



Rafael G. Casals  
Town Manager

## MEMORANDUM

To: Honorable Mayor and Town Council

From: Rafael G. Casals, Town Manager

Date: December 14, 2016

Re: Amending the Town's Comprehensive Plan by Clarifying Mixed Use Requirements (***First Reading***). ***\*Previously deferred per October 19, 2016 Regular Town Council Meeting to date certain December 14, 2016 Regular Town Council Meeting.***

***Changes to Managers Memo from deferral date of October 19, 2016 are highlighted.***

***After consulting with the Town Attorney, Staff is recommending deferral of the item indefinitely until such time as Town's motion for rehearing at the 3<sup>rd</sup> District Court of Appeal is resolved. In the event that Staff finds necessary to bring back amendment prior to rehearing, the item will be re-advertised accordingly.***

### REQUEST

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN BY CLARIFYING THE MIXED USE REQUIREMENTS WITHIN THE TOWN; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

### BACKGROUND AND ANALYSIS

Town staff, as a result of recent court ruling, has reviewed and wishes to amend the Town of Cutler Bay Comprehensive Plan by clarifying the mixed use requirements for developments within certain areas of the Town. Amendments are attached as Exhibit "A" to the Ordinance.

### RECOMMENDATION

Town staff recommends approval of the proposed Amendment to the Town Comprehensive Plan, on first reading, in order to clarify the Mixed Use requirements.

