



# Town of Cutler Bay

Town Hall  
10720 Caribbean Blvd  
Cutler Bay, FL 33189

## Legislation Details (With Text)

**File #:** Item # 2020-105      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/10/2020      **In control:** Town Council  
**On agenda:** 7/15/2020      **Final action:** 7/15/2020

**Title:** AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, COMPREHENSIVELY UPDATING AND REVISING CHAPTER 3, "LAND DEVELOPMENT REGULATIONS OF THE TOWN CODE OF ORDINANCES RELATING TO ARCHITECTURAL AND LANDSCAPE REGULATIONS; DISSOLVING THE MORATORIUM IMPOSED BY ORDINANCE NO. 19-13 AS TO ARCHITECTURAL AND LANDSCAPE STANDARDS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Manager Memo-2nd Read-Amending Chapter 3-Architecture and Landscape, 2. Manager Memo-2nd Read-Attachment A-Advertisement, 3. Ordinance-2nd Read-Amending Chapter 3-Architecture and Landscape, 4. Ordinance-2nd Read-Ex A-Chapter 3 LDR-Architecture and Landscape Regs, 5. Manager Memo-1st Read-Amending Chapter 3-Architecture and Landscape, 6. Ordinance-1st Read-Amending Chapter 3-Architecture and Landscape, 7. Ordinance-1st Read-Ex A-Chapter 3 LDR-Architecture and Landscape Regs

| Date      | Ver. | Action By    | Action                    | Result |
|-----------|------|--------------|---------------------------|--------|
| 7/15/2020 | 1    | Town Council | adopted                   | Pass   |
| 6/17/2020 | 1    | Town Council | approved on first reading | Pass   |

## MEMORANDUM

**To:** Honorable Mayor and Town Council

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

**Date:** July 15, 2020

**Re:** Architecture and Landscape Moratorium Proposed Amendments to the Land Development Regulations  
(*Second Reading*)

*\* Changes between 1<sup>st</sup> and 2<sup>nd</sup> reading are highlighted in yellow double strikethrough/ double underline*

### REQUEST

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY,**

**FLORIDA, COMPREHENSIVELY UPDATING AND REVISING CHAPTER 3, “LAND DEVELOPMENT REGULATIONS OF THE TOWN CODE OF ORDINANCES RELATING TO ARCHITECTURAL AND LANDSCAPE REGULATIONS; DISSOLVING THE MORATORIUM IMPOSED BY ORDINANCE NO. 19-13 AS TO ARCHITECTURAL AND LANDSCAPE STANDARDS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**BACKGROUND AND ANALYSIS**

On July 17, 2019, the Town Council adopted Ordinance No. 19-13, which provided for a moratorium on development within the Town.

Town staff requested a three (3) month extension to the moratorium in order to review, workshop, and finalize the analyses and regulations for: 1) Mobility; 2) Sustainability and Resiliency; and 3) Architecture and Landscape.

The moratorium extension was granted on January 15, 2020 (via Ordinance No. 20-03). This action extended the Moratorium through April 17, 2020. On January 22, 2020, a Council Workshop was held to review and provide comment on the Consultant findings.

On April 22, 2020, the Town Council adopted Ordinance No. 20-16, invoking *Zoning In Progress* for the adoption of comprehensive amendments to the Town’s Land Development Regulations. This has the effect of extending again the life of the moratorium.

KCI Technologies, Inc. was directed to finalize its results in order to be heard at First Reading of the proposed amendments to the Town Land Development Regulations.

**RECOMMENDATION**

It is recommended that the Town Council adopt at **Second** Reading the proposed amendments to Chapter 3, Land Development Regulations; more specifically, Sec. 3-11. - Nonconforming Development, Sec. 3-80. - Nonresidential and mixed use. and Sec. 3-103. - Plant material and installation.

**ATTACHMENT(S):**

➤ Attachment “A” - Miami Herald Neighbors Section Advertisement (*dated July 5, 2020*)