described as special residential facilities in the Plan Implementation Section of this Comprehensive Plan <i>Policy 2.4.5</i> Review existing regulatory procedures which establish the procedures, applications, permits and fees required for constructing or	I. Include LDR standards to provide for protection of archaeological and historic resources as part of site plan review process. [Should add to adequacy review criteria - LDRs § 30-71 (3)]. J. Group & foster care homes are included residential categories as per Florida Statutes is addressed in LDRs. Should consider revising Housing Element of Plan to reflect compliance with these provisions. K. Provide for open space definitions and standards. LDRs Article VII Landscape Code should be reviewed by the Town to determine if such definitions and standards have been adequately addressed. L. School concurrency is addressed in LDRs § 30-71 (h), however, this section should also be revised to incorporate the new provisions of Plan, once adopted by the Town. M. Develop community design standards re business signage, color, facade improvements and address backout parking issues, other minimum design standards (i.e. lot coverage, floor area, etc.) that more appropriately reflect the existing architectural style and development pattern of the Town. This would require revisiting the current mandatory "Mediterranean" architectural requirements of the LDRs [§ 30-9 (c), 30-124 (15)]. It is recommended that the Town revisit the Mediterranean style requirements of the LDRs in light of the GOPs of the Plan which encourage preservation of the existing character of the Town. Additionally, whatever style is determined to be appropriate and desirable, clearly defined standards/architectural guidelines should be developed, which do not exist in the current LDRs. N. Other LDR provisions that should be reviewed: • § 30-11 Procedures and requirements for rezoning - should be revisited in relation to the limitations imposed for rezonings in the 2006 Charter. • § 30-446 - re size of PUD sites (min. 5 acres)

CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#3 LAND DEVELOPMENT REGULATIONS PROCESSES & CRITERIA <i>Cont...</i>	modifying housing units and eliminate those procedures, applications, permits and fees which unnecessarily add to the cost of housing. <i>Policy 3.3.6 Recreation and Open Space</i> Amend the Land Development Regulations to provide specific open space definitions and standards. <i>Policy 5.1.2 Coastal Management</i> Review and, where necessary, modify local development regulations to ensure that development projects utilize best management construction techniques <u><i>Objective 8.6 Capital Improvements</i></u> <u><i>The Town of Lauderdale-By-The-Sea, in collaboration with the School Board, Broward County and non-exempt municipalities shall ensure that public school facilities are available for current and future students consistent with available financial resources and the adopted level of service (LOS).</i></u> <i>Objective 10.3 Economic Development</i> To broaden the tourist market base by encouraging innovation and modernization in the type, character and appearance of local tourist residential and business uses. <i>Policy 10.3.2</i> In conjunction with Community Design efforts, the Town's Planning and Zoning Board shall undertake a review of the local Zoning Code oriented to potential revisions in the following areas: a. on-site parking with regard to limiting back-out parking on arterial and main collector roadways; b. improvements to landscape requirements; c. implement recent Charter amendments on height; d. address finished floor requirements east of El Mar Drive; e. maximum lot coverage, minimum floor area, per unit lot area and parcel size requirements; <i>Policy 10.3.3</i> Working with the local business community and based in part on the Design Guidelines study, the Town shall continue to modify the Land Development Regulations and consider enacting 'amortization' Ordinances for landscaping, building facade and signage modifications on existing hotel and business properties.	does not appear to be a realistic minimum. As such, the Town should revisit the concept of PUD to determine if this type of zoning tool should be modified to permit a smaller site size application to allow for desirable uses. These provisions should also be revisited in terms of the 2006 Charter limitations on rezonings. • Article IX - Notice of Pending Land Development Regulations - this section of the LDRs should be revisited in terms of the 2006 Charter limitations on changes to the LDRs. O. The Town is in the process of reviewing its parking regulations with respect to restaurants. It is recommended that a comprehensive analysis of the parking regulations and the demand for parking for all business related uses also be performed in order to identify changes to the Land Development Regulations with respect to shared parking, valet parking, parking reductions for alternative modes of transportation (i.e. shuttle services), etc . [LDRs § 30-314].

CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#4 COMPREHENSIVE PLAN	Policy 1.2.3 Approve density increases or mixed use designations only after determining the proposal will have minimal negative impacts to existing residential areas and are consistent with the Comprehensive Plan and the Town Charter. <i>Policy 1.5.2</i> Within the Town, maintain the Town's low rise, pedestrian scale in the review of future development and redevelopment considerations consistent with the Town Charter. <i>Policy 1.5.4</i> Utilize the Flexibility provisions of the Broward County Land Use Plan to develop zoning overlays for proposed redevelopment areas. Initiate a review of the Hospitality Zoning Overlay District, the Town Village Overlay District and the Marina Village Overlay District and identify needed changes and or revisions. <i>Policy 1.5.12</i> Commercial land uses shall be limited to 2 stories for 25 foot lots and 3 stories for 50 foot lots. <i>Policy 10.3.4 Economic Development</i> Implement the Block 15 Planning Study providing additional density for tourist units in the area bounded on the east by El Mar Drive, on the south by Datura Avenue, on the West by SR A1A and on the north by the alley separating the Business and RM-25 Zoning District. The additional density will provide for sixty (60) hotel motel units per net acre to encourage the construction of new tourist units in the Town. Note the 60 hotel – motel units per net acre is consistent with the Broward County 50 hotel – motel units per gross acre. This provision does not increase the existing residential density of 25 units per acre. <i>Objective 10.6</i> Provide for the perpetuation of the overall low-rise, pedestrian oriented atmosphere of the southern portion of the Town consistent with the Charter. <i>Policy 10.6.1</i> Maintain Plan land use designations and current building height limitation consistent with the Charter	A. The Town is mandated to evaluate its adopted Comprehensive Plan in 2012. Every seven years, local governments must prepare an evaluation and appraisal report (EAR) assessing progress in implementing their comprehensive plan. This evaluation is a significant event in a community's planning program. It provides a formal occasion for the community to assess progress in attaining the adopted goals, objectives and policies and an opportunity to review them for continuing relevance. B. Provisions should be included in the 2012 update of the Comprehensive Plan to add guiding principles regarding protection and preservation of the established multi-family residential neighborhoods located within the Town. C. The EAR-based process also provides an <i>opportunity</i> and an appropriate venue for the Town to solicit public input in determining if any of the goals, objectives, policies, or other recommendations contained within the Master Plan should be incorporated into Town's Comprehensive Plan. D. The Town should evaluate whether to delete Policy 1.5.4 "Utilize the Flexibility provisions of the Broward County Land Use Plan to develop zoning overlays..." if it no longer reflects the desired approach of the Town. E. The Town should also determine if it is appropriate to modify the Plan so that it is "not so specific" in terms of standards that are otherwise provided for in the Charter and Land Development Regulations. (i.e. Policy 1.5.4) F. Amendments to the Charter in 2006 also warrant a review of the Goals, Objectives and Policies of the Plan to coordinate with these recent changes to the Charter. Policies 1.2.3, 1.5.2, 1.5.13, 10.3.2, Objective 10.6, and Policy 10.6.1, also need to be re-visited, so as to ensure optimal reflection of the new language contained within the 2006 Charter.

CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#5 MASTER PLAN	The 2004 Master Plan is a long range plan that was intended to guide growth and development within the Town. It includes analysis, recommendations, and strategies for addressing the Town's economy, housing, transportation, community facilities, and land use. It is based on public input, surveys, planning initiatives, existing development, physical characteristics, and social and economic conditions.	A. The Master Plan is not a zoning document, and therefore the recommendations in this plan are only for guidance. As such, the Master Plan cannot be used for regulatory purposes. This can only be achieved through language provided the Comprehensive Plan and the Land Development Regulations. B. A review of the 2004 Master Plan reveals that a significant amount of public input and community involvement was solicited and that input was, for the most part, the basis for the goals, objectives and policies and other recommendations contained therein. In light of the above, the Town is in the process of revisiting the goals, objectives, policies, and recommended design guidelines contained in the Master Plan to determine which provisions are still appropriate and applicable to the Town's present circumstances, and to determine if the recommendations contained therein are supported by the community. The Town is not re-reviewing anything that is in conflict with the Charter. Once this process is complete, it is recommended that the accepted provisions of the Master Plan be incorporated into the Town's Comprehensive Plan and Land Development Regulations, as deemed appropriate, to ensure compliance with the provisions.

CATEGORY	PLANNING SUPPORT DOCUMENTATION	FINDINGS AND RECOMMENDATIONS
#6 ARCHITECTURAL DESIGN CRITERIA	The Town has a very unique character that is evident in the existing architectural elements of its residential and nonresidential buildings.	A. The Land Development Regulations call for a "Mediterranean" style of architecture for new development and renovations to existing buildings. LDRs [§ 30-9 (c), 30-124 (15)]. B. This mandated architectural style may be contributing to a reduction in the preservation of the established architectural characteristics of the Town that is reflected in its older buildings, which is in conflict with the Town's Comprehensive Plan. C. The Town should consider having an architectural assessment prepared to define the existing architectural style of the Town and, if practical, preserve and enhance the architectural fabric of the community through the development review process. D. In order to preserve the existing character of the Town's hotel/ motel buildings, the Town should also identify opportunities for creating design standards that support the existing architectural style of these buildings, which appears to have "Miami Modern" architectural design characteristics.

