Office of the Town Manager

Rafael G. Casals, ICMA-CM, CFM
Town Manager

M E M O R A N D U M

To: Honorable Members of the Town Council

From: Rafael G. Casals, ICMA-CM, CFM, Town Manager

Date: June 19, 2019

Re: Moratorium on Development Applications ***(First Reading)***

REQUEST

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, PROVIDING FOR A MORATORIUM ON DEVELOPMENT WITHIN THE TOWN; PROVIDING FOR WAIVERS; PROVIDING PROCEDURES FOR VESTED RIGHTS AND JUDICIAL REVIEW; PROVIDING FOR EXEMPTIONS; PROVIDING FOR A TERM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS

The Town Council at its May 15, 2019 Council Workshop requested Town Staff prepare an Ordinance adopting a Moratorium on development applications for certain properties within the Town. Three types of Moratoria discussed by the Town Council are the following:

- *Traffic Moratorium* – this would apply to all properties except one (1) single-family home development and multifamily for older persons as defined by the Fair Housing Act, 42 U.S.C. § 3607.
- *Environmental Moratorium* – this would apply to all properties located east of Old Cutler Road.
- *Landscape/Façade Moratorium* – this would apply to all properties within the following zoning districts: Transit Corridor (TRC), Town Center (TC) and Neighborhood Residential (NR).

The purpose of the proposed Moratorium is to enact additional regulations and/or requirements in order to preserve the Town vision and character. This Moratorium is proposed to be in effect for a period of six (6) months.

Applicants who have submitted a completed development application to the Town's Community Development Department prior to the effective date of this Ordinance shall be exempt from the proposed moratorium Ordinance.

RECOMMENDATION

It is recommended that the Town Council adopt the approval of the attached Ordinance adopting a Moratorium on development applications.

ATTACHMENT(S)

- Attachment "A" – Advertisement Miami Herald Local Section (*dated Sunday, June 9, 2019*)