

**CITY OF NORTH LAUDERDALE**

**COMMISSION MEETING**

**TUESDAY, NOVEMBER 22, 2016**

**REGULAR MEETING – 5:30 p.m.**

**AGENDA**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE –Mayor Jack Brady**

**2. ROLL CALL**

Mayor Jack Brady  
Vice Mayor David G. Hilton  
Commissioner Jerry Graziose  
Commissioner Rich Moyle  
Commissioner Lorenzo Wood  
City Manager Ambreen Bhatti  
City Attorney Samuel S. Goren  
City Clerk Patricia Vancheri

**3. ELECTION ITEMS**

**a. Clerk reads results of November 8, 2016 Election**

	Total Votes	Percent
Rich Moyle, Unopposed		
Samson Borgelin	1,226	38.96%
David G. Hilton	1,130	35.91%
Ana M. Ziade	791	25.14%

**b. RESOLUTION – Approving Election Results**

- Motion, second and vote to read
- Attorney reads title
- Commission motion and second to adopt
- Commission discussion
- Commission vote

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND ACCEPTING THE ACCURACY OF THE BROWARD COUNTY CANVASSING BOARD'S CANVASS OF THE ELECTION RESULTS OF THE NOVEMBER 8, 2016 GENERAL ELECTION; AND, PROVIDING AN EFFECTIVE DATE.**

- c. Oath of Office to Successful Candidates – Sworn in by City Clerk Vancheri**
  - i. Rich Moyle as Commissioner District “C” (Unopposed)**
  - ii. Samson Borgelin as Commissioner District “D”**
  
- d. Selection of Vice Mayor by City Commission – Nomination and Motion to Approve**
  
- e. Oath of Office to Vice Mayor – Sworn in by City Clerk Vancheri**

**INTERMISSION**

**4. OTHER BUSINESS**

**a. RESOLUTION – Ratifying an Administrative Order and Notice of Intent**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Tammy Reed Holguin)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

**RESOLUTION APPROVING AND RATIFYING THE ADMINISTRATIVE ORDER AND NOTICE OF INTENT EXECUTED BY CITY MANAGER PROHIBITING THE ISSUANCE OF BUILDING PERMITS, ZONING/LAND USE APPROVALS OR DEVELOPMENT ORDERS FOR THE CONSTRUCTION OR OPERATION OF ANY STORAGE FACILITY NOT CURRENTLY OPERATING, LICENSED OR APPROVED; AND PROVIDING AN EFFECTIVE DATE.**

**5. COMMISSION COMMENTS**

**6. CITY MANAGER COMMENTS**

**7. CITY ATTORNEY COMMENTS**

**8. ADJOURNMENT**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND ACCEPTING THE ACCURACY OF THE BROWARD COUNTY CANVASSING BOARD'S CANVASS OF THE ELECTION RESULTS OF THE NOVEMBER 8, 2016 GENERAL ELECTION; AND, PROVIDING AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That the accuracy of the Canvass, as conducted by the Broward County Canvassing Board of the election results of the November 8, 2016 General Election, held in the City of North Lauderdale, Florida, be and the same are hereby approved and accepted.

Section 2: That the results of said Election as certified by the Broward County Canvassing Board and as set forth at length in Exhibit A attached hereto and incorporated herein as specifically as if set forth at length hereat, be and the same is hereby accepted.

Section 3: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 22nd day of November, 2016.

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY SAMUEL S. GOREN

\_\_\_\_\_  
MAYOR JACK BRADY

\_\_\_\_\_  
VICE MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA VANCHERI, CITY CLERK