Footnotes:

- 1) All references to the Town's Adopted Comprehensive Plan, 2004 Master Plan, 2006 Town Charter, Goodkin Report, Walter Keller 2010 review of Master Plan, and Adopted Land Development Regulations are public records, copies of which are on file with the Town.
- 2) All references to the Town Zoning Map and Future Land Use map are public records, copies of which are on file with the Town.
- 3) Ordinances recently enacted or under consideration by the Town Commission, regarding outdoor dining, parking regulations for restaurants, and specific uses permitted in the business zoning districts, as provided by the Town's Development Services Director, are public records, copies of which are on file with the Town.

EXHIBIT 2

TOWN OF LAUDERDALE -BY-THE - SEA COMPARATIVE ANALYSIS

RECOMMENDED "TO DO LIST"

HOTEL / MOTEL USES

1. Perform Existing Conditions Analysis to:
 - a. Determine appropriate LDR incentives for renovation and preservation of existing tourist units.
 - b. Identify opportunities for creating design standards that support the existing architectural style of these buildings.
 - c. Identify which hotels are legal non-conforming that because of their location and size could be redeveloped at their current height and square footage, consistent with the Charter.
 - d. Proactively work with hotel property owners to make sure that they are aware of these redevelopment opportunities.
2. Other actions:
 - a. Monitor the legal environment regarding the potential to further regulate vacation rentals of single family homes.

COMMERCIAL BOULEVARD

3. Clarify the disposition of areas currently being used for public parking that are fronting the businesses on Commercial Boulevard to determine if such areas can be improved to include pedestrian amenities.
4. Develop a coordinated landscape and pedestrian improvement plan for Commercial Boulevard.
5. Review LDR restrictions imposed on the design of sidewalks and limitations regarding the placement of awnings and canopies.
6. Develop a facade improvement program for business fronting on Commercial Boulevard.
7. Adding live-work units as a permitted use in commercial zoning, limited to businesses fronting on Commercial Boulevard.
8. Add mixed use provision to the LDRs to conform to Broward County Flexibility Rules regarding mixed use development.

GENERAL LDR RECOMMENDED CHANGES

9. Amend LDRs to remove pyramidal zoning by classifying and segregating the different types of uses to be permitted in each zone.
10. Require conditional use review and approval for uses that may not be appropriate in all locations within the district. Provide for conditional use standards.
11. Revise the purpose and intent provisions of each zoning district to provide a greater foundation for and distinction of the different zoning districts.
12. Provide neighborhood compatibility standards for review of certain types of development applications (i.e. Major Site Plan) and for development that is in close proximity to single family residential neighborhoods.
13. Modify and/or remove levels of review, and streamline all development review procedures, especially for projects that maintain the scale of existing development.
14. Review current development procedures to ensure that proper time periods are also established for applicants to respond to development review comments and provide for expiration of applications that are not amended within a certain period of time (i.e. 60-days from development review by the Town).
15. Provide for "fast track" building permit reviews for certain types of renovation and redevelopment (i.e. single family renovations, hotel/ motel renovations, etc.).
16. Review development processes and fees in an effort to reduce costs for housing improvements.
17. Revise LDR standards to include and /or provide for greater detail of the following elements as part of the site plan review process:
 - smart growth design,
 - best management construction techniques,
 - environmental protection,
 - reduction of greenhouse gas emissions,
 - green building design (i.e. green roofs),
 - Crime Prevention Through Environmental Design
 - Preservation of archaeological and historic resources.
18. Review LDRs to determine if amendments are needed to the Landscape Code to provide for open space definitions and standards.
19. Revise LDRs to expound on new school concurrency provisions, as required in the City's amended Comprehensive Plan.
20. Revise the LDRs to include desirable provisions contained within the Master Plan.

LDR REVIEW RELATED TO 2006 CHARTER

21. Review LDRs to ensure that the following provisions adequately reflect the limitations/and allowances imposed by the 2006 Charter:
 - Height maximums permitted by the Charter.
 - LDR procedures and requirements for rezoning.
 - PUD provisions of the code.
 - Notice of Pending Land Development Regulations.

ARCHITECTURAL DESIGN ANALYSIS

DEVELOPMENT OF ARCHITECTURAL AND DEVELOPMENT DESIGN STANDARDS

22. Perform an analysis of the existing architectural characteristics of the community. .
23. Based on the results of this analysis, develop architectural and community design standards (i.e. business signage, color, facade improvements, lot coverage, floor area, etc.) to preserve and enhance the existing architectural character and site design standards.

