



1 District code provisions; and

2  
3 **WHEREAS**, the existing Zoning-In-Progress resolution expires on  
4 September 12, 2018, the sixty (60) day extension provided for in this  
5 resolution will expire on November 11, 2018.

6  
7 **BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF**  
8 **THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

9  
10 **Section 1.** Upon the date of approval of this resolution, staff  
11 shall comply with 30-30.10, and Council shall consider within 60 days of the  
12 adoption of this Zoning-In-Progress Resolution, and ordinance that  
13 provides updated zoning standards for the DUV Zoning District. In the  
14 interim, no reserve residential units, transfer of development rights (TDRs),  
15 and/or bonus floors under the provisions of the DUV Zoning District shall be  
16 submitted or issued. This Zoning-In-Progress Resolution shall expire upon  
17 the earlier of 60 days of the date of this resolution or upon the first reading  
18 of amended zoning ordinance.

19  
20 **Section 2.** The Village Council approves this proposed Zoning-In-  
21 Progress Resolution extension. The Village Council has determined that a  
22 Zoning-In-Progress Resolution to allow the preparation of a detailed and  
23 comprehensive analysis of the area in question is reasonably necessary  
24 and desirable, and as such, the Village Council approves this Zoning-In-  
25 Progress Resolution extension; and orders a fixed time, not to exceed 60  
26 calendar days.

27  
28 **Section 3.** Upon adoption of the Zoning-In-Progress Resolution, the  
29 Village Clerk shall publish the adopted resolution in a newspaper of general  
30 circulation published in the Village of Palmetto Bay or Miami-Dade County,  
31 Florida within ten days following the date of adoption.

32  
33 **Section 4.** During the 60-day Zoning-In-Progress period of time, no  
34 reserve residential units, transfer of development rights (TDRs) or bonus  
35 floors as provided by the DUV Zoning District code shall be submitted or  
36 issued for land development.

37  
38 **Section 5.** Nothing in this resolution should be construed or applied  
39 to abrogate the vested right of a property owner to develop or utilize her/his  
40 property in any other way commensurate with zoning and other regulations,

1 including any required renewal of permits for existing legally erected  
2 premises.

3  
4 **Section 6.** This resolution shall take effect immediately upon  
5 enactment.

6  
7  
8 **PASSED AND RESOLVED** this 12<sup>th</sup> day of September, 2018.

9  
10  
11 **Attest:**

DocuSigned by:  
*Missy Arocha*  
6EDC211E5E8C48C  
Missy Arocha  
Village Clerk

DocuSigned by:  
*Eugene Flinn*  
3B8854AD569F494...  
Eugene Flinn  
Mayor

12  
13  
14  
15  
16 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE  
17 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

18  
19  
20 DocuSigned by:  
*Dexter W. Lehtinen*  
1B1D06E71321445  
Dexter W. Lehtinen  
Village Attorney

21  
22  
23  
24  
25 **FINAL VOTE AT ADOPTION:**

- 26 Council Member Karyn Cunningham YES
- 27 Council Member David Singer YES
- 28 Council Member Larissa Siegel Lara YES
- 29 Vice-Mayor John DuBois YES
- 30 Mayor Eugene Flinn YES



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To: Honorable Mayor and Village Council      Date: September 12, 2018

From: Edward Silva, Village Manager      Re: DUV Moratorium  
Extension

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**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ZONING-IN-PROGRESS (ZIP) PURSUANT TO SECTION 30-30.10; EXTENDING A ZIP RESOLUTION WITH RESPECT TO THE DOWNTOWN URBAN VILLAGE (DUV) ZONING DISTRICT DURING WHICH TIME THE COUNCIL WILL STUDY AND AMEND THE DUV CODE; BY THE EARLIER OF 60 DAYS FOLLOWING THE ADOPTION OF THIS ZONING-IN-PROGRESS RESOLUTION WHICH IS NOVEMBER 11, 2018 OR THE FINAL ADOPTION OF THE VILLAGE'S REVISIONS TO THE LAND DEVELOPMENT CODE; FOR THE DURATION OF THE ZIP, A MORATORIUM SHALL APPLY IN THE DUV ZONING DISTRICT ON THE APPROVAL OF ANY RESERVE RESIDENTIAL UNITS, TRANSFER OF DEVELOPMENT RIGHTS (TDR) AND/OR BONUS FLOORS UNDER THE PROVISIONS OF THE DUV ZONING DISTRICT CODE; PROVIDING THAT THE MORATORIUM DOES NOT APPLY TO PENDING SITE PLAN APPLICATIONS THAT WERE FILED IN SUBSTANTIALLY COMPLETE FORM PRIOR TO APRIL 4, 2017; PROVIDING FOR ORDINANCES IN CONFLICT, SEVERENCE, AND PROVIDING FOR AN EFFECTIVE DATE.**

*(Sponsored by Administration)*

**BACKGROUND AND ANALYSIS:**

Village Council needs an additional 60 days in order to consider the results of a comprehensive study and effects of approving reserve units, transfers of development rights (TDRs), and bonus floors under the provisions of the DUV Zoning District code.

**FISCAL/BUDGETARY IMPACT**

This item does not have a fiscal impact.

**RECOMMENDATION:**

The Planning and Zoning Department recommends that the Mayor and Village Council approve the moratorium extension.