SUMMARY REPT-GROUP DETAIL

GENERAL ELECTION  
BROWARD COUNTY, FLORIDA  
NOVEMBER 8, 2016

NORTH LAUDERDALE

RUN DATE:11/19/16 11:21 PM

REPORT-EL45A PAGE 001

	TOTAL VOTES	%	ED 200	ED IVO	EV 200	EV IVO	AV	PV
PRECINCTS COUNTED (OF 11)	11	100.00						
REGISTERED VOTERS - TOTAL	21,728							
BALLOTS CAST - TOTAL	14,899		3,926	0	8,328	3	2,638	4
VOTER TURNOUT - TOTAL		68.57						
COMMISSION - DISTRICT "D" NORTH LAUDERDALE DIST D								
(Vote for no more than ) 1								
Samson Borgelin	1,226	38.96	365	0	685	0	176	0
David G. Hilton	1,130	35.91	305	0	622	0	202	0
Ana M. Ziade	791	25.14	169	0	433	0	188	1
Over Votes	3		1	0	1	0	1	0
Under Votes	578		110	0	370	0	98	0
NORTH LAUDERDALE								
(Vote for no more than ) 1								
YES/SI/NI	8,568	69.23	2,188	0	4,817	2	1,567	4
NO/NO/NON	3,809	30.77	986	0	2,105	1	717	0
Over Votes	17		6	0	6	0	5	0
Under Votes	2,472		746	0	1,395	0	330	0

COUNTY JUDGE *[Signature]*

COUNTY COMMISSIONER *[Signature]*

COUNTY JUDGE *[Signature]*

**CITY OF NORTH LAUDERDALE  
OFFICE OF THE CITY CLERK**

**MEMORANDUM**

**TO: Mayor and City Commission**

**FROM: Patricia Vancheri, City Clerk**

**DATE: November 22, 2016**

**RE: Selection of Vice Mayor**

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Pursuant to Article III, Section 3.3 of the Charter of the City of North Lauderdale, at the November meeting of the City Commission, the Commission shall elect from its members, by majority vote, the Vice Mayor. Therefore, a motion to elect the Vice Mayor would be in order at the Commission meeting on Tuesday, November 22, 2016

**CITY OF NORTH LAUDERDALE**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**TO: Mayor and City Commission**

**FROM: Ambreen Bhatti, City Manager**

**By: Tammy L. Reed-Holguin, Community Development Director**

**DATE: November 22, 2016**

**SUBJECT: Resolution Approving and Ratifying the Administrative Order Executed by City Manager on November 16, 2016 and the November 18, 2016 Notice of Intent (NOI) Prohibiting the Issuance of Building Permits, Zoning/Land Use Approvals or Development Orders for the Construction or Operation of Any Storage Facility at any Location in the City not Currently Operating, Licensed or Approved**

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Tonight we are requesting your consideration of the attached Resolution approving and ratifying the Administrative Order executed by the City Manager on November 16, 2016 commencing the zoning review process and the Notice of Intent on November 18, 2016 prohibiting the issuance of building permits, zoning/land use approval and development orders for the construction or operation of any storage facility at any location in the City not currently operating, licensed or approved.

**Background:**

The City has seen an influx in the number of storage facilities in the City and surrounding area. North Lauderdale currently has 6 storage facilities within its 5.2 square miles of City limits. There are three storage facilities currently operating and another under construction within ½ mile of each other along McNab Road. With limited commercial space left, diversity in uses would be more beneficial for the residents and to the economic vitality of the City. A review of commercial uses in relation to the goals of redevelopment in the City's Comprehensive Plan will identify needed amendments to the zoning code to support these goals.

Adoption of the Resolution confirming the Administrative Order will institute Zoning-in-Progress while the study is undertaken. During the study period, no licenses or permits will be issued nor applications for site plans, rezoning, sign waivers, or special exception use permits will be accepted by City staff for the above-named uses unless the Community Development Department confirms that the application has a previously approved site plan, and for which building permits have yet to be issued or are open and pending, as of the date of the Administrative Order, November 16, 2016; or, as permitted by Section 106-61(i) and (j) of the City's Code of Ordinances.

While the execution of the Administrative Order and the NOI is an administrative step which expedites the process, a moratorium must be also imposed by ordinance. Therefore, an ordinance formally imposing the moratorium that was contemplated by the Administrative Order and the NOI and which further outlines the process and conditions of the moratorium and will also be prepared and taken to the Planning and Zoning Board on December 6, 2016 for recommendation to the Commission.

