APPROVED

TOWN OF LAUDERDALE-BY-THE SEA
PLANNING AND ZONING BOARD MEETING MINUTES
LIVE STREAMED FROM JARVIS HALL
Tuesday, September 19, 2023

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chair Piersante called the in-person Planning and Zoning (P&Z) Board meeting for the Town of Lauderdale-By-The-Sea (L-B-T-S) to order at approximately 6:10PM.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

ROLL CALL & WELCOME

Board Clerk Megan Small called the roll and present in-person were Chair Ron Piersante, Vice Chair Howard Goldberg, and Board Members Wayne Dillistin, Patricia Omana, and Denise Lambert. Also attending were 1st Alternate Karen Sylvester and 2nd Alternate Karen Blake. Present in person were Town Attorney James White, Development Services Director Jhanelle Campbell, Assistant Development Services Director Muriel Bryan Ramirez, and Board Clerk Megan Small.

3. APPROVAL OF MINUTES

   a. Planning & Zoning (P&Z) Meeting Minutes – June 7, 2023

Vice Chair Goldberg made a motion to approve the minutes of the P&Z Meeting of June 7, 2023 as written. The motion was seconded by Board Member Dillistin. The motion to approve the June 7, 2023 minutes as written carried 5-0.

4. PUBLIC COMMENTS

Chair Piersante opened the meeting to the public for any comments on items not on the agenda. When an agenda item was presented, public comments regarding that item would be heard at that time. As there was no one from the public present, the Chair closed this portion of Public Comments.

5. NEW BUSINESS

   5.a. An Ordinance of the Town of Lauderdale-By-The-Sea, Florida, Amending Chapter 30 "Unified Land Development Regulations," Article I "In General," Section 30-11 "Definitions" and Article V "Zoning," Section 30-311 "Boats, Boat Lifts, Boathouses, Mooring, and Docking" and Providing for Codification, Severability, Conflicts, and For An Effective Date.

Development Services Director Jhanelle Campbell presented this item. Meeting discussions/actions were notated but were not limited to what was typed. Director Campbell stated that in March 2022, the Town Commission directed Staff to review the Code for requirements for Marine Structures and compare them to other cities. At that time, Staff made several amendments to the Code (e.g., clarified definitions, removed duplicative terms, replaced regulations for marine structures in the waterway, instituted regulations for waterways wider than and narrower than 100 feet in width, and established new side setbacks for docks installed at commercial properties adjacent to residential property. They did not address marine structures in the waterway. The problem was that when residents would come in to install a dock and they had a boatlift attached to that dock, they were space limited. Staff went back to the Commission and asked for direction. The Town Commission requested Staff to do research and they did. They found that their regulations were restrictive as it pertained to marine structures. They were directed to go back and amend the Ordinance again. The Director explained that it was the Ordinance the Board had before them. Their definition for navigational channel was currently 40% of the width of the waterway. They were now removing that requirement. By doing this, in changing the allowance for boatlifts in waterways less than 100 feet to be able to protrude 25% instead of 20%, that solved the issue. This would allow more of our residents to be able to enjoy their waterway structures and waterway. She called for questions.

Vice Chair Goldberg asked about existing ones that exceeded 25%. Director Campbell said that it would have to be handled case-by-case. For example, if it was permitted under Pompano, it would remain. The Vice Chair said that to increase from 20% to 25% was a plus in Lauderdale-By-The-Sea. This also was in concurrence with other municipalities. She answered the Chair that this change brought us pretty much in alliance with other municipalities. He felt that there was no reason not to be in favor of this change. She answered the Vice Chair that all canals in LBTS were roughly 80 feet. As a boater, 1st Alternate Karen Sylvester felt that being able to turnaround in these narrow waterways with 25% coming in could cause an issue along with traffic going back and forth. She has a boatlift and a boat and it was already difficult with the 20%. Vice Chair Goldberg said that where he lived, most of the time people with a big boat would back into the canal. They did not make a turn in the middle of the canal.

1st Alternate Sylvester said that people would not be able to turnaround now in her canal. The Director answered Board Member Dillistin that this would not impact the marina for the size of boats allowed there. She further stated that these proposed regulations did not apply to the Intracoastal. The Vice Chair felt this was a win-win for everyone and the 1st Alternate felt it was not a win-win for everyone. She was fine if the voting went the other way from how she felt but she wanted to state it was not a win-win for everyone. Board Member Dillistin was answered by the Director that this was basically what the Commissioners asked for. Vice Chair Goldberg said this was what the Commissioners wanted and we would be going along with other municipalities. 1st Alternate Sylvester said we should not go along with it just because other municipalities have it that way. We would not want high rises like other municipalities have. Vice Chair Goldberg described the location of one canal that went into the marina for which someone in that area put in a new boatlift that rose out of the water and became an extension of the dock. He was wondering if it would be included in the new regulations. Issues like this would be decided case-by-case. As no one else requested to speak or comment, the Chair called for a motion.

Vice Chair Goldberg made a motion to approve this agenda item. The motion was seconded by Board Member Lambert. Discussion: The Director answered the Chair that Staff's recommendation was approval. The motion to approve carried 5-0 (the full regular board was unanimous for this approval but for the record, 1st Alternate Sylvester would not have voted for this agenda item and 2nd Alternate Blake acknowledged as an alternate with a full board present, she could not vote).

Director Campbell and Chair Piersante welcomed 2nd Alternate Karen Blake and Director Campbell also welcomed Assistant Development Services Director Muriel Bryan Ramirez who was also an architect by training.

6. OLD BUSINESS
None.

7. UPDATES/BOARD MEMBER COMMENTS
Vice Chair Goldberg said that tomorrow the Chamber of Commerce has a social event and everyone was welcome to come. He gave the time and location for the event.

8. ADJOURNMENT
As all business was finished and without objection, the meeting was adjourned at approximately 6:28PM.

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Chair Ron Piersante

ATTEST:

Date Accepted: NOV 7 23