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**Meeting Name:** Planning and Zoning Board Meeting

**Meeting Date:** February 3, 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)

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#### **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 is concerned 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.

The Town 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 Council 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 to 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.

To that end, 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.

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, before it is adopted, this Board must provide a recommendation to the Town Council.

**RECOMMENDATION:**

Town Staff requests that this Board consider 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 and provide a recommendation to the Town Council.