The first public hearing before the Commission will be advertised and scheduled for their December 13, 2016 meeting. The consideration and adoption of this ordinance is a procedural operation which will further affirm and impose the moratorium on the issuance of local business tax receipts and building permits.

The prohibition imposed by the Administrative Order and the NOI, as ratified by the Commission by resolution, and the moratorium to be formally enacted by ordinance, will afford the City's professional staff with an opportunity to fully review the City's options with regards to storage facilities.

**RECOMMENDATION:**

The City Attorney's Office and Administration recommend the City Commission's consideration and approval of the attached Resolution ratifying the Administrative Order and the NOI, thereby, retroactively to the date the Administrative Order was executed, prohibiting the issuance of building permits issuance of building permits, zoning/land use approval and development orders for the construction or operation of any storage facility at any location in the City not currently operating, licensed or approved.

**ADMINISTRATIVE ORDER  
CITY OF NORTH LAUDERDALE**

**TO:** CITY ADMINISTRATION AND DEPARTMENT HEADS  
**FROM:** AMBREEN BHATTY, CITY MANAGER  
**DATE:** NOVEMBER 16, 2016  
**SUBJECT: REVIEW OF ZONING REGULATIONS PERTAINING TO USES  
THAT INCLUDE STORAGE FACILITIES THROUGHOUT THE  
CITY**

I, AMBREEN BHATTY, WITH POWERS VESTED IN ME AS THE CITY MANAGER OF NORTH LAUDERDALE, HEREBY ISSUE AN ADMINISTRATIVE ORDER TO REVIEW AND CONSIDER REGULATIONS PERTAINING TO THE ISSUANCE OF BUILDING PERMITS AND ZONING/LAND USE APPROVALS TO USES RELATED TO STORAGE FACILITIES THROUGHOUT THE CITY AND TO REVIEW THE ZONING CODE AS IT PERTAINS TO THESE USES INCLUDING, BUT NOT LIMITED TO, SECTIONS 106-487 AND 106-468 OF THE CITY'S CODE OF ORDINANCES. AS A RESULT, ZONING IN PROGRESS IS IN PLACE PURSUANT TO SECTION 106.61 WHILE THE CITY STAFF REVIEWS AND PREPARES RECOMMENDATIONS PERTAINING TO ZONING REGULATIONS REGARDING STORAGE FACILITIES.

  
\_\_\_\_\_  
AMBREEN BHATTY  
CITY MANAGER

11-16-16  
DATE



**NOTICE OF INTENT  
PENDING MORATORIUM ON THE CONSTRUCTION OR OPERATION OF  
ANY STORAGE FACILITY AT ANY LOCATION IN THE CITY NOT  
CURRENTLY OPERATING, LICENSED OR APPROVED**

**I. Statement of Purpose**

To impose a moratorium pursuant to Section 106.60 of the City's Code of Ordinances on any applications to the City for building permits, zoning/land use approval and development orders for the construction or operation of any storage facility at any location in the City not currently operating, licensed or approved. This moratorium will allow staff the time to carefully review, consider, modify, process for adoption and implement regulations pertaining to the referenced storage facilities.

**II. Brief Description of pending regulatory change, including possible affect on development and existing code provisions which may require modification**

Rewriting of development regulations which may include, but are not limited to Sections 106-487 and 106-468 and the following: permitted uses, conditional uses, imposition of various requirements for the use and zoning relief procedures.

**III. Projected time frame for adoption of pending regulation**

June 30, 2017

**IV. Recommended stage of the review process that the pending regulation would affect**

All applications, of any form, for building permits, zoning/land use or development orders to provide time for the City to research the issues surrounding the implementation of these rules regulating the construction or operation of any storage facility at any location in the City not currently operating, licensed or approved.

