

APPROVED
TOWN OF LAUDERDALE-BY-THE SEA
PLANNING AND ZONING BOARD
MEETING MINUTES
Jarvis Hall - 4505 Ocean Drive
Wednesday, September 5, 2018

1. CALL TO ORDER

Chair Lanata called the meeting to order at 6:01P.M. Members present were Chair John Lanata, Alan Bluestein, 1st Alternate Howard Goldberg, and Bernard Petreccia. The absent members were Vice Chair William Ferrante, 2nd Alternate Emeline Savidge, and Jeffrey Whyte. Also present were Assistant Town Attorney Kathy Mehaffey, Development Services Director Linda Connors, Planner Jhanelle Campbell and Clerk Kaliah Lewis.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

As there was a new board member in attendance, Development Services Director Linda Connors swore Howard Goldberg in by administering the Oath of Office.

3. APPROVAL OF MINUTES

a. Previous Meeting Minutes – June 20, 2018

Mr. Petreccia made a motion to approve the minutes of June 20, 2018 as presented. The motion was seconded by Mr. Bluestein. The motion carried unanimously 4-0.

4. PUBLIC COMMENTS

The Chair called for public comments but no one came forward at this time. He closed public comments at this time and turned the meeting over to Development Services Director Linda Connors to present Old Business.

NEW BUSINESS

OLD BUSINESS

a. Review of Town's Regulations Regarding Nonconforming Uses and Structures (Sec 30-137 of the Town Code).

Development Services Director Linda Connors said that proposed Ordinance 2018-26 amends Chapter 30 of the Town's code regarding nonconforming uses and structures. The proposed ordinance was advertised for a public hearing on August 3, 2018 as well as being posted on the Town's website. The discussion of the proposed ordinance was continued to the September 5, 2018 meeting. The Town has not received comments from the public regarding this item.

Ms. Connors said that there are a few sections of the Town's code that are related to this proposed ordinance. Section 30-137 recognizes the value of the historic pattern of development by allowing a nonconforming building as to height, setbacks square footage or density to be replaced by a new nonconforming building if certain criteria are met. However, Subsection (c)(1)d relates only to nonconforming structures on residential development.

Ms. Connors explained that Section 30-314 of the Town's code relates to general parking provisions. Since many of the Town's parking regulations were adopted after the development of our commercial buildings, in 1995 the Town exempted existing buildings from the parking criteria if the use in such buildings remained the same. A change in use that required additional parking was not exempt. New structures, additions and changes in use built after the March 1995 regulations are required to meet the current parking requirements.

On March 28, 2017, the Town Commission approved Ordinance 2017-03 which amended the Town's Business Zoning Districts. In that ordinance, Sections 30-261 (d) and 30-271 (d) were added to the Town's code to provide site design criteria to maintain and improve the walkability of the Town. This code section requires moving commercial buildings closer to the street if redeveloped and reducing the requirements of front setbacks in the B1A commercial district when a new building is constructed. These changes, in part, were to encourage the historic pattern of development of our commercial districts.

In reviewing the non-conforming chapter of our code, Town Staff realized that while the language protected our residential development, the commercial buildings were not included in that protection. The walkability of the Town and the historic pattern of development would not necessarily be allowed for those buildings and Ms. Connors gave examples. She spoke about Seagrape Commons and said that if they built a similar building today, they would need many more parking spaces. The challenge is to amend the nonconforming section of the code to allow the nonconforming aspects but to protect the walkability features that were added to the code which is important to the re-development of the Town. In order to do this, Town Staff is recommending three substantial amendments to the code. They are to add commercial development to the nonconforming provisions, to add parking as a lot development feature that can be preserved under the regulations applying to redevelopment of nonconforming lots, and to ensure the Business District design requirements that were added to the code last year are met. She said that they added these amendments to the proposed ordinance and explained on which lines they would appear. She said that Town Staff recommends approval of the proposed ordinance which will be presented to the Town Commission at their September 26, 2018 meeting for first reading.

Ms. Connors asked for questions and Mr. Bluestein wanted to know if this would be on a case-by-case basis or if they all would just go through the process. Ms. Connors explained the process someone would have to go through to re-develop a property starting with the site plan and ending with the Town Commission for final approval. Mr. Petreccia asked about buildings with joint use (e.g., residential and commercial). Ms. Connors explained that the proposed ordinance would be about any building (broadening the type of buildings) and not just for a residential building. As no one else wished to speak or ask questions, Chair Lanata closed the public hearing. He also asked for more board discussion or if there were any changes to the text and there were none.

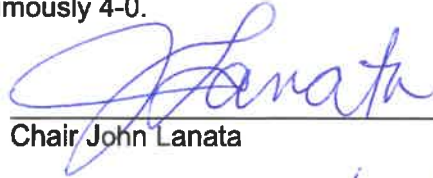
Mr. Petreccia made a motion to approve the proposed ordinance as presented. The motion was seconded by Mr. Bluestein. The motion carried unanimously 4-0.

5. UPDATES/BOARD MEMBER COMMENTS

Development Services Director Linda Connors said that there would be another meeting in two weeks on September 19, 2018. Mr. Petreccia wanted to confirm that all the meetings were starting at 6:00PM. Chair Lanata said for the benefit of the new members, that it was good to attend Town Commission Meetings and mentioned the water taxi proposal in front of the Town Commission on the 12th.

6. ADJOURNMENT

Mr. Petreccia made a motion to adjourn at 6:17PM. The motion was seconded by Mr. Bluestein. The motion carried unanimously 4-0.


Chair John Lanata

ATTEST:

Date Accepted: 9/20/18

Development Services Director Linda Connors

