

# **TOWN OF LAUDERDALE-BY-THE-SEA**

## **PLANNING AND ZONING REGULAR MEETING MINUTES**

*Town Commission Meeting Room*

*Wednesday, August 15, 2012*

*6:30 P.M.*

### **I. CALL TO ORDER**

Chairperson Alfred Oldaker called the meeting to order at 6:30 p.m. Members present were Chairperson Alfred Oldaker, Vice Chairperson David Chanon and first alternate Eric Yankwitt. Also present were Town Planner Linda Connors, Assistant Town Attorney Kathryn Mehaffey. Members absent were William Brady, Avi Braverman and Patrick Murphy. Eleanor Norena, Board Secretary, was present to record the minutes of the meeting.

### **II. PLEDGE OF ALLEGIANCE TO THE FLAG**

The Pledge of Allegiance was recited.

### **III. APPROVAL OF MINUTES - Planning and Zoning Meetings of June 7, 2012 and July 18, 2012**

#### **a) Planning and Zoning Meetings of June 7, 2012**

Assistant Town Attorney Mehaffey made a change on page three of the June 7, 2012, minutes. Half way down the page where it was reflected she said, "... once a structure was built ..." This should read, "... once a structure was legally built..."

Vice Chairperson Chanon made a motion to approve the minutes of June 7, 2012, as amended. The motion was seconded by Mr. Yankwitt. The motion carried 3-0.

#### **b) Planning and Zoning Meetings of July 18, 2012**

Vice Chairperson Chanon made a motion to approve the minutes of July 18, 2012, as presented. The motion was seconded by Mr. Yankwitt. The motion carried 3-0.

### **IV. PUBLIC COMMENTS**

There were no public comments.

### **V. TOWN PLANNER REPORT**

Town Planner Connors indicated the handout distributed at the meeting contained information on residential and commercial flexibility in the Town and was for addition to the backup. At the August 21, 2012, Commission meeting, Town staff would present the conditional use application the Board approved at its last meeting for the flex unit at 239 Commercial Boulevard for the City Commission's consideration. She indicated Town staff would also present item #2 on the present agenda, as well as a notice of intent for the SunShot Ordinance; in the latter, the County offered a grant to streamline the ability to permit solar panels. Thus, the Town needed to adopt some language in Chapter 30 that allowed for such uses, and this would be presented at the Board's next meeting. She mentioned trying to organize a Planning/Commissioner

workshop, inviting representatives from such entities as Florida Planning to give overviews on being a planning commissioner, the actions, projects and types of things government boards needed to be careful about or consider at their meetings. The aim was to hold the training in October or November 2012, and it would be an all-day training session, questioning if the Board would be interested in such a workshop, as she thought it would be helpful. The intent was to organize the workshop to allow other municipalities to participate, as there would be a fee to offset using the training budget allocated by the Town. The Comprehensive Plan would come up for consideration in a few years, and it would be useful for the Town's board members to have some training beforehand to facilitate that process.

## **VI. NEW BUSINESS**

### **Item #1: Conditional Use - Pier - Postponed until meeting of September 19, 2012**

### **Item #2: Proposed Amendments to Chapter 30 to implement Planning Priority #4 - Language that protects single-family neighborhoods and addresses safety, historical and archeological resources.**

Town Planner Connors review item #2 as reflected in the backup. Staff recommended approval.

Chairman Oldaker requested when the list of changes were lengthy if Town staff could include a reference page, as it helped with the efficient movement of going back and forth through the documents and locating the information sought. He sought clarification as to Crime Prevention Through Environmental Design (CPTED), having never heard of the program before.

Town Planner Connors responded CPTED was a standard use in many planning departments, and she first became aware of it in the early '90s, noting it was a basic way to look at a site plan and ensure the design did not lead to any safety hazards, such as blocking views, bushes against windows that could harbor burglars out of public view, etc. Thus, the standard kept designers cognizant of safety elements when designing a site plan. She indicated the principles would not be used for single-family homes, rather they would used in the site plan review process, and there were classes one could attend, such as with Broward Sheriff's Office (BSO), to get CPTED training, and BSO had trained CPTED personnel available to help Town staff review site plans.

