



## Office of the Town Manager

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

# MEMORANDUM

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)

