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ORDINANCE NO. 2022-04

AN ORDINANCE OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, IMPOSING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, REVIEW AND CONSIDERATION OF APPLICATIONS FOR REZONING AND/OR FUTURE LAND USE MAP AMENDMENTS DURING THE PENDENCY OF EFFORTS BY THE VILLAGE TO PROCESS CHANGES TO THE VILLAGE'S COMPREHENSIVE PLAN; PROVIDING FOR AN EXCEPTION FOR SINGLE FAMILY RESIDENTIAL APPLICATIONS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Miami Shores Village has retained independent consultants, Calvin Giordano & Associates, who have identified and raised various issues concerning Miami Shores Village's current Comprehensive Plan and have recommended that the Village promptly take action to address these issues by enacting a new or amended Comprehensive Plan; and

WHEREAS, at a regularly scheduled Council meeting held on Jan 18, 2022, Calvin Giordano & Associates recommended to the Miami Shores Village Council that a Moratorium be enacted during the pendency of those corrective efforts as a land-use tool to promote effective planning, to preserve the status quo during this review and revision process and to, inter alia, make sure that determination of requests for rezoning or Future Land Use Map amendments are not affected by any problems with the current Comprehensive Plan; and

WHEREAS, the Miami Shores Village Council finds that enactment of such a Moratorium, for the limited time period necessary to develop, submit and obtain final approval (after expiration of all appeal periods) of necessary changes to the existing Comprehensive Plan, is in the best interests of Village, and the health, safety and welfare of its residents, will provide the Village with the opportunity to review and enact Comprehensive Plan Amendments to address issues identified by the Village's consultants and will assist in the orderly progress of future development in accordance with new provisions of the Comprehensive Plan; and

WHEREAS, the Miami Shores Village Council finds and declares that this Ordinance is for a proper municipal purpose and advances a valid and important public purpose.

NOW, THEREFORE, BE IT ENACTED BY THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA as follows:

SECTION 1. The foregoing facts and recitals are hereby adopted and incorporated herein by reference.


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2 SECTION 2. The Miami Shores Village Council hereby enacts, adopts and declares
3 a Temporary Moratorium on consideration and approval of applications for rezoning and/or
4 Future Land Use Map amendments submitted for properties in the Village during the
5 pendency of the Village's efforts to adopt changes or corrections to the current Village
6 Comprehensive Plan (i.e. from the date this Ordinance becomes effective through a date
7 which is thirty-one (31) days following the date of acceptance and approval of such
8 changes to the Village Comprehensive Plan by the State Department of Economic
9 Opportunity), which time period is expected to approximate six months. This Moratorium
10 shall not include or preclude submittals or applications involving only single-family
11 residences as such properties are not, at this time, deemed by the consultants to likely be
12 impacted by the issues thus far identified.
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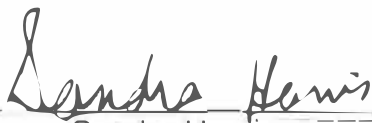
14 SECTION 3. If any phrase, clause, sentence or other portion of this Ordinance shall
15 be found to be invalidated or unconstitutional by any Court, such invalidity or
16 unconstitutionality shall not affect any of the remaining phrases clauses, sentences or
17 other portions of this Ordinance.
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19 SECTION 4. This Ordinance shall become effective upon its approval on second
20 reading.
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25 **PASSED and ENACTED** this 15th day of February, 2022.
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28 First Reading: February 1, 2022
29 Second Reading: February 15, 2022
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33 Attest:  _____
34 Ysabely Rodriguez, CMC
35 Village Clerk
36
37

 _____
38 Sandra Harris
39 Mayor
40

41 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
42

 _____
43 Richard Sarafan
44 Village Attorney

<u>FINAL VOTES AT ADOPTION</u>	
Council Member Alice Burch	<u>Yes</u>
Council Member Katia Saint Fleur	<u>Yes</u>
Council Member Crystal Wagar	<u>Absent</u>
Vice-Mayor Daniel Marinberg	<u>Yes</u>
Mayor Sandra Harris	<u>Yes</u>