Chairman Oldaker wondered if, for instance, the changes to number nine, the site lighting plan, tied in with CPTED.

Town Planner Connors concurred they would be connected, but Town staff wished to make sure it went back to compatibility; that is, that the site was lighted properly for safety but without excessive spillover to adjacent sites. For example, if there was a commercial area near a residential area, it was important to ensure the light from the commercial use did not leak into residential windows.

Chairman Oldaker asked if those standards were traditionally located in the electrical plans of a project.

Town Planner Connors replied the Town did not previously have the requirement to ensure such situations did not occur. The electrical plan would show a connection was required, but it would not address the issue of spillover.

Vice Chairperson Chanon made a motion to approve item #2 as presented. The motion was seconded by Mr. Yankwitt. The motion carried 3-0.

### **Item #3: Proposed Amendments to Chapter 30 to implement Planning Priority #5 – Code Clean-up**

Town Planner Connors reviewed item #3 as detailed in the backup, stating as Town staff did with other codes, they examined Chapter 30 in its entirety, improved and revised the language, relocated it to more appropriate places, and eliminated outdated language. Staff recommended approval.

Chairperson Oldaker inquired as to page 23 on chain linked fences being prohibited in any business zoning district.

Town Planner Connors affirmed chain linked fences were prohibited in the B1 and B1A zoning districts along Commercial Boulevard.

Chairperson Oldaker asked if this applied to the entire Town.

Town Planner Connors answered no; the chain linked fences permitted in the Town's other zoning districts had to be hidden from view, but they were not prohibited. They could be hidden by hedges or placed along a side yard that was not visible from any portion of the right of way in RS5, RD10 and RM25 zoning districts. She noted Town staff made no changes to this portion of the code.

Mr. Yankwitt commented it seemed when the Town sought to change the code, it was done due to some items produced throughout the community that were hitherto permitted now being felt to be aesthetically incompatible with the vision for the Town. It was, therefore, possible a future Town staff, Planning & Zoning Board and Town Commission might seek to change the code back to what it was at present. He wondered if there was any other justification Town staff had for making the subject changes to the Town's existing codes other than aesthetically incompatible, such as empirical data from surveys, etc. that included economic variables.

Town Planner Connors remarked a lot of municipal planning involved the evolution of practices; for instance, years ago asphalt and gravel with the choices for driveways. However, over time, Town staff came to realize the disadvantages of gravel driveways, such as clogging storm water drainage systems due to runoffs; the other choice of asphalt seemed great, but the use of pavers emerged as a better choice, so there was no telling if, in the future, some other surface for driveways might emerge as just as good or better. She said it was necessary to change with the times, and Chapter 30 of the Town's Code of Ordinances was a living document, changing as new, innovative technology came along. Thirty years ago neon was thought to be a great idea, and in 2011 the Town was deciding whether to allow LED lighting in its sign code, examining different standards, and the decision was made LED lighting was not what the Town wanted in its sign code. She stated sometimes Town staff would conduct research based on their beliefs, other times it was the will of the here and now, and what the governing body wanted the Town to look like, and other times it was a judgment call. She felt sure some of the changes, when implemented repeatedly over time, could be found inefficient or inappropriate, and the necessary adjustments would be made.

Vice Chairperson Chanon made a motion to approve item #3 as presented. The motion was seconded by Mr. Yankwitt. The motion carried 3-0.

#### VII. OLD BUSINESS

None

#### VIII. BOARD MEMBER COMMENTS

Mr. Yankwitt thanked Town Planner Connors and Town staff for putting together the pamphlet, and for bringing the cupcakes at last month's meeting to celebrate his birthday.

Chairperson Oldaker wished to make sure the previously discuss changes to page 13 of Exhibit One, number six were made.

Town Planner Connors affirmed Town staff would renumber that.

#### IX. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:05 p.m.

ATTEST:

  
Chairman Alfred Oldaker

Date Accepted: 9-19-12

Eleanor Norena, Board Secretary

