



Meeting Name: Town Council

Meeting Date: March 26, 2025

Prepared By: Leonard G. Rubin, Town Attorney

Item Title: Ordinance No. 792 (Establishing a Temporary Moratorium on Commercial, Mixed-Use and Multi-Family Development Applications) (**Second & Final Reading**)

DISCUSSION:

The Town Council requested that this office prepare an Ordinance declaring a temporary moratorium on new commercial, mixed-use, and multi-family projects within the Town. The Town Council expressed concern with the potential impacts of such new development, including, but not limited to, the effect of such development on traffic, congestion, surrounding property values, aesthetics, and the demand for Town services.

In enacting the temporary moratorium, the Council seeks to evaluate its existing Comprehensive Development Plan and Zoning Code to ensure that all legal and necessary steps are taken to preserve the Town's character as a small seaside community. To that end, the Town has engaged the services of the Treasure Coast Regional Planning Council to analyze existing conditions within the Town, complete a market study, explore various redevelopment strategies, and solicit public input for the creation of a Community Vision and Master Plan. The Town Council wishes to preserve the status quo while formulating the Community Vision and Master Plan. This will promote effective planning and development strategies and determine the appropriate methods and regulatory controls to ensure that future development fits within the Town's vision and does not permanently alter the character of the Town or overwhelm existing infrastructure capacity and roadways, thereby jeopardizing the safety and welfare of current and future residents and visitors.

The attached Ordinance establishes a temporary moratorium on the acceptance, processing, and consideration of any new applications for development approval of a commercial, mixed-use, or multi-family residential project within the Town's commercial and multi-family zoning districts. This moratorium includes the processing of any applications required for such projects, including, but not limited to, comprehensive plan amendments, rezonings, special exception approvals, and site plan and appearance approvals. The moratorium shall not apply for applications for development permits or appearance review within the Town's Residential Single-Family (RS) or Historic Preservation (HIST) Zoning Districts. As discussed at the Planning and Zoning Board meeting, the Ordinance has been amended to also exempt applications for modifications to approved site plans for commercial, mixed-use,

or multi-family residential projects that do not increase total square footage, traffic impacts, or demands on Town facilities or infrastructure.

The moratorium shall remain in effect for a period of up to one (1) year or the completion of the Community Vision and Master Plan, whichever first occurs.

An Ordinance imposing a moratorium is subject to the same statutory requirement for adoption as a rezoning ordinance. Consequently, the Ordinance was considered by the Planning and Zoning Board at a duly advertised public hearing. At the conclusion of the hearing, the Board unanimously recommended approval of the Ordinance.

At its February 26, 2025 meeting, the Town Council adopted the Ordinance on first reading by unanimous vote.

RECOMMENDATION:

Town Staff requests that the Town Council consider the adoption on second and final reading of Ordinance No. 792, imposing a temporary moratorium on new applications for development approval for commercial, mixed-use, or multi-family residential projects within the Town’s commercial and multi-family zoning districts