Filed with the City Clerk and City Attorney

Date: November 18, 2016

By: A. Shally, City Manager

Date Posted:

By:  
City Clerk's Office

cc: Tammy Reed-Holguin, Director of Community Development  
Sam Goren, City Attorney

{00147230.1 1820-7902871}

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CONFIRMING AND RATIFYING THE CITY MANAGER’S ADMINISTRATIVE ORDER AND NOTICE OF INTENT RETROACTIVELY TO THE DATE OF THE ADMINISTRATIVE ORDER COMMENCING ZONING IN PROGRESS PURSUANT TO SECTION 106-61 OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES AND PROHIBITING THE ISSUANCE OF BUILDING PERMITS, ZONING/LAND USE APPROVALS OR DEVELOPMENT ORDERS FOR THE CONSTRUCTION OR OPERATION OF ANY STORAGE FACILITY AT ANY LOCATION IN THE CITY NOT CURRENTLY OPERATING, LICENSED OR APPROVED AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO UNDERTAKE STUDY AND REVIEW OF THE CITY’S REGULATIONS REGARDING THE SAME; PROVIDING THAT THE ADOPTION OF THIS RESOLUTION SHALL COMMENCE THE ZONING IN PROGRESS RETROACTIVELY PURSUANT TO SECTION 106-60 OF THE CITY’S CODE OF ORDINANCES, WHICH SHALL BE FURTHER EMBRACED THROUGH THE ADOPTION OF A SUBSEQUENT ORDINANCE AND SHALL RUN UNTIL JUNE 30, 2017; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Manager and the City’s professional planning staff continuously monitor and review the City’s Land Use Regulations and Comprehensive Land Use Plan to ensure appropriate development in the City, and from time to time recognizes the need to study and amend aspects of the same; and

**WHEREAS**, the availability of commercially zoned land within the City is very limited; and

**WHEREAS**, there are currently (5) five operating storage facilities and one recently permitted storage facility to be constructed within the 5.2 square miles of the City; and

**WHEREAS**, this use is not currently permitted on commercially zoned land and is confined to light industrial zoned parcels; and

**WHEREAS**, it is the City's desire to protect and diversify the uses on the limited commercial property remaining in the City to strengthen the redevelopment efforts and further job creation; and

**WHEREAS**, based upon this data and previous discussions regarding the development of the City's commercial base, the City Manager has determined that there is a need to conduct a review of the Code related to storage facilities; and

**WHEREAS**, the City Manager has issued an Administrative Order dated November 16, 2016, and a Notice of Intent (NOI), dated November 18, 2016, specifically authorizing and directing City staff to undertake study and review of the City's regulations regarding the construction or operation of any storage facility at any location in the City not currently operating, licensed or approved; and

**WHEREAS**, the City Manager, pursuant to Section 106-61 of the City's Code of Ordinances, and subject to the approval and ratification by the City Commission pursuant to this Resolution, prohibits the issuance of building permits, zoning/land use approvals and development orders for storage facilities pursuant to Section 106.60 of the City's Code of Ordinances; and

**WHEREAS**, such a prohibition will enable the City's professional staff to properly study the issues associated with the siting of said facilities; and

**WHEREAS**, the City Commission approves of and confirms the City Manager's Administrative Order and Notice of Intent retroactively to the date of the Administrative Order and hereby finds that the ratification of the same is in the best interests of the citizens and residents of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, THAT:**

**SECTION 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

**SECTION 2.** That the City Commission confirms and ratifies the City Manager's November 16, 2016 Administrative Order and the November 18, 2016, Notice of Intent retroactively to the date of the Administrative Order to prohibit the issuance of building permits, zoning/land use approvals and development orders for the construction or operation of any storage facility at any location in the City not currently operating, licensed or approved within the City, pursuant to Section 106.60 of the City's Code of Ordinances. The City Commission hereby further affirms that, subject to the adoption of the requisite ordinance, such a moratorium may be formally imposed through June 30, 2017.

**SECTION 3.** That the City Commission hereby directs the City Manager to study and review regulations pertaining to storage facilities and to report back to the City Commission regarding the same.

**SECTION 4.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

**SECTION 6.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
NORTH LAUDERDALE, FLORIDA, THIS \_\_\_\_ DAY OF \_\_\_\_\_,  
2016.**

\_\_\_\_\_  
MAYOR JACK BRADY

\_\_\_\_\_  
VICE MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
SAMUEL S. GOREN, City Attorney