



Meeting Name: Town Council Meeting
Meeting Date: October 23, 2024
Prepared By: Leonard G. Rubin, Town Attorney
Item Title: Ordinance No. 791 (Imposing a Temporary Moratorium on Mixed Use Developments in Commercial Zoning Districts) (First Reading)

DISCUSSION:

The Town Council requested that this office prepare an Ordinance declaring a moratorium on any new mixed-use development project. The Town Code allows for mixed-use projects with a residential component in the Town's Commercial General (CG), Commercial Office (CO), and Medical Commercial (MC) Zoning Districts. The residential component of these projects is generally limited to 75% of the gross floor area, with the ability to request up to 80% in the CG Zoning District through the site area modification special exception.

The Town is located on a barrier island with limited routes in and out of the Town's corporate limits. The stated purpose of the moratorium is to study the impacts of mixed-use development in commercial zoning districts and determine the appropriate methods and regulatory controls to ensure that future development does not permanently alter the character of the Town and overwhelm existing infrastructure and roadways, thereby jeopardizing the safety and welfare of current and future residents and visitors.

An ordinance imposing a moratorium is subject to the same statutory requirement for adoption as a rezoning ordinance. To that end, this Ordinance was presented to the Planning and Zoning Board at its September 16, 2024 meeting for a recommendation. The Board recommended approval of the Ordinance by a vote of four to one, with Boardmember Rudolph dissenting.

RECOMMENDATION:

Town Staff requests Council consideration on first reading of Ordinance No. 791, imposing a temporary moratorium on the processing of any new applications for mixed-use projects in commercial zoning districts.