PARKING NEEDS ANALYSIS

24. Conduct a comprehensive analysis of the parking regulations and the demand for parking for all business related uses.
25. Include smart growth principles, such as shared parking, parking reductions for alternative modes of transportation (i.e. shuttle services), as well as other ways to reduce parking requirements through valet parking alternatives.

COMPREHENSIVE PLAN REVISIONS

26. Revise Housing Element of the Comprehensive Plan to reflect compliance with Florida Statutes regarding providing for group and foster care homes.
27. Revise GOPs that are inconsistent with the 2006 Charter.
28. Revise the Plan to include desirable GOPs of the Master Plan.
29. Revise GOPs to reflect updated provisions of the LDRs.

EXHIBIT 3

BACKGROUND - MIXED USE/ LIVE WORK UNITS

Live-work units are a type of mixed-use development, combining commercial space within the same structure as a residential living space for the business owner. They have similar benefits to mixed use development and eliminate altogether the need to commute to work. In addition, they can provide affordable work and housing space, meet the needs of special groups such as artists, and serve to incubate new businesses. Both large and small cities have provided for live-work housing and some are proactively recruiting artists to the community as a part of its economic development strategy.

A. Mixed use development. The following Mixed Use provisions permit a vertical mix of commercial and residential uses within the same building within the B-1 zoning district, limited to commercial uses fronting on Commercial Boulevard, west of State Road AIA.

B. The purposes of encouraging MXU development on Commercial Boulevard is to:

- (1) Accommodate mixed-use buildings with neighborhood-serving retail, service, and other uses on the ground floor and residential units above the nonresidential space;
- (2) Encourage development that exhibits the physical design characteristics of pedestrian-oriented, storefront-style shopping streets; and
- (3) Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.

C. *Definitions.*

1. "Mixed-use Building" means a building that contains at least one floor devoted to allowed nonresidential uses and at least one devoted to allowed residential uses.

D. *Mixed use development on commercial land use designated parcels.* The Town may permit a mixed use development when the development site has a commercial land use designation, subject to the following:

1. Approval of an allocation of available flexibility units, without the need to amend the city's land use plan or rezone land, as per Section *[TBD]* Flexibility Rules.
2. The residential floor area of the MXU does not exceed fifty percent (50%) of the gross floor area of the building;
3. Business uses shall be limited to the floor(s) below the residential use;
4. Locational Limitation: Limited to properties fronting on Commercial Boulevard, west of State Road AIA.

D. *Permitted uses.*

1. Live/Work Space located above the ground floor.
2. Work/ Sales Space located on the ground floor.
3. Dwelling Units located above the ground floor, up to a maximum of *[TBD]* unit per MXU building du/ac and not to exceed a maximum density of *[TBD]*, whichever is less.
4. Any neighborhood commercial use permitted in B-1 zoning district.

E. *Parking requirements.* The total number of required off-street parking spaces for a MXU shall be equal to the sum of the required parking for each use as if provided separately. For Live / Work MXU the total required parking will be equal to the parking required for the nonresidential commercial use only. See Section 30-314, Off-Street Parking Requirements.

H. *Landscaping and open space requirements.* MXU Developments shall be required to meet the vehicular use area requirements as provided in Article VII. Landscape Code, for the non-residential commercial use only.

K. *Town Commission Review Required for Allocation of Flexibility Units.* A Major Site Plan is required for a MXU in accordance with Article IV. Site Plan Procedures and Requirements. In addition to the requirements contained herein, the Town shall verify that the conditions set forth in Section [TBD] Flexibility Rules of the LDRs, have also been met.

Flexibility Rules

A. *Flexibility rules.* Flexibility rules permit the Town to revise and rearrange land uses and permit residential dwelling units on commercial land use designated properties without requiring an amendment to the Broward County Land Use Plan (BCLUP).

B. Definitions.

1. *Flexibility zones:* Flexibility zones (FZ) are fixed geographic areas within the Town, designated on the BCLUP which provide limits on the number of additional dwelling units and additional commercial acreage which may be permitted by the Town's plan.
2. *Flexibility units:* Flexibility units are the total number of additional dwelling units permitted by the BCLUP above the total number of dwelling units allowed within the same FZ by the Town's LUP.

C. Determination by the Town of available residential dwelling units

1. If a sufficient number of units are available to allocate flexibility units to a parcel, the Town may allocate the units for mixed use development, as provided in Section [TBD] Mixed Use Development, provided that the FZ and regulations of the LDRs are met.
2. The Town shall maintain a log of the number of available flexibility units, the number of flexibility units assigned to parcels and the reason for assigning units to